

AGENDA
CITY COUNCIL MEETING
COMMUNITY ROOM
WAYNE COMMUNITY ACTIVITY CENTER
February 16, 2021

1. [Call the Meeting to Order – 5:30 p.m.](#)

Anyone desiring to view the Open Meetings Act may do so. The document is available for public inspection and is located on the southwest wall of the Community Room at the Wayne Community Activity Center as well as on the City of Wayne website at cityofwayne.org/8/Government.

The City Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

2. [Approval of Minutes – February 2, 2021](#)
3. [Approval of Claims](#)
4. [Proclamation – “March” as Problem Gambling Awareness Month](#)
5. [Presentation of FY19-20 Audit – Marcy Luth of AMGL](#)
6. [Library Report – Heather Headley, Library Director](#)
7. [Action on the Request of Anthony Cantrell on behalf of the Wayne High School, in conjunction with EVERON \(Electric Vehicle Energy Research of Nebraska\) to close off East 10th Street 200’ east of Angel Avenue to Hillside Drive on Saturday, May 1st, from 8:00 a.m. until 5:00 p.m. for the 2020 Power Drive State Championship and to have the City provide portable restrooms](#)
8. [Public Hearing: To consider the Planning Commission’s recommendation in regard to amending Wayne Municipal Code, Title XV Land Usage, Chapter 151 Subdivisions, Section 151.036 Administrative Subdivisions. The Applicant is the City of Wayne. \(Advertised Time: 5:30 p.m.\)](#)

Background: Current City Code allows the owner of a property, which has previously been subdivided according to the provisions of the City Code, to subdivide the property twice as long as each time does not involve the replatting, consolidation, or development of one or more lots into more than four lots. We end up with legal descriptions such as “the Administrative Lot Split of Lot 1A of the Administrative Subdivision of Lot 1 of the Original Subdivision.” This can become rather confusing and potentially lead to mistakes on real estate documents. This new language would limit each property to just one administrative subdivision, but allow the final number of lots to go from four to eight to allow for more flexibility with the process.

9. [Ordinance 2021-6: Amending Wayne Municipal Code, Title XV Land Usage, Chapter 151 Subdivisions, Section 151.036 Administrative Subdivisions](#)

10. [Resolution 2021-12: Authorizing City Administrator to apply for Nebraska Public Transportation Act Funds for the operation of the Wayne Public Transportation System](#)

Background: This is an annual action required to apply for and receive about \$50,000 per year in State subsidies for our handi-van public transportation system.

11. [Action to direct City staff to begin advertising for bids on the “Greenwood Cemetery — West Driveway Project”](#)

Background: The City now owns an outlot (west driveway) through the cemetery. Per previous discussion and the replatting process, the City intends to replace the concrete on this outlot (driveway). Staff intends to bid this project and have it begin sometime after Memorial Day and have it completed no later than September 1st. The City will also have additional time/expense (outside the bid) to tie in the new driveway to the existing ones.

12. [Update/Discussion on engineering services for the “Shovel Ready – Centennial Road/21st Street Project”](#)

Background: This discussion will center on how to select the engineer for this project. Options include to select the City engineer (JEO) or to issue a request for proposal (RFP). When you issue an RFP, it must include criteria to be evaluated. Some of the criteria might include cost, qualifications, timeframe for completion, etc. Per the City/County Interlocal Agreement, the County has agreed to pay one-third of the design engineering. Staff recommends that the City solicit a proposal from JEO as City engineer and not issue a full RFP. Council could then take action on the agreement as soon as March 2nd. Since there has been engineering discussions at prior Council meetings, staff felt like there should be direction from the Council.

13. [Resolution 2021-13: Amending Fee Schedule](#)

Background: Staff is recommending some changes to the fee schedule. Those changes are highlighted in red.

14. [Resolution 2021-14: Adopting City of Wayne Employee Personnel Manual](#)

Background: Attached is the Personnel Manual in its entirety for your approval. The Manual was previously brought before you in three sections over a three-meeting period.

As stated before, a seven-member committee was established to review and make recommended changes to the City of Wayne’s Personnel Manual. Once those changes were made, the manual was given to City Administrator Blecke and City Attorney Miller to review.

15. [Update on Power Issues](#)

16. [Adjourn](#)

**MINUTES
CITY COUNCIL MEETING
February 2, 2021**

The Wayne City Council met in regular session in the Community Room of the Wayne Community Activity Center on February 2, 2021, at 5:30 o'clock P.M.

Mayor Cale Giese called the meeting to order with the following in attendance: Councilmembers Dwaine Spieker, Terri Buck, Nick Muir, Yasuko Taoka, Chris Woehler, Jason Karsky, Matt Eischeid and Jill Brodersen; Attorney Amy Miller; City Administrator Wes Blecke; and City Clerk Betty McGuire.

Notice of the convening meeting was given in advance by advertising in the Wayne Herald on January 21, 2021, and a copy of the meeting notice and agenda were simultaneously given to the Mayor and all members of the City Council. All proceedings hereafter shown were taken while the Council convened in open session.

Mayor Giese advised the public that a copy of the Open Meetings Act was located on the southwest wall of the Community Room of the Wayne Community Activity Center, as well as on the City of Wayne website at cityofwayne.org/8/Government, and was available for public inspection. In addition, he advised the public that the Council may go into closed session to discuss certain agenda items to protect the public interest or to prevent the needless injury to the reputation of an individual and if such individual has not requested a public hearing.

Councilmember Brodersen made a motion, which was seconded by Councilmember Spieker, to approve the minutes of the meeting of January 19, 2021, and to waive the reading thereof. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried and the Minutes approved.

The following claims were presented to Council for their approval:

VARIOUS FUNDS: ACES, SE, 956.14; AMAZON, SU, 619.38; APPEARA, SE, 44.40; ARC-HEALTH & SAFETY, FE, 32.00; BECKER, JOHANNA, SU, 150.00; BLUE CROSS BLUE SHIELD, SE, 50005.40; BOMGAARS, SU, 1568.27; BORDER STATES INDUSTRIES, SU, 1022.32; CENTURYLINK, SE, 426.31; CITY EMPLOYEE, RE, 132.67; CITY OF WAYNE, RE, 671.70; CIVICPLUS, FE, 8875.00; CONSOLIDATED MANAGEMENT, RE, 67.45; COPY WRITE PUBLISHING, SE, 133.87; DEMCO, SU, 486.95; FLOOR MAINTENANCE, SU, 195.03; FRANK, JIM, RE, 500.00; GALE/CENGAGE LEARNING, SU, 74.72; GERHOLD CONCRETE, SU, 378.55; H2I GROUP, SU, 4379.51; HILAND

DAIRY, SU, 21.02; INTERSTATE BATTERY SYSTEM, SU, 167.00; JACK'S UNIFORMS, SU, 179.85; LEAGUE OF NEBRASKA MUNICIPALITIES, FE, 395.00; LIFE LINE SCREENING, RE, 150.00; MARCO, SE, 175.92; MARCO TECHNOLOGIES, SE, 191.17; NE DEPT OF ENVIRONMENTAL QUALITY, FE, 150.00; NE LAW ENFORCEMENT, FE, 216.00; NE LIBRARY COMMISSION, FE, 750.00; NE PUBLIC HEALTH ENVIRONMENTAL LAB, SE, 1416.00; NE STATE FIRE MARSHAL, SE, 244.00; NORTHEAST NE INS AGENCY, SE, 97359.00; O'REILLY AUTOMOTIVE STORES, SU, 132.37; POLICE OFFICERS' ASSOCIATION OF NE, FE, 90.00; RIEKES EQUIPMENT, SE, 286.76; SIRSIDYNIX, SE, 6996.41; STADIUM SPORTING GOODS, SU, 209.00; STAPLES, SU, 125.04; TOM'S BODY & PAINT SHOP, SE, 32.50; TRI-STATE COMMUNICATIONS, SU, 32.00; UTILITY EQUIPMENT, SU, 1495.80; WISNER WEST, SU, 127.39; ZEE MEDICAL SERVICE, SU, 295.85; AMERICAN BROADBAND, SE, 2441.83; AMERITAS, SE, 196.99; AMERITAS, SE, 2472.54; AMERITAS, SE, 72.00; AMERITAS, SE, 43.54; APPEARA, SE, 44.40; BLACK HILLS ENERGY, SE, 1627.18; BSN SPORTS, SU, 223.64; CARHART LUMBER CO, SU, 593.41; CITY EMPLOYEE, RE, 3841.61; CITY EMPLOYEE, RE, 133.90; CITY OF WAYNE, RE, 133.90; CITY OF WAYNE, PY, 85149.84; CITY OF WAYNE, RE, 281.93; COLONIAL RESEARCH, SU, 171.20; COMFORT INN-GRAND ISLAND, SE, 249.00; CONSOLIDATED MANAGEMENT, SE, 68.56; DAS STATE ACCTG-CENTRAL FINANCE, SE, 448.00; DEARBORN LIFE INSURANCE, SE, 2633.26; DEARBORN LIFE INSURANCE, SE, 103.70; DEMCO, SU, 230.17; DINKEL'S, SU, 13148.00; DITCH WITCH UNDERCON, SU, 37.79; DUTTON-LAINSON, SU, 4986.20; EASYPERMIT POSTAGE, SU, 867.59; ECHO GROUP, SU, 350.12; ED M. FELD EQUIPMENT, SU, 1041.06; EVOQUA WATER TECHNOLOGIES, SE, 9823.90; FIRST CONCORD GROUP, SE, 3367.88; FLOOR MAINTENANCE, SU, 45.03; GALE/CENGAGE LEARNING, SU, 49.38; GROSSENBURG IMPLEMENT, SU, 155.56; HILAND DAIRY, SE, 123.42; HORIZON CONSTRUCTION, RE, 1000.00; ICMA, SE, 8709.45; IRS, TX, 3385.14; IRS, TX, 11144.21; IRS, TX, 14474.04; JACK'S UNIFORMS, SU, 955.00; JEO CONSULTING GROUP, SE, 1276.56; KAY CONTRACTING, SE, 583.44; MILLER LAW, SE, 5416.67; N.E. NEB CLERKS ASSOCIATION, FE, 20.00; NE DEPT OF REVENUE, TX, 4765.83; NE DEPT OF TRANSPORTATION, SE, 104055.60; NE RURAL WATER, FE, 275.00; NEBRASKA JOURNAL LEADER, SE, 123.66; O'REILLY AUTOMOTIVE STORES, SU, 142.04; OWNEI, MARIA, RE, -50.00; OZUNA, MARIA, RE, 50.00; PREMIER BIOTECH, SE, 252.00; SKARSHAUG TESTING LAB, SE, 224.38; SOOLAND BOBCAT, SU, 249.48; STADIUM SPORTING GOODS, SE, 20.00; STAPLES, SU, 195.58; STOWATER, TROY, RE, 500.00; TYLER TECHNOLOGIES, SE, 200.00; US BANK, SU, 4752.80; VAKOC CONSTRUCT, SU, 24.86; VIAERO, SE, 67.00; WAED, SE, 8592.41; WAYNE COUNTY CLERK, SE, 325.01; WAYNE COUNTY COURT, RE, 150.00; WAYNE COUNTY TREASURER, SE, 1159.00

Councilmember Brodersen made a motion, which was seconded by Councilmember Buck, to approve the claims. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Richard Koenig, Water Supply Specialist, NHHS, DPH, Drinking Water Program, gave an update on the sampling issues with the new water transmission main, chlorination, etc. Roger Protzman, representing JEO Consulting Group, Inc., and Casey Junck, Water/Wastewater Superintendent, were also present to answer questions, explain testing procedures, the steps they have taken so far and will take to try to figure out why the water samples are not passing.

Barb Engebretsen and Endia Casey-Agoumba, representing the Voices for Vision Coalition were present requesting Council consideration to naming the trail system “Freedom Trail.” The Voices for Vision Coalition is a community group that came together last summer in response to racial tensions with the dual goals of acknowledging our nation’s systemic racism and promoting inclusive community.

Mayor Giese recommended tabling this matter until a future meeting date so that more input could be obtained from the community.

Connie Hall, spoke in opposition to the naming of the trail the “Freedom Trail” because she said the trail already has a name – “Wayne Community Pedestrian Trail.”

After discussion, Councilmember Spieker made a motion, which was seconded by Councilmember Brodersen, to table action on the request of Barb Engebretsen (Voices for Vision Coalition) to name the trail system “Freedom Trail.” Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Lowell Heggemeyer, Park and Recreation Director, gave a report on what is taking place in his department. Amber Schwarte, Recreation Services Coordinator, updated the Council on things that have taken place at the Community Activity Center.

Joel Hansen, Street and Planning Director, stated Kari Patefield, owner of IKT, has applied for a “Sign Permit” pursuant to Wayne Municipal Code, Section 154.01 Permit Required. Love Signs is installing an awning and a lit sign on the front of their building at 112 E. 2nd Street. This will hang over the City’s right-of-way. Staff cannot approve this permit; it must come before the City Council for approval for that reason. Your responsibility is to review the sign as proposed. You have the right to make modifications as you see fit, approve it as presented, or deny it. The only requirement by code is that it must be least 8’ above the sidewalk.

Councilmember Eischeid made a motion, which was seconded by Councilmember Karsky, approving the Sign Permit for Kari Patefield, owner of IKT, 112 E. 2nd Street, pursuant to Wayne Municipal Code Section 154.01 Permit Required. Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese recessed the meeting for 5 minutes.

Mayor Giese declared the time was at hand for the public hearing on the One and Six Year Street Improvement Program.

Joel Hansen, Street and Planning Director, presented the One and Six Year Street Improvement Program. This is a yearly requirement to receive Highway Allocation Funds from the Nebraska Department of Transportation. He noted that just because a project is in the One and Six Year Street Improvement Plan does not mean the project has to be done that year. However, if the City would want to do a project that is not in the One and Six Year Street Improvement Plan, another public hearing would have to be held to amend the plan.

Upcoming projects, which include some carry-over projects from previous year(s), include the following:

<u>Project Number</u>	<u>Project Year</u>	<u>Improvement</u>	<u>Estimated Cost</u>

M – 617(128)	2021	Pine Heights Road from E. 9 th to E. 10 th and East 10th from Pine Heights Road west 220' – 780' Construct Concrete Paving, Curb & Gutter	\$630,000

M – 617(129)	2022	Fairgrounds Avenue from S. Main to S. Nebraska – 415' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$195,000
M – 617(115)	2022	W. 3 rd Street from Oak Dr. to 250' E. of Oak Dr. – 250' Construct Concrete Paving, Curb & Gutter	\$ 70,000

M – 617(132)	2023	E. 4 th Street and Thorman Street – 2,300' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$900,000
M – 617(127)	2023	Downtown Alleys – 2,880' Overlay and Concrete Paving	\$480,000

M – 617(107)	2024	Clark Street & S. Pearl Street . – 745' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$350,000
M – 617(114)	2024	W. 2 nd Street from Blaine St. to 360' E of Blaine St. – 380' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$180,000
M – 617(131)	2024	E. 21 st Street from Vintage Hill Drive to Centennial Road and Centennial Road from E. 14 th to E. 21 st – 4,500' Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$ 1,300,000

M – 617(98)	2025	Sherman Street from W. 5 th St. to W. 6 th St. – 300’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$140,000
M – 617(113)	2025	Sherman Street from W. 3 rd St. to W. 4 th St. – 300’ Construct Concrete Paving, Curb & Gutter	\$140,000

M – 617(112)	2026	Lagoon Streets – 2,500’ Construct Concrete Paving	\$900,000
M – 617(130)	2026	W. 11 th Street from Main to Sherman – 1,550’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$850,000
M – 617(89)	2026	Lage Subdivision – South of Fairgrounds Avenue – 900’ Construct Concrete Paving, Curb & Gutter, Storm Sewer	\$400,000
M – 617(120)	2026	Northern Ridge Drive from Highway 15 to W. 21 st St. – 1,800’ Construct Concrete Paving, Curb & Gutter, & Storm Sewer	\$800,000
M – 617(104)	2026	S. Lincoln Street from W. 1 st St. to 300’ S. of W. 1 st St. – 300’ Construct Concrete Paving, Curb & Gutter	\$90,000
M – 617(116)	2026	W. 7 th Street from Haas Avenue to Pheasant Run – 1,650’ Storm Sewer & Sidewalk	\$110,000
M – 617(119)	2026	South Windom Street from 232’ S of Folk St. to 333’ S of Folk St. Construct Concrete Paving, Curb and Gutter – 101’	\$25,000

Luke Virgil, Director of Wayne Area Economic Development, spoke in favor of placing the 21st Street/Centennial Road Project on the One and Six Year street Improvement Program, in addition to the 4th Street Project.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

There being no further comments, Mayor Giese closed the public hearing.

Councilmember Eischeid introduced Resolution 2021-8 and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2021-8

A RESOLUTION APPROVING THE ONE AND SIX YEAR STREET IMPROVEMENT PROGRAM.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Mayor Giese declared the time was at hand for the public hearing to consider the Planning Commission's recommendation regarding the Final Plat for "Greenwood Addition." The applicant for the request is the City of Wayne. The area is located in the East Half of the Southeast Quarter of the Southwest Quarter of Section 12, T26N, R3E of the 6th P.M., Wayne County, Nebraska.

Joel Hansen, Street and Planning Director, stated the Planning Commission held a public hearing on this matter on February 1, 2021, and approved the same, with the "Findings of Fact" being:

- Consistency with the Comprehensive Plan and future land use map; and
- Staff's recommendation.

This plat, when finalized, will allow the City to take ownership of the west driveway (Outlot A) in the cemetery which provides access to the west water tower. The preliminary plat shows the layout of the existing driveway and how it lays within the platted outlot. By taking ownership of Outlot A, as shown, the City would have the ability to improve the concrete driveway this summer.

City Clerk McGuire had not received any comments, either verbal or in writing, for or against this public hearing.

There being no further comments, Mayor Giese closed the public hearing.

Councilmember Spieker introduced Resolution 2021-9, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2021-9

A RESOLUTION APPROVING THE FINAL PLAT FOR "GREENWOOD ADDITION," CITY OF WAYNE, WAYNE COUNTY, NEBRASKA.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Blecke stated the following Resolution would formally accept the Wayne Trail Phase II Project.

Councilmember Eischeid introduced Resolution 2021-10, and moved for its approval; Councilmember Brodersen seconded.

RESOLUTION NO. 2021-10

A RESOLUTION APPROVING FINAL ACCEPTANCE OF PROJECT CONSTRUCTION – WAYNE TRAIL PHASE II PROJECT.

Discussion took place about the railings on the underpass. It was noted that if the City would want to change those, the cost thereof would be borne by the City and it would have to be approved by the State. In addition, it was also noted that all of the railings in Wayne are like the ones on the underpass.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Administrator Blecke stated the following Resolution would approve the Interlocal Agreement between the City of Wayne and Wayne County for the 21st Street/Centennial Road Paving Project.

Staff has conferred with the County and the projected cost-share for this project will be two-thirds (City), one-third (County). That cost-share, which only pertains to design engineering fees, was approved by the County this morning. The Interlocal Agreement was prepared by Attorney Miller. The hope is that there will be stimulus funding to help fund this project.

Councilmember Brodersen introduced Resolution 2021-11, and moved for its approval; Councilmember Buck seconded.

RESOLUTION NO. 2021-11

A RESOLUTION APPROVING INTERLOCAL COOPERATION ACT AGREEMENT BY AND BETWEEN THE COUNTY OF WAYNE, NEBRASKA, AND THE CITY OF WAYNE, NEBRASKA.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Councilmember Spieker introduced Ordinance No. 2021-3, and moved for approval of the third and final reading thereof; Councilmember Brodersen seconded.

ORDINANCE NO. 2021-3

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE TITLE VII TRAFFIC CODE, CHAPTER 78 PARKING, SECTION 78-126 PROHIBITED PARKING; NORTHEAST QUADRANT OF THE CITY; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

Mayor Giese stated the motion, and the result of roll call being all Yeas, the Mayor declared the motion carried.

Council reviewed and discussed Chapters 14-22 of the City of Wayne Employee Personnel Manual. The entire manual will be presented at the next Council meeting for approval/adoption.

Discussion took place and updates were given on the COVID-19 pandemic and also the current face covering requirement.

Julie Rother, Health Director of the Northeast Nebraska Public Health Department, Dr. Melissa Dobbins, and Jim Frank, CEO of Providence Medical Center, reported on numbers for before and after the mask mandate implementation, vaccination distribution, etc., and were in favor of extending the mask mandate.

Luke Virgil, Executive Director of Wayne Area Economic Development, stated he had sent out 52 surveys, which one of the questions was: "Should the council extend the mask mandate ordinance?" Of those 52 surveys sent out, 25 said no, 24 said yes, and the remaining 3 were indifferent.

Those from the public speaking against continuing the mask mandate were: Dr. Levi Kenny, Bridget Korth, Rick Gathje, and Mark Putnam.

Those from the public speaking in favor of continuing the mask mandate besides Julie Rother, Director of the Northeast Nebraska Public Health Department, Dr. Melissa Dobbins, and Jim Frank, CEO Providence Medical Center, was Traci Bruckner.

Councilmember Brodersen and City Administrator Blecke are part of a committee of community leaders and partners, which includes the Wayne Community Schools, Wayne State College, Providence Medical Center, the Public Health Department, Rainbow World, Emergency Management and WAED. They met this morning, and Councilmember Brodersen reported that Wayne Community Schools and Wayne State College will be masking up through May. In addition, the School, College, Public Health Department, and Providence Medical Center would like to see the City extend the mask mandate.

Councilmember Eischeid stated when we have our health care professionals, the CEO of our hospital, doctors, nurses and friends at the hospital ask for our help to do anything to minimize the numbers or help them, he is in favor of that. This is about the overall health of our community.

Councilmember Karsky stated there are all types of stress, and one of the things he came away with from some of the calls he received from the elderly folks is that they are scared. They are frightened. He asked: "Where is the humanity in regard to protecting those that are most important to us in regard to the people that have lived their entire life here in Wayne?"

Councilmember Buck stated she struggles with the fact that people aren't wearing their masks, yet our numbers are going down. In addition, we are struggling to enforce this ordinance.

Councilmember Woehler stated he thought the City should just recommend wearing a mask/face covering and not force it.

Councilmember Spieker stated the response he has heard now is different than what he had heard when the mask mandate first came up. It is much more mixed. There are people out there that are just not going to follow the mandate. He does not think that, at this time, it is the right thing to do.

Councilmember Taoka stated she received responses of about 75% for and 25% against, as did Councilmember Brodersen.

Councilmember Muir stated he received comments of about 60% for and 40% against this time.

Mayor Giese stated he thought a mandate increases the amount of people wearing a mask. He did not think a recommendation was going to increase the amount of people wearing a mask.

After further discussion, Councilmember Brodersen made a motion, which was seconded by Councilmember Eischeid, to renew Ordinance No. 2021-5, with a sunset provision of April 6th unless terminated sooner by Council.

Councilmember Spieker stated while he agrees with Councilmember Karsky, the constituents he has heard from this time do not want the mask mandate.

Councilmember Brodersen responded that our Community Partners (School, College, and Providence Medical Center) have asked us to renew the mask mandate, and she cannot say no to them.

Mayor Giese stated the motion, and the result of roll call being all Yeas, with the exception of Councilmembers Spieker, Buck and Woehler who voted Nay, the Mayor declared the motion carried.

There being no further business to come before the meeting, Mayor Giese declared the meeting adjourned at 8:53 p.m.



City of Wayne, NE

Vendor	Payable Description	Payment Total
ACE HARDWARE & HOME	BAGS/FLAP WHEEL/BITS/BLADES	122.14
AMGL	AUDIT OF FINANACIAL STATEMENTS	29,350.00
APPEARA	LINEN & MAT SERVICE	45.44
BAKER & TAYLOR BOOKS	BOOKS	698.03
BATTERY SOLUTIONS, LLC	BATTERY BUCKETS	329.85
BIO-ELECTRONICS	REPLACED AED PADS	195.07
BROWN SUPPLY CO	CURB RUNNER	590.90
CARROT-TOP INDUSTRIES	FLAGS	358.61
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	39.99
CITY EMPLOYEE	CLOTHING REIMBURSEMENT	59.98
CITY EMPLOYEE	MEDICAL REIMBURSEMENT	1,585.33
CITY OF WAYNE	UTILITY REFUNDS	984.00
CITY OF WAYNE	UTILITY REFUNDS VOIDS UNCLAIMED	-128.36
CONSOLIDATED MANAGEMENT CO	TRAINING CENTER MEALS	72.86
COPY WRITE PUBLISHING	OFFICE SUPPLIES/SHIPPING CHARGES	144.73
DANKO EMERGENCY EQUIPMENT	JAWS OF LIFE MAINTENANCE	1,383.13
DANLADI, PHIMWANALA	ADULT BASKETBALL REF	120.00
DUGAN BUSINESS FORMS	AP CHECKS	743.98
ED M. FELD EQUIPMENT CO INC	BOTTLE HYDROTEST	105.00
EVOQUA WATER TECHNOLOGIES LLC	CLARIFIER SERVICE CALL	3,600.00
FLOOR MAINTENANCE	BOWLS/CUPS/GLOVES/TOILET PAPER	537.65
GAMBLE, PAYTON	ADULT BASKETBALL REF	50.00
GLOBAL PAYMENTS INTEGRATED	CAC CREDIT CARD TRANSACTION FEES	83.60
GREENFIELD, BRETT	ADULT BASKETBALL REF	25.00
HEGGEMEYER, CANDACE	ADULT BASKETBALL REF	19.50
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	155.23
HILAND DAIRY	SENIOR CENTER FOOD SERVICE	131.45
HOMETOWN LEASING	COPIER LEASES	436.02
HOSKINS, BRAD	ADULT BASKETBALL REF	50.00
ICC	MEMBERSHIP DUES	145.00
ICMA RETIREMENT-FIRST NATL BANK -MARYLAND	PAYROLL RETIREMENT	8,700.59
INGRAM LIBRARY SERVICES	BOOKS	749.88
J. F. AHERN CO.	CAC SPRINKLER INSPECTION	330.00
JOHN'S WELDING AND TOOL LLC	WELD HITCH TO BOX SCRAPER/CYLINDER FILLS	1,143.23
KELLY SUPPLY COMPANY	SILICONE	82.98
LOFFLER	COPIER CHARGES	247.17
LUTT OIL	GASOLINE	4,984.04
MATHESON-LINWELD	OXYGEN	35.06
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	2,513.40
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	36.84
MERCHANT SERVICES	CREDIT CARD TRANSACTION FEES	1,335.14
NORTHEAST POWER	WHEELING CHARGES/ELECTRICITY	23,770.44
OZUNA, MARIA	REC BASKETBALL REFUND	-50.00

OZUNA, MARIA	REC BASKETBALL REFUND	50.00
VERIZON WIRELESS SERVICES LLC	CELL PHONES	416.93
WAYNE COUNTY COURT	BOND	300.00
WORLDPAY INTERGRATES PAYMENTS	CAC CREDIT CARDS	192.28
	Grand Total:	86,872.11

CITY OF WAYNE
OFFICE OF THE MAYOR

Proclamation

WHEREAS, there are individuals and families in our community adversely affected by problem gambling; and

WHEREAS, compulsive gambling is often hidden from family members, social services and mental health professionals; and

WHEREAS, compulsive gambling often occurs in combination with other disorders such as chemical dependency and depression; and

WHEREAS, it is important to raise awareness of the warning signs of compulsive gamblers and connect them with professional help.

NOW, THEREFORE, I, Cale Giese, Mayor of Wayne, Nebraska, do hereby proclaim March, 2021, as **“Problem Gambling Awareness Month”** and urge citizens to learn more about the consequences of problem gambling and help available through the Nebraska Gamblers Assistance Program.

THE CITY OF WAYNE, NEBRASKA,

By _____
Cale Giese, Mayor

ATTEST:

City Clerk

City of Wayne
September 30,

	Reference	Recommended	2020	2019	2018	2017	2016
Population			5,666	5,666	5,666	5,665	5,663
Valuation		\$ 323,058,792	\$ 238,088,327	\$ 226,544,459	\$ 217,869,565	\$ 208,729,770	\$ 201,911,956
Per Capita		\$ 58,244	\$ 42,021	\$ 39,983	\$ 38,452	\$ 36,846	\$ 35,655
1) Unrestricted Net Assets/Total Net Assets							
Government Wide	Page 22	30%	27.43%	31.94%	29.23%	27.10%	30.81%
Governmental Activities	Page 22	25%	6.38%	15.77%	13.87%	12.96%	13.23%
Business-Type Activities	Page 22	35%	51.99%	50.45%	47.01%	42.52%	49.23%
2) Top 6 Sources of Revenues - Governmental Activities							
Sales Tax	Page 10	\$295 per Capita	\$ 217	\$ 201	\$ 203	\$ 186	\$ 185
Property Taxes		\$254 per Capita	175	166	156	149	141
In Lieu of Tax Payments		\$110 per Capita	184	175	172	157	156
State Allocation		\$165 per Capita	216	210	197	189	183
Charges for Services		\$100 per Capita	106	130	136	126	115
Grants		\$235 per Capita	392	133	150	65	252
3) State Allocations							
Highway Allocation		\$120 Per Capita	\$ 96	\$ 97	\$ 90	\$ 86	\$ 81
Municipal Equalization		\$45 Per Capita	92	86	80	77	76
4) Governmental Expenses (Excludes capital outlay)							
Administration	Pages 86 & 87	\$90 Per Capita	\$ 39	\$ 42	\$ 42	\$ 44	\$ 40
Community Center		\$30 Per Capita	53	52	51	51	52
Public Building		\$30 Per Capita	16	23	16	24	14
Recreation		\$40 Per Capita	75	125	114	68	52
Library		\$60 Per Capita	47	45	46	45	44
Public Works		\$60 Per Capita	111	103	104	103	97
Public Safety		\$225 Per Capita	245	241	228	188	184
5) Outstanding GO Debt/Valuation							
	Page 15	< 5%-Good	1.90%	1.66%	2.00%	2.28%	2.70%
		< 3%-Excellent					
6) Unassigned Fund Balance/General Fund Expenditures							
	Pages 24 & 26	40%	4.85%	28.07%	42.35%	0.00%	6.36%

	Reference	Recommended	2020	2019	2018	2017	2016
7) Months Expense in Street Cash Reserve	Pages 24 & 26	12.0	18.9	13.5	8.0	13.6	9.8
8) Levy Rates							
General		0.38	0.369242	0.365961	0.364127	0.360197	0.348162
Debt Service		\$211/Capita 0.07	\$ 155 0.042421	\$ 146 0.044583	\$ 140 0.046358	\$ 133 0.049107	\$ 124 0.050765
Total Levy		\$43/Capita	\$ 18 0.411663	\$ 18 0.410444	\$ 18 0.410485	\$ 18 0.409304	\$ 18 0.398927
9) Net Depreciable Capital Assets/Original Cost							
Governmental Activities	Page 59	> 35%	45.07%	47.09%	47.96%	50.85%	53.05%
Business-type Activities	Page 61	> 35%	41.25%	39.68%	41.81%	44.12%	45.80%
Component Unit	Page 62	> 35%	67.93%	70.74%	73.42%	77.25%	81.39%
10) Operating Income/Total Operating Revenue							
Electric Fund	Page 29	15.00%	13.59%	6.84%	-2.96%	0.38%	3.34%
Water Fund		15.00%	55.09%	30.17%	20.10%	14.17%	25.78%
Sewer Fund		15.00%	18.30%	13.45%	6.13%	-25.12%	6.96%
Transfer Station		10.00%	6.21%	-79.75%	-117.29%	-106.33%	-135.00%
Internal Service Fund		5.00%	11.80%	12.26%	8.12%	11.76%	16.85%
11) Debt Coverage Ratio							
Electric	Pages 29 & 30	1.50	0.65	5.31	1.32	2.98	4.10
Water		1.50	7.86	0.56	6.15	5.89	6.56
Sewer		1.50	1.61	1.37	1.15	0.29	1.27
12) Cash, Investments & Treasurer Cash							
Governmental Activities:	Pages 24/26/59	1,580,000					
Operating		825,000					
Replacement		2,405,000	264,292	1,069,924	1,530,515	-	335,988
Business-type Activities (Excluding Depreciation/Amortization)	Pages 28/29/61	4,005,000					
Operating		815,000					
Restricted		3,820,000					
Replacement (\$1,347,907 in construction in progress)		8,640,000	10,327,629	8,776,019	7,663,987	6,597,068	8,276,374

WAYNE PUBLIC LIBRARY

2020-2021 YEAR IN REVIEW



23,393
Library Visits

54%



46%



14,805
Adult
Checkouts

3,957
Patron Cards
*began weeding
unused accounts

6%



16%



7,176
Adult
Downloaded
Checkouts

72,494
Library Items



47%



14,737
Youth
Checkouts

3,105
Computer
Sessions

62%



19%



1,478
Youth
Downloaded
Checkouts

The 2019-2020 fiscal year was full of challenges and opportunities. Director Heather Headley and Youth Services Librarian Kim Warner entered their third year confident in their desired direction for the library, happy with the progress and change they'd created so far, and eager to provide more services and engagement for the community in new ways. The hiring of adult services librarian Sharon Carr in September of 2019 helped propel their vision for the library further, with her knowledge of social media and her energy and excitement about trying new ideas with library programming. Together, the three are a cohesive team, working together with their unique skills and experiences to create a solid and diverse future for the library.

The beginning of the fiscal year was off to a fabulous start, showing growth in attendance to programming, leading the library staff to expand offerings. Early Learning attendance was up 27% for the year (prior to February 2020), and Kim Warner expanded the schedule to offer a second storytime. Storytime at the library has been consistently successful, allowing parents to have a space to learn together with their children and get to know other families in the area. Patrons have also had the opportunity of participating in the library's 1000 Books Before Kindergarten program, the goal being to provide a simple, innovative yet fun approach to establishing strong early literacy skills. This program helps young children gain the confidence necessary to become strong readers. Along with storytime's and 1000 Books Before Kindergarten in the library, youth services librarian Kim also provided outreach programming to area daycares, stopping at these locations once a week to read stories with their kids.

Children's programming attendance was up 15% (prior to February 2020), with the new coloring after school program becoming so successful that the library began to offer it twice a month. The after school coloring program provided kids with snacks and a safe place to color and socialize with others. Sherry Dorman, a local counselor, would attend these coloring times and sit with the kids, providing them a trustworthy adult to talk with if needed. A monthly movie showing was also provided after school to youth, complete with snacks.

Adult programming attendance at this time was up 28% (prior to February 2020). Plans had been in the works to expand trivia nights, offering them more often since they seemed to be a big hit with a younger, millennial demographic of patrons we sometimes have a hard time engaging at the library. Adult Services Librarian Sharon continued to develop a monthly craft program and added an additional monthly art program that would partner with community artistic entities to provide art lesson themed activities. A second book club was brought to fruition, with hopes of, again, reaching an audience of adults the library tends to have less engagement with. This book club was called Weekend Book Club and had meetings during the weekends. Unfortunately, this club never gained a lot of steam due to the pandemic, and activity dropped off for traditional book club as well. Sharon has hopes of restoring our book clubs in the future.

The staff was also improving relations in the community including partnering with Country View to offer programs at that facility. Before the pandemic, we had participated in their community event of Trunk or Treat, and had hosted a Christmas craft with residents at Country View. Other community outreach included cooperating with Wayne State College's Art Club and department in creating student-run art lessons. Plans were also in the works to collaborate with a local art gallery, Blue Cat in creating additional programming and possibly hosting a few pieces of artwork from their artists in our space.

The large project started in 2018-19 to weed the entire collection continued with Youth Services Librarian Kim finishing the sections in the children's room as well as the young adult section. Director Heather finished weeding the fiction section. Other collections removed

include the art collection to make room for a new range of shelving and the Grandmapa collection to make room for games and puzzles after the library received a donation to expand that collection. Over 120 games and 100 puzzles were added. The efforts in these areas led to a 215% increase in items discarded this year in comparison to 2018-19. Wayne Public Library also added a “toy” collection, reboxing and cataloging items that were originally housed in a storage cube to gain space in the room and have the added benefit of being able to track usage.

With the new addition of puzzles, the library set up a community puzzle that was ongoing. This was observed to be well enjoyed by patrons of all ages.

The Library Board voted to try extended check out lengths for materials, changing from a 2-week checkout for books, magazines, audiobooks to 3 weeks. Games and DVD's changed from 5 days to 1 week. The community responded well and had the added benefit of having fewer overdues and fines.

In February 2020, the city was hacked with a Ransomware attack, and the city was offline for two weeks.

Fortunately, the library was able to keep offering almost all library services, with the exception of public internet access. Staff were able to use laptops temporarily, and the library was generously provided with a loan of an internet hotspot from Viaero to access our systems. Once the city resolved the attack, the library was able to resume business. This normalcy would be short-lived though since the pandemic would start to hit hard soon after this resolution, and the library would begin to place pandemic policies in effect on March 13.

The library's doors closed to the public on March 18, 2020. Within five days, WPL began offering curbside service, which included pulling books or other materials for patrons, bagging them, and scheduling times for patrons to pick up these materials safely outside the library's doors. As the situation continued and there were no signs of the pandemic ending, or its safety precautions going away any time soon, plans were put into place to continue adapting. WPL continued to offer many services regardless of the pandemic, such as curbside printing, wireless access in the parking lot, making puzzles available for checkout, and virtual programming through library social media.

Adult services librarian Sharon had been in the works of expanding the library's social media presence prior to the pandemic, but this was expanded exponentially with the pandemic restrictions in place. The library now has active social media platforms on Facebook, Instagram, and Twitter. The library also has an Instagram entirely dedicated to youth and young adult patrons. The material posted on these social media sites consists of information on the current happenings at WPL, as well as engaging book news, book spotlight posts of materials available in the library's collection, fun, and educational virtual activities for youth, shared posts of happenings in our community, and more. The library has seen steady growth in followers of our social media, especially over this last year, gaining 300 followers on Facebook in two years. Throughout the pandemic, craft and art activities have been available to patrons via video programming on Facebook, with corresponding take-and-make activities available for curbside pickup at the library. Youth services librarian Kim has offered virtual storytimes throughout the pandemic. The library has made sure to promote our virtual services such as Libby, our online reading app that includes thousands of ebooks, audiobooks, and magazines, and Beanstack, our newly added virtual book tracking and reading challenge app.

Staff utilized the initial closing to inventory the collection, paint, and library, remodel the public restroom (shared with the Senior Center) in addition to a variety of other maintenance projects in our ILS (integrated library system). The staff was very fortunate to stay in the building throughout the entire time, although working hours have fluctuated. Another lengthy and dedicated staff project throughout the year has been restoring the online archive of the Wayne Herald Newspapers. When the city went offline due to Ransomware, this archive also went offline. The staff has been working diligently in aiding in the lengthy process of restoring the digital papers for the archive.

Summer Reading Program (SRP) provided the push to contract for service with Beanstack, a digital tracking app for reading progress and reading challenges. Director Heather Headley and librarians Kim & Sharon were excited about this development, as they had been considering adding an app such as this prior to the pandemic. Beanstack has allowed WPL to move SRP entirely online, the app allowing users to track their reading and register for prizes. The library partnered their Beanstack app with additional virtual programming from Page Turner Adventures, a group that focuses on storytelling + clowning + theater to promote language arts, growth mindset, and social-emotional skills. Staff also planned out-of-building experiences for the community that were very well received, including a seek-and-find window, sidewalk play challenges, Story Time @ the Park, craft & coloring packets. The Summer Reading Program is entirely supported by local businesses, and thanks to their generosity we were able to provide programming and prizes to participants, including local chamber bucks, keeping the funding local.

June 15, 2020, WPL opened by appointment and has been fortunate to remain open since then. Hours have fluctuated with the ever-changing pandemic situations, but patrons have been able to continue to call to come in or utilize the curbside service to pick up. Patrons have become more familiar with utilizing our online resources (online catalog use is up 105% this year) and our phone calls statistic is also up 79%.

Wayne Public Library is fortunate to have a supportive community of patrons, businesses, council members. Although 2019-2020 proved to be challenging, the library staff remains positive and is excited to see what the coming year will bring.

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Betty McGuire - Power Drive Rally - Street Closure - City Council Approval

From: Tony Cantrell <ancantr1@waynebluedevils.org>
To: Betty McGuire <betty@cityofwayne.org>
Date: 1/31/2021 9:43 PM
Subject: Power Drive Rally - Street Closure - City Council Approval

Hello,

We are making plans to host another Power Drive rally this spring. Can I get placed on the agenda for an upcoming city council meeting to discuss the closure of east 10th street and portable restrooms?

Details:

Who: EVERON (Electric Vehicle Energy Research of Nebraska) and Tony Cantrell

What: 2021 Power Drive State Championship

When: May 1st, 2020 8:00am - 5:00pm

We are requesting: Street closure of East 10th street 200' East of Angel Avenue to Hillside Drive (red line on attached picture), and portable restrooms for this event. This is the same request as previous years.

We will obtain liability insurance for the event.



Thanks,



**CITY OF WAYNE
INTEROFFICE MEMORANDUM**

DATE: February 2, 2021

TO: Mayor Giese
Wayne City Council

FROM: Wayne Planning Commission
Joel Hansen, Staff Liaison



At their meeting held on February 1, 2021, the Wayne Planning Commission made a recommendation on the following public hearings; the results of those recommendations are as follows:

Public Hearing: Amending the Wayne Municipal Code, Section 151.036 Administrative Subdivisions; Applicant – City of Wayne

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, a motion was made by Commissioner Meisenbach and seconded by Commissioner Sorenson to approve and forward a recommendation of approval to the City Council amending the Wayne Municipal Code, Section 151.036 Administrative Subdivisions as outlined in the attached, with the findings of fact being staff's recommendation. Chair Melena stated the motion and second; all were in favor; motion carried.

Public Hearing: Final Plat for Greenwood Addition; Applicant: City of Wayne

The Planning Commission took evidence and testimony from the public and thereafter reviewed the information and evidence presented. After deliberation and discussion, a motion was made by Commissioner Meisenbach and seconded by Commissioner Schultz to approve and forward a recommendation of approval to the City Council for the Final Plat for Greenwood Addition, with the findings of fact being consistency with the Comprehensive Plan, the Future Land Use Map and staff's recommendation. Chair Melena stated the motion and second; all were in favor; motion carried.

JH:cb

ORDINANCE NO. 2021-6

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE TITLE XV LAND USAGE, BY AMENDING SECTION 151. SUBDIVISIONS, SECTION 151.036 ADMINISTRATIVE SUBDIVISIONS; TO PROVIDE FOR THE REPEAL OF CONFLICTING SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. The Planning Commission held a public hearing on February 1, 2021, and recommended amending Section 151.036 Administrative Subdivisions of the Wayne Municipal Code, with the "Finding of Fact" being that staff's recommendation.

Section 2. That Title XV Land Usage, Section 151. Subdivisions, Section 151.036 Administrative Subdivisions of the Wayne Municipal Code is hereby amended as follows:

§ 151.036 ADMINISTRATIVE SUBDIVISIONS.

(A) *Administrator.* The Zoning Administrator of the city is designated as the employee of the city who is authorized to approve, on behalf of the city, further subdivision of existing lots and blocks whenever all required public improvements have been installed, no new dedication of public rights-of-way is involved, and such subdivision complies with the existing ordinance requirements concerning minimum areas and dimensions of such lots and blocks, if the following conditions are met:

- (1) The tract of land has not been previously subdivided ~~twice~~ as an administrative subdivision or a lot that has been previously split twice under the lot split procedures in the 1979 subdivision regulations, Ord. 947;
- (2) The subdivision does not involve the dedication of full-width streets;
- (3) The subdivision involves the replatting, consolidation or development of one or more lots into not more than ~~four~~ **eight** lots;
- (4) The subdivision would not require the vacation of any occupied utility easements; and
- (5) In the opinion of the Zoning Administrator, the plat is not contrary to the Comprehensive Plan or other plans for the area.

(B) *Administrative application for administrative subdivision approval.* An application for an administrative subdivision approval shall be submitted to the Zoning Administrator. The following shall be submitted with the application:

- (1) Application fee, payable at the City Clerk's office;
- (2) One reproducible Mylar copy of the plat at a scale of one inch to 100 feet;
- (3) One pdf copy of the plat;

- (4) Two paper copies of the plat; and
- (5) Information as required under division (H) below.

(C) *Administrative review.* Upon filing, the Zoning Administrator shall forward the application and supplemental information with a request for comments in seven working days from the following:

- (1) City Electric Department;
- ~~(2) City Fire Department~~
- (2) City Police Department;
- (3) City Street Department;
- (4) City Water/Wastewater Department; and
- ~~(6) School District~~
- (5) County, if applicable.

(D) *Administrative action.* The Zoning Administrator shall approve or disapprove the plat within 15 working days of the filing date. In the event of disapproval, the Zoning Administrator shall give the owner/subdivider a written statement of reasons for the disapproval.

(E) *Administrative certificate of approval.* In lieu of §§ 151.037 and 151.038 of this chapter, plats eligible for administrative approval shall include a certificate of approval to be signed by the Zoning Administrator and attested by the City Clerk. Upon receiving administrative approval, the plat shall be filed with the Register of Deeds in accordance with § 151.038 of this chapter.

(F) *Appeal at administrative disapproval.* The owner/subdivider has the privilege of requesting Planning Commission and Council review and approval in accordance with § 151.037 of this chapter if the Zoning Administrator has disapproved the plat or has not taken action within 15 working days of filing of the plat.

(G) *Planning Commission and Council review and action.* If the plat does not qualify for administrative approval or has been disapproved by the Zoning Administrator, an application for subdivision shall be submitted in accordance with §§ 151.037 and 151.038 of this chapter.

(H) *Administrative subdivision plat information.* The subdivision plat shall be prepared in accordance with the final plat standards in § 151.038 of this chapter.

(I) *Subdivision plat filing.* The City Clerk's office shall be responsible for filing the plat in the Register of Deeds' office in the county.

(J) *Subdivision filing fees.* The owner/subdivider shall be responsible for the payment of all plat filing fees.

(2002 Code, § 74-102) (Ord. 93-12, passed 9-28-1993; Ord. 2010-13, passed 7-12-2010)

Section 3. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 4. This Ordinance shall be in full force and effect after the passage, approval, and publication as provided by law.

PASSED AND APPROVED this _____ day of February, 2021.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2021-12

A RESOLUTION AUTHORIZING CITY ADMINISTRATOR TO APPLY FOR NEBRASKA PUBLIC TRANSPORTATION ACT FUNDS.

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program; and

WHEREAS, the City of Wayne desires to apply for said funds to provide public transportation in the City of Wayne.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Wayne, Nebraska, that the City Administrator is authorized to apply for the above-mentioned funds and that said funds will be used for the City of Wayne's transportation operations in the FY 2021-2022 Application for Public Transportation Assistance.

PASSED AND APPROVED this 16th day of February, 2021.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

RESOLUTION NO. 2021-13

A RESOLUTION AMENDING SCHEDULE OF FEES AND CHARGES.

WHEREAS, the City Council, by and through the City Code and as a matter of general policy, establish certain rates, fees and charges for purposes of raising operating revenue and covering costs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City of Wayne, Nebraska, that the attached schedule of rates, fees and charges are hereby amended and the same shall, if not already in effect, become effective upon the passage and approval of this Resolution.

PASSED AND APPROVED this 16th day of February, 2021.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk

CLERK/POLICE

	2021
Utility Deposits	
Electric	\$ 150.00
Water	\$ 75.00
Sewer	\$ 75.00
Reconnect Fees	\$ 75.00
Overtime Rate	\$ 100.00
Bad Checks	\$ 50.00
Vendor's Permit	\$ 25.00
Route Vendor	\$ 100.00
Copies	\$ 0.50
Color	\$ 1.00
CAD Maps (24" wide)	\$ 15.00
CAD Maps (36" wide)	\$ 20.00
CAD Maps (42" wide)	\$ 25.00
Digital Scan per page	\$ 10.00
Electronic Media (i.e. CD's)	\$25.00
Faxes (per page)	\$ 2.00
International Faxes (per page)	\$ 6.00
Clearing Snow and Ice (per hr w/ min. of 1 hr)	\$ 75.00
Mowing (per hr w/ min. of 1 hr)	\$ 300.00
Water/Sewer Hook-ups	
Residential	\$ 250.00
Commercial	\$ 500.00
Tapping Fee	\$ 60.00
Well Permit Fee	
Non-Domestic - over 100 gpm	\$200 + Engineering Fee
Domestic - less than 100 gpm	
Meter Testing	
Residential	\$ 30.00
Non-Residential	\$ 50.00
Specialty Req. Bldg Inspect.	\$ 30.00
Garbage Haulers	
Class A Permit	\$ 400.00
Class B Permit	\$ 30.00

CLERK/POLICE

Plumber Permits

New	\$	100.00
Renewal	\$	50.00

Electrician Permits

New	\$	100.00
Renewal	\$	50.00

Pawnbroker Permit

\$	50.00
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ATV & Utility Vehicle Permit - Annually

\$	75.00
----	-------

ATV & Utility Vehicle Operator's Permit - Annually

\$	25.00
----	-------

**Vehicle Storage (Per Day Outside)
(Per Day Inside)**

\$	10.00
\$	25.00

Impounded Vehicle

\$	150.00	or actual amount of tow bill if over
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Parking Fines:

Paid within first five days	\$	15.00
Paid between 6-15 days	\$	30.00
Paid after 15 days	\$	45.00

Police Reports

\$	\$5.00	up to 6 pages
\$	10.00	up to 10 pages
	\$0.50	per page over 6 pgs per page over 10 pages

Dog/Cat License

\$	6.00	Annual renewal or new issue
	\$21.00	Delinquent Registration after May 31st

Fingerprints

\$	20.00
----	-------

**Firearms Purchase Permit
Lamination (optional)**

\$	5.00	permit
\$	2.00	In addition to permit fee

Campground Parking Fee (per day) w/ 10 day limitation

\$15	Effect 8/1/16
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Animal Impound

\$25.00	Plus vet fees
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Bike Registration

\$3.00	One-time fee
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BUILDING/PLANNING

2021

~~Excavation Permit \$ 25.00~~
~~Annual Fee \$ 250.00~~

Moving Permit
 Primary \$ 200.00
 Accessory \$ 50.00

Pre-Inspection \$ 35.00 Plus Federal Mileage

Razing Permits
 Residential & Commercial \$ 75.00
 Accessory Structures (includes garages) \$ 25.00

Plan Review Fee (non-refundable)

- ~~1. Inspections outside of normal business hours; \$35 plus \$25/hour after first hour and expenses at actual cost.~~
- ~~2. Reinspections fees assessed under the provisions of Sec. 305(g), \$35 plus \$25/hour after first hour and expenses at actual cost.~~
- ~~3. Inspections for which no fee is specifically indicated; \$35 plus \$25/hour after first hour and expenses at actual cost.~~
- ~~4. Additional plan review required by changes, additions, or revisions to approve plans; \$35 plus \$25/hour after first hour and expenses at actual cost.~~
- ~~5. Inspections for Property Maintenance Code \$35 plus \$25/hour after first hour and expenses at actual cost.~~

Fence Permit \$ 25.00

Right-of-Way Permit for:

		Deposit
Grass/Yard	\$ 35.00	\$500 / or Bond
Sidewalk	\$ 35.00	None
Driveway/Parking	\$ 35.00	\$500 / or Bond
Street/Alley Paving (includes curb grinding)	\$ 50.00	\$1,000 / or Bond
Unpaved Alley	\$ 135.00	\$1,000 / or Bond

Rock for Alleys \$ 210.00 Property owner's half/City pays the other half

Property Maintenance Fees

- ~~Initial Code Complaint Inspection; \$35 plus \$25/ hour after first hour and expenses at actual cost~~
- ~~Final Inspection to Verify Compliance \$~~
- ~~Failure to Meet 1st Notice Compliance Deadline \$ 300.00~~
- ~~Failure to Meet 2nd Notice Compliance Deadline \$ 300.00~~

Zoning Regulation

Amendment Text \$ 100.00
 t \$ 200.00
 Amendment District/Map \$ 200.00
 \$ 400.00

BUILDING/PLANNING

Variance Application (Board of Adjustment) \$ 200.00

Use by Exception Application \$ ~~200.00~~
\$ 400.00

Subdivision

Preliminary Plat \$ 100.00

Final \$ 200.00

~~Variance~~ \$ ~~150.00~~

Lot Split/Admin. Subdivision \$ 150.00

Building Permits

\$0 - \$5,000 \$ 40.00

\$5,001 - \$25,000 \$ 125.00

\$25,001 - \$50,000 \$ 200.00

\$50,001 - \$100,000 \$ 325.00

\$100,001 - \$200,000 \$ 575.00

\$200,001 - \$300,000 \$ 850.00

\$300,001 - \$400,000 \$ 1,100.00

\$400,001 - \$500,000 \$ 1,400.00

\$500,001 - \$1,000,000 \$ 1,750.00

~~\$1,000,001 - \$1,500,000~~ \$ 2,500.00

~~\$1,000,001 - \$2,000,000~~

~~\$2,000,001 - and up~~ \$ 3,500.00

~~\$2,000,001 - \$5,000,000~~

~~\$5,000,001 and up~~ \$ 5,000.00

Building Permit Deposit \$ 500.00

Project valued at less than \$100,000 \$ 1,000.00

Project valued at \$100,000 or more

RENTALS

	2021
Auditorium	
Rental	\$ 300.00
State Registered	\$ 150.00
Youth	\$ 85.00
North Meeting Room	\$ 125.00
State Registered	\$ 95.00
Breakfast/Lunch Mtgs	\$ 95.00
Damage Deposit	\$ 200.00
With Sound System	\$ 250.00
Library/Sr Center Mtg Rm	\$ 75.00
Senior Center Rental	\$ 200.00
Damage Deposit	\$ 200.00
Fire Hall Rental	\$ 250.00
Damage Deposit	\$ 250.00

OCCUPATION TAXES/FRANCHISE FEES

2021

Occupation Taxes:

Telephone & Telecommunication		5%
Hotel		5%
Cable		5%
Fireworks	\$	200.00
Natural Gas Companies		
Residential		\$4.00 per month
Commercial		\$7.00 per month
Industrial		\$50.00 per month
Utility Franchise Fees:		
Electric		10.50%
Water		8.00%
Sewer		7%
Alcoholic Liquors		2x License Fee Per Statute
Non-Profit Class C		\$150
Special Designated Liquor Permits w/o a Catering License	\$	40.00

POOL AND COMMUNITY ACTIVITY CENTER

Pool	2021
Family Ticket	\$ 125.00
Family +1 Pass (+1=babysitter/grandma/grandpa who must be present with the family children to use the pass)	\$ 165.00
Individual Ticket	\$ 85.00
Senior Citizen (age 55 and up)	\$ 70.00
Daily Admissions - Ages 13 - over	\$ 5.00
Ages 3 - 12	\$ 4.00
Age 2 and under	Free with paying adult
Non-Swimmer (Grandma/grandpa clearly not dressed to get into the pool)	\$ 1.00
Swimming Lessons	\$ 35.00
Swimming Parties	\$ 100.00 per hour
 Activity Center	
Family (Includes children 18 or under or meeting college requirements)	\$ 330.00
Adult Married Couple	\$ 255.00
Single Adult (Includes adults 19 or older not meeting college requirements)	\$ 185.00
Senior Citizen Married Couple	\$ 120.00
Senior Citizen (55 or older)	\$ 95.00
 Military Discount (current or retired)	
Family - year	\$ 285.00
Family - 6 month	\$ 185.00
Couple - year	\$ 230.00
Couple - 6 month	\$ 120.00
Single - year	\$ 165.00
Single - 6 month	\$ 95.00
 College	
Full Calendar Year	\$ 130.00
School Year (Available only Aug-May. This membership will always expire on WSC graduation day.)	\$ 110.00
Semester (5 month) (ONLY available for purchase between Aug-May. Will always expire 5 mos from purchase)	\$ 75.00
Summer	\$ 70.00
College Married Couple (Includes married couple currently enrolled in college courses during current academic year.)	\$ 205.00
High School (Grades 9-12) (Students enrolled in grades 9-12 during the current year.)	\$ 110.00
Middle School (Grades 5-8) (Students enrolled in grades 5-8 during the current year.)	\$ 90.00
Elementary School (Grades K-4) (Students enrolled in grades K-4 during the current year.)	\$ 70.00

POOL AND COMMUNITY ACTIVITY CENTER

Punch Card (10 visits)	\$	36.00
Punch Card (5 visits)	\$	24.00

CORPORATE RATES

Family

6 - 25 Members	\$ 300.00	\$	313.50
26+	\$ 285.00	\$	297.00

Adult Couple

6 - 25 Members	\$ 235.00	\$	242.25
26+	\$ 230.00	\$	229.50

Adult Single

6 - 25 Members	\$ 175.00	\$	175.75
26+	\$ 165.00	\$	166.50

Daily Admissions - 18 and Older

\$ 5.00

Under 18

\$ 4.00

Family Day Pass

\$ 10.65

POOL AND COMMUNITY ACTIVITY CENTER

6 - Month Billing

Family	\$	220.00
Adult Married Couple	\$	140.00
Adult Single	\$	110.00
Senior Married Couple	\$	75.00
Senior Single	\$	55.00
College	\$	17.44
College Married Couple	\$	27.69
High School	\$	65.00
Middle School	\$	55.00
Elementary	\$	50.00

6 - Month Corporate Rates

Family 6-25	\$	50.00
Family 26+	\$	47.50
Adult Married Couple 6-25	\$	39.17
Adult Married Couple 26+	\$	38.33
Adult Single 6-25	\$	29.17
Adult Single 26+	\$	27.50

Locker Rentals (Annual)

Large	\$	35.00
Medium	\$	25.00
Small	\$	15.00

Community Room (per hour)

Member	\$	20.00
Non-Member	\$	40.00

Youth Center (per hour)

Member	\$	20.00
Non-Member	\$	40.00

Gym Court Space

1/4 gym floor	\$25/Hr
1/2 gym floor	\$50/hr

Gym Rental Rate (per day)

Non-Profit	\$250.00
For Profit	\$ 350.00

Full Gym/Facility Rental

\$ 100.00 per hr/min 6 hrs

Weight Watchers (monthly)

\$117.36

Personal Training

Member/Non-Member Same Price

30 Minute Session	\$	15.00
45 Minute Session	\$	20.00

POOL AND COMMUNITY ACTIVITY CENTER

1 Hour Session	\$	25.00	
Introduction to Yoga			
Single Class			
	\$	5.00	Member
10 punch card	\$	6.00	Non-Member
	\$	35.00	Member
	\$	40.00	Non-Member
Summer Club			
Individual Days			
	\$	20.00	Member
10 - day punch card	\$	25.00	Non-Member
	\$	180.00	Member
	\$	230.00	Non-Member
Kids After School Program			
Individual Day			
	\$	5.00	Member
10 - day punch card	\$	7.00	Non-Member
	\$	45.00	Member
2:00 Dismissal	\$	65.00	Non-Member
	\$	9.00	Member
All Day (7 a.m. to 6 p.m. - only offered when no school)	\$	14.00	Non-Member
	\$	24.00	Member
	\$	34.00	Non-Member
Merchandise			
Replacement ID Cards			
Key FOB - New (one-time fee effective 5/1/17)			
One-Time Renewal Fee (for those that already have a key FOB and would renew membership and renew key FOB)	\$	10.00	
	\$	5.00	
Leagues			
Co-Ed Dodgeball - per team	\$	100.00	
Co-Ed Volleyball - per team	\$	100.00	
Women's Volleyball - per team	\$	100.00	
Men's Slow Pitch - per team			
Chicken Days Slow Pitch Tournament - per team	\$	350.00	
Chicken Days Slow Pitch Tournament - per team	\$	125.00	
Field Usage			
Hank Overin		\$300.00	per game
Sports Complex		\$150.00	per game

EQUIPMENT RENTAL, MATERIALS AND LABOR

	2021
Service call after hours & holidays (includes man & vehicle)	1/2 hr min - \$45 1 hr - \$65
Service call regular hours (includes man & vehicle)	1/2 hr min - \$35 1 hr - \$50
Vehicles leaving town	\$1.25 per mile
*Street Sander	\$125 per hr (1 hr min)
*Air Compressor (in City limits)	\$100 first hr \$25 each add hr
Air Compressor Tools	\$135 per day
*Backhoe (minimum charge - \$60)	\$135 per hr
*Concrete Saw (minimum charge - \$50)	\$5 per ft
Dump Truck, with driver (minimum charge - \$60)	\$120 per hr
Dump Truck, with driver (minimum charge - \$90)	
*Street Sweeper	\$125 first hr \$75 each add hr
*Street Flusher (only available for use inside city limits)	\$125 per 1500 gal load
*Two-yard Loader, with driver (minimum charge - \$130)	\$130 per hr
*Two-yard Loader and Snow Blower, with driver	\$150 per hr
*Tractor and Mower (minimum charge - \$300)	\$300 per hr
Push Mower, Weed Eater, or Hand Sprayer (minimum charge - \$300)	\$300 per hr
Genie Lift (plus city employee labor)	\$100 per hr
2" Water Pump	\$50 first hr \$15 each add hr
3" Water Pump	\$60 first hr \$25 each add hr
3" Hydraulic Pump (minimum charge - \$25)	\$60 first hr \$25 each add hr
4" Water Pump	\$90 first hr \$35 each add hr

EQUIPMENT RENTAL, MATERIALS AND LABOR

Parts and Materials	Cost plus 50%
**Sewer Jet (greater of minimum charge or footage charge)	
With City limits (minimum charge)	\$80 per hr
Outside City limits & mileage (minimum charge)	\$120 per hr
Footage charge	\$.60/ft (0-300')
	\$.50/ft (over 300')
**Jet/Vac Trailer	\$150 per hr
*Digger and Bucket Trucks	\$150 per hr
**Trenching	\$90 per hr
**Vibrator	\$50 per hr
*Skid Loader	\$100 per hr
Barricades	\$12 per day/per barricade
	\$15 per day/per barricade
Cones	\$2 per day/per cone
	\$5 per day/per cone
Barrels	\$4 per day/per barrel
	\$10 per day/per barrel
Signs	\$7 per day/per sign
*Plus Operator	
**Not Available for Public Use	

RESOLUTION NO. 2021-14

A RESOLUTION ADOPTING A PERSONNEL MANUAL GOVERNING ALL CITY EMPLOYEES.

WHEREAS, the City of Wayne Personnel Manual was first adopted by Resolution No. 88-31 on September 13, 1988; and

WHEREAS, the City Council desires a comprehensive set of general guidelines and policies governing all personnel matters for all city employees, including employee conduct, workplace conditions, drug and alcohol policies, policies that implement state and federal employment laws, and other aspects of public employment and city service; and

WHEREAS, these policies are intended to apply to all city employees that do not have an employment contract with the City and to all city employees with employment contracts that do not already address these policy issues; and

WHEREAS, the policies contained in the Personnel Manual, attached to this Resolution as Exhibit "A" and incorporated herein by this reference, are general guidelines for the City's current employment practices and workplace procedures. They are not intended to be a contract, expressed or implied, or any type of promise or guarantee of specific treatment upon which employees may rely, nor a guarantee of employment of any specific duration. Because of the City's small size, some exceptions to these policies may need to be made on a case-by-case basis as the City Administrator deems appropriate.

NOW THEREFORE, BE IT RESOLVED by the Wayne City Council that the Personnel Manual attached hereto as Exhibit "A" and incorporated herein by this reference is adopted as the City's personnel policies and shall be applicable to all employees unless preempted by state or federal law or in conflict with an existing employment contract.

PASSED AND APPROVED this 16th day of February, 2021.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk

CITY OF WAYNE

PERSONNEL MANUAL

Benefits

Policies

Procedures

Regulations

Last Amended

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INTRODUCTION

Welcome to the City of Wayne! We are happy to have you as a part of the City personnel team.

We realize a new job, with its unfamiliar surroundings and people can be overwhelming. That is the purpose of this Personnel Manual. It will help you to get acquainted and feel comfortable with us. If you have any questions, please don't hesitate to ask your supervisor or the Personnel Department.

Sincerely,

Personnel Manager

INTRODUCTION TO PERSONNEL MANUAL

The purpose of this employee manual is to serve as a guide to inform you about those matters which have a direct bearing on you as an employee of the City of Wayne and to outline City policies and how they are administered. These guidelines shall not be construed as a contract. The City reserves the right to make changes in content or application as it deems appropriate and these changes will be implemented even if they have not been communicated, reprinted, or substituted in this employee manual. It should also be understood that employment is terminable at the will of the employee the employee or the company, as permitted by law, at any time and for any reason.

This employee manual supersedes all other employee manuals issued before February 16, 2021.

CHAPTER ONE

PERSONNEL MANAGEMENT SYSTEM

Sec. 1.1 Purpose

The personnel management system of the City of Wayne, of which these rules are a part, is designed to bring to the City service a high degree of understanding, cooperation, efficiency, and unity through systematic, uniform application of modern personnel practices. Objectives of these rules include the following:

- (a) To inform employees of their rights and obligations in relation to their employer.
- (b) To inform department heads ~~division heads~~, and other supervisors of their obligations toward and their right to assign and instruct subordinate employees.
- (c) To ensure compliance with applicable laws.
- (d) To promote and increase efficiency, responsiveness to the public, and economy in the City service.
- (e) To provide fair and equal opportunity for a qualified person to enter and progress in the City service based on merit and fitness as ascertained through fair and practical personnel management methods.
- (f) To enhance the attractiveness of City career and encourage employees to give their best efforts to the City and the public.

Sec. 1.2 Coverage of the Rules

These rules shall apply to all departments ~~divisions~~, and employees of the City except in cases of conflict with applicable State or Federal laws or regulations or with the rules of the City of Wayne Civil Service Commission as statutorily applicable.

Sec. 1.3 Definition

An employee is defined as any person who has been appointed to a position of employment on the City payroll, excepting any person serving on a retainer contract basis.

Sec. 1.4 Adoption of the Rules

These rules shall become effective when adopted by the Mayor and City Council, whereupon any conflicting rules, regulations, policies, or procedures previously adopted by the Mayor and City Council or by administrative directive shall be superseded to the extent of the conflict.

Sec. 1.5 Amendment of the Rules

Written suggestions for amending these rules are welcome at any time from City employees and should be submitted, through supervisory channels, to the City Administrator. Amendments shall become

effective upon approval by the Mayor and City Council.

Sec. 1.6 Availability of the Rules

Each department head ~~division head~~, and other supervisor as designated shall maintain an up-to-date copy of these rules for review by any subordinate employee so requesting. At commencement of employment, each employee will be given a copy of this employee manual.

Sec. 1.7 Supplemental Personnel Regulations

Department ~~and Division~~ heads may establish such supplemental personnel regulations as are necessary for efficient and orderly administration and for ensuring the proper conduct and discipline of their employees. Supplemental personnel regulations shall be subject to approval by the City Administrator and shall be consistent with these rules, administrative directives, and other requirements of the City Administrator or the Mayor and City Council. Copies of supplemental personnel regulations shall be made available to employees in the same manner as are copies of these rules.

Sec. 1.8 Role of Mayor and City Council

The Mayor and City Council shall be the ultimate policy-making authority for all matters pertaining to personnel management in the City government.

Sec. 1.9 Role of the City Administrator

The City Administrator, as chief executive officer, shall be responsible for the proper administration of the personnel management system by:

- (a) Ensuring that appointments are based on merit and fitness.
- (b) Maintaining a sound position classification plan.
- (c) Equitably administering the compensation plan.
- (d) Ensuring that the City is an equal opportunity employer.
- (e) Maintaining employee discipline.
- (f) Ensuring high employee productivity.
- (g) Maximizing employee development opportunities.
- (h) Providing fair and effective appeal and grievance procedures.
- (i) Fostering good employee relations.
- (j) Issuing such administrative directives as are necessary to implement these rules.

Sec. 1.10. Role of Personnel Officer

The City Administrator or his/her designee shall act as the Personnel Officer. ~~Central personnel services shall be provided by the Personnel Officer.~~ The Personnel Officer shall be responsible for:

- (a) Announcing and advertising employment opportunities as appropriate.
- (b) Receiving and initially processing employment applications.
- (c) Referring applicants to department ~~and division~~ heads in accordance with established procedures.
- (d) Processing appointments, separations, terminations, and other actions.
- (e) Developing general personnel forms.
- (f) Maintaining official personnel records, classification and compensation plan materials, and such other records and materials as are necessary for the day-to-day operation of the personnel management system.
- (g) Compiling statistical information and preparing reports concerning City personnel.
- (h) Providing information and technical assistance to department heads, ~~division heads,~~ other supervisors, **and** their subordinate employees.
- (i) Performing other personnel functions as directed ~~by the City Administrator.~~

Sec. 1.11 Role of Department ~~and Division~~ Heads

Department ~~and division~~ heads shall have full responsibility for managing their assigned personnel and for taking or recommending any personnel actions in accordance with the authority delegated to them by the City Administrator and the applicable provisions of these rules.

CHAPTER TWO

EQUAL EMPLOYMENT OPPORTUNITY

Sec. 2.1 Policy

The City of Wayne is an equal opportunity employer. Discrimination against any ~~person in recruitment, selection, appointment, classification, compensation, duty assignment, work schedule, working condition, leave authorization, training, promotion, discipline, retention, or any other aspect of personnel management because of political or religious opinions or affiliations, or because of race, color, national origin, marital status, veteran status, or other~~ non-merit based factor is prohibited. Discrimination on ~~any the~~ basis ~~of age, sex, or physical requirements~~ is prohibited except where specific age, sex, or physical requirements constitute statutory or other bona fide occupational qualifications necessary for proper and efficient administration, **in compliance with the Federal Government's Equal Employment Opportunity laws.**

Sec. 2.2 Equal Employment Officer

The City Administrator shall act as or shall designate an Equal Employment Officer, who shall initiate or maintain any special records or controls necessary to implement the policy of equal employment opportunity. The Equal Employment Officer shall identify and analyze problem areas, develop realistic program objectives, assess progress, and periodically update the objectives as necessary. He or she shall recommend any changes rules, regulations, policies, or procedures which, however unintentional, may operate as unnecessary barriers inhibiting equality of opportunity. All City employees shall cooperate with the Equal Employment Officer in attaining the program objective

Sec. 2.3 Affirmative Action

The Equal Employment Officer will review the City work force in relation to the available skills in the relevant labor markets regarding minorities, including women, and, if there should be a significant imbalance, the Equal Employment Officer shall establish goals, relevant time tables, and hiring projections regarding the City work force. If an affirmative action plan is required, department ~~division~~ heads shall be involved in both the development and implementation of the plan. The plan should include outreach recruitment, employee development, and other targeted activities to produce well qualified minority, including women, applications where appropriate.

Sec. 2.4 Discrimination Complaints

Employees alleging prohibited discrimination shall have the option of using the established appeal and grievance procedures as appropriate. Outside applicants shall have the option of filing complaints with the Equal Opportunity Officer, who shall respond in a timely and appropriate manner after conducting investigations. No person shall be subject to reprisal for good faith participation in a discrimination complaint proceeding in any official forum.

CHAPTER THREE

METHOD OF FILLING VACANCIES

Sec. 3.1 Vacancy Identification

Department ~~and division~~ heads, using the prescribed form, shall notify the Personnel Officer as soon as they become aware of actual or impending vacancies in their organization. No vacancy may be filled without the authorization of the City Administrator who shall specify the selection process or processes to be used.

Sec. 3.2 Promotion Policy

A promotion is the assignment of an employee from a position in one class to a position in another class having a higher maximum salary. The City may provide promotional opportunities whenever feasible. City employees may also apply and be considered for any position in the same manner as members of the general public.

Sec. 3.3 Competitive Selection

When a competitive selection process is to be used, the City Administrator, according to the best interest of the City, may designate the area of consideration of applicants from the following:

- (a) The selection process may be limited to persons in the City service or a segment thereof.
- (b) The selection process may be opened to the general public without special preference of consideration for any City employees who apply.
- (c) The selection process may include both City employees and members of the general public, with City employees given preference in application and consideration, if permissible by law.

Sec. 3.4 Noncompetitive Selection

When in the best interest of the City, a noncompetitive selection process may be specified by the City Administrator. Vacancies may be non-competitively filled with qualified persons by the following means:

- (a) Reinstatement of a former City employee, as described elsewhere in these rules.
- (b) Demotion for cause, as described elsewhere in these rules.
- (c) Voluntary demotion.
- (d) Promotion of an employee previously demoted in lieu of layoff.
- (e) Lateral transfer.
- (f) Special employment program.

Sec. 3.5 Voluntary Demotion

Demotion is the assignment of an employee from a position in one class to a position in another class having a lower maximum salary. An employee may be demoted at his or her own request if in the best interest of the City.

Sec. 3.6 Demotion in Lieu of Layoff

An employee may be demoted as an alternative to layoff. Such demotion may be fully or partially rescinded at any time through noncompetitive promotion.

Sec. 3.7 Lateral Transfer

Lateral transfer is any assignment from one position to another not involving a promotion or demotion. A lateral transfer may be affected at an employee's request or for reasons of administrative necessity. In appropriate circumstances, the Personnel Officer shall ensure that notices are posted in City departments ~~and divisions~~ soliciting applications for lateral transfer.

Sec. 3.8 Special Employment Programs

From time to time, the City Administrator, in furtherance of legitimate public policy objectives may specify that vacancies be filled with persons eligible for inclusion in particular special employment programs without regard to other provisions of this chapter concerning selection processes. Special employment programs include but are not limited to internships employment programs, work-study programs, intergovernmental mobility assignments, vocational rehabilitation programs, and seasonal employees.

Sec. 3.9 Temporary Positions

The City Administrator may authorize any fair and practical means of filling temporary or seasonal positions without regard to other provisions of this chapter concerning selection processes.

CHAPTER FOUR

RECRUITMENT AND SELECTION

Sec. 4.10. — Vacancy Announcements.

~~The Personnel Officer shall announce all vacancies for which a competitive selection process has been specified. At a minimum, vacancies shall be advertised in a local newspaper, listed with the Nebraska Job Service, and posted in all City departments and divisions, and areas accessible to the public such as the Wayne Public Library or City Auditorium. For specialized position or when necessary to meet equal employment opportunity objectives, additional publicity shall be targeted to likely sources of qualified applicants such as community organizations, educational institutions, and other governmental entities. Advertisements may also be placed in appropriate professional journals and out-of-town newspapers. Each vacancy announcement shall include at a minimum, the following information:~~

- ~~—— (a) — Title and salary range of the position.~~
- ~~—— (b) — Summary of the qualifications for the position.~~
- ~~—— (c) — Method of and deadline for filing applications.~~
- ~~—— (d) — A statement that the City is an equal opportunity employer.~~

Sec. 4.20. — Purpose and Design of Application Forms.

~~The Personnel Officer shall develop one or more general application forms for use in applying for City employment. The Personnel Officer or department and division heads may also develop specialized or supplemental application forms for use in appropriate circumstances. Any forms developed by department and division heads shall be reviewed by the Personnel Officer for technical adequacy, utility, and equal employment opportunity compliance. Application forms shall be used in making fair determinations of qualifications for employment. Information concerning non-merit factors shall only be requested as necessary to satisfy equal employment opportunity and other legal requirements. Information required only at the time of selection or appointment shall not be solicited at the time of initial application.~~

Section 4.30. — Filing of Application.

~~Applications shall be filed with the Personnel Officer as specified in the applicable vacancy announcements. The City Administrator may authorize the acceptance of late applications if in the best interest of the City. The Personnel Officer shall provide all reasonable assistance to persons requesting help in completing their application. All information submitted shall be subject to verification. The City may cease accepting or processing applications at any time in accordance with operational requirements.~~

Sec. 4.40. — Initial Processing of Application.

~~The Personnel Officer shall be responsible for the initial processing of employment applications as directed by the City Administrator. Information collected solely for equal employment~~

~~opportunity purposes shall be detached from the main body of each application upon receipt. The information shall be separately and securely filed by the Personnel Officer and shall not be used in the selection process.~~

~~Sec. 4.50. — Evaluation of Qualifications.~~

~~Applicants shall be required to provide any information and undergo any examinations necessary to demonstrate their qualifications for the City service and the positions involved. Depending on the nature of the vacancy, applicants may be required to undergo written, oral, performance, physical agility, background, medical, physiological, and other evaluation procedures which are fair, practical, and job-related. Applicants may be required to grant releases to permit review of criminal, medical, employment, educational, financial, and other records necessary to properly evaluate the applicant for the position. Conviction of a crime is not an automatic bar to employment all circumstances will be considered. The City reserves the right to conduct a motor vehicle record check on applicants applying for positions that require the operation of City vehicles.~~

~~Sec. 4.60. — Disqualification.~~

~~An applicant may be disqualified from further consideration at any stage of the selection process for any of the following reasons:~~

- ~~(a) Applicant is an illegal alien or an alien with a visa specifically precluding their working.~~
- ~~(b) Applicant will not have attained his or her 16th birthday at the time of appointment, except that a lower minimum age may be established for certain temporary positions and a higher minimum age and/or maximum entry age may be established for certain positions when required by law or when otherwise constituting a bona fide occupational qualification.~~
- ~~(c) Applicant is not medically qualified to perform the duties of the position as ascertained in a manner prescribed by the City Administrator, except that handicapped persons shall not be disqualified on medical grounds if their handicaps can reasonably be accommodated in the work place and if the handicapped person, if selected, can substantially perform the duties of their position without endangering themselves, other persons, or property.~~
- ~~(d) Applicant is not of exemplary moral character to the extent that his or her job performance would be impaired or that significant discredit or excessive risk would be brought upon the City by his or her employment.~~
- ~~(e) Applicant will not comply with the applicable response time requirement unless proper waiver has been obtained.~~
- ~~(f) Appointment of the applicant will violate a prohibition of the employment of relatives.~~
- ~~(g) Appointment of the applicant will create a conflict of interest situation required for the position.~~

- ~~———— (h) Applicant lacks the education, experience, aptitude, or similar qualification required for the position.~~
- ~~———— (i) Applicant is addicted to the use of drugs or intoxicating beverages.~~
- ~~———— (j) Applicant has been convicted of a crime of such nature as to constitute an excessive risk to the City if he or she is employed.~~
- ~~———— (k) Applicant has been or is about to be dismissed from employment or military service for reasons indicating current unfitness for the position or constituting an excessive risk to the City if he or she is employed.~~
- ~~———— (l) Applicant has made a false statement of facts or has committed or attempted to commit a fraudulent, illegal, or unethical act or has attempted to exert political influence at any point in the application or selection process.~~
- ~~———— (m) Applicant will not possess any required license or certificate or will not be able to comply with any other requirement or condition of employment at the time of appointment.~~

~~Sec. 4.70. — Selecting Officials.~~

~~The City Administrator shall select department and division heads subject to approval of the Mayor and City Council. Department or division heads shall otherwise select their subordinates and shall forward their selection recommendations and supporting information to the City Administrator for approval.~~

~~Sec. 4.80. — Interviews.~~

~~Selection officials shall interview applicants in competitive selection processes who on the record appear to be the best qualified for the positions involved. A written summary of interview questions and answers shall be prepared and forwarded to the Personnel Officer for retention. Interviews shall be conducted in a consistent job-related and nondiscriminatory manner and shall focus on the following:~~

- ~~———— (a) Clarification of items listed on the application.~~
- ~~———— (b) Clarification of an applicant's qualifications.~~
- ~~———— (c) Clarification of an applicant's availability.~~
- ~~———— (d) Discussion of City salaries, benefits, career opportunities, policies, and working conditions.~~
- ~~———— (e) Discussion of the nature and duties of the position involved.~~

~~Sec. 4.90. — Documentation and Notification.~~

~~The Personnel Officer shall devise necessary forms and procedures pertaining to the selection process. Disqualification and selection decisions shall be thoroughly documented by the responsible officials. Selecting officials shall be responsible for conducting reference checks of successful applicants. The Personnel Officer shall also respond to any written requests from applicants concerning the reasons for their disqualification or non-selection.~~

CHAPTER FIVE FOUR

APPOINTMENT

Sec. 4.1 Appointing Authority

No person shall be employed by the City unless appointed by proper authority. The Mayor, with the approval of the City Council, is the appointing authority for department heads, ~~division heads~~, and any similar positions mandated by statute or ordinance. The City Administrator is the appointing authority for all other positions. Appointment actions shall be required for entering the City service and for subsequent position changes.

Sec. 4.2 Appointment Types

Appointments shall be designated either regular or temporary. Regular appointments shall be made to full time or part time positions. Limited term regular appointments may be made in unusual circumstances. Temporary appointments shall not exceed one year in duration and shall be subject to termination at any time, and may be made to full time or part time positions requiring continuous, seasonal, or intermittent performance or requiring service in a public emergency. Initial or successive temporary appointments shall not be used in circumstances where the nature and expected duration of the work indicate that regular appointments are more appropriate. Appointments shall be subject to the applicable provisions of these rules regarding probationary periods.

Sec. 4.3 Employment of Relatives

Notwithstanding Section 49-1499 and subsection (3) of Section 49-14,101 of Nebraska Revised Statutes, an immediate family member of a public official or public employee may be employed by the City of Wayne if that public official or public employee has no management or supervisory responsibility of said employee. In addition, said public official or public employee must not abuse his or her official position and must make a full disclosure on the record to the governing body or a written disclosure to the person in charge of keeping records for the governing body. No public official or public employee shall employ an immediate family member without first having made a reasonable solicitation and consideration of applications for such employment.

Except for making a full disclosure provided by Sections 49-1499.01 and 49-14,103.01 to 49-14,103.06 of Nebraska Revised Statutes, this section shall not apply to an immediate family member of a public official or public employee who

- (1) was previously employed in a position subject to this section prior to the election or appointment of the public official or public employee or
- (2) was employed in a position subject to this section prior to **the implementation of this Personnel Manual July 17, 1986.**

Any newly elected or appointed public official or employee shall make a full disclosure of any immediate family member employed in a position subject to this section, prior to or as soon as reasonably possible after the official date of taking office.

Sec. 4.4 Residence

1. Residency is not a requirement for employment by the City of Wayne. However, in the best interest of the City, the allowable **maximum mileage measure response time** for all City employees, with the exception of those in subparagraph 2, shall be **fifteen minutes thirty miles**. ~~Response time shall mean the time elapsing between an employee's receipt of an emergency call and his or her arrival at his or her duty station.~~ It shall be the duty of each **division department** head to maintain ~~response time~~ **maximum mileage measure** of the employees and to report any discrepancies to the City Administrator.

2. **Police Department employees (officers) and Electric Distribution Department employees shall be required to reside within the zoning jurisdiction upon completion of probationary period.**

Sec. 4.5 Processing and Orientation

New and reinstated employees shall report to the Personnel Office as directed for completion of personnel and payroll forms and for a general orientation to the City government, the personnel management system, and the City policy of equal employment opportunity. Department ~~and/or division~~ heads shall provide further orientation on such matters as the probationary period, employee rights and responsibilities, assigned duties, level of performance expected, organizational structure and interrelationships, hours of work, safety, and the substance and availability of these rules and any applicable supplemental personnel regulations. Employees should be made to feel welcome and should be especially encouraged to ask questions during their first days of employment.

CHAPTER SIX FIVE

PROBATIONARY PERIOD

Sec. 5.1 Requirement

Every person who is initially appointed to or who receives a promotion in the City service under a regular appointment or under a temporary appointment for other than seasonal or intermittent work shall be required to successfully complete a probationary period of six months as a condition of continued employment in the position. A former employee who is reinstated to a position in the same class shall only be required to complete any remaining portion of the applicable previous probationary period. On a case-by-case basis, the City Administrator may require the completion of a probationary period following other kinds of personnel actions.

Sec. 5.2 Purpose

The probationary period is the final step of the selection process and shall be used by department heads, ~~division heads~~, and other supervisors to closely observe and evaluate the conduct, work, and fitness of subordinates and to encourage them to adjust to their jobs. Supervisors shall provide necessary training and counseling to their probationary employees, whose performance shall be thoroughly documented as administratively prescribed. Upon successful completion of his or her probationary period, an employee may receive a salary increase.

Sec. 5.3 Failure of Probation

At any time during the probationary period, an employee may be dismissed from the City service or may be reassigned by lateral transfer or demotion if his or her conduct, quality of work, or fitness are insufficient to merit continuation in the position. The selecting official may provide an employee with additional time in which to demonstrate acceptable performance by extending probation for **one period of no longer than three months** ~~no longer than one period of three months~~. The employee and the Personnel Officer shall be notified of any such extension. An employee shall have no right to appeal a failure of probation except on the grounds of prohibited discrimination. A newly promoted employee who fails probation shall be returned to his or her former position, if open, or shall otherwise be assigned to any available position for which he or she qualifies and which is at or below the level of the former position.

CHAPTER SEVEN SIX

EMPLOYEE DEVELOPMENT AND EVALUATION

Sec. 6.1 Employee Development Policy

The City Administrator, **and** department heads, ~~and division heads~~ shall establish appropriate programs to develop the capacity of employees to render more effective service to the City. Such programs may include formal courses, seminars, workshops, demonstrations, directed readings, special assignments, and other activities designed to improve employee knowledge, skill, and job effectiveness with due consideration for the personal career objectives of employees and the enhancement of equal employment opportunity. Employee development activities shall be conducted during regular working hours to the extent possible.

Sec. 6.2 Performance Evaluation Requirement

The work performance of each regular employee shall be objectively evaluated on a periodic basis. An evaluation, on the prescribed form, shall be made by the immediate supervisor acting as rater and shall become official when reviewed and approved, with any necessary modifications, by the next higher supervisor, if any, provided that such final reviewer shall be at or above the ~~division~~ **department** head level. Subject to any necessary delay to allow the rater to have supervised the employee for at least three months, an employee's performance shall be evaluated at the following times:

- (a) Each year the anniversary month of his or her initial hiring, promotion, or other appointment to the position provided that an evaluation has not been completed within the preceding three months.
- (b) Immediately before a change of supervisor, provided that an evaluation has not been completed within the preceding three months.
- (c) Upon a change of position, provided that an evaluation has not been completed within the preceding three months.
- (d) Upon termination of employment, provided that an evaluation has not been completed within the preceding three months.
- (e) Whenever the supervisor desires to recognize meritorious or deficient service or whenever an evaluation would otherwise be in the best interest of the City.

Sec. 6.3 Purpose of Evaluations

Performance evaluations are designed to help supervisors and employees measure how well work is performed in relation to applicable job requirements, to encourage improvement in such performance, and to provide a tool for management decisions concerning employee development, merit salary increases, retention, and other matters. Performance evaluations may also be considered in making promotions to the extent that current or past performance may be relevant to the requirements of the position to be filled. Performance evaluations, as well as day-to-day feedback and counseling activities, shall be used to recognize and reinforce position performance and to correct negative performance. Employees shall be shown copies of their performance evaluations for discussion and for

acknowledgment by signature. Employees disagreeing with their evaluations may seek adjustment through use of the established grievance procedure.

Sec. 6.4 Rewards

Department heads, ~~division heads~~, and other supervisors shall reward outstanding performance by subordinate employees. Examples of appropriate grounds for reward are superior quality or quantity of work, outstanding leadership, exceptional courtesy or service to the public, or submission of a suggestion of unusual merit. A reward may take the form of a letter of commendation, special performance evaluation, merit salary increase or when the outstanding performance is relevant to the requirements of a higher level position, favorable consideration for promotion.

CHAPTER EIGHT SEVEN

ATTENDANCE AND LEAVE

Sec. 7.1 Work Schedules and Attendance

Department ~~and division~~ heads shall establish work schedules to meet the requirements of their organizations. Employees shall be at their place of work as scheduled or shall provide timely notification if unable to report. No employee's regular schedule shall call for more than forty hours of work per week, except that sworn police officers shall not be scheduled for more than 171 hours in a 28 day period.

Lunch periods shall ordinarily be one hour in length, although work situations may require that lunch periods be shortened or that employees eat lunch while working. In any such cases, working day length shall be adjusted accordingly.

Department ~~and division~~ heads shall be responsible for establishing any policies permitting rest periods during the work day.

Sec. 7.2 Overtime

Employees shall work overtime or shall be on call when necessary. Overtime shall be worked only with ~~specific written authorization~~ **the approval of the department division** head or supervisor and shall be allocated as evenly as possible among all employees qualified to do the work. ~~This written notification must be submitted in advance to the division department head.~~ **A request for approval of overtime shall be submitted in advance to the department head or supervisor.** If the ~~division department~~ head or supervisor is not available for authorization of overtime, or if time does not allow ~~the advanced written notification for approval before the overtime is worked,~~ the request shall be submitted for retroactive approval. **Time off for sick leave, vacation leave, funeral leave, holiday leave, or any other leave, will not be considered hours worked for purposes of calculating overtime pay.** Compensation for overtime shall be paid to the employee at a rate of time and one-half computed to the nearest quarter hour.

Reporting to work early or staying late shall not be compensable unless authorized by the ~~division department~~ head or supervisor.

Sec. 7.3 Volunteer Time

Volunteer time is any time spent working on a project or task that may be City-related but is not required by the ~~division department~~ head.

Work performed by an employee on a volunteer basis is not compensable. If work is required to maintain a certification, it shall be compensable.

Any city employee who serves on the Wayne Volunteer Fire Department shall not be required to use vacation, holiday or personal leave to attend fire, rescue or EMT training. **However, hours spent at training shall not count in calculating overtime pay.**

Sec. 7.4 **Vacation Leave**

Regular full-time employees, and regular part-time employees normally working ~~thirty~~ **twenty-nine (30 29)** hours or more per week shall be provided with paid vacation leave to allow them periods of rest, relaxation, and freedom from the rigors of their jobs. Eligible employees, ~~other than sworn police officers working a 28 day period,~~ shall accrue vacation leave at the following rates, with the bi-weekly accrual for part-time employees prorated according to time worked:

<u>YEARS OF REGULAR CITY SERVICE</u>	<u>BIWEEKLY ACCRUAL</u>
Less than 10 years	3.08 hours
At least 10 but less than 20	4.62 hours
Twenty but less than 30	6.15 hours
Thirty or more years	7.68 hours
	Annual
	<u>Accrual</u>
1 st year	10 days
2 nd and 3 rd year	11 days
4 th and 5 th year	12 days
6 th and 7 th year	13 days
8 th and 9 th year	14 days
10 th and 11 th year	15 days
12 th and 13 th year	16 days
14 th and 15 th year	17 days
16 th and 17 th year	18 days
18 th and 19 th year	19 days
20 th and 21 st year	20 days
22 nd and 23 rd year	21 days
24 th and 25 th year	22 days
26 th and 27 th year	23 days
28 th and 29 th year	24 days
30 th year and beyond	25 days

~~Sworn police officers working 28 day periods shall accrue vacation leave at the following rates:~~

<u>YEARS OF REGULAR CITY SERVICE</u>	<u>BIWEEKLY ACCRUAL</u>
Less than 10 years	3.27 hours
At least 10 but less than 20	4.90 hours
Twenty but less than 30	6.54 hours
Thirty or more years	8.16 hours

Regular part-time employees working 29 hours per week shall receive 2.31 hours per pay period, and shall include the following positions: Adult Services Librarian and Youth Services Librarian.

Vacation leave shall be administered according to the following rules:

- (a) Vacation may be accumulated; ~~however, the employee may not use more than the earned vacation time for a given year without special approval of the City Administrator.~~ Vacation leave shall not be accrued beyond 280 hours for full-time employees; the proportionate lesser amount for eligible part-time employees.
- (b) Employees are required to accrue vacation leave prior to use.
- (c) The City Administrator shall approve vacation leave for department ~~and division~~ heads, who in turn shall be responsible for scheduling vacation leave for subordinate employees based on consideration of operational requirements, employee preferences, and seniority within the regular City service.
- (d) ~~Unless otherwise stated in department work rules, the general minimum period of vacation leave shall be four hours.~~
- (e) ~~Vacation leave shall not accrue for any pay period during which the employee is in pay status for less than a full pay period.~~
- (f) Holidays occurring during periods of vacation leave shall not be charged against vacation leave.
- (g) No cash payments for unused vacation leave shall be authorized except upon separation from City service by retirement, dismissal, or resignation in good standing.
- (h) Vacation leave shall not be transferable between employees.
- (i) No vacation may be taken until the employee has completed the probationary period ~~unless approved by the Personnel Officer.~~
- (j) ~~An employee's earned and unused vacation to the date of death, shall be paid to the deceased personal representative, if such is determined, or to the next of kin upon the execution by the next of kin of a surety bond protecting the City from further claims by the estate.~~
- (k) Any city employee who serves on the Wayne Volunteer Fire Department shall not be required to use vacation, holiday or personal leave to attend fire, rescue or EMT training.

Sec. 7.5 Sick Leave

Regular full-time employees shall be provided with paid sick leave for use if incapacitated by illness or injury, if exposed to contagious disease when presence at work would jeopardize the health of others, and for medical, dental, optical, or other health care appointments ~~which cannot reasonably be scheduled~~

~~for off-duty hours.~~ Eligible employees shall accrue four (4) hours of sick leave per pay period. Sick leave shall be administered according to the following rules:

- (a) Sick leave may not be accumulated beyond 120 days for full-time employees, the proportionate lesser amount for eligible part-time employees.
- (b) Sick leave shall not be granted in advance of accrual, but vacation leave or leave without pay may be authorized for employees exhausting their sick leave.
- (c) Employees injured on City jobs who are eligible to receive workmen's compensation disability payments shall receive **two-thirds** ~~66-2/3%~~ of their salary from workers compensation ~~not to exceed \$250 per week~~ and the remaining **one-third salary** from unused sick leave or vacation leave.
- (d) Sick leave shall not be taken for child care purposes except for allowable emergency leave, or for which vacation leave, personal leave or leave without pay may be authorized if feasible and appropriate;
- (e) Requests for sick leave shall be as timely as possible and shall be made in advance for non-emergency health care appointments.
- (f) The City may request and obtain medical certificates or otherwise verify the circumstances surrounding the taking of sick leave, the abuse of which shall be grounds for disciplinary action.
- ~~(g) The general minimum period of sick leave shall be one-half hour.~~
- (g) Sick leave shall not accrue for any pay period during which the employee is in pay status for less than half the pay period.
- (h) Holidays occurring during periods of sick leave shall not be charged against sick leave.
- (i) No cash payments for unused sick leave shall be authorized except upon separation in good standing, as determined by the Personnel Officer, **after fifteen (15) years of service, in which instance the employee shall receive payment for 25% of the unused sick leave, and after 20 years of service, in which instance the employee shall receive payment for 50% of the unused sick leave. If an employee dies with hours remaining in the sick leave account, 100% of this accumulation will be paid to the same beneficiary as is named in the City life insurance policy records for that employee.** ~~twenty (20) or more years of regular service or upon normal retirement, in which instance the employee shall receive payment for one-fourth of the unused sick leave.~~
- (j) Sick leave shall not be transferable between employees.
- (k) Sick leave may be used during the probationary period, however, cannot be used until earned.
- (l) Regular part-time employees working 29 hours per week shall receive 3 hours per**

pay period and includes the following positions: Adult Services Librarian and Youth Services Librarian.

Sec. 7.6 Sick Leave Donation

The City of Wayne has a short and long-term disability insurance policy. The short-term disability policy has a 30-day waiting period prior to an employee receiving benefits. There are times when an employee does not have enough sick leave time accrued to receive wages for this waiting period. In order to help out the financial situation of a fellow employee, it has been determined that the best policy for the City of Wayne is a voluntary donation of sick leave or emergency leave as needed.

General policy:

1. The participation in this program is voluntary.
2. Records of all sick leave donations will be kept in the personnel office.

Recipient requirements:

1. Recipients must be non-probationary.
2. Prior to receiving donated leave through this program, an employee must first exhaust all paid accruals, including sick leave, vacation leave, holidays and compensatory time. The recipient may not be receiving disability benefits or Workers' Compensation payments.
3. A full-time employee may draw no more than 25 days in a calendar year. An employee employed on less than a full-time basis will contribute and receive proportionate benefits. There may be times when there are not sufficient hours donated to accommodate all requests.
4. A written request to receive donated leave must be submitted to the personnel officer along with a physician's written verification of the illness or injury. This does not insure approval. The personnel officer shall make the final decision.
5. Leave donations cannot be used retroactively for previous unpaid absences.

Donor requirements:

1. All donations shall be confidential.
2. The donor should send a memo to the personnel office indicating their desire to donate leave.
3. Any one employee in a calendar year may donate no more than 16 hours.
4. If donated leave remains unused; the leave is irrevocably credited to the recipient's sick leave account for future use, or pay out if eligible.

~~Sec. 7.7 Pregnancy and Maternity. (Amended by Res. 2006-22, 3/28/06)~~

~~Maternity medical leave refers to the period of time (usually six weeks for a normal vaginal delivery and uncomplicated cesarean delivery) after the birth, during which you are medically unable to work as you recuperate. A pregnant employee shall make her own decision, in consultation with her physician, as to when she will cease working. She shall also be responsible for providing her supervisor with as much advance notice as possible and for indicating her intentions concerning resumption of work. If pregnancy or maternity prevents an employee from properly performing her duties or creates a hazard to persons or property, the City may invoke the provisions of these rules concerning separation for incapacity or may take other appropriate administrative measures.~~

Sec. 7.7 **Emergency Leave**

In the event of a death or illness in a regular employee's family or step-family (~~e.g. husband, wife, parents, children, siblings, grandparents, grandchildren, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law and sister-in-law~~) or a personal problem of similar magnitude, the City Administrator may grant the employee up to ten working days in a calendar year of paid emergency leave, which shall be chargeable to sick leave. The emergency request will be submitted in writing to the City Administrator by the department ~~or division~~ head.

If extraordinary circumstances warrant additional time over and above the ten working days, allowed in a calendar year, as described above, and the employee has sufficient accrued sick leave, said employee may request the City Administrator to grant, at the Administrator's discretion, up to five additional days, which additional time shall be chargeable to sick leave.

If additional time is required, time may be granted provided the employee agrees to use holiday time, vacation time, personal leave time, compensatory time, or leave without pay for the period that extends beyond the emergency leave otherwise allowable in this section.

Sec. 7.8 **Funeral Leave (Amended by Res. 94-74, 11/8/94)**

Funeral leave may be granted, not to exceed one-half day, for an employee to serve as pallbearer or attend a funeral for other than immediate family. Time used will be charged against the employee's sick leave balance, **and shall not exceed 10 days in a calendar year.**

If the employee has exhausted his/her sick leave, time may be charged against his/her holiday, vacation or compensatory time.

Funeral leave requested beyond the allowable one-half day, may be granted provided the employee agrees to use holiday time, vacation time, or leave without pay for the period that extends beyond the one-half day funeral leave allowable in this section.

Sec 7.9 **Administrative Leave**

~~Managers at and above the division head~~ **The City Administrator** may grant subordinate employees paid administrative leave, not chargeable to vacation leave, under the following circumstances:

- (a) When an employee is ordered not to report for work because of severe weather, disaster, or similar reasons.
- (b) When an employee is called to serve as a court witness in his or her official capacity or as a juror, provided that any witness or juror fees shall be remitted to the City.
- (c) When an employee desires to attend, at his or her own expense, a professional conference, training session, legislative proceeding, civic meeting, or similar activity related to the employee's job but not constituting a work assignment.

Sec. 7.10 **Military Leave**

~~Military leave shall be granted without loss of total compensation, including benefits and~~

~~accumulation of paid leave and holidays, under the following circumstances:~~

- ~~(a) When an employee participates in military training for not more than fifteen working days in any year, for which participation the employee shall also retain his or her military pay, such leave shall be in addition to their regular annual leave, and~~
- ~~(b) When the Governor of Nebraska calls an employee to military duty in an emergency, in which case the City shall pay the difference between the employee's City salary and his or her military pay, if lower.~~
- ~~(c) A military leave of absence shall not be used during a state of emergency declared by the Governor.~~

Military leave shall be governed by USERRA and Neb.Rev.Stat 55-160, as both may be amended from time to time. If at any time this policy is in conflict with USERRA and/or Nebraska Revised Statutes, State and Federal Law shall prevail. Notwithstanding the foregoing, military leave shall be granted to employee, without loss of pay, pursuant to the following:

- (a) Any employee who participates in non-emergency military training, or who requires a military leave of absence, pursuant to Neb.Rev.Stat. 55-160, shall be entitled to the same, without loss of pay. Such military leave of absence may be taken in hourly increments, and shall be in addition to the regular annual leave of the persons named in this section.**
- (b) When the Governor of Nebraska calls an employee to emergency military leave, the City shall pay the difference between the employee's City salary and his/her military pay, if lower, OR, in the alternative, the employee may use vacation time during his/her emergency military leave.**

Sec. 7.11 Leave Without Pay

A department ~~or division~~ head, with the approval of the City Administrator if the request involves more than thirty days, may grant an employee a period of leave without pay, work load permitting, for any good reason. Approved leave without pay may be terminated earlier than planned if in the best interest of the City. The effect of leave without pay upon seniority shall be as prescribed by administrative directive.

When an employee desires to attend, at his or her own expense, a professional conference, training session, legislative proceeding, civic meeting, or similar activity, he or she may be granted leave without pay.

Sec. 7.12 Absence Without Leave

Employees failing to report for or remain at work as scheduled or directed without proper notification, authorization, or excuse shall be considered absent without leave, shall not be in pay status for the time involved, and shall be subject to appropriate disciplinary action. Absence without leave for more than three consecutive working days shall be considered abandonment of duties, which shall ordinarily result in dismissal.

Sec. 7.13 Payment of Vacation Leave/Sick Leave/Holiday Leave Upon Death of An Employee

~~Families of City employees shall be entitled to payment for all the accumulated vacation leave and holiday leave credited to his/her account. The survivors will also be entitled to one fourth of the accumulated sick leave if the employee has had twenty or more years of service with the City upon death of the employee. All such leave computations shall be at the regular rate of pay of the employee at the time of death. Such accumulated leave entitlement shall be paid to the spouse, if any, and if not, to the estate of the deceased.~~

Upon the death of an employee, families of City employees shall be entitled to payment for all the accumulated vacation leave credited to his/her account. The survivors will also be entitled to 100% of the accumulated sick leave. All such leave computations shall be at the regular rate of pay of the employee at the time of death. Such accumulated leave entitlement shall be paid to the estate of the deceased or other person or entity as directed by the employee during his/her lifetime.

Sec. 7.14 ~~Medical Leave~~

~~Medical leaves of absence, including maternity, shall be granted provided medical verification is submitted. Medical leave, without pay, shall be granted only after the exhaustion of sick leave and vacation leave. Employees desiring a medical leave of absence shall submit the request in writing to their immediate supervisor which shall be accompanied by a doctor's statement providing verification of the necessity for the medical leave of absence. A medical leave of absence may be initiated by the employee (with medical verification), or the employee's supervisor (with health and safety reasons). If the supervisor and the employee and his/her doctor are of the opinion that he/she is physically able to continue working, the employee may use the employee grievance procedure.~~

~~During an approved, unpaid Medical Leave for a serious personal health condition, the City shall provide continued life insurance and disability insurance premium payments for a period not to exceed twelve (12) weeks. Continuation of health insurance during a period not to exceed twelve (12) weeks of an approved unpaid Medical Leave shall be shared in the proportionate amount otherwise paid by the City and employee.~~

~~Prior to return to work, an employee on a medical leave must provide the employer with satisfactory medical evidence of his/her physical ability to return to work.~~

~~All medical leaves of absence shall provide for a specific return to work date. The employee shall submit a written request for an extension accompanied by a doctor's statement providing verification of the necessity for the extension. The employee shall be expected to return to work on the first regularly scheduled work day following the day the medical leave of absence ends. Employees not returning to work on that date and failing to request an extension shall be considered by the employer to have voluntarily resigned their employment.~~

Sec. 7.14 Family and Medical Leave Policy

This policy establishes the rights and obligations of the City of Wayne and its employees with respect to leave necessary for the medical care of employees and their families. Employees must have been employed for at least 12 months and have worked at least 1,250 hours in the year preceding the date the employee seeks to start the leave.

Eligible employees are entitled up to 12 weeks of leave per year. The year shall be defined as the first day that the leave is taken and will commence at the end of the following 12-month period. Family medical leave may be used for the following purposes: (amended 11-18-02)

- a. Child Care - Unpaid leave may be taken because of the birth, adoption, or foster-care placement of a child in order to care for the child.
 1. Child-care leave must be concluded within 12 months from the date of birth, adoption, or foster-care placement.
 2. Child-care leave may be taken intermittently.
 3. Parents who are both employees of the City and who are eligible to take unpaid leave are entitled to a total not to exceed 12 weeks of the leave for child care purposes under this paragraph.
 4. Employees who anticipate taking leave under this paragraph are required to provide notice of their intent at least 30 days prior to the date leave is anticipated to begin, or such notice as is practicable if leave becomes necessary before such 30 day notice may be given.
- b. Family Care - Unpaid leave may be taken to care for a son, daughter, spouse or parent who has a serious health condition.
 1. A serious health condition is one:
 - which requires inpatient treatment, or
 - which causes an absence from work, school, or normal activities for more than three (3) days and requires treatment by or under the direction or supervision of a health care provider on two (2) or more occasions.
 2. Employees requesting leave under this paragraph must present a certification from a health care provider containing the date on which the serious health condition commenced, the probable duration of the condition, the appropriate medical facts regarding the condition, a statement that the employee is needed to care for the family member, and an estimate of the amount of time such care will be required.
 3. Employees taking leave under this paragraph may take the leave intermittently upon production of a health care provider's certification that the intermittent leave is necessary for or will assist the care of the family member and that provides the dates and duration any treatment and leave is expected. Employees using leave on an intermittent basis must try to schedule the leave to minimize disruption to normal operations. An employee may be reassigned to an alternative position, with equivalent pay and benefits, that better accommodates the recurring periods of leave.
 4. Employees who anticipate taking leave under this paragraph are required to provide notice of their intent at least 30 days prior to the date the leave is

anticipated to begin, or such notice as is practicable if leave becomes necessary before such 30 day notice may be given.

- c. **Self-Care - Unpaid leave may be taken when the employee is unable to perform the essential functions of the position that the employee holds.**
 - 1. **Employees seeking leave for self-care must have a serious health condition, as defined by paragraph b(1), above.**
 - 2. **Employees requesting leave under this paragraph must provide a certification from a health care provider containing the date the serious health condition commenced, the probable duration of the condition, the appropriate medical facts regarding the condition, and a statement that the employee is unable to perform the essential functions of the position. Employees seeking the certification must provide the health care provider with a verbal description of the essential functions performed by the employee.**
 - 3. **Employees taking leave under this paragraph may take the leave intermittently upon production of a health care provider's certification that the intermittent leave is medically necessary and states the expected duration of the leave. Employees who elect to use the available leave on an intermittent basis must try to schedule the leave to minimize disruption to normal operations. An employee may be reassigned to an alternative position with equivalent pay and benefits that better accommodates the recurring periods of leave.**
 - 4. **Employees who anticipate taking leave under this paragraph are required to provide notice of their intent at least 30 days prior to the date leave is anticipated to begin, or such notice as is practicable if leave becomes necessary before such 30 day notice may be given.**
- d. **Failure to Provide Required Certifications - Failure to provide the certifications required under this paragraph may result in denial of the leave or the request for leave on an intermittent basis.**
- e. **Use of Accrued Paid Leave - Eligible employees are required to use available paid leave before unpaid leave is taken.**
 - 1. **Child or Family Care - Employees taking leave upon the birth, adoption, or placement of a foster child under paragraph a, above, or for the care of a son, daughter, spouse, or parent under paragraph b, above must use accrued vacation or personal leave (if applicable) prior to taking unpaid leave.**
 - 2. **Self-Care - Employees unable to perform the essential functions of their job and who take leave under paragraph c, above, must use accrued vacation or personal leave prior to taking unpaid leave.**
- f. **Benefits While on Leave - During any period of leave under this policy, an employee's group health insurance coverage will be maintained at the same level and under the same conditions as before the leave began.**

1. Employees who normally make a contribution toward their health insurance coverage must continue to do so. If on paid leave, the employee's contribution will be collected in the same manner as if the employee were reporting to work. During the periods of unpaid leave the employee must arrange with the Personnel Office prior to commencement of the leave, for payment of the employee's share of the premium.
 2. An employee who does not return to duty from unpaid leave under this policy for at least 30 calendar days will be liable for the City's group health insurance premium contribution and any part of the employee's share paid by the department, unless the failure to return to duty is caused by continuation, recurrence, or onset of a serious health condition that would entitle the employee to leave under this policy or for circumstances beyond the employee's control. Where recovery of premiums is permitted, the City shall be entitled to offset the amount against any final pay or monetary benefit to which the employee should otherwise be entitled.
 3. Employees will not accrue other benefits while in an unpaid leave status, including seniority rights.
- g. Return to Duty - Upon return to duty, an employee is entitled to restoration of the former position or an equivalent position with equivalent pay and benefits.
1. An employee who has taken leave for self-care under paragraph 3c, above, will be required to present a certification of fitness for duty from a health care provider prior to commencement of work. Failure to provide the certification may cause denial of reinstatement.

Employees not returning to work on the scheduled date shall be considered by the employer to have voluntarily resigned their employment.

Sec. 7.15 Holiday Leave

The following days and any other days designated by the Mayor and City Council shall be official holidays for the City government:

New Year's Day	Set by Federal Government
Martin Luther King Jr. Day	Set by Federal Government
Memorial Day	Set by Federal Government
Independence Day	Set by Federal Government
Labor Day	Set by Federal Government
Veterans' Day	Set by Federal Government
Thanksgiving	Set by Federal Government
Day after Thanksgiving	Department discretion
Christmas Eve (one-half day – 4 hrs)	Mayoral discretion
Christmas	Set by Federal Government
Floating Holiday	Determined by the City Administrator

Holidays shall be observed in accordance with the following rules:

- (a) As many employees as possible shall be given each holiday off consistent with City

functions.

- (b) A holiday falling on a Saturday shall be observed on the preceding Friday, and a holiday falling on a Sunday shall be observed on the following Monday.
- (c) Regular full-time employees shall receive paid holidays.
- (d) Regular part-time employees **(Adult Services Librarian and Youth Services Librarian)** normally working ~~thirty~~ **twenty-nine (29)** per week shall receive a prorated paid holiday **(6 hours per holiday) if they would normally have worked on the holiday. Regular part-time Senior Center employees shall receive prorated paid holidays (3 or 4 hours per holiday depending upon their schedule).**
- (e) **Vacation, holiday or personal leave shall be used by “Department Discretion” on the day after Thanksgiving.**
- (f) An employee not in pay status on the holiday or on the scheduled working day immediately preceding or following shall not receive any form of pay for the holiday.
- (g) Employees, otherwise eligible to receive paid holidays, who work on a scheduled holiday or whose normal day off falls on a scheduled holiday shall be permitted a day of premium time to be used at another date. This time may be accumulated but must be used within four calendar months following the date of the first holiday accumulated.
- (h) Any city employee who serves on the Wayne Volunteer Fire Department shall not be required to use vacation, holiday or personal leave to attend fire, rescue or EMT training.

Sec. 7.16 Personal Leave

Each employee eligible for benefits will be allowed the equivalent of two work days per year. Personal leave shall not be accrued beyond two days during the calendar year.

Regular part-time employees (Adult Services Librarian and Youth Services Librarian) working 29 hours per week shall receive 12 hours per year.

Regular part-time Senior Center employees shall receive 6 or 8 hours per year depending upon their schedule.

Personal Leave shall accrue to the credit of each eligible employee on the first payroll in January. Eligible employees hired during the year shall be allowed a pro rata amount of Personal Leave to use on the first day of the month following their date of employment.

Any city employee who serves on the Wayne Volunteer Fire Department shall not be required to use vacation, holiday or personal leave to attend fire, rescue or EMT training.

~~Sec. 7.17 Weather Related Leave~~

~~Under extreme circumstances, it may be in the best interest of City to send employees home from work or ask that they not report for work at the start of their normal shift. Under those extreme~~

~~circumstances, time away from work will be charged to administrative leave.~~

~~Employees who fail to report for work or who leave work before the end of their normal shift because of the weather and without the work shift being canceled, shall have that time away from work charged against their vacation time, or holiday time.~~

~~If the employee does not have any accrued vacation time or holiday time, the City Administrator may charge the time to future accrued vacation leave or holiday leave, or may deduct the time from the employee's next paycheck.~~

CHAPTER NINE EIGHT

EMPLOYEE RESPONSIBILITIES AND CONDUCT

Sec. 8.1 Basic Employee Responsibilities and Conduct

It shall be the duty of all employees to maintain high standards of cooperation, efficiency, economy, integrity, and impartiality in their work for the City. Employees shall be responsible for:

- (a) Treating their supervisors with appropriate respect and carrying out all instructions to the best of their abilities without delay or argument.
- (b) Conducting themselves both on-duty and off-duty in such a manner as to bring credit to the City government.
- (c) Treating citizens and other employees with courtesy, fairness, and equality.
- (d) Dressing in good taste and maintaining appropriate personal appearance and cleanliness at work,
- (e) Maintaining the levels of physical fitness required for performing their jobs.
- (f) Refraining from any form of gambling or the use or possession of illegal drugs or intoxicating beverages while on duty. Nothing in this subsection shall be construed to prohibit the same, except for illegal drugs, at any preplanned and approved City function.

Sec. 8.2 Supervisory Responsibilities

If work habits, attitude, production, personal conduct, and/or any other aspect of an employee's job performance should fall below standard, it shall be the duty of the supervisor to advise the employee of the deficiency at the time it is observed. When feasible, warning and counseling the employee shall precede formal disciplinary action, but nothing herein shall prevent immediate formal action as provided elsewhere in these rules whenever required in the best interest of the City.

Sec. 8.3 City Property

Employees shall be responsible for the proper care and use of all City property entrusted or available to them. Employees damaging or losing City property through negligence or abuse shall be subject to disciplinary action and may be required to reimburse the City for such damage or loss. City equipment, materials, and supplies shall not be used for private purposes and shall not be removed from authorized locations without proper supervisory approval. Employees leaving the City service shall return any tools, uniforms, or other City property issued to them before receiving their final pay.

Sec. 8.4 Assigned Vehicles

The City Administrator may assign City vehicles to department heads, ~~division heads~~, and certain other employees for use during normal duty hours. Such vehicles shall otherwise be used only for official purposes, shall be kept clean, and shall be driven in a manner conforming to applicable traffic regulations and reflecting credit upon the City.

Sec. 8.5 Security

For security purposes, City facilities are locked during certain hours. To help insure your protection, the City property and its contents, please adhere to all security procedures and report any conditions that may be potentially harmful.

Sec. 8.6 Outside Employment

A City employee may hold another position of paid employment or accept pay for other services only with prior approval of his or her ~~division or~~ department head. A request for approval of outside employment shall include a description of the nature of the proposed employment, the hours involved, and any other pertinent information. Outside employment which would create a conflict of interest or the appearance thereof or which would adversely affect the employee's City job performance shall not be approved. Approval of outside employment may be rescinded at a time if in the best interest of the City. The requirements of the City job, including availability for overtime or other extra duty, shall take precedence over approved outside employment.

Action on a request for approval of outside employment shall be fully documented for inclusion in the employee's official personnel records.

Sec. 8.7 Conflicts of Interest

No employee shall engage in any activity or enterprise which conflicts or creates the appearance of conflicting with his or her City duties or with the duties, functions, or responsibilities of his or her employing organization. Department ~~and division~~ heads may prohibit particular activities which would create conflicts of interest in their specific organizational environments. Employees shall be encouraged to seek advance determinations regarding possible conflict of interest situations. The following employee activities shall generally constitute conflicts of interest and may in some cases also be criminal acts:

- (a) Engaging in any activity or enterprise involving the use for other than City purposes of City time, facilities, equipment, materials, or supplies or the badge, prestige, or influence of City employment.
- (b) Receiving or accepting money or other consideration from any person or entity other than the City for the performance of any service which the employee or the City would normally be required or expected to render or for preferential or favorable treatment in relation to others.
- (c) Having a direct financial interest in any contract with the City or a direct financial interest in the provision of equipment, materials, supplies, or services to the City, except as may be disclosed to and approved by the Mayor and City Council.
- (d) Failing to disclose, as may be administratively required, the nature and extent of any direct financial interest in legislative matter pending before the Mayor and City Council or any zoning matter.
- (e) Engaging in any business transaction or having a direct or indirect financial or other

personal interest incompatible with the employee's performance of official duties in the public interest or tending to impair independence of judgment or action in the performance of official duties.

- (f) Disclosing confidential, official information or using official information in advance of public release when such disclosure or use would be detrimental to the City or would advance the financial or other private interest of the employee or others.
- (g) Engaging in any activity or enterprise involving so much of the employee's time that City job performance is impaired.

Sec. 8.8 Accountability and Disclosure

Any employee, who appears to have a conflict of interest, shall file with the Personnel Officer, a statement of financial interest with the City Personnel Officer, on a form prescribed by the City. Employees shall file the form, including the following information:

- (a) Name, address and nature of association with any business with which the individual was associated and any entity.
- (b) Name, address, and nature of business of a person, including a body corporate, from whom any income in the value of \$200.00 or more, was received during the preceding year, and the nature of the services rendered. If income results from employment by, operation of, or participation in a proprietorship, corporation, business, nonprofit corporation, or other person, the employee may list the entity as a source of income and not the individual customers, patients, or clients.
- (c) Name, address, occupation, or nature of business of any person from whom a gift in the value of more than \$100.00 was received and the circumstances of each gift. Gift shall not include a commercially reasonable loan made in the ordinary course of business or a gift received from a member of the individual's immediate family or from a relative.
- (d) Such other information from the employee as required by the City or as the City deems necessary.

Sec. 8.9 Conflict of Interest; Prohibited Acts

No person shall offer or give to a City employee anything of value, including a gift, loan, contribution, reward or promise of future employment, based on an agreement that a vote, official action, contract, agreement, or judgment of any public official or public employee would be influenced thereby. No employee shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, contract, agreement, or judgment of any public official, or public employee would be influenced thereby.

No employee shall use the employment, public office, or any confidential information received through the holding of public employment to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the employee is associated.

Sec. 8.10 Confidential Information

You may be entrusted with certain information concerning techniques, processes, and other customer data and to disclose this information is a breach of confidence, and could jeopardize the City and your job. You are required to comply with all State and Federal laws regarding confidentiality and must not reveal any confidential matters or data in the possession of the City.

Sec. 8.11 Political Activity

Employees shall not participate in City political campaigns and shall not solicit or receive political contributions for any candidate or issue in a City election. Employees may privately express their opinions regarding City elections, shall be encouraged to vote, and may objectively provide election information to the public in the performance of their official duties. No employee shall coerce or attempt to coerce another employee or shall use his or her official authority or influence for the purpose of interfering with or affecting the result of a nomination or election for any public office. No City employee shall be rewarded, disciplined, or otherwise subjected to special treatment for reasons of political favor or disfavor.

Sec. 8.12 Solicitation

No solicitation of funds or anything of value or the sale of any items or materials, whether for commercial or charitable purposes shall be permitted among or by City employees during working hours or in working areas only with the approval of the City Administrator. No employee shall be penalized or rewarded in any way in connection with City employment according to his or her response to a solicitation.

Sec. 8.13 Telephone

The City telephone usage is vital to the City providing service to its constituency. It is, therefore, necessary that personal calls, both incoming and outgoing, be restricted.

Sec. 8.14 Work Area Cleanliness

Cleanliness, neatness, and orderliness all contribute to your safety, health, and efficiency at work. All employees are expected to keep their equipment and work area clean and neat at all times to provide for a clean and healthful working environment. Exceptional waste of materials or supplies related to your work area could lead to disciplinary action.

Sec. 8.15 Uniform Allowance

The following items of clothing will be furnished by the City of Wayne for full-time regular sworn officers of the Police Department: all necessary uniform needs except shoes, socks, and underwear. Cleaning will be provided for Police uniforms. The other departments' uniforms will be provided by the City. The initial uniform issue and subsequent uniform purchases for replacement will be established by administrative directive. All employees shall wear their uniforms while on duty.

Purpose: To implement the amendment to Section 8.15 Uniform Allowance of the Personnel Manual which stipulates that uniforms for all departments will be provided by the City, where previously the City furnished necessary uniforms for police officers and shared the cost of uniforms for other departments.

Applicability: This administrative directive shall be applicable to the following eligible employees:

1. **Full-time regular** sworn officers of the Police Department;
2. **Full-time regular status** employees hired to work ~~30~~ **29** or more hours per week who have successfully completed probation;
3. **Regular status handi-van drivers** who have successfully completed probation; and
4. **Regular status library personnel** at the discretion of the ~~Library Board~~ **City Administrator**.

Uniform Allowances and Requirements: Eligible employees by department/~~division~~ or general classification shall be subject to the following uniform allowances and requirements:

1. All uniforms, except for shoes, socks, and underwear, shall be furnished to personnel hired as sworn officers of the Police Department as determined necessary by the Police Chief with approval of the City Administrator. Cleaning will be provided for officer uniforms by the City.
2. Uniforms, as provided below, shall be provided by the City on an “as needed basis” for employees of other departments/~~divisions~~ who work outdoors year round (e.g. **Custodian**, Building Inspector, Electric Production, Electric Distribution, Water/Wastewater, Public Works, **and Parks and Recreation**).
 - a. Shirts, Pants, and Jacket (maximum City cost ~~\$300~~ **\$400** per employee per year)
 - b. One (1) insulated or non-insulated coverall (maximum City cost \$100)
 - c. One (1) pair of safety-toed shoes (maximum City cost ~~\$150~~ **\$175** per year)
3. Shirts/Blouses/Slacks at a maximum City cost of ~~\$300~~ **\$400.00** per employee shall be provided by the City for the Administration Department, **Police Dispatchers, and Recreation Services Coordinator, Library Director and Senior Center Director** ~~Recreation-Leisure Services~~.
4. **Pool staff each receive one (1) swimsuit and one (1) t-shirt as part of their uniform.**
5. **Community Activity Center staff each receive two (2) t-shirts as part of their uniform.**
6. **Up to four (4) shirts or blouses shall be provided by the City for employees of other departments/divisions (e.g. Dispatch, Recreation-Leisure Services, Senior Center, Handi-Van Drivers, and Library Personnel).**
- ~~6. Two pairs of slacks/pants shall be provided by the City for police dispatchers (maximum City cost \$60 per year).~~
7. The “City of Wayne” or department emblem ~~and employee name~~ shall be attached to the front of all shirts, jackets, and coveralls which are provided by the City.
8. Department/~~division~~ heads shall have the following responsibilities:
 - a. Selecting the color and type of uniform for their respective eligible employees.
 - b. Maintaining an accurate accounting of uniforms provided to eligible employees.
 - c. Authorizing the release of a final paycheck to an employee who has resigned, retired, or been terminated only upon verifying the employee’s return of the uniform(s) that were provided by the City in the year of employment separation.

- d. Approving uniform(s) replacement on an “as needed basis” throughout the year. Uniform replacement shall not exceed the initial issue to an employee in any year; provided that coveralls/overalls shall not be replaced more often than every two (2) years. Replacement should be considered when a uniform is grossly stained, torn beyond reasonable repair, generally worn out, or excessively faded.
 - e. Approving request for employee reimbursement of initial issue and replacement of uniforms, and forwarding request for reimbursement form to the City Clerk **or his/her designee** for final processing and payment.
 - f. Requiring employees to whom uniforms have been provided by the City to wear the uniform as a general operating standard.
9. Reference herein to the term “year” shall mean fiscal year.

CHAPTER TEN NINE

DISCIPLINARY ACTION

Sec. 9.1 Grounds

The following shall be grounds for taking disciplinary action, including employee dismissal from employment against a City employee:

- (a) Tardiness, early departure, absence without leave, abandonment of position, or other failure to maintain a satisfactory attendance record.
- (b) Unsatisfactory performance of duties in terms of quality or quantity.
- (c) For supervisors, the inability to plan, organize, or direct the work of subordinates.
- (d) In positions requiring initiative and independent judgment, the inability to perform duties without excessive supervision.
- (e) Insubordination, including the refusal or failure to comply with a proper order of higher authority; the refusal or failure to perform assigned work within capabilities; or the refusal or failure to perform regular and overtime work, lying, or acts of disrespect towards supervisors, superiors, management, or disobedience of orders.
- (f) Abuse of sick leave or other benefits.
- (g) Neglect, waste, damage, misuse, or unauthorized taking of any kind of City property.
- (h) Failure to retain qualifications necessary for the job.
- (i) Use of offensive language toward or abusive, improper, or discourteous treatment of any person or another City employee.
- (j) Harassment or unfair treatment of any person because of political or religious opinions or affiliations, or because of race, color, national origin, marital status, veteran status, age, sex or physical disability.
- (k) Possession, use, or presence under the influence of an intoxicating beverage or illegal drug while on duty or on City property.
- (l) Fighting or gambling while on duty.
- (m) Acceptance of any gratuity or gift for performance or nonperformance of duties, use of City position or time for private gain, or other conflict of interest violation.
- (n) Unauthorized or improper use of official authority.
- (o) Violation of the prohibitions on political activity or solicitation.
- (p) Use or attempted use of political influence or bribery to obtain a favorable personnel

action.

- (q) Falsification of any City document or record.
- (r) Unauthorized disclosure of official information.
- (s) Conviction of a crime under such circumstances that unfitness for the position results or that disciplinary action is otherwise necessary in the best interest of the City.
- (t) Failure to observe and follow required safety precautions and directives.
- (u) Conduct unbecoming a City employee, tending to be prejudicial to the reputation of the City government, or otherwise contravening the public interest.
- (v) Violation of the constitution of the United States or the State of Nebraska, any State or Federal law or regulations, and City Council or administrative requirement, or these personnel rules or applicable supplemental regulation.
- (w) For supervisors, the failure to maintain clean, safe, operational environment in facilities under his or her supervision.
- (x) For supervisors, failure to enforce directives or policies.
- (y) Sleeping on the job.
- (z) Theft, abuse, destruction, removal, or attempted removal of the City's or another employee's personal property or materials.
- (aa) Physical violence, fighting, or creating a disturbance on the City's premises or inciting others to such activities while at work.
- (bb) Threatening, intimidating, coercing, or abusing fellow employees, or any attempt to ~~retard~~ inhibit the work or advancement of another employee.
- (cc) Punching or marking another employee's time card, or permitting someone else to punch or mark your time card.
- (dd) Immoral behavior.
- (ee) Refusal to work overtime, particularly if the overtime is vital to the efficient operation of the City.
- (ff) Obscene language.
- (gg) Rudeness to customers.
- ~~(hh) Arguing or fighting with customers.~~
- (hh) Unlawful discrimination or harassment.

- (ii) Violation of any State or Federal law while working for the City.
- (jj) Unauthorized use of City equipment for personal purposes.

In addition, any other conduct not specifically noted above, if deemed serious by management, will result in disciplinary action, including immediate dismissal.

Sec. 9.2 Types of Disciplinary Action

Disciplinary action shall be consistent with the nature of the deficiency or violation involved and the record of the employee. Types of disciplinary action include oral reprimand, written reprimand, denial or delay of a scheduled salary increase, reduction in salary within grade, suspension from work with pay or without pay, demotion, and dismissal, including immediate dismissal from City employment. A lateral transfer may also be affected for disciplinary reasons. One or more of the foregoing types of action may be taken for a particular deficiency or violation. Disciplinary action shall be imposed in a clear and businesslike manner and, as appropriate, shall be directed at improving the employee's performance or conduct and at avoiding recurrence of the deficiency or violation.

Sec. 9.3 Disciplinary Authority

Unless otherwise provided by supplemental personnel regulations, all supervisors shall have the authority to issue oral and written reprimands to their subordinate employees. **The City Administrator and Department Heads** ~~Managers at and above the division department head level~~ shall have the authority for other types of disciplinary action, except that suspensions in excess of one calendar week, lateral transfers, demotions, and dismissals shall require the prior approval of the appointing authority as defined elsewhere in these rules. Disciplinary action other than oral reprimands shall be documented for permanent inclusion in the official personnel records of the employee involved.

Sec. 9.4 Protective Suspension

When an employee is under investigation for a crime or official misconduct or is awaiting hearing or trial in a criminal matter, he or she may be suspended from work with pay or without pay for the duration of the investigation or proceeding if necessary to protect the public interest. Such suspension shall require the approval of the appointing authority, and any return to duty shall be under such terms and conditions as may be specified by the appointing authority.

CHAPTER ELEVEN TEN

APPEALS AND GRIEVANCES

Sec. 10.1 Appeal Rights

An employee may file a written appeal of a disciplinary action with the City Administrator within ten working days after actual or constructive receipt of notice of the decision to take action, except that the following shall not be subject to the appeal procedure:

- (a) A disciplinary action taken by the Mayor and City Council, reconsideration of which shall be at that body's discretion.
- (b) An oral or written reprimand, which shall be subject to review through the grievance procedure.
- (c) A disciplinary action associated with failure of probation where there is no allegation of prohibited discrimination.

Sec. 10.2 Appeal Procedure

An employee appealing a disciplinary action shall state why he/she believes the action to be inappropriate. As administratively determined, action may be stayed pending the filing or processing of appeal or may take effect at any time after issuance of the notice of the decision to take action. The City Administrator shall conduct any investigation and/or hearing necessary to adjudicate the appeal. If the City Administrator determines that a hearing is necessary, the employee shall be afforded an opportunity to attend, to be represented by anyone of his or her choosing, and to present evidence and/or witnesses on his or her behalf. The City Administrator shall adjudicate the appeal within ten working days after filing or, if a hearing is held, within ten working days following conclusion of the hearing. The City Administrator shall have the authority to approve, rescind, or modify any disciplinary action taken or proposed which is appealed under this procedure.

After receiving the decision of the City Administrator, an employee may file a written appeal thereof regarding the disciplinary decision of the City Administrator, with the Mayor and City Council. The written appeal shall be filed with the City Clerk within seven days after actual or constructive receipt with a notice of the decision of the City Administrator. If the Mayor and City Council determines that a hearing is necessary, notice of a proposed hearing date shall be submitted to the employee, and the employee shall be afforded an opportunity to attend, to be represented by anyone of his/her choosing, and to present evidence and/or witnesses on his or her behalf. After conclusion of the hearings, the Mayor and City Council will render a decision within three weeks after the conclusion of the hearing.

Sec. 10.3 Grievance Policy

In keeping with the philosophy that employee dissatisfaction should be resolved at the lowest possible level with a minimum of paperwork, it shall be City policy to encourage employees to informally take any job related complaints to their immediate supervisors. Supervisors shall listen with care to employees, shall attempt to understand their points of view, and shall provide clear and timely responses to their complaints. An employee remaining dissatisfied with a working condition, reprimand, or other aspect of employment not subject to the appeal procedure may then use the formal grievance procedure.

Sec. 10.4 Grievance Procedure

An employee may submit a written grievance to his or her immediate supervisor within seven calendar days after the cause of the grievance arises or becomes known to the employee. The grievance shall clearly state the basis for the complaint and the relief requested. The supervisor shall discuss the grievance with the employee as necessary and shall provide a written response within seven calendar days after receipt. An employee remaining dissatisfied may then submit the grievance to the next higher supervisor within seven calendar days following receipt of the initial response, and so on up to the City Administrator, if necessary. Time limits shall be strictly enforced. Late submission of a grievance at any stage of the procedure shall bar its consideration. Similarly, if a supervisor below the level of the City Administrator should fail to provide a written response within seven calendar days after receipt of the grievance, the employee shall be allowed to take the grievance to the next higher supervisor.

Sec. 10.5 Final Authority for Grievances

The City Administrator shall be the final authority for considering a grievance and shall conduct any necessary investigation and/or hearing. If the City Administrator determines that a hearing is necessary, the employee shall be afforded an opportunity to attend, to be represented by anyone of his or her choosing, and to present evidence and/or witnesses in his or her behalf. The City Administrator shall provide the final written response to a grievance within ten calendar days after receipt or, if a hearing is held, within ten calendar days following conclusion of the hearing.

Sec. 10.6 Records

Management shall provide the Personnel Officer with copies of appeals, grievances, and the responses thereto as they occur for inclusion in official personnel records and/or appeal and grievance files as appropriate.

Sec. 10.7 ~~Sexual Harassment~~

~~It is the policy of the City to provide an environment free of sexual harassment. Sexual harassment is a violation of Title VII of the Civil Rights of 1964, and it is against City policy for any employee to sexually harass another employee by:~~

- ~~(a) — Making unwelcome sexual advances or request for sexual favors or other verbal or physical conduct a condition of the employee's employment.~~
- ~~(b) — Making submission to or rejection of such conduct the basis for employment decisions affecting the employee.~~
- ~~(c) — Creating an intimidating, hostile, or offensive working environment by such conduct.~~

~~Sexual harassment refers to behavior which is not welcome, which is personally offensive, which fails to respect the rights of others, and which interferes with an employee's work performance. Sexual harassment may take many forms, but not limited to, the following:~~

- ~~(a). — Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, and threats.~~

~~(b) Non-verbal: Sexually suggestive objects or pictures, pornographic commentaries, suggestive or insulting sounds, leering, whistling, or obscene gestures.~~

~~(c) Physical: Unwanted physical contact, including touching, pinching, brushing against the body, coerced sexual contact, and assault.~~

~~Sexual harassment may be overt or subtle. Some behavior which is appropriate in a social setting may not be appropriate in the work place. Sexual harassment by any employee, manager, supervisor, or non-employee will not be tolerated. All employees, managers, and supervisors will be expected to comply with this policy and take appropriate measures to ensure that such conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy.~~

~~Any employee who believes he or she has been subject to sexual harassment should promptly notify his or her immediate supervisor or if that is not appropriate, the Personnel Department or City Administrator. An investigation will be conducted and appropriate action will be taken when necessary to ensure compliance with the policy.~~

~~Any employee who complains pursuant to this policy will not suffer retaliation as a result. Complaints made which are knowingly false will result in discipline.~~

It is the policy of the City of Wayne, Nebraska ("City") to provide an environment free of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication constituting sexual harassment. The purpose of the policy statement is to establish clearly and unequivocally that the City prohibits sexual harassment (or harassment based on age, disability, race, color, religion, national origin, veteran's status or marital status) by and of its employees and to set forth procedures by which allegations of such harassment may be raised, investigated and resolved.

Sex or other types of illegal harassment are a form of employee misconduct, which interferes with work productivity and wrongfully deprives employees of the opportunity to work in an environment free from unsolicited and unwelcome sexual favors and other such verbal or physical misconduct. Sexual harassment is a prohibited personnel practice and is a violation of the law.

The U.S. Equal Employment Opportunity Commission has issued guidelines interpreting Section 703 of Title VII as prohibiting sex harassment. Sexual harassment is defined in those guidelines as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical misconduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

It shall be a violation of this City's policy to harass another employee sexually or to permit the harassment of an employee by a non-employee. Harassment may take many forms, including but not limited to:

- 1. Verbal harassment or abuse based on a person's sex, race, color, religion, national origin, age, disability, marital status or veteran's status.**
- 2. Subtle pressure or requests for sexual activity.**
- 3. Unnecessary touching of an individual, e.g., patting, pinching, hugging, repeated brushing against another employee's body.**
- 4. Requesting or demanding sexual favors accompanied by implied or overt threats concerning an individual's employment status; or**
- 5. Requesting or demanding sexual favors accompanied by implied or overt promise of preferential treatment with regard to an individual's employment status.**

Any employee who feels he or she has been subjected to harassment has several ways to make his or her concerns known:

- 1. Aggrieved persons who feel comfortable doing so should directly inform the person engaging in the harassing conduct or communication that such conduct or communication is offensive and must stop.**
- 2. If an aggrieved person does not wish to communicate directly with the person whose conduct or communication is offensive or if direct communication with the offending party has been unavailing, the aggrieved employee should contact his or her supervisor or the offending party's supervisor.**
- 3. Aggrieved employees alleging either harassment by anyone with supervisory authority or the failure of a supervisor to take immediate action on the employee's complaint may communicate with other supervisory personnel or communicate directly with the Personnel Officer or City Administrator.**

The complaint will be promptly and confidentially (to the extent possible) investigated. Appropriate action will be taken based on the results of the investigation. Regardless of the means selected for resolving the problem, the initiation of a complaint of harassment will not cause any reflection of the complainant nor will it affect such person's future business dealings with the City, his or her employment, compensation or work assignments.

CHAPTER TWELVE ~~ELEVEN~~

RESIGNATION, LAYOFF AND INCAPACITY

Sec. 11.1 Resignation

An employee may leave the City service in good standing by submitting his or her resignation at least two weeks in advance of the effective date. The City Administrator, for good cause, may waive any portion of the notice period. An employee resigning without the required notice shall forfeit payment for unused holiday leave, sick leave, and vacation leave accrued and shall be ineligible for reinstatement. The appropriate department ~~or division~~ head or the ~~Personnel Officer~~ **City Administrator** shall conduct an exit interview with each resigning employee to determine the reasons for the resignation, to solicit suggestions for improving operations and personnel management, and to determine whether prohibited discrimination was a factor in the decision to resign.

~~Sec. 11.2 Retirement~~

~~The normal retirement date for general City employees will be the first day of the month following the attainment of age 65. Early retirement will be the first day of the month following the attainment of age 62. Employees may continue employment beyond age 65 by advising the Department Head and City Administrator it is the employee's desire. Health and physical capabilities will be determining factors.~~

Sec. 11.2 Layoff

A regular employee may be laid off from work because of lack of work or funds. Whenever possible, an employee laid off from one department ~~or division~~ shall be assigned to a suitable position elsewhere. Whenever possible, at least two weeks notice or two weeks severance pay in lieu of the notice shall be given prior to layoff. In determining the order of layoff, the following factors shall be taken into consideration:

- (a) Needs of service.
- (b) Nature of work to be curtailed.
- (c) Length of service.
- (d) In addition to the above factors, the advisability of demoting the employees in higher classes to lower classes for which they are qualified and laying off those in lower classes may also be considered.
- (e) No regular, full-time employee shall be laid off from any position while a temporary employee is still employed in the same department. Unless it is determined that two or more employees in the department in which a layoff is to be made possess substantial differences in their respective qualifications to perform the work to be done, the order of layoff shall be in the reverse order of the date when the employees first entered the service. Layoffs shall not be considered disciplinary actions.

Sec. 11.3 Separation for Incapacity

An employee may be separated for incapacity for medical reasons when the employee no longer meets the standards of fitness required for the position or is not physically capable of performing assigned duties without endangering self, other persons, or property. A finding of incapacity shall be made through individual medical determination by competent authority at the City's expense in a manner prescribed by the City Administrator. Separation for incapacity shall not be considered disciplinary action and shall not operate to deny an employee the use of any sick leave or other benefits that would otherwise be appropriate. Separation for incapacity is an administrative measure designed to protect the interest of the City and the employee and to unencumber the employee's position so that a replacement may be assigned for the maintenance of essential City functions.

Sec. 11.4 Benefits During Incapacity

During the incapacitated period upon the exhaustion of sick leave, the City will continue to pay the stipulated health insurance premium for an additional 30 days. After the thirty day period, it will be the individual's responsibility to pay the premium cost. After the exhaustion of sick leave, the vacation, holiday and sick leave benefits shall not accrue; nor will the employee receive holiday pay. (For information on pension refer to the Police or General Employees Pension Ordinance.)

CHAPTER THIRTEEN TWELVE

REINSTATEMENT

Sec. 12.1 Following Resignation

A person who resigned in good standing may be reinstated to a position at or below his or her former level within one year following resignation, provided that the person is qualified to perform the duties of the position and such reinstatement would be in the best interest of the City.

Sec. 12.2 Following Layoff

A person who was laid off from City employment may be reinstated any time to a position at or below his or her former level, provided that the person is qualified to perform the duties of the position. In appropriate circumstances, reinstatements following layoff shall be based on seniority, with the persons with the longest total regular City service being reinstated first.

Sec. 12.3 Following Separation for Incapacity

A person who was separated for incapacity may be reinstated to a position at or below his or her former level within one year following separation, provided that the incapacity has been removed to the satisfaction of the City, the person is otherwise qualified to perform the duties of the position, and the reinstatement would be in the best interest of the City.

Sec. 12.4 Restoration of Credits

Following a reinstatement, periods of regular City service shall be combined to determine the employee's seniority. Similarly, any sick leave balance for which the employee did not receive payment at the time of separation shall be restored.

Sec. 12.5 Other Re-employment

Former employees ineligible for reinstatement under specific provisions of this chapter or under laws applicable to certain military veterans may be considered for re-employment in the same manner as members of the general public. In such circumstances there shall be no restoration of credits upon re-employment.

Sec. 13.3 Pay Schedule

Subject to review by the Mayor and City Council, the City Administrator shall assign classes to grades based on relative duties, responsibilities, required qualifications, and other relevant factors. The Mayor and City Council shall establish for each grade an hourly salary range comprised of a minimum step or rate of pay, a maximum step, and any number of intermediate steps. The aggregate of these salary ranges shall constitute the pay schedule. The assignment of classes to grades, the pay schedule, and the rules and procedures for its administration shall constitute the City pay plan.

Sec. 13.4 Pay Plan Maintenance

The City Administrator, with the assistance of the ~~Personnel Officer~~ **administrative staff**, shall periodically review the pay plan to ensure that desirable relationships among classes are preserved and that salary levels in the applicable labor markets are properly reflected. The City Administrator shall propose to the Mayor and City Council such general pay adjustments as are necessary for the City to remain a competitive and equitable employer and to meet the requirements of the Commission of Industrial Relations and State law. General pay adjustments shall ordinarily be applied to all grades on a fixed percentage, across-the-board basis by means of re-promulgating the pay schedule. General pay adjustments in and of themselves shall not affect the assignment of classes to grades or the rate of progression of individual employees within grade.

Sec. 13.5 Step Placement

The following rules shall govern step placement on the pay schedule:

- (a) No employee shall be paid less than the minimum salary for the grade to which the class including his or her position is assigned.
- (b) No employee shall be paid more than the maximum salary for the appropriate grade, except that an employee whose job is downgraded by reclassification or changes in the labor market, through no fault of the employee, shall continue to receive his or her last previous rate of pay, if it is above the new maximum, until such time as a step on the new salary range equals or exceeds the previous rate.
- (c) A new employee shall ordinarily be paid at the minimum step, except that the appointing authority may authorize hiring above the minimum if the appointee possesses clearly exceptional qualifications and such action would be in the best interest of the City.
- (d) A new employee or an employee receiving a promotion may be granted a merit salary increase upon successful completion of his or her probationary period, contingent upon satisfactory performance as certified by the employee's department ~~or division~~ head.
- (e) An employee receiving a promotion may receive a salary increase at the time of promotion and may be granted a merit increase upon successful completion of his/her probationary period. The opportunity for a further merit increase will occur on the new anniversary date, one year from the completion of the probationary period.
- (f) An employee receiving a merit pay denial shall be denied for a period of six months;

upon the completion of the six-month period and reevaluation, the employee may be granted a merit increase.

- (g) **Employees may also be given cost of living increases. An employee who is in an introductory status or on probation for any reason shall not receive the cost-of-living increase.**

Sec 13.6 Compensation and Overtime

The work cycles for the various employee groups shall be as follows:

General	7-day work cycle	40 hours
*Sworn Police	14-day work cycle	84 hours

Employees working beyond the hours in a given cycle shall be eligible for paid overtime at time and one half. For purposes of computing overtime, the base hours shall exclude all hours used for vacation and sick leave. All periods during which employees are completely relieved from duty and which are long enough to enable them to use the time effectively for their own purposes are not hours worked. Employees required to work on a holiday, excluding the Floating Holiday, shall be paid time and one-half. The City Administrator, upon the request of the non-exempt employee, may compensate in cash, overtime worked on holidays and emergency call-out time by the employee at the rate of 1.5 times the employee’s regular wage rate. Nonexempt employees are prohibited from performing city work outside of normal working hours without prior authorization by their supervisor.

Police Department: Hours of work during which employees respond to work pursuant to an off-duty call arising out of their employment (e.g. court time) or who appear for official parade duty arising out of their employment at a time during which they are not otherwise on duty during a scheduled shift shall be considered hours of work for the purpose of compensation and computing overtime at the rate of 1.5 times the actual hours spent in court or other official proceeding/parade and shall be guaranteed a minimum of 2 hours compensation and overtime credit.

Sec. 13.7 Employee Exempt from Overtime

The following employee position classifications are exempt from overtime:

<u>POSITION CLASSIFICATION</u>	<u>CATEGORY OF EXEMPTION</u>
City Administrator	Executive
City Clerk	Executive
Finance Director	Executive
Chief of Police	Executive
Senior Citizens Center Coordinator	Executive
Recreation Services Director	Executive
Library Director	Executive
Park and Recreation Director	Executive
Superintendent of Electric Production	Executive
Superintendent of Electric Distribution	Executive
Street and Planning Director	Executive
Water/Wastewater Superintendent	Executive

Sec. 13.8 Call-Back Time

An employee eligible for overtime compensation who is called back to duty after leaving work shall always receive credit for one hour. The minimum entitlement shall be one hour credit followed by increments of credit to the nearest quarter hour.

In the event that before or after-hours job related use of city-provided computers, **or** cell phones, **or other electronic devices** ~~or BlackBerry-type devices~~ by non-exempt employees is required, but the employee is not called back to duty, non-exempt employees are required to accurately record the time that they spend using the devices in quarter hour increments and submit that time worked for compensation.

Sec. 13.9 On-Call Time

The employees of the City of Wayne, excluding the Police Department, when they are "on call," are not required to be on the City premises. The City allows the employees to leave telephone numbers or use the City paging system, where said worker may be reached while said worker is "on call," and said employee is not restricted in any manner whatsoever, other than being available for "on call," if called or paged by the City. An employee who is "on call" with the City shall be paid the sum per hour as herein provided for the period that said employee is "on call." Further, any time an employee is called to work by the City while the employee is "on call," the employee shall be credited with a minimum of one hour for each period that said employee is called to work, even though the actual work period is less than one hour. Any work period in excess of the one hour minimum, shall be credited by the actual time. The "on-call" sum to be paid per hour shall be ~~\$1.00~~ **\$1.50.**

On-call pay for the Police Department shall be paid at the rate of \$5.00 per hour.

Sec. 13.10 Pay Checks

Pay checks shall ordinarily be distributed every other ~~Friday~~ **Thursday**. Prior to releasing an employee's check, the department ~~or division~~ head shall ensure that there is sufficient work time and/or paid leave to cover the gross pay indicated for the period involved.

Sec. 13.11 Employee Benefits

In order to remain a competitive and equitable employer and to comply with applicable laws, the City offers a total compensation plan consisting not only of pay but also of substantial employee benefits. The Personnel Officer shall make information available concerning current benefits, some of which may be provided at an employee's option, in whole or in part at his or her expense, and /or only to certain categories of employees. It is the responsibility of the employee to notify the personnel office and the plan administrators of changes in the employee status, change in beneficiaries, marriage, additions to households, etc.

The following are the principal employee benefits which are offered prorata on the basis of a 40 hour week to all regular, full-time employees after completing necessary waiting periods:

- (a) Health and Major Medical Insurance:
 - PPO program with no limit for maximum major medical expenses.

2018: Deductibles will be \$2,000 for single and \$4,000 for family coverage in the PPO. The employer is self-insuring (80/20) a ~~\$6,550~~ **high deductible plan** for single and ~~\$13,100 deductible for~~ family after meeting either one or two deductibles. An eligible employee qualifies on the first day of the month following 30 days of continuous employment.

The City will pay 80% of the premium for single employee and 70% for family coverage. The employee will pay 20% of the premium for single coverage and 30% for family coverage.

As an incentive for the employee and family to reduce the deductible to \$1,500 for single and \$3,000 for family coverage paid for by the City, the following must be met:

- Employee and spouse must be a non-tobacco user. The City reserves the right to verify this by nicotine blood test; and
- Employee and spouse must have annual physical as provided in the plan.

Effective 5/1/17, as an additional incentive for the employee and family to reduce the portion of the premium they pay bi-weekly for single and family coverage, the following must be met:

- Employee and spouse must be a non-tobacco user. The City reserves the right to verify this by nicotine blood test (credit of 7.5% employee and 7.5% spouse – total 15%); and
- Employee and spouse must have annual physicals as provided in the plan (credit of 7.5% employee and 7.5% spouse – total 15%).

The City will pay for any portion of the annual physical that is not covered 100% by the health insurance provider after 5/1/17.

Pre-op physicals will not count as having an annual physical after 5/1/17.

The Employer will self-insure vision benefits as follows:

Vision: \$10 co-pay per exam
 50% discount for eyeglasses ~~at member facilities~~
 ~~25~~ **50%** discount for contacts
 \$100 for Safety Glasses

(b) COBRA:

If an employee or family member elects to go on COBRA under the City's group health insurance plan, the plan benefits will be the same as those of the original policy, not those benefits which the City provides by self-funding the policy.

(c) Life Insurance:

The City pays for group life insurance. The amount of insurance generally equals one times (1x) annual salary to the next highest \$1,000.

(d) Disability Insurance:

A tailored program of coverage paid by the City for short term disability for up to 52 weeks of weekly benefit starting after a 30 day period, and long term disability with a monthly benefit starting after twelve months of short term disability. The plan generally pays employees 60% of their gross pay subject to certain maximums for qualifying conditions.

(e) Retirement:

The City of Wayne provides a deferred compensation retirement savings plan to eligible employees and a 401(a) Money Purchase Plan. An eligible full-time employee may participate in the retirement plan from their date of hire. However, the City will start contributions after one (1) year of employment and upon finishing probationary period for eligible employees. **At that time, the employee must contribute 1% of their annual wage. ~~but not more than 19%.~~** The City will contribute ~~67%~~ of their annual base salary to the 401(a) Money Purchase Plan.

City Administrator Recommendation: The City will match up to 7% of the employee's contribution.

2020: A participant may contribute up to 100% of their pay until they reach the annual maximum which is \$19,000. (\$25,000 if age 50 or over, and \$38,000 if the participant is utilizing the Pre-Retirement Catch-Up provision)

***The employer and employee contributions count towards the annual maximum.**

An eligible regular part-time employee working ~~30~~ 29 or more hours per week may participate with unmatched contributions in the retirement plan from their date of hire.

According to State Statute and Civil Service requirements, sworn police officers receive pension contributions from the City immediately at a rate of ~~6.5%~~ 7% employee, ~~6.5%~~ 7% employer. The deferred compensation retirement savings plan may be used by sworn police officers, as well; however, the City will not match any employee contributions.

(f) Flexible Employee Benefit Plan:

The Flex Plus Plan was developed to allow eligible employees to use before-tax earnings to purchase benefits under the Plan; examples of flexible spending account benefits include child care, unreimbursed medical expenses, health and accident insurance premium, etc.; Federal, State and Social Security taxes do not apply to these benefits.

An employee may participate in the Plan as of the first day of the month after completing the first day of employment. Prior to the date of being eligible to participate in the Plan, an employee is required to fill out an election form.

- (g) Paid holidays, personal days, and leave for vacation, illness or other designated purposes.

Benefits available to regular status employees hired to work 29 hours per week, only, include prorated vacation, sick leave, holidays, and personal leave.

Benefits available to all employees:

- Worker's Compensation
- Social Security

More pertinent information regarding paid holidays, personal days, vacation, and sick leave and other leave are included elsewhere in this manual. Any questions not answered in the manual with regard to benefits should be directed to the Personnel Officer.

- (h) Educational Scholarships for Full-Time Employees

Providing that scholarship funds for this program are budgeted and available, any employee regularly scheduled to work 40 hours per week or more is eligible to apply for up to \$150 in scholarship funds per calendar year for tuition and/or books for an approved trade or educational course related to his or her job description at an approved two or four-year degree institution. The course, the educational institution, and the application must be pre-approved by the department head.

- (i) **Membership in the Nebraska Energy Credit Union**
- (j) **Single membership at Community Activity Center**

CHAPTER FIFTEEN ~~FOURTEEN~~

CONFERENCES AND TRAVEL

Sec. 14.1 Approval

Approval for travel shall be received in advance through the Department Head and the City Administrator. Reimbursable expenses may include travel, meals, lodging, registration fees, and other miscellaneous expenses.

Sec. 14.2 Transportation

Reimbursement shall be made for the cost of travel tickets, parking expenses, and other related to City or rental vehicles.

Sec. 14.3 Lodging

Lodging expenses shall be documented by receipts. Individuals shall attempt to stay at the most reasonably priced hotel or motel. Individuals are encouraged to stay at the location of any convention or meeting. City representatives shall ask for government rates whenever registering and are encouraged to make all reservations through the Personnel Office to ensure the tax exemption, where practicable on the lodging. ~~Lodging shall be double occupancy, except as may be permitted by the City Administrator.~~

Sec. 14.4 Meals

Reimbursement guidelines for individual meal expenses shall be: **Itemized** receipts shall be required for all meal expenses. ~~within a 200-mile radius. Reimbursement for individual meal expenses related to travel beyond a 200-mile radius shall not exceed \$42.00 per day unless accompanied by receipts. Receipts must be submitted for consideration of an exception or when they represent meals for more than one person.~~

The reimbursement guidelines for individual meal expenses shall be the same for the Fire Department personnel.

Sec. 14.5 Mileage

Mileage reimbursement will be consistent with the Federal established rate when personal vehicles are approved for use in City business.

Sec. 14.6 Registration Fees

All registration fees may be reimbursed.

Sec. 14.7 Miscellaneous

All other expenses will be categorized as miscellaneous and will need to be documented by receipts and receive administrative approval before receiving reimbursement.

Sec. 14.8 Payment Procedures

Upon returning from an approved meeting, the individual shall summarize all of his or her expenses on the City's approved expense report and submit it to the Department Head for approval. The Department Head will submit all approved expense vouchers to the City Administrator for approval, prior to being submitted to the Payroll Department for payment.

Sec. 14.9 Travel Advances

The City Administrator may authorize advance travel monies for an employee to attend a scheduled school or conference, in an amount not to exceed the estimated cost of the trip, through the employee's payroll check that comes immediately before the scheduled meeting, provided it is requested and approved by the City Administrator prior to the cutoff date for the affected pay period.

CHAPTER SIXTEEN FIFTEEN

SAFETY

Sec. 15.1 Training

Department heads, ~~division heads~~ and other supervisors shall train subordinate employees to observe prudent safety precautions at all times. Each employee shall be responsible for following established safety rules and procedures and for observing traffic regulations when operating City vehicles and other motorized equipment. Department ~~and division~~ heads shall ensure that first aid supplies are maintained in clearly marked locations as appropriate and that employees have been instructed on procedures to be followed in the event of fire, tornado, or other emergency.

Sec. 15.2 Accident and Injury Reporting

Employees shall immediately report all job accidents and injuries to their supervisors, ~~division heads~~, or department heads. Within 24 hours of an employee accident or injury, his/her department ~~or division~~ head shall notify the City's insurance carrier and file a report with the City Clerk's office. A minor injury may be treated at the scene. Otherwise the victim may be transported to a medical location for treatment.

An employee operating a City vehicle who is involved in an accident, no matter how minor, shall first notify a law enforcement agency and then his or her supervisor, ~~division head~~, or department head. The supervisor, ~~division~~ or department head shall then notify the City's insurance carrier and City Clerk.

Sec. 15.3 Health and Safety

Accident prevention is essential to a successful operation. The City is concerned about the health and safety of its employees. It is important that all employees become safety conscious and that basic safety rules be followed at all times. It is the responsibility of each employee to observe all safety rules.

Each employee shall participate with the supervisor to prevent unsafe or potentially unsafe conditions from occurring by immediately reporting any such conditions to the supervisor.

Any violation of safety rules will result in the employee receiving appropriate discipline, including possible termination.

Sec. 15.4 Emergency Evacuation

For your safety and well being, the City has developed an emergency evacuation procedure. This procedure will help you know what to do in case an emergency requires evacuation from City premises.

CHAPTER SEVENTEEN ~~SIXTEEN~~

MISCELLANEOUS PROVISIONS

Sec. 16.1 Personnel Records

The Personnel Officer shall maintain the official personnel records for all City employees. An employee shall have the right to inspect his or her official personnel records under the supervision of the Personnel Officer. Departments ~~and divisions~~ may maintain such working files as are necessary for day-to-day administration.

Sec. 16.2 Status Changes

An employee shall promptly inform his or her supervisor, ~~division head~~, or department head of any change in name, address, telephone number, marital status, number of dependents, or other aspects of personal status impacting on personnel, insurance, or payroll records. The supervisor, ~~division head~~, or department head shall ensure that the Personnel Officer is notified of each change.

Sec. 16.30. — Suggestions.

~~Employee suggestions for improving the efficiency, economy, and effectiveness of City government shall be encouraged. Employees may submit written suggestions to their supervisors, division heads, or department heads or to the City Administrator. Suggestions shall be acknowledged.~~

Sec. 16.3 Duty of Loyalty

The employees shall not disclose confidential information gained by reason of employment with the City, nor use such information for personal gain or benefit.

Employees shall not have any interest in or engage in any business or transaction or special activity or incur any obligation of any nature, directly or indirectly, which is in conflict with the proper discharge of the duties of the position to which the employee is assigned with the City.

Employees shall conduct themselves in a positive and businesslike manner that will reflect favorably on the City. They shall be conscious of performing all duties in the best interest of the City and its clients and customers.

CHAPTER EIGHTEEN SEVENTEEN

PURCHASING PROCEDURES

Sec. 17.1 Cost Quotations; Commodities Under \$340,000.00 in Value

Prices of goods or services under \$340,000.00 in value should be determined or checked by telephone or through the use of the "~~Request for Quotation~~" **Quote Request Form**. Items available from a number of vendors must be opened and reviewed for competitive quotation, providing quality and service are comparable. The total cost of any commodity shall include all shipping charges or installation costs.

- (a) ~~Telephone quotations shall be obtained from at least three vendors, if available, in the City of Wayne for purchases in an amount between \$100.00 and \$500.00. Copies of the tabulation of the quotation shall accompany the purchase order form to the City Administrator.~~
- (a) Written quotations shall be obtained from at least three vendors, if available, for purchases between \$1,500.00 and \$29,999.99. Such quotations will be tabulated and forwarded with the tabulation and the purchase order form to accounting and the City Administrator.

Sec. 17.2 Excise or Sales Tax

The City is exempt from excise or sales tax, except electric, water, sewer, pool, and where an admission is charged, which is subject to Nebraska Sales Tax.

Sec. 17.3 Competitive Bids

The City Administrator may, at his option, open for competitive bids, any item on the purchase order or combine with orders for the same item or service from other departments to achieve the lowest possible cost consistent with quality. Purchase of vehicles or other major equipment ~~under \$10,000~~ shall be purchased by competitive quotations or bids and presented to the City Council for award.

Sec. 17.4 Competitive Bids; Commodities over \$340,000 in Value

No commodity or service aggregating more than \$340,000 in value shall be purchased without competitive bidding, excluding electrical energy purchases and contracts related to the municipal electric utility. Competitive bidding shall be in compliance with the laws of the State of Nebraska. Department heads initiating the request for quantity and commodity shall submit said proper documentation to the City Administrator for approval who will present it to the City Council for advertising. Bids will be received until a specified date, at which time an award will be made to the lowest and best bid or bids will be rejected by the City Council. Splitting purchase orders to circumvent the \$340,000.00 minimum shall not be permitted.

~~Sec. 17.50. Standing Orders; Commodities of \$100 or Less in Value.~~

~~Whenever numerous small purchases are made from one supplier, standing orders may be~~

~~authorized. This must be kept at a strict minimum and purchase orders aggregating no more than \$100 shall be issued per unit. The vendors copy may be signed by the department head, if the City Administrator or his authorized representative is not available, such as nights, weekends, or holidays. The remaining parts of the purchase order shall be processed in the usual way. This order must be designated as "Standing Order for the Month of _____, 20__", or "During the Period of _____ to _____, 20__", as the case may be.~~

~~Exceptions: The City Administrator may authorize a standing order for a larger amount than \$100.~~

Sec. 17.5 Authorization Required

All purchase orders shall be signed in the appropriate space by the initiating department head (lower left corner). It shall then be transmitted to the City for processing. Approval will be indicated on the purchase order by the City Administrator or his authorized personal representative. After approval of the City Administrator, the purchase order will be issued. The orders will be processed daily, and the appropriate copies returned to the initiating department heads.

The City Administrator will normally approve or disapprove all purchase orders involving total cost of ~~\$500~~ **\$1,500** or more, or involving any capital improvement or improvements. The authorized representative of the City Administrator may normally approve or disapprove all other purchase orders.

Sec. 17.6 ~~The Purchase Order.~~ **Purchase Orders**

Issuance and Distribution. The purchase orders shall be serially numbered and prefixed by the fund number and issued in sufficient copies.

- (a) ~~Type all information as required. Pen or pencil will not register on all copies.~~ **Complete all information as required.**
- (b) Date - current date.
- (c) Ship To - show the department and address.
- ~~(d) Delivery required - show the date that it is desired for delivery of merchandise, if any time is necessary.~~
- (d) Vendor - give the full name, address, telephone number, and vendor number.
- (e) Appropriation number - give the number assigned to the budgetary appropriation for which the expenditure is to be made. This must be correct. Appropriation numbers cannot be changed or added after purchase order has been processed.
- ~~(f) Shipping instructions - show the means of transportation, if a particular way is desired.~~
- (g) Item - if the order contains more than one item, then number the items in serial order.
- (h) Quantity - show the number of units of the same kind required, expressed in numbers.

- (i) Unit - show the measurement of the items required.
- (j) Description - describe the item required in specific terms. Use part or catalog numbers, if required. Be sure to describe fully and in detail. Return of merchandise due to improper or incomplete description is not only a waste of time, but expensive.
- (k) Unit price - show the cost per ton, dozen, pound, etc., whatever the unit used might be. Prices must be shown if at all possible.
- (l) Amount - extend the unit price by showing the total cost derived by multiplying quantity by unit price. It is important that all of this information is provided. Anticipate, if possible, discounts and freight charges, noting them upon the form. If the order contains more than one item, add all of the item amounts and show the total amount.
- (m) After completion of the purchase order, the department head shall sign in the appropriate space, lower left corner, and forward all copies to accounting division for processing.
- (n) **~~Distribution—the copies shall be distributed as follows: (1) Original to vendor; (2) Second copy to accounting; (3) Third copy to be returned to issuing department for reporting goods received and then transmitted to accounting; (4) Fourth copy returned for issuing department records.~~**

Sec. 17.7 Procedure Prior to Receipt of Order

The Purchase Order shall be retained by accounting for encumbering purposes and filed in an orders pending file. The signature of the City Administrator, or his authorized representative, is authorization of the purchase.

- ~~(a) — A copy shall be retained by accounting for encumbering purposes and to be filed in an orders pending file. The signature of the City Administrator, or his authorized representative, in the lower right corner is authorization for the purchase.~~
- ~~(b) — A copy shall be returned to the issuing department to be held until the order is completed and then transmitted to accounting with a copy of the delivery slip.~~
- ~~(c) — A copy shall be retained by the issuing department to be filed numerically, alphabetically, or by account number at the department head's option.~~

Sec. 17.8 Procedure Upon Receipt of Complete Order

Upon receipt of the complete order, the department head, or his authorized representative, shall carefully check the items received against the purchase order with particular attention to the quantity and condition of the items. If all of the items are accounted for and in good condition, the receiver shall indicate the same on a copy of the purchase order, adding the date of signature and his signature. He shall then transmit this copy of the purchase order, with all delivery slips, to accounting immediately at the time merchandise is delivered, received, or obtained. The receiver shall identify the department and sign the delivery slip submitted for that purpose.

Accounting shall withdraw a copy from the pending file, and conform the same with received copy. Upon receipt of the vendor's invoice by accounting, all papers shall be carefully reviewed as to number, kind, and cost of items. A copy with the original invoices will be attached to a claim blank and filed in the "Accounts Payable" file for payment. Extreme care should be taken to take advantage of all discounts.

Sec. 17.9 Procedure Upon Receipt of Partial Order

Upon receipt of a partial or incomplete order, the department head shall check the items received against the purchase order ~~as described in Sec. 18.100~~. He may report the receipt of partial order ~~upon the "Report of Materials Received" form and transmit this report~~ to accounting. Accounting will review and match the reports of partial orders of items received with a copy of the purchase order, checking off the items received, and attach a report of partial order to a claim and place in "Accounts Payable" file for payment. At such time as the entire shipment has been received or the balance of the order has been canceled, the department head will ~~submit the pink copy to~~ **notify** accounting ~~to be processed~~ with the invoice designating that the final shipment has been received or canceled. If orders are canceled, the copy must be marked "Canceled," and returned to accounting so that the encumbrance can be liquidated.

Sec. 17.10 Emergency Purchases

Under exceptional circumstances, emergency purchases may be authorized by the City Administrator without the issuance of a purchase order. This order should be prepared as soon as time permits, marked "Emergency Purchase Authorized by City Administrator _____, 20 ____" and processed in the prescribed manner.

In the event that the City Administrator, or his authorized representative, is unavailable, the department head may authorize the purchase, following the preceding procedure.

Sec. 17.11 ~~Minor Purchases. (Amended by Res. No.91-61, 9/24/91)~~ Petty Cash

Minor purchases, in the amount of ~~\$25.00~~ **\$100.00** or less, other than regular sources of supply, may be made ~~without the issuance of a purchase order~~ **using petty cash**. A greater amount may be submitted on a group basis where meals, etc., pertaining to City business, are involved. ~~Minor purchases of more than \$25.00 and less than \$50.00, without the authority of a purchase order, may be authorized by the City Administrator under exceptional circumstances. The purchaser will, however, pay cash for such items at the time of purchase, which will be reimbursed upon presentation of the receipted bill to accounting.~~

~~Items charged without the authority of a purchase order or the approval of the City Administrator shall be the personal responsibility of the purchaser.~~ The receipted bill must be attached to the signed petty cash voucher. The voucher must show both the signature of the issuing agent and a person receiving the disbursement. These vouchers are subject to the approval of the City Administrator.

Sec. 17.12 Mailing and Notices

All invoices and statements shall be addressed to the City of Wayne, Nebraska, Accounting. Copies of processed invoices shall be furnished to department heads upon request. All notices shall be addressed to the City of Wayne, Nebraska, City Administrator.

Sec. 17.13 Cooperative Purchasing

Certain types of commodities, such as fuel oil, gasoline, motor oil, traffic paint, signs, fire hose, etc., may be purchased cooperatively with other local governmental agencies or other municipalities to achieve better quantity discounts. All department heads are requested to project their requirements as far in advance of use as possible and to explore the potentialities of making substantial cost savings through cooperative purchasing without sacrificing quality.

CITY OF WAYNE
QUOTE REQUEST FORM

DEPARTMENT: _____

BUDGET LINE ITEM: _____

DEPARTMENT HEAD APPROVAL: _____

CITY ADMINISTRATOR APPROVAL: _____

DATE: _____

VENDOR NAME: _____

VENDOR EMPLOYEE NAME: _____

TELEPHONE: _____

QUOTE FOR: _____

QUOTE INCLUDES:

Item Totals

_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

GRAND TOTAL: \$ _____

Quote Excludes: _____

Delivery Date: _____ Shipped By: _____

City Employee Obtaining Quote: _____

CHAPTER NINETEEN ~~EIGHTEEN~~

MUNICIPAL EMPLOYEE AWARD PROGRAM

Sec. 18.1 Scope and Purpose

The Municipal Employee Awards Program has been established to recognize those City employees who have performed or provided service for the City of Wayne. Any City employee (management or non-management, full-time, **or** part-time **or temporary**) of the municipality may participate in the program.

Sec. 18.2 Responsibility

The City Administrator or his designee shall be responsible for program administration. The City Administrator, with approval of the City Council, reserves the right to amend, or revise this program at his discretion.

Sec. 18.3 Employee Recognition

This portion of the awards program is geared to recognize an employee's continued service with the City and productivity. All employees of the City are eligible to receive the following recognitions:

- (a) Service Awards. All employees may be recognized for their years of service to the City, starting from 5 years to 50 years, in 5 year consecutive service increments, as follows:
 - (1) 5 years - Certificate and one day off
 - (2) 10 years - Certificate and one day off
 - (3) 15 years - Certificate, one day off and \$50 **Savings Bond**
 - (4) 20 years - Certificate, one day off and \$100 **Savings Bond**
 - (5) 25 years - Certificate, one day off and \$150 **Savings Bond**
 - (6) 30+ years - Certificate, one day off and \$200 **Savings Bond**

**** Day off must be taken within thirty days of anniversary date. Certificate and Savings Bond monetary gift will be presented at the Annual ~~Christmas Banquet~~/Awards Presentation.**

- (b) Retirement Award. Any retiring employee who has faithfully served the City for 10 years or more is eligible for this award. The City Administrator or Mayor shall issue a letter and certificate of service to the employee and shall present a special award not to exceed \$~~200~~ **100** in value to the retiree.
- (c) ~~**Disability Recognition**. Any employee forced to leave City employment because of disability is eligible for this award. The City Administrator or Mayor shall issue a letter and certificate of service to the employee and shall present a special award to~~

the employee.

- (d) ~~Letter of Appreciation. This may be issued to an employee or department who has demonstrated an above-average performance or service while performing assigned or special duties. The letter may be issued by an immediate supervisor or the City Administrator.~~
- (e) ~~Distinguished Service Citation for Valor. This award will be presented by the City Administrator to an employee who performs an act of heroism in the face of personal injury or risk of life.~~

Sec. 18.40. — Department Recognition.

Any City department may be recognized by the City Administrator for the following:

- (a) ~~Safety Citation. May be awarded to one or more departments that have demonstrated consistent safe practices. This award will be presented to the Department Director at the annual Christmas Banquet/Awards Presentation by the City Administrator.~~
- (b) ~~Outstanding Improvement Award. This award may be presented to a department or departments which have demonstrated excellent service to the public, have met their department goals and have demonstrated cost reduction in their departments. This award will be presented to the Department Director at the annual Christmas Banquet/Awards Presentation by the City Administrator.~~

Sec. 18.4 Annual ~~Christmas Banquet~~/Awards Presentation.

~~Christmas Banquet~~/Awards Presentation will be held once a year, ~~on the first Saturday in the month of December~~, of which the cost of the meal will be paid for by the City to the extent permitted by State Statute.

Sec. 18.60. — Inter-Departmental Recognition Coffee. (Amended by Res. No. 92-57, 12/8/92.)

~~A department may be permitted by the City Administrator to hold a "good-bye coffee" for any employee leaving the employment of the City of Wayne during normal business hours for a period not to exceed thirty (30) minutes of time; the cost of said "coffee" shall be borne by the department employees.~~

Sec. 18.70. — Publicity.

~~Every attempt should be made to publicize the presentation of these awards.~~

CHAPTER TWENTY NINETEEN

DRUG-FREE WORKPLACE POLICY

Sec. 19.1 Statement of Purpose

The City of Wayne shall attempt to increase employee's awareness of the dangers involved with the use of alcohol and drugs. The City of Wayne shall prohibit the abuse of alcohol, illegal drugs, prescription drugs, or any other substance which could impair an employee's ability to perform safely and effectively the functions of any given job. The purpose of this policy is as follows:

- (a) To establish and maintain a safe, healthy, working environment for its employees.
- (b) To provide public services to the residents of Wayne in a safe, responsible manner.
- (c) To meet Federal government requirements for maintenance of a Drug-free Workplace Policy.

All City of Wayne employees, including volunteer firefighters, are covered by this policy and should be aware that violation of this policy may result in discipline up to and including job termination.

Sec. 19.2 Definitions

Alcohol shall mean any product of distillation of any fermented liquid, whether rectified or diluted, whatever may be the origin thereof, synthetic ethyl alcohol, the four varieties of liquor defined in Subdivisions (2) to (5) of Section 53-103 of the Nebraska statutes, alcohol, spirits, wine, and beer, every liquid or solid, patented or not, containing alcohol, spirits, wine, or beer, and alcohol used in the manufacture of denatured alcohol, flavoring extracts, syrups, or medicinal, mechanical, scientific, culinary, and toilet preparations.

Drug shall mean any substance, chemical, or compound as described, defined, or delineated in Sections 28-405 and 28-419 of the Nebraska statutes, or any metabolite or conjugated form thereof, except that any substance, chemical or compound containing any product defined as alcohol in this policy may also be defined as alcohol.

Alcohol or drug abuse shall mean an employee's alcohol or drug use, dependence, or addiction of sufficient severity to have the effect of impairing the performance of official duties or job behavior. Drug abuse is further defined as use of legal (over the counter or prescribed) drugs in a manner and under circumstances other than the way they were prescribed to be used and resulting in impairment of the performance of official duties or job behavior.

Reasonable suspicion shall mean facts, circumstances, physical evidence, physical signs and symptoms or a pattern of performance or behavior that would cause a trained supervisor reasonably to conclude that an employee is impaired by the use of drugs or alcohol. Reasonable suspicion includes carefully considering the totality of the circumstances whenever there is an accident involving a fatality or serious bodily injury requiring emergency medical treatment to determine if persons involved in the accident might have violated the Drug-free Workplace Policy.

On duty shall mean the regular time or overtime an employee is performing his/her work responsibilities either on City premises or traveling to another location or working at another location other than the City

premises. It does not apply to the time an employee is on administrative leave (as generally defined in the City of Wayne Personnel Manual).

Sec. 19.3 Policy

- (a) Employees of the City of Wayne, while on duty, shall not use, possess, sell, manufacture, or provide to another alcohol or any illegal drug. Exceptions to this policy may be made for police officers operating in their capacity as drug and alcohol enforcement officers.
- (b) Employees of the City of Wayne, while on duty, shall not be impaired by the use of drugs or alcohol. A City employee who is taking necessary medications, prescribed or non-prescribed, which may interfere with the safe and effective performance of duties or operation of City equipment, is required to advise his/her supervisor of that fact, before beginning work.

An employee who is called in to work from an "on call" status is expected to notify either his/her supervisor or the person initiating the work duty if he/she is unable to perform work duties or operate City equipment in a safe and effective manner. When an "on call" employee is called in to work, he/she is considered to be "on duty" and must abide by the Drug-free Workplace Policy as long as he/she remains on duty.

- (c) Supervisors shall be responsible for reporting to their immediate supervisor any employee for which there is reasonable suspicion to conclude that his/her work is impaired by alcohol or drugs. If the immediate supervisor is not available, another department head should be notified.

Employees are urged to report to their immediate supervisor or department head any witnessed violations of the Drug-free Workplace Policy. This is not grounds for reasonable suspicion testing, however. It is the supervisor's responsibility to monitor the employee reported in violation of the policy to determine if there is reasonable suspicion to conclude that an employee's work is impaired by alcohol or drugs or that he/she is in violation of the Drug-free Workplace Policy.

- (d) Drug and/or alcohol testing shall be required for any employee whose immediate supervisor and department head have reasonable suspicion to believe that he/she is in violation of the Drug-free Workplace Policy. If the department head is not available or the immediate supervisor is the department head, then another department head should be recruited to participate in making the decision on testing an employee. (See Procedures for Identifying Drug/Alcohol Abuse)
- (e) As a condition of employment, job applicants for full-time employment with the City of Wayne must consent to drug testing prior to beginning a work assignment.
- (f) In the event of any accident which results in injury or death to another person, City employees whose negligence is found to be the cause of the accident may be required to submit to a drug and/or alcohol test.
- (g) Employees of the City, as a condition of employment, shall notify the City of any criminal drug statute convictions no later than five days after the conviction and must participate successfully in a drug abuse assistance or rehabilitation program approved by

the City within 30 days after the conviction.

- (h) As a condition of employment, all employees of the City of Wayne must sign an acknowledgment that they have read the Drug-free Workplace Policy and will abide by it.
- (i) Employees who possess a Commercial Drivers License (CDL) or who are required to operate a commercial vehicle on an on-call, emergency, or unscheduled basis, and/or employees who perform safety sensitive functions as may be defined by Federal law shall be subject to the requirements of Federal law in addition to the requirements otherwise included in this Policy.

Sec. 19.4 Procedures for Identifying Drug/Alcohol Abuse

Any time a supervisor has reasonable suspicion to believe an on duty employee is impaired by alcohol or drugs, he/she shall immediately place such employee on special assignment in order to protect the employee, fellow employees, and the public from harm. The supervisor shall immediately notify his/her supervisor of such action. If his/her supervisor is not available, another department head should be notified. Both supervisors will interview the employee and if both supervisors believe, based upon reasonable suspicion, that the employee is impaired by the use of alcohol or drugs, the employee shall be ordered to submit to a test of his/her blood, breath, and/or urine and shall be transported to the designated testing facility by the immediate supervisor. The immediate supervisor may direct whether the test shall be of blood, breath, and/or urine.

Sec. 19.5 Disciplinary Action

The City of Wayne reserves the right to impose disciplinary action up to and including termination:

- (a) For any employee whose ability to perform his/her job is impaired by alcohol or drugs based on observation and confirmed by drug and/or alcohol testing.
- (b) For any employee who fails to notify the City of any criminal drug statute convictions no later than five days after the does conviction.
- (c) For any employee who, within 30 days of notification of any criminal drug statute convictions, does not participate successfully in a drug counseling or drug rehabilitation program approved by the City.
- (d) For any employee who is found to be using, possessing, selling, manufacturing, or distributing illegal drugs or alcohol in the workplace.
- (e) For any employee who refuses to submit to a drug and/or alcohol test which is ordered based on reasonable suspicion of drug/alcohol abuse.
- (f) For any employee who refuses to submit to a drug and/or alcohol test, and the same may be required under Federal law, which is ordered based on a random selection method, involvement in a fatality accident or receipt of a ticket in a recordable accident.
- (g) For any employee who fails to pass a required drug or alcohol test.

Factors to be considered in determining appropriate discipline include, but are not limited to, the following:

- (a) The position held by the employee and the resulting danger to the health and safety of the employee or public by such an employee's use of drugs or alcohol.
- (b) The impact of an employee's use of drugs or alcohol on the employee's ability to perform his or her job in the future.
- (c) The employee's past and current job performance.
- (d) The extent and nature of past violation of the City's policy regarding alcohol and drugs shall result in termination.

Section 19.6 Compliance with Testing Requirements

All safety-sensitive and non-safety-sensitive employees will be subject to urine drug testing and breath alcohol testing as a condition of employment. Any safety-sensitive or non-safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and their employment terminated. Any safety-sensitive or non-safety-sensitive employee who is suspected of providing false information in connection with a test, or who is suspected of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an observed collection. Verification of these actions will result in the employee's removal from duty and their employment terminated. Refusal can include an inability to provide a sufficient urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.

Sec. 19.7 Employee Rehabilitation

The City of Wayne shall make every effort to assist the employee who is in violation of the Drug-free Workplace Policy to enroll in an approved drug abuse assistance or rehabilitation program. The employee shall be referred to a State-certified professional drug and alcohol assessment service to be evaluated through interviews, written tests, and physical examinations, as to the extent of his/her drug or alcohol problem. This assessment service will recommend a course of treatment and advise the employer whether the employee can return to work. Upon completion of the program, the employee may be required to resubmit to drug and/or alcohol testing before being fully reinstated to normal work duties. The costs of the assessment service and treatment program are totally the responsibility of the employee. The costs of any and all drug and/or alcohol testing required by this Section or by Federal law following return to work are totally the responsibility of the employee.

Sec. 19.8 Employee Education/Training

In order to make employees aware of abuse and to help them understand the City's Drug-free Workplace Policy, an orientation briefing shall be provided to all new employees within the first week of employment. In the case of existing employees, this orientation shall be provided shortly after the policy is formally adopted by the City.

In addition to the employee orientation, brochures, displays, and fact sheets will be made available to employees to heighten the awareness of the effects of drug and alcohol and use/abuse, to explain

applicable Federal testing regulations, and to explain the City policy with regard to the regulations.

Sec. 19.9 Supervisory Training

As soon as possible after the adoption of the City of Wayne Drug-free Workplace Policy, all supervisors, who shall include the City Administrator, and Department ~~and Division~~ Heads, shall be provided training on detecting manifestations and behavioral clues indicative of drug and alcohol use/abuse. New supervisors shall be provided training as soon as possible after being hired or promoted to a supervisory position.

Sec. 19.10 Alcohol/Drug Testing

Drug and/or alcohol testing required under Federal law shall be pre-emptive when applicable and additional to the requirements set out in this Section.

Drug and/or alcohol testing shall be done only after an employee has signed a consent form authorizing the test and permitting release of confidential test results to a designated City official. The consent form shall provide space for employees and applicants to acknowledge that they have been notified of the City's drug/alcohol testing policy.

Alcohol levels found to be greater than seven hundredths of one gram or more by weight of alcohol per: (1) 100 milliliters of his or her blood, (2) 210 milliliters of his or her breath, or (3) 100 milliliters of his or her urine, shall constitute impairment. Alcohol testing will be handled by the City of Wayne Police Department personnel who are certified by the State of Nebraska to perform alcohol breath tests. Any employee may immediately request further confirmation of any breath testing results by a blood sample, if the employee voluntarily submits to give a blood sample taken by qualified medical personnel in accordance with the rules and regulations adopted and promulgated by the Nebraska Department of Health. If the confirmatory blood test results do not confirm a violation, any disciplinary or administrative action shall be rescinded.

All drug testing will be conducted using specimen collection procedures which assure the integrity of the specimen and using DHHS-certified laboratories. Any employee testing positive for drugs can request another test at his/her own expense.

The City of Wayne shall not release or disclose the test results to the public, except that such results shall be released as required by law or to the employee upon request. Test results may be released to those officers, agents, or employees of the City who need to know the information for reasons connected with their employment.

Costs of pre-employment drug testing and initial drug/alcohol tests with negative results for all other causes shall be borne by the City of Wayne. Tests, other than pre-employment, with positive results shall be charged to the employee. Costs for all confirmatory drug/alcohol tests requested by employees shall be borne by the employee requesting the test.

CHAPTER ~~THIRTY~~ TWENTY

ACCEPTABLE USE GUIDELINES FOR COMPUTERS AND INTERNET SERVICES & E-MAIL AND TELEPHONIC COMMUNICATIONS

Sec. 20.1 General Principles

Computers and Internet services are provided by the City of Wayne to support open communications and exchange of information and the opportunity for collaborative government-related work. The City of Wayne encourages the use of electronic communications by its departments and employees. Although access to information and information technology is essential to the missions of government agencies and their users, use of computers and Internet services is a revocable privilege. Conformance with acceptable use, as expressed in this policy statement, is required. City departments are expected to maintain and enforce this policy. Abuse of the Internet access provided by the City in violation of law or City policy will result in disciplinary action, up to and including termination of employment. Employees may be held personally liable for any violations of this policy.

During business hours computer use, and Internet communications to and from City employees and with outside government agencies, are presumed to be work related. City computers and data stored in them are the property of the City, and may be accessed at any time by authorized City officials. The equipment, services, and technology provided to access the Internet offered by the City remain at all times property of the City. As such, the City reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through their online connections and stored in their computer systems. Employees should not expect privacy in the use of City computers.

At a minimum, users of computers and Internet services provided by the City of Wayne are expected to:

Make a reasonable effort to inform themselves of this acceptable use policy, and acceptable and unacceptable uses of computer equipment and the Internet in general. This burden of responsibility is on the user as to acceptable and unacceptable uses prior to use. Compliance with all applicable acceptable use restrictions is mandatory.

During on-duty hours City provided computers and Internet services are to be used only for City government-related activities.

In the event that before or after-hours job related use of city-provided computers, cell phones, **or other electronic devices** ~~or BlackBerry-type devices~~ by non-exempt employees is required, but the employee is not called back to duty, non-exempt employees are required to accurately record the time that they spend using the devices in quarter hour increments and submit that time worked for compensation.

The City Library provides use of computers and Internet services to the public free of charge. Therefore, no charge will be assessed to employees who use the computers and these Internet services during off-duty hours for personal business of a legal/ethical nature.

Respect the legal protection provided by copyright and license of programs and data.

Respect the privileges of other users.

Respect the integrity of computing systems connected to the Internet.

Know and follow generally accepted etiquette of the Internet. For example, always use civil forms of communication and avoid being drawn into “flame wars.”

Avoid uses of the network that reflect poorly on other agencies or on the City.

During normal requirements of the various jobs within the City, protection of programs, data and select files may be required. Encrypting and/or use of passwords may be necessary to protect sensitive data. Sensitive data to be defined as personnel records, any information used in pending legal action, draft materials, and/or any information that if released prior to appropriate action may be detrimental to any City function. All passwords and/or encrypting methods including encrypting programs in use on City of Wayne owned or leased computerized equipment must be on file with the Department Head or City Administrator. Such passwords shall be listed on forms provided by City offices. The password or encrypting information must be filed and available within three working days from the date the password or encryption is used. When changing or updating passwords, the three working days is from the date that change is made.

Evaluation of the guidelines of this acceptable use policy may require the City Administrator, Department Heads or supervisors to view any document, program or materials displayed on any City computer, terminal or monitor on request.

Users should remember that the City of Wayne’s personnel rules and regulations on employee conflict of interest, legal/ethical conduct, and appropriate use of City property apply to the use of electronic communications systems supplied by the City.

Sec. 20.2 Specifically Acceptable Uses

1. Communication and information exchange directly related to the mission and goals of the City and work tasks of its departments.
2. Communications and exchange for continuing professional development, to maintain currency of training and education, or to discuss issues related to the user’s City activities.
3. Application for or administration of grants or City contracts.
4. Utilization for advisory, standards, research, analysis, and professional society activities related to the user’s City work tasks and duties.
5. Announcement of new City regulations, ordinances, procedures, policies, rules, services, programs, information, or activities.
6. Any other City administrative communications not requiring a high level of security.
7. Communication incidental to otherwise acceptable use, except for illegal or specifically unacceptable uses.

Sec. 20.3 Specifically Unacceptable Uses for City Internet Usage

1. Any purpose which violates a federal, state or local law.

2. Any for-profit activities unless specific to the mission, goals or duties of the City, or related work tasks of a department.

3. Purposes not directly related to the City's mission and goals or department's work tasks during normal business hours.

4. Using the City's time and resources for personal gain.

5. Access to and distribution of: (a) patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated offensive representations or descriptions of excretory functions, masturbation, or lewd exhibition of the genitals, (b) material sent or received in violation of the Protection of Children Against Sexual Exploitation Act of 1977, as amended, 18 U.S.C. 2252.

An exemption is allowed for authorized City law enforcement officers searching for information pertaining to specific criminal activity directly related to active investigations within the jurisdiction of the City of Wayne.

6. Access to and distribution of computer games that have no bearing on the City's mission and goals or a department's work tasks. Some games that help teach, illustrate, train, or simulate City related issues may be acceptable.

7. Interference with or disruption of network users, services or equipment.

8. Intentionally seeking out information on, obtain copies of, or modify files and other data which are confidential under federal, state, or local law, unless specifically authorized to do so once the legal conditions for release are satisfied.

No intentional copy is to be made of any software, electronic file, program or data using City provided Internet services without a prior, good faith determination that such copying is, in fact, permissible. Any efforts to obtain permission should be adequately documented.

9. Intentionally seeking information on, obtaining copies of, or modifying files or data belonging to others without authorization of the file owner. Seeking passwords of others or the exchanging of passwords is specifically prohibited.

10. Users intentionally representing themselves electronically as others, either on the City Internetwork or elsewhere on the Internet unless explicitly authorized to do so by those other users. Users shall not circumvent established policies defining eligibility for access to information or systems.

11. Intentionally developing programs designed to harass other users or infiltrate a computer or computing system and/or damage or alter software components of same.

12. Fund raising or public relations activities not specifically related to City activities.

13. Using the Internet for political causes or activities, religious activities, or any sort of gambling.

14. Sending or posting discriminatory, harassing, or threatening messages or images.

15. Sending or posting messages or material that could damage the City's image or reputation.
16. Participating in the viewing or exchange of pornography or obscene materials.
17. Refusing to cooperate with a security investigation.

Sec. 20.4 Additional Guidelines

1. Computer Viruses on Downloaded Software. Any software obtained from outside City government should be virus checked prior to use. Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

2. Use by Contractors. Contractors and other non-City employees may be granted access to City provided Internet services at the discretion of the City Administrator. Acceptable use by contractors and other non-City employees working for the City is the responsibility of the contract administrator. The contract administrator is expected to provide contractors who use City Internet services with this information.

3. Passwords. Use passwords associated with the City information system only on that system. When setting up an account at a different information system that will be accessed using the Internet, choose a password different from ones used on City information systems. Do not use the same password for both local and remote Internet accessed site.

4. Logoff (Exiting). Always make a reasonable attempt to complete the logoff or other termination procedure when finished using a remote, Internet accessed system or resource. This will help prevent potential breaches of security.

5. E-mail Security. Unencrypted electronic mail sent or received outside any department and on the Internet cannot be expected to be secure.

6. Large File Transfers and Internet Capacity. The Internet connection is a shared resource. While routine electronic mail and file transfer activities will not impact other users much, large file transfers and intensive multimedia activities will impact the service levels of other users.

Users contemplating file transfers over ten megabytes per transfer or interactive video activities should, to be considerate of other users, schedule these activities early or late in the day.

7. Disclaimers. Users should avoid being drawn into discussions where disclaimers like "this represents my personal opinion and not that of my Department or the City of Wayne" need to be used. When you are using Internet services provided by the City, users need to remember that they are representing the City of Wayne.

Sec. 20.5 Procedures

The City Administrator, department head or their delegated representative are responsible for their employees' compliance with the provisions of this policy and for investigating non-compliance. When an instance of non-compliance with this policy is discovered or suspected, the management shall take

action in accord with City personnel policies. Suspension of service to users may occur when deemed necessary to maintain the operation and integrity of the City of Wayne Internetwork. User accounts and password access may be withdrawn without notice if a user knowingly violates the acceptable use policy. Discipline may be appropriate in cases of criminal or civil action where laws are violated.

Sec. 20.6 E-Mail and Telephonic Communications

All electronic and telephonic communication systems and all information transmitted by, received from and stored in these systems, including e-mail, voice-mail, and text messages, are the property of the City of Wayne (the "City"). These systems are to be used solely for job-related purposes and not for personal purposes. There is no expectation of privacy in connection with the use of this equipment or with the transmission, receipt, or storage of information in this equipment.

Employees shall not use a code, access a file, or retrieve any stored communication unless authorized. The City may monitor an employee's use of this equipment at any time at its discretion. Such monitoring may include printing and reading all e-mail messages entered or stored in these systems or retrieving voice-mail messages or other information.

The City may tape, record, videotape or otherwise monitor an employee's conversations or communications with other employees or non-employees for legitimate business purposes, such as for evaluation and training. An employee may be notified when such recording occurs. However, that notice may not be given to an employee in certain circumstances such as when the City is conducting an investigation into alleged policy or contractual violations.

CHAPTER ~~THIRTY-ONE~~ TWENTY-ONE

SOCIAL MEDIA TERMS OF USE

The City of Wayne utilizes multiple social media sites, including Facebook, Twitter, and Instagram. *This site is intended to serve as a mechanism for communication between the public and the City of Wayne, on the listed topics, and is designated as a **Limited Public Forum** to further the mission of the City.*

We encourage members of the public to like our page, respectfully interact and share ideas as long as they follow the City's terms of use. This page is monitored and managed by the employees of the City of Wayne.

Prior to posting comments on this **Limited Public Forum**, users must review and agree to the Community Standards of Facebook at <https://www.facebook.com/communitystandards>, Twitter Rules and Policies at <https://help.twitter.com/en/rules-and-policies/twitter-rules>, Instagram Terms of Use at <https://help.instagram.com/581066165581870>, and also the Terms of Use of the City of Wayne social media pages. A submitted comment or posting on this page shall constitute an acknowledgement and agreement of these standards. The City of Wayne has a right to report violations of Terms of Use to the respective social media forums.

Sec. 21.1 Denial of Access

The City of Wayne welcomes a person's right to express his or her opinion. However, all comments and posts to this page are monitored and reviewed by each department for compliance with our terms of use. The City of Wayne reserves the right to restrict, remove or delete any comments or posts found to be in violation of its guidelines. Violations of any of these terms may result in a person being banned from posting on the City of Wayne's social media pages.

Individuals who follow the City of Wayne's social media pages and repeatedly violate the terms of use may be banned and prohibited from posting future comments.

The City of Wayne is not responsible for any postings or comments deemed inappropriate that cannot be removed in a timely fashion.

Sec. 21.2 Terms of Use Guidelines

Consistent with the purpose of this **Limited Public Forum**, prohibited content includes, but is not limited to, the following comments or posts that contain:

- Profanity, offensive language or sexual content
- Discriminatory language or promotes discrimination based on race, color, creed, age, gender, religion, physical or mental disability or sexual orientation

- Commercial solicitations or links
- Links to websites that may be offensive or inappropriate
- Spam
- Personal identifying information or a victim's name, which is not subject to being released under open record laws
- Words that incite, encourage or solicit violent or illegal acts
- Language that is off topic
- Information that might compromise the safety and security of members of the department or the public
- Information that violates the legal ownership or interest of another party or infringes on copyrights, trademarks or intellectual property
- The City of Wayne reserves the right to remove photos or videos by the general public

Sec. 21.3 Endorsements

Following or friending persons, a business or an organization is not an endorsement by the City of Wayne. Instead, it is only intended as a means of communication.

A comment posted by a member of the public on any City of Wayne social media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City of Wayne, nor do such comments necessarily reflect the opinions or policies of the City of Wayne.

Sec. 21.4 Emergency or Non-Emergency Requests for City Assistance

This page should not be used to report crime. In case of an emergency, please call 9-1-1. If you post information related to a crime on this page, you may be placing yourself in the position of becoming a witness to a crime and subject yourself to subpoena where you can/will be called in to court as a witness to give testimony under oath.

~~CHAPTER THIRTY ONE~~ TWENTY-TWO

CREDIT CARD POLICY

Sec. 22.1 General Terms and Conditions

1. All cardholders must sign and accept the terms and conditions of the City of Wayne Credit Cardholder Agreement
2. All purchase transactions processed against the credit card must be made by the individual whom the card is issued.
3. Purchases must be for the use and benefit of the City of Wayne and must follow the City of Wayne procurement policies.
Personal purchases are not allowed.
The purchase card cannot be used for the following transactions:
 - ~~Alcoholic beverages, drugs, or pharmaceutical products.~~
 - ~~Flowers, holiday decorations, or personal items.~~
 - ~~Items that would be given away for promotional purposes~~
 - ~~Gifts, donations or contributions to individuals or organizations~~
 - ~~Cash advances~~
 - ~~Unauthorized purchases~~
4. All credit card transactions **in excess of \$1,500 shall follow purchase order policies and procedures.** ~~for acceptable commodities cannot are not to exceed \$500 \$1,500 per transaction (including all delivery, shipping and/or handling charges). Charges in excess of \$1,500 require notification of the accounting department.~~
5. It is the cardholder's responsibility to provide the documentation for all transactions to the accounting department.
6. It is the cardholders responsibility to report the loss of the card immediately to (1) the issuing bank (US Bank 800-847-2911) and (2) the City of Wayne Treasurer.
7. The Department Head is responsible for ensuring that purchases are charged to the proper general ledger account number.
8. Violating any of these policies will result in the immediate termination of the privilege to use the credit card.
9. Fraudulent use of the credit card will result in corrective action in accordance with the policies of the City of Wayne Personnel Manual.

Sec. 22.2 Ordering Process

The City credit card provides another option to the existing purchasing procedures regarding transactions for goods and services valued at less than ~~\$500.00~~ **\$1,500** (including all delivery, shipping, etc.).

~~A Purchase Order is still required for orders over \$100.~~

Please be sure to follow these procedures when using the City credit card:

1. Determine if the purchase is appropriate for a credit card transaction. ~~Check the list of restricted commodities.~~
2. Determine if your transaction total is ~~\$500.00~~ **\$1,500** or less. If not, ~~the transaction must be attempt to proceed with order~~ in accordance with established purchasing/disbursement policies and procedures. **If purchases over \$1,500 need to be made on the credit card, please notify accounting department.**
3. Contact the vendor/supplier and:
 - State that you are calling from the City of Wayne and you will be making a Visa purchase.
 - Emphasize that the City of Wayne is sales tax exempt, unless it is for the Water Department or the Electric Department
 - If the vendor/supplier requests the City of Wayne's sales tax exempt number, please tell them that a Nebraska Resale or Exempt Sale Certificate Form 13 will be provided via mail or fax. You will need to contact the accounting department to have the Form 13 completed and provided to the vendor/supplier.
 - Order item(s).
 - Give vendor/supplier the credit card number and expiration date.
 - Give vendor/supplier your name, the department name, and complete delivery address. (Please provide complete shipping address to insure proper delivery)
 - Indicate to vendor to only bill for exact items shipped.

When receiving a shipment, it is the responsibility of the cardholder to properly inspect the shipment of purchased goods. All invoices, cash receipts or packing slips must be coded and turned into the accounting department. In case of returns, the cardholder is responsible for coordinating the return directly with the vendor/supplier and for contacting the accounting department with any unresolved issues.

Sec. 22.3 Credit Card Program Cardholder Agreement.

The City of Wayne is pleased to present you with a City credit card. It represents the City's confidence in you as a responsible employee of the City of Wayne entrusted to safeguard and protect City of Wayne assets.

I hereby acknowledge receipt of a City of Wayne Credit Card, card number _____ . I understand that the City of Wayne is liable to U.S. Bank Visa for all charges made by me.

As the holder of this credit card, I agree to accept responsibility for the protection and proper use of this card as outlined in this Agreement and the User Guide. I understand that the City of Wayne will audit the use of this credit card. I also understand that I cannot use the credit card for the purchase of restricted commodities.

I further understand that improper or fraudulent use of this credit card may result in corrective action in accordance with the policies of the City of Wayne. Should I fail to use this credit card properly, I authorize the City of Wayne to deduct from my salary or from any other amounts payable to me, an amount equal to the total of the improper purchases. I also agree to allow the City of Wayne to collect any amounts owed by me even if I am no longer employed by the City of Wayne. If the City of Wayne initiates legal proceedings to recover amounts owed by me under this agreement, I agree to pay legal fees incurred by the City of Wayne in such proceedings.

I understand that the City of Wayne may terminate my right to use the credit card at any time for any reason. I agree to return the card to the City of Wayne immediately upon request or upon termination of employment.

APPLICANT:

Signature: _____

Print Name: _____

Social Security Number: _____

Date: _____

Department: _____