

City in a positive direction. He noted the City is four to six months out before an Administrator is hired. Interim City Administrator Kevin Halliday stated he is confident with Michael Schmit's abilities and staff has worked well with him in the past. It was also mentioned there are currently labor issues with the Department Head, First Line Supervisor and Confidential Employees Group that need to be resolved which makes having staff in this position difficult.

Mayor Calvin also voiced his concern that with the absence of a City Administrator, meetings with the legislature are not being attended and the proposed "Wye" project funding could suffer if contact with legislators is dropped.

The motion to name Kevin Halliday as Interim City Administrator until a new Administrator is hired was voted upon and passed with 3 Ayes and 1 Nay, Council Member Plowman casting the "no" vote.

Item No. 7 Consider Process to Fill City Administrator Position (For Information Only)

Interim City Administrator Kevin Halliday requested the Committee decide on a plan of action to fill the City Administrator position. The process can be either an external or internal process. An external process would require staff to prepare an RFP for consultant services to control the process from advertising, collecting applicant's resumes through guiding the Council on interview day. The advantages for candidates are 1) perceived protection of private data for applicants not making the final selection and 2) an assumed approximate two-year salary protection offered by the consultant firm to the top selected candidate in case of an early dismissal by the Council. The disadvantage is the near \$20,000 cost of which \$4,000 would be advertising the vacancy.

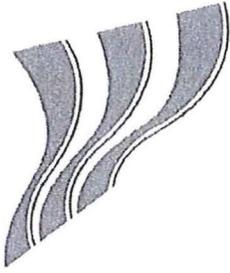
The internal process would require staff to prepare advertising documents, place ads in appropriate associations and websites, collect applicant resumes, and prepare Council interviewing packets. The advantage is lower costs. The disadvantage would be the reverse of items 1) and 2) as stated earlier. However, the protection of private data is only their perception as the City protects private data on unselected applicants.

It was noted City Attorney Robert Scott recommends the external process, as does the League of MN Cities.

Interim City Administrator Kevin Halliday did ask the Committee to review the ordinance that established the Administrator position. The job description should also be reviewed for any additions or deletions. It was the consensus of the Committee to have staff make any recommended changes to the job description and have them brought before the Labor Relations Committee at a special meeting at 4:45 p.m. on May 6, 2015. No action was taken on whether to hire a consultant to assist with the hiring process or whether staff could conduct the hiring process.

Item No. 8 Agenda Items 8 Through 11 (For Information Only)

Chair Steve Ahmann announced that at the recommendation of Labor Attorney Frank Madden, the next four agenda items are not to be brought before the Committee. They will be dealt with through the upcoming hearing of the Bureau of Mediation Services sometime after May 15<sup>th</sup>. A motion was made by Council Member Plowman, seconded by Council Member Dokken and passed to table these items until a Labor Relations meeting after May 15, 2015.



CITY OF WILLMAR, MINNESOTA  
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 84

Meeting Date: April 29, 2015

Attachments:  Yes No

CITY COUNCIL ACTION

Date: May 4, 2015

- Approved  Denied
- Amended  Tabled
- Other

Originating Department: Finance

Agenda Item: Accounting Supervisor Position Classification

**Recommended Action:** Mutually agree to classify Accounting Supervisor as Supervisor. Staff is requesting an explanation of the City's position to reclassify the Accounting Supervisor Position to a non-supervisory classification.

**Background/Summary:** Attachments:

- A) 10/15/2003 City Council Labor Relations Minutes
- B) 10/15/2003 City Council Minutes
- C) 10/20/2003 Accounting Supervisor Job Description
- D) 04/10/2014 Accounting Clerk Job Description
- E) 01/13/2004 Correspondence to Accounting Supervisor from City Administrator
- F) 01/14/2004 Email and Reclassification from City Administrative Assistant to Accounting Supervisor
- G) 01/27/2004 Correspondence from AFSCME in agreement of reclassification
- H) 01/28/2004 Memo to Accounting Clerk from City Administrator putting reclassified position in Dept Head, First Line Supervisor & Confidential Employee Bargaining Group
- I) 01/09/2015 Email in reference to job descriptions.

**Alternatives:** Disagree on position classification.

**Financial Considerations:**

Preparer: Steve Okins, Finance Director

Signature:

**Comments:**

## LABOR RELATIONS COMMITTEE

### MINUTES

The Labor Relations Committee of the Willmar City Council met on Wednesday, October 15, 2003, in Conference Room No.1 at the City Office Building.

Present: Nancy Houlahan ..... Chair  
Denis Anderson ..... Member  
Ron Christianson ..... Council Member  
Jim Dokken ..... Council Member  
Michael Schmit ..... City Administrator

Others present included Municipal Utilities Commissioners Marv Kray, Alice Weiberg and Bob Bonawitz; and General Manager Michael Nitchals.

Item No. 1 Chair Houlahan called the meeting to order at 4:45 p.m. and briefly explained that it's the intent to close the meeting to discuss contract strategies. Council Member Anderson moved to close the meeting at 4:50 p.m. with Council Member Dokken seconding the motion, which carried. Council Member Christianson moved to reopen the meeting at 6:25 p.m. with Council Member Anderson seconding the motion, which carried.

Item No. 2 City Administrator Schmit presented to the Committee a series of recommendations to revise job description and position classification:

- A. Assistant Lab Technician at Wastewater Treatment Plant. The position is being proposed for an upgrade to include additional responsibilities for specific projects (i.e. biofilter and other odor mitigation improvements), work on industrial pretreatment programs, the development and implementation of a phosphorous management plan, and safety training for City employees. (Pay grade 5 to pay grade 6).
- B. Secretary/Receptionist. Additional responsibilities with licensing and permits, liquor applications and certificates of insurance, preparation and publication of legal notices, building permits, annual reports, and bond debt payments. (Pay grade 2 to pay grade 4)
- C. Information Systems Technician. Position being downgraded from Coordinator. The position will continue to maintain the integrity of the City's information systems for all departments including

maintenance, security, and general technical assistance. It will be the intent of staff to use other existing resources and/or outsource for major programming and networking. (Pay grade 8 to pay grade 6)

- D. Accounting Supervisor. Involves major reorganization of Finance Department and upgrades Accounting Clerk to supervisory position overseeing accounts receivable, payroll, accounts payable, and Information Systems Technician. Assists Director with numerous management tasks (i.e. preparation of financial reports, supervision of other employees, and coordination of PC equipment installation and maintenance operations. (Pay grade 4 to pay grade 6).

Following a brief discussion of the proposed changes, Council Member Anderson moved to recommend to the Council adoption of the revised position classifications with Council Member Christianson seconding the motion, which carried.

There being no further business to come before the Committee, Chair Houlahan declared the meeting adjourned at 6:40 p.m.

Respectfully submitted,

Michael Schmit  
City Administrator

The Public Works/Safety Committee Report for October 14, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Christianson, and carried.

The Labor Relations Committee Report for October 15, 2003, was presented to the Mayor and Council by Council Member Houlahan. There were two items for Council consideration.

Item No. 1 The Committee meeting was called to order at 4:45 p.m. and Chair Houlahan briefly explained that it's the intent to close the meeting to discuss contract strategies. The meeting was then closed at 4:50 p.m. and reopened the meeting at 6:25 p.m. This matter was for information only.

Item No. 2 City Administrator Schmit presented to the Committee a series of recommendations to revise job description and position classification:

- A. Assistant Lab Technician at Wastewater Treatment Plant. The position is being proposed for an upgrade to include additional responsibilities for specific projects (i.e. biofilter and other odor mitigation improvements), work on industrial pretreatment programs, the development and implementation of a phosphorous management plan, and safety training for City employees. (Pay grade 5 to pay grade 6).
- B. Secretary/Receptionist. Additional responsibilities with licensing and permits, liquor applications and certificates of insurance, preparation and publication of legal notices, building permits, annual reports, and bond debt payments. (Pay grade 2 to pay grade 4)
- C. Information Systems Technician. Position being downgraded from Coordinator. The position will continue to maintain the integrity of the City's information systems for all departments including maintenance, security, and general technical assistance. It will be the intent of staff to use other existing resources and/or outsource for major programming and networking. (Pay grade 8 to pay grade 6)
- D. Accounting Supervisor. Involves major reorganization of Finance Department and upgrades Accounting Clerk to supervisory position overseeing accounts receivable, payroll, accounts payable, and Information Systems Technician. Assists Director with numerous management tasks (i.e. preparation of financial reports, supervision of other employees, and coordination of PC equipment installation and maintenance operations. (Pay grade 4 to pay grade 6).

Following a brief discussion of the proposed changes, the Committee was recommending to the Council adoption of the revised position classifications. Council Member Houlahan moved to approve the recommendation of the Labor Relations Committee with Council Member Anderson seconding the motion, which carried.

The Labor Relations Committee Report for October 15, 2003, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Houlahan, seconded by Council Member Chapin, and carried.

The Finance Committee Report for October 16, 2003, was presented to the Mayor and Council by Council Member Anderson. There were five items for Council consideration.

Item No. 1 Pursuant to a previous Committee request, staff presented an analysis of proposed CenterPoint Energy Minnegasco franchise fees. The analysis included per unit costs based on a 4 percent monthly-annual cost versus fixed fees. Following a lengthy discussion, the

City of WILLMAR

## ACCOUNTING SUPERVISOR

**Position Title:** Accounting Supervisor

**Department:** Finance

**Department Head:** Finance Director

**Immediate Supervisor:** Finance Director

**Pay Range:** 6 **FLSA Status:** ~~Non-exempt~~ **Exempt**

APPROVED:	October 20, 2003
REVISED:	_____
REVISED:	_____
REVISED:	_____

### Purpose

- \* Performs supervisory technical/clerical work with responsibility for performing moderately complex tasks in accounts receivable, accounts payable, cash receipts, fixed assets, budget support and financial record keeping. Decisions are made in accordance with established procedures although variety and complexity may be great. Independence of work activity is expected. Serves as back-up for payroll. Assists Finance Director in the budgeting process. Serves as a confidential employee.

### Organizational Relationships

Communicates with: *Internally* - All City departments, MUC staff and Rice Hospital staff;  
*Externally* - HRA, County and State agencies, ACS, Heritage Bank, auditors and various vendors/suppliers.

Supervises: ~~Accounting Clerk IIB and Accounting Clerk III.~~ **Accounting Clerks**

### ESSENTIAL FUNCTIONS

Assist employees with necessary paperwork for various types of situations (e.g. new hire, termination, retirement, leave-of-absence); explain benefits options; and answer questions or refer to other information sources

Set up, maintain and terminate employee data reflect changes and adjustments on the AS400, Excel software and the individual employee's physical files; and maintain an employee database  
Perform nightly back-ups on AS400 for off-site back-ups.

Type finance agendas, make copies and distributes to appropriate people as directed by Supervisor.

Perform backup duties for payroll processing.

Monthly reconcile bank statements.

Maintain detailed fixed asset records on all relevant purchases.

Calculate interest breakdowns for any interest earnings received; calculate investment breakdowns for any investment that is purchased or cashed; and compiles quarterly Investment/Interest Activity Report for Finance Director.

Gather, compile and compute the monthly sales/use tax to be reported to the State of Minnesota; process requisition for payment.

Assist Finance Director with the production of the Annual Financial Statement.

Process tax settlement by receipting payment, balancing taxes and assessments.

## ACCOUNTING SUPERVISOR

### ESSENTIAL FUNCTIONS (continued)

Keep records on all contracts/leases/agreements that require billing; maintain summary sheets for reference.

Process journal entries.

Set up new codes as directed by Finance Director and keep current chart of accounts on hand.

Compile year-end interest receivable report for all interest earned on investments.

Respond to employee questions regarding salary and benefits by personally providing information or referring employee to appropriate contract.

Perform monthly closings on financial software.

Run monthly revenue, expenditure and general ledger reports to copy and distribute to Finance Director and

place in appropriate physical files.

Compile monthly balance sheets, income statements and tax-collected graphs for all Funds and Departments; and copy and distribute to appropriate parties.

Answer questions from other departments concerning payables/receivables, fixed assets, Payroll payments, coding of receipts, reports, etc.

Record all bonds (City, MUC, Hospital) by type and payment schedules.

Assign work to employees, including assigning work duties, determining work priorities and assigning work hours.

Direct employees, evaluate assigned work product and exercise the authority to reject the assigned work product which does not meet standards.

Approve requests for vacation and sick leave.

Approve and sign time cards.

Complete and sign probationary employee evaluation forms.

Issue verbal reprimands to employees when necessary and discuss corrective action.

Recommend the issuance of a written reprimand of an employee, the suspension of an employee, and the discharge of an employee.

Serve as the Department's representative at Step 1 of grievance procedure, including responding orally and/or in writing to grievance.

### Other Duties and Responsibilities

Works on various projects and miscellaneous tasks as assigned by Finance Director.

Performs other related duties as assigned.

## ACCOUNTING SUPERVISOR

### **Required Knowledge, Skill, and Abilities**

Knowledge of accounting practices and procedures including A/R, A/P and payroll.

Skill in operating IBM AS400 computer using Quickbooks Pro, Microsoft Office and PC desktop software and ability to perform some basic troubleshooting.

Skill in handling cash receipts, financial transactions, payroll and fixed assets.

Ability to be flexible in work tasks.

Ability to initiate tasks, works with little supervision and use independent judgment.

Ability to prioritize work tasks and complete with 100% completeness and accuracy.

Ability to understand and follow written and verbal instructions.

Ability to establish and maintain effective work relationships with others.

*Machines, tools and equipment used:* printers, copiers, fax machine, calculators, telephone, wycom box, binding/punching machines, postage scale and typewriter.

### **MINIMUM QUALIFICATIONS**

Associate's degree in accounting and a minimum of three years of previous accounting or record keeping experience including the use of personal computers and automated accounting systems.

### **Working Conditions**

Works in typical office setting sitting for extended periods of time working at computer and desk. Use fine-motor skills and performs repetitive movements and some lifting of object such as office supplies and files. Uses near vision, hearing, and sense of touch.

City of WILLMAR

## ACCOUNTING CLERK

**Position Title:** Accounting Clerk

**Department:** Finance

**Department Head:** Finance Director

\* **Immediate Supervisor:** Accounting Supervisor

**Pay Range:** 4 **FLSA Status:** Non-exempt

APPROVED: April 5, 2000

REVISED: May 4, 2009

REVISED: April 10, 2014

REVISED:

### Purpose

Performs non-supervisory technical/clerical work with responsibility for performing moderately complex tasks in accounts receivable, accounts payable, cash receipts, fixed assets, budget, Payroll support and financial record keeping. Decisions are made in accordance with established procedures although variety and complexity may be great. Independence of work activity is expected.

### Organizational Relationships

Communicates with: *Internally* - all City employees, Rice Hospital, Willmar Municipal Utilities; *Externally* - County personnel, PERA staff, Blue Cross, state and federal agencies, National Benefits, Great West, Minnesota Mutual, MN State Retirement, CDS, Willmar employees' exclusive representatives, MBA, MN NCPERS, BRC, American Business Forms, Berkely Administrators, RCM Data Corporation., H&T Corporation and Print House.

Supervises: None

### ESSENTIAL FUNCTIONS

Process the complete payroll cycle by verifying and inputting time sheets, writing checks, printing and distributing reports, updating files and mailing vendor checks, making tax payments and completing/submitting quarterly and annual reports including W-2s. Calculate and or disburse special payments such as clothing allowance, merit pay and back pay.

Answer phone for Finance Department, greet visitors and direct to appropriate staff.

Perform nightly back-ups on AS400 and off-site back-ups

Process billing requests by typing invoices, preparing statements and handling collections.

Process all monthly insurance payments.

Calculate employee salaries and benefits for budgeting purposes as well as actual payment schedules; and review and use collective bargaining agreements for applicable wage and benefit information.

Track employees' paid time off such as personal leave days, vacation and sick leave, donated sick leave hours, and family and medical leave.

Respond to various surveys through telephone contact and completing hard copy questionnaires.

Calculate and submit billing requests for employees who need to be billed for benefits.

Prepare worksheet regarding unemployment reports and salary payments for auditing purposes.

Process daily cash receipts

Process all City bills through verifying and coding invoices, printing checks, maintaining W-9's on vendors, and handling Electronic Fund Transfers.

## ACCOUNTING CLERK

### ESSENTIAL FUNCTIONS (Continued)

Gather, compile and compute the monthly sales/use tax to be reported to the State of Minnesota; process requisition for payment

Annually calculate project worker's compensation costs.

Verify worker's compensation checks and jury pay checks with contract provisions and time missed from work.

Order all necessary supplies such as blank checks/time sheets/ W-2s, paper and other stock supplies.

Track employee participation in deferred compensation program; make adjustments on computer as needed; and keep up-to-date on relevant government guidelines.

Load upgrades on the AS400 when applicable.

Track certain retirees' benefits; track participants in City's sick leave conversion program, make appropriate adjustments to employees' health insurance premiums; enter information on W-2; and track City's contribution for health insurance premiums under retiree buy-out program.

Provide support for budgeting process; prepare a variety of worksheets relating to employee salaries and benefits; input proposed requests into computer; run computer reports according to various sorts; prepare computer-generated summary sheets; balance totals, including personal services and capital outlay items; and prepare sufficient number of copies of budget.

Prepare worksheets for "Actual Salaries versus Budgeted Salaries" and "Back Pay Costs versus Budgeted Salaries" for journal entries.

Process and maintain the flexible spending accounts program.

Maintain the payroll book, employee numbering book, employee ro-lo-dex and a job duties and instruction book.

Perform year-end special assessments through reconciliation with the general ledger.

Perform year-end expenditure process through balancing fixed asset accounts, printing 1099's and calculating encumbrances and prepaids.

Account for miscellaneous payables and process requisitions for payment.

Keep records on all contracts/leases/agreements that require billing; maintain summary sheets for reference.

Maintain records on Eagle Lake Sewer District, bill the County monthly and processes all correspondence from them relating to the district.

Troubleshoot problems with printers, computers, cash receipts systems and software problems.

Answer questions from other departments concerning payable/receivables, fixed assets, payments, coding of receipts, reports, etc.

Keep up-to-date on law changes and procedural issues by attending class, seminars and other training; and review pertinent correspondence and literature received at office.

### Other Duties and Responsibilities

Works on various projects and miscellaneous tasks as assigned by Supervisor personnel

Maintain a list of all Rice Hospital, MUC, and City employees regarding who is on the fuel system. Perform other related duties as assigned or apparent.

## ACCOUNTING CLERK

### **Required Knowledge, Skills and Abilities**

Knowledge of and ability to apply departmental policies, procedures and practices as well as provisions of the City's personnel policy, collective bargaining agreements and safety policy.

Knowledge of, and ability to apply to position's work tasks, applicable accounting/bookkeeping procedures, state and federal laws/rules/regulations and insurance company provisions.

Ability to organize and prioritize work tasks and be self-motivated.

Ability to complete tasks in a thorough and timely manner with appropriate level of documentation.

Ability to work on multiple ongoing tasks with sufficient attention to detail.

Ability to understand and follow written and verbal instructions.

Ability to initiate routine tasks and work with little supervision.

Ability to be flexible in work tasks.

Ability to establish and maintain effective working relationships with others.

Ability to use departmental office equipment and machines.

Ability to understand and use City's accounting and network software applications.

Ability to produce work results with 100% completeness and accuracy.

Ability to work with confidential information with an appropriate level of discretion.

Ability to respond, orally and in writing, to employees' payroll-related questions.

Ability to establish effective work relationships with others and exercise appropriate interpersonal and communications skills.

*Machines, tools and equipment used:* AS400, personal computer, printers, typewriter, copiers, fax, binding machine, calculator and phone.

### **Working Conditions**

Works in typical office setting sitting for extended periods of time working at computer and desk. Use fine motor skills and performs repetitive movements and some lifting of object such as office supplies and files. Uses near vision, hearing, and sense of touch.

### **Minimum Qualifications**

Associate's degree in accounting or three to five years of previous accounting experience. Any combination of education and experience may be considered.



**CITY ADMINISTRATOR**

City Office Building  
Box 755  
Willmar, Minnesota 56201  
320-235-4913  
FAX: 320-235-4917

January 13, 2004

Ms. Carol Gluth  
Finance Department  
333 SW 6<sup>th</sup> ST  
Willmar, MN 56201

Dear Carol:

It seems that we have finally completed our Finance Department reorganization. Finance Director Okins has reviewed those changes with you in a memorandum dated January 13, 2004. Your position classification as Accounting Clerk III has been upgraded to that of Accounting Supervisor effective October 20, 2003. A copy of the new job description is enclosed for your records.

I have contacted AFSCME General to request its concurrence to place the Accounting Supervisor position classification in the Department Head, First Line Supervisor, Confidential Employee (DH, FLS, CE) group. In the event such an agreement is not forthcoming, steps will be taken to seek a unit clarification from the Bureau of Mediation.

For the purposes of adjusting your compensation to reflect these changes in your responsibilities, I am directing the following actions:

1. Effective October 20, 2003, your salary shall be set at \$16.86. That rate shall be adjusted effective January 1, 2004, by any amount negotiated by AFSCME as a 2004 wage adjustment through the date of a new contract approved by Council. In the event you are moved to DH, FLS, CE prior to any AFSCME settlement, the effective date of the change may require Payroll to make a number of calculations when figuring any back-pay required from January 1, 2004.
2. I will order your move to DH, FLS, CE under separate cover as soon as I hear from AFSCME. All benefits accruing under that contract will be available to you at that time. Until then, you will continue under AFSCME General.

Please let me know if you have any questions or are in need of clarification on any of these issues. Again, my apologies for this process having dragged out so long. I offer my congratulations for this move and thank you for your willingness to accept the changes and responsibilities.

Sincerely,

**CITY OF WILLMAR**

  
Michael Schmit  
City Administrator

MS:ap

Cc: Steve Okins, Finance Director  
Diane Jones, Accounting Clerk

Okins Steve

---

From: Jones Diane [djones@ci.willmar.mn.us]  
Sent: Wednesday, January 14, 2004 02:05  
To: Steven B. Okins (E-mail)  
Subject: FW: Employee Status Sheet

-----Original Message-----  
From: Peterson Audrey [mailto:Apeterson@ci.willmar.mn.us]  
Sent: Tuesday, January 13, 2004 4:10 PM  
To: 'Jones, Diane'  
Subject: Employee Status Sheet

Please find attached the form for Accounting Supervisor position.

Audrey Peterson  
Administrative Assistant  
City of Willmar  
333 Southwest 6th Street  
Willmar, Minnesota 56201  
Phone: 320-214-5161 Fax: 320-235-4917  
email: apeterson@ci.willmar.mn.us

1/14/04

CITY OF WILLMAR

NEW HIRE, TRANSFER, RECLASSIFICATION

DEMOTION OR PROMOTION (circle one)

Employee Name: Carol Gluth

Job Title: Accounting Supervisor

Effective Date: October 20, 2003

Range: 6

Pay Rate: \$16.86

Anniversary/Annual Review Date: August 21

Step Increase Date: October 20

*does not have a  
probationary period  
→  
Accounting Supervisor  
6 mos.*

**\*\*It is understood that Ms. Gluth would be eligible for her step increase on April 20<sup>th</sup>, 2004, following completion of a satisfactory six month probationary period. There will be no further step increases through 2004. Beginning in 2005 and thereafter, the step increase date shall resume at October 20<sup>th</sup>.**

*Put in D. Head Group on 1/29/04*

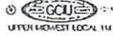
*After discussion with Steve Olson, Finance Director on 1/30/04, he told me the above documentation has to be forwarded. I didn't forward it until now because I thought being local would be the problem. After group on 2/10/04 that the above was not being applicable. but he said it was. I then changed the Attachment A on the pay page but for 2004 to August 21, 2004 and have a meeting with Steve Olson to be going to.*

*Done for  
Payroll 10/1/04*



AMERICAN FEDERATION OF  
**STATE, COUNTY & MUNICIPAL EMPLOYEES**  
AFL - CIO  
**MINNESOTA COUNCIL NO. 65**

118 CENTRAL AVENUE • NASHWAUK, MINNESOTA 55769  
PHONE (218) 885-3242 • FAX (218) 885-3245 • TOLL FREE 1-888-474-3242



January 27, 2004

Michael Schmit City Administrator  
City Office Building  
Box 755  
Willmar, MN 556201

Re: Accounting Supervisor,

Dear Michael:

Having reviewed the above mentioned job description the union would agree to moving the Accounting Clerk III to Accounting Supervisor and removing the classification from the bargaining Unit.

Respectfully,

Jon Anderson  
Council 65 Staff Rep.  
315 South Park Ave.  
Springfield, MN 56087-1416

507-723-6865

Cc: Local Union File  
Judy Thompson

# Memo

To: Diane Jones, Accounting Clerk  
From: Michael Schmit, City Administrator  
Date: 1/28/2004  
Re: **ACCOUNTING SUPERVISOR POSITION**

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AFSCME has agreed with our decision to change the Accounting Clerk III position classification to Accounting Supervisor and moving the position to the Department Head, First Line Supervisor, Confidential Employee Group. Please make that change deleting one of the two Accounting Clerk III positions from the AFSCME General Unit effective Thursday, January 29, 2004. All other compensation issues related to Ms. Gluth's change in status should be covered in my letter of January 13, 2004. Feel free to call or stop by my office if you have any questions.

Cc: Steve Okins  
Carol Gluth

## Steve Okins

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**From:** Steve Okins  
**Sent:** Friday, January 09, 2015 4:15 PM  
**To:** Janell Sommers  
**Cc:** Charlene Stevens; Kevin Halliday; Carol Cunningham; Shannon Strei  
**Subject:** Job Descriptions  
**Attachments:** Administrator.doc; Accounting Supervisor.doc; Accounting Supervisor Revised.doc; Arena Manager.doc; Arena Op Supervisor.doc; Assessor Revised 2014.doc; Assessor.doc; CA Admin Asst.doc; Community Senior Center Liaison.doc; Const-Records Manager.doc; Fire Chief Marshal.doc; P D Admin Asst.doc; Recreation Supervisor.doc; Senior Technician.doc; WW Superintendent.doc

Janell it has come to my attention that there are a number a Job Descriptions that are incorrect and should be corrected. The FLSA status should be exempt not non-exempt for all employees that do NOT get overtime pay. I have also included ones where the FLSA status is blank and in my opinion should state it as exempt. The reason I am sending this to you is because the City Administrator's office and the City Clerk's office are the only ones that have authority to make changes on the W:drive, where the Job Descriptions are located. Please check with Charlene and see how she would like to proceed. Thank you in advance. Steve



**CITY OF WILLMAR, MINNESOTA  
REQUEST FOR COMMITTEE ACTION**

**Agenda Item Number:** 5  
**Meeting Date:** April 29, 2015  
**Attachments:**  Yes  No

**CITY COUNCIL ACTION**

**Date: May 4, 2015**

Approved  Denied  
 Amended  Tabled  
 Other

**Originating Department:** Police

**Agenda Item:** Administrative Assistant-Willmar Police Department Position Classification

**Recommended Action:** Mutually agree to classify the Administrative Assistant-PD as Supervisor. Staff is requesting an explanation of the City's position to reclassify the Administrative Assistant-PD to a non-supervisory classification.

**Background/Summary:** Attachments:

- A) Minnesota Statutes 179A.03 Definitions Subd. 17 Supervisory Employee
- B) 02/26/85 Correspondence reference Employee Reclassification
- C) 04/05/00 Clerk/Secretary Job Description
- D) 04/05/00 Administrative Assistant-PD Job Description
- E) 10/24/01 Correspondence to Administrative Assistant-PD from City Administrator
- F) History of Supervisory Actions by Administrative Assistant-PD

**Alternatives:** N/A

**Financial Considerations:** None

**Preparer:** Jim Felt  
Chief of Police

**Signature:**

**Comments:**

(d) Nothing in this subdivision diminishes the authority granted pursuant to law to an appointing authority with respect to the selection, direction, discipline, or discharge of an individual employee if this action is consistent with general procedures and standards relating to selection, direction, discipline, or discharge which are the subject of an agreement entered into under sections 179A.01 to 179A.25.

*[See Note.]*

Subd. 16. **Strike.** "Strike" means concerted action in failing to report for duty, the willful absence from one's position, the stoppage of work, slowdown, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in the conditions or compensation or the rights, privileges, or obligations of employment.

Subd. 17. **Supervisory employee.** "Supervisory employee" means a person who has the authority to undertake a majority of the following supervisory functions in the interests of the employer: hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other employees, direction of the work of other employees, or adjustment of other employees' grievances on behalf of the employer. To be included as a supervisory function which the person has authority to undertake, the exercise of the authority by the person may not be merely routine or clerical in nature but must require the use of independent judgment. An employee, other than an essential employee, who has authority to effectively recommend a supervisory function, is deemed to have authority to undertake that supervisory function for the purposes of this subdivision. The administrative head of a municipality, municipal utility, or police or fire department, and the administrative head's assistant, are always considered supervisory employees.

The removal of employees by the employer from a nonsupervisory appropriate unit for the purpose of designating the employees as "supervisory employees" shall require either the prior written agreement of the exclusive representative and the written approval of the commissioner or a separate determination by the commissioner before the redesignation is effective.

Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent or assistant superintendent, principal, assistant principal, or a supervisory or confidential employee, employed by a school district:

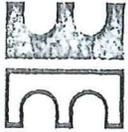
(1) in a position for which the person must be licensed by the Board of Teaching or the commissioner of education; or

(2) in a position as a physical therapist, occupational therapist, art therapist, music therapist, or audiologist.

Subd. 19. **Terms and conditions of employment.** "Terms and conditions of employment" means the hours of employment, the compensation therefor including fringe benefits except retirement contributions or benefits other than employer payment of, or contributions to, premiums for group insurance coverage of retired employees or severance pay, and the employer's personnel policies affecting the working conditions of the employees. In the case of professional employees the term does not mean educational policies of a school district. "Terms and conditions of employment" is subject to section 179A.07.

Subd. 20. MS 2006 [Renumbered subd 5a]

**History:** 1984 c 462 s 4; 1986 c 444; 1987 c 186 s 15; 1987 c 384 art 2 s 1; 1988 c 605 s 4; 1989 c 255 s 2; 1990 c 377 s 1; 1991 c 308 s 2; 1992 c 582 s 3-5; 1993 c 12 s 1; 1995 c 212 art 4 s 64; 1995 c 226 art 6 s 3; 1996 c 425 s 7; 1997 c 7 art 1 s 81,82; 1997 c 156 s 3; 1998 c 355 s 1; 1998 c 386 art 2 s 65; 1998 c



# City of Willmar

Office of CLERK TREASURER  
Phone 612/235-4913

M E M O

TO: Diane Jones  
FROM: Michael C. Schmidt   
DATE: February 26, 1985  
RE: Employee Reclassification

\*\*\*\*\*

This is to advise you that the Willmar City Council, on February 20, 1985 approved by resolution the 1985 Contract and Agreement with Department Heads, Supervisors and Confidential Employees.

Article II, Recognition, revised certain position titles as follows:

City Clerk-Treasurer-Assessor  
Assistant City Clerk-Treasurer  
Public Works Superintendent  
Confidential Employees

City Clerk-Treasurer  
Deputy City Clerk-Treasurer  
Street Superintendent  
Accounting Clerk II-B  
**Administrative Assistant**  
**Police Department**  
Appraiser-Assessor

Appraiser

Please let me know if you have any questions or require additional information.

## ADMINISTRATIVE ASSISTANT

**Position Title:** Administrative Assistant

**Department:** Police

**Department Head:** Police Chief

**Immediate Supervisor:** Police Chief

**Pay Range:** 6 **FLSA Status:** ~~Non-exempt~~ Exempt

APPROVED:	April 5, 2000
REVISED:	
REVISED:	
REVISED:	

### Purpose

Performs first-level supervisory administrative, clerical and secretarial work to assist the Police Chief with the department's administration. Supervises and trains clerical support personnel. Serves on call and occasionally works during weekends and after normal business hours. Serves as a confidential employee.

### Organizational Relationships

Reports to: Police Captain

Communicates with: *Internally* - Police officers, Finance staff, Fire Department personnel and other City departments, Police Commission members, City Attorney; *Externally* - County Sheriff's office, County and other attorneys, Court system personnel, other County agencies, State Patrol, BCA and other state agencies, areas schools, Regional Treatment Center and other human services organizations and the general public.

Supervises: full-time clerk-secretaries, part-time clerk, student workers and summer parking personnel.

### ESSENTIAL FUNCTIONS

Serve as direct contact for Police Chief and Police Captain; personally handles phone calls, calendars and referrals, cooperate with other City departments, keep Chief and Captain informed of all pertinent matters.

Supervise clerical support staff: identify and assign specific tasks; monitor work flow and review completed work product; approve daily logs and time-off requests; identify/act on any equipment, training and new procedures needs; and report any major problems to the Chief.

Coordinate hiring processes for licensed and civilian personnel.

Type all internal investigations and disciplinary actions; maintain all personnel files and data including officer background investigations.

Oversee department's IS needs through work with the Information Systems Coordinator and outside consultants.

Maintain all departmental files and records, including personnel.

Serve as secretary to the Police Commission.

Manage departmental inventory through records maintenance, ID tag control, system maintenance for portable equipment and coordination with Finance Department for applicable requirements.

Maintain POST licensing forms and records for all licensed personnel.

# ADMINISTRATIVE ASSISTANT

## ESSENTIAL FUNCTIONS (continued)

Maintain training records for all departmental personnel.  
Support officer training by handling registrations and travel arrangements; complete and submit all necessary documents for POST approval of department courses.  
Assist Police Chief, Police Captain or other designated personnel in writing and reviewing policies and procedures; review, correct and format all new documents and distribute; organize and maintain index; and maintain book of memoranda and policy receipt forms file.  
Submit state-mandated reports for Police Chief; submit completed forms and related paperwork to State for reimbursement and maintain relevant files.  
Maintain departmental files according to established retention schedule.  
Receive, identify, verify and codes all incoming bills; maintain and controls petty cash, receipts and reimbursements; and supervise process for film and towing bills.  
Coordinate department's annual report.  
Organize and coordinate department functions as needed.

## Other Duties and Responsibilities

Instruct police officers on department's procedures for report writing.  
Maintain physical control of retained audio statements.  
Index and control access for departmental keys.  
Gather and organize department's historical information.  
Serve as contact person for department's equipment room.  
Provide administrative support for off-duty officer work activities.  
Maintain department's office supplies.  
Monitor information maintained on squad cars.  
Provide administrative and secretarial support for various meetings.  
Provide input to supervisor regarding department's budget.  
Serve as notary public.  
Performs other related duties as assigned by Supervisor or as apparent.

## Required Knowledge, Skills and Abilities

Knowledge of applicable federal and state statutes, City ordinances, departmental policies and procedures, and relevant reference materials.  
Knowledge of the Police Department's operations and structure and City's overall operations and structure.  
Knowledge of business practices, procedures and equipment.  
Knowledge of the department's structure and operation, the City's overall structure, legal issues, criminal matters relating to court mandates, employment issues such as disciplinary procedures, confidentiality, job descriptions, union issues, OSHA rules and other mandates.  
Skill in assembling data and preparing accurate records and reports.  
Skill in operating a variety of office machines and computer programs.  
Skill in using equipment for communication or completion of work tasks.  
Skill in organizing and managing work flow.

# ADMINISTRATIVE ASSISTANT

## **Required Knowledge, Skills, and Abilities**(continued)

Skill to communicate verbally and in writing.

Skill in shorthand or speedwriting.

Ability to perform clerical/bookkeeping work of average difficulty.

Ability to produce work products with 100% completeness and accuracy.

Ability to establish effective work relationships with other employees and the general public.

Ability to understand and follow verbal and written instructions.

Ability to organize assignments and complete in a timely manner.

Ability to use knowledge to keep the Police Chief informed, not compound a problem, respond to requests, direct the work of others, organize and plan.

Ability to effectively supervise staff to ensure work is accomplished and deadlines met.

Ability to anticipate potential problems and take appropriate preventive measures.

Ability to serve as a primary source of information or to gather necessary information.

*Machines, tools and equipment used:* Computer, phone, typewriter, transcriber, shredder, postage machine, copier, 3M duplicate, fax, telephone, laminator, microfilm, calculator, TV/VCR

## **MINIMUM QUALIFICATIONS**

High school degree and post secondary training in office management including computer operation. Previous experience in office management; computer software applications on database and word processing, transcription and supervisory responsibilities. Ability to communicate with all levels and types (management, supervisory, technical, clerical, and elected/appointed) of positions.

## **Working Conditions**

Work is performed in typical office environment. Provides administrative support to management personnel and supervises secretarial staff supporting a large staff of officers and sergeants. Subject to call for work outside normal hours and is regularly confronted with explicit language and graphic content while processing police information. Performs a variety of physical and repetitive movements to carry out office tasks, keyboarding/typing, and handle departmental files and records. Uses near vision, hearing, and sense of touch.

## CLERK/SECRETARY

**Position Title:** Clerk/Secretary

**Department:** Police

**Department Head:** Police Chief

**Immediate Supervisor:** Administrative Assistant

**Pay Range:** 4 **FLSA Status:** Non-exempt

APPROVED: _____ April 5, 2000
REVISED:
REVISED:
REVISED:

### Purpose

Performs non-supervisory secretarial and clerical work to provide office support to the department's uniformed personnel. Processes various reports and related documents (statements, search warrants, and mandated forms) for large pool of officers. Performs other administrative tasks as assigned. Refers difficult problems to supervisor. Serves on call and occasionally works during weekends and after normal business hours.

### Organizational Relationships

**Reports to:** Police Captain, Administrative Assistant

Communicates with: *Internally* - Police officers, other City departments, City Attorney;  
*Externally* - County Sheriff's office, County and other attorneys, court system personnel, other County agencies, State Patrol, BCA, and other state agencies, areas schools, Regional Treatment Center and other human services organizations, and the general public.

Supervises: None

### ESSENTIAL FUNCTIONS

Process officer reports and related documents by prioritizing assignments based on established time constraints and nature of report; ensuring word processing does not change report's content; and routing completed work after self-initiated completeness and accuracy checks are done.

Transcribe verbatim statements of victims, witnesses and defendants.

Prepare search warrants based on officers personal input or through tape recorded instruction.

Provide support on NSF check cases.

Maintain payroll records and process daily reports for all department personnel: receive daily reports and enter information into computer; verify with time sheets; and maintain files including microfilming on a quarterly basis.

Serve as initial point of contact by receiving visitors in person or answering the phone; and receive parcels and other deliveries.

Maintain information on impounded vehicles.

Process for business alarms.

Prepare various correspondence such as letters, memos and notices.

Perform notary public duties for officers and public as needed.

Maintain gang contact information through compiling and entering into associated database; make additions, corrections and generate updates reports.

# CLERK/SECRETARY

## **Other Duties and Responsibilities**

Serve as Evidence Technician.

Provide tours of law enforcement center.

Provide assistance to Administrative Assistant as directed.

Dub case-related tapes for attorneys or as requested.

Enter information regarding vehicles maintenance into database and files paperwork in appropriate files.

Update department's reference materials.

Support COP notifications.

Process evidence associated with cases; prepare film for processing and update records when returned.

Performs other related duties as assigned by Supervisor or as apparent.

## **Required Knowledge, Skills, and Abilities**

Knowledge of applicable federal and state statutes, City ordinances, departmental policies and procedures, and relevant reference materials.

Knowledge of the Police Department's operations and structure and City's overall operations and structure.

Skill in assembling data and preparing accurate records and reports.

Skill in operating a variety of office machines and computer programs.

Ability to perform clerical/bookkeeping work of average difficulty.

Ability to produce work products with 100% completeness and accuracy.

Ability to maintain appropriate level of discretion with confidential information.

Ability to establish effective work relationships with other employees and the general public.

Ability to understand and follow verbal and written instructions.

Ability to organize assignments and complete in a timely manner.

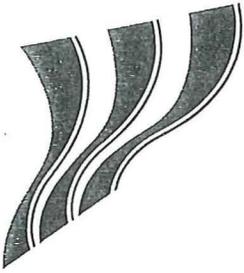
*Machines, tools and equipment used:* Computer, typewriter, transcriber, shredder, postage machine, copier, 3M duplicate, fax, telephone, laminator, microfilm and calculator.

## **MINIMUM QUALIFICATIONS**

High school degree or equivalent and post-secondary training in secretarial or legal transcription or an equivalent amount of experience. Successful completion of six-month training program during probationary period. Typing proficiency of 60 wpm.

## **Working Conditions**

Work is performed in typical office environment. Provides secretarial support to a large staff of officers and sergeants. Subject to call for work outside normal hours and is regularly confronted with explicit language and graphic content while processing police information. Performs a variety of physical and repetitive movements to carry out office tasks, keyboarding/typing, and handle departmental files and records. Uses near vision, hearing, and sense of touch.



**CITY ADMINISTRATOR**

City Office Building  
Box 755  
Willmar, Minnesota 56201

320-235-4913  
FAX: 320-235-4917

October 24, 2001

Ms. Sue Edwards  
Police Department  
2201 23<sup>rd</sup> ST NE  
Willmar, MN 56201

Dear Sue:

Pursuant to a recommendation from Police Chief Jim Kulset, I am very pleased to offer you the position of Police Department Administrative Assistant with the City of Willmar. The terms and conditions of employment are those generally explained to you by Chief Kulset and more clearly detailed in the Department Directors, First Line Supervisors and Confidential Employees Employment Agreement. The Police Department Administrative Assistant position classification is in Pay Grade 6. Your starting annual salary shall be \$34,000. As with all positions, the appointment includes a six-month probationary period. Please confirm acceptance of this offer in writing.

I am glad to have you back with the City and wish you many years of continued success.

Sincerely,

CITY OF WILLMAR

Michael Schmit  
City Administrator

MS:ap

cc: Jim Kulset, Police Chief  
Diane Jones, Accounting

History of Supervisory Actions – Sue Edwards Administrative Asst. Police Dept.

Position date: 11/01/2001

I have conducted interviews for clerical positions at WPD – December 2002, October 2005 & February 2007 – Participated and made recommendation for hire.

Have done yearly evaluations (job performance reviews) on three clerical positions:

April 2002

June 2003

March 2004

March 2005

March 2006

April 2007

April 2008

March 2009

April 2010

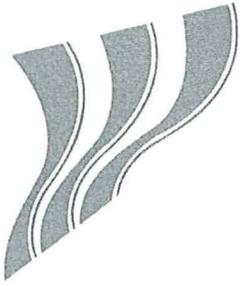
January 2012

January 2013

January 2014

Approve / sign absence slips, vacation requests, and overtime forms for clerical unit since November 2001.

Timesheets have been signed by the Chief of Police (Department Head) per request from City Finance years ago.



CITY OF WILLMAR, MINNESOTA  
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 6

Meeting Date: April 29, 2015

Attachments:  Yes  No

CITY COUNCIL ACTION

Date:

- Approved
- Amended
- Other
- Denied
- Tabled

Originating Department: Administration

Agenda Item: Administrative Assistant Position Classification

Recommended Action: Mutually agree to classify the Administrative Assistant to the City Administrator as Supervisory.

Background/Summary: Attachments:

- A) Minnesota Statutes 179A.03 Definitions Subd. 17 Supervisory Employee
- B) April, 2000, Revised November, 2013 Administrative Assistant Job Description
- C) LMC Human Resources Reference Manual – Labor Relations Supervisory Definition
- D) "Minnesota Cities" publication – "What's the Definition of a Supervisor"
- E) Page one of Job Descriptions for Secretary/Receptionist, Clerk-Permit Assistant and Public Works Secretary
- F) Council Resolution dated 9-16-87 Changing position title from Clerk-Stenographer to Administrative Secretary/Confidential Employee
- G) Correspondence from AFSCME releasing Administrative Secretary/Confidential from Union.
- H) Council Resolution dated 6-15-88 upgrading Administrative Secretary/Confidential Employee to Range 7
- I) Council Resolution dated 6-5-91 change in position classification and title
- J) Summary of Supervisory Actions

Alternatives:

Financial Considerations: None

Preparer: Sean E. Christensen, P.E.  
Public Works Director

Signature:

Comments:

(d) Nothing in this subdivision diminishes the authority granted pursuant to law to an appointing authority with respect to the selection, direction, discipline, or discharge of an individual employee if this action is consistent with general procedures and standards relating to selection, direction, discipline, or discharge which are the subject of an agreement entered into under sections 179A.01 to 179A.25.

[See Note.]

Subd. 16. **Strike.** "Strike" means concerted action in failing to report for duty, the willful absence from one's position, the stoppage of work, slowdown, or the abstinence in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in the conditions or compensation or the rights, privileges, or obligations of employment.

Subd. 17. **Supervisory employee.** "Supervisory employee" means a person who has the authority to undertake a majority of the following supervisory functions in the interests of the employer: hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other employees, direction of the work of other employees, or adjustment of other employees' grievances on behalf of the employer. To be included as a supervisory function which the person has authority to undertake, the exercise of the authority by the person may not be merely routine or clerical in nature but must require the use of independent judgment. An employee, other than an essential employee, who has authority to effectively recommend a supervisory function, is deemed to have authority to undertake that supervisory function for the purposes of this subdivision. The administrative head of a municipality, municipal utility, or police or fire department, and the administrative head's assistant, are always considered supervisory employees.

The removal of employees by the employer from a nonsupervisory appropriate unit for the purpose of designating the employees as "supervisory employees" shall require either the prior written agreement of the exclusive representative and the written approval of the commissioner or a separate determination by the commissioner before the redesignation is effective.

Subd. 18. **Teacher.** "Teacher" means any public employee other than a superintendent or assistant superintendent, principal, assistant principal, or a supervisory or confidential employee, employed by a school district:

(1) in a position for which the person must be licensed by the Board of Teaching or the commissioner of education; or

(2) in a position as a physical therapist, occupational therapist, art therapist, music therapist, or audiologist.

Subd. 19. **Terms and conditions of employment.** "Terms and conditions of employment" means the hours of employment, the compensation therefor including fringe benefits except retirement contributions or benefits other than employer payment of, or contributions to, premiums for group insurance coverage of retired employees or severance pay, and the employer's personnel policies affecting the working conditions of the employees. In the case of professional employees the term does not mean educational policies of a school district. "Terms and conditions of employment" is subject to section 179A.07.

Subd. 20. MS 2006 [Renumbered subd 5a]

**History:** 1984 c 462 s 4; 1986 c 444; 1987 c 186 s 15; 1987 c 384 art 2 s 1; 1988 c 605 s 4; 1989 c 255 s 2; 1990 c 377 s 1; 1991 c 308 s 2; 1992 c 582 s 3-5; 1993 c 12 s 1; 1995 c 212 art 4 s 64; 1995 c 226 art 6 s 3; 1996 c 425 s 7; 1997 c 7 art 1 s 81,82; 1997 c 156 s 3; 1998 c 355 s 1; 1998 c 386 art 2 s 65; 1998 c

City of WILLMAR

## ADMINISTRATIVE ASSISTANT

**Position Title:** Administrative Assistant

**Department:** Administration

**Department Head:** City Administrator

**Immediate Supervisor:** City Administrator

**Pay Range:** 7 **FLSA Status:** ~~Non-exempt~~ Exempt

APPROVED: <u>April 5, 2000</u>
REVISED: <u>November 2013</u>
REVISED:
REVISED:

### Purpose

Performs supervisory, administrative, secretarial, and clerical work with primary responsibility for supporting the City Administrator. Also contacts or is contacted by individuals of all levels, regularly representing and acting on behalf of the City Administrator. Serves as a confidential employee.

### Organizational Relationships

Reports to: City Administrator

Communicates with: *Internally* - All department directors, City Attorney, other City employees, Rice Hospital and Municipal Utilities personnel; *Externally* - Various state agencies and state legislators, many county departments, local business and community organizations, local schools and college, League of Minnesota Cities and Coalition of Greater MN Cities, labor/financial and other contracted consultants, and local media.

Supervises: Secretary/Receptionist, Clerk-Stenographer and Clerk-Stenographer II.

### ESSENTIAL FUNCTIONS

Assist in developing and monitoring administrative policies and procedures of City; assists with development of operational plans.

Evaluate state and federal programs to determine feasibility for City.

Conduct, research, coordinate and prepare special reports.

Perform liaison activities between various departments within the City proper, the Municipal Utility and Rice Hospital; and assist City departments with program planning and evaluation.

Coordinate activities with the Mayor and Council as directed by the City Administrator.

Maintain the personnel policy and procedures manual, the City's compensation program and assist the Administrator with collective bargaining.

Prepare Administrator's correspondence, reports, agreements, etc.

Perform employee records activities.

Compose/design, edit, type and distribute reports, letters/memoranda and other documents; draft agreements, contracts and leases.

Assemble data, prepare accurate records/reports, and maintain physical and computer files.

Prepare ordinances and resolutions for Council meetings; number and publish ordinances upon adoption and ensure they are codified into the Municipal Code.

## ADMINISTRATIVE ASSISTANT

### ESSENTIAL FUNCTIONS (continued)

Compile and arrange items for Council and Committee meetings; prepare meeting minutes for various bodies such as the City Council, Labor Relations, Finance and various other committees. Keep records of Council and all Committee/Board/Commission past minutes; and maintain official Council Proceedings books.

Maintain official documents including City Clerk's general files.

Provide routine information and assistance, respond to inquiries from employees and residents, receive and personally handle residents' complaints or refer to appropriate person.

Authorize and release information pertaining to topics such as City ordinances, Council actions and City services.

Coordinate meetings, retreats and appointment schedules.

Monitor/handle cash and collect/receipt fees, payments, other monies; disperse payroll and expenditure checks; and maintain petty cash.

Requisition and purchase equipment, services and supplies.

Compile data for and monitor departmental budgets (Administrator, City Council, Elections) including and monitoring billings for supplies, equipment, meetings and retreats and authorizing expenditures.

Supervise front office clerical staff: delegate work and assignments; maintain vacation/time off calendar; initiate activities and office procedures; conduct/coordinate training; and assist other departments during staff shortages.

Confer with Administrator to develop strategies on various projects; identifies/recommends consultants to provide professional services; works with consultant to provide documents, information, develop project schedules; and makes arrangements for meetings, facilities, and participants. Reviews and monitor proposals, agreements, and contracts.

Liaison with bond counsel in preparation of notices, resolutions, extract of minutes, ordinances, official statements.

### Other Duties and Responsibilities

In Clerk-Treasurer's absence: prepare and deposit checks/cash receipts and make investment transfers; and clerk City Council meetings.

Performs other related duties as assigned or apparent.

### Required Knowledge, Skills, and Abilities

Knowledge of overall City structure and operations, policies and procedures, and ability to understand/use the municipal code and ordinances, the city charter, and applicable federal/state laws/rules/regulations.

Knowledge of City Council procedures, practices, and responsibilities.

Knowledge of business English, spelling, punctuation, and office practices/procedures.

Ability to compile/assemble data and prepare accurate records/reports.

## ADMINISTRATIVE ASSISTANT

### **Required Knowledge, Skills, and Abilities (continued)**

Ability to understand and follow orders and written instructions.

Knowledge of city and state programs, mandates, and routines.

Skill in communicating verbally and in writing.

Skill in operating computer programs and office equipment.

Ability to plan and organize projects, schedules, and work activities.

Ability to supervise support personnel.

Ability to work independently and with other departments.

*Machines, tools and equipment used:* Computer and printer, telephone, typewriter, two-way radio, calculator, fax and copiers.

### **MINIMUM QUALIFICATIONS**

Associate degree from a technical or business college in related area and/or four to eight years of previous secretarial/clerical experience, including executive level support, with office management skills.

### **Preferred Qualifications**

Bachelor's degree in related area or greater experience in position(s) of similar complexity.

### **Working Conditions**

Works in typical office setting, sitting/standing for extended periods of time. Works at computer and desk. Use fines motor skills and performs repetitive movements and some lifting of object such as office supplies and files. Uses near vision, hearing, and sense of touch.

**RELEVANT LINKS:**

Minn. Stat. § 179A.06

Minn. Stat. § 179A.03, subd. 7

Minn. Stat. § 179A.03, subd. 17.  
See Section III-B-1, *Defining the bargaining unit*

Minn. Stat. § 179A.03, subd. 19.

Minn. Stat. § 179A.07.

Minn. Stat. § 179A.07

Minn. Stat. § 179A.25.

The employees must also have current authority to undertake the function. Prospective authority is not sufficient. An employee may have the authority to undertake a supervisory function without actually exercising that authority.

The second method to determine whether an individual is a supervisor does not rely on the 10 factors. Rather, the individual will be deemed a supervisor if he or she is the administrative head of a city, city utility, or police or fire department. In addition, the administrative head's assistant is also always included in the definition of a supervisor. This portion of the definition gives a city some significant control over this designation.

Supervisory employees may not be in the same bargaining unit with the individuals they supervise, but may join a union of other supervisory employees.

Supervisory employees are also essential employees. Supervisory employees may not strike.

The definition of supervisory employee also provides a city may not designate an individual as supervisor and remove him or her from a nonsupervisory appropriate unit, unless the city obtains the prior written agreement of the exclusive representative and the written approval of the commissioner or a separate determination by the commissioner.

## **17. Terms and conditions of employment**

The phrase “terms and conditions of employment” is defined to mean the hours of employment and the compensation, including fringe benefits. Terms and conditions of employment does not include retirement contributions or benefits, but does include employer payment of, or contributions to, premiums for group insurance coverage of retired employees or severance pay. Terms and conditions of employment also includes the employer’s personnel policies affecting the working conditions of the employees. The phrase terms and conditions of employment is subject to the portion of MNPELRA on the rights and obligations of cities as employers.

This definition is extremely important because the portion of MNPELRA detailing the rights and obligations of employers provides that public employers have an obligation to meet and negotiate in good faith with the exclusive representative of public employees regarding grievance procedures and terms and conditions of employment (unless the terms and conditions are so intertwined with management rights that negotiation of one would by necessity include negotiation of the other).

651-296-2781  
Peter Harlosky

- 1.) hiring
- 2.) transfer
- 3.) suspension
- 4.) promotion
- 5.) discharge
- 6.) assignment
- 7.) reward
- 8.) discipline
- 9.) direction
- 10.) Arbitration Adjustment

# What's the Definition of a Supervisor?

## Labor Relations

**Q** We have an employee who we think is a supervisor and who is part of the bargaining unit. The union says she is not a supervisor. What is the definition of a supervisor for labor relations purposes?



**LMC** There are two methods to use when determining whether an individual is a supervisor. If the individual meets either test, he or she is considered a supervisor. The first test is to determine whether the individual has the authority to exercise six of the

10 following factors: hiring, transfer, suspension, promotion, discharge, assignment, reward, discipline of other employees, direction of the work of other employees, and adjustment of other employees' grievances on behalf of the employer. The second method to determine whether an individual is a supervisor does not rely on the 10 factors. Rather, the individual will be deemed a supervisor if he or she is the administrative head of a city, city utility, or police or fire department. In addition, the administrative head's assistant is also always included in the definition of a supervisor. This portion of the definition gives a city some significant control over this designation. For more information, see Chapter 6, Labor Relations (pages 17-19), of the League's *HR Reference Manual* at [www.lmc.org/hrrm](http://www.lmc.org/hrrm).

## Property Taxes

**Q** I have seen references to "TNT" in relation to property taxes. What is TNT?

**LMC** TNT stands for Truth in Taxation. It's a process required by state law that is intended to inform property owners about who is planning to tax their individual piece of property in the coming year—and how much they propose to tax it. By Nov. 24 each year, county auditors send property owners a "notice of proposed property taxes" that shows a snapshot of the taxes attached to their property by counties, cities, schools, etc. Part of the TNT process requires that cities with populations over 500 invite the public to a meeting where they can comment on those proposed taxes. There are several steps cities need to take to comply with TNT requirements. For all the details, see the LMC information memo at [www.lmc.org/budgetguide](http://www.lmc.org/budgetguide).

## Population Trends

**Q** How do I use the U.S. Census Bureau website to find out the population trends for our city?

**LMC** The U.S. Census Bureau conducts its census every 10 years in every community around the country. An annual version, called the American Community Survey, collects more detailed information from a smaller group of communities. To look at data for your city, including population growth, ethnic makeup of the population, and housing trends, go to [www.census.gov](http://www.census.gov). In the middle of the home page, there is a section labeled "Quick Facts." With the dropdown menu, choose Minnesota. This will bring up the most recent statewide data and also show a comparison with the country as a whole. At the top of this page, you can select to look at a specific Minnesota county or city. Find your city in the dropdown menu. This will bring up the specific data for your city and also show statewide information. For information on a city with population below 5,000, select "other place not listed" on the dropdown menu (at the very bottom). This will bring you to a special search page for those communities.

You may see that the demographics in your community are changing. If so, check out the League's demographics toolkit ([www.lmc.org/demographics](http://www.lmc.org/demographics)) to get help examining demographic trends and engaging the community on how the city should respond to changes.

## Safety

**Q** Are cities required to pay for personal protective equipment, such as safety shoes and safety glasses, for city employees?

**LMC** Yes. Minnesota Statutes, section 182.655, subdivision 10(a), requires the employer to provide suitable personal protective equipment "by and at the cost of the employer." Employers must assess the workplace to determine if hazards are present, or likely to be present, making the use of personal protective equipment necessary. For more information, contact the League of Minnesota Cities Insurance Trust at (651) 281-1200, and ask to speak to a safety consultant. ☐

## Correction

In the July-August 2014 edition of "Ask LMC," an answer about property taxes gave the incorrect classification rate for a home valued at less than \$500,000 under the state property tax system. Such a home has a classification rate of 1 percent.

**Got questions for LMC?**

Send your questions to [choffacker@lmc.org](mailto:choffacker@lmc.org).

## SECRETARY/RECEPTIONIST

Position Title: Secretary/Receptionist  
Department: City Clerk  
Department Head: City Clerk-Treasurer  
Immediate Supervisor: City Clerk-Treasurer  
Pay Range: 4 FLSA Status: Non-exempt

APPROVED:	<u>April 5, 2000</u>
REVISED:	<u>October 20, 2003</u>
REVISED:	_____
REVISED:	_____

### **Purpose**

Performs receptionist and secretarial duties, process permits and licenses and collect money. This position serves as the initial contact for the public.

### **Organizational Relationships**

Reports to: Administrative Assistant

Communicates with: *Internally* – City Administrator, Department Directors and other City staff; *Externally* – City Attorney, Court Administrator's office, sales representatives, West Central Tribune, local business representatives, and general public.

Supervises: None

### **ESSENTIAL FUNCTIONS**

Answer telephone and refer calls to appropriate staff; and greet and direct visitors.  
Pick up mail and deliver to various city staff; purchase stamps; sign for packages or registered mail; calculate weekly departmental postage; call and request UPS pick-ups; and maintain postage weight scale and envelope sealer.  
Enter daily parking tickets into computer and keep tally of tickets issued daily; receipt parking ticket funds; send out monthly notice statements for unpaid tickets; process monthly court letters; and calculate totals for annual report.  
Calculate monthly parking violations reports; request reports from Police Department on past-due tickets; and monitor daily postage for tickets. Receive complaints and track correction.  
Copy and prepare City Council packets, documents and reports. Prepare requisitions.  
Assist other departments during absence of clerical staff.  
Maintain files and registration/licensing of City vehicles.  
Maintain fax machine and distribute faxes.  
Receipt cash and checks for various payments including licenses, police towing, building permits, copies, city auction funds, etc.  
Stuff payroll and expenditure checks in envelopes, enter total in Clerk's record book and mail and/or distribute.  
Assist with City auctions.  
Assist with elections: prepare supply boxes, answer questions from public regarding registration and polling sites.  
Prepare and process licenses and permits: dog/cat, amusement machines, café/restaurant, soft drink, dance, parade, dumpster, sidewalk, fireworks, etc.; order and mail lodging and vehicle tax forms; order various license/permit forms; send out reminder letters; and prepare and mail license and permit forms.  
Prepare and process liquor applications, certificates of insurance and other necessary State Liquor Control documents.  
Type committee agendas, proof, copy with attachments and mail; and type committee minutes.

## City of WILLMAR

## CLERK-PERMIT ASSISTANT

Position Title: Clerk-Permit Assistant  
Department: Planning and Development Services  
Department Head: Planning and Development  
Services Director

APPROVED:	April 18, 2007
REVISED:	_____
REVISED:	_____
REVISED:	_____

Immediate Supervisor: Planning and Development Services Director  
Pay Range: 4 FLSA Status: Non-exempt

### Purpose

Performs clerical support for the Department and assist Department Director, Planner and Inspectors. Manage day-to-day activities of the Rental Inspection Program.

### Organizational Relationships

Reports to: Planning and Development Services Director and Administrative Assistant

Communicates with: *Internally* – City Administrator, Department Directors, City Attorney, Mayor and City Council, and other City personnel; *Externally* – Municipal Utilities staff, West Central Tribune, MN State Building Code Division, architectural firms, Housing and Redevelopment Authority, County offices/personnel, MN Building Permit Technician Association, contractors, rental property owners, renters and general public.

Supervises: None

### ESSENTIAL FUNCTIONS

Type committee agendas, proof, copy with attachments and mail; type committee minutes; and take dictation and transcribe.

Prepare and process conditional use permits, plats, rezoning, variances and ordinances: type various notices, legal descriptions, publish notices, notify property owners, and file/record with County Recorder.

Assist with issuance of building, plumbing, excavation and zoning permits: complete forms, collection of fees, issue and distribute.

Assist contractors/owners by telephone and in person: schedule inspections, prepare inspection tickets, maintain inspectors' appointment books, answer questions, and distribute pertinent handouts.

Prepare monthly building reports: record and calculate permits, type, enter parcel numbers in County system, copy and distribute.

Receive and handle calls and complaints regarding garbage, trash/debris, furniture, unlicensed vehicles and off-street parking.

Administration of Rental Housing Program: file management, verify ownership, calculate fees, correspondence, receipt of fees, schedule inspection, prepare violation sheets, issue operating licenses, submit quarterly reports, update information lists and assist with annual report.

Assist with Departmental Annual Report.

Maintain building inspection files, permits and handouts.

## City of WILLMAR

## PW CLERK-SECRETARY

Position Title: Clerk-Secretary  
Department: Public Works/Engineering  
Department Head: Public Works Director  
Immediate Supervisor: Public Works Director  
Pay Range: 4 FLSA Status: Non-exempt

APPROVED:	April 5, 2000
REVISED:	January, 2014
REVISED:	
REVISED:	

### Purpose

Performs office support for the Public Works, Wastewater Treatment and Engineering Departments. Processes various reports and related documents including construction/vehicle specifications, handling/directing phone calls, meeting agendas/minutes and tasks as assigned.

### Organizational Relationships

Reports to: Public Works Director and Administrative Assistant - Communicates with: *Internally* - City Administrator, Department Directors, Senior Technician, Public Works Superintendent, Wastewater Treatment Plant Superintendent; Administrative Assistant, City Attorney, Mayor and City Council and other City personnel; *Externally* - Municipal Utilities staff, "West Central Tribune," consulting engineering firms and architects, contractors and suppliers, County offices, vendors, various offices of the Minnesota Department of Transportation, Minnesota Department of Revenue, Kandiyohi Area Transit and Rice Memorial Hospital.

Supervises: None

### ESSENTIAL FUNCTIONS

Calculate sales and road tax and issue proper forms to State monthly. Assist in state audit.

Maintain fuel system: calculate fuel prices; encode and issue keys; validate employee use; keep records of identification numbers; keep/update records of vehicles and identification numbers; prepare monthly reports of fuel usage by vehicle, driver and account; and prepare billings for city departments and outside users to accounts receivable.

Assist Public Works Committee: prepare agendas, and minutes for supervisor's approval.

Type/compile specifications for street/utility line construction, city equipment purchases, trees requirements, sanitation service, various quote requests and requests for proposals.

Type correspondence, memos, reports, documents, forms, resolutions, policies, etc. Ensure legal documents are recorded.

Develop timeline to follow and monitor project deadlines; follow legal procedures for bidding, and awarding, prepare contracts for projects, quotes, and other purchases or services and monitor for correct payment and deadlines.

Prepare bid tabulations and review contractor/suppliers calculations; prepare permit forms; design format and prepare contractor payments; prepare agreement; type budgets and follow expenditures through project close out, prepare necessary easements.

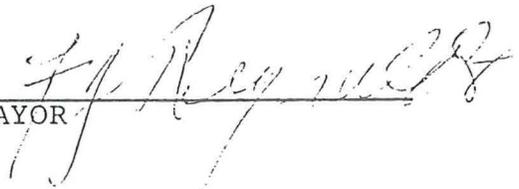
Collect expenses, employee time records, right-of-way costs and other financial data necessary for reimbursement of projects costs from State funds.

RESOLUTION NO. 9

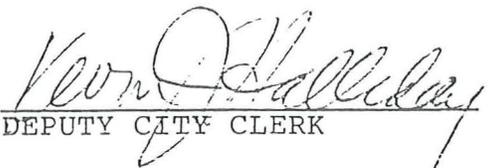
BE IT RESOLVED by the Willmar City Council that Audrey E. Peterson, Clerk-Stenographer in the City Clerk's Department, be hereby appointed as Administrative Secretary/Confidential Employee;

BE IT FURTHER RESOLVED that the appointment be effective October 1, 1987.

Dated this 16th day of September, 1987.

  
MAYOR

Attest:

  
DEPUTY CITY CLERK

American Federation of STATE, COUNTY and MUNICIPAL Employees AFL-CIO



MINNESOTA  
COUNCIL NO. 65

1716 EAST 5th AVENUE  
HIBBING, MINNESOTA 55746  
PHONE (218) 263-8878

September 18, 1987

Michael Schmit, City Clerk  
City Hall  
Willmar, Minnesota 56201

Re: Outstanding issues with AFSCME Council 65

Dear Mr. Schmit:

Upon receipt of your job description, the bargaining unit has concurred that the position as proposed may be excluded as confidential, effective upon your receipt of this letter.

On the issue of pay equity, we are trying to work within the City's proposed median rates and rankings of jobs using the current structure and process of steps. We would like to have a meeting to deal with this issue prior to negotiations.

Both Sue Pechacek and I would be available to meet next Friday, September 25, 1987, to discuss some implementation plan for the study.

Please contact Ms. Pechacek if this is okay.

Sincerely,

*Judie Sletta/els*

Judie Sletta  
Staff Representative

JS/els

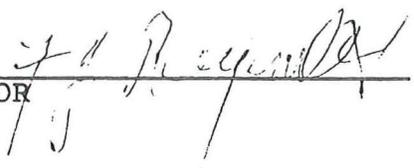
cc: Sue Pechacek  
Frank Madden

RESOLUTION NO. \_\_\_\_\_

BE IT RESOLVED by the Willmar City Council that Audrey Peterson was employed by the City of Willmar as Administrative Secretary/Confidential Employee on October 1, 1987.

BE IT FURTHER RESOLVED that the position of Administrative Secretary/Confidential Employee be upgraded to a Range 7 effective June 23, 1988; that the salary be set at the corridor amount of \$20,300; and that the salary be payable from the City Clerk Budget. <sup>B9.76</sup>

Dated this 15th day of June, 1988.

  
\_\_\_\_\_  
MAYOR

Attest:

  
\_\_\_\_\_  
CITY CLERK-TREASURER

June 5, 1991

classifications. The Committee reviewed the position classification of Administrative Secretary. Following review of the proposed position reclassifications, compensation adjustments and supporting documentation, the Committee was recommending to the Council that the changes in classification and compensation adjustments be approved as presented. Resolution No. 12 was introduced by Councilman Enockson, seconded by Councilman Kelly, read by Mayor Hogle and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 12

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that Audrey Peterson's position classification be changed from Administrative Secretary to Administrative Assistant, Administration, effective July 1, 1991; and

BE IT FURTHER RESOLVED that the position classification be set in Range 10 of the Pay Equity Compensation Plan; that the salary be set at \$26,000 to be paid in equal installments pursuant to the City's regular pay schedule; and that performance and salary be reviewed following the completion of a six-month probationary period.

Dated this 5th day of June, 1991.

/s/ Richard C. Hogle  
MAYOR

/s/ Kevin J. Halliday  
Attest: CITY CLERK-TREASURER

Item No. 3 The Committee reviewed the status of various advisory boards, commissions and/or committees. This discussion was a follow-up to previous Labor Relations Committee meetings involving representatives of the Heartland Express Board, Performing Arts Committee, Cable Franchise Contribution Committee, Civil Defense Board and Community Energy Council. Following discussion, the Committee was recommending to the Council that each advisory board, commission and committee prepare for Council approval a Mission Statement and a definition of specific roles and responsibilities detailing its advisory capacity to the Council. Councilman Enockson moved to approve the recommendation of the Labor Relations Committee with Councilman Kelly seconding the motion which carried.

Item No. 3b The Committee further discussed the function and purpose of board, commission and committee minutes and reviewed alternatives as to how the Council might act on various advisory recommendations and/or actions. It was the consensus of the members present that the Council explore the idea of using a consent agenda format for board, commission and committee minutes, and that staff be directed to prepare an outline or proposal for implementation of such a system. This matter was for information only.

Item No. 4 Chairman Enockson again closed the meeting at this time for the purpose of the Labor Relations Committee developing specific bargaining strategies for 1992 contracts with the two AFSCME groups and LELS. Chairman Enockson reopened the meeting at the end of the discussions. This matter was for information only.

The Labor Relations Committee minutes of May 28, 1991, were approved as presented, and ordered placed on file in the City Clerk's Office upon motion by Councilman Enockson, seconded by Councilman Heitke, and carried.

City Administrator Michael Schmit presented to the Mayor and Council bid tabulations for the City Impound Lot Project. It was noted that the bid received of \$34,114.90 was in excess

## Examples of Supervisory Actions and Responsibilities

### Janell Sommers, Administrative Assistant to City Administrator

As the Administrative Assistant to the City Administrator I perform or effectively recommend the duties outlined as supervisory according to MS 179A.03, subd. 17. Some examples of my supervisory action are as follows:

I am involved in the interviewing and selection process of candidates for clerical positions. Two recent examples were the Fire Department Clerk Typist and the Public Works Secretary, both in April, 2014. Regarding the Public Works Secretary, it was my effective recommendation to the City Administrator to bring two candidates back for the second interview, of which the City Administrator did not participate. I made my recommendation to the City Administrator and Public Works Director to hire the individual who is currently in the position. I could effectively recommend the transfer, suspension, discharge or promotion of these employees under my supervision.

I am responsible for assigning work tasks for the clerical positions under my supervision in the front office of City Hall. Department Directors or the City Administrator designate additional tasks to me with details and completion deadlines and I am responsible to delegate these tasks and ensure they are completed by the deadline. In my absence, I assign time-sensitive duties such as agendas and minutes to one of the clerical staff at City Hall.

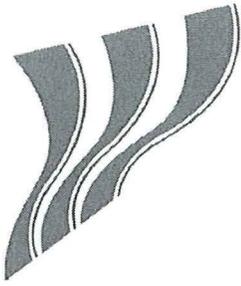
I train new staff and instruct others to train new staff in these clerical positions along with ensuring more cross-training of positions to enable more flexibility. I instruct employees in performance of tasks and give effective criticism to the work product and ensured the recommended changes are done.

I approve absences and vacation requests for the clerical staff at City Hall. It is my responsibility to ensure the office has adequate coverage at all times. In absence of Department Head, I evaluate the effectively recommend to the Department Head the accuracy of timesheets.

I have signed off as supervisor on an official document for one member of the clerical staff (Public Service Loan Forgiveness Employment Certification Form) verifying her employment date and status.

Issue verbal reprimands when necessary and discuss corrective action. Effectively recommend oral or written reprimands to the Department Head or City Administrator.

I have effectively recommended written and/or verbal rewards to the Department Head and/or City Administrator for clerical staff that I feel are deserving of merit.



CITY OF WILLMAR, MINNESOTA  
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 7

Meeting Date: July 29, 2015

Attachments: X Yes No

CITY COUNCIL ACTION

Date: August 5, 2015

- Approved
- Amended
- Other
- Denied
- Tabled

Originating Department: Administration

Agenda Item: Memorandum of Agreement with AFSCME – General Unit

Recommended Action: Motion to Approve Memorandum of Agreement

Background/Summary:

Minnesota State Retirement System Counselors rejected the contract language of the AFSCME – General Unit and prohibited the Finance Department staff from setting up a post-employment, Health Care Savings Program.

Labor Attorney Frank Madden believes the newly drafted Memorandum of Agreement will satisfy MSRS staff concerns and allow the Finance Department to set up a severance payment plan.

Alternatives: N/A

Financial Considerations:

Preparer: Kevin Halliday, Interim City Administrator

Signature:

Comments:

**From:** Frank Madden [<mailto:FMadden@mgh-lawfirm.com>]  
**Sent:** Tuesday, June 30, 2015 1:15 PM  
**To:** [serena.vergin@gmail.com](mailto:serena.vergin@gmail.com); Serena Vergin  
**Cc:** Tim Johnson; Denis Anderson  
**Subject:** City of Willmar and AFSCME Council 65 (General Unit - MOA)

Serena:

As a follow-up to my phone message, I have had an extensive phone discussion with Eric Smith from MSRS regarding how to resolve the current problem with the AFSCME MOA in order to secure approval from MSRS for the establishment of the HCSP. As you are aware, MSRS has not approved the proposed plan due to what they believe are conflicts between the MOA and Sections 19.4 and 19.5 of the AFSCME General unit collective bargaining agreement.

As a result of our discussions, MSRS is backing off its opposition to Section 19.5 and now clearly understands that this provision applies only with respect to the rights of the Union to negotiate the successor collective bargaining agreement and whether to stay in MSRS or move back to cash payments. In addition, an understanding was reached with MSRS to avoid the perceived conflict between Section 19.4 and the language of the MOA. Simply put, the City and Union can revise the MOA deleting the current items 1 and 2 of the current MOA and in its place reference that the eligibility will be based on the language of Section 19.4 of the collective bargaining agreement as to the contributions going to the HCSP. This would eliminate the ambiguity between the MOA and the collective bargaining agreement.

Attached is a copy of the current MOA and a draft of the revised MOA. If the revised MOA meets with the Union's approval, we can probably expeditiously resolve the issue with MSRS and secure their approval.

Please contact me as soon as possible so we can discuss this issue further.

Frank Madden  
Attorney at Law  
Madden Galanter Hansen, LLP  
505 North Highway 169, Suite 295  
Plymouth, MN 55441-6444  
Phone (763) 545-2525  
Fax (763) 545-2866

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(Revised)

## MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into between the City of Willmar (hereafter "City") and the AFSCME Council 65 (hereafter "Union")

**WHEREAS**, the City and the Union are parties to a collective bargaining agreement effective January 1, 2014 through December 31, 2015 representing employees in the General Unit; and

**WHEREAS**, the Minnesota legislature authorized the Minnesota State Retirement System (MSRS) to establish and administer a Post Retirement Health Care Savings Plan ("Plan") for public employers and their employees; and

**WHEREAS**, the City and the Union have both expressed an interest in allowing members of the bargaining unit to participate in the Plan; and

**WHEREAS**, employees retiring from City service may be eligible for a sick leave/severance payout.

**NOW, THEREFORE**, the parties agree as follow:

1. Payout of sick leave/severance to eligible employees shall be in accordance with Article 19.4 of the collective bargaining agreement. Such payout shall be placed in the employees' Health Care Savings Plan in accordance with all IRS regulations.
2. This payment shall be made within 45 days following the approval of the HCSP plan by MSRS or within 45 days of the employee's termination date, whichever is greater. If an employee dies before any or all of the applicable severance is paid into the HCSP, the money cannot then be received by the HCSP. In this event, the severance payment shall be paid to the retiring employee's estate.
3. All bargaining unit employees shall participate in the Post Retirement Health Care Savings Plan, unless they apply for and approved by MSRS under a qualified exemption.
4. Employees can draw from their Post Retirement Health Care Savings Plan account in accordance with state law.
5. Any description of benefits is intended to be informational only. The management of contributed funds into the Post Retirement Health Care Savings Plan is the responsibility of the employee and/or the investment option provider selected by the employee. The City's only obligation is to deposit eligible sick leave/severance payment. The City has no other responsibility or obligations and no other claims can or shall be made against the City pursuant to this Memorandum of Agreement.

6. This Memorandum of Agreement constitutes the complete and total agreement between the parties regarding this matter.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed this \_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF WILLMAR

AFSCME COUNCIL 65

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into between the City of Willmar (hereafter "City") and the AFSCME Council 65 (hereafter "Union")

WHEREAS, the City and the Union are parties to a collective bargaining agreement effective January 1, 2014 through December 31, 2015; and

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WHEREAS, the City and the Union have both expressed an interest in allowing members of the bargaining unit to participate in the Plan; and

WHEREAS, employees retiring from City service may be eligible for a sick leave/severance payout.

NOW, THEREFORE, the parties agree as follows:

1. Upon retirement, either by virtue of eligibility for a full annuity under PERA or disability, severance pay of accumulated sick leave hours shall be paid at seventy-five percent (75%), not to exceed seven hundred twenty (720) hours based on the current rate of pay.

2. Employees who terminate in good standing and have been employed ten (10) years shall be paid at fifty percent (50%); employed for fifteen (15) years shall be paid at sixty percent (60%); employed for twenty (20) years shall be paid at seventy percent (70%) of accumulated sick leave not including the bank hours.

3. The severance pay will be placed into the retiring employees Health Care Savings Plan in accordance with all IRS regulations.

4. This payment shall be made within 45 days of the official retirement date. If an employee dies before any or all of the applicable severance is paid into the HCSP, the money cannot then be received by the HCSP. In this event, the severance payment shall be paid to the retiring employee's estate.

5. All bargaining unit employees shall participate in the Post Retirement Health Care Savings Plan, unless they apply for and are approved by MSRS under a qualified exemption.

6. Employees can draw from their Post Retirement Health Care Savings Plan account in accordance with state law.

7. Any description of benefits is intended to be informational only. The management of contributed funds into the Post Retirement Health Care Savings Plan is the responsibility of the employee and/or the investment option provider selected by the employee. The City's only obligation is to deposit eligible sick leave/severance payment. The City has no other

responsibilities or obligations and no other claims can or shall be made against the City pursuant to this Memorandum of Agreement.

8. This Memorandum of Agreement constitutes the complete and total agreement between the parties regarding this matter.

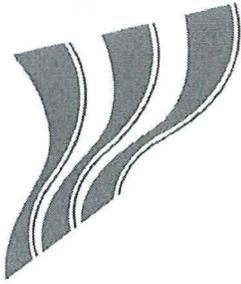
IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed this 4 day of December, 2014.

CITY OF WILLMAR

[Signature]  
[Signature]

AFSCME COUNCIL 65

[Signature] Self Representative  
[Signature]  
[Signature]



CITY OF WILLMAR, MINNESOTA  
REQUEST FOR COMMITTEE ACTION

Agenda Item Number: 8

Meeting Date: July 29, 2015

Attachments: X Yes No

CITY COUNCIL ACTION

Date: August 5, 2015

- Approved
- Amended
- Other
- Denied
- Tabled

Originating Department: Administration

Agenda Item: Consideration of City Administrator's Recommendation to Approve Officer's Successful Completion of Probationary Status

Recommended Action: Motion to grant regular status to Officers' Vazquez and Liebl after successfully passing probationary period.

Background/Summary:

The City's Personnel Policy requires City Council approval for granting "permanent" status to any employee.

Alternatives:

Financial Considerations: \$1,393.60 each officer annually

Preparer: Kevin Halliday, Interim City Administrator

Signature:

Comments:

Date: July 21, 2015

To: Kevin Halliday  
Interim City Administrator / City Clerk

From: Chief Jim Felt  
Willmar Police



Re: Officer Marco Vazquez – permanent appointment

Per the Police Civil Service Rules and Regulations, a probationary officer must receive final appointment by the City of Willmar upon successful & satisfactory completion of probation.

Officer Marco Vazquez has completed his formal probationary period with Willmar PD as of 07/08/15. It is my recommendation that he be retained as a permanent full-time officer with the Willmar Police Department. Officer Vazquez is a very capable, ambitious and productive officer with our department and an asset to the City of Willmar.

If you have any questions, please let me know.

Date: July 21, 2015

To: Kevin Halliday  
Interim City Administrator / City Clerk

From: Chief Jim Felt  
Willmar Police



Re: Officer Jeffrey Liebl – permanent appointment

Per the Police Civil Service Rules and Regulations, a probationary officer must receive final appointment by the City of Willmar upon successful & satisfactory completion of probation.

Officer Jeffrey Liebl has completed his formal probationary period with Willmar PD as of 07/07/15. It is my recommendation that he be retained as a permanent full-time officer with the Willmar Police Department. Officer Liebl is a very capable, ambitious and productive officer with our department and an asset to the City of Willmar.

If you have any questions, please let me know.