

**CITY OF MISSOURI VALLEY  
SPECIAL CITY COUNCIL MEETING  
TELECONFERENCE  
FRIDAY, MARCH 27, 2020  
6:00 P.M.**

Mayor Kelly presided over the meeting and called it to order at 6:00 P.M. with the following Council members present: Dooley, Sr., Ford, Pfouts, Stueve, and Struble.

The Pledge of Allegiance was recited.

There were no Mayor or Council comments or additions.

Motion by Pfouts, seconded by Struble to approve the agenda for the March 27, 2020 meeting. Motion carried unanimously.

There were no inquiries from citizens.

Motion by Struble, seconded by Stueve to approve the Emergency Proclamation. Motion carried unanimously.

Discussion was held on the Emergency Procedures for Contagious Disease Policy. Flaherty stated that Ahlers & Cooney law firm approved the policy and it included the new federal guidelines for Sick Leave. Council needs to clarify Family Sick time in the policy. Council would like the City to make up the difference between the amount an employee is required to receive for Emergency Sick Leave under federal law and the employee's current rate of pay, so that the employee on such leave will continue to receive a full paycheck.

Resolution #20-09 was introduced Adopting Emergency Procedures for Contagious Disease Policy. Motion by Ford, seconded by Pfouts. Motion carried unanimously.

Resolution #20-10 was introduced Adopting Temporary Electronic Public Meetings. Motion by Stueve, seconded by Struble. Motion carried unanimously.

Discussion was held on Dog Licenses. Flaherty stated that licenses are due on or before May 1, 2020. Motion by Pfouts, seconded by Stueve to extend the deadline on or before July 1, 2020. Motion carried unanimously.

Motion by Pfouts, seconded by Stueve to set Public Hearing for FY 20/21 Budget at 6 p.m. on April 13, 2020 via teleconference. Motion carried unanimously.

Flaherty thanked everyone for their patience and understanding. She will have the signage updated for the closures at City Hall and all Departments.

Kelly thanked employees and citizens for their continued prevention of not spreading COVID-19 so Missouri Valley does not have community impact. He encouraged everyone to shop local and

support local businesses. Kelly hopes everyone and their families stay healthy. He stated isolation and keeping people separating is best thing possible. He encourages everyone to wash their hands and not to touch their face. He also thanked everyone for their continued support.

Motion by Struble, seconded by Pfouts to adjourn at 6:17 p.m. Motion carried unanimously.

Shawn Kelly, Mayor

Attest: Jodie Flaherty, City Clerk

## RESOLUTION 20-09

### RESOLUTION ADOPTING EMERGENCY PROCEDURES FOR CONTAGIOUS DISEASE POLICY

**WHEREAS**, the City of Missouri Valley, Iowa desires to have a Emergency Procedures for Contagious Disease policy; and

**WHEREAS**, the City of Missouri Valley, Iowa, has drafted the following Emergency Procedures for Contagious Disease policy:

Adopt and approve the attached Emergency Procedures for Contagious Disease Policy

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Missouri Valley, Missouri Valley, Iowa, that they adopt a Emergency Procedures for Contagious Disease policy; and

**BE IT FURTHER RESOLVED**, by the Missouri Valley City Council of the City of Missouri Valley, Iowa, that the Mayor and City Clerk are hereby directed to certify this resolution of approval.

Passed and approved this 27th day of March 2020.

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Shawn Kelly, Mayor

ATTEST:

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Jodie Flaherty City Clerk

## **Emergency Procedures for Contagious Disease**

### **Purpose**

This policy establishes the protocol that will be used by the City of Missouri Valley Officials and employees in the event the Governor of the State of Iowa declares an emergency due to an infectious disease outbreak. The following conditions need to be taken into account:

- If there is an emergency due to an infectious disease outbreak, the City must plan for staff being unable to report to work.
- During this time businesses, elected officials, social organizations, other public agencies and schools may be required to take unique measures to help slow the spread of the illness including closing down by order of local public offices.
- Other public health measures may include limiting or cancelling social and public gatherings, requiring quarantines and/or other social distancing measures.
- Recovery from this type of emergency may be slow, as compared to other disasters or some other physical crisis.
- It is important to ensure that core public service activities of the City can be maintained for several weeks or more with limited staff and reduced hours, if necessary, due to the emergency.

### **Policy**

This policy is only active by emergency declaration of the City Council of the City of Missouri Valley that there is a need to activate and will at that time supersede any conflicting policies already in place. The City Clerk is authorized to make any and all changes to the Emergency Procedures and Contagious Disease Policy in order to protect staffing and the delivery of essential services during the time of an emergency. Furthermore, it will remain active until directed by City Council to deactivate this policy.

All employees of the City of Missouri Valley shall adhere to the following guidance in an attempt to protect themselves and other employees from exposure to the infectious disease.

1. If possible, maintain a distance of 6 feet between themselves and the public they are dealing with.
2. Practice proper hand hygiene, washing hands with soap and water for at least 20 seconds. If soap and water is not available, utilize hand sanitizer with at least 60% alcohol.
3. Do not touch your face with unwashed hands.
4. Sanitize shared phones with a disinfecting wipe.
5. Sanitize all work areas before and after use with a disinfecting wipe.
6. Utilize proper cough and sneeze etiquette – coughing or sneezing into tissue or when no tissue available into elbow.

In addition, for the safety of all staff, Council, and citizens, self-isolation is required for the following:

1. Employees who have traveled recently for business or spring break vacations, whether internationally or domestically outside of Iowa;
2. Recommended by a medical professional,
3. Tested positive for the disease.
4. This is a non-encompassing list and can be changed by the recommendation of the City Clerk.

### **City Hall**

1. To ensure continuity of city functions and the health and safety of City Hall staff and families, City Hall will be closed to the public, upon declaration of the City Council.
2. Adopt a work schedule with staff rotating. All staff that are currently on rotation will be available by phone when not working. When not working, staff will need to self-isolate. Staff that is working and not on leave will receive regular pay and will not be required to use vacation, comp, or sick time while on the rotating schedule.
3. To ensure the health and well being of our Council members and Citizens, all City Council meetings will be held electronically for the public and Council members. The electronic format shall be shared prior to each Council meeting with the posting of the agenda.
4. To ensure the health and well-being of our citizens, utility shut offs for non-payment will be placed in moratorium during this emergency. Utility customers will be required to have a payment arrangement in place prior to the end of the emergency to ensure their utilities are not disconnected at the end of the emergency.
5. All communication with citizens and city staff will be conducted through telephone and/or e-mail.
6. Employees shall ensure all areas are sanitized throughout the day; this includes common areas, trucks, other vehicles and/or equipment used by the department.

### **Street Department**

1. To reduce the risk to the street employees; employees shall not allow the general public into the Street Department Building.
2. Adopt a work schedule with staff rotating. All staff that are currently on rotation will be available by phone when not working. When not working, staff will need to self-isolate. Staff that is working and not on leave will receive regular pay and will not be required to use vacation, comp, or sick time while on the rotating schedule.
3. Employees shall ensure all areas are sanitized throughout the day; this includes common areas, trucks, other vehicles and/or equipment used by the department.

### **Police Department**

1. To ensure the safety of our officers and police department staff, the public will not be allowed beyond the front window of the police station. All scheduled events, trainings, etc. for the Police Department shall be cancelled.

2. When responding to a call at a residence, officers are expected to wear safety glasses, masks and any other Personal Protective Equipment deemed valid for the emergency, when the Chief of Police or Assistant Chief deems it necessary in a situation.
3. Employees shall ensure all areas are sanitized throughout the day; this includes common areas, vehicles and/or equipment used by the department.

### **Water/Wastewater Department**

1. To reduce the risk to the water/waste employees; employees shall not allow the general public into the Water Plant.
2. To help ensure our citizens have water during this crisis, water disconnects will be placed in moratorium until the emergency is over. Citizens who receive disconnect notices MUST have a payment arrangement in place with the City prior to the end of the emergency to avoid future shut off.
3. All equipment change outs will be postponed until after the emergency declaration is deactivated.
4. Employees shall ensure all areas are sanitized throughout the day; this includes common areas, trucks, and other vehicles and/or equipment used by the department.

### **EMT's**

1. Due to the nature of this department, all EMT's shall follow guidelines set forth by the Missouri Valley Fire Department.
2. To reduce the risk to the EMT's at the Fire Department; EMT's shall not allow the general public into the Fire Department.
3. Any events scheduled for the meeting room shall be cancelled or rescheduled unless otherwise approved by the City Council.

### **Fire Department**

1. Due to the nature of this department, all Fire Fighters shall follow guidelines set forth by the Missouri Valley Fire Department.
2. To reduce the risk to the Fire Fighters at the Fire Station; Fire Fighters shall not allow the general public into the Fire Station.
3. Any event scheduled for the meeting room shall be canceled or rescheduled unless otherwise approved by the City Council.

### **Library**

1. To ensure continuity of city functions and the health and safety of Library staff and families, the Library will be closed to the public, upon declaration of the City Council and/or Library Board.
2. Adopt a work schedule with staff rotating. All staff that are currently on rotation will be available by phone when not working. When not working, staff will need to self-

- isolate. Staff that is working and not on leave will receive regular pay and will not be required to use vacation, comp, or sick time while on the rotating schedule.
3. To ensure the health and wellbeing of our Council members and citizens, all Library meetings will be held electronically for the public and for any Library Board member requesting to attend electronically. The electronic format shall be shared prior to each Library meeting with the posting of the agenda.
  4. All communication with citizens and city staff will be conducted through telephone and/or e-mail.
  5. Any events scheduled for the meeting room shall be cancelled or rescheduled unless otherwise approved by the City Council and/or Library Board.
  6. Employees shall ensure all areas are sanitized throughout the day; this includes common areas, trucks, and other vehicles and/or equipment used by the department.

### **Parks & Rec**

1. To reduce the risk to the street employees; employees shall not allow the general public into the Parks & Rec Building.
2. Adopt a work schedule with staff rotating. All staff that are currently on rotation will be available by phone when not working. When on rotation, staff will need to self-isolate. Staff that is working and not on leave will receive regular pay and will not be required to use vacation, comp, or sick time while on the rotating schedule.
3. To ensure the health and wellbeing of our Park Board members and citizens, all meetings will be held electronically for the public and for any Park Board member requesting to attend electronically. The electronic format shall be shared prior to each Park Board meeting with the posting of the agenda.
4. All communication with citizens and city staff will be conducted through telephone and/or e-mail.
5. Employees shall ensure all areas are sanitized throughout the day; this includes common areas, trucks, and other vehicles and/or equipment used by the department.

### **Cemetery**

This service will be conducted on a as need basis.

### **Emergency Paid and Sick Leave (in effect beginning April 1, 2020 through December 31, 2020)**

All full-time employees, regardless of the length of time they have worked for the City, are entitled up to eighty (80) hours of paid sick time, available for immediate use starting on April 1, 2020. Part-time employees are entitled to an amount of paid sick time equal to the average number of hours they work over a two-week period. This paid sick time is mandated by federal law and will not result in depletion of an employee's paid leave banks.

Emergency Paid sick time may be taken when the employee:

1. Is subject to a federal, state or local quarantine or isolation order related to COVID-19

2. Has been advised by a health care provider to self-quarantine due to concerns related to COVID-19
3. Is experiencing symptoms of COVID-19 and is seeking a medical diagnosis
4. Is caring for an individual who is subject to a federal, state or local quarantine or isolation order related to COVID-19, or who has been advised by a health care provider to self-quarantine
5. Is caring for his or her minor child if the child's school or place of care has closed, or the child's care provider is unavailable, because of COVID-19 precautions
6. Is experiencing another substantially similar condition specified by the Secretary of Health and Human Services (HHS)

Under federal law, employees who are taking leave for a reason related to their own symptoms of COVID-19 or exposure to the illness (reasons 1-3 in the list above) are to be compensated at their regular rate of pay up to \$511 per day, and \$5,110 total, over the course of the leave. Employees who are taking leave to care for family members or for a substantially similar condition specified by HHS (reasons 4-6 in the list above) are to be compensated at two-thirds (2/3) of their regular rate of pay, based on the number of hours the employee would otherwise normally be scheduled to work in a work week, up to \$200 per day, and \$2,000 total, over the course of the leave. The City will make up the difference between the amount an employee is required to receive for Emergency Sick Leave under federal law and the employee's current rate of pay, so that the employee on such leave will continue to receive a full paycheck.

The Emergency Paid Sick leave granted under this policy will not be carried over from year to year. This leave will not be paid out to an employee who leaves employment with the City for any reason.

If an employee cannot return to work after this leave is exhausted and no other leave provisions apply, an employee may use his or her applicable paid leave banks for continuation of pay and benefits.

### ***Requesting use of Emergency Paid Sick Leave***

Employees have the responsibility to report to their supervisor and the City Clerk as far in advance as possible prior to requesting the use of emergency paid sick leave. In the event of an unexpected absence, you must notify your immediate supervisor prior to the start of your work shift. Any request for leave must be accompanied by a specification of the reason for requested COVID-19 Emergency Paid Sick Leave and Emergency Family Medical Leave Expansion. The request and specification of reason must be submitted to the City Clerk as soon as possible either before or following an employee's first absence from work. After receiving the employee's request and specification of reason, the employee will receive a written response from the City Clerk or his/her designee.

If you are deemed to be an essential employee by the City and/or by the State of Iowa, you may be required to continue to work as directed by your Department Head.

### ***Returning to Work***

After returning from Emergency Paid Sick leave, employees are entitled to be reinstated to their same job or to an equivalent position with the same pay, benefits and working conditions, as provided by the law.

If an employee is out of work under any City policy due to personal illness, they are not allowed to return to work until:

- They have had no fever for at least 72 hours (that is three full days of no fever without the use of medicine that reduces fevers)  
**AND**
- other symptoms have improved (for example, when your cough or shortness of breath have improved)  
**AND**
- at least 7 days have passed since your symptoms first appeared.

The policy regarding Emergency Paid sick leave is subject to change as additional information and direction is obtained regarding the COVID-19 virus.

### **Emergency Family and Medical Leave Expansion**

The Emergency Family and Medical Leave Expansion Act (FML Expansion) amends the current Family and Medical Leave Act (FMLA), allowing additional job protected and paid leave for eligible employees who can't work (or telework) because their minor child's school or childcare service is closed due to a COVID-19 emergency declared by a federal, state or local authority. To be eligible for the FML Expansion leave, employees must be employed by the City for at least 30 calendar days.

Eligible employees may have up to eighty (80) hours of paid leave under the Emergency Paid Sick Leave outlined above and may take up to an additional 10 weeks of FML Expansion leave if they are unable to work (or telework) because they must care for a son or daughter under 18 years of age. The need for leave must be caused by the closing of the child's elementary school, high school, place of care, or the unavailability of the child's childcare provider, due to a declared COVID-19 public health emergency.

The FML Expansion does not apply to an employee's own serious health condition or the serious health conditions of immediate family members. If leave is needed for an employee's own serious health condition or the serious health conditions of immediate family members, the employee may be eligible for benefits under the City's FMLA policies or the Emergency Paid Sick Leave policies listed above. For more information regarding FMLA, please contact the City Clerk.



- ***FML Expansion Definitions:***

- **Work Week:** One regularly scheduled work week or the equivalent in hours
- **Childcare provider:** a provider who receives compensation for providing childcare services on a regular basis.

- ***FML Expansion Paid/Unpaid Leave***

The first ten days of leave will be paid in accordance with the Emergency Paid Sick Leave policy outlined above. After the first ten days of leave, the City will compensate the remaining FML Expansion leave at a rate of two-thirds (2/3) of the employee's regular rate of pay, based on the number of hours the employee would otherwise normally be scheduled to work in a work week, up to a maximum of \$200 per day, or \$10,000 total. An employee may supplement his/her FML Expanded Leave benefits with any earned but unused time-off hours.

- ***Medical Benefits While on an FML Expansion Leave***

Employee's medical benefits will be maintained during a leave.

- ***Holiday During Leave***

If a holiday falls during a period of paid leave, employees will be paid for that holiday at a rate of two-thirds (2/3) of the employee's regular rate of pay, based on the number of hours the employee would otherwise normally be scheduled to work in a work week, up to a maximum of \$200 per day.

- ***Requesting FML Expansion Leave***

Requests for FML Expansion leave should be made directly to the City Clerk's office as soon as reasonably possible. Any request for leave must be made in writing confirming that the child's daycare or school is closed and the expected closure dates. An employee will receive a written response from the City Clerk or his/her designee approving or denying the leave request.

- ***Returning to Work/Expiration of Leave***

During the 12 workweeks of approved FML Expansion leave, employees are entitled to be reinstated to their same job or to an equivalent position with the same pay, benefits and working conditions, as provided by the law.

If an employee cannot return to work after expiration of the FML Expansion leave, the employee will be entitled to use applicable paid leave banks (personal, vacation, compensatory leave) to continue to be paid. If all applicable leave banks are exhausted, the City shall review the status of employment to determine if any further leave or accommodations can be made.

- ***Emergency Responders***

This policy may not apply to emergency responders. Emergency responders are expected to report for work regardless of their situation unless they themselves exhibit symptoms. In this situation, the employee must immediately report their symptoms to their Department Head and await further instructions. Other leave requests by this group of employees will be handled on a case-by-case basis.

The policy regarding FML Expansion leave is subject to change as additional information and direction is obtained regarding the COVID-19 virus.

**RESOLUTION 20-10**

**RESOLUTION ADOPTING TEMPORARY ELECTRONIC PUBLIC MEETINGS**

**WHEREAS**, Federal and State Agencies are issuing warnings related to COVID-19 asking that individuals refrain from attending large public gatherings, due to the concerns regarding person-to-person transmission of the COVID-19 virus; and

**WHEREAS**, Iowa Code, Chapter 21, as interpreted and recommended by the Iowa Public Information Board (IPIB), permits public meetings to be held electronically and provided the Council and the public can participate; and

**WHEREAS**, the technology exists to hold meetings electronically as follows:

1. Starting March 17, 2020 all meetings of the City of Missouri Valley, including City Council; Boards, Commissions, and Committees will conduct their meetings electronically, until such further notice;
2. The proceedings will be broadcast live as usual, through "Zoom".
3. The public shall be provided a detailed notice compliant with Chapter 21.4 of the Iowa Code, including all necessary information for electronic participation, including all call-in numbers and procedures.
4. The City Staff is directed to research and prepare an electronic format via telephone wherein the public may listen in real time to the meeting and wherein public participants will be placed into a que until called upon by the Mayor.

**NOW THEREFORE BE IT RESOLVED**, the City Council of the City of Missouri Valley, Iowa; hereby authorize that starting March 17, 2020 all meetings including City Council; Boards, Commissions, and Committees meetings be conducted electronically, until such further notice.

**BE IT FURTHER RESOLVED**, by the Missouri Valley City Council of the City of Missouri Valley, Iowa, that the Mayor and City Clerk are hereby directed to certify this resolution of approval.

Passed and approved this 27th day of March, 2020.

\_\_\_\_\_  
Shawn Kelly, Mayor

Attest: \_\_\_\_\_  
Jodie Flaherty, City Clerk