

City of the Village of Clarkston 375 Depot Rd Clarkston, Michigan 48346 City Council Regular Meeting

1.8.2024 AGENDA

Microsoft Teams meeting Join on your computer @ 7pm, mobile app or room device "Click here" to join the meeting Meeting ID: 217 682 328 394 Passcode: 96ueXs

- 1. Pledge Of Allegiance
- 2. Roll Call

Mayor Wylie, Mayor Pro Tem Rodgers Council Members: Casey, Forte, Lamphier, Quisenberry, and Roth.

- 3. Approval Of Agenda Motion
- 4. Public Comments

Individuals have the opportunity to address the City Council on topics not on the agenda for three minutes. In order to hear all Individuals comments at a reasonable hour, the City Council request that speakers respect the three-minute time limit. Note: this is not a question-answer session. However, it is an opportunity to voice your thoughts with City Council.

- a. TBD
- 5. FYI
- a. Wednesday, January 24th, 2024 ZBA meeting @ 7pm.

Documents:

ZBA PUBLIC HEARING NOTICE - SHED ON VACANT PINEHURST CT.PDF

6. City Manager Report 1.8.2024

Documents:

CITY MANAGER REPORT 1.8.2024.PDF

7. Motion: Acceptance Of Consent Agenda As Presented 1.8.2024

Final Minutes: 11.27.2023

Draft Minutes: 12.11.2023

Treasurer's Report: 1.8.2024

Documents:

1.8.2024 CONSENT AGENDA.PDF

8. Old Business:

None

9. New Business:

a. Motion: Updates to the City Policy & Procedure Manual

b. Resolution: Sewer Billing Price Increase

c. Motion: Updated City Logo

d. Resolution: City Conference Room Communication Equipment

Documents:

MOTION SHEET POLICY AND PROCEDURE UPDATE.PDF
UPDATE POLICY AND PROCEDURE MANUAL.PDF
SEWER BILLING PRICE INCREASE.PDF
UPDATE OF THE CITY LOGO.PDF
CITY CONFERENCE ROOM COMMUNIATION EQUIPMENT.PDF

10. Adjourn

Only those matters that are on the agenda are to be considered for action. People with disabilities needing accommodations for effective participation in this meeting should please contact the Karen A. DeLorge, City Clerk (248) 625-1559 at least two working days in advance of the meeting.

An attempt will be made to provide reasonable accommodations.

PUBLIC NOTICE

City of the Village of Clarkston Artemus M Pappas Village Hall 375 Depot Rd. Clarkston, MI 48346

ZONING BOARD OF APPEALS MEETING and PUBLIC HEARING January 24, 2024, starting at 7:00 PM

The Zoning Board of Appeals of the City of the Village of Clarkston will hold a Special Meeting and Public Hearing on <u>Wednesday</u>, <u>January 24</u>, <u>2024</u>, <u>starting at 7:00 PM at the Clarkston</u> <u>Village Hall</u>, <u>located at 375 Depot Road</u>, <u>Clarkston</u>, <u>MI</u> to consider the following:

A variance is being requested for vacant property on Pinehurst Court, Clarkston. Petition is requesting that a partially constructed 15'x9' storage shed on the property be allowed to remain (section 14.03 G of the City's zoning ordinance prohibits accessory buildings without a primary structure on the property).

Members of the public are welcome to attend this in-person hearing at the Clarkston Village Hall conference room located at 375 Depot Road, Clarkston, MI 48346. Written comments can also be submitted to Karen DeLorge, City Clerk, at delorgek@villageofclarkston.org until 3:00 PM the day of the hearing.

Persons with questions may call the City Office at (248) 625-1559 or email the City Clerk at delorgek@villageofclarkston.org. Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk's Office at least 48 hours prior to the meeting.

This notice is in compliance with PA 267 of 1976 (as amended) Open Meetings Act, MCLA 41.72 (2)(3) and the Americans with Disabilities Act (ADA).

Karen DeLorge, City Clerk

City of the Village of Clarkston City Manager Report January 8, 2024

Policy on Additions to the City Council Agenda

On January 4th, Councilmember Peg Roth submitted the attached letter requesting clarification on the City's policy relative to late additions to the Council Agenda packet. The City's policy has always been that <u>new</u> agenda items must be received by noon on the Thursday prior to the upcoming Council meeting so that the agenda can be published no later than close-of-business on the Friday prior to the Council meeting. Exceptions to this policy are only considered when a delay of two weeks to the next Council meeting will have a detrimental impact on a proposed agenda topic.

Updates or additions to the information provided on <u>existing</u> agenda items that are received between the time the agenda is published and the actual Council meeting are accommodated on a case-by-case basis. These information additions are the exception rather than the rule and are accommodated only for the purpose of ensuring that the Council has all available and relevant information at the time they are asked to render a decision. If these additions are significant (more than correction of a simple typo), the City Manager is responsible for communicating the addition at the outset of the meeting, during the "Approval of Agenda". If the Council would prefer that no additions to existing agenda items be allowed after the initial publication of the packet under any circumstance, this policy change can easily be accommodated.

Respectfully submitted, Jonathan Smith, City Manager, January 4, 2024

Jonathan Smith

From:

Peg Roth <pjr25mc@gmail.com>

Sent:

Thursday, January 4, 2024 2:42 PM

To:

Jonathan Smith; Karen Delorge; Sue Wylie; Theodore H. Quisenberry; Mike Lamphier;

Laura Rodgers; Amanda Forte; Gary Casey

Subject:

I would like to request

I would like to request

That an item be put on the agenda for discussion purposes only.

I noticed that the packet

From our last meeting had a letter added to it that I didn't see until the next day. It was added mid day on the date of the meeting. I checked with another recipient of the packet who was also unaware of the addition.

Yet for the same meeting we had a discussion about the place making issue,

Which could greatly affect the residents, that Jonathon was aware of the previous week and that wasn't added to the agenda.

I would like to know how it is determined what is added after the initial packet posting,

What makes it necessary to add at that time rather than putting it on the next agenda and how residents are made aware of additional posts being added.

It appears that the directives for this do not allow this to be a common use Of practice. Of Course, There will be unexpected situations that may arise but this should be the exception rather than the rule.

I would like

Clarification for the Council and the residents so that we can all be aware of the policy on this.

Peg Roth

375 Depot Road Clarkston, Michigan 48346

Motion - Policies and Procedures Manual Revisions

The City's Policies and Procedures Manual was last updated November 22, 2021. This manual is to be reviewed and updated every 3 years or as needed for any required revisions. The attached draft manual reflects two (2) proposed changes, highlighted in yellow: (1) updated Cover Page (page 1) to reflect current City Council members, (2) updated Section 32: Employee Attire (page 16) to reflect a needed increase from \$125/year for DPW worker boots and coat to \$200/year. Motioned by __ ____ and Seconded by _____ to approve the above revisions to the City's Policy and Procedure Manual. Quisenberry Casey Forte Lamphier Rodgers Roth Wylie **Totals** Yes Yes Yes Yes Yes Yes Yes Yes No No No No No No No Abstain Abstain Abstain Abstain Abstain Abstain Abstain Abstain Absent Absent Absent Absent Absent Absent Absent Absent Motion is Adopted **Motion is Defeated**

Karen DeLorge, City Clerk

January 8, 2024

Date

CITY OF THE VILLAGE OF CLARKSTON 375 DEPOT ROAD, CLARKSTON MI 48346

POLICIES AND PROCEDURES MANUAL

Revised January 8, 2024

Sue Wylie, Mayor

Gary Casey

Amanda Forte

Mark Lamphier

Ted Quisenberry

Laura Rodgers, Mayor Pro Tem

Peg Roth

Jonathan Smith, City Manager



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PREFACE

This manual outlines the general personnel policies and procedures of the City of the Village of Clarkston. It is a reference for both supervisors and employees. Proper use of this information will assure consistent application of city personnel and procedures throughout the workforce and eliminate the need for individual decisions on matters already determined.

These policies and procedures will be reviewed every 3 years or as needed unless additional review is warranted. All personnel are invited to make suggestions for additions or revisions by contacting the City Manager.

These policies are intended to be consistent with Title VII of the Civil Rights Act of 1964 (race, color, religion, national origin or sex); the 1991 Civil Rights Act; the Age Discrimination in Employment Act of 1967 (age); the Vocational Rehabilitation Act of 1973 (handicap); the Americans with Disabilities Act (ADA) of 1990 (handicap); the Employee Retirement Income Security Act (ERISA) (pension and employee benefits); the Equal Pay act of 1963 (prohibits pay differential based on sex); the Immigration Reform and Control Act (IRCA) of 1986; Executive Order 11246 (race, color, religion, sex, or national origin); Executive order 11141 (age); the Fair Labor Standards Act (FLSA) (minimum wage and overtime pay); the Occupational Safety and Health Act (OSHA) (safety matters); the Family and Medical Leave Act (FMLA) of 1993, ALL AS AMENDED; The Elliott-Larsen Civil Rights Act (race, color, religion, national origin, age, sex, marital status, height and weight); the Michigan Handicappers' Civil Rights Act (handicap); Michigan Whistleblower's Protection Act; the Michigan Wage Payment Act (MCLMA Section 408.471) (wages and benefits); the Polygraph Protection Act of 1981 (restrictions on the use of polygraphs); as well as any Constitutional provisions of the State of Michigan or of the United States. The Policies and procedures in this manual do not constitute a legal contract and do not modify any of the at-will employment relationship between the employee and the City.

Section 1: PURPOSE OF THIS MANUAL

The general purpose of this manual is to introduce employees to the policies and procedures that guide actions concerning personnel matters for the City of the Village of Clarkston. This manual is also intended to serve as a mechanism for promoting favorable employee relations by providing information to employees regarding their employment with the City.

City Employees are responsible for becoming familiar with these policies as well as the policies, procedures, processes and protocols specific to his/her operational area and observing them always.

SECTION 2: SEVERABILITY

This manual is not a contract of employment either expressed or implied. It is a general publication and as such it is possible that a conflict may arise between an item in this manual and an item in a contract, insurance plan document or other legal document or statutory provision. If such a discrepancy arises, the provisions contained herein do not replace or supersede the terms of any other legal document or provision which may take precedence, in which case the applicable provision(s) of the subject agreement shall govern.

In all other areas, these policies should be referred to as guidance in personnel policy matters. The policies contained herein shall govern regardless of past practices or former policies. A conflict in one area does not nullify the other items in this manual.

SECTION 3: DISTRIBUTION AND UPDATES

The City of the Village of Clarkston expressly reserves the right to amend or modify any of the items contained in this manual at any time at its sole discretion. Substantive changes will be communicated in writing to employees, and the City will make reasonable effort to ensure employees are provided with a notice of change. However, employees are ultimately responsible for remaining abreast of the City's policies, procedures and rules.

Each employee of the City will receive a copy of this manual and will be required to review it in its entirety and sign for its receipt. Employees are expected to insert written updates into their manual document to ensure their manual remains up to date. If there are questions regarding the manual or any other matter, please discuss them with your supervisor or contact the City Manager's office.

SECTION 4: CITY GOVERNANCE

The City Manager serves and answers to the Council in accordance with the City Charter. Per the City Charter, the City Manager assumes the roles and responsibility for all employee personnel issues and employee oversight for the City. The Manager is fully authorized to execute all personnel matters on behalf of the City including, but not limited to, hiring, evaluations, disciplinary actions, salary adjustments, termination of employment, and entering into employment contract services according to standards and policies approved and adopted by the Council.

The number of employees in each department is subject to change according to the needs of the community and budgetary constraints. The primary departments in the City are as listed:

- 1. Administration
- 2. Streets, Park & Buildings (to be named the Department of Public Works, or D.P.W.)

The number of employees are determined on the merits and needs of each department. In determining the needs of each department, the Department Head and City Manager shall meet with the City Council to make a final determination. No determination for new full-time employment shall be approved unless the City Council has first approved the department's size and job description.

The Department Head and City Manager may determine the needs for seasonal and temporary employment without the consent of the City Council, provided the department's budget permits the adjustment. In the event seasonal or temporary employment is necessary and the budget does not support the change, the Department Head with the assistance of the City Manager shall first receive budget approval from the City Council prior to the start on any temporary or seasonal employment.

The Mayor may appoint a Personnel Committee consisting of three Council members with one position as the Mayor. Its purpose is to study and make recommendations to the City Council regarding personnel policies and employment practices in the City.

SECTION 5: APPLICATION AND HIRING PROCESS

- 1. Applications for employment will be made available at the City Administrative Offices and D.P.W. offices.
- 2. Completed applications for employment shall be filed with the City Clerk and shall be maintained in an active file status for a period of one year. Applications may be removed from the files and destroyed after one year.
- 3. Interviews will generally be conducted by the City Manager and the Department Head with recommendations being submitted to the City Council. The City council makes all final decisions regarding hiring of all full-time employees.
- 4. Physical examinations are required along with random drug testing based on the nature of the work to be performed. Failure to meet the medical standards for a specific job may be cause for rejection of an applicant. The City Council will not fail or refuse to hire, recruit or promote an individual because of a disability or handicap condition that is unrelated to the job or position, nor will the City Council fail or refuse to hire, recruit of promote an individual on the basis of physical examination that are not directly related to the job or position, nor will the City Council fail or refuse to hire, recruit or promote an individual on the basis of physical examinations that are not directly related to the requirements of the specific job. Physical examinations for employment shall be paid by the City.

SECTION 6: HIRING OF RELATIVES

It is the policy of the Clarkston City Council that no person shall be employed by and/or placed under the direct supervision of a relative by blood or marriage.

SECTION 7: RE-EMPLOYMENT OF FORMER EMPLOYEES

Former employees may apply for positions with the City. If hired, however, their status will be the same as a new employee relative to vacation time, sick time, probation, etc.

SECTION 8: CLASSIFICATION OF EMPLOYEES

A full-time employee is an employee who is scheduled to work year-round, forty hours per week, not including holidays and vacation time.

A part time hourly employee is an employee who is scheduled to work an average of not more than 30 hours per week, not including holidays and vacation time.

A seasonal employee is one who is employed on a temporary basis either full time or part time to help with workloads of a temporary nature. Temporary classified positions not to exceed one year of staffing, may be requested as needed but must be reviewed for classification appropriateness and funding availability prior to posting. Requests should include the beginning and ending dates of expected staffing.

SECTION 9: EMPLOYEE ORIENTATION

Upon receiving notification that an applicant has accepted an employment offer, the Department Head will provide the proper orientation process for the new employee to obtain an understanding of and concurrence with the policies and procedures of the City.

In addition to the basic orientation conducted by the Department Head, it is important that the new employee's immediate supervisor cover the following items:

- 1. Duties and responsibilities, performance standards, and performance appraisal procedures
- 2. Working hours, office routine and procedures
- 3. Introductions to all other personnel
- 4. Explanation of the organizational structure and its relationship to other City functions
- 5. Familiarization of the new employee with the City limits, buildings and facilities

SECTION 10: PROBATIONARY PERIOD

New employees will be placed on probation for a period of six months. After three months the immediate supervisor will make a written evaluation of the employee's performance followed by a conference with the employee about the evaluation. One copy of the evaluation signed by the employee will be placed in their personnel file. After six months the same procedure will be followed. A decision will be made by the City Manager and the Department Head as to whether

the employee should be retained. Raises will not be given during any probationary period nor will any raises given be retroactive for any period of probation.

SECTION 11: HOURS OF WORK

The City offices are open for business from 9:00 a.m. to 5:00 p.m. Monday through Thursday. The DPW office is open from 9:00 a.m. to 5:00 p.m. Monday through Friday. Department Heads will establish work hours for their employees. Non-salaried employees shall be paid overtime pay (1 and 1/2 times the regular pay rate) for work exceeding 8 hours per day.

SECTION 12: TARDINESS

Employees are expected to be at their work stations ready to begin work at whatever hour they have been scheduled to work. They are also expected to continue until their work day has ended. Excessive unexcused tardiness or early leaving will result in a reprimand for the first offense, loss of a minimum of fifteen minutes pay for a second offense, or suspension without pay for a third offense. The length of suspension will be at the discretion of the employee's immediate Department Head. "Excessive" is defined as more than once in a given two-month period. Excessive unexcused tardiness or leaving early is cause for dismissal.

SECTION 13: ABSENCES

An employee who is absent from work or fails to return from vacation or other leaves of absence without first obtaining the approval of the City Manager may be considered as having resigned from their position after 3 scheduled work days, at the City Manager's discretion.

Absences without permission will not be tolerated. In the event of an emergency, employees are obligated to notify the Department Head at the earliest possible moment.

SECTION 14: LAYOFFS AND UNEMPLOYMENT COMPENSATION

A layoff shall be defined as a reduction in the work force and shall mean an employee laid off for a period of seven or more consecutive scheduled work days.

All employees shall be laid off according to the seniority they hold in their respective job classifications and recalled in reverse order provided they possess the ability needed to perform the job.

An employee being considered for a layoff will be given at least ten days written notice by the Department Head responsible for that employee.

Employees who voluntarily terminate employment or are discharged because of misconduct connected with work or who stop work because of a labor dispute or who quit work to go to school may be subject to disqualification under the unemployment compensation laws of Michigan.

Supervisory personnel shall indicate in writing the exact reason for terminating an employee.

SECTION 15: HOLIDAYS

All probationary, salaried, and regular full-time employees of the City of Clarkston who have been employed by the City for at least 30 days shall be eligible for fourteen paid holidays pursuant to the following restrictions.

The employee must work the preceding work day before the holiday and the succeeding work day after the holiday unless the employee is on approved vacation time or excused by the Department Head.

Should one of the recognized holidays fall within an employee's vacation, the vacation period shall be extended by an additional day for each holiday if the employee so chooses.

Should one of the recognized holidays fall on a non-working day, the employee shall receive the workday off closest to the recognized holiday.

Recognized holidays in the City of Clarkston are as follows:

New Year's Day

Martin Luther King, Jr Day

President's Day

Good Friday

Memorial Day

June 19teenth

July 4th

Labor Day

Veteran's Day

Thanksgiving Day and Day After

Christmas Eve and Christmas Day

New Year's Eve Day

SECTION 16: VACATIONS

Full time and salaried employees will be eligible for vacation with pay according to the following schedule:

After One Year

One Week (5 Days)

After Two Years

Two Weeks (10 Days)

After Five Years

Three Weeks (15 Days)

After Ten Years

Four Weeks (20 Days)

Vacations may not be taken until earned. Time off for vacations are to be approved by the Department Head or City Manager. Eligible employees may carry-over up to 5 vacation days into the next calendar year. Employees will not receive vacation pay in lieu of vacation time.

If an employee resigns or is discharged for any reason other than embezzlement or becomes disabled or dies, the employee or their estate will receive payment for all their remaining eligible vacation time.

SECTION 17: SICK AND DISABILITY LEAVE

Full time and salaried employees will receive six days sick leave time per year accruing at the rate of 1/2 day per month commencing from the date of hiring. Eligible employees may carry-

over up to 2 sick days into the next calendar year. Upon separation, accrued sick leave will not be paid for.

It is understood that sick days are not to be considered as additional vacation or holiday time. It is to be taken only when some illness or injury prevents the employee from performing their job duties. The Department Head or City Manager may require a physician's statement at any time regarding injury or illness.

SECTION 18: ON THE JOB INJURY/ILLNESS (WORKERS COMPENSATION)

An employee who has been injured on the job or contracted an occupational disease while working as a City employee must notify his or her supervisor as soon as possible after the incident. If the injury or illness comes within the provisions established by law, the injured employee may be entitled to receive benefits under the Workers Compensation Act.

The injured/ill employee is responsible for notifying his or her supervisor immediately. If the supervisor cannot be reached, the employee should contact the City Manager immediately.

The supervisor of the injured/ill employee is responsible for determining the nature of the incident and its cause. The employee is required to be treated at a clinic designated by the City.

SECTION 19: MILITARY LEAVE

The City of Clarkston shall abide by the provisions of the Selective Service Act and its judicial interpretation with respect to leaves of absence due to military service including National Guard duty.

SECTION 20: JURY DUTY

If any employee is ordered and reports for jury duty, that employee shall be paid by the City at the rate of the difference between their straight time pay and the jury duty pay for each day of jury duty that the employee would have been scheduled to work. Compensation shall only be paid if the employee gives prior notice to the Department Head/City Manager and presents proper evidence as to the jury duty performed.

SECTION 21: FUNERAL LEAVE

Employees are eligible for paid leave of one to three days immediately following the death of any of the following people:

Son or Daughter Grandchild Parent
Grandparent Brother Sister
Mother or Father in law Son or Daughter in law

Other persons deemed appropriate by the City Manager

Additional bereavement time may be authorized at the discretion of the City Manager.

SECTION 22: HEALTH INSURANCE

The City of Clarkston shall make available a health insurance medical benefit plan for all full-time employees. The City will pay a prescribed amount of the premium with the employee paying the remaining balance. Payment from the City commences after the required probationary period is complete.

SECTION 23: PENSION PLAN

The City does not currently support employee retirement or pension plans. An optional employee savings retirement plan is, however, available through employee payroll deduction. The City does not contribute to this savings plan.

SECTION 24: GRIEVANCE OR PROBLEM-SOLVING PROCEDURES

The City of Clarkston recognizes that employees and supervisors may have differences that could require prompt and appropriate resolution of a complaint. The City is committed to the establishment and operation of an internal complaint process within the framework of the entire City.

It is the intent of the City to resolve all complaints at the lowest level of supervision and as expeditiously as possible. Employees are encouraged to discuss problems with their supervisor in an informal way before filing an official complaint. To this end the City acknowledges an "open door" policy intended to encourage free discussion between employees and their supervisors to produce prompt resolution of concerns, conflicts or complaints.

All employees who have a problem or complaint shall first discuss the matter with their Department Head. If after meeting with the Department Head the problem remains unresolved, the employee may ask for a hearing with the City Manager. If still unresolved, the employee may request a hearing before the City Council in a closed session.

SECTION 25: WORK RULES

Political Activity. The City of Clarkston recognizes the importance of the democratic process and encourages an employee's participation in it. However, any political activities an employee chooses to participate in must be done on his or her own time and must not interfere with their City duties and responsibilities.

Telephone Communications. The City of Clarkson recognizes that there are times when personal communications must be made to and from employees by phone. It is important for all employees to recognize the use of personal and privately owned cellular telephone for all telephone calls is a privilege which must not be abused. Personal telephone communications may be limited by the Department Head or City Manager.

With respect to employee use of City owned communication devices including telephones their use should be restricted to official business, communications of an emergency nature or as defined and limited by the Department Head or City Manager.

Gifts and Gratuities. The acceptance of gifts for City services is strictly prohibited. The acceptance of money is specifically prohibited.

Discipline. Proper discipline and standards of conduct are necessary to protect the health and safety of all employees, to maintain uninterrupted services and to protect the City's goodwill and property.

SECTION 26: TERMINATION OF EMPLOYMENT

At will employees may be discharged at any time when it is deemed in the best interest of the City. Contract employees may be let go at any time after their contract has expired when it is deemed in the best interest of the City. Department Heads are responsible for the dismissal of their direct charges after consultation with the City Manager. Department Heads will be dismissed by the vote of the City Council.

Exception to this procedure are as follows:

An employee may be subject to immediate termination of employment for a violation of any of the following:

- 1. Negligent act which results or could result in the injury or possible injury or loss of life of a person or persons.
- 2. Falsely stating or making claims of injury.
- 3. Malicious damage of City property or equipment
- 4. Unlawful or improper conduct during working hours or non-working hours which would affect the employee's relationship to his or her job, fellow employees, Department Head, or City officials, The City or City Official's goodwill or reputation in the community or effectiveness with the public.
- 5. Misuse or improper use of authority or responsibilities in any City position
- 6. Falsification of any document or application
- 7. Misconduct
- 8. Immoral or indecent conduct
- 9. Fighting or striking another person
- 10. Any conviction of a felony
- 11. Any theft
- 12. Possession or use of alcoholic beverages or illegal drugs during hours of employment including reporting to work under the influence of any alcohol or illegal drug
- 13. Restricting or interfering with others in the performance of their job or engaging in any interruption of work
- 14. Misappropriation of public funds, materials, equipment or property
- 15. Insubordination to a Department Head, City Manager or City Official
- 16. Threatening, intimidating or coercing other employees, Department Heads, City Manager or City Official

SECTION 27: EXAMPLES OF MISCONDUCT

- 1. Major chargeable accident when on City business after a full investigation, may be subjected to non-driving status
- 2. Minor chargeable accident when on City business after a full investigation (\$1000 or less damage).
- 3. Failure to file a written report of all accidents with the Department Head, or the City Manager prior to the end of the workday provided the employee is judged capable of making such a report.
- 4. Violating any safety rules or practices or engaging in any act or conduct which creates a safety hazard.
- 5. Failure to wear or use required safety equipment or apparel.
- 6. Unsafe or reckless use of City vehicles or apparel.
- Failure to report a suspension or revocation of a driver's license or a physical or mental condition that impairs the ability to use vehicles or equipment to perform City work
- 8. Failure to report mechanically defective condition of equipment or vehicles upon knowledge of same
- 9. Failure to report a personal injury prior to the end of the work day provided the employee is judged capable of making a report
- 10. Unauthorized use of any City equipment, vehicle, building furnishings or materials
- 11. Careless use or abuse of City property, vehicles, buildings, furnishings, or materials
- 12. Tardiness or unexcused absenteeism
- 13. Abuse of or fraudulent use of paid or unpaid sick leave or approved absence days
- 14. Absent without cause or leaving early without permission
- 15. Improper grooming or appearance
- 16. Failure to wear uniform or proper equipment
- 17. Wearing improper apparel on the job
- 18. Discourtesy or improper conduct in dealing with the public
- 19. Falsifying records or reports
- 20. Gambling, horseplay, or interfering with fellow employees, Department Heads, City Manager or City Officials
- 21. Sleeping during work hours
- 22. Unfit condition for work
- 23. Solicitations or conducting personal business without permission during work hours
- 24. Neglect of job, duties or responsibilities, or loafing
- 25. Failure to follow work routines or work priorities as designated or instructed

SECTION 28: DRIVING RECORD STANDARDS

Any applicant for promotion or employment with the City of the Village of Clarkston must meet minimum driving record standards. Applicants having any of the following record violations are automatically disqualified from employment consideration (including promotion) in jobs requiring driving a City vehicle to conduct City business.

Failure of current employees to meet these minimum standards will result in a hearing to determine the employee's employment related driving status. The employee's Department Head and the City Manager will conduct the hearing jointly.

- 1. Any conviction of manslaughter, negligent homicide or any other felony in connection with the operation of a vehicle
- 2. Any conviction of operating under the influence of liquor, driving while impaired or operating under the influence of drugs within the last four years
- 3. Failure to take a blood alcohol test
- 4. Conviction of driving while his/her license is suspended, revoked or denied with the last four years
- 5. Loss of driving privileges due to his/her license being suspended, revoked or denied within the last two years
- 6. Accumulation of eight or more points within the last two years
- 7. Conviction of three or more moving violations within the last two years
- 8. Two or more accidents within the last two years which show applicant/employee at fault or primarily at fault
- 9. Conviction or reckless driving within the last two years
- 10. Citation, warning or other indication of texting while driving
- 11. Any combination of violations, accidents, etc., which indicate a poor attitude, unsatisfactory driving skills or general inability to maintain a safe driving record
- 12. Holders of CDLs will adhere to MDOT Model Commercial Driver's License Manual, item 1.2.2 Alcohol, Leaving the scene of an accident and Commission of a Felony

SECTION 29: CONFIDENTIALITY OF PERSONNEL RECORDS

The purpose of this policy is to state the City's personnel policy regarding the maintenance and release of personnel related information.

All records supporting personnel actions taken which concern your employment are part of your official personnel file. The official personnel file contains employee records and documents including but not limited to employee history records, service rating, personnel action notices, benefit and compensation forms, formal counseling, and disciplinary action notices. Information stored in the City automated payroll system is considered part of the official personnel file. A copy of your initial personnel file will be forwarded to the office of the City Manager.

You have access to your own official personnel file for periodic review at reasonable intervals throughout the calendar year. Official personnel files are contained in the City offices. To review your file, a written request must be provided to the Office of the Clerk at least two days prior to the desired review date. The review will take place in the Office of the Clerk during normal working hours with authorized supervision in accordance with the appropriate provisions of authorized supervision in accordance with the appropriate provisions of the Bullard-Plawecki employee Right to Know Act. On rare occasions an employee may request a copy of his or her personnel file. In such cases the employee may be asked to pay for the cost of copying the file.

SECTION 30: CODE OF EMPLOYEE ETHICS

- 1. Use of Clarkston vehicles and equipment shall only be used within the City limits for City authorized purposes. Use of vehicles and equipment outside of the City limits is only allowed when specifically required for City authorized work (i.e. deliveries, material pickup, fueling, repairs, etc.)
- 2. All City vehicles and equipment shall be returned to the proper place in the City at the end of each work day unless emergency conditions occur that do allow the timely return.
- 3. It is the policy of the City of Clarkston that all officials and employees must avoid conflicts between their private interests and those of the general public whom they serve. To enhance the faith of the people and the integrity and impartiality of all officials and employees of the City the following guidelines are provided for separating their roles as private citizens from their roles as public servants.
- 4. Where government is based on the consent of the governed every citizen is entitled to have complete confidence in the integrity of his or her government. Each individual employee or advisor of government must help to earn and must honor that trust by his own integrity and conduct in all official duties and actions.
- 5. Employees must avoid any action that might result in or give the appearance of:
 - a. Using their public positions for private gain
 - b. Giving unlawful preferential treatment to anyone
 - c. Losing objectivity or impartiality
 - d. Making a governmental decision outside of official channel, or
 - e. Adversely affecting the public's confidence in government
- 6. Employees must use City property only for its intended purpose. Employees shall not participate in gambling, betting, or lotteries on City property. Employees shall not:
 - a. Intentionally subject another to mistreatment or to arrest, detention, search, seizure, dispossession, assessment, or lien that they know is unlawful
 - b. Make a terroristic threat or threat of retaliation against another employee, supervisor, or manager
 - c. Intentionally deny or impede another in the exercise or enjoyment of any right, privilege, power, or immunity knowing their conduct is unlawful, or
 - d. Intentionally subject another to sexual harassment
- 7. Illegal or improper dumping of toxic or polluting substances, garbage, trash, debris, or any items in any manner that poses any hazard to the health, safety, and welfare of the City.
- 8. Employees shall not do any of the following:
 - a. Employees shall not have any interest or engage in any business activity or employment that conflicts with the performance of their duties for the City.
 - Employees shall not have either directly or indirectly any financial or other personal interest in any contract or subcontract in connection with a department project if authorized in their official capacity to take part in negotiating, making, accepting, or approving such contract or subcontract or

- performing any duty for the City in connection with such contract or subcontract.
- c. Employees shall not solicit, accept, or agree to accept an honorarium in consideration for services that the employee would not have been requested to provide but for the employee's official position or duties. This does not apply to transportation, meals, and lodging expenses in connection with a conference or similar event when allowed by law.
- d. Employees shall not accept other employment or engage in business or professional activities that could require or cause them to reveal confidential information acquired through their official position
- e. Employees shall not accept other employment or compensation that could hinder their independence of judgment in the performance of their official duties
- f. Employees shall not make personal investments that create or could reasonably be expected to create a substantial conflict between their personal interests and public interest
- g. Employees shall not use official information that is not available to the public for the purpose of furthering their own private interests
- h. Employees shall not take part in any personal or business financial transaction that relies on information obtained through their official position
- i. Employees shall not misapply anything of value belonging to the City that has come into their custody or possession by virtue of their employment
- j. Employees shall not accept, solicit, or agree to accept any benefit, gift, favor, or service that might influence them in the performance of their duties
- k. Employees shall not solicit, accept, or agree to accept any benefit, gift, favor, or service that they know is being offered for the purpose of influencing their official conduct or for having performed official duties in favor of another
- Employees shall not solicit, accept, or agree to accept any benefit, gift, or favor from a person who is regulated by the City
- m. Employees shall not offer, confer, or agree to confer on another person or solicit, accept, or agree to accept from another person any benefit as consideration for the recipient's decision, opinion, recommendation, vote, or other exercise of discretion or for a violation of a duty imposed by law on an employee
- n. Employees who are or will be witnesses in an official proceeding shall not solicit, accept, or agree to accept any benefit on the understanding that the employee will lie, withhold evidence, or fail to appear at the hearing
- Employees shall not solicit, accept, or agree to accept any benefit from a
 person interested in any contract, payment, claim, or transaction involving
 the exercise of the employee's discretion

SECTION 31: REPORTING VIOLATIONS OF LAW

Employees shall report any suspected violations of law by the City to their immediate supervisor or City Manager upon becoming aware of same. No employee shall be harassed, terminated, suspended, or otherwise discriminated against for exercising their rights as citizens. Some of these rights are:

- a. Right and/or duty to report violations of the law
- b. Right to file a Workers Compensation claim
- c. Right to file a grievance
- d. Right to file a charge of alleged discrimination

It is a violation of State law for a State or local governmental body to suspend or terminate the employment of or otherwise discriminate against a public employee who reports a violation of law to an appropriate law enforcement authority if the employee report is made in good faith.

SECTION 32: EMPLOYEE ATTIRE

Employees are expected to dress in appropriate and professional attire at all times for the job they are performing. Office employees shall wear business casual attire. DPW employees are required to wear approved uniforms, supplied by the City. DPW employees are also granted a \$200/year allowance for work boots and coat.

SECTION 33: DRUG FREE WORK ENVIRONMENT

The City of Clarkston will provide a drug free workplace in compliance with Public Law 100-690, Title V, Subtitle D of the Drug Free Workplace Act of 1988. The unlawful manufacture distribution, dispensing, possession or use of alcohol or a controlled substance is prohibited on the premises of the any City Building, office or property including all sub-offices and field office locations. This same prohibition applies to City employees while operating any vehicle belonging to the City. Any employee who violates this prohibition will be subject to disciplinary action up to and including termination. All employees as a condition of employment will comply with this policy.

As a condition of employment, each employee will abide by the terms of the Drug Free Workplace policy and notify the City through his or her immediate supervisor of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Upon notice of a violation of this Section, the City shall take appropriate personnel action against such employee up to and including termination and/or require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program selected by the employee and approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency.

Staff identified as being subject to regulations under the Omnibus Transportation Act of 1991 and regulations promulgated thereby will be notified of those regulations and how they will be enforced within the City.

Smoking of any kind is prohibited in the City offices, DPW building, City vehicles/equipment or in other areas where smoking could be dangerous due to fire or other hazards.

SECTION 34: RELATIONSHIP OF PERSONNEL POLICY AND PROCEDURES MANUAL

The policies and procedures in the manual do not constitute a legal contract and do not modify the at-will employment relationship between the employee and the City.

SECTION 35: SOCIAL MEDIA USAGE

This section covers employee personal use of social media affecting the workplace and/or the City's ability to perform its public mission. The City recognizes the role that social media plays in the personal lives of some employees. However, the personal use of social media can have bearing on employees in their official capacity as they are held to a high standard by the community. Engaging in prohibited speech outlined in this policy may provide grounds for discipline and may be used to undermine or impeach an officer's testimony in legal proceedings.

- 1. Employees shall not post speech that negatively impacts the City's ability to serve the public
- 2. Employees may not post privileged information or represent the City
- 3. Employees may not use their City e-mail address to register a personal account on social media

SECTION 36: EMPLOYEE ACKNOWLEDGMENT RECEIPT

The skills and talents each employee contributes to the City of Clarkston are an integral part of setting the standard for the excellent service we demand of ourselves and which or citizens expect from us. It is our hope that your employment with the City of Clarkston will provide satisfaction to you professionally and that you will find avenues and opportunities to enhance your career and working enjoyment.

I acknowledge that I have received and read these employment policies. I understand that I am bound by the policies and procedures described in this handbook and in consideration for my employment I agree to follow them.

Printed Name	e:	
Signature:		
Dated:		

75 -

375 Depot Road Clarkston, Michigan 48346

Resolution - Sewer Rate Increase

WHEREAS, in the August 28, 2023 City Council Meeting, David McKee, Independence Township DPW Director reported that the Great Lakes Water Authority (GLWA) and the Oakland County Water Resource Commissioners Office (WRC) had announced an increase of 7.5% for sewage disposal rates for the 2023/2024 fiscal year, and;

WHEREAS, as shown in the attached schedule, the sewer billing rate of \$117.42 per quarter per Residential Equivalent Unit (REU) has remained unchanged for over seven (7) years (since July 28, 2016) despite small increases charged to the City over the last two years, and;

WHEREAS, to accommodate the GLWA/WRC 7.5% increase as well as a previous small increases that were not passed along to City residents, a 9% increase (\$10.58) is recommended at this time, increasing the billing rate to \$128.00 per quarter per REU, and;

WHEREAS, it is noted that inflation alone during the last seven (7) years has increased over 20%, and;

WHEREAS, it is noted that additional sewage disposal rate increases from GLWA and WRC are anticipated in the 2024/2025 fiscal year, and;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of the Village of Clarkston hereby authorizes the City Treasurer to implement a new sewer billing rate of \$128.00 per quarter per REU effective February 1, 2024.

	10-						
Casey	Forte	Lamphier	Quisenberry	Rodgers	Roth	Wylie	Totals
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain
Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
			-				
			Resolution is	s Adopted			
			Resolution is	s Defeated			
					2		
					January	8, 2024	
Karen DeLorge, City Clerk				-	Da	ate	!

City of Clarkston Sewer Billing Rate History

Date	Quarterly Fee	Percentage Increase
8/9/2004	\$51.50	
8/5/2005	\$53.00	2.91%
7/27/2006	\$57.00	7.55%
5/1/2009	\$97.00	70.18%
8/1/2013	\$110.00	13.40%
11/2/2015	\$114.00	3.64%
7/28/2016	\$117.42	3.00%
2/1/2024	\$128.00	9.01% Proposed

375 Depot Road Clarkston, Michigan 48346

Motion - Update of the City Logo

The current City logos are approximately 10 years old and are poor, low-resolution images. A fresh, high-resolution image is recommended for the City's new website and other communications. The attached document reflect the current images as well as three new alternatives as prepared by local artist Jen Hermann. The size, font and colors in each image can easily be changed if desired. Motioned by _____ and Seconded by ______ to change (or not change) the current City logo to alternative _____ (A, B or C) with modifications _____ (if any). Casey Forte Lamphier Quisenberry Rodgers Roth Wylie Totals Yes Yes Yes Yes Yes Yes Yes Yes No No No No No No No No Abstain Abstain Abstain Abstain Abstain Abstain Abstain Abstain Absent Absent Absent Absent Absent Absent Absent Absent Motion is Adopted Motion is Defeated

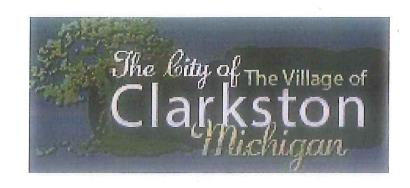
Karen DeLorge, City Clerk

January 8, 2024

Date

Current Logos:





Proposed Updated Logos:



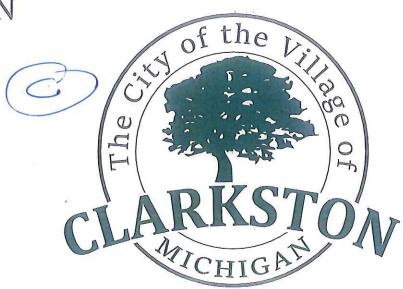


11



CLARKSTON





375 Depot Road Clarkston, Michigan 48346

Resolution - City Conference Room Communication Equipment

WHEREAS, starting with COVID, the City has utilized Microsoft Teams to allow the public to join the City Council meetings virtually, and;

WHEREAS, it is anticipated that this virtual connectivity offering will continue, increasing community participation and transparency, and;

WHEREAS, the current microphone/speaker system was inexpensive, but has proven incapable of providing quality and consistent communication in the meetings, and;

WHEREAS, to improve communication quality, our IT support contractor VC3 is recommending that the City purchase a "Meeting OWL" device, which provides high-quality two-way audio as well as video at a cost of \$1,326.00 (quote attached), and;

WHEREAS, when asked if a more cost-effective alternaive with similar features might be available available, the VC3 Account Manager responded that they could not locate any cheaper alternatives (see attached), and;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of the Village of Clarkston hereby authorizes the purchase of a Meeting OWL communication device at a cost of \$1,326 to be funded by the Technology/Internet Expense budget (101-172-852.000).

Casey	Forte	Lamphier	Quisenberry	Rodgers	Roth	Wylie	Totals
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain
Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
			Resolution	is Adopted			
			Resolution	is Defeated			
					lamos	2024	
	-	, D. I. C'I	Cl I	_	1	ary 8, 2024	
Karen DeLorge, City Clerk						Date	



www.vc3.com

803-733-7333

1301 Gervais Street, Suite 1800, Columbia, SC, SC 29201

Quote VC3Q28703

Valid through January 12, 2024

Prepared For:

Village of Clarkston, MI Jonathan Smith Phone: (248) 625-1559 375 Depot Rd Clarkston, MI 48346 smithj@villageofclarkston.org

Prepared By:

Hillary Pennell Client Solutions Specialist Phone: Fax: Email: hillary.pennell@VC3.com



For the full presentation proposal, <u>click here</u> to view or download the PDF version of this quote. You can sign and fax this in, or you can save time by simply electronically accepting this quote below.

Line Item Detail

Qty	Description	Picture	Unit Price	Ext Price
OV	VL Conference Camera			
1	Owl Labs Meeting Owl 3 Video Conferencing System - USB - Wireless LAN - Desktop, Tabletop	ৰ্গত	\$1,312.00	\$1,312.00
	Taxes are not included and will be added at the time of invoicing if applicable.			

 SubTotal:
 \$1,312.00

 Shipping:
 \$14.00

 Sales Tax:
 \$0.00

Total: \$1,326.00

Ready to Accept?

Order Confirmation

OWLLABS°



MEETING OWL 3

Meet the Meeting Owl® 3 device, our premium 360° camera, mic, and speaker that creates the most immersive meeting experience for hybrid teams.

KEY BENEFITS

- See and hear everything with 360° in-room video and audio and the upgraded Owl Intelligence System (OIS™) that uses computer vision to automatically focus on whoever is speaking
- Eliminates friction with a plug and play meeting setup and start to support most video conferencing platforms including, including Zoom, Microsoft Teams and Google Meet
- WiFi-enabled to get smarter over time through continuous software innovations and feature launches to the Owl Intelligence System
- Connect to a second Meeting Owl through Owl Connect or to an Expansion Mic to support meetings in larger spaces
- Pairs with our <u>collaborative room solutions</u>: the <u>Whiteboard Owl</u>, the <u>Meeting HQ</u>.

DIFFERENTIATORS

- Meet faster: From unboxing to your first meeting in 6+ minutes
- Effortless updates: Gets smarter with OTA updates in 2 minutes flat
- Adaptable tech: Expands to spaces up to 28 ft with two Meeting Owls
- Better meetings: Quicker and smoother speaker transitions with speaker detection in 3 seconds or less

Learn More



LOVED BY

100K+ organizations globally

2K+ schools, universities, and educational institutions

84 out of 100 of the Fortune 100

HOOTS AND HOLLERS









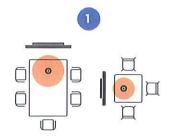
OWLLABS°



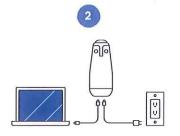


Typical front-of-room camera experience

Meeting room setup made simple



Place your Owl on a table or desk.



Plug in power. Connect USB-C to an in-room computer or laptop.



Download the Meeting Owl App for desktop, mobile, or tablet and set up your Owl.



In your video conferencing platform, choose Meeting Owl for audio and video.

FEATURED IN

Che New Hork Cimes

WIRED

FAST @MPANY

Forbes

INSIDER

The Boston Blobe

TE TechCrunch

66

The Meeting Owl has completely transformed our ability to work well across our team and our organization.

RORY SUTHERLAND, VICE CHAIRMAN, OGILVY

READ CASE STUDY 7

Learn More

Meeting Owl® 3 Specifications

OWLLABS°

Camera	Microphone	Speaker	Connection
Single custom-designed 360° panoramic fisheye camera to eliminate image distortion	8 omni-directional beamforming Smart Mics Smart Mics equalize speaker	Three built-in speakers for 360° coverage and clear in-room sound	Plug and play connection to host computer via USB-C Option to connect to
Camera view shows optional 360° panoramic view of the room and face-to-face view	volume to amplify quiet voices Audio Pickup Radius: 18' (5.5m)	Speaker Output Level: 80 db SPL	the <u>Meeting HQ</u> for one-touch meeting start (with adapter)
that auto-focuses on whoever is speaking	Ability to pair two Meeting Owls with Owl Connect to expand video and		Option to connect to the Whiteboard Owl via Bluetooth
Output Resolution: 1080p HD Video Pickup Radius: 10′ (3m) Field of View: 360°	audio range by 8′ (2.5m) in any direction		Option to connect to the Expansion Mic via micro-HDMI
Processing Power	Dimensions	Power Supply	Warranty
Qualcomm® Snapdragon™ 605 processor	Dimensions: 4.4" W x 4.4" D x 10.72" H (111mm W x 111mm D x 272mm H) Weight: 2.61lb (1.2kg)	AC Input: 100-240V Line cord: Specific to region	2-year warranty (Option to extend warranty to 3 years with Owl Care)
USAGE			
Software	Compatibility	Management	Security
Al- novered Out Intelligence Cystem IM	Divisional plant connection to heat	Macting Out Appr	Masting Out 2 does not record any

Software	Compatibility	Management	Security
Al-powered Owl Intelligence System TM to intelligently focus on whoever is speaking	Plug and play connection to host computer via USB-C	Meeting Owl App: • Mobile: iOS and Android	Meeting Owl 3 does not record any video or audio content
	Works with Zoom, Microsoft Teams, Skype	Tablet: iPad	Video and audio are streamed to
Intelligently autofocuses on the active speaker using vision, voice, and motion	for Business, Slack, Webex, and many more	 Desktop: Mac and Windows 	the host computer via USB-C connection
	Compatible with virtually all web-based	Required for first-time	Option to secure the Meeting Owl
Options for presenter enhancement, digital whiteboarding capabilities,	video conferencing platforms	setup and adjusting settings during	3 with Lock Adapter
and different camera controls to	Extend range by pairing with another	meetings	Full security and
customize your meeting experience	Meeting Owl (Pro or 3) or add on Expansion Mic	The Nest: Manage your	privacy details
Ability to pair two Meeting Owl 3s		fleet of Owls through	
or Pros using Owl Connect to expand video and audio coverage in larger rooms	Works with the Meeting HQ* and the Whiteboard Owl	our web-based portal	

SETUP

*Adapter required

What's Included

Meeting Owl 3

Power adapter and line cord

USB-C to USB-C cable

Setup Guide

Table Card + Owl holder



Placement: 3' (1m) from the in-room TV or monitor and within 18' (5.5m) of in-room participants

Setup Options: Center of the table, tripod-mounted, or ceiling-mounted

Jonathan Smith

From:

Mitch Smith < Mitch.Smith@vc3.com>

Sent:

Tuesday, December 26, 2023 9:34 AM

To:

Jonathan Smith

Subject:

RE: Owl Microphone/Speaker

Hi Jonathan,

We have spent some time trying to locate something a little more cost effective, with similar features. We could not find much with similar features that were overall more cost effective.

In my professional opinion the OWLs are the best way to go. Let me know if you have any questions about the OWL or anything else.

I hope you had a very Merry Christmas!

Thanks,



Mitch Smith **Business Account Manager** VC3



(218) 728-7135



vc3.com



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Sign up for the VC3 newsletter!