

136 North Monroe Street Waterloo, WI 53594 Phone: (920) 478-3025 Fax: (920) 478-2021 www.waterloowi.us

# PUBLIC NOTICE OF A COMMITTEE MEETING OF THE CITY OF WATERLOO COMMON COUNCIL

Pursuant to Section 19.84 Wisconsin Statutes, notice is hereby given to the public and news media, that a public meeting will be held to consider the following:

COMMITTEE:		FINANCE, INSURANCE & PERSONNEL COMMITTEE					
DATE:		July 16, 2020					
TIME:		6:00 p.m.					
LOCATION:		Municipal Building Council Chamber, 136 N. Monroe Street					
		via remote conference or in-person for participants and public					
		agenda revised 7/14/2020 10:27 AM					
		Remote Access Information					
	Join Zoom Meeting:	https://us02web.zoom.us/j/81843055730?pwd=cGtIQWNUb1IDakhRdUp3VUIzdCtvZz09					
	Meeting ID: 818 430	)5 5730					
	Password: 338142						

Dial by your location +1 312 626 6799 US (Chicago) +1 929 436 2866 US (New York) Meeting ID: 818 4305 5730 Password: 338142

- 1. CALL TO ORDER AND ROLL CALL
- 2. MEETING MINUTES APPROVAL Prior unapproved minutes
- 3. PUBLIC COMMENT
- 4. UNFINISHED BUSINESS
  - a. Purchasing And Procurement Policy Changes Draft 3
- 5. NEW BUSINESS
  - a. Police Department Administrative Assistant, Transition Staffing (verbal)
  - b. June Financial Statements
    - i. General Disbursements \$601,699.48 \*\*\*\*\*
    - ii. Payroll \$78,482.79 \*\*\*\*\*
    - iii. Treasurer's Report & Budget Reports \*\*\*\*\*
  - c. 2020-2021 Budget
  - d. 2020 Clerk/Treasurer Follow-up Evaluation [NOTE: The body may convene in closed session per Wis Stat. 19.85(1)(c) "Considering employment, promotion, compensation or performance data of any public employee over which the governmental body has jurisdiction or exercises responsibility"] Upon completion of the closed session the body will reconvene in open session.
- 6. FUTURE AGENDA ITEMS AND ANNOUNCEMENTS
  - a. Committee Calendar

7. ADJOURNMENT

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Mo Hansen Clerk/Treasurer

\*\*\*See Council Packet \*\*\*\*\* Digital Version As Stand Alone Document On Webpage

#### Committee Members: Thomas, Rhynes and Kuhl

Posted, Emailed & Distributed: 06/10/2020

PLEASE NOTE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above meeting(s) to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request such services please contact the clerk's office at the above location.

	TIT	LE:					
CITY OF WATERLOO	PURCHASING POLICY						
TARGET AUDIENCE: City Departments; City	POLICY SOURCE:	DEPARTMENT HEAD					
Employees; Utilities and other component units	Finance Committee	REVIEW:					
funded by City taxpayers or ratepayers, either							
in whole or in part; Community Development							
Authority; Vendors							
DATE APPROVED BY	DATE AMENDED BY COUNCIL:	ATTORNEY REVIEW:					

# SECTION I POLICY OBJECTIVES

- 1.1 <u>Objectives.</u> The objectives of the City's Purchasing Policy are:
  - 1. To ensure that materials, equipment and services are purchased at the lowest prices consistent with quality and performance.
  - 2. To provide adequate controls over City expenditures and financial commitments with proper documentation.
  - 3. To obtain quality goods required by City departments and to ensure that these goods are at the place needed at the time needed.
  - 4. To provide a standardized system of purchasing for use by all City departments.

### SECTION II COMPETITIVE BIDDING AND PURCHASING REQUIREMENTS

- 2.1 <u>Policy.</u> It is the policy of the City of Waterloo to procure needed materials, equipment and services at the lowest cost consistent with quality and performance. Therefore, City purchases will be made only after price quotations have been obtained or attempted to have been obtained from different suppliers through either formal or informal means, if required pursuant to this Policy.
- 2.2 <u>Purchasing Requirements</u>. The process of making purchases varies depending on the total cost of the purchases.

	Authority		
<b>Budgeted Cost</b>	Required	Purchasing Process	Competitive Requirement
Less than \$2,500	Department Director or designee	Submit Invoice	Documented periodic quotes or 2 informal quotes received verbally or by examining published prices
Over \$2,500 and less than \$25,000	Finance Committee	Submit Invoice	Unless required by State Statute, it shall be the Department Heads discretion on the method of obtaining bids and proposals. Options include invitations to bid and proposals by mail, email, publication in the official newspaper, telephone contacts or verbal requests. Purchases shall attempt to obtain bids or proposals from at least three vendors to ensure that comparison pricing is demonstrated.
Over \$25,000	City Council	Submit Invoice	Sealed bid opened publicly in response to city provided specs.

The staggering of purchases or dividing purchase to intentionally evade this policy is strictly prohibited.

Purchases under \$2,500. (1) Department Head, or designee, approval. (2) At least two informal (verbal) price quotations obtained prior to purchase; and (3) for items regularly purchases or by multiple departments, departments are encouraged to explore cooperative purchasing or purchasing in bulk.

Purchases of at least \$2,500 and under \$25,000. (1) Finance Committee approval. (2) Three written quotes.

Purchases greater than \$25,000. (1) Finance Committee approval. (2) Department Head or designee responsible for conducting public bid or RFP process with at least three bids. (3) Public construction projects with an estimated cost greater than \$25,000 must be let by contract to the lowest responsible bidder as required by Wisconsin State Statues 62.15(1). Also, per statute 62.15 the City Council may by three-fourths vote provide an ordinance that any class of public construction project may be done directly by the city without submitting the project for bids.

- 2.3 <u>Exceptions.</u> The only exceptions to this Policy are:
  - 1. Sole-source purchases (i.e., when only one known supplier is available): includes diagnostic vehicle repairs and warranty work that needs to be done by service providers equipped and trained for repairs on the make and model of equipment being repaired.
  - 2. Emergency purchases and repairs covered by insurance proceeds.
  - 3. Items purchased by State contract.
  - 4. Purchases paid with grant funds which require specific purchasing procedures.
  - 5. Professional services where the Mayor has waived bidding requirements.
  - 6. Other justifications as identified by a Department Head and approved by the Mayor.
  - 7. For purchases below \$1,000, the bidding/proposal process is waived although the purchaser is expected to compare prices for routine purchases and supplies. The intent is to look for quality and price over convenience, wherever practical.
- 2.4 <u>Competitive Bidding Process.</u> To assist Department Heads in the bidding process, templates are available from the Clerk/Treasurer for soliciting bids. Templates are also available for RFIs, RFPs and RFQs:
  - *Request for Bid* (RFB): Commonly used when deliverables are commodities for which there are clear specifications and when price will be the primary determining factor.
  - *Request for Information* (RFI): Commonly used to develop lists of qualified sellers and gain more input for resource availability.
  - *Request for Proposal* (RFP): Commonly used when deliverables are not well-defined or when other selection criteria will be used in addition to price.
  - Request for Quotation (RFQ): Commonly used when deliverables are commodities for which there are clear specifications and when price will be the primary determining factor. Unlike an RFB, this solicited price quote is used for comparison purposes and is not a formal bid for work.
- 2.5.1 <u>Tie Bids.</u> If two or more bids are in the same amount or unit price, quality, service and other factors deemed relevant being equal, the contract shall be awarded to a bidder whose principal place of business is located within the City limits, if any. If there is not a City of Waterloo bidder, the Department Head should award the contract to one of the tie bidders by cutting a deck of playing cards, with the highest card being awarded the bid.

- 2.5.2 <u>Rejection of Bids.</u> Department Heads have the authority to reject bids or parts of bids, or all bids, where the public interest will be served. In all cases, the Department Head has the authority to re-advertise and re-bid any proposed purchase or to reject all bids and to negotiate a purchase directly with any supplier if this procedure is deemed most advantageous to the City.
- 2.5.3 <u>Bidders in Default to the City.</u> A Department Head should not accept the bid of any supplier who is in default or delinquent in the payment of taxes, licenses, forfeitures, or any other moneys whatsoever due the City.
- 2.5.4 <u>Selecting Bid.</u> In addition to price, Department Heads may consider the following factors in selecting the acceptable bid:
  - 1. The ability, capacity and skill of the bidder to perform the contract or provide the service required.
  - 2. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference.
  - 3. The character, integrity, reputation, judgment, experience and efficiency of the bidder.
  - 4. The quality of performance of previous contracts or services by the bidder.
  - 5. The previous and existing compliance by the bidder with laws and ordinance relating to the contract or service.
  - 6. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service.
  - 7. The quality, availability and adaptability of the supplies or contractual services to the particular use required.
  - 8. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract.
  - 9. The number and scope of conditions attached to the bid.

### SECTION III CENTRAL PURCHASING

3.1 <u>Policy.</u> Many of the items purchased by the City are commonly used by all or several departments. By consolidating the needs of all departments, the City can take advantage of price discounts for large quantity orders of these items. Annual orders are encouraged. Department Heads and all purchasers are strongly encouraged to work together to coordinate purchases of common items between departments.

### SECTION IV PURCHASE RELATED CHARGES AND ALLOWANCES

- 4.1 <u>Shipping and Freight.</u> It is the policy of the City to avoid paying shipping charges whenever possible. If the City is to pay shipping charges, it may be billed at the time of invoicing. Purchasers, when obtaining price quotations, should inquire into applicable freight charges. Any charges to be paid by the City will be regarded as part of the price quotation when selecting the successful bidder and noted on the purchase requisition. Unless otherwise stated in the RFP/RFQ, all formal bids and proposals shall include freight and delivery charges, if any.
- 4.2 <u>Sales Tax Exemption.</u> The City is exempt from paying city, county and state sales tax. Purchasers have the responsibility to inform vendors of tax exempt status. Tax exempt forms are available

in the City Clerk/Treasurer's office. Invoices received by the City that include sales tax will be amended by reducing the amount of sales tax prior to payment.

4.3 <u>Vendor Discounts.</u> It is the policy of the City to take advantage of all available vendor discounts where possible.

### SECTION V COOPERATIVE PURCHASING

- 5.1 <u>Policy.</u> Cooperative purchasing between the City and the State of Wisconsin or between the City and other local governments can result in significant savings on the purchase price of many items. The Clerk/Treasurer shall have the authority to analyze the desirability of cooperative purchasing arrangements and to make recommendations to the Mayor. The City Council encourages cooperative purchasing but maintains the right to reject any or all such agreements. It is the policy of the City to enter into cooperative purchasing agreements when:
  - 1. Substantial savings will result.
  - 2. Quality, availability, or service will not be sacrificed.
  - 3. The City will be separately billed for its purchases.
  - 4. Ordered items will be delivered directly to the City (unless otherwise agreed to).

# SECTION VI CHARGE CARDS

- 6.1 <u>Department Use of Card.</u> The following departments have employees that have been selected to receive credit charge cards in their name on behalf of the City: (1) Public Works Department; (2) Police Department; (3) Fire Department; (4) Parks Department and (5) Clerk/Treasurer's office.
- 6.2 Cardholder Responsibilities.
  - Ensure that credit card is used in compliance with City Purchasing Policies.
  - Only authorized municipal employees may use a municipal credit card.
  - A municipal card may be used only for the purchase of goods and services for official business of the City of Waterloo.
  - The employee using the credit card must submit receipts and documentation detailing the goods and services purchased, cost, purchase date and the official business explanation thereof.
  - Above said receipts and documentation must be submitted to the Clerk/Treasurer's Office in a timely manner to reconcile against the monthly credit card statement.
  - The employee issued a card is responsible for its protection and custody and shall immediately notify the Clerk/Treasurer's office if the card is lost or stolen.
  - Card users must notify vendors and merchants that the card transaction should be exempt from state Sales Tax (IRS Tax Identification #39-6006400).
  - The card may not be used for cash advances, personal use or any other type of purchase not permitted under the City Purchasing Policy.
  - Employees must immediately surrender the card upon termination of employment. The City reserves the right to withhold final payroll checks and payouts of accrued leave time until the card is surrendered.

### 6.2.1 Examples of when the charge card MAY be used:

1. Lodging (registering in advance and paying upon departure).

- 2. Some transportation: Flights, car rentals, trains, inter-city buses (see below for exceptions when card cannot be used in this category).
- 3. Registration fees for conferences and seminars.
- 4. Costs associated with business-related training.
- 5. Online purchases for items such as government or business-related literature.
- 6. Meal costs (including the standard 15% tip).
  - a. Costs must follow the standards established in the City's Employee Handbook.
  - b. Group meetings where the City is paying (must receive prior approval of the Mayor whose approval means that it is appropriate for the City to pay the expense).
  - c. The City will allow tips up to 15% of the bill to be applied to the charge card. If a tip is made that is in excess of 15%, the overage should be left by the employee in cash and will not be recoverable from the City as a valid expense.
  - d. Employees do not need to obtain tax exemption for individual meals or groups up to three (3) people. Groups over three should try to obtain the tax exempt status. (See Tax Exemption section of this policy below.)

# 6.2.2 Examples of when the charge card MAY NOT be used:

- 1. Taxi fares, intra-city bus lines.
- 2. Tips, except when it is part of an approved meal cost.
- 3. Personal purchases of any kind.
- 4. Cash advances.
- 6.3 <u>Employee Access to Credit Card.</u> Department Heads are responsible for determining the individual(s) in their organization who will have a charge card. Employees may not make purchases without the prior knowledge of the Department Head. Approved employees will be required to sign an agreement that:
  - 1. Acknowledges that they understand the purpose of the use of credit cards. Certifies that they have read and understand the City's Purchasing Policy,
  - 2. Confirms that improper use of the card may result in disciplinary action up to and including termination of employment; and
  - 3. Guarantees return of the card to the Department Head for reasons such as, but not limited to:
    - a. Change in duties,
    - b. Retirement,
    - c. Termination of employment,
    - d. Improper use, or
    - e. Any other sound reason determined by the Department Head or Mayor.
- 6.4 <u>Tax Exemption.</u> Purchases made on credit cards are still eligible for tax exemption. The City, as a government office, is exempt from paying tax on purchases. Those who will be issued cards will be given the tax exemption number. Certificates are available by contacting the Clerk/Treasurer's Office. The Purchaser is responsible to provide the vendor proof of the City's tax exempt status at the time the charge is incurred.
- 6.5 <u>Automatic Payroll Deduction.</u> If a meal (plus tip) purchase exceeds that which is allowed by the City's Travel Guidelines/Expense Reimbursement Policy, located in the Employee Handbook, or if an unauthorized charge occurs, or if a good faith attempt to receive a tax exemption is not made, the employee must immediately reimburse the difference between what is allowed and the dollar amount being charged to the Finance Department. If the employee does not submit

the difference to the Clerk/Treasurer's Office, that lack of action acts as the employee's permission for an automatic payroll deduction for the unauthorized charges or the amount in excess of what is allowed to be taken from the employees next payroll check.

- 6.6 <u>Documentation.</u> It will be necessary for the following rules to be followed:
  - 1. Employees who use a City charge card shall, as soon as possible after making a purchase, submit supporting documentation to the Department Head. Supporting documentation may include:
    - a. The vendor's detailed sales receipt,
    - b. Itineraries,
    - c. Rental agreements,
    - d. Completed registration flyers,
    - e. Renewal notification letters,
    - f. Order confirmations.
  - 2. Documentation must include the name of the vendor providing the goods or services, the date (and time for meal reimbursements), the employee(s) involved, the goods and services received, the amount, and the business purpose.
  - 3. All sales documentation needs to be clearly marked as a charge card purchase with the department/card number indicated and the name of the employee who made the purchase.
  - Department Heads will approve the purchase that was made by placing an account code and signing the submitted documentation as they would with any other request for payment. Include the purchase order number on the invoice (if applicable).
  - 5. The charge card statement will be mailed directly to the Clerk/Treasurer's office. All sales slips should be in the Accounts Payable Department by the time the statement gets here. Accounts Payable will match up the slips to the statement. Statements will only be distributed when information is missing.
  - 6 Upon leaving employment, or when an employee no longer needs to have the charge card, the Department Head will be responsible for retrieving it. The Clerk/Treasurer or his/her designee will maintain a list of employees to whom cards have been issued. Department Heads therefore must inform the Clerk/Treasurer's Finance office when it is necessary to either reassign a card or to remove the employee's name from the list of those who are holding a City charge card.
  - 6.7. <u>Loss of Privilege.</u> If an employee exhibits non-compliance with these procedures, discipline for non-compliance may occur, up to an including the loss of privilege to use the charge card or termination. A Department Head has the right to establish additional restrictions on City charge card use within his/her respective department

# SECTION VII FLEET FUEL CHARGE CARDS

7.1. <u>Department Use of Fleet Fuel Charge Cards.</u> All fuel for City owned vehicles and equipment will be purchased using a fleet Fuel card. The following departments have been issued a fleet card for City owned vehicle or equipment: (1) Fire Department; (2) Police Department; (3) Public Works Department.

<sup>7.2</sup> Department Head Responsibilities. The respective Department Head will be responsible for reporting and managing authorized users for their department to the Clerk/Treasurer. https://waterloowi.sharepoint.com/sites/fileshares/data/Common/AGENDAS\_MINUTES/2020/\_MAKE MEETING PACKETS HERE/MakeFINANCE/Purchase Policy/2020-07-13PurchasePolicyDraft3/2020-07-13PurchasePolic

7.3. <u>Employee's Use of Fleet Charge Card.</u> The Department Heads are responsible for determining the individual(s) in their organization who will have a fleet charge card. All purchases can and will be tracked by the department, vehicle and user.

The Department Head has the right to establish additional restrictions on City fleet charge card use within his/her respective department.

Fleet Charge Card using employees will be required to sign an agreement that:

- 1. Acknowledges that they understand the purpose of the program.
- 2. Certifies that they have read and understand this Fleet Charge Card Policy Section of the City's Purchasing Policy.
- 3. Confirms that improper use of the card may result in disciplinary action up to and including termination of employment; and
- 4. Guarantees return of the card to the Clerk/Treasurer for reasons such as, but not limited to:
  - a. Change in duties,
  - b. Retirement,
  - c. Termination of employment,
  - d. Improper use, or
  - e. Any other sound reason determined by the Department Head or Mayor.
- 7.4 <u>Automatic Payroll Deduction.</u> If an unauthorized charge occurs, the employee must immediately reimburse the dollar amount being charged to the Clerk/Treasurer's office. If the employee does not submit payment, that lack of action acts as the employee's permission for an automatic payroll deduction for the unauthorized charges or the amount in excess of what is allowed to be taken from the employees next payroll check.
- 7.5 <u>Documentation</u> It will be necessary for the following rules to be followed:
  - 1. Employees who use a City fleet charge card shall, as soon as possible after making a purchase, submit

supporting documentation to the Department Head. Supporting documentation may include:

- a. The vendor's detailed sales receipt.
- b. Documentation must include the name of the vendor providing the goods, the employee(s) involved, vehicle or equipment the fuel is for, the amount, and the date.
- 2. Sales documentation needs to be clearly marked as a charge card purchase with the department/card number indicated and the name of the employee who made the purchase.
- 3. Department Heads or designee will promptly place the approved charges in the Accounts Payable basket in the Clerk/Treasurer's office.
- 4. Upon leaving employment or there is no longer a need for an individual to have a fleet charge card, the Department Head will be responsible for retrieving the card. The Clerk/Treasurer or designee will maintain a list of employees to whom cards have been issued. Department Heads therefore must inform the Clerk/Treasurer's office when it is necessary to either reassign a card or to remove the employee's name from the list of those who are holding a fleet charge card.
- 7.6 Loss of Privilege. If an employee exhibits non-compliance with these procedures, discipline for non-compliance may occur, up to and including the loss of privilege to use the charge card or https://waterloowi.sharepoint.com/sites/fileshares/data/Common/AGENDAS\_MINUTES/2020/\_MAKE MEETING PACKETS HERE/MakeFINANCE/Purchase Policy/2020-07-13PurchasePolicyDraft3/2020-07-

termination. A Department Head has the right to establish additional restrictions on City charge card use within his/her respective department.

### SECTION VIII SALE OF SURPLUS PROPERTY

- 8.1. <u>Tangible Property.</u> City property is declared "surplus" when it is no longer necessary, practical or economical to be retained by the City. Department Heads are responsible for identifying surplus furniture, equipment, supplies, etc., in their departments. The Mayor or designee is responsible for the sale or disposal of all surplus property. The Mayor or designee shall determine the best method for sale or disposal of the surplus property. Such methods shall include internet postings on well-known sites such as eBay or Craigslist, public bid, public auction or private sale.
- 8.2 <u>Police Unclaimed Property.</u> In accordance with Wisconsin State Law, the Waterloo Police Department sells at public auction all lost, abandoned, unclaimed, forfeited or stolen property remaining in the possession of the Police Department for a period of six months without a lawful claimant, except that unclaimed bicycles may be auctioned after a three-month waiting period. The Police use the services of a public internet auction site.
- 8.3 <u>Real Estate.</u> Whenever City owned property is proposed for sale, there should be an internal review conducted by the Mayor and Department Head to determine whether the City may need the parcel in the future and for what purpose. The Mayor will then prepare a report for Plan Commission for review. The Plan Commission will consider the land sale request, along with the Mayor's Report on the property, and then prepare a recommendation based on zoning or land use of the property. The Plan Commission recommendation will then be submitted to the Finance Committee who shall considers whether an appraisal is necessary, how the property may be disposed of, and then forwards a recommendation on to the City Council for final action. The Mayor is responsible for carrying out the Council's actions for disposition of the property. Property may be disposed of by public auction, sealed bids, or by a mutual sales agreement.

# SECTION IX PURCHASING PARAMETERS

- 9.1 <u>Unbudgeted or Under-Budgeted Purchases.</u> The Common Council, by way of a recommendation from the City's Finance/Personnel Committee, must approve all non-budgeted purchases prior to purchasing. The Department Head must still comply with competitive bidding requirements and forward a completed purchase order with copies of bids or quotes received to the City Clerk/Treasurer.
- 9.2 <u>Purchase Orders.</u>

1. A Purchase Order may be issued by a Department Head for internal departmental tracking.

2. The Clerk/Treasurer's Office will review the invoices awaiting payment for accuracy, discounts available, erroneous sales tax charges and may make changes if errors are found.

3. All financial obligations, after administrative review, shall be submitted to the Council for approval at the regular meetings of the Council. The Mayor is authorized to deviate from this point when it is in the best interests of the City to take advantage of discounts offered by suppliers or contractors, which if not pursued, would result in additional costs to the

municipality. Said payments shall be listed for Council approval also, but the checks may be released early if the in the best interest of the City.

# SECTION X PROCEDURES FOR CONTRACTED SERVICES AND OTHER CONTRACTED PURCHASES

- 10.1 <u>Contracts Defined.</u> For purposes of this policy, "contracts" are defined as any document:
  - 1. Requiring signature of statutory officers of the City.
  - 2. Expressly waiving liability of the vendor.
  - 3. Expressing a scope of service to be performed by the vendor.
  - 4. Placing conditions (other than payment) upon the City.
  - 5. Contracts also include lease agreements and memorandum of understandings (MOU's).
- 10.2 <u>Competitive Bidding.</u> Department Heads must follow all competitive bidding requirements for procuring contracted services or purchases. However, a purchase order is not needed in these instances.
- 10.3 <u>Signatories.</u> The signatories for the City are the City Clerk/Treasurer, Deputy Clerk/Treasurer and Mayor, each of whom are authorized to execute the contracts without additional Council action; two of the three persons must sign each contract. Department Heads do not have legal standing to enter into contracts on behalf of the City unless expressly authorized to do so by the City Council.

The Mayor shall have authority to sign contracts to purchase vehicles or equipment without an additional signatory provided they are included in the annual budget and meet the guidelines of the purchasing policy.

10.4 <u>Contract Review.</u> All contracts must be reviewed by the City Attorney as to form prior to the execution of the contract. Department Heads should submit contracts to the City Attorney as soon as possible for timely review – ideally at least one business week prior to the execution date. All questions about whether a document is a contract should be directed to the City Attorney prior to execution of the document.

### SECTION XI EMERGENCY PURCHASES

- 11.1 <u>Policy.</u> Emergency purchasing procedures should only be used when normal purchasing channels are not feasible. Emergency purchases may be made:
  - 1. When there is a need for immediate delivery of items.
  - 2. To prevent delays in work or construction schedules.
  - 3. When there is an immediate threat to employees, public health or safety, or
  - 4. To meet emergencies rising from unforeseen causes.
  - 5. When there is an emergency declaration.
- 11.2 <u>Emergency Purchases over \$1,000.</u> For emergency purchases over \$1,000, the Department Head shall take the following steps:
  - 1. Notify the Mayor of the emergency and receive a waiver of the provisions of the purchasing policy.

2. Complete a purchase requisition after the fact and document emergency status in the "Notes" section.

# SECTION XII GRANTS AS A REVENUE SOURCE

12.1 <u>Policy.</u> Prior approval from the Finance/Personnel Committee is required when the grant requires a City matching contribution. Approval must be granted prior to the submission of the grant application. City matching contributions are defined to include any monetary contribution, change in service or staffing.

# SECTION XIII DONATION POLICY

- 13.1 <u>Policy.</u> The purpose of this policy is to establish a formal process for acceptance and documentation of donations made to the City and to ensure compliance with applicable laws and accounting procedures. This policy supersedes other departmental policies regarding these issues. This policy provides guidance when individuals, community groups, and businesses wish to make donations to the City. This policy also establishes the standards for City employees and City officials regarding the acceptance of gifts and fundraising activities during the performance of City business.
- 13.2 <u>Types of Donations.</u> Donations may be offered in the form of cash, real or personal property. Designated donations are those donations that the donor specifies for a City department, location, or purpose. Undesignated donations are those donations that are given to the City for an unspecified use. Designated donations may only be accepted when they have a purpose consistent with the City's goals and objectives and are in the best interest of the City of Waterloo.
- 13.3 <u>Acceptance of Donations.</u> Based on the value of the donation offered as outlined below, appropriate City staff shall review every donation and determine if the benefits to be derived warrant acceptance of the donation. The following points list the threshold amounts for donation acceptance.
  - 1. Offers of donations of cash or items valued at \$5,000 or below shall be considered for acceptance by the Department Head.
  - 2. Offers of donations of cash or items valued more than \$5,000 and up to \$50,000 shall be considered for acceptance by the Mayor. All donations over \$10,000 shall be reported to the City Council as informational.
  - 3. Offers of donations of cash or items valued more than \$50,000 shall be considered for acceptance by the City Council. Donations valued at more than \$50,000 require acceptance through a written agreement consistent with these guidelines and approved by the City Council.
- 13.4 <u>Acceptance of Designated Donations.</u> Prior to acceptance of designated donations, appropriate City staff will review the conditions of any designated donation and determine if the benefits to be derived warrant acceptance of the donation. Criteria for the evaluation include but are not limited to:
  - 1. Consideration of an immediate or initial expenditure required to accept the donation.

- 2. The potential and extent of the City's obligation to maintain, match, or supplement the donation; and
- 3. The need for the property, including where and what type of property it is.
- 13.5 <u>Fundraising.</u> Solicitation of voluntary contributions shall not violate the Code of Ethics for local officials under Wisconsin Statutes and City of Waterloo Code of Ordinances. In addition, no solicitation shall state or imply that a donation will influence or affect how the party is treated by City officer and employees.
  - 1. All fundraising and solicitation efforts shall be consistent with the missions, goals, and mandates of the City. Solicitation for business, commercial, or personal reasons by City employees not directly related to City operations is prohibited. All donated funds or property become public property upon acceptance and shall be used or expended for public purposes.
  - All significant fundraising and solicitation efforts, as reasonably defined by the Mayor, which support City programs and projects shall be authorized by the City Council after prior review and recommendation by the appropriate oversight Committee, Commission or Board. Council authorization may include continuing authorization or authorization for a one-time only project.
- 13.6 <u>Accounting.</u> Following donation acceptance, the Department shall obtain written approval of Clerk/Treasurer or delegate regarding procedures to account for the donation. Said approval shall include proper accounting protocols for fundraising revenues and expenditures to be coordinated through the office of the Clerk/Treasurer. No Department shall be allowed to maintain a checking or savings account for fundraising activities that is separate from the City accounting system. The Clerk/Treasurer shall also be responsible for ensuring donated property is properly insured upon acceptance of said property.
- 13.7 <u>Status of Donated Property.</u> All donated property given to the City of Waterloo becomes the property of the City to oversee, maintain, and manage and may be used in the complete discretion of the City, unless the parameters of the donation specifically require otherwise. The City will decide when changes shall be made to any facility or materials, with no guarantee of donated items being retained. If personal property becomes obsolete, the City will attempt, if possible, to find another use for the property. The City is not required to maintain the property beyond its useful life. The City does not guarantee future funding for repair, maintenance, use or replacement of donated items.
- 13.8 <u>Library Donations.</u> All donations to the library are governed by the Library Board and its adopted policies.

Mo Hansen Submittal April Zozo M·A. In Response 4/6/2020 Waterloo Employee Handbook Violations Document Presented To Me 4/6/2020 @ 4:30 pm

5.1 The Workweek: Each department head shall recommend to the Personnel Committee a workweek for employees in that department. The workweek shall be established when approved by the Personnel Committee. Within the workweek, each department head shall determine the days and times each employee is scheduled to work, subject to the following section. The scheduled hours of work for employees may vary between departments because of operational demands. Such hours shall not be less than the minimum hours described herein for fulltime employees and shall, as far as practical, be uniform for employees in the same unit assigned to perform the same duties. Full-time employees shall be scheduled to work 40 hours per workweek, except full-time Fire Department employees, who are scheduled to work up to 53 hours per week. \*\*Please submit your hours for city hall. Saturday and Sunday hours have never been authorized. Pay for Sunday April 5<sup>th</sup>, 2020 is pending your

Saturday hours reviewed by prior Mayor and Finance Committee relating to Saturday early voting service hours, and OKed.

Employee has been salaried for duration of employment. Hours requested attached.

5.2 The Workday Each department head shall establish work schedules for subordinate employees. Department heads may be required to work longer than their normal workday. Other personnel occasionally may be requested or required to work more or less hours than their normal workday. <u>Any proposed change in the work schedule on a permanent basis, shall first be submitted to the Finance, Insurance and Personnel Committee for approval.</u> **\*\* Submit hours for staff.** 

Hours submitted are 40 per week on a flex-time basis with office coverage of 8:00 am - 4:30 pm. Maximum flexibility within parameter of office coverage to maximize work productivity and needs of the team.

6.2 Overtime Compensation Employees may be required to work overtime when requested to do so. However, employees working overtime without approval or pre-approval of a supervisor will be subject to appropriate disciplinary action, up to and including immediate termination. \*\* No overtime has been authorized. Submit requests prior to OT.

Employee has been salaried for duration of employment. No OT sought, just a recognition of the extra effort being put forward to get the job done.

#### ARTICLE VIII - DISCIPLINE, RULES, CODE OF ETHICS AND EMPLOYEE COMMUNICATION PROCEDURES

8.1 Political Activity: To serve the best interests of the employee, taxpayers, and City government, it is the policy of the City of Waterloo to restrict certain types of political activity without infringing upon the employee's right and it is important to safeguard the interest of the public whom all municipal employees must serve without political bias and without regard to their political opinions or affiliations. This policy has been developed not to restrict one's constitutional rights but to dramatize and protect the *neutrality of public service personnel*. A. Therefore, employees are prohibited from:

1. Using their official authority of influence for the purpose of interfering with or affecting the result of an election or a nomination for office;

2. Directly or indirectly coerce, command, or advise a state or local officer, employee to pay, lend, or contribute anything of value to a party, committee organization, agency or person for political purposes.

B. On the other hand, employees on their own time shall be permitted to:

1. Express their opinions on political subjects and candidates;

2. Take an active part in political management and political campaigns;

3. Campaign for a candidate in an election by making speeches, writing on behalf of the candidate or soliciting voters to support or oppose a candidate;

4. Attend political rallies or campaign meetings;

5. Transport voters to the polls for their convenience;

6. Make voluntary contributions to a political party or organization

The email in question is attached. It seeks support from the Mayor and City Council assist in the process of election integrity. The Clerk/Treasurer is the lead election administrator. Clerks are on the front lines. I was asking you to share a local perspective with state officials. Just like the League of Municipalities does on a daily basis, I was advocating for advancing a local office holder perspective with state officials. I am the official who addresses questions of election integrity and accusations of elections being rigged. In my email I'm looking for your support in that effort.

The email is a local-state matter. Not a partisan matter.

**8.12 Standards of Conduct**: Although we believe we have a dedicated group of employees, the following is a non-exhaustive list of basic standards of conduct which the City expects its employees to comply with:

1. Employees must comply with the City's policies and procedures. **\*\*Unauthorized OT & weekend** hours; abuse of city email see item 7 & 9.3 Computer use policy

2. Employees must report to work at their regular starting time and remain at work until the conclusion of their scheduled work day.

3. Employees must report excused and unexcused absences to the City as soon as possible in the manner required by the City.

4. Employees must perform their employment-related responsibilities in accordance with the City's expectations and performance standards.

5. Employees must not fail or refuse to perform work. **\*\*Needs multiple reminders to finish tasks** 

6. Employees must not engage in insubordinate conduct, ridicule, or express hostility toward co-workers or the authority of management. **\*\*Commonly argues with department heads** 

 7. Employees must not conduct personal business on work time or use the City's computer or communications systems for personal pursuits. <u>\*\*Political email to council on Sunday 4/5/20</u>
 8. Employees must not falsify personnel documents, time records, expense vouchers, job records, or other City records.

 Employee does not received OT. Please see answer above. I would not characterize the email as abuse of city email.

5. I have many tasks. Often times within the same several hours several will seek to prioritize my work day. The prioritization principles I practice: (a) citizen concerns; (b) statutory requirements; (c)municipally priorities - there are many; (d) Mayor and Department Heads requests; (e) other elected officials; (f) partner agencies/governments.

The quantity of tasks regularly exceeds the time available.

6. I am passionate about what I do. The principle I practice is attempting to do for others. I attempt to advocate for ideas I believe are in the long-term best interest of the city.

7. In 2017 I loaded my taxes online using the work machine because I was mired in an identify theft situation. I access Facebook because operating the City Hall account requires an account from a human. Contrary to what my spouse or others may assume. I do not conduct person business on my work computer. This can be indirectly confirmed by asking Waterloo Library staff hour many hours I am in the library using public computers. This can be secondarily confirmed by the Watertown Library staff to which I regularly travel on Sundays to, again access public computers. 13. Employees must not use profane, obscene, <u>hostile</u>, <u>offensive</u>, <u>discourteous</u>, or abusive language while at work, or otherwise engage in conduct intended to harass or <u>intimidate co-workers</u>, clients, customers, or others. Employees who violate this policy will be subject to appropriate disciplinary action, up to and including immediate termination. **\*\*Complaints and observed hostility at city hall** 

I am unaware of hostile, offensive or discourteous language while at work.

#### 8. Policy Violations

1. Users understand that violation of this Policy may result in suspension or termination of computer, network account and other access and, depending upon the circumstances, may result in disciplinary action including, but not limited to, employment termination. Policy violations will be processed through normal City channels. If the activity is also unlawful, it may result in criminal prosecution. Pending resolution of any disciplinary process, the Department Supervisor or designee may suspend City computing privileges if the alleged violation is reasonably perceived to constitute unlawful activity, pose a substantial risk to the safety or welfare of the City or members of the community. **\*\*Email on Sunday** 4/5/20

A stated above the 4/5 seeks to put the welfare of the city (Election Integrity) first. I'm looking for support from the Mayor and City Council so we don't have a re-run of chasing ghosts with claims of rigged elections like what occurred in 2016. Just as the League of Municipalities advocated for city in the various ways it does, we too have local responsibility to voters to maintain election integrity. It is important to note that my email was not a *public* email. It was directed to the Mayor and City Council. I conducted myself in the same manner I would if the topic was waste management; tax incremental finance; or collection of personal property taxes. In this case the topic was election integrity. PROHIBITED USES OF EMAIL AND THE INTERNET (both work-related and personal):

<u>A. Email System:</u> The City of Waterloo provides an electronic communication system to employees to assist in conducting official City business. All email sent, received or stored on the City of Waterloo's electronic communication systems is the property of the City of Waterloo.

1. Guidelines for Email system use:

a. Although an employee may have a personal password, email can be accessed by the city with or without advance notice.

b. All messages sent and received on the email system are the property of the City and may constitute public records and should not be regarded as private communications.

c. Employees are strictly prohibited from creating, soliciting, and/or exchanging messages, audio recordings or images that are offensive, harassing, sexually oriented, defamatory, obscene or threatening.

d. Discrimination and/or harassment over the email system will not be tolerated and constitutes a clear violation of city policy. **\*\*Email of Sunday 4/5/20** 

e. The city allows limited, occasional or incidental personal use of the email system provided the use does not involve prohibited activities, interfere with productivity, consumes storage capacity, or involve large files Page 34 of 51 COMMON COUNCIL APPROVAL: MARCH 21, 2013 WATERLOO WATER & LIGHT COMMISSION APPROVAL: APRIL 9, 2013 EFFECTIVE APRIL 1, 2013

f. Employees are prohibited from using City computers or cell phones/devices to access personal email services such as offered by Google, Yahoo, Hotmail etc., without approval from a supervisor.

g. The general rule is that email is a public record whenever a paper message with the same content would be a public record. Therefore, email messages may be subject to Open Records Requests by the public.

h. Employees shall not distribute advertisements, chain letters or similar materials.

i. Employees should not open links or attachments received from an unknown source or unverified source

I see nothing in red above not previously addressed. None of the words on (c.) or (d.) apply.

Thank you.

-Mo Hansen

On own time.

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# Mo Hansen

om:	Mo Hansen
Sent:	Sunday, April 05, 2020 9:22 AM
То:	Angie Stinnett; City of Waterloo, Mayor; Eric Rhynes; h20looalder@gmail.com; jasonwtlw1@gmail.com; Jeanette Petts (Jeanette.petts@yahoo.com); Ron Griffin (griffinrepair@gmail.com); thomastr2000@yahoo.com
Subject:	Election clarifications / GOP emergency order before US Supreme Court

Mayor and City Council,

Election integrity is important. I'm writing because I am responsible for City of Waterloo election integrity. Please reach out to Republican legislative leaders and ask them to stop making inaccurate claims for political benefit.

- 1. PROCESS. This email clarifies the process for which all Wisconsin Clerk's are currently working under for the April 5, 2020 election.
  - The Wisconsin Election Commission is clearly stating to Clerks and to the public that we are not under an order to "*permit unlimited absentee voting*" as GOP lawyers are saying (see #2 below) <u>https://elections.wi.gov/</u>
  - b. From the <u>Wisconsin Election Commission website</u>: 4/5/2020 8:15 AM [ highlights mine]
    - i. Important Information about COVID-19 Coronavirus and the April 7 Election
    - ii. <u>Click here to learn what the Wisconsin Elections Commission and local election officials are</u> <u>doing about COVID-19</u>.
    - iii. <u>Federal Court Order Affects Spring Election Absentee Ballot Request and Receipt</u> <u>Deadlines Extended</u>.
      - 1. The April 7 Spring Election and Presidential Preference Primary is occurring as scheduled.
      - 2. The deadline to request an absentee ballot in the mail has now passed. You may still be able to vote absentee in-person this weekend. [WATERLOO NOTE: Per our published schedule, Waterloo in-person voting ended Saturday at noon]
      - 3. By federal court order, the deadline to <u>return</u> your absentee ballot to your municipal clerk has been extended to 4 p.m. on Monday, April 13.
  - c. A note on scale. Statewide, as of 3/31/2020, over 1.2 million absentee ballots had been requested, while 387,833 had been returned. A similar election in 2016 had about 275,000 ballots requested -- in total.

Bottom line on process. The court order only affects the <u>returning of ballots issued under standard timelines</u>. We have kept pace in Waterloo, but many Clerks are overwhelmed. The order does not provide "unlimited absentee voting for almost a week after election day."

2. EMERGENCY GOP PETITION BEFORE US SUPREME COURT. Statements contained within an emergency petition submitted by the Wisconsin Republican Party and the Republic National Committee to the US Supreme Court (which is to issue a ruling by 2 pm Sunday (EST) are inaccurate, misleading and have the effect of sowing uncertainty and public discord about election integrity. Specifically, the emergency petition, filed Saturday afternoon says "requiring a state to permit unlimited absentee voting for almost a week after election day presents significant dangers to election integrity, voter confidence and the orderly administration of an election that already has strained state resources due to the difficult circumstances associated with COVID-19." (FULL ARTICLE: <u>https://www.cnn.com/2020/04/04/politics/rnc-wisconsin-republicans-voting/index.html</u>)

See #1 above, the Wisconsin Election Commission is clearly stating that we are <u>not</u> under an order to "*permit unlimited absentee voting*."

### 3. THE UNSPOKEN POLITICAL MOTIVES AT PLAY.

- a. The GOP actively works to suppress voting because GOP dominated rural-town governments choose to under-fund clerk's operations; and the GOP base has less opportunity to regularly vote.
- b. Over the last 15 years...
  - i. GOP needs rural township voting margins to win at the Congressional, County or statewide.
  - ii. Rural townships and small-town leaders historically have made recurring political decisions to *not* levy taxes, and have under-funded the operations for Clerks (one example of hundreds across Wisconsin -- Town of Portland, Clerk Nancy Thompson works out of her home with little to no township resources to deal with, not only this election -- but ANY election. Last we spoke she had a poll workers shortage and her computer had crashed. {I've helped})
  - iii. Urban and efficiently funded clerks offices are able to provide better election services. Hence, more people <u>regardless of party orientation</u> vote. <u>Democracy is prioritized</u>. For the last five years Waterloo Republicans have liked Saturday in-person voting as well as Democrats. In other areas -- by their own choosing -- low-tax, low-service areas provide only the bare minimal of election services to their taxpayers.
- c. Net outcome... GOP loses because rural people practice lower levels of voter participation ("too hard to vote") and those in other parts of the state (i.e. five-years of Saturday service and extended hours in Waterloo) have growing participation rates.
- d. GOP is left paying high-priced lawyers at the US Supreme Court to try to limit the ability of ballots <u>requested within the standard window provided by law</u> – from being counted.

### Have a great weekend.

Mo Hansen | Clerk/Treasurer | City of Waterloo | 920.478.3025

# City of Waterloo Finance, Insurance & Personnel Committee

# Annual Calendar

(revised: 5/5/2020)

□ Meeting night: 3<sup>rd</sup> Thursday of month at 6:00 pm

☐ Monthly recurring: review of disbursements, payroll and treasurer's reports available online: at the municipal Budget & Financials webpage

JANUARY
FEBRUARY
Review of potential closure of Tax Incremental District No. 4
MARCH
APRIL
§ 53-12 Review of debt schedules & debt refunding opportunities.
MAY
□ Addressing items raised in financial audit.
□ 2020 Budgeting tool upgrade decision point.
□ 2020 Website vendor decision point.
JUNE
□ Mayor's 2020 Budget start date; build Council consensus for budget policy objectives; practice two-year budgeting.
□ Tax Incremental Finance Districts, review.
🗆 Impact Fees, review.
🗆 2020 Lt. Thom Comp Time Waiver, review.
□ 2020 Hiring of Full-Time Police Officer (start).
JULY
□ Traditional beginning of budget consideration with budget memo to department heads.
□ Addressing items raised in worker compensation audit.
□ 2020 Clerk/Treasurer Evaluation, review.
□ 2020 Hiring of Full-Time Police Officer (finish).
AUGUST
□ Budget deliberation.
SEPTEMBER
Traditional department submittals received.
□ § 53-14 Updating capital improvement plan.
□ Budget deliberation.
OCTOBER
□ § 53-4 Budget - Departmental budget submittals each year, on or before October 1.
Initial review of calendar year insurance renewal policies.
□ Final Committee budget recommendation to full City Council.
□ 2020 Clerk/Treasurer Evaluation, review.
NOVEMBER
□ Final review of calendar year insurance renewal policies.
DECEMBER
U WPPA Contract multi-year contract, renewal

### NOTES FROM MUNICIPAL CODE

### § 85-9 Appointed staff job performance reviews.

A. The job performance of the Clerk-Treasurer, City Attorney, Police Chief, Fire Chief, Assessor, Director of Public Works, Building Inspector, Emergency Management Director, Parks Director and City Engineer shall be reviewed by the Finance, Insurance and Personnel Committee. The Finance, Insurance and Personnel Committee shall report its finding to the full Council in closed session, as deemed necessary.

### § 53-12 Debt policies.

Refunding: (a) Periodic reviews of outstanding debt by City of Waterloo staff will be undertaken to determine refunding opportunities. Refunding will be considered by the Finance, Insurance and Personnel Committee if and when there is a net economic benefit of the refunding.

# § 53-14 Capital improvement program policy.

Policy. The City will make all capital improvements in accordance with an adopted capital improvement program. The City will develop a five-year plan for capital improvements and update it annually.

<u>C.</u> Procedure. The City of Waterloo Finance, Insurance and Personnel Committee or its designee shall, prior to each annual budget process, submit a capital improvement plan consisting of a project description, estimated costs and probable funding sources to the Council for its consideration. The Council shall act on the recommendations in a timely manner.

# Qualifications and duties.

### A. Clerk-Treasurer.

Appointment. The Finance, Insurance and Personnel Committee shall solicit applications for the position of City Clerk-Treasurer and shall review the applications and submit a list of at least three qualified candidates to the Council for initial interviews. The Council and the Mayor shall interview the selected candidates and select at least two candidates for a second interview. The Council shall then recommend one applicant to the Mayor for appointment.

### § 53-4 Budget.

A. Departmental estimates. Each year, on or before October 1, each officer, department and committee shall timely file with the Clerk-Treasurer an itemized statement of anticipated disbursements made to carry out the powers and duties of such officer, department or committee during the preceding fiscal year, and a detailed statement of the receipts and disbursements on account of any special fund under the supervision of such officer, department or committee during such year, and of the condition and management of such fund, along with detailed estimates of the same matters for the current fiscal year and for the ensuing fiscal year. Such statements shall be presented in the form prescribed by the Clerk-Treasurer and shall be designated as "Departmental Recommended Budgets" and shall be as nearly uniform as possible for the main division of all departments for incorporation into the budget document.

B. Preparation procedure.
 (1) Budget to include. Each vertex

(1) Budget to include. Each year the Finance, Insurance and Personnel Committee, with the assistance of the Clerk-Treasurer and the appropriate committees, officers and department heads, shall prepare and submit to the Council a proposed budget presenting a financial plan for conducting the affairs of the City for the ensuing calendar year. The budget shall include the following information:

# <u>(a)</u>

The expense of conducting each department and activity of the City for the ensuing fiscal year and corresponding items for the current year and last preceding fiscal year, with reasons for increase and decrease recommended as compared with appropriations for the current year. (b) An itemization of all anticipated income of the City from sources other than general property taxes and bonds issued, with a comparative statement of the amounts received by the City from each of the same or similar sources for the last preceding and current fiscal year.

### § 30-4 Standing rules.

The standing rules for the government of the Council shall be as follows:

<u>E.</u> Ordinances and resolutions referred to committee. All ordinances, resolutions, communications and other matters submitted to the Council shall be read by title and author and may be referred to the appropriate committee by the Mayor. The Clerk-Treasurer shall read and record each such reference by title. Any Alderperson may require the reading in full of any matter at any time it is before the Council. All bills and other financial claims against the City shall, upon receipt thereof, be immediately referred by the Clerk-Treasurer to the Finance, Insurance and Personnel Committee for report thereon at the ensuing meeting of the Council.