



Midvale City  
7505 South Holden Street  
Midvale, UT 84047  
801-567-7200

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**MIDVALE CITY COUNCIL MEETING  
AGENDA  
June 20, 2017**

**PUBLIC NOTICE IS HEREBY GIVEN** that the **Midvale City Council** will hold a regular meeting on the **20th Day of June, 2017** at Midvale City Hall, 7505 South Holden Street, Midvale, Utah as follows:

**6:30 PM**

**INFORMATIONAL ITEMS**

- I.        DEPARTMENT REPORTS**
- II.      CITY MANAGER BUSINESS**

**7:00 PM**

**REGULAR MEETING**

- III.     GENERAL BUSINESS**
  - A.        WELCOME AND PLEDGE OF ALLEGIANCE
  - B.        ROLL CALL
- IV.     PUBLIC COMMENTS**

Any person wishing to comment on any item not otherwise on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Governing Body. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-Agenda items. Items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

- V.       COUNCIL REPORTS**
  - A.        Councilmember Paul Glover
  - B.        Councilmember Paul Hunt
  - C.        Councilmember Quinn Sperry
  - D.        Councilmember Stephen Brown
  - E.        Councilmember Wayne Sharp
- VI.      MAYOR REPORT**
  - A.        Mayor JoAnn B. Seghini

- VII.     PUBLIC HEARING(S) - 7:00 PM**
  - A.        Consider Transfers of Enterprise Fund Money to Other Funds for the Fiscal Year ending June 30, 2018 [*Dalin Hackett, Asst. Finance Director*]

**VIII. CONSENT AGENDA**

- A. Approve Minutes of June 6 & 13, 2017 [*Rori Andreason, H. R. Director/City Recorder*]
- B. Approve Resolution No. 2017-R-24 Authorizing the Mayor to enter the Third Amendment to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Governance [*Kane Loader, City Manager*]
- C. Approve Resolution No. 2017-R-25 Authorizing the Mayor to enter into a Water Purchase Agreement with Jordan Valley Water Conservancy District [*Kane Loader, City Manager*]
- D. Approve Resolution No. 2017-R-26 Amending the Midvale Personnel Policies and Procedures Manual [*Rori Andreason, H.R. Director/City Recorder*]
- E. Approve Ordinance No. 2017-O-07 Amending Chapter 13.16 of the Midvale Municipal Code adding Section 13-16.150 Long Term Storm Water Maintenance Agreement [*Keith Ludwig, City Engineer*]

**IX. ACTION ITEMS**

- A. Approve Ordinance No. 2017-O-08 Amending Title 2 of the Midvale Municipal Code regarding Elected Officials Salaries [*Kane Loader, City Manager*]
- B. Approve Resolution No. 2017-R-21 Adopting the Midvale City Property Tax Rate for Calendar Year 2017 [*Laurie Harvey, Assistant City Manager/ Admin Services Director*]
- C. Approve Resolution No. 2017-R-20 Adopting of the Midvale City Fiscal Year 2018 Budget Beginning July 1, 2017 and ending June 30, 2018 [*Laurie Harvey, Assistant City Manager/Admin. Services Director*]
- D. Approve Resolution No. 2017-R-22 Adopting the Employee Job Classification and Benefits Package foe FY2018 [*Rori Andreason, H.R. Director/City Recorder*]
- E. Approve Resolution No. 2017-R-23 Adopting the FY2018 Midvale Municipal Fee Schedule [*Laurie Harvey, Assistant City Manager/Admin. Services Director*]

**X. DISCUSSION ITEMS**

- A. Discuss Mobile Food Businesses "Food Trucks" [*Phillip Hill, Assistant City Manager/Community Development Director*]

**XI. ADJOURN**

**In accordance with the Americans with Disabilities Act, Midvale City will make reasonable accommodations for participation in the meeting. Request assistance by contacting the City Recorder at 801-567-7207, providing at least three working days advance notice of the meeting. TTY 711**

**A copy of the foregoing agenda was provided to the news media by email and/or fax; the agenda was posted in the City Hall Lobby, the 2<sup>nd</sup> Floor City Hall Lobby, on the City's website at [www.midvalecity.org](http://www.midvalecity.org) and the State Public Notice Website at <http://pnn.utah.gov>. Council Members may participate in the meeting via electronic communications. Council Members' participation via electronic communication will be broadcast and amplified so other Council Members and all other persons**

**present in the Council Chambers will be able to hear or see the communication.**

**PLEASE MAKE SURE ALL CELL PHONES ARE TURNED OFF DURING THE MEETING**

**DATE POSTED: JUNE 16, 2017**

**RORI L. ANDREASON, MMC  
H.R. DIRECTOR/CITY RECORDER**

**MIDVALE CITY CORPORATION - CHANGES TO TENTATIVE BUDGET FOR FY 2018**

Description	Revenue	A/C #	Expenditure	A/C #
<b>GENERAL FUND</b>				
Property tax revenue	\$ (7,800)	10-3110-000-000		
Grant from CDBG	317,400	10-3319-000-000		
Grant from Wasatch Front Regional Council	65,000	10-3365-000-000		
Grant from state/county for homeless services (additional)	269,600	10-3360-000-000		
Administrative fees - Water (adjustment)	(1,700)	10-3490-100-000		
Administrative fees - Sewer (adjustment)	(1,700)	10-3490-150-000		
Administrative fees - Storm (adjustment)	15,800	10-3490-200-000		
Development Services - prof fees - Small Area Plans			\$ 65,000	10-4620-310-000
Public Safety - UPD contract increase			168,400	10-4215-311-000
Contribution to CIP for CDBG proj - N. Grant St.			317,400	10-4830-910-200
Contribution to CIP for Crosswalk Improvements			50,000	10-4830-910-100
Contribution to CIP for Community Center remodel			55,800	10-4830-910-100
	<u>                    </u>		<u>                    </u>	
<b>TOTAL GENERAL FUND</b>	<u><u>\$ 656,600</u></u>		<u><u>\$ 656,600</u></u>	
<b>CAPITAL IMPROVEMENT PROJECTS FUND</b>				
Transfer from GF - Crosswalk Improvements	\$ 50,000	41-3810-100-000	\$ 50,000	41-4983-718-007
Transfer from GF - CDBG project - North Grant St	317,400	41-3810-100-200	317,400	41-4983-718-008
Transfer from GF - Community Center remodel	55,800	41-3810-100-000		
Contribution from Fund Balance	(55,800)	41-3880-000-000		
	<u>                    </u>		<u>                    </u>	
<b>TOTAL CAPITAL IMPROVEMENT PROJ FUND</b>	<u><u>\$ 367,400</u></u>		<u><u>\$ 367,400</u></u>	

**MIDVALE CITY CORPORATION - CHANGES TO TENTATIVE BUDGET FOR FY 2018**

Description	Revenue	A/C #	Expenditure	A/C #
<b>WATER UTILITY FUND</b>				
Contribution from Fund Balance	\$ (1,700)	51-3880-000-000		
Administrative fee (adjustment)			\$ (1,700)	51-5100-311-000
<b>TOTAL WATER UTILITY FUND</b>	<u>\$ (1,700)</u>		<u>\$ (1,700)</u>	
<b>SEWER UTILITY FUND</b>				
Contribution to Fund Balance			\$ 1,700	52-5200-910-000
Administrative fee (adjustment)			(1,700)	52-5200-311-000
<b>TOTAL SEWER UTILITY FUND</b>	<u>\$ -</u>		<u>\$ -</u>	
<b>STORM WATER UTILITY FUND</b>				
Contribution to Fund Balance			\$ (15,800)	54-5400-920-000
Administrative fee (adjustment)			15,800	54-5400-311-000
<b>TOTAL SEWER UTILITY FUND</b>	<u>\$ -</u>		<u>\$ -</u>	



## CITY COUNCIL MEETING

### *Minutes*

Tuesday, June 6, 2017  
Council Chambers  
7505 South Holden Street  
Midvale, Utah 84047

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**MAYOR:** Mayor JoAnn B. Seghini

**COUNCIL MEMBERS:** Council Member Wayne Sharp  
Council Member Stephen Brown  
Council Member Paul Glover  
Council Member Paul Hunt  
Council Member Quinn Sperry

**STAFF:** Kane Loader, City Manager; Phillip Hill, Asst. City Manager/CD Director; Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Lisa Garner, City Attorney; Larry Wright, Public Works Director; Danny Walz, Redevelopment Agency Director; Matt Hilderman, Associate Planner; Lesley Burns, City Planner; Keith Ludwig, City Engineer, Chief Jason Mazuran, UPD; Chief Scott McBride, UFA; and Jarin Blackham, IT Manager.

Mayor Seghini called the meeting to order at 6:30 p.m.

### **I. INFORMATIONAL ITEMS**

#### **A. DEPARTMENT REPORTS**

Chief Jason Mazuran reported on recent incidents including the most recent auto-pedestrian accident. He said the officers are aggressively watching for vehicles not stopping for pedestrians in crosswalks.

Councilmember Sharp asked if the City could ask that the yellow lights be changed to red lights on State Street and 6900 South. Phillip Hill said he has spoken to UDOT and they said that area does not meet the criteria to change those lights to red.

Chief Scott McBride said there was great teamwork with UPD and UFA regarding this pedestrian accident. It only took 14 minutes from arrival to having the young girl to the hospital which is unprecedented.

Laurie Harvey said the RFP for Auditor Services is ready to go and was emailed to the Audit Committee today. Notice was sent to residents regarding a public hearing on the City's Enterprise Fund transfers. This hearing will be held on June 20, 2017.

Phillip Hill said the splash pad was opened over the Memorial Day weekend. Nicole Selman, Administrative Assistant has left for the private sector. Also, Kenny Stephens, Permit Tech, has

resigned his position as well. Interviews are being held for both positions. He also reported that the street lights on 9<sup>th</sup> Avenue are currently being installed.

Danny Walz updated the Council on Jordan Bluffs. The EPA is reviewing documentation regarding this site and will be meeting with the City as soon as possible. The Main Street project area is having ongoing discussions with the County and UFA. The Agency has a RFP out now for design services to extend the contract with the architectural firm to renew that with the City and Agency. He explained the process of a project area.

Rori Andreason discussed the timeframe for declaring to run for election which closes on Wednesday, June 7, 2017 at 5:00 p.m.

## **II. CITY MANAGER'S REPORT**

Kane Loader said staff met with the Utah Local Governments Trust regarding our insurance renewal. Midvale City is a great customer for them with a very low incident rate. He reported that Sheriff Jim Winder has decided to move to Moab City to take the position as police chief. UPD Board has the option of appointing a Chief Operating Officer of UPD rather than having the Sheriff over that organization. He reported on the funding for the additional officers as well as half-time crime victims advocate for the Homeless Shelter. Interviews will be held next week to get those two officers onboard to start working July 1, 2017. They will be meeting with the three other cities about the homelessness issues as well. He said Cottonwood Heights contacted him today regarding providing court services for their City. They have approximately 300-400 cases a month where Midvale City has 700-800 a month. The officers are doing everything they can to work on traffic problems. It is a necessity in Midvale City because we are a crossroads city. Our traffic officers are busy as they have ever been.

## **III. GENERAL BUSINESS**

### **A. Welcome and Pledge of Allegiance**

**B. Roll Call** – Council Members Paul Hunt, Wayne Sharp, Quinn Sperry, Paul Glover, and Stephen Brown were present at roll call.

### **C. Jordan River Commission Update**

Laura Hanson, Executive Director, reviewed the following information:

## **Jordan River Commission**

### **Organization**

In 2016, the JRC welcomed six new members:

Midvale, Bluffdale, South Davis Sewer District, Central Valley Water Reclamation District, South Valley Sewer District, and Jordan Basin Water Reclamation Facility



### Programs

#### Volunteers & Education

- 16,031 Hours volunteer time logged since 2012
- 110,354 Pounds of weeds pulled since 2012
- 50 Acres restored in 2016
- 3,801 Pounds trash removed since 2012
- 1,025 Trees planted since 2012
- 986 Pounds grass seed spread since 2012
  - \$111,782 received in 2016 for riparian restoration efforts
- Best practices workshop – 120 people trained, 2 workshops held
- Jordan River Teaching toolkits – 260 students engaged

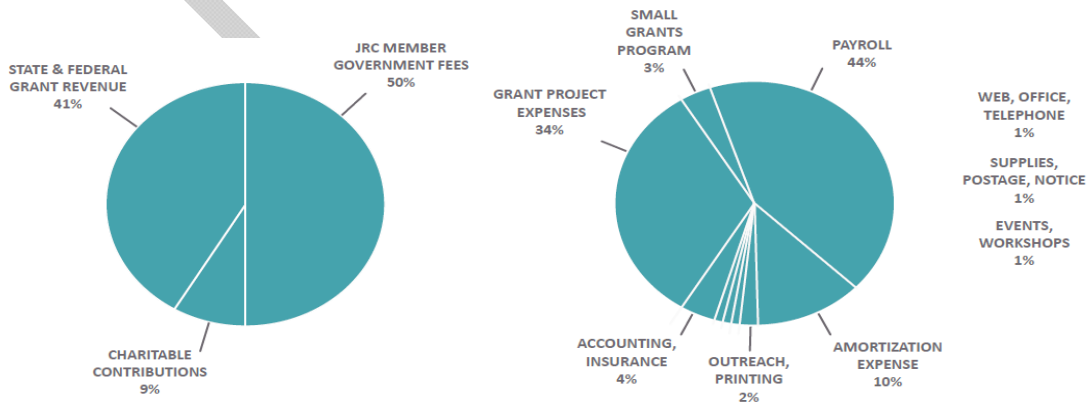
### Fundraising

- \$2.12 Million Jordan River Water Trail
- \$3.0 Million Pioneer Crossing Park
- \$1.23 Million North Temple Bridge
- Jordan River Commission
- Cottonwood Pond
- Puncturevine Management
- Wayfinding Signage Plan & Implementation

### Small Grants

- Braided Nexus, Wendy Wischer
- Center Street boat access, North Salt Lake

### Financials





### **Next Goals**

- Complete membership
- Education, outreach and marketing
- Restoration and invasive species management
- Water quality improvements
- Consistent and sustainable funding

### **IV. PUBLIC COMMENTS**

Sophia Hawes-Tingey stated her heart goes out to the girl who was struck on Center Street and is in critical condition. She has been walking the City to get to know her neighbors. She said that with the traffic and construction going on you, have to be careful when crossing the crosswalk. We have new families moving in that will be using the crosswalk. She wants to make the crosswalk a full stoplight. In her walks within the City, she used the crosswalk at State Street and Wasatch Apartments. She feels the yellow flashing lights are confusing for pedestrians. She feels this should be upgraded to a full stoplight as well.

Trilla Beal said since the construction of the Center Square Apartments has closed the sidewalk, people are walking on Center Street. There isn't much room between the apartments and Center Street. She noticed the builder has built a sidewalk for the people in the apartments. She asked if the public sidewalk could be rebuilt so the public could also use it.

Rachel Roy said she works for a level one trauma center. She said there have been 100 auto-pedestrian accidents in Midvale City in the last 3 years. She asked if flashing lights or flags could be put in. She said something has to be done and wants to know as a community what can be done.

Brian Cain said he lives in East Riverwalk by Top Golf. Last year in April, he proposed to close the pathway between East Riverwalk Homes and the Canyon Crossing Apartments. He said their homes were still in the construction phase and there was vandalism, drug paraphernalia, and theft throughout the neighborhood. Now that the construction is done the neighborhood has seen high rates of crime and theft. He feels the pathway in between the homes and apartments is providing an escape route for thieves and burglars. He personally chased a burglar out of his neighbors' home through the pathway into a getaway car. He believes there is no easement on the pathway and that the HOA owns it. His purpose is to close the pathway with a vinyl fence. He asked who he needs to talk to in order to get this done.

Phillip Hill said the City would like the HOA to take action on this with a vote from that Board. Then the City can go back and look at the final site plan approval and make changes to that. However, he needs the vote of the HOA Board in order to do this.

Councilmember Glover said he has received emails from homeowners in that same area wanting to keep the pathway open. There isn't a full consensus there yet. Councilmember Brown said he had heard the same thing; however, he said he would back the HOA on their decision.

Rod Andreason said there are sections within the Midvale Municipal Code that support what they are trying to do with this pathway. Crimes are increasing.

Rick Erickson said he has seen people wait for a very long time at the crosswalk on Center Street and Grant Street. It's only getting worse. He asked the Council to please do whatever it takes to make the area safer.

**V. COUNCIL REPORTS**

**A. Councilmember Paul Glover** – thanked Mayor Seghini for attending the Hillcrest High School graduation today and representing the City.

**B. Councilmember Paul Hunt** – had nothing to report.

**C Councilmember Quinn Sperry** – said he went to fire school last month. He thanked Chief McBride for the experience. He said people are parking on the west side of the street on 900 East where it turns into 700 East and making it difficult to see.

**D. Councilmember Wayne Sharp** – said the mosquitoes are here. He cautioned the audience about removing any standing water. He asked staff to schedule a discussion item on the crossing on Center Street at the next workshop.

**E. Councilmember Stephen Brown** – said this pedestrian accident has really affected him since he knows the woman that hit the girl and she is not a villain. He recommended taking the funding from reserves and find the most critical places in the City and improve the sidewalk and crosswalks. Even if we start with a feasibility study, it's a start.

**VI. MAYOR REPORT**

**Mayor JoAnn B. Seghini** – said this year there was a different feeling from the kids at the Hillcrest High School Graduation. She felt that the students were very proud of what they have done. She felt the new principal has changed the attitude of the students to be very positive. There was over \$5 million dollars in scholarships awarded to those students. She said it was an amazing experience.

**MOTION:** **Councilmember Stephen Brown MOVED to open a public hearing. The motion was SECONDED by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.**

**VII. PUBLIC HEARING(S)**

**A. CONSIDER THE MIDVALE CITY FINAL BUDGET FOR FISCAL YEAR 2018 BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018 INCLUDING SALARIES FOR STATUTORY AND ELECTIVE OFFICERS, EMPLOYEES AND OTHER POSITIONS WITHIN THE CITY AS WELL AS FY 2018 MIDVALE CITY MUNICIPAL FEE SCHEDULE**

Laurie Harvey said on May 2, 2017, the City Council was presented with and adopted the Tentative Budget for Fiscal Year 2018. There are a few changes proposed to the Tentative Budget which will be discussed during this meeting. The purpose of the public hearing is to inform and take comment from the public.

The Midvale City Employee Compensation Plan and Municipal Fee Schedule will also be presented. Adoption of the final budget is scheduled for June 20, 2017.

**FISCAL IMPACT:** The fiscal budget provides a listing of the City's planned revenues and expenses in the 2018 Fiscal Year. Staff uses the budget as a working document to prioritize the spending and operations of the City.

Management's Recommended Budget Midvale City Corporation was reviewed and discussed.

### Midvale City Funds

#### Governmental Funds

- General Fund
- Capital Improvement Projects

#### Enterprise Funds

- Water
- Sewer
- Storm Water
- Street Lighting
- Sanitation
- Telecommunications
- 

#### Internal Service Funds

- Fleet
- Information Technology

#### Special Revenue Funds

- Redevelopment Agency
- Municipal Building Authority

### General Fund

#### FY2017 Surplus – Revenue side

- Estimated revenue in excess of budget: **\$640,000 (3.5%)**
  - Property tax \$ 440,000
  - Sales tax 175,000
  - Other taxes 80,000
  - B&C Road funds 125,000
  - Permits/licenses (135,000)
  - Court revenue (35,000)
  - Other (10,000)
  - \$ 640,000

#### Property tax:

- New tax rate established by City Council in June 2016 reaches back to January 2016

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FY 2017 Surplus – Expenditure side

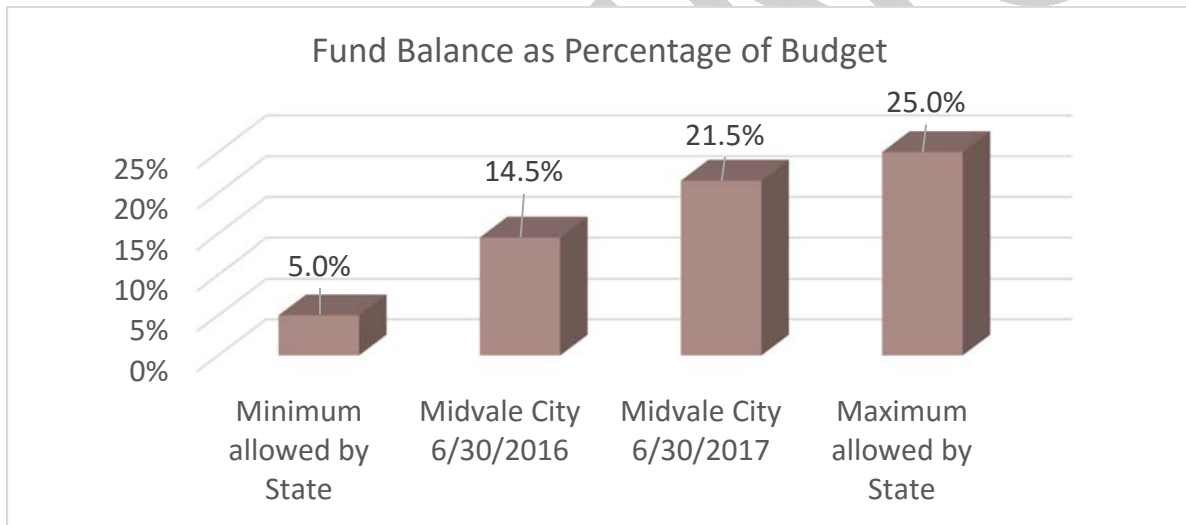
- Estimated expenditures below budget: **\$550,000 (3.0%)**
  - Salaries & benefits \$ 340,000
  - Operations 210,000
  - \$ 550,000

Salaries & benefits:

- Emergency Manager vacancy
- Facilities Manager vacancy
- Public Works Director vacancy
- Court Clerk vacancy

FY2017 Estimated “Fund Balance” aka Rainy Day Fund

- Balance 6/30/2016 \$2.65 million
- FY 2017 surplus – revenue side .64 million
- FY 2017 surplus – expenditure side .55 million
- Balance 6/30/2017 \$3.84 million



Fund balance – factors to consider:

Unfunded capital projects

- Remodel of Performing Arts Center (50%) \$ 950,000
- Remodel of Amphitheater (50%) 700,000
- Purchase of old Post Office 550,000
- City Hall north plaza improvements 500,000
- Monument sign program (annually) 25,000
- Sale of City property – Fire Station (500,000)

Total \$2,225,000

Other

- Levy for G.O. bond debt service ends in FY 2020
- Reserve in MBA is depleted in FY 2018, General Fund lease payment to MBA increases

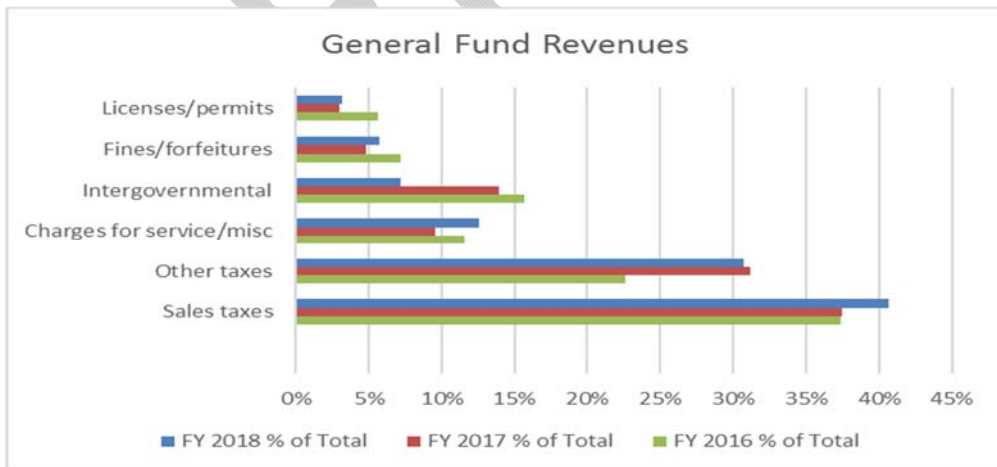
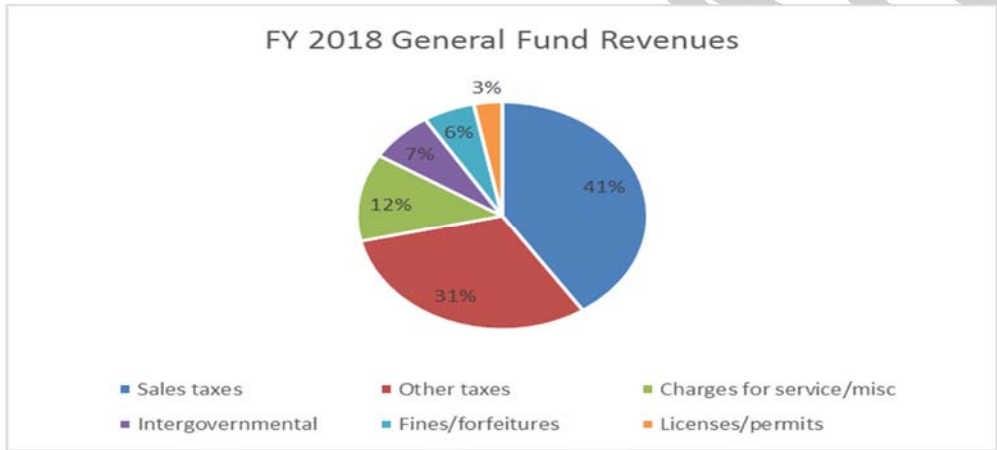
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- Higher fund balance will have favorable impact on City's bond rating

**General Fund FY2018 Budget**

FY 2018 General Fund Projected Revenue

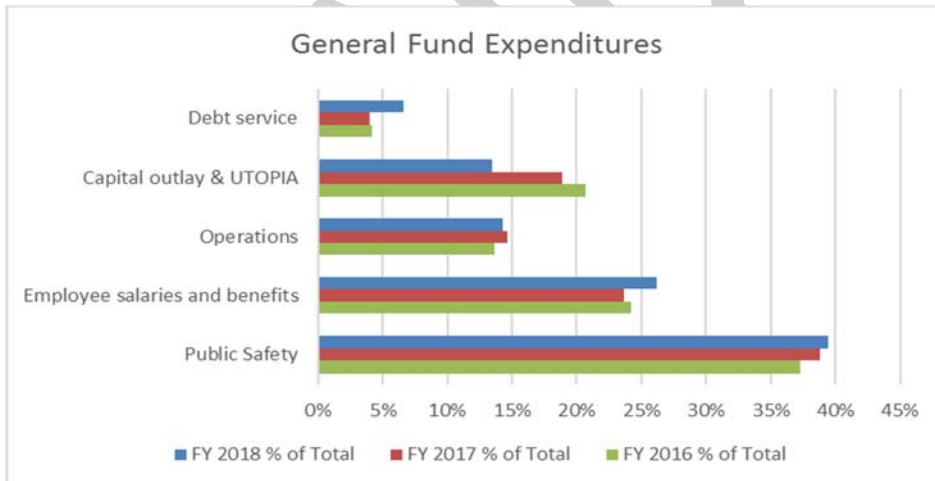
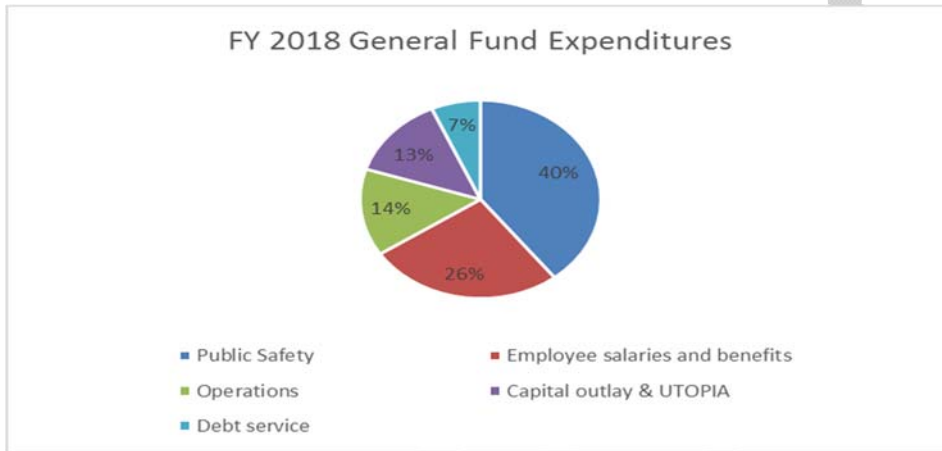
Description	FY2017 Est	FY2018 Bud	Difference
Sales tax	7,088,500	7,372,000	283,500
Property taxes	3,130,600	2,817,000	(313,600)
Other taxes	2,766,300	2,752,400	(13,900)
Intergovernmental	2,645,300	1,303,600	1,341,700)
Charges for services	1,696,500	1,831,900	135,400
Court revenue	915,800	1,042,000	126,200
Licenses/permits/other	676,200	1,010,500	334,300
Total	\$18,919,200	\$18,129,400	\$789,800)



Description	Amount
FY 2017 expenditures	\$17,813,500
Less one-time items	2,015,000

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FY 2018 Base Budget	15,798,500
3% merit/9.5% insur. inc./market adj.	278,000
New positions	141,000
Debt service on new bond	477,000
Police contract increase	257,600
Animal Control increase	46,800
New capital projects	1,012,300
Other	118,200
<b>Total</b>	<b>\$18,129,400</b>



**Ongoing funds vs. One-time funds**

- Total revenues \$ 18,129,400
- One-time revenues 400,000
- Total ongoing revenues \$ 17,729,400
- Total expenditures \$ 18,129,400
- One-time expenditures 1,255,800
- Total ongoing expenditures \$ 16,873,600
- “Cushion” \$ 855,800

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Modifications prior to adoption

• Actual contract with UPD	\$6,865,000
• Anticipated for tentative budget	<u>6,696,600</u>
• Difference	168,400
• Additional revenue from State/County for shelter	<u>(269,600)</u>
• Additional revenue	\$ 101,200
• Adjustments to Administrative fees	\$ 12,400
• Truing up of property tax revenue	\$ ?

Proposed use of additional revenue

• Increase amount passed through to Capital Improvement Projects Fund	
• Remodel of Community Center/Bowery project cost	\$950,000
• Current pass-through from General Fund	<u>(735,300)</u>
• Balance funded from “Unallocated Projects” in CIP	\$214,700

**Capital Improvement Projects Fund**

**FY2018 Budget**

Capital Projects FY 2018

• Curb/gutter/sidewalk replacement	\$ 100,000
• Pavement management	300,000
• Remodel of Community Center/Bowery	950,000
• City Hall overflow parking improvements	55,000
• Jordan River Trail extension	30,000
• Normandy Way improvement design	10,000
• Open Space acquisitions	20,000
• City Housing Fund	50,000
• Pickle Ball Court (increase in project cost)	12,000
• Unallocated	<u>10,000</u>
<b>Total</b>	<b>\$1,537,000</b>

Road Bond Projects (\$9 million)

- \$6 million project for major road upgrades
  - Remove/replace select sections of curb/gutter/sidewalk
  - Removal of trees in park strip causing alignment/grade issues
  - Surface treatment (mill/overlay, slurry seal, crack seal)
- \$3 million for road upgrades adding curb/gutter/sidewalk
  - 13 identified areas
- Phased over three years – FY 2017 – FY 2019

**Water Utility Fund FY 2018 Budget**

FY 2018 Water Fund Projected Revenue

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Description	FY2017 Estimated	FY2018 Budget	Difference
Water base/consumption	4,427,200	4,550,500	123,300
Other user charges	148,500	147,000	(1,500)
IRS subsidy for BABs	115,900	113,600	\$2,300)
Other revenue	27,100	29,000	1,900
<b>Total</b>	<b>\$4,718,700</b>	<b>4,840,100</b>	<b>\$121,400</b>

FY 2018 Water Fund Proposed Expenditures

Description	FY 2017 Estimated	FY2018 Budget	Difference
Personal services	\$818,100	\$865,300	\$47,200
Administration	674,500	725,500	51,000
Water supply costs	1,246,600	1,275,300	28,700
Debt service	1,374,600	1,339,500	(35,100)
Capital expenditures	100,000	1,400,000	1,300,000
<b>Total</b>	<b>\$4,213,800</b>	<b>\$5,605,600</b>	<b>\$1,391,800</b>

Water Utility Fund 2018 Highlights

- Approximately \$25 per year for average residential user
- 5% rate increase – Service Area 2 (Bingham Junction)
  - Approximately \$26 per year for average residential user
- 5% rate decrease – Service Area 3 (Union)
  - Approximately \$(14) per year for average residential user
- Construction of Jordan Valley Water Conservancy District metering stations
- Waterline replacement project
  - Roosevelt Street
  - North Grant Street
  - Adams Street
  - Baker Drive, Newbold Circle, Tera Circle
- Waterline replacement ahead of major road work

Ongoing maintenance of distribution system lines

Water Rate Comparisons

Rate Comparison	Off-peak (9,000 gal)	Peak (30,000 gal)	Combined
Draper	54.42	153.10	207.52
South Jordan	50.27	90.98	141.25
Riverton	37.69	119.80	157.49
Sandy – SLC Residents	37.12	92.14	129.26
<b>Midvale – SA 3</b>	<b>34.38</b>	<b>78.88</b>	<b>113.26</b>



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West Jordan	32.91	61.77	94.68
<b>Midvale – SA 2</b>	<b>30.91</b>	<b>72.42</b>	<b>103.33</b>
Sandy	30.33	80.94	111.27
South Salt Lake	28.00	75.25	103.25
<b>Midvale – SA 1</b>	<b>25.60</b>	<b>63.01</b>	<b>88.61</b>
Jordan Valley	18.93	69.30	88.23
Murray	17.93	58.55	76.48

Sewer Utility Fund FY 2018 Budget

FY 2018 Sewer Fund Projected Revenue

Description	FY2017 Estimated	FY2018 Budget	Difference
Sewer base/usage	1,865,500	2,051,400	185,900
Other user charges	39,800	34,000	(5,800)
Other revenue	2,500	22,500	20,000
<b>Total</b>	<b>\$1,907,800</b>	<b>\$2,107,900</b>	<b>\$200,100</b>

FY2018 Sewer Fund Proposed Expenditures

Description	FY2017 Estimated	FY 2018 Budget	Difference
Personal services	\$313,400	\$270,500	\$(42,900)
Administration	311,900	290,100	(21,800)
System operations cost	1,191,700	1,033,600	(158,100)
Debt service	196,800	191,500	(5,300)
Capital expenditures	50,000	70,000	20,000
<b>Total</b>	<b>\$2,063,800</b>	<b>\$1,855,700</b>	<b>\$(208,100)</b>

Sewer Utility Fund 2018 Highlights

- 8% rate increase – System-wide
  - Approximately \$35 per year for average residential user
- Sewer System Master Plan underway
- Upgrades coming to South Valley Water Reclamation Facility
  - Grit and phosphorus removal
  - Midvale City’s cost is about \$1.4 million

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Sewer Rate Comparisons

<b>South Salt Lake</b>	<b>45.00</b>
<b>Midvale</b>	<b>38.70</b>
West Jordan	31.78
Murray	29.26
South Valley Sewer District	25.00
Cottonwood Improv District	20.00
Granger-Hunter	19.50
Midvalley Improv District	18.20
Sandy Suburban Improv District	15.04

Storm Water Utility Fund FY 2018 Budget

FY 2018 Storm Water Fund Projected Revenue

Description	FY2017 Estimated	FY2018 Budget	Difference
User fees	\$1,694,400	\$1,702,200	\$7,800
Other user charges	6,200	6,500	300
Facility use (other funds)	84,000	84,000	-
Other revenue	10,800	8,500	(2,300)
<b>Total</b>	<b>\$1,795,400</b>	<b>\$1,801,200</b>	<b>\$5,800</b>

FY 2018 Storm Water Fund Proposed Expenditures

Description	FY2017 Estimated	FY2018 Budget	Difference
Personal services	\$626,100	\$607,200	\$(18,900)
Administration	358,000	372,200	14,200
System operations cost	211,300	125,400	(85,900)
Debt service	446,000	447,000	1,000
Capital expenditures	875,000	100,000	(775,000)
<b>Total</b>	<b>\$2,516,400</b>	<b>\$1,651,800</b>	<b>\$(864,600)</b>

Storm Water Utility Fund 2018 Highlights

- No rate increases
- Last phase of improvements funded by Series 2014 bond
- Ongoing capital maintenance of \$100,000 per year

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Storm Water Rate comparisons

<b>Draper</b>	<b>9.00</b>
South Jordan	8.50
<b>Midvale</b>	<b>8.00</b>
South Jordan – KMS	6.50
Sandy	6.00
Riverton	6.00
Murray	4.65
West Jordan	4.50
West Valley City	4.00

Street Lighting Fund FY 2018 Budget  
FY 2018 Street Lighting Fund Projected Revenue

Description	FY2017 Estimated	FY2018 Budget	Difference
User fees	\$378,800	\$380,000	\$1,200
Other user charges	1,100	2,000	900
Other revenue	-	1,500	1,500
<b>Total</b>	<b>\$379,900</b>	<b>\$383,500</b>	<b>\$3,600</b>

FY2018 Street Lighting Fund  
Proposed Expenditures

Description	FY2017 Estimated	FY2018 Budget	Difference
Personal services	\$6,000	\$7,000	\$1,000
Administration	37,000	54,100	17,100
System operations cost	107,400	120,000	12,600
Debt service	211,000	211,000	:
<b>Total</b>	<b>\$361,400</b>	<b>\$392,100</b>	<b>\$30,700</b>

Street Lighting Fund 2018 Highlights

- No rate increases

Sanitation Fund FY 2018 Budget  
FY 2018 Sanitation Fund Projected Revenue

Description	FY2017 Estimated	FY2018 Budget	Difference
User fees	\$930,000	\$927,300	\$(2,700)
Other user charges	4,500	5,000	500
Other revenue	16,600	10,500	(6,100)
<b>Total</b>	<b>\$951,100</b>	<b>\$942,800</b>	<b>\$(8,300)</b>

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FY 2018 Sanitation Fund Proposed Expenditures

Description	FY2017 Estimated	FY2018 Budget	Difference
Personal services	\$19,000	\$16,000	\$(3,000)
Administration	74,700	79,600	4,900
System operations cost	864,200	886,400	22,200
Total	\$957,900	\$982,000	\$24,100

Sanitation Fund 2018 Highlights

- No rate increases

Garbage Rate comparisons

Rate Comparison	Basic + Add'l G & R	Basic G & R	Add'l Gar	Add'l Recy
Draper	27.50	15.00	10.00	2.50
West Valley City	26.50	14.50	9.00	3.00
South Jordan	25.75	13.50	8.45	3.80
Sandy	24.45	13.45	5.50	5.50
Murray	29.00	13.00	8.00	8.00
West Jordan City	27.62	12.83	9.86	4.93
Midvale	18.61	10.66	7.95	-
South Salt Lake	30.00	10.00	10.00	10.00
Riverton	6.00	1.00	5.00	-

Telecommunications Fund FY 2018 Budget

FY2018 Telecommunications Fund

Project Revenue

Description	FY2017 Estimated	FY2018 Budget	Difference
User fees	\$21,300	\$27,100	\$5,800
Transfer from Gen Fund	850,000	850,000	-
Other revenue	-	200	200
Total	\$871,300	\$877,300	\$6,000

FY2018 Telecommunications Fund

Proposed Expenditures

Description	FY2017 Estimated	Fy2018 Budget	Difference
UTOPIA pledge payment	\$845,000	\$860,000	\$15,000
CUE payments to UTOPIA	20,900	25,700	4,800
Total	\$865,900	\$885,700	\$19,800

Telecommunications Fund 2018 Highlights

- Operating expense coverage for UTOPIA ended FY 2016

Fleet Internal Service Fund FY 2018 Budget

Description	FY2017 Estimated	FY2018 Budget	Difference
Vehicle maintenance chgs	\$378,500	\$359,100	\$(19,400)

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Vehicle replacement chgs	145,400	397,000	251,600
Vehicle sales proceeds	330,000	368,100	38,100
Other revenue	23,400	26,000	2,600
Total	\$877,300	\$1,150,200	\$272,900

FY 2018 Fleet Fund Proposed Expenditures

Description	FY2017 Estimated	FY2018 Budget	Difference
Personal services	\$110,900	\$130,700	\$19,800
Administration	3,100	5,900	2,800
Vehicle maintenance	239,600	248,400	8,800
Vehicle purchases	639,800	765,200	75,400
Total	\$1,043,400	\$1,150,200	\$106,800

Information Technology Internal Service Fund FY 2018 Budget

FY2018 Information Technology Fund

Project Revenue

Description	FY2017 Estimated	FY2018 Budget	Difference
Charges to departments	\$51,000	\$50,900	\$(100)
Other revenue	400	-	(400)
Total	\$51,400	\$50,900	\$(500)

FY2018 Information Technology Fund

Proposed Expenditures

Description	FY2017 Estimated	FY2018 Budget	Difference
Personal services	\$27,500	\$26,500	\$(1,000)
Hardware	16,000	37,200	21,200
Software	-	-	-
Infrastructure	2,500	-	(2,500)
Total	\$46,000	\$63,700	\$17,700

Midvale City All Funds

FY2017-2018 Budget

Fund	FY2017 Budget	FY2018 Budget	Difference
General	\$18,372,600	\$18,129,400	\$(243,200)
Capital Projects	4,181,800	1,537,000	(2,644,800)
Water	5,463,000	5,605,600	142,600
Sewer	1,964,600	2,107,900	143,300
Storm Water	2,664,800	1,801,200	(863,600)
Street Lighting	375,400	392,100	16,700
Sanitation	970,300	982,000	11,700
Telecommunications	867,000	885,700	18,700
Fleet	1,311,700	1,150,200	(161,500)
Information Technology	50,900	63,700	12,800
Total City Budget	\$36,222,100	\$32,654,800	\$(3,567,300)

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FY2018 Employee Compensation Package

Description	Amount
Health Insurance Premium inc. 9.5%	\$56,300
City's contribution/HDHP deductible	67,500
Inc in waiver for declining health insur.	37,500
Average 3% merit increase	88,800
Market adjustments – 27 positions	100,600
<b>Total</b>	<b>\$350,700</b>

FY2018 Municipal Fee Schedule changes  
Rental of facilities

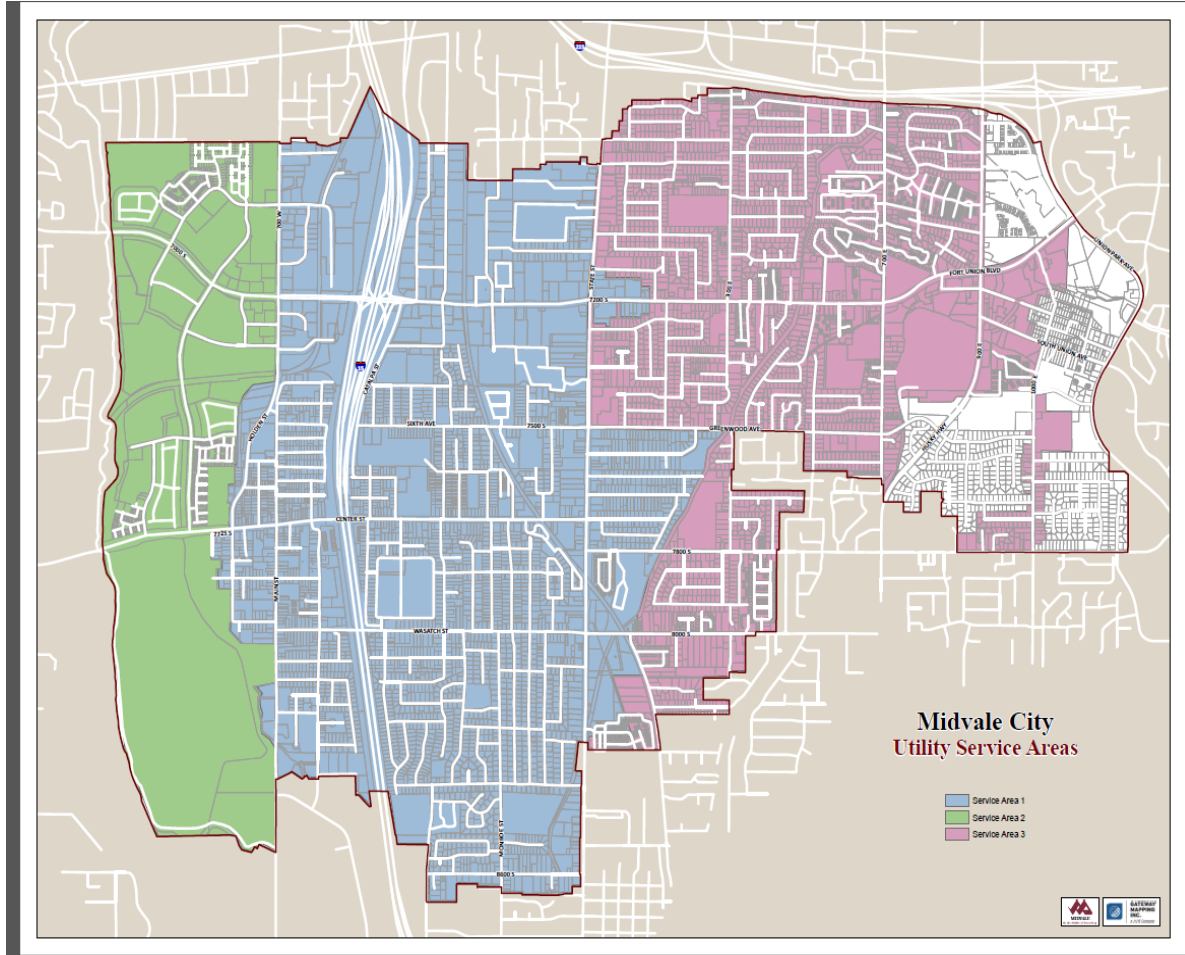
Midvale Community Center	\$200 Security Deposit
- Rental Fee up to 4 hour usage	\$120 plus employee overtime (Dependent upon employee pay rate)
- Rental Fee for 4.5 hour usage and above	Additional \$120 plus employee overtime (Dependent upon employee pay rate)
- ADDITIONAL FEES MAY APPLY	See Use Agreement
Bingham Junction Park Pavilion	
- Half Day 10am to 4 pm - Resident or Midvale Business	\$25
- Half Day 10 am to 4 pm - Non-Resident or Non-Midvale Business	\$50
- Full Day - Resident or Midvale Business	\$40
- Full Day - Non-Resident or Non-Midvale Business	\$80

FY2018 Municipal Fee Schedule Changes  
Sewer Rates

Sewer Rates	
Residential/Commercial/Industrial	
Single Dwelling	
Base fee	20.42 22.05
Usage fee per 1,000 gallons of average winter water usage	4.74 1.85
Multi Dwelling	
Base fee - First Unit	20.42 22.05

Additional Unit (Each)	16.96 18.32
Usage fee per 1,000 gallons of average winter water usage	4.74 1.85
Lifeline discount of 45% available on base fee if qualified for Salt Lake County Circuit Breaker property tax relief	

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FY2018 Municipal Fee Schedule Changes  
Water rates – Service Area #1

Base rate by Meter size:	
3/4"	44.70 15.73
1"	20.58 22.02
1.5"	26.46 28.31
2"	42.62 45.60
3"	461.66 172.98
4"	206.75 220.15
6"	308.64 330.21
Usage fee per 1,000 gallons	
Peak (June-September)	\$4.50 1.58 (Not Subject to Circuit Breaker)
Off-peak (October - May)	\$4.05 1.10 (Not Subject to Circuit Breaker)
Lifeline discount of 45% available on base fee if qualified for Salt Lake County Circuit Breaker property tax relief	

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FY2018 Municipal Fee Schedule Changes  
Water Rates - Service Area #2

<b>Base rate by Meter size:</b>	
3/4"	49.40 20.05
1"	26.73 28.07
1.5"	34.37 36.09
2"	55.39 58.15
3"	240.06 220.57
4"	267.35 280.72
6"	401.02 421.07
<b>Usage fee per 1,000 gallons</b>	
Peak (June-September)	\$4.66 1.75 (Not Subject to Circuit Breaker)
Off-peak (October - May)	\$4.45 1.21 (Not Subject to Circuit Breaker)
Lifeline discount of 45% available on base fee if qualified for Salt Lake County Circuit Breaker property tax relief	

FY2018 Municipal Fee Schedule Changes  
Water Rates – Service Area #3

<b>Base rate by Meter size:</b>	
3/4"	24.04 22.81
1"	33.64 31.93
1.5"	43.24 41.05
2"	69.64 66.13
3"	264.03 250.83
4"	336.03 319.23
6"	504.06 478.86
<b>Usage fee per 1,000 gallons</b>	
Peak (June-September)	\$1.87 (Not Subject to Circuit Breaker)
Off-peak (October - May)	\$1.29 (Not Subject to Circuit Breaker)
Lifeline discount of 45% available on base fee if qualified for Salt Lake County Circuit Breaker property tax relief	

Mayor Seghini opened the public hearing to public comment.

Robert Hale said he felt this is a very well developed budget. He expressed appreciation for Laurie Harvey’s knowledge base and expertise in so many areas.

There was no one else present who desired to speak to this issue.

**MOTION:** Councilmember Stephen Brown **MOVED** to close the public hearing. The motion was **SECONDED** by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

**MOTION:** Councilmember Quinn Sperry **MOVED** to open a public hearing. The motion was **SECONDED** by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.



**B. CONSIDER A REQUEST FOR A 2-LOT FINAL CONDOMINIUM PLAT FOR AN EXISTING COMMERCIAL BUILDING LOCATED AT 6980 SOUTH 400 WEST**

Matt Hilderman said the Ken Lloyd Condominium plat consists of two (2) proposed lots on a total of 1.00 acres for an existing commercial building located at 6980 South 400 West. County Assessor records identify this building being constructed in 1979 and consists of 27,600 sq. ft. of ground floor area. This structure has existing commercial businesses such as; Oviatt Cabinet & Millwork (milling), Telecommunication & Data Networks, Inc. (telecommunications), Discount Liner & Accessories (automotive parts), Zodi Outback Gear (sporting goods), Flood Pros LLC (commercial service), New Look Siding LLC (contractor), and Vertical Climb RC (manufacturing and sales). The applicant and owner, Kenneth G. Lloyd, is requesting subdivision approval to create a 2-lot condominium plat, allowing individual ownership of Unit 1 and individual ownership of Unit 2 and common ownership of the existing parking lot and associated infrastructure. In addition, this plat continues to recognize the public utility providers and easements for services. This area is subject to the requirements of the Clean Industrial zone district. The proposed subdivision/condominium plat is attached. This plat reflects individual ownership of Unit 1, addressed as 6950 South and individual ownership of Unit 2, addressed as 6980 South. Common ownership will consist of the land the buildings are located on and the parking areas to the front of each building, including the retaining wall providing separation. The applicant has also provided information that the property taxes and some utilities will be shared amongst both property owners, with some additional expenses left to the individual owner(s) of each unit.

The proposed subdivision plat has been reviewed and approved by the City Engineer and Fire Marshall. All utility companies will need to be notified regarding utility easements and notes on the subdivision plat. For a subdivision/condominium plat approval, this request complies with the City's subdivision requirements and final approval will require compliance with the conditions recommended below. All subdivisions require a review and recommendation from the Planning Commission and approval from the City Council. Public hearings are required to be held by each body.

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission conducted a public hearing on this condominium/subdivision plat on May 10, 2017. Based on compliance with the City's subdivision and condominium plat requirements for the existing project, the Planning Commission forwarded a positive recommendation to the City.

Mayor Seghini opened the hearing to public comment.

Ken Lloyd said he is the current owner of the property. He said nothing will really change but there will be two owners.

There was no one else present who desired to speak to this issue.

**MOTION: Councilmember Stephen Brown MOVED to close the public hearing. The motion was SECONDED by Councilmember Paul Glover. Mayor Seghini**

**called for discussion on the motion. There being none she called for a vote.  
The motion passed unanimously.**

**ACTION: APPROVE A REQUEST FOR A 2-LOT FINAL CONDOMINIUM  
PLAT FOR AN EXISTING COMMERCIAL BUILDING LOCATED  
AT 6980 SOUTH 400 WEST**

**MOTION: Councilmember Paul Hunt MOVED that we approve the subdivision plat for Ken Lloyd Condominium with the following conditions: 1. The applicant shall prepare a final subdivision plat and that all required signatures are obtained before final recording. 2. The applicant shall create a Declaration of Covenants, Conditions, and Restrictions document for these lots and shall be recorded concurrently with the subdivision plat. The motion was SECONDED by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none she called for a roll call vote. The voting was as follows:**

<b>Council member Stephen Brown</b>	<b>Aye</b>
<b>Council member Paul Glover</b>	<b>Aye</b>
<b>Council member Paul Hunt</b>	<b>Aye</b>
<b>Councilmember Wayne Sharp</b>	<b>Aye</b>
<b>Council member Quinn Sperry</b>	<b>Aye</b>

**The motion passed unanimously.**

**MOTION: Councilmember Stephen Brown MOVED to open a public hearing. The motion was SECONDED by Councilmember Wayne Sharp. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.**

**C. CONSIDER A REQUEST TO REZONE PROPERTY FROM SINGLE FAMILY RESIDENTIAL WITH A DUPLEX OVERLAY (SF1/DO) TO STATE STREET COMMERCIAL (SSC) AT 7321 SOUTH STTE STREET**

Matt Hilderman said Jeremiah Elder, president of A Cut Above Tree Preservation LLC business and representative of the property owner, is proposing to rezone and develop property, located to the rear and adjacent to existing commercial structures to the West, at 7321 South State Street under the proposed State Street Commercial zone district development standards. This proposal includes two (2) parcels totaling approximately 0.76 acres (33,105.6) sq. ft.) and is currently vacant, undeveloped ground, excluding the applicant's machinery and equipment for his business located on the premise. The applicant is proposing, upon approval of the rezone request, to continue operating his primary office business and transactions at 7321 South State Street, #B and continue storing machinery, equipment, construction trailer, and associated items on the property to rear.

In order for this development to proceed as proposed, the following approvals are required from the City:

1. A rezone of the entire property from SF1/DO to SSC.

2. Preliminary and Final Site Plan approval that complies with the requirements of the SSC development standards.
3. Approval of an Administrative Conditional Use Permit for any proposed outdoor storage use associated with the primary business.

### **General Plan and Rezone**

Under Section 17-3-1 of the Zoning Ordinance, the Planning Commission may recommend, and the City Council may grant, a rezoning application if it determines the rezoning is consistent with the goals and policies of the Midvale City General Plan and the following:

1. The proposed rezoning is necessary either to comply with the Midvale City General Plan Proposed Land Use Map, or to provide land for a community need that was not anticipated at the time of the adoption of the Midvale City General Plan;
2. Existing zoning was either the result of a clerical error or a mistake of fact, or that it failed to take into account the constraints on development caused by natural characteristics of the land, including but not limited to steep slopes, floodplain, unstable soils, and inadequate drainage; or 3. Land surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage redevelopment of the area or to recognize the changed character of the area.

With the adoption of the Midvale City General Plan 2016, there is no longer a General Plan Proposed Land Use Map designating future uses of property. Under the new General Plan, this property is part of the Middle State Street Opportunity Area. The General Plan states the boundary is intended to encompass properties that front on or have direct access to State Street and the area includes underutilized commercial uses facing State Street with limited parking. Some future land use goals for the Middle State Street area include:

1. Support development of higher-value commercial and business uses through the development of mixed-use and higher density residential uses.
2. Focus commercial and mixed-use development at nodes of 7500 South and 7720/7800 South.
3. Support redevelopment of the underutilized commercial properties between the commercial nodes into mixed-use residential development.

The General Plan identifies some future goals for Residential Development and Housing development (Midvale City General Plan, Pg. 56) that includes:

1. Maintain and strengthen stable neighborhoods. The goal includes preserving the quality and character of existing neighborhoods; providing neighborhoods with better connectivity and access to recreational amenities; and ensuring that infill and adjacent development is compatible with the existing neighborhoods.
2. Expand the variety of housing opportunities to allow for more choices in types and locations of residences. This includes providing for a mixture of housing sizes, densities, types and affordability in each area of the City.

3. Encourage higher density residential in appropriate locations in Opportunity Areas to create the market needed for viable commercial development.

The General Plan further identifies some future goals for Commercial Development and Economic Sustainability (Midvale City General Plan, Pg. 57) that includes:

1. Plan for a balanced mix of commercial and residential land uses in Midvale to provide for the City's long-term fiscal sustainability.
2. Plan for well-located, high-quality commercial developments.

This rezone request represents a significant change to the current zoning and land uses on this piece of property. If the property receives approval of the rezone amendment, the applicant would be required to receive approval of an Administrative Conditional Use Permit (ACUP) for an outdoor storage use and the standards required to be met would be; the outdoor storage area can only constitute a maximum of 15% of the total lot area, screening of the outdoor storage area would require installation of a six-foot (6') fence made of solid metal, CMU (concrete masonry unit) block or decorative concrete, and the storage yard must be surfaced with asphalt, recycled asphalt, or concrete, and must be located a minimum of 30-feet away from single-family zones and improved with landscaping elements. The construction trailer would also require inspections to comply with the Building Code standards and zone development standards as well. If the property receives denial of the rezone request, the applicant would be required to remove all equipment, vehicles, structures, and materials from the subject property and relocated to an appropriate and approved area.

The applicant has further stated the purpose of the rezone amendment is the subject property can only be accessed through commercial property and its highest and best use is commercial, similar to the contiguous properties surrounding the subject property. This property is accessible through two points of ingress/egress; one access through the existing parking lot of 7321 South State Street; and a second access from an estimated twenty-two-foot (22') driveway off Cox Lane. Both accesses can be identified within 3 the State Street Commercial (SSC) zone district and the neighboring properties to the West are also commercially zoned however; the adjoining properties to the North, East, and South are identified as Single-Family Residential.

#### **Planning Commission Recommendation**

On April 12th and April 26th, 2017, this application was presented before the Planning Commission at their regularly scheduled meeting. During discussion and review of this application, the Commission was concerned about language identified in the General Plan that states, "the Middle State Street Opportunity Area is intended to encompass properties that front on or have direct access to State Street and the area includes underutilized commercial uses facing State Street with limited parking (General Plan Pg. 52).

After further discussion and review, including citizen testimonies, the Commission tabled a decision on this request to the May 10th meeting date and requested the applicant to provide the following:

- Coordinate with the property owner(s) and discuss the possibility of making a reasonable connection to the State Street property that is legal and binding; and
- The property owner(s) are in agreeance to combine all parcels identified as 7321 South State Street into one identified parcel, under one ownership.

The applicant and representative for the property owner have not provided any written documentation or verbal information confirming the information the Commission requested. On May 10th, 2017, it was the Planning Commission's decision to forward a negative recommendation concerning the rezone request with the following motion:

“Due to the lack of the property owner moving forward with combining properties or providing a legally binding access to State Street, and for the following reasons, I move that we forward a negative recommendation to the City Council, denying the request to rezone the property located at 7321 South State Street (Parcel ID# 22-30-158-008):

1. The subject property does not front on or have direct legally binding access to State Street and does not support the future land use goals for the Midvale State Street Area as identified in the Midvale City General Plan, as presented.
2. The business venture proposed by the applicant is not focused at the proposed commercial nodes of 7500 South and 7720/7800 South, as stated in the Midvale City General Plan.
3. The property still has potential for use as currently zoned.”

A roll call vote was taken with a unanimous vote of 4-0.

Adoption of an ordinance is required for all rezones. If the City Council decides to approve the rezone as requested, an ordinance has been prepared to accomplish this, proposed Ordinance No. 2017-O-07.

Mayor Seghini opened the hearing to public comment.

Jeremiah Elder said we have been battling this since 2012. He feels he was derailed by the Planning Commission. They asked him to sign a legal binding access to the property through either State Street or the alley. He came in with the access document and the Planning Commission said that wouldn't work now. It was denied because the property owner did not show up at the Planning Commission meeting. He worked with the City Council and City staff on these issues. He has worked very hard at cleaning up the property and has plans to landscape and make it look nice.

Lee Fairborn said he was representing his parents who own the property. He said there was no problem creating an easement for access to the property. He said they do support this use of the property. He felt it has been an enhancement to the property. He requested the City Council support approval of the rezone.

Meagan said he has helped the business grow for the last five years. They have cleaned up the property and kept the vagrants out.

Councilmember Paul Glover asked the owner why he wouldn't like to combine it into one big parcel?

Lee Fairborn said he would definitely like to combine it into one parcel.

The Council discussed tabling this issue so the access document could be completed so the property could be rezoned.

**MOTION:** Councilmember Stephen Brown **MOVED** to close the public hearing. The motion was **SECONDED** by Councilmember Paul Glover. Mayor Seghini called for discussion on the motion. There being none she called for a vote. The motion passed unanimously.

**ACTION:** APPROVE ORDINANCE NO. 2017-O-07 APPROVING A REQUEST TO REZONE PROPERTY FROM SINGLE FAMILY RESIDENTIAL WITH A DUPLEX OVERLAY (SF1/DO) TO STATE STREET COMMERCIAL (SSC) AT 7321 SOUTH STATE STREET

**MOTION:** Councilmember Stephen Brown **MOVED** that we table the decision on Ordinance No. 2017-O-07 requesting a rezone on the property at 7321 South State Street to a later time when we can get additional information from the property owners. The motion was **SECONDED** by Councilmember Quinn Sperry. Mayor Seghini called for discussion on the motion. There being none she called for a roll call vote. The voting was as follows:

Council member Stephen Brown	Aye
Council member Paul Glover	Aye
Council member Paul Hunt	Aye
Councilmember Wayne Sharp	Aye
Council member Quinn Sperry	Aye

The motion passed unanimously.

**VIII. CONSENT AGENDA**

**A. APPROVE MINUTES OF MAY 16, 2017**

**B. SET DATE AND TIME (JUNE 20, 2017 AT 7:00 P.M.) FOR A PUBLIC HEARING REGARDING TRANSFER OF ENTERPRISE FUNDS TO OTHER FUNDS**

**MOTION:** Councilmember Paul Hunt **MOVED** to approve the consent agenda. The motion was **SECONDED** by Councilmember Stephen Brown. Mayor Seghini called for discussion on the motion. There being none the she called for a roll call vote. The voting was as follows:

**Council member Stephen Brown** Aye  
**Council member Paul Glover** Aye  
**Council member Paul Hunt** Aye  
**Councilmember Wayne Sharp** Aye  
**Council member Quinn Sperry** Aye

**The motion passed unanimously.**

**X. DISCUSSION ITEMS**

**A. DISCUSS AMENDING THE STORM WATER ORDINANCE TO REQUIRE A LONG-TERM STORM WATER AGREEMENT WITH COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL PROPERTY OWNERS WITHIN THE CITY**

Keith Ludwig discussed the requirements of the agreement and storm water regulations in detail. He said the City is required to regulate and control the disposition of storm and surface waters within the City. If a property owner builds or develops or conducts certain regulated construction activities on property which will alter existing storm and surface water conditions on the property and/or adjacent lands, the owner is required to build and maintain a storm and surface water management facility or improvements. He discussed the Long-Term Stormwater Management Plan along with the Stormwater Facilities that must be constructed and maintained.

**B. DISCUSS CHANGES TO ANIMAL CONTROL SERVICES**

Michelle Blue, Salt Lake County Animal Control Services, discussed the benefits of their services to the community. She reviewed the services currently offered to Midvale residents. She also discussed the increased cost to the animal control services in order to continue providing these services. The City's contract amount for 2017-2018 is \$186,137 annually. This amount is determined by the Municipal Services District (MSD). It is a stepped increase plan. The costs also include a reserve fund for the South Valley Shelter

**C. DISCUSS PROPOSED ADMINISTRATION AND LEGAL BUDGETS**

Kane Loader reviewed the proposed FY2018 Administration and legal budgets.

**City Managers Budgets**

- City Council
- General Administration
- City Attorney
- Community/Intergovernmental Relations
- Harvest Days
- Public Safety
- Telecommunications

**City Council**

**Significant Changes**

- ✓ Personnel (- \$36,900)
  - Reduced Mayor's salary to half-time
  - Will require the Council to amend Title 2
- ✓ Professional Services (- \$86,500)

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- Lobbyist contract reduction
  - Increased Spatafore contract \$2,500
- Total Decrease = (- \$123,900)

**General Administration**

Significant Changes

- ✓ Personnel Costs + \$33,600
- ✓ Misc. Supplies + \$2,000

Total Increase = + \$35,400

**City Attorney**

Significant Changes

- ✓ Personnel Costs + \$60,000
  - Full cost of Deputy City Attorney/Prosecutor
- ✓ Travel + \$3,500
- ✓ Professional Services - (\$10,000)
- ✓ Legal Defenders + \$18,000
- ✓ Misc. Supplies + \$2,000

Total Increase = +\$82,800

**Community/Intergovernmental Relations**

Significant Changes

- ✓ Personnel Costs + \$7,600
- ✓ Vehicle Operating Costs - (\$1,000)
- ✓ Professional Services - (\$2,000)
- ✓ Boys & Girls Club grants - (\$64,000)
- ✓ Not showing SLCo. pass through grant
- ✓ Arts Council Grant + \$10,000
  - Picked up full cost of PT employee
- ✓ SLCo. Homeless Services Fund - (\$10,000)
- ✓ CBC Grant (Offset of outstanding debt) + \$20,000
- ✓ Pass Thru Grant from Shelter the Homeless - (\$198,000)
  - Projecting FY18 amount to be \$415,000
- ✓ Fleet Vehicle Replacement + \$3,300

Total Decrease = (- \$235,100)

**Harvest Days**

Significant Changes

- ✓ City Float (-\$ 7,500)
  - Refurbish

Total Decrease = (-\$7,500)



**Public Safety**

Significant Changes

- ✓ Personnel Costs (- \$66,600)
  - Going from FT Emergency Mgr. to PT or contract
- ✓ Professional Services (- \$5,000)
- ✓ UPD Contract Increase + \$248,000
  - Doesn't include 2 additional Homeless Resource officers
  - Final budget adjustment from UPD
- ✓ Animal Control Contract + \$46,800
  - Increased costs from county-wide adjustments
- ✓ Public Safety (pass through grant) (- \$16,600)
- ✓ Equipment (- \$5,000)

Total Increase = \$201,600

**Telecommunications**

Significant Changes

- ✓ Charges for Service + \$8,700
  - New lease and CUE customers
- ✓ Pledge payment will increase by 2% + \$10,000

Total Increase = \$18,700

**XI. ADJOURN**

**MOTION: Councilmember Wayne Sharp MOVED to adjourn the meeting. Councilmember Paul Hunt SECONDED the motion. Mayor Seghini called for discussion on the motion. There being none, she called for a vote. The motion passed unanimously.**

The meeting adjourned at 10:26 p.m.

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**Rori L. Andreason, MMC**  
**H.R. DIRECTOR/CITY RECORDER**

Approved this 20th day of June, 2017.



**-MIDVALE CITY  
CITY COUNCIL WORKSHOP MEETING  
Minutes**

**Tuesday, June 13, 2017  
Council Chambers  
7505 S. Holden Street  
Midvale, Utah 84047**

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**MAYOR:** JoAnn Seghini

**COUNCIL MEMBERS:** Council Member Wayne Sharp  
Council Member Stephen Brown  
Council Member Paul Glover  
Council Member Paul Hunt  
Council Member Quinn Sperry

**STAFF:** Kane Loader, City Manager; Phillip Hill, Asst. City Manager/Community Development Director; Laurie Harvey, Asst. City Manager/Admin. Services Director; Rori Andreason, H.R. Director/City Recorder; Danny Walz, Redevelopment Agency Director; Lisa Garner, City Attorney; Dalin Hackett, Asst. Finance Director; Matt Dahl, RDA Housing Director; and Juan Rosario, IT Tech.

Mayor Seghini called the meeting to order at 6:36 p.m.

**I. DISCUSSION ITEMS**

**A. DISCUSS PEDESTRIAN CROSSWALKS**

Mayor Seghini said both the driver and the pedestrian needs to be cognizant of traffic and crosswalks. The Council discussed maybe passing a law stating electronic devices are illegal in crosswalks so the pedestrians are looking for cars. It shouldn't just be the responsibility of the driver of the vehicle. This would make it so both individuals have responsibility to be paying attention. Pedestrians feel the crosswalk is a safe zone. Even though they should be, the pedestrian should also be aware of the traffic. Individuals who jaywalk pay more attention. Another option is to get rid of the crosswalks.

Kane Loader said he and Chief Mazuran have put a lot of thought into this. Chief Mazuran discussed auto pedestrian accidents that have occurred in Midvale in the last two years. In the last two years, there have been a total of 63 auto-pedestrian accidents in Midvale. Most of the accidents happen on 7200 South State and 900 East Fort Union Blvd. These include accidents that may be fatal or minor accidents. Chief Mazuran said the police department will be conducting crosswalk stings. He said they will be looking at both vehicles and pedestrians who are not paying attention. Chief Mazuran discussed a box they will be placing on the poles on streets to collect accurate traffic data. This box can be moved around the City to assist them with enforcement.

Kane Loader said there is no center median on Center Street so there is no protection for the pedestrian and it's a 35-mph road. Over the last few years the traffic on Center Street has gone down. However, the count is still high and is considered a very busy street.

Kane Loader discussed the following possible solutions:

- Set aside funding in FY 2018 budget
- Traffic Engineering Evaluation
- Stepped up traffic enforcement
- Visibility assessment (obstructed views, signage and street painting)
- Increased education for children through schools and Boys and Girls Club

Final Result = Action Plan

Kane Loader said if flashing lights are installed, it will invite the school kids to cross at that intersection rather than where the crossing guards are located. He presented a video of pedestrian activated flashing lights. The lights are approximately \$2000 per sign. The Council suggested adding some additional painting to the crosswalks as well and setting aside funds each year for this purpose. The Council instructed staff to put money aside in the FY 2018 budget for the crosswalks.

**B. DISCUSS JORDAN VALLEY WATER CONSERVANCY DISTRICT PROPOSED PROPERTY TAX RATE INCREASE**

Ron Sperry, Midvale's Board Representative and Bart Forsyth, Executive Director of Jordan Valley Water Conservancy District were present to discuss an increase to the tax rate for the Jordan Valley Water Conservancy District. He said 24% of their revenue comes from taxes. They need to increase the tax rate to keep up with the demand on the district. They have held down the price of their water but they have to keep up the infrastructure in order to supply the water.

Mr. Sperry discussed the Central Water Project in which they have to build a pipeline to receive the water from Utah County. He also discussed the Provo Reservoir Canal Enclosure Project which will increase their delivery capacity. He said the public hearing for the tax increase will be held in August.

**C. DISCUSS JORDAN VALLEY WATER CONSERVANCY DISTRICT WATER PURCHASE AGREEMENT**

Kane Loader discussed the proposed Jordan Valley Water Conservancy District Water Purchase Agreement. He discussed the need to purchase additional wholesale water in order to supply the residents of Midvale with what they need. The Council agreed to schedule this item as a consent item on the next agenda.

**D. DISCUSS PROPOSED AMENDMENTS TO TITLE 2 OF THE MIDVALE MUNICIPAL CODE**

Kane Loader discussed proposed amendments to Title 2 of the Midvale Municipal Code. The salaries for the Mayor and Council have not been looked at for some time. When these salaries are amended, they have to be set by ordinance. He reviewed the market survey for the Council and Mayor. He recommended moving the Council to \$15,000 a year which is the average among

other cities. He said with Midvale's form of government and a part-time mayor, the average salary is about \$24,000. The Council has discussed having the Mayor available a minimum of 20 hours a week. He recommended the Council set the salary at \$45,000, which is half the salary of a full-time mayor's salary.

The Council discussed the possibility of reducing the salary of the mayor if that person was not meeting the expectations of a minimum of 20 hours a week. Kane Loader said the Council does have that ability and can make that adjustment at any time. The Council wanted this item to come back as an action item so it can be explained. The Council said they may want to open it for public comment.

**E. DISCUSS AMENDMENT TO UNIFIED POLICE DEPARTMENT INTERLOCAL AGREEMENT**

Kane Loader discussed the proposed amendment to the Unified Police Department Interlocal Agreement. It brings in the City of Millcreek and the townships of Kearns, Magna, White City, Copperton and Immigration Canyon and gives them a vote and membership on the board. He also said the payment to Unified Police Department is being changed to quarterly payments paid in advance. The Council agreed to put this on the next agenda as a consent item.

**F. DISCUSS PROPOSED AMENDMENTS TO THE MIDVALE POLICIES AND PROCEDURES MANUAL**

Rori Andreason discussed the proposed amendment to the personnel policies and procedures manual. The only change this year is the purchasing card policy. The Council agreed to put this item on the next agenda as a consent item.

**G. DISCUSS PROPOSED FY2018 HUMAN RESOURCE, CITY RECORDER, EMPLOYEE SERVICES BUDGETS**

Rori Andreason discussed the proposed FY2018 Human Resource, City Recorder and Employee Services Budgets.

**II. ADJOURN**

Mayor Seghini adjourned the meeting at approximately 8:13 p.m.

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**Rori L. Andreason, MMC**  
**H.R. DIRECTORY/CITY RECORDER**

Approved this 20<sup>th</sup> day of June, 2017



## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: June 20, 2017

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**SUBJECT:** Approve Resolution No. 2017-R-24

**SUBMITTED BY:** Kane Loader, City Manager

**SUMMARY:**

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On April 20, 2017, the Governing Board of the Unified Police Department approved the Third Amendment to the Interlocal Agreement that created the agency. This amends the master agreement in the following ways:

1. Provides membership and board seats to Millcreek City, and the townships of Kearns, Magna, White City, Copperton and Emigration Canyon.
2. Make technical changes to update reference to the Peace Officer Merit Commission.
3. Makes changes to the billing practice from paying monthly to quarterly.

**STAFF'S RECOMMENDATION AND MOTION:**

***I move that we approve Resolution No. 2017-R-24 a resolution approving the Third Amendment to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service and Provide Rules of Governance.***

**MIDVALE CITY, UTAH**

**RESOLUTION NO. 2017-R-24**

**A RESOLUTION OF THE CITY COUNCIL OF MIDVALE CITY, UTAH,  
ADOPTING THE THIRD AMENDMENT TO THE COOPERATIVE  
AGREEMENT BY PUBLIC AGENCIES TO CREATE A NEW ENTITY,  
TO CONSOLIDATE LAW ENFORCEMENT SERVICE, AND PROVIDE  
RULES OF GOVERNANCE**

**WHEREAS**, Midvale City entered the cooperative agreement in 2011 with the entities that had created the Unified Police Department (UPD) for providing law enforcement services; and

**WHEREAS**, when the initial member agencies formed the UPD they understood that other municipalities and governmental entities may want to join in the future; and

**WHEREAS**, Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon desire to join the UPD as a full member under the terms and conditions of the UPD Formation Interlocal Agreement; and

**WHEREAS**, the UPD Governing Board in their April 2017 Board Meeting approved the Third Amendment of the Cooperative Agreement to include the city and townships requesting membership; and

**WHEREAS**, the interlocal agreement requires each member agency also approve any amendment to the agreement.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE, UTAH:**

**SECTION 1**

That the Midvale City Council has determined that it would be in the best interests of the City to approve the Third Amendment to the Cooperative Agreement and authorize the Mayor to the agreement on behalf of the City.

**SECTION 2: Effective Date:** This Resolution shall become effective upon passage.

**APPROVED BY THE CITY COUNCIL OF THE MIDVALE CITY, UTAH, ON THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

---

JoAnn B. Seghini, Mayor

<b>Vote by the City Council:</b>	<b>Aye</b>	<b>Nay</b>
Stephen Brown	_____	_____
Paul Glover	_____	_____
Paul Hunt	_____	_____
Quinn Sperry	_____	_____
Wayne Sharp	_____	_____

Attest:

---

Rori L. Andreason, MMC  
City Recorder

Approved as to form:

---

Lisa Garner, City Attorney

**Third Amendment to the  
Cooperative Agreement by Public Agencies  
To Create a New Entity, to Consolidate Law Enforcement Service,  
and Provide Rules of Governance**

**THIS AMENDMENT** is made and entered into this \_\_\_\_\_ day of April, 2017, by and between **SALT LAKE COUNTY**, a body corporate and politic (the “*County*”), **CITY OF HOLLADAY**, a municipal corporation and political subdivision of the State of Utah (“*Holladay*”), **RIVERTON CITY**, a municipal corporation and political subdivision of the State of Utah (“*Riverton*”), **HERRIMAN CITY**, a municipal corporation and political subdivision of the State of Utah (“*Herriman*”), and **MIDVALE CITY**, a municipal corporation and political subdivision of the State of Utah (“*Midvale*”), **MILLCREEK CITY**, a municipal corporation and political subdivision of the State of Utah (“*Millcreek*”), the **TOWNSHIP OF KEARNS**, a municipal corporation and political subdivision of the State of Utah (“*Kearns*”), the **TOWNSHIP OF MAGNA**, a municipal corporation and political subdivision of the State of Utah (“*Magna*”), the **TOWNSHIP OF COPPERTON**, a municipal corporation and political subdivision of the State of Utah (“*Copperton*”), the **TOWNSHIP OF WHITE CITY**, a municipal corporation and political subdivision of the State of Utah (“*White City*”), **TOWNSHIP OF EMIGRATION CANYON**, a municipal corporation and political subdivision of the State of Utah (“*Emigration Canyon*”), and the **SALT LAKE VALLEY LAW ENFORCEMENT SERVICE AREA**, a service area and political subdivision of the State of Utah (“*SLVLESA*”). In this Amendment, Holladay, Riverton, Herriman, Midvale and Millcreek are collectively referred to as the “*Cities*” or individually as the “*City*,” the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon are collectively referred to as Townships or individually referred to as Township and the County, SLVLESA and all of the above cities and townships collectively referred to as the “*Members*.”

**RECITALS** :

A. All of the initial Members have been receiving law enforcement services from the Unified Police Department (“*UPD*”) pursuant to the Cooperative Agreement by Public Agencies to Create a New Entity, to Consolidate Law Enforcement Service, and Provide Rules of Governance (“*UPD Formation Interlocal Agreement*”).

B. The initial Members formed the UPD with the understanding that at a future date other municipalities and governmental entities may want to join the UPD.

C. Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon desires to join the UPD as a full member under the terms and conditions of the UPD Formation Interlocal Agreement.

D. Millcreek City and The Townships of Kearns, Magna, Copperton, White City and Emigration Canyon have complied with its ordinances in seeking to join the UPD.

E. Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon are “public agencies” and “instrumentalities” of the State of Utah for



purposes of UTAH CODE ANN. § 11-13-203 and desire to join the UPD and become a signatory to the UPD Formation Interlocal Agreement.

**NOW, THEREFORE**, in consideration of the promises, the mutual covenants and undertakings of the Members, the receipt and sufficiency of which is hereby acknowledged, and in compliance with and pursuant to the provisions of the Interlocal Cooperation Act, the Members hereby agree as follows:

1. Millcreek City and The Townships of Kearns, Magna, Copperton, White City and Emigration Canyon are admitted as Members. Pursuant to Section 21 of the UPD Formation Interlocal Agreement, upon the signing of this Amendment by Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon, and acceptance of their requests to join the UPD by the UPD Board, Millcreek City and The Townships of Kearns, Magna, Copperton, White City and Emigration Canyon shall be Members of the UPD subject to all the terms and conditions of the UPD Formation Interlocal Agreement and shall be entitled to a seat on the UPD Board and shall have full voting rights on said Board.

2. **Operational Effective Date.** The Operational Effective Date shall be 12:01 a.m. May 20, 2017. Upon the Operational Effective Date, Millcreek City and the Townships of Kearns, Magna, Copperton, White City and Emigration Canyon shall consolidate, pursuant to the terms and conditions of the UPD Formation Interlocal Agreement.

3. **Notices.** Any notice to Millcreek, Kearns, Magna, Copperton, White City and Emigration Canyon required under the UPD Formation Interlocal Agreement shall be delivered to:

Mayor Silvestrini  
MILLCREEK CITY  
3932 South 500 East  
Millcreek, UT 84107

Steve Perry, Chair  
Kearns Metro Township  
c/o Office of Township Services  
2001 South State Street N3600  
Salt Lake City, UT 84114

Dan Peay, Chair  
Magna Metro Township  
c/o Office of Township Services  
2001 South State Street N3600  
Salt Lake City, UT 84114

Ron Patrick, Chair  
Copperton Township  
c/o Office of Township Services

2001 South State Street N3600  
Salt Lake City, UT 84114

Paulina Flint, Chair  
White City  
c/o Office of Township Services  
2001 South State Street N3600  
Salt Lake City, UT 84114

Rick Raile, Chair  
Emigration Canyon  
c/o Office of Township Services  
2001 South State Street N3600  
Salt Lake City, UT 84114

4. **Operation of UPD Formation Interlocal Agreement.** All other terms and conditions of the UPD Formation Interlocal Agreement not amended hereby shall remain in full force and effect.
5. **Peace Officer Merit Commission.** Any reference in the Interlocal to the Deputy Sheriff's Merit Commission in Paragraph 6(3) is hereby amended to read the Peace Officer's Merit Commission for Counties of the First Class, U.C.A. Section 17-30a-1 et seq.
6. **Remittance.** Paragraph 26 is hereby amended to provide that each member shall be billed monthly for services and shall remit their respective payments by the 15<sup>th</sup> of each month.

**IN WITNESS WHEREOF**, each of the Cities and Townships, by resolution duly adopted by its city or township council, a certified copy of which is attached hereto, caused this Agreement to be signed by its mayor or chair and attested by its recorder, the County, by resolution duly adopted by its council, a certified copy of which is attached hereto, caused this Agreement to be signed by its mayor or designee and attested by the County Clerk, and SLVLESA, by resolution duly adopted by its Board of Trustees, a certified copy of which is attached hereto, caused this Agreement to be signed by its Chair and attested by its clerk.

**ATTEST:**

**SALT LAKE COUNTY**

\_\_\_\_\_  
Clerk  
Date signed: \_\_\_\_\_

By: \_\_\_\_\_  
**BEN MCADAMS**, Mayor  
Date signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Clerk  
Date signed: \_\_\_\_\_

**SALT LAKE VALLEY LAW  
ENFORCEMENT SERVICE AREA**

By: \_\_\_\_\_  
**JIM BRADLEY**, Chair  
Date signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Stephanie Carlson, City Recorder  
Date signed: \_\_\_\_\_

**CITY OF HOLLADAY**

By: \_\_\_\_\_  
**ROBERT M. DAHLE**, Mayor  
Date signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Virginia Loader, City Recorder  
Date signed: \_\_\_\_\_

**RIVERTON CITY**

By: \_\_\_\_\_  
**WILLIAM APPEGARTH**, Mayor  
Date signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Jackie Nostrom, City Recorder  
Date signed: \_\_\_\_\_

**HERRIMAN CITY**

By: \_\_\_\_\_  
**CARMEN FREEMAN**, Mayor  
Date signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Rori Andreason, City Recorder  
Date signed: \_\_\_\_\_

**MIDVALE CITY**

By: \_\_\_\_\_  
**JOANNE B. SEGHINI**, Mayor  
Date signed: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Leslie Van Frank, City Recorder  
Date signed: \_\_\_\_\_

**MILLCREEK CITY**

By: \_\_\_\_\_  
**JEFF SILVESTRINI**, Mayor  
Date signed: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Paul Ashton, Counsel  
Date signed: \_\_\_\_\_

**TOWNSHIP OF KEARNS**

By: \_\_\_\_\_  
**STEVE PERRY**, Chair  
Date signed: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Paul Ashton, Counsel  
Date signed: \_\_\_\_\_

**TOWNSHIP OF MAGNA**

By: \_\_\_\_\_  
**DAN PEAY**, Chair  
Date signed: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David Hartvigsen, Counsel  
Date signed: \_\_\_\_\_

**TOWNSHIP OF COPPERTON**

By: \_\_\_\_\_  
**RON PATRICK**, Chair  
Date signed: \_\_\_\_\_

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Paul Ashton, Counsel  
Date signed: \_\_\_\_\_

**TOWNSHIP OF WHITE CITY**

By: \_\_\_\_\_  
**PAULINA FLINT**, Chair  
Date signed: \_\_\_\_\_

**APPROVED AS TO FORM:**

**TOWNSHIP OF EMIGRATION  
CANYON**

\_\_\_\_\_  
David Church, Counsel  
Date signed: \_\_\_\_\_

By: \_\_\_\_\_  
**RICK RAILE**, Chair  
Date signed: \_\_\_\_\_

**ATTEST:**

**UNIFIED POLICE DEPARTMENT**

\_\_\_\_\_  
Hillary Davis, Clerk  
Date signed: \_\_\_\_\_

By: \_\_\_\_\_  
**JIM WINDER**, Chief Executive Officer  
Date signed: \_\_\_\_\_

**APPROVED IN ACCORDANCE WITH UTAH CODE ANN. § 11-13-202.5**

**SALT LAKE DISTRICT ATTORNEY  
SIMARJIT S. GILL (for the County)**

By \_\_\_\_\_  
Deputy District Attorney  
Date Signed: \_\_\_\_\_

**SALT LAKE VALLEY  
LAW ENFORCEMENT SERVICE AREA**

By: \_\_\_\_\_  
**KARL HENDRICKSON**, Legal Counsel  
Date signed: \_\_\_\_\_

**HOLLADAY CITY ATTORNEY**

By: \_\_\_\_\_  
**TODD GODFREY**, City Attorney  
Date Signed: \_\_\_\_\_

**RIVERTON CITY ATTORNEY**

By: \_\_\_\_\_  
RYAN B. CARTER, City Attorney  
Date Signed: \_\_\_\_\_

**HERRIMAN CITY ATTORNEY**

By: \_\_\_\_\_  
JOHN N. BREMS, City Attorney  
Date Signed: \_\_\_\_\_

**MIDVALE CITY ATTORNEY**

By: \_\_\_\_\_  
LISA GARNER, City Attorney  
Date Signed: \_\_\_\_\_

**MILLCREEK CITY ATTORNEY**

By: \_\_\_\_\_  
JOHN N. BREMS, City Attorney  
Date Signed: \_\_\_\_\_

**UNIFIED POLICE DEPARTMENT**

By: \_\_\_\_\_  
HARRY H. SOUVALL, Chief Legal Counsel  
Date Signed: \_\_\_\_\_



## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: June 20, 2017

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**ITEM:** **Action approving Resolution No. 2017-R-25 a resolution approving**

**SUBMITTED BY:** **Kane Loader, City Manager**

**SUMMARY:**

Midvale City has been a member agency of the Jordan Valley Water Conservancy District for over 30 years. The City has purchased water from JVWCD in the amount of 150 acre feet per year for most of that time. With the development of both the Bingham Junction project and the acquisition of the Union Jordan water system from Sandy City, it has become necessary to increase the amount of wholesale that the City needs.

The Union Jordan acquisition agreement between Midvale and Sandy required that Midvale purchase the wholesale water needed for the system until 2019. After that the City would then rely on JVWCD for their wholesale water needs. In meeting with Sandy City, they have agreed to a gradual reduction of the water purchased by Midvale and JVWCD has built additional sources to accommodate more water from their system.

The new JVWCD contract calls for the City to purchase 400 acre feet per year in the years 2017 and 2018 and then increase to 2200 acre feet in 2019 thus fully replacing the amount of water that is being purchased from Sandy City today.

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**STAFF'S RECOMMENDATION AND MOTION:**

***I move that we approve Resolution No. 2017-R-25 a resolution approving the Midvale City Water Purchase Agreement and Petition with the Jordan Valley Water Conservancy District and authorizing the Mayor to sign the agreement on behalf of the City.***

**MIDVALE CITY, UTAH**

**RESOLUTION NO. 2017-R-25**

**A RESOLUTION OF THE CITY COUNCIL OF MIDVALE CITY, UTAH,  
APPROVING THE MIDVALE CITY WATER PURCHASE AGREEMENT  
AND PETITION WITH THE JORDAN VALLEY WATER  
CONSERVANCY DISTRICT**

**WHEREAS**, Midvale City is a member agency of the Jordan Valley Water Conservancy District (JVWCD); and

**WHEREAS**, with the development of the Bingham Junction Project Area and the acquisition of the Union Jordan Water System; and

**WHEREAS**, the City has agreed in acquiring the Union Jordan Water System to purchase water from Sandy City until the year 2019; and

**WHEREAS**, Sandy City and Midvale has agreed to gradually reduce the amount of water purchased by Midvale over the next two years; and

**WHEREAS**, JVWCD has the ability to increase the water supplied to Midvale and adjust their wholesale purchase water contract with the City to provide the additional water needed.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE, UTAH:**

**SECTION 1**

That the Midvale City Council has determined that it would be in the best interests of the City and its residents to approve the Midvale City Water Purchase Agreement and Petition with the Jordan Valley Water Conservancy District and authorize the Mayor to sign on behalf of the City.

**SECTION 2: Effective Date:** This Resolution shall become effective upon passage.

**APPROVED BY THE CITY COUNCIL OF THE MIDVALE CITY, UTAH, ON THIS  
\_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

---

JoAnn B. Seghini, Mayor



<b>Vote by the City Council:</b>	<b>Aye</b>	<b>Nay</b>
Stephen Brown	_____	_____
Paul Glover	_____	_____
Paul Hunt	_____	_____
Quinn Sperry	_____	_____
Wayne Sharp	_____	_____

Attest:

---

Rori L. Andreason, MMC  
City Recorder

Approved as to form:

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Lisa Garner, City Attorney

## MIDVALE CITY WATER PURCHASE AGREEMENT AND PETITION

This Agreement is made as of \_\_\_\_\_, \_\_\_\_\_, by and between the Jordan Valley Water Conservancy District, a water conservancy district organized under the laws of the State of Utah (“District”), and Midvale City, a municipality organized under the laws of the State of Utah (“Purchaser”).

### RECITALS:

- A. The District is a water conservancy district organized and existing under the laws of the State of Utah for the purposes, among others, of making water available to those inhabitants residing within its boundaries and of entering into contracts with public and private entities for the purchase and sale of water and its delivery;
- B. Purchaser is a municipality organized and existing under the laws of the State of Utah, which provides retail water service to its customers/inhabitants within its boundaries and which desires to purchase for them water from the District; and,
- C. The parties enter into this Agreement to provide for the purchase of water by, and for the delivery of water to, Purchaser to meet a portion of the needs of its customers/inhabitants.

### TERMS:

The parties agree as follows:

- 1. (a) The District hereby agrees to sell and Purchaser hereby agrees to purchase annually, or in any event pay for annually, the minimum amount of water for the relevant years set forth on attached Exhibit A (the “Minimum Amount”).

(b) Purchaser, at its discretion, may purchase annually additional water from the District in an amount not to exceed twenty percent (20%) of the then-current Minimum Amount, provided that the District first determines additional water is available.

(c) The Minimum Amount purchased by Purchaser shall be delivered by the District in accordance with the terms of this Agreement, and at the points of delivery and within the maximum daily flow rates (contract capacity) set forth on attached Exhibit B.

2. (a) Purchaser's commitment to pay for the Minimum Amount, among other considerations, insures a market for the sale of water by the District, allows the District to amortize the costs of facilities constructed to produce, store, and deliver water to Purchaser and all other customers of the District, and generates revenues for the repayment of indebtedness incurred by the District.

(b) The allotment of the Minimum Amount to Purchaser may serve, at the reasonable discretion of the District and pursuant to its interpretation and application of its policies, rules, and procedures as they may be amended periodically, to form the basis for the allocation of water among the District's various customers during water shortages. Should water allocation to the District's customers be necessary and should the District's contractual water sale commitments be used in determining that allocation, then Purchaser's ratable allocation may be based on its then-current Minimum Amount.

3. The District will provide water in accordance with standards for public drinking water set by applicable law, including the Utah Division of Drinking Water and/or the Utah Drinking Water Board of the Department of Environmental Quality, except the District shall not be liable, or in breach of this Agreement, for failure to meet those standards unless that failure is due to the District's willful misconduct or gross negligence.

4. The amount of water delivered to Purchaser depends in large part on water made available to the District and, for that reason, the District is not a guarantor of the delivery of any water to Purchaser against drought, adverse claims, acts of God, the acts or omissions of other water supply entities from whom the District purchases water, or all other matters beyond its reasonable control. The District acquires water from multiple water sources, some of which are under the control of third parties which own and/or operate their own water facilities, and their failure to deliver water to the District shall excuse the District's failure to deliver water to Purchaser.

5. The District's ability to deliver water to Purchaser depends, in part, on the capacity of available facilities, including, for example, reservoirs, pipelines, meters, and pump stations. Due to potential failures of equipment and infrastructure, the need of the District at its discretion to suspend service for construction, maintenance, inspection, and/or repairs, and due to limitations in water source and infrastructure capacities, the District is not a guarantor of delivery capacity to Purchaser. The allotment of contract capacity to Purchaser may serve, at the reasonable discretion of the District and pursuant to its interpretation and application of its policies, rules, and procedures as they may be amended periodically, to form the basis for the allocation of capacity among the District's various customers during capacity shortages. Should allocation of capacity among the District's customers be necessary, including peak demand periods and times of limited delivery capacity, and should the District's contractual capacity commitments be used in determining that allocation, then Purchaser's ratable allocation may be based on its then-current contract capacity as set forth on Exhibit B.

6. (a) The price(s) for water purchased by Purchaser under paragraph 1, and the cost of providing water service to Purchaser, including pumping charges and the Meter Base Charge, shall be determined annually by the District in accordance with its then-current rate methodology, policies, rules, and procedures. The District may choose periodically to change methodologies and/or to change its interpretation and implementation of any methodology it selects, and/or to adopt, amend, or abandon its policies, rules, and regulations.

(b) As of the execution of this Agreement, the District uses the Base-Extra Capacity Method of the American Water Works Association, as interpreted and implemented by the District, for pricing all water purchased under paragraph 1 of this Agreement.

(c) As of the execution of this Agreement, the District charges a monthly fee (the "Meter Base Charge") for each meter through which water purchased under this Agreement may be delivered to Purchaser. The charge recovers, in part, the District's expenses associated with the meters, including but not limited to meter reading, account billing, service and maintenance, repair, replacement, and other overhead items. The Meter Base Charge is charged monthly for each meter based on its diameter, regardless of the actual volume of water taken through the meter. For each meter identified on Exhibit B, Purchaser shall pay a Meter Base Charge as set periodically by the District pursuant to its interpretation and application of its policies, rules, and procedures as they may be amended.

(d) As of the execution of this Agreement, the District charges for pumping, if necessary, of water purchased under paragraph 1 of this Agreement. The cost of pumping includes the associated utility expenses.

(e) Based on subparagraphs 6(b) thru 6(d), but subject to change in the future as authorized by subparagraph 6(a), Purchaser shall pay to the District the sum of: (i) the price(s) set forth on Exhibit C per acre-foot of water sold to Purchaser under paragraph 1 of this Agreement and delivered between November 1 and April 30 each year (“Winter Rate”); (ii) the price(s) set forth on Exhibit C per acre-foot of water sold to Purchaser under paragraph 1 of this Agreement and delivered between May 1 and October 31 of each year (“Summer Rate”); (iii) the Winter Rate per acre-foot of water sold under paragraph 1, but not taken by Purchaser in each year; (iv) pumping costs; and, (v) the Meter Base Charge.

(f) Neither the price per acre-foot of water purchased under paragraph 1 of this Agreement nor the Meter Base Charge shall be increased before July 1, 2017. The District specifically reserves the right thereafter to increase, or otherwise change from time to time, the price per acre-foot of water purchased under paragraph 1 of this Agreement, pumping costs, and the Meter Base Charge as the District, in its sole and reasonable discretion, deems appropriate. The District shall provide written notice to Purchaser of a change in the price per acre-foot of water, pumping costs, and/or the Meter Base Charge.

7. (a) Purchaser hereby represents, warrants, and covenants to the District that:

(i) Purchaser is a “city”, “public petitioner,” and “public water user”, within the meaning of § 17B-2a-1007 of the Water Conservancy District Act (Utah Code Ann. (1953) §§ 17B-2a-1001 et seq. (the “Act”));

(ii) Within the meaning of § 1007 of the Act, the legislative body of Purchaser has duly authorized and directed its chief executive officer to petition the Board of Trustees of the District for an allotment of water, upon terms prescribed by the Board of Trustees, by delivering this Agreement to the Board; and,

(iii) Purchaser has found and determined that this Agreement constitutes a written petition on behalf of Purchaser to request the District to enter into a water contract within the meaning of § 1007 of the Act; provided, however, that assessments shall be levied only in accordance with the provisions of this paragraph 8 and applicable Utah law.

(b) The legislative bodies of the District and of Purchaser have found and determined, and it is hereby acknowledged, that:

(i) This is a petition which is in due and proper form and contains the information necessary for a lawful petition for water in conformance with the requirements of § 1007 of the Act;

(ii) The quantity of water petitioned for, when added to the present supply of water of Purchaser, makes an adequate supply for Purchaser;

(iii) It is in the best interest of the District that this petition be granted;

(iv) Purchaser and its customers/inhabitants will be benefitted thereby to an amount not less than the taxes which may be imposed by virtue of this petition;

(v) Purchaser's name is as set forth in this petition;

(vi) The quantity of water to be purchased or otherwise acquired by Purchaser is as set forth in this petition;

(vii) The water will be used on lands within the boundaries of Purchaser to the extent those lands are within the boundaries of the District (the "Lands");

(viii) The price per acre-foot or other unit of measurement, and the amount of any service, turnout, connection, distribution system charge, or other charges to be paid by Purchaser are as set forth in this petition;

(ix) Payments shall be made as set forth in this petition;

(x) The contract assessment as authorized and allowed by this petition and by the Act shall become a lien on the Lands; and,

(xi) Purchaser agrees to make payments for the beneficial use of such water together with annual maintenance and operating charges, and to be bound by the provisions of the Act and the rules and regulations adopted for the District by the Board of Trustees.

(c) To the extent permitted by law, Purchaser agrees that the District may accept and grant the petition represented hereby at any time after notice and hearing required by § 1007 of the Act, without regard to the amount of time which may have elapsed prior to the hearing or between the hearing and the acceptance and granting of



this petition. Purchaser hereby acknowledges that it is contemplated that years may elapse before the hearing or between the hearing and the acceptance and granting of this petition.

(d) If Purchaser fails to pay timely to the District any amount due under this petition, the District, with notice, may proceed to hearing and to act on this petition to levy a contract assessment on the Lands pursuant to this petition and the Act for the unpaid amounts and for any future amounts. The contract assessment, after recording of the instrument levying the assessment as required by the Act, shall be a perpetual lien on the Lands for all amounts owed as certified by the District pursuant to the Act.

(e) Collection of the levy, and further proceedings in connection with the levy of a contract assessment, shall be conducted as authorized or required by the Act.

8. It is mutually acknowledged that the District has petitions or contracts for water with the Central Utah Water Conservancy District for Central Utah Project water which require the District to pay annually for the water regardless of whether the water is called for, used, or is left unused. It is acknowledged that the District may elect to pay for this Central Utah Project water, in whole or in part, from water sales or from its own property tax levy as authorized by the Act and applicable law. It also is acknowledged that the District may elect to have all or part of any annual payment to the Central Utah Water Conservancy District paid for through the levy of a contract assessment by the Central Utah Water Conservancy District in accordance with the provisions of § 1007 of the Act, and/or in accordance with the provisions of paragraph 7 of this Agreement.

9. Purchaser shall not, outside the boundaries of the District, use, or deliver for use, or sell, or lease, or otherwise dispose of any water purchased under this Agreement.

10. (a) Amounts due from Purchaser under this Agreement, except as otherwise provided, will be billed monthly, and payments shall be due and payable within thirty (30) days of the date of the statement. A statement not paid by its due date will be considered delinquent. Delinquent amounts shall accrue simple interest of one percent (1%) per month (12% APR) until paid in full.

(b) In the event Purchaser defaults on any payment due under this Agreement, and Purchaser's default remains uncured for a period of thirty (30) days after Purchaser's receipt of written notice of its default, the District, at its sole discretion, shall be entitled to withhold delivery of water and/or terminate this Agreement and/or pursue all other remedies available to the District. No action taken by the District under this paragraph, however, shall relieve Purchaser of its obligation to pay any sum owed to the District.

11. The term of this Agreement shall be perpetual.

12. The parties may amend or terminate this Agreement at any time upon their mutual, written consent. No one other than the parties to this Agreement shall have any rights under this Agreement which would prohibit the parties from amending or terminating this Agreement if the parties mutually agree to do so.

13. (a) Purchaser shall be subject to and comply with the District's water rates, assessments, taxes, fees, policies, rules, and procedures as they may be adopted and/or amended. This Agreement and the parties are subject to the provisions of the Act, as amended.

(b) Beginning with 2017 and for each subsequent year during the term of this Agreement, Purchaser shall provide to the District an annual report of water use within

Purchaser's retail service area. The report shall be completed through the District's web portal at <jvwcd.org> by February 15 following the specific calendar year for which the report is made, and include the following information:

i. The monthly volume, in acre-feet, of municipal drinking water from each supply source, in aggregate, entering Purchaser's water delivery system, including drinking water from wells, other internal sources, other external sources, and the District; and,

ii. The monthly volume, in acre-feet, of secondary water and reuse water delivered for municipal purposes in Purchaser's retail service area. If the water is not metered, Purchaser shall provide an estimate of the monthly volume of secondary water and reuse water delivered, and a description of the method used to estimate such deliveries. Purchaser also shall include in its estimates any metered use (i.e., master metered use or metered end-use) of secondary water and reuse water delivered; and,

iii. The monthly volume, in acre-feet, of municipal drinking water delivered to Purchaser's retail customers, measured at the customer service connection, for each of the following user classes: combined residential use, combined commercial use, combined institutional use, and combined industrial use; and,

iv. Monthly estimates and the annual estimated total volume, in acre-feet, of non-revenue municipal drinking water within Purchaser's retail service area. Purchaser shall use its best efforts to account for, categorize, and provide a description of non-revenue water, including unmetered deliveries of municipal drinking water; and,

v. An estimate of the population served and a calculation of per capita water use. Purchaser shall include secondary water use and reuse water in its per capita water use calculation; and,

vi. A copy of Purchaser's annual water use data report as required by the Utah Department of Natural Resources.

(c) If records are available, Purchaser shall provide to the District, on or before September 1, 2017, the information requested in subparagraph 13(b) for each calendar year between 2000 and 2016.

14. Purchaser shall not assign this Agreement or any of its rights under it without the prior written consent of the District. The District may assign this Agreement and/or any of its rights under this Agreement.

15. All of the grants, covenants, terms, provisions, and conditions in this Agreement shall be binding upon and inure to the benefit of the successors or permitted assigns of the parties.

16. This Agreement is not intended to be a third-party beneficiary contract for the benefit of anyone, including the individual customers or constituent members of the District or of Purchaser.

17. (a) This Agreement, including exhibits, constitutes the entire agreement of the parties and supersedes all prior undertakings, representations, or agreements of the parties regarding the subject matter in this document.

(b) This Agreement supersedes and replaces the parties' prior Agreement, dated January 16, 1986, and all amendments, if any.

18. Each individual executing this Agreement does hereby represent and warrant that he or she has been duly authorized to sign this Agreement in the capacity and for the entities identified.

19. The District and Purchaser each represent and warrant that it has authority to enter into this Agreement.

20. Notices given by or to the parties shall be in writing and may be served personally or served by depositing them in the United States mail, postage prepaid, certified or registered mail with return receipt requested, addressed to the parties at the addresses set forth below, or at such other addresses as the parties may designate in writing.

“District”:

Jordan Valley Water Conservancy District

Dated: \_\_\_\_\_

By: \_\_\_\_\_

\_\_\_\_\_  
Its Chair

Address: 8215 South 1300 West  
West Jordan, UT 84088

ATTEST:

\_\_\_\_\_  
Richard P. Bay, Clerk

“Purchaser”:

Midvale City

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

ATTEST:

\_\_\_\_\_

EXHIBIT A

MINIMUM AMOUNT OF WATER

YEAR	MINIMUM AMOUNT (AF)
2017 and 2018	400
2019, and each year thereafter	2,200

EXHIBIT B

POINTS OF DELIVERY, CAPACITY, AND FLOW RATES

ADDRESS	METER INFORMATION	CONTRACT CAPACITY
	DIAMETER (INCHES)	MAXIMUM DAILY FLOW RATES <sup>(a)</sup> (GPM)
NON-PUMPED:		
175 East 7500 South (East)	6"	50
175 East 7500 South (West)	6"	0
175 West 7500 South	10"	50
7613 South 700 East	16"	1,064
1200 East 9400 South	12"	200
2019 and thereafter TOTAL:		1,364 GPM

Notes:

- (a) Maximum average flow rate over twenty-four (24) hours (GPM) for each meter station. If there are multiple meters at one (1) address, the maximum flow rate limit will apply to the combined total of all meters at a specific meter station address.



EXHIBIT C

WATER RATES EFFECTIVE THROUGH JUNE 30, 2017

PRESSURE ZONE	SUMMER RATE (\$/AF)	WINTER RATE (\$/AF)
Non-pumped	\$416.99	\$339.59
<u>Notes:</u>		



## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: June 20, 2017

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**SUBJECT:** **Proposed Amendments to the Midvale Policies and Procedures Manual**

**SUBMITTED BY:** **Rori Andreason, HR Director/City Recorder**

**SUMMARY:**

As discussed with the City Council on Tuesday, June 13, 2017, each year amendments are proposed to the Midvale City Personnel Policies and Procedures Manual to address changes in the laws or issues that have risen over the previous year. The proposed amendments are highlighted in yellow in the attached document.

The Midvale City Personnel Policies and Procedures Manual are adopted by Resolution by the City Council each year.

**FISCAL IMPACT: N/A**

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**STAFF'S RECOMMENDATION AND MOTION: I move that we approve Resolution No. 2017-R-26 Approving Amendments to the Midvale City Personnel Policies and Procedures Manual as presented.**

**Attachments: Proposed Resolution  
Midvale City Personnel Policies and Procedures**

**MIDVALE CITY, UTAH**

**RESOLUTION NO. 2017-R-26**

**A RESOLUTION ADOPTING AMENDMENTS TO THE  
MIDVALE CITY POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, the City Council adopted the most recent version of the Midvale City Policies and Procedures Manual by Resolution in September 2016; and

**WHEREAS**, periodic reviews of the City’s policies and procedures are conducted by City Staff and the City Council in order to update policies and be consistent with legislative changes; and

**WHEREAS**, the City Council finds the revisions to the Midvale City Policies and Procedures Manual to be in the best interest of the City,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE CITY, UTAH:**

**Section 1.** The City Council hereby desires to approve the proposed Midvale City Policies and Procedures Manual (Exhibit A).

**Section 2.** This Resolution shall take effect immediately upon passage.

**APPROVED AND ADOPTED** this 20<sup>th</sup> day of June 2017.

\_\_\_\_\_  
JoAnn B. Seghini, Mayor

ATTEST:

\_\_\_\_\_  
Rori L. Andreason, MMC  
City Recorder

Voting by the City Council	“Aye”	“Nay”
Stephen Brown	_____	_____
Paul Glover	_____	_____
Quinn Sperry	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____



# MIDVALE CITY POLICIES AND PROCEDURES MANUAL

Adopted June 20, 2017 by Resolution No. 2017-R-26



## EMPLOYEE ACKNOWLEDGMENT MIDVALE POLICIES AND PROCEDURES MANUAL

I **CERTIFY** that on \_\_\_\_\_ I received a copy of the Midvale Policies and Procedures Manual.

I **UNDERSTAND** that this Manual supersedes any and all prior written personnel policies or manuals issued by the City.

I **UNDERSTAND** that receipt of this Manual constitutes a legal notification of the contents and that it is my responsibility to become familiar with and adhere to the policies and procedures that are stated herein.

I **UNDERSTAND** that the information in this Manual is subject to change at any time, solely at the discretion of the City, with notice to the employee. It is my responsibility to keep informed of these changes and file updated material as I receive it.

I **UNDERSTAND** that no verbal or written agreements, understandings, representations or statements made by my supervisor, or anyone, can change the policies outlined in this Manual, or bind the City to any course of action.

I **UNDERSTAND** that the policies and statements contained in this Manual and in other statements that may be issued from time to time do not create a contract or agreement, actual or implied of any kind or nature, between the City and its employees.

I **UNDERSTAND** that when my employment with the City ends, I have an obligation to satisfy all financial obligations related to my employment by the City. In the event, I do not satisfy those financial obligations, I expressly authorize a deduction from my final paycheck to satisfy any remaining personal financial obligations.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name (Please Print)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness



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## **PART I - INTRODUCTION**

### 1.1 WELCOME TO MIDVALE CITY

Welcome to employment with Midvale City!

An interesting and challenging experience awaits you as an employee of the City. If you are a new employee, we welcome you to our team.

This Manual is designed to acquaint employees with the City and to provide information about working conditions, employee benefits, and policies affecting employment. It is designed to provide a general understanding of our personnel policies, as well as to describe some of the City's rules, regulations, expectations, programs, and benefits available to eligible employees. Please familiarize yourself with its contents as soon as possible as each employee must certify that they have been issued a copy of this manual.

**This Manual is provided for general guidance only. It is not comprehensive, does not address all employment issues or policy exceptions, and is not intended to provide specific details in all areas. The policies and procedures expressed in this book, as well as those in any other personnel materials which may be issued from time to time, do not create a binding contract. The City disclaims any construction of this handbook as, or implication of, an employment contract.**

This Manual should not be construed to limit the City's right to terminate an employee's job or to create any other obligation or liability on the City. The City reserves the right to unilaterally change, or make exceptions to the policies and procedures stated in the Handbook at any time for any reason.

The City has the exclusive right to add, delete, supplement, change or modify anything in this Handbook or any other work rule, policy or procedure at any time, without notice.

When a question is raised regarding the meaning or application of any employment rule, policy or procedure, whether or not contained in this Handbook, City Management has the exclusive right to make the final determination as to its meaning or application. No interpretation or clarification or any employment rule, policy or procedure is effective or binding unless it is in writing and approved by the City Manager.



The City has the sole and exclusive right to determine whether particular conduct that may be described in this Handbook, or any other employment rule, policy, or procedure is not in the best interest of the City or its operations, and therefore warrants disciplinary action or termination of employment. City Management exclusively will determine whether any particular conduct violates any rules. The City has the exclusive right to determine the type, sequence and severity of discipline, if any, for violation of rules. The City's decision or judgment on the foregoing matters is final and binding.

No employee, agent or representative of the City has any authority to enter into any agreement with you for employment for any specified period or to make any promises or commitments contrary to the foregoing. Any actual employment agreement must be in writing and signed by the Mayor.

This version of the Employee Manual renders all previous versions null and void.

Please read this policy manual carefully and keep it for future reference. Reviewing it from time to time will help you refresh your memory about policies and procedures that affect you on a daily basis in your job.

We hope that your experience here will be both rewarding and productive and again we welcome you here to employment with Midvale City.

## 1.2 MISSION STATEMENT

### Midvale City Mission Statement:

***“Realizing that a community is dynamic and changing, the mission of Midvale City is to assess community needs, respond to emerging conditions and to provide a quality environment that is safe, preserves neighborhood and individual health, and promotes cooperative problem solving and communication.”***

## 1.3 MIDVALE CITY GOVERNMENT

Midvale City operates under a Traditional form of government and is a City of the third class as determined by Utah law. Hence, it is governed by a six-member Council comprised of five Council Members and a Mayor. The Mayor votes only to break a tie-vote of the Council. The Mayor serves as the Chief Executive Officer and the City Manager serves as Chief Administrative Officer overseeing the day-to-day administrative functions of the City.

## 1.4 EMPLOYEE PHILOSOPHY

The personnel policies of Midvale City are based on the belief that the success of the City and its services are primarily dependent on you, the employee.



Midvale City will provide you with as much training as possible so that you might achieve the satisfaction and happiness that comes with the knowledge of work well done. In addition, the City will strive to provide you with a work environment designed to promote your success and will also recognize the attainment of your goals. Everyone at Midvale City has the opportunity to succeed.

## 1.5 EMPLOYEE RELATION GOALS

Management and employees work towards the same goal. That goal is to bring effective and economical municipal services to the citizens of Midvale. This goal can be effectively achieved with management and employee cooperation. It is important for the management to realize and consider the talents, abilities, and experience of employees. It is likewise important for the employees to respect the experience and judgment of management in the operation of the City. Management shall, at all times, give due consideration to all employee suggestions concerning methods by which the effectiveness and economy of municipal services can be improved.

We have the following goals regarding our employees:

- To maintain a competitive and equitable compensation program.
- To offer each employee the opportunity for growth.
- To provide an open forum for employee/employer communication.

Our sincere belief is that the best and most rewarding employee-management system results from a direct relationship between management and employees.

We encourage you to bring your problems to your supervisor or Department Head. If these individuals are unable to assist you, we encourage you to discuss your issues with the Human Resource Director, City Attorney or the City Manager. We will listen to your concerns with respect and do our best to solve your problems. Management accepts responsibility to provide favorable working conditions and competitive pay and benefits.

## 1.6 MIDVALE EMPLOYEE ASSOCIATION

The Midvale Employee Association is the only group that serves as a liaison between the administration and employees of the City. This group is not considered a bargaining unit.

The City Manager and/or his/her designee shall meet with representatives of the Employee Association as needed. The City will provide Employee Association representatives reasonable paid time on the job each month for Employee Association business, meetings, and other related duties.



## **PART II - EMPLOYMENT POLICIES**

### **2.1 EQUAL EMPLOYMENT OPPORTUNITY**

The City of Midvale is an “Equal Opportunity Employer” and selects, hires, promotes, and compensates employees without regard to race, religion, pregnancy, age, disability, gender, color, national origin, or any other protected status. The City evaluates applicants for employment or candidates for promotion based upon their knowledge, skills, experience, education, and potential for job performance consistent with the needs of the position.

The City will make reasonable accommodations for qualified individuals with known disabilities, unless doing so would result in an undue hardship on the City. This policy governs all aspects of employment including recruitment, selection, job assignment, compensation, discipline, termination, and access to benefits and training.

The City adheres to applicable federal and state law regarding veterans’ preference criteria when making decisions with respect to initial, new hiring. It is City policy that veterans’ preference does not apply to promotional opportunities. Applicants for initial employment with the City shall be required to provide reasonable documentation and records as proof of any claimed veterans’ preference.

City employees found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including, termination of employment.

### **2.2 SEXUAL HARASSMENT, HARASSMENT, BULLYING AND DISCRIMINATION POLICY**

#### **2.2.1 PROHIBITION AGAINST SEXUAL HARASSMENT, HARASSMENT, DISCRIMINATION OR BULLYING**

Midvale City is committed to providing a work environment free from discrimination, harassment, bullying, and retaliation (victimization), and providing equal employment opportunities for all employees, applicants, and trainees. Employees must treat others with dignity and respect and should, themselves, be treated with dignity and respect. Employees should always consider whether their words or conduct could be offensive. Whether conduct violates this policy is not dependent upon the intent of the person who engages in the conduct. What matters is how the conduct is received and whether a reasonable person would find the conduct offensive and violates their dignity.



All allegations of harassment or bullying are taken seriously and addressed promptly. Any investigation will be conducted with the greatest degree of confidentiality consistent with completing a fair and thorough investigation.

Harassment or bullying by an employee will be treated as a disciplinary matter up to and including termination.

a. SEXUAL HARASSMENT

All employees of the City have the legal right (Title VII of the Civil Rights Act of 1964) to work in an environment free from sexual harassment. In addition, all individuals making application for employment with the City have the right to expect an environment free from sexual harassment.

Sexual harassment is an unlawful activity, which violates City policy. It is prohibited as a form of sex discrimination. It is unacceptable behavior that will not be tolerated at any level. Any employee who engages in any form of sexual harassment or inappropriate sexual conduct shall be subject to disciplinary action up to and including termination.

Sexual harassment, according to the federal Equal Employment Opportunity Commission (EEOC), consists of unwelcome sexual advances, requests for sexual favors or other verbal or physical acts of a sexual nature or sex-based nature where:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment.
- An employment decision is based on an individual's acceptance or rejection of such conduct.
- Such conduct interferes with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

It is also unlawful to retaliate or take reprisal in any way against anyone who has filed a complaint about sexual harassment or sexual discrimination.

The City and its supervisors, employees, and agents are under a duty to investigate and eradicate any form of sexual harassment or sex discrimination or complaints about such conduct. In addition to prohibiting sexual harassment by its employees, the City will not tolerate sexual harassment of its employees by its citizens, contractors, and/or vendors.



The City's management is committed to vigorously enforcing this prohibition of sexual harassment at all levels of the organization. This prohibition against sexual harassment is in effect at all times and in all places.

b. HARASSMENT/DISCRIMINATION

"Harassment" is a serious, severe or pervasive conduct, that is unwanted or offensive that has the purpose or effect of violating a person's dignity or creating an intimidating, humiliating, hostile or offensive environment. Discrimination and harassment (based on race, color, sex, pregnancy, age, national origin, religion, language, social origin, disability, genetic information, sexual orientation, veteran status, gender identity, or other categories protected by applicable law) will not be tolerated. Discrimination also includes treating someone less favorably because they have submitted or refused to submit to such behavior in the past.

Examples of potential harassment:

- Unwanted and inappropriate physical contact or horseplay, including touching, pinching, pushing, grabbing, unnecessary brushing against someone, invading personal space and physical or sexual assault.
- Unwelcome sexual advances or suggestive behavior, and suggestions that sexual favors may further a career or that a refusal may hinder it.
- Stalking or persecuting a person with unwanted attentions, gifts, or messages.
- Continued suggestions for dating, romance, or social activity after it has been made clear that the suggestions are unwelcome.
- Sending or displaying material that is pornographic or that some people may find offensive (including e-mails, text messages, video clips and images sent by mobile phone or posted on the internet).
- Offensive or intimidating comments or gestures, or insensitive jokes or pranks that undermine the dignity of the person.
- Mocking, mimicking or belittling a person's physical condition or age.
- Racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic, social, linguistic or religious group, or gender.
- Outing or threatening to out someone as gay or lesbian.
- Shunning someone, for example, by deliberately excluding them from a work related conversation or a workplace social activity

Persons may perceive harassment even if they are not the intended target if it creates an offensive environment for them.



### C. BULLYING

“Bullying” is offensive, intimidating, malicious or insulting behavior involving the misuse of power that makes a person feel vulnerable, upset, humiliated, undermined or threatened. “Power” does not always mean being in a position of authority, but can include both personal strength and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal and non-verbal conduct. What matters is how the conduct is received and whether a reasonable person would find the conduct offensive, intimidating, malicious or insulting.

Examples of potential bullying:

- Shouting at, being sarcastic towards, ridiculing or demeaning others
- Physical or psychological threats
- Acts of physical or psychological violence
- Creation of arbitrary standards for one person, imposing unrealistic demands, micromanaging work, or using supervision to intimidate a person.
- Inappropriate, exaggerated or untrue derogatory remarks about someone’s performance, particularly in front of others.
- Sabotage at work
- Abuse of authority or power by those in positions of seniority
- Deliberately excluding someone from meetings or communications without good reason, or encouraging others to do so
- Taking credit for another’s work

Legitimate, reasonable, and constructive criticism of a worker’s performance or behavior, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

#### 2.2.2 STATEMENT OF PENALTIES FOR MISCONDUCT

An employee’s commission of acts of sexual harassment, harassment, bullying, and/or retaliation will result in disciplinary procedures as outlined in this manual. Discipline shall depend on the nature or severity of the misconduct. All records concerning sexual harassment, harassment, or bullying complaints or the results of disciplinary actions shall be maintained and stored in the City’s Human Resource Department as protected files.

#### 2.2.3 COMPLAINT PROCEDURE

Each employee is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise unlawful, and for respecting the rights of their coworkers.



Employees that experience or are witness to any job-related harassment based on sex, race, or another protected class, or believe you or someone else have been treated in an unlawful, discriminatory manner, are required to promptly report the incident either in writing or verbally to a Supervisor, Department Head, Human Resource Director, City Attorney, Assistant City Managers, or City Manager. The normal chain of command does not need to be followed. Complaints will be handled in a confidential manner. The following procedure will guide the investigation of harassment claims:

- Employees shall immediately file a harassment complaint either in writing or verbally with a Supervisor, Department Head, Human Resource Director, City Attorney, Assistant City Managers, or City Manager. Employees can raise concerns and make reports without fear of reprisal.
- The City Manager or designee will promptly conduct a thorough investigation of the alleged harassment complaint. The investigation will be handled in a confidential manner with information disseminated on a strict need-to-know basis. Every employee who is given information regarding the complaint will be informed of the need to preserve the confidentiality of the information they receive.
- Any employee of the City who is accused of harassment shall not question, coerce, intimidate, or retaliate in any way against the employee who has filed a complaint or against employees who have provided information concerning the complaint.
- All employees shall fully cooperate in any investigation of harassment or retaliation. Disciplinary action will be taken against any employee who obstructs or does not fully cooperate with any investigation of harassment or retaliation.

#### 2.2.4 TRAINING

As part of the City's employment orientation, new employees will be given a copy of the City's harassment policy and sign a statement that they have received it. The City will strive to provide employees with training at least annually about the City's harassment policy and reporting procedures.

#### 2.2.5 INVESTIGATION OF ALLEGED ILLEGAL HARASSMENT, DISCRIMINATION, BULLYING OR SEXUAL HARASSMENT

Any employee, who believes he/she has been the victim of any illegal discrimination, bullying, or harassment or wants to report an incident, should promptly report the matter to his or her supervisor. If the supervisor is





unavailable or the employee believes it would be inappropriate to contact that person, the employee should immediately contact the Department Head, Human Resources Director, Assistant City Managers, City Attorney, or the City Manager. Employees can raise concerns and make reports without fear of reprisal.

Any supervisor or manager who becomes aware of possible illegal discrimination, bullying, or any type of harassment should promptly advise the City Manager or any member of management who will report the concern to the Equal Employment Opportunity (EEO) Officer of the City. The City Manager is the EEO Officer for the City. The City Manager will conduct a timely and confidential investigation of all claims or reports of harassment. The City Manager may delegate a representative or agent to conduct fact finding on his/her behalf. As part of the investigation, the City Manager or his/her designee will meet with the employee bringing the complaint to determine the nature of the harassment, make inquiry about what remedy the employee is seeking, and otherwise determine the focus of the investigation.

Should the investigation disclose that evidence exists on which to determine that illegal discrimination, bullying or harassment has occurred, the individual(s) found engaging in such prohibited activity will be subject to disciplinary action, up to and including termination of employment. Consideration will be given to the nature, the severity and the circumstances of the illegal discrimination or harassment. During an investigation the Department Head, with the approval of the City Manager, will have the authority to temporarily restructure work assignments, change work conditions, and separate involved and interested parties in the interests of maintaining a work environment free from any potential threat, hostility or intimidation. While all materials, records and notes about the investigation shall remain confidential, any disciplinary action taken as the result of such investigation shall be made a matter of record in the involved employee's personnel file.

Investigations will include interviews with individuals involved in, or who have knowledge of the events, circumstances or conditions surrounding any complaint of discrimination or harassment. Investigations shall be conducted and concluded within reasonable time frames, generally not to exceed 30 days. Investigations will report and record findings of fact, conclusions based upon those facts, including reasonable beliefs supported by evidence and record, and will outline actions to be taken.

The City Manager will, upon the completion of an investigation, act within thirty (30) days on the investigation's findings of fact, conclusions and recommendations to determine what, if any, disciplinary action should be taken. The City Manager will review the investigation with the City Attorney and the



Human Resource Director to determine what action is contemplated. In addition to disciplinary action, the City Manager has the right to direct an appropriate and reasonable remedy to work conditions, or to direct a change in procedures, and otherwise act to correct, modify or change work environments in order to enforce this policy.

### 2.3 AMERICANS WITH DISABILITIES ACT AND REASONABLE ACCOMMODATION POLICY

It is the policy of Midvale City to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is City policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The Human Resource Director is designated as the Americans with Disabilities Act (ADA) Coordinator for Midvale City. The City will reasonably accommodate qualified individuals with a disability so they can perform essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation or if the accommodation creates an undue hardship to Midvale City.

An employee may seek reasonable accommodations related to pregnancy, childbirth, breastfeeding, or related conditions unless the requested accommodation creates an undue hardship to Midvale City. This policy does not allow an employee to bring their child to the workplace.

A certification from your health care provider concerning the medical advisability of a requested accommodation is required. The certification must include the date the requested accommodation becomes medically advisable, the probable duration of the reasonable accommodation, and an explanatory statement as to the medical advisability of the reasonable accommodation.

#### **PROCESS:**

1. A reasonable accommodation request must be submitted in writing to the Human Resource Director.
2. The Human Resource Director will begin the process by determining whether the employee is a “qualified individual with a disability”.
3. The Human Resource Director will review the essential job duties of the position, engaging in an interactive process with the employee and conducting a careful analysis of the employee’s requested accommodation.



4. The employee will be notified in writing of the decision regarding the reasonable accommodation request.

Contact Human Resources with any questions or requests for accommodation.

Individuals who are currently using illegal drugs are excluded from coverage under the City's ADA policy.

## 2.4 EMPLOYEE LIABILITY

An employee who becomes aware of any occurrence which may give rise to a lawsuit, who receives a notice of claim, or is sued because of an incident related to his/her employment, shall immediately notify their Supervisor, Department Head, and/or City Attorney. In most cases, under provisions of the Governmental Immunity Act (Section 63-30-36 and 37 of the Utah Code), employees shall receive defense and indemnification unless the case involves fraud, malice, or the use of alcohol or drugs by the employee. If a lawsuit results against an employee, the Governmental Immunity Act stipulates that the employee must request a defense from the City in writing within ten (10) calendar days of receipt of the lawsuit from the City.

## 2.5 CONFIDENTIALITY

Unless authorized, City employees shall not interfere, offer advice, or otherwise make comment regarding any incident surrounding a City legal issue, pending court case regarding City business, or employee disciplinary action to the public or other City employees. Inappropriate release or discussion of confidential City information to unauthorized individuals will result in disciplinary action and possible termination.

## 2.6 PERSONNEL FILES

The City maintains personnel files on each employee. These files contain documentation regarding all aspects of your tenure with the City, such as performance appraisals, beneficiary designation forms, disciplinary warning notices, and letters of commendation. If you are interested in reviewing your file, contact the Human Resource Department to schedule an appointment.

Your personnel file is a permanent record and the information entered in it will remain in it. However, written warnings and other disciplinary actions may have follow-up progress reports attached by your supervisor if they feel it appropriate. In addition, you have the right to attach your own comments to anything in your personnel file.

Documentation of disciplinary action may not be removed from an employee's personnel file for a minimum of three (3) years from the time the action is closed and unless agreed to as part of the disciplinary procedure. An agreement to remove



disciplinary documents from the employee’s personnel file must be approved by the City Manager.

To ensure that your personnel file is up-to-date at all times, notify Human Resources of any changes in your name, telephone number, home address, marital status, number of dependents, beneficiary designations, scholastic achievements, emergency contacts and so forth.

**HIPAA PRIVACY REGULATIONS:** The City is compliant with the privacy portion of the Health Insurance Portability and Accountability Act (HIPAA). The privacy section requires the proper protection of Personal Health Information (PHI). The City has implemented procedures to safeguard the access to all health documentation. Employees who have access to any PHI are required to comply with the privacy policy and will limit use of this documentation to the minimum necessary to accomplish their required work.

## 2.7 SEPARATION OF EMPLOYMENT

Employees who voluntarily resign may receive an exit interview administered by the Department Head, Human Resource Director, or designee. Employees who resign and desire to remain in good standing with the City, should give a minimum two (2) week notice. Otherwise, they may not be considered for re-employment at a future date. Such notice should be given in writing to your Supervisor and Department Head.

Proper notice generally allows the City sufficient time to calculate accrued vacation, compensatory time and/or other monies to which the employee may be entitled and to include such monies in their final paycheck. At the time of termination, the employee will return all Midvale City uniforms, keys, identification tags, badges, and other issued City equipment. Employees should also leave a forwarding address with the Human Resource Department in order for the mailing of the W-2 at the end of the year.

### 2.7.1 RETIREMENT

A full-time employee with at least ten (10) years of service with the City or five (5) years of service at age 60 qualifies to be a retired employee. The age that qualifies an employee for full social security benefits shall not be a traditional retirement age for employees. No employee will be required to retire or be removed from City service for reasons unrelated to work performance or elimination of position.

### 2.7.2 RETIREMENT GIFT

A full-time employee qualifying as a retired employee will also qualify to receive a retirement gift from the City based on the following years of service:

Years of Service

Gift Certificate Amount



1-9 Years	\$100
10-19 Years	\$200
20+ Years	\$300

You are urged to provide the City with a minimum of two months notice when you are nearing retirement. This will allow ample time for the processing of appropriate pension forms to ensure that any retirement benefits to which you may be entitled commence in a timely manner.

All outgoing employees are required to contact Human Resources to ensure all necessary forms are completed and to ensure all City property has been turned into your Department Head.

### 2.7.3 LIFE INSURANCE CONTINUATION

The City's life insurance plan has a conversion option. When you leave employment, you may convert to an individual policy. Contact Human Resources for more information.

### 2.7.4 DISABILITY INSURANCE CONTINUATION

The City's disability insurance also has a conversion option. When you leave employment, you may convert to an individual policy. Contact Human Resources for more information.

### 2.7.5 CONTINUATION OF GROUP HEALTH PLANS (COBRA)

Federal law requires employers to offer a temporary continuation of group health plan coverage to qualified beneficiaries. Employees covered by an employer's group health plan and/or spouses and dependent children may qualify, including children born after the qualifying event. The continuation period is generally 18 months, but can be extended. Please contact Human Resources for more information.

### 2.7.6 HEALTH INSURANCE PORTABILITY (HIPAA)

The Health Insurance Portability and Accountability Act is designed to help ensure portability of health coverage for individuals and families who move from one employer health benefit plan to another, and to protect your health information. The act places several significant obligations on Midvale City and our group health plan providers, including a requirement to issue a Certification of Credible Group Coverage to employees and their eligible dependents when coverage under the City's health plan ends. These certifications provide documentation of prior coverage which terminating employees and their dependents may need to reduce preexisting condition limitations when enrolling in a new health plan benefit.



### 2.7.7 RETIREMENT EARLY WITHDRAWAL PENALTIES

You may withdraw part or all of your retirement accounts upon termination. There is a 10 percent penalty on withdrawals from the State Retirement (if applicable) and ICMA RC 401(a) systems. The IRS requires a 20 percent withholding of the withdrawn funds. This 20 percent does not change the penalty or taxes due. As usual, any funds withheld in excess of the taxes and penalties due are refunded after you file your taxes for the year. You may avoid the taxes and penalties by leaving your money in the plan or rolling it into another qualified plan. You may obtain all appropriate paperwork from the Human Resources Department.

## 2.8 SUPERVISOR & SUBORDINATE RELATIONSHIPS

Midvale City does not permit romantic relationships or dating between supervisors and subordinates. For purposes of this policy, a supervisor includes any supervisor within the same line of authority as the subordinate or any person charged with evaluating the subordinate. If such a relationship develops, the supervisor involved is responsible to immediately disclose the existence of the relationship in writing to his/her Supervisor and Department Head.

## 2.9 COMPLAINT RESOLUTION PROCEDURE

Misunderstandings or conflicts can arise in any organization. To ensure effective working relations, it is important that such matters be resolved before serious problems develop. Most incidents resolve themselves naturally; however, should a situation persist that you believe is detrimental to you or the City, you should follow the procedure described here for bringing your complaint to management's attention:

### 2.9.1 STEP ONE

Discussion of the problem with your immediate supervisor is encouraged as a first step. If, however, you don't believe a discussion with your supervisor is appropriate, you may proceed directly to Step Two. If you have a claim of discrimination involving a protected class such as race, color, religion, sex, national origin, age, disability, genetics or other protected class according to federal and state law, retaliation, harassment or other unlawful treatment, you should report it immediately to a Supervisor, Department Head, City Attorney, Human Resources Director, Assistant City Managers, or City Manager.

### 2.9.2 STEP TWO

If your problem is not resolved after discussion with your supervisor or if you feel discussion with your supervisor is inappropriate, you are encouraged to request a meeting with your Department Head. In an effort to resolve the problem, the Department Head will consider the facts, conduct an investigation, and may also review the matter with Human Resources. You will normally



receive a response regarding your problem within ten (10) calendar days of meeting with your Department Head.

The Department Head is the final level of review except for terminations, suspensions for more than two days without pay, or involuntary transfers from one position to another with less remuneration for any reason.

### 2.9.3 STEP THREE

If you are not satisfied with your Department Head's decision regarding a termination, suspension for more than two days without pay, or involuntary transfer to a position with less remuneration and you are a regular employee (not appointed, part-time, temporary or probationary), you may appeal the decision to the City Manager. You must file a written notice of appeal with the City Recorder within ten (10) calendar days after the Department Head provides notice of the final decision.

### 2.9.4 STEP FOUR

If you are not satisfied with the City Manager's decision regarding a termination, suspension for more than two days without pay, or involuntary transfer to a position with less remuneration and you are a regular employee (not appointed, part-time, temporary or probationary), you may appeal the decision to the Employee Appeal Board. You must file a written notice of appeal with the City Recorder within ten (10) calendar days after the City Manager provides notice of the final decision.

The Employee Appeal Board consists of a hearing officer appointed by the Mayor with the advice and consent of the City Council.

The City does not tolerate any form of retaliation against employees availing themselves of this procedure. The procedure should not be construed, however, as preventing, limiting or delaying the City from taking disciplinary action against any individual, up to and including termination in circumstances (such as those involving problems of overall performance, conduct or demeanor) where the City concludes disciplinary action to be appropriate.

Contact your Department Head or Human Resources for more details and information on this process.



## **PART III - COMPENSATION POLICIES**

### 3.1 CLASSIFICATIONS OF EMPLOYMENT

#### 3.1.1 FULL TIME

Employees regularly scheduled to work 40 hours or more per week with full participation in employee benefits based on full-time status.

#### 3.1.2 PART-TIME

Employees regularly scheduled to work less than 30 hours per week, and who are not categorized as seasonal or temporary. Employees working less than 30 hours per week shall not be eligible for any benefits and should be listed as a Grade 99 on the pay scale.

#### 3.1.3 QUALIFIED PART-TIME

Employees regularly scheduled to work an average of 30 hours per week but less than 40 hours per week, and who are not categorized as seasonal or temporary. These employees are eligible for employee benefits at  $\frac{3}{4}$  time except for health benefits, which will be paid the same as full-time employees.

#### 3.1.4 PROBATIONARY

Employees whose performance is being evaluated and determined whether further employment or retention in a specific position with the City is appropriate.

#### 3.1.5 TEMPORARY

Employees hired through outside employment agencies to work at Midvale City to supplement the work force or to assist in the completion of a specific project and whose employment is limited in duration. Temporary employment assignments will not exceed beyond six (6) months in a fiscal year. Temporary employees are not eligible for City benefits. Temporary employees may be terminated at-will, without cause or prior notice.

#### 3.1.6 NON-EXEMPT

Employees who are entitled to receive overtime pay or compensatory time for hours worked over 40 in a workweek as defined by the Fair Labor Standards





Act. The City follows the provisions set-forth in Section 553.25 of the Department of Labor “Conditions for use of compensatory time.”

### 3.1.7 EXEMPT

Employees are those who are exempt from the overtime pay provisions of the Fair Labor Standards Act and do not receive overtime pay. Exempt employees perform work that is executive, administrative, or professional in nature and requires regular exercise of discretion and independent judgment.

### 3.1.8 DEPARTMENT HEADS

Senior management employees in an Exempt status performing work that is executive, administrative and professional in nature and requires regular exercise of discretion and independent judgment. These employees are not entitled to overtime pay or compensatory time off.

## 3.2 POSITION TITLE CHANGES

Any change to a position title must be approved by the City Manager prior to the change.

## 3.3 ADVANCED EDUCATION AND/OR CERTIFICATION DOCUMENTATION

Any employee obtaining advanced degrees, training, licenses, or certifications must submit copies to the Human Resource Department immediately upon completion.

## 3.4 PROBATIONARY EMPLOYEE

Part-time (employees scheduled to work less than 30 hours per week), temporary, seasonal, and intern employees are on permanent probationary status, without limit of time.

All new full-time employees who are hired with intention of becoming regular employees are required to serve six (6) months in a probationary status. At the end of your probationary period, your supervisor will evaluate your performance. If your performance during the probationary period is satisfactory, you may be eligible for a 0 – 5% increase (as budget allows) as determined by your Department Head and with approval of the City Manager. During your first year of employment, you will not be eligible for a merit increase.

If the employee’s performance is unsatisfactory, the employee may be notified in writing of performance deficiencies and given an opportunity to correct his/her performance problems. The probationary period may be extended up to but not exceeding an additional six (6) months at the discretion of the Department Head and with the City Manager’s approval. If the employee’s job performance continues to be



unsatisfactory, the employee shall be notified in writing of failure to complete the probationary period and will be terminated.

Employees, who are promoted or transferred within the City, must complete a secondary probationary period of the same length with each reassignment to a new position with no increase at the end of the probationary period. Any continuous absence in excess of ten (10) working days will automatically extend a probationary period by the length of the absence as determined by the Department Head.

During the probationary period, including the secondary probationary period that results from a promotion or transfer within the City, the employee may be terminated at-will, at any time, without cause or for no reason at all. At-will employees have no right to grievance reviews or to appeal their termination.

### 3.5 PROMOTION

A promotion is defined as advancement in a career-ladder structure from one grade and salary range to another. A reclassification is not considered a promotion. Employees who are promoted will begin a new probationary period for the new position related to work performance only. Employees who are promoted are not eligible for a probationary increase. Employees who are promoted will advance to the new grade and salary range for that position. The promoted employee may advance to the minimum salary of the new salary range with a minimum 5% increase. If the employee's qualifications and experience warrant, the employee may receive more than the policy allows with City Manager approval. The City Manager shall approve all promotional salary increases above the minimum of the salary range. The employee's anniversary date will remain the same.

If a promoted employee is not successful in the new position within the probationary period, he/she may be placed back in the position held immediately prior to the promotion, or to another position, subject to availability and the employee's qualifications. If a full-time merit employee cannot be returned to his/her former or similar position, he/she will be placed on the Reinstatement list and shall be subject to all reinstatement rights and privileges.

### 3.6 RECLASSIFICATION

The City assigns each position a classification code and salary range, as established by the City's compensation model. The compensation model reflects internal and external equities, based upon assigned duties and responsibilities and market comparisons. Market research is conducted annually by the Human Resource Director in cooperation with other individual Department Heads.

When the duties and responsibilities of a position change significantly, the Department Head shall submit the draft job description to the Human Resource



Director who will prepare a new job description. The revised job description will be reviewed by the Human Resource Director to determine if the change in job duties warrants a reclassification to a higher pay grade. Reclassification of a position does not require the position to be reposted.

The Department Head shall include sufficient funds in the department's budget request for the subsequent year if the new salary range requires an increase in compensation for the affected employee. The effective date of any reclassification shall be after funds are appropriated by the City Council. A qualified employee in a position, which is reclassified to a higher salary range, shall be entitled to a salary adjustment to the minimum of the new beginning minimum salary for the grade. If the employee's qualifications and experience warrant, the employee may receive higher than the beginning minimum salary for the grade of the position with the approval of the Department Head and the City Manager. If the position is reclassified to a lower salary range, the affected employee's salary will remain the same or be reduced to the maximum of the new salary range, whichever is less.

All reclassification adjustments in excess of the base salary of the salary range must be justified in writing by the Department Head and submitted for approval by the City Manager. In all instances, particular attention should be given to the impact the proposed reclassification will have on existing employees.

Reclassification may take place at any time during the budget year. Reclassification adjustments will become effective upon the date the employee is approved for the reclassification. Department Heads must take into consideration the budget impact and get appropriate budget approvals for non-budgeted reclassifications.

### 3.7 REORGANIZATION

A reorganization occurs when an existing position or job is completely eliminated and the incumbent is without a position or job. The incumbent can then be assigned to a vacant position for which he or she is qualified. The addition of duties to a current job and/or the changing of a job title, without the elimination or addition of a position may be considered reorganization.

Newly created jobs, as distinguished from the addition of duties to a current job, that include titles and salaries are NOT considered to be reorganizations. The Hiring Policy must be followed.

All reorganization adjustments in excess of the base salary of the salary range must be justified in writing by the Department Head and submitted for approval by the City Manager. In all instances, particular attention should be given to the impact the proposed reorganization will have on existing employees.



Reorganizations may take place at any time during the budget year. Reorganization adjustments will become effective upon the date the employee is approved for the new position. Department Heads must take into consideration the budget impact and get appropriate budget approvals for any reorganization.

### 3.8 DEMOTION

A demotion is defined as either a voluntary or involuntary pay grade change that places the employee in a lower pay grade than his/her current pay grade status. An employee who is demoted may have his/her salary reduced by the percent of promotional increase received when he/she was promoted to the position. If the employee being demoted has not been previously promoted with the City, his/her salary will be frozen if it is above the salary range maximum of the new pay range. The employee's salary will remain frozen until the salary range maximum of the new grade is increased. The City Manager shall approve all demotion salary changes.

An employee that has been demoted will be placed on a six month probationary period. At the end of that probationary period, a performance evaluation will be conducted to determine the employee's ability to perform the job.

### 3.9 INVOLUNTARY TRANSFER

An involuntary transfer is defined as a move from one department or division to another, when the employee retains the same or lower job grade. If a transfer is made in conjunction with a demotion/disciplinary action, refer to "Demotion" above. In the case of demotion or transfer to position of lower grade, the salary shall be frozen if it is currently above the grade being demoted to until the grade catches up to the current salary. Department Heads may transfer employees within their department. If a transferred employee is not successful in the position, he/she may be placed back in the previous position held immediately prior to the transfer or another position, subject to availability and the employee's qualifications. If a full-time merit employee cannot be returned to his/her former or similar position, he/she will be placed on the Reinstatement list and shall be subject to all reinstatement rights and privileges.

### 3.10 ACTING POSITIONS

An employee is eligible for extra duty pay whenever he/she is requested in writing by the Department Head to temporarily perform the duties of a position that is vacant or in which the regular worker is on a leave of absence other than vacation or compensatory time off beyond 30 calendar days and the position is of a higher classification than that in which the extra-duty employee is currently working. The employee shall receive the salary rate of the higher classification for the time spent performing the extra duties. In such cases, the employee will be paid at an appropriate salary schedule of the higher classification to ensure an increase of not less than five (5%) of the employee's current salary. In no case shall the salary exceed the top salary of the higher classification. The salary increase will be commensurate with the



employee's education, experience, and scope of the new job duties. The Department Head shall submit a Personnel Action Form reflecting the salary increase. The Department Head shall also complete a new Personnel Action Form to ensure the salary increase terminates as soon as the additional job duties cease.

A person appointed in an acting capacity shall be eligible to receive merit increases in his/her regular position during the acting appointment but shall not be entitled to merit increases in the position which is held in an acting capacity. Should the merit increase occur while the employee is in the acting position, the merit increase will be delayed until the employee is returned to his/her regular pay, at which time a retroactive merit increase will be granted. If the employee successfully completes the temporary work assignment, the time in the temporary capacity will count towards any required probationary period. Extra duty pay will cease when the individual is no longer performing the extra duties.

### 3.11 REINSTATEMENT OF PRIOR SERVICE

An employee who is reinstated to their former jobs and departments may have his/her previous service reinstated subject to the following:

- A position must be available.
- The return date must be within one year of the termination date.
- At the time of termination, the employee must have been in good standing with Midvale City including but not limited to: must have given the City a minimum of two weeks written notice of termination, returned all City equipment, keys, uniforms, etc., and must not have been subject to disciplinary action at the time of resignation.
- The time between termination and the rehire date is not counted toward service time.

In addition to reinstatement of their prior service for retirement vesting and vacation accrual, rehired employees may have their prior sick-leave balances reinstated, following the successful completion of either the six month probationary period, unless it has been converted to the retirement health savings plan. If the employee meets the requirements for reinstatement, the rate of pay will be determined by the Department Head with approval of the City Manager.

Employees who are reinstated by the City in a department, a field of work, or a position that is different from their former employment with the City will not be entitled to any consideration of benefits.



### 3.12 INTERNSHIPS AND COOPERATIVE EDUCATION POSITIONS

Internships and cooperative education positions within the City are positions that allow high school or college students or recent graduates to receive on-the-job training. Individuals holding internships or cooperative education positions within the City may be treated as part-time, temporary, or seasonal employees at the discretion of the Department Head as approved by the City Council.

### 3.13 VOLUNTEER POSITIONS

An individual who performs hours of service for Midvale City for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation is considered to be a volunteer. In order to be compliant with Department of Labor regulations, employee volunteers will not perform volunteer work similar to the paid job they perform for the City. Non-employee volunteers may not perform volunteer duties that a City employee is paid to perform. All volunteer agreements will be documented in writing and reviewed by the City Attorney.

### 3.14 ABANDONMENT OF POSITION

Unauthorized absences may constitute cause for separation. An employee who fails to call his/her supervisor and/or Department Head for three (3) consecutive working days or shifts to report his/her absence and to request that the absence be recorded as authorized may be deemed to have voluntarily abandoned his/her position and may have his/her employment with the City terminated. The Department Head with the consent of the City Manager shall inform the employee of termination action in writing, unless the employee is an at-will employee or is on probationary status. The employee has the right to appeal within ten (10) calendar days of receipt or delivery of the termination notice.

Note: All references in this manual are in calendar days unless otherwise noted.

### 3.15 REDUCTION IN FORCE

When it becomes necessary to reduce the work force, regular full-time and part-time employee(s) within the positions to be eliminated shall be notified in writing of the lay-off at least sixty (60) calendar days before the planned lay-off. Employees not given a 60-day notice will be paid for the amount of time left in the 60-day notification period. Employee benefits will continue through the end of the month after the 60-day notification period ends.

**PROCESS:** When circumstances dictate that a reduction in the City workforce is needed, the City Manager, after conferring with the affected Department Heads, shall lay off the necessary number of employees according to the procedure outlined below:



1. The City Manager shall determine which positions must be eliminated and have the least impact upon the City and the delivery of services to its residents.
2. The City Manager shall then determine which employees occupying positions within the same class of positions to be eliminated shall be laid off. Employees holding emergency, temporary, and probationary positions shall be laid off first. The City Manager shall consider for elimination those employees whose most recent performance evaluation have overall “unsatisfactory” performance ratings, if such ratings are current and available. Following termination of employees with “unsatisfactory” performance evaluations, the City Manager shall determine which additional employees occupying the affected positions, if any, shall be laid off. In case of the elimination of a position occupied by several employees having essentially equal skill, training, education, and performance evaluation ratings, preference will be given to the employee(s) having the most seniority (length of full-time service in the current term of employment with the City) compared to other employees occupying the position to be eliminated. The City Manager will next review performance evaluations and retain employees with a higher overall performance rating. If equal, seniority will be used to determine the employee(s) who will remain employed. When the position to be eliminated has been selected, the City Manager shall notify the affected employees in writing. The immediate supervisor and Department Head will notify the employee(s) verbally of the position elimination.
3. Employees will not be allowed to “bump” (a re-assignment of jobs based on seniority) other employees out of their current positions.
4. Employees resigned under the provisions of this section, who leave the City in good standing, with an overall satisfactory performance review rating and who are not subject to disciplinary actions at the time of termination, shall be reinstated if their same position or a position identical in scope of responsibility, education, experience and training, pay grade, and job duties becomes available within one (1) year of the employee’s termination. It is the terminated employee’s responsibility to notify the Human Resource Director when he/she is interested in being considered for an open position other than a position identical to the job he/she previously held. The terminated employee will be required to go through the established interview process for positions other than a “reinstatement” to a position he/she previously held.
5. Employees assuming work positions at a lesser salary grade shall be paid according to the grade of the position assumed, regardless of the previous compensation paid to the employee. The Department Head will determine if the employee’s current salary is appropriate.



### 3.16 DECEASED EMPLOYEE

When employees are deceased, the Human Resource Director will work with surviving family representatives to process all separation papers and insure that all benefits are properly taken care of.

### 3.17 RECRUITMENT / SELECTION POLICY

#### 3.17.1 GENERAL POLICY

Midvale City desires to fill all positions with the most qualified applicant. Further, it is the intent of the City to consider qualified in-house applicants when appropriate.

#### 3.17.2 ANTI-NEPOTISM

Midvale City complies with Title 52, Chapter 3, Utah Code Annotated, concerning the prohibition of the employment of relatives. Therefore, the City prohibits any person holding any position, to appoint, vote for the appointment of, directly supervise, be in the line of supervision of, or be directly supervised by their father, mother, husband, wife, son, daughter, brother, sister, uncle, aunt, nephew, niece, first cousin, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild. Volunteers providing services to the City are excluded from this provision. The City Manager's approval is required for any new hire of employees related to current City employees.

#### 3.17.3 EMPLOYMENT OF MINOR

It is the policy of Midvale City that no one under the age of 18 shall be hired for any position.

#### 3.17.4 JOB POSTINGS

Job openings may be posted in-house and externally at the same time for a minimum of seven (7) days if desired by the Department Head. Generally, job openings will be posted in-house for a minimum of five days by the Human Resource Director. If the position is not filled with a City employee, the position must be posted for a minimum of seven days on the City web site and the Job Posting Board. Once the posting period has been satisfied, Human Resources and the applicable Department Head will review the applications. No external job offers will be extended prior to the posting requirement. Positions may be filled with applicants from a position that had met the posting requirements within the prior six months.





All internal and external candidates shall be required to submit an official City application and other supporting documents (e.g., transcripts, certifications, licenses,) as may be required.

### 3.17.5 APPLICATION REQUIREMENTS

In general, the following application process is followed for all job postings. City employees are encouraged to apply for any posted position:

- All applicants for employment with Midvale City shall complete a City application form and are required to comply with the specific application process for each position. The applicant must submit all applications to the Human Resource Director by the closing date of the posted position.
- The City accepts applications for open positions from all interested qualified parties and evaluates applicants based upon job criteria.
- All applications from every job candidate must be turned into the Human Resource Director before any interviewing or hiring takes place. The Human Resource Director will accept applications for the open position until the specified closing date of the job. Once the job has closed, the Human Resource Director and the Department Head or hiring manager will screen all applications for minimum qualifications. The Human Resource Department shall keep all applications in accordance with the State Records Retention Schedule.
- Once the most qualified applicants have been identified, a validated process consistent with departmental needs will be used. The Department Head or designee will then interview the candidates and make a selection for the position. All interviews will be documented using selection criteria. All selection interview forms and applications will be returned and retained by the Human Resource Department.
- The City is committed to employing only United States citizens and aliens who are authorized to work in the United States, but does not unlawfully discriminate on the basis of citizenship or national origin. In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Failure to present proper or adequate documentation required within three (3) working days from the date of hire will result in termination of employment. Former employees who are rehired must also complete an I-9 form.



- Falsification of any information required in the application process is grounds for immediate disqualification.

### 3.17.6 SELECTION PROCEDURES

Job applicants may be required to take tests, which the City deems necessary for a specific position.

### 3.17.7 JOB OFFER REQUIREMENTS

The Department Head will make the final candidate selection and consult with the Human Resource Director to determine the appropriate salary range for the position. The Department Head may offer a salary that is between the minimum and midpoint of the designated salary range dependent upon qualifications. The City Manager must approve any salary offers above the midpoint of the salary range. Once a candidate is selected and a conditional offer has been signed by the candidate and the respective Department Head or designee, the candidate will be required to submit to drug testing, a background check, and a driver's license check and any other testing required by the departments.

Job offers to all candidates (internal or external) will be contingent upon successfully passing the drug screen, driver's license check, and background check. Background checks that have been completed within the last 90 days will be accepted. It is the responsibility of the Department Head to personally notify internal candidates of the hiring decision.

### 3.17.8 VETERANS PREFERENCE

In accordance with Title 71, Chapter 10, Utah Code Annotated.

### 3.17.9 MIDVALE CITY RESIDENT PREFERENCE

Preference in employment shall be given to a bona fide Midvale City resident who meets all the qualifications for the position.

If a current employee is hired for another position in the City, the employee's previous supervisor shall be given a minimum of two (2) weeks notice of the employee's acceptance of the new position. An employee may be retained in a current position for up to 30 calendar days in order to give time to recruit and train a replacement. Note: Any deviation from this policy must be approved by the City Manager.

A Personnel Action Form must be submitted to the Human Resource Department with the successful application, drug screen, driver's license check, and background check, and any additional information immediately following



the acceptance of the job offer by the candidate and prior to the candidate being entered into the payroll system.

### 3.18 EMPLOYEE IDENTIFICATION CARDS

An identification card shall be issued to each employee at the time of employment. The purpose of this card is to provide evidence of employment with Midvale City. The employee must have this card at all times during work hours. **Cards that are lost or stolen must be immediately reported to the IT Department.** After the first two cards have been replaced, the employee shall pay a \$25 fee for each additional identification card issued.

### 3.19 REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES

In order to implement “reasonable accommodations” as defined by law, Midvale City reserves the right to make exceptions to any of the provisions contained in this Manual. An employee seeking a reasonable accommodation for a disability should contact the Human Resource Director.

Supervisors who receive notice of an employee’s disability or inquiries or requests from employees regarding accommodations must direct questions to the Human Resource Director.

### 3.20 SALARY PROGRAMS

Midvale City is committed to maintaining wage ranges which are competitive with other Wasatch Front communities of comparable size. Annually, the Human Resource Department conducts a wage and benefits survey of the relevant communities. Because not all City positions have matches in the established market, a classification analysis may also be done on each City position in conjunction with the market survey. This classification analysis considers such factors as education and experience requirements, supervisory and financial responsibilities, level of risk in position and the analytical requirements of the position.

The City Manager may recommend appropriate changes based on the market analysis and classification analysis. Market adjustment recommendations may be made for specific job classifications or for the City as a whole. Market adjustments are considered each fiscal year and implemented July 1, if approved.

Your total compensation at Midvale City consists not only of the salary you are paid but also the various benefits you are offered, such as group health and life insurance and your retirement plan, as described later in this manual. In accordance with IRS regulations, some fringe benefits such as meals, personal use of City vehicles, non-exempt work clothing, etc. may be considered taxable income and may be included on



pay stubs and W-2's. Questions regarding your salary should be directed to your Supervisor, Department Head or the Human Resource Department.

### 3.20.1 COST OF LIVING ADJUSTMENTS (COLA)

Cost of living adjustments may be considered annually. The COLA is based on the change in the Consumer Price Index (CPI) and is dependent on Council approval. Should an adjustment be granted, it would affect the pay scale as a whole, adjusting each grade by the percentage amount granted. COLA adjustments will be effective on the first full pay period of July. Part-time employees may be eligible for cost of living adjustments only upon Council approval.

### 3.20.2 MERIT INCREASES

Employees may receive merit increases based on performance evaluations and according to availability of funds as allocated by the City Council through the budget process. Merit increases will begin on the first full pay period in December each year as approved by the City Council. Part-time employees (working less than 30 hours a week) are not eligible for merit increases unless approved by the City Council. During your first year of employment or first year in a newly hired position within the City, you may be eligible for a probationary increase; however you will not be eligible for a merit increase.

## 3.21 PAY FOR PERFORMANCE

To ensure employees perform their jobs to the best of their abilities, Midvale City strives to recognize good performance and to give you appropriate suggestions for improvement when necessary. Consistent with this goal, your performance will be evaluated by your supervisor and you will receive a written evaluation at least annually. These written evaluations will be used in deciding individual pay increases each year.

Any performance increases employees receive will be based on their Supervisor's evaluation in conjunction with budget monies available. The City Council approves a certain amount of dollars for performance increases each fiscal year which Department Heads then allocate based on each employee's performance. Part-time employees (working less than 30 hours a week) are not eligible for merit increases unless approved by the City Council.

Department Heads and Supervisors shall conduct employee performance evaluations during the month of November each year to assist employees in performing their responsibilities. Performance evaluation increases will begin the first full pay period in December of each year based on your evaluation and dependent upon available funding as approved by the City Council. If your current salary is higher than the top of your position's range, you will be eligible to receive a one-time incentive bonus equal



to the amount of merit increase you qualified for with your performance evaluation. You are not eligible for a merit increase during the first year of employment or first year in a newly hired position within the City.

In addition to the regular performance evaluations described above, special written performance evaluations may be conducted by your supervisor at any time to advise you of the existence of employment problems.

### 3.21.1 GUIDELINES

a. Performance evaluations will consist of a review between the supervisor and the employee using the Midvale City PEP System. In general, the Employee Performance Appraisal System will consist of the following:

- i. Review Job Description
- ii. Evaluate Employee Performance
- iii. Produce Employee Work Plan
- iv. Employee Comments and Signatures
- v. Return to Human Resource Department

b. Review Job Description. The first step in the appraisal process is for the supervisor to review and recommend any necessary changes or updates to the job description to the Human Resource Director. The final job description should be shared with, understood, and signed by the employee. Since the job description outlines the essential or primary duties, responsibilities, and details of the position, the employee should be informed of any modifications to the job description.

c. Evaluate Employee Performance. Supervisors will evaluate the performance of their employees based upon a set of factors, as determined by the Department Head. The performance factors are intended to provide a road map so employees understand the knowledge, skills and abilities necessary for appropriate performance that have been identified as being critical to the success of the organization. Although factors may be changed from year to year, they may include factors such as the following:

- i. Attitude and Professionalism
- ii. Innovation, Change, and Initiative
- iii. Job Knowledge, Technical Skills, and Quantity of Work
- iv. Decision Making and Problem Solving
- v. Planning, Organizing, and Time Management Skills
- vi. Dependability and Reliability
- vii. Communication
- viii. Interpersonal Skills and Teamwork



ix. Supervision and Leadership

Each supervisor will objectively consider the employee's performance and select the rating level in each area that most accurately describes how well the employee accomplished or did not accomplish a given factor. The supervisor will provide written justifications and performance examples for any ratings given which are considered outside of the ordinary. Prior to sharing the completed performance ratings with the employee during a formal review meeting, each supervisor will submit the completed performance ratings to the City Manager or designee, in order to ensure organizational equity and conformance to applicable budget constraints.

d. Produce Employee Work Plan. After a preliminary review of the performance ratings has been completed, the supervisor and the employee will meet to discuss the evaluation, progress made in performance since the last evaluation, and any areas that need improvement. During this meeting, the supervisor will review the evaluation and facilitate an open exchange concerning expectations and results. The supervisor should be open and make every effort to maintain a positive and encouraging discussion. The supervisor and employee will focus on creating goals to direct job performance. The Employee Work Plan will also include an action plan to help the employee reach those goals, along with reasonable deadlines to complete them.

e. Employee Comments and Signatures. An opportunity will also be given for employees to record remarks and give feedback on the performance evaluation process. Both the supervisor and employee must sign the appraisal form. If the employee refused to sign the appraisal form, the supervisor will indicate this on the signature line along with the date and time, indicating that the employee refuses to sign. If the Department Head is not the supervisor of the employee being appraised, the Department Head should also review the appraisals and insert their initial next to the supervisor's signature before forwarding the appraisal packet to the Human Resource Department. Similarly, if other managers exist in a department's chain-of-command between the Department Head and the direct supervisor, the Department Head may also have additional reviews and associated initials included next to the supervisor's signature.

f. Return to the Human Resource Department. Completed performance evaluations shall permanently remain in the employee's personnel file and become a part of the private information of that file. As a private and confidential personnel file, the performance evaluation scores are not to be shared with employees outside of the evaluation, review and approval process of the employee evaluated. Performance evaluations may be used in decisions



concerning advancement, future training needs, performance related salary adjustments and contested disciplinary actions.

### 3.21.2 PERFORMANCE PERIODS

#### a. Probationary Period.

- i. Employees working in the probationary period shall have a performance evaluation at the end of the designated probationary period.
- ii. The performance evaluations may be used to provide information to both the employee and management regarding the employee's performance.
- iii. Probationary employees should understand that their performance evaluations and results of such evaluations shall not obligate Midvale City to a particular course of action relative to probationary employees, nor shall it create any property/due process rights for probationary employees relative to their job.

#### b. Annual.

The employee appraisal process takes place throughout the year, culminating in the official Employee Performance Appraisal System process, which will take place annually during the month of November.

## 3.22 PAYROLL/WORK HOURS

Employees shall be paid bi-weekly, every other Thursday. All employee paychecks will be directly deposited in each employee's specified bank account(s). When a payday falls on a holiday, the payroll will be distributed the working day prior to the holiday. All time sheets must be signed by the employee and be checked and initialed by the Department Head before they are submitted to the Human Resource Department.

### 3.22.1 WORK HOURS

The workweek begins at 12:01 p.m. on Friday and ends on Friday at 12:00 noon for employees working the 9/80 schedule. Employees working 5 days a week 8 hours a day, the workweek begins at 12:01 a.m. Saturday and ends at 12 midnight on Friday. Employees working the 9/80 schedule will have every other Friday off as determined by their Department Head.

### 3.22.2 LUNCH PERIODS

Employees may be eligible for an unpaid lunch break at a length of time approved by your Department Head. Supervisors should establish a lunch schedule for all employees, generally between the hours of 11:00 a.m. and 2:00



p.m. Employees are not allowed to skip their lunch period in order to arrive at work late or leave work early without prior approval from the Department Head.

### 3.22.3 RECORDING WORK HOURS

To ensure that accurate records are kept of the hours you actually work and of the leave time you have taken, all nonexempt employees are required to record time worked and absences on your department's timekeeping records. Please ensure that your actual hours worked and leave time taken are recorded accurately. Failure to accurately record your hours may result in loss of pay for that period and possible discipline. Exempt employees should record work hours only by exception (i.e. sick, vacation). The City does not provide pay advances on wages to employees.

### 3.22.4 CURRENT ADDRESS

Employees are responsible for making sure the Human Resources Department has their most current home address.

### 3.22.5 PAYROLL DEDUCTIONS

Employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in City-approved programs. Employees should promptly review any discrepancies in payroll deductions with the Human Resources Department.

### 3.22.6 GARNISHMENTS

Upon receipt of a valid garnishment, the City shall withhold the required portion of wages from an employee's paycheck. The City shall continue to withhold the garnishment wages until a court order is received indicating satisfaction of the indebtedness or until the City is ordered to surrender the monies to the court or its agent.

## 3.23 OVERTIME PROVISIONS

Each position is classified as either FLSA Non-exempt or FLSA Exempt. Those employees classified as FLSA Non-Exempt are covered by the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA). Those who are FLSA Exempt are protected from improper or illegal salary deductions.

### 3.23.1 NON-EXEMPT

If you are classified as a non-exempt employee, you will be paid one and one-half times your regular hourly rate of pay for all hours worked in excess of the 40 hours within a 7 day workweek, excluding leave and holiday time. Compensatory hours may be accrued to a maximum of 100 hours.





Compensatory time accrued in excess of 100 hours will be paid down to 100 hours on the payday for the period in which it was earned.

Each workweek stands alone in computing hours worked. Averaging hours worked over two or more periods will not be allowed. Your supervisor will attempt to provide you with reasonable notice when the need for overtime work arises. Please remember, however, that advance notice may not always be possible.

If you feel it is necessary to work overtime to complete your responsibilities, you must get prior approval from your Department Head. Failure to work scheduled overtime or overtime worked without prior authorization from the Department Head may result in disciplinary action up to and including possible termination of employment. It is your responsibility to ensure that all hours worked are recorded in the correct work period.

Eligible employees must make an election to receive overtime pay or compensatory time for hours worked in excess of 40 hours in a workweek on an “Overtime Compensation Election/Agreement Form” distributed annually by the Human Resource Department. This election/agreement is made in January of each calendar year and will remain in effect through the calendar year unless management makes a change. Any change made by management becomes effective in the next pay period after notification of the change. Employees are responsible to record overtime or compensatory time accurately on their timecards. The time recorded on the employee’s timecard will be the determining factor as to whether the employee will be paid overtime, compensatory time, or leave time. Every timecard must be signed by the employee and department head and initialed by the supervisor. If the type of pay on the employee’s timecard differs from the employee’s Overtime Compensation Election/Agreement Form, the information recorded on the timecard controls the type of pay the employee will receive, unless it violates the City’s leave policies and limitation on accrued compensatory time. Failure, by the employee to accurately record hours worked may result in loss of pay for that period and possible discipline.

### 3.23.2 EXEMPT

If you are classified as an exempt employee, you will be paid on a salary basis. You are not eligible for overtime or compensatory time. The City will not knowingly make improper or illegal deductions from your paycheck. If you feel that an improper deduction has been made from your paycheck, contact the Human Resource Department.



### 3.23.3 VOLUNTEER

You are considered to be a volunteer if you perform service for Midvale City for civic, charitable, or humanitarian reasons, without promise, expectation, or receipt of compensation. You cannot perform volunteer work similar to the duties you perform as a City paid employee. Non-employee volunteers may not perform volunteer duties that a City employee is paid to perform. All volunteer agreements will be documented in writing and reviewed by the City Attorney. If you have any questions regarding this, please discuss it with your supervisor or the Human Resource Department.

### 3.23.4 DISASTER EMERGENCIES

In situations where the Mayor or designee has formally declared a “Local State of Emergency,” non-exempt employees who are required to work outside of, or in addition to, their normal work schedule during the designated disaster may be paid at time and one-half for any emergency hours worked. Hours worked under those conditions must be paid hours and cannot be used as comp time. At such times, all employees will be considered disaster service workers and may be required to perform other duties outside their normal job responsibilities.

### 3.23.5 CALL BACK OR ON-CALL COMPENSATION

Non-exempt employees called back to work during their scheduled workweek shall be entitled to call back compensation for actual time worked. The minimum call back compensation shall be a two-hour minimum. Call back compensation will be calculated on a workweek basis and only time worked in excess of an employees’ specified workweek will be compensated at the overtime rate.

Employees of the City in the Public Works Department are required to serve in an “on-call” status and be available for a call back to work for up to a week at a time during otherwise unscheduled, off-duty hours.

On-call status may be defined as limiting and/or restricting your personal activities to the degree that you are unable to travel as desired and must be able to respond in the required timeframe to after-hour City-related questions or emergencies. If you are placed on-call, you must be available to be reached during the entire on-call shift and return to work if needed within 30 minutes of a call or within the time limit specified by the department supervisor.

It is the policy of the City to pay employees specifically designated as on-call a minimum of 11 hours for each week or 1.5 hours per day in which they serve in a paid on-call or call back status. If you serve less than one full workweek in this status, the number of hours of applicable overtime will be pro-rated. When and if you perform actual work and service as a result of being called back to



work, you will be paid any additional hours worked, with a minimum of two hours pay.

The supervisor will notify you of the on-call schedule. If you are on-call and cannot be reached or cannot come to work, you are not eligible for on-call pay. While on-call, no employee shall consume alcoholic beverages or do anything to impair his/her ability to respond for duty.

### 3.23.6 TIME OFF PLANS

As allowed under the Fair Labor Standards Act (FLSA), Midvale City's policy allows the supervisor of a non-exempt employee to schedule the employee to work a varying number of hours during a pay period in accordance with FLSA cycles. This generally means the employee works more hours during one portion of a pay period, and less hours during another portion of the same pay period. Time off plans are designed to control or limit the accumulation, accrual, or payment of earned overtime pay by employees. Employees benefit with reduced work periods while still earning their full-time compensation.

### 3.23.7 TRAVEL TIME

Reasonable travel time for call-back duty, emergency response, travel between work sites or traveling out of town on business during the normal work schedule or working hours is compensable time and shall be payable to the employee subject to the applicable terms and conditions of the federal Fair Labor Standards Act.



## **PART IV - EMPLOYEE BENEFITS**

### **4.1 MEDICAL, DENTAL AND VISION INSURANCE PLANS**

The City offers group medical and dental insurance benefits to eligible employees that meet the requirements of the City's plan. Vision Insurance is offered as a voluntary plan paid 100% by the employee. Eligible employees are enrolled when hired and may make changes to group benefit plans once each year during a specified period known as "Open Enrollment."

Eligible employment classifications are:

- Full-time employees
- Qualified part-time employees
- Probationary employees in the above classifications

Employees who provide proof of insurance under another plan may choose to waive the City's coverage. A portion of the City's insurance premium cost may be reimbursed to the employee through the payroll process.

### **4.2 LIFE INSURANCE**

The City provides a life insurance benefit of \$50,000 for the City employee, \$5,000 for a spouse and \$2,500 for dependents. All Full-time and Qualified Part-time City employees are eligible for this life insurance benefit. Additional life insurance is available for eligible employees and their families as an option and is paid by the employee. Additional information can be obtained from the Human Resource Department.

### **4.3 LONG TERM DISABILITY**

Subject to the terms and conditions established and controlled by the plan provider and/or other disability plan provider(s), the City sponsors long-term disability insurance coverage for employees in eligible classifications for the purpose of providing income protection against the loss of an employee's ability to work and earn income for periods of time exceeding 90 days. All Full-Time and Qualified Part-Time employees are eligible. The City pays for the premium cost(s) associated with the respective long-term disability insurance plan and policy provisions for covered employees.

### **4.4 WORKER'S COMPENSATION**

Work-related injuries or illnesses may be covered under the City's Worker's Compensation insurance. Specific benefits are by law and the City's insurance policy.



To be considered work-related, the injury or illness must arise from and occur in the course of employment.

- a. When authorized by a physician, medical expenses related to the work-related injury or illness (including doctor, hospital, surgical, physical therapy, prescription medication, medical equipment and any out-of-pocket medical expenses), are covered.
- b. Worker's Compensation also pays for wages lost as a result of an employee work-related injury or illness; however, there is a three-day waiting period. During the three-day waiting period, a regular employee may charge any absence to accumulated sick, vacation, or compensatory time.
- c. Worker's Compensation pays 66 2/3% of an employee's average weekly wages and is non-taxable up to a maximum amount as defined by Worker's Compensation. An employee may elect to charge up to one day of sick leave, vacation, or compensatory leave for each day of absence in an amount equal to the portion of the employee's total compensation, which is not paid by Worker's Compensation benefits; however, in no case can the combination of sick leave and Worker's Compensation benefits exceed the employee's base pay. Once accrued leave has been exhausted, the employee will no longer accrue vacation, sick or holiday leave until they return to work, Service time in Utah Retirement Systems will continue while on Worker's Compensation.
- d. Midvale City employees who take time off work as a result of an injury sustained at other employment are not eligible to use any accrued sick leave while receiving workers compensation disability benefits based on other employment.

FMLA under the provisions of the Family Medical Leave Act, an injured employee may have some rights to a period of job protection during a worker's compensation absence. Under this Act, the protected period could be up to 12 weeks, depending on the employee's use of any Family Medical Leave during the preceding rolling year. Regardless of the status of a worker's compensation claim, in the event an injured employee is unable to return to work upon expiration of any FMLA leave rights, the employee's appointment with the City may be terminated at the City's discretion.

- e. When injured while on duty, an employee must:
  - 1) Immediately obtain necessary treatment. The City recommends that employees initially seek medical treatment at an approved medical facility. If emergency medical treatment is needed, the employee should seek treatment at the closest medical facility. Approved medical facilities include:



First Med Urgent Care  
8822 S. Redwood Road #E122  
West Jordan, UT 84088  
801-256-0009

Hours: M-F 8 a.m. – 10 p.m.  
Sat. 9 a.m. – 10 p.m.  
Sun. Noon – 10 p.m.

- 2) Ensure that doctors who treat their injuries complete a medical report describing how, when and where the accident occurred, copies of which shall be sent to the Human Resource Director.
- 3) Immediately report the injury to their supervisor or Department Head. The supervisor shall be responsible for notifying the Human Resource Director. Claims not meeting statutory notification requirements can be denied under workers compensation laws.
- 4) The job related injury shall be detailed on forms prescribed by the Utah Industrial Commission and the City. These forms must be completed and submitted to the Human Resource Director within three (3) days following the incident producing the injury.
- 5) An employee reporting an accident or injury while performing his or her duties on the date of the accident will be paid for that day.
- 6) Employees injured while on duty must submit to a drug test as prescribed by drug testing policy in Part 6.15.
- 7) Employees in safety sensitive positions returning after an extensive leave (30 days or more) must submit to a drug test prescribed by the drug testing policy in Part 6.15.
- 8) It is the employee's responsibility to obtain a medical release form signed by a doctor. The employee is to report to work as permitted by the medical release form.
- 9) Upon receipt of a medical release form, a supervisor will review doctor recommendations and consider available work assignments. Depending on availability, light duty work assignments may or may not be allowed. The City also reserves the right to pay for a second or third opinion from medical professionals of its choice.
- 10) A copy of the medical release form needs to be submitted to the supervisor and a copy submitted to the Human Resource Department prior to returning to work.



- f. Upon return from a Workers' Compensation leave the City will accommodate an employee's return to their original or an equivalent position whenever possible. If any employee fails to report to work promptly at the end of the approved leave period, the City will assume the employee has resigned.
- g. An employee who returns to work from Workers' Compensation and whose performance is unsatisfactory may be subject to disciplinary action according to the provisions of the Midvale City Policies and Procedures.
- h. The City reserves the right to act in accordance with its own safety and risk management policies to determine appropriate action with respect to the workforce, procedures, internal controls, and even disciplinary action, in order to enforce its own safety and risk management policies.
- i. As provided by applicable state law, the City retains the right to pursue any and all available legal actions against any third party to recover workers compensation costs workers compensation for injuries that occur during an employee's voluntary participation in any off-duty recreational, social, or athletic activity sponsored by the City.

#### 4.5 COBRA

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the 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, retirement, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; a dependent child no longer meeting eligibility requirements; and termination of Family or Medical Leave.

Subject to the terms and conditions of the group policy and applicable legal standards for extensions of insurance coverage under the law, employees, their spouses, dependents, and divorced or separated spouses may continue the group insurance plan benefits for periods of time beyond the last date of work of the employee for the City. The terms, limitations, conditions and length of extensions of coverage are specific in each individual case. Employees, dependents, spouses and ex-spouses are encouraged to make inquiry of the Human Resources Department. Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates plus a 2% administration fee.

The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.



Retirees, who meet the conditions for retirement as determined and defined by the Utah State Retirement Board or another City-sponsored retirement plan, may elect to continue their health insurance coverage upon retirement, which they had prior to their retirement date. Retirees will be required to pay the full premium for this insurance group coverage, plus a 2% administration fee, under COBRA, for a period of up to eighteen (18) months.

Continuation of health insurance coverage must be coordinated with the City under the terms and conditions established by and through the Plan Provider. Employees interested in more information about the continued health insurance coverage under this policy should contact the Human Resource Department.

## 4.6 RETIREMENT PLANS

The City offers retirement programs to employees in eligible employment classifications, which are funded in part by the City, and in part by those eligible employees. Eligible employment classifications are specific to each type of program, subject to the terms and conditions as described in this policy.

## 4.7 SOCIAL SECURITY

All employees are covered under the federal social security program. Social security is designed to provide supplemental income to workers who retire. Social security was not designed to provide retirement income, which will maintain a recipient at a lifestyle attained during working years.

## 4.8 UTAH RETIREMENT SYSTEM (URS)

The Public Employees Retirement System is a retirement plan intended to provide a meaningful retirement benefit to City employees who have chosen a career in public service. Subject to the terms, conditions, and limitations as defined and regulated by the Utah Retirement Board, the City provides coverage for employees in eligible employment classifications in the Utah Retirement System.

Appointed and elected employees who began working before July 1, 2011 may be eligible to opt out of the URS. Those employees who choose to opt out of URS will receive their retirement into a 401(a) account administered by ICMA-RC. Non-benefited temporary or part-time (<30 hrs/wk) employees are not eligible for the URS. Eligible employees must work a minimum of 30 hours per week and receive benefits from the City.

### 4.8.1 BENEFITS PAID

The amount of benefit paid is determined by your hire date, age, years of service credit, final average salary and a benefit formula designed by the Utah Retirement System. The URS has designated two categories of employees





according to enrollment date. Once you are enrolled in the URS as either a Tier 1 or a Tier 2 employee, you will keep that designation, even if you stop working for a participating employer for a period of time and then return at a later date.

#### 4.8.2 TIER 1 EMPLOYEES

Employees initially enrolled in the Utah Retirement System before July 1, 2011 are classified as Tier 1 employees. The City will pay the full URS Tier 1 rate for eligible employees. All City employees are enrolled in the Noncontributory System.

**NONCONTRIBUTORY SYSTEM:** If you leave employment covered by the Utah Retirement System, you are not eligible for a refund, but your retirement funds will remain in your account and you will receive a benefit when you retire. Benefits are vested after four years of service.

#### 4.8.3 TIER 2 EMPLOYEES

Employees initially enrolled in the Utah Retirement System on or after July 1, 2011 are classified as Tier 2 employees. The City will pay the required URS Tier 2 rate for eligible employees.

Tier 2 employees may choose between a defined contribution or a hybrid plan which are described below. Employees have one year after employment begins to make this irrevocable choice of plans.

##### 4.8.3.1 DEFINED CONTRIBUTION PLAN

The full City contribution will be put into a 401(k) account administered by the URS. Employees may elect to make voluntary contributions as well. Employees in this plan become vested after four years of service.

##### 4.8.3.2 HYBRID PLAN

This plan is a combination defined benefit (pension) and defined contribution. As long as the defined benefit rate remains below 10 percent for public employees, employees will receive the difference between the 10 percent of the required contribution rate into a 401(k) account administered by the URS. If the defined benefit rate reaches or exceeds 10 percent, employees will no longer receive any of this amount into a 401(k) account.

In addition, if the defined benefit rate exceeds 10 percent, employees will be required to pay the portion of the contribution amount above these rates. Employees on this plan may elect to make voluntary 401(k) contributions as well. Employees in this plan become vested after four years of service.



#### 4.8.4 URS 401(K) PLAN

Any eligible employee that is active in the Utah Retirement System may participate in the URS 401(k) plan in accordance with federal and state law contribution limitations.

#### 4.8.5 URS ACCOUNT ACCESS

To access your Utah Retirement System account, go to [www.urs.org](http://www.urs.org). You can login to my URS which will display your years of service and account information. You can also view account statements, update your address and beneficiaries and print forms.

For additional information regarding your Utah Retirement System accounts, contact the URS or the Human Resource Departments.

### 4.9 ICMA RETIREMENT BENEFITS

The City provides a supplemental retirement benefit through the International City/County Management Association (ICMA). Department Directors, elected and appointed officials may opt out of the Utah Retirement program and instead invest the full amount in the ICMA program. The City also offers qualified savings plans through ICMA.

Information about coverage, contributions, benefits, and programs may be obtained through the Human Resources Department.

#### 4.9.1 ICMA 401(a) PLAN

If an employee is Post-Retired from Utah Retirement System, the City will contribute the same monthly amount required by URS for active members to their ICMA 401(A) Plan. The City provides a total of 1% match to the ICMA 401(a) account of any eligible employees who contribute a minimum 1% to an ICMA 457 plan or URS 401(k) plan. This election can only be made during open enrollment each year.

#### 4.9.2 ICMA 457 PLAN

The City also offers qualified savings plans through ICMA.

**ICMA ACCOUNT ACCESS:** To access your ICMA RC account online, go to [www.icmarc.org](http://www.icmarc.org). This website shows your daily account values, answers frequently asked questions and updates you on retirement trends. You can also call Vantage Line at 1-800-669-7400. Vantage Line is an interactive voice response system that allows you to transfer funds from one account to another, change your investment choices for new contributions and obtain summary information about your account.



#### 4.9.3 WITHDRAWALS FROM YOUR 401(A) ACCOUNT OR 457 ACCOUNT

The IRS allows withdrawals from your 401(a) account or 457 account only under certain circumstances. Contact ICMA-RC for more information.

##### 4.9.3.1 FINANCIAL HARDSHIP

Only employee 457 contributions may be withdrawn in cases of financial hardship.

Federal rules allow hardship withdrawals for these reasons:

- To pay deductible medical expenses
- To purchase, stop eviction from, or stop foreclosure on your principle residence
- To pay tuition for the next quarter or semester of college for you or your spouse, child or dependent

You may not withdraw more than the amount of your immediate financial need. To receive a withdrawal, you must sign a written statement that you are unable to meet your need another way. Contact Human Resources or ICMA if you have any questions regarding this withdrawal option.

##### 4.9.3.2 AT TERMINATION

You may withdraw part or all of your retirement accounts upon termination. There is normally a 10 percent penalty on withdrawals from your 401(a) account made before you reach age 59½. However, if you work through the year in which you turn 55, there is no 10 percent penalty for early withdrawal. Starting January 1, 1993 the IRS began requiring a 20 percent withholding of the funds withdrawn. This 20 percent does not change the penalty or taxes due. As usual, any funds withheld in excess of the taxes and penalties due is refunded after you file your taxes for the year. You may avoid the taxes and penalties by leaving your money in the plan or having it rolled into another qualified plan. You may obtain all appropriate paperwork from Human Resources or ICMA.

##### 4.9.3.3 AT DEATH

If you die before benefits start, your vested account will be paid to your spouse or beneficiary under one or more forms available under the plan. If you die after you start receiving benefits, death benefits will be paid according to the form you chose. Not all forms have death benefits.



#### 4.9.4 401 (a) LOAN PROGRAM

Because Midvale City Administration recognizes that allowing you to borrow from your 401(a) retirement plan encourages increased participation and provides you with increased flexibility in your financial affairs, a 401(a) loan program has been established. Following is a brief summary of the plan.

**Availability and Amount:** Loans will only be approved if the proceeds will be used within a reasonable time for the following reasons.

- To purchase your principal residence or stop foreclosure on your principle residence
- To pay medical bills
- To pay tuition for you or any dependent
- To refinance your principal residence

In addition, to encourage increased participation in the savings plan, you will also be able to apply for loans for other personal reasons provided the amount of the loan is less than your total voluntary contributions. The loan amount can be up to 50 percent of your vested plan benefit provided the loan does not exceed \$50,000 or is not less than \$1,000.

**4.9.4.1 PAYMENT TERMS AND TERM OF LOAN:** The loan must be repaid within five years, unless you request a shorter term or the purpose of the loan is to purchase your personal residence. If you are using the loan to purchase your principal residence, the loan may be extended for a term no longer than the maximum amount of time that a commercial lender would allow. The loan must be repaid in substantially equal installments over the term of the loan. Payments must be made by payroll deduction. There is no penalty for prepayment of any plan loan. You will be fully responsible for all charges to establish or administer the loan which may be levied by the City's 401 (a) provider.

**4.9.4.2 REQUEST FOR LOAN:** You may obtain the appropriate loan forms online or apply for the loan online. You will be required to specify the amount of the loan, the term of repayment of the loan, and a statement that the loan will be secured by your vested plan benefit. In addition, if you are married, your spouse will be required to consent to the loan in writing.

Each loan must be fully documented in the form of a promissory note signed by you for the face amount of the loan together with the interest rate.



4.9.4.3 INTEREST RATE: The interest charged on the loan will be determined by the loan administrator at the time the loan is made.

4.9.4.4 DEFAULT: If you fail to comply with any provisions contained in any promissory note or security agreement or any other instrument delivered to the plan or make any representation or warranty to the plan that is found to be materially untrue, you will be considered to be in default of the loan.

4.9.4.5 TERMINATION OF EMPLOYMENT: If you cease to be an employee, you must, within 31 days of termination, arrange through the loan administrator to continue payments that previously may have been made through payroll deduction. Otherwise, the balance of the outstanding loan becomes due and payable.

For more details or to obtain a complete copy of the loan policy, contact ICMA or Human Resources.

#### 4.9.5 RETIREMENT HEALTH SAVINGS PLAN (RHS)

All employees, including elected officials, are required to participate in the Vantage Care Retirement Health Savings Plan (RHS).

##### CONTRIBUTION SOURCES AND AMOUNTS:

- DIRECT EMPLOYER CONTRIBUTIONS: A discretionary amount to be determined each Plan Year.
- MANDATORY EMPLOYEE COMPENSATION CONTRIBUTIONS: Decreased Merit or Pay Plan Adjustment per City Policy.
- MANDATORY EMPLOYEE LEAVE CONTRIBUTIONS: Accrued Sick Leave per City Policy

Only participants with accrued sick leave in excess of 480 hours at the end of the first full pay period in January are eligible for contribution to the RHSP. Contribution is equal to sick leave earned during calendar year less sick leave used during calendar year multiplied by 50%. Hours necessary to reach 480 hours are considered “used.” Example: Henry had 420 hours accrued sick leave at January 20, 2009 (end of first full pay period.) During 2010, he earned 96 hours, and used 10 hours, so on January 20, 2010 (end of first full pay period), he has 506 hours accrued sick leave. The contribution to Henry’s RHSP is 13 hours. ( $480 - 420 = 60$ , hours needed to get to threshold of 480.  $96 - 10 - 60 = 26$ ,  $50\%$  of  $26 = 13$ ). AFTER the contribution to the RHS plan, participants may



elect to convert 25% of remaining sick leave in excess of 240 hours to vacation leave.

Ten (10) percent of total accrued sick leave hours at applicable hourly rate upon separation from service.

Contact the Human Resource Department for additional information on the RHS Plan.

#### 4.10 EMPLOYEE RECOGNITION

It is the intent of the City to recognize those employees whose loyalty and dedication to public service are reflected in their length of service to the City. The City expresses this recognition and attempts to show a measure of its appreciation through an Employee Service Awards Program. As part of the Employee Service Awards program, the City presents employees with awards based upon the total number of years of service in five-year increments.

<u>Years of Service</u>	<u>Gift Certificate Amount</u>
5 Years	\$100
10 Years	\$200
15 Years	\$300
20 Years	\$400
25 Years	\$500
30 Years	\$600

In addition to the Employee Service Awards Program the City would like to recognize an Employee of the Year and a Supervisor of the Year on an annual basis including Public Safety for Midvale City.

#### 4.11 WELLNESS PROGRAM

The City offers a wellness program to encourage employees to stay physically fit and maintain good health. This program is paid for by the City and administered by the Employees Association for your benefit. It is a voluntary program for appointed, regular, qualified part-time, part-time, and elected employees. The program has the following objectives:

- Enhance quality of life for employees and family members;
- Improve morale, motivation and personal development;
- Strengthen interpersonal relationships;
- Lower health, life and disability insurance costs;
- Decrease work-related injuries and workers' compensation costs; and
- Reduce use of sick leave and absenteeism.



The City reserves the right to modify the program at any time. Some wellness program benefits may be taxable. For more information, contact the Human Resource Department.

#### 4.12 CLOTHING ALLOWANCE

It is the policy of the City to assist employees with job related costs of uniforms and clothing accessories mandated by the City. The City at its sole discretion will provide the necessary clothing and equipment. The intent of this program is to ensure employees maintain clean, neat, and proper uniform and appearance in their role(s) of representing the City and its reputation and interests.

The purpose of the clothing and accessories allowance is to cover the acquisition, repair, cleaning, upkeep, and replacement of required and appropriate uniforms and clothing accessories as may be directed and controlled through employees' respective departments and Department Heads.

The following are those departments and uniform allowances which shall be paid to covered employees monthly:

4.12.1 PUBLIC WORKS DEPARTMENT: Each employee who is determined by their supervisor to be involved in work which requires or warrants protective clothing, will be provided clean coveralls and other proper safety gear/wear as determined by his/her supervisor. In lieu of a clothing allowance, the department will annually provide shirts, pants, and steel-toed boots.

4.12.2 FIELD PERSONNEL: Each employee who is determined by their supervisor to be involved in work which requires or warrants protective clothing, will be provided clean coveralls and other proper safety gear/wear as determined by his/her supervisor. In lieu of a clothing allowance, the department will annually provide shirts, pants, and steel-toed boots.

#### 4.13 AUTOMOBILE MILEAGE REIMBURSEMENT

The City provides City-owned vehicles for employee use during normal business hours for City use. In the event that a City-owned vehicle is not available, the City, at its sole discretion, will reimburse employees for use of their personal vehicles for City business at the rate currently allowed under Internal Revenue Service regulations. Employees must have prior approval of the Department Head to use their personal vehicle for City business.

Commuting to and from work in City provided vehicles that are not qualified non-personal use vehicles (as described in IRS regulation section 1.274-5T (k)) is considered a fringe benefit and is subject to employment taxes. This benefit will be



included on the employee's W-2 and subject to all employment taxes. Department Directors, with the City Manager's approval, may require certain employees to drive these City provided vehicles home. In which case, the City will pay the employee's share of the taxes.

#### 4.14 CAR ALLOWANCE

The City Manager, Assistant City Managers, Department Heads, and Employees (as determined by the Department Head) except for those with a City-provided vehicle, will receive a car allowance in an amount approved by the City Council. Any mileage driven over a 50 mile radius from Midvale City Hall for anything above the normal day to day usage (i.e. driving to attend a conference) is considered reimbursable at the current IRS rate.

#### 4.15 EMPLOYEE ASSISTANCE PROGRAM

Midvale City has elected to fund an employee assistance program to assist employees and their dependents in addressing and facilitating solutions for:

- Marital difficulties
- Family problems
- Personal emotional difficulties
- Legal issues
- Financial problems
- Referrals to medical professionals
- Alcohol/drug abuse
- Critical incident counseling etc.

All Full-Time and Qualified Part-Time City employees and dependents are eligible and can utilize the employee assistance program voluntarily to receive counseling and facilitate solutions. This service is offered at no charge to the employee or dependents and is a confidential program.

#### 4.16 TRAINING AND TRAVEL POLICY

All travel for City business outside a 50-mile radius of Midvale City shall be requested on a travel request form and be pre-authorized by your Department Head.

Whenever possible, City vehicles will be used for travel associated with City business. Overnight use of any City vehicle must be pre-approved by the City Manager.

- a. Employees may use their personal vehicle for City business as circumstances warrant and will be reimbursed for mileage in accordance with the following:
  - Calculated mileage will be to and from the destination beginning in Midvale City. Mileage reimbursement requests must be signed by your Department Head.





- Mileage will be reimbursed at the rate determined by the Internal Revenue Service.
- b. If a commercial airline is used, tourist or economy fare must be used if available.
- c. If railway or bus is used, first class fare, plus necessary lower berth or roomette is allowable. However, coach facilities, when considered reasonable and satisfactory, should be used whenever possible.
- d. Personal cars may be used if advantageous to the City. When a personal car is used for trips used in excess of 50 miles (one way) from the City, the City reimbursement for the use of the car plus meals and lodging required enroute shall not exceed the cost of economy class air fare. Reimbursement for personal car use shall be at the rate determined by the Internal Revenue Service.
- e. A rental car will be authorized only if it is determined to be the most cost effective means of transportation while away on City business.
- f. If you stay with relatives, friends or other means in lieu of staying in a hotel, you are eligible for a \$50 per night stipend.

PER DIEM:

Employees shall be paid per diem for City related travel in accordance with the following:

- a. The daily per diem allowance will be determined by the amount listed on the U.S. General Services Administration website at [www.gsa.gov](http://www.gsa.gov) for the City where the training is being held (the amount for incidentals will not be included in the daily amount).
- b. Travel that requires less than a full day shall be compensated as follows:
  - Breakfast - when necessary to depart before 7:00 a.m.
  - Lunch - when necessary to return after 2:00 p.m.
  - Dinner - when necessary to return after 7:00 p.m.
  - No Incidentals will be included in calculation.
- c. Per diem rates shall be adjusted with the U.S. General Services Administration adjustments.



#### 4.17 EDUCATION ASSISTANCE

The City recognizes that the skills and knowledge of its employees are critical to the success of the organization. The City's educational assistance program encourages personal development through formal education so employees can maintain and improve job-related skills.

- a. The City may provide educational assistance up to seventy-five (75%) or \$500 maximum of the cost of tuition, fees, and books per semester/term (Semester/terms defined as: September through December; January through May; and June through August) to all eligible employees. A maximum amount of \$1,500 per fiscal year in tuition assistance may be granted dependent upon annual budget appropriations. Only full-time employees are eligible to participate in this program.
- b. To maintain eligibility employees must remain on the active payroll and be performing their job satisfactorily through completion of each course. Educational assistance is available to eligible employees to attain a college degree, so long as the degree and course work directly relates to the employee's career path, subject to the limitations identified in this policy.
- c. The City has sole discretion to determine approval for any educational assistance requested. Approval must occur first through the Department Head and next through the City Manager prior to enrollment in the course, training, or class offering.
- d. It is a requirement of the City under this policy that costs of tuition, fees, or books are disbursed upon successful completion of approved training, certification, class, or course work. Where a grade is given, the employee is required to successfully complete said course with a grade of "B" or better. If the course is on a pass/fail basis, the employee must pass the course to qualify for reimbursement. The employee must submit a completed request for reimbursement along with documentation of successful completion of the course to the City Manager on proper form(s) within 30 calendar days of the successful completion of any approved course.
- e. The City may make an exception to the reimbursement policy when the course offering is in the nature of training or certification type work, and the course is limited in both time of offering as well as length (e.g. one-day seminar or a one-week training and certification course). Under such an exception, the City may pay for the course directly, subject to the recommendation of the Department Head and the written approval of the City Manager.
- f. If an employee voluntarily separates from the City's employment within two years after completion of any course, the amount of educational financial



assistance for that course(s) shall be considered a loan. Accordingly, the City-paid portion of the training costs will be deducted from the employee's last paycheck.

- g. The City may, at its discretion, pay 100% of the education costs for certain occupations where ongoing education is necessary to maintain a certification or continuing education required by the state or City.



## **PART V - LEAVE POLICIES**

### 5.1 ANNUAL VACATION LEAVE

Vacation time off with pay is available for eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Persons hired on an emergency, seasonal, or temporary basis shall not be eligible for annual vacation leave. Part-time employees are not eligible for vacation leave. Qualified Part-time employees receive vacation on a pro-rated basis. Benefited full-time employees shall accrue annual vacation leave in accordance with the following:

<u>Years of Consecutive City Service</u>	<u>Hours of Vacation Per Month</u>	<u>Accrued Per Year</u>
0 – 5	8	96
6 – 10	10	120
11 – 15	12	144
16+	14	168

A maximum of 160 hours per year shall be allowed to be carried forward from one calendar year to the next. If the amount of unused, accrued or credited vacation time on December 31<sup>st</sup> of each year exceeds the cap of 160 hours, the excess balance will be forfeited and added to the sick leave bank.

In the event an employee is not allowed to use previously scheduled and approved vacation leave because of unforeseen needs of the City, the City Manager may in writing grant an extension up to 60 calendar days from the forfeiture date in which the employee may use his/her vacation time. All accrued or credited vacation time will be paid at time of separation from the City.

Employees who have been separated from the City for less than one year, and are reinstated to the same position, may be allowed to reinstate their previous vacation accrual rate according to years of service. Employees, who have been separated for one year or more, will be prohibited from vacation time reinstatement. Reinstatement of vacation time must be approved by the City Manager.

Department Heads are credited their authorized number of vacation pay annually on January 1 of each year. If the eligible employee is hired after January 1, the number of hours of vacation pay credited on the date of hire will be pro-rated based on the months remaining in the year. The City Manager reserves the right to negotiate vacation time upon hiring of Department Heads.



A holiday that falls during an employee's annual vacation leave shall be counted as a paid holiday. Annual vacation leave shall be requested on a leave request form and pre-approved by the employee's Supervisor. Advancing vacation leave to any employee is prohibited.

## 5.2 HOLIDAY LEAVE AND HOLIDAY PAY

Midvale City recognizes the following holidays for purposes of paid holiday leave:

- |                                |                                      |
|--------------------------------|--------------------------------------|
| • New Year's Day               | January 1 <sup>st</sup>              |
| • Martin Luther King Day       | 3 <sup>rd</sup> Monday in January    |
| • Presidents' Day              | 3 <sup>rd</sup> Monday in February   |
| • Memorial Day                 | Last Monday in May                   |
| • Independence Day             | July 4 <sup>th</sup>                 |
| • Pioneer Day                  | July 24 <sup>th</sup>                |
| • Labor Day                    | 1 <sup>st</sup> Monday in September  |
| • Veteran's Day                | November 11 <sup>th</sup>            |
| • Thanksgiving Day             | 4 <sup>th</sup> Thursday in November |
| • Thanksgiving Day (Day After) | 4 <sup>th</sup> Friday in November   |
| • Christmas Day                | December 25 <sup>th</sup>            |
| • Christmas Holiday            | TBD Annually                         |

If any of the above holidays fall on Saturday, the holiday shall be observed on the preceding Friday. If any of the above holidays fall on a Sunday, the holiday shall be observed on the following Monday or as designated by the City Manager.

Full-time employees are eligible for eight hours (8) of holiday pay per holiday listed above. All holidays must be taken as a full eight (8) hour day. No incremental usage is allowed. Qualified Part-time employees will receive holidays on a pro-rated basis, which also may not be used incrementally. Part-time employees (working less than 30 hours per week) are not eligible for holiday pay.

Employees required to work on an observed holiday or an actual holiday that falls on their regularly scheduled day off, are paid at a rate of one and one-half (1.5) times their straight time base pay rate plus eight (8) hours of holiday pay as long as they meet the 40 hour work week including the holiday.

If a shift work employee works a shift that spans a two-day period, one of which is a holiday, any holiday pay shall be limited to the hours falling within the 24 hours constituting the applicable holiday.

Exempt employees are paid on the basis of set compensation and are compensated for all holidays based on that compensation. If an exempt employee works on a holiday, they are not compensated additionally for such work.



### 5.3 SICK LEAVE

Sick leave time off with pay is provided to eligible employees for periods of temporary absence due to illness, injury, or to obtain necessary medical care for themselves and/or their dependents at the discretion of the Department Head. Sick leave hours are intended primarily to provide income protection in the event of illness or injury, and may not be used for any other absence.

Full-time employees shall accrue one 8 hour day per month for a total of twelve (12) days (96 hours) annually. Qualified Part-time employees are eligible to receive sick leave on a pro-rated basis. Part-time employees and persons hired on an emergency, seasonal, or temporary basis shall not be eligible for sick leave.

An employee hired within one year to their former job or department may have their prior sick-leave balances reinstated, following the successful completion of either the six or twelve-month probationary period, unless it has been converted to the retirement health savings plan.

Paid sick leave shall be accounted for in minimum increments of one quarter (1/4) hour. Exempt employees who are off work for less than a full workday shall not have their sick leave deducted for sick time taken. Otherwise, exempt employees are subject to the same conditions and limitations applicable to the qualified and proper use of sick leave for illness, injury, or bereavement.

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.

Employees unable to fulfill normal work assignments due to illness or injury may or may not be allowed light duty assignments depending on availability.

Paid sick leave is a privilege and not a right of employment. Abuse of the sick leave privilege shall constitute grounds for disciplinary action. Employees who consistently utilize sick leave (accrual of less than 40 hours), shall become suspect of policy abuse.

Where a pattern of sick leave use is present, or a question arises as to the legitimate use of accrued sick leave, Department Heads have the right to investigate use of sick leave, make inquiry of the employee as to his/her ability to perform essential functions of the job, and otherwise request medical information be provided to the supervisor.

Advancing sick leave to any employee is prohibited.

A medical release may be required before returning to work.



Employees, Supervisors, and Department Heads are required to notify the City Manager and Human Resource Director whenever paid sick leave is used for a medical disability or serious health condition of the employee. A serious health condition means an illness, injury, impairment, or a physical or mental condition that involves an absence of three consecutive workdays or longer under the care of a health care provider, inpatient care in a hospital, hospice, or residential medical care facility; or continuing treatment by a health care provider.

An FMLA request form is to be completed by the employee and submitted to both the employee's Department Head and the Human Resource Director to be approved by the City Manager. This form is used to determine the effective date of any medical disability or serious health condition of the employee and the period of available leave (paid and unpaid) benefit for the employee.

If the proper form is not completed, the City Manager will determine the effective date of any serious health condition and the period of available leave (paid or unpaid), based on the first date the employee was granted leave related to, and/or in connection with, the employee's medical disability or serious health condition.

#### 5.4 SICK LEAVE CONVERSION AND PAYMENTS

Full-time employees who have accrued a minimum of 240 hours of sick leave may elect to convert 25% of their additional earned, unused sick leave benefits to vacation leave **one time** each calendar year at the end of the first complete pay period in January.

Employees retiring with state retirement benefits or other City approved retirement program benefits during a calendar year, may elect to convert 25% of their unused sick leave over 240 hours at the end of the first complete pay period in January or delay the conversion to the effective date of retirement within the same year. This election is allowed **one time** each calendar year.

Unused sick leave benefits will not be paid as direct compensation to employees while they are employed or upon termination of employment except as otherwise stated in this policy.

#### 5.5 LEAVE DONATIONS

Employees may voluntarily and anonymously donate accumulated unused leave (vacation, comp time, or sick leave) hours to the sick leave bank of the City to be used by an employee who has suffered an incapacitating major illness or injury, or family emergency, which has exhausted the employee's regular sick leave, vacation, and comp-time accounts.

Any unused vacation hours over the 160 allowed that are forfeited by employees at the end of the year shall be donated to the sick leave bank.



Eligible full-time City employees must have been employed with the City for one year or more and accumulated 40 or more hours of unused sick leave at the time of the request (or when the illness began) for extended sick leave compensation.

A maximum of 160 hours of extended sick leave compensation may be requested per rolling 12-month period.

**ROLLING 12 MONTH PERIOD:** A “rolling” 12-month period is measured backward from the date an employee uses any leave. Each time an employee receives sick leave compensation from sick leave donations, the remaining leave entitlement would be any balance of the 160 hours, which has not been used during the immediately preceding 12 months.

Sick leave bank hours are granted on an as-needed basis and may not be accrued. The employee must exhaust all personal leave prior to using any sick leave bank hours. No sick leave or vacation leave will be accrued while an employee is using sick leave bank hours.

All requests must be approved by the employee’s Department Head and the City Manager. All donations are made on a confidential basis. Each case will be considered separately based upon the merits of the situation.

Advancing sick leave to any employee is prohibited.

## 5.6 BEREAVEMENT LEAVE

Full-time employees working 40 hours per week and qualified part-time employees working a minimum of 30 hours per week are eligible for bereavement leave. Qualified Part-time employees receive bereavement leave on a pro-rated basis. Employees working a 40-hour work week will receive a maximum of three (3) days bereavement leave with the availability of an additional two (2) days as needed for travel or family responsibilities dealing with the funeral services upon approval by the Department Head. Bereavement leave is for making arrangements for and attendance at funeral services upon the death of an immediate member of the employee’s family as defined in this section.

For purposes of this section, “immediate members” will include father, stepfather, father-in-law, mother, stepmother, mother-in-law, brother, stepbrother, half-brother, brother-in-law, sister, stepsister, half-sister, sister-in-law, aunts, uncles, nieces, nephews, son, step-son, son-in-law, daughter, step-daughter, daughter-in-law, grandparents-in-law, grandparents, step-grandparents, grandchildren, step-grandchildren, and spouse. The days will be with pay and will not be charged to either earned sick leave or annual leave. Bereavement leave will not accrue to the employee’s





benefit if not used for the intended purpose. Leave for attendance at funerals other than those covered above will be considered either leave without pay, personal leave, or vacation. Employees may be required to provide verification of the death (obituary) and their attendance at the funeral (funeral program).

## 5.7 MILITARY LEAVE

Persons serving in the uniformed military services will be granted military leave without pay for the period of service and a reasonable amount of time to travel to and return from duty as prescribed by federal law. The vacated position may be temporarily filled and the employee will return to service with the City in either the same position or a similar position within the same pay grade and scope of responsibility, if the employee meets the requirements of federal law. During the time of absence, the employee will continue to build seniority; the employee will not lose seniority obtained prior to obtaining military leave. All employees who are or shall become members of a reserve component shall be allowed full pay equal to the difference between military pay and City pay, when military pay is less than City pay, spent on duty with military units of the United States and the State of Utah in an “activated or deployment” status. Military leave for the purpose of annual training or other non-deployment activity will not qualify the employee for the full pay equal to the difference between military pay and City pay. This leave shall be in addition to annual vacation leave with pay. A copy of orders will be required for salary payment. Any employee serving with the uniformed services may use accrued annual leave (vacation), if he/she requests it before commencing such service.

No officer or employee shall be subjected to any loss or decrease of vacation or holiday privilege or be prejudiced by reason of such absence with reference to promotion or continuances in office, employment, reappointment to office, or reemployment.

An employee reinstated under the foregoing provisions shall not be discharged from his/her position within one year after the reinstatement unless there is just cause for the discharge or a reduction in force.

Employees serving on active duty with the armed forces pursuant to a leave of absence under this section may participate for up to 24 months following separation from City employment in the City-sponsored employee group health and accident insurance plan for themselves and dependents, if they make the required timely premium payments pursuant to federal law.

Upon reinstatement to City employment, the employee shall be entitled to participate in the retirement insurance and other benefit programs offered by the City pursuant to the established laws, rules, and practices related to persons on leave of absence in effect at the time the reinstated employee commenced such active military service. This section shall not be construed to retain, in office or in the employment of the City, any person elected or appointed for a definite term of office, or any person appointed



by or serving under a person elected or appointed for a definite term of the person by whom he/she was appointed or under whom he/she was serving whose term shall otherwise expire in operation of law.

The employee serving on active duty with the military has the right to convert the City employees' group term life insurance containing a "war exclusion" provision, which would prevent payment of the double indemnity for accidental death.

Active duty service in the armed forces may qualify for service credit, which may qualify and/or increase the retirement benefits an employee might receive from the retirement program administered by the Utah State Retirement System, as provided by law. It is the employee's responsibility to contact the State Retirement Office for further information. The City will not make the employer-paid contributions and the employee-paid contributions, if any, otherwise paid by the City in behalf of the employee, for former employees serving on active military duty. For those employees whose employment with the City is reinstated following separation from active military service, the City will make the contribution adjustment representing the employer's contribution for the period of military service upon the following conditions:

- The reinstated employee requests the City to make the contribution adjustment payment to the Utah State Retirement System.
- The reinstated employee makes the contribution adjustment payment to the Utah State Retirement System as required by law.
- The reinstated employee meets all of the criteria for eligibility for the service credit, as provided by state and/or federal law.

Active duty service in the armed forces will be used in calculating the "length of service" for "annual leave" (vacation) for a reinstated employee, pursuant to this manual.

## 5.8 JURY OR WITNESS DUTY

The City recognizes the duty of every employee, as a citizen of the United States, to perform jury duty or serve as a witness in court on behalf of another party. If the jury or witness service is completed during regular work hours, an employee is expected to return to work upon completion of the service. The employee shall receive his/her regular pay when performing jury and witness duty money received for jury or witness service is returned to the City within one (1) week of receipt. Verification of jury and witness duty will be required. If you fail to comply with this policy, disciplinary action may be taken.



## 5.9 PAID LEAVE/UNPAID LEAVE

Accrued leave must be used during an approved leave in order to maintain City provided benefits. If an employee has no accrued leave and is on approved unpaid leave, all benefits including vacation, sick leave, holiday leave and retirement will be discontinued until the employee returns to work unless provided for under state or federal guidelines. Insurance benefits may be continued under approved unpaid leave if the full premium is paid by the employee.

## 5.10 FAMILY MEDICAL LEAVE [FMLA]

The Family and Medical Leave Act of 1993 (FMLA) grants eligible employees the statutory right to take up to 12 weeks of paid and/or unpaid leave per year under specified circumstances related to serious health conditions and childbirth. Employees are encouraged to talk with their Supervisors, Department Head, or Human Resource Director to raise concerns and seek information about the Family and Medical Leave Act, or their working conditions related to taking such leave, without fear of retaliation.

### 5.10.1 ELIGIBLE EMPLOYEES

Only eligible employees are entitled to take FMLA leave. An **eligible** employee is a:

- Has worked for Midvale City for at least 12 months; and
- Has at least 1,250 hours of service for Midvale City during the 12 month period immediately preceding the leave

Eligible employees are entitled to 12 weeks of paid or unpaid Family and Medical Leave within the calculated leave year if the following definition of serious health condition is met:

- An illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.



#### 5.10.2 MILITARY FAMILY LEAVE ENTITLEMENTS MEMBER

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings. FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service-member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

#### 5.10.3 ROLLING 12 MONTH PERIOD

A “rolling” 12-month period is measured backward from the date an employee uses any FMLA leave. Each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the 12 weeks, which has not been used during the immediately preceding 12 months. FMLA leaves may be approved for a maximum of 12 weeks in a 12-month period.

##### EXAMPLE FOR 12-MONTH ROLLING PERIOD

If an employee has taken 8 weeks of leave during the past 12 months, an additional 4 weeks of leave could be taken. If an employee used 4 weeks beginning February 1, 2003, and 4 weeks beginning June 1, and 4 weeks beginning December 1, 2003, the employee would not be entitled to any additional leave until February 1, 2004. However, beginning on February 1, 2004, the employee would be entitled to 4 weeks of leave, on June 1 the employee would be entitled to an additional 4 weeks, etc.

#### 5.10.4 INTERMITTENT LEAVE

When medically necessary, you may be eligible to take FMLA Leave intermittently for your own serious health condition, the serious health condition of a spouse, child or parent or for military caregiver leave. You must make reasonable attempts to arrange leave to minimize disruption of the City’s operations. Qualifying exigency leave may also be taken intermittently; however, leave due to the birth or placement of a child for adoption or foster care may not be taken intermittently and must be completed within a 12-month



period from the date of birth or placement of the child and requires the City Manager's approval.

#### 5.10.5 NOTICE OF LEAVE

You should not use FMLA Leave to circumvent your department's leave request procedure. To request FMLA Leave, contact Human Resources 30 days in advance of when you want the leave to begin. In case of an emergency, contact Human Resources as soon as is practical. Supervisors also have a responsibility to notify Human Resources if they are aware of an employee with a medical condition who may be eligible to be placed on FMLA Leave. Failure to provide timely notice may result in a delay in the start of your leave. Within five business days of your leave request, Human Resources will notify you if the leave will be designated as FMLA Leave.

#### 5.10.6 CONCURRENT LEAVE

When taking FMLA Leave for your own serious health condition, you are required to use accrued paid leave (sick leave, compensatory time and vacation) before going on unpaid leave status. The City recognizes that employees may need to take time, under this policy, to care for a seriously ill spouse or family member. Your supervisor may require you to return to work if you use the leave for unrelated activities such as working a second job or any other activity not related to caring for a family member during regularly scheduled Midvale City working hours.

#### 5.10.7 WORKER'S COMPENSATION LEAVE

An absence from work due to an on-the-job injury or illness, which qualifies as a worker's compensation absence also qualifies as an FMLA absence.

#### 5.10.8 PAID LEAVE DURING FMLA LEAVE

You are required to use accrued vacation, comp time, or sick leave during a FMLA leave according to the provisions of the City's sick and annual leave policies. Consistent with sick leave policies, sick leave may only be used to care for the medical needs of you or another qualified individual, as defined in the Family Medical Leave Act. In all other situations, leave without pay will apply.

#### 5.10.9 MAINTENANCE OF BENEFITS

The City will continue health benefits (medical and dental insurance coverage) for benefit-eligible employees during any paid FMLA leave on the same basis as for active employees.

The regularly deducted premiums due for medical and dental coverage during periods of unpaid FMLA leave will be collected according to existing procedures for premium payment during an approved leave without pay. Employees will be



contacted by Human Resources regarding provisions for payments. If you fail to make payments for your portion of the insurance premiums in a timely manner, the City may terminate those benefits.

The flexible spending account (FSA) program is governed by specifications of the FSA plan. Human Resources will inform employees regarding payment provisions for continuation of the FSA plan during FMLA leave.

Under circumstances where you fail, without cause related to any medical condition, to report back after the leave ends, you may be required to reimburse the City for the health insurance premium costs paid on your behalf during the entire period of the leave.

#### 5.10.10 MARRIED COUPLES WORKING FOR MIDVALE CITY

If you and your spouse both work for Midvale City, the total number of weeks of FMLA Leave to which both employees are entitled will be limited to 12 weeks during any leave year if the leave is taken (1) for the birth of a child, (2) for the placement of a child for adoption or foster care or (3) to care for a parent with a serious medical condition. Each employee would then be entitled to the difference between the amount of leave taken for the above-mentioned reasons and 12 weeks. Likewise, the total number of weeks of leave to which both employees are entitled will be limited to 26 weeks during a single 12 month period if the leave is taken for (1) Military Caregiver Leave or (2) a combination of Military Caregiver Leave and leave taken for the birth or placement of a child for adoption or foster care or to care for a parent with a serious medical condition. For example, you and your spouse both take six weeks off for the birth of your child. Those 12 weeks are the maximum combined total you and your spouse can take for the birth of a child. Each employee would then have six remaining weeks of FMLA leave available in the year.

#### 5.10.14 RETURN FROM LEAVE

Upon return from FMLA Leave, you will be restored to your original position or an equivalent position if the original position is not available. Upon returning from leave for your own serious health condition, you may be required to provide a Fitness for Duty (FFD) certification signed by a health care provider. Failure to provide a FFD certification may delay your return to work. In addition, the City may take any personnel action/decision that would have happened if you had continued to work while you are on FMLA Leave.

If you have any questions regarding FMLA Leave, please contact Human Resources.



## 5.11 LEAVE WITHOUT PAY

Employees are advised to accumulate leave to have available for unexpected reasons such as vacation opportunities, family events, injury or illness. Employees that have not kept adequate leave balances sometimes want to take leave without pay. The use of unpaid leave may indicate that your absenteeism is excessive and therefore is discouraged.

The City may terminate insurance benefits during any leave without pay exceeding one full pay period. Vacation time and sick leave will be prorated based on the hours worked for the pay period when leave without pay is used.

Leaves of absence without pay may be granted by a Department Head for the following reasons only:

- Military Leaves of Absence
- Eligible leave covered under the Family and Medical Leave Act or the Americans with Disabilities Act
- Other medical absences of less than five working days when the Department Head determines that absence will not adversely impact operations
- Temporary leaves of absence to mitigate budget shortfalls
- Jury duty and witness leave
- Disciplinary action
- Previously scheduled commitments of new employees that are agreed to at the time of job offer.

Employees who exhaust all eligible leave and are unable or unwilling to work may be terminated. Any leave without pay must be approved in writing by the Department Head.

## 5.12 ADMINISTRATIVE LEAVE WITH PAY

Administrative leave with pay may be granted with prior approval of the City Manager or designee under the following circumstances:

- Pending the outcome of an investigation to determine possible disciplinary action against the employee.
- With regard to incidents resulting in extreme stress.



Any employee placed on administrative leave with pay must be available and responsive to their Supervisor or Department Head during regular business hours.

## 5.13 LEAVE OF ABSENCE

Under special circumstances, employees may find it necessary to request leave without pay for a reason other than family or medical leave.

Full-time employees who have successfully completed their probationary period are eligible to request leave as described in this policy.

Eligible employees may be granted a period of up to 30 consecutive calendar days on a rolling year basis. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than 60 consecutive calendar days.

Eligible employees interested in a leave of absence must submit a written request to their Department Head detailing the nature of the leave.

Requests for leave of absence will be considered based on criteria such as the nature of the request, the impact to the organization, and the benefit to the employee and/or the City. The City does not grant a leave of absence without pay, unless it is believed the employee will return to City employment at the end of the leave.

Prior written approval will be obtained from the employee's Department Head and the City Manager.

During an approved leave of absence, an employee is required to use any applicable and available paid leave before the commencement of any leave of absence without pay.

- 1) Once the employee has exhausted all of his or her applicable leave benefits, they will no longer continue to accrue vacation, sick leave, holiday leave, and other City benefits during the approved leave of absence period, unless provided for under state or federal guidelines.
- 2) Accrued leave must be used during an approved leave of absence in order to maintain City provided benefits. If an employee has no accrued leave, all benefits will be discontinued until the employee returns to work. Insurance benefits may be continued if the full premium is paid by the employee.
- 3) At the completion of an approved leave of absence, every reasonable effort will be made to return the employee to the same position, if it is available, or to a





similar available position for which the employee is qualified, or in accordance with any leave agreement(s). However, the City cannot guarantee reinstatement in all cases and is under no obligation to hold a specific job.

- 4) If an employee fails to report to work promptly at the expiration of the approved leave period, the City will assume the employee has resigned.

#### 5.14 TIME OFF TO VOTE

The City encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, their Department Head may grant a reasonable amount of paid time off, up to two hours, for employees to vote. Employees should request time off to vote from their supervisor at least two working days prior to the election day. Advance notice is required so the necessary time off can be scheduled to minimize disruption of work schedules and operations.



## **PART VI - EMPLOYEE CONDUCT**

### **6.1 GUIDELINES FOR APPROPRIATE CONDUCT**

As an integral member of the City team, you are expected to accept certain responsibilities, adhere to acceptable business principles in matters of personal conduct, and exhibit a high degree of personal integrity at all times. This not only involves sincere respect for the rights and feelings of others, but also demands that you refrain from any behavior that might be harmful to you, your coworkers and/or the City, or that might be viewed unfavorably by current or potential customers or by the public at large.

Whether you are on duty or off, your conduct reflects on the City. Consequently, you are encouraged to observe the highest standards of professionalism at all times. It is the responsibility of each employee to comply with these standards, department policies and the supervisory instructions given to them for performance of their duties. Types of behavior and conduct that the City considers important include, but are not limited to, the following:

#### **6.1.1 DUTY TO ACT LAWFULLY**

This includes knowing the law and following it.

**CONFIDENTIALITY:** Unless authorized, City employees shall not interfere, offer advice, or otherwise make comment regarding any incident surrounding a City legal issue, pending court case regarding City business, or employee disciplinary action to the public or other City employees. Inappropriate release or discussion of confidential City information to unauthorized individuals will result in disciplinary action and possible termination.

#### **6.1.2 DUTY OF ETHICAL CONDUCT AND LOYALTY TO THE CITY**

This duty includes avoiding any activities which may conflict with City responsibilities; respecting and preserving City property and resources; maintaining official confidences; not abusing City time, benefits or privileges of employment; and acting ethically and honestly in all matters which may reflect on the reputation of the City.

#### **6.1.3 DUTY TO PROMOTE WORK EFFICIENCY AND MORALE**

This duty includes being present, punctual and fit for all assigned duties; acting competently; following supervisor instructions; respecting the personal health,



dignity, reputation, property and time of coworkers; reporting work place hazards and fostering safety; and promoting positive communication, good morale and maximum efficiency within the organization.

#### 6.1.4 DUTY OF SERVICE TO THE GENERAL PUBLIC

This duty includes promoting the health, safety and welfare of the general public; displaying respect for members of the public; being diplomatic, helpful and speaking truthfully; promptly removing or reporting public hazards; being conscious of and containing costs of government; and dressing and acting in a manner which encourages confidence in the City and its work force.

Should your performance, work habits, overall attitude, conduct or demeanor become unsatisfactory in the judgment of the City, based on violations either of the above or any other City policies, rules or regulations, you will be subject to disciplinary action, up to and including dismissal.

Refer to Part 7 of the Policies and Procedures Manual for Standards of Conduct, Disciplinary Action, and Employee Appeal process.

## 6.2 CONFLICT OF INTEREST

The City's conflict of interest ordinance, comprised of Title 2 Chapter 16 Article 7 outlines the City's position on maintaining an employment relationship absent of any conflict of interest. As a City, we are required by ordinance to advise all employees, officers (elected officials), and volunteers, of their responsibilities outlined in the conflict of interest ordinance, as well as obtain documentation of compliance. As a result, a conflict of interest form must be completed prior to acceptance of an offer of employment.

### 6.2.1 CONFLICT OF INTEREST ORDINANCE SUMMARY

Listed below is a summary of the conflict of interest ordinance. Please refer to the actual conflict of interest ordinance for further clarification. The following summary should not be considered exhaustive or preclude a careful reading of the actual ordinance; however, the ordinance includes the following major concepts:

**\*\*Please Note:** It is your responsibility to notify Human Resources if your status changes throughout the year. You **MUST** disclose any and all possible conflicts.

### 6.2.2 DEFINITIONS

An expanded definitional section is included to define numerous terms. It is included to aid in the clarity of meaning and to assist in interpreting the ordinance.



### 6.2.3 DISCLOSURE/DISQUALIFICATION

Section 2.16.720 prohibits officials, employees, and volunteers from acting upon City matters in which they have a personal interest. The prohibited conflict is one that involves a personal interest that is “individualized” and “distinguishable” from those that affect the public, generally. The ordinance requires disclosure of such interest and requires a public servant’s disqualification from participating or deliberating on any such matters.

### 6.2.4 PROHIBITION AGAINST USING ONE’S CITY POSITION IMPROPERLY

Section 2.16.730 prohibits the disclosure of confidential City information or the use of such information for personal advantage by the public servant, relatives, or others. It also prohibits the use of a person’s public position to further the personal financial or other interests of the public servant.

### 6.2.5 REQUIRED DISCLOSURES

Section 2.16.740 requires every public servant to disclose his/her business or financial interests that are subject to City regulation. It also sets timelines when these disclosures must be made and renewed. These disclosures are filed as public records, with the City Recorder. However, to protect privacy interests the specific dollar amounts need not be disclosed. The section only requires a generic description and whether or not the value exceeds \$2,000 dollars, in order to protect personal privacy interests.

### 6.2.6 TRANSACTIONS INVOLVING THE CITY

Section 2.16.750 prohibits an employee, officer, or volunteer of the City from receiving compensation for assisting someone in doing business with the City, unless there is a sworn written statement giving the information required by this section and disclosure in an open meeting to the members of the body, if any, of which he or she is a member.

### 6.2.7 PROHIBITION ON OFFERING, ACCEPTING, SOLICITING, OR RECEIVING GIFTS

Section 2.16.760 prohibits citizens from making or offering gifts and public servants from soliciting or accepting improper gifts. Prohibited gifts are those that influence the recipient from departing from the faithful and impartial discharge of public duties or has the primary purpose of rewarding the public official for taking or not taking official action.

### 6.2.8 PROHIBITION OF COERCION TO DO BUSINESS

Section 2.16.770 prohibits an officer, employee, or volunteer from seeking to coerce a subordinate or another employee, officer, or volunteer to do business



with a private entity, in which that individual has a personal financial interest.

#### 6.2.9 IMPROPER USE OF CITY INFORMATION

Section 2.16.780 prohibits an employee, officer, or volunteer from acquiring an interest in a private business entity, based on inside information from the City that is not available to the general public. That is, it prohibits an employee from using confidential private City information for private personal gain.

### 6.3 INFORMATION REPORTING & WHISTLE BLOWING

#### 6.3.1 LIABILITY TO REPORT

If you become aware of any occurrence which may give rise to a lawsuit, if you receive a notice of claim, or are sued because of an incident related to your employment, you shall immediately notify your Supervisor, Department Head, and/or City Attorney. In most cases, under provisions of the Governmental Immunity Act (Section 63-30-36 and 37 of the Utah Code), employees shall receive defense and indemnification unless the case involves fraud, malice, or the use of alcohol or drugs by the employee. If a lawsuit results against an employee, the Governmental Immunity Act stipulates that the employee must request a defense from the City in writing within ten (10) calendar days of receipt of the lawsuit from the City.

#### 6.3.2 WHISTLE BLOWING

As a public employee, you have a responsibility to formally inform appropriate administrative officials if you become aware of, or reasonably suspect the waste of public funds, property, manpower or a violation of law, relating to your employment. You should give written notice to, or otherwise formally inform, the appropriate administrative official as soon as possible when you become aware of the suspected waste or violation. An appropriate administrative official is your immediate Supervisor, unless you reasonably believe the Supervisor cannot or will not fairly and constructively report the problem. If that is the case, you may report the incident to the Mayor, City Manager, Assistant City Managers, Department Head, Human Resource Director, City Attorney or you may notify the State Auditor.

#### 6.3.3 IMPROPER DISCLOSURE/ SPREADING OF RUMORS

You are responsible for refraining from spreading information which is hostile to City operations or other employees which you know, or have reason to know is malicious, false or frivolous. You also are not to disclose, or induce others to disclose confidential information acquired due to your position. You are NOT allowed to use confidential information for your gain, benefit or purposes.



#### 6.3.4 ASSIST INVESTIGATIONS

You have a duty to participate in an investigation, hearing, inquiry or other form of administrative review by the City arising from a report of the existence of any waste of public funds, property, manpower or violation of law as may be requested by City officials.

### 6.4 OUTSIDE EMPLOYMENT

Midvale City recognizes that some employees may need or want to hold additional jobs outside their employment with the City. Employees of Midvale City are permitted to engage in outside work or hold other jobs, subject to certain restrictions based on reasonable business concerns and approval by the department head and City Manager.

#### PROCEDURES

Midvale City applies this policy consistently and non-discriminatorily to all employees, and in compliance with all applicable employment and labor laws and regulations. The following rules for outside employment apply to all employees:

1. Work-related activities and conduct away from Midvale City must not compete with, conflict with or compromise the City's interests or adversely affect job performance and the ability to fulfill all responsibilities of their position at the City. This prohibition also extends to the use of any City tools or equipment and the unauthorized use or application of any City confidential information. In addition, employees may not solicit any outside business during work time for Midvale City.
2. Midvale City employees must carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. Employees are expected to work, and be available to work, during the hours required of the employee's position with the City. If outside work activity causes or contributes to job-related problems at Midvale City, the employee will be asked to discontinue outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related problem(s).
3. In evaluating the effect that outside work may have on an employee's job performance and other job-related responsibilities, the employees department head will consider whether the proposed employment:
  - May reduce the employee's efficiency in working in the City.
  - Affects the employee's ability to respond to being on-call for the City.
  - Involves working for an organization that does a significant amount of business with the City, such as major contractors, suppliers, service providers.



- May adversely affect the City's image.
- May create a conflict of interest. A conflict of interest is defined as a substantial conflict between their private interests and their public duties.

4. Employees who have accepted outside employment may not use City paid sick leave to perform work on the outside job.

5. The department head may pursue disciplinary action up to and including termination of employment for the fraudulent use of City sick leave or for issues identified in Section 6.4 (2) above.

6. An authorization form must be filled out and signed each year declaring the employee's outside job, the job duties, and hours worked. This form must be signed by the employee's supervisor, department head, and City Manager. This form must then be submitted to the Human Resource Department and placed in the employee's personnel file. Failure to submit an authorization form is cause for disciplinary action.

## 6.5 DISTRIBUTION OF LITERATURE AND SOLICITATION

In the interest of maintaining a proper business environment and preventing interference with work and the inconvenience of others, distribution of literature or printed materials of any kind and selling merchandise during work time is restricted.

With prior permission from the Human Resources Department, you may place literature in a break room. Additionally, you must receive permission from your Department Head to place literature in designated areas within the department. Do not place personal solicitations, information or announcements on the network computer system. Non-employees are likewise prohibited from distributing material or soliciting employees on City premises at any time.

The solicitation of financial contributions and gifts or soliciting for any other reason is restricted. Consistent with Utah State Code 10-3-1304, it is inappropriate for a City employee to use or attempt to use your official position to secure special privileges for yourself or others or to solicit, directly or indirectly, any gift of substantial value or substantial economic benefit. Please be advised that solicitation activities are prohibited while in a City uniform or during your scheduled work hours.

## 6.6 ELECTRONIC COMMUNICATIONS USAGE

### 6.6.1 PROHIBITED COMMUNICATIONS.

Employees are advised of the following prohibited activities and prohibited uses of Midvale City electronic media:



- a. **Prohibited Activities.** Sending, receiving, displaying, printing or otherwise disseminating material that is fraudulent, harassing, illegal, sexually revealing, explicit or obscene. Employees or users encountering such material should immediately report it to their supervisor/ manager or a human resources representative.
- b. **Prohibited Uses.** Employees or users may not utilize Midvale City's internet, intranet and email resources for commercial and personal advertisements, solicitations, promotions, destructive programs (i.e., viruses or self-replicating software), political material, gambling or any other use that is or may be adverse to the best interests of the organization. Users should exercise the same care in drafting email as they would for any other written communication. Anything created on the computer or internet may be viewed by others. Visiting adult web sites containing sexual images is strictly prohibited.
- c. In addition, electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication that is:
  - i. Discriminatory or harassing;
  - ii. Derogatory to any individual or group;
  - iii. Obscene, sexually explicit or pornographic;
  - iv. Defamatory or threatening;
  - v. In violation of any license governing the use of software;
  - vi. Engaged in for any purpose that is illegal or contrary to Midvale City policy or professional interests.

6.6.2 Personal Use. Computers, telephone, e-mail, internet and electronic media and services are provided for business purposes to assist employees in the performance of their jobs. It is understood that there will be occasional or incidental use of electronic media (e.g. sending or receiving e-mail or telephone calls) for personal, non-City purposes, and as such, should be done in a manner that does not negatively affect the systems' use for City purposes or employee productivity. Employees are expected to demonstrate a sense of personal responsibility and accountability in using City resources for personal purposes. Use of the City computers, computer resources, e-mail, or other resources for the employee's outside business endeavors is prohibited. Under no circumstances may any employee use City computers, computer resources, internet access, e-mail, or other resources to run, support or operate a personal business.

#### 6.6.3 Access to Employee Communications.

- a. Electronic information created and/or communicated by an employee using a City computer, e-mail, word processing, utility programs,





spreadsheets, voicemail, telephones, internet, and similar electronic media may be monitored by Midvale City.

- b. Midvale City gathers and stores daily user log files for most electronic activities and monitors employee communications directly (e.g., telephone numbers dialed, emails sent and received, internet sites visited, call length, and time at which calls are made) for the following purposes:
  - i. Confidentiality and data security;
  - ii. Cost analysis;
  - iii. Resource allocation;
  - iv. Monitor and prevent potential internet virus intrusions;
  - v. Optimum technical management of information resources;
  - vi. Detecting patterns of use that indicate employees are violating City policies or engaging in illegal activity.
- c. Midvale City reserves the right, at its discretion, to review any employee's City-issued electronic devices, files and messages to the extent necessary to ensure electronic media and services are not being compromised and are being used in compliance with the law, this policy and any other City policies.
- d. Employees should not assume electronic communications are private. Accordingly, if an employee has personal sensitive information to transmit electronically, he/she should use other personal means not provided by the City or on City computers, telephones, fax machines, printers, etc.
- e. In order to prevent security breaches of the City's information systems, an employee's computer should be manually locked when an employee leaves the work station regardless of the length of time that the employee will be away. Employees should not rely on auto-lock features that lock the computer after a pre-set number of minutes.

6.6.4 Software. To prevent potential computer virus intrusions from being transmitted through the City's network system, downloading of any unauthorized programs or software is strictly prohibited. Only software registered through the City and installed by authorized IT personnel may be downloaded. Employees should contact the City's Information Technology Department if they have any questions.

#### 6.6.5 Security / Appropriate Use.

- a. Employees must respect the confidentiality of other individuals' electronic communications. Employees are prohibited from engaging in or attempting to engage in the following:



- i. Monitoring or intercepting the files or electronic communications of other employees or third parties;
  - ii. Hacking or obtaining security access to systems or accounts they are not authorized to use;
  - iii. Using other people's log-ins or passwords;
  - iv. Using online chat/instant messenger (IM) programs for non-business related activity.
  - v. Breaching, testing, or monitoring computer or network security measures.
- b. No e-mail or other electronic communications can be sent that attempt to hide the identity of the sender or represent the sender as someone else.
  - c. Electronic media and services should not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other people to access and use the system.
  - d. Anyone obtaining electronic access to other companies' or individuals' materials must respect all copyrights and cannot copy, retrieve, modify or forward copyrighted materials except as permitted by the copyright owner.

6.6.6 Encryptions. Encryption software may be utilized for purposes of safeguarding sensitive or confidential business information. Employees who may use encryption on files stored on a City computer must provide their supervisor with a sealed hard copy record (to be retained in a secure location) of all of the passwords and/or encryption keys necessary to access the files.

#### 6.6.7 Online Chat Rooms / Instant Messaging.

- a. Employees should remember that any messages or information sent using City provided computers and equipment to one or more individuals via an electronic network (e.g., internet mailing lists, bulletin boards, chat rooms, and online services) are statements identifiable and attributable. The installation or use of external online instant messaging programs is prohibited without prior City approval.
- b. The City recognizes that participation in some forums may be important to the performance of an employee's job. For instance, an employee may find the answer to a technical problem by consulting members of a user group devoted to a particular technical area.

6.6.8 Violations. Violations of previous sections of this policy which outline the privilege of access to e-mail, telephones, the internet or any other City electronic media will be subject to disciplinary action, up to and including termination of employment, legal action, and/or criminal liability.



#### 6.6.9 ELECTRONIC MAIL ACCOUNTS FOR COUNCIL MEMBERS

The City will provide an e-mail account to City Council members. This account shall be used for City business only, enabling communications with the public, City staff, and other elected and/or appointed officials. Council members must also follow City e-mail policy. The e-mail account will be deactivated when the City Council member completes a term without re-election or resigns.

### 6.7 SOCIAL MEDIA POLICY

Midvale City recognizes the growing importance of online social media networks as a communication tool. This policy addresses employees' use of such networks including: personal websites, web logs (blogs), wikis, social networks, online forums, virtual worlds, and any other kind of social media. Midvale City respects the right of employees to use these mediums during their personal time. Use of these mediums during company time or on company equipment, however, is prohibited.

#### 6.7.1 GUIDELINES

Midvale City takes no position on employees' decision to participate in the use of social media networks. In general, employees who participate in social media are free to publish personal information without censorship by Midvale. Employees must avoid, however, posting information that could harm the City using the guidelines set forth below.

- a. All employees are responsible for maintaining the city's positive reputation and under no circumstances should employees present the city to the public in a manner that diminishes its standing within the community. Instead, employees are responsible for presenting the city in a manner that safeguards the positive reputation of themselves, as well as the city's employees, and managers.
- b. If an employee chooses to identify him or herself as a Midvale City employee on any social media network, he or she must adhere to the following:

Employees are required to state in clear terms that the views expressed on any social media network are the employee's alone and that they do not necessarily reflect the views of Midvale City.

- Employees are prohibited from disclosing information on any social media network that is confidential or proprietary to the City or to a third party that has disclosed information to the city. For example, information about or identifying co-workers or incidents that occur at the City.



- Employees are prohibited from displaying the City’s logo on any social media network without permission from the City Manager. Also, they should not post disparaging images of co-workers.
  - Employees are prohibited from making statements about Midvale City, their co-workers, elected officials, or other agencies that could be considered as harassing, threatening, libelous, or defamatory in any way.
  - Employees are prohibited from acting as a spokesperson for Midvale City or posting comments as a representative of the City.
  - Employees are prohibited from sharing any communication that engages in personal or sexual harassment, unfounded accusations, or remarks that would contribute to a hostile work environment (racial, sexual, religious, etc.), as well as any behavior not in agreement with Midvale City’s Standards of Conduct Policy or general policies and procedures.
- c. Employees who participate in social media may still decide to include information about their work at the City as part of their personal profile, as it would relate to a typical social conversation. This may include:
- Work information included in a personal profile, to include city name, job title, and job duties.
  - Status updates regarding an employee’s own job promotion.
  - Personal participation in Midvale City sponsored events, including volunteer activities.
- d. An employee who is responsible for a social media posting that fails to comply with the guidelines set forth in this policy or that otherwise causes harm to Midvale City may be subject to discipline, up to and including termination. Employees will be held responsible for the disclosure, whether purposeful or inadvertent, of confidential or proprietary company information, information that violates the privacy rights or other rights of a third party, or the content of anything posted on any social media. Further, employees may be liable for monetary damages for such disclosure.
- e. Finally, employees should let the Human Resources Director know if they encounter incorrect information about Midvale City that might randomly



appear online. Employees themselves should not attempt to correct any such information that appears online.

## 6.8 PRODUCTIVITY

All employees should maximize their productivity and look for ways to reduce and/or eliminate the waste of time, money, and other resources in their jobs. Supervisors should assign work to make the best use of employees' skills and talents whenever possible. Work assignments used as discipline or punishment, such as manual labor when equipment is available or could be scheduled differently, may be considered as restricting output.

## 6.9 CELL PHONE USE

### 6.9.1 EXEMPT AND KEY EMPLOYEE CELL PHONE POLICY

Exempt and key employees are expected to be available during work hours whether in the office or at a meeting or conference and in emergency situations outside work hours. As a result, all exempt employees and those key employees identified by the City Manager shall keep their cell phone with them while at work or at home. It is also expected that the exempt employee's phone will have a data plan to allow for additional communication of information and scheduling of meetings via email.

In an effort to eliminate the need for an employee to carry two phones (personal and work) and to reduce the expense to the City, each employee that has been identified as needing to have a cell phone may choose one of the following options:

Option 1: Carry a personal cell phone that will be used for both City use and personal use with the monthly service paid by the employee. The City will reimburse the employee an appropriate amount based on the cost of the City's plan per paid period for City use of the phone. If the phone is damaged, all replacement costs will be paid by the employee;

Option 2: Carry a City issued cell phone (determined by the City) that can be used for both city use and personal use for which the employee reimburses the City an amount designated by the City based on the cost of the City's plan per pay period of the service cost and 100% of any overage amounts. If the phone is damaged, it will be replaced at the City's discretion;

Option 3: Carry a City issued cell phone (determined by the City) that will be for City business ONLY (personal use is prohibited) and the City will pay the costs. If the phone is damaged, it will be replaced at the City's discretion.



Contributions from the City will be included in the employee's pay check. Reimbursements to the City will be by payroll deduction with each pay check. The reimbursed amount will be determined based on a bundled plan for minutes and text as determined by the Department Head; or a bundled plan for minutes, text and data as determined by the Department Head.

## 6.9.2 USE OF CELL PHONES OR SIMILAR DEVICES

### 6.9.2.1 GENERAL USE AT WORK

- a. While at work, employees are expected to exercise the same discretion in using personal cell phones as when using company phones. Excessive personal calls during the workday, regardless of the phone used, can interfere with employee productivity and be distracting to others. Excessive use of cell phones during work hours for personal use may be cause for disciplinary action.
- b. As a general rule, employees should restrict the use of cell phones for personal reasons to scheduled breaks or lunch periods in non-working areas.
- c. To ensure the effectiveness of meetings, employees are also asked to turn cell phones to vibrate mode during the meeting or leave the cell phone at their desk.

### 6.9.2.2 USE WHILE DRIVING

- a. The City prohibits employees from using cell phones or similar devices while driving any City owned vehicle or while conducting business for the city and driving any vehicle.
- b. This prohibition includes receiving or placing calls (unless the device has hands-free capability), text messaging, surfing the Internet, receiving or responding to email, and checking for phone messages.
- c. If the employee must respond to a text message, email or other type of communication in a non-hands-free mode, he/she must stop the vehicle in a safe location and remain in that location until the communication is completed.
- d. Employees violating this policy are subject to disciplinary action up to and including termination.



### 6.9.3 PERSONAL USE OF CITY-OWNED CELL PHONES

- a. The City may issue business cell phones to employees for work-related communications. The City understands that these cell phones are used periodically for personal use. The City asks its employees to use discretion in the use of City-owned phones for personal reasons.
- b. The City reserves the right to review City-owned cell phone usage and may, at its sole discretion, monitor the activity of all of its equipment including City-owned cell phones. Employees should have no expected right to privacy as it relates to any City-owned equipment. If the City finds the employee is abusing the use of the City-owned cell phone for personal use, the City-owned cell phone will be confiscated and the employee will be required to purchase their own personal cell phone.
- c. Employees in possession of City equipment (including cell phones) are expected to protect the equipment from loss, damage, or theft. Upon termination of employment, or upon request at any time, the employee may be asked to produce the equipment for return or inspection. If the employee fails to return the equipment in a timely manner or if the equipment is damaged beyond normal “wear and tear”, the City reserves the right to withhold the fair market value of the equipment from the employee’s paycheck.
- d. Any and all information on any (personal or City-owned) cell phone in which the City pays for or reimburses the employees for use, is considered public information and can be obtained through a Governments Records Access and Management Act (GRAMA) request.
- e. Excessive usage or abuse of a City-owned cell phone may be cause for disciplinary action up to and including termination.

6.9.4 USE OF PERSONAL CELL PHONES: The use of personal cell phones shall not interfere with an employee’s duties. Section 6.9.2.2 applies to the use of personal cell phones while conducting city business. Any and all information on any (personal or City-owned) cell phone in which the City pays for or reimburses the employees for use, is considered public information and can be obtained through a Governments Records Access and Management Act (GRAMA) request.



## 6.10 DRESS AND HYGIENE STANDARDS

### 6.10.1 PURPOSE

City employees present the first impression of Midvale City to members of the public, and therefore, must present a professional image at all times. Professional attire complements an environment that reflects an efficient, orderly, professionally-operated organization. The purpose of this policy is to provide guidelines for employees and management as to what does and does not constitute appropriate professional attire. This policy is not an all-inclusive list of what is and is not acceptable and employees must exert judgment in their choice of clothing that is worn to work. This policy is intended for all City personnel working in both office and “in the field” settings.

### 6.10.2 ACCEPTABLE BUSINESS CASUAL ATTIRE

A business casual dress code is appropriate for City employees working in office type settings Monday through Thursday. Examples of Acceptable Business Casual Attire include:

- a. Clothing that projects a professional image. All clothing shall be clean and without rips, holes, etc.
- b. Slacks, dress pants or pants similar in style to Dockers or other makers of cotton, synthetic or wool pants.
- c. Casual dresses, skirts and skorts that are no shorter than three (3) inches above the top of the knee. Skirts that are split at or below the knee. Leggings are allowed under a skirt or dress only.
- d. Casual shirts, dress shirts, sleeveless sweaters and shirts, golf-type shirts and turtlenecks.
- e. Business suits and sport jackets.
- f. Men’s dress shoes, clogs, boots, flats and dress heels. Open toe shoes (including sandals) will be acceptable for women only.
- g. T-shirts are not acceptable on non-casual days.
- h. An employee may wear non-blue denim jeans, if approved by the Department Head.





### 6.10.3 ACCEPTABLE CASUAL ATTIRE

A casual dress code is appropriate for City employees on Fridays. Employees are expected to present a neat appearance and shall not wear items classified as “Unacceptable Attire”, as described below.

- a. Blue Jeans must be in good condition (i.e. not ripped or tattered).
- b. T-shirts and sweatshirts must be in good condition.
- c. Athletic shoes in good clean condition.
- d. Any of the above “Acceptable Business Casual Attire” is also appropriate on casual Fridays.

### 6.10.4 UNACCEPTABLE ATTIRE

The following is not acceptable attire at any time:

- a. Shorts for men and women.
- b. Clothing that is tight, clothing that is revealing such that either midriff or cleavage is exposed.
- c. Clothing that contains offensive words, cartoons or images, etc.
- d. Clothing that contains political statements, slogans or campaign related information.
- e. Employees shall not wear any type of clothing, footwear, headgear, etc. that contains the name of a company or corporation that the City contracts with or uses as a vendor unless approved by the department director.
- f. Bib overalls, sweatpants, exercise pants, warm-up suits and any spandex-like material pants that can be used for exercise.
- g. Tight skirts, and mini-skirts, strapless dresses and spaghetti-strap dresses.
- h. Midriff tops, halter tops and tube tops.
- i. Shower footwear, beach flip-flops, or slippers.
- j. Hats that have not been issued by the City.



- k. Using a reasonable person standard, other attire which may not be considered appropriate for the workplace.

#### 6.10.5 FIELD PERSONNEL: BUILDING INSPECTION AND PUBLIC WORKS DEPARTMENT PERSONNEL

Employees performing inspections on buildings or infrastructure and Public Works Department maintenance and operations personnel are allowed to wear jeans or similar attire which is appropriate to the type of work being performed. Field personnel who are provided city-issued clothing are required to maintain and wear that clothing while on duty unless otherwise approved by their department director. Building Department and Public Works management and office personnel will wear business casual or casual dress depending upon their particular job assignment. No shorts or athletic shoes are allowed while at work. Hats without a Midvale City logo are prohibited.

#### 6.10.6 COMPLIANCE REQUIREMENTS

##### 6.10.6.1 EMPLOYEES

City employees are responsible for complying with the above expectations and guidelines. Please contact your supervisor or Human Resources if you have a question as to whether or not a certain item is considered acceptable attire.

##### 6.10.6.2 MANAGEMENT AND DEPARTMENT HEADS

Management and Department Heads are responsible for monitoring compliance to this policy within their respective departments. Department Heads have the discretion to further define compliance according to standards.

##### 6.10.6.3 EMPLOYEE REQUEST FOR REVIEW

An employee who believes they have been treated unfairly or inappropriately under this policy may ask that the matter be reviewed by Human Resources. Human Resources will work with the employee and the Department Head to review the matter in a timely manner. The City Manager will make the final decision as needed.

##### 6.10.6.4 EXCEPTIONS

Exceptions to this policy may be made on a case-by-case basis for religious reasons, medical conditions and other applicable circumstances. Requests of this nature must be submitted in writing for review by the Department Head and the Human Resources Department.



#### 6.10.6.5 DISTRIBUTION

All employees will be provided with a copy of this policy.

#### 6.10.6.6 REVIEW AND REVISION

The City reserves the right to rescind and/or amend this, and all City policies, at any time.

### 6.11 OUTSIDE ACTIVITIES

City employees shall not use City-owned property for work time in support of outside interests and activities.

### 6.12 TOBACCO USE

Midvale City is subject to and enforces the Utah Indoor Clean Air Act and is committed to providing a safe and healthful work environment. In order to maintain a safe and comfortable working environment, tobacco usage in City offices and facilities is prohibited. Usage is restricted in City vehicles.

Because the City may be subject to criminal and civil penalties for violations of applicable smoking laws, the City must insist on strict adherence to this policy. Employees smoking in any non-smoking area may be subject to disciplinary action.

All employees are prohibited from smoking throughout the workplace, including all City buildings, vehicles, and equipment. Smoking is prohibited within 50 feet of any entranceway, exit, open window, or air intake of City buildings.

The City encourages and supports employees who want to quit smoking. Smoking cessation programs are available through our health plan providers and through the EAP program. Contact Human Resources for more details.

### 6.13 EMPLOYEE GUN USE

Some employees may wish to carry a gun for personal protection. If you do so, you must have the concealed carry permit as required by law (Court area excluded). You must understand the following: with regard to using a gun, police officers and authorized fire investigators are the only individuals authorized to use deadly force while acting for and in behalf of Midvale City. Under no circumstances will any other employee use deadly force as a function of their job with the City. If an employee who is not a police officer or fire investigator uses deadly force, he/she will not have the immunities or be entitled to the same indemnity afforded police officers and authorized fire investigators.



## 6.14 POSSESSION OF PORNOGRAPHIC MATERIALS

The City prohibits employees from possessing, distributing, or viewing any kind of pornographic materials in the workplace or including city equipment, vehicles, or on city property. Pornographic materials are strictly prohibited. Employees found to have pornographic materials in their possession, within city equipment, vehicles, or on city property are subject to disciplinary action up to and including termination.

## 6.15 DRUG FREE WORK PLACE

The City uses alcohol and drug testing of applicants selected for safety sensitive positions and for employees as specified in this section as a tool to administer its substance abuse policy. The policy is designed to eliminate employees' use of alcohol and drugs that jeopardize safety of the employee, co-workers, and the public, and that impede the efficiency of City operations and damage the reputation of the City and its employees. In some cases, testing is required by federal law.

### 6.15.1 EMPLOYEE RESPONSIBILITY

Any employee convicted of a crime under a federal or state statute, which regulates controlled substances and/or the use, manufacture, possession or distribution of alcohol, shall notify their supervisor and the City Manager within five (5) calendar days after the date of conviction.

No employee shall represent Midvale City in an official capacity while under the influence or impaired from the influence of alcohol, illegal drugs, or legal drugs.

No employee using medication that may impair performance shall operate a motor vehicle or engage in safety sensitive functions while on duty for the City.

If an employee is using prescription or non-prescription medication, which may impair performance of duties, the employee shall report the use to their supervisor.

### 6.15.2 DISCIPLINARY ACTION

Because of the serious nature of illegal use or abuse of alcohol and/or controlled substances (prescribed or non-prescribed), appropriate employee disciplinary action will be taken, up to and including termination.

### 6.15.3 GENERAL DRUG TESTING POLICY

#### 6.15.3.1 USDOT SAFETY-SENSITIVE POSITIONS

Those positions identified by segments of the United States Department of Transportation as safety-sensitive and subject to USDOT rules relating to drug and/or alcohol testing.



#### CRITERIA

- Under Federal Transportation Authority rules, those that require an employee to operate a revenue-generating vehicle and those persons who maintain, dispatch, or schedule use of such vehicles.
- Under Federal Motor Carrier Authority rules, those employees required to possess a commercial driver's license to:
  - Operate a vehicle that is rated to transport more than 15 passengers including a driver;
  - Drive a vehicle with a gross weight rating of 26,001 or more pounds; or
  - Drive a motor vehicle of any size carrying hazardous materials that requires placarding.

#### 6.15.3.2 CITY SAFETY-SENSITIVE POSITIONS

Those positions identified by the Midvale City as safety-sensitive. These positions are subject to the City's drug and/or alcohol testing rules. City Safety-Sensitive positions include those that are classified as USDOT Safety-Sensitive, as well as those positions that meet the following criteria:

#### CRITERIA

Where the employee's performance of assigned duties could create a safety hazard that could cause injury or harm to the employee, other employees or citizens, or cause damage to property.

City Safety-Sensitive positions include, but are not limited to:

- Those that require the operation of a vehicle and/or motorized equipment, such as cars, trucks of any size, vehicle wheelchair lifts, tractors, mowers, weeders, trimmers, trash compactors, saws, and drills in order to perform their jobs;
- Those whose duties involve the construction of facilities;
- Those that are involved in the maintenance of facilities, streets, or vehicles; and
- Those that use and/or handle hazardous materials/chemicals.



Postings and advertisements of all safety-sensitive positions will indicate that selection for the positions is subject to drug and alcohol testing. All job descriptions for safety-sensitive positions will be so identified.

Job offers to applicants selected for safety-sensitive positions will be made contingent upon the results of the required drug and alcohol tests.

Supervisors are responsible for identifying those positions that meet the criteria of USDOT safety-sensitive positions. Supervisors are also responsible for identifying those positions that meet the criteria of City safety-sensitive positions.

Employees in safety sensitive positions returning after an extensive leave (30 days or more) must submit to a drug test.

Supervisors and employees will receive relevant training provided by the Human Resource Department in drug and alcohol awareness, the testing procedures specified in this Section, and the consequences of violation of the City's substance abuse policy.

#### 6.15.4 PERSONS SUBJECT TO TESTING

##### 6.15.4.1 MANDATORY TESTING OF EMPLOYEES

###### REASONABLE SUSPICION

Employees must be drug and/or alcohol tested if the supervisor has a reasonable suspicion based on specific, observable facts, that the employee is in violation of the City's substance abuse policy relating to drug or alcohol use or possession. Any drug and/or alcohol test ordered under reasonable suspicion must be approved by the City Manager or designee and the Department Head or designee. Reasonable suspicion may be based on, but is not limited to:

- Observable behavior such as direct observation of drug or alcohol use, or possession or physical symptoms of being under the influence of a drug or alcohol;
- A pattern of abnormal or erratic behavior;
- Arrest or conviction for a drug or alcohol related offense on or off the job, or the identification of an employee as the focus of a



criminal investigation into illegal drug possession, use, or trafficking;

- Information provided by reliable and credible sources that is independently corroborated;
- Newly discovered evidence that an employee has tampered with a previous drug and alcohol test; or
- Possession of drug paraphernalia.

OTHER CIRCUMSTANCES. Employees must be drug and/or alcohol tested if they:

- Failed a previous drug and/or alcohol test and have successfully completed counseling or rehabilitation treatment, before returning to work;
- Are in safety-sensitive positions and are required to take a physical; or
- Are in the employee assistance program for drug and/or alcohol problems or otherwise self-report drug and/or alcohol problems.
- Are involved in an accident involving a City vehicle or City equipment with or without injury.

#### 6.15.4.2 MANDATORY TESTING – USDOT RULES

Those who are subject to U.S. Department of Transportation (USDOT) rules regarding safety-sensitive positions are subject to the following types of tests:

- Pre-employment (drugs only);
- Post-accident when there is a fatality, an injury treated away from the scene of the accident, the vehicle has been towed, or the driver receives a citation under state or local law for a moving violation arising from the accident;
- Random;
- Reasonable suspicion;
- Return to duty following a positive test; and



- Follow-up testing as prescribed by a Substance Abuse Professional.
  - All job applicants shall be informed of the policy at the pre-employment interviews. A copy of this policy shall be available for review by all job applicants.
  - All prospective employees shall be required, prior to being hired by the City, to sign the acknowledgment form agreeing to abide by the terms of this policy.
  - The City will exclude from employment any job applicant or prospective employee who refuses to abide by the terms of this policy.
  - Any prospective employee whose pre-employment drug and alcohol test results is confirmed positive and who does not have a medically sufficient explanation may reapply for employment with the City after six months from the date of such test.

#### 6.15.4.3 DISCRETIONARY TESTING OF EMPLOYEES

The City may require drug and/or alcohol tests of employees:

- Whose use of City or approved equipment results in injury to the employee or another person or damage to any City equipment or property;
- Whose duties regularly involve exposure to drugs; (Testing will be conducted on a periodic, unannounced basis.)
- Who are allegedly involved in excessive use of force;
- Whose discharge of a firearm results in bodily injury, property damage, or violation of department general orders; and
- In safety-sensitive positions returning to work after an extended period of absence of 30 calendar days or more.

6.15.4.4 OTHER TESTS. Supervisors and managers are prohibited from demanding or encouraging drug or alcohol testing except as authorized in this chapter.





#### 6.15.5 DRUG TESTING PROCEDURES

The City shall follow the guidelines listed below for employee and prospective employee drug testing.

Any drug or alcohol testing shall occur during or immediately after the regular work period of current employees, and shall be deemed work time for purposes of compensation and benefits for current employees.

Individuals will be sent to an outside clinic or testing facility licensed to perform such tests.

- If any employee is sent to an outside clinic for a “reasonable suspicion” test, the employee must be driven to the facility by the supervisor or his or her designee.
- The employee must then be put on paid administrative leave until the results of the test are available.
- The supervisor must make arrangements or help the employee make arrangements to get home without driving him or herself.

The City shall pay all costs of testing and transportation associated with a test required by the City.

Drug and alcohol testing will be conducted in compliance with federal, state and local laws, including but not limited to Utah Code Ann. § 34-41-101 *et. seq.*

The information received from drug testing shall be the property of the City. Test results information may be released to the person who has been tested upon receipt of a written request.

#### 6.15.6 EMPLOYEE’S REQUIRED TO HOLD A COMMERCIAL DRIVER’S LICENSE (CDL)

Those employees required by their employment at Midvale City to hold a CDL shall be tested as required by federal and or state law and reimbursed for first time costs for obtaining and renewal of the license.

#### 6.15.7 SUBSTANCE ABUSE COUNSELING & REHABILITATION

Midvale City encourages employees who have a determined need, to enroll in a counseling or rehabilitation program. An employee will be required to sign a document to abide by the following conditions in order to remain fully employed:

- Any employee for whom treatment is recommended will be responsible for costs not covered by insurance. The employee will be required to use



accrued compensatory time until all leave is expended. The City will pay the employee's benefit package during the allotted treatment time, but not wage supplements. Each incident will be reviewed on a case-by-case basis.

- If a required treatment or rehabilitation program involves confinement, the employee's position may be held for the determined length of the treatment and the employee restored to his or her former position upon successful completion of the substance abuse rehabilitation. Each incident will be reviewed on a case-by-case basis.

## 6.16 WORKPLACE SEARCHES

In order to safeguard the property of our employees, our customers, and the City, and to help prevent the possession, use, and sale of illegal drugs on City premises, or possession of pornographic materials in the workplace, the City reserves the right to question employees based on reasonable suspicion and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunch boxes or any other possessions or articles carried to and from the City's property. All offices, desks, computers, electronic files, hard files, lockers, etc., are the property of the City and are issued for the use of employees only during their employment. Inspections may be conducted at any time at the discretion of the City. No expectations of privacy exists regarding City-owned property.

## 6.17 POLITICAL ACTIVITY

Employees are strongly discouraged from participating in or using their influence to affect Midvale municipal elections (other than their personal, private vote at the polls) during working hours and at/on municipal facilities. Wisdom dictates that employees should maintain a neutral stance in Midvale municipal elections.

Employees can hold elected offices, be voting district officers, and be county, state, or national delegates in the parties of their choice.

Whether on or off duty, no City employee or appointed official shall use his/her position, title, uniform, City vehicle, City identification, or City equipment and supplies to solicit, either orally or by written communication, any assessments, contributions, or services for any political party or municipal candidate. No City employee or appointed official shall use his/her uniform, City vehicle, City identification, or City equipment or supplies to solicit contributions or in any way influence fellow employees to support or oppose any political party, candidate, or federal, state, county, or municipal elections.

**State Law References: Utah Code Annotated §67-19-19 (Hatch Act) and §10-3-1108**



## 6.18 PROCUREMENT POLICY

### 6.18.1 GENERAL POLICY

Midvale City shall comply with all applicable federal laws and regulations, state laws, and City ordinances and resolutions regarding the procurement of goods, services, and contracts. A complete copy of the City purchasing policy may be obtained from the City website at [www.midvalecity.org](http://www.midvalecity.org) Title 2, Chapter 2.28 – Procurement. For further information, contact the Administrative Services Department.

### 6.18.2 CREDIT CARDS

City credit cards shall be used for official City business only and all use shall comply with the City's purchasing policy.

## 6.19 PURCHASING CARD POLICY

### 6.19.1 PURPOSE:

The purpose of the Purchasing Card Program is to establish a more efficient, cost-effective method of purchasing and paying for small-dollar transactions by using a purchasing card. The program is designed to replace a variety of processes including petty cash and small dollar check requests.

This program is not intended to avoid or bypass the established Procurement Ordinance or payment policies. Rather, the program is intended to complement the existing processes already at work within the City.

All cards are issued at the request of your supervisor. Card usage may be audited and/or rescinded at any time. **YOU MAY ONLY USE THE CARD WHEN AUTHORIZED!**

This policy provides the guidelines under which you may utilize your purchasing card. Please read it carefully.

Record keeping will be essential to ensure the success of this program. You must submit receipts for your protection as well as the monthly reconciling requirements.

Finally, remember that you are committing City funds each time you use the purchasing card. This is a responsibility that cannot be taken lightly.

### 6.19.2 POLICIES AND PROCEDURES:



This section provides a variety of information about the types of purchases that can and cannot be made, who will accept the card, records that must be maintained and reconciled monthly and miscellaneous information about the program.

Each card holder MUST attend a training session.

When you receive your card, sign the back of the card and always keep it in a secure place. Although the card is issued in your name, it is the property of Midvale City and is only to be used for City purchases as defined in this document.

#### 6.19.3 GENERAL INFORMATION:

- This program helps to replace the use of petty cash and small dollar check requests.
- Under special circumstances items may need to be purchased that are over the transaction limit, which is generally \$1,000. On those occasions, a requisition for a P.O. must be submitted and approved prior to the purchase. After the requisition is submitted and approved, the Purchasing Card Administrator will increase the card's transaction limit temporarily to allow the purchase.
- This program is not intended to avoid or bypass the established Procurement Ordinance or payment policies. Rather, the program is intended to complement the existing processes already at work within the City.
- The purchasing card is not intended to replace the current travel and entertainment policy.
- The purchasing card may be used for in-store purchases as well as purchases by mail, phone, fax, or the internet. Use of the card does not relieve the cardholder from complying with Federal, State or City regulations that are applicable.
- You are responsible for the security of your card and the transactions made with the card. The card is issued in your name and it will be assumed that any purchases made with the card will have been made by you.
- The purchasing card is to be used for business purposes only. It may NOT be used for personal transactions. If a personal transaction is made, repayment in full to the City must be made immediately. In addition, a penalty in an amount equal to 50% of the personal transaction must be paid to the City. You may appeal the penalty if you feel you have a good reason to do so. Appeals should be presented to the City Manager.
- Use of the card in a manner not in accordance with the guidelines established in this policy may result in revocation of the card and disciplinary action up to and including termination.



#### 6.19.4 CARDHOLDER RESPONSIBILITIES:

It is the cardholder's responsibility to confirm that sufficient funds or budget amounts are available for use prior to making a purchase.

The purchasing card may be revoked for any of the following reasons:

- Personal purchases
- Unauthorized purchase of restricted items or from restricted vendors
- The cardholder allows the card to be used by another individual
- The cardholder makes a purchase for another individual
- The cardholder splits a purchase to circumvent a purchase limit
- The cardholder accepts cash for returns, sales tax payments, credits or disputed items
- The cardholder fails to enter purchases and upload receipts on the Purchasing Card website in a timely manner
- The cardholder fails to get receipts
- The cardholder fails to comply with the Procurement Ordinance or Purchasing Card Policy

The cardholder shall take reasonable precautions with the purchasing card. These include, but are not limited to the following:

- Reasonable safe-guarding of the card and protection against loss, theft, or unauthorized use
- Keep the card in view when you give it to a clerk, and get it back promptly
- Don't sign a blank receipt
- Draw a line through blank spaces above the total when signing receipts
- Destroy all carbon copies and voided receipts
- Never give your card number over the phone unless you are dealing with a company that you are sure is legitimate
- Never leave your card or receipts out where anyone can copy them or pick them up
- Don't allow card information to be saved or stored on websites when making purchases online

#### 6.19.5 EXAMPLES OF WHEN THE PURCHASING CARD MAY BE USED:

- Subscriptions, seminars
- Hotel
- Car rental
- Miscellaneous maintenance requirements



- Office supplies
- Computer supplies, software (with approval from Information Services)
- Computer hardware (with approval from Information Services)
- Automotive repair (reserved for Fleet and selected departments)
- Postage

#### 6.19.6 EXAMPLES OF WHEN THE PURCHASING CARD MAY NOT BE USED:

- Any item that requires a competitive process as specified in the City Procurement Ordinance
- Inappropriate use of City funds
- Capital expenditures
- Personal purchases

#### 6.19.7 BUILT-IN RESTRICTION:

Each card will be assigned an individual credit limit and transaction limit based on previous purchasing activity. If you find over time that the limit is too low to accommodate your purchasing requirements, please contact the Purchasing Card Administrator to re-evaluate your limit. The Purchasing Card Administrator may seek the approval of your supervisor prior to increasing the limit.

Some supplier's Merchant Category Code (MCC's) codes have been "blocked" from usage in the program. If you present your card to any of these suppliers, the transaction will be declined. It is likely that any supplier you currently utilize as a source for products will accept your card. If you are declined and feel the decline should not have occurred, call or email the Purchasing Card Administrator with the information. The Purchasing Card Administrator will contact Zions Bank Customer Service to determine if you were declined because of merchant blocking or exceeding the monthly credit limit or single-purchase limit imposed on your card.

#### 6.19.8 THE PURCHASING CARD WEBSITE:

The Purchasing Card website becomes an ongoing record of information regarding transactions made on your card. You are required to keep the website updated by entering purchases and uploading receipts in a timely manner. For each purchase, you must enter an appropriate GL account, vendor name, and vendor code. Also, adequate descriptions for each purchase must be entered. Occasionally, a generic description will automatically populate the description box. This description is generally insufficient or inaccurate and will need to be updated with correct information.



The website allows management to review the types of goods purchased on the card and determine where the card is being used. It also provides a record of activity enabling you to reconcile your monthly Purchasing Card Statement. In addition, the receipts retained on the website provide the documentation necessary should there be an audit.

All purchases must be approved by your Supervisor or Department Head. Supervisors and Department Heads have the ability to approve purchases on the website.

#### 6.19.9 ALWAYS OBTAIN A RECEIPT WHEN USING THE PURCHASING CARD:

On the website, record the date of the transaction, the vendor name and code, the GL account charged, the merchandise purchased, and the dollar value of the sale. A separate entry is required for each purchase.

#### 6.19.10 RECONCILIATION AND PAYMENT:

The Purchasing Card Program carries corporate, not individual, liability. Invoices will be paid by the City's Accounts Payable staff. You will not be required to pay your Monthly Statement using personal funds. The program does not impact your personal credit rating in any way.

#### 6.19.11 RETAIN ALL RECEIPTS FOR GOODS AND SERVICES PURCHASED:

If you purchase via phone, fax, mail, e-mail, or other electronic means, ask the supplier to include an itemized receipt with the goods when the product is shipped to you. This itemized receipt is the only original documentation specifying whether or not sales tax has been paid. Also, the receipt will be used for auditing purposes.

Accounts Payable will receive a statement for each cardholder identifying all transactions made with the card during the billing cycle. The statement must be reconciled with transactions entered on the Purchasing Card website along with the uploaded receipts for accuracy. You are required to ensure purchases are entered and receipts are uploaded on the website in a timely manner. This will facilitate and expedite the reconciliation process for Accounts Payable. If purchases are not entered timely, your purchasing card may be revoked.

Activity on the statements may be audited at any time by the City's Accounts Payable staff or the Program Administrator.

#### 6.19.12 IF YOUR RECORDS DON'T AGREE WITH YOUR STATEMENT:



There may be occasions when items on your statement do not correlate with the entries submitted to the website or your retained receipts. You may not have made the transaction, or the amount of the transaction may be incorrect, or you may have a quality or service issue. In these circumstances, contact the supplier involved to try to resolve the error. Also, inform the Purchasing Card Administrator of the transaction and that it is pending resolution.

If you are not able to reach an appropriate resolution with the supplier, contact Zions Bank Customer Service to dispute the charge. Zions Bank Customer Service will inform you of the steps that must be taken to appropriately dispute the charge. It is your responsibility to ensure this is done properly and in a timely manner. If needed, contact the Purchasing Card Administrator for help to dispute a charge.

#### 6.19.13 LOST OR STOLEN CARDS:

The Purchasing Card is the property of Midvale City and should be secured just as you would secure your personal credit cards. If your card is lost or stolen, notify the Purchasing Card Administrator and contact Zions Bank Customer Service immediately!

Upon notification of your lost or stolen card, further use of the card will be blocked. Prompt action in these circumstances can reduce the City's liability for fraudulent charges.

#### 6.19.14 CARD CANCELLATION:

Upon termination of an employee, it is the responsibility of the supervisor to notify the Purchasing Card Administrator immediately.

#### 6.19.15 SALES AND USE TAX:

Midvale City is a tax-exempt organization. When making purchases with your card, ensure sales tax is not charged. Some vendors may require a copy of the City's tax-exemption certificate in order to avoid sales tax. Be prepared to provide a copy if needed. We realize that occasionally sales tax cannot be avoided. However, these transactions should be infrequent and avoided if possible.

Should you have additional questions regarding the payment of sales tax, please contact the Purchasing Card Administrator.

#### 6.19.16 SUPPLIERS WHO DO NOT ACCEPT THE CARD:

Although we do not endorse Visa or any of its associated banks specifically, we encourage suppliers to become involved in the Midvale City's Purchasing Card Program so that cardholders can use the program and the City can benefit from available rebates.





#### 6.19.17 SUMMARY:

- Suppliers are paid within three days of your business transaction. Please indicate to suppliers that you do not wish to be invoiced, as an invoice could result in duplicate payment. However, you should always request an itemized receipt.
- The program is designed to be simple and easy to use, providing you with the materials needed to perform your job more quickly and efficiently. However, appropriate controls must also be maintained to ensure the ongoing success of the program.
- We ask you to exercise good judgment and act responsibly when using your purchasing card. The purchasing card is issued in your name, and all activity will be assumed to have been incurred by you. We ask you to maintain your Purchasing Card Log accurately and always retain your receipts!
- In addition, random audits of card activity and/or retention of receipts may be conducted. Consequences, ranging from suspension of cards to termination of employment, will be invoked for improper use of the program.
- Your feedback regarding this program is important! You are testing a new concept and the procedures developed for our City. We need to know if you have issues or concerns, and we welcome suggestions for improvement.
- We continue to improve the way we conduct business. Your use of this program in conducting your daily business can help us make significant change in eliminating a variety of manual transactions. If you have any questions about the program or need additional information, please contact the Purchasing Card Administrator.
- Appropriate transaction descriptions, vendor names and codes, and GL accounts must be entered on the website and transactions must be approved by your Supervisor or Department Head.
- Do not share your purchasing card with other departments except in case of emergency.
- The assignee of the card is responsible for securing the card.
- The Purchasing Card Administrator reserves the right to require training or to revoke the card at any time.



## 6.19 20 SCRAP METAL POLICY

### 6.19 20.1 GENERAL POLICY

Scrap metal is an asset to Midvale City, and its disposal is subject to the same business practices that govern the disposal of all other City surplus assets. Scrap metal will be collected and recycled to the maximum practical extend. Whenever possible, revenue will be generated from the disposal of scrap metal and credited to the appropriate fund. Scrap metal is defined as any metal no longer necessary to City operations, including but not limited to: iron, steel, aluminum, brass, and copper.

### 6.19 20.2 SALE/DISPOSAL PROCESS

All City employees are responsible to deposit scrap metal in a secure location at Public Works (to be determined by the department director). Periodically, the Public Works Director shall determine whether or not the scrap metal has commercial value. If not, the scrap metal should be disposed of properly. The Department may utilize contractors and/or auction for the removal of scrap metal. Selection of process will be based upon what is deemed to be in the best interest of the City. When possible, quotes should be obtained, with the award being made to the vendor who provides the highest bid for the scrap. In some cases this may also require removal from the City's site. Quotes are to be obtained from vendors who by definition are in the general business of purchasing scrap metal. Only checks from the vendor shall be accepted for the payment of scrap metal. On no occasion shall cash be accepted for the sale of surplus metal. In accordance with the State's Money Management Act, checks must be deposited with the City Treasurer within three days of receipt.



## **PART VII - RULES & CORRECTIVE DISCIPLINARY ACTION**

### 7.1 EMPLOYEE DISCIPLINE

As a matter of policy, Midvale City believes in and practices individual responsibility and accountability. The City believes in allowing employees to govern their own conduct within acceptable standards of behavior. The City relies on individual good judgment and a sense of responsibility. Midvale City expects from its employees integrity, mutual respect, and courtesy, effective, and efficient performance, considerate customer and citizen relations, responsiveness, and loyalty. Employees are expected to conduct themselves in an appropriate manner. However, to maintain the City's desired level of performance, and to protect the citizens, other employees, City property, and City interests, the City has established certain standards of conduct. All employees are expected to adhere to the City performance standards.

These standards were established for the guidance of all employees. They are intended to provide examples of types of conduct that are not permissible. They should not be considered an all-inclusive list. Department policies must be followed in conjunction with these policies.

#### 7.1.1 STANDARDS OF CONDUCT – CRITICAL OFFENSES

Critical offenses are violations of *Midvale City's Standards of Conduct* that are extremely serious and may justify termination without regard to the employee's length of service or prior record of conduct. The list should not be considered all-inclusive. They include but are not limited to:

- Disclosing confidential City, employee, and/or citizen information to anyone without prior authorization.
- The unauthorized removal, falsification, intentional release of, or alteration of City records and/or documents such as, but not limited to, the employment application, drug or alcohol testing, or any other official and confidential document.
- Being convicted of a felony.
- Theft of any kind.



- The gross negligent destruction, abuse, damage of Midvale City property or the property of its employees.
- Conduct detrimental to the City.
- The distribution, possession, consumption, purchase, sale, or manufacture of intoxicants or illegal substances and/or reporting to work under the influence of such intoxicants.
- Being under the influence of prescription drugs that can interfere with their ability to safely perform their job, operate machinery, or City vehicles in a safe manner.
- Disorderly conduct while performing essential functions of my job, including, but not limited to, threatening, intimidating, fighting, coercing, sexually harassing, or physically assaulting City personnel, visitors, or citizens.
- Unauthorized possession of weapons or firearms on City property.
- Insubordination, disrespectful behavior towards a manager or supervisor or the refusal to obey a legitimate directive from the supervisor or designated supervisor (not to be confused with the employee's inability to perform the job).
- Failure to report for duty or unauthorized absence.
- Violation of Sexual Harassment, Alcohol and Drug Abuse, Possession of Pornographic materials in the workplace, Tobacco Free Workplace, or Crime Free Policies.
- Dishonesty, deceit, or fraud.
- Failure to adhere to the City's Conflict of Interest ordinance Title 2, Chapter 4 of the Midvale Municipal Code.

#### 7.1.2 STANDARDS OF CONDUCT – SERIOUS OFFENSES

Serious offenses are violations of *Midvale City's Standards of Conduct* that justify disciplinary action up to and including termination. The list should not be considered all-inclusive. They include but are not limited to:

- Excessive absenteeism and/or tardiness. Failure to use proper call-in procedure for reporting absences.



- Any violation of City departmental policies or procedures.
- Disregard for safety rules.
- Failure to follow specified job instructions.
- Failure to work harmoniously with other employees.
- Unauthorized solicitation on City premises.
- Creating or contributing to unsanitary conditions.
- Unauthorized operation of tools, machinery, or equipment.
- Gambling on City premises.
- Failure to report an injury or accident.
- Unauthorized sleeping on the job during work hours or leaving the site early without permission.
- Failure to maintain production and performance standards.
- Repeated violation of rules and procedures.
- Any conduct which reflects negatively on the character of the employee or the City.
- Non-exempt employees working unauthorized overtime.

### 7.1.3 CORRECTIVE DISCIPLINARY ACTION

The following is an explanation of the disciplinary action process, although Midvale City has the option of deviating from these steps when circumstances dictate.

All disciplinary actions, except terminations, are intended to be corrective and to result in compliance with policies, procedures, standards of conduct, and expected job performance standards. For discipline to be effective, the discipline must be presented to the employee soon after the improper action occurred. An employee should be advised in writing of discipline to be taken against him/her.

Discussions regarding the discipline should be on a need-to-know basis. Interviews should be conducted in a quiet area separate from coworkers.



Documentation of written discipline should be provided to the employee and the Human Resource Department.

#### 7.1.4 DISCIPLINARY ACTION

Except in cases of critical or serious offenses, which result in termination, Midvale City generally uses a progressive disciplinary action procedure to resolve employee performance problems. A fact finding meeting will be held with the employee and Department Head or designee to discuss allegations prior to disciplinary action being taken. The process requires that the Department Head and/or designee be involved in all aspects of the disciplinary process. Disciplinary action must be documented in writing. The steps may include:

##### 7.1.4.1 VERBAL WARNING

This is an informal warning, presented in a private meeting with the supervisor, and documented in writing but not placed in the employee's permanent file in the Human Resource Department. A copy of the disciplinary document is given to the employee. The document will also list the consequences if further performance problems continue. The verbal warning and pertinent documentation are kept in the supervisor's or department's file, and is not placed in the employee's Human Resources file unless further disciplinary action related to the verbal warning is taken. All verbal warnings that involve any type of potential or alleged discrimination (e.g., race, religion, gender, sexual harassment, or inappropriate sexual conduct, etc.) are to be forwarded to the Human Resource Department for review prior to verbal warning being presented to the employee. Disciplinary action involving these types of discriminatory infractions will be evaluated to ensure appropriate disciplinary action is taken, and a copy of which will be maintained in the Human Resource Department.

##### 7.1.4.2 WRITTEN WARNING

Should further discipline be required after the Verbal Warning, the Department Head may issue a formal Written Warning, specifying the problem and the improvement required, a copy of which is placed, along with supporting documentation and the verbal warning in the employee's personnel file in the Human Resource Department. The disciplinary action is presented by the Department Head with the department manager and/or supervisor present at the meeting. The employee will be asked to read and sign the warning. At the Department Head's discretion, the written warning will be active for one year from the date of presentation to the employee. In effect, repeated performance problems that warrant formal disciplinary action, related or unrelated to this disciplinary action during the one-year period will escalate the discipline



to the next level of disciplinary action. This provision is intended to prevent employees from having multiple disciplinary infractions. The employee receives a copy of the warning. Another copy is placed in the employee's file in the Human Resources Department. The Written Warning will stipulate that if the problem is not corrected, the consequences will result in severe disciplinary action or termination. Refer to 7.2.6 "Removal of Disciplinary Record" for retention of disciplinary records in employee files.

#### 7.1.4.3 PRE-DETERMINATION HEARING

Prior to the termination, suspension without pay, formal, written disciplinary action, or disciplinary demotion of a part-time or regular full-time employee who is not on probationary status, an employee is entitled to a hearing where information regarding allegations of misconduct is presented to the employee. As outlined in Utah Code Ann. §10-3-1105, probationary, seasonal, and temporary employees are not entitled to due process in the form of a pre-determination hearing. The hearing is for the purpose of allowing the employee to present any information or evidence that he/she believes is relevant to the allegations of misconduct.

If it is determined that a pre-determination hearing is appropriate, the Department Head shall conduct the hearing with the department supervisor present to offer input. Written notice of the disciplinary hearing shall be given to the employee at least two (2) business days before the hearing is held. The notice shall describe the facts relating to the employee's misconduct, and refer to the appropriate sections of the Midvale Policies and Procedures Manual and applicable laws, policies and procedures, which the employee has violated. The employee should also be told he/she may bring evidence or witnesses that the employee believes relevant to the hearing. The Department Head, in conjunction with the Human Resource Director, will be responsible for maintaining a written record of the hearing. Following the pre-determination hearing, a final decision shall be presented to the employee by the Department Head, supervisor, and the Human Resource Director within fourteen (14) calendar days from the date of the hearing. The Department Head may request an extension of up to a maximum of thirty (30) calendar days from the date of the hearing.

#### 7.1.4.4 SEVERE DISCIPLINARY ACTION

If the employee does not show improvement in his/her performance, he/she may be suspended without pay, demoted, or terminated. Prior to initiating severe disciplinary action, it is the responsibility of the Department Head to conduct the pre-determination meeting with the employee, with the department supervisor present. The employee is



asked to read and sign the action. A copy of the disciplinary action will be given to the employee, and the original with applicable documentation is placed in the employee's file in the Human Resource Department. At the Department Head's discretion, the disciplinary action will be active for one year from the date it is presented to the employee. The disciplinary action will stipulate that if the performance problem is not corrected, the consequences will result in termination of employment. Suspension, without pay, of one or more full days (for exempt employees only) and partial days or more for non-exempt employees, may be applied only with prior approval of the Department Head and the City Manager. As specified in Utah Code Ann. §10-3-1106, any employee with a property interest in their job, (excludes employees in appointed positions) are entitled to take advantage of the appeal process if there is a suspension of more than two days without pay. Refer to 7.2.6 "Removal of Disciplinary Record" for retention of disciplinary records in employee files.

#### 7.1.5 TERMINATION

If the final pre-determination hearing decision is to terminate the employee's employment, the Department Head shall confer with the City Attorney's office and the City Manager prior to formulating the termination document and presenting it to the employee. The disciplinary action document should set forth the reasons for termination. The Human Resource Director must be informed of any pending employee termination. The Department Head must contact the Human Resource Director prior to terminating an employee to coordinate the preparation of final wage and benefit payments and prepare an exit letter explaining termination and COBRA information. The termination document will include the reasons for termination. It will also inform the employee of the termination appeals process. The Department Head conducts the termination meeting with the department supervisor, Human Resource Director, and/or City Attorney. If the employee does not appear at the termination meeting, the termination letter will be mailed to that person at the current address with the City. The Department Head will be responsible for maintaining a written record of the meeting. The employee will be asked to sign the termination document and given a copy for their personal records.

#### 7.1.6 APPEALS OF TERMINATION, SUSPENSION WITHOUT PAY OR MORE THAN TWO DAYS, AND INVOLUNTARY TRANSFER TO A POSITION WITH A DECREASE IN REMUNERATION

As specified in Utah Code Ann. §10-3-1106, employees who have been terminated, suspended for more than two (2) days without pay, or involuntarily transferred to another position with a decrease in remuneration, are required to first exhaust the City's internal grievance procedure before they can appeal to





the Appeals Board. Refer to Grievance Procedure in this Manual for further information regarding the grievance process.

Once the City's grievance procedure is exhausted, employees who have been terminated, suspended without pay for more than two (2) days, or involuntarily transferred to a position with a decrease in remuneration are eligible to appeal the decision to the Employee Appeals Board. The appeal must be made within 10 working days of the final disposition of the City's internal grievance procedure. The manner of the appeal to the Employee Appeals Board shall be set forth in Utah Code Annotated §10-3-1106, which reads as, set forth in paragraphs 1-6 below. Time shall be computed in accordance with state law.

An employee to which Section 10-3-1105 applies may not be discharged, suspended without pay, or involuntarily transferred to a position with less remuneration:

- because of the employee's politics or religious beliefs; or
- incident to, or through changes, either in the elective officers, or governing body, or directors of departments.

If an employee is discharged, suspended for more than two days without pay, or involuntarily transferred from one position to another with less remuneration for any reason, the employee may, subject to Utah Code Annotated §10-3-1106 (2)(b), appeal the discharge, suspension without pay, or involuntary transfer to a Hearing Officer to be known as the appeal board, established under Utah Code Annotated §10-3-1106.

If the municipality provides an internal grievance procedure, the employee shall exhaust the employee's rights under that grievance procedure before appealing to the board.

Each appeal under Utah Code Annotated §10-3-1106 (2) shall be taken by filing written notice of the appeal with the City Recorder within ten (10) working days after:

- if the municipality provides an internal grievance procedure, the employee receives notice of the final disposition of the municipality's internal grievance procedure; or
- if the municipality does not provide an internal grievance procedure, the discharge, suspension, or involuntary transfer.



Upon the filing of an appeal under Utah Code Annotated §10-3-1106 (3), the City Recorder shall forthwith refer a copy of the appeal to the Hearing Officer. Upon receipt of the referral from the City Recorder, the Hearing Officer shall forthwith commence its investigation, take and receive evidence, and fully hear and determine the matter, which relates to the cause for the discharge, suspension, or transfer.

An employee who is subject of the discharge, suspension, or transfer may:

- appear in person and be represented by counsel;
- have a public hearing;
- confront the witness whose testimony is to be considered; and
- examine the evidence to be considered by the Hearing Officer.

The Hearing Officer shall have the power to subpoena witnesses and compel the production of books, papers, and any other evidence, as may be relevant to any investigation and a fair hearing or decision. Each decision of the Hearing Officer shall be certified to the Recorder within 15 days from the date the matter is referred to it. For good cause, the Hearing Officer may extend the 15-day period to a maximum of 60 days, if the employee and municipality both consent.

If the Hearing Officer finds in favor of the employee, the Hearing Officer shall determine whether the employee shall receive:

- the employee's salary for the period of time during which the employee was discharged or suspended without pay; or
- any deficiency in salary for the period during which the employee was transferred to a position of less remuneration.

A final action or order of the Hearing Officer may be appealed to the Court of Appeals by filing with that court a notice of appeal. Each notice of appeal shall be filed within 30 days after the issuance of the final action or order of the appeal board.

The Court of Appeals' review shall be on the record of the Appeal Board and for the purpose of determining if the Appeal Board abused its discretion or exceeded its authority.



## 7.2 EMPLOYEE GRIEVANCE PROCEDURES

### 7.2.1 GENERAL POLICY DEFINED

An employee may file a grievance if he/she disagrees with the disciplinary action or other management decision taken against him/her due to violation of Midvale City's policies and procedures or other employment action deemed unfair by the employee. The grievance process does not create a contract between the City and its employees.

Consideration should be given to members of the department who are being grieved. All information must be based on fact. Members will be held accountable for false information they provide in a grievance.

### 7.2.2 INFORMAL GRIEVANCE PROCEDURE

The grievant and the immediate supervisor shall make every effort to resolve the grievance at the lowest level of supervision. Thus, the grievant shall attempt to discuss the grievance within ten (10) calendar days with the immediate supervisor who then has ten (10) calendar days to present a decision before resorting to the Formal Grievance Procedure.

### 7.2.3 FORMAL GRIEVANCE PROCEDURE

#### 7.2.3.1 FIRST LEVEL OF REVIEW

The grievant shall present the formal grievance in writing to his/her immediate supervisor within ten (10) calendar days from the result of the informal grievance procedure. The written grievance shall contain the following information:

- the name and job title of the grievant
- his/her department
- a clear and concise statement of the nature of the grievance, including the circumstances and dates involved
- the specific provision(s) of the employment action taken against the employee and the reason it is deemed inappropriate, referring to any laws, policies, or procedures alleged to have been violated
- the requested remedy
- the date



- the signature of the grievant

The supervisor shall render a decision and comments in writing and return it to the grievant within ten (10) calendar days after receiving the written grievance. If the grievant does not agree with the supervisor's decision or if no answer has been received within the specified time period, the grievant shall present the grievance in writing to the Department Head or designee within ten (10) calendar days from the date the employee was presented the action.

#### 7.2.3.2 SECOND LEVEL OF REVIEW, DEPARTMENT HEAD

The Department Head or designee shall upon request, discuss the grievance with the grievant and with other appropriate individuals. The Department Head or designee shall render their decision and comments in writing and return to the grievant within ten (10) calendar days after receiving the formal written grievance. If the grievant does not agree with the decision reached or if no answer has been received within the specified time period, the grievant may appeal the grievance to the next level of the grievance procedure. In order to do so, the grievant must submit the grievance to the City Recorder, along with a written request that the grievance be considered at the third level, within ten (10) calendar days of the date of the Department Director's decision is rendered, or should have been rendered, pursuant to the specified time period.

#### 7.2.3.3 THIRD LEVEL OF REVIEW, CITY MANAGER

If the grievance is not adjusted to the satisfaction of the employee under the procedures set forth in the foregoing sections, the employee shall submit a written request within ten (10) calendar days following the last step of the second level along with a copy of the record of the grievance developed to that point to the City Manager or designee. The City Manager will reach a decision based on the information received. The City Manager shall render a decision within then (10) calendar days. The decision of the City Manager shall be final and binding.

#### 7.2.4 GENERAL PROVISIONS

Failure of the grievant to meet any of the specified deadlines shall constitute a withdrawal and waiver of the grievance. Failure by the City to meet any of the specified deadlines shall entitle the grievant to appeal to the next level of review.

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level shall be considered a maximum, and every effort should be made to expedite the process. If the last day of the



specified time period falls on the weekend or a City-observed holiday, it shall be moved to the next working day that the City Hall is open. Otherwise, the time specified may be extended only by mutual written consent.

- Probationary employees may not initiate a grievance procedure after termination of employment during the probationary period.
- Employees shall be assured of freedom from reprisal for using the grievance procedures.
- The Human Resource Department shall act as a central repository for all grievance records.
- Any decision or finding involving an unbudgeted expenditure must be submitted to the City Manager before that decision can become final and binding.
- An employee's failure to appear for any scheduled meeting without notification will constitute a withdrawal and waiver of the grievance.

#### 7.2.5 ADMINISTRATIVE LEAVE

Employees may be given administrative leave with pay to allow management time to investigate any alleged serious misconduct. If this happens, the employee's supervisor will notify the employee of the results of the investigation and of the action to be taken.

#### 7.2.6 REMOVAL OF DISCIPLINARY RECORD

Documentation of disciplinary action may not be removed from an employee's personnel file for a minimum of three (3) years from the time the action is closed and unless agreed to as part of the disciplinary procedure. An agreement to remove disciplinary documents from the employee's personnel file must be approved by the City Manager.

### 7.3 EMPLOYEE APPEALS BOARD

- **HEARING OFFICER:** The appointed employee appeal board shall consist of a hearing officer appointed by the mayor with the advice and consent of the City Council.
- **COMPENSATION:** The hearing officer may receive compensation for services.
- **TERM:** The term of the Hearing Officer shall be for a period of three calendar years.



- **ELIGIBILITY FOR REAPPOINTMENT:** The hearing officer shall be eligible for reappointment or re-election.
- **JURISDICTION:** The Hearing Officer shall have the right and obligation to hear appeals from discharges or disciplinary transfers of all officers and employees who are not at-will or covered under the provisions of §10-3-1106 Utah Code Annotated, or its successor provision.

### 7.3.1 APPEAL PROCEDURE

#### 7.3.1.1 NOTICE OF APPEAL

An appeal of a disciplinary action within the jurisdiction direction of the Board shall be taken by filing written notice of the appeal with the City Recorder, within ten (10) working days after the discharge or transfer is complete. Upon the filing of the appeal, the City Recorder shall promptly refer a copy of the appeal to the Hearing Officer. Upon receipt of the referral from the City Recorder, the Hearing Officer shall forthwith commence its investigation, take and receive evidence, and fully hear and determine the matter.

#### 7.3.1.2 RIGHT TO COUNSEL

The employee shall be entitled to minimum due process of law, including the right to appear in person; be represented by counsel, at the expense of the employee; have a public hearing; confront the witness whose testimony is to be considered; and examine the evidence to be considered by the Hearing Officer.

#### 7.3.1.3 SUBPOENAS

The Hearing Officer shall have the power to subpoena witnesses and compel the production of books, papers and any other evidence, as may be relevant to any investigation and a fair hearing or decision.

#### 7.3.1.4 JURISDICTION OF HEARING OFFICER

The Hearing Officer shall have jurisdiction, pursuant to §10-3-1105 Utah Code Ann. and §10-3-1106 Utah Code Ann. The scope of the inquiry of the Hearing Officer shall be limited to determine if:

- 1) There was just cause for the demotion, transfer or termination of the employee; and if
- 2) The Department Head and/or his/her subordinates substantially complied with the appropriate



## **PART VIII - SAFETY & RISK MANAGEMENT**

### 8.1 GENERAL POLICY

The following general safety rules apply in all City work areas. Each work area may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.

- a. Proper training and/or licensing is required by all employees operating any type of power equipment.
- b. Employees will use safety equipment appropriate to the job, such as safety glasses, gloves, toe guards, back supports, and hard hats, if required or appropriate to the work performed.
- c. Employees will avoid wearing loose clothing and jewelry while working on or near equipment and machines. Long hair will be properly secured. Employees must also adhere to additional department policies.
- d. Defective equipment will be reported immediately.
- e. Employees will not operate equipment or use tools for which licensing and training has not been received.
- f. In all work situations, safeguards required by State and Federal Safety Orders will be provided and followed.
- g. Due to the potential risk, employees are prohibited from entertaining, or caring for, guests or family members in or around inherent dangerous work areas. These areas include, but are not limited to:
  - Road repair sites;
  - Construction areas;
  - Vehicle maintenance areas;
  - Animal control incidents;
  - Sewer facilities.



- h. Seatbelts must be worn at all times while operating a City vehicle or a personal vehicle while conducting City business. Employees found not wearing their seatbelts are subject to disciplinary action.
- i. All employees are required to comply with the City's safety standards. Current employees who pose a direct threat to the health or safety of themselves or other individuals in the workplace will be placed on leave until an organizational decision has been made in regard to the employee's immediate employment situation.

## 8.2 PROPER USE OF CITY EQUIPMENT & TOOLS

The use of City equipment or tools for private purposes is strictly prohibited.

Employees shall be required to attend training, provided by the City; including an explanation of job hazards, safety procedures, and training on all equipment, tools, etc., necessary for the accomplishment of the employee's job description. Employees may attend additional training as approved.

A commercial driver's license (CDL) is required for operators of commercial motor vehicles. No individual shall be allowed to operate such vehicles unless they have a current commercial driver's license in their possession. This license is required pursuant to the Commercial Motor Vehicle Safety Act, signed into law on October 27, 1986. Employees must renew their commercial driver's license at four-year intervals.

Operators and passengers in a business-use vehicle equipped with seat belts must wear them when the vehicle is in operation, and all employees operating vehicles shall observe all local traffic laws.

Employees using City vehicles shall ensure they are kept clean and serviced according to fleet specifications.

## 8.3 BUILDING SECURITY

### 8.3.1 DISTRIBUTION OF KEYS

The Department Heads are responsible for distribution of keys, keypad codes, and security access cards to building occupants. Department Heads shall maintain a record of the keys, keypad codes, and security access cards distributed to building occupants. The departments shall not loan out keys, duplicate keys, or distribute keypad codes or security access cards prior to the completion of the key requisition process, described in the following procedure.





### 8.3.2 EMPLOYEE RESPONSIBILITY

Employees shall not loan, duplicate, or transfer keys, keypad codes, or security access cards to City facilities. Such behavior may be grounds for disciplinary action. All keys, security access cards, etc. will be returned to the City immediately upon termination of employment.

### 8.3.3 LOST KEYS

Any lost keys or security access cards shall be reported to the employee's supervisor and the Department Director immediately.

## 8.4 ACCIDENT REPORTING

All job related accidents, regardless of severity, personal or vehicular, shall be reported immediately to the applicable supervisor or Department Head. All accidents with or without injury must be immediately reported to the Risk Manager.

### 8.4.1 ACCIDENT WITH INJURY

When injured while on duty, **an employee must:**

- Call 9-1-1 and their supervisor immediately. If the immediate supervisor is unavailable, contact the Department Head even if the accident occurs after normal work hours.
- Remain at the accident until the police or supervisor approves your departure.
- Immediately obtain necessary treatment. The City recommends that employees initially seek medical treatment at an approved medical facility if possible. Names and locations of approved medical facilities may be obtained from the Human Resource Department.
- Submit to a drug test if determined necessary according to the drug testing policy located in Part VI. Supervisor or Department Head is required to drive the employee to get a drug test.
- Obtain a medical release form signed by a doctor and submit copies to the Human Resource Department and supervisor.
- Report to work as permitted by the medical release form.
- Detail job related injury on forms prescribed by the Utah Industrial Commission and the City. These forms must be completed within one week following the incident producing the injury.



#### 8.4.2 ACCIDENT WITH NO INJURY

When involved in a vehicle accident, but not injured, **an employee must:**

- Call 9-1-1 and their supervisor immediately. If the immediate supervisor is unavailable, contact the Department Head even if the accident occurs after normal work hours.
- Remain at the accident until the police or supervisor approves your departure.
- Collect necessary contact and insurance information from any others involved in the accident.
- Submit to a drug test if determined necessary according to the drug testing policy located in Part VI. Supervisor or Department Head is required to drive the employee to get a drug test.

### 8.5 RISK MANAGEMENT

Midvale City will be aggressive in risk identification. All existing operations, programs, equipment, and facilities of the City shall be evaluated on a regular basis to determine potential risk. Employees shall report any identified risks to their immediate supervisor. In addition, employees shall report any potential hazards, damaged or missing signs, or other possible risks immediately to their supervisor.

#### 8.5.1 CLAIMS, LAWSUITS, & LIABILITY

An employee who becomes aware of any occurrence, which may give rise to a lawsuit, who receives a notice of claim, or is sued because of an incident related to his or her employment, shall give immediate notice to his or her supervisor, the Department Head, and the City Attorney.

- An incident report must be completed for any alleged injury or damage to persons or property involving a City official, employee, volunteer, or equipment or any such event occurring on City property. Such report will be submitted to the City Manager with a copy sent to the City Attorney and City Recorder.
- Pictures must be taken at the scene and submitted with the incident report.
- No official or employee shall admit or indicate in any manner that he or she or the City is at fault or has any liability in any incident that may result in a claim or lawsuit. No official or employee shall make any



commitments or promises to claimant unless specifically authorized to do so by the City Manager or designee.

- The City Attorney will receive and coordinate the resolution of claims and lawsuits made against the City, its officers, employees, or volunteers.

#### 8.5.2 INCIDENT REVIEW COMMITTEE (IRC)

Each department will have an Incident Review Committee to ensure that all incidents are investigated and evaluated in a fair, impartial, and consistent manner the incident review committee will review any incidents involving personal injury, damage to equipment to vehicles, and or claims against the City. The committee shall meet on an “as needed” basis.

#### 8.5.3 VEHICLE/EQUIPMENT ACCIDENT INVESTIGATION

It is the policy of Midvale City to require an investigation and a review of all vehicle or equipment accidents involving employees during the course of their duties. This policy also covers privately owned vehicles used by City employees for City business.

Any vehicle or equipment accident within the boundaries of Midvale City will be investigated by an officer of the UPD Midvale Precinct. The City Manager, City Attorney and Human Resource Director shall be notified of the accident within three (3) calendar days of the incident

Any vehicle or equipment accident outside the boundaries of Midvale City will be investigated by an officer of the applicable jurisdiction.

Three copies of the accident report involving City vehicles, equipment, or personnel will be submitted to the City Manager, City Recorder, and Public Works Director.

#### 8.5.4 INCIDENT REVIEW PROCESS FOR VEHICLE AND EQUIPMENT ACCIDENTS

Vehicle or equipment accidents involving employees, which has been determined by the Department Head to require an incident review, shall be conducted in accordance with the following:

- Employees shall attend Incident Review Committee (IRC) meetings when instructed to do so.
- After review of all information provided, the IRC will classify the accident as one of the following:



- 1) Non-preventable
  - 2) Preventable/Mitigating
  - 3) Preventable
  - 4) Preventable/Reckless
- The IRC shall also document the severity of the accident according to one of the following:
    - 1) Very Minor (Less than \$750)
    - 2) Minor (\$750-\$3250)
    - 3) Major (More than \$3250)
  - As a result of the IRC process, any disciplinary action will be determined and administered by the Department Head.

## 8.6 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)

Midvale City will post all required OSHA notices in conspicuous places. Employees may obtain additional information regarding OSHA from their Department Head.

If an OSHA inspector arrives on a job site, an employee should contact their Department Head immediately. The Department Head shall make arrangements for any required inspections.



## **PART IX - FLEET MANAGEMENT**

### 9.1 GENERAL POLICY

#### 9.1.1 VEHICLE USE

City vehicles can only be utilized in connection with City business. Non-employees shall not be allowed to ride in a City vehicle except for the purpose of conducting City business or with Department Head approval. All City vehicle and equipment operators shall have a valid Utah driver's license appropriate for the class of vehicle or equipment being driven. Smoking is prohibited in City vehicles. Safe driving practices will be enforced with the use of all City vehicles.

#### 9.1.2 EMERGENCY USE

An employee may take an assigned vehicle home in an emergency situation upon prior approval from the Department Head.

#### 9.1.3 POOL VEHICLES

Pool vehicles are primarily authorized for use by those employees who do not have a City vehicle assigned to them that need transportation to conduct City business.

#### 9.1.4 TAKE HOME VEHICLES

City employees **MUST** live within 20 miles of the City limits in order to take home a City vehicle.

### 9.2 VEHICLE MAINTENANCE

#### 9.2.1 MAINTENANCE & REPAIRS

The fleet division is responsible for all maintenance and repair of City vehicles. Employees will be notified of scheduled service due and will be required to make service appointments no later than five calendar days after notification.

#### 9.2.2 VEHICLE INSPECTION

Vehicles will be inspected for condition and cleanliness while being serviced at the fleet maintenance facility. If any vehicle is found to be in an unacceptable condition, the employee's supervisor will be notified of condition of vehicle.



## 9.3 DRIVER RESPONSIBILITY

### 9.3.1 GENERAL RESPONSIBILITY

City employees are responsible for the care and general maintenance of City vehicles assigned to them.

Employees shall frequently check oil, lubricant levels and tire pressure. Employees shall not use fuel, oil lubricant, or other liquid additives in the vehicle other than authorized by fleet division.

Employees shall keep both the exterior and interior of City vehicles clean. Employees shall not alter the body, general design, appearance or markings of a City vehicle. Employees shall not make any unauthorized repairs to a City vehicle. Employees shall not add or remove auxiliary equipment to vehicles without prior authorization of the Public Works Director.

### 9.3.2 IMPROPER CARE OF VEHICLES

Any employee found improperly maintaining a City vehicle may be subject to disciplinary action and the department of the employee may be assessed a fine. Such improper treatment shall include but not be limited to the following:

- Operating with an overheated engine.
- Failure to observe and respond to instrument panel.
- Operating with flat or under-inflated tires.
- Failure to report defects and needed repairs to fleet division.
- Driving vehicle in need of repairs.
- Failure to properly inspect vehicle before and after use.
- Failure to have vehicle serviced after notification given.
- Preventable repairs – defined as those caused by negligence of the driver.
- Enters an incorrect odometer reading when fueling a vehicle.



### 9.3.3 LONG DISTANCE TRAVEL

When an assigned City vehicle is to be used for travel of a distance of 200 miles or more, the employee shall have the vehicle inspected by a fleet mechanic within two (2) calendar days prior to departure to ensure the vehicle is in proper working condition.

### 9.3.4 SAFE DRIVING PRACTICES

All employees operating a City vehicle or personal vehicle on City business shall have a valid Utah Driver's License. All City employees shall drive and park in accordance with all state and local laws, including wearing seat belts. Any citation received shall be the responsibility of the driver. Employees are prohibited from talking on the phone while driving a vehicle (unless a hands-free device is used). Unattended City vehicles shall be locked at all times. Unattended vehicles shall not be left with the engine idling unless overhead safety lights are in use on the roadside. Employees found in violation of safe driving practices will be subject to disciplinary action up to and including termination.

### 9.3.5 VEHICLE REGISTRATION & RENEWALS

It is the responsibility of each driver to ensure that any vehicle to which they are assigned completes the state inspection/emissions test by May 1 of each year.

## 9.4 VEHICLE REPLACEMENT/TRANSFERS

### 9.4.1 VEHICLE REPLACEMENT

Vehicles to be replaced will be determined by the Public Works Director.

### 9.4.2 REQUESTS FOR ADDITIONAL VEHICLES

Any requests for additional vehicles must be accompanied by written justification by the Department Head or designee and approved by the City Council.

### 9.4.3 TRANSFER OF VEHICLES

In order to maximize usage, the Public Works Director may transfer a vehicle from one employee to another or from one department to another. A two-week notice will be given prior to transfer.



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## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: June 20, 2017

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**SUBJECT:** Amend Chapter 13.16 of the Midvale Municipal Code adding Section 13.16.160 regarding long-term maintenance of private storm drain facilities.

**SUBMITTED BY:** Keith Ludwig, P.E., City Engineer

**SUMMARY:**

Among other requirements of the City's UPDES Permit, as required by Phase II of the Clean Water Act, the City is responsible for monitoring the operation and maintenance of storm water facilities built on private commercial properties to ensure their continued effectiveness. To accomplish this, the City has prepared an agreement between the private property owner and the City.

This agreement outlines the duties and responsibilities of both parties. Basically, the maintenance and repair of storm water facilities on the part of the owner, and inspection and enforcement duties on the part of the City.

The agreement will also require the property owner to prepare and submit a Long-Term Storm Water Management Plan (LTSWMP) to be kept on file with the City. This LTSWMP will outline the efforts the owner will take to ensure the long-term operation and maintenance of any storm water facilities employed on the property, as well as any operational or procedural efforts to improve the quality of storm water draining from the property.

This agreement will be recorded with the Salt Lake County Recorder, and will run with the land. The LTSWMP will be kept on file with the City Recorder.

To accomplish this, an additional section of Chapter 13.16 of the Midvale Municipal Code as been prepared to codify the necessary provisions for implementing, reviewing, and enforcing these requirements.

**FISCAL IMPACT:** None anticipated

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**STAFF'S RECOMMENDATION AND MOTION:**

**I move that we adopt Ordinance No. 2017-O-07, amending Chapter 13.16 of the Midvale Municipal Code adding section 13.16.150 pertaining to a Long-Term Storm Water Maintenance Agreement.**

**Attachments:**

Ordinance No. 2017-O-07

Agreement

Chapter 13.16 Midvale City Code



**MIDVALE CITY, UTAH  
ORDINANCE NO. 2017-O-07**

**AN ORDINANCE AMENDING CHAPTER 13.16 OF THE MIDVALE MUNICIPAL CODE  
ADDING SECTION 13.16.150 LONG-TERM STORM WATER  
MAINTENANCE AGREEMENT**

**WHEREAS**, Midvale City has a UPDES Permit with the Utah State Department of Environmental Quality for the control and discharge of storm water within the boundaries of the City; and

**WHEREAS**, said permit outlines responsibilities of the City pertaining to the regulation and control of storm water; and

**WHEREAS**, one of these responsibilities directly pertains to monitoring the operation and maintenance of storm water facilities built on private commercial properties to ensure their continued effectiveness; and

**WHEREAS**, in order to accomplish this requirement, the City will enter into an agreement with the owners of private commercial properties that will outline the duties and responsibilities for the long-term maintenance and operation of any storm water facilities built on the property; and

**WHEREAS**, an additional section of Chapter 13.16 of the Midvale Municipal Code has been prepared to codify the necessary provisions for implementing, reviewing and enforcing these requirements.

**NOW THEREFORE BE IT ORDAINED**, by the City Council of Midvale City, Utah as follows:

**Section 1.** The Midvale City Council desires to amend Chapter 13.16 of the Midvale Municipal Code adding Section 13.16.150 Long-Term Storm Water Maintenance Agreement, attached hereto as Exhibit A.

**Section 2.** This ordinance shall become effective upon publication of the summary thereof.

**PASSED AND ADOPTED** this 20<sup>th</sup> day of June, 2017.

\_\_\_\_\_  
JoAnn B. Seghini, Mayor

ATTEST:

\_\_\_\_\_  
Rori L. Andreason, MMC  
City Recorder

Voting by the City Council	“Aye”	“Nay”
Stephen Brown	_____	_____
Paul Glover	_____	_____
Quinn Sperry	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____

Date of first publication: \_\_\_\_\_

**Chapter 13.16**  
**STORMWATER UTILITY**

Sections:

- 13.16.010 Purpose.
- 13.16.020 Definitions.
- 13.16.030 Stormwater utility created.
- 13.16.040 Ownership of city stormwater facilities and assets.
- 13.16.050 Utility administration.
- 13.16.060 Service charge imposed.
- 13.16.070 System of rates and charges.
- 13.16.080 Billing and collection.
- 13.16.090 Appeal of charges.
- 13.16.100 No polluted waters discharged to storm sewers.
- 13.16.110 Obstruction.
- 13.16.120 Dumping.
- 13.16.130 Enforcement.
- 13.16.140 Annual report to stormwater utility customers.
- 13.16.150 Long Term Stormwater Management Agreement required.

**13.16.010 Purpose.**

The city finds and declares that absent effective maintenance, operation, regulation, and control, existing stormwater drainage conditions in all areas within the city may constitute a potential hazard to the health, safety and general welfare of the city. The city council further finds that natural and manmade stormwater facilities and conveyances constitute a stormwater system and that effective improvement, regulation, and control of stormwater through formation, by the city, of a stormwater utility requires the transfer to the utility of all stormwater facilities and conveyances and related rights belonging to the city. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.020 Definitions.**

For the purpose of this chapter, the following terms phrases and words shall mean:

1. "City" means Midvale City, a municipal corporation of the state of Utah.
2. "County" means Salt Lake County.
3. "Council" means Midvale City council.
4. "Customer" or "person" means any individual; public or private corporation and its officers; partnership; association; firm; trustee; personal representative of an estate; the state of Utah or its departments, institutions, bureaus, agencies; county; city; political subdivision; or any other governmental or legal entity recognized by law.
5. "Director" means the city's public works director or designee.
6. Equivalent Residential Unit (ERU). An "ERU" is equal to three thousand square feet of impervious surface area. This is based on an average single family residential parcel, which has an impervious surface area of three thousand square feet.
7. "Impervious surface" means a parcel's hard surface area that causes water to run off its surface in quantities or speeds greater than under natural conditions. Some examples of impervious surfaces are rooftops, concrete or asphalt paving, walkways, patios, driveways, parking lots or storage areas, and gravel that has been subject to surface traffic, including compacted gravel surfaces.
8. "Mitigation" means on-site facilities or practices which are designed to reduce stormwater quantity or improve stormwater quality.

9. "Parcel of real property" means the smallest, separately segregated unit of land having an owner. A parcel has boundaries and surface area, and is documented with a property number by the county.
10. "Developed parcel" means any parcel whose surface has been altered by grading, filling, or construction of any improvement.
11. "National Pollutant Discharge Elimination System (NPDES) Stormwater Regulations" means the provisions of the Federal Clean Water Act establishing specific permit requirements for the control of stormwater discharge.
12. "Single family residential parcel" means any parcel of land containing a single family or duplex dwelling unit, as defined in Title 17, Midvale City Zoning Code.
13. "Stormwater" means water produced by storms, surface drainage, snow and ice melt, and other water handled by the stormwater system.
14. "Stormwater facilities" means any facility, improvement, development or property made for controlling stormwater quantity and quality.
15. "Stormwater system" means all manmade stormwater facilities and conveyances, and natural stormwater systems including designated open spaces owned or maintained by the city that store, control, treat, and/or convey stormwater.
16. "Stormwater utility" or "utility" means the utility created by this chapter, which operates, maintains, regulates and improves stormwater facilities and programs within Midvale City.
17. "Undeveloped parcel" means any parcel that has not been altered by grading, filling, or construction. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.030 Stormwater utility created.**

There is hereby created and established a stormwater utility, herein referred to as "utility," and service charge rate structure. The utility will have regulatory authority and responsibility for planning, design, construction, maintenance, administration and operation of all city stormwater conveyances and facilities. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.040 Ownership of city stormwater facilities and assets.**

The city administrator shall determine which of the city's stormwater assets will be transferred to the utility. Until such transfer, the utility shall operate, maintain and improve existing city stormwater facilities used for the conveyance of stormwaters through, under or over lands or watercourses, beginning at a point where the stormwaters first enter the stormwater system of the city and ending in each instance at a point where the stormwaters exit from the system. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.050 Utility administration.**

The stormwater utility shall be administered by the city's public works department. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.060 Service charge imposed.**

All persons otherwise responsible for impervious surfaces within the city which contribute runoff to the stormwater system or who otherwise use or benefit from the stormwater utility of the city will be responsible for paying the stormwater water utility fees as set forth by Resolution No. 06/15/2004 R-51. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.070 System of rates and charges.**

A. Service Fees Imposed. The city will impose stormwater water fee rates and charges on each parcel of real property within the city except governmentally owned streets. The charges shall fund the administration, planning, design, construction, water quality programming, operation, maintenance and repair of existing and future stormwater facilities.

B. Methods of Determining Contribution of Stormwater.

1. Contributions of stormwater from nonresidential parcels and residential parcels larger than duplexes have been ascertained through aerial photography by evaluating land surface and measuring the amount of impervious surface.
2. Contributions of stormwater from residential parcels have been established by estimating residential impervious areas.

C. Method of Determining Service Fee Rates. Stormwater service fees shall be applied to each parcel of real property within the city (including city-owned properties) except government-owned streets. Service fees shall be differentiated according to the following classifications:

1. Residential Parcels. Single family residential and duplex parcels shall constitute one ERU.
2. Undeveloped Parcels. Undeveloped parcels shall have no charges applied.
3. Other Parcels. Charges for all other parcels shall be computed by multiplying the total ERUs for a parcel by the monthly rate. Total ERUs are calculated by dividing total square feet of impervious surface by three thousand square feet (one ERU).
4. Credit for On-Site Mitigation. A service charge credit shall be available for those nonsingle family residential customers that exceed the city's stormwater development standards and/or reduce the city's downstream costs in providing stormwater capacity; provided, that if the city's standards are increased in the future, then only those customers who currently exceed the existing standards will continue to be eligible for a service charge credit. If a request for mitigation credit is granted, the credit shall be applied to all charges from the time of the credit request being accepted by the city, and will be reflected on the next billing thirty days after appeal is granted.

Stormwater control facilities located on a parcel may either hold runoff for a period of time and release it at a controlled rate to the stormwater water system (detention), or hold water until it evaporates or infiltrates into the ground (retention).

Credit for improving quality of stormwater runoff will be based on implementation of source or treatment controls which reduce or eliminate pollutants from its stormwater runoff before it enters the city's stormwater system.

Customers who believe their site conditions warrant a service charge credit may make application to the city by requesting an application package from the city engineer; provided, that no credit shall exceed a forty-five percent reduction of the original service charge amount. (Ord. 6/15/2004O-23 § 1 (part), 2004)

#### **13.16.080 Billing and collection.**

A. Utility Enterprise Fund. This chapter creates the stormwater utility fund. All revenues received from stormwater user fees shall be placed in the enterprise fund as a designated fund, to be left separate and apart from all other city funds. The collection, accounting and expenditure of all stormwater utility funds shall be in accordance with the Utah Uniform Fiscal Procedures Act.

B. Billing. The city shall bill, or cause to be billed, parcel owners for stormwater utility services. Fees and charges shall be considered delinquent if not paid as determined by the procedures established by the city and shall be an obligation to the city, which shall be subject to recovery in a civil action. (Ord. 6/15/2004O-23 § 1 (part), 2004)

#### **13.16.090 Appeal of charges.**

Any nonresidential customer who disagrees with the stormwater rate structure's application to his/her parcel may apply to the director for a user fee adjustment. The adjustment request must state the grounds for adjustment and must be filed in writing with the director no later than thirty days after receipt of billing. The director shall review the request and basis for user charges to determine whether an error was made in the calculation or application of the fee. The director may approve an adjustment to the fee.

An appeal of the director's decision may be brought before the city administrator within thirty days after the date of the director's decision. Decision of the city administrator shall be final and conclusive.

If an appeal of charges is successful, credit will be applied to all charges from the time of the appealed billing and will be reflected on a future billing after the appeal is granted. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.100 No polluted waters discharged to storm sewers.**

The only substance allowed to be discharged under this chapter into the city's stormwater system is stormwater, surface drainage, subsurface drainage, groundwater, roof runoff, cooling water or nonpolluted water. Such water may be discharged only into stormwater facilities which have adequate capacity for the accommodation of such water. Such discharged water shall comply with the city's stormwater quality standards. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.110 Obstruction.**

A. It is unlawful for any person to obstruct or contribute to the obstruction of the flow of stormwater runoff or nonstormwater runoff into any sump, retention basin, storm drain, curb and gutter, drain inlet, or other associated structural controls that convey stormwater and/or nonstormwater runoff, unless the obstruction is authorized by the city engineer or his appointee and granted with the issuance of a permit signed by the city engineer or his appointee.

B. It is unlawful for any person to cause any obstruction that inhibits the normal flow of stormwater and/or nonstormwater runoff in any curb and gutter, unless the obstruction is authorized by the city engineer or his appointee and granted with the issuance of a permit signed by the city engineer or his appointee.

C. It is unlawful for a person to cover over any drain inlet for any reason or purpose, unless the obstruction is authorized by the city engineer or his appointee and granted with the issuance of a permit signed by the city engineer or his appointee.

D. Subsections (A) and (B) of this section shall not apply during clean-up periods established by the city, provided the materials are placed according to any directions from the city and do not obstruct drain inlets. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.120 Dumping.**

A. It is unlawful for any person to dump or allow to be dumped into any sump, detention basin, storm drain, curb and gutter, drain inlet, or other storm drainage structure that conveys stormwater and/or nonstormwater, any type of debris, petroleum product, chemical, paint, pesticide, herbicide, heavy metal, acid or base product, solid or liquid waste product, hazardous waste product, and/or human or animal waste.

B. The restrictions set forth in subsection (A) of this section shall not apply to the normal runoff of nonstormwater related to domestic home uses; for example, lawn watering, washing cars, etc. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.130 Enforcement.**

This chapter may be enforced through the administrative code enforcement program of the Midvale Municipal Code, or by filing civil or criminal actions in the Midvale City justice court or third district court. The city has sole discretion to decide whether to file a civil or criminal case for a violation. The city may file both, or one or the other. The possibility of an administrative remedy pursuant to administrative code enforcement shall in no way interfere with the city's right to prosecute violations of this chapter as criminal offenses. The city may use any of the remedies available under the law in both civil and criminal prosecution. If the city chooses to file both civil and criminal charges for the same violation, no civil penalties may be assessed, but all other remedies are available. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.140 Annual report to stormwater utility customers.**

The city's public works department shall cause to be completed an annual report on the stormwater utility which, if accepted, shall be approved by the city council. This report shall summarize the financial activities of the utility and the major areas of expenditure, field activities, accomplishments, income, and the upcoming year's priorities. (Ord. 6/15/2004O-23 § 1 (part), 2004)

**13.16.150 Long Term Stormwater Management Agreement required.**

A. Every parcel of real property, except single family residential parcels and undeveloped parcels, that has been developed or redeveloped on or after March 10, 2003, is required to have its owner enter into an agreement with the

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city that outlines the responsibilities of the owner for long term stormwater management. This agreement will be recorded with the Salt Lake County Recorder's Office and will be binding on future parcel owners.

B. Every owner of a parcel of real property that is required to enter into an agreement under this section is required to provide an annual report to the city that outlines the maintenance procedures used to keep the parcel's stormwater facilities functioning properly.

C. The owner of a parcel of real property is solely responsible for the operation and maintenance of stormwater facilities located on the parcel. The stormwater facilities must be adequately maintained, perform in a working manner, comply with the terms of any agreement entered into under this section and the Utah Water Quality Act (Utah Code Ann. § 19-5-101, et seq., as amended).

D. After providing no less than 3 business days' notice, city personnel are authorized to enter upon any parcel of real property that is required to have its owner enter into an agreement under this section in order to inspect the stormwater facilities on the parcel for the purpose of determining whether the parcel owner is in compliance with this section.

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**When recorded, mail to:**

Midvale City Recorder  
7505 South Holden Street  
Midvale, UT 84047

Affects Parcel No(s): \_\_\_\_\_

**LONG TERM STORMWATER MANAGEMENT AGREEMENT**

This Long Term Stormwater Management Agreement (“Agreement”) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by and between Midvale City, a Utah municipal corporation (“City”), and

\_\_\_\_\_,  
a \_\_\_\_\_ (“Owner”).

**RECITALS**

WHEREAS, the City is authorized and required to regulate and control the disposition of storm and surface waters within the City, as set forth in the Midvale City Code, Chapter 13.16, pursuant to the Utah Water Quality Act, as set forth in *Utah Code Ann.* §§ 19-5-101, *et seq.*, as amended (“Act”); and

WHEREAS, the Owner hereby represents and acknowledges that it is the owner in fee simple of certain real property more particularly described in Exhibit “A,” attached hereto and incorporated herein by this reference (“Property”); and

WHEREAS, the Owner desires to build or develop the Property and/or to conduct certain regulated construction activities on the Property which will alter existing storm and surface water conditions on the Property and/or adjacent lands; and

WHEREAS, in order to accommodate and regulate these anticipated changes in existing storm and surface water flow conditions, the Owner is required to build and maintain at Owner’s expense a storm and surface water management facility or improvements (“Stormwater Facilities”); and

WHEREAS, the Stormwater Facilities are more particularly described and shown in the final site plan or subdivision approved for the Property and related engineering drawings, and any amendments thereto, which plans and drawings are on file with the City and are hereby incorporated herein by this reference (“Development Plan”); and

WHEREAS, a condition of Development Plan approval, and as required as part of the City’s Small MS4 UPDES General Permit from the State of Utah, Owner is required to enter into this Agreement establishing a means of documenting the execution of the Long Term Stormwater Management Plan and,

NOW, THEREFORE, in consideration of the benefits received and to be received by the Owner, its successors and assigns, as a result of the City’s approval of the Long Term Stormwater Management Plan, and the mutual covenants contained herein, the parties agree as follows:

### **Section 1**

Long Term Stormwater Management Plan. Upon completion of the Stormwater Facilities, the owner must provide a summary description of all Stormwater Facilities, details, and appurtenance draining to and affecting the Stormwater Facilities, and establish the standard operations and routine maintenance procedures for the Stormwater Facilities and control measures installed on the property. This Long Term Stormwater Management Plan, more particularly shown in Exhibit ‘B’, must be filed with the Midvale City Recorder.

### **Section 2**

Construction of Stormwater Facilities. The Owner must, at its sole cost and expense, construct the Stormwater Facilities in accordance with the Development Plans and specifications, and any amendments thereto which have been approved by the City.

### **Section 3**

Maintenance of Stormwater Facilities. The Owner must, at its sole cost and expense, adequately maintain the Stormwater Facilities. Owner’s maintenance obligations include all system and appurtenance built to convey stormwater, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance, for purposes of this Agreement, is defined as good working condition so that the Stormwater Facilities are performing their design functions. The Owner must, at its sole cost and expense, perform all work necessary to keep the Stormwater Facilities in good working condition.

### **Section 4**

Annual Maintenance Report of Stormwater Facilities. The Owner must, at its sole cost and expense, inspect the Stormwater Facilities and submit an inspection report and certification to the City annually. The purpose of the inspection and certification is to assure safe and proper functioning of the Stormwater Facilities. The annual inspection must cover all aspects of the Stormwater Facilities, including, but not limited to, the



parking lots, structural improvements, berms, channels, outlet structure, pond areas, access roads, vegetation, landscaping, etc. Deficiencies must be noted in the inspection report. The report must also contain a certification as to whether adequate maintenance has been performed and whether the structural controls are operating as designed to protect water quality. The annual inspection report and certification are due every year by the date of the executed Agreement and must be on forms acceptable to the City.

### **Section 5**

City Oversight Inspection Authority. The Owner hereby grants permission to the City, its authorized agents, and employees to enter upon the Property and to inspect the Stormwater Facilities upon reasonable notice of not less than three business days to the Owner. Such inspections will be conducted in a reasonable manner and at reasonable times, as determined appropriate by the City. The purpose of the inspection is to determine and ensure that the Stormwater Facilities are being adequately maintained, are continuing to perform in an adequate manner, and are in compliance with the Act, the Ordinance, and the Long Term Stormwater Management Plan.

### **Section 6**

Notice of Deficiencies. If the City finds that the Stormwater Facilities contain any defects or are not being maintained adequately, the City will send Owner written notice of the defects or deficiencies and provide Owner with a reasonable time, but not less than 60 days, to cure such defects or deficiencies. Such notice must confirm delivery to the Owner or be sent certified mail to the Owner at the address listed on the Salt Lake County Tax Assessor.

### **Section 7**

Owner to Make Repairs. The Owner must, at its sole cost and expense, make such repairs, changes or modifications to the Stormwater Facilities as may be determined as reasonably necessary by the City within the required cure period to ensure that the Stormwater Facilities are adequately maintained and continue to operate as designed and approved.

### **Section 8**

City's Corrective Action Authority. In the event the Owner fails to adequately maintain the Stormwater Facilities in good working condition acceptable to the City, after due notice of deficiencies as provided in Section 6 and failure to cure, then, upon Owner's failure to cure or correct within 30 days following a second notice delivered to Owner, the City may seek any combination of the following actions:

1. The City may require Owner to reimburse the City for any fines the City incurs as a result of the Owner's failure to abide by this Agreement.
2. In accordance with Midvale Municipal Code 5.04.020, the City may suspend or revoke Owner's business license.
3. In accordance with Midvale Municipal Code 13.16.130, the City may issue a citation punishable as a class B misdemeanor.

4. The City may pursue any remedy available under the City's Administrative Code Enforcement Program including, but not limited to, abating the violation.
5. The City may disconnect the facility storm drain connection after written notice to the Owner.

It is expressly understood and agreed that the City is under no obligation to maintain or repair the Stormwater Facilities, and this Agreement may not be construed to impose any such obligation on the City. The actions described in this Section are in addition to and not in lieu of any and all equitable remedies available to the City as provided by law for Owner's failure to remedy deficiencies or any other failure to perform under the terms and conditions of this Agreement.

#### **Section 9**

**Reimbursement of Costs.** In the event the City, pursuant to this Agreement, incurs any costs, or expends any funds resulting from enforcement or cost for labor, use of equipment, supplies, materials, and the like related to Owner's Stormwater Facilities, the Owner must reimburse the City upon demand, within 30 days of receipt thereof for all actual costs incurred by the City. After said 30 days, such amount is deemed delinquent and is subject to interest at the rate of 10% per annum. Owner is also liable for any collection costs, including attorneys' fees and court costs, incurred by the City in collection of delinquent payments.

#### **Section 10**

**Successor and Assigns.** This Agreement will be recorded in the Salt Lake County Recorder's Office and the covenants and agreements contained herein will run with the land. Whenever the Property is held, sold, conveyed or otherwise transferred, the transfer will be subject to the covenants, stipulations, agreements and provisions of this Agreement and will apply to, bind and be obligatory upon the Owner hereto, its successors and assigns, and will bind all present and subsequent owners of the Property described herein.

#### **Section 11**

**Severability Clause.** The provisions of this Agreement are severable and if any phrase, clause, sentence or provision is declared unconstitutional, or the applicability thereof to the Owner, its successors and assigns, is held invalid, the remainder of this Covenant will not be affected thereby.

#### **Section 12**

**Utah Law and Venue.** This Agreement is interpreted under the laws of the State of Utah. Any and all suits for any claims or for any and every breach or dispute arising out of this Agreement must be maintained in the appropriate court of competent jurisdiction in Salt Lake County, Utah.

#### **Section 13**

**Indemnification.** This Agreement imposes no liability of any kind whatsoever on the City, and the Owner agrees to indemnify and hold the City, its officials, officers,

employees, and agents harmless from any damage, accident, casualty, occurrence, or claim in the event the Stormwater Facilities fail to operate properly. The Owner indemnifies and holds the City, its officials, officers, employees, and agents harmless for any damage, accident, casualty, occurrence, or claim which might arise or be asserted against the City from failure of Owner to comply with its obligations under this Agreement relating to the Stormwater Facilities. The Owner also indemnifies and holds the City, its officials, officers, employees, and agents harmless for any damage, accident, casualty, occurrence, or claim which may arise or be asserted against the City in the event the City utilizes any remedy under Section 8 of this Agreement.

#### **Section 14**

Amendments. This Agreement may not be modified except by written instrument executed by the City and the Owner of the Property at the time of modification. No modification is effective until recorded in the Salt Lake County Recorder's Office.

#### **Section 15**

Subordination Requirement. If there is a lien, trust deed or other property interest recorded against the Property, the trustee, lien holder, etc., is required to execute a subordination agreement or other acceptable recorded document agreeing to subordinate their interest to the Agreement.

#### **Section 16**

Exhibit B. The Long Term Stormwater Management Plan (LTSWMP) must adapt to change in good judgment when site conditions and operations change and when existing programs are ineffective. Exhibit B will not be filed with the agreement at County Recorder but is included by reference and kept on file with the City Recorder. Revision applications must be filed with the City Engineering Division and amended into the LTSWMP on file with the Midvale City recorder.

**LONG TERM STORMWATER MANAGEMENT PLAN AGREEMENT**

SO AGREED this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

**PROPERTY OWNER**

By: \_\_\_\_\_ Title: \_\_\_\_\_

By: \_\_\_\_\_ Title: \_\_\_\_\_

STATE OF UTAH )  
 :ss.  
COUNTY OF SALT LAKE )

The above instrument was acknowledged before me by \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
Residing in: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

**MIDVALE CITY**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Mayor JoAnn Seghini

Attest: \_\_\_\_\_  
City Recorder

STATE OF UTAH )  
 :ss.  
COUNTY OF SALT LAKE )

The above instrument was acknowledged before me by \_\_\_\_\_, this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
Residing in: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

smp\_\_\_\_\_

Attachments:

Exhibit A: Plat and Legal Description

Exhibit B: Stormwater Management Plan; Filed with Midvale City Recorder



## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: June 20, 2017

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**ITEM:** Action approving Ordinance No. 2017-O-08 amending Title 2 of the Midvale City Municipal Code regarding Elected Officials Salaries

**SUBMITTED BY:** Kane Loader, City Manager

**SUMMARY:**

Over the past several years the City Council has been concerned with time and effort required to be a Mayor of a city in the Salt Lake Valley area. Many of our surrounding communities have full time Mayors who are able to devote a majority of their time to representing their cities by attending many important meetings as well as working with other cities and the State Legislature on critical needs. Midvale City faces the same problems and issues but has also been very fortunate to have a Mayor that has the ability to devote much of her time to the City.

In the Council's deliberations, they have concluded that the Mayor of the City should be compensated similar to how other city positions are. Which is, if the position is part-time or half-time the employee is paid at half of the salary. In this case, we have determined that half of the average full-time mayor's salary is approximately \$89,000 per year. We are suggesting that the Council consider setting Mayor's salary at \$45,000 per year with the stipulation that the Mayor is expected to put in at least 20 hours per week on behalf of the City.

The Staff had also looked at the City Council's salary in comparison to other cities and have found that amount is also out of the market range. The Staff recommends that the Council adjust their salary also to put them more in line with their counterparts. The market analysis shows that the average council salary is \$14,600 per year and the Staff is suggesting the council adjust their salary from \$12,000 to \$15,000 per year.

As required by state statute the compensation of the Mayor and City Council must be codified and set forth in the City's Municipal Code. The proposed ordinance amends the code to reflect the changes to the salaries while also setting the expectations of the Council on the amount of time required to fulfill the duties of the Mayor.

---

**STAFF'S RECOMMENDATION AND MOTION:**

***I move that we adopt Ordinance No. 2017-O-08 amending the  
Midvale City Code Section 2.12.040 Compensation of Mayor and  
City Council***

**MIDVALE CITY**

**ORDINANCE NO. 2017-08**

**AN ORDINANCE AMENDING MIDVALE CITY CODE  
SECTION 2.12.040 COMPENSATION OF MAYOR AND CITY COUNCIL.**

**WHEREAS**, the City Council desires to amend Midvale Municipal Code Section 2.12.040 Compensation of mayor and city council; and

**WHEREAS**, the City Council recognizes that the mayor and city council's compensation was last adjusted by ordinance in 2013; and

**WHEREAS**, the City Council recognizes that in order to properly perform the responsibilities of the mayor of Midvale City, the mayor must generally spend a minimum of 20 hours per week performing his or her responsibilities; and

**WHEREAS**, the City Council, after conducting research regarding the compensation of local mayors, believes that so long as an elected mayor of Midvale generally spends a minimum of 20 hours per week performing his or her responsibilities that the mayor should be compensated as a salaried part-time employee similar to other mayors of neighboring communities; and

**WHEREAS**, the City Council also desires to make the city council's compensation more competitive with the compensation of neighboring city council members and accounts for inflation over the last several years.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of Midvale City, Utah as follows:

**Section 1.** The City Council desires to amend Midvale Municipal Code Section 2.12.040 Compensation of mayor and city council as set forth in Exhibit A.

**Section 2.** This Ordinance shall be effective upon date of first publication.

**PASSED AND APPROVED** this \_\_ day of \_\_\_\_\_, 2017.

**MIDVALE CITY**

By: \_\_\_\_\_  
Mayor JoAnn B. Seghini

[SEAL]

**VOTING:**



JoAnn Seghini	Yea	___	Nay	___
Stephen Brown	Yea	___	Nay	___
Paul Glover	Yea	___	Nay	___
Quinn Sperry	Yea	___	Nay	___
Paul Hunt	Yea	___	Nay	___
Wayne Sharp	Yea	___	Nay	___

**ATTEST:**

---

Rori L. Andreason, MMC  
City Recorder

Published this \_\_\_ day of \_\_\_\_, 2015.



## MIDVALE CITY COUNCIL SUMMARY REPORT

Meeting Date: June 20, 2017

**SUBJECT:** Action approval of Resolution No. 2017-R-21 setting the Property Tax Rate for Calendar Year 2017, Resolution No. 2017-R-20 adopting the Fiscal Year 2018 Final Operating and Capital Budgets, Resolution 2017-R-22 adopting the Employee Job Classification and Benefit Package for Fiscal Year 2018 and Resolution No. 2017-R-23 adopting the Midvale City Municipal Fee Schedule for Fiscal Year 2018

**SUBMITTED BY:** Kane Loader, City Manager  
Laurie Harvey, Asst. City Manager/Admin. Services Director

### **SUMMARY:**

Listed below are the steps that you as a City Council need to take in order to approve and adopt the operating and capital budgets for Fiscal Year 2018.

#### **Step 1**

Adopt a resolution setting the rate of tax for Calendar Year 2017 and levying taxes upon all real and personal property within the corporate boundaries of Midvale City, Utah.

**Recommended Motion:** *I move that we adopt Resolution No. 2017-R-21, a resolution setting the Rate of Tax for Calendar Year 2017 and Levying Taxes Upon all real and personal property within the corporate boundaries of Midvale City, Utah.*

#### **Step 2**

Adopt a resolution approving the Midvale City General Operating and Capital Budgets for Fiscal Year 2018.

**Recommended Motion:** *I move that we adopt Resolution No. 2017-R-20, a resolution adopting the Midvale City Final Operating and Capital Budgets for Fiscal Year 2018.*

#### **Step 3**

Adopt a resolution approving the Employee Job Classification and Benefit Package for Fiscal Year 2018.

**Recommended Motion:**

***I move that we adopt Resolution No. 2017-R-22, a resolution adopting the Midvale City Employee Job Classification and Benefit Package for Fiscal Year 2018.***

**Step 4**

Adopt a resolution adopting the Midvale City Municipal Fee Schedule for Fiscal Year 2018.

**Recommended Motion:**

***I move that we adopt Resolution No. 2017-R-23, a resolution adopting the Midvale City Municipal Fee Schedule for Fiscal Year 2018.***

***WE ARE DONE!***

**MIDVALE CITY CORPORATION  
RESOLUTION NO. 2017-R-21**

**A RESOLUTION SETTING THE RATE OF TAX FOR CALENDAR YEAR 2017 AND  
LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY WITHIN THE  
CORPORATE BOUNDARIES OF MIDVALE CITY, UTAH**

**Whereas**, pursuant to Utah State Code, Midvale City is required to establish and set forth the property tax levy rate for property located within the corporate boundaries of Midvale City; and

**Whereas**, the certified tax rate must be established on or before the 22<sup>nd</sup> day of June of each year, unless an increase in the certified tax rate is required.

**Whereas**, the property tax levy rate established by this resolution is sufficient to provide the revenue necessary to operate the General Fund and service the General Obligation Bond for Fiscal Year 2017 and does not exceed the certified tax rate established by the Salt Lake County Auditor's Office.

**Whereas**, the requisite public notices and hearings have been published and conducted; and

**Whereas**, the governing body will adopt the General Fund Budget for Fiscal Year 2018.

**Now therefore be it resolved by the City Council of Midvale City, State of Utah**, as follows:

**Section One:** That the property tax rate for property located within the corporate boundaries of Midvale City for calendar year 2017 be set at and distributed as follows:

General Purposes	.001095
General Obligation Bond debt service	.000214
<b>Total Tax Rate</b>	<b>.001309</b>

**Section Two:** That the rate herein established and the subsequent tax levy shall be certified by the City Recorder and sent to the Salt Lake County Auditor, state of Utah, and Utah State Tax Commission.

**Section Three:** That this Resolution shall become effective immediately upon passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF MIDVALE CITY, STATE OF UTAH** this 20<sup>th</sup> day of June, 2017.

\_\_\_\_\_  
JoAnn B. Seghini, Mayor

ATTEST:

\_\_\_\_\_  
Rori L. Andreason, MMC, City Recorder

<b>Voting by the City Council</b>	<b>Aye</b>	<b>Nay</b>
<b>Wayne Sharp</b>	___	___
Paul Hunt	___	___
Paul Glover	___	___
Stephen Brown	___	___
Quinn Sperry	___	___

**MIDVALE CITY CORPORATION  
RESOLUTION NO. 2017-R-20**

**A RESOLUTION ADOPTING THE FINAL OPERATING AND CAPITAL BUDGETS FOR MIDVALE CITY, STATE OF UTAH, FOR FISCAL YEAR 2018**

**WHEREAS**, State law requires the establishment of various budgets for each municipal corporation located within the State of Utah; and

**WHEREAS**, Midvale City has complied in all respects with State law, including holding public hearings, in establishing said budgets for the Fiscal Year beginning July 1, 2017 and ending June 30, 2018.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE CITY, STATE OF UTAH**, as follows:

**SECTION ONE:** That Midvale City, a municipal corporation, hereby adopts the following final budgets for the fiscal year beginning July 1, 2017 and ending June 30, 2018:

- A. General Fund, Section 10-6-109, Utah Code Annotated
- B. Capital Projects Fund, Section 10-6-109, Utah Code Annotated
- C. Public Utilities Fund, Section 10-6-135, Utah Code Annotated
- D. Storm Water Utility Fund, Section 10-6-135, Utah Code Annotated
- E. Street Lighting Fund, Section 10-6-135, Utah Code Annotated
- F. Sanitation Fund, Section 10-6-135, Utah Code Annotated
- G. Telecommunications Fund, Section 10-6-135, Utah Code Annotated
- H. Fleet Management Fund, Section 10-6-135, Utah Code Annotated
- I. Information Technology Fund, Section 10-6-135, Utah Code Annotated

**SECTION TWO:** That the Budget Officer is hereby directed to certify and file a copy of the final budget for each fund with the Auditor of the State of Utah within thirty (30) days after adoption.

**SECTION THREE:** That upon the final adoption, the budgets shall be in effect for the budget year and subject to later amendment as provided by law.

**SECTION FOUR:**

1. That a certified copy of the adopted final budget shall be filed in the office of the City Recorder, 7505 S. Holden Street, Midvale, Utah and shall be available to the public during regular business hours.
2. That a copy of the adopted final budget shall be posted and made available to the public on the City's website, [www.midvalecity.org](http://www.midvalecity.org)

**SECTION FIVE:** That this Resolution shall become effective immediately upon the passage thereof.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF MIDVALE CITY, STATE  
OF UTAH, this 20<sup>th</sup> day of June, 2017.**

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JoAnn B. Seghini, Mayor

**BUDGET OFFICER CERTIFICATION:**

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Kane Loader, Budget Officer

ATTEST:

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Rori L. Andreason, MMC, City Recorder

<b>Voting by the City Council:</b>	<b>Aye</b>	<b>Nay</b>
<b>Councilmember Quinn Sperry</b>	___	___
<b>Councilmember Steve Brown</b>	___	___
<b>Councilmember Paul Glover</b>	___	___
<b>Councilmember Paul Hunt</b>	___	___
<b>Councilmember Wayne Sharp</b>	___	___



Midvale City Corporation  
FY 2018 Operating and Capital Budgets

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

Adopted June 20, 2017 - Resolution No. 2017-R-20

**Midvale City Adopted Budget FY 2018**

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## Midvale City General Fund Budget

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

REVENUE	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Account Title						
<b>GENERAL FUND</b>						
TAXES	10,366,568	12,392,300	12,093,804	12,985,255	12,933,600	541,300
LICENSES AND PERMITS	974,712	701,000	549,246	566,317	571,000	(130,000)
INTERGOVERNMENTAL REVENUE	2,713,519	2,552,500	1,983,915	2,645,312	1,955,600	(596,900)
CHARGES FOR SERVICE	1,924,704	1,680,000	1,552,667	1,696,524	1,844,300	164,300
FINES AND FORFEITURES	1,236,006	927,000	836,859	915,800	1,042,000	115,000
MISCELLANEOUS REVENUE	68,712	9,234,600	85,950	79,997	437,000	(8,797,600)
Revenue: 37	(3,000)	-	-	-	-	-
CONTRIBUTIONS	2,000	31,900	30,000	30,000	2,500	(29,400)
<b>Net Total GENERAL FUND:</b>	<b>17,283,220</b>	<b>27,519,300</b>	<b>17,132,441</b>	<b>18,919,205</b>	<b>18,786,000</b>	<b>(8,733,300)</b>

EXPENDITURES	2015-16	2016-17	2016-17	2016-17	2017-18	Inc/(Dec)
Account Title	Prior year Actual	Current year Budget	Current year Actual	Current year Projections	Future year Budget	Budget 2018 vs Budget 2017
<b>GENERAL FUND</b>						
CITY COUNCIL	232,607	379,700	240,888	296,151	255,800	(123,900)
COURT	897,752	886,600	751,999	790,590	780,300	(106,300)
GENERAL ADMINISTRATION	258,939	268,100	240,729	260,277	303,500	35,400
HUMAN RESOURCES	97,353	110,900	93,312	104,474	104,700	(6,200)
INFORMATION TECHNOLOGY	478,360	607,900	467,200	592,938	535,400	(72,500)
ADMINISTRATIVE SERVICES	230,055	203,300	178,707	195,442	196,300	(7,000)
FINANCE	323,094	355,700	316,812	341,999	344,200	(11,500)
RECORDER	260,616	263,400	240,803	259,010	317,000	53,600
CITY ATTORNEY	394,979	417,600	354,896	401,215	500,400	82,800
NON-DEPARTMENTAL	946,286	1,174,000	972,550	1,000,269	1,512,400	338,400
COMMUNITY/INTERGOV RELATIONS	345,769	456,900	207,048	447,122	221,800	(235,100)
EMPLOYEE SERVICES	62,125	54,700	15,836	36,709	334,700	280,000
HARVEST DAYS	39,847	60,400	53,295	59,683	52,900	(7,500)
BUILDING GROUNDS OPS & MNT	517,413	612,200	460,607	535,930	626,000	13,800
PUBLIC SAFETY	6,581,068	6,956,800	6,336,355	6,920,264	7,326,800	370,000
STREETS DEPARTMENT	572,195	588,300	516,911	586,001	605,500	17,200
GENERAL ENGINEERING	103,871	139,400	115,382	133,538	187,800	48,400
PUBLIC WORKS ADMINISTRATION	108,383	92,900	60,613	34,643	83,000	(9,900)
PARKS/CEMETERY	323,779	377,000	320,143	354,541	409,500	32,500
PLANNING AND ZONING	254,625	232,300	202,332	223,783	225,900	(6,400)
DEV SVCS ADMINISTRATION	470,421	454,200	384,450	441,513	578,200	124,000
CODE ENFORCEMENT	172,101	181,500	149,641	164,145	172,300	(9,200)
BUSINESS LICENSES	59,549	63,900	58,509	64,382	66,900	3,000
BUILDING INSPECTION	368,097	355,600	316,200	342,874	359,200	3,600
CONTRIBUTIONS	3,534,042	12,226,000	2,775,750	4,331,712	2,685,500	(9,540,500)
<b>Net Total GENERAL FUND:</b>	<b>(17,633,324)</b>	<b>(27,519,300)</b>	<b>(15,830,967)</b>	<b>(18,919,205)</b>	<b>(18,786,000)</b>	<b>8,733,300</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>GENERAL FUND</b>						
GENERAL FUND Revenue Total:	17,283,220	27,519,300	17,132,441	18,919,205	18,786,000	(8,733,300)
GENERAL FUND Expenditure Total:	17,633,324	27,519,300	15,830,967	18,919,205	18,786,000	(8,733,300)
Net Total GENERAL FUND:	(350,104)	-	1,301,474	-	-	-

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>GENERAL FUND</b>						
<b>TAXES</b>						
Property tax	989,548	2,428,400	2,681,414	2,700,000	2,469,200	40,800
Delinquent property tax	30,375	35,000	32,777	35,562	35,000	-
Sales tax	6,463,225	6,916,000	6,429,673	7,088,454	7,372,000	456,000
Franchise tax	2,192,132	2,227,900	2,063,722	2,195,000	2,200,000	(27,900)
Telecommunications tax	425,164	405,000	377,847	405,782	377,400	(27,600)
Transient room tax	139,475	150,000	153,211	165,457	175,000	25,000
Motor vehicle in lieu of	126,648	230,000	355,160	395,000	305,000	75,000
<b>Total TAXES:</b>	<b>10,366,568</b>	<b>12,392,300</b>	<b>12,093,804</b>	<b>12,985,255</b>	<b>12,933,600</b>	<b>541,300</b>
<b>LICENSES AND PERMITS</b>						
Business licenses	286,432	285,000	277,745	271,235	275,000	(10,000)
Building permits	670,758	400,000	256,073	280,263	280,000	(120,000)
Road cut fees	11,523	10,000	9,900	9,600	10,000	-
Sign fees	5,998	6,000	5,529	5,219	6,000	-
<b>Total LICENSES AND PERMITS:</b>	<b>974,712</b>	<b>701,000</b>	<b>549,246</b>	<b>566,317</b>	<b>571,000</b>	<b>(130,000)</b>
<b>INTERGOVERNMENTAL REVENUE</b>						
JAG Grant	-	16,600	-	16,600	-	(16,600)
EMPG grant	21,425	16,000	4,000	8,000	10,000	(6,000)
JAG grant	34,684	-	-	-	-	-
SHSP Grant	3,631	-	-	-	-	-
EPA Inst Controls Grant	38,963	-	-	-	-	-
CDBG Grant	160,811	108,000	-	108,000	317,400	209,400
CBC grants	2,137	-	-	-	-	-
State transportation funds	1,200,000	-	-	-	-	-
B&C road funds	844,929	1,053,000	1,055,700	1,175,000	1,103,600	50,600
Liquor funds allocation	49,378	50,000	47,312	47,312	50,000	-
State Homeless Initiative	-	836,000	495,471	817,500	409,600	(426,400)
Wasatch Regional Council Grant	168,042	-	-	-	65,000	65,000

## Midvale City

Midvale City Adopted Budget Fiscal Year 2018  
Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
SL Co B&G Club grant	88,057	64,400	32,894	64,400	-	(64,400)
SLCo Cultural Facilities grant	60,000	-	(60,000)	-	-	-
County TRCC grant	41,461	408,500	408,539	408,500	-	(408,500)
<b>Total INTERGOVERNMENTAL REVENUE:</b>	<b>2,713,519</b>	<b>2,552,500</b>	<b>1,983,915</b>	<b>2,645,312</b>	<b>1,955,600</b>	<b>(596,900)</b>
<b>CHARGES FOR SERVICE</b>						
Zoning/development fees	44,203	40,000	27,742	27,852	35,000	(5,000)
Plan check fees	402,863	100,000	144,194	159,807	160,000	60,000
Maps and publications	146	500	147	177	500	-
Notary/background check fees	195	500	(2,330)	200	500	-
911 service fees	231,580	231,600	212,300	231,600	231,600	-
Code enforcement fees	8,588	15,000	5,970	10,234	10,000	(5,000)
Rents and concessions	5,559	5,000	5,559	3,444	5,000	-
Credit card service fees	12,410	15,000	9,778	9,567	10,000	(5,000)
Cemetery lot sales	22,650	30,000	3,900	4,457	40,000	10,000
Cemetery service fees	39,300	34,000	37,800	40,886	40,000	6,000
Admin fee - Water	411,700	465,400	426,617	465,400	465,700	300
Admin fee - Sewer	178,200	192,100	176,092	192,100	187,000	(5,100)
Admin fee - Storm Water	255,800	287,400	263,450	287,400	315,400	28,000
Admin fee - Sanitation	65,200	64,700	59,308	64,700	69,300	4,600
Admin fee - RDA	145,700	177,900	163,075	177,900	240,300	62,400
Admin fee - Streetlighting	19,400	20,800	19,067	20,800	34,000	13,200
Harvest Days activities	75	100	-	-	-	(100)
CBC professional svcs lease	81,137	-	-	-	-	-
<b>Total CHARGES FOR SERVICE:</b>	<b>1,924,704</b>	<b>1,680,000</b>	<b>1,552,667</b>	<b>1,696,524</b>	<b>1,844,300</b>	<b>164,300</b>
<b>FINES AND FORFEITURES</b>						
Fines and forfeitures	1,095,061	900,000	714,442	800,000	925,000	25,000
Bad Debt Collections	115,579	-	106,965	100,000	100,000	100,000
Attorney fees recovered	13,841	15,000	7,502	8,000	5,000	(10,000)
Traffic school	11,525	12,000	7,950	7,800	12,000	-

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Total FINES AND FORFEITURES:	1,236,006	927,000	836,859	915,800	1,042,000	115,000
<b>MISCELLANEOUS REVENUE</b>						
Interest revenue	15,668	10,000	11,478	6,460	10,000	-
Interest on restricted funds	1,996	-	1,328	2,277	2,000	2,000
Miscellaneous	-	-	880	-	-	-
Proceeds from insurance	4,430	9,500	9,679	9,000	5,000	(4,500)
Proceeds from sale of assets	12,976	5,000	5,436	2,000	405,000	400,000
Proceeds from debt issuance	-	9,146,700	-	-	-	(9,146,700)
Sundry revenues	11,897	15,000	10,795	13,860	15,000	-
ULGT dividend/grant	21,746	48,400	46,354	46,400	-	(48,400)
Total MISCELLANEOUS REVENUE:	68,712	9,234,600	85,950	79,997	437,000	(8,797,600)
<b>Revenue: 37</b>						
Write-offs	(3,000)	-	-	-	-	-
Total Revenue: 37:	(3,000)	-	-	-	-	-
<b>CONTRIBUTIONS</b>						
Donations from private parties	2,000	32,500	30,000	30,000	2,500	(30,000)
Contrib Fund Bal Current	-	(600)	-	-	-	600
Total CONTRIBUTIONS:	2,000	31,900	30,000	30,000	2,500	(29,400)
Net Total GENERAL FUND:	17,283,220	27,519,300	17,132,441	18,919,205	18,786,000	(8,733,300)

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>GENERAL FUND</b>						
<b>CITY COUNCIL</b>						
Salaries	91,531	156,900	82,510	87,505	120,000	(36,900)
Benefits	91,253	96,200	82,770	84,500	96,200	-
Car allowance	4,800	4,800	4,431	4,747	4,800	-
Subscriptions and memberships	600	1,000	410	600	1,000	-
Travel	1,038	2,000	554	1,100	2,000	-
I.T. equipment	2,600	2,800	2,567	2,800	2,300	(500)
Communications/telephone	403	500	372	399	500	-
Professional services	35,472	111,500	63,768	111,500	25,000	(86,500)
Education	3,030	3,000	1,875	2,000	3,000	-
Miscellaneous supplies	1,881	500	490	500	500	-
Miscellaneous services	-	500	1,142	500	500	-
<b>Total CITY COUNCIL:</b>	<b>232,607</b>	<b>379,700</b>	<b>240,888</b>	<b>296,151</b>	<b>255,800</b>	<b>(123,900)</b>



Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>COURT</b>						
Salaries	439,255	416,100	400,960	413,682	405,700	(10,400)
Overtime	155	500	7	-	500	-
Part-time wages	41,253	42,000	21,293	23,992	27,000	(15,000)
Benefits	249,344	252,400	200,716	213,500	204,600	(47,800)
Car allowance	1,500	1,500	1,211	1,500	1,500	-
Subscriptions and memberships	670	600	430	600	700	100
Travel	3,771	3,500	4,557	4,328	5,000	1,500
Repairs/maintenance/supplies	1,539	1,000	1,663	1,000	1,000	-
I.T. equipment	8,000	7,500	6,875	7,500	7,300	(200)
Communications/telephone	403	500	496	400	500	-
Warrants enforcement	36,170	45,000	23,282	23,717	25,000	(20,000)
Judge pro tem fees	1,350	3,500	3,675	1,000	3,500	-
Transport Fees	9,464	12,500	5,891	4,755	8,000	(4,500)
Witness fees	537	1,000	463	539	1,000	-
Bailiff fees	93,175	87,000	69,875	83,550	77,000	(10,000)
Interpreter fees	7,178	6,000	7,112	6,063	6,000	-
Jurors fees	634	2,000	271	464	2,000	-
Education	3,056	3,000	1,532	3,000	3,000	-
Miscellaneous supplies	281	500	1,692	500	500	-
Miscellaneous services	18	500	-	500	500	-
<b>Total COURT:</b>	<b>897,752</b>	<b>886,600</b>	<b>751,999</b>	<b>790,590</b>	<b>780,300</b>	<b>(106,300)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>GENERAL ADMINISTRATION</b>						
Salaries	188,768	190,100	181,207	196,000	222,300	32,200
Overtime	61	-	-	-	-	-
Benefits	64,450	62,600	52,946	56,987	64,000	1,400
Car allowance	3,000	3,000	2,769	2,967	3,000	-
Subscriptions and memberships	50	600	-	-	600	-
Travel	457	1,500	1,083	500	1,500	-
I.T. equipment	900	1,500	1,375	1,500	1,300	(200)
Communications/telephone	325	800	392	620	800	-
Professional services	-	5,000	-	-	5,000	-
Education	655	2,000	890	703	2,000	-
Miscellaneous supplies	273	500	68	500	2,500	2,000
Miscellaneous services	-	500	-	500	500	-
<b>Total GENERAL ADMINISTRATION:</b>	<b>258,939</b>	<b>268,100</b>	<b>240,729</b>	<b>260,277</b>	<b>303,500</b>	<b>35,400</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>HUMAN RESOURCES</b>						
Salaries	56,683	58,300	53,646	58,200	58,600	300
Benefits	24,213	26,400	22,297	24,947	22,800	(3,600)
Subscriptions and memberships	1,664	1,800	810	1,800	5,200	3,400
Public notices - job postings	6,847	12,000	7,274	8,027	8,000	(4,000)
Travel	664	2,000	1,897	2,000	2,000	-
Repairs/maintenance/supplies	-	300	-	-	300	-
I.T. equipment	600	600	550	600	1,300	700
Communications/telephone	295	500	372	400	500	-
Professional services	3,251	5,000	5,148	5,000	2,500	(2,500)
Education	2,684	2,500	1,040	2,500	2,500	-
Miscellaneous supplies	421	1,000	278	500	500	(500)
Miscellaneous services	31	500	-	500	500	-
<b>Total HUMAN RESOURCES:</b>	<b>97,353</b>	<b>110,900</b>	<b>93,312</b>	<b>104,474</b>	<b>104,700</b>	<b>(6,200)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>INFORMATION TECHNOLOGY</b>						
Salaries	199,011	200,100	184,859	200,400	202,100	2,000
Sal alloc from/(to) other dept	(20,000)	(27,500)	(25,208)	(27,500)	(26,500)	1,000
Overtime	45	-	189	323	-	-
Benefits	106,528	107,200	97,502	106,100	96,200	(11,000)
Car allowance	1,500	1,500	1,385	1,483	1,500	-
Subscriptions and memberships	-	500	-	-	500	-
Travel	-	3,500	4,194	4,200	4,000	500
Computer supplies	3,788	3,500	2,932	3,500	3,500	-
I.T. equipment	5,200	5,300	4,858	5,300	5,600	300
Internet and wireless	12,981	14,000	11,635	12,928	13,500	(500)
Communications/telephone	31,934	36,000	22,443	23,727	30,000	(6,000)
Professional services	35,304	32,500	29,129	32,500	24,500	(8,000)
Education	8,614	9,500	4,770	8,177	9,500	-
Computer equipment	7,309	10,000	8,531	10,000	15,000	5,000
Network equipment	2,789	64,000	2,800	64,000	5,000	(59,000)
Software	7,288	30,000	16,478	30,000	5,000	(25,000)
Software support	75,037	116,800	100,411	116,800	145,000	28,200
Miscellaneous supplies	500	500	66	500	500	-
Miscellaneous services	532	500	227	500	500	-
<b>Total INFORMATION TECHNOLOGY:</b>	<b>478,360</b>	<b>607,900</b>	<b>467,200</b>	<b>592,938</b>	<b>535,400</b>	<b>(72,500)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>ADMINISTRATIVE SERVICES</b>						
Salaries	144,031	147,100	133,450	144,200	140,100	(7,000)
Benefits	41,611	41,000	37,434	39,280	41,000	-
Car allowance	3,000	3,000	2,769	2,967	3,000	-
Subscriptions and memberships	495	600	238	600	600	-
Travel	298	1,500	921	1,500	1,500	-
Repairs/maintenance/supplies	-	200	803	-	200	-
I.T. equipment	800	900	825	900	900	-
Communications/telephone	403	500	372	399	500	-
Professional services	36,775	5,000	-	3,000	5,000	-
Education	2,547	2,500	1,447	2,500	2,500	-
Miscellaneous supplies	34	500	-	-	500	-
Miscellaneous services	61	500	447	96	500	-
<b>Total ADMINISTRATIVE SERVICES:</b>	<b>230,055</b>	<b>203,300</b>	<b>178,707</b>	<b>195,442</b>	<b>196,300</b>	<b>(7,000)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>FINANCE</b>						
Salaries	176,829	185,900	171,598	185,900	206,100	20,200
Sal alloc from/(to) other dept	22,400	29,400	26,950	29,400	-	(29,400)
Overtime	-	-	17	17	-	-
Benefits	87,225	98,300	83,149	90,000	89,800	(8,500)
Car allowance	1,385	1,500	1,385	1,483	1,500	-
Subscriptions and memberships	870	1,000	1,123	800	1,000	-
Travel	1,783	4,000	3,712	4,000	4,000	-
Repairs/maintenance/supplies	1,498	2,000	1,424	2,000	2,000	-
I.T. equipment	3,300	2,700	2,475	2,700	3,900	1,200
Communications/telephone	403	900	372	399	900	-
Professional services	22,250	25,000	22,285	22,300	30,000	5,000
Education	5,128	4,000	2,004	3,000	4,000	-
Miscellaneous supplies	23	500	-	-	500	-
Miscellaneous services	-	500	318	-	500	-
<b>Total FINANCE:</b>	<b>323,094</b>	<b>355,700</b>	<b>316,812</b>	<b>341,999</b>	<b>344,200</b>	<b>(11,500)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>RECORDER</b>						
Salaries	153,744	156,400	146,186	158,000	160,000	3,600
Overtime	176	-	266	369	-	-
Benefits	70,586	67,500	63,437	69,000	67,500	-
Car allowance	1,500	1,500	1,385	1,483	1,500	-
Subscriptions and memberships	705	2,000	1,088	1,000	2,000	-
Public notices	6,914	15,000	16,203	14,033	15,000	-
Public notices - elections	16,786	-	-	-	-	-
Travel	986	3,000	539	925	3,000	-
Repairs/maintenance/supplies	-	500	-	-	500	-
I.T. equipment	1,500	1,500	1,375	1,500	1,000	(500)
Communications/telephone	698	1,000	1,075	1,000	1,000	-
Professional services	477	1,000	-	500	1,000	-
Codification	4,835	10,000	8,468	9,000	5,000	(5,000)
Education	1,540	3,000	485	1,700	3,000	-
Election supplies	-	-	-	-	55,500	55,500
Miscellaneous supplies	170	500	295	500	500	-
Miscellaneous services	-	500	-	-	500	-
<b>Total RECORDER:</b>	<b>260,616</b>	<b>263,400</b>	<b>240,803</b>	<b>259,010</b>	<b>317,000</b>	<b>53,600</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>CITY ATTORNEY</b>						
Salaries	91,329	232,600	212,714	232,000	275,400	42,800
Part-time wages	14,755	1,000	748	748	-	(1,000)
Benefits	33,764	75,800	72,668	85,000	103,000	27,200
Car allowance	808	3,000	2,308	3,000	3,000	-
Subscriptions and memberships	2,629	3,500	395	3,000	4,000	500
Travel	1,979	2,500	1,414	2,000	6,000	3,500
Repairs/maintenance/supplies	-	2,000	-	500	2,000	-
I.T. equipment	1,200	2,100	1,925	2,100	2,100	-
Equipment < \$5000	7,435	500	-	-	-	(500)
Communications/telephone	217	1,200	1,131	1,442	1,500	300
Professional services	2,644	20,000	2,445	15,000	10,000	(10,000)
Contract legal services	195,000	-	-	-	-	-
Legal defenders	42,600	72,000	57,900	55,000	90,000	18,000
Education	500	1,400	820	883	1,400	-
Miscellaneous supplies	120	-	429	542	2,000	2,000
<b>Total CITY ATTORNEY:</b>	<b>394,979</b>	<b>417,600</b>	<b>354,896</b>	<b>401,215</b>	<b>500,400</b>	<b>82,800</b>



Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>NON-DEPARTMENTAL</b>						
Office supplies	41,096	40,000	28,067	30,339	40,000	-
Postage	12,184	15,000	11,377	12,804	15,000	-
Bank charges	83,524	88,000	76,783	85,000	88,000	-
Repairs/maintenance/supplies	395	-	18	100	-	-
Vehicle operating costs	700	800	733	800	700	(100)
Lease payment to MBA	-	76,000	69,667	76,000	76,000	-
Insurance and surety	61,632	63,000	58,022	61,726	63,000	-
Trustee and bond related fees	5,000	151,700	6,500	5,000	5,000	(146,700)
Loss contingency	5,148	20,000	1,704	10,000	20,000	-
Miscellaneous supplies	-	500	2,744	-	500	-
Miscellaneous services	1,330	2,000	10	1,500	2,000	-
Fleet vehicle replacement	4,000	1,400	1,283	1,400	1,400	-
Debt service principal	605,000	615,000	615,000	615,000	805,000	190,000
Debt service interest	126,278	100,600	100,640	100,600	395,800	295,200
<b>Total NON-DEPARTMENTAL:</b>	<b>946,286</b>	<b>1,174,000</b>	<b>972,550</b>	<b>1,000,269</b>	<b>1,512,400</b>	<b>338,400</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>COMMUNITY/INTERGOV RELATIONS</b>						
Salaries	68,651	23,000	21,564	23,500	28,400	5,400
Part-time wages	24,259	6,000	4,198	5,600	9,000	3,000
Benefits	33,921	9,000	7,590	9,000	8,200	(800)
Subscriptions and memberships	19,363	20,000	20,894	21,000	20,000	-
I.T. equipment	1,200	600	550	600	-	(600)
Vehicle operating costs	19,200	20,900	19,158	20,900	19,900	(1,000)
Communications/telephone	672	1,000	701	814	1,000	-
Professional services	30,000	12,000	2,870	6,000	10,000	(2,000)
City newsletter publication	-	30,000	30,000	30,000	30,000	-
Public relations	400	3,500	286	489	3,500	-
Grant to Boys & Girls Club	108,057	84,400	67,732	84,400	20,000	(64,400)
Grant to Arts Council	21,000	20,000	20,000	20,000	30,000	10,000
Homeless services fund grant	10,000	10,000	-	10,000	-	(10,000)
Grant to CBC	-	-	-	-	20,000	20,000
Passthru for shelter improveme	-	198,000	-	198,000	-	(198,000)
Miscellaneous supplies	107	1,000	365	174	1,000	-
Miscellaneous services	433	1,000	317	529	1,000	-
Senior Citizens miscellaneous	-	7,200	4,581	7,200	7,200	-
Recreation activities	3,000	4,000	1,500	4,000	4,000	-
Volunteer appreciation	2,604	3,200	2,816	2,816	3,200	-
Fleet vehicle Replacement	2,900	2,100	1,925	2,100	5,400	3,300
<b>Total COMMUNITY/INTERGOV RELATIONS:</b>	<b>345,769</b>	<b>456,900</b>	<b>207,048</b>	<b>447,122</b>	<b>221,800</b>	<b>(235,100)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>EMPLOYEE SERVICES</b>						
Professional services	2,974	3,000	2,198	2,000	3,000	-
Flex spending plan admin fee	2,017	3,000	4,511	6,000	2,000	(1,000)
Drug screening services	2,027	1,500	1,817	1,709	1,500	-
Education reimbursement	-	5,000	4,000	5,000	15,000	10,000
Unemployment insurance	2,858	15,000	-	5,000	10,000	(5,000)
Workers compensation	-	-	(4,986)	-	-	-
Year-end accrual contingency	38,000	2,000	-	-	2,000	-
Retirement Health Savings	900	5,000	-	1,000	5,000	-
Miscellaneous supplies	-	-	544	500	-	-
Miscellaneous services	140	3,000	-	1,000	-	(3,000)
Employee Association	11,154	14,000	7,753	12,000	14,000	-
Employee recognition program	2,055	3,200	-	2,500	4,200	1,000
Unalloc contrib to deductible	-	-	-	-	54,000	54,000
Unalloc increase in insur waiv	-	-	-	-	30,000	30,000
Unalloc merit increase	-	-	-	-	71,000	71,000
Unalloc health insur increase	-	-	-	-	45,000	45,000
Unalloc selective salary inc	-	-	-	-	78,000	78,000
<b>Total EMPLOYEE SERVICES:</b>	<b>62,125</b>	<b>54,700</b>	<b>15,836</b>	<b>36,709</b>	<b>334,700</b>	<b>280,000</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>HARVEST DAYS</b>						
Permits	1,022	1,000	683	683	1,000	-
Equipment	7,342	8,000	8,000	8,000	8,000	-
Supplies and advertising	3,615	7,600	5,536	7,000	7,600	-
Entertainment	3,910	12,000	12,944	12,944	12,000	-
Harvest Days parade	3,047	3,000	2,262	2,262	3,000	-
Fireworks	13,000	12,000	13,000	13,000	12,000	-
Harvest Days activities	1,763	1,800	1,869	1,794	1,800	-
City float	2,500	10,000	5,000	10,000	2,500	(7,500)
Youth Ambassador program	3,648	5,000	4,000	4,000	5,000	-
<b>Total HARVEST DAYS:</b>	<b>39,847</b>	<b>60,400</b>	<b>53,295</b>	<b>59,683</b>	<b>52,900</b>	<b>(7,500)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>BUILDING GROUNDS OPS &amp; MNT</b>						
Salaries	53,884	97,000	46,474	50,000	80,000	(17,000)
Overtime	1,062	500	54	200	500	-
Benefits	30,604	47,500	28,920	33,236	37,500	(10,000)
Uniform allowance	665	800	1,112	1,000	800	-
Travel	-	-	-	-	500	500
Repairs/maintenance/supplies	66,086	60,000	66,799	63,000	74,000	14,000
I.T. equipment	-	600	550	600	600	-
Vehicle operating costs	3,400	3,700	3,392	3,700	3,500	(200)
Equipment < \$5,000	-	5,000	-	5,000	2,000	(3,000)
Electricity	77,888	76,400	54,552	75,000	96,900	20,500
Natural gas	42,012	32,000	27,474	32,000	32,000	-
Water/sewer	124,930	124,800	114,400	124,800	124,800	-
Communications/telephone	1,702	1,700	1,346	1,461	1,700	-
Education	-	500	357	183	500	-
Contract labor	70,069	60,000	38,720	50,000	50,000	(10,000)
Insurance - property	38,521	45,000	39,027	39,027	45,000	-
Miscellaneous supplies	-	500	112	37	500	-
Miscellaneous services	96	5,000	3,200	5,486	5,000	-
Building improvements	4,895	49,000	32,103	49,000	60,000	11,000
Fleet vehicle replacement	1,600	2,200	2,017	2,200	10,200	8,000
<b>Total BUILDING GROUNDS OPS &amp; MNT:</b>	<b>517,413</b>	<b>612,200</b>	<b>460,607</b>	<b>535,930</b>	<b>626,000</b>	<b>13,800</b>

Midvale City Adopted Budget Fiscal Year 2018  
Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>PUBLIC SAFETY</b>						
Salaries	69,405	59,500	50,519	55,000	23,000	(36,500)
Benefits	22,736	33,100	17,633	26,000	3,000	(30,100)
Dues and subscriptions	-	500	-	-	500	-
Travel	1,766	2,000	623	700	2,000	-
Vehicle operating costs	700	800	733	800	700	(100)
Communications/telephone	1,162	1,000	787	500	1,000	-
Professional services	-	5,000	-	-	-	(5,000)
Public Safety dispatch	231,580	231,600	212,300	231,600	231,600	-
Unifed Police Dept contract	6,064,205	6,448,000	5,902,424	6,439,008	6,865,000	417,000
Animal Control contract	128,847	146,300	146,156	146,156	193,100	46,800
Public Safety Grant passthroug	34,684	16,600	-	16,600	-	(16,600)
Education	3,783	2,500	1,225	1,000	2,000	(500)
Miscellaneous supplies	1,742	1,000	624	500	500	(500)
Miscellaneous services	128	-	500	500	500	500
Equipment	15,631	7,000	1,090	-	2,000	(5,000)
Fleet vehicle replacement	4,700	1,900	1,742	1,900	1,900	-
<b>Total PUBLIC SAFETY:</b>	<b>6,581,068</b>	<b>6,956,800</b>	<b>6,336,355</b>	<b>6,920,264</b>	<b>7,326,800</b>	<b>370,000</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>STREETS DEPARTMENT</b>						
Salaries	206,899	196,900	181,558	208,000	166,000	(30,900)
Sal alloc from/(to) other dept	(90,200)	(64,900)	(59,492)	(64,900)	-	64,900
Overtime	11,496	8,000	6,592	7,000	10,000	2,000
Part-time wages	-	-	-	-	10,000	10,000
Benefits	119,200	117,300	109,908	115,000	79,200	(38,100)
Uniform allowance	3,452	3,400	2,986	3,400	3,400	-
Subscriptions and memberships	328	-	416	500	-	-
Travel	2,122	2,500	494	2,000	2,500	-
Repairs/maintenance/supplies	3,048	7,500	4,321	4,500	8,500	1,000
I.T. equipment	600	-	-	-	500	500
Vehicle operating costs	100,400	109,500	100,375	109,500	103,900	(5,600)
Lease of PW space	28,000	28,000	25,667	28,000	28,000	-
Electricity - signals	5,850	6,000	5,181	5,808	6,000	-
Communications/telephone	1,587	2,000	2,020	2,256	2,000	-
Professional services	-	500	-	-	500	-
Education	1,418	5,000	1,732	1,414	5,000	-
Contract labor	-	5,000	-	-	3,000	(2,000)
Special highway support	12,132	15,000	7,411	13,000	17,500	2,500
Signal maintenance	38,724	35,000	29,597	34,942	35,000	-
Asphalt/concrete	12,700	12,000	16,090	14,832	22,000	10,000
Striping and painting	38,683	5,000	-	5,000	-	(5,000)
Salt	19,230	15,000	19,903	20,000	15,000	-
Signage	6,250	7,000	6,483	9,149	19,500	12,500
Concrete	-	10,000	-	5,000	-	(10,000)
City Cleanup	2,600	1,000	-	-	-	(1,000)
Miscellaneous supplies	-	1,000	1,035	1,000	1,000	-
Miscellaneous services	875	1,000	-	1,000	1,000	-
Fleet vehicle replacement	46,800	59,600	54,633	59,600	66,000	6,400
<b>Total STREETS DEPARTMENT:</b>	<b>572,195</b>	<b>588,300</b>	<b>516,911</b>	<b>586,001</b>	<b>605,500</b>	<b>17,200</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>GENERAL ENGINEERING</b>						
Salaries	132,601	192,400	175,534	193,000	85,900	(106,500)
Sal alloc from/(to) other dept	(93,200)	(166,600)	(152,717)	(166,600)	-	166,600
Overtime	-	-	377	646	-	-
Benefits	39,993	64,200	57,246	65,000	32,000	(32,200)
Subscriptions and memberships	533	600	416	600	600	-
Travel	1,486	2,000	1,156	1,136	3,500	1,500
I.T. equipment	2,100	1,600	1,467	1,600	1,400	(200)
Vehicle operating costs	8,400	9,200	8,433	9,200	8,700	(500)
Communications/telephone	927	1,600	885	981	1,600	-
Professional services	5,940	25,000	16,175	20,000	30,000	5,000
Education	975	3,000	1,930	2,211	2,500	(500)
Engineering supplies	1,002	1,600	343	1,000	16,600	15,000
Miscellaneous supplies	-	500	653	964	500	-
Miscellaneous services	116	500	-	-	500	-
Fleet vehicle replacement	3,000	3,800	3,483	3,800	4,000	200
<b>Total GENERAL ENGINEERING:</b>	<b>103,871</b>	<b>139,400</b>	<b>115,382</b>	<b>133,538</b>	<b>187,800</b>	<b>48,400</b>



Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>PUBLIC WORKS ADMINISTRATION</b>						
Salaries	212,880	159,500	103,099	121,000	53,500	(106,000)
Sal alloc from/(to) other dept	(179,173)	(138,600)	(91,850)	(138,600)	-	138,600
Overtime	-	-	91	157	-	-
Benefits	66,296	62,000	44,611	46,000	18,000	(44,000)
Subscriptions and memberships	165	1,000	-	-	1,000	-
Travel	3,569	2,000	709	1,000	2,000	-
Repairs/maintenance/supplies	616	500	593	500	500	-
I.T. equipment	1,500	1,500	1,375	1,500	3,000	1,500
Communications/telephone	1,075	1,000	999	1,086	1,000	-
Education	409	3,000	245	1,000	3,000	-
Miscellaneous supplies	732	500	740	500	500	-
Miscellaneous services	315	500	-	500	500	-
<b>Total PUBLIC WORKS ADMINISTRATION:</b>	<b>108,383</b>	<b>92,900</b>	<b>60,613</b>	<b>34,643</b>	<b>83,000</b>	<b>(9,900)</b>

Midvale City Adopted Budget Fiscal Year 2018  
Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>PARKS/CEMETERY</b>						
Salaries	53,535	80,300	73,963	81,000	88,300	8,000
Overtime	347	500	856	500	2,000	1,500
Part-time wages	7,104	-	-	-	10,000	10,000
Benefits	15,579	43,500	40,095	40,000	43,000	(500)
Uniform allowance	625	1,700	1,029	850	1,700	-
Subscriptions and memberships	-	200	-	-	200	-
Travel	-	300	247	-	500	200
Repairs/maintenance/supplies	11,092	16,000	15,439	16,000	16,000	-
Soft fall fill	-	-	-	-	3,000	3,000
I.T. equipment	-	600	550	600	600	-
Vehicle operating costs	15,500	16,900	15,492	16,900	16,000	(900)
Equipment < \$5,000	-	3,000	-	-	3,000	-
Electricity	3,502	7,200	7,188	6,012	13,200	6,000
Gas	-	200	-	-	200	-
Communications/telephone	903	1,000	1,161	1,171	1,000	-
Special Cemetery project	-	-	274	300	-	-
Education	-	1,000	505	500	1,000	-
Contract labor	177,931	193,000	152,535	180,729	193,000	-
Miscellaneous supplies	-	500	-	-	500	-
Miscellaneous services	173	1,000	600	250	1,000	-
Improvements other than bldgs	32,289	5,000	5,535	4,629	8,000	3,000
Fleet vehicle replacement	5,200	5,100	4,675	5,100	7,300	2,200
<b>Total PARKS/CEMETERY:</b>	<b>323,779</b>	<b>377,000</b>	<b>320,143</b>	<b>354,541</b>	<b>409,500</b>	<b>32,500</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>PLANNING AND ZONING</b>						
Salaries	165,116	143,900	134,143	145,000	143,900	-
Overtime	-	1,000	-	-	1,000	-
Benefits	77,910	67,300	59,758	67,000	56,300	(11,000)
Car allowance	1,385	1,500	1,385	1,483	1,500	-
Subscriptions and memberships	746	900	779	900	900	-
Travel	1,698	2,100	2,851	2,100	2,100	-
Repairs/maintenance/supplies	300	500	-	500	500	-
I.T. equipment	1,500	1,500	1,375	1,500	1,500	-
Communications/telephone	1,038	1,500	-	-	1,500	-
Professional services	3,025	7,500	1,778	3,800	12,100	4,600
Education	1,907	1,500	247	1,500	2,500	1,000
Contract labor (interns)	-	1,400	-	-	400	(1,000)
Special development projects	-	1,000	-	-	1,000	-
Miscellaneous supplies	-	100	16	-	100	-
Miscellaneous services	-	100	-	-	100	-
Office equipment	-	500	-	-	500	-
<b>Total PLANNING AND ZONING:</b>	<b>254,625</b>	<b>232,300</b>	<b>202,332</b>	<b>223,783</b>	<b>225,900</b>	<b>(6,400)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>DEV SVCS ADMINISTRATION</b>						
Salaries	290,700	271,400	251,248	271,000	288,400	17,000
Overtime	121	500	105	-	500	-
Benefits	111,493	98,000	90,969	93,000	106,400	8,400
Car allowance	4,500	5,000	4,154	4,450	5,000	-
Subscriptions and memberships	3,097	5,200	3,108	4,566	5,200	-
Travel	1,219	3,100	421	1,500	3,100	-
I.T. equipment	4,200	4,300	3,942	4,300	3,700	(600)
Vehicle operating costs	12,700	13,900	12,742	13,900	13,100	(800)
Communications/telephone	1,039	1,200	744	797	1,200	-
Professional services	5,809	15,000	1,590	10,000	125,000	110,000
Education	930	1,500	715	1,000	1,500	-
Special development projects	33,438	10,000	(2,000)	10,000	10,000	-
Economic development promotion	278	22,000	14,704	24,000	12,000	(10,000)
Miscellaneous supplies	598	500	177	500	500	-
Miscellaneous services	-	100	-	-	100	-
Office equipment	300	500	-	500	500	-
Fleet vehicle replacement	-	2,000	1,833	2,000	2,000	-
<b>Total DEV SVCS ADMINISTRATION:</b>	<b>470,421</b>	<b>454,200</b>	<b>384,450</b>	<b>441,513</b>	<b>578,200</b>	<b>124,000</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>CODE ENFORCEMENT</b>						
Salaries	86,342	88,400	79,518	86,400	88,400	-
Benefits	62,499	60,000	51,716	53,000	51,000	(9,000)
Uniform allowance	352	600	322	350	600	-
Subscriptions and memberships	75	300	75	100	300	-
Travel	-	500	60	500	500	-
I.T. equipment	1,800	1,200	1,100	1,200	1,000	(200)
Vehicle operating costs	11,500	12,500	11,455	12,496	11,900	(600)
Communications/telephone	1,300	1,600	1,086	1,199	1,600	-
Professional services	4,570	11,000	1,296	5,000	11,000	-
Education	450	1,000	200	500	1,000	-
Miscellaneous supplies	813	2,000	612	1,000	2,000	-
Fleet vehicle replacement	2,400	2,400	2,200	2,400	3,000	600
<b>Total CODE ENFORCEMENT:</b>	<b>172,101</b>	<b>181,500</b>	<b>149,641</b>	<b>164,145</b>	<b>172,300</b>	<b>(9,200)</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>BUSINESS LICENSES</b>						
Salaries	33,641	37,600	34,354	37,600	38,600	1,000
Benefits	24,794	24,300	22,790	25,325	24,300	-
Subscriptions and memberships	40	200	-	200	200	-
Travel	450	600	664	400	600	-
I.T. equipment	600	600	550	600	600	-
Professional services	-	-	-	-	2,000	2,000
Education	-	400	150	257	400	-
Miscellaneous supplies	24	200	-	-	200	-
<b>Total BUSINESS LICENSES:</b>	<b>59,549</b>	<b>63,900</b>	<b>58,509</b>	<b>64,382</b>	<b>66,900</b>	<b>3,000</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>BUILDING INSPECTION</b>						
Salaries	199,303	207,200	187,818	204,000	207,200	-
Overtime	964	2,000	546	-	2,000	-
Benefits	101,738	100,000	91,178	96,000	94,000	(6,000)
Uniform allowance	796	1,000	915	915	1,000	-
Subscriptions and memberships	562	1,200	75	600	1,200	-
Travel	1,861	3,700	2,476	2,000	3,700	-
Repairs/maintenance/supplies	3,120	2,000	1,468	2,000	2,000	-
I.T. equipment	1,800	1,900	1,742	1,900	1,600	(300)
Vehicle operating costs	7,000	7,600	6,967	7,600	7,300	(300)
Communications/telephone	3,184	3,000	2,990	3,200	3,000	-
Professional services	42,147	20,000	14,898	18,859	30,000	10,000
Education	1,025	1,200	2,038	1,000	1,200	-
Miscellaneous supplies	978	1,000	65	1,000	1,000	-
Miscellaneous services	320	500	-	500	500	-
Fleet vehicle replacement	3,300	3,300	3,025	3,300	3,500	200
<b>Total BUILDING INSPECTION:</b>	<b>368,097</b>	<b>355,600</b>	<b>316,200</b>	<b>342,874</b>	<b>359,200</b>	<b>3,600</b>

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>CONTRIBUTIONS</b>						
Contrib To CIP - B&C Road Fund	570,000	730,000	669,167	730,000	300,000	(430,000)
Contribution To CIP - other	244,200	10,615,000	1,406,667	1,615,000	1,118,100	(9,496,900)
Cont to CIP - state road funds	1,200,000	-	-	-	-	-
Contribution to CIP - Holden	168,042	-	-	-	-	-
Pass Through CDBG to CIP	164,000	108,000	-	108,000	317,400	209,400
Transfer to RDA	-	-	-	-	100,000	100,000
Contrib To MBA	259,300	-	-	-	-	-
Contribution To Fleet Fund	115,000	(77,000)	(79,250)	(77,000)	-	77,000
Transfer to Telecomm Fund	813,500	850,000	779,167	850,000	850,000	-
Contribution to Fund Balance	-	-	-	1,105,712	-	-
<b>Total CONTRIBUTIONS:</b>	<b>3,534,042</b>	<b>12,226,000</b>	<b>2,775,750</b>	<b>4,331,712</b>	<b>2,685,500</b>	<b>(9,540,500)</b>
<b>Net Total GENERAL FUND:</b>	<b>(17,633,324)</b>	<b>(27,519,300)</b>	<b>(15,830,967)</b>	<b>(18,919,205)</b>	<b>(18,786,000)</b>	<b>8,733,300</b>





## Midvale City Capital Improvement Projects Fund Budget

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>CAPITAL PROJECTS FUND</b>						
<b>MISCELLANEOUS REVENUE</b>						
Interest Earnings	10,816	10,000	9,898	10,275	10,000	-
FHWA grant	338,022	-	-	-	-	-
Total MISCELLANEOUS REVENUE:	348,838	10,000	9,898	10,275	10,000	-
<b>CONTRIBUTIONS</b>						
Transfer from GF	144,200	10,515,000	1,375,000	1,515,000	1,018,100	(9,496,900)
Transfer from GF - General Pla	-	-	(60,000)	-	-	-
Transfer from GF - Safe Sidewa	50,000	50,000	45,833	50,000	50,000	-
Transfer from GF - Curb & Gutt	50,000	50,000	45,833	50,000	50,000	-
Transfer from GF - State appro	1,200,000	-	-	-	-	-
Transfer from GF - Holden St i	168,042	-	-	-	-	-
Transfer from GF - B&C Road	570,000	730,000	669,167	730,000	300,000	(430,000)
Transfer from GF - CDBG	164,000	108,000	-	108,000	317,400	209,400
Contrib - Fund Balance	-	1,718,800	-	1,321,773	158,900	(1,559,900)
Total CONTRIBUTIONS:	2,346,242	13,171,800	2,075,833	3,774,773	1,894,400	(11,277,400)
<b>CAPITAL IMPROVEMENT PROJECTS</b>						
7200 S. Interchange Improvemen	1,806,545	-	-	-	-	-
Sidewalk/Curb/Gutter replace	49,947	100,000	-	100,000	100,000	-
Traffic Calming program	-	5,700	5,518	5,518	-	(5,700)
General Plan Update	45,068	6,100	6,094	6,100	-	(6,100)
Demolition of buildings	-	65,000	65,000	65,000	-	(65,000)
7200 S - 7th E to UP Ave	47,219	1,152,800	1,018,008	1,152,800	-	(1,152,800)
Cemetery improvements	-	50,000	-	50,000	-	(50,000)
IT - SIRE DMS	19,180	-	-	-	-	-
PD improvements/equipment	-	63,200	61,877	62,000	-	(63,200)
Amphitheatre improvement study	-	120,000	-	120,000	-	(120,000)
Holden Street improvements	180,245	-	-	-	-	-
Splash Pad	51,545	492,000	347,263	492,000	-	(492,000)

Midvale City Adopted Budget Fiscal Year 2018  
Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Lennox Street (CDBG)	165,292	-	-	-	-	-
9th Avenue reconstruction	18,465	481,500	419,463	481,500	-	(481,500)
Pickle Ball Court	-	30,000	-	30,000	12,000	(18,000)
50/50 Sidewalk program	-	20,000	-	20,000	-	(20,000)
Major Road CIP project	-	9,000,000	57,015	14,630	-	(9,000,000)
CDBG project - Allen Street	-	108,000	18,860	108,000	-	(108,000)
City Hall Overflow Parking	-	-	-	-	55,000	55,000
JR Trail Extension	-	-	-	-	30,000	30,000
Normandy Way	-	-	-	-	10,000	10,000
Housing Trust Fund	-	-	-	-	50,000	50,000
Open Space Acquisition	-	-	-	-	20,000	20,000
Community Center/Bowery	-	-	-	-	950,000	950,000
Crosswalk Improvements	-	-	-	-	50,000	50,000
CDBG project Grant Street	-	-	-	-	317,400	317,400
Pavement Management	575,746	1,077,500	349,648	1,077,500	300,000	(777,500)
Safe Sidewalks program	45,139	-	-	-	-	-
Future projects	-	410,000	-	-	10,000	(400,000)
<b>Total CAPITAL IMPROVEMENT PROJECTS:</b>	<b>3,004,390</b>	<b>13,181,800</b>	<b>2,348,744</b>	<b>3,785,048</b>	<b>1,904,400</b>	<b>(11,277,400)</b>
<b>CAPITAL PROJECTS FUND Revenue Total:</b>	<b>2,695,080</b>	<b>13,181,800</b>	<b>2,085,731</b>	<b>3,785,048</b>	<b>1,904,400</b>	<b>(11,277,400)</b>
<b>CAPITAL PROJECTS FUND Expenditure Total:</b>	<b>3,004,390</b>	<b>13,181,800</b>	<b>2,348,744</b>	<b>3,785,048</b>	<b>1,904,400</b>	<b>(11,277,400)</b>
<b>Net Total CAPITAL PROJECTS FUND:</b>	<b>(309,310)</b>	<b>-</b>	<b>(263,013)</b>	<b>-</b>	<b>-</b>	<b>-</b>



## Midvale City Public Utilities Fund Budget - Water

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>UTILITIES FUND - WATER</b>						
<b>MISCELLANEOUS REVENUE</b>						
Interest Revenue	21,184	17,000	19,339	19,954	20,000	3,000
Interest revenue/bond proceeds	3,278	2,000	2,920	5,006	2,000	-
Miscellaneous	5,227	2,000	2,414	2,100	7,000	5,000
Bond premium amortization	8,562	-	-	-	-	-
Proceeds from sale of bonds	-	5,103,600	-	-	-	(5,103,600)
<b>Total MISCELLANEOUS REVENUE:</b>	<b>38,251</b>	<b>5,124,600</b>	<b>24,674</b>	<b>27,060</b>	<b>29,000</b>	<b>(5,095,600)</b>
<b>CHARGES FOR SERVICE</b>						
Water user charges	4,087,249	4,447,500	3,859,374	4,427,205	4,550,500	103,000
Hydrant rental	3,025	3,000	132	3,000	3,000	-
Water connection fees	85,835	70,000	37,390	35,000	50,000	(20,000)
Reconnection fees	52,010	40,000	53,389	53,760	40,000	-
Service charges	52,531	57,000	46,883	58,734	59,000	2,000
Write-offs	(1,517)	(10,000)	2,687	(2,000)	(5,000)	5,000
<b>Total CHARGES FOR SERVICE:</b>	<b>4,279,133</b>	<b>4,607,500</b>	<b>3,999,855</b>	<b>4,575,699</b>	<b>4,697,500</b>	<b>90,000</b>
<b>CONTRIBUTIONS</b>						
IRS BABS debt svc subsidy	117,886	117,600	115,885	115,900	113,600	(4,000)
Contrib Fund Bal	-	716,900	-	-	763,800	46,900
<b>Total CONTRIBUTIONS:</b>	<b>117,886</b>	<b>834,500</b>	<b>115,885</b>	<b>115,900</b>	<b>877,400</b>	<b>42,900</b>
<b>OPERATIONS, DEBT, CAPITAL</b>						
Salaries	563,323	533,800	510,030	533,800	566,000	32,200
Salary alloc to other funds	(102,073)	(71,900)	(70,913)	(71,900)	-	71,900
Overtime	11,687	10,000	19,060	22,524	10,000	-
Part-time wages	10,434	25,000	3,792	4,000	25,000	-
Benefits	323,593	324,200	276,799	324,200	257,300	(66,900)
Pension expense - actuarial	53,177	-	-	-	-	-

Midvale City Adopted Budget Fiscal Year 2018  
Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Benefit expense - pension	(72,766)	-	-	-	-	-
Uniform allowance	5,281	4,500	5,830	5,500	7,000	2,500
Subscriptions and memberships	2,196	2,000	2,138	2,000	2,000	-
Travel	3,284	3,000	366	2,000	3,000	-
Postage	14,660	15,000	12,255	13,036	15,000	-
Equip/Bldg- repairs/maint	15,774	15,000	17,320	15,000	15,000	-
Meters and related supplies	-	-	-	-	40,000	40,000
I.T. ISF Charge	5,900	7,300	6,692	7,300	5,400	(1,900)
Vehicle operating costs	108,900	118,800	108,900	118,800	112,700	(6,100)
Equipment < \$5,000	1,007	10,000	-	2,000	10,000	-
Lease of PW space	14,000	14,000	12,833	14,000	14,000	-
Electricity	192,501	230,000	188,586	213,931	230,000	-
Communications/telephone	7,009	8,000	7,940	8,893	8,000	-
Professional Services	31,217	30,000	10,217	20,000	25,000	(5,000)
Administrative Charge	411,700	465,400	426,617	465,400	465,700	300
Education/training	2,699	8,000	5,871	6,000	8,000	-
Water sampling	25,909	22,000	35,687	40,146	42,000	20,000
Backflow testing	-	25,000	-	-	12,000	(13,000)
Well equipment and maintenance	11,220	15,000	999	8,000	15,000	-
Fluoridation system maint	13,252	10,000	6,280	10,765	10,000	-
Med/safety equipment	32	2,000	532	1,000	2,000	-
System maint/repair/supplies	38,441	24,000	18,759	18,000	24,000	-
Wholesale water	823,948	935,500	566,015	829,977	889,500	(46,000)
Damage Contingency	1,934	5,000	-	2,000	5,000	-
Water Meters and supplies	(76,940)	52,000	39,590	52,000	-	(52,000)
Misc. Services	5,018	35,000	33,964	35,000	5,000	(30,000)
Fleet Vehicle Replacement	35,800	35,800	32,817	35,800	40,800	5,000
Other capital projects	740	50,000	-	-	-	(50,000)
2016 Pipeline Project	-	1,125,000	567,274	100,000	1,400,000	275,000
Depreciation expense	919,584	-	-	-	-	-
Debt Service - principal	-	5,734,500	759,600	759,600	783,000	(4,951,500)
Bond issuance costs	-	128,700	-	-	-	(128,700)
Debt service - interest	631,421	615,000	587,524	615,000	556,500	(58,500)
Capitalized Interest	(65,206)	-	-	-	-	-

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Contribution to Retained Earni	-	-	-	504,887	-	-
Total OPERATIONS, DEBT, CAPITAL:	3,968,655	10,566,600	4,193,372	4,718,659	5,603,900	(4,962,700)
UTILITIES FUND - WATER Revenue Total:	4,435,270	10,566,600	4,140,414	4,718,659	5,603,900	(4,962,700)
UTILITIES FUND - WATER Expenditure Total:	3,968,655	10,566,600	4,193,372	4,718,659	5,603,900	(4,962,700)
Net Total UTILITIES FUND - WATER:	466,615	-	(52,958)	-	-	-



## Midvale City Public Utilities Fund Budget - Sewer

Fiscal Year beginning July 1, 2017 and ending June 30, 2018



Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>UTILITIES FUND - SEWER</b>						
<b>MISCELLANEOUS REVENUE</b>						
Interest Revenue	4,782	5,800	2,283	2,518	2,500	(3,300)
Interest rev - bond proceeds	223	-	7	-	-	-
Miscellaneous	369	-	-	-	20,000	20,000
Premium amortization	660	-	-	-	-	-
Total MISCELLANEOUS REVENUE:	6,034	5,800	2,290	2,518	22,500	16,700
<b>CHARGES FOR SERVICE</b>						
Sewer User Charges	1,632,358	1,871,100	1,741,030	1,865,499	2,051,400	180,300
Sewer Connection Fee	95,300	25,000	37,860	30,290	25,000	-
Service Charges	10,245	12,000	8,570	10,516	12,000	-
Write-offs	(894)	(3,000)	(45)	(1,000)	(3,000)	-
Total CHARGES FOR SERVICE:	1,737,010	1,905,100	1,787,415	1,905,305	2,085,400	180,300
<b>CONTRIBUTIONS</b>						
Contrib Fund Bal	-	238,700	-	155,966	-	(238,700)
Total CONTRIBUTIONS:	-	238,700	-	155,966	-	(238,700)
<b>OPERATIONS, DEBT, CAPITAL</b>						
Salaries - full time	73,726	71,900	74,758	81,200	181,800	109,900
Salary alloc from other funds	162,166	160,000	134,072	160,000	-	(160,000)
Overtime	4,920	23,000	4,764	6,000	6,000	(17,000)
Benefits	54,839	56,900	56,642	64,911	81,700	24,800
Pension expense - actuarial	26,464	-	-	-	-	-
Benefit expense - pension	(36,213)	-	-	-	-	-
Uniform allowance	1,263	1,000	949	1,293	1,000	-
Subscriptions and memberships	-	500	-	-	500	-
Travel	768	500	-	500	1,000	500
Postage	10,064	10,000	5,328	6,612	10,000	-

Midvale City Adopted Budget Fiscal Year 2018  
Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Maintenance/repairs/supplies	6,448	5,000	3,086	3,000	5,000	-
Vehicle operating costs	31,300	34,100	31,258	34,100	32,400	(1,700)
Equipment < \$5,000	-	1,000	-	-	1,000	-
Lease of PW space	42,000	42,000	38,500	42,000	42,000	-
Electricity	7,572	8,000	8,694	9,232	9,500	1,500
Communications/Telephone	1,418	1,500	1,568	1,541	1,500	-
Professional Services	22,160	35,000	1,361	30,000	5,000	(30,000)
Administrative charge	178,200	192,100	176,092	192,100	187,000	(5,100)
Education	550	3,000	665	2,000	3,000	-
System maint/rep/supplies	6,593	20,000	8,975	10,000	15,000	(5,000)
Sewer operations (SVWRF)	1,035,774	1,060,600	807,276	1,060,800	896,900	(163,700)
Damage contingency	16,000	20,000	-	5,000	20,000	-
Miscellaneous Services	447	500	406	500	500	-
Fleet vehicle replacement	106,200	106,200	97,350	106,200	91,700	(14,500)
Infrastructure maintenance	-	100,000	24,270	50,000	70,000	(30,000)
Depreciation Expense	86,029	-	-	-	-	-
Debt service principal	-	128,400	128,400	128,400	132,000	3,600
Debt service interest	72,690	68,400	64,414	68,400	59,500	(8,900)
Contribution to retained earni	-	-	-	-	253,900	253,900
<b>Total OPERATIONS, DEBT, CAPITAL:</b>	<b>1,911,378</b>	<b>2,149,600</b>	<b>1,668,825</b>	<b>2,063,789</b>	<b>2,107,900</b>	<b>(41,700)</b>
<b>UTILITIES FUND - SEWER Revenue Total:</b>	<b>1,743,044</b>	<b>2,149,600</b>	<b>1,789,705</b>	<b>2,063,789</b>	<b>2,107,900</b>	<b>(41,700)</b>
<b>UTILITIES FUND - SEWER Expenditure Total:</b>	<b>1,911,378</b>	<b>2,149,600</b>	<b>1,668,825</b>	<b>2,063,789</b>	<b>2,107,900</b>	<b>(41,700)</b>
<b>Net Total UTILITIES FUND - SEWER:</b>	<b>(168,335)</b>	<b>-</b>	<b>120,880</b>	<b>-</b>	<b>-</b>	<b>-</b>



## Midvale City Storm Water Utility Fund Budget

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>STORM WATER UTILITY</b>						
<b>MISCELLANEOUS REVENUE</b>						
Interest Revenue	(2,362)	-	3,097	2,500	2,500	2,500
Interest rev - bond proceeds	11,244	5,000	4,854	8,320	-	(5,000)
Building lease revenue	84,000	84,000	77,000	84,000	84,000	-
Sundry revenues	-	-	-	-	6,000	6,000
Total MISCELLANEOUS REVENUE:	92,882	89,000	84,951	94,820	92,500	3,500
<b>CHARGES FOR SERVICE</b>						
User Fees	1,561,721	1,648,300	1,570,550	1,694,369	1,702,200	53,900
Service fees/late charges	9,303	13,500	10,741	11,211	11,500	(2,000)
Union Jordan Canal maintenance	-	11,000	-	-	-	(11,000)
Write-offs	(6,985)	(5,000)	(323)	(5,000)	(5,000)	-
Total CHARGES FOR SERVICE:	1,564,039	1,667,800	1,580,967	1,700,580	1,708,700	40,900
<b>CONTRIBUTIONS</b>						
Contribution from Fund Balance	-	908,000	-	720,982	-	(908,000)
Total CONTRIBUTIONS:	-	908,000	-	720,982	-	(908,000)
<b>OPERATIONS, DEBT, CAPITAL</b>						
Salaries	219,746	269,800	230,406	247,640	398,500	128,700
Salary alloc from other funds	208,066	219,600	188,705	219,600	-	(219,600)
Overtime	13,485	9,000	10,696	12,765	12,000	3,000
Benefits	147,012	164,900	129,443	142,862	191,900	27,000
Pension expense - actuarial	51,336	-	-	-	-	-
Benefit expense - pension	(70,248)	-	-	-	-	-
Uniform allowance	3,137	3,000	3,855	3,200	4,800	1,800
Subscriptions and memberships	330	500	1,736	2,000	2,000	1,500
Travel	449	1,000	950	1,500	3,500	2,500
Postage	13,025	14,000	12,788	14,000	14,000	-

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Equipment, supplies & maint	14,851	28,000	19,792	63,000	35,000	7,000
I.T. ISF Charge	2,000	1,500	1,375	1,500	1,800	300
Vehicle operating costs	27,300	29,800	27,317	29,800	28,300	(1,500)
Electricity	-	-	1,481	700	-	-
Communications/Telephone	2,896	3,000	3,668	4,075	5,000	2,000
Professional Services	13,782	20,000	8,495	15,000	15,000	(5,000)
Administrative Charges	255,800	287,400	263,450	287,400	315,400	28,000
Miscellaneous svcs	366	-	-	-	-	-
Education	985	5,000	1,480	2,000	3,000	(2,000)
Special equipment	-	-	5,640	5,640	-	-
Union Jordan Canal maintenance	-	2,000	-	-	-	(2,000)
Waste disposal fees	11,555	13,000	12,017	12,000	13,000	-
Damage Contingency	-	7,000	-	-	6,000	(1,000)
Miscellaneous Services	183	30,100	30,589	30,000	100	(30,000)
Depreciation	175,302	-	-	-	-	-
Vehicle Replacement	112,500	75,600	69,300	75,600	71,300	(4,300)
Other capital outlay	-	35,000	-	-	-	(35,000)
County Storm Drain project	-	15,000	15,000	15,000	15,000	-
Other capital outlay	-	-	-	-	100,000	100,000
Series 2014 projects	-	875,000	57,394	875,000	-	(875,000)
Debt service principal	-	307,000	307,000	307,000	316,000	9,000
Debt service interest	129,665	124,000	124,073	124,000	116,000	(8,000)
Capitalized Interest	(17,909)	-	-	-	-	-
Contributions to Fleet Fund	-	25,100	23,008	25,100	-	(25,100)
Contribution to Retained Earni	-	99,500	-	-	133,600	34,100
<b>Total OPERATIONS, DEBT, CAPITAL:</b>	<b>1,315,613</b>	<b>2,664,800</b>	<b>1,549,657</b>	<b>2,516,382</b>	<b>1,801,200</b>	<b>(863,600)</b>
<b>STORM WATER UTILITY Revenue Total:</b>	<b>1,656,921</b>	<b>2,664,800</b>	<b>1,665,918</b>	<b>2,516,382</b>	<b>1,801,200</b>	<b>(863,600)</b>
<b>STORM WATER UTILITY Expenditure Total:</b>	<b>1,315,613</b>	<b>2,664,800</b>	<b>1,549,657</b>	<b>2,516,382</b>	<b>1,801,200</b>	<b>(863,600)</b>

Midvale City Adopted Budget Fiscal Year 2018  
 Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Net Total STORM WATER UTILITY:	341,308	-	116,261	-	-	-



## Midvale City Street Lighting Fund Budget

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>STREET LIGHTING FUND</b>						
<b>MISCELLANEOUS REVENUE</b>						
Interest Revenue	1,076	1,500	(69)	-	1,500	-
Total MISCELLANEOUS REVENUE:	1,076	1,500	(69)	-	1,500	-
<b>CHARGES FOR SERVICE</b>						
User Fees	371,086	371,900	347,965	378,815	380,000	8,100
Service fees/late charges	2,916	3,000	2,068	2,098	3,000	-
Write-offs	(1,106)	(1,000)	200	(1,000)	(1,000)	-
Total CHARGES FOR SERVICE:	372,896	373,900	350,233	379,913	382,000	8,100
<b>CONTRIBUTIONS</b>						
Contribution from Fund Balance	-	-	-	-	8,600	8,600
Total CONTRIBUTIONS:	-	-	-	-	8,600	8,600
<b>OPERATIONS &amp; TRANSFERS</b>						
Salary alloc from other funds	5,700	6,000	5,500	6,000	7,000	1,000
Pension expense - actuarial	696	-	-	-	-	-
Benefit expense - pension	(953)	-	-	-	-	-
Postage	14,200	14,000	13,321	16,000	16,500	2,500
Equipment, supplies & maint	62,524	70,000	42,350	65,000	70,000	-
Lease payment to MBA	-	211,000	193,417	211,000	211,000	-
Electricity	41,997	50,000	38,796	42,440	50,000	-
Administrative charge	19,400	20,800	19,067	20,800	34,000	13,200
Insurance/Surety Bonds	-	3,600	-	-	3,600	-
Miscellaneous Services	-	-	115	196	-	-
Contribution to retained earni	-	-	-	18,477	-	-
Transfer to MBA	481,300	-	-	-	-	-



Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Total OPERATIONS & TRANSFERS:	624,865	375,400	312,564	379,913	392,100	16,700
STREET LIGHTING FUND Revenue Total:	373,972	375,400	350,164	379,913	392,100	16,700
STREET LIGHTING FUND Expenditure Total:	624,865	375,400	312,564	379,913	392,100	16,700
Net Total STREET LIGHTING FUND:	(250,893)	-	37,600	-	-	-



## Midvale City Sanitation Fund Budget

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>SANITATION FUND</b>						
<b>MISCELLANEOUS REVENUE</b>						
Interest Revenue	972	500	1,691	1,500	500	-
Investment Gain/(Loss)	57,210	-	-	-	-	-
Dumpster rental fees	10,630	10,000	14,898	15,116	10,000	-
Total MISCELLANEOUS REVENUE:	68,812	10,500	16,589	16,616	10,500	-
<b>CHARGES FOR SERVICE</b>						
Service Charges	9,530	10,000	7,310	7,477	10,000	-
Pickup Fee	906,863	911,000	854,529	930,000	927,300	16,300
Write-offs	(2,987)	(5,000)	223	(3,000)	(5,000)	-
Total CHARGES FOR SERVICE:	913,406	916,000	862,062	934,477	932,300	16,300
<b>CONTRIBUTIONS</b>						
Contrib from Fleet Fund	107,100	-	-	-	-	-
Contrib Fund Bal	-	43,800	-	6,802	39,200	(4,600)
Total CONTRIBUTIONS:	107,100	43,800	-	6,802	39,200	(4,600)
<b>OPERATIONS &amp; TRANSFERS</b>						
Salary alloc from other funds	26,000	19,000	14,887	19,000	16,000	(3,000)
Pension expense - actuarial	3,134	-	-	-	-	-
Benefit expense - pension	(4,288)	-	-	-	-	-
Postage	9,533	10,000	9,591	10,000	10,000	-
Administrative Charges	65,200	64,700	59,308	64,700	69,300	4,600
Landfill Fees	128,522	141,900	103,344	126,195	130,000	(11,900)
Waste Disposal Fees	704,340	734,400	686,022	738,000	756,400	22,000
Misc. Services	-	300	-	-	300	-
Total OPERATIONS & TRANSFERS:	932,440	970,300	873,152	957,895	982,000	11,700

Midvale City Adopted Budget Fiscal Year 2018  
 Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
SANITATION FUND Revenue Total:	1,089,318	970,300	878,651	957,895	982,000	11,700
SANITATION FUND Expenditure Total:	932,440	970,300	873,152	957,895	982,000	11,700
Net Total SANITATION FUND:	156,878	-	5,499	-	-	-



## Midvale City Telecommunications Fund Budget

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>TELECOMMUNICATIONS FUND</b>						
<b>MISCELLANEOUS REVENUE</b>						
Interest revenue	270	200	(662)	(830)	200	-
Total MISCELLANEOUS REVENUE:	270	200	(662)	(830)	200	-
<b>CHARGES FOR SERVICE</b>						
User fees (CUE)	17,121	15,700	19,400	22,000	27,000	11,300
Service charges	107	100	97	100	100	-
Write-offs	(7)	-	-	-	-	-
Total CHARGES FOR SERVICE:	17,221	15,800	19,497	22,100	27,100	11,300
<b>CONTRIBUTIONS</b>						
Transfer from General Fund	813,500	850,000	779,167	850,000	850,000	-
Transfer from Fund Balance	-	1,000	-	-	8,400	7,400
Total CONTRIBUTIONS:	813,500	851,000	779,167	850,000	858,400	7,400
<b>PAYMENTS TO UTOPIA</b>						
UIA opex 2014	58,486	-	-	-	-	-
CUE payments to Utopia	15,680	17,000	20,048	20,900	25,700	8,700
Utopia Pledge Payments	827,740	850,000	844,295	845,000	860,000	10,000
Transfer to Fund Balance	-	-	-	5,370	-	-
Total PAYMENTS TO UTOPIA:	901,906	867,000	864,343	871,270	885,700	18,700
TELECOMMUNICATIONS FUND Revenue Total:	830,991	867,000	798,001	871,270	885,700	18,700
TELECOMMUNICATIONS FUND Expenditure Total:	901,906	867,000	864,343	871,270	885,700	18,700

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Net Total TELECOMMUNICATIONS FUND:	(70,915)	-	(66,341)	-	-	-



Midvale City Fleet Fund Budget (an internal service fund)

Fiscal Year beginning July 1, 2017 and ending June 30, 2018



Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>INDIRECT FLEET FUND</b>						
<b>CHARGES FOR SERVICE</b>						
Intergovt - Operations	19,200	20,900	19,158	20,900	19,900	(1,000)
Non-departmental - Operations	700	800	733	800	700	(100)
Bldgs & Grounds - Operations	3,400	3,700	3,392	3,700	3,500	(200)
Streets - Operations	100,400	109,500	100,375	109,500	103,900	(5,600)
Water - Operations	108,900	118,800	108,900	118,800	112,700	(6,100)
Parks/Cemetery - Operations	15,500	16,900	15,492	16,900	16,000	(900)
Engineering - Operations	8,400	9,200	8,433	9,200	8,700	(500)
Bldg Inspection - Operations	7,000	7,600	6,967	7,600	7,300	(300)
Code Enforcement - Operations	11,500	12,500	11,455	12,496	11,900	(600)
Storm Drain - Operations	27,300	29,800	27,317	29,800	28,300	(1,500)
Development Svcs - Operations	12,700	13,900	12,742	13,900	13,100	(800)
Sewer - Operations	31,300	34,100	31,258	34,100	32,400	(1,700)
Public Safety - Operations	700	800	733	800	700	(100)
<b>Total CHARGES FOR SERVICE:</b>	<b>347,000</b>	<b>378,500</b>	<b>346,955</b>	<b>378,496</b>	<b>359,100</b>	<b>(19,400)</b>
<b>MISCELLANEOUS REVENUE</b>						
Interest Earned	12,621	13,000	12,033	14,243	14,500	1,500
Sale Of Fixed Assets	378,497	329,700	223,941	330,000	368,100	38,400
Proceeds from Insurance	19,682	1,500	9,375	8,200	10,000	8,500
Sundry Revenues	1,138	1,500	1,330	1,000	1,500	-
<b>Total MISCELLANEOUS REVENUE:</b>	<b>411,937</b>	<b>345,700</b>	<b>246,679</b>	<b>353,443</b>	<b>394,100</b>	<b>48,400</b>
<b>CONTRIBUTIONS</b>						
Intergovt - replacement	2,900	2,100	1,925	2,100	5,400	3,300
Nondepartmental - replacement	4,000	1,400	1,283	1,400	1,400	-
Bldgs & Grounds - replacement	1,600	2,200	2,017	2,200	10,200	8,000
Streets - replacement	46,800	59,600	54,633	59,600	66,000	6,400
Water - replacement	35,800	35,800	32,817	35,800	40,800	5,000
Parks/Cemetery - replacement	5,200	5,100	4,675	5,100	7,300	2,200

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Engineering - replacement	3,000	3,800	3,483	3,800	4,000	200
Bldg Inspection - replacement	3,300	3,300	3,025	3,300	3,500	200
Code Enforcement - replacement	2,400	2,400	2,200	2,400	3,000	600
Storm Drain - replacement	112,500	75,600	69,300	75,600	71,300	(4,300)
Development Svcs - replacement	-	2,000	1,833	2,000	2,000	-
Sewer - replacement	106,200	106,200	97,350	106,200	91,700	(14,500)
Public Safety - Replacement	4,700	1,900	1,742	1,900	1,900	-
Contribution from Fund Balance	-	234,000	-	165,945	88,500	(145,500)
Transfers from other funds	115,000	52,100	(56,242)	(51,900)	-	(52,100)
<b>Total CONTRIBUTIONS:</b>	<b>443,400</b>	<b>587,500</b>	<b>220,042</b>	<b>415,445</b>	<b>397,000</b>	<b>(190,500)</b>
<b>OPERATIONS &amp; CAPITAL</b>						
Salaries	52,115	84,000	65,477	70,100	91,000	7,000
Salary alloc to other funds	-	8,000	4,858	8,000	-	(8,000)
Overtime	375	5,100	782	1,080	5,100	-
Part-time wages	-	-	4,995	5,000	-	-
Benefits	14,144	33,900	23,143	25,000	32,900	(1,000)
Pension expense - actuarial	5,969	-	-	-	-	-
Benefit expense - pension	(8,168)	-	-	-	-	-
Uniform allowance	1,213	1,700	1,951	1,700	1,700	-
Subscriptions and memberships	1,605	2,000	341	1,500	2,000	-
Travel	1,571	200	247	200	1,200	1,000
Communications/telephone	443	700	403	399	700	-
Education/training	1,010	3,000	315	1,000	2,000	(1,000)
Gasoline	32,715	45,000	30,848	35,000	40,000	(5,000)
Diesel	12,145	25,000	10,450	12,000	16,000	(9,000)
Oil	-	3,000	3,310	3,128	3,000	-
Tires	8,175	6,000	4,222	5,260	6,000	-
Parts	28,240	35,000	20,991	23,087	30,000	(5,000)
Outside Repairs	4,076	15,000	15,056	15,000	15,000	-
Shop Supplies	4,536	14,500	7,191	14,000	5,000	(9,500)
Safety Equipment	32	400	-	100	400	-
Operating Lease Expense	1,782	2,000	11,715	12,000	13,000	11,000

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
Insurance	114,605	110,000	115,665	120,000	120,000	10,000
Depreciation Expense	235,048	-	-	-	-	-
Street vehicle purchase	-	171,000	166,768	171,000	493,200	322,200
Water vehicle purchase	-	83,300	54,289	86,000	77,500	(5,800)
Code Enf vehicle purchase	-	-	-	-	42,000	42,000
Bldgs & Grounds vehicle purch	-	60,000	58,500	60,000	30,000	(30,000)
Storm Water vehicle purchase	-	235,100	229,919	235,100	28,000	(207,100)
Parks vehicle purchase	-	53,800	49,944	50,000	18,500	(35,300)
Engineering vehicle purchase	-	-	-	-	30,000	30,000
Bldg Insp vehicle purchase	-	-	-	-	21,000	21,000
Sr Citizens van purchase	-	60,000	59,000	59,000	-	(60,000)
Sewer vehicle purchase	-	28,000	28,730	28,730	25,000	(3,000)
Contribution to Fund Balance	-	122,000	-	-	-	(122,000)
Contributions	-	104,000	-	104,000	-	(104,000)
Contribution to other depts	107,100	-	-	-	-	-
<b>Total OPERATIONS &amp; CAPITAL:</b>	<b>618,731</b>	<b>1,311,700</b>	<b>969,112</b>	<b>1,147,384</b>	<b>1,150,200</b>	<b>(161,500)</b>
<b>INDIRECT FLEET FUND Revenue Total:</b>	<b>1,202,337</b>	<b>1,311,700</b>	<b>813,675</b>	<b>1,147,384</b>	<b>1,150,200</b>	<b>(161,500)</b>
<b>INDIRECT FLEET FUND Expenditure Total:</b>	<b>618,731</b>	<b>1,311,700</b>	<b>969,112</b>	<b>1,147,384</b>	<b>1,150,200</b>	<b>(161,500)</b>
<b>Net Total INDIRECT FLEET FUND:</b>	<b>583,606</b>	<b>-</b>	<b>(155,436)</b>	<b>-</b>	<b>-</b>	<b>-</b>



Midvale City Information Technology Fund Budget  
(an internal service fund)

Fiscal Year beginning July 1, 2017 and ending June 30, 2018

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
<b>INTERNAL SERVICE FUND - IT</b>						
<b>CONTRIBUTIONS</b>						
General Fund contribution	39,400	39,200	36,025	39,300	40,200	1,000
Water contribution	5,900	7,300	6,692	7,300	5,400	(1,900)
Storm Water contribution	2,000	1,500	1,375	1,500	1,800	300
RDA contribution	1,600	2,900	2,658	2,900	3,500	600
Total CONTRIBUTIONS:	48,900	50,900	46,750	51,000	50,900	-
<b>MISCELLANEOUS REVENUE</b>						
Interest Earned	290	-	352	389	-	-
Total MISCELLANEOUS REVENUE:	290	-	352	389	-	-
<b>CONTRIBUTIONS</b>						
Contribution from Fund Balance	-	-	-	-	12,800	12,800
Total CONTRIBUTIONS:	-	-	-	-	12,800	12,800
<b>CONTRIBUTIONS</b>						
Contribution to Fund Balance	-	-	-	5,389	-	-
Total CONTRIBUTIONS:	-	-	-	5,389	-	-
<b>IT OPERATIONS</b>						
Salaries alloc from other fund	20,000	27,500	25,208	27,500	26,500	(1,000)
Hardware	10,930	16,300	14,112	16,000	37,200	20,900
Software	-	4,600	-	-	-	(4,600)
Infrastructure	-	2,500	2,500	2,500	-	(2,500)
Total IT OPERATIONS:	30,930	50,900	41,821	46,000	63,700	12,800
INTERNAL SERVICE FUND - IT Revenue Total:						

Midvale City Adopted Budget Fiscal Year 2018  
 Periods: 07/17-06/18

Account Title	2015-16 Prior year Actual	2016-17 Current year Budget	2016-17 Current year Actual	2016-17 Current year Projections	2017-18 Future year Budget	Inc/(Dec) Budget 2018 vs Budget 2017
	49,190	50,900	47,102	51,389	63,700	12,800
INTERNAL SERVICE FUND - IT Expenditure Total:	30,930	50,900	41,821	51,389	63,700	12,800
Net Total INTERNAL SERVICE FUND - IT:	18,260	-	5,281	-	-	-

**MIDVALE CITY, UTAH  
RESOLUTION NO. 2017-R-22**

**A RESOLUTION ADOPTING THE EMPLOYEE JOB CLASSIFICATION PLAN AND  
BENEFIT PACKAGE FOR FISCAL YEAR 2018**

**WHEREAS**, Midvale City has heretofore established an Employee Benefit Package, Classification Plan, and Salary Scale; and

**WHEREAS**, City jobs should be classified and pay grades established according to job requirements and supervisory responsibilities; and

**WHEREAS**, it is in the best interests of Midvale City and the citizens thereof that a salary plan be formally adopted.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF  
MIDVALE CITY, STATE OF UTAH:**

**SECTION ONE:** Adjustments to the Fiscal Year 2018 Compensation Plan have been determined and made according to data derived from the compensation survey conducted by the Midvale City Human Resources Department.

**SECTION TWO:** The Fiscal Year 2018 Employee Classification Plan and Benefits Package is attached hereto as Exhibits, are hereby adopted.

**SECTION THREE:** This resolution shall become effective upon adoption of the 2017 Certified Tax Rate and Fiscal Year 2018 Final Operating and Capital Budgets taking effect July 1, 2017.

**Adopted by the City Council of Midvale City, State of Utah**, this 20<sup>th</sup> day of June, 2017.

\_\_\_\_\_  
JoAnn B. Seghini, Mayor

ATTEST:

\_\_\_\_\_  
Rori L. Andreason, MMC  
City Recorder

Voting by the Council:	“Aye”	“Nay”
Stephen Brown	_____	_____
Paul Glover	_____	_____
Quinn Sperry	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____



## MIDVALE CITY BENEFIT PACKAGE Fiscal Year 2018

### RETIREMENT

**UTAH RETIREMENT SYSTEMS:** Retirement Plan for public service employees subject to the terms, conditions, and limitations as defined and regulated by the Utah State Retirement Board, the City provides coverage for employees in eligible employment classifications in the Utah State Retirement System.

**ICMA RETIREMENT CORP. PERFORMANCE PLAN 401(a) RETIREMENT PLAN:** Retirement Plan for general employees. The City will provide a 1% match to the 401(a) when the employee contributes 1% to a City-sponsored ICMA 457 or URS 401(k) account.

**ICMA RETIREMENT CORP. PERFORMANCE PLAN 457 RETIREMENT Plan:** Tax deferred retirement plan. Employee may defer up to \$18,000. Catch up 55 yrs. or older \$24,000.

### **RETIREMENT HEALTH SAVINGS PLAN (RHS):**

#### **Contribution Sources and amounts:**

1. **Direct Employer Contributions:** A discretionary amount to be determined each Plan Year (none for FY 2018)
2. **Mandatory Employee Compensation Contributions:** Decreased Merit or Pay Plan Adjustment per City Policy (None for FY 2018)
3. **Mandatory Employee Leave Contributions:** Accrued Sick Leave per City Policy (None for FY 2018)

Only participants with accrued sick leave in excess of 480 hours at the end of the first full pay period in January are eligible for contribution to the RHSP. Contribution is equal to sick leave earned during calendar year less sick leave used during calendar year multiplied by 50%. Hours necessary to reach 480 hours are considered "used." AFTER the contribution to the RHS plan, participants may elect to convert 25% of remaining sick leave in excess of 240 hours to vacation leave.

City contributes 10% of employee's accrued sick leave to RHS at time of separation from service.

### **LIFE INSURANCE**

**Basic Term Life Insurance, Dependent Life Insurance, and Accidental Death and Dismemberment coverage:** Provided by Midvale City to employees enrolled in a Medical plan with Midvale City at no cost to the employee. Employees not enrolled in the medical plans may purchase term life insurance through payroll deduction.

- \$50,000 employee
- \$5,000 spouse
- \$2,500 dependents

**Additional life and Additional Accidental Death & Dismemberment (Optional):** Employees may purchase additional term life insurance and/or Accidental death and dismemberment insurance.

**Disability Insurance:** The City pays the premium for long-term disability coverage for Full-Time and Qualified Part-Time Employees.



**MIDVALE CITY BENEFIT PACKAGE  
Fiscal Year 2018**

**FLEXIBLE SPENDING PLAN (Optional)**

Employees may elect up to \$2,550 for medical expenses \$5,000 for child care pre-tax.

**HEALTH SAVINGS ACCOUNT**

Employees selecting the High Deductible Health Plan may elect up to \$3350 single and \$6750 Family for medical expenses. City pays 90% of high deductible.

**CAFETERIA PLAN MONTHLY PREMIUM INFORMATION:**

**MEDICAL – TRADITIONAL:**

<u>United HealthCare</u>		<u>United HealthCare + U of U</u>	
<u>Payroll Deduction</u>	<u>City Contribution</u>	<u>Payroll Deduction</u>	<u>City Contribution</u>
Single - \$0	Single - \$612.66	Single - \$20.92	Single - \$612.66
Double - \$131.72	Double - \$1185.51	Double - \$176.68	Double - \$1185.51
Family - \$180.73	Family - \$1626.62	Family - \$242.44	Family - \$1626.62

**MEDICAL – HIGH DEDUCTIBLE HEALTH PLAN:**

<u>United HealthCare</u>		<u>United HealthCare + U of U</u>	
<u>Payroll Deduction</u>	<u>City Contribution</u>	<u>Payroll Deduction</u>	<u>City Contribution</u>
Single - \$0	Single - \$520.45	Single - \$20.75	Single - \$520.45
Double - \$55.95	Double - \$1063.03	Double - \$100.56	Double - \$1063.03
Family - \$76.77	Family - \$1458.57	Family - \$137.98	Family - \$1458.57

**DENTAL – DENTAL SELECT:**

<u>Platinum</u>	
<u>Payroll Deduction</u>	<u>City Contribution</u>
Single - \$0	Single - \$48.77
Double - \$6.67	Double - \$60.04
Family - \$10.10	Family - \$90.89

**VISION – EYEMED:**

<u>Choice Vision 12</u>
<u>Payroll Deduction</u>
Single - \$4.87
Double - \$9.26
Family - \$13.64

**Waive Eligible Medical Benefit:**

The City offers Eligible Employees covered by other insurance (must have proof of coverage) the ability to waive medical insurance with the City. In lieu of medical insurance the employee waiving the insurance receives a stipend of \$220.00 per pay period. The employee may take dental and/or vision insurance and still receive the stipend.

# MIDVALE CITY

## GENERAL PAY RANGES [FY 2018]

### Hourly Pay Rates

### Per Pay Period

### Annual Pay Rates

Grade	Pay Range		
	Min	Mid	Max
1	9.76	11.72	13.68
2	10.16	12.19	14.21
3	10.58	12.68	14.78
4	10.94	13.15	15.36
5	11.42	13.70	15.98
6	11.90	14.26	16.61
7	12.38	14.84	17.30
8	12.86	15.43	18.00
9	13.34	16.04	18.74
10	13.94	16.71	19.49
11	14.01	17.11	20.28
12	14.54	17.83	21.13
13	15.14	18.56	21.98
14	15.75	19.33	22.90
15	16.47	20.17	23.86
16	17.19	21.02	24.85
17	17.91	21.91	25.90
18	18.63	22.81	26.99
19	19.47	23.80	28.14
20	19.59	24.46	29.33
21	20.43	25.50	30.56
22	21.27	26.57	31.86
23	22.12	27.67	33.21
24	23.08	28.85	34.63
25	24.04	30.10	36.15
26	25.12	31.40	37.68
27	26.20	32.75	39.30
28	27.28	34.13	40.99
29	28.49	35.61	42.74
30	29.81	37.20	44.59

Grade	Pay Range		
	Min	Mid	Max
1	780.80	937.60	1,094.40
2	812.80	975.20	1,136.80
3	846.40	1,014.40	1,182.40
4	875.20	1,052.00	1,228.80
5	913.60	1,096.00	1,278.40
6	952.00	1,140.80	1,328.80
7	990.40	1,187.20	1,384.00
8	1,028.80	1,234.40	1,440.00
9	1,067.20	1,283.20	1,499.20
10	1,115.20	1,336.80	1,559.20
11	1,120.80	1,368.80	1,622.40
12	1,163.20	1,426.40	1,690.40
13	1,211.20	1,484.80	1,758.40
14	1,260.00	1,546.40	1,832.00
15	1,317.60	1,613.60	1,908.80
16	1,375.20	1,681.60	1,988.00
17	1,432.80	1,752.80	2,072.00
18	1,490.40	1,824.80	2,159.20
19	1,557.60	1,904.00	2,251.20
20	1,567.20	1,956.80	2,346.40
21	1,634.40	2,040.00	2,444.80
22	1,701.60	2,125.60	2,548.80
23	1,769.60	2,213.60	2,656.80
24	1,846.40	2,308.00	2,770.40
25	1,923.20	2,408.00	2,892.00
26	2,009.60	2,512.00	3,014.40
27	2,096.00	2,620.00	3,144.00
28	2,182.40	2,730.40	3,279.20
29	2,279.20	2,848.80	3,419.20
30	2,384.80	2,976.00	3,567.20

Grade	Pay Range			Range
	Min	Mid	Max	
1	20,300.80	24,377.60	28,454.40	0.40
2	21,132.80	25,355.20	29,556.80	0.40
3	22,006.40	26,374.40	30,742.40	0.40
4	22,755.20	27,352.00	31,948.80	0.40
5	23,753.60	28,496.00	33,238.40	0.40
6	24,752.00	29,660.80	34,548.80	0.40
7	25,750.40	30,867.20	35,984.00	0.40
8	26,748.80	32,094.40	37,440.00	0.40
9	27,747.20	33,363.20	38,979.20	0.40
10	28,995.20	34,756.80	40,539.20	0.40
11	29,140.80	35,588.80	42,182.40	0.45
12	30,243.20	37,086.40	43,950.40	0.45
13	31,491.20	38,604.80	45,718.40	0.45
14	32,760.00	40,206.40	47,632.00	0.45
15	34,257.60	41,953.60	49,628.80	0.45
16	35,755.20	43,721.60	51,688.00	0.45
17	37,252.80	45,572.80	53,872.00	0.45
18	38,750.40	47,444.80	56,139.20	0.45
19	40,497.60	49,504.00	58,531.20	0.45
20	40,747.20	50,876.80	61,006.40	0.50
21	42,494.40	53,040.00	63,564.80	0.50
22	44,241.60	55,265.60	66,268.80	0.50
23	46,009.60	57,553.60	69,076.80	0.50
24	48,006.40	60,008.00	72,030.40	0.50
25	50,003.20	62,608.00	75,192.00	0.50
26	52,249.60	65,312.00	78,374.40	0.50
27	54,496.00	68,120.00	81,744.00	0.50
28	56,742.40	70,990.40	85,259.20	0.50
29	59,259.20	74,068.80	88,899.20	0.50
30	62,004.80	77,376.00	92,747.20	0.50

**MIDVALE CITY**

**EXECUTIVE & EXEMPT PAY RANGES [FY 2018]**

**Hourly Pay Rates**

**Per Pay Period**

**Annual Pay Rates**

Grade	Pay Range		
	Min	Mid	Max
50	22.36	28.49	34.63
51	23.32	29.74	36.15
52	24.28	30.98	37.68
53	25.36	32.23	39.30
54	26.44	33.71	40.99
55	27.64	35.19	42.74
56	28.85	36.72	44.59
57	30.05	38.29	46.53
58	31.25	39.89	48.54
59	32.69	41.66	50.63
60	34.13	43.47	52.80
61	35.58	45.33	55.09
62	35.94	46.71	57.48
63	37.50	48.73	59.95
64	38.94	50.71	62.49
65	40.63	52.91	65.19
66	42.55	55.27	67.99
67	44.23	57.57	70.90
68	46.15	60.07	73.99
69	48.08	62.62	77.16
70	50.24	65.36	80.48

Grade	Pay Range		
	Min	Mid	Max
50	1,788.80	2,279.20	2,770.40
51	1,865.60	2,379.20	2,892.00
52	1,942.40	2,478.40	3,014.40
53	2,028.80	2,578.40	3,144.00
54	2,115.20	2,696.80	3,279.20
55	2,211.20	2,815.20	3,419.20
56	2,308.00	2,937.60	3,567.20
57	2,404.00	3,063.20	3,722.40
58	2,500.00	3,191.20	3,883.20
59	2,615.20	3,332.80	4,050.40
60	2,730.40	3,477.60	4,224.00
61	2,846.40	3,626.40	4,407.20
62	2,875.20	3,736.80	4,598.40
63	3,000.00	3,898.40	4,796.00
64	3,115.20	4,056.80	4,999.20
65	3,250.40	4,232.80	5,215.20
66	3,404.00	4,421.60	5,439.20
67	3,538.40	4,605.60	5,672.00
68	3,692.00	4,805.60	5,919.20
69	3,846.40	5,009.60	6,172.80
70	4,019.20	5,228.80	6,438.40

Grade	Pay Range			Range
	Min	Mid	Max	
50	46,508.80	59,259.20	72,030.40	0.55
51	48,505.60	61,859.20	75,192.00	0.55
52	50,502.40	64,438.40	78,374.40	0.55
53	52,748.80	67,038.40	81,744.00	0.55
54	54,995.20	70,116.80	85,259.20	0.55
55	57,491.20	73,195.20	88,899.20	0.55
56	60,008.00	76,377.60	92,747.20	0.55
57	62,504.00	79,643.20	96,782.40	0.55
58	65,000.00	82,971.20	100,963.20	0.55
59	67,995.20	86,652.80	105,310.40	0.55
60	70,990.40	90,417.60	109,824.00	0.55
61	74,006.40	94,286.40	114,587.20	0.55
62	74,755.20	97,156.80	119,558.40	0.60
63	78,000.00	101,358.40	124,696.00	0.60
64	80,995.20	105,476.80	129,979.20	0.60
65	84,510.40	110,052.80	135,595.20	0.60
66	88,504.00	114,961.60	141,419.20	0.60
67	91,998.40	119,745.60	147,472.00	0.60
68	95,992.00	124,945.60	153,899.20	0.60
69	100,006.40	130,249.60	160,492.80	0.60
70	104,499.20	135,948.80	167,398.40	0.60

# MIDVALE CITY

## PAY PLAN [FY 2018]

### Hourly Pay Rates

### Per Pay Period

### Annual Pay Rates

Positions	GR	Pay Range			Pay Range			Pay Range				Rng	Positions
		Min	Mid	Max	Min	Mid	Max	GR	Min	Mid	Max		
City Manager	69	48.08	62.62	77.16	3,846.40	5,009.60	6,172.80	69	100,006.40	130,249.60	160,492.80	0.60	City Manager
Asst. CM/CD Dir	66	42.55	55.27	67.99	3,404.00	4,421.60	5,439.20	66	88,504.00	114,961.60	141,419.20	0.60	Asst. CM/CD Dir
Asst. CM/Admin Srvc Dir	66	42.55	55.27	67.99	3,404.00	4,421.60	5,439.20	66	88,504.00	114,961.60	141,419.20	0.60	Asst. CM/Admin Srvc Dir
City Attorney	66	42.55	55.27	67.99	3,404.00	4,421.60	5,439.20	66	88,504.00	114,961.60	141,419.20	0.60	City Attorney
Public Works Director	64	38.94	50.71	62.49	3,115.20	4,056.80	4,999.20	64	80,995.20	105,476.80	129,979.20	0.60	Public Works Director
HR Director/City Recorder	63	37.50	48.73	59.95	3,000.00	3,898.40	4,796.00	63	78,000.00	101,358.40	124,696.00	0.60	HR Director/City Recorder
RDA Director	63	37.50	48.73	59.95	3,000.00	3,898.40	4,796.00	63	78,000.00	101,358.40	124,696.00	0.60	RDA Director
City Engineer	62	35.94	46.71	57.48	2,875.20	3,736.80	4,598.40	62	74,755.20	97,156.80	119,558.40	0.60	City Engineer
Deputy City Attorney	62	35.94	46.71	57.48	2,875.20	3,736.80	4,598.40	62	74,755.20	97,156.80	119,558.40	0.60	Deputy City Attorney
Asst. Finance Dir	59	32.69	41.66	50.63	2,615.20	3,332.80	4,050.40	59	67,995.20	86,652.80	105,310.40	0.55	Asst. Finance Dir
IT Manager	59	32.69	41.66	50.63	2,615.20	3,332.80	4,050.40	59	67,995.20	86,652.80	105,310.40	0.55	IT Manager
Econ Devel Director	58	31.25	39.89	48.54	2,500.00	3,191.20	3,883.20	58	65,000.00	82,971.20	100,963.20	0.55	Econ Devel Director
City Planner	58	31.25	39.89	48.54	2,500.00	3,191.20	3,883.20	58	65,000.00	82,971.20	100,963.20	0.55	City Planner
Building Official	56	28.85	36.72	44.59	2,308.00	2,937.60	3,567.20	56	60,008.00	76,377.60	92,747.20	0.55	Building Official
Housing Director	56	28.85	36.72	44.59	2,308.00	2,937.60	3,567.20	56	60,008.00	76,377.60	92,747.20	0.55	Housing Director
Court Administrator	56	28.85	36.72	44.59	2,308.00	2,937.60	3,567.20	56	60,008.00	76,377.60	92,747.20	0.55	Court Administrator
City Treasurer	55	27.64	35.19	42.74	2,211.20	2,815.20	3,419.20	55	57,491.20	73,195.20	88,899.20	0.55	City Treasurer
Water/Sewer Super	55	27.64	35.19	42.74	2,211.20	2,815.20	3,419.20	55	57,491.20	73,195.20	88,899.20	0.55	Water/Sewer Super
Streets/Storm Drain Superintendent	55	27.64	35.19	42.74	2,211.20	2,815.20	3,419.20	55	57,491.20	73,195.20	88,899.20	0.55	Streets/Storm Drain Superintendent
Fleet Manager	52	24.28	30.98	37.68	1,942.40	2,478.40	3,014.40	52	50,502.40	64,438.40	78,374.40	0.55	Fleet Manager
Systems Administrator	26	25.12	31.40	37.68	2,009.60	2,512.00	3,014.40	26	52,249.60	65,312.00	78,374.40	0.50	Systems Administrator
RDA Project Manager	24	23.08	28.85	34.63	1,846.40	2,308.00	2,770.40	24	48,006.40	60,008.00	72,030.40	0.50	RDA Project Manager
Building Inspector III	24	23.08	28.85	34.63	1,846.40	2,308.00	2,770.40	24	48,006.40	60,008.00	72,030.40	0.50	Building Inspector III
Emergency Manager	23	22.12	27.67	33.21	1,769.60	2,213.60	2,656.80	23	46,009.60	57,553.60	69,076.80	0.50	Emergency Manager
Public Utilities Foreman	23	22.12	27.67	33.21	1,769.60	2,213.60	2,656.80	23	46,009.60	57,553.60	69,076.80	0.50	Public Utilities Foreman

Building Inspector II	22	21.27	26.57	31.86	1,701.60	2,125.60	2,548.80	22	44,241.60	55,265.60	66,268.80	0.50	Building Inspector II
Associate Planner	22	21.27	26.57	31.86	1,701.60	2,125.60	2,548.80	22	44,241.60	55,265.60	66,268.80	0.50	Associate Planner
Benefits Coordinator	22	21.27	26.57	31.86	1,701.60	2,125.60	2,548.80	22	44,241.60	55,265.60	66,268.80	0.50	Benefits Coordinator
Paralegal/Exec. Asst.	22	21.27	26.57	31.86	1,701.60	2,125.60	2,548.80	22	44,241.60	55,265.60	66,268.80	0.50	Paralegal/Exec. Asst.
Project Manager	22	21.27	26.57	31.86	1,701.60	2,125.60	2,548.80	22	44,241.60	55,265.60	66,268.80	0.50	Project Manager
Facilities Foreman	22	21.27	26.57	31.86	1,701.60	2,125.60	2,548.80	22	44,241.60	55,265.60	66,268.80	0.50	Facilities Foreman
Streets/Parks Foreman	22	21.27	26.57	31.86	1,701.60	2,125.60	2,548.80	22	44,241.60	55,265.60	66,268.80	0.50	Streets/Parks Foreman
Storm Drain Foreman	22	21.27	26.57	31.86	1,701.60	2,125.60	2,548.80	22	44,241.60	55,265.60	66,268.80	0.50	Storm Drain Foreman
Deputy Recorder	20	19.59	24.46	29.33	1,567.20	1,956.80	2,346.40	20	40,747.20	50,876.80	61,006.40	0.50	Deputy Recorder
Strm Wtr Coord	20	19.59	24.46	29.33	1,567.20	1,956.80	2,346.40	20	40,747.20	50,876.80	61,006.40	0.50	Strm Wtr Coord
Storm Water Inspector	20	19.59	24.46	29.33	1,567.20	1,956.80	2,346.40	20	40,747.20	50,876.80	61,006.40	0.50	Storm Water Inspector
Pub Util Inspector	20	19.59	24.46	29.33	1,567.20	1,956.80	2,346.40	20	40,747.20	50,876.80	61,006.40	0.50	Pub Util Inspector
Utilities Sampling Tech	19	19.47	23.80	28.14	1,557.60	1,904.00	2,251.20	19	40,497.60	49,504.00	58,531.20	0.45	Utilities Sampling Tech
Wastewater Lead Operator	19	19.47	23.80	28.14	1,557.60	1,904.00	2,251.20	19	40,497.60	49,504.00	58,531.20	0.45	Wastewater Lead Operator
Parks Crew Lead	19	19.47	23.80	28.14	1,557.60	1,904.00	2,251.20	19	40,497.60	49,504.00	58,531.20	0.45	Parks Crew Lead
Utility Tech III	18	18.63	22.81	26.99	1,490.40	1,824.80	2,159.20	18	38,750.40	47,444.80	56,139.20	0.45	Utility Tech III
Code Enforcement	18	18.63	22.81	26.99	1,490.40	1,824.80	2,159.20	18	38,750.40	47,444.80	56,139.20	0.45	Code Enforcement
Admin Asst	17	17.91	21.91	25.90	1,432.80	1,752.80	2,072.00	17	37,252.80	45,572.80	53,872.00	0.45	Admin Asst.
Equip Operator III	17	17.91	21.91	25.90	1,432.80	1,752.80	2,072.00	17	37,252.80	45,572.80	53,872.00	0.45	Equip Operator III
IT Technician	17	17.91	21.91	25.90	1,432.80	1,752.80	2,072.00	17	37,252.80	45,572.80	53,872.00	0.45	IT Technician
Bus Lic Admin	16	17.19	21.02	24.85	1,375.20	1,681.60	1,988.00	16	35,755.20	43,721.60	51,688.00	0.45	Bus Lic Admin
Utility Tech II	16	17.19	21.02	24.85	1,375.20	1,681.60	1,988.00	16	35,755.20	43,721.60	51,688.00	0.45	Utility Tech II
Equip. Operator II	15	16.47	20.17	23.86	1,317.60	1,613.60	1,908.80	15	34,257.60	41,953.60	49,628.80	0.45	Equip. Operator II
Facilities Maint. Tech	15	16.47	20.17	23.86	1,317.60	1,613.60	1,908.80	15	34,257.60	41,953.60	49,628.80	0.45	Facilities Maint. Tech
Permit Tech	14	15.75	19.32	22.90	1,260.00	1,546.40	1,832.00	14	32,750.00	40,191.00	47,632.00	0.45	Permit Tech
Senior Court Clerk	14	15.75	19.32	22.90	1,260.00	1,546.40	1,832.00	14	32,750.00	40,191.00	47,632.00	0.45	Senior Court Clerk
Equip Operator I	14	15.75	19.32	22.90	1,260.00	1,546.40	1,832.00	14	32,750.00	40,191.00	47,632.00	0.45	Equip Operator I
Wtr Mtr Maint Tech	14	15.75	19.32	22.90	1,260.00	1,546.40	1,832.00	14	32,750.00	40,191.00	47,632.00	0.45	Wtr Mtr Maint Tech
Finance Clerk	14	15.75	19.32	22.90	1,260.00	1,546.40	1,832.00	14	32,750.00	40,191.00	47,632.00	0.45	Finance Clerk
Utility Tech I	14	15.75	19.32	22.90	1,260.00	1,546.40	1,832.00	14	32,750.00	40,191.00	47,632.00	0.45	Utility Tech I
Fleet Maintenance Service Worker	12	14.54	17.83	21.13	1,163.20	1,426.40	1,690.40	12	30,243.20	37,086.40	43,950.40	0.45	Fleet Maintenance Service Worker
Junior Court Clerk	12	14.54	17.83	21.13	1,163.20	1,426.40	1,690.40	12	30,243.20	37,086.40	43,950.40	0.45	Junior Court Clerk

Receptionist	10	13.94	16.71	19.49	1,115.20	1,336.80	1,559.20	10	28,995.20	34,756.80	40,539.20	0.40	Receptionist
Senior Van Driver	9	13.34	16.04	18.74	1,067.20	1,283.20	1,499.20	9	27,747.20	33,363.20	38,979.20	0.40	Senior Van Driver

**MIDVALE CITY, UTAH  
RESOLUTION NO. 2017-R-20**

**A RESOLUTION ADOPTING THE MIDVALE CITY  
MUNICIPAL FEE SCHEDULE FOR THE 2018 FISCAL YEAR**

**WHEREAS**, the Midvale City Council desires to be proactive in providing information for the public that is easily accessible; and

**WHEREAS**, all fees charged for services have been clearly identified in one fee schedule to be adopted annually and placed on the City’s website; and

**WHEREAS**, the fees listed in the Midvale City Municipal Fee Schedule for FY 2018 reflect actual costs to the City for said services; and

**WHEREAS**, the City Council desires to bring said fees into perspective with current costs considerations and provide better service and access for the public,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MIDVALE CITY, UTAH:**

**Section 1.** The City Council hereby desires to adopt the Midvale City Municipal Fee Schedule for FY 2018 as indicated by Exhibit “A.”

**Section 2.** This resolution shall take effect immediately upon passage.

**Adopted by the City Council of Midvale, State of Utah**, this 20<sup>th</sup> day of June, 2017.

\_\_\_\_\_  
JoAnn B. Seghini, Mayor

ATTEST:

\_\_\_\_\_  
Rori L. Andreason, MMC  
City Recorder

Voting by the Council:	“Aye”	“Nay”
Stephen Brown	_____	_____
Paul Glover	_____	_____
Quinn Sperry	_____	_____
Paul Hunt	_____	_____
Wayne Sharp	_____	_____

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
<b>Administrative Fees</b>	
Return Check (NSF, etc.)	\$30.00
<b>Animal Control Fees: Refer to the latest fee schedule adopted by Salt Lake County Animal Services</b>	
<b>Building Permit Fees</b>	
Building Permit Fees	Contact Building Official
<b>Building Rental Fees</b>	
Alexander Dahl Community Room	\$200 Security Deposit
- Rental Fee up to 4 hour usage	\$120 plus employee overtime (Dependent upon employee pay rate)
- Rental Fee for 4.5 hour usage and above	Additional \$120 plus employee overtime (Dependent upon employee pay rate)
- ADDITIONAL FEES MAY APPLY	See Use Agreement
Midvale Community Center	\$200 Security Deposit
- Rental Fee up to 4 hour usage	\$120 plus employee overtime (Dependent upon employee pay rate)
- Rental Fee for 4.5 hour usage and above	Additional \$120 plus employee overtime (Dependent upon employee pay rate)
- ADDITIONAL FEES MAY APPLY	See Use Agreement
Bingham Junction Park Pavilion	
- Half Day 10am to 4 pm - Resident or Midvale Business	\$25
- Half Day 10 am to 4 pm - Non-Resident or Non-Midvale Business	\$50
- Full Day - Resident or Midvale Business	\$40
- Full Day - Non-Resident or Non-Midvale Business	\$80
City Park Bowery	
Resident	\$150.00
Non-Resident	\$200.00
Auditorium Performing Arts Center (Arts Council)	



## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
Resident	\$500 Deposit - \$75/day plus any departmental impact fees
Non-Resident	\$500 Deposit - \$125/day plus any departmental impact fees
City Park Amphitheater (Arts Council)	
Resident	\$500 Deposit - \$150/day plus any departmental impact fees
Non-Resident	\$500 Deposit - \$200/day plus any departmental impact fees
<b>Business License Fees</b>	
Home Occupation Base Fee	\$94.00
Commercial Business Base Fee	\$137.00
Commercial, Home Occupation and Rental Renewal	\$19.00
Rental Base Fee	\$60.00
Good Landlord Single Family Non-participatory (per door)	\$80.00
Good Landlord Duplex Non-participatory (per door)	\$42.00
Good Landlord Apartments 3+ Non-participatory (per door)	\$33.00
Good Landlord Participating (per door, all)	\$7.00
Beauty Salon Booth Rental	\$68.00
Solicitor	\$45.00
SOB/Escort	\$84.00 each principal, escort, driver, or bodyguard - Requires Background
<b>Other Variable Fees: (in addition to base)</b>	
Alcohol Establishment	\$300.00
Bar/Lounge	\$215.00
Big Box Retail	\$400.00
Commercial Retail	\$110.00
Convenience/Gas	\$100.00
Construction/Contractor	\$50.00
Education	\$500.00
Health	\$500.00
Hotels	\$180.00
Pawn Shop	\$400.00
Personal Services	\$50.00
Professional Services	\$30.00

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018	
Rental Units	\$83.00	
Restaurant	\$300.00	
Storage Units	\$330.00	
Taxi	\$60.00 per vehicle	
Tobacco	\$22.00	
Vending Carts	\$18.00	
<b>Business Bonding Fees</b>		
Christmas tree sales	\$200.00	
Auctions and auctioneers	\$1,000.00	
Pawn shops, secondhand dealers	\$1,000.00	
Public recreation	\$1,000,000.00 bodily injury (per person and per occasion)	
	\$1,000,000.00 property damage	
Fireworks	\$1,000.00	
Sexually oriented businesses	\$2,000.00 (replenishable)	
<b>Cemetery Fees</b>		
Sale Price of Burial Lots:		
Resident	\$650.00	
Non-Resident	\$1,200.00	
Sale Price of Cremation Lots:		
Resident	\$325.00	
Non-Resident	\$600.00	
Cost of Grave Opening and Closings:		
	Weekdays	Weekends/Holidays
Adult	\$750.00	\$900.00
Infant	\$200.00	\$400.00
Cremains	\$150.00	\$350.00

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
Reopening of Graves and Removing Caskets:	
Reopening	\$600.00
Removing	\$300.00
<b>Code Enforcement</b>	
Occupancy violation	Civil Fee per Day, First Offense - \$25 per person
	First Offense, Maximum Civil Fee - \$1,250 per person
	Civil Fee per Day, Second Offense - \$50 per person
	Second Offense, Maximum Civil Fee - \$2,500 per person
Illegal accessory dwelling	Civil Fee per Day, First Offense - \$25
	First Offense, Maximum Civil Fee - \$1,250
	Civil Fee per Day, Second Offense - \$50
	Second Offense, Maximum Civil Fee - \$2,500
Junked or inoperable vehicles	Civil Fee per Day, First Offense - \$30 per vehicle
	First Offense, Maximum Civil Fee - \$1,500 per vehicle
	Civil Fee per Day, Second Offense - \$60 per vehicle
	Second Offense, Maximum Civil Fee - \$3,000 per vehicle
Trash, junk, miscellaneous used materials	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
Weeds	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
Landscaping	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
Signs	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
Fences	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
Dumping	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
No building permit; no business license	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
Home Occupation	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
Parking	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
Nuisances, as defined	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$1,500
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$3,000
Nonpermitted Uses	Civil Fee per Day, First Offense - \$50
	First Offense, Maximum Civil Fee - \$5,000
	Civil Fee per Day, Second Offense - \$100
	Second Offense, Maximum Civil Fee - \$10,000
Failure to comply with board of adjustment, planning commission, or hearing examiner order	Civil Fee per Day, First Offense - \$30
	First Offense, Maximum Civil Fee - \$3,000
	Civil Fee per Day, Second Offense - \$60
	Second Offense, Maximum Civil Fee - \$6,000
Inspection fee for each subsequent event	\$30
Violation of Chapter 5.32, Tenant Application Fees	\$100 for initial violation
	\$200 for additional violations
<b>Community Development Fees (Includes Engineering Fees)</b>	
Preliminary Subdivision	2 Lots      \$570.00
Final Subdivision	2 Lots      \$600.00
Preliminary Subdivision*	3 Lots      \$900.00
	>3 Lots \$900.00 + \$5.00 per lot over 3
Final Subdivision*	3 Lots      \$1,270.00
	>3 Lots \$1,270 + \$10.00 per lot over 3

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018	
MPD Preliminary	1-3 Acres	\$730.00
	3-6 Acres	\$780.00
	6+ Acres	\$830.00
MPD Final	1-3 Acres	\$850.00
	3-6 Acres	\$950.00
	6+ Acres	\$1,050.00
Rezone	≤ 1 Acre	\$665.00
	1-5 Acres	\$765.00
	>5 Acres	\$865.00
Conditional Use Permit	\$250.00	
Administrative Conditional Use - Chickens; <u>Apiaries</u>	\$75.00	
Preliminary Site Plan	\$640.00	
Final Site Plan	\$1,090.00	
Preliminary Condominium	≤ 3 Lots	\$900.00
	> 3 Lots	\$900.00 + \$5.00 per lot over 3
Final Condominium	≤ 3 Lots	\$1,270.00
	> 3 Lots	\$1,270 + \$10.00 per lot over 3
Lot Line Adjustment	\$125.00	
Text Amendment	\$630.00	
Property Vacation	\$800.00	
Variance	\$260.00	
<b>*More than one plat will result in an additional per plat charge of \$250.00</b>		
<b>Court Fees:</b>		
Traffic School	\$25	
Small Claims	As per State approved rates	

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
Copy Charge per page	\$0.25
Certified Copy of Court Documents	\$4.00 plus \$0.25 per page
Criminal Background Checks	\$10.00
Convenience Fee for Online Payments	\$2.50 per transaction
<b>Election Fees:</b>	
Declaration of Candidacy for Mayor	\$50.00
Declaration of Candidacy for City Council	\$25.00
<b>Executive Department</b>	
Records Request	\$0.25 per copy + time for research + postage (including reasonable attorney's fees for services rendered in responding to the request)
Copy Charge per page	\$0.25
Copy of Recording (CD)	5 per CD
Notary	\$5 for Non-City Related Business
Copies of Maps 24 X 36 Color	\$5.00
Copies of Maps 24 X 36 Black & White	\$3.00
<b>Road Cuts</b>	
Permit	\$100 per cut for 400 sq. ft. & under \$.25/sq.ft. over 400 sq. ft.
<b>Sewer Rates</b>	
<b>Residential/Commercial/Industrial</b>	
<b>Single Dwelling</b>	
Base fee	20.42 22.05
Usage fee per 1,000 gallons of average winter water usage	4.74 1.85
<b>Multi Dwelling</b>	
Base fee - First Unit	20.42 22.05

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
Additional Unit (Each)	46.96 18.32
Usage fee per 1,000 gallons of average winter water usage	4.74 1.85
<b>Lifeline discount of 45% available on base fee if qualified for Salt Lake County Circuit Breaker property tax relief</b>	
<b>Sewer Connection Fees all areas</b>	
4" Connection	
First Unit	\$500.00
Second Unit	\$200.00
6" Connection	
First Unit	\$700.00
Second Unit	\$200.00
<b>Storm Water</b>	
Equivalent Residential Unit (ERU)=3,000 square feet	\$8.00 per month
<b>Lifeline discount of 45% available if qualified for Salt Lake County Circuit Breaker property tax relief</b>	
<b>Waste Collection Fees</b>	
First Can	\$7.95 per month
Recycling	\$2.71 per month
<b>Lifeline discount of 45% available if qualified for Salt Lake County Circuit Breaker property tax relief</b>	
Each additional can	\$7.95 month (Not Subject to Circuit Breaker)
Bulky Waste Dumpster	\$180.00 (\$130 deposit may be required)
Green Waste Dumpster	\$125.00 (\$130 deposit may be required)
<b>Water Rates</b>	
Residential/Commercial/Industrial	<b>AREA #1</b>



## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
<b>Base rate by Meter size:</b>	
3/4"	44.70 15.73
1"	20.58 22.02
1.5"	26.46 28.31
2"	42.62 45.60
3"	161.66 172.98
4"	205.75 220.15
6"	308.64 330.21
<b>Usage fee per 1,000 gallons</b>	
Peak (June-September)	\$1.50 1.58 (Not Subject to Circuit Breaker)
Off-peak (October - May)	\$1.05 1.10 (Not Subject to Circuit Breaker)
<b>Lifeline discount of 45% available on base fee if qualified for Salt Lake County Circuit Breaker property tax relief</b>	
<b>Fireline service</b>	
	\$10.15 per month
<b>Residential/Commercial/Industrial</b>	
<b>AREA #2</b>	
<b>Base rate by Meter size:</b>	
3/4"	49.10 20.05
1"	26.73 28.07
1.5"	34.37 36.09
2"	55.39 58.15
3"	210.06 220.57
4"	267.35 280.72
6"	401.02 421.07
<b>Usage fee per 1,000 gallons</b>	
Peak (June-September)	\$1.66 1.75 (Not Subject to Circuit Breaker)
Off-peak (October - May)	\$1.15 1.21 (Not Subject to Circuit Breaker)
<b>Lifeline discount of 45% available on base fee if qualified for Salt Lake County Circuit Breaker property tax relief</b>	

## MIDVALE CITY

### MUNICIPAL FEE SCHEDULE FOR FY 2018

DESCRIPTION	CURRENT FY 2018
Fireline service	\$10.15 per month
<b>Residential/Commercial/Industrial</b>	<b>AREA #3</b>
<b>Base rate by Meter size:</b>	
3/4"	<del>24.04</del> 22.81
1"	<del>33.64</del> 31.93
1.5"	<del>43.24</del> 41.05
2"	<del>69.64</del> 66.13
3"	<del>264.03</del> 250.83
4"	<del>336.03</del> 319.23
6"	<del>504.06</del> 478.86
<b>Usage fee per 1,000 gallons</b>	
Peak (June-September)	\$1.87 (Not Subject to Circuit Breaker)
Off-peak (October - May)	\$1.29 (Not Subject to Circuit Breaker)
<b>Lifeline discount of 45% available on base fee if qualified for Salt Lake County Circuit Breaker property tax relief</b>	
Fireline service	\$10.15 per month
<b>Water Connection Fees - All Areas</b>	
3/4"	\$1,660.00
1"	\$1,970.00
1 1/2" & Up	\$180 Inspection Fee
Fire Service	\$250.00 Inspection Fee
<b>Other Utility Service Charges (includes sewer, storm water, waste collection, and water)</b>	
Late fees	5% of outstanding balance per month
Meter reset fee	\$50.00
Meter tampering fee	\$50 first offense, \$100 second offense, \$50 add'l each subsequent offense
Account set-up or transfer fee	\$15
Reconnect following shut-off	\$50
Collection Agency fee	35% of outstanding balance

**MIDVALE CITY**

**MUNICIPAL FEE SCHEDULE FOR FY 2018**

<b>DESCRIPTION</b>	<b>CURRENT FY 2018</b>
Return Check (NSF, etc.)	\$30
Telephone Payment Convenience Fee	\$3
Construction Meter Deposit	\$1,050
Construction Water Use	\$2.50 per thousand gallons of hydrant water (\$50 minimum)
<b>Streetlighting</b>	
Residential	\$3.00/month
Commercial	\$9.00/month