



Tentative Agenda

ROBINS CITY COUNCIL

MONDAY, OCTOBER 16TH, 2023

5:30 P.M. @ ROBINS CITY HALL

(ONE OR MORE MEMBERS OF THE COUNCIL MAY BE ATTENDING VIA ELECTRONIC DEVICE)

AGENDA:

1. Call the Meeting to Order
2. Pledge Allegiance to the Flag
3. Roll Call
4. Approval of the Agenda
5. NEW BUSINESS
 - a. Minutes of the September 6th, 2023 and October 2nd, 2023 meetings.
 - b. Public Hearing to hear comments and concerns on the Proposed Designation of the Robin Urban Revitalization Area.
 - c. Resolution No. 1023-9, Stating the Intentions of the City Council with Regard to the Designation of the Robins Urban Revitalization Area and the Proposed Plan Therefor.
 - d. Resolution No. 0823-4, removal of planter in the cul-de-sac of McKenzie Drive.
6. OLD BUSINESS
 - a. Motion to approve Resolution No. 1023-3, approving Pay Request #7 to Rathje Construction for work done on the SE Trunk Sanitary Sewer Improvements.
 - b. Motion to approve request received from the Robins Police Chief relating to budgeted items.
 - c. Motion to approve Resolution No. 1023-2 adopting the City's Personnel and Safety Policies.
7. MOTION TO ADJOURN



ROBINS CITY COUNCIL
Minutes of the September 6, 2023 Work Session

Mayor Hinz opened the Work Session at noon on September 6, 2023 in the Robins City Hall. Attendees were Council Members Dave Franzman, Dick Pilcher, JD Smith, Roger Overbeck, and Marilyn Cook along with City Staff; including Deputy Clerk Lisa Goodin, Police Chief Andy Humphrey, Fire Chief Keith Feldkamp, Building Official/Public Works Superintendent Mike Kortenkamp, Fire Code Official/Deputy Public Works Superintendent Neal Boeckmann and City Clerk/Treasurer Lori Pickart.

The City Council and City Staff reviewed the revised Personnel Policy, noting the effective date will be the day of adoption of the Policy which is scheduled for October 2nd, 2023. They noted comp time is no longer allowed by exempt employees; and added observance of Good Friday and Veterans Day to the list of holidays; along with vacation and holiday pay for Permanent Part-time Employees. They defined full-time exempt employees as employees regularly working at least 40 hours per week; and added the requirement for return of City issued uniforms and equipment from Police Officers upon the end of their service to the City; along with adding drug testing to the policy for all employees.

The Council adjourned at 1:15 p.m.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer



ROBINS CITY COUNCIL
MINUTES OF THE OCTOBER 2ND, 2023 MEETING

Mayor Hinz called the meeting to order at 7:00 p.m. in the Robins City Hall on Monday, October 7th, 2023. Following the Pledge of Allegiance to the Flag, roll call was taken with Councilors Marilyn Cook, Dick Pilcher, Roger Overbeck, Dave Franzman and JD Smith present, along with Attorney Holly Corkery, Engineer Kelli Scott, P&Z Administrator Dean Helander, Police Chief Andy Humphrey, Deputy Clerk Lisa Goodin, Fire Chief Keith Feldkamp, Deputy Public Works/Fire Code Official Neal Boeckmann, City Clerk/Treasurer Lori Pickart, and around 15 guests, Franzman moved to approve the Agenda, Smith seconded and all voted aye.

COMMITTEE REPORTS

- Mayor Hinz welcomed everyone to the meeting.
- Finance Coordinator Marilyn Cook noted the budget will need to be amended to include the police car which finally arrived, along with other miscellaneous items.
- Public Safety Coordinator Dick Pilcher reported the Police Department was reasonably quiet in September, he added the Fire Department report will be e-mailed to the City Council in the next few days, but added there were record calls for September.
- Public Works Coordinator Roger Overbeck noted with the drought the detention basins and the ditches are working fine. He noted the SE Trunk Sanitary Sewer project is continuing to be worked on.
- Parks Coordinator Dave Franzman noted staff has been checking into cost estimates for the pickle ball courts for the Parks Committee to consider.
- Streets Coordinator JD Smith noted the street repairs are nearing completion.
- Engineer Scott noted most everything is listed in the Engineer's Report and added the VDF's installed at the water booster station are working well.

CITIZEN COMMENTS – AGENDA ITEMS

- Tyler Turner, 655 S. Troy Road voiced his concerns relating to the appearance of the west side ditch with the newly installed box culvert noting it is not acceptable. Scott noted it would operate correctly and see if they could make it look better.
- Todd Roberts, 420 Michelle Ave. reported dirt still has not been installed in the old manhole in his back yard, adding the dirt remains to settle. Scott noted they will check it out.

CITIZEN COMMENT – NON-AGENDA ITEMS

- Leslie Hoyt, 990 Morrison Drive, presented a petition opposing the proposed Stamy Road Trail. She noted everyone including Chester Road, Oak Park, and the Wildflower residents are against it, and feels it a waste of the federal funding and taxpayer dollars.

- Ray Collins, 225 Stamy Road commented the Cedar Valley Nature Trail is great, but the proposed trail will de-value everyone's property. He added several trees will need to be destroyed for construction.
- Mary Collins, 225 Stamy Road, noted it fell 9th in the list of wants at the last survey. She noted there was no communication with the residents, adding it will destroy property values, trees and nature.
- Karey Hagerman, 140 Stamy Road noted she feels it is a misuse of federal funding; adding she feels there is no use for the trail.
- Joe Suchan, 1115 Morrison Drive noted they moved to a quiet area for a reason, adding other places around town need a path more than here.
- Marissa Phillips, 1040 Morrison Drive asked the Council for the benefits of this trail; and added it makes no sense.
- Mayor Hinz noted this is still in the planning stages and is looking at several aspects of the project. He noted he has received several positive and negative comments. He added continuation of the review process is occurring to determine if there is a right-of-way along Stamy Road.
- Leslie Hoyt commented the city has diverted the funding from West Main Street Trail to Stamy Road, and feels the monies should be given back. Mayor Hinz noted West Main Street is a huge undertaking and needs to be done in two phases.
- Tyler Turner noted there was no communication to the residents about this, adding all of the Council Meetings should be streamed so they can be watched at the resident's pleasure.
- Lisa Terrill, 380 Oak Park Drive, noted the trail is going to expose the neighborhood to undesirable people.

CONSENT AGENDA

- Pickart asked the additional List of Bills presented be added. Overbeck asked that the September 6th, 2023 Minutes be struck from the Agenda. Smith moved to remove item D, Pay Request #7 to Rathje Construction from the Agenda. Pilcher moved to approve the Consent Agenda as amended, Franzman seconded and all voted aye.

NEW BUSINESS

- a. **Lot #3 Kervin's Third Addition.** The Council reviewed the proposed easement plat which gives the city access the Kervin Lift Station and Outlot A should it be needed. Overbeck moved to approve Resolution No. 1023-5 approving the easement, Cook seconded and all voted aye.
- b. **Village of Robins First Addition Infrastructure.** Mr. Ricklef's noted the gas company will be back to replace marker posts knocked down in the subdivision. Pickart noted the 4-year Maintenance Bonds have been received for streets, water, storm sewer, and sanitary sewer. Overbeck moved to approve Resolution No. 1023-6 accepting the improvements in the Village of Robins First Addition. Smith seconded the motion and all voted aye.
- c. **Village of Robins First Addition.** The Council reviewed the Final Plat of "The Village of Robins First Addition". The developer included the Quit Claim Deeds naming Outlot A (streets) will be the responsibility of the City of Robins, and Outlot

B (detention basin) will be the responsibility of the Homeowners Association. It was also noted a stormwater covenant was also included. Pilcher moved to approve Resolution No. 1023-8, approving the Final Plat of "The Village of Robins First Addition", Franzman seconded and all voted aye.

- d. **Developer's Agreement - Robins Landing.** The Council reviewed Development #2022-3 relating to the Robins Landing North, Robins Landing South and Robins Road Water Main Agreement. It was noted additional tap installation will occur on the neighboring properties of 2826 and 2828 Robins Road, along with 100, 400, and 500 Robins Road. Franzman moved to approve the Developer's Agreement, Overbeck seconded. On the vote, Smith no, all others ayes.
- e. **Crack & Joint Sealing.** The Council reviewed estimate #23317 received from Kluesner Construction in the amount of \$90,903.58. It was noted some of the streets would be completed yet this fall with the balance happening in the spring. Smith moved to approve Resolution No. 1023-7 approving the estimate, Pilcher seconded and all voted aye.

OLD BUSINESS

- a. **Personnel Policy.** The council reviewed and made a couple changes to the document. It was agreed to table this item until the 10-16-23 meeting.

Smith moved to adjourn at 8:32 p.m., Overbeck seconded and all voted aye.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer

URBAN REVITALIZATION PLAN

CITY OF ROBINS, IOWA
ROBINS URBAN REVITALIZATION AREA

NOVEMBER, 2023

INTRODUCTION

The Urban Revitalization Act, Chapter 404 of the Code of Iowa, is intended to encourage development, redevelopment and revitalization within designated areas of a city by authorizing property tax development incentives to the private sector. Qualified real estate within a designated area may be eligible to receive a total or partial exemption from property taxes on improvements for a specified number of years, with the goal of providing communities with a long-term increase or stabilization in the local tax base by encouraging new construction which might not otherwise occur.

Section 404.1 of the Code of Iowa provides that a City Council may designate an area of the City as a revitalization area, if that area meets the following definitions:

“An area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, the existence of conditions which endanger life or property by fire and other causes or a combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency or crime and which is detrimental to the public health, safety, or welfare.”

“An area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use;

“An area in which there is a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.”

“An area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa.”

“An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development including single or multifamily housing”; and

Section 404.2 of the Code of Iowa requires that a city prepare a plan to govern activities within the proposed revitalization area, and the balance of this document is intended to set out the elements of a plan that are mandated by state law.

A. DESCRIPTION OF THE AREA AND MAP

The revitalization area shall continue to be known as the Robins Urban Revitalization Area (the "Revitalization Area"), and the legal description of real property to be included within the Revitalization Area is as follows:

All real property situated within the corporate limits of the City of Robins, Linn County, State of Iowa as of September 1, 2023.

A map showing the real property to be included within the Revitalization Area is attached as Exhibit A.

B. DESIGNATION CRITERIA

In accordance with Section 404.1 of the Act, the City Council has made the following determinations with respect to the Revitalization Area:

1. The Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa; and

2. The redevelopment, economic development and promotion of commercial or industrial development in the Revitalization Area are necessary in the interest of the public welfare of the residents of the City and the Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act.

C. OBJECTIVES

This plan is prepared in conformance with Section 404.2 of the Code of Iowa for the purpose of providing incentives and outlining procedures to enhance the potential for commercial and industrial development in the Revitalization Area. Planning goals include revitalizing the area through the promotion of new construction on vacant land, rehabilitation of existing commercial and industrial property, stabilizing and increasing the tax base, and providing overall aesthetic improvement.

D. PRESENT ZONING AND PROPOSED LAND USE

The property within the Revitalization Area is zoned for residential, commercial and industrial purposes. Improvement of existing properties, together with new and expanded development, are proposed in the Revitalization Area.

E. PROPOSALS FOR EXPANDING CITY SERVICES

The City proposes that, as it becomes financially feasible, the provision of municipal services to the Revitalization Area will be expanded and improved to meet the demands of new commercial and industrial development.

F. ELIGIBLE IMPROVEMENTS AND EXEMPTIONS

1. **Commercial Improvements.** The construction of new commercial facilities and the rehabilitation of and construction of additions to existing commercial facilities.

Exemption: At the option of the property owner submitting an application for exemption pursuant to Section I of this plan, all qualified real estate assessed as commercial property is eligible to receive one of the following exemptions from taxation:

A. For a period of three years on 100% of the actual value added by the improvements; or

B. A partial exemption from taxation for a period of five years as follows:

For the first year, an exemption from taxation on 60% of the actual value added.

For the second year, an exemption from taxation on 50% of the actual value added.

For the third year, an exemption from taxation on 50% of the actual value added.

For the fourth year, an exemption from taxation on 50% of the actual value added.

For the fifth year, an exemption from taxation on 40% of the actual value added.

2. **Industrial Improvements.** The construction of new industrial facilities and the rehabilitation of and construction of additions to existing industrial facilities.

Exemption: At the option of the property owner submitting an application for exemption pursuant to Section I of this plan, all qualified real estate assessed as industrial property is eligible to receive one of the following exemptions from taxation:

A. For a period of three years on 100% of the actual value added by the improvements; or

B. A partial exemption from taxation for a period of five years as follows:

For the first year, an exemption from taxation on 60% of the actual value added.

For the second year, an exemption from taxation on 50% of the actual value added.

For the third year, an exemption from taxation on 50% of the actual value added.

For the fourth year, an exemption from taxation on 50% of the actual value added.

For the fifth year, an exemption from taxation on 40% of the actual value added.

G. ACTUAL VALUE ADDED

Actual value added by improvements, as used in this plan, means the actual value added as of the first year for which the exemption was received. In order to be eligible for tax abatement for commercial and industrial improvements, the increase in actual value of the property must be at least 15%.

All improvements, in order to be considered eligible, must be completed in conformance with all applicable regulations of the City of Robins, Iowa and must be completed during the time the Revitalization Area is designated by ordinance as a revitalization area.

H. TIME FRAME

Eligibility for tax abatement under this plan will continue to exist, until, in the opinion of the City Council, the desired level of revitalization has been attained or economic conditions are such that the continuation of the exemption granted would cease to be of benefit to the City, in which case the City Council may repeal the ordinance, pursuant to Section 404.7 of the Code of Iowa. In the event the ordinance is repealed, all exemptions granted prior to such repeal shall continue until their expiration.

I. APPLICATION PROCEDURES

An application shall be filed for each new exemption claimed. The property owner must apply to the City for an exemption by February 1st of the assessment year for which the exemption is first claimed. The application shall contain, but not be limited to, the following information: The nature of the improvement, its cost, and the estimated or actual date of completion of the improvement.

J. APPROVAL OF APPLICATIONS

The City Council shall approve all applications submitted for completed projects if:

1. The project, as determined by the City Council, is in conformance with this plan;
2. The project is located within the Revitalization Area; and,
3. The improvements were made during the time the Revitalization Area was designated by ordinance as a revitalization area.

All approved applications shall be forwarded to the County Assessor for review, pursuant to Section 404.5 of the Code of Iowa. The County Assessor shall make a physical review of all properties with approved applications. The County Assessor shall determine the increase in actual value for tax purposes due to the improvements and notify the applicant of the determination, which may be appealed to the local board of review pursuant to Section 441.37 of the Code of Iowa. After the initial tax exemption is granted, the County Assessor shall continue to grant the tax exemption for the time period specified on the approved application. The tax exemptions for the succeeding years shall be granted without the owner(s) having to file an application for succeeding years.

K. OTHER SOURCES OF REVITALIZATION FUNDS

The City anticipates no federal or state grants or loans for improvements in the Revitalization Area at this time other than those of conventional lending institutions at normal market rates.

However, it is not the intention of the City to prohibit the use of other appropriate federal or state revitalization or incentive programs within the area.

L. RELOCATION PROVISIONS

The City does not anticipate the displacement or relocation of any persons, families, or businesses as a result of the improvements to be made in the Revitalization Area.

M. OWNERS OF PROPERTY AND ASSESSED VALUATION

The names and addresses of the owners of the property located within the Revitalization Area and the assessed valuation of such property is set forth on Exhibit B attached hereto.

N. REVITALIZATION AREA ALSO INCLUDED IN ROBINS URBAN RENEWAL AREA

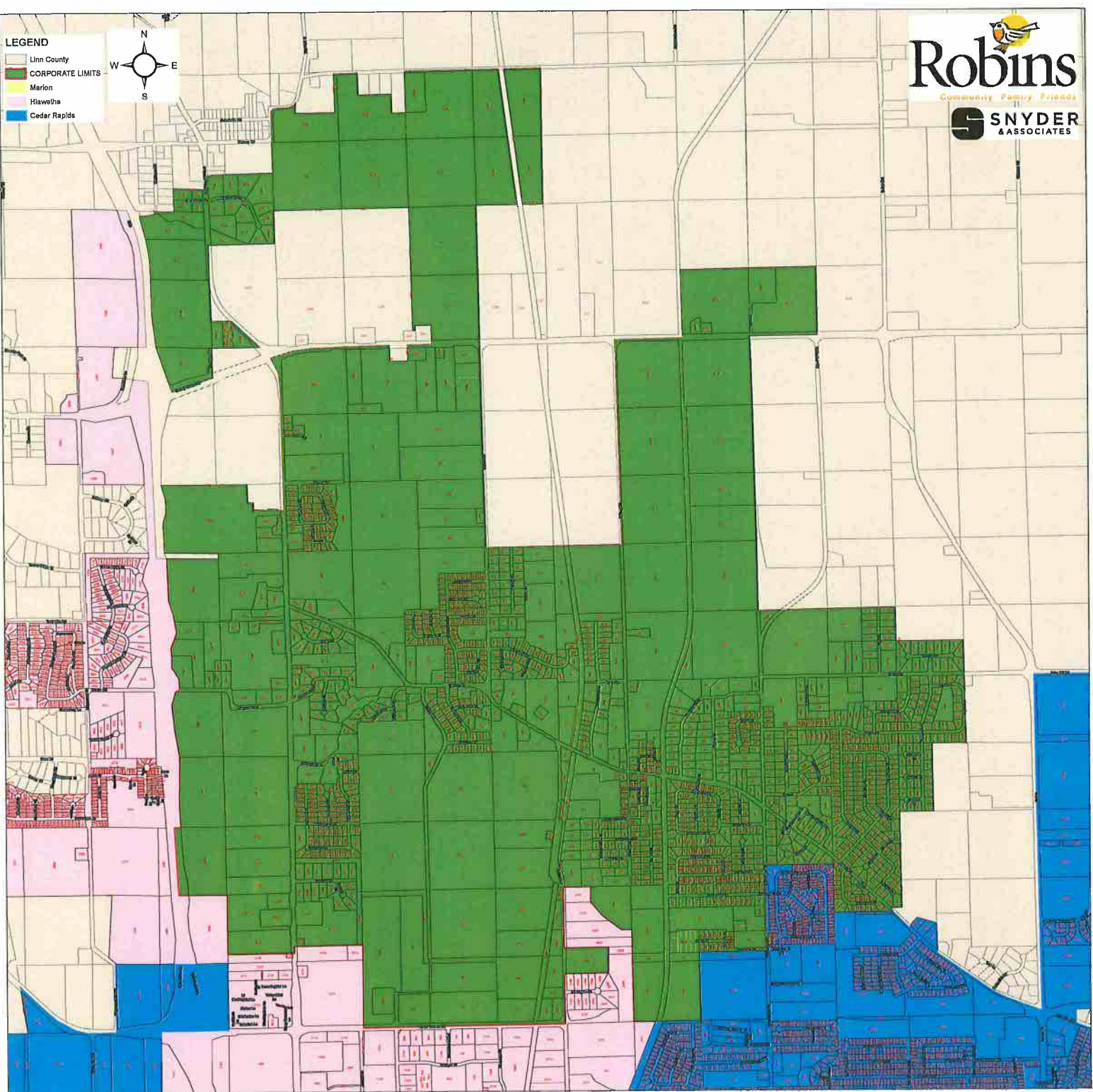
A portion of the real property in the Revitalization Area has also been included in the City's existing urban renewal areas established pursuant to the Urban Renewal Act, Chapter 403 of the Code of Iowa. The City Council reserves the right to deny any application for tax abatement made pursuant to this Urban Revitalization Plan for the reason that the City Council has determined that the property for which the abatement is sought is involved in an urban renewal project of the City. Further, properties from which incremental property tax revenues have been pledged for the payment of bonds, notes, contracts or other urban renewal obligations of the City are ineligible for tax exemption under Section F of this Plan.

- LEGEND
- Linn County
 - CORPORATE LIMITS
 - Marion
 - Hiawatha
 - Cedar Rapids



Robins
Community Family Friends

SNYDER
& ASSOCIATES



RESOLUTION NO. 1023-9

Resolution Stating the Intentions of the City Council with Regard to the Designation of the Robins Urban Revitalization Area and the Proposed Plan Therefor

WHEREAS, pursuant to the provisions of Chapter 404 of the Code of Iowa (the "Act") the City of Robins, Iowa, may designate an area of the City as an urban revitalization area, if that area meets the criteria of Section 1 of the Act; and

WHEREAS, the City Council of the City did find and determine that an area within the City identified by previous resolution as the Robins Urban Revitalization Area meets the criteria of Section 1 of the Act; and

WHEREAS, pursuant to the provisions of the Act, before designating any area as an urban revitalization area, the City must prepare a proposed urban revitalization plan for such urban revitalization area and hold certain public hearings thereon; and

WHEREAS, after mailed and published notice thereof was given, as required by the Code, the City Council of the City did, on October 16, 2023, hold a public hearing on the designation of the Robins Urban Revitalization Area and on a proposed urban revitalization plan (the "Proposed Plan") therefor and considered all objections, comments, and evidence there presented; and

WHEREAS, the Code gives owners or tenants of property within the proposed Robins Urban Revitalization Area thirty (30) days in which to petition for a second public hearing;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Robins, Iowa, as follows:

Section 1. The Robins Urban Revitalization Area and the Proposed Plan therefor are hereby tentatively approved, and it is the intention of the City Council to finally adopt a resolution approving the Proposed Plan for the Robins Urban Revitalization Area and an ordinance designating the Robins Urban Revitalization Area on November 20, 2023.

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed, to the extent of such conflict.

Passed and approved October 16, 2023.

Chuck Hinz, Mayor

Attest:

Lori Pickart, City Clerk

* * *

There being no further business to come before the meeting, it was upon motion adjourned.

Chuck Hinz, Mayor

Attest:

Lori Pickart, City Clerk



RESOLUTION NO. 0823-4

RESOLUTION AWARDDING QUOTATION
MC KENZIE DRIVE CUL-DE-SAC

WHEREAS, the City Council of the City of Robins, Iowa has concerns relating to the planter in the cul-de-sac located on the end of McKenzie Drive in that the area is very congested for parking and street maintenance/snow removal and needs to be removed.

WHEREAS, quotations have been received relating to removal of the planter in the cul-de-sac:

Description:	Delaney Concrete, Marion, Iowa	Corum Construction Cedar Rapids, Iowa
Remove planter in the cul-de-sac and haul away; provide 8" sub-base; fill with concrete to match the street.	\$7,035.00	\$13,500.00

NOW THEREFORE, BE IT RESOLVED BY the City Council of the City of Robins to award the quotation received Delaney Concrete in the amount of not to exceed \$7,500.00.

PASSED AND APPROVED this 16th day of October, 2023.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer



120 35th Street Marion, Iowa 52302

Phone: (319) 363-6970

Fax: (319) 373-3819

E-Mail: DelaneyConcreteIA@gmail.com

Prepared For:

City of Robins

October 11, 2023

Mike Kortenkamp

mike.kortenkamp@cityofrobins.org

393-0588

Delaney Concrete Construction Co. Inc. hereinafter called "Builder", hereby offers to furnish all labor, materials, and equipment necessary to complete the following work on said job in accordance with the following specifications and at the following prices, subject, however, to the conditions on the reverse side.

Job Description: Street replacement

We are pleased to submit the following cost estimate:

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>TOTAL</u>
453	Square feet of street paving 7" with C-mix Saw cuts for removal Core out 8" of existing material Haul away vegetation & dirt (disposal fees included) Import 8" of rock and compact #4 epoxy dowels in to existing 24" on center	\$7,035.00

*to pour with M-mix, add \$285.00

Total Estimate **\$7,035.00**

Above prices are good for work completed by **DECEMBER 31, 2023.**

This offer is directed and made to only the above-named purchaser and shall be accepted by said purchasers on or before **12/31/2023.**
Acceptance shall be by the execution of the "Acceptance of Offer" below by all purchasers named above.

Delaney Concrete Construction, Inc.

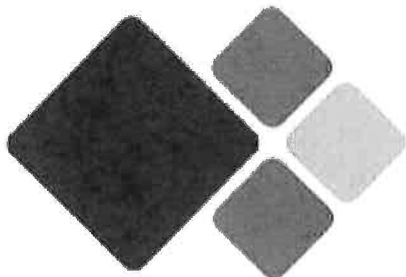
BY

ACCEPTANCE OF OFFER

We, the undersigned, do hereby state that we have read the offer herein made, including the specifications, prices and conditions and we hereby accept said offer and authorize Delaney Concrete Construction CO. INC. to perform in accordance with the terms hereof, and we agree to pay DELANEY CONCRETE CONST. CO. INC. in accordance with the terms hereof.

NAME

DATE



Corum Construction

5115 hay field dr sw Cedar Rapids, IA
52404
3199299711
richcorum@gmail.com

INVOICE
INV0382

DATE
09/29/2023

BALANCE DUE
USD \$13,500.00

BILL TO

City of Robins

mike.kortenkamp@cityofrobins.org

DESCRIPTION	RATE	QTY	AMOUNT
Mackenzie dr round about job	\$13,500.00	1	\$13,500.00
Saw cut 30x30 concrete			
Break and Remove 420 square feet of concrete and haul away			
Excavate plants, bushes and dirt in the middle of round about and haul away			
Excavate out 8 inches of subbase, place new subbase and compact rock			
Dowel in #4 epoxy coated rebar 2 ft on center and epoxy the rebar into the concrete around the 30x30 section to be repoured			
Repour concrete back @ 7 inch DOT SPEC C4 mix			
Place cones and caution tape around at all times			

Payment Info

BY CHECK
RICH CORUM

TOTAL	\$13,500.00
BALANCE DUE	USD \$13,500.00

Thanks for your business!

RESOLUTION NO. 1023-3

RESOLUTION APPROVING PAY REQUEST #7 TO
RATHJE CONSTRUCTION FOR WORK DONE ON THE
SE TRUNK SANITARY SEWER IMPROVEMENTS
FROM S. MENTZER TO DRY CREEK

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
ROBINS, IOWA that Pay Request No. 7 to Rathje Construction in the amount of
\$147,978.46 for work done on the SE Trunk Sanitary Sewer Improvements from S.
Mentzer to Dry Creek is hereby approved.

BE IT FINALLY RESOLVED that the City Clerk is directed to provide
payment for Pay Request No. 7.

PASSED AND APPROVED, this 16th day of October, 2023.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer



September 27, 2023

City of Robins
265 S 2nd St
Robins, IA 52328

RE: SE TRUNK SANITARY SEWER IMPROVEMENTS FROM S. MENTZER TO DRY CREEK –
PAY REQUEST #7

Dear Mayor and City Council,

Enclosed for your review and approval is Pay Request #7 for work on the SE Trunk Sanitary Sewer Improvements from S. Mentzer to Dry Creek project.

We have reviewed the pay estimate and find it in agreement with the work completed to date. We, therefore, recommend approval of Pay Request #7 in the amount of **\$147,978.46** to Rathje Construction Company.

Payment for this period includes compaction testing, filter sock removal, installation of turfstone pavers, and the box culvert installation across S. Troy Rd.

Feel free to contact me to discuss further if needed. Thank you.

Respectfully,

SNYDER & ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read 'Patrick Williams', with a stylized flourish at the end.

Patrick Williams
Project Engineer

Cc: Nate Byers – Rathje Construction Company
Attached: Pay Request #7

APPLICATION FOR PARTIAL PAYMENT NO. 7

PROJECT: SE Trunk Sanitary Sewer Improvements From S. Mentzer to Dry Creek

S&A PROJECT NO.:

121.0304

OWNER: City of Robins
CONTRACTOR: Rathje Construction
ADDRESS: PO Box 408
Marion, IA 52302
DATE: 9/27/2023

PAYMENT PERIOD: 6/20/2023
to 9/19/2023

1. CONTRACT SUMMARY:

Original Contract Amount: \$ 578,978.41
Net Change by Change Order: \$ 300,841.42
Contract Amount to Date: \$ 879,819.83

CONTRACT PERIOD: TOTAL CALENDAR DAYS

Original Contract Date: September 13, 2021

Original Contract Time: 105
Late Start Date April 1, 2022

2. WORK SUMMARY:

Total Work Performed to Date: \$ 792,983.02

Added by Change Order: 441

Contract Time to Date: 9/19/2023

Retainage: 5% \$39,649.15

Completion Date 9/29/2023

Total Earned Less Retainage: \$ 753,333.87

Time Used to Date: 536

Less Previous Applications for Payment: \$ 605,355.41

Contract Time Remaining: 10

AMOUNT DUE THIS APPLICATION: \$147,978.46

3. CONTRACTOR'S CERTIFICATION:

The undersigned CONTRACTOR certifies that:

- (1) all previous progress payments received from OWNER on account of Work done under the contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with the Work covered by prior Applications for Payment; and
(2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by the application for Payment are free and clear of all liens, claims, security interests, and encumbrances

Rathje Construction Company
CONTRACTOR

By Nate B.

DATE: 10/2/23

4. ENGINEER'S APPROVAL:

Payment of the above AMOUNT DUE THIS APPLICATION is recommended:

Snyder & Associates, Inc.
ENGINEER

By Patrick Williams

DATE: 10/2/23

5. OWNER'S APPROVAL

City of Robins
OWNER

By _____

DATE: _____

6. DETAILED ESTIMATE OF WORK COMPLETED:

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK THIS PERIOD			COMPLETED WORK TO DATE		
		PLAN QTY.	UNIT	UNIT COST	COST TOTAL	QTY. TO DATE	CO #	COST TOTAL	QTY. TO DATE	CO #	COST TOTAL
1.	Clearing and Grubbing	1	LS	\$ 6,450.00	\$ 6,450.00			\$ -	1		\$ 6,450.00
2.	Topsoil, On-site, 6"	2264	CY	\$ 16.00	36,224.00			\$ -	2264		\$ 36,224.00
3.	Excavation, Class 10	623	CY	\$ 18.50	11,525.50			\$ -	623		\$ 11,525.50
4.	Subbase, Modified	160.7	SY	\$ 6.75	1,084.73			\$ -	68		\$ 459.00
5.	Removal of Known Pipe Culvert, CMP, 36"	80	LF	\$ 15.00	1,200.00			\$ -	80		\$ 1,200.00
6.	Removal of Known Pipe Culvert, HDPE, 12"	10	LF	\$ 50.00	500.00			\$ -	10		\$ 500.00
7.	Removal of Known Pipe Culvert, RCP, 24"	14	LF	\$ 50.00	700.00			\$ -	16		\$ 800.00
8.	Removal of Known Pipe Culvert, RCP, 36"	40	LF	\$ 25.00	1,000.00			\$ -	40		\$ 1,000.00
9.	Compaction Testing	1	LS	\$ 1,000.00	1,000.00	1		\$ 1,000.00	1		\$ 1,000.00
10.	Turfstone Pavers	1384	SY	\$ 82.00	113,488.00	66		\$ 5,412.00	1384		\$ 113,488.00
11.	Rock Excavation	31	CY	\$ 75.00	2,325.00			\$ -	26		\$ 1,950.00
12.	Trench Foundation	26.5	TON	\$ 50.00	1,325.00			\$ -	17		\$ 850.00
13.	Replacement of Unsuitable Backfill Material	154.6	CY	\$ 30.00	4,638.00			\$ -			\$ -
14.	Trench Compaction Testing	1	LS	\$ 1,000.00	1,000.00	1		\$ 1,000.00	1		\$ 1,000.00
15.	Sanitary Sewer Gravity Main, Trenched, PVC, 12"	1669.7	LF	\$ 52.50	87,659.25			\$ -			\$ -
16.	Sanitary Sewer Service Relocation	2	EA	\$ 1,500.00	3,000.00			\$ -	5		\$ 7,500.00
17.	Removal of Sanitary Sewer, PVC, 8"	35	LF	\$ 10.00	350.00			\$ -	35		\$ 350.00
18.	Removal of Sanitary Sewer, PVC, 10"	692	LF	\$ 10.00	6,920.00			\$ -	692		\$ 6,920.00
19.	Sanitary Sewer Abandonment, Plug	2	EA	\$ 250.00	500.00			\$ -	2		\$ 500.00
20.	Pipe Culvert, Trenched, HDPE, 12"	60	LF	\$ 53.00	3,180.00			\$ -	80		\$ 4,240.00
21.	Pipe Culvert, Trenched, RCP, 24"	14	LF	\$ 80.75	1,130.50			\$ -	14		\$ 1,130.50
22.	Pipe Culvert, Trenched, RCP, 36"	120	LF	\$ 111.00	13,320.00			\$ -	120		\$ 13,320.00
23.	Pipe Apron, RCP, 24"	1	EA	\$ 1,500.00	1,500.00			\$ -	1		\$ 1,500.00
24.	Footing for Concrete Pipe Apron, RCP, 24"	1	EA	\$ 950.00	950.00			\$ -	1		\$ 950.00
25.	Pipe Apron Guard	1	EA	\$ 1,650.00	1,650.00			\$ -	0		\$ -
26.	Subdrain, Type 1, Trenched, 6"	592	LF	\$ 12.75	7,548.00			\$ -			\$ -
27.	Subdrain, Type 1, Trenched, 8"	1970	LF	\$ 16.25	32,012.50			\$ -			\$ -
28.	Subdrain, Type 1, Trenchless, 6"	60	LF	\$ 80.00	4,800.00			\$ -			\$ -
29.	Subdrain Cleanout, Type A-2, 8"	5	EA	\$ 850.00	4,250.00			\$ -	5		\$ 4,250.00
30.	Hickenbottom Subdrain Cleanout, Type A-2, 8"	5	EA	\$ 700.00	3,500.00			\$ -	5		\$ 3,500.00
31.	Pipe Bursting, HDPE, 16"	401.9	LF	\$ 135.00	54,256.50			\$ -	401.9		\$ 54,256.50
32.	Manhole, SW-301, 48"	6	EA	\$ 3,500.00	21,000.00			\$ -	6		\$ 21,000.00
33.	Manhole Adjustment, Major	2	EA	\$ 2,000.00	4,000.00			\$ -	0		\$ -
34.	Connection to Existing Manhole	2	EA	\$ 1,500.00	3,000.00			\$ -	2		\$ 3,000.00
35.	Remove Manhole	6	EA	\$ 1,000.00	6,000.00			\$ -	6		\$ 6,000.00
36.	Pavement, HMA	158.4	TON	\$ 160.00	25,344.00			\$ -			\$ -
37.	Driveway, Granular	51	TON	\$ 25.00	1,275.00			\$ -	114		\$ 2,850.00
38.	Pavement Removal	160.9	SY	\$ 8.75	1,407.88			\$ -	136		\$ 1,190.00
39.	Temporary Traffic Control	1	LS	\$ 3,000.00	3,000.00			\$ -	0.8		\$ 2,400.00
40.	Hydraulic Seeding, Seeding, Fertilizing, and Mulching, Type 1	2.8	AC	\$ 3,250.00	9,100.00			\$ -			\$ -
41.	Hydraulic Seeding, Seeding, Fertilizing, and Mulching, Type 4	2.8	AC	\$ 2,500.00	7,000.00			\$ -			\$ -
42.	Watering	300	MGAL	\$ 45.00	13,500.00			\$ -			\$ -
43.	Warranty	1	LS	\$ 500.00	500.00			\$ -			\$ -
44.	SWPPP Management	1	LS	\$ 1,800.00	1,800.00			\$ -	0.6		\$ 1,080.00
45.	Filter Sock, 9"	6983	LF	\$ 2.00	13,966.00			\$ -	6227		\$ 12,454.00
46.	Filter Socks, Removal	6983	LF	\$ 0.40	2,793.20	6172		\$ 2,468.80	6227		\$ 2,490.80
47.	Temporary RECP, Type 2.C	5366	SY	\$ 1.10	5,902.60			\$ -			\$ -
48.	Rip Rap, Class E	103	TON	\$ 60.00	6,180.00			\$ -	83		\$ 4,980.00
49.	Stabilized Construction Entrance	240	SY	\$ 5.00	1,200.00			\$ -	173		\$ 865.00
50.	Mobilization	1	LS	\$ 30,000.00	30,000.00			\$ -	1		\$ 30,000.00
51.	Concrete Washout	1	LS	\$ 500.00	500.00			\$ -			\$ -
15.A	Sanitary Sewer Gravity Main, Trenched, PVC, 12"	-1669.7	LF	\$ 52.50	(87,659.25)			\$ -			\$ -
52.	Sanitary Sewer Gravity Main, Trenched, PVC, 15"	1669.7	LF	\$ 60.00	100,182.00			\$ -	1669.7		\$ 100,182.00
TOTAL ORIGINAL CONTRACT =					\$ 578,978.41	TOTAL		\$ 9,880.80	TOTAL		\$ 463,355.30

ITEM NO.	DESCRIPTION	CONTRACT ITEMS				COMPLETED WORK THIS PERIOD			COMPLETED WORK TO DATE		
		PLAN QTY.	UNIT	UNIT COST	COST TOTAL	QTY. TO DATE	CO #	COST TOTAL	QTY. TO DATE	CO #	COST TOTAL
STORED MATERIALS SUMMARY:											
1.	Turfstone Pavers			\$ 82.00		0		\$ -	591.38		\$ 48,491.52
TOTAL STORED MATERIALS = \$ -											
CHANGE ORDER SUMMARY:											
26.	Subdrain, Type 1, Trenched, 6"	-592	LF	12.75	(7,548.00)			\$ -			\$ -
27.	Subdrain, Type 1, Trenched, 8"	-1,970	LF	16.25	(32,012.50)			\$ -			\$ -
28.	Subdrain, Type 1, Trenchless, 6"	-60	LF	80.00	(4,800.00)			\$ -			\$ -
CO2-1	Subdrain, Type 1, Trenched 12"	2,562	LF	24.25	62,128.50			\$ -	2,489		\$ 60,358.25
CO2-2	Subdrain, Type 1, Trenchless, 12"	60	LF	240.00	14,400.00			\$ -	60		\$ 14,400.00
CO2-3	Remove and Reinstall Rip Rap	1	LS	1,030.00	1,030.00			\$ -	1		\$ 1,030.00
CO2-4	Concrete Flume and Sediment Basin Cleanout	1	LS	4,500.00	4,500.00			\$ -	1		\$ 4,500.00
CO3-1	Clearing and Grubbing	1	LS	6,800.00	6,800.00			\$ -	1		\$ 6,800.00
CO3-2	Excavation, Class 10	305	CY	62.00	18,910.00			\$ -	305		\$ 18,910.00
CO3-3	Subdrain, Type 1, Trenched 12"	430	LF	39.00	16,770.00			\$ -	430		\$ 16,770.00
CO3-4	Class E Rip Rap	258	TON	82.32	21,238.56			\$ -	232.2		\$ 19,114.70
CO3-5	Flowable Mortar	103	CY	219.62	22,620.88			\$ -	92.7		\$ 20,358.77
CO3-6	Mobilization	1	LS	4,500.00	4,500.00			\$ -	1		\$ 4,500.00
CO3-7	Railroad Standby	1	LS	8,200.00	8,200.00			\$ -	1		\$ 8,200.00
CO5-1	Additional Railroad Flagger Days	5	DAY	1,430.00	7,150.00			\$ -	5		\$ 7,150.00
COR-6	7'x3' Double Cell Box Culvert	36	LF	\$ 2,750.00	\$ 99,000.00	36		\$ 99,000.00	36		\$ 99,000.00
COR-6	7'x3' Sloped End Section with Footing and Headwall	1	LS	\$ 15,500.00	\$ 15,500.00	1		\$ 15,500.00	1		\$ 15,500.00
COR-6	3' Rise Double Cell Wingwalls w/ 6" Poured Floor and #4 Bar @ 12" OC Reinforcement	1	LS	\$ 15,500.00	\$ 15,500.00	1		\$ 15,500.00	1		\$ 15,500.00
COR-6	Remove HMA Pavement	74	SY	\$ 14.00	\$ 1,036.00	74		\$ 1,036.00	74		\$ 1,036.00
COR-6	Install 6" HMA	24	TN	\$ 260.00	\$ 6,240.00			\$ -			\$ -
COR-6	Pavement Subbase 6" Depth	22	TN	\$ 34.00	\$ 748.00			\$ -			\$ -
COR-6	Remove Existing CMP Storm Sewer Culvert	85	LF	\$ 45.00	\$ 3,825.00	85		\$ 3,825.00	85		\$ 3,825.00
COR-6	Turfstone Pavers	218	SF	\$ 15.00	\$ 3,270.00	218		\$ 3,270.00	218		\$ 3,270.00
COR-6	12" Subdrain w/ Rodent Guard	71	LF	\$ 30.00	\$ 2,130.00	71		\$ 2,130.00	71		\$ 2,130.00
COR-6	12" Thick Class E Rip Rap	22	TN	\$ 65.00	\$ 1,430.00			\$ -			\$ -
COR-6	Flowable Mortar	12	CY	\$ 200.00	\$ 2,400.00	12		\$ 2,400.00	12		\$ 2,400.00
COR-6	Traffic Control	1	LS	\$ 1,000.00	\$ 1,000.00	1		\$ 1,000.00	1		\$ 1,000.00
COR-6	Mobilization	1	LS	\$ 3,875.00	\$ 3,875.00	1		\$ 3,875.00	1		\$ 3,875.00
COR-7	Class E Rip Rap	10	TON	\$ 100.00	\$ 1,000.00			\$ -			\$ -
		TOTAL CHANGE ORDERS = \$ 300,841.42				\$ 147,536.00			\$ 329,827.72		
		TOTAL CONTRACT									
		& CHANGE ORDERS \$879,819.83				\$ 157,416.80			\$ 792,983.02		

Lori Pickart

From: andy.humphrey@cityofrobins.org
Sent: Friday, October 13, 2023 9:55 AM
To: Lori Pickart
Cc: Chuck Hinz; Dick Pilcher
Subject: ADDISION TO MONDAY'S CITY COUNCIL AGENDA

PER CHUCK -

PLEASE ADD THE FOLLOWING ITEMS TO THE CITY COUNCIL AGENDA FOR MONDAY OCT. 16 2023
AGENDA.

WE HAVE BEEN APPROVED TO PURCHASE SEVERAL THINGS ALREADY FOR THE 23/24
BUDGET - THESE ARE THE ITEMS THAT I WOULD LIKE TO PURCHASE AT THIS TIME:

3 MOBILE RADIO'S.

PROTECTIVE EQUIPMENT - BALLISTIC SHIELD, BALLISTIC PLATES AND RIFLES.

IF YOU NEED ANYTHING ELSE TO BE ABLE TO GET THIS ON THE AGENDA, PLEASE
LET ME KNOW.

THANK YOU

ANDY

RESOLUTION NO. 1023-2

A RESOLUTION ADOPTING THE ROBINS PERSONNEL AND SAFETY POLICIES MANUALS

WHEREAS, the City of Robins has established Personnel Policies on April 5th, 1993, and

WHEREAS, the aforementioned policies were revised on April 20, 2000 and again on January 22nd, 2007, and November 1, 2023, and

WHEREAS, the City of Robins established Safety Work Rule Policies on February 3rd, 1993.

WHEREAS, the City Council directed the Mayor and City Clerk to have both the Personnel Policies and the Safety Work Rules Policies professionally updated to include the most recent employment and safety regulations.

WHEREAS, an updated version of both the Personnel Policies and the Safety Policies dated October 16th, 2023 have been received by City Staff.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROBINS, IOWA adoption of the Personnel Policies and Safety Work Rules Policies dated October 16th, 2023 is approved.

PASSED AND APPROVED THIS 16th, day of October, 2023.

Chuck Hinz, Mayor

ATTEST:

Lori Pickart, City Clerk/Treasurer



**CITY OF ROBINS
PERSONNEL POLICIES**

APRIL 5, 1993

Revised October 13, 2021

Last Revised Sept/Oct 2023

ADOPTED OCTOBER, 16, 2023

CITY OF ROBINS
Personnel Policy
No. 2.5

Vacation

Vacation for Full-time Employees

The City recognizes that in order to stay productive, employees need time away from work. The City, therefore, provides paid time off for vacations to eligible employees in accordance with the policy.

The City grants full time employees vacation time during the calendar year. New employees must complete six (6) months of continuous employment prior to becoming eligible for vacation benefits.

Eligible employees receive vacation benefits according to the following years of service:

- After six (6) months of continuous service – 5 days
- After one (1) year of continuous service – An additional 5 days after the employee's first year of employment, and then 10 days/year each year thereafter
- After five (5) years of continuous service – 15 days/year
- After ten (10) years of continuous service – 20 days/year

Up to five (5) days of vacation time may be carried over but must be used within the first four (4) months of the next 12-month period.

Vacation for Permanent Part-Time Employees

The City grants permanent part-time employees vacation time during the calendar year. New employees must complete six (6) months of continuous employment prior to becoming eligible for vacation benefits.

Permanent part-time employees shall receive prorated vacation based on the hours they are regularly scheduled to work, and the full-time schedule provided in this policy. For example, if an employee is regularly scheduled to work 20 hours per week, the employee shall receive 5 days of vacation after thirty days of continuous service; 7.5 days of vacation after five years of continuous service; and 10 days of vacation after ten years of continuous service.

Payment for Vacation Upon Termination:

- A. An employee voluntarily leaving employment with the City will receive payment for unused vacation at the current per diem rate.
- B. Retiring employees may take or cash out all remaining vacation prior to retirement at the current per diem rate.
- C. An employee terminated by Council will receive payment for unused vacation at the current per diem rate.

Requirements for Employee's Use of Vacation:

- A. Because the City must maintain adequate staffing at all times, employees must obtain approval from their supervisor prior to scheduling vacation.
- B. Vacation days must be taken in no less than one-half day segments.

CITY OF ROBINS
Personnel Policy
No. 3.17

Drug Testing Policy

City of Robins is committed to providing a safe and productive environment for its employees and those individuals affected by its operation. It is well recognized that individuals who use illicit drugs or use alcohol are more likely to have workplace accidents and perform their work in an inefficient and substandard manner. Therefore, to effectuate this commitment, the City has taken the necessary steps to ensure that its employees are free from the influence of drugs and alcohol while performing their job duties, including establishing this drug free workplace policy.

This policy shall apply to all applicants and individuals employed by the City. Since alcohol and drug use impairs an employee's ability to perform their duties safely, this policy shall be applicable to all employees at any time they are actually performing, ready to perform, or immediately available to perform any paid function as designated by the City. If it is found that an employee is unable to be "on call" and the employee was not designated to be "on call" (i.e., an emergency or unexpected circumstance), the next employee in line will be called upon with no implications.

All employees in positions requiring Commercial Drivers Licenses are subject to the federal and state laws requiring drug and alcohol testing, and where those laws conflict with this policy, those laws shall supersede such provisions of this policy. The Federal Transit Administration has adopted drug and alcohol testing procedures covering safety-sensitive employees engaged in mass transit and those laws also supersede the provisions of this policy.

Definitions

- A. Safety Sensitive Employee:** A safety sensitive employee is an employee, either full-time or part-time working in a position wherein an accident or an error could cause the loss of human life, serious bodily injury, or significant property or environmental damage, including a position with duties that include immediate supervision of a person in a job that meets the requirements of this paragraph. **Appendix A** to this Personnel Policy includes a list of positions the City deems safety sensitive. However, the City reserves the right to add or remove positions from its list of safety sensitive positions at any time. The City's list of safety sensitive employees includes full-time, part-time, temporary, and seasonal employees.
- B. Reasonable Suspicion Drug and Alcohol Test:** Drug or alcohol tests based upon evidence that an employee is using or has used alcohol or other drugs in violation of this written policy. Evidence in support of such a violation is drawn from specific objectives, articulable facts, and reasonable inferences drawn from those facts in light of training and experience. The City shall rely on its police officers and/or other employees trained to evaluate the evidence concerning whether an employee is using or has used drugs or alcohol in violation of this policy. For the purposes of this paragraph, facts and inferences may be based upon, but are not limited to, any of the following:
 - 1. Observations while at work, such as direct observation of alcohol or drug use or abuse, or physical symptoms or manifestations of being impaired due to alcohol or drug use as described in the educational materials provided to employees.

2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 3. A credible source's report of alcohol use or the use of drugs. The City Clerk shall have the final determination of what or who constitutes a credible source.
 4. Evidence that an employee has caused an accident while at work which resulted in an injury to a person or an accident that resulted in damage to property, including equipment, in an amount reasonably estimated at the time of the accident to exceed One Thousand Dollars (\$1,000.00).
 5. Evidence that an employee has manufactured, sold, distributed/solicited, possessed, used, or transferred drugs while on the employer's premises, or while operating the employer's vehicle, machinery, or equipment.
 6. The employee's statement or admissions of drug use while he or she is a City employee.
- C. Positive Test:** An employee tests positive for drugs if any trace of an illegal substance is detected following a drug test. For alcohol, employees test positive pursuant to the DOT threshold which is if their blood alcohol concentration is equal to 0.04 or greater. A refusal to test is considered a positive test.
- D. Illegal Drugs/Substances:** Any substance that is illegal by law, has not been legally obtained, or which cannot be legally obtained. This includes prescription medication for which the employee does not have a prescription and/or is not taken according to the prescription.
- E. City Official:** Elected officers of the City including the City Council and other elected officials.
- F. Accident:** An unfortunate incident occurring while working on behalf of the City that happens unexpectedly and unemotionally, typically resulting in damage or injury.

Policy Statement/Procedures:

A. Prohibited Activity:

1. No employee shall illegally use, sell, transfer, purchase, or possess drugs, alcohol, controlled substances, or drug paraphernalia, or any combination thereof while in a City facility, vehicle, vessel, or aircraft or while performing City business, including business conducted in the employee's own home. The only exception to this rule is with regard to consumption of alcohol found in Section A.4.
2. No employee shall use, sell, transfer, purchase, or possess any substance or object that imitates or the employee purports to be drugs, alcohol, controlled substances, or drug paraphernalia or any combination thereof while in a City facility, vehicle, vessel, or aircraft while performing City business.
3. No employee shall report for work while under the influence of illegal drugs or alcohol. Furthermore, no employee shall report to work within four (4) hours of consuming alcohol even if the employee does not believe he or she is under the influence of alcohol during that time. Employees should be mindful that even if they follow this policy and do not report to work within four (4) hours of consuming alcohol the employee may still test positive under the definition of a positive drug test above and be subject to discipline pursuant to this policy.
4. Employee shall not consume alcohol during the representation of the City at any function or while conducting City business without the express

permission of their immediate supervisor. When considering the approval of alcohol consumption at such events, supervisors should consider the standard of conduct expected at the event, the impression employee consumption of alcohol will give the public, and the overall optics of allowing such consumption.

5. No employee shall use illegal drugs or consume alcohol while at work.
6. No employee shall use prescription drugs unless: (1) a doctor has prescribed the medication to the employee; and (2) the doctor has advised the employee that the drug will not adversely affect the employee's ability to perform the essential duties of his or her job without endangering the public's, coworkers', or the employee's safety.
 - i. Any employee using properly prescribed drugs that may impair the employee or affect the employee's job performance shall notify his or her immediate supervisor about the use of the drug. A drug may impair an employee or affect an employee's job performance if it may cause the employee dizziness or drowsiness, or the employee or the employee's doctor believe the drug will impair the employee or affect the employee's job performance in some way.
 - ii. If an employee is using a prescription drug and his or her doctor has advised him or her that the drug may adversely affect the employee's ability to perform the essential duties of his or her job, the employee shall advise the City Clerk of the adverse effects and the prescribed period of use.
 - iii. The City Clerk shall document this information through the use of an internal memorandum and maintain this memorandum in the confidential medical file of the employee maintained by City Hall.
 - iv. Any employee using properly prescribed prescription drugs must carry the medication in its original container and the container must be labeled with the employee's name, employee's doctor, dosage, and the name of the drug prescribed.
7. Any employee who unintentionally ingests or is made to ingest a controlled substance shall immediately report the incident to his or her supervisor so that appropriate medical steps may be taken to ensure the employee's health and safety.
8. The prohibitions on possession of prohibited items does not apply to police officers while on duty and lawfully fulfilling their law enforcement responsibilities.

B. Notification:

1. The City will notify applicants of this drug and alcohol testing policy at or before the time of the applicant's first interview.
2. The City will provide all employees with drug and alcohol education, including the effects of drugs and alcohol, signs and symptoms of drug and alcohol use, assistance available for those abusing drugs and alcohol, drugs and alcohol to be tested, and drug and alcohol testing requirements. Such education shall be provided once upon hire and annually thereafter.
3. The City will provide all supervisors with education including signs and symptoms of drug and alcohol misuse, determining the need for reasonable cause testing, and testing requirements. For employees supervising employees under DOT testing, the training will comply with those requirements.

4. All drug testing results, and other confidential information will be kept in the employee's confidential medical file.
5. Each employee and applicant will sign a form acknowledging receipt of these materials.
6. Compliance with the City's Substance Abuse Policy is a condition of employment. Failure or refusal of an employee to cooperate fully or submit to any inspection or drug test as provided will be grounds for termination.
7. Employees should contact the City Clerk for more information on the drug testing procedures adopted by the City.

C. Employee Drug Testing:

1. Pre-Employment Drug Testing

- i. All prospective employees of the City applying for safety sensitive positions only shall be informed in the advertisement for the position and in the first interview that a condition of employment includes passing a drug test as part of the pre-employment process.
- ii. The prospective employee shall be provided with a copy of this policy and shall disclose any prescription medication or other issues the prospective employee believes the drug testing provider should be aware of prior to taking their drug test.
- iii. The prospective employee shall be drug tested following the extension of a conditional offer of employment but prior to starting employment and shall be drug tested pursuant to the drug testing procedures in this policy.
- iv. Prospective employees who refuse to take the respective drug test, or whose test verified positive for one of the substances, shall be ineligible for employment with the City from the date of the test results.

2. Post-Accident Testing

- i. After an accident, testing shall be conducted on employees whose performance could have contributed to the accident if (1) it is required by state or federal law; (2) the accident resulted in injury to a person for which a record or report could be required under Chapter 85 of the Iowa Code; (3) when an employee receives a citation for a moving violation involving the accident, or (4) when the accident resulted in damage to property, including equipment as described in the "Reasonable Suspicion Drug and Alcohol Test" definition in this policy.
- ii. Following an accident, an employee shall be sent for testing as soon as possible. Breath alcohol testing shall be performed within two (2) hours following the accident. Any employee who purposefully delays or avoids testing following an accident shall be disciplined up to and including termination.
- iii. An employee who refuses to submit to post-accident testing, in addition to facing discipline up to and including termination, may be denied workers' compensation benefits as allowed and/or required under Iowa law.

3. Reasonable Suspicion Testing

- i. When any supervisor, manager, or City Official has reasonable suspicion as defined in the "Reasonable Suspicion Drug and Alcohol Test" definition in this policy that a City employee is under the influence of drugs or alcohol while on duty, or otherwise violating

the terms of this policy, that supervisor, manager, or City official shall require reasonable suspicion testing. The reasons for such reasonable suspicion shall be documented in writing with the date.

- ii. If reasonable suspicion testing is required, the employee will not be permitted to drive to or from the testing or while at work until the test is returned, and then only if the test produces negative results. The City will provide transportation to/from the testing at the City's expense if necessary.

4. Random

- i. The City may conduct random drug and alcohol testing on safety sensitive employees without individualized suspicion that are not covered by another drug/alcohol testing policy mandated by the state or federal government. The selection of employees to be tested from the pool of employees subject to testing shall be done based on a computerized randomly generated selection process in which each member of the employee pool has an equal chance of selection.

D. Drug Testing Procedures:

1. Drug and alcohol testing shall require the employee to present a reliable form of photo identification to the person collecting the sample.
2. C.J. Cooper and Associates will serve as the City's local collection facility.
3. The City will designate the type of testing to be performed on the sample collected.
4. Drug and alcohol testing shall normally occur during or immediately before working hours begin or immediately after working hours. The time required for such testing shall be considered work time for the purpose of compensation and benefits.
5. All specimens shall be divided into two samples in the event a specimen tests positive. If that occurs, at the employee's request, the second portion of the sample will undergo an additional test to confirm the initial result. The second test shall be at the employee's cost, which shall be prepaid to the City. If the second test is reported as negative, the employee will be reimbursed the cost of the test by the City.
6. The drug screening tests selected shall be capable of identifying every major drug likely to be abused including, but not limited to, marijuana, cocaine, phencyclidine (PCP), opiates, codeine/morphine, amphetamines, AM (heroin), hydrocodone/hydromorphone, and oxycodone/oxymorphone.
7. Personnel utilized for testing will be certified as qualified to collect urine samples or adequately trained in the collection process.
8. Any employee who breaches the confidentiality of testing information shall be subject to discipline up to and including termination.
9. The City shall pay all testing costs for the initial pre-employment, reasonable suspicion, regularly scheduled or follow-up drug or alcohol testing ordered by the City.
10. In conducting drug or alcohol testing pursuant to this policy, the laboratory, the Medical Review Officer, and the City shall ensure, to the extent feasible, that the testing records maintained by the City show only such information required to confirm or rule out the presence of prohibited alcohol or drugs in the body.
11. An employee who refuses to submit to a controlled substance test will be immediately removed from safety-sensitive functions and shall be subject to disciplinary action up to and including termination.

E. Post-Testing Procedures:

1. Employees having negative drug test results shall receive a memorandum stating that no illegal drugs were found. The employee may request a copy of the memorandum be placed in the employee's medical file.
2. An employee who has a positive drug or alcohol test shall be subject to disciplinary action up to and including discharge. If an employee's discipline permits him or her to return to work, the following action will be taken:
 - i. An employee with positive drug testing results shall be immediately removed from all safety sensitive functions and, depending on the nature of the employee's job, may not be permitted to return to work until the actions described below are taken.
 - ii. If the employee is permitted to return to work, the employee shall be required to submit to evaluation by a Substance Abuse Professional and undergo treatment and rehabilitation recommended by the Substance Abuse Professional prior to returning to work. If the employee successfully completes the treatment and rehabilitation, no further disciplinary action will be taken against the employee. If the employee refuses to submit to the evaluation or fails to successfully complete treatment, the employee will be subject to further discipline up to and including termination. If any portion of the evaluation, treatment, and/or rehabilitation are not covered by the employee's health insurance, those expenses shall be at the employee's expense.
 - iii. If the Substance Abuse Professional determines that the employee has a drug or alcohol related problem, the employee will be required to do follow-up testing upon the employee's return to work. All follow-up testing will be unannounced and without prior notice to the employee. The employee will be required to submit to a minimum of six (6) tests during the first twelve (12) months following a negative return to duty. All follow-up testing will be at the employee's expense.
 - iv. An employee required to take time off in order to participate in a rehabilitation program will be permitted to use sick leave, vacation time, accumulated compensatory time (if the employee wishes to use compensatory time), and/or if the employee does not have any vacation or sick time available, unpaid leave.
 - v. Employees who undergo substance abuse treatment and counseling under this policy and who continue to work must meet all established standards of conduct and job performance.
 - vi. Any employee who undergoes this process following a positive test and at any time has a subsequent positive test for drugs and/or alcohol shall be immediately terminated.

F. Drug Test Results:

1. All records pertaining to required drug tests shall remain confidential and shall not be provided to other employees or agencies, with the exception of the City Clerk and Mayor, without the written permission of the person whose records are sought. The City Clerk and the Mayor shall have access to the records for purposes of employment decisions. The City Clerk and Mayor may share the records with the City Council where the City Council

is the decision maker for an employee's employment status. Computerized record keeping shall comply with this provision of the policy.

2. Drug test results and records shall be stored and securely retained for an indefinite period in a confidential employee medical file maintained by the City Hall.

G. Responsibility:

1. It shall be the responsibility of the Mayor to enforce this policy. Employees are expected to report any suspicious behavior or suspected drug abuse of an employee to a supervisor, the City Clerk, or the Mayor immediately.
2. It shall be the responsibility of the supervisors to use the training provided by the City to take appropriate action under this policy whenever reasonable suspicion exists to drug test an employee.
3. It is the responsibility of each employee to abide by the procedures as outlined. Any employee refusing to submit to a drug test request made under this policy will be subject to discipline up to and including termination.
4. It shall be the responsibility of all employees and supervisors to request assistance from the City Clerk and/or Mayor whenever they are unsure how to proceed under this policy.

DRUG TESTING POLICY (DOT EMPLOYEES)

In addition to City's Drug Free Workplace/Drug and Alcohol Testing Procedures Policy, the City provides the following additional policies for employees subject to Department of Transportation ("DOT") drug and alcohol testing requirements by virtue of their essential job functions and/or the licenses required for their positions. Where portions of this policy and the Drug Free Workplace/Drug and Alcohol Testing Procedures Policy conflict, this policy shall govern.

This policy complies with federal and state law governing drug and alcohol testing and, in the event it does not comply, federal and state law shall supersede this policy.

Any questions or concerns regarding either the drug or alcohol policy shall be directed to the Designated Employee Representative (DER) City Clerk Lori Pickart at 319-393-0588.

Federal law requires that the City test all CDL employees who drive a Commercial Motor Vehicle ("CMV") for drugs and alcohol. This includes all employees who drive a CMV, even if the employee does not regularly drive a CMV. If an employee is covered by more than one (1) DOT testing agency, the employee shall be tested based on the tasks he or she performs the majority of the time. These employees are engaged in safety sensitive functions throughout the entirety of their workday including, but not limited to, driving, performing required pre- and post- trip checks on vehicles, and performing maintenance on vehicles. The City conducts all required drug and alcohol testing in accordance with state and federal law.

Per DOT requirements, employees are prohibited from using alcohol within four (4) hours of performing a safety sensitive function. Employees are prohibited from possessing ANY amount of alcohol (including medications or over-the-counter remedies containing alcohol) while on duty.

There are several instances that may require an employee's submission to drug and alcohol testing. They are described as follows:

- A.** Pre-employment testing: A CDL licensed CMV driver must submit to a drug/alcohol test and receive a negative drug test before he will be permitted to operate a CMV.
- B.** Post-accident testing: A CDL licensed CMV driver engaged in a safety sensitive function at the time of an accident must submit to a drug/alcohol test as soon as practicable following the accident if said accident involved the loss of human life, if the driver was cited within (1) eight hours for alcohol or (2) thirty-two hours for drugs of the accident under state or local law for a moving traffic violation, or if the accident involved: (1) bodily injury to any person causing that person to receive medical treatment away from the scene of the accident; or (2) one or more motor vehicles incurred disabling damage as a result of the accident requiring it to be removed by tow or other motor vehicle. Employees are prohibited from using or being under the influence of alcohol at any time while on duty, eight (8) hours post-accident, or until tested post-accident.
- C.** Random Testing: All CDL licensed CMV drivers must be randomly tested throughout the year pursuant to state and federal regulations. The City contracts with C.J. Cooper and Associates and C.J. Cooper and Associates is responsible for selection of the employees to be tested based on a neutral and objective selection process in compliance with state and federal regulations.
- D.** Reasonable Suspicion Testing: CDL licensed CMV drivers who appear to be under the influence of drugs or alcohol are subject to immediate drug testing. The determination of who appears to be under the influence shall be made by a supervisor trained to identify such impairment pursuant to this policy.

This policy outlines disciplinary action which will be taken in the event of a positive drug or alcohol test. Refusal to test is also considered a positive test by federal law.

If the test of an employee who is subject to the requirements of federal DOT drug and alcohol testing results in a Medical Review Officer ("MRO") verified positive test for the use of drugs or an alcohol concentration of 0.04 or greater, or they refuse to submit to drug or alcohol testing, the employee shall be considered to have tested positive for drugs and/or alcohol. The employee shall be provided a list of appropriate and qualified substance abuse professionals who are available to the employee, including the substance abuse professionals' names, telephone numbers, and addresses, for assessment and enrollment in a treatment and rehabilitation program, if recommended.

Pursuant to state and federal regulations, employees testing above 0.02 but lower than 0.039, who are not terminated from their employment, may not perform a safety sensitive job function for twenty-four (24) hours after a positive test or a positive confirmation test, whichever occurs later, according to federal law. Employees testing between 0.02 and 0.039 may be assigned to non-covered duties at the option of the employee's supervisor.

If non-covered duties are not available, the employee's supervisor will order and arrange for alternate transportation home for the employee. The employer will first contact the employee's emergency contact and then, if the emergency contact is unavailable, will resort to other safe drivers. If the employee refuses alternate transportation, the employee will be subject to disciplinary action for failure to follow a reasonable order of the supervisor. The employee, when sent home, may use personal or vacation leave, compensatory time, or unpaid leave. The use of sick leave will not be allowed.

Results of a positive drug or alcohol test and terms of rehabilitation will remain confidential except as noted throughout this policy and as provided by the Federal Regulations.

Employees who are required to report for random drug and/or alcohol testing will be allowed to be tested during work hours and may drive a City vehicle to and from the collection site or, with the employer's approval, they may drive their personal vehicle and will be reimbursed mileage.

Substance use and alcohol misuse have a negative effect on an employee's health, relationships, and work life. An employee who is using drugs and/or misusing alcohol may have impaired physical, behavioral, and speech functions and his or her job performance may suffer. If an employee suspects that another employee is using drugs and/or misusing alcohol, he or she is encouraged to report it to the employee's supervisor or Human Resources for follow up.

The City shall provide training to all persons designated to supervise drivers. The City shall provide said supervisors with sixty (60) minutes of training on alcohol misuse and sixty (60) minutes of training on controlled substance use. This training is used to ensure that supervisors have the tools to determine whether or not reasonable suspicion exists to require a driver to undergo reasonable suspicion testing, including training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse and controlled substance use.

An employee who violates this policy will be subject to disciplinary action by City of Robins, which may include termination as mandated by DOT. In addition, any driver who is convicted by the judicial system of a felony for a drug or alcohol related matter is subject to immediate termination.