

ORDER

ORDER TO APPROVE REVISION OF EMPLOYEE HANDBOOK POLICY #502, USE OF EQUIPMENT AND VEHICLES

WHEREAS, the City of Tupelo is permitted by Mississippi Law to purchase vehicles when it is determined that this vehicle is necessary for the furtherance of the City's business; and

WHEREAS, the City of Tupelo issues these city-owned vehicles to employees when it is determined that the vehicle is necessary in allowing the employee to fulfill their job duties; and

WHEREAS, at the discretion of the Mayor or his designee, it may be deemed necessary to allow certain employees to take these vehicles home in accordance with applicable State law; and

WHEREAS, these vehicles may be in the employee's possession during nonworking hours, but they are not permitted for personal use by the employee; and

WHEREAS, the personal use of a city-owned vehicle is considered an unlawful donation of municipal funds; and

WHEREAS, certain uses of city-owned vehicles may be deemed taxable income under current Internal Revenue Service rules; and

NOW THEREFORE, IT IS ORDERED by the City of Tupelo City Council:
that the revised policy for the use of equipment and vehicles be adopted as part of the City of Tupelo Employee Handbook as policy #502 to clarify the City's policy concerning the taking home of city owned vehicles. This order by the City of Tupelo City Council revises the City of Tupelo Employee Handbook policy #502 by adding to the policy the following:

City owned vehicles may be issued to any employee of the City of Tupelo at the discretion of the Mayor or the Mayor's designee when it is determined that a vehicle is necessary to allow the Employee to discharge their daily work functions. A City owned vehicle should only be used for work related purposes. A City owned vehicle

shall never be used for personal use during work hours or non-work hours. A personal use of a city owned vehicle includes but is not limited to: using a City vehicle for any business or purpose outside of the employee's designated job function, allowing any person not employed by the City of Tupelo to operate a city vehicle, and otherwise using the city vehicle for the sole benefit of the employee.

A City owned vehicle may be taken home by a City employee when it is determined to be in furtherance of official city business. The Mayor or the Mayor's designee must maintain an updated list of any employee that has been assigned a take-home vehicle. This list should contain: the employee's name; their assigned vehicle; a description of the vehicle containing its make, model, manufacturing year, and VIN. Employees assigned take home vehicles shall obtain from the Human Resources Department and process any required payroll income tax forms.

Further, this order of the City of Tupelo City Council revises the City of Tupelo Employee Handbook policy #502 by removing the following clause from the policy: employees may not use City owned or issues equipment or vehicles for personal use.

All remaining provisions of the City of Tupelo Employee Handbook policy #502 shall remain the same.

The foregoing order was proposed in a motion by Councilmember

_____, seconded by Councilmember _____, and

was brought to a vote as follows:

| | |
|------------------------------------|-------|
| Councilmember M. Whittington voted | _____ |
| Councilmember L. Bryan voted | _____ |
| Councilmember Beard voted | _____ |
| Councilmember Davis voted | _____ |
| Councilmember Palmer voted | _____ |
| Councilmember M. Bryan voted | _____ |
| Councilmember Jennings voted | _____ |

Whereupon, the Order having received a majority of affirmative votes, the President of the Council declared that the Order had passed and adopted on this the _____ day of _____, 2020.

CITY OF TUPELO, MISSISSIPPI

MIKE BRYAN, City Council President

ATTEST:

MISSY SHELTON, Clerk of the Council

APPROVED:

JASON L. SHELTON, Mayor

DATE