

**ADOPTED MINUTES
SPANISH FORK CITY COUNCIL MEETING MINUTES
MARCH 4, 1992**

The meeting was called to order at 7 pm by Mayor Marie W. Huff. The pledge of allegiance was lead by a local boy scout.

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Jerald M. Chapple, Kim H. Peterson, Sheldon W. Gordon, Rex Woodhouse, and Clyde A. Swenson.

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Finance Director/Recorder; Richard J. Heap, City Engineer/Public Works Director; Dee Rosenbaum, Chief of Police/Public Safety Director; Junior Baker, City Attorney; and Mary-Clare Maslyn, Administrative Assistant.

Citizens Present: Heather Peterson, Joe Oldham, Kurt Griffiths, Micah Nomiya, Danny Oldham, John Oldham, Ammon Childs, Ron Childs, Ben Garon, Garrett Hurst, Brandon Wilkinson, Don A. Oldham, Burke B. Mills, Nic Pintar, Afton Pintar, Scott Oyler, and Bruce Hall.

Minute Passage

Councilmember Chapple made a **motion** to accept the minutes of the February 19, 1992, City Council Meeting minutes, along with the presented warrants. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

Personnel Policy Manual §1-13-2

City Manager Oyler reviewed personnel manual §1-13-2. Councilmember Gordon made a **motion** to amend Personnel Policy Manual §1-13-2 as presented. The **second** was made by Councilmember Woodhouse and the motion **passed** with a unanimous vote. The section is as follows:

Section 1-13-2 Travel Reimbursement

A. All travel expenses shall be recorded on the Travel Request form and submitted for approval to the Department Head and City Manager. A copy of the Travel Request Form shall be sent to the Accounting Clerk for payment.

B. Travel expenditures will be reimbursed as follows.

1. Meals - Paid at the prevailing federal per diem rate (M&IE).
2. Lodging - Actual costs verified in the form of expense receipts.

C. Mileage Reimbursement.

1. Employee travel on city business in a personal vehicle must be authorized, in advance, by that employee's department or division head in order to be eligible for mileage reimbursement.

2. Authorized travel by private vehicle will be reimbursed at the prevailing IRS rate.

D. Vehicle Allowance.

1. Employees shall possess a valid Utah Drivers License. As a condition of participation in this program an employee shall carry a \$300,000 excess liability automobile insurance policy on the vehicle(s) to be driven on city business. Proof of insurance may be requested by the city at least annually.

2. Personal vehicles driven on city business by employees receiving a vehicle allowance should provide a positive and professional image of the city and the employee. Personal vehicles used by employees receiving a vehicle allowance must be approved by the city manager. Vehicles should be maintained in good condition and should be washed regularly.

3. Damage to vehicles should be repaired on a timely basis.

4. Employees should report any change of the vehicle(s) which they used for city business to the department head. The department head should notify the City Manager regarding changes to these vehicles.

5. Employees receiving a vehicle allowance may not receive further reimbursement for city business travel within a fifty (50) mile radius of Spanish Fork City. For city business travel outside the fifty (50) mile radius, employees receiving a vehicle allowance may receive additional reimbursement at the prevailing IRS rate for each mile over 100 miles per trip (as determined by the City Manager).

6. Employees should keep a daily log of miles traveled on city business in their personal vehicle. Department Heads shall be responsible for periodically auditing mileage of department employees who receive the vehicle allowance.

7. Failure to comply with these policies and procedures may result in loss of the vehicle allowance and/or reimbursement of costs to the city.

8. Employees receiving a vehicle allowance shall be compensated at a rate of \$375 per month.

Personnel Policy Manual §1-1-4

City Manager Oyler reviewed §1-1-4 of the personnel manual. Councilmember Gordon made a **motion** to amend §1-1-4 of the Personnel Policy Manual as presented. The **second** was made by Councilmember Swenson, and the motion **passed** with a unanimous vote. The section is as follows:

Section 1-1-4 Definition of Terms

A. All terms, phrases and words as used in these policies and procedures shall have the meanings as defined in this section or as defined by common usage.

Applicant. One who appears in person, at the city office building or place designated, and is received by a representative of the city, or one who mails required documents to the city office. This individual must have completed a city employment application form that designates preference for a particular job, or must have submitted a resume' that contains pertinent required data. The person must meet minimum legal requirements for the job being sought when such requirements are defined by law or government regulation.

Appointing Authority. An official or group of officials having the authority legally to make appointment to positions in the city.

Class. A group of positions sufficiently similar with respect to their duties and responsibilities that the same title may reasonably and fairly be used to designate each position allocated to the class, that substantially the same minimum qualifications may be required, and that the same schedule of compensation may be made to apply with equity.

Classified Employee. All full-time employees not specifically placed in the exempt status of the city.

Demotion. Movement of an employee from a position having a higher maximum salary rate, excluding general salary adjustments.

Employee. A person legally holding a position, under any appointment or contract to hire, in the public service of the city.

Exempt Employee.

1. All elected officials, members of boards and commissions;
2. The city manager, finance director/city recorder, public works director/city engineer, golf professional, public safety director/chief of police, city attorney; and city recreation director.
3. Volunteers, and other individuals appointed to serve without pay;
4. Consultants and counsel rendering temporary professional service;
5. Part-time/Seasonal

Full-time Employee. An employee who has been lawfully retained in his/her position after successful completion of ~~the~~ a probationary period, providing such position shall have been approved by the city council.

Governing Body. The mayor and the city council of the City of Spanish Fork.

Grievance. A grievance is a dispute regarding the interpretation or application of any rule, regulation, policy, or procedure which exists under the personnel system of the Spanish Fork City Corporation, filed by any employee, alleging a violation of the terms, provisions, and/or conditions of his/her employment, except for issues dealing with wages, salaries, benefits, or other financially remunerative matters.

Handicap. One who 1) has a physical or mental disability that, for such individual, constitutes or results in a substantial handicap to employment and (2) can reasonably be expected to benefit in terms of employability from vocational rehabilitation services. Also, one who is handicapped means one who (1) has a physical or mental impairment that substantially limits one or more of one's major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment. A handicapped individual is substantially limited if he/she is likely to experience difficulty in securing, retaining, or advancing in employment because of a handicap. Utah Code § 34-35-2.

Management. Management includes all supervisory personnel of Spanish Fork City.

Non-Grievance. A non-grievance is any matter or action taken by the city or any of its representatives for which relief is provided under the statutes of the State of Utah, or any matter specifically excluded from this set of procedures by provisions included herein, such as wages and salaries, or any policy decisions made by the city council.

Part-Time/Seasonal Employee: A part-time/seasonal employee shall be one who works no more than 1560 hours within a calendar year.

Performance Evaluation: Performance evaluations will be conducted annually on employee anniversary dates, and more often as requested by the city manager or city council. The evaluation will be given by the supervisor of the individual, or by a designate named by the supervisor. Each employee will be reviewed in an objective and equitable manner.

Personnel Committee or Committee. The four (4) member committee, composed of the mayor, two city council members and the city manager.

Position Description. A written description of a position, consisting of a title, a definition, examples of duties, and minimum qualifications as approved by the city council.

Premium: Compensation, whether through time or money, made by the city to an employee for work as outlined in §1-12-12.

Promotion. Movement of an employee from one class or position to another class or position having a higher salary range, and a greater degree of responsibility and difficulty.

Termination Appeals Board or Board. The five (5) member board, shall consist of five members, three of whom shall be chosen by and from the appointive officers and employees, and two of whom shall be members of the governing body. Utah Code §10-3-1106.

Transfer. Movement of an employee from a related class or a related position with the same salary range, or the movement of an employee with his/her current position to another physical location within the city.

Main Street Beautification Project

Mr. Oyler reviewed the city's involvement with the Valley Bank, Chamber of Commerce, and City downtown beautification project. It was mentioned that the public relations aspect of the program

was done very well. The first objective of the program is to improve the outside appearance of the buildings; the second objective is to improve the inside of the buildings.

Boundary Line Agreement - Stan Cammack

Mr. Heap reviewed the proposal for the Mayor to sign the boundary line agreement with an existing fence line between the properties of the city and Stan Cammack. A **motion** was made by Councilmember Swenson to authorize the Mayor to sign the agreement between the city and Stan Cammack. The **second** was made by Councilmember Woodhouse. The motion **passed** with a unanimous vote.

Malcomb Springs Bids

Mr. Heap turned the time to Mr. Bruce Hall for bids. Councilmember Woodhouse made a **motion** to accept the bid from HadCo. for the pumphouse in the amount of **\$173,616.25**. The **second** was made by Councilmember Chapple and the motion **passed** with a unanimous vote. Other bids from Engineers Estimate: \$179,345.00; Gerber Construction: \$179,435; RB Construction: \$200,375.00; Counterpoint Construction: \$209,685.00; Central Ind Construction: \$235,370.00; and K&P Plumbing: \$239,455.00.

Councilmember Swenson made a **motion** to accept the bid from Davis Waterworks Equipment Company for the valves in the amount of **\$21,716.00**. The **second** was made by Councilmember Woodhouse and the motion **passed** with a unanimous vote. Other bids: Mountainland Supply: \$22,335.23; and Nickerson: \$24,280.00.

Councilmember Woodhouse made a **motion** to accept the bid from Nickerson. for the pumps in the amount of **\$27,376.00**. The **second** was made by Councilmember Gordon and the motion passed with a unanimous vote. Other bids: Utah Pump and Motor Supply: \$29,586.00.

Tractor Mower Bid

Finance Director Clark reviewed the bids for the tractor mower for recreation department. Due to interchangeable parts and equipment and meeting specs, Councilmember Chapple made a **motion** to accept the bid from Rocky Mountain Turf for the amount of **\$36,995.00**. The **second** was made by Councilmember Peterson, and the motion **passed** with a unanimous vote. Other bids: Highland Equipment (Ransomes): \$33,887; and Turf Equipment (Toro Parkmaster): \$38,054.00.

Adjournment to Executive Session

Councilmember Peterson made a **motion** to adjourn the regular city council meeting and to go into executive session at 7:40 pm to discuss acquisition of property. The **second** was made by Councilmember Woodhouse, and the motion **passed** with a unanimous vote.

EXECUTIVE SESSION

Elected Officials Present: Mayor Marie W. Huff, and Councilmembers Jerald M. Chapple, Kim H. Peterson, Sheldon W. Gordon, Rex Woodhouse, and Clyde A. Swenson.

Staff Members Present: David A. Oyler, City Manager; Kent R. Clark, Finance Director/Recorder; Richard J. Heap, City Engineer/Public Works Director; and Junior Baker, City Attorney.

Item Discussed: Acquisition of Property