

NOTICE AND AGENDA
MONROE CITY COUNCIL MEETING
September 22, 2020

Pursuant to §52-4-6(2), UCA, notice is hereby given that the City Council of Monroe City, Sevier County, Utah, will hold a regular council meeting on September 22, 2020 at the City Hall, 10 N Main, commencing at 7:00 p.m. The agenda shall be as follows: (The order of business may be changed as time permits.)

7:00 p.m.

1. Welcome and call to Order: Mayor Johnny Parsons
2. Pledge of Allegiance and Prayer: By invitation
3. Roll Call
4. Consider a motion to approve the minutes of the meeting held September 8, 2020
5. Citizen input
6. Business
 - a. Planning Commission Business:
 1. Recommendation of approval of amending Monroe City's Land Use Management and Development Code Regulations.
 - b. Consider adoption of Ordinance 9 02 2020 amending Monroe City's Land Use Management and Development Code Regulations. Proposed changes include, but are not limited to the following:
 - (1) Adding definition of short-term rental to Chapter 3
 - (2) Amending Chapter 10-1002; Chapter 11-1102; Chapter 12-1202; Chapter 13-1303; Chapter 14-1402; Chapter 15-1502 with short-term rental as a conditional use.
 - c. Consider approving Cash Receipting and Deposit Policy
 - d. Consider approving Conflict of Interest Policy
 - e. Consider approving Ethical Behavior Policy and Ethical Behavior Pledge Form
 - f. Consider approving of Credit Card Purchasing Policy
 - g. Consider approving 2020 Fraud Risk Assessment Questionnaire
 - h. Consider expenditures of Utah Coronavirus Relief Funds (CARES)
7. Other Business
 - a. Staff Reports
 - b. Department Business-Council
8. Adjournment

Posted this 21st day of September, 2020

I hereby certify that the foregoing notice and agenda was posted at the Monroe City Hall, website littlegreenvalley.com, posted on the Utah Public Notice website and personally delivered to each member of the Monroe City Council.

Allison Leavitt, Monroe City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations, or assistance during this meeting shall notify Allison Leavitt, City Recorder, at 435-527-4621 at least 24 hours prior to this meeting. Meetings of the Monroe City Council may be conducted by electronic means pursuant to Utah Code Annotated, Section 52-4-207.

MONROE CITY COUNCIL MEETING
September 8, 2020
MINUTES

7:00 p.m.

Due to the absence of Mayor Johnny Parsons and Mayor Pro Tempore Perry Payne, Council selected Councilmember Mathie to act as Mayor Pro-tempore.

1. The regular meeting of the Monroe City Council was called to order by Mayor Pro Tempore Mathie 7:00 p.m.

2. The Pledge of Allegiance was led by Councilmember Cartwright . A prayer was offered by Councilmember Buchmiller.

3. Roll Call

Mayor Johnny Parsons-Absent

Mayor Pro-tempore: Councilmember Mathie

Councilmembers:

Dane Buchmiller

Janet Cartwright

Perry Payne -absent

Erica Serrine -absent

Public Works Director Devin Magleby

City Recorder Allison Leavitt

Utility Clerk Marisa Mathie

4. Consider a motion to approve the minutes of the meetings held August 25, 2020

Councilmember Buchmiller moved to approve the August 25, 2020 Regular City Council Meeting Minutes as corrected. The motion was seconded by Councilmember Cartwright. A roll call vote was called. Voting yes: Councilmembers Buchmiller, Cartwright, and Mathie. The vote was unanimous. The motion carried. 3-0

5. Citizen input –

David Peterson, Monroe citizen, thanked the Council on doing a nice job with the street improvement project.

Mr. Peterson asked the Council if lights and a volleyball net could be installed at the volleyball courts at the Mtn. View Park. Mr. Peterson explained that since the COVID-19 quarantine started a group of citizens have been using the volleyball courts as a way to get out of the house and do

something. He understands that these improvements will take funds and he donated \$50.00 tonight to show he is willing to help with the improvements.

Council thanked Mr. Peterson for his input and explained that the parks department is Councilmember Sirrine responsibility and his requests will be forwarded to her

6. Approval of September 2020 warrant register, August 2020 cash disbursements, adjustment journal and utility aging report.

Councilmembers approved and signed the September 2020 warrant register, August 2020 cash disbursements, adjustment journal and utility aging report.

7. Business

- a. Consider liability insurance renewal with Sorensen-Leavitt Insurance

Cory Sorensen, Sorensen-Leavitt Insurance, reviewed the liability insurance policy with the Council. The main change to the policy was the addition of the splash pad and splash pad equipment storage building.

Mr. Sorensen explained to the Council that because of an accident on the "Red Hill" property, a records request from Siegfried and Jensen Attorney Firm for Monroe City documents concerning "Red Hill" has been received by City Recorder Allison Leavitt. As of now there is no further information concerning the accident, but a claim file has been opened by our insurance company in anticipation of a claim being filed.

Councilmember Buchmiller moved to approve Sorenson-Leavitt Insurance liability policy renewal with a term of one-year. The motion was seconded by Councilmember Cartwright. A roll call vote was called. Voting yes: Councilmembers Cartwright, Mathie, and Buchmiller. The vote was unanimous. The motion carried. 3-0

- b. Consider applying to Federal Emergency Management Agency (FEMA) for grant to evaluate ways to reduce our floodplain zone. – Ricky Anderson- Jones and DeMille Engineering.

Ricky Anderson, Jones and DeMille Engineer, stated that Monroe City has FEMA's attention with challenges in our floodplain, especially homes with basements.

In our initial discussion with FEMA they asked us to collect data on structures built in the floodplain, including what was built, when it was built, type of permitting, and elevation certificates. Mr. Anderson explained that City Recorder Allison Leavitt collected this information and forwarded it to him. Mr. Anderson created a map with a corresponding data base with this information. This information has been sent to FEMA. Mr. Anderson explained that the next step will be that FEMA will request we create a compliance plan, meaning an outline of how Monroe City plans to address these issues. This plan will need to show how we follow our floodplain ordinance, how we will permit new construction in the

Monroe City Council

Minutes

9 2 2020

89 floodplain and how we will address existing structures in the floodplain. Mr. Anderson stated that
90 usually FEMA will submit a letter with a deadline to comply. Monroe City has submitted all the data they
91 have requested at this time and are waiting to hear back from FEMA on what we have submitted.

92 Mr. Anderson explained that there is a funding opportunity for Monroe City at this time through FEMA.
93 Building Resilient Infrastructure and Communities (BRIC) funding amount has increased significantly over
94 five years and this year there is \$500 million dollars available. Mr. Anderson explained that this is a two-
95 source funding program. First is a planning study which is a 100% grant, and basically a feasibility study.
96 The feasibility study will be looking at projects to reduce flooding areas. Second is for final design, with
97 funding plans that are a 75% - 90% grant, with the remaining portion being a match, which in-kind
98 service could qualify as a match.

99
100 Where FEMA is going to be looking to Monroe to reply with a compliance plan Mr. Anderson stated he
101 thinks this is good opportunity for Monroe to receive some financial assistance. Monroe's current
102 floodplain is a large area and, in his opinion, not very accurate. The feasibility study would include a base
103 level engineering model which would be compared to the current floodplain zone. This would show if
104 structures are in a high or low risk area. This study would also help determine what type of project could
105 be done to reduce the flood risks. Mr. Anderson explained the projects could include a debris basin,
106 improving a channel, or updating bridges or culverts. These types of projects FEMA looks at as being
107 proactive. The quick study would help evaluate are true floodplain. There is a chance the floodplain may
108 include more homes instead of less homes, but he does not anticipate this with the mapping he has
109 seen. The study would show how a project would help the City by being able to work with multiple
110 homeowners instead of the spotlight being on individual homeowners.

111
112 Councilmember Cartwright asked how many homes are currently in the floodplain and if a project can
113 be done do remove all the homes out of the floodplain. Mr. Anderson stated there is approximately 50
114 homes in the floodplain and he thinks depending on the project and affordability to the City, many of
115 these structures could be removed from the floodplain. However, until a feasibility study is done, he
116 cannot give us accurate information.

117
118 Councilmember Cartwright asked how structures in the floodplain that have basements at this time will
119 be handled. Mr. Anderson explained that we are unsure at this time because many of these structures
120 were not built before the floodplain was established, so they cannot be grandfathered in. Monroe's
121 floodplain is an Approximate Zone A without a base flood elevation and FEMA rules were interpreted
122 that basements were allowed in this type of zone.

123
124 Councilmember Buchmiller asked if this study would change the floodplain map or if it was a study see
125 what a new map may possibly look like. Mr. Anderson explained that this would only be a study to see
126 what the maps may look like.

127
128 Mr. Anderson stated that with this study a module would be created with current data, and if this data
129 showed that many of the structures would no longer be in the floodplain this would be beneficial in
130 showing that homeowners are in compliance with FEMA requirements. However, if the module did

show a smaller floodplain zone, Monroe City officials would still have to follow the current floodplain zones, until FEMA officially re-maps our area.

Mr. Anderson explained that the letter of interest is due by September 30, 2020 and the final application being due by December 2020. The grant funds would pay for the study and then the City would have to apply for other funding to help with flood mitigation projects.

Mr. Anderson stated that the cost for Jones and DeMille Engineering to prepare the application for the grant would be approximately \$3000.00 out of pocket for the City.

Council decided to have Mr. Anderson file the letter of interest and come to the Council with more detailed information before they decide on spending the funds to submit the BRIC application.

Councilmember Buchmiller moved to approve Jones and DeMille Engineering to submit a letter of interest to the Federal Emergency Management Agency (FEMA) Building Resilient Infrastructure and Communities (BRIC) grant program. The motion was seconded by Councilmember Cartwright. A roll call vote was called. Voting yes: Councilmembers Cartwright, Mathie, and Buchmiller. The vote was unanimous. The motion carried. 3-0

c. Consider Ordinance 9 01 2020 Transient Room Tax

This ordinance will allow the City to collect room tax on all short-term rentals such as Airbnb.

Councilmember Mathie moved to adopt Ordinance 9 01 2020 Transient Room Tax. The motion was seconded by Councilmember Buchmiller. A roll call vote was called. Voting yes: Councilmembers Cartwright, Mathie, and Buchmiller. The vote was unanimous. The motion carried. 3-0

d. Consider expenditures of Utah Coronavirus Relief Funds (CARES)

Jack Hammond, board member of the South Sevier Senior Citizen Board, explained to the Council that their board decided in June 2020 to not do their 24th of July fund raising due to COVID-19, which consists of the breakfast, lunch and quilt drawing during the park activities on July 24th. Their concern was that they are in the highest risk group of contracting the coronavirus.

Mr. Hammond distributed a spreadsheet showing how these funds are used to support the senior center and asked if the City could cover their loss of about \$1800.00 - \$2200.00 from the CARES monies received from the state.

Council agreed that these fundraising events are vital to the senior center, and that it would not have been in the best health interest of the community nor themselves if they were to have done them.

Fran Oldroyd, Board President of the South Sevier Senior Citizen Board, also explained that due to COVID-19 the dining room at the center has had to be closed and they are requesting assistance to purchase a prefab building that would serve as a drive-up window with the CARES monies the City has

received. Citizens wanting dinner now are having to come to the center's front door to pick-up the meals and take them home. This is can be a danger to their health and wellbeing, because now they are having to navigate the stairs while carrying their food and coming in close contact with other citizens picking up meals at the same time.

Councilmember Cartwright showed a sketch drawing of building that is 6' x 10', which board members think will take care of their needs. Councilmember Cartwright explained that City employees, will need to attach the building to the ground, install power, finish walls, install shelving and heat/air conditioning.

Council agreed this is a need for our senior citizens. Ms. Oldroyd also stated that since COVID-19 those coming and needing meals has increased.

Ms. Oldroyd stated that when the building is installed the increased traffic will affect their parking lot and wonder if some of the tailings from our recent street improvement project could be brought in to improve the driveway. Public Works Director Devin Magleby stated we do have a pile of tailings in the City yard and that he will check on how much we have and how much will be needed to do this.

Ms. Oldroyd also asked Public Works Director Devin Magleby if the pole that is in the middle of the parking lot could be removed. Public Works Director Devin Magleby stated he would check the pole and if it is not needed for some unseen reason that he would have it removed.

Council discussed the need for a structure to house the side by side, being purchased to keep park facilities sanitized. It was determined the best place for the structure would be between the soccer field and tennis courts because this will not affect future development of the park and would be centrally located on the park grounds.

City Recorder Allison Leavitt located handheld area sanitizers from a company in Ogden with an approximate cost of \$1100.00 each. We will need four to be placed in each of our public buildings. (City Hall, library, community center and senior center.)

Public Works Director Devin Magleby suggested that the City purchase power hand tools for each of the City pick-up's. Employees now are sharing these tools throughout the day.

Other items discussed were bleachers, update website and tables.

Council decided to approve the following expenditures:

- Senior Citizen drive-thru structure and reimburse funds for 24th of July losses.

- Structure at the park for side by side and sanitizing equipment.

- Handheld area sanitizers.

- Tools for City pick-ups.

Other items discussed will be tabled until next meeting.

Councilmember Mathie moved to approve expenses incurred due to the public health emergency with

Monroe City Council.

Minutes

9 2 2020

Utah Coronavirus Relief Funds (CARES). The motion was seconded by Councilmember Cartwright. A roll call vote was called. Voting yes: Councilmembers Cartwright, Mathie, and Buchmiller. The vote was unanimous. The motion carried. 3-0

e. Consider adding items to Monroe City Surplus list

Public Works Director Devin Magleby explained that the City has a surplus of pulverized asphalt from our recent street improvement project.

Mayor Parsons, stated to City Recorder Allison Leavitt, he would like the pulverized asphalt pile to be sold as a unit of one, not to multiple buyers.

Councilmember Mathie moved to add pulverized asphalt, left over from recent street improvement project, to Monroe City's surplus list. The motion was seconded by Councilmember Buchmiller. A roll call vote was called. Voting yes: Councilmembers Cartwright, Mathie and Buchmiller. The was unanimous. The motion carried. 3-0

8. Other Business

a. Staff Reports

City Recorder Allison Leavitt

*Reported on paraglider fly-in scheduled for September 28-October 3, 2020 for Councilmember Serrine.

*Two food trucks for each evening have been scheduled and would like to arrange some type of entertainment for Friday October 2, 2020. Gil Smith is unavailable to make cobbler.

Councilmember Mathie reported that he has visited with Chad McWilliams, Sevier County Travel Council, about the possibility of the Sevier County helping with costs associated with Monroe City trying to promote this activity. Mr. McWilliams told Councilmember Mathie that Sevier County wants a more hands on approach if helping with funds for activities. Councilmember Mathie stated that event organizer Stacey Whitmore, President of Red Rock Flyers, is not interested in giving this type of control to Sevier County.

City Recorder Allison Leavitt will contact Mr. Whitmore to coordinate plans for the fly-in event.

*Stacey Whitmore – Red Rock Flyer President, requested the use of the City canopies during the fly-in to help with providing a shaded area for the flyers. It was determined that he wanted to use the canopies at the landing area which is very rocky. Public Works Director Devin Magleby does not feel comfortable folding up the canopies in this dirt area. Council agreed with Public Works Director Devin Magleby and asked City Recorder Allison Leavitt to contact Mr. Whitmore and explain why the City will not allow them to use the canopies.

*Mayor Parsons asked City Recorder Allison Leavitt to inform the Council that he was contacted this week by KC Savage, Natural Resources Conservation Service (NRCS) about the study on the Sand H Debris Basin alternative route for spillway overflows. Mr. Savage will work with City Recorder Allison Leavitt to create a qualifications application for engineering companies to submit for our selection process in determining which company to use for the study on an alternative route to the one presented

Monroe City Council

Minutes

9 2 2020

from Jacobs and McMellin Associates earlier this year.

*Utah League of Cities and Towns virtual conference will be held September 21-25, 2020 if Councilmembers want to attend please let City Recorder Allison Leavitt know so their registration can be completed.

Utility Clerk Marisa Mathie –

*Reviewed draft newsletter, asked Council for input on other information they want to be in the newsletter.

Public Works Director Devin Magleby

No further business.

b. Department Business-Council

Councilmember Buchmiller –

* Contacted Trent Brown with Sunrise Engineering to provide a bid for the re-licensing requirement by the Federal Energy Regulatory Commission (FERC) of the upper hydro-plant. To better understand the scope of work required for the re-licensing Mr. Brown would like to meet with a member of the Power Department at 9:00 a.m. on September 22, 2020 for an inspection of the collection system. Public Works Director Devin Magleby will contact Mr. Brown to confirm the meeting.

Councilmember Cartwright-

No further business.

Councilmember Mathie-

No further business.

9. Adjournment

There being no further business to come before the Council for consideration, Councilmember Buchmiller moved the Regular Council Meeting adjourn at 8:40 p.m. The motion was seconded by Councilmember Cartwright. The vote was unanimous. The motion carried. 3-0

The next regular City Council meeting is scheduled to be held on Tuesday, September 22, 2020, starting at 7:00 p.m. at Monroe City Office.

Approved this 22nd day of Month, Year

Allison Leavitt

Monroe City Recorder

**MONROE CITY CORPORATION
ORDINANCE 9 02 2020**

AN ORDINANCE OF MONROE CITY, UTAH, AMENDING MONROE CITY'S LAND USE MANAGEMENT AND DEVELOPMENT CODE REGULATIONS.

THE CITY COUNCIL OF MONROE, UTAH HEREBY ORDAINS:

That the Monroe City Land Use Management and Development Code Regulations originally adopted January 18, 1996 be amended and adopted.

The foregoing Ordinance contains zoning, land use regulations as recommended by the Monroe City Planning Commission at a public hearing on August 18, 2020 and Monroe City Council as discussed at a public hearing held by the City Council on August 25, 2020. Proposed changes include, but are not limited to the following

- (1) Adding definition of short-term rental to Chapter 3
- (2) Amending Chapter 10-1002; Chapter 11-1102; Chapter 12-1202; Chapter 13-1303; Chapter 14-1402; Chapter 15-1502 with short-term rental as a conditional use.

The purpose of this ordinance is to promote the general welfare of Monroe City, to protect the health of its inhabitants, to encourage the most appropriate use of land within the city, to ensure the value of property, to lessen the congestion in the streets, to avoid undue concentration of population, to provide safety from fire and other dangers, to foster agriculture and other industries, and to protect both urban and non-urban development.

All other sections or provisions of the Monroe City Land Use Management and Development Regulations, not inconsistent with the amendments herein, shall remain in full force and effect.

This ordinance shall become effective immediately upon adoption, posting and publication of a Summary in the Richfield Reaper as provided in §10-3-711, Utah Code Annotated 1953, as amended.

A copy of the ordinance, in its entirety, is available to the public at the City Recorder's Office.

PASSED AND APPROVED THIS 22nd DAY OF SEPTMEBER, 2020

MONROE CITY

Mayor

ATTEST:

City Recorder

SHORT-TERM RENTAL: *Is a residential structure located on a legal lot and offering transient lodging accommodations in separate guest rooms and where meals may be provided. It is the rental of any house or part of house for less than 29 days. Applicants must meet all applicable requirements of the building code and Land Use Ordinances, as adopted by the City.*

SIGN: Any writing, pictorial presentation, symbol, banner, or any other figure of a similar character of whatever material which is used to identify, announce, direct attention to or advertise, which is placed on the ground, on any bush, tree, rock, wall, post, fence, building, structure, vehicle or on any place whatsoever and which is visible from outside a building.

SITE DEVELOPMENT STANDARDS: Regulations unique to each zone concerning standards for development including, but not limited to lot areas, set backs and building height.

SPECIAL DISTRICT: An entity established under the authority of Utah Title 17A, Special Districts, and any other governmental, or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.

STORY: A habitable level within a building serving to define the building height. Basements that emerge less than 4 ft from grade or attics not exceeding 4 ft at the kick wall shall not constitute an additional story.

STREET: A private or public right of way, highway, avenue, boulevard, parkway, road, lane, walk, alley, tunnel, bridge, public easement and other ways and is dedicated and improved to city standards.

STREET ACCESS: A street that serves a small number of dwellings and usually does not allow through traffic.

STRUCTURE: Anything constructed or erected which requires a fixed location on the ground, or attached to something having a location on the ground, including signs and billboards. Definition includes "building".

STRUCTURAL ALTERATIONS: Any change in the supporting members of a building, such as bearing walls, columns, beams or girders.

SUBDIVISION: Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, site, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development, either on the installment plan or upon any and all other residential and nonresidential zoned land, whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.

"Subdivision" does not include:

1. bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if



MONROE CITY

Cash Receipting and Deposit Policy

Purpose

Establish a uniform control design for all departments of Monroe City that receive cash. This policy has been developed by the Treasurer Jacee Barney with input received from Kimball and Roberts, external auditors and approved by the Monroe City Council who ultimately is responsible for the overall design and implementation of organizational controls. Over time it is expected this policy will be adjusted for changes in systems and organizational structure at which time the Treasurer Jacee Barney will propose changes to the Monroe City Council for review and approval.

Cash Receipts at Separate Individual Locations

1. All funds received are entered into the accounting system at the time of the transaction or if the transaction occurs at a location without access to the accounting system the funds will be logged into a pre-numbered receipt book with enough detail to determine where/who the funds came from, the purpose for receiving the funds, the method of payment; cash, check, credit card etc., and designate the appropriate account. Manual receipts should have duplicate copies; Customer copy, and a Treasurer copy.
2. At the end of each day the person responsible for receiving cash will place cash, checks and credit card receipts in a deposit bag and either deliver it to the Treasurer's office or place it in a secure (locked) place for deposit on the next business day.
3. Void/adjusted transactions. If a transaction needs to be voided or adjusted it should be done by someone who does not receive cash. If an office doesn't have enough employees to have adjustments made by a supervisor that doesn't receive cash, two employees will sign off on the adjustment or voided transaction explaining the circumstances causing the adjustment. If the location is using a manual receipt book all copies of the receipt should be present for any voided receipt. The system should be designed to generate a report of all adjusted/voided transactions to facilitate monitoring of this process.
4. Every effort should be made to ensure large quantities of cash are not on hand at any location overnight. If a location has a large transaction or series of transactions leaving cash on hand over \$1000.00 the deposit should be made in the same day.
5. The Treasurer's office enters the deposit into the accounting system, and takes funds to the bank.
6. Mail will be opened, when possible, in the presence of two or more employees and any correspondence containing payments will be removed and processed prior to distributing mail to individual persons or departments.

Adaptation to individual organizations

The policies and procedures mentioned above are basic and will need to be adapted to the individual needs of entities in varying sizes and locations. What follows are a series of individual considerations that may require adaptation to the policy or processes.

1. Small organizations - If there are not enough employees to segregate duties compensating controls should be considered such as: having a member of the city council review transactions and trace them back to the source documents.
2. Entities may choose to modify deposit procedures to allow a department to make their own deposit into a bank account. In such cases the Treasurer should have access to the account and monitor the activity to ensure proper recording of transactions including adjustments, credits, and withdrawals from the account.

MONROE CITY

By _____

Johnny C. Parsons, Mayor

ATTEST:

Allison H. Leavitt, City Recorder



MONROE CITY

Conflict of Interest Policy

Overview

Monroe City officers individually commit themselves in their official capacity to ethical, businesslike, and lawful conduct, including appropriate use of their authority and decorum at all times. Officers must avoid even the appearance of impropriety to ensure and maintain public confidence in the municipality. Officers owe a fiduciary duty to the municipality and must not act in a manner that is contrary to that duty or to the interests of the municipality. Officers must place the interests of the municipality over their own personal interests with respect to the governance, policy, strategic direction and operations of the municipality.

Policy

It is the intent of the Monroe City Council to meet and exceed those protections against conflicts of interest contained in State law. Under this policy, a conflict of interest arises when an officer has a personal interest in a matter that is or may be in conflict with or contrary to the municipality's interests and objectives to such an extent that the officer is or may not be able to exercise independent and objective judgment within the context of the best interest of the municipality. For the purposes of this policy, an officer's "personal interest" includes those of his or her relatives, business associates or other persons or organizations with whom he or she is closely associated.

1. The following provisions shall serve as a guide to officers with respect to the affairs of the municipality:
 - a. Municipality officers shall not receive, accept, take or solicit, directly or indirectly, anything of economic value as a gift, gratuity, or favor from a person or entity if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment, or be considered as part of a reward for action or inaction. Officers are required to submit a report to the Monroe City Council and the municipality's Internal Auditor of the actual or estimated value of any gifts or casual entertainment received as an officer that exceeds \$50.00.
 - b. The complete confidentiality of proprietary business information must be respected at all times. Officers are prohibited from knowingly disclosing such information, or in any way using such information for personal gain or advancement, or to the detriment of the municipality, or to individually conduct negotiations or make contacts or inquiries on behalf of the municipality unless officially designated by the Monroe City Council.
 - c. Officers are prohibited from acquiring or having a financial interest in any property that the municipality acquires, or a direct or indirect financial interest in a supplier, contractor, consultant, or other entity with which the

municipality does business. This does not prohibit the ownership of securities in any publicly owned company except where such ownership places the officer in a position to materially influence or affect the business relationship between the municipality and such publicly owned company. Any other interest in or relationship with an outside organization or individual having business dealings with the municipality is prohibited if this interest or relationship might tend to impair the ability of the officer(s) to be independent and objective in his or her service to the municipality.

- d. If members of the immediate family of an officer have a financial interest as specified above, such interest shall be fully disclosed to the Monroe City Council which shall decide if such interest should prevent the municipality from entering into a particular transaction, purchase, or engagement of services. The term "immediate family" means officer's spouse, parent, dependent children, and other dependent relatives.
- e. When a conflict of interest exists, the officer shall publicly declare the nature of the conflict and may recuse him or herself on any official action involving the conflict.
- f. Officers may not realize, seek, or acquire a personal interest in a business that does business with the municipality.
- g. Officers shall complete a Conflict of Interest Disclosure Form annually by the end of January. This Form shall be signed and notarized. Completed Forms shall be submitted to the City Recorder and made available to the public upon request.
- h. The City Recorder shall provide copies of all completed Forms to the Monroe City Mayor at the end of January each year.
- i. The Monroe City Mayor shall review all completed forms and consider the disclosures. The Monroe City Mayor should make changes to assignments, duties, or contracts deemed appropriate to eliminate or mitigate conflicts of interest within the municipality.

MONROE CITY

By _____

Johnny C. Parsons, Mayor

ATTEST:

Allison H. Leavitt, City Recorder



MONROE CITY

Ethical Behavior Policy

Employee Code of Ethics

Prohibited Conduct

No current employee or officer, as specified, shall:

1. Disqualification from Acting on Monroe City Business.
 - a. Engage in any transaction or activity, which is, or would to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties, or which impairs, or would to a reasonable person appear to impair, the employee's independence of judgment or action in the performance of official duties and fail to disqualify him or herself from official action in those instances where conflict occurs;
 - b. Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any matter upon which the employee is required to act in the discharge of his or her official duties, and fail to disqualify him or herself from acting or participating;
 - c. Fail to disqualify him or herself from acting on any transaction which involves Monroe City and any person who is, or at any time within the preceding twelve (12) month period has been a private client of his or hers, or of his or her firm or partnership;
 - d. Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any contract or transaction to which Monroe City or any municipal agency may be a party, and fails to disclose such interest to the appropriate authority prior to the formation of the contract or the time Monroe City or Municipal agency enters into the transaction; provided, that this paragraph shall not apply to any contract awarded through the public bid process in accordance with applicable law.
2. Improper Use of Official Position.
 - a. Use his or her official position for a purpose that is, or would to a reasonable person appear to be primarily for the private benefit of the employee, rather than primarily for the benefit of Monroe City; or to achieve a private gain or an exemption from duty or responsibility for the employee or any other person;
 - b. Use or permit the use of any person, funds, or property under his or her official control, direction, or custody, or of any municipal funds or property, for a purpose which is, or to a reasonable person would appear to be, for something other than a legitimate purpose.
 - c. Except in the course of official duties, assist any person in any transaction where the employee's assistance is, or to a reasonable person would appear to be, enhanced by that employee's position with the municipality; provided that this subsection shall not apply to: any employee appearing on his or her own behalf or representing himself or herself as to any

matter in which he or she has a proprietary interest, if not otherwise prohibited by ordinance;

- d. Regardless of prior disclosure thereof, have a financial interest, direct or indirect, personally or through a member of his or her immediate family, in a business entity doing or seeking to do business with Monroe City, and influence or attempt to influence the selection of, or the conduct of business with that business or entity.
3. Accept Gifts or Loans.
 - a. Ask for or receive, directly or indirectly, any compensation, gift, gratuity, or thing of value, or promise thereof, for performing or for omitting or deferring the performance of any official duty; except that the following shall be allowed:
 - i. Unsolicited flowers, plants, and floral arrangements;
 - ii. Unsolicited advertising or promotional items of nominal value, such as pens and notepads;
 - iii. Unsolicited token or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
 - iv. Unsolicited food items given to a department when the contents are shared among employees and the public;
 - v. Unsolicited items received for the purpose of evaluation or review provided the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the municipality;
 - vi. Information material, publications, or subscriptions related to the recipient's performance of official duties;
 - vii. Food and beverages consumed at hosted receptions where attendance is related to official duties;
 - viii. Meals, beverages, and lodging associated with retreats or other meetings where the official serves as a representative, designee or is otherwise assigned to another organization or entity from the City;
 - ix. Travel costs, lodging, and tuition costs associated with Monroe City sanctioned training or education when not provided by a private entity under contract with the City;
 - x. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization and other officials or employees of similar agencies are in attendance;
 - xi. Unsolicited gifts from dignitaries from another entity or other jurisdiction that are intended to be personal in nature;
 - xii. Campaign contributions; and
 - xiii. Unsolicited gifts with an aggregate economic value of \$50.00 or less from a single source in a calendar year received either directly or indirectly by the official or employee.

4. Disclose Privileged Information.

Disclose or use any privileged or proprietary information gained by reason of his or her official position for the immediate or anticipated personal gain or benefit of the employee or any other person or entity; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.

5. Financial or Beneficial Interest in Transactions.

Regardless of prior disclosure an employee or officer may not participate in or benefit from (personally or through his or her family) a contract or agreement where that employee or officer acted as an agent of Monroe City. This includes receiving compensation, gratuity, or other benefit from an interested party of an agreement or contract with Monroe City.

6. Nepotism.

- a. Violate *Utah Code* § 52-3, which prohibits employment of relatives, with few exceptions.

7. Misuse of Public Resources or Property.

- a. Violate *Utah Code* § 76-8-4, which delineates the unlawful use of public funds and destruction of property, including records.

8. Outside Employment.

- a. Retain secondary employment outside of Monroe City employment, which, as determined by Monroe City Council, and according to Utah Administrative Code R477-9-2:
 - i. Interferes with an employee's performance.
 - ii. Conflicts with the interests of Monroe City or the State of Utah.
 - iii. Gives reason for criticism or suspicion of conflicting interests or duties.

9. Political Activity.

- a. Except as otherwise provided by law:
 - i. The partisan political activity, political opinion, or political affiliation of an applicant for a position with Monroe City may not provide a basis for denying employment to the applicant.
 - ii. A Monroe City officer's or employee's partisan political activity, political opinion, or political affiliation may not provide the basis for the officer or employee's employment, promotion, disciplinary action, demotion, or dismissal.
 - iii. A Monroe City employee may not engage in political campaigning or solicit political contributions during hours of employment.
 - iv. A Monroe City officer or employee may not use municipality equipment while engaged in campaigning or other political activity.
 - v. A Monroe City officer or employee may not directly or indirectly coerce, command, or advise another municipality officer or employee to pay, lend, or contribute part of the officer's or employee's salary or compensation, or anything else of value to a political party, committee, organization, agency, or person for political purposes.
 - vi. A Monroe City officer or employee may not attempt to make another officer or employee's employment status dependent on the officers or employee's support or lack of support of a political party, affiliation, opinion, committee, organization, agency, or person engaged in political activity.
- b. A Monroe City employee who has filed a declaration of candidacy may:
 - i. be given a leave of absence for the period between the primary election and the general election; and

- ii. Use any vacation or other leave available to engage in campaign activities.
 - c. Neither the filing of a declaration of candidacy nor a leave of absence under this section may be used as the basis for an adverse employment action, including discipline and termination, against the employee.
 - d. Nothing in this chapter shall be construed to:
 - i. prohibit a Monroe City officer or employee's voluntary contribution to a party or candidate of the officer or employee's choice; or
 - ii. Permit a Monroe City officer or employee partisan political activity that is prohibited under federal law.
 - e. No Monroe City officer or employee shall solicit or participate in soliciting any assessment, subscription, or contribution to any political party during working hours on the premises of any Monroe City property.
 - f. No Monroe City officer or employee shall promise any appointment to any position with Monroe City as a reward for any political activity.
 - g. A Monroe City employee who is elected to an office with Monroe City shall terminate municipality employment prior to being sworn into the elected office.
10. Fair and Equal Treatment.
- a. No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any appointive public office because of such person's race, color, age, religion, sex, national origin, or functional limitation as defined by applicable state or federal laws, if otherwise qualified for the position or office.
 - b. No Monroe City officer or employee shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.
11. Prohibited Conduct After Leaving Monroe City:
- a. No former employee shall, during the period of one (1) year after leaving Monroe City office or employment:
 - i. Disclose or use any privileged or proprietary information gained by reason of his/her municipality employment for his/her gain or anticipated gain, or for the gain or anticipated gain of any person, unless the information is a matter of public knowledge or is available to the public on request;
 - ii. Assist any person in proceedings involving an agency of Monroe City with which he/she was previously employed, involving a matter in which he or she was officially involved, participated, or acted in the course of duty;
 - iii. Represent any person as an advocate in any matter in which the former employee was officially involved while a Monroe City employee;
 - iv. Participate as a competitor in any competitive selection process for a municipality contract in which he or she assisted the municipality in determining the project or work to be done or the process to be used.

MONROE CITY

By _____

Johnny C. Parsons, Mayor

ATTEST:

Allison H. Leavitt, City Recorder



MONROE CITY

Ethical Behavior Pledge Form

Annual Ethics Pledge

The following pledge is required to be made annually by all officers and employees of Monroe City:

I, _____ am the duly
_____ of Monroe City.

I pledge to adhere to the code of ethics as approved by the City Council. These topics include, but are not limited to: improper use of official position, accepting gifts or loans, disclosing privileged information, retaining a financial or beneficial interest in a transaction, nepotism, misuse of public resources or property, outside employment, political activity, fair and equal treatment, and conduct after leaving office or employment. Additionally, I pledge to disclose all conflicts of interest on the conflict of interest disclosure form. I understand that state statute provide for penalties for violation of specific unethical behavior. Signing this document verifies that I have been provided time to read applicable statutes and ordinances, as well as the Monroe City code of ethics.

DATED THIS _____ DAY OF _____ 2020

By: _____

Title/Office: _____



MONROE CITY

Credit Card Policy

Credit Card Procedures

By requesting a Monroe City Credit Card, each applicant acknowledges that they have read and understand the Policy and Procedures, in their entirety. These procedures provide information about the process, the types of purchases that can and cannot be made, records that must be maintained and reconciled monthly and miscellaneous information about the program.

1. To Obtain a Card:

Complete a Monroe City Credit Card Acceptance Agreement (Appendix A). All requests will be processed through the City Recorder with final approval by the Monroe City Council. The cardholder's signature on the Acceptance Agreement (Appendix A) indicates that the cardholder understands the intent of the program and agrees to adhere to the guidelines established for Credit Card Policy and Procedures.

Upon receipt of an approved credit card, it is the responsibility of the cardholder to sign the back of the issued card. Applicants are responsible for the security of the card issued and the transactions made with the card. The credit card is issued in the name of the applicant and it will be assumed that any purchases made with the card will have been made by the applicant. The cardholder is the only person entitled to use the card issued. Failure to comply with the guidelines established for the program may result in severe consequences, up to and including termination of employment.

2. Card Holder Responsibilities:

It is the responsibility of the cardholder to:

- a. Read and understand the Monroe City's Credit Card Policies and Procedures
- b. Sign the Credit Card Acceptance Agreement. (See Appendix A)
- c. Make only authorized purchases as prescribed by the Purchasing Policy and approved departmental budget
- d. Retain receipts for all transactions. In the absence of a receipt, a Missing Receipt Form must be completed and signed by the cardholder and a Member of the Monroe City Council. (See Appendix B)
- e. Keep the credit card and the corresponding account information secure. Immediately report any lost or stolen credit card and/or account information to the City Recorder or City Treasurer.
- f. Report fraudulent charges or any discrepancies in the credit card statement in a timely manner to the City Recorder or City Treasurer

- g. Failure to follow the policy may result in loss of card privileges, repayment of funds, suspension or termination.

3. City Recorder Responsibilities

It is the responsibility of the City Recorder to:

- a. Request and oversee the issuance of new cards, through the City Records office, and the Monroe City Council. The credit limit will be determined at the discretion of the Monroe City Council.
- b. Inform the Monroe City Council when limit changes or cancellations are needed due to personnel changes
- c. Payment on Credit Cards is to be done immediately upon receipt
- d. Credit Card reconciliations are to be completed within 15 days of payment due date
- e. Review the cardholder's transactions for compliance with Monroe City policies and procedures
- f. Address the cardholder about questionable transactions for clarification purposes
- g. Report any misuses of credit cards immediately to the Monroe City Council.
- h. Sign the warrant register form for each card receipts.

4. Approved Credit Card Purchases:

- a. Business related uses, subscriptions, seminars, dues, books
- b. Office supplies, furniture
- c. Small tools, electrical, safety and building maintenance supplies
- d. Vehicle maintenance supplies
- e. Certain allowable travel expenditures:
 - i. Conference registrations or seminar rooms
 - ii. Entity sponsored group gatherings
 - iii. Hotel room

5. Prohibited Credit Card Purchases:

The following purchases are strictly prohibited from being purchased using a Monroe City credit card:

- a. Any merchant, product, or service normally considered to be inappropriate use of Entity funds
- b. Purchase of items for personal use or consumption
- c. Purchasing in violation of the Purchasing Policy
- d. Capital equipment purchases/repair
- e. Alcohol
- f. Splitting a purchase to remain under purchasing policy limits
- g. Consultants:
 - i. Architects
 - ii. Engineers
 - iii. Attorneys and Attorney's fees
 - iv. Medical, including hospital/doctor visits

6. Built-In Restrictions:

Each card is assigned Monthly and Single-Purchase credit limits. If you find over time that these limits are too low to accommodate your monthly requirements, please contact a member of the Monroe City Council to review the limit given. Monroe City has the ability to block, if necessary, certain supplier's. If the municipality chooses to block a Merchant the card will be declined. Please refer to the City Recorder regarding issues with a possible blocked card.

7. Reconciliation and Payment:

The municipality Credit Card Program carries municipality, not individual, liability. Credit Card Invoices will be paid by the City Recorder as outlined in Section 3. The cardholder will not be required to pay the Monthly Statement using personal funds. The program does not impact the cardholder's personal credit rating in any way.

The cardholder is required to obtain and retain all receipts for goods and services purchased when using the credit card. If purchases are made via phone, mail, e-mail or other electronic means, ask the supplier to include and 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 against the purchase.

8. Disputed Transactions:

Disputes on credit cards must be identified in writing to the issuing credit card company within 60 days of the monthly statement date. If a dispute is not identified in writing within 60 days of the Monthly Statement date the issue must then be resolved between the municipality and the supplier.

The cardholder is responsible to identify possible disputed or fraudulent transactions on the monthly statement provided to them for reconciliation. If an audit is conducted on the cardholder's account, the cardholder must be able to produce receipts and/or proof that the transaction occurred. If an error is discovered, the cardholder is responsible for showing that the error or dispute resolution process was completed.

It is the cardholder's responsibility to immediately notify the City Recorder if there is a possible dispute on an issued credit card.

9. Employee Termination:

Upon notice of a cardholder terminating their current employment, the cardholder's supervisor is responsible to take possession of the card and any outstanding original receipts. The supervisor should immediately notify the City Recorder so they can notify the card issuer and close the account.

MONROE CITY

By _____

Johnny C. Parsons, Mayor

ATTEST:

Allison H. Leavitt, City Recorder

Appendix A

CREDIT CARD HOLDER ACCEPTANCE AGREEMENT

The following Credit Card Acceptance Agreement must be signed by all Monroe City employees with access to a credit card.

I understand that Monroe City has authorized my use of a credit card for authorized expenditures on its behalf. In accepting and/or using the card, I agree to be bound by the terms and conditions which follow.

1. I will use the card issued to me for the payment of authorized expenses consistent with my organizational responsibilities and to satisfy the needs of my department and Monroe City.
2. I will not use the card to obtain cash advances
3. I understand that I am the only authorized card user and accept the responsibility and accountability for the protection and proper use of the card
4. I will not use the card for personal use or for any other non-Entity purposes
5. I understand that all purchases shall be made in accordance with applicable purchasing and credit card policies and procedures approved by the Monroe City Council.
6. I understand that I am responsible to provide appropriate documentation/receipts for credit card transactions charged to my assigned card
7. I will surrender my assigned card to the City Recorder in the event of my separation from Monroe City.
8. I understand that any charges against my assigned card that are not properly identified or not allowed by Monroe City shall be paid by me by check, United States currency or salary deduction. I further understand that any employee who has been issued a card shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the City Recorder or member of Monroe City Council.
9. I will immediately report any stolen or lost card to the City Recorder.

I understand that any variance and/or violation of the above conditions will result in cancellation of my assigned credit card. Misuse of the card could result in disciplinary action and/or personal liability for unapproved charges. All Entity credit cards are subject to examination by external and internal auditors.

I HAVE READ AND I UNDERSTAND THE ABOVE CONDITIONS.

Name: _____ Department: _____

Signature: _____ Credit Card #: _____