

Thursday, May 21, 2015
PERRY CITY COUNCIL MEETING AMENDED AGENDA
(Adding Item 4H)

The Perry City Council will hold a meeting on the Thursday identified above, starting at approximately 7:00 PM in the City Council Room at 3005 South 1200 West in Perry. Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration. Numbers and/or times are estimates of when agenda items will be discussed. Action on public hearings will always be later in the same meeting or at a subsequent meeting. Every agenda item shall be a discussion and/or action item, unless otherwise indicated.

Approx. 7:00 PM – Regular Meeting

1. Call to Order and Opening Ceremonies

- A. Invocation – Jana Nelson
- B. Pledge of Allegiance – Shanna Johnson
- C. Review and Adopt the Agenda

2. Procedural Issues

- A. Conflicts of Interest Declaration(s), If Any
- B. Pass out Warrants to Council Members (and Possible Discussion)
- C. Business License(s)

3. Approx. 7:15 PM – Public Hearing and/or Public Comments (No Vote Needed)

Rules: (1) Please Speak Only Once (Maximum of 3 Minutes) per Agenda Item; (2) Please Speak in a Courteous and Professional Manner; (3) Do Not Speak to Specific Member(s) of the City Council, Staff, or Public (Please Speak to the Mayor or to the Council as a Group); (4) Please Present Possible Solutions for All Problems Identified; (5) No Decision May Be Made During this Meeting if the Item Is Not Specifically on the Agenda (with Action on Public Hearings, if any, later in the Meeting); and (6) Comments must be made in person or in writing (with your name being stated for the record).

- A. Public Hearing Regarding Ordinance 15-I Removing the Personnel Policy (Title 3 Municipal Procedures) from the Municipal Code
- B. Public Comments

4. Approx. 7:30 PM – Action Items (Roll Call Vote)

- A. Approval of the Warrants
- B. Ordinance 15-I Removing the Personnel Policy (Title 3 Municipal Procedures) from the Municipal Code, Classifying it as an Internal Policy
- C. Resolution 15-07 Amending Various Sections in the Personnel Policy
- D. Approval of Employee Classification Change
- E. Approval of Poll Workers for the 2015 Municipal Elections
- F. Approval of Polling Location for the 2015 Municipal Elections
- G. Appointments City Boards (Planning Commission, Special Uses & Appeals, Wastewater, Economic Development, Flood Control)
- H. Approval of Shooting Range Name Change to Three Mile Creek Shooting Sports Complex

5. Approx. 8:20 PM – Presentation

- A. Tour of Utah
- B. Play Unplugged

6. Approx. 8:35 PM – Discussion Items

- A. FY2015 Budget Discussion – Possible Amendments
- B. FY2016 Budget Discussion – Pay, Benefits & Adjustments

7. Approx. 9:05 PM – Minutes & Council/Mayor Reports (Including Council Assignments)

No Council Action May be Taken if an Item is not specifically on the Agenda

A. Approval of Consent Items

- April 16, 2015 Work Session Minutes

- April 16, 2015 City Council Meeting Minutes

- B. Todd Christensen:** Mayor Pro-Tem, Information Technology, Telecommunications, UTOPIA, WWTP
- C. Peter Gerlach:** Streets, Street Lights/Signs, Transportation/UTA, Youth Council, Emergency Services/First Responders
- D. Jana Nelson:** Flood Control Board, Culinary Water, Mosquito Abatement, Cemetery Location
- E. Esther Montgomery:** Parks & Trails, Community Outreach, Fourth of July Co-Chair, Storm Water
- F. Brady Lewis:** Police/Night Out Against Crime, Economic Development, Planning Commission
- G. Mayor Cronin:** Chief Executive Officer, Fourth of July Chairman, Emergency Services Coordinator, City Ambassador
- H. Staff Communication**
- I. Items for Next City Newsletter**

8. **Approx. 9:35 PM-Executive Session** (if needed)

9. **Approx. 10:00 PM – Adjournment (next regular meeting on Thurs., June 4, 2015 at 7:00 PM)**

Certificate of Posting

The undersigned duly appointed official hereby certifies that a copy of the foregoing agenda was sent to each Member of the City Council and was posted in three locations at the Perry City Offices, as well as at the Dale Young Park and main Perry City Park, and was faxed to the Ogden Standard-Examiner and Box Elder News Journal on this 15th day of May, 2015. Any Individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

Shanna S. Johnson, Chief Deputy Recorder

Report Criteria:

Detail report.
Paid and unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
Brigham City Corp.								
6106	Brigham City Corp.	05/06/2015	interlocal storm water	05/01/2015	117.60	117.60	05/06/2015	
6106	Brigham City Corp.	05/06/2015	walmart sales tax	05/01/2015	14,705.49	14,705.49	05/06/2015	
Total Brigham City Corp.:					14,823.09	14,823.09		
Goble Sampson Associates Inc.								
11449	Goble Sampson Associates Inc.	BIN0004858	Sewer Supplies	04/07/2015	4,028.65	4,028.65	05/13/2015	
Total Goble Sampson Associates Inc.:					4,028.65	4,028.65		
Leslie A. Smith								
11937	Leslie A. Smith	05/13/2015	Restitution by Insurance Accident	05/12/2015	7,326.00	7,326.00	05/13/2015	
Total Leslie A. Smith:					7,326.00	7,326.00		
Molgard Law Offices								
11773	Molgard Law Offices	05/14/2015	Leagal Services	05/13/2015	2,250.00	2,250.00	05/14/2015	
Total Molgard Law Offices:					2,250.00	2,250.00		
Republic Services								
10200	Republic Services	0493-0004788	garbage service	04/30/2015	16,143.42	16,143.42	05/13/2015	
Total Republic Services:					16,143.42	16,143.42		
Rocky Mountain Power								
2501	Rocky Mountain Power	05/05/2015	city power	04/17/2015	1,604.67	1,604.67	05/05/2015	
2501	Rocky Mountain Power	05/05/2015	city power	04/17/2015	4,781.28	4,781.28	05/05/2015	
2501	Rocky Mountain Power	05/05/2015	city power	04/17/2015	89.13	89.13	05/05/2015	
2501	Rocky Mountain Power	05/05/2015	city power	04/17/2015	122.11	122.11	05/05/2015	
2501	Rocky Mountain Power	05/05/2015	city power	04/17/2015	346.21	346.21	05/05/2015	
Total Rocky Mountain Power:					6,943.40	6,943.40		
West Tech								
10746	West Tech	13495-121583	Gear Driver	05/04/2015	11,311.00	11,311.00	05/04/2015	
Total West Tech:					11,311.00	11,311.00		
Zions Bank								
11510	Zions Bank	05/06/2015	Utopia	04/24/2015	9,146.31	9,146.31	05/06/2015	
Total Zions Bank:					9,146.31	9,146.31		
Grand Totals:					71,971.87	71,971.87		

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided
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Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Report Criteria:

Detail report.

Paid and unpaid invoices included.

Ordinance 15-I

An Ordinance Amending Various Sections in Title 3 of the Perry City Municipal Code.

WHEREAS, Perry City, Utah, (hereinafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 authorizes the City to provide for safety, preserve health, promote prosperity, peace, and good order;

WHEREAS, the Perry City Council, has specifically reviewed and considered the ordinances relating to Employee Benefits and Timekeeping; and

WHEREAS, the Perry City Council finds it in the best interest of Perry City that changes should be made to ordinances relating to Employee Benefits and Timekeeping; and.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Perry City that:

Section 1. Repealer. Any prior city ordinances or policies and procedures that conflict with the amendments made herein are hereby repealed, effective immediately.

Section 2. Enactment. *Title 3* of the *Perry City Municipal Code* is amended to read as follows:

3.01 Perry City Employee Personnel Policy

Perry City has adopted and shall continue to update and maintain by resolution a Employee Personnel Policies and Procedures Handbook that includes policies and procedures for Perry City employees regarding Employment, Employment Status and Records, Employee Benefit Programs, Employee Compensation, Timekeeping/Payroll, Work Conditions and Hours, Leaves of Absences, Employee Conduct and Disciplinary Action, Employee Grievances and Appeals, Termination of Employment, and such other areas and topics that the Perry City Council deems necessary and appropriate.

Every Perry City Employee shall receive a copy of the Employee Personnel Policies and Procedures Handbook and shall have access to a copy at the Perry City Offices.

Section 3: Previous Ordinance. The previous ordinances located in Title 3, Sections 1 through 11 shall remain part of the Perry City Employee Personnel Policies and Procedures Handbook and shall be further modified by resolution passed by the Perry City Council.

Resolution 15-07

A Perry City Resolution Amending the Perry City Employee Policies and Procedures.

WHEREAS, Perry City, Utah, (hereinafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 authorizes the City to provide for safety, preserve health, promote prosperity, peace, and good order;

WHEREAS, the Perry City Council, has specifically reviewed and considered the ordinances relating to Employee Benefits and Employee Policies and Procedures; and

WHEREAS, the Perry City Council finds it in the best interest of Perry City that changes should be made to policies and procedures relating to Employee Benefits; Timekeeping/Payroll; and Work Conditions and Hours

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PERRY AS FOLLOWS:

Section 1. Repealer. Any prior city Resolutions or policies and procedures that conflict with the amendments made herein are hereby repealed, effective immediately.

Section 2. The Perry City Employee Policies and Procedures shall be amended to include the following:

Employee Acknowledgement Form

The employee handbook describes the policies, practices and benefits of employment with Perry City. I agree to abide by the policies in this handbook and I accept the responsibility for informing myself about these policies and understand that I should consult my supervisor, the City Recorder, or the City Administrator, regarding any questions not answered in the handbook. I have entered into my employment relationship with Perry City voluntarily and acknowledge that there is no specified length of employment.

Since the information in this Personnel Policies and Procedures handbook is necessarily subject to change, I understand that the information that I have received may be changed or replaced by other policies and procedures, which Perry City may adopt in the future. I understand and acknowledge that no one has promised me that Perry City will not change these policies, and understand that Perry City has reserved the right to change these policies in the future.

For Probationary Employees and Exempt Department Heads, I understand and agree that my employment with Perry City may be terminable at-will, meaning that either Perry City or I may terminate the employment relationship at any time for any reason. I understand that neither Perry City nor I have any obligation to base a termination decision on anything other than intent not to continue the employment

relationship. No one has promised me that my employment will only be terminated for cause, or only for any particular reason, or will only be terminated through some particular process or procedure above, beyond, or in addition to such due process as may be required by federal or state law.

I understand and agree that unless otherwise listed in a contract approved by the Mayor and Council, no one at Perry City has authority to offer me employment on terms different from what is stated in this handbook, and I understand and agree that no one in Perry City is authorized by Perry City to promise in the future that the terms of my employment will be different from what is stated in this handbook.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE:

Vacation Benefits

The following regarding vacation benefits:

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular Full-Time employees
- Introductory Full-Time employees
- Grandfathered Part-Time employees (Eligible for 50% of Full-Time Benefit)

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule:

VACATION SCHEDULE

Full-Time Employees			
Years Employed	Hours Accrued Per Pay Period	Hours Accrued Per Year	Days Accrued Per Year
*0-1 year	2	52	6.5
1-9 years	4	104	13
10-14 years	5.5	144	18
15+ years	6.5	168	21

*Introductory Period

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee begins to earn vacation time and ends every June 30th. An employee's

benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. Vacation time can be used, on the 1st of the month following 30 days of employment, or upon entering an eligible employment classification. Employees can request use of earned vacation time including that accrued during the waiting period.

Paid vacation time can be used in minimum increments of one-half hour per day. To take vacation, employees generally must request approval from their supervisors at least 48 hours in advance. Requests will be reviewed based on a number of factors, including city needs and staffing requirements.

In order to meet staffing requirements departments will need at least 2 employees scheduled to work simultaneously during operating hours. Vacation approval will be limited to this staffing requirement. Any exceptions will require approval from the Mayor.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, June 30th, employees may carry over up to 150% of their accrued benefit hours. For example if you have been with the City for 2 years you can carry over up to 156 hours, if you have been with the City for 11 years you can carry over up to 216 hours (see following matrix). Any accrued annual leave in excess of 150% of your current benefit accrual shall be forfeited on July 1st of any given year. Upon Separation of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

VACATION CARRY OVER MATRIX

Full-Time Employees			
Years Employed	Hours Accrued Per Year	Days Accrued Per Year	Hours Allowed to Carry Over (150%)
0-1 year	52	6.5	52*
1-9 years	104	13	156
10-14 years	144	18	216
15+	168	21	252

* First year only 52 hours possible

Holidays

The following regarding holidays:

Perry City will grant 12 paid holidays to all Regular and Introductory Full-time employees. 10 regular set holidays and 2 floating holidays that will be pre-determined by administration at the beginning of the year. The set holidays are listed below:

New Year's Day
Dr. Martin Luther King, Jr. Day
President's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving
Day after Thanksgiving
Christmas

Perry City will grant paid holiday time off to all eligible employees on the 1st of the month following 30 days of employment. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular Full-Time employees
- Introductory Full-Time employees
- Grandfathered Part-Time employees (Eligible for 50% of Full-Time Benefit)

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's regular time off, the holiday time will given to the employee as a floating holiday to be used within 1 month of the time being earned.

If eligible nonexempt employees work on a recognized holiday, they will receive pay for the holiday as detailed above, and pay for hours worked on the holiday at 1 and ½ times their normal hourly rate. Exempt employees will receive pay for the holiday and compensatory time at 1 and ½ times their normal rate for hours worked on the holiday. However, employees must have written authorization from their immediate supervisor prior to working on a holiday.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Sick Leave Benefits

The following regarding sick leave benefits:

Perry City provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- Regular Full-Time Employees
- Introductory Full-Time employees
- Grandfathered Part-Time employees (Eligible for 50% of Full-Time Benefit)

Eligible employees will accrue sick leave benefits as follows:

SICK LEAVE				
Eligible	Accrual Hours Per Pay Period	Hours Accrued Per Year	Days Accrued Per Year	Maximum Annual Accrual
Regular/Introductory Full-Time Employees	2	52	6.5	480 hours

Sick leave benefits are calculated on the basis of a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits.

Employees can request use of paid sick leave on the first of the month following 30 days of employment. Paid sick leave can be used in minimum increments of one hour. Eligible employees may use sick leave benefits for an absence due to their own illness, injury or to take care of a sick family member.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday, if possible. The direct supervisor must also be contacted on each additional day of absence. The department head may ask for a doctor's note following three consecutive days of sick leave and employee is required to provide such note.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or City-provided disability insurance programs if available and if offered by the city. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 480 hours or 12 weeks worth of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit. Unused sick leave may be converted into vacation leave at a rate of three hours of sick leave for each hour of vacation with a maximum conversion of 36 hours of sick leave to 12 hours of vacation leave. The conversion of hours must be approved by the Mayor.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

If an employee is separated and has unused accrued sick leave, they will not be compensated for the unused sick leave.

Perry City realizes that employees with contagious temporary illnesses, such as influenza, colds and other viruses, need to continue with normal life activities, including working. In deciding whether an employee with an apparently short-term contagious illness may continue to work, the City considers several factors. The employee must be able to perform normal job duties and meet regular performance standards. In the judgment of the employer, the employee's continued presence must pose no risk to the health of the employee, other employees and customers. If an employee disputes the company's determination that such a risk exists, the employee must submit a statement from his or her attending health care provider that the employee's presence in the workplace poses no significant risk to the employee, other employees or customers.

Supervisors are encouraged to remind employees that the company provides paid sick leave to cover absences due to contagious temporary illnesses. All employees are urged to contact Human Resources regarding any questions about the possible contagious nature of another employee's temporary illness.

Salary Schedule

The following regarding the salary schedule:

Perry City's Salary Schedule and Performance Guidelines are detailed in Appendix A - Departmental Pay Matrixes. The Salary schedule for each position at Perry city is based on the level of qualifications that the position is assigned to, the work experience of the employee, and the employee's performance. Each employee is eligible for performance-based raises that are made effective starting the pay period which includes July 1st.

Your performance is generally evaluated according to an ongoing 12-month cycle, each April. However, your department may be directed to evaluate your performance on a quarterly basis.

Work Hours

The following regarding work hours:

Regular prompt attendance at work is required of all employees. The normal work day for a full-time employee shall be eight (8) hours and the normal work week forty (40) hours, except for departments approved for alternate work schedules i.e. 9/80 Alternate Work Schedule. The workday for public safety employees shall be determined by the needs of providing twenty-four hour a day service to the community.

Hours reported on timecards exceeding forty (40) in 1 week for non-public safety employees, and eighty (80) in a 2 week period for public safety employees must be hours worked and should be approved by the Mayor prior to work being performed. The Mayor and/or City Administrator may also approve overtime for non-public safety employees. The Chief of Police may approve up to 5% overtime per month for public safety employees, hours beyond 5% must be approved by the Mayor. See the *Overtime/Compensatory Time* section of this policy for rules regarding how overtime or compensatory time is calculated.

Use of Tobacco Products, Electronic Cigarettes or Like Devices

The following regarding Use of Tobacco Products, Electronic Cigarettes or Like Devices:

In keeping with Perry City's intent to provide a safe and healthful work environment, and to comply with the Utah Clean Air Act, use of tobacco, electronic cigarettes, or any like devices used for the intake of

nicotine is prohibited throughout the workplace, in all City facilities or vehicles, within 50 feet of any building entrance, and within 50 feet of any ventilation ducts.

Rest and Meal Periods

The following regarding Rest and Meal Periods:

Perry City follows the current state and federal laws for rest and meal periods. Supervisors will advise employees of the regular rest period length and schedule. Except for Public Safety employees or as otherwise required by law, rest breaks of short duration, usually 15 minutes, are considered hours worked and should be compensated. Meal periods, typically 30 – 60 minutes, generally need not be compensated provided the employee is completely relieved from duty for the purpose of eating. The rest break is paid work time, while the meal period is unpaid time provided during the 30 minutes or more.

Each workday, full-time nonexempt employees are provided with two rest periods, part-time employees are provided with one rest period. Supervisors will advise employees of the regular rest period length and schedule. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time employees are provided with one unpaid meal period each workday. Part-time employees working at least 4 hours a day may request a scheduled unpaid meal period not to exceed 30 minutes each work day. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Perry City encourages team and morale building through occasional Recognition Luncheons. Employees participating in these lunches will only be expected to use 30 minutes of their allowed unpaid meal period to attend the event, no matter the length of the event and if desired can use the remaining 30 minutes of their meal period at some point during the remainder of that work day.

Overtime/Compensation Time

The following regarding Overtime/Compensation Time:

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must have signed authorization from both the department head and the City Administrator or Mayor prior to any overtime worked. The Chief of Police can approve up to 5% overtime per month for public safety employees, overtime hours beyond 5% must be approved by the Mayor. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid or given as compensatory time to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, guaranteed show-up time in certain situations, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Compensatory time is paid time off the job which is earned and accrued by an employee in lieu of immediate cash payment for overtime hours worked at a rate of time-and-one-half of hours worked as

required by the Fair Labor Standards Act. Perry City prefers that employees required to work overtime elect to take compensatory time. Upon Perry City's fiscal year end, June 30th, all but 40 hours of unused accrued compensatory time will be paid out to the employee at the required overtime rate.

Perry City follows the Fair Labor Standards Act for all overtime calculations and compensation, including exceptions for law enforcement and fire protection employees. For law enforcement employees, overtime hours are any hours worked over 171 hours during a 28-day period. Fire Protection employees are due overtime for any hours worked over 212 hours during a 28-day period.

Employees may be subject to disciplinary action, up to and including possible termination of employment for working overtime without receiving prior authorization from their supervisor.

On Call or Standby Duties

The following regarding On Call or Standby Duties:

Perry City may need employees to be on call or standby to help with emergency situations. While the employee is on call or standby, they can use their time freely, and are not performing a specific assigned task they just need to be available by phone or pager to respond to Perry City needs within 15 minutes, unless otherwise approved by the Mayor.

Perry City offers on call or standby compensation. Employees working on call will be paid one hour per day, up to 4 hours per week of on call duty at their regular rate of pay. If the employee is called to duty, they will receive their on call pay and their regular rate of pay for all time that work was actually performed.

Overtime pay will not apply to on call wages if the employee did not actually perform work.

Emergency Closings

The following regarding Emergency Closings:

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt Perry City operations. In extreme cases, these circumstances may require the closing of a work facility. This will be officially announced by the Mayor or the City Administrator as authorized by the Mayor.

Section 13: Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 14: Effective date. This Ordinance takes effect immediately after approval and posting.

PASSED AND ADOPTED by the City Council of Perry City, Utah, this ____ day of May, 2015.

PERRY CITY

BY _____
Mayor Karen Cronin

ATTEST:

City Recorder

COUNCIL MEMBERS: VOTING

	Aye	Nay
CHRISTENSEN	_____	_____
GERLACH	_____	_____
MONTGOMERY	_____	_____
LEWIS	_____	_____
JANA NELSON	_____	_____

Employee Acknowledgement Form

The employee handbook describes the policies, practices and benefits of employment with Perry City. I agree to abide by the policies in this handbook and I accept the responsibility for informing myself about these policies and understand that I should consult my supervisor, the City Recorder, or the City Administrator, regarding any questions not answered in the handbook. I have entered into my employment relationship with Perry City voluntarily and acknowledge that there is no specified length of employment.

Since the information in this Personnel Policies and Procedures handbook is necessarily subject to change, I understand that the information that I have received may be changed or replaced by other policies and procedures, which Perry City may adopt in the future. I understand and acknowledge that no one has promised me that Perry City will not change these policies, and understand that Perry City has reserved the right to change these policies in the future.

For Probationary Employees and Exempt Department Heads, I understand and agree that my employment with Perry City may be terminable at-will, meaning that either Perry City or I may terminate the employment relationship at any time for any reason. I understand that neither Perry City nor I have any obligation to base a termination decision on anything other than intent not to continue the employment relationship. No one has promised me that my employment will only be terminated for cause, or only for any particular reason, or will only be terminated through some particular process or procedure above, beyond, or in addition to such due process as may be required by federal or state law.

I understand and agree that **unless otherwise listed in a contract approved by the Mayor and Council**, no one at Perry City has authority to offer me employment on terms different from what is stated in this handbook, and I understand and agree that no one in Perry City is authorized by Perry City to promise in the future that the terms of my employment will be different from what is stated in this handbook.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

plan:

- Regular Full-Time employees
- Introductory Full-Time employees
- Grandfathered Part-Time employees

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between Perry City and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Payroll Clerk for more information about life insurance benefits.

401k and other Retirement Plans

Only regular & Introductory Full-Time employees are eligible for Perry City's retirement plans. For plan details, please see contact the Payroll Clerk.

Vacation Benefits

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular Full-Time employees
- Introductory Full-Time employees
- Grandfathered Part-Time (Eligible for 50% of Full-Time Benefit)

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule:

VACATION SCHEDULE

Full-Time Employees			
Years Employed	Hours Accrued Per Pay Period	Hours Accrued Per Year	Days Accrued Per Year
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10-14 years	5.5	144	18
15+	6.5	168	21

*Introductory period

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee begins to earn vacation time and ends every June 30th. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. Vacation time can be used, on the 1st of the month following 30 days of employment, or upon entering an eligible employment classification. Employees can request use of earned vacation time including that accrued during the waiting period.

Paid vacation time can be used in minimum increments of **one-half** hour per day. To take vacation, employees **generally must** request approval from their supervisors **at least 48 hours in advance**. Requests will be reviewed based on a number of factors, including city needs and staffing requirements.

In order to meet staffing requirements departments will need at least 2 employees scheduled to work simultaneously during operating hours. Vacation approval will be limited to this staffing requirement. Any exceptions will require approval from the Mayor.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, June 30th, employees may carry over up to 150% of their accrued benefit hours. For example if you have been with the City for 2 years you can carry over up to 156 hours, if you have been with the City for 11 years you can carry over up to **216 hours (see following matrix)**. Any accrued annual leave in excess of 150% of your current benefit accrual shall be forfeited on July 1st of any given year. Upon Separation of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

VACATION CARRY OVER MATRIX

Full-Time Employees			
Years Employed	Hours Accrued Per Year	Days Accrued Per Year	Hours allowed to Carry Over (150%)
0-1 year	52	6.5	52*
1-9 years	104	13	156
10-14 years	144	18	216
15+	168	21	252

*First year only 52 hours possible

Holidays

Perry City will grant 12 paid holidays to all Regular and Introductory Full-time employees. 10 regular set holidays and 2 floating holidays that will be pre-determined by administration at the beginning of the year. The set holidays are listed below:

- New Year's Day
- Dr. Martin Luther King, Jr. Day
- President's Day**
- Memorial Day

Independence Day
 Labor Day
 Veteran's Day
 Thanksgiving
 Day after Thanksgiving
 Christmas

Perry City will grant paid holiday time off to all eligible employees on the 1st of the month following 30 days of employment. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular Full-Time employees
- Introductory Full-Time employees

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's regular time off, the holiday time will given to the employee as a floating holiday to be used within 1 month of the time being earned.

If eligible nonexempt employees work on a recognized holiday, they will receive pay for the holiday as detailed above, and pay for hours worked on the holiday at 1 and ½ times their normal hourly rate. Exempt employees will receive pay for the holiday and compensatory time at 1 and ½ times their normal rate for hours worked on the holiday. However, employees must have written authorization from their immediate supervisor prior to working on a holiday.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Sick Leave Benefits

Perry City provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- Regular Full-Time Employees
- Introductory Full-Time employees
- Grandfathered Part-Time employees (Eligible for 50% of Full-Time Benefit)

Eligible employees will accrue sick leave benefits as follows:

SICK LEAVE				
Eligible	Accrual Hours Per Pay Period	Hours Accrued Per Year	Days Accrued Per Year	Maximum Annual Accrual
Regular/Introductory Full-Time Employees	2	52	6.5	480 hours

Sick leave benefits are calculated on the basis of a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits.

Employees can request use of paid sick leave on the first of the month following 30 days of employment. Paid sick leave can be used in minimum increments of one hour. Eligible employees may use sick leave benefits for an absence due to their own illness, injury or to take care of a sick family member.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday, if possible. The direct supervisor must also be contacted on each additional day of absence. The department head may ask for a doctor's note following three consecutive days of sick leave and employee is required to provide such note.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or City-provided disability insurance programs if available and if offered by the city. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 480 hours or 12 weeks worth of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit. Unused sick leave may be converted into vacation leave at a rate of three hours of sick leave for each hour of vacation with a maximum conversion of 36 hours of sick leave to 12 hours of vacation leave. The conversion of hours must be approved by the Mayor.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

If an employee is separated and has unused accrued sick leave, they will not be compensated for the unused sick leave.

Perry City realizes that employees with contagious temporary illnesses, such as influenza, colds and other viruses, need to continue with normal life activities, including working. In deciding whether an employee with an apparently short-term contagious illness may continue to work, the City considers several factors. The employee must be able to perform normal job duties and meet regular performance standards. In the judgment of the employer, the employee's continued presence must pose no risk to the health of the employee, other employees and customers. If an employee disputes the company's determination that such a risk exists, the employee must submit a statement from his or her attending health care provider that the employee's presence in the workplace poses no significant risk to the employee, other employees or customers.

Supervisors are encouraged to remind employees that the company provides paid sick leave to cover absences due to contagious temporary illnesses. All employees are urged to contact Human Resources regarding any questions about the possible contagious nature of another employee's temporary illness.

Workers' Compensation Insurance

Perry City provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither Perry City nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Perry City.

Employee Compensation

Salary Schedule

Perry City's Salary Schedule and Performance Guidelines are detailed in Appendix **A - Departmental Pay Matrixes**. The Salary schedule for each position at Perry city is based on the **level** of qualifications that the position is assigned to, the work experience of the employee, and the employee's performance. Each employee is eligible for performance-based raises that are made effective starting the pay period which includes July 1st.

Your performance is generally evaluated according to an ongoing 12-month cycle, each April. However, your department may be directed to evaluate your performance on a quarterly basis.

Timekeeping/Payroll

Timekeeping

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Perry City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each unpaid meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved by the direct supervisor before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to sign their time records to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

Work Hours

Regular prompt attendance at work is required of all employees. The normal work day for a full-time employee shall be eight (8) hours and the normal work week forty (40) hours, except for departments approved for alternate work schedules i.e. 9/80 Alternate Work Schedule. The workday for public safety employees shall be determined by the needs of providing twenty-four hour a day service to the community.

Hours reported on timecards exceeding forty (40) in 1 week for non-public safety employees, and eighty (80) in a 2 week period for public safety employees must be hours worked and should be approved by the Mayor prior to work being performed. The Mayor and/or City Administrator may also approve overtime for non-public safety employees. The Chief of Police may approve up to 5% overtime per month for public safety employees, hours beyond 5% must be approved by the Mayor. See the Overtime/Compensatory Time section of this policy for rules regarding how overtime or compensatory time is calculated.

Paydays

All employees are paid biweekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck or statement of wages will be available upon his or her return from vacation.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to Perry City. Employees will receive an itemized statement of wages when Perry City makes direct deposits.

Administrative Pay Corrections

Perry City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Department so that corrections can be made as quickly as possible.

Pay Deductions and Setoffs

The law requires that Perry City make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. Perry City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." Perry City matches the amount of Social Security taxes paid by each employee.

Perry City offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by Perry City, usually to help pay off a debt or obligation to Perry City or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered.

Circumstances in Which Perry City May Make Deductions from Pay from an Exempt Employee

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full

hang up only after the caller has done so.

Use of Tobacco Products, Electronic Cigarettes or Like Devices

In keeping with Perry City's intent to provide a safe and healthful work environment, and to comply with the Utah Clean Air Act, use of tobacco, **electronic cigarettes, or any like devices used for the intake of nicotine** is prohibited throughout the workplace, **in all City facilities or vehicles**, within 50 feet of any building entrance, and **within 50 feet** of any ventilation ducts.

This policy applies equally to all employees and visitors.

Work Schedules

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request participation in the flextime program.

Rest and Meal Periods

Perry City follows the current state and federal laws for rest and meal periods. Supervisors will advise employees of the regular rest period length and schedule.

Except for Public Safety employees or as otherwise required by law, rest breaks of short duration, usually 15 minutes, are considered hours worked and should be compensated. Meal periods, typically 30 - 60 minutes, generally need not be compensated provided the employee is completely relieved from duty for the purpose of eating. The rest break is paid work time, while the meal period is unpaid time provided during the 30 minutes or more.

Each workday, full-time nonexempt employees are provided with two rest periods, part-time employees are provided with one rest period. Supervisors will advise employees of the regular rest period length and schedule. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time employees are provided with one unpaid meal period each workday. **Part-time employees working at least 4 hours a day may request a scheduled unpaid meal period not to exceed 30 minutes each work day.** Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Perry City encourages team and morale building through occasional Recognition Luncheons. Employees participating in these lunches will only be expected to use 30 minutes of their allowed unpaid meal period to attend the event, no matter the length of the event and if desired can use the remaining 30 minutes of their meal period at some point during the remainder of that work day.

Employees may not accumulate break periods or combine them with lunch breaks, or take them at the beginning of the day so as to arrive late for work, or use them at the end of the day so as to leave work early. If an employee chooses to not take a break, no additional compensation will be given.

Overtime/Compensation Time

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must have signed authorization from both the department head and the City Administrator or Mayor prior to any overtime worked. The Chief of Police can approve up to 5% overtime per month for public safety employees, overtime hours beyond 5% must be approved by the Mayor. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid or given as compensatory time to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, guaranteed show-up time in certain situations, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Compensatory time is paid time off the job which is earned and accrued by an employee in lieu of immediate cash payment for overtime hours worked at a rate of time-and-one-half of hours worked as required by the Fair Labor Standards Act. Perry City prefers that employees required to work overtime elect to take compensatory time. Upon Perry City's fiscal year end, June 30th, all but 40 hours of unused accrued compensatory time will be paid out to the employee at the required overtime rate.

Perry City follows the Fair Labor Standards Act for all overtime calculations and compensation, including exceptions for law enforcement and fire protection employees. For law enforcement employees, overtime hours are any hours worked over 171 hours during a 28-day period. Fire Protection employees are due overtime for any hours worked over 212 hours during a 28-day period.

Employees may be subject to disciplinary action, up to and including possible termination of employment for working overtime without receiving prior authorization from their supervisor.

On Call or Standby Duties

Perry City may need employees to be on call or standby to help with emergency situations. While the employee is on call or standby, they can use their time freely, and are not performing a specific assigned task they just need to be available by phone or pager to respond to Perry City needs within 15 minutes, unless otherwise approved by the Mayor.

Perry City offers on call or standby compensation. Employees working on call will be paid one hour per day, up to 4 hours per week of on call duty at their regular rate of pay. If the employee is called to duty, they will receive their on call pay and their regular rate of pay for all time that work was actually performed.

Overtime pay will not apply to on call wages if the employee did not actually perform work.

Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt Perry City operations. In extreme cases, these circumstances may require the closing of a work facility. This will be officially announced by the Mayor or the City Administrator as authorized by the Mayor.

When operations are officially closed due to emergency conditions, the time off from scheduled work will

Employee Acknowledgement Form

The employee handbook describes the policies, practices and benefits of employment with Perry City. I agree to abide by the policies in this handbook and I accept the responsibility for informing myself about these policies and understand that I should consult my supervisor, the City Recorder, or the City Administrator, regarding any questions not answered in the handbook. I have entered into my employment relationship with Perry City voluntarily and acknowledge that there is no specified length of employment.

Since the information in this Personnel Policies and Procedures handbook is necessarily subject to change, I understand that the information that I have received may be changed or replaced by other policies and procedures, which Perry City may adopt in the future. I understand and acknowledge that no one has promised me that Perry City will not change these policies, and understand that Perry City has reserved the right to change these policies in the future.

For Probationary Employees and Exempt Department Heads, I understand and agree that my employment with Perry City may be terminable at-will, meaning that either Perry City or I may terminate the employment relationship at any time for any reason. I understand that neither Perry City nor I have any obligation to base a termination decision on anything other than intent not to continue the employment relationship. No one has promised me that my employment will only be terminated for cause, or only for any particular reason, or will only be terminated through some particular process or procedure above, beyond, or in addition to such due process as may be required by federal or state law.

I understand and agree that no one at Perry City has authority to offer me employment on terms different from what is stated in this handbook, and I understand and agree that no one in Perry City is authorized by Perry City to promise in the future that the terms of my employment will be different from what is stated in this handbook.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

Perry City will be using a dental program approved by the Mayor and Council at the beginning of each benefit year. Please review detailed plan description booklets for more information. If you have additional questions regarding the plan or dentists on the plan see the Payroll Clerk.

Benefits Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health coverage under Perry City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at Perry City's group rates plus an administration fee of 2%. The benefit provider will provide each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under Perry City's health insurance plan. The notice contains important information about the employee's rights and obligations.

Life Insurance

Life insurance offers you and your family important financial protection. Perry City provides a basic life insurance plan for eligible employees paid for by Perry City. Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part of the basic life insurance plan.

Employees in the following employment classifications are eligible to participate in the life insurance plan:

- Regular Full-Time employees
- Introductory Full-Time employees

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between Perry City and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees. Contact the Payroll Clerk for more information about life insurance benefits.

401k and other Retirement Plans

Only regular & Introductory Full-Time employees are eligible for Perry City's retirement plans. For plan details, please see contact the Payroll Clerk.

Vacation Benefits

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular Full-Time employees
- Introductory Full-Time employees

The amount of paid vacation time employees receive each year increases with the length of their employment as shown in the following schedule:

VACATION SCHEDULE

Full-Time Employees			
Years Employed	Hours Accrued Per Pay Period	Hours Accrued Per Year	Days Accrued Per Year
*0-1 year	2	52	6.5
1-10 years	4	104	13
10-15 years	6	156	19.5
15+	8	208	26

*Introductory period

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee begins to earn vacation time and ends every June 30th. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

Once employees enter an eligible employment classification, they begin to earn paid vacation time according to the schedule. Vacation time can be used, on the 1st of the month following 30 days of employment, or upon entering an eligible employment classification. Employees can request use of earned vacation time including that accrued during the waiting period.

Paid vacation time can be used in minimum increments of one-hour per day. To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including city needs and staffing requirements.

Vacation time off is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. In the event that available vacation is not used by the end of the benefit year, June 30th, employees may carry over up to 150% of their accrued benefit hours. For example if you have been with the City for 2 years you can carry over up to 156 hours, if you have been with the City for 11 years you can carry over up to 234 hours (See Matrix on next page). Any accrued annual leave in excess of 150% of your current benefit accrual shall be forfeited on July 1st of any given year. Upon Separation of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

VACATION CARRY OVER MATRIX

Full-Time Employees			
Years Employed	Hours Accrued Per Year	Days Accrued Per Year	Hours allowed to Carry Over (150%)
0-1 year	52	6.5	52*
1-10 years	104	13	156
10-15 years	156	19.5	234
15+	208	26	312

*First year only 52 hours possible

Holidays

Perry City will grant 12 paid holidays to all Regular and Introductory Full-time employees. 10 regular set holidays and 2 floating holidays that will be pre-determined by administration at the beginning of the year. The set holidays are listed below:

New Year's Day
 Dr. Martin Luther King, Jr. Day
 Washington and Lincoln Day
 Memorial Day
 Independence Day
 Labor Day
 Veteran's Day
 Thanksgiving
 Day after Thanksgiving
 Christmas

Perry City will grant paid holiday time off to all eligible employees on the 1st of the month following 30 days of employment. Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) times the number of hours the employee would otherwise have worked on that day. Eligible employee classification(s):

- Regular Full-Time employees
- Introductory Full-Time employees

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

If a recognized holiday falls during an eligible employee's paid absence (such as vacation or sick leave), holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible nonexempt employees work on a recognized holiday, they will receive pay for the holiday as detailed above, and pay for hours worked on the holiday at their straight-time rate. Exempt employees will receive pay for the holiday and compensatory time at their straight-time rate for hours worked on the holiday. However, employees must have written authorization from their immediate supervisor prior to working on a holiday.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Sick Leave Benefits

Perry City provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Eligible employee classification(s):

- Regular Full-Time Employees
- Introductory Full-Time employees

Eligible employees will accrue sick leave benefits as follows:

SICK LEAVE				
Eligible	Accrual Hours Per Pay Period	Hours Accrued Per Year	Days Accrued Per Year	Maximum Annual Accrual
Regular/Introductory Full-Time Employees	2	52	6.5	90 days (720 hours)

Sick leave benefits are calculated on the basis of a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits.

Employees can request use of paid sick leave on the first of the month following 30 days of employment. Paid sick leave can be used in minimum increments of one hour. Eligible employees may use sick leave benefits for an absence due to their own illness, injury or to take care of a sick family member.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday, if possible. The direct supervisor must also be contacted on each additional day of absence. The department head may ask for a doctor's note following three consecutive days of sick leave and employee is required to provide such note.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. As an additional condition of eligibility for sick leave benefits, an employee on an extended absence must apply for any other available compensation and benefits, such as workers' compensation. Sick leave benefits will be used to supplement any payments that an employee is eligible to receive from state disability insurance, workers' compensation or City-provided disability insurance programs if available and if offered by the city. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal weekly earnings.

Unused sick leave benefits will be allowed to accumulate until the employee has accrued a total of 90-calendar day's worth of sick leave benefits. If the employee's benefits reach this maximum, further accrual of sick leave benefits will be suspended until the employee has reduced the balance below the limit. Unused sick leave may be converted into vacation leave at a rate of three hours of sick leave for each hour of vacation with a maximum conversion of 36 hours of sick leave to 12 hours of vacation leave.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury, and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment.

If an employee is separated and has unused accrued sick leave, they will not be compensated for the unused sick leave.

Perry City realizes that employees with contagious temporary illnesses, such as influenza, colds and other viruses, need to continue with normal life activities, including working. In deciding whether an employee with an apparently short-term contagious illness may continue to work, the City considers several factors. The employee must be able to perform normal job duties and meet regular performance standards. In the judgment of the employer, the employee's continued presence must pose no risk to the health of the employee, other employees and customers. If an employee disputes the company's determination that such a risk exists, the employee must submit a statement from his or her attending health care provider that the employee's presence in the workplace poses no significant risk to the employee, other employees or customers.

Supervisors are encouraged to remind employees that the company provides paid sick leave to cover absences due to contagious temporary illnesses. All employees are urged to contact Human Resources regarding any questions about the possible contagious nature of another employee's temporary illness.

Workers' Compensation Insurance

Perry City provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

Neither Perry City nor the insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by Perry City.

Employee Compensation

Salary Schedule

Perry City's Salary Schedule is detailed in appendix A of this handbook. The Salary schedule for each position at Perry city is based on the lane the position is assigned to, the work experience of the employee and employee performance. Each employee is eligible for performance-based raises that are made effective starting the pay period which includes July 1st.

Your performance is generally evaluated according to an ongoing 12-month cycle, each April. However, your department may elect to evaluate your performance on a more regular basis.

Timekeeping/Payroll

Timekeeping

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require Perry City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Nonexempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each unpaid meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Overtime work must always be approved by the direct supervisor before it is performed.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employee's responsibility to sign their time records to certify the accuracy of all time recorded. The supervisor will review and then initial the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

Paydays

All employees are paid biweekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period.

In the event that a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

If a regular payday falls during an employee's vacation, the employee's paycheck or statement of wages will be available upon his or her return from vacation.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to Perry City. Employees will receive an itemized statement of wages when Perry City makes direct deposits.

Administrative Pay Corrections

Perry City takes all reasonable steps to ensure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Payroll Department so that corrections can be made as quickly as possible.

Pay Deductions and Setoffs

The law requires that Perry City make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. Perry City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base." Perry City matches the amount of Social Security taxes paid by each employee.

Perry City offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs.

Pay setoffs are pay deductions taken by Perry City, usually to help pay off a debt or obligation to Perry City or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, your supervisor can assist in having your questions answered.

Use of Tobacco Products

In keeping with Perry City's intent to provide a safe and healthful work environment, and to comply with the Utah Clean Air Act, Tobacco use is prohibited throughout the workplace and Smoking is prohibited within 50 feet of the building entrance and any ventilation ducts. Tobacco use is also prohibited in all City Vehicles.

This policy applies equally to all employees and visitors.

Work Schedules

Work schedules for employees vary throughout our organization. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request participation in the flextime program.

Rest and Meal Periods

Perry City follows the current state and federal laws for rest and meal periods. Supervisors will advise employees of the regular rest period length and schedule.

Except for Public Safety employees or as otherwise required by law, rest breaks of short duration, usually 15 minutes, are considered hours worked and should be compensated. Meal periods, typically 30 - 60 minutes, generally need not be compensated provided the employee is completely relieved from duty for the purpose of eating. The rest break is paid work time, while the meal period is unpaid time provided during the 30 minutes or more.

Each workday, full-time nonexempt employees are provided with two rest periods, part-time employees are provided with one rest period. Supervisors will advise employees of the regular rest period length and schedule. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time employees are provided with one unpaid meal period each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

Overtime/Compensation Time

When operating requirements or other needs cannot be met during regular working hours, employees may be scheduled to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must have signed authorization from both the department head and the City Administrator or Mayor prior to any overtime worked. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid or given as compensatory time to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, guaranteed show-up time in certain situations, or any leave of absence will

not be considered hours worked for purposes of performing overtime calculations.

Compensatory time is paid time off the job which is earned and accrued by an employee in lieu of immediate cash payment for overtime hours worked at a rate of time-and-one-half of hours worked as required by the Fair Labor Standards Act. Perry City prefers that employees required to work overtime elect to take compensatory time. Upon Perry City's fiscal year end, June 30th, all but 40 hours of unused accrued compensatory time will be paid out to the employee at the required overtime rate.

Perry City follows the Fair Labor Standards Act for all overtime calculations and compensation, including exceptions for law enforcement and fire protection employees. For law enforcement employees, overtime hours are any hours worked over 171 hours during a 28-day period. Fire Protection employees are due overtime for any hours worked over 212 hours during a 28-day period.

Employees may be subject to disciplinary action, up to and including possible termination of employment for working overtime without receiving prior authorization from their supervisor.

On Call or Standby Duties

Perry City may need employees to be on call or standby to help with emergency situations. While the employee is on call or standby, they can use their time freely, and are not performing a specific assigned task they just need to be available by phone or pager to respond to Perry City needs in a timely manner.

Perry City offers on call or standby compensation. Police employees working on call will be paid two hours per day of on call duty at their regular rate of pay. If the employee is called to duty, they will receive their on call pay and their regular rate of pay for all time that work was actually performed.

Non-Police employees working on call will also receive compensation for their time on call. They will receive 4 hours of regular pay per 7-day period of on call duty. If the employee is called to duty while they are on call, they will receive their on call pay and their regular rate of pay for all time that work was actually performed.

Overtime pay will not apply to on call wages if the employee did not actually perform work.

Emergency Closings

At times, emergencies such as severe weather, fires, power failures, or earthquakes, can disrupt Perry City operations. In extreme cases, these circumstances may require the closing of a work facility. This is officially announced by the Mayor or the Mayor Pro Tem.

When operations are officially closed due to emergency conditions, the time off from scheduled work will be unpaid. However, with supervisory approval, employees may use available paid leave time, such as unused vacation benefits.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as unused vacation benefits.

Employees in essential operations may be asked to work on a day when operations are officially closed. In these circumstances, employees who work will receive regular pay.

Travel Expenses

Perry City will reimburse employees for reasonable travel expenses incurred while on assignments away from the normal work location. These expenses will be reimbursed at the IRS standard Per Diem and Mileage rates. Your department head and the city administrator (or Mayor) must approve all travel in advance. Employees whose travel plans have been approved should make all travel arrangements through

INTEROFFICE MEMORANDUM

TO: COUNCIL MEMBERS
FROM: MAYOR KAREN CRONIN
SUBJECT: CLASSIFICATION & SALARY CHANGE
DATE: MAY 19, 2015
CC: HUMAN RESOURCES

This memo serves to inform you of the need for a change in classification for our Police Chief position from Non-Exempt to Exempt. This position classification was changed to non-exempt in 2009 to allow for a patrolling (or working) chief as the exempt status would not allow for a chief to conduct investigations, run patrol, traffic control, etc. The City no longer has the need for a patrolling chief as our current chief has not been performing in this role for the last 2 years. He has strictly been an administrative chief handling the duties of managing and directing the Police Department and associated Boards.

I have attached a new job description which encompasses the duties currently being performed by the Police Chief position and I have ensured that the job description covers the needs of this role in our community. This position meets the requirements of FLSA to be classified as Exempt and this change will ensure that we are being fiscally responsible to our constituents.

An annual salary of \$61,796.80 is being proposed to be offered to our current Chief, which is within the approved pay range for this position. This is the salary that was offered to our previous Exempt Police Chief and represents a 21% increase to our current Police Chief's base salary.

Per the Personnel Policy a classification may be changed from Non-Exempt to Exempt upon written notification by the Mayor and City Council. I have prepared a Notification of New Job Information for your signature. This will be offered to our current Chief upon approval of these changes. If you have any questions regarding this classification and salary change, please feel free to contact me.

Perry City
Job Description

Chief of Police

Division: Administration
Department: Police
FLSA: Exempt

Reports to: Mayor
Date Prepared: May 2015

Purpose:

Performs professional, administrative, and managerial duties related to planning, organizing, directing, and coordinating the enforcement of federal, state, and local laws as needed to preserve the peace and protect citizen rights and property.

Essential Functions

- Researches, writes, establishes and evaluates department policies and procedures to implement executive and legislative directives from the mayor and city council; implements strategies in order to better carry out policies and goals; conducts program evaluations and formulates action to upgrade a departmental efficiency and capability as needed.
- Develops organizational structures including lines of authority, responsibility, and communication in order to carry out the policies and goals for city law enforcement; revises organizational structure as required.
- Responds as needed to assist at a supervisory level during investigations, evidence searches, interrogations, and other law enforcement activities needed to preserve public safety.
- Directs the supervision of department personnel; assures adequate shift scheduling; reviews letters of recommendation or reprimand; disciplines as necessary; directs the maintenance of department personnel records; establishes policies for hiring and firing; conducts interviews; evaluates employee performance.
- Plans law enforcement programs and implements strategies in order to better carry out policies and goals; reviews department performance and effectiveness and formulates action to upgrade department efficiency and capability as needed; searches funding alternatives and writes applications for grants.
- Prepares & administers the department budgets; reviews and/or approves all purchase orders and requisition forms; orders equipment, supplies, and large budget expenditures; verifies costs incurred by the department; reviews all time sheets and requests for overtime; insures payrolls are submitted promptly and

accurately.

- Monitors departmental compliance with established standard operating procedures; develops and implements quality control guidelines.
- Supervises personnel functions of the department; hires, fires, promotes, demotes, transfers, evaluates, and otherwise disciplines department personnel; handles grievances and disciplinary matters related to work assignments, interpersonal relationships, officer conduct, and general behavior; evaluates and assures delivery of necessary training needed by the department.
- Writes general orders and interdepartmental communications as needed.
- Directs day-to-day administrative operations and clerical maintenance functions; reviews reports for technical accuracy and quality; may assist to assure proper documentation of all departmental training activities and requirements as needed to maintain certifications.
- Prepares and submits periodic reports to mayor and city council and Federal and State officials regarding department activity; prepares a variety of other reports as appropriate; assists in developing and making recommendations for traffic planning for installation of traffic control devices.
- Meets with elected and/or appointed officials, other law enforcement agencies, community and business representatives, and the public in all aspects of city law enforcement activities; assumes responsibility for department public relations.
- Attends various State and local task force, interagency, legal-update, and other meetings to maintain an effective networking system and provides coordination within the law enforcement agencies and other departments; coordinates and conducts departmental meetings; attends conferences and meetings to keep abreast of current trends in law enforcement.
- Directs and coordinates emergency actions, criminal investigations, traffic enforcement, and other enforcement activities as required; supervises and monitors the maintenance of the police record keeping system; monitors reports.
- Supervises and monitors the maintenance of police records keeping systems; monitors reports.
- Directs maintenance and safekeeping of physical evidence, stolen property, abandoned property, and other items falling under custody of Perry City police department; controls and oversees city equipment and property assigned to the police department.

- Oversees & directs the activities of the Three Mile Creek Shooting Sports Complex and is responsible for safety issues, construction of facilities, coordination of volunteers, facility usage, and other duties as assigned.
- Performs other duties as required and/or assigned

Knowledge, Experience & Requirements:

1. Graduation from a college or university with a bachelor's degree in police science, criminology or some other related field, and/or eight to ten years of progressively responsible law enforcement experience; two of which must have been in a supervisory capacity.
2. Thorough knowledge of law enforcement principles, methods, and techniques; legal and political environment associated with police administration; federal, state, county, and city ordinances; principles of law enforcement administration; investigative procedures and practices; legal liabilities associated with arrest and law enforcement; court room procedures and laws of evidence; principles of effective supervision and employee motivation, interpersonal communication skills, and public relations; budgetary practices and procedures and fiscal management; local geography, road systems, and boundaries; standard first-aid administration.
3. Working knowledge of English, grammar and technical writing skills.
4. Some knowledge of principles of psychology and sociology.
5. Ability to work with mathematical concepts for budgeting, speed enforcement, automobile accident reconstruction, and other law enforcement duties.
6. Proficiency in the proper use and care of firearms; familiar with the operation of other special police equipment; able to manage sensitive law enforcement issues and interdepartmental conflicts; experience in emergency response driving.
7. Ability to administer and supervise city-wide comprehensive law enforcement program; exercise sound judgment in evaluating situations and in making decisions in emergency situations; assure compliance with and follow safety practices and procedures common to law enforcement work; operate a personal computer and various programs, such as Microsoft Word, Excel, etc.; communicate effectively, both verbally and in writing; establish and maintain effective working relationships with elected and appointed officials, other law enforcement agencies, service and community organizations, private businesses, and the public.
8. Must possess a valid Utah driver's license.
9. Must be Utah P.O.S.T. certified and must maintain certification by attending the required training hours as outlined by P.O.S.T.
10. Maintain and keep current all applicable certifications needed to operate department law enforcement equipment and systems i.e. radar, firearms, intoxilizer, BCI, Spillman.
11. Must reside within 15 miles of the Perry City offices, with preference given to those who will reside within Perry City limits.

Interpersonal and Communication Skills:

Language skills- Ability to read, analyze, and interpret complex documents. Ability to respond effectively to the most sensitive inquiries or complaints. Ability to write speeches or articles using original or innovative techniques or style. Ability to make effective persuasive speeches and presentations on controversial or complex topics to top management, public groups, and the city council.

Physical Requirements and Work Environment:

Tasks generally performed in a comfortable office setting. Talking, hearing, and seeing are required to perform daily functions. May occasionally be exposed to hazards common to law enforcement. Mental application utilizes memory for details, emotional stability, discriminating thinking, and creative problem solving. Frequent travel required in course of performing portions of job functions. Must also have the ability to lift more than 100 pounds, stand for long periods of time, walk, sit, use hands & fingers, handle or feel, reach with hands and arms, climb or balance, stoop, kneel, crouch or crawl, talk and hear, taste and smell. Must have the ability to work in all outdoor weather conditions, work near moving mechanical parts, and work in high precarious places. Must be able to work in conditions where fumes or airborne particles, toxic or caustic chemicals may be present. Specific vision requirements include: close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus to handle traffic violation and criminal activity.

Supervision Received

As regulated by State and City law and policy, and under the direction of the Mayor.

Supervisory/Management Skills:

Provides general supervision to all police department personnel directly or through subordinate supervisors.

Shanna Johnson

From: Susan Obray
Sent: Wednesday, May 06, 2015 10:15 AM
To: Shanna Johnson
Cc: Karen Cronin
Subject: Poll Workers

Shanna,

These are the poll workers that I recommend for the elections. Please put them on the City Council Agenda for approval.

David Curtis
Jolene Eddington
Sherie Holst
Vivan Schramm
Natasha Tilley

Thank you,

*Susan K. Obray
Perry City Recorder, Police Admin.*



What is Play Unplugged?

A summer program that encourages active children lifestyles and drives foot traffic into local businesses

How does it work?

Children choose from a list of self-directed summer activities to complete. Local businesses sponsor a unique activity and receive artist-created brag badges with their business name. Children must visit the local business **with their parents** to report on their activity and collect their brag badge.

How to Win Prizes

Collect Brag Badges to be entered into a prize drawing. Bring your Brag Badges to in front of the Chamber Office (6 North Main Street Brigham) on Fri Sept 11th between 3 – 8 p.m., so we can add how many brag points you have collected.

1st Level Drawing 151-258 points

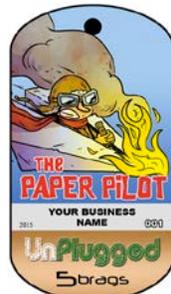
2nd Level Drawing 76 – 150 points

3rd Level Drawing 0 – 75 points.

The higher the level the larger the prizes will be!
Grand Prize is a Trampoline Donated by Skywalker Trampolines!!!!

<https://www.weplayunplugged.com>

Questions Contact the Brigham Area Chamber: (435)723-3931



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Questions Contact the Brigham Area Chamber: (435)723-3931

1 PERRY CITY WORK SESSION
2 PERRY CITY OFFICES
3 April 16, 2015

6:00 PM

5 OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting.
6 Esther Montgomery, Todd Christensen, Brady Lewis

7 OFFICIALS EXCUSED: Jana Nelson, Peter Gerlach

8
9 CITY STAFF PRESENT: Greg Westfall, City Administrator
10 Shanna Johnson, Chief Deputy Recorder

11
12 OTHERS PRESENT: Nelson Phillips, Del Fredde (Willard City Council), Robert Beebe
13 (Willard City Council), Greg Hansen, Cory Bennion, Lani Braithwaite

14
15 **ITEM 1: CALL TO ORDER AND OPENING CEREMONIES**

16 Mayor Cronin called the meeting to order.

17 **ITEM 2: WASTERWATER TREATMENT PLANT 5 YR. FINANCIAL ACCOUNTING**

18 Shanna Johnson presented a PowerPoint presentation reviewing the financial history of the
19 wastewater treatment plant (see attached).

20
21 She reviewed a Timeline of the wastewater treatment plant. She explained that on
22 February 28, 2008 an Interlocal Agreement was signed by both Perry and Willard City
23 creating a partnership and agreement to build and operate the Perry-Willard Wastewater
24 Treatment Plant. In 2009 the Wastewater Treatment Board was created and on December
25 29, 2009 it was suggested that Perry City handle the books, personnel, minutes, and posting
26 agendas. In 2010 the Board Chairman, Steve Pettingill requested Perry City create a
27 PowerPoint reviewing the Interlocal Agreement, Finance, and Personnel Processing. On
28 January 27, 2010 an Administrative Planning meeting took place at the Willard City Office
29 where the PowerPoint was reviewed. Those present included Wastewater Facility Board
30 Members, Mayors from communities, the Perry City Recorder, Perry City Attorney, and
31 herself. Shanna stated that Partnership and Collaboration was the theme of the meeting.
32 They discussed the Interlocal Agreement, Finance Process, Concerns and Solutions. The
33 hierarchy as outlined by the interlocal agreement was reviewed, and duties of the Sewer
34 Facility Board were also reviewed. During the meeting Perry City was assigned to perform
35 the following functions for the Wastewater Treatment Facility:

- 36 • Accounting
- 37 • Personnel / Human Resources
- 38 • Meeting Minutes
- 39 • Posting of Agendas

40 An administration fee was established of \$7,800 per year.

1 Shanna said that certain needs were identified from the beginning which included
2 partnership and teamwork, bylaws, term limits, policies, and the assistance of a legal taxing
3 entity.

4
5 Shanna reviewed 5 years of financials (see attached spreadsheet) for the wastewater
6 treatment facility including Fiscal Year (FY) 2011, FY2012, FY2013, FY2014 and FY2015
7 year to date.

8
9 FY2011: She advised that operations began in FY2011. A budget was established of
10 \$221,360 and of that \$219,122 was expended. The year ended \$2,238 better than planned.
11 Shanna explained that billing for this year was a little different, there were delays in
12 obtaining our permit due to questions regarding the need to treat for phosphorous.
13 Because of the delay the State awarded a hardship grant covering a large portion of the
14 budgetary items therefore Perry and Willard only paid a small portion of operations.
15 Willard City was billed and paid \$26,689.98 toward the total annual expenses. The balance
16 was covered by Perry City and the hardship grant.

17
18 FY2012: Shanna explained that during FY2012 the budget increased quite a bit to
19 \$382,102.13 of which \$120,090 was due to the set up and treatment of phosphorous.
20 \$289,101.51 was expended. Shanna advised that without phosphorous treatment the
21 budget would have been \$262,012.13 an increase in budget of 18% and the actual spent
22 minus phosphorous expenditures included were only about 1% higher than the previous
23 year's actual expenditures. Willard's portion of the expenditures was \$75,153.13. The line
24 above shows what was covered by the phosphorous grant (\$68,062.90) which is a pass
25 through, and is fully reimbursed by the State. She said Perry's portion of the expenses was
26 \$145,885.48. Shanna said as you can see in the spreadsheet Willard was billed only
27 \$72,011.84. She explained that when Perry completes the billing they use the detail ledger
28 each month. At year end there are (audit) adjustments that take place, which can cause the
29 final number to be off slightly from what was billed, but will balance out over time. She
30 said if you were to total Fiscal Year 2012, 2013, and 2014 you would see that Willard's
31 portion of the expenses was \$251,603 and Perry has billed Willard for \$249,779.46.
32 Shanna said this is a timing issue and she is sure that what was not billed in 2014 has been
33 billed in FY2015.

34
35 FY2013: Shanna said you can see that the budget decreased by 2%. She explained that this
36 was due to the fact that the phosphorous treatment set up was completed the prior year
37 and so budget for set up was no longer needed. We only needed budget for the treatment
38 itself. Shanna stated the budget was set at \$317,753.96 and of that \$283,019.47 was
39 expended. Without Phosphorous the budget would have been \$267,663.96 and that the
40 operation budget (excluding phosphorous) was \$267,663.96, an increase of 2.16%, but the
41 actual expenditures were 16.64% less than the prior year.

42
43 FY2014: Shanna stated the budget was \$333,226.81 of which \$288,712.48 was expended.
44 Without phosphorous treatment the budget would have been \$283,136.81, which is a
45 budget increase of 5.78% and the actual expenses were 1.78% less than the prior year.

1 Shanna explained that every year after the wastewater treatment facility began treating for
 2 phosphorous a budget was set for the treatment at \$50,090 per year. This represents the
 3 maximum amount that could be reimbursed by the grant. We would budget the entire
 4 amount and count that the full reimbursement would be coming in as revenue. If this was
 5 not spent the revenue was not received. She said you can see what was actually spent on
 6 the phosphorous treatment which the first year was \$68,000, the next year \$42,000 and the
 7 last year \$10,000.

8
 9 FY2015: Shanna reported that the budget has been set at \$345,993 which is an increase of
 10 8%. The actual expenses thru February are \$185,370 and we are trending to end the year
 11 at \$312,192. She said you can see that without phosphorous treatment the actual
 12 expenditures would be \$178,245.

13
 14 Shanna reviewed the billing stating that everything that has been billed to Willard City has
 15 been paid. She said that FY2014 was over paid by \$3.01. She said that this is pretty
 16 immaterial, but we could definitely adjust for this. She said that the only amount
 17 outstanding is \$5,506.51, which is Willard’s portion of the February expenditures.

18
 19 Shanna Johnson said that concludes her review of the financials. Mayor Cronin asked if
 20 there were any questions from the public. No questions were asked. Mayor Cronin asked
 21 Shanna to continue with her presentation.

22
 23 Shanna said she does not have access to Willard’s Sewer Fund Balance details, but did want
 24 to report on Perry City’s. She stated not including assets the Total Sewer Fund Balance as
 25 of FY2014 is \$1,737,280 which includes:

26 Reserved/Restricted (Required by Bond)

- 27 • Debt Service Reserve Fund & Emergency Repair: \$1,112,558.00

28 Unrestricted/Unreserved

- 29 • Expansion Funds per Interlocal Agreement: \$ 49,527.76
- 30 • Balance (repair of Collection System): \$ 575,194.24

31
 32 Shanna explained that the expansion funds set aside does not include any budget set for
 33 phosphorous treatment that was unexpended as this was a grant and revenues were not
 34 received unless monies were expended.

35
 36 Shanna stated that Perry City’s fund balance and position in this partnership is healthy.

37
 38 Shanna took some time to respond to her Council regarding some concerns that have been
 39 brought forth. Shanna said that her efforts have always been to help make the Wastewater
 40 Treatment Plant successful and she has never tried to hinder those efforts.

41
 42 Shanna said there was a concern reported that Perry City was changing the budget without
 43 either City knowing. Shanna referred to comments listed in the Wastewater Treatment
 44 Board minutes dated March 9, 2015, where Chairman Pettingill reported “He had a

1 snapshot of the budget taken on January 20, 2015 and a different snapshot of the budget
2 taken on January 21, 2015 which had some \$2,500 discrepancy in the budget”. Shanna
3 reported the Perry City’s response to this concern stating that Mr. Pettingill requested a
4 budget update on January 20th and she informed him that she was working on the
5 December update. She asked if he would like to wait until this was complete. Mr. Pettingill
6 requested what was currently available. Based on this request Shanna sent the November
7 budget update to Mr. Pettingill on January 20th. Shanna referred to her PowerPoint
8 presentation which included a copy of the budget update provided (reflecting expenses
9 42% through the year) and the email sent to Mr. Pettingill on January 20, 2015, which
10 showed in the subject line that the update was for November 2014. Shanna said that she
11 completed the December budget update and sent this to Mr. Pettingill on January 21st to
12 ensure that he had the most up to date information. She explained that the actual spent
13 column changed to reflect the new month’s expenses. Shanna referred to her PowerPoint
14 presentation which included a copy of the budget update provided (reflecting expenses
15 50% through the year) and the email sent to Mr. Pettingill on January 21, 2015 which
16 showed in the subject line that the update was for December 2014. She said that in
17 November expenses were at \$118,000 and in December the expenses were at \$126,000.
18 The only line item that changed by \$2,500 was line item 4112 (Titled Temporary
19 Employees). Mayor Cronin asked what this line item represents. Shanna said she will go
20 over this a little further in the presentation.

21
22 Shanna stated the next concern that she read was in the minutes and in the newspaper.
23 The concern was that Perry City made unauthorized transactions with regard to the
24 Wastewater Facility. She reported that Perry City’s response to this is that every financial
25 transaction regarding the wastewater Treatment facility is approved by the Sewer Facility
26 Board at their monthly board meetings on payment approval forms. Shanna presented a
27 file including every payment approval for the entire life of the Wastewater Facility. She
28 explained that these payment approvals include the following:

- 29 • Detailed Ledger for the Monthly Expenses
- 30 • Budget update
- 31 • Accounting of any Grant related items
- 32 • Any adjustments that were made

33 Shanna reported that every payment approval presented has been signed by the Board.
34 She has never received any questions from any of the board members nor has she received
35 any negative feedback. She stated every financial transaction that Perry City has made for
36 the Wastewater Facility has been authorized by the Facility Board.

37
38 Shanna stated the next concern that has been made is that Perry City is charging thousands
39 of dollars for their services. She referred to comments made in the February 9, 2015
40 Wastewater Treatment Board meeting where Board Chairman Pettingill said “we are
41 currently paying (if he looks at his budget) either \$7,200 or \$9,900 a year”. Shanna
42 referred to the presentation which included a snap shot of the November and December
43 budget update. She said she could not find any line item that equaled \$7200, but did find it
44 interested that line item 4112 was \$9,900 in December and \$7,400 in November. She said

1 she assumes this is what he is referring to. Shanna advised that this budget line item is a
2 reflection of the Assistant Plant Operators, Kenneth Russell's wages. She referred to the
3 January 2015 budget update in her presentation, the line item (4112) was showing a total
4 actual expense of \$13,507.50. She moved to the next slide showing a snap shot of Payroll
5 Register for Kenneth Russell as of January. She said the total wages for Kenneth Russell in
6 the report show \$13,507.50 and show them being allocated to the Sewer Fund budget
7 under line item 4112. Shanna stated that the expenses listed under line item 4112 are
8 wages for the assistant operator and are not administration charges from Perry City.

9
10 Shanna Johnson said the next concern brought forth was that Perry City is using
11 Administrative Charges funded by the Sewer Facility to fund Shanna Johnson's pay
12 increase. Shanna referred to the presentation which includes her payroll register. She said
13 this report establishes that 100% of her wages are coded to the General Fund under the
14 Administration department.

15
16 Shanna provided a breakdown of the Administration fee approved by the board in 2010. It
17 included multiple employees and not just her.

18
19 Shanna said that it has been reported that moving financial, payroll, and clerical assistant
20 from Perry City to third party vendors will save thousands of dollars. Shanna said Perry
21 City's response to this is that Perry has only charged 1 year of administrative services to
22 the Wastewater Treatment Facility in its 5 years of operations. Shanna said Perry City
23 charged \$7,850 in FY2012 for their services. Perry City covered \$5,181 of this charge and
24 Willard City covered \$2,699. She displayed a breakdown of what could have been charged
25 and what Willard's portion would have been if charges had occurred (approx. \$7,956).
26 Shanna said that in the spirit of partnership, Perry City has not charged for these services.
27 This has allowed for budget to be utilized for wages to bring a full-time employee instead of
28 a part-time and for supplies needed for operating the Wastewater Facility. Shanna stated
29 our goal has always been to try to make our plant as successful as we can.

30
31 Shanna referred to her presentation which included snap shots of the Wastewater
32 Treatment Board Payment approvals during the month of June for each Fiscal Year. She
33 said the administrative fee would have occurred in June and would have been reflected on
34 the payment approval. She said you can see there were no charges in FY2011. \$7,850 was
35 charged in FY2012 (she indicated to the circled amount on the payment approval titled
36 Annual Admin Fee). No charges occurred in FY2013 and there were no charges in FY2014.
37 She said at this point there have not been any charges for FY2015 either. Shanna said the
38 truth is moving the administrative services from Perry City will increase costs. She said
39 that it has been reported that Accounting has been set at \$300 per month, \$3,600 annually,
40 and it could cost more if there is a need for additional services. Shanna said you can see
41 from the administrative breakdown provided that minutes preparation was never a part of
42 the administration fee. This is a City board and minutes are the responsibility of the Cities.
43 She said the new proposal is that \$100 will be charged for each set of minutes for an
44 approximate annual cost of \$1,200. She said that we are currently only billing for actual
45 operation and maintenance expenses as per allowed by the interlocal agreement. She said

1 that on average this equates to \$7,878 per month for Willard city and \$15,293 per month
 2 for Perry City. Shanna said it has been reported that the new billing will be based on 1/12th
 3 of the budget each month (not as stated in the interlocal agreement). This will increase
 4 costs for Willard City to \$9,166 per month (\$1,288 more) and for Perry City to \$17,792 per
 5 month (\$2,499 more). Shanna advised that based on the new proposed costs, the total
 6 estimated annual increase for Willard is \$17,088 and for Perry is \$33,156. She said that
 7 these types of increases constitute rate increases to the residents. There is no way to
 8 absorb this into the budget that is already there. She said Perry City has tried to avoid rate
 9 increases. Shanna said that this amount does not include other proposed costs that have
 10 been reported as being considered including:

- 11 • Paying Board Members
- 12 • Paying Spur members
- 13 • Hiring Attorneys
- 14 • Audit Expenses that may be generated by separating this accounting function.

15 Shanna said the actual costs of the proposed change are truly unknown.

16
 17 Shanna Johnson reflected on the value gained through our partnership over the last 4
 18 years. The wastewater facility and Willard City has received:

- 19 • 4 years of free financial assistance
- 20 • State Compliance – Clean Audits
- 21 • Funding needed for operations
- 22 • 4 years free Grant Management – Shanna referred to a binder including all
 23 disbursements related to the Phosphorous Treatment Grant. She said that it
 24 represents her efforts in relation to the grant. She said the disbursement reporting
 25 has resulted in over \$500,000 in grant funding between the South Ditch Pipeline
 26 construction, \$150,000 in hardship grant funding for operations, and an additional
 27 \$50,000 in Phosphorous treatment reimbursements.
- 28 • 4 years of Personnel and Human Resources assistance
- 29 • 4 years free clerical assistance – Minutes and Agenda preparation

30 Shanna said this is all value gained in this partnership.

31
 32 Shanna stated in February when Perry City was made aware that the financials were going
 33 to be moved from Perry City, she had some concerns including how we would remain
 34 compliant with the State and fiscally responsible. Shanna referred to the presentation
 35 which included a list of the following concerns:

- 36 • Legality of Tax ID (Board not an Interlocal Agency or SSD)
- 37 • Liability of Checking Account for the cities
- 38 • Checks and Balance / Separation of Duties
- 39 • Compliance with GASB
- 40 • Transparency Reporting
- 41 • Other State Reporting
- 42 • Audit Implications for the cities
- 43 • Start up Funding – Perry Currently fronts costs
- 44 • Fund Balance being held by Board

- 1 • Bonding for Financial Responsible Parties
- 2 • FLSA & Other Pay Laws being followed
- 3 • URS (Retirement) for WW employees
- 4 • Billing Procedures & Compliance with Interlocal Agreement

5
 6 Mayor Cronin said she and the Council have asked that these concerns be researched with
 7 our auditor, accountant and the State Auditor as Perry City is being asked to sign off on a
 8 checking account for the Wastewater Facility Board. Mayor Cronin said that they want to
 9 ensure that there would not be any additional liability for the cities. Shanna said the first
 10 person she contacted was David Rogers at Davis & Bott (Perry City’s Accountant). She
 11 referred to her presentation which included an email response from David Rogers. She
 12 read from the email text below:

13 *“From what you are saying, it seems to me that the WWTP wants to completely break off from Perry*
 14 *City. I don’t think it would work to only do a partial break off by transferring the A/P function and*
 15 *payroll. You may want to clarify with them the extent of the split that they desire.*

16
 17 *Regarding payroll, if they broke off, they wouldn’t be employees of Perry City, they’d be employees of*
 18 *the new interlocal entity. I believe that other interlocal entities have employees that participate in the*
 19 *state retirement system, but there may be some work to set that up. If they don’t completely break off, I*
 20 *don’t think payroll should be separated and given to them.*

21
 22 *Assuming the WWTP wants to create an interlocal entity, the interlocal entity would charge the cities*
 23 *a monthly or annual fee to maintain and operate the WWTP. Once Perry paid their fee, any excess*
 24 *funds would remain with the WWTP, theoretically to provide funds for major repairs or purchases in*
 25 *the future. Perry, Willard and the interlocal entity would have to agree how much the WWTP fee*
 26 *should be to cover all of their costs and future replacement/upgrades.*

27
 28 *An interlocal entity is created when two entities enter into an interlocal agreement as outlined in **Utah***
 29 ***Code 11-13-202** to approve the creation of the interlocal entity as outlined in the **Utah Code 11-13-***
 30 ***203**. The two cities do not need to create a special service district. The cities should have an attorney*
 31 *help them with the agreement and creation of the entity.*

32
 33 *I hope this information helps. In summary, I don’t think a partial split would work, but I do think if*
 34 *everyone agreed the WWTP could be split into an interlocal entity.”*

35
 36 Shanna said that she also sent the list of concerns to our Auditor, Chuck Palmer, with
 37 Christensen, Palmer & Ambrose. She referred to the presentation which included a snap
 38 shot of his email response. She read from the email text below:

39 *“I agree with you concerns about the waste plant.*

40 *1st – the plant should not have its own Tax Id number. It is not a legal separate entity. I believe the 2*
 41 *cities would need to create a special district for the plant to be its own entity.*

42 *2nd – the plant can have its own bank account but only if authorized and approved by the city.*
 43 *Including approving the authorized signers on the account.*

1 *3rd – if the plant had its own bank account, there needs to be checks and balances. The preparer of the*
2 *checks need to be someone other than the signers. The bank statement should come to the city and be*
3 *reconciled by you.*

4 *4th – since they are not a separate entity they are not going to have separate reporting to the state*
5 *auditor and transparency site. Those things are going to still have to fall under the cities reporting*
6 *requirements.*

7 *5th – If the plant had its own accounting system, this would increase both accounting burden for the*
8 *city and the audit time. If not a separate entity, the city would have to find a way to merge the*
9 *transactions into the city’s books and reports. May increase your software cost for accounting. For*
10 *the audit, we would need to spend time reviewing the controls and accounting at the plant and then*
11 *need to reconcile the accounting between the city and plant. If it was a special district, it would be*
12 *required to have its own audit and then need to be included in the audit as a component unit of the*
13 *city. Treated like the Flood Control District but required to have a full audit.*

14 *6th- The fund balance is not cash that can be held in a bank account. This is an accounting term for the*
15 *difference between total assets less the liabilities. At 6/30/14 the fund balance was \$4,019,722. Of*
16 *that amount \$2,282,442 is net assets in plant and equipment. Tracking the fund balance is why the*
17 *sewer fund was broken out into its own fund when the plant was built. This was a requirement of the*
18 *bonds and not something that can be held by the board.*

19 *7th – I am not sure how the bond convents relate to the ownership of the plant. But I think the bonds*
20 *may have to be re-bonded to put them in the name of a new district.*

21 *8th – unless the plant is its own entity the payroll is going to have to run through the city for retirement*
22 *and benefits.*

23 *From what I know, I don’t think it is the accounting that is the issue. But if there are concerns about*
24 *the accounting, we can do a more detailed review of the accounting just for that fund. The accounting*
25 *could be done at the plant, but only with proper controls. I do think it would cause duplication of*
26 *costs. You would need computer equipment, software and accounting personal.*

27 *Let me know how we can help.”*

28 Shanna advised that the Wastewater Treatment Facility Board is a board and not an
29 Interlocal Entity/Agency. She said that creating an Interlocal Entity would require a new
30 Interlocal agreement between the cities. She referred to the presentation which included a
31 snap shot of Utah State Code 11-13-212 which requires that if an interlocal agreement
32 creates an interlocal entity the agreement must:

- 33 I. declare that it is the legislative body’s intent to create an interlocal entity;
- 34 II. describe the public purpose for which the interlocal entity is created; and
- 35 III. describe the powers, duties, and functions of the interlocal entity

1 Shanna stated that the Wastewater Treatment Facility Board is also not a Special Service
2 District. She referred to her presentation which included a snap shot of Utah State Code
3 17D-1-208 which details that creating a Special Service District requires the adoption of a
4 Resolution or Ordinance approving the creation of a Special Service District and other
5 regulations that go into effect from that point. She said that the reason this information is
6 being reported is because she wants this Facility, Board and Partnership to be successful.
7 She does not want the cities subject to audit findings at year-end. We do not want to
8 discover at year-end that we have been doing something illegal.

9
10 Shanna said that what Perry City is asking for is that we have collaboration and partnership
11 again. Let's sit down and figure out this financial process, is it the best thing? Is it where
12 we should be going with this? Are we going to be successful at the end of our fiscal year?
13 Are we going to be looked upon in a good light by the State and the State Auditor's office?

14
15 Mayor Cronin said whatever happens we want to make sure that both cities can make this
16 transition without audit findings and that it does in a way save money. It does not make
17 sense to do something that is going to cost more money. She said that she has asked in two
18 separate letters to the Wastewater Facility Board that we get some sort of a process flow so
19 that we can see how this will work and save money. Mayor Cronin said we have always
20 said that we are not opposed to this transition, but we do need to see the plan. She said
21 back in 2010 there was a request for a process flow so that all parties could understand the
22 plan; that is what we are asking for at this point. She said that is also what the Council has
23 asked for prior to her signing anything. She said the goal here was to report on the
24 financial history back to 2010. She said that David Rogers is here from Davis and Bott. She
25 asked him if he has any concerns over the past 4 years regarding the financials or on how
26 things have been running. David Rogers said everything has been clean the only
27 adjustments that have been made have been done at year end to get things in their correct
28 periods. He said that everything looks to be being accounted for correctly. Mayor Cronin
29 said that in his email responding the financial transition concerns he stated that he thinks a
30 new interlocal agreement would be needed in order to create an interlocal entity. David
31 said yes a new agreement would be needed. He does not believe the current agreement
32 created an entity. He said Chuck Palmer brought up a good point about the bonding and
33 assets. If the Board becomes it own agency or Special Service District and depending on
34 where the revenues are now they would be subject to reporting requirements to the State
35 Auditor's office, agreed upon procedures and a separate audit.

36
37 Mayor Cronin asked about the bonds for those allowed to sign checks. David was not sure
38 on bonding. Greg Westfall said that anyone that is allowed to sign checks funded by the
39 public has to be bonded, which is insurance for the individuals and this can be expensive.

40
41 Shanna Johnson said one thing that was discussed in their responses was that if we did
42 create a new agency either by creating an Interlocal Entity or Special Service District, the
43 asset would move with the agency, which would require a new bond and this would be
44 pretty expensive. Mayor Cronin said if she understands this correctly we would have to
45 take the bonds that the City has put out and transfer or sale them to the new entity.

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David Rogers said he talked with Van Christensen at the State Auditor’s office. He said that they talked about some of the issues that have been discussed tonight. He did refer to GASB (General Accounting Standards Board) 69, which is a newer pronouncement which requires that with the transfer of operations to a new entity you have to transfer all the assets and the new entity would be responsible for maintaining those assets and any needed upgrades. There is a lot responsibility and liability that comes with that.

Shanna Johnson said there is also increased reporting because if they get above \$350,000 in budget they are required to follow the same or similar reporting requirements that a City is required to comply with (i.e. Transparency Reporting, Audit reporting, etc.). Shanna said that there would be a lot of additional work and cost. She said that what she hopes is that whatever we decide to do, that it is the most financially responsible decision for our constituents. They are the people who will be paying for this in the end. We have all tried very hard not to raise rates for our citizens. She said she knows that taking on an additional \$33,000 in expenses, which does not include any costs not identified, would not be able to be absorbed in the rate the Perry City is currently charging for Sewer. Shanna said that if this is something that we truly want to pursue that we sit down and really talk through the process.

Mayor Cronin said that is what we are looking at. She said that we have heard that this will be a savings and we would like the Wastewater Treatment Facility Board to come back and report to us how this new process results in a savings. Mayor Cronin asked if the Council Members had any feedback.

Council Member Lewis said he feels that the financials have been reported well and he has some of the same concerns already discussed. If there is some savings and we are not seeing it he would love to see the proposal and we can go from there. He said he is open to everything as long as it is fair on both sides and fair to the constituents.

Council Member Christensen stated that Shanna has done an excellent job. It is hard to reconcile 5 plus years and a multi-million dollar event in 30 minutes. He said that the issue he sees is that we know how things have been done in the past. There are very good records and we know that there has not been any charges since 2012 from our own operational costs to maintain the books. Some of the unknown questions are the bigger concern for him. We don’t know additional costs exist that have never been in the budget or how operations will be billed. We do not know how to account for this. He said he feels more comfort in knowing what the track record has been and is in favor of adjusting this process if we need to fine tune it, compared to a new process of which we do not have the details to see how this will work.

Council Member Montgomery said that she has been really weary regarding what has gone down at the Wastewater Treatment Facility Board level. She encouraged those members to remember that Perry City has always been an ally in this. There has been a lot of talk about disputes and allegations and the climate of the situation has had all parties tip toeing. We

1 are not throwing dirt here. We just want to be able to move forward. The Board's objective
2 is to manage the plant. That is its goal and emphasis. She thinks that the Board started
3 grasping at these other ideas of being an independent entity and they are stepping outside
4 of their bounds and not respecting the agreements already in place between the two cities.
5 She stated that this has caused a terrible ripple. She said she really does hope and knows
6 that the cities can overcome that and move forward.

7
8 Mayor Cronin asked Greg Hansen if he had any questions or comments. Greg Hansen said
9 that a ripple is putting it mildly. He said he wished the Wastewater Treatment Facility
10 Board (WWTB) had something in writing to provide the Council, but at this time they do
11 not. He said at one of the first WWTB meetings that Esther Montgomery attended she
12 asked if the financial process isn't broken why are we trying fixing it. He said that he
13 agrees with this. Greg said he does not know what this gap is between the two cities, but
14 honestly the simple fix is for the two communities to sit down, he suggested possibly
15 having himself and Bob Beebe involved in this conversation. He said it makes financial
16 sense to continue on the same path. He said there are a few things that need to be changed.
17 The budget is going to have to be increased because the equipment has been on a bare
18 bones budget. There are items that need to be replaced soon. They are near the end of their
19 life expectancy. He said that we do need to start purchasing items and putting them on the
20 shelves. He stated that with this need he is not sure how either Willard or Perry City can
21 accept a 7-8% increase to administration fees. Greg suggested that the two cities sit down
22 and discuss the facility and come back to the board. He said there are definitely 2 different
23 understandings of the interlocal agreement. He said that the cities need to come to an
24 understanding and get this to the board in black and white. He advised that some direct
25 language is needed. He said that this will allow the Wastewater Board to get back to the
26 business of running the plant. He said that everyone is doing a good job. He said what has
27 happened for the last 5 years is impressive.

28
29 Mayor Cronin asked the Willard City Council Members present Bob Beebe and Del Fredde if
30 they had any questions regarding the financial accounting. She asked if this is what Willard
31 was looking for when they asked for a financial accounting. Mr. Beebe said he was not sure
32 what was requested in court. He said that no one has questioned that someone is
33 pocketing money off to the side. He said that some of these accusations are news to him. He
34 said that some things that we should be discussing now have been taken out of our hands
35 and now will need to be discussed in mediation. He said this type of discussion should have
36 occurred months ago. Mr. Beebe said he approached Council Member Christensen a few
37 months ago and said that two Council Members from each City should sit down and hash
38 this out. He said that the only people making money right now are the attorneys. Malone
39 Molgard agreed that the attorneys should not be involved. He said the cities should be
40 involved and working it out. Mr. Beebe said he does not think we need to reinvent the
41 wheel. We have an interlocal agreement and there is no doubt that the current agreement
42 is slightly vague. He said there were decisions made by the previous administrations that
43 weren't written down. He said he told the Mayor on a couple of occasions that the biggest
44 problem is the lack of documentation on a couple of subjects. He said he does not think
45 that we are that far off. Mayor Cronin said she is just going back to the request that Perry

1 City provide a financial accounting. Malone said they will need to know if Willard City
2 needs more. He said that as far as he is concerned there is no question regarding the
3 financial practices over the last 2 years: that has been involved on the Wastewater
4 Treatment Facility Board. He said the only item he had a question on is what happens with
5 budgeted dollars that are not spent. He asked if this carries forward to the next year or if it
6 is set aside somewhere. Shanna Johnson advised that we need to look at the money minus
7 the phosphorous grant, because this is grant money which is not collected unless spent.
8 Mr. Beebe agreed. Shanna said that per the interlocal agreement any budget not spent is to
9 be placed in an expansion fund. She said that she can only address Perry City's portion of
10 this money and Perry City's portion of the expansion funds from FY2011 through FY2014
11 totaled \$49,527.76 and are held in the Sewer Fund Balance (see above discussion regarding
12 fund balance). Shanna clarified that she is not sure if Willard has their portion set aside.
13 Mr. Beebe said he sure hopes we continue to get grant funding for phosphorous treatment.
14 Shanna said she talked with John Cook at the State and he said that this funding should
15 continue until the new permit is in place. Mr. Beebe said that if the funding is pulled this
16 will increase operations expenses a lot. Shanna agreed stating that last year phosphorous
17 treatment cost approximately \$11,000 and this year the cost is already at \$7,000.

18
19 Del Fredde requested that Willard City get a copy of the slides presented tonight. Mayor
20 Cronin said that she will provide a copy to them.

21
22 Mayor Cronin thanked the Wastewater Treatment Facility Board Members and Willard
23 Council Members for coming. She said if there are other questions that they have or if they
24 would like to sit down and talk to let us know what works best for them.

25
26 **ITEM 3: Adjournment**

27
28 The meeting adjourned at 7:00PM

29
30
31 _____
32 Susan Obray, City Recorder

Karen Cronin, Mayor

33
34
35
36 _____
37 Shanna Johnson, Chief Deputy Recorder

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39
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41

1 PERRY CITY COUNCIL MEETING
2 PERRY CITY OFFICES
3 April 16, 2015

7:00 PM

5 OFFICIALS PRESENT: Mayor Karen Cronin presided and conducted the meeting.
6 Esther Montgomery, Todd Christensen, Brady Lewis

7 OFFICIALS EXCUSED: Peter Gerlach, Jana Nelson

8
9 CITY STAFF PRESENT: Greg Westfall, City Administrator
10 Shanna Johnson, Chief Deputy Recorder
11 Malone Molgard, City Attorney
12

13 OTHERS PRESENT: Cory Bennion (Mosquito Abatement), Greg Hansen, Lani Braithwaite,
14 D.L. Bunderson, Allena Pierce (Bear River Health Department)

15 **ITEM 1: CALL TO ORDER**

16 Mayor Cronin called the meeting to order.

17 **A. INVOCATION**

18 Council Member Montgomery offered the invocation.

19 **B. PLEDGE OF ALLEGIANCE**

20 Council Member Lewis led the audience in the Pledge of Allegiance.

21 **C. REVIEW AND ADOPT THE AGENDA**

22 **MOTION:** Council Member Christensen made a motion to approve the agenda. Council
23 Member Montgomery seconded the motion.

24 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
25 Council Member Lewis, Yes
26 **Motion Approved.** 3 Yes, 0 No.
27

28 **ITEM 2: PROCEDURAL ISSUES**

29 **A. CONFLICT OF INTEREST DECLARATION**

30 None.

31 **B. PASS OUT WARRANTS TO COUNCIL MEMBERS (AND POSSIBLE DISCUSSION)**

32 Shanna Johnson passed out the warrants.

33 **C. BUSINESS LICENSE(S)**

- 34 • None
35

36 **ITEM 3: PUBLIC COMMENTS AND/OR PUBLIC HEARING**

37 **A. Public Hearing Regarding Ordinance 15-H Fire Service Billing Procedures**

1 Mayor Cronin said we currently receive bills from Brigham City for any fires that they go
2 out on. We take those bills and send them to the residents where the services were
3 received. She said we pay Brigham City for the fire. There has not been any way to help
4 with administrative costs if the bills are not paid timely. She said this becomes to the other
5 residents of the City. This Ordinance would address this issue.

6 **MOTION:** Council Member Montgomery made a motion to open a public hearing regarding
7 Ordinance 15-H Fire Service Billing Procedures. Council Member Lewis seconded the
8 motion.

9 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
10 Council Member Lewis, Yes
11 **Motion Approved.** 3 Yes, 0 No.

12
13 No public comments were made.

14
15 **MOTION:** Council Member Christensen made a motion to close the public hearing. Council
16 Member Lewis seconded the motion.

17 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
18 Council Member Lewis, Yes
19 **Motion Approved.** 3 Yes, 0 No.

20
21 **B. PUBLIC HEARING A FISCAL YEAR (FY) 2014-2015 PERRY CITY BUDGET**
22 **AMENDMENT**

23 Shanna Johnson reported that if approved we will be amending the budget to add \$4,905 to
24 the Gun Range. She explained that this money comes from a grant received from the NRA in
25 the amount of \$1,499 and the balance of this money comes from additional user fees that
26 have been collected over and above plan. Shanna stated that the City also proposes
27 increasing the Community Development Budget by \$50,000 for a possible land acquisition.
28 She said that these funds would come from fund balance. In the original budget we
29 planned to contribute \$21,284 to fund balance, we would use this money toward the land
30 acquisition and bring in an additional \$28,716 from fund balance already saved. Shanna
31 stated that the total budget increase to the General Fund would be \$54,905.

32 Council Member Christensen asked if there is a particular parcel in mind for the land
33 acquisition. Mayor Cronin said yes.

34 **MOTION:** Council Member Montgomery made a motion to open the Public Hearing to
35 discuss the FY2014-2015 Perry City Budget Amendment. Council Member Lewis seconded
36 the motion

37 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
38 Council Member Lewis, Yes
39 **Motion Approved.** 3 Yes, 0 No.

40
41 No public comments were made.

42

1 **MOTION:** Council Member Christensen made a motion to close the public hearing. Council
2 Member Lewis seconded the motion.

3 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
4 Council Member Lewis, Yes
5 **Motion Approved.** 3 Yes, 0 No.
6

7 **C. PUBLIC COMMENTS**

8 **Greg Hansen:** said he lives on 2170 south 750 west and stated that 750 west is in dire
9 need of repair. He said that there are trenches settling and big cracks. He said he talked
10 with all his neighbors and all are in agreement that they would like the City to look at some
11 street repair. He advised that if we do not do this soon we will lose the entire street.
12

13 **Lani Braithwaite:** stated 3450 South needs to be graded and maintained. There are many
14 potholes.
15

16 **ITEM 4: ACTION ITEMS**

17 **A. APPROVAL OF THE WARRANTS**

18 **MOTION:** Council Member Christensen made a motion to approve the warrants. Council
19 Member Montgomery seconded the motion.

20 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
21 Council Member Lewis, Yes
22 **Motion Approved.** 3 Yes, 0 No.
23

24 Mayor Cronin noted that the warrants included the final payment for the new Dale Young
25 Park Restroom, which is now complete and in working order. She said this is a great
26 addition to the park.
27

28 **B. ORDINANCE 15-H FIRE SERVICE BILLING PROCEDURES**

29 Mayor Cronin said the packet was sent out a little early and in working with staff there was
30 a miscommunication regarding language in the Ordinance. She said that the main changes
31 to the procedures are listed in section 5 of the proposed Ordinance. She explained that
32 right now Brigham City bills us and if it is not paid there is a 1.8% monthly penalty. She
33 said that the City in has just billed this amount straight through, but the City staff has to do
34 a lot of work in regards to billing and she would like to build into the fee something to
35 cover our administrative costs. She had suggested possibly a \$25 fee the first month and
36 possibly a \$50 fee for the next month then send the bill to collections. She said that the
37 misunderstanding is that these fees should have been in addition to the 1.8% fee charged
38 by Brigham City. She said that after talking with staff instead of having a fee plus the 1.8%
39 it may be easier to just double Brigham's fee and charge a 3.5% monthly penalty for
40 accounts that are not collectable until they go to collections. Council Member Lewis said he
41 would also suggest going with the 3.5% monthly penalty. He asked what the 1.8% fee
42 comes from. Mayor Cronin said that this is the fee that Brigham City charges. Council
43 Member Lewis asked will the 3.5% cover the 1.8% fee sent to Brigham City and the cost for
44 our staff time. Mayor Cronin said that this should cover the administrative costs. Council
45 Member Lewis asked if there are any laws that prevent the City from establishing this fee.
46 Greg Westfall said that the law requires that the City be able to justify their fee. He said

1 that this fee is reasonable. Council Member Christensen asked what percentage of bills this
 2 would apply to. Shanna Johnson said about 50% of our fire bills are not paid timely.
 3 Shanna said we have never penalized in the past and she believes once penalties are
 4 applied, the bills will be paid more quickly. Mayor Cronin suggested changing section 5 to
 5 read that if a bill for fire service is not paid within 30 days the amount due will be subject to
 6 a penalty fee of 3.5% monthly and then at 90 days the bill will be referred to collections.
 7 Mayor Cronin said part of the problem in the past is that we were also not getting bills in a
 8 timely manner from Brigham City. She said that this has been addressed. Council Member
 9 Lewis was comfortable with the proposed language for the billing procedures. Council
 10 Member Christensen asked if insurance companies help to pay the bills and if 30 days
 11 allows enough time for them to get payment from insurance. Shanna Johnson stated that as
 12 staff if somebody has made an effort to make payment or keep the city informed the city
 13 will not charge a penalty. Shanna advised that the problem the City sees is that the
 14 insurance companies will pay toward the bill but will have a maximum amount they can
 15 pay (i.e. \$500) this usually leaves an amount remaining that is never paid. Mayor Cronin
 16 said another problem that the City runs into is that the resident will say that it was there
 17 neighbor's fireworks that caused the fire and therefore they do not want to pay for the
 18 services they received. Mayor Cronin said that this gives the City the right to charge the
 19 recipient of the fire services. If they want to go after their neighbor in a civil suit they have
 20 the option to do this, but it removes the City from being in the middle. Mayor Cronin asked
 21 Malone Molgard if this is the correct process. Malone agreed. Council Member
 22 Christensen said in our agreement Brigham City is to get us billing within 10 days of the
 23 incident. Is the 30 days referred in this document, 30 days from the incident or 30 days
 24 from when we received the billing from Brigham City. Mayor Cronin said the 30 days
 25 would start from when Perry City bills the resident. Shanna Johnson agreed. Malone
 26 Molgard said this written procedure will also make it easier if the bill goes to collections.
 27 Council Member Christensen suggested maybe extending this to 45 days prior to a penalty
 28 to allow for insurance to issue payment for the services. Mayor Cronin reviewed the
 29 proposed language stating this should read as follows:

30
 31 *If a payment is not received by the City within 45 days the amount due will be subject to a*
 32 *penalty of 3.5% and if payment is not received after 90 days the matter will be referred to*
 33 *collections for judgment.*

34
 35 The Council was in agreement with the proposed language.

36
 37 **MOTION:** Council Member Lewis made a motion to approve Ordinance 15-H Fire Service
 38 Billing Procedures with the noted changes (including a penalty of 3.5% being applied after
 39 45 days of non-payment and the bill being referred to collections after 90 days). Council
 40 Member Christensen seconded the motion.

41 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
 42 Council Member Lewis, Yes
 43 **Motion Approved.** 3 Yes, 0 No.

44
 45 **Approx. 9:54 PM**

46 **C. APPROVAL OF FY2014-2015 PERRY CITY BUDGET AMENDMENT**

1 Shanna Johnson reviewed the proposed Fiscal Year 2015-2015 Budget Amendment. She
 2 said that if approved the General Fund revenues will be increased as follows:

Budget Line Item	Original Budget	Proposed Amendment
General Government Revenue	\$3,140	\$8,045
Fund Balance Contribution	\$21,284	\$0.00
Fund Balance Appropriated	\$0.00	\$28,716
Total General Fund Revenues	\$2,122,580	\$2,156,201

3
 4 Shanna Johnson reviewed proposed changes to expenditures in the General Fund:

Budget Line Item	Original Budget	Proposed Amendment
Gun Range	\$39,006	\$43,911
Community Development	\$91,200	\$141,200
Total General Fund Revenues	\$2,122,580	\$2,156,201

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 6 Council Member Christensen asked that the action on this item be moved to after the
 7 Executive Session so that he can get more information regarding the possible land
 8 acquisition or real estate transaction.

9
 10 **Approx. 7:25 PM**

11 **MOTION:** Council Member Christensen made a motion to take action on Item 4C after Item
 12 8: Executive Session. Council Member Montgomery.

13 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
 14 Council Member Lewis, Yes

15 **Motion Approved.** 3 Yes, 0 No.

16
 17 **Approx. 9:55 PM**

18 **MOTION:** Council Member Montgomery made a motion to approve the Fiscal Year 2014-
 19 2015 Budget Amendment adding \$54,905 to the budget, of which \$50,000 will come from
 20 fund balance and \$4,905 will come from new fees and grant monies at the gun range.
 21 Council Member Christensen seconded the motion.

22 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
 23 Council Member Lewis, Yes

24 **Motion Approved.** 3 Yes, 0 No.

25
 26 **Approx. 7:26 PM**

27 **D. RESOLUTION 15-06 DESIGNATION MUNICIPAL CLERKS WEEK (MAY 3-9), POLICE**
 28 **WEEK (MAY 10-16), AND PUBLIC WORKS WEEK (MAY 17-23)**

29 Mayor Cronin stated that these weeks will give the City an opportunity to recognize the
 30 great staff and all the good things that they do for the City. Council Member Montgomery
 31 asked if Jeff Hollingsworth will be included in the Public Works week. Mayor Cronin said
 32 that an invitation will be extended to the Wastewater Treatment Facility(WWTF) staff
 33 based on Council recommendation. Shanna Johnson said it may be appropriate to get
 34 approve form the Wastewater Treatment Facility Board. Council Member Montgomery
 35 said she would take care of that. Mayor Cronin said she would wait to hear from Council
 36 Member Montgomery regarding inviting the WWTF staff. She said that in the past 5 years
 37 the Wastewater Treatment staff has been included in recognition events as they are Perry
 38 City Employees under the Public Works umbrella.

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MOTION: Council Member Lewis made a motion to approve Resolution 15-06. Council Member Christensen seconded the motion.

ROLL CALL: Council Member Christensen, Yes Council Member Montgomery, Yes
 Council Member Lewis, Yes
Motion Approved. 3 Yes, 0 No.

Approx. 7:29 PM

ITEM 5: PRESENTATIONS

A. BEAR RIVER HEALTH DEPARTMENT

Allena Pierce reviewed the Bear River Health Department’s 2014 Annual Report and Services offered (see attached).

Approx. 7:39 PM

B. MOSQUITO ABATEMENT ANNUAL REPORT

Cory Bennion gave a report on the Box Elder Mosquito Abatement. See attached fact sheet.

He reported that the mosquito population was higher than usual last year due to a defective product and the wet Spring and Summer that we experience. He said due to this they had to use up all of the areal treatment and then some to treat for mosquitoes. He said that they hope to have a dryer spring so that they do not experience this problem again.

Cory reported that Box Elder County is the wettest county in the State. He said that the Mosquito Abatement team does a great job in servicing the area. They have an annual budget of \$750,000. He said that they had a \$1.1 Million dollar budget prior to 2012 when they paid off their facility and they have been able to lower their budget and taxes to the citizens.

Cory said that the Mosquito Abatement District will spray an area when they are made aware of events. So if there is family or large event call ahead and they will treat the event area.

Approx. 7:50 PM

C. SEWER FACILITY BOARD FINANCIAL PROCESS

Mayor Cronin said that Greg Hansen was to report on a financial process flow for the Wastewater Facility Board. She talked with him earlier and was made aware that this is not yet available, but asked him to still come as it is a good opportunity to relay information to the Board via our Representative.

Greg Hansen said he felt that Shanna Johnson’s presentation was perfect. He said he hopes it made an impact with Willard City. He said that the Wastewater Treatment Board still has a lot of work to do. He thought at the last meeting they were close to getting the budget worked out, but they still have work to do. He said that there will definitely going to have some increases. There is a need of additional equipment and supplies. In the past they have taken parts from sections of the plant not in use and it has come time that parts must be ordered. He said that the gear mechanism is \$22,000 and the life expectancy is up now. He said that they have talked about increasing administration fees, but it would be wonderful if we do not have to do this for both cities sake.

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 2 Shanna Johnson advised that per State law it is required to have a tentative budget
 3 presented to the City by the first meeting in May. Mayor Cronin said that is when the City is
 4 to have their budget out the Wastewater Facility Board is to provide their budget to the
 5 City by April so that the City can incorporate this into the City budget. Mayor Cronin said
 6 this is the last meeting prior to this meeting so the city may have to just put an 8% add to
 7 the budget. She also suggested possibly having a meeting a week prior to May 7th in an
 8 attempt to get the Wastewater Facility budget prior to the tentative budget deadline.
 9 Mayor Cronin cautioned that the City is already subsidizing the Sewer Fund with their
 10 Municipal Energy Tax and any increase beyond 10-15% will require a rate increase.

11
 12 Greg Hansen said they will get numbers to the Council. He asked if there would be a
 13 requirement for noticing a public hearing for their budget. Shanna advised no, that the
 14 WWTF budget will be included in the Cities budget and their hearing will be included with
 15 the City's. Greg Westfall asked about noticing their next regular meeting. Shanna said that
 16 3 days advance notice is required for a regular meeting; an emergency meeting can have 24
 17 hour notice. She stated that Susan Obray will be back from vacation on Monday and will
 18 have plenty of time to notice the next WWTF meeting. Council Member Montgomery said
 19 that the Wastewater Facility Board is scheduled to meet on the 27th and that should give
 20 them time to get a budget presentation ready for the 30th. She asked the Mayor what time
 21 this work session will take place. Mayor Cronin said this will be set at the end of the
 22 Council meeting.

23
 24 Mayor Cronin said that the City has asked for a financial process flow prior to signing off on
 25 a checking account and she hopes that the WWTF Board understands that action was not
 26 taken because this process flow has not yet been received.

27
 28 Council Member Christensen asked that the members that were not present at the work
 29 session tonight be informed of the financial accounting reviewed.

30
 31 **ITEM6: DISCUSSION ITEMS**

32 **A. FY2016 BUDGET PREPARATION – DEPARTMENT BUDGET PRESENTATION**

33 Mayor Cronin turned some time over to the department heads to review budget proposals
 34 for Fiscal Year 2015-2016 (FY2016).

35
 36 **General Fund:**

Department	FY2015 Current Budget	FY2015 Trend	FY2016 Draft Tentative Budget
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Animal Control	\$1,410.00	\$788.69	\$1,450.00
Chief Weese presented the budget for animal control. He stated that the largest expense in the budget is the shelter fees and then a small amount is budgeted for equipment.			

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Department	FY2015 Current Budget	FY2015 Trend	FY2016 Draft Tentative Budget
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Police	\$553,062.43	\$527,420.14	\$545,661.40
<p>Chief Weese asked Shanna Johnson to review wages and benefits. Shanna Johnson said a blanket number is included now, but will be lower than the previous year due to Juan Trujillo leaving and being replaced by a newer officer. Mayor Cronin said that benefits have come in with an approximate increase of 5% which is really good. She said personnel costs will be fine tuned later in the budget process.</p> <p>Chief Weese reviewed the budget he discussed line items that were reduced:</p> <ul style="list-style-type: none"> • Equipment Supplies & Maintenance • Fuel & Fleet Maintenance – price of gas has gone down • Police Grant Expenses – based projected grant awards • Ammunition & Tactical <p>He reviewed proposed increases including:</p> <ul style="list-style-type: none"> • Professional Technical – based on trend • Transfer to Fleet lease – Planning on a new vehicle estimated at \$36,000 to be depreciated over 6 years. 			

2

Gun Range	\$159,311.07	\$149,278.12	\$136,933.47
<p>Chief Weese that the Range received a grant from Box Elder Tourism last night for \$8,250 to assist with the construction of a storage shed. Mayor Cronin said that this will be a matching grant and we may need to add in some impact fees (\$8,250) to budget in order to totally finance the project.</p> <p>Chief Weese reviewed the Fiscal Year 2016 budget. He detailed increases: Office Supplies from \$75 to \$200 Equipment & Supplies – Based on trend</p> <p>He also reviewed decreases: Professional Technical Portable Restrooms – reducing from 2 restrooms to 1 larger handicap restroom</p> <p>Chief Weese reported the Range also received a grant in the amount of \$1,499 from the NRA for tables and chairs to be used in the public safety training facility.</p>			

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4

Streets	\$369,498.47	\$341,346.62	\$309,582.93
<p>Paul Nelson reviewed the proposed budget for Fiscal Year 2016. He reviewed regular operation expenses and detailed some budget changes:</p> <ul style="list-style-type: none"> • Equipment & Supplies – Includes basic equipment, and a new deck mower for roadside weeds • Building Grounds & Maintenance – Includes new awning to be installed off of shop • Streetlight Maintenance – based on trend and projected need. • Professional Technical – for engineering related to road projects • Street Signs – Increased to help bring street signs to standard • Building Grounds & Maintenance – Includes new awning to be installed off of shop • Streetlight Maintenance – based on trend and projected need. 			

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Streets (Continued)	\$369,498.47	\$341,346.62	\$309,582.93
<ul style="list-style-type: none"> • Professional Technical – for engineering related to road projects • Street Signs – Increased to help bring street signs to standard • Shop Equipment – for equipment needed in the shop <p>He advised that planned B&C funds have been placed into Road Repair and will be allocated to specific projects later. He said that last year we did a lot of work on roads and Staler Parsons will be coming back to correct some areas they feel did not turn out as good as they would like. He said they will also be sweeping the streets and putting a fog coat down. This works should start in 4-6 weeks. He said this work will be at their expense.</p> <p>Mayor Cronin reported that the City did not hear back from CDBG on our grant application so we will not be completing 900 West this fiscal year. The City plans to apply again in the fall and will be completing the waterline along 900 West this fiscal year with water impact fees and hope to be awarded the grant and begin road improvements in July 2016. She said that the good news is income levels do qualify in the area of 900 West for the CDBG Grant and the survey completed that did qualify can be used during the next application period.</p> <p>Paul said they would like to do some chip seal in FY2016 including some chip seal along the new portion of 900 West completed in FY2014.</p> <p>Council Member Montgomery said that Greg Hansen mentioned that 750 West needed repair. Paul agreed that the road did need repair.</p> <p>Mayor Cronin said the City Council had mentioned they would like to add some money to acquire land along 900 West. She asked if this is the budget that this would be included in. Shanna said the Mayor and Council can decide where to budget this. The Council agreed they would like to add this to the budget. Mayor Cronin said we will decide where to allocate this later.</p>			

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Utility Fund

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Department	FY2015 Current Budget	FY2015 Trend	FY2016 Draft Tentative Budget
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Water	545,919.18	528,651.90	\$460,934.51
<p>Paul Nelson reviewed the FY2016 budget proposal for the water department. He detailed some new items included in the budget:</p> <ul style="list-style-type: none"> • Equipment, Supplies & Maintenance – added a pipe locator • Building, Grounds & Maintenance – includes 33% of new awning for shop area. • Telephone – includes new desk phones. • Replace Water Line on 900 West – Impact Fees to be used. • Training & Travel – added \$1,000 for an employee to attend the annual Rural Water Conference. Paul said this is a very good training and our City should attend at least every other year. Mayor Cronin agreed that this is a good addition to the budget. • Professional & Technical – includes engineering, GIS, and vendor assistance • Auto Meters – need increases as building increases within the City. 			

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Department	FY2015 Current Budget	FY2015 Trend	FY2016 Draft Tentative Budget
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Storm Drain	53,389.96	53110.33	66,875.99
Paul Nelson reviewed the FY2016 Storm Drain budget. He advised that this budget has been increased to cover the maintenance plan suggested by the Flood Control Board and Jones and Associates (City Engineer). The budget also includes monies needed to address the new Storm Water Protection Plan.			

2

3 Mayor Cronin suggested scheduling a 1 hour work session to review the sewer fund
4 budgets. The Mayor and Council set this work session for April 29, 2015 at 5:00pm.

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6 **Approx. 8:49 PM**

7

7 **ITEM 7: MINUTES & COUNCIL/MAYOR REPORTS**

8

8 **A. APPROVAL OF CONSENT ITEMS**

9

9 • **March 17, 2015 City Council Meeting Minutes**

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10 Council Member Montgomery said she did not make the motion and second the motion
11 to go in to Executive Session. Shanna advised that she will correct this.

11

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12 **MOTION:** Council Member Lewis moved to approve the March 17, 2015 City Council
13 Meeting minutes as amended. Council Member Montgomery seconded the motion.

13

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14 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
15 Council Member Lewis, Yes

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16 **Motion Approved.** 3 Yes, 0 No.

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18 • **April 2, 2015 City Council Work Session Minutes**

19

19 • **April 2, 2015 City Council Meeting Minutes**

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20 **MOTION:** Council Member Lewis moved to table the April 2, 2015 Work Session and
21 Regular Meeting minutes. Council Member Montgomery seconded the motion.

21

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22 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
23 Council Member Lewis, Yes

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24 **Motion Approved.** 3 Yes, 0 No.

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26 **B. Todd Christensen:** said Utopia is doing some work for UDOT to take fiber to I-15. He
27 said that this will eventually hook into the Perry City hub. Council Member Christensen
28 said there are federal tax credits available and he said he would like to look at the
29 possibility to add some panels to the Wastewater Treatment Plant. He said that you can
30 get a 34% tax credit back on new installs. He said this facility is one of our single
31 highest uses of power. Mayor Cronin asked if this is something he would like to
32 spearhead. He said yes. The Mayor was in support of his researching this.

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34 **C. Peter Gerlach:** Excused.

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35 **D. Jana Nelson:** Excused.

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36 **E. Esther Montgomery:** reported that she attended the League of Cities and Towns
37 conference over Spring Break. She said this was very beneficial and she was especially

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1 intrigued with their discussions on transportation, water and fire. She said that they
2 are working on new legislation that will take a proactive approach regarding fire
3 abatement and will offer incentives to people for preventative maintenance.

4 **F. Brady Lewis:** nothing reported.

5 **G. Mayor Cronin:** thanked Council Member Montgomery and the National Honors Society
6 for their work with the Easter Egg Hunt. She said this was a big success. Mayor Cronin
7 said that the CERT team was called out on Tuesday night to help with a power pole that
8 was down on 1200 West. They assisted with barricades.

9
10 Mayor Cronin reported that she attended the League of Cities and Towns conference.
11 She said one thing that they discussed is trying to get in front of the news. She said
12 another workshop was on writing Policies and Procedures. She said she has asked Greg
13 Westfall to get with David Church on some of our policies. Information was given on
14 Economic Development and trying to find out what your particular City can do to
15 benefit the area you are in. Trying to find targeted economic development based on a
16 specialty specific to your area may put you ahead of the game. She said they also
17 attended a workshop on body cameras, which reviewed the pros and cons of the
18 cameras. She said if not used correctly there these cameras can create liability.

19
20 Greg Westfall reported that the City was awarded \$1,000 for the Fourth of July from the
21 Box Elder County Tourism Board.

22
23 Malone Molgard reported on the training session he attended at the League of Cities
24 and Towns. He said it was a very impressive conference. He said he attended a session
25 on the public meetings act and closed sessions presented by David Church. He said that
26 there is a lot items in the act that are not addressed and he provided best practices to
27 follow and gave information he felt cities should be abiding by. He also attended a
28 session on social contracts which talked about how we create social contracts in how
29 we deal with each other. It gave tips on how to interact with people in times of conflict
30 or in public meetings.

31
32 Mayor Cronin said she would like to increase the training and travel budget to allow for
33 more Council Members to attend these conferences.

34
35 **H. ITEMS FOR NEXT CITY NEWSLETTER**

36 None.

37
38 **ITEM 8: EXECUTIVE SESSION**

39 **MOTION:** Council Member Montgomery moved to close the Public Meeting and open an
40 Executive Session to discuss the purchase, sale or lease of real estate, the character and
41 fitness of an individual, and potential litigation. Council Member Lewis seconded the
42 motion.

43 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
44 Council Member Lewis, Yes
45 **Motion Approved.** 3 Yes, 0 No.

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2 The Regular Public meeting closed at approximately 9:17pm.

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4 **MOTION:** Council Member Montgomery moved to close the Executive Session and return
5 to the Public Meeting. Council Member Lewis seconded the motion.

6 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
7 Council Member Lewis, Yes
8 **Motion Approved.** 3 Yes, 0 No.

9
10 The Regular Public meeting reopened at approximately 9:54pm.

11
12 **ITEM 9: DISCUSSION/ACTION ITEMS**

13 **A. AUTHORIZATION FOR LAND ACQUISITION**

14 **MOTION:** Council Member Christensen moved to authorize the Mayor to move forward on
15 a real estate transaction for land acquisition to be used for possible Commercial
16 Development as discussed in the closed Executive Session. Council Member Lewis
17 seconded the motion.

18 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
19 Council Member Lewis, Yes
20 **Motion Approved.** 3 Yes, 0 No.

21
22 **B. AUTHORIZATION FOR MAYOR TO SIGN FORM IN REGARDS TO SEWER FACILITY**
23 **BOARD**

24 Mayor Cronin stated that the Council has requested twice that the Wastewater Treatment
25 Facility Board provide a process flow regarding the newly proposed financial system. Greg
26 Hansen reported earlier that this is not available. She asked the Council if they want to
27 authorize her to sign the form or if they would like to await the financial process
28 presentation prior to this being signed

29 **MOTION:** Council Member Montgomery made a motion to table Item 9B until a financial
30 process flow presentation is provided by the Wastewater Treatment Facility Board, and ask
31 Mayor Cronin to reach out to the Willard City Mayor and ask that the Mayor and two
32 Council Members from each City meet to discuss and negotiate operations of the
33 Wastewater Treatment Plant. Council Member Christensen seconded the motion.

34 **ROLL CALL:** Council Member Christensen, Yes Council Member Montgomery, Yes
35 Council Member Lewis, Yes
36 **Motion Approved.** 3 Yes, 0 No.

37
38 **ITEM 10: Adjournment**

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40 **MOTION:** Council Member Montgomery made a motion to adjourn the council meeting.

41 **Motion Approved.** All Council Members in favor.

42 The meeting adjourned at 10:07pm.

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Susan Obray, City Recorder

Karen Cronin, Mayor

Shanna Johnson, Chief Deputy Recorder