

AGENDA ITEM SUMMARY

Subject: Amendment to Employment Agreement – Trudy O’Donnell & Steve Diers

Background Summary:

Resolution 90-22 and Resolution 91-22, approving amendment to employment agreement for both Trudy O’Donnell and Steve Diers.

In 2020 the telecom project was in full swing for development. Planning was being done to launch a city telecommunications entity, which included creation of a functioning board, bylaws for operation, solicitation of hiring a telecom manager, design of citywide network, bidding of said project and everything else that goes with it. Trudy O’Donnell serves as the Board Secretary and Steve Diers serves as the main contact or in many ways the “telecom manager” for coordinating the project and working with the various consultants to get the project going. Due to the telecom project being a distinct and separate operation from the rest of the city, the City of Charles City entered into an agreement with the Charles City Municipal Telecommunications Utility to establish a rate of pay to compensate the City of the time spent working on the project by both O’Donnell and Diers. Those rates were established as \$33 per hour for O’Donnell and \$60 per hour for Diers. This salary tracking was a required piece as the telecom needs to operate as a stand-alone operation.

In 2020 the city council suggested that O’Donnell and Diers should be compensated for the additional time and effort involved in the project. In September 2020 estimated hours to date were paid in lump sum to both O’Donnell and Diers from the prior years to date. It was suggested at that time that both employees be additionally compensated in the future for ongoing work on the project. From October 2020 through June 2021 both O’Donnell and Diers kept track of the hours involved on the project. By June 2021 the project had not yet made it past the financing hurdle and regular activity with the project had slowed considerably, so tracking of time spent was stopped. Diers is still working on a regular basis on the project trying to get it going but the time commitment is much less currently.

As previously discussed the council would like to compensate O’Donnell and Diers for this additional work. Enclosed is the resolution approving the employment agreement for each employee that will compensate each employee based on the telecom hours from October 2020 through June 2021.

Those totals are as follows:

- Trudy O’Donnell – 31 hours @ \$33 per hour = \$1,023
- Steve Diers – 152 hours @\$60 per hour = \$5,472



City of Charles City

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June 29, 2021

Mayor Dean Andrews and City Council

RE: Telecom Hours for City Administrator and City Clerk

Dear Mayor & City Council,

Last fall the city council chose to additionally compensate both the City Administrator and City Clerk for additional time spent on the Charles City Telecommunications project. Time spent on the project since the creation of the Telecom Board was added up from December 1, 2019 through September 30, 2020. It was suggested that additional hours be revisited periodically going forward. Below are the hours spent by both the City Clerk and City Administrator on the telecom project, October 1, 2020 through June 30, 2021. Listed below are the total hours, rate at which the telecom is to reimburse the city and gross total.

October 1, 2020 – June 30, 2021

City Clerk – 31 hours at \$33 per hour = \$1,023

City Administrator – 152 hours at \$60 per hour - \$5,472

Respectfully,

A handwritten signature in blue ink, appearing to read 'Steven Diers', is written over a blue horizontal line.

Steven Diers
City Administrator
City of Charles City

RESOLUTION NO. 90-22

**RESOLUTION APPROVING AMENDMENT TO EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF CHARLES CITY AND CITY CLERK TRUDY O'DONNELL**

WHEREAS, the City of Charles City, Iowa (Employer) and the City Clerk (Employee) entered into an Employment Agreement in July of 2007; and

WHEREAS, it is the desire of the Employer and the Employee to amend the terms of this agreement to compensate for extraordinary pay; and

WHEREAS, an Amendment to Employment Agreement has been prepared for this purpose and submitted herewith.

NOW, THEREFORE, BE IT RESOLVED that the Amendment to Employment Agreement between the Employer and Employee be and is hereby approved and the Mayor and City Clerk are hereby authorized to execute this Amendment to Employment Agreement on behalf of the City of Charles City, Iowa.

Council Member moved adoption of the foregoing Resolution, Council Member seconded the motion to adopt, and on roll call, the voting was as follows:

Ayes:

Nays:

Passed and approved this 1st day of August, 2022.

Attest:

Dean Andrews, Mayor

Trudy O'Donnell, City Clerk

AMENDMENT TO EMPLOYMENT AGREEMENT

WHEREAS, the City Clerk, Trudy O'Donnell, entered into an Employment Agreement (the Agreement) with the City of Charles City, Iowa (the City), dated July 1, 2014; and

WHEREAS, the City and the Trudy O'Donnell have agreed to continue her employment under the terms of the Agreement except with a modification to provide Trudy O'Donnell with a lump-sum payment for extraordinary duty pay for services rendered on behalf of the Charles City Telecommunications Utility as provided herein.

NOW THEREFORE BE IT AGREED that the Agreement between the City of Charles City, Iowa and Trudy O'Donnell as City Clerk continue on the same terms and conditions as set forth in the Agreement (as modified), with the following addition/amendment to Paragraph 4, Salary: In addition to the Employee's annual base salary for the fiscal year ending June 30, 2022, Employee shall receive a lump-sum payment (less applicable tax withholding) in the amount of \$1,023.00 for extraordinary duty pay for said fiscal year, payable on or before September 1, 2022.

Dated this ____ day of _____, 2022.

Trudy O'Donnell, City Clerk

CITY OF CHARLES CITY, IOWA

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk

RESOLUTION NO. 91 -22

**RESOLUTION APPROVING AMENDMENT TO EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF CHARLES CITY AND CITY ADMINISTRATOR STEVEN
DIERS**

WHEREAS, the City of Charles City entered into an Employment Agreement in February of 2014 which provided for the terms of the employment relationship between Steven Diers as City Administrator and the City of Charles City, Iowa; and

WHEREAS, the City and the City Administrator desire to amend this contract to compensate for extraordinary pay as more specifically set forth in an Amendment to Employment Agreement submitted herewith.

NOW, THEREFORE, BE IT RESOLVED that the Amendment to Employment Agreement submitted herewith be and is hereby approved and the Mayor and City Clerk are hereby authorized to execute this Amendment to Employment Agreement on behalf of the City of Charles City, Iowa.

Council Member moved adoption of the foregoing Resolution, Council Member seconded the motion to adopt, and on roll call, the voting was as follows:

Ayes:

Nays:

Passed and approved this 1st day of August, 2022.

Attest:

Dean Andrews, Mayor

Trudy O'Donnell, City Clerk

AMENDMENT TO EMPLOYMENT AGREEMENT

WHEREAS, the City of Charles City, Iowa entered into an Employment Agreement (the Agreement) with Steven Diers as City Administrator, dated December 19, 2013; and

WHEREAS, the City and the City Administrator have agreed to continue his employment under the terms of the Agreement except with a modification to provide Steven Diers with a lump-sum payment for extraordinary duty pay for services rendered on behalf of the Charles City Telecommunications Utility as provided herein.

NOW THEREFORE BE IT AGREED that the Agreement between the City of Charles City, Iowa and Steven Diers as City Administrator continue on the same terms and conditions as set forth in the Agreement, dated December 19, 2013 (as modified), with the following addition/amendment to Paragraph 4, Compensation: In addition to the Employee's annual base salary for the fiscal year ending June 30, 2022, Employee shall receive a lump-sum payment (less applicable tax withholding) in the amount of \$ 5,472.00 for extraordinary duty pay for said fiscal year, payable on or before September 1, 2022.

Dated this ___ day of _____, 2022.

CITY ADMINISTRATOR

CITY OF CHARLES CITY, IOWA

Steven Diers

Dean Andrews, Mayor

Attest:

Trudy O'Donnell, City Clerk