



**Tremont City Corporation
City Council Meeting
August 2, 2016
Meeting to be held at
102 South Tremont Street
Tremont, Utah**

AGENDA

**CITY COUNCIL WORKSHOP
6:00 p.m.**

1. Review of agenda items on the 7:00 p.m. City Council Meeting
2. **CLOSED SESSIONS:**
 - a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms*

**CITY COUNCIL MEETING
7:00 p.m.**

1. Opening Ceremony
2. Introduction of guests
3. Approval of agenda
4. Approval of minutes – July 19, 2016
5. Employee Years of Service Award
 - a. Steve Bench, Building Official- 20 Years
6. Public comments: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.
7. Council Business:
 - a. Discussion and consideration of adopting Ordinance No. 16-15 approving amendments to the Land Use Code, Title 1, Chapter 1.26 Site Plan Permit associated with building orientation and screening mechanical equipment
 - b. Discussion and consideration of approving Resolution No. 16-41 amending, deleting, and adding the following sections of the Tremont City Employee Policies and Procedures: Section III: Employee Hiring; Section VI: Employee Code of Conduct; Section VII: Disciplinary Action; Section VIII: Grievance Procedures/Process; Section X: Record Keeping; Section XI: Performance Evaluations; Section XII:

Employment Terms; Section XIII: Compensation Planning; Section XIV: Payroll Administration; Section XV: Reimbursable Expenses; Section XVI: Benefits; Section XVII: Family and Medical Leave Act; Section XVIII: Leaves of Absence; Section XIX: General Safety

- c. Discussion and consideration of adopting Resolution No. 16-42 approving the Essential Support Function for Transportation and Communication for the Tremonton City Corporation 2016 Emergency Operations Plan
 - d. Discussion and consideration of adopting Resolution No. 16-43 conducting a biennially review of its moderate income housing plan and implementation and preparing a report setting forth the findings of its review in compliance with Utah Code 10-9a-408
 - e. Discussion of a tiered water rate for Tremonton City and possible preliminary water rate structures as calculated by the Public Works Director
 - f. Discussion and consideration of the demolition of the pie shack at North Park Park
8. Reports & Comments:
- a. City Manager Reports and Comments
 1. Memorandum of Understanding between Utah Department of Technology Services, Automated Geographic Reference Center and Tremonton City for the acquisition of high resolution LiDAR data based upon the City Council's previous authorization granted by approval of adoption of Resolution 15-42
 - b. City Department Head Reports and Comments
 - c. Council Reports and Comments
9. Adjournment

Anchor location for Electronic Meeting by Telephone Device. With the adoption of Ordinance No. 13-04, the Council may participate per Electronic Meeting Rules. Please make arrangements in advance.

Persons with disabilities needing special assistance to participate in this meeting should contact Linsey Nessen no later than 48 hours prior to the meeting.

Notice was posted, July 29, 2016 a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was delivered to The Leader (Newspaper) on, July 29, 2016.

Cynthia Nelson, DEPUTY RECORDER

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TREMONTON CITY CORPORATION CITY COUNCIL MEETING July 19, 2016

Members Present:

Diana Doutre
Lyle Holmgren
Jeff Reese - excused
Bret Rohde
Lyle Vance
Roger Fridal, Mayor
Shawn Warnke, City Manager
Linsey Nessen, Acting City Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the July 19, 2016 City Council Workshop to order at 6:06 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Rohde, and Vance, City Manager Shawn Warnke, and Acting City Recorder Linsey Nessen. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Councilmember Reese was excused.

1. Review of agenda items on the 7:00 p.m. Council Meeting:

Mayor Fridal welcomed Jessica Tanner from The Leader and thanked her for coming.

The Council reviewed the July 19, 2016 Agenda with the following items being discussed in more detail:

Res. No. 16-37 Land Acquisition. Manager Warnke said the City is using \$150K of programmed CMAQ (Congestion, Mitigation, and Air Quality) funding for construction of a right turn lane by Archibald Properties LLC at the intersection of Iowa String and Main Street. The City will petition Box Elder County for Corridor Preservation Funds to fund the purchase of the land from Archibald Properties LLC. The City is petitioning the County for acquiring the whole right of way but phase in the construction of a dedicated right turn lane. The first phase of construction of the dedicated turn lane will be 115 feet to the edge of an existing shed. Archibald Properties LLC will continue to use the shed until the next phase of construction. If Box Elder County requires rent for use of the shed, the funds would go to the Corridor Preservation Fund.

The corner of Iowa String and Main Street has a ditch and head gate that would need to be reconstructed. The land acquisition would go from the intersection down across from Members First Credit Union for a total of 2,600 square feet. The environmental

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clearance must be complete to determine if there are any underground tanks on the property that the City is looking to acquire. The City will get an appraisal, get the environmental work complete, and do survey work to subdivide the property. The City can opt out of the Agreement with the Archibalds if funding does not come through or the land is found unsuitable for a turn lane. The State records show there were tanks located on the property in the early 1900’s.

The second phase of construction will come based on traffic volumes and demand for a longer right turn lane. The State likes this improvement as a CMAQ project as it will keep traffic moving and reduce air pollution with idling. The project will include curb and gutter and rectify drainage issues. The build out will include a sidewalk.

Res. No. 16-38 – Easement with Rocky Mountain Power. The City has been acquiring property for a trail system that will go through the City. This resolution will allow the City to acquire an easement from Rocky Mountain Power (RMP). Rocky Mountain Power requires there be no interruptions with their facilities. The trail must be built within five (5) years. The original timeframe was one (1) year but at the City’s request RMP has extended the timeframe to five (5) years.. The cost of the easement is anticipated to be \$5K which equates to \$7,500 per acre. The City must submit construction plans to Rocky Mountain Power for approval.

The City does not exact recreation improvements through the subdivision process but it does through Impact Fees. The trail corridor is being purchased through Impact Fees.

Res. No. 16-36 Country Lane Subdivision Agreement. The special conditions of this development agreement include a fee in lieu for chip seal and \$3,000 for street lights. The City will participate in some off-site improvements in conjunction with the development. The City will put in a sidewalk on the south and north to tie it together. There is an existing waterway that will be removed and piped under the street to clean up the intersection. The City will pay for 80% of the waterway because it is mainly a City issue and the developer will pay 20%. There is no infrastructure for secondary water at this location.

Res. No. 16-39 and 16-40 - City Days activities. Town and Country Shows will have carnival rides during City Days and Luvn2Jump will have inflatables. The City requires the businesses to provide a certificate of liability with the City listed as an additional insured.

Transportation Corridor Preservation Fund. City Engineer Breinholt put together a request for proposal. Part of the scope of work may not be eligible for funding by the Corridor Preservation Fund as the revenue source is derived from the motor vehicle tax. As such the funds are restricted to vehicle type improvements. The bicycle and pedestrian parts may need to be removed or paid with City funds. A traffic engineer will

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evaluate alignments, corridors, find traffic volumes, and create models to verify appropriate corridor widths, etc.

Tiered water rates. The City currently has a one tier rate with a base rate of \$13.70 for 12,800 gallons. Anything above that is billed at \$1.13 for each 1,000 gallon units. An average for summer water usage is 40-60K gallons per month.

If there is a larger revenue stream, the City will build water tanks and water source development (culinary or secondary). Extra revenue could be used for additional secondary water.

City rates needs to be adjusted. They have not increased in 13-14 years. Equipment, material, and power costs have gone up. A tiered rate may not have a big increase in the winter but would go up during summer usage based on the amount of water used. Water usage at City property has been decreased. There is a park strip from Sinclair to Fridal Heights that could be changed to xeriscape or rock to preserve water. The City is committed to water conservation. The cemetery uses water from the underdrain system. If that water is not used, it goes to the Malad River.

The Water Fund has struggled and needs additional revenue. Some cities use a two tier for winter and a four tier in the summer and others use secondary water that belongs to another entity. There are many options.

The City may want to consider a different calculation for industries based on outdoor water usage. Some industries use the majority for production and FDA (Food and Drug Administration) regulations and very little for outdoor water.

The idea of a conservation rate is to make people think about water usage and conserve water. Based on past Capital Facilities Plan, the City will need to have additional water sources by 2018. The goal was to get more wells but it hasn't happened. The Cedar Ridge well does not produce the expected water and the well has not been approved by the Division of Water Rights. The Council will continue this discussion as it is critical. The City would like to look at ways to reuse the 1.5 million gallons that come from the Wastewater Treatment Plant.

2. CLOSED SESSIONS:

- a. ***Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms***

This item was not discussed at this time due to time restraints.

The meeting adjourned at 6:55 p.m. by consensus of the Council.

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CITY COUNCIL MEETING

Mayor Fridal called the July 19, 2016 City Council Meeting to order at 7:03 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Rohde, and Vance, City Manager Shawn Warnke, and Acting City Recorder Linsey Nessen. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Councilmember Reese was excused.

1. Opening Ceremony:

Mayor Fridal informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by Councilmember Vance and the Pledge of Allegiance was led by Councilmember Holmgren.

2. Introduction of guests:

Mayor Fridal thanked Kevin Christensen from Bear River Health Department and Jessica Tanner from The Leader.

3. Approval of Agenda:

Mayor Fridal asked if there were any changes or corrections to the Agenda. No comments were made.

Motion by Councilmember Holmgren to adopt the agenda for tonight. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

4. Approval of minutes – July 5, 2016:

Mayor Fridal asked if there were any changes to the minutes. There were no comments.

Motion by Councilmember Vance to approve the minutes from last meeting. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

5. Public comments: Comments limited to three minutes:

There were no public comments.

6. New Council Business:

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- a. Discussion and consideration of approving Resolution No. 16-37 adopting a Land Acquisition Agreement between Tremonton City and Archibald Properties LLC for the purpose of acquiring right-of-way width for the south leg of the signalized intersection of Iowa String and Main Street

There may need to be some leeway in changing the terms as a result of the final negotiation with Archibald Properties LLC.

Motion by Councilmember Rohde to approve Resolution No. 16-37. Motion seconded by Councilmember Dautre. Roll Call Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- b. Discussion and consideration of approving Resolution No. 16-38 approving a Public Recreation Easement Agreement granted by Rocky Mountain Power to Tremonton City for a trail system

The hope is that Rocky Mountain Power will offer an extension if the trail is not complete within the five (5) year time frame. The City is currently working on acquiring the property for the trail system and it could be a long term process. The trail will probably be asphalt but the trail in the river bottoms will be gravel that will pack and make a nice base. The priority now is to acquire a corridor for the trail system.

Motion by Councilmember Holmgren to approve Resolution No. 16-38 and approve the Recreation Easement Agreement entered by Rocky Mountain Power. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- c. Discussion and consideration of approving Resolution No. 16-36 adopting the Country Lane Subdivision Development Agreement

This item was discussed in the Workshop.

Motion by Councilmember Dautre to approve Resolution No. 16-36. Motion seconded by Councilmember Vance. Roll Call Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- d. Discussion and consideration of adopting Resolution No. 16-39 approving an agreement with Town and Country Shows for amusement activities for Tremonton City Days

This is a new vendor that is paying the City 10% of the ticket sales. They will set up a carnival. They have been asked to include the City as an additional insured. It will be set up at Jeannie Stevens Park by the ball games. The inflatable toys will be at Shuman Park.

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Motion by Councilmember Vance to adopt Resolution No. 16-39 approving an agreement with Town and Country and Shawn will follow up with correct coverages and if he feels good about it he can go ahead and enact the contract. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- e. Discussion and consideration of adopting Resolution No. 16-40 approving an agreement with Luvn2Jump Inflatables for Tremonton City Days

Motion by Councilmember Doutre to adopt Resolution No. 16-40 and approve that agreement. Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- f. Discussion and consideration of approving submission of applications to the Box Elder County Local Transportation Corridor Preservation Fund for the funding of: 1) acquiring right-of-way width for south leg of the signalized intersection of Iowa String and Main Street; and 2) transportation planning

This item was discussed in the Workshop.

Motion by Councilmember Rohde to go ahead and go for it. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- g. Discussion of a tiered water rate for Tremonton City and possible preliminary water rate structures as calculated by the Public Works Director

Director Fulgham will bring more options to the next City Council meeting. This is an important topic.

7. Comments:

- a. City Manager Reports

Manager Warnke said the Certificate of Liability for Town and Country and Luvn2Jump have a \$1M and \$2M for the aggregate. If someone sues the City and not the company, the insurance would not cover the City but it is not likely.

Councilmember Vance thanked Director Fulgham for his work on providing the Council with the information regarding water rates.

- 1. Starting the public notice requirements associated with adopting an Impact Fee Analysis

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The Impact Fee Analysis included Garland in the equation. It was proposed go back and recalculate the Impact Fee Plan and Analysis since Garland City is building their own Wastewater Treatment Plant. It will cost an additional \$11,500.

The City sold seven (7) tickets for the 1953 Ford Customline last night at the dutch oven dinner. The suggested donation is \$20 and Director Christensen wondered if the price should be lowered. People commented to Director Christensen that they would purchase tickets if they were \$5-10 but not \$20. The Council will start selling tickets.

b. City Department Head Reports

1. New format of minutes- Linsey Nessen, Acting City Recorder

This item was not discussed.

c. Council Reports

Councilmember Rohde asked Director Fulgham what the goals are for the water conservation. Director Fulgham said if the City could reduce water usage by 10% it would be a good starting goal. The Council discussed they need to be at North Park at 7:30 a.m. to help with the breakfast. The Council noted they could take turns selling tickets for the 1953 Ford Customline on Saturday. It was noted it would be good to have the car set up at the truck pull.

Councilmember Holmgren thanked Director Fulgham for his work putting together the different options for water rates and tiers. It provided good insight.

Motion by Councilmember Doutre to move into Closed Session. Motion seconded by Councilmember Vance. Roll Call Vote: Vote: Councilmember Vance - aye, Councilmember Doutre - aye, Councilmember Rohde - aye, and Councilmember Holmgren - aye. Motion approved.

The Council moved into closed session at 7:37 p.m.

CLOSED SESSION:

- a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms*

Motion by Councilmember Vance to return to Open Session. Motion seconded by Councilmember Holmgren. Motion approved by consensus of the Council.

The Council returned to open session at 7:51 p.m.

8. Adjournment.

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Motion by Councilmember Doutre to adjourn the meeting. Meeting adjourned by consensus of the Council. Motion approved.

The meeting adjourned at 7:52 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Cynthia Nelson.

Dated this _____ day of _____, 2016.

Linsey Nessen, Acting City Recorder

**TREMONTON CITY
CITY COUNCIL MEETING
02 AUGUST 2016**

TITLE:	Building Orientation, Screening Mechanical Equipment, Chapter 1.26 Site Plan Permit.
FISCAL IMPACT:	--
PRESENTER:	Steve Bench

Prepared By:

Staff

RECOMMENDATION: I move the City Council approve Ordinance 16-XX amending Title I, Chapter 1.26, Site Plan Permit, concerning building orientation when built on a parcel of property and screening mechanical equipment from view. The Planning Commission held a public hearing on July 26, 2016 and recommends approval.

BACKGROUND: In recent discussions it was felt that the code be amended to ensure a new building's main entry face the street, unless otherwise approved by the LUAB and City Council.

Painting equipment was added to screening mechanical equipment when approved by the Land Use Authority Board.

Attachments: Chapter 1.26

ORDINANCE NO. 16-15

AN ORDINANCE OF TREMONTON CITY AMENDING TITLE I ZONING ORDINANCE OF THE TREMONTON CITY CORPORATION LAND USE CODE, CHAPTER 1.26 SITE PLAN PERMIT

WHEREAS, from time to time it is prudent for the City to review and on occasion consider making changes to the City’s Land Use Code; and

WHEREAS, it was requested that the City consider amending standards within Title I Zoning Ordinance concerning Building Orientation and that the primary entrance face the street and that Mechanical Equipment other than screening from view be painted to conform to the color scheme of the primary building; and

WHEREAS, in keeping with the noticing requirements, Tremonton City Planning Commission held a public hearing on July 26, 2016 to listen to public comment regarding the proposed changes to the Tremonton City Corporation Land Use Code; and

WHEREAS, after holding a public hearing, the Planning Commission recommends to the City Council for their approval and adoption of the amendments to Title I Zoning Ordinance Chapter 1.26 Site Plan Permit.

NOW THEREFORE BE IT ORDAINED that the Tremonton City Council of Tremonton, Utah hereby adopts, passes, and publishes Ordinance No. 16-15 amending Title I ZONING ORDINANCE of the Tremonton City Land Use Code, Chapter 1.26 Site Plan Permit as outlined in EXHIBIT “A” attached.

If any term or provision of this Ordinance shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Ordinance.

PASSED AND ADOPTED this 2nd day of August, 2016. The Ordinance to become effective upon adoption.

TREMONTON CITY, a Utah Municipal Corporation

Roger Fridal, Mayor

ATTEST:

Linsey Nessen, City Recorder

Publication or Posting Date: _____

STATE OF UTAH)
 §
County of Box Elder)

On the ___ day of August, 2016, personally appeared before me Roger Fridal, the signer of the within instrument, who duly acknowledged to me that he executed the same.

Notary Public

EXHIBIT A

CHAPTER 1.26 SITE PLAN PERMIT

Sections:

- 1.26.005 Purpose.
- 1.26.010 Permit Required - Site Plan.
- 1.26.015 Permit Required - Master Site Plan.
- 1.26.020 Submission of Application.
- 1.26.025 Form and Contents of Required Documents.
- 1.26.030 Public Notice.
- 1.26.035 Review and Approval Procedures.
- 1.26.040 Site Plan Approval Standards.
- 1.26.045 Temporary Site Plans.
- 1.26.050 Entitlements.
- 1.26.055 Appeals.

1.26.005 PURPOSE. The purpose of a Site Plan Permit is to ensure proposed developments which are Industrial, Commercial, Institutional, Multi-Family Dwelling, occur in a safe and functional manner by ensuring compliance with City standards and requirements associated with appearance, traffic safety and control, parking, landscaping, buffering, fencing, drainage, etc.

1.26.010 PERMIT REQUIRED - SITE PLAN. Site Plan Permit approval shall be required prior to submission of an application for a Building Permit, for all developments which contain an Industrial, Commercial, Institutional, Multi-Family Dwelling, or for other uses for which a Site Plan is required elsewhere in this Title.

1.26.015 PERMIT REQUIRED - MASTER SITE PLAN. When sites are proposed to be developed in phases, a Master Site Plan approval is required prior to approving the individual Site Plans within the project and the submission of an application for a Building Permit. The Master Site Plan application shall include the submission of documents that address the following issues for the entire site: land use, open space and landscaped areas, architectural guidelines, buildable square footage, parking requirements, access and circulation of pedestrian and vehicles, utilities and metering of utilities, easements, storm drainage and all preliminary calculations for infrastructure improvements and traffic impact mitigation related to a traffic impact study, if required. A Master Site Plan Application and accompanying documents shall be reviewed using the same procedure as any Site Plan application, except that the development agreement shall include provisions that address phasing, and timing of improvements.

A. Delaying the Submission of Documents. Depending upon the size and scale of the proposed Master Site Plan area, the Land Use Authority Board may determine that it is more appropriate to delay the submission of some of the required Master Site Plan documents enumerated above until the review of an individual phase of a Site Plan.

B. Waiving the Submission of Previously Submitted Documents. Each phase of an approved Master Site Plan shall be required to go through a Site Plan review. To the extent that Site Plan requirements such as storm drainage, traffic circulation, parking, lighting, or other provisions have been met through the Master Site Plan process, such information may not be required to be submitted by the Land Use Authority Board during the review and approval of an individual phase of a Site Plan.

1.26.020 SUBMISSION OF APPLICATION.

A. Only property owners or their duly authorized agents shall make application for a Site Plan Permit or Master Site Plan Permit on forms approved by the Zoning Administrator.

B. No Site Plan Permit or Master Site Plan Permit application shall be processed without the submission of the application and all supporting materials as required by this Chapter including the processing fee. Incomplete applications shall not be processed under any circumstance. The time frame for when an application shall be submitted in order to be heard at a Land Use Authority Board (LUAB) meeting shall be set by policy of the Zoning Administrator.

C. The application for Site Plan or Master Site Plan approval shall include the following:

1. Three (3) full size (24" x 36") and one (1) small size (11" x 17") copies of each sheet of the Site Plan or Master Site Plan; Utility; Landscaping Plan; Grading, Drainage, and Erosion Plan; Lighting Plan; Phasing Plan; Signage Plan;
2. All documents required in Section 1.26.025; and
3. Payment of the applicable fee as set by Resolution of the City Council.

1.26.025 FORM AND CONTENT OF REQUIRED DOCUMENTS.

A. Supporting Materials. The Site Plan Permit or Master Site Plan Permit application shall be submitted with the materials listed in this Section. The Zoning Administrator and LUAB may determine and require that additional items not listed herein be submitted in order to evaluate the proposed Site Plan Permit or Master Site Plan Permit application. If a development has been previously reviewed (Conditional Use Permit or Subdivision Approval), or the applicant believes that some of the required supporting materials are not applicable, then the applicant may submit a written statement to identify and clarify why they believe these materials are not needed for review of the project. Upon review of this statement, the Zoning Administrator may waive the requirements of certain materials relating to improvements that have been reviewed and approved in a previous application process or are not found to be applicable to the project. The following materials shall be submitted with a complete application, unless otherwise waived as allowed herein. The number of hard copies, as well as the appropriate format of each, will be determined by the Zoning Administrator.

1. Land Restrictions and Ownership Affidavit. A document detailing all covenants, grants of easement or other deed restrictions applicable to the site and an ownership affidavit shall be submitted.
2. Vicinity Map. A vicinity map showing the general location and indicating the approximate location of the subject parcel.
3. Context Plan. A context plan including the existing features on the property and within two-hundred (200) feet of the proposed Site Plan property line. Existing features include but are not limited to, buildings, roads, ingress and egress points, landscaping areas, pedestrian paths, and property names.
4. Survey. The survey prepared and stamped by a Utah registered Land Surveyor listing the metes and bounds legal description and the gross acreage within the subject parcel.
5. Site Plan or Master Site Plan. A Site Plan or Master Site Plan prepared and stamped by licensed and/or certified professionals including, but not limited to, architects, landscape architects, engineers, surveyors, or other professionals deemed necessary by the Zoning Administrator. The City may require plans prepared by any or all of the above-noted professionals. The Site Plan or Master Site Plan shall contain the date, scale, north arrow and the following items:
 - a. Boundaries of the subject parcel and the entire parcel (where the project does not occupy the entire parcel of which it is part);
 - b. Existing and proposed streets, watercourses, easements and other rights-of-way, and section lines;
 - c. Locations, dimensions, uses and heights of all proposed buildings and structures, including overhangs, porches, stairwells, and balconies, and the locations of all structures on adjoining properties;
 - d. Access points, provisions for vehicular and pedestrian circulation on and off site, interconnection to adjacent sites and dimensions of such access and circulation;
 - e. Acceleration and deceleration lanes, and dimensions thereof, if required;

- f. Off-street parking and loading areas complying with the City's off-street parking requirements of this Title and indicating the required number of stalls and aisles scaled to the correct dimensions, the correct number of handicapped accessible parking spaces, lighting, landscaping and irrigation, the percentage of landscaping to impervious surfaces, and pedestrian walkways;
- g. Screening and buffering provisions, including types and heights of existing and proposed buffering and fencing elements;
- h. Location and treatment of refuse collection areas, storage areas, mechanical equipment, and external structures;
- i. Location and size of existing utilities and general location of utility access points and connections;
- j. Location, type and size of all signage including advertising and directional signage;
- k. Tabulation of square footage devoted to various land uses, ground coverage by structures and other impervious surfaces;
- l. Location of existing and proposed curb, gutter, sidewalk, park strip and edge of asphalt, signed and stamped by a licensed professional engineer;
- m. Type of construction of all structures, presence or absence of fire sprinkling and location of existing and proposed fire hydrants;
- n. Location of all existing and proposed irrigation systems, both on site and on adjacent properties, including but not limited to, ditches, pipes, and culverts;
- o. A statement on the Site Plan or Master Site Plan that all applicable elements of the American's with Disabilities Act Accessibility Guidelines will be adhered to;
- p. The piping of all existing irrigation ditches which affect the site; and
- q. The names of all adjacent property owners.

B. Landscaping Plan. A Landscaping Plan prepared and stamped by a licensed landscape architect, indicating the location, spacing, types and sizes of landscaping elements, sprinkler system plans, existing trees if any, and showing compliance with the landscaping or buffering requirements of the appropriate land use (See Chapter 1.18 Landscaping, Buffering, and Fencing Regulations). The Landscaping Plan shall include, at a minimum, the following information:

1. The location and dimension of all existing and proposed structures (when feasible), property lines, easements, parking lots, power lines, rights-of-way, ground signs, refuse areas, and lighting;
2. The plant names (both botanical and common name) location, quantity, and size of all existing and proposed plants. The proposed plan should indicate the size of the plant material at maturation;
3. The landscaping plan should also exhibit the existing landscaping twenty (20) feet beyond the property lines;
4. Existing and proposed grading with contours at one (1) foot intervals for areas with grades less than five (5) percent. Areas in excess of five (5) percent shall have contours shown at two (2) foot intervals;
5. Plans showing the irrigation system shall also be included in the landscaping plan submittal;
6. Proposed and existing fences and identification of the fencing materials; and

7. A summary of the total percentage of landscaped areas, domestic turf grasses, and drought tolerant plant species along with the estimated cost of all the improvements.

C. Grading, Drainage, and Erosion Plan. A grading, drainage, and erosion plan prepared and stamped by a licensed engineer shall be submitted. The report shall contain the drainage basin map and a plan view of the overall storm water system. The grading, drainage, and erosion plan shall address the following issues:

1. Description of features and hydrological conditions;
2. Drainage basin and sub-basin;
3. Drainage facility design criteria;
4. Infrastructure design criteria;
5. Grading plan; and
6. Erosion control.

Specifically, the report shall contain, at a minimum, the following information:

1. The existing roadways, drainage ways, vegetation and hydrological conditions of a ten (10) year twenty-four (24) hour event and a one-hundred (100) year twenty-four (24) hour event;
2. The major basin descriptions referencing all major drainage reports such as FEMA, major drainage planning reports, or flood insurance maps and the basin characteristics and planned land uses;
3. The sub-basin description showing the historical drainage pattern and offsite drainage patterns both upstream and downstream of the property;
4. A general discussion of how the proposed system conforms to existing drainage patterns and offsite upstream drainage will be collected to protect development;
5. The water quality evaluation showing the water quality shall not be degraded from existing storm water quality including how solids are collected and not allowed to be discharge into downstream waters and how oils and greases are separated from storm water;
6. Maintenance plan and procedure for storm water system; thorough narrative of all charts, graphs, tables or other information included in the report describing how it effects the proposed development;
7. Infrastructure design criteria showing the piping is sized to handle the peak intensity of the ten (10) year storm event; all detention basins are sized to handle one-hundred (100) year storm while discharging at a maximum ten (10) year twenty-four (24) hour historical rate; a ten (10) foot traffic lane in both directions is maintained at all locations within the development; and that the roadway and infrastructure will handle a one-hundred (100) year storm event without flooding homes or damaging public property;
8. Grading plan showing: soil map depicting unique soil features such as collapsible soil, rock features, etc.; a grading plan showing all cut and fill areas within a development including: the identification of slopes; fill and cut depths; and rock features within ten (10) feet of post grade soil surface; and
9. Erosion control shall show: how erosion will be controlled during construction; explanation and design showing that such construction debris and silts will not be collected by storm water system; show and design for all cut and fill slopes will not be eroded and how these areas will be restored to their natural vegetative state.

D. Geotechnical Report. A Geotechnical report prepared by a Professional Engineer licensed in the State of Utah. The report shall identify Geologic nature of the proposed site and provide recommendations for planning,

engineering design, and construction techniques to be utilized showing the location and height of all subsurface ground water areas. If roads are to be constructed through the subdivision than the Geotechnical Report shall include the California Bearing Ratio (CBR).

E. Lighting Plan. A lighting plan, which indicates the illumination of all exterior of the building and parking lots, and immediately adjoining streets showing the location and type of lighting proposed.

F. Elevations. Elevations of all buildings, fences and other structures viewed from all sides indicating heights of structures, the average finished grade of the site at the foundation area of all structures, percentage of building materials proposed, and color of all materials.

G. Traffic Impact Study. A traffic impact study (completed by a professional that is competent in the field of traffic engineering) may be required if it is estimated by the City Engineer that the project could generate traffic impacts that require further study or that may require site improvements to transportation facilities. Said study shall include, but not be limited to, the following: an analysis of the average daily trips generated by the proposed project; an analysis of the distribution of trips on public street systems; a description of the type of traffic generated; and recommended on-site improvements that may mitigate negative traffic impacts.

H. Phasing Plan. If the Site Plan is to be developed in phases a plan that shows the phasing of the development shall be submitted.

I. Utility Demands. A summary projecting the utility demands that the development will create for water, and sewer.

J. Signage Plan. Site Plans that have multiple building sites shall submit a signage plan for approval. The sign plan shall show Master Signage Plan shall be drawn to scale, showing the proposed location of the sign, parking areas, landscaped areas and buildings. If the proposed sign will be located within one-hundred (100) feet of a property line, the parking areas, landscaped areas and buildings shall be shown for the property within one-hundred (100) feet of the proposed sign. The signage plan shall also include colored graphics showing the proposed sign copy, type of sign, and dimensions.

K. Electronic Files. Electronic files of all the plans and drawings for the project shall be submitted.

1.26.030 PUBLIC NOTICE.

A. LUAB- Public Meeting. Twenty-four (24) hour notice of public meeting posted in at least three (3) public places or the City website and Utah public notice website. No public hearing is required for a Site Plan or Master Site Plan.

B. Notice to Applicant. Pursuant to 10-9a-202 Utah Code Annotated the Zoning Administrator shall: notify the Applicant of the date, time, and place of each public meeting to consider their Site Plan or Master Site Plan application; provide to each Applicant a copy of each staff report, if a report is prepared, regarding their Site Plan or Master Site Plan application at least three (3) business days before the public meeting; and notify the Applicant of any final action on Site Plan or Master Site Plan application.

1.26.035 REVIEW AND APPROVAL PROCEDURES.

A. Zoning Administrator's Review - Application. The Zoning Administrator shall review each application submitted to determine the completeness of the application. The Zoning Administrator shall forward complete applications to the Land Use Authority Board and incomplete application shall be returned to the applicant with a list of the deficiencies.

B. Land Use Authority Board (LUAB) Review. The Land Use Authority Board (LUAB) shall review the proposed Site Plan or Master Site Plan application and shall grant approval of the Site Plan or Master Site Plan applications after the LUAB is satisfied all of the standards and requirements of this Chapter and other applicable Sections of this Title shall be met. Approval of a Site Plan or Master Site Plan shall generally be in the form of a

letter to the applicant or the minutes of the meeting in which the application was approved, together with the approved submitted materials, shall constitute the Site Plan Permit or Master Site Plan Permit. If the LUAB denies the Site Plan or Master Site Plan Application explicit and careful Findings of Fact shall be enumerated for the record as to why reason for the denial. Approval of a Site Plan or Master Site Plan is an Administrative Decision.

C. City Council - Development Agreement. After the LUAB review and approval of a Site Plan or Master Site Plan, a Development Agreement based on conditions and special provisions in the LUAB action for that project shall be prepared and it shall be submitted to the City Council for approval. The Development Agreement similar to a Development Agreement for subdivisions may include such items as the architectural drawings, Site Plan, phasing plans, water rights, and bonding requirements, if any.

1. Bonds. In order to assure that the public improvements associated with the development will be constructed to completion in an acceptable manner, the applicant (owner) shall provide a bond similar to the requirements applicable to subdivisions. The bond shall assure timely construction and installation of all required public improvements. The applicant (owner) shall enter into an agreement and provide a bond for one hundred-ten (110) percent of the cost as estimated by the City Engineer of public improvements. The developer may request ninety (90) percent of the amount for one (1) line item to be released with authorization by the City Engineer, when that line item is completed, inspected, and accepted by the City Engineer. One-hundred (100) percent of the entire bond may be released when the site is completed, inspected, and accepted by the City. The remaining ten (10) percent will be held to ensure that the improvements shall be maintained in a state of good repair for a period of one (1) year from the date of completion and acceptance by the City Engineer.

1.26.040 APPROVAL STANDARDS. The following standards shall be used when approving a Site Plan or Master Site Plan Permit:

A. Use of Property. The entire parcel area shall be built upon, landscaped or paved in accordance with the zoning district's requirements and other generally applicable development standards.

B. Building Orientation. The primary entrance and façade of a building shall be oriented to face the nearest street. On corner lots the primary entrance and façade shall face the street that has the most average annual daily traffic volumes. When approved by the LUAB and City Council building entrances and primary facades may be oriented towards plazas, pedestrian ways, or in other instances but only when the elevation of the building that is oriented towards the street has architectural and landscaping elements and features that provide visual interest to the building elevation that faces the street. Architectural and landscaping elements and features that provide visual interest may include but is not limited to the replication of the primary entrance façade's form, windows, glass doors, columns, parapet walls, metal trellises, landscaping, that provide articulation and depth to the elevation that faces the street.

BC. Buffering Requirements. Chapter 1.18 Landscaping, Buffering, and Fencing Regulations of this Title contains required buffer widths and improvements for adjacent land uses. All Site Plans shall conform to regulations contained in Chapter 1.18. All developments shall have the minimum number of trees as required by Chapter 1.18 of this Title to provide for visual relief.

CD. Access Requirements.

1. Access onto a Public Street. All access onto a public street for Site Plans shall conform to regulations contained in Section 1.17.025 B. Driveway Requirements.

2. Access Dimensions. All access dimensions for Site Plans shall conform to regulations contained in Section 1.17.025.

3. Interconnection. All parking and other vehicular use areas shall be interconnected with adjacent properties in order to allow maximum off-street vehicular circulation.

4. Acceleration and Deceleration Lanes. Acceleration and deceleration lanes shall be required on arterials and collectors when deemed necessary by the City Engineer.

5. Off-street Truck Loading Space. Buildings or structures involving the receipt or distribution by vehicles, materials or merchandise, shall have provided and maintained on the building's lot adequate space for standing, loading, and unloading of the vehicles in order to avoid undue interference with public use of streets or alleys.

6. Utilities. All utility lines shall be underground (unless otherwise approved for electrical) in designated easements. No pipe, conduit, cable, line for water, gas, sewage, drainage, steam, electrical or any other energy or service shall be installed or maintained upon any lot (outside of any building) above the surface of the ground. Transformers shall be grouped with other utility meters where possible and screened with vegetation or other appropriate method. Tracer wires or other means of locating the whereabouts of all underground utilities shall be required.

7. Grading and Drainage. Drainage from any lot shall follow current City requirements for on-site retention and a maximum allowable discharge at the calculated historical rate for the site. Drainage shall not be allowed to flow upon adjoining lots unless the owner of the lot upon which the water flows has granted an easement for such purpose.

E. Mechanical Equipment. All mechanical equipment shall be located or screened and/or other measures taken so as not to be visible from any public or private streets. Screens shall be aesthetically incorporated into the design of the building whether located on the ground or roof. Rooftops of buildings shall be free of any mechanical equipment unless completely screened from all horizontal points of view. Measures taken to mitigate mechanical equipment from view, other than screening, such as painting of the mechanical equipment shall be approved by the LUAB. Screening materials or painting of mechanical equipment shall conform to the color scheme of the primary building. Measures taken to shield mechanical equipment from view, other than screening, shall be approved by the LUAB.

F. Building Lighting. Plans for exterior building lighting shall be approved as part of the Site Plan approval. Building lighting shall be shielded and directed downward so that the light source is diminished from beyond the property line. Lighting shall not project above structures or flagpoles.

G. Screening of Storage Areas and External Structures. Landscaping, fencing, berms or other devices integral to overall site and building design shall screen storage areas and other external structures. Non sight obscuring trash enclosures are prohibited.

H. Trash Enclosures. All trash enclosures for Site Plans shall conform to regulations contained in Section 1.19.040 Trash Enclosures.

I. Exterior Materials. The color of all commercial buildings is subject to City approval. The dominant overall color scheme of the building shall generally be subtle, subdued, low reflectance, neutral or earth tones. Brighter primary colors may be used as accent elements, such as door and window frames and architectural details. Fluorescent or metallic colors are only allowed as signage. Building elevations shall be submitted that indicate all colors, styles, materials and other proposed building treatments.

J. Landscape Requirement. All landscaping for Site Plans shall conform to the landscaping regulations Guidelines of Chapter 1.18 Landscaping, Buffering, and Fencing Regulations and Section 1.17.045 parking lot landscaping.

K. Parking Lot and Street Lighting. All parking lot lighting shall conform to regulations contained in Section 1.17.040 Parking Lot Lighting Required. Pole mounted fixtures are required along streets and lighting of all pedestrian pathways is also required. Lighting will be approved as to how adequately it provides for the health and safety of citizens. Design and location of standards and fixtures shall be specified on the Site Plan.

L. Signage. Site Plans that have multiple building sites shall submit a signage plan for approval. The sign plan shall show sign copy on a Multi-Tenant Sign.

M. Enclosed Uses. All uses established for any Commercial or Industrial uses shall be conducted entirely within a fully enclosed approved building except those uses deemed by the LUAB to be customarily and appropriately conducted in the open or as otherwise allowed in other Sections and Chapters of this Title. Uses which qualify for this exception are vegetation nurseries, home improvement centers with lumber and/or vegetation nurseries, outdoor

cafes or auto dealerships. Approved seasonal temporary uses, such as Christmas tree lots, shall be exempt from this requirement.

N. Businesses Moving Into Existing Buildings. New businesses moving into existing conforming or non-conforming buildings shall comply with the requirements of this section where possible prior to a business license being issued.

O. Water Rights Requirements. Developers are required to dedicate water rights to the City for Industrial, Commercial, Institutional, and Multi-Family Dwelling. The City Engineer shall calculate water rights for these uses after a site-specific analysis is performed for the proposed use. Water rights to service Industrial, Commercial, Institutional, and Multi-Family Dwelling shall be dedicated to the City prior to the issuance of the Building Permit.

1.26.045 TEMPORARY SITE PLAN. The Land Use Authority Board (LUAB) may recommend waving some of the requirements of this Title or Chapter when a Site Plan is temporary in nature. A Temporary Site Plan approval shall be valid for a period of time as determined by the LUAB as part of the initial review. Applicants may request that Temporary Site Plan approval be renewed. The same approval process procedures described in this Chapter shall be followed.

1.26.050 ENTITLEMENTS.

A. Validity. The approval of a Site Plan or Master Site Plan Permit shall entitle the layout, design, and general improvements for a Industrial, Commercial, Institutional, and Multi-Family Dwelling development site except as follows:

1. Permit Issued in Conflict. In accordance with Section 1.01.025 any Site Plan or Master Site Plan Permit approved which is in conflict with this Title shall be null and void.
2. Expiration. A Site Plan or Master Site Plan Permit shall expire one (1) year after the date of the approval and shall be null and void unless the property owner or their duly authorized agent has obtained a Building Permit, where required, or Business Licenses or other permits or license required for the operation. A one (1) year extension may be granted if the application for extension and the filing fee is received by the Zoning Administrator prior to the expiration date as is set out above.

B. Additional Permits. Property owners or their duly authorized agents are entitled to make application for a Building Permit, where required or Business Licenses or other permits or license required for the operation once a Site Plan or Master Site Plan Permit has been approved.

1.26.055 APPEALS.

A. Any person aggrieved by the decision of any part of a Site Plan Permit or Master Site Plan Permit may appeal as follows in accordance with Chapter 1.04.

B. Site Plans. The Appeal Authority and deadline for filing an appeal of a Site Plans or Master Site Plan shall be as follows:

1. First Appeal. Person has ten (10) days to appeal the decision of the Land Use Authority Board to the City Council.
2. Second Appeal. Person has thirty (30) days to appeal the decision of the City Council to District Court. (See Utah Code 10-9a-801)
3. Third Appeal. None.

ORD 13-05 REV 07/10
REV 10/14 ORD 16-15

RESOLUTION NO. 16-41

A RESOLUTION OF TREMONTON CITY CORPORATION AMENDING, DELETING, AND ADDING TO THE FOLLOWING SECTIONS OF THE TREMONTON CITY PERSONNEL POLICIES AND PROCEDURES MANUAL: SECTION III: EMPLOYEE HIRING; SECTION VI: EMPLOYEE CODE OF CONDUCT; SECTION VII: DISCIPLINARY ACTION; SECTION VIII: GRIEVANCE PROCEDURES/PROCESS; SECTION X: RECORD KEEPING; SECTION XI: PERFORMANCE EVALUATIONS; SECTION XII: EMPLOYMENT TERMS; SECTION XIII: COMPENSATION PLANNING; SECTION XIV: PAYROLL ADMINISTRATION; SECTION XV: REIMBURSABLE EXPENSES; SECTION XVI: BENEFITS; SECTION XVII: FAMILY AND MEDICAL LEAVE ACT; SECTION XVIII: LEAVES OF ABSENCE; SECTION XIX: GENERAL SAFETY

WHEREAS, the City Council of Tremonton, Utah has adopted the Tremonton City Personnel Policies and Procedures Manual; and

WHEREAS, at times it becomes necessary to amend, delete or add to the current policies; and

WHEREAS, City staff has reviewed and is proposing to the City Council numerous amendments to the various sections that comprise Tremonton City Personnel Policies and Procedures Manual;

WHEREAS, some of the salient proposed amendments include but are not limited to:

- Clarifying that job descriptions can be amended by the Mayor, City Manager, and Department Heads from time to time; and
- Amending the City's current dress policy; and
- Adding several administrative policies into the City's Personnel Policies and Procedures which include: floral remembrances; fire department driving response policy; and.
- Adding additional offenses that constitute misconduct.

NOW, THEREFORE, BE IT RESOLVED that the Tremonton City Council hereby approves amending, deleting, and adding to the following sections of the Tremonton City Personnel Policies and Procedures Manual as noted in the attached as Exhibits:

- Exhibit A- Section III: Employee Hiring;
- Exhibit B- Section VI: Employee Code of Conduct;
- Exhibit C- Section VII: Disciplinary Action;
- Exhibit D- Section VIII: Grievance Procedures/Process;
- Exhibit E- Section X: Record Keeping;
- Exhibit F- Section XI: Performance Evaluations;
- Exhibit G- Section XII: Employment Terms;
- Exhibit H- Section XIII: Compensation Planning;
- Exhibit I- Section XIV: Payroll Administration;
- Exhibit J- Section XV: Reimbursable Expenses;

- Exhibit K- Section XVI: Benefits;
- Exhibit L- Section XVII: Family and Medical Leave Act;
- Exhibit M- Section XVIII: Leaves of Absence;
- Exhibit N- Section XIX: General Safety; and
- Exhibit O- Policy Statement and Acknowledgement Form.

Adopted by the Tremonton City Council this 2nd day of August, 2016.

TREMONTON CITY
A Utah Municipal Corporation

ATTEST:

Roger Fridal, Mayor

Linsey Nessen, Acting City Recorder

Exhibit A- Section III: Employee Hiring

SECTION III: EMPLOYEE HIRING

Field Code Changed

1. **JOB DESCRIPTIONS.** Job Descriptions defining the essential duties along with the knowledge, skills, abilities, experience, educational requirements, etc. of the vacant position shall be drafted, amended, and approved by the Mayor, City Manager, and/or Department Head before a position is posted or otherwise advertised internally or externally. See also Section XII: Employment Terms, Subsection 17 associated with amendments to job descriptions that occur while a position is filled.
2. **RECRUITMENT PROCESS.** All recruitment shall be conducted in a non-discriminatory manner (see Section I: General Policies, Equal Employment Opportunity). The hiring process shall be coordinated through the HR/Payroll Clerk with Department Heads, City Manager, and/or the Mayor making final hiring decisions.
 - A. **Internal Promotions.**
 - (1) It is the policy of Tremonton City to further the advancement of its employees. For the purpose of this policy, a promotion is defined as: 1) advancement to a different position within the department which has increased responsibilities and classification to a higher wage grade and/or 2) advancement to a position within the Department which has an increased or regular work schedule.
 - (2) Internal Job Opening Notices shall not be required when a Department Head, City Manager, or the Mayor are considering promoting an employee. The decision to promote an employee shall be based upon the following criteria which may include, but are not limited to, the following:
 - (a) The employee's past performance including performance evaluations, corrective action, and attendance records.
 - (b) The employee having the knowledge, skills, and abilities to perform the essential duties of the open position.
 - (c) The employee's qualifications including experience and/or education.
 - (d) The employee's WorkKey Assessment results and other ability tests when required. The WorkKey Assessments are facilitated by the Department of Workforce Services.
 - (3) Promotion interviews may be used as deemed appropriate by the Department Head or the City Manager.
 - (4) No promotions shall be completed without the authorization of the City Manager or Mayor.

- (5) Current City employees accepting a position through a promotion may be subject to a one (1) year probationary period in the new position as determined by the Department Head or City Manager.
- (6) If applicable, accrued sick leave and vacation shall not be paid out but shall remain the same with the promoted employee.
- (7) Years of service to Tremonton City shall not be interrupted by accepting a promotion.
- (8) A promoted employee shall receive a new job description. Compensation for a promoted employee shall be in accordance with Section XIII: Compensation Planning of this manual.
- (9) A promoted employee shall not be required to complete the provisional conditions of employment contained in the Potential Offer of Employment (see Potential Offer of Employment – Placement in Hiring Pool section below).
- (10) Temporary/Emergency and Substitute employees may be promoted to a permanent position with the City at the discretion of the Department Head and with approval from the Mayor or City Manager.

B. Internal Advertising.

- (1) It is the policy of Tremonton City to further the advancement of its employees. The Mayor, City Manager, or appropriate Department Head may decide to place Internal Job Opening Notices for a vacant position prior to posting an External Job Opening Notice.
- (2) Internal Job Opening Notices for vacant positions shall be announced in coordination with the City Recorder or HR/Payroll Clerk using the Job Opening Notice (see Appendix Number 4 for details). Current City employees may be notified of the job opening through one or more of the following ways:
 - (a) Posting of the Internal Job Opening Notice in City facilities.
 - (b) Emailing the Internal Job Opening Notice to employees.
 - (c) Distributing the Internal Job Opening Notice with paychecks.
 - (d) Department Heads notifying employees within their department of the Internal Job Opening Notice.

- (3) Current City employees may request to be considered for vacant positions by submitting a completed City Job Application to the HR/Payroll Clerk.
- (4) Current City employees that submit a City Job Application for consideration for filling a vacant position, possessing the qualifications contained in the job description, shall be interviewed. The decision to fill a vacant position with a current City employee shall be based upon the following criteria, which may include, but are not limited to, the following:
 - (a) The employee's response to interview questions.
 - (b) The employee's past performance including performance evaluations, corrective action, and attendance records.
 - (c) The employee's knowledge, skills, and abilities to perform the essential duties of the open position.
 - (d) The employee's qualifications including experience and/or education.
 - (e) The employee's WorkKey Assessment test results and other ability tests when required. The WorkKey Assessments are facilitated by the Department of Workforce Services.
 - (f) No internal hiring for a vacant position shall be completed without the authorization of the City Manager or Mayor.
- (5) Current City employees accepting a new position may be subject to a one (1) year probationary period in the new position as determined by the Department Head or City Manager.
- (6) If applicable, accrued sick leave and vacation shall not be paid out but shall remain the same with the employee.
- (7) Years of service to Tremonton City shall not be interrupted by accepting a new position in another department within the City.
- (8) Current City employees accepting a new position shall receive a new job description. Compensation for an employee accepting a new position shall be in accordance with Section XIII: Compensation Planning of this manual.
- (9) Current City employees accepting a new position shall not be required to complete the provisional conditions of employment contained in the

Potential Offer of Employment (see Potential Offer of Employment – Placement in Hiring Pool section below).

C. External Advertising.

- (1) The Mayor, City Manager, or appropriate Department Head in coordination with the City Recorder or HR/Payroll Clerk are authorized to place External Job Opening Notices for vacant positions. External Job Opening Notices shall not be required:
 - (a) If an External Job Opening Notice for a position was posted within six (6) months of the same position re-opening, Job Applicants from the previous External Job Opening Notice may be chosen to re-interview for the vacant position or individuals previously placed in a hiring pool for the position may be reconsidered.
 - (b) When filling Temporary/Emergency, Substitute, and Part-time Recreation positions.
- (2) Each External Job Opening Notice (see Appendix Number 4 for details) shall contain a statement indicating that Tremonton City is an equal opportunity employer (see Section I: General Policies, Equal Employment Opportunity.)
- (3) External Job Opening Notices shall be advertised in the appropriate media and through any other channels the City administration deems appropriate, on at least three (3) separate days.
- (4) All External Job Opening Notices shall specify the name and the office of the person from whom job applications (see Appendix Number 5 for details) are to be obtained, the name and office of the person to whom completed applications are to be returned, and the deadline for filing an application.

3. SCREENING PROCESS.

A. Job Applications. All interested job applicants shall complete a City Job Application (see Appendix 5 for details).

- (1) All City job applications and resumes received for the job opening shall be forwarded to the HR/Payroll Clerk in coordination with the Mayor, City Manager, and/or appropriate Department Head. Upon receipt, each City job application and resume shall be marked with the date it was received and placed in an application file for at least one (1) year (see Section X: Record Keeping, 7 A.)

- (2) Completed City job applications shall be signed by the job applicant and the truth of all information contained therein shall be certified by the job applicant's signature. The job applicant may be required to provide a copy of required certified educational transcripts, either copies of diplomas or certificates, with the application or upon hire.
- B. Job Applications from Former Employees. Job applications received from former employees shall be processed using the same procedures and standards that govern all other applications. The Mayor, City Manager, and/or appropriate Department Head, in coordination with the HR/Payroll Clerk, shall review the former employee's personnel records and the circumstances surrounding the termination of previous employment with Tremonton City. Former employees who have been terminated for misconduct or resignation in lieu of an involuntary termination are not eligible for rehire.
- C. WorkKey Assessments. When necessary, job applicants may be required to take the WorkKey Assessments. The WorkKey Assessments are facilitated by the Department of Workforce Services.
- D. Other Ability Tests. Job applicants may be required to take other ability tests which Tremonton City deems necessary for a specific position. Job applicants for certain positions may require skills for which a known level of competence shall exist, which may include, but is not limited to: mathematics and/or timed typing tests. When Tremonton City uses other ability tests, Tremonton City shall make reasonable accommodations for disabled applicants.
- E. Job Applicant Disqualification. An application may be rejected if the job applicant:
 - (1) Does not meet the minimum qualifications established for the position.
 - (2) Has falsified a material fact or failed to complete the City job application.
 - (3) Has failed to timely file a complete City job application.
 - (4) Has an unsatisfactory employment history or poor work references.
- F. Interviewing.
 - (1) The Mayor, City Manager, HR/Payroll Clerk, and/or appropriate Department Head shall select applicants to interview from those who have passed the preliminary screening of job applications and ability tests. Job related duties and qualifications shall provide the basis for initial screening of job applicants. When choosing applicants to interview, the initial interviews shall be of those applicants who are deemed to be the most

qualified for the position by the Mayor, City Manager, HR/Payroll Clerk, and/or appropriate Department Head.

- (2) Individuals conducting job interviews shall only ask questions that pertain to the job position and questions related to the job applicant's ability to successfully perform the functions of the position. The Pre-Employment Inquiry Guide (see Appendix Number 6 for details) may be reviewed by the interviewer before the interview begins. In addition, during the interview, each interviewer may complete an Interview Guide (see Appendix Number 7 for details), which is consistent with Tremonton City's Equal Employment Opportunity policy (see Section I: **General Policies**, Equal Employment Opportunity).

- G. Reference Checks. In order to facilitate reference checks, written permission shall be obtained from the job applicant using the Applicant's Consent to Release Information Form (see Appendix Number 8 for details). Tremonton City may contact the references for each job applicant and ask job and performance related questions, which include similar questions for each job applicant checked, using Tremonton City's Telephone and Written Reference Check Questionnaires (see Appendix Number 9 and 10 for details). Tremonton City may also investigate job applicants through social media.

4. SELECTION PROCESS.

- A. **All recruitment shall be conducted in a non-discriminatory manner (see Section I: General Policies, Equal Employment Opportunity).**
- B. Nepotism. It is the policy of Tremonton City to comply with the provisions of Utah's Anti-Nepotism Act, Utah Code 52-3-1.
- C. Rejection Letters. The HR/Payroll Clerk, in coordination with the Mayor, City Manager, and/or appropriate Department Head, shall send a Job Rejection Letter (see Appendix Number 11 for details) to each job applicant who was not selected for a job opening when appropriate.
- D. Potential Offer of Employment – Placement in Hiring Pool. The HR/Payroll Clerk, in coordination with the Mayor, City Manager, and/or appropriate Department Head, shall notify the successful job applicant(s) of a Potential Offer of Employment through a written Potential Offer of Employment Letter (see Appendix Number 48 for details). The written Potential Offer of Employment Letter shall clearly state that placement in a hiring pool is contingent upon passing the provisional conditions of employment (i.e., medical examinations, drug/alcohol screening, and background investigation). Additionally, the written Potential Offer of Employment Letter shall be signed by the candidate stating that he or she has read and fully understands the nature of the Potential Offer of Employment. The original Potential Offer of Employment Letter is then filed in

the employee's personnel file (see Section X: Record Keeping, 3 B.). After successful completion of the provisional conditions of employment contained in the Potential Offer of Employment, applicants may be placed in a pool of other qualified applicants for six (6) months for future hire as vacancies occur.

- (1) **Medical Examinations.** Once Tremonton City has extended a potential offer of employment to the job applicant(s), a physical examination shall be conducted, except for those hired as Part-time Recreation Employees, by a licensed physician chosen by Tremonton City or a mutually agreed upon licensed physician to determine a job applicant's ability to fulfill essential job related requirements. The licensed physician shall be given a copy of the job description and a copy of the Pre-Employment Evaluation Program form (see Appendix 33). Upon completion of the physical examination, the licensed physician shall complete and return the Pre-Employment Evaluation Program form to the HR/Payroll Clerk with his or her recommendation as to whether the applicant can fulfill the essential job related requirements as contained in the job description. All costs for required medical physical examinations shall be borne by Tremonton City. The job applicant shall sign a written release of this information to Tremonton City contained in the Pre-Employment Evaluation Program form (see Appendix 33).
- (2) **Drug Screening.** Once Tremonton City has extended a potential offer of employment to the job applicant(s), a drug screening shall be conducted, except for those hired as Part-time Recreation Employees. The drug screening results shall be signed by the drug screening company's Medical Review Officer (MRO) and emailed to the HR/Payroll Clerk. The MRO shall contact the HR/Payroll Clerk by telephone if a positive drug screening returns to give his or her recommendation. All costs for required drug screenings shall be borne by Tremonton City. The job applicant shall sign a written release of this information to Tremonton City, which is contained in the paperwork provided by the drug screening company.
- (3) **Background Investigation.** Once Tremonton City has extended a potential offer of employment to the job applicant(s), a background investigation by the City's Police Department shall be required to be performed on all job applicants, except for those hired as Part-time Recreation Employees. Job applicants shall be required to complete the City's Background Questionnaire (see Appendix 49 for details) for review by the City's Police Department. After the Police Department has reviewed the background questionnaire, it shall provide a letter to the HR/Payroll Clerk with the findings of the background investigation. The job applicant shall sign a written release of this information to the City, which is included in the Background Questionnaire (see Appendix 49).

D. Final Job Offers. After job applicants have completed the provisions contained in the potential offer of employment, the applicant who has passed the provisions with the most proficiency and is deemed by the City to be the most qualified for the position shall be notified by the HR/Payroll Clerk, in coordination with the Mayor, City Manager, and/or appropriate Department Head, through a written Final Job Offer Letter (see Appendix Number 12 for details). The written Final Job Offer Letter shall clearly state that the offer is not valid until the candidate signs the written Final Job Offer Letter and returns it to Tremonton City by the requested date. The original Final Job Offer Letter is then filed in the employee's personnel file (see Section X: Record Keeping, 3 B) and a copy is given to the new City employee during orientation. Written Final Job Offer Letters shall also include the following:

- (1) The employee's job title.
- (2) The employee's starting hourly wage or salary. Starting wage offers for non-exempt positions shall be figured at an hourly wage. Starting salary offers for exempt positions shall be figured for a specified period, such as a two-week period.
- (3) A clear statement of the job description or a copy of the complete job description.
- (4) The employee's supervisor.
- (5) Any relocation commitments, if applicable.
- (6) Tremonton City's at-will employment policy (see Section XII: Employment Terms).
- (7) The employee's start date.
- (8) The length of the employee's probationary period.
- (9) The location of a copy of the Tremonton City Personnel Policies and Procedures Manual.

E. Rehires. Employees who are rehired by Tremonton City shall be required to serve a one (1) year probationary period. Former employees who are rehired shall maintain their original anniversary date for benefit programs governed by the anniversary date.

5. ORIENTATION PROCESS.

A. Orientation. Newly hired employees shall receive an orientation on their first day of work that provides basic information on Tremonton City's pay policy, leave

policy, benefits, work hours, etc. All new employees shall be given a tour of the work place and be introduced to other employees. Additionally, new employees shall be informed of the location of copies of the Tremonton City Personnel Policies and Procedures Manual.

- B. **New Hire Paperwork.** The City Recorder or HR/Payroll Clerk shall provide the newly hired employee with the New Employee Orientation Packet (see Appendix Number 15 for details) to be completed by the employee. The New Employee Orientation packet contains all pre-employment forms, benefit applications, and enrollment forms.
- C. **Employment Eligibility Verification.** In accordance with the Immigration Reform and Control Act of 1986, all employees shall complete and sign, under penalty of perjury, that they are a U.S. citizen, a lawful permanent resident alien, or an alien otherwise authorized for U.S. employment by completing an Employment Eligibility Verification Form (Federal I-9 Form) (see Appendix 13 for details). As part of the form, employees shall present documents of identity and eligibility to work in the United States within three (3) days of employment. If an employee cannot present the required documents or receipt of new issue within three (3) days, employment with the City shall be terminated.

Once the I-9 is completed, the HR/Payroll Clerk shall enter the I-9 information into the E-verify System. E-verify is an internet based system that compares information given on the I-9 form with the Social Security Administration and Department of Homeland Security databases to confirm identity and eligibility to work in the United States. A photo matching step occurs automatically for certain documents such as a Permanent Resident card, etc. This prompts the HR/Payroll Clerk to confirm that the photo in E-verify and the photo on the identification given are identical.

Once the information is entered, one of three results may appear from the comparison.

- (1) **Employment Authorized.** Information entered matches the Department of Homeland Security (DHS) and/or Social Security Administration (SSA) records. Case is closed, employee is eligible to work.
- (2) **SSA Tentative Non-confirmation.** Information entered does not match the SSA records. This does NOT mean the employee is not authorized to work in the United States. This may occur because of:
 - (a) Citizenship was not updated with the SSA.
 - (b) Name change was not reported to SSA.

- (c) Name, Social Security Number, or date of birth is incorrect in SSA records.
- (d) SSA record contains another type of mismatch.

In this situation the employee shall be notified as soon as possible. The employee then chooses to either contest the case result, or not contest. When an employee chooses to contest, he or she shall visit the SSA within eight government workdays. If the employee does not meet with the SSA within the eight government workdays, the City shall terminate employment. If the employee chooses not to contest, the City shall terminate employment with no civil liability.

After the employee has met with the SSA, the SSA shall issue an employment authorized, SSA Final Non-confirmation (employment shall be terminated), SSA continuance, Verification in Process or Review and Update Employee Data.

- (3) DHS Verification in Process. When information added does not match DHS records, the HR/Payroll Clerk and the employee do not need to take any action at this time as DHS automatically is notified and shall respond within twenty-four (24) hours. DHS shall return with one of three results:
 - (a) Employment Authorized. Employment is authorized. Case is closed.
 - (b) DHS Tentative Non-confirmation. Information entered does not match the DHS records. This does NOT mean the employee is not authorized to work in the United States. This may occur because of:
 - (1) Name, A-number, and/or I-94 numbers are incorrect in DHS records.
 - (2) Identification Photo document differs from the photo in DHS records.
 - (3) Information was not updated in the employee's DHS records.
 - (4) Citizenship or immigration status changed.
 - (5) Record contains another type of error.

This situation is the same as the SSA. The employee shall be notified as soon as possible and determine whether they want to contest or not contest.

- (c) DHS Case in Continuance. Means the employee has visited with the office and more time has been granted to review the records and for the employee to present further information.

After the employee has met with the DHS, the DHS shall issue an employment authorized or DHS Final Non-confirmation (employment shall be terminated.)

D. Probationary Period.

- (1) All new employees shall be subject to a one (1) year probationary period. During this period, probationary employees may be terminated with or without notice for any or no reason without any right to due process, notice, explanation, or appeal in connection with said termination (see Section IX: Termination of Employment).
- (2) Probationary periods begin on the first day of employment and generally continue for one (1) year. Supervisors shall provide guidance to probationary employees so they understand work requirements. Under special circumstances, including leaves of absence, performance issues, or failure to obtain required certifications a probationary period may be extended. An extension shall be requested at least one (1) week in advance of the end of the probationary period and all extensions shall be approved by the Mayor or City Manager. Employees receiving a probationary period extension shall receive notice of the extension through the Probationary Period Extension Acknowledgement Letter (see Appendix Number 50), which shall be signed by the employee and placed in the employee's personnel file.
- (3) An employee on probation shall have a performance evaluation at the end of the probationary period. This performance evaluation may be used to provide information to both the employee and supervisor regarding the employee's performance. A performance evaluation and the results of such evaluation shall not obligate the supervisor to a particular course of action relative to the probationary employee nor shall it create any property/due process rights for the probationary employee relative to their job/position.

6. EMPLOYMENT OF MINORS.

- A. A Department Head may elect to employ a minor in a paid or volunteer position between the ages of 14 and 18 years with the approval of the Mayor or City

Manager and in accordance with Title 29 of the Code of Federal Regulations (29 CFR Part 150).

B. Minors age 14 and 15 years may be a City employee or volunteer so long as:

- (1) Occupation Standard. The job engaged in by the minor age 14 and 15 years has not been determined as hazardous by the Secretary of Labor (Info on hazardous occupations is available from a local Wage and Hour Division (<http://www.dol.gov/whd/america2.htm>) and in 29 CFR Part 570 (http://www.dol.gov/dol/cfr/Title_29/); and
- (2) Hour Restrictions. The hours in which the jobs engaged in by a minor age 14 and 15 years are confined to periods which shall not interfere with their schooling and to conditions which shall not interfere with their health and well-being. Permissible jobs shall be confined to the following periods:
 - (a) Outside of school hours, meaning such periods as before and after school hours, holidays, summer vacations, weekends, and any other day or part of a day when school is not in session as determined by the local public school district in which the minor resides when employed;
 - (b) Not more than forty (40) hours in any one (1) week when school is not in session;
 - (c) Not more than eighteen (18) hours in any one (1) week when school is in session;
 - (d) Not more than eight (8) hours in any one (1) day when school is not in session;
 - (e) Not more than three (3) hours in any one (1) day when school is in session, including Fridays;
 - (f) Between 7 a.m. and 7 p.m. in any one (1) day, except during the summer (June 1 through Labor Day) when the evening hour shall be 9 p.m.
 - (g) Those enrolled in an approved Work Experience and Career Exploration Program (WECEP) may work up to twenty-three (23) hours in school weeks and three (3) hours on school days (including during school hours).
- (3) Federal law requires employers shall keep records of the dates of birth of employees under age 18, their daily starting and quitting times, their daily and weekly hours of work, and the occupations engaged in. It is the

responsibility of Department Heads to ensure that a minor's starting and quitting times, daily and weekly work totals, and the occupations engaged in are on their timecards and are in compliance with the hour restrictions noted above.

- (4) Employers may protect themselves from unintentional violation of the child labor provisions by keeping on file an officially-issued employment or age certificate for each young worker to show that the minor has the minimum age for the job. Age or employment certificates issued under most state laws are generally acceptable for this purpose. See 29 CFR 570.5 (<http://www.dol.gov/cgi-bin/leave-dol.asp?exiturl=http://s.dol.gov/87&exitTitle=www.gpoaccess.gov&fedpage=yes>).
- C. Minors age 16 and 17 years may be a City employee or volunteer so long as the occupation engaged in has not been determined as hazardous by the Secretary of Labor (see subsection B. (1) for more information on hazardous occupations). Minors age 16 and 17 years are not subject to restrictions on hours.
- D. Employees age 18 or older are not subject to restrictions on jobs or hours.

7. VOLUNTEERS.

- A. Volunteers are considered government employees for certain purposes as set forth in Utah Code Annotated § 67-20-3.
- B. Volunteers shall complete a Registration Form (Appendix Number 31) and Memorandum of Understanding Agreement (Appendix Number 32) defining the nature and terms of the volunteer services. The registration form contains the required information for Workers Compensation reporting and meets the requirements of the specific volunteer program. Copies of this form shall be sent to the HR/Payroll Clerk for review and approval.
- C. Volunteer positions shall require background checks into criminal and, if applicable, driving history and/or proof of licensure or certification, by completing the Application for Criminal History Record Review (see Appendix 51) when deemed appropriate by the City Manager or Mayor.
- D. A volunteer may not donate any service to a City department unless the volunteer's services are approved by the City Manager or Mayor as set forth in Utah Code Annotated § 67-20-4.
- E. The Department Head, City Manager, or Mayor may decline the services of a volunteer for any reason. Volunteers have no grievance or appeal rights.
- F. Volunteers may be allowed to operate City vehicles if the volunteer holds a valid State of Utah Driver's License and CDL if applicable.

- G. City employees who supervise volunteers shall provide clear direction, in writing if necessary, as to the requirements and duration of any services donated.
- H. A City employee shall not be a volunteer within his or her own department. A City employee may volunteer for another City department provided the following provisions apply:
 - (1) The services are entirely voluntary, with no coercion by a City representative, no promise of advancement made, and no penalty for not volunteering;
 - (2) The activities are predominantly for the employee's own benefit;
 - (3) The employee volunteer serves without contemplation of pay;
 - (4) The activity does not take place during the employee's regular working hours or scheduled overtime hours;
 - (5) The volunteer time is insubstantial in relation to the employee's regular work hours;
 - (6) The assignment does not involve the same type of service that the employee is employed to perform.
- I. Volunteers between the ages of 14 and 18 years are subject to the City's policies on Employment of Minors. The City shall not employ any volunteer under the age of 14 except as temporary volunteers (church groups, boys and girl scouts, etc.) that are engaged in a short-term volunteer project.
 - (1) Temporary Volunteers. If a temporary volunteer is an official volunteer (approved by the Mayor or designee) they are covered under Workers Compensation.
 - (2) Temporary volunteers that are under the age of 14 shall not perform tasks that have been determined as hazardous by the Secretary of Labor (see the Employment of Minors section for additional details).

Exhibit B- Section VI: Employee Code of Conduct

SECTION VI: EMPLOYEE CODE OF CONDUCT

Field Code Changed

1. MUNICIPAL OFFICERS' AND EMPLOYEES' ETHICS ACT. In accordance with state law, all municipal officers and employees ~~must~~shall abide by the Municipal Officers' and Employees' Ethics Act (Utah Code Annotated starting in 10-3-1301 through 10-3-1312). The stated purposes of this state law are to establish standards of conduct for municipal officers and employees and to require a disclosure of actual or potential conflicts of interest between public duties and personal interests. Officers and employees may consult with the City Manager or City Attorney if questions concerning the Act arise.
 - A. PRIVILEGED INFORMATION. City employees who are involved with information of significant public interest may not use this privileged information for personal gain, nor to benefit friends or acquaintances. If an employee has an outside interest which could be affected by any City plan or activity, this situation ~~must~~shall be reported to the City Manager or Mayor immediately. Each employee is charged with the responsibility of ensuring that only information that ~~should~~shall be made available to the general public is released as defined in the Government Records Access and Management Act ("GRAMA"). Dissemination of privileged information by an employee, via social media or other method, may subject the employee to disciplinary action in accordance with Section VII: Disciplinary Action.
 - B. GIFTS AND GRATUITIES. City employees are prohibited from soliciting or accepting any gift, gratuity, favor, entertainment, loan, or item of monetary value from any person seeking to obtain business with the City, or from any person within or outside City employment whose interests may be affected by the employees' performance or nonperformance of official duties. City employees ~~will~~shall not accept gifts or gratuities except under circumstances such as an occasional nonpecuniary gift having a value of less than \$50.00 or an award publicly presented or a loan made in the ordinary course of business or a political campaign contribution actually used in a political campaign as allowed by the Utah Code Annotated 10-3-1304.
 - C. DISCLOSURES. An officer or employee is required to make a disclosure in writing and file it with the City annually (Appendix Number 38). The written statement ~~must~~shall be notarized and given certain minimal information about the conflict of interest. The second required disclosure is oral and ~~must~~shall be made in an open meeting to the members of the body of which they are a member immediately before the discussion about the topic involved in the conflict of interest. An appointed officer who is not a member of a public body or a municipal employee ~~must~~shall also disclose the information required to their immediate supervisor.

2. PROFESSIONALISM. Tremonton City is a professional association whose purpose, among others, is to provide professional services to its citizens. Its employees ~~must~~shall adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct. Employees are required to carry out efficiently the work items assigned as their responsibility, to maintain good moral conduct, and to do their part in maintaining good relationships with their supervisors and fellow employees, the public, and other member employees and officials.
3. CONFIDENTIALITY. Fellow employees have an unquestionable right to expect all personal information about themselves, their illness, their family and financial circumstances to be kept confidential. Every employee has an obligation to protect this confidence. Never discuss privileged information with others who are not authorized to receive it, either inside or outside the office. Dissemination of confidential information by an employee, via social media or other method, may subject the employee to disciplinary action in accordance with Section VII: Disciplinary Action.
4. ATTENDANCE. Regular attendance and punctuality are essential to providing high quality work, service to customers, and to avoid extra work for fellow employees. Therefore, when the employee is going to be late or ~~will~~shall not be able to report to work, the employee ~~must~~shall notify their supervisor prior to the scheduled work time. If the employee is ill or has an emergency, the employee ~~should~~shall notify a supervisor (immediate supervisor preferred) as soon as possible on each day of absence.
5. PERSONAL COMMUNICATION DURING WORK HOURS. It is expected that employees ~~will~~shall limit personal communication such as visitors, emails, texts, or phone calls on their personal devices during working hours.
6. APPEARANCE. ~~The City reserves the right to expect~~City requires its employees to present a favorable impression ~~by virtue of their appearance while at work. -during any contact with the public.~~ All employees are expected to maintain a neat and clean personal appearance, ~~along with avoiding extreme appearance associated with hair color, body art, and piercings, maintain proper hygiene, and dress as appropriate for their job duties, as determined by the Mayor, City Manager, and/or Department Head in coordination with the City Attorney, while at work.~~ Standards of dress shall be appropriate to ~~meet the requirement of the employees to present themselves in a favorable impression during any contact with the public and may differ from each City department and an individual job within a City department. -the job and the tasks to be accomplished.~~
7. SMOKING. In compliance with the Utah Indoor Clean Air Act (UCA26-38), ~~smoking of traditional tobacco, cigars, electronic cigarettes, hookah, pipes and the like are prohibited is not permitted~~ in City facilities. Tremonton City also prohibits smoking ~~of traditional tobacco, cigars, electronic cigarettes, hookah, pipes~~ in City owned vehicles.

8. PERSONAL USE OF TREMONTON CITY OFFICE ITEMS.

A. Computer Equipment. Personal use of City owned computer systems by an employee is permitted in accordance with the following:

- (1) The employee is not compensated for the work performed, unless the employee has received prior written approval by the Mayor or City Manager.
- (2) The employee uses the computer system after hours, or on the employee's personal time.
- (3) The employee does not use the computer system for permanent storage of data.
- (4) The conveyance of content that compromises or damages the mission, function, reputation, or professionalism of the City or its employees shall be prohibited.
- (5) The employee's use of the City's computer is made with the understanding that such use and content that is accessed, transmitted, received, or reviewed is subject to access, audit, and disclosure by the City.
- (6) Misuse of City owned computer equipment by City employees constitutes misconduct, which is cause for disciplinary action, up to and including termination.
- (7) Waiver, Acceptance of Liability, and Indemnification. The employee is responsible for damages and the replacement of computer equipment that is damaged or stolen while the computer equipment is in the employee's custody. The employee also agrees to indemnify the City against any claims rising from the employee's use of the City computer equipment and the employee has signed the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) in the Appendix and submitted it to the HR/Payroll Clerk. Employees that use City computer equipment without first signing the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) constitutes misconduct which is cause for disciplinary action, up to and including termination.

B. Email/Internet. Personal use of City email and internet by an employee is permitted in accordance with the following:

- (1) Inappropriate use of e-mail and/or internet, which includes, but is not limited to, chat locations, sites of a sexual nature, etc. shall be prohibited.
- (2) Distribution of campaign materials or information shall be prohibited.
- (3) Conveying content that compromises or damages the mission, function, reputation, or professionalism of the City or its employees shall be prohibited.
- (4) The employee's use of the City's email and internet is made with the understanding that such use and content that is accessed, transmitted, received, or reviewed is subject to access, audit, and disclosure by the City.
- (5) Misuse of City owned email and/or internet by City employees constitutes misconduct, which is cause for disciplinary action, up to and including termination.

C. Postage Meters. No employee shall be allowed to use City owned postage metering machines at any time for posting and mailing of any material of a personal nature.

D. Copying Machines/Printers. Any employee desiring to use City owned copying machines and printers for items of a personal nature shall notify Accounts Payable of the date, number, and types of copies or prints so that the employee is billed for the actual costs. The actual costs, meaning the rate that the City pays the copier/printer leasing company, for using copy machines/printers.

E. FAX. Any employee desiring to use City owned FAX for items of a personal nature shall notify Accounts Payable of the date, time and telephone number of all long distance facsimiles made so that the employee is billed for the actual charges.

F. Telephone calls.

(1) Local Calls. It is expected that employees ~~will~~shall use City owned telephones for local personal calls judiciously. Local telephone calls are to be limited to necessity and ~~must~~shall not disrupt the carrying out of employee responsibilities.

(2) Long Distance Calls. Employees are expressly prohibited from making long distance telephone calls of a personal nature on City owned telephones. Emergency calls may be made by first obtaining permission from the Department Head. Employees shall notify Accounts Payable of

the date, time and telephone number of all long distance calls made so that the employee is billed for the actual charges.

9. PERSONAL USE OF TREMONTON FACILITIES, EQUIPMENT, AND VEHICLES.

A. Facilities. Personal use of City facilities by an employee is permitted without the payment of fees in accordance with the following:

- (1) Department Head Authorization. The Department Head who has management of the facility consents to the date and time on which an employee wants to use a facility.
- (2) Waiver, Acceptance of Liability, and Indemnification. The employee cleans and secures the facility after use and is responsible for damages to the facility that occurs during their use of the facility. The employee also agrees to indemnify the City against any claims rising from the employee's use of the City facility and the employee has signed the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) and submitted it to the HR/Payroll Clerk. Employees that use City facilities without first signing the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) constitutes misconduct, which is cause for disciplinary action, up to and including termination.
- (3) Not a Money Making Venture. The employees' use of the facility is not a money making venture, unless the employee has received prior written approval by the Mayor or City Manager which may permit use for some fundraising efforts.

B. Equipment. Personal use of some City equipment by an employee is permitted in accordance with the following:

- (1) Department Head Authorization. The Department Head who has management of the equipment consents to an employees' use of the equipment along with the date and time that the equipment ~~will~~shall be used and location of use of the equipment. The ~~Department Head~~ shall authorize use of City equipment to employees on a periodic and infrequent basis.
- (2) Waiver, Acceptance of Liability, and Indemnification. The employee is responsible for damages and the replacement of equipment that is damaged or stolen while the equipment is in the employee's custody. The employee also agrees to indemnify the City against any claims rising from the employee's use of the City equipment and the employee has signed the Waiver, Acceptance of Liability, and Indemnification Form (Appendix

Number 39) and submitted it to the HR/Payroll Clerk. Employees that use City equipment without first signing the Waiver, Acceptance of Liability, and Indemnification Form (Appendix Number 39) constitutes misconduct which is cause for disciplinary action, up to and including termination.

- (3) Not a Money Making Venture. The employees' use of the equipment is not a money making venture, unless the employee has received prior written approval by the Mayor or City Manager which may permit use for some fundraising efforts.
- (4) Heavy Equipment. The use of heavy equipment such as skid loaders, back hoes, man lifts, etc. for personal use is prohibited. Other than the aforementioned heavy equipment, it shall be the responsibility of the Department Head to determine what constitutes heavy equipment.
- (5) Safety. Employees that are using the equipment shall have a working knowledge of how to operate the equipment safely.
- (6) Consumable Supplies. The employee shall pay for the cost of consumables and other expenses excepting utilities if the use of the equipment is on site.

C. Vehicles. Personal use of City vehicles by an employee is prohibited except the following instances:

- (1) Traveling on City Business. When an employee is traveling on City business with a City vehicle, the employee, upon authorization from the Department Head, may take minor excursions for shopping, entertainment, etc.
- (2) Police Vehicles. Inasmuch as it has been determined that the presence of a police vehicle within the community is a detriment to crime, and as it has been outlined in the Police Department Policy Manual, police officers are permitted to use department vehicles for personal use.

~~10. CREDIT CARDS. Tremonton City credit cards shall be used for official business only and shall not be used for the personal convenience of an employee. Credit card purchases fall within the City's Purchasing Policy and carry the same requirements including, but not limited to, purchase orders and budget. After using a credit card, a receipt and purchase order are to be submitted to Accounts Payable. Already covered in Purchasing Policy~~

10+. OUTSIDE ACTIVITIES. Employees shall not represent the City or identify themselves in any way that could be reasonably perceived as representing the City when involved in any outside activity or interest. Employees shall make a specific disclaiming statement

that speech or expressions are not representative of the City, when it can reasonably be construed or confused, whether the employee is acting within his or her official duties as an employee or as a private citizen. Employees involved in an outside activity such as a civic organization, church organization, committee unrelated to City business, public office, or service club, shall:

- A. Pursue the outside activity on the employees' own time and away from the City offices;
- B. Discourage any phone, mail, or visitor contact related to the outside interest at City facilities; and
- C. Arrange for annual leave or compensatory time off to pursue the outside interest during business hours.

| 112. CAMPAIGN ACTIVITY. Municipal officers and employees shall follow the regulations contained in Utah Code Annotated 10-3-1108 which are generally as follows:

- A. An employee shall not be coerced to support a campaign activity, whether funds or time are involved.
- B. An employee shall not engage in campaign activity during work hours, unless on approved leave.
- C. An employee shall not use City-owned equipment, supplies or resources, and other attendant expenses when engaged in campaign activity.
- D. An employee shall not use, discriminate in favor of or against, any person or applicant for employment based on campaign and political activities.
- E. An employee shall not use the employee's title or position while engaging in campaign activity.

| 123. SECONDARY EMPLOYMENT.

- A. Tremonton City employment is primary.
 - (1) Employment with Tremonton City shall be the primary employment of all full-time employees. Full-time employees are permitted to engage in secondary or outside employment under the following guidelines:
 - (a) Outside employment of any employee shall not be of a type that would reasonably give rise to criticism or suspicion of conflicting interests or duties.

- (b) Outside employment of any employee shall not interfere with the employee's ability to successfully complete all functions of the employee's employment with Tremonton City.
- (2) Full-time employees are required to provide written notification to the Department Head or City Manager, using the Employee's Notice of Secondary Employment (see Appendix Number 16 for details) before starting any secondary or outside employment. This notification ~~should~~shall include the following information:
- (a) The employer's name, business name, and business address.
 - (b) A general overview of the type of business engaged in by the secondary employer.
 - (c) The specific duties engaged in by the employee at their secondary employment.

B. Tremonton City's approval process.

- (1) A Department Head shall review the written notification (see Appendix Number 16 for details) submitted by the Full-time employee and make a recommendation to the Mayor or City Manager regarding whether they recommend that the employee's secondary employment is approved or denied. Factors to consider include, but are not limited to, the following:
- (a) That the secondary employment reasonably articulates some factor or factors which could negatively impact their employment with Tremonton City. For example, that the secondary employment could reasonably be expected to be too physically or mentally draining on the employee.
 - (b) That the secondary employment could invoke a conflict of interest with their employment with Tremonton City.
 - (c) That the secondary employment is immoral or unethical.
- (2) The Mayor or City Manager shall review the written notification (see Appendix Number 16 for details) submitted by the Full-time employee and the Department Head's recommendation. The Mayor or City Manager shall determine whether the employee's secondary employment is approved or denied using the same factors enumerated above. The Mayor or City Manager's decision to approve or deny an employee's secondary employment shall be communicated in writing to the employee, using the

same Employee's Notice of Secondary Employment (see Appendix Number 16 for details). The employee:

- (a) Shall abide by that decision.
- (b) May appeal the decision to the City Council, whose decision shall be final.
- (c) May voluntarily resign their employment with Tremonton City.

134. CITY USE OF SOCIAL MEDIA.

A. DEFINITIONS. For purposes of this policy, the following terms are defined as follows:

- (1) "Social Media" is defined as primarily Internet and mobile-based websites, applications or software for sharing and discussing information, photos, video, comments and posting links to other information. Social Media includes but is not limited to: Social Networking sites (Facebook LinkedIn, and MySpace), Blogs, Microblogs (Twitter), Video Sharing sites (YouTube), Photo Sharing sites (TwitPic and Flickr), Wikis, or shared encyclopedias (Wikipedia), RSS feeds, and mobile phone content uploaded to the Internet.

B. PURPOSE. The City encourages the use of Social Media to further the goals of the City and the mission of its departments. Social Media may be used as a channel for disseminating time-sensitive information as quickly as possible and as marketing/promotional channels which increase the City's ability to broadcast its messages to the widest possible audience.

C. AUTHORIZATION. Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager ~~are authorized to use Social Media bearing the City's name and logo to broadcast information on Tremonton City's behalf.~~ In doing so the City entrusts that Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall use prudent judgment in representing the City and its interests. Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall be responsible for content that is ~~posted on these Social Media Sites.~~ Poor judgment exercised by Department Heads and authorized designees of Department Heads when posting content may be considered as misconduct and grounds for disciplinary action. The City Council may public censure an Elected Official that exercises poor judgment in posting content on behalf of the City. The following policies shall be followed when using Social Media on the City's behalf:

- (1) Users and visitors to Social Media sites shall be notified that the intended purpose of the site is to serve as a mechanism for communication between City and members of the public.
- (2) Content posted to Social Media sites ~~should~~shall contain links directing users back to the City's website for in-depth information, forms, documents, or online services necessary to conduct business with the City.
- (3) To the degree that the Social Media websites, applications or software allows, the City's logo, brand identity, and other marks shall be used consistent with the City's style guide.
- (4) Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall be responsible for the content and upkeep of any Social Media sites they may create.
- (5) The City reserves the right to restrict or remove any content that is deemed in violation of this Social Media policy or any applicable law. To this end, Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall fully cooperate when asked to remove content by the City.
- (6) Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager's content and expressions shall remain factual in nature and shall refrain from providing personal opinion.
- (7) Department Heads, authorized designees of Department Heads, Elected Officials, and the City Manager shall use prudent judgment in posting content. City Social Media site content shall not contain offensive or inappropriate content, which includes but is not limited to, the following:
 - (a) Comments in support of or opposition to political campaigns or ballot measures;
 - (b) Profane language or content;
 - (c) Content that promotes, fosters, or perpetuates discrimination;
 - (d) Sexual content or links to sexual content;
 - (e) Solicitation of commerce;
 - (f) Conduct or encouragement of illegal activity;

- (g) Information that may tend to compromise the safety or security of the public or public systems;
- (h) Content that violates a legal ownership interest of any other party;
- (i) Privileged information and other information that is protected by the Government Records Access and Management Act ("GRAMA");
- (j) Personal information about residents, elected officials, and employee's physical health, mental health, character, competence, family, financial status, contact information, and other personal circumstances; or
- (k) Content that opposes or undermines a decision made by City Council or compromises or damages the mission, function, reputation, or professionalism of the City or its employees.

Exhibit C- Section VII: Disciplinary Action

SECTION VII: DISCIPLINARY ACTION

Field Code Changed

1. GENERAL POLICY.

- A. It is the policy of Tremonton City that each new employee shall be provided a copy of the Tremonton City Personnel Policies and Procedures Manual outlining what is expected at work, what constitutes employee misconduct, what management and the employee may do to correct any misconduct, and what the employee's rights are if disciplined. Updates to the Tremonton City Personnel Policies and Procedures Manual are kept on the City's website (www.tremontontcity.com).
- B. It is the responsibility of all employees to inform themselves and to observe rules of conduct necessary for the proper operation of City government. Administrative procedures have been established for the handling of disciplinary measures when required. All such procedures shall follow the allegation of misconduct to the employee.
- C. Disciplinary action, up to and including termination, may be imposed for misconduct.
- D. The Mayor, City Manager, or Department Head shall conduct disciplinary action in a consistent manner.
- E. Except as stated to the contrary in this manual, written documentation concerning employee disciplinary action imposed shall become a permanent part of an employee's personnel file.

2. MISCONDUCT – CAUSES FOR DISCIPLINARY ACTION.

- A. Misconduct is cause for disciplinary action, up to and including termination. Misconduct, may include, but is not limited to, the following:
 - (1) Violation of the laws of the State of Utah or the United States, other than minor traffic offenses.
 - (2) Malfeasance: generally means wrongdoing or misconduct especially by a public official.
 - (3) Misfeasance: generally means the performance of a lawful action in an illegal or improper manner.
 - (4) Nonfeasance: generally means failure to act; failure to do what ought to be done.

- (5) Negligence: generally means failure to exercise the care that a reasonably prudent person would exercise in like circumstances.
- (6) Insubordination: generally means not obeying authority; refusing to follow orders.
- (7) Incompetence: generally means the lack of ability to do something well.
- (8) Failure to maintain skills.
- (9) Inadequate performance of duties.
- (10) Unauthorized absence or tardiness.
- (11) Violation of City policies.
- (12) Violation of the Personnel Policies and Procedures.
- (13) Violation of Departmental policies.
- (14) Discrimination in hiring, assignment, or promotion.
- (15) Sexual/gender harassment.
- (16) Use of alcohol or drugs, other than medication prescribed by a physician, that affect job performance
- (17) Drinking any alcoholic beverage during the workday or scheduled on-call time, or being under the influence of illicit drugs or alcohol during the workday.
- (18) Falsification or unauthorized alteration of records.
- (19) Falsification of employment application.
- (20) Falsification of City records.
- (21) Knowingly marking the time slip of another employee, authorizing ones time slip to be marked by another employee, or unauthorized alteration of a time slip.
- (22) Carelessness which affects the safety of personnel.
- (23) Conduct which endangers the peace and safety of others or poses a threat to the public interest.

- (24) Gambling or engaging in a lottery at any City work area.
- (25) Unjustified interference with work of other City employees.
- (26) Deliberately restricting output.
- (27) Sleeping during working hours, with the obvious exception of fireman employees.
- (28) Theft or removal of any City property or property of any employee from the work area premises without proper authorization.
- (29) Misusing, destroying, or damaging any City property or the property of any employees.
- (30) Unwelcome name-calling, obscene language, and other abusive behavior.
- (31) Threatening, intimidating, coercing, or interfering with fellow employees on the job or the public at large.
- (32) Threatening to injure an individual or to damage property.
- (33) Injuring another person physically.
- (34) Intimidation through direct or veiled verbal threats.
- (35) Engaging in behavior that subjects another individual to extreme emotional distress.
- (36) Possessing, brandishing, or using a firearm, weapon, or explosive that is not required by the individual's position while on City premises or engaged in City business.
- (37) Fighting (verbal or physical) on City premises.
- (38) Retaliating against any employee or a member of the public who, in good faith, reports a violation of this policy.
- (39) Poor judgment exercised by Department Heads, and/or authorized designees of Department Heads, when posting content on behalf of Tremonton City, which is in violation of the guidelines and requirements contained in the City Use of Social Media policy as detailed in Section VI: Employee Code of Conduct.
- (40) Breaking traffic laws when driving a personal vehicle to the Fire Station to respond to an emergency call, ~~or~~ Driving City Fire Department Apparatus without the Emergency Vehicle Operator certification, or

breaking traffic laws when driving a shall City Fire Department Apparatus to the incident scene, hospital, etc

(41) Repeated attempts to fraternize beyond the scope of employment duties.

(42) Failure to acquire and maintain job certifications listed in the employee's Job Description.

B. The Department of Transportation (DOT) has expanded the definition of events that require disqualification of CDL drivers from driving commercial vehicles. A driver shall be disqualified from driving a Commercial Motor Vehicle (CMV) if the driver commits a "Major Driving Offense" while driving either a CMV or a non-CMV, including personal motor vehicles. (See Appendix 34 for the specific "Major Driving Offenses" and periods of disqualification.

3. CLASS I – TYPES OF DISCIPLINARY ACTION. Class I types of disciplinary action are appropriate for minor misconduct as determined by the City Manager or Department Head. After conducting an investigation (See subsection 5) the City Manager or Department Head may determine that a type of Class I disciplinary action is appropriate. In determining if the misconduct is minor the City Manager or Department Head may consider aggravating and mitigating circumstances such as: the repeated nature of misconduct, prior disciplinary action imposed, the severity of the misconduct, the employee's work record, the effect on City operations, and/or the potential of the misconduct to harm person(s) or property. Class I types of disciplinary action are generally aimed at correcting the minor misconduct. Disciplinary actions that include Up to Two-Day Suspension and Involuntary Transfer – To a Position with Same Remuneration require the concurring consent of the City Manager.

A. Verbal Warning.

(1) Whenever misconduct exists and the City Manager, Department Head, or Sergeant/Battalion Chief/Lead determines that more severe action is not immediately necessary, the employee's misconduct ~~should~~shall be verbally communicated to the employee.

(a) When communicating a verbal warning, the City Manager, Department Head, or Sergeant/Battalion Chief/Lead ~~should~~shall state clearly that they are issuing a verbal warning;

(b) Be specific in describing the unacceptable performance or behavior;

(c) Remind the employee of the acceptable standards or rules and provide a copy of the appropriate policy to the employee and the corrective action sought;

(d) State the consequences of failure to demonstrate immediate and sustained improvement.

(2) Whenever possible, sufficient time for improvement ~~should~~shall precede additional disciplinary action to monitor the correction of the misconduct demonstrated.

B. Written Warning.

(1) The City Manager or Department Head may provide an employee a Written Warning associated with an employee's misconduct when the City Manager or Department Head determines that more severe action is not immediately necessary. The City Manager or Department Head shall furnish the employee with a written Employee Written Warning Notification (see Appendix Number 43 for details) setting forth the reason(s) and the corrective action sought.

(2) A copy of the Employee Written Warning Notification, signed by the City Manager or Department Head and the employee, shall be placed in the employee's personnel file. If the employee refuses to sign the form, the City Manager or Department Head shall so state. The Written Warning may be expunged from the employee's personnel file when no other misconduct occurs after six (6) months.

C. Written Reprimand.

(1) The City Manager or Department Head may reprimand an employee for cause associated with an employee's misconduct. The City Manager or Department Head shall furnish the employee with a written Employee Written Reprimand Notification (see Appendix Number 17 for details) setting forth the reason(s) and the corrective action sought.

(2) A copy of the Employee Written Reprimand Notification, signed by the City Manager or Department Head and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form, the City Manager or Department Head shall so state.

D. Up to Two-Day Suspension.

(1) The City Manager or Department Head may suspend an employee for up to, but not exceeding, two (2) days for cause associated with an employee's misconduct.

(2) On or before the effective date of the suspension, the City Manager or Department Head shall furnish the employee with a written Employee Up

to Two-Day Suspension Notification (see Appendix Number 18 for details) setting forth the reason(s) for suspension and the corrective action sought.

- (3) A copy of the Employee Up to Two-Day Suspension Notification, signed by the City Manager or Department Head and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form, the City Manager or Department Head shall so state.
- (4) An employee on suspension for up to two (2) days shall be responsible for making contributions to their employee medical insurance benefits if applicable in accordance with Section XIII Compensation Planning subsection 12.

E. Involuntary Transfer- To a Position with Same Remuneration.

- (1) The City Manager or Department Head may transfer an employee without the employee's consent to a different position with the same remuneration due to an employee's misconduct. For purposes of this section, remuneration means compensation or benefits received from employment.
- (2) Involuntary transfers to a position with same remuneration may occur for situations other than disciplinary action such as to accommodate an FMLA situation, etc. Involuntary transfers to accommodate these situations shall not be misconstrued to be a disciplinary action.
- (3) On or before the effective date of the transfer, the City Manager or Department Head shall furnish the employee with a written Employee Involuntary Transfer To a Position with Same Remuneration Notification (see Appendix Number 19 for details) setting forth the reason(s) for transfer and the corrective action sought.
- (4) A copy of the Employee Involuntary Transfer To a Position with Same Remuneration Notification, signed by the City Manager or Department Head and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form, the City Manager or Department Head shall so state.

4. CLASS II- TYPES OF DISCIPLINARY ACTION. Class II types of disciplinary action are appropriate for major misconduct as determined by the Mayor, City Manager, or Department Head. After conducting an Investigation (See subsection 5), providing written notice (See subsection 6) for eligible employees, and Pre-Deprivation Hearing for eligible employees (See subsection 7) the Mayor, City Manager, or Department Head may determine that a type of Class II disciplinary action is appropriate. In determining if the misconduct is major the Mayor, City Manager, or Department Head may consider

aggravating and mitigating circumstances such as: the repeated nature of misconduct, prior disciplinary action imposed, the severity of the misconduct, the employee's work record, the effect on City operations, and/or the potential of the misconduct to harm person(s) or property. Class II types of disciplinary action are generally aimed at immediately ending or resolving the misconduct and may result in a temporary or permanent loss of a property right for an employee. All Class II types of disciplinary action require the concurring consent of the Mayor or City Manager.

A. Over Two-Day Suspension.

- (1) The Mayor, City Manager, or Department Head may suspend an employee over two (2) days for up to, but not exceeding, thirty (30) calendar days for cause associated with an employee's misconduct.
- (2) On or before the effective date of the suspension, the Mayor, City Manager, or Department Head shall furnish the employee with a written Employee Over Two-Day Suspension Notification (see Appendix Number 18 for details) setting forth the reason(s) for suspension and the corrective action sought.
- (3) A copy of the Employee Over Two-Day Suspension Notification, signed by the Mayor, City Manager, or Department Head and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form, the Mayor, City Manager, or Department Head shall so state.
- (4) An employee on suspension for over two (2) days shall be responsible for making contributions to their employee medical insurance benefits if applicable in accordance with Section XIII Compensation Planning subsection 12.

B. Involuntary Transfer- To a Position with Less Remuneration.

- (1) The Mayor, City Manager, or Department Head may transfer an employee without their consent to a different classification with less remuneration or work location due to an employee's misconduct. For purposes of this section, remuneration means compensation or benefits received from employment.
- (2) On or before the effective date of the transfer, the Mayor, City Manager, or Department Head shall furnish the employee with a written Employee Involuntary Transfer To a Position with Less Remuneration Notification (see Appendix Number 19 for details) setting forth the reason(s) for transfer and the corrective action sought.

- (3) A copy of the Employee Involuntary Transfer To a Position with Less Remuneration Notification, signed by the Mayor, City Manager, or Department Head and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form, the Mayor, City Manager, or Department Head shall so state.

C. Termination for Cause.

- (1) The Mayor, City Manager, or Department Head may terminate an employee for cause associated with an employee's misconduct by furnishing the employee with a written Employee Termination Notification (see Appendix Number 20 for details).
- (2) A copy of the Employee Termination Notification, signed by the Mayor, City Manager, or Department Head and the employee, shall be permanently placed in the employee's personnel file. If the employee refuses to sign the form, the Mayor, City Manager, or Department Head shall so state.

5. CONDUCTING AN INVESTIGATION.

A. CLASS I- Investigations.

- (1) The City Manager or Department Head shall conduct an investigation to determine the findings of misconduct upon which form the grounds for Class I disciplinary action. The investigation may include an informal opportunity for the employee to discuss the facts or circumstances surrounding the findings.

B. CLASS II- Investigations.

- (1) The Mayor, City Manager, or Department Head shall conduct an investigation into the allegations to determine the preliminary findings of misconduct upon which form the grounds for Class II disciplinary action.
- (2) During an investigation to determine the facts upon which disciplinary action may be imposed, the Mayor, City Manager, or Department Head may place an employee on administrative leave (See Section XVIII Leaves of Absences for more detail).
- (3) The investigation may include an informal opportunity for the employee to discuss the facts or circumstances surrounding the preliminary findings.

6. CLASS II – PRE-DEPRIVATION NOTICE (LOUDERMILL NOTICE).

- A. Background. The Pre-Deprivation Notice or Loudermill Notice is part of the "due process" requirement provided to eligible government employees. The term Loudermill stems from a court case in which the United States Supreme Court held that non-probationary civil servants had a property right to their employment and such employment could not be deprived unless employees were given written notice of the charges against them prior to being deprived.
- B. Eligibility. Employees not covered by Utah Code 10-3-1105 may be suspended for over two (2) days without pay, involuntarily transferred to a position with less remuneration, or terminated with or without notice for any or no reason without any right to due process, notice, explanation, or appeal in connection with said suspension, involuntary transfer, or termination.
- C. Pre-Deprivation Notice. The City shall provide timely written notice of the charges against the employee. The Pre-Deprivation Notice shall include the following:
 - (1) Where the employee can obtain access to City rules, policies, and procedures.
 - (2) The preliminary findings including a description of the specific misconduct for which the disciplinary action could potentially be imposed, evidence of alleged misconduct, and citation of appropriate personnel policy that was violated.
 - (3) Any prior disciplinary action imposed.
 - (4) The disciplinary action that may be imposed.
 - (5) The effective date and duration of the potential disciplinary action.
 - (6) Time and place of the Loudermill Hearing; the employee has the right to attend the Loudermill Hearing, but even ~~should~~shall the employee choose not to attend, the hearing shall still take place.
 - (7) The invitation to provide a written response to the preliminary findings of misconduct. An employee's written response, if any, and other related documents shall be placed in the employee's personnel file.

7. CLASS II- PRE-DEPRIVATION HEARING (LOUDERMILL HEARING).

- A. Background. The Pre-Deprivation Hearing or Loudermill Hearing is part of the "due process" requirement provided to eligible government employees. The term Loudermill stems from a court case in which the United States Supreme Court held that non-probationary civil servants had a property right to their employment and such employment could not be deprived unless employees were given an

opportunity to hear and respond to the charges against them prior to being deprived. Since disciplinary actions involve factual disputes, a hearing provides the employee an opportunity to explain and refute any preliminary findings the employer reached prior to imposing Class II disciplinary action against the employee.

- B. Eligibility. Employees not covered by Utah Code 10-3-1105 may be terminated, suspended for over two (2) days without pay, or involuntarily transferred to a position with less remuneration with or without notice for any or no reason without any right to due process, notice, explanation, or appeal in connection with said termination, suspension, or involuntary transfer.
- C. Hearing. Any eligible employee facing Class II disciplinary action shall be afforded a pre-deprivation hearing. The pre-deprivation hearing shall be attended, at minimum, by one or more of the following: the Mayor, City Manager, and/or the applicable Department Head. Others may be invited to attend the pre-deprivation hearing on a case by case basis at the discretion of the Mayor, City Manager, and/or applicable Department Head. The pre-deprivation hearing shall:
 - (1) Be held at the offices of Tremonton City, or any other appropriate location as decided by the Mayor, City Manager, or applicable Department Head.
 - (2) Absent good cause for exception, be held during the course of regular Tremonton City Business Hours.
 - (3) Not be a public meeting.
 - (4) Provide an opportunity for the Mayor, City Manager, applicable Department Head, and/or an invited attendee to ask questions of the employee relevant to the employee's alleged misconduct.
 - (5) Provide an opportunity for the employee to refute any preliminary findings of the employee's misconduct referenced in the pre-deprivation notice. Such refutation may be provided in written form by the employee and may include any statements or documents that the employee determines to be absolvitory in nature.

8. IMPOSING DISCIPLINARY ACTION.

- A. For Class I (except for verbal reprimand) disciplinary action the City Manager or Department Head shall notify the employee, in writing, of the findings of the investigation and type of disciplinary action imposed. The written statement shall include:
 - (1) The findings, including a description of the specific misconduct for which the disciplinary action is being imposed.

- (2) Any prior disciplinary action imposed.
- (3) The disciplinary action to be imposed.
- (4) The effective date and duration of the disciplinary action.
- (5) The corrective action necessary for the employee to avoid further disciplinary action.

B. For Class II disciplinary action the Mayor, City Manger, or Department Head shall notify the employee, in writing, of the preliminary findings of the investigation, the finding of facts of the Pre-Deprivation Hearing, and type of disciplinary action imposed. The written statement shall include:

- (1) The preliminary findings, including a description of the specific misconduct for which the disciplinary action is being imposed.
- (2) The findings of fact of the Pre-Deprivation Hearing.
- (3) Any prior disciplinary action imposed.
- (4) The disciplinary action to be imposed.
- (5) The effective date and duration of the disciplinary action.
- (6) The corrective action necessary for the employee to avoid further disciplinary action, if applicable.
- (7) The employee's right to submit a written notice of appeal to the Tremonton City Recorder within ten (10) days or the employee shall be deemed to have waived all appeal rights. Should the employee choose to appeal, the City is authorized to forward the documents on to the Appeals Board.

9. CLASS II – POST- DEPRIVATION HEARING (APPEAL HEARING).

A. For more information on Class II – Post-Deprivation Hearings see Chapter 3-1300 Appeals Board, of the Tremonton City Corporation's Revised Ordinances.

Notes:

Resolution No. ~~13-22-16-41~~
~~2013~~ August 2, 2016

7-12

Adopted on: ~~April 2,~~

Exhibit D- Section VIII: Grievance Procedures/Process

SECTION VIII: GRIEVANCE PROCEDURES/PROCESS

Field Code Changed

1. GENERAL POLICY.

- A. Employees who perceive that they have a grievance against Tremonton City and/or their relationship with co-workers shall exhaust the administrative procedure set forth in this policy before addressing their grievance through any other forum. An employee may file a grievance associated with a work related concern regarding the following:
- (1) Employee-supervisor relationships.
 - (2) Employee-employee relationships.
 - (3) Duty assignments not affecting job classification.
 - (4) Shift and job location assignments.
 - (5) Working conditions.
 - (6) Class I types of disciplinary actions, except for Verbal Warnings and Written Warnings.
- B. Issues that shall not be addressable through the grievance process include, but are not limited to:
- (1) Class II types of disciplinary actions, which are to be processed according to the Appeals Procedures contained in Section VII: Disciplinary Action of this manual.
 - (2) Sexual/Gender Harassment claims, which are to be processed according to Section V: Sexual/Gender Harassment of this manual.

2. PROCEEDINGS.

- A. Informal Proceedings.
- (1) Grievances shall be resolved at the lowest administrative level possible. Employees and supervisors or employees and employees shall attempt to resolve grievances informally by discussing the grievance concerns with all the applicable individuals before any formal written grievance is filed.
- B. Formal Proceedings.
- (1) Each employee pursuing a formal grievance shall complete and submit a Grievance Form (Appendix Number 21) and other documents pertaining

to the grievance. The Grievance Form shall contain, at a minimum, the following information:

- (a) Name of the employee.
 - (b) Date the occurrence or action underlying the grievance occurred.
 - (c) Dates, description, and outcome of attempts to resolve the grievance informally.
 - (d) Nature of the grievance.
 - (e) The reasoning as to why the employee perceives the action underlying the grievance to be a work related concern.
 - (f) Historical information related to the grievance and facts supporting the employee's perception of the action underlying the grievance to be a work related concern.
 - (g) Requested resolution.
 - (h) Signature of the employee filing the grievance and date filed.
- (2) Employees shall be allowed a reasonable amount of time during work to prepare written grievances.

C. Informal and Formal Proceedings Procedures and Process.

- (1) Grievances shall be resolved at the lowest administrative level possible. A grievance shall be processed through the following levels of administration, if applicable:
- (a) Immediate supervisor in conjunction with the appropriate Department Head.
 - (b) Department Head.
 - (c) City Manager.
 - (d) Mayor. The decision of the Mayor constitutes the final level of administration and is final and non-appealable.
- (2) At each level of the grievance process, after an administrator has received an employee grievance, the administrator shall have ~~ten (10) working days~~ to a reasonable period to respond. The administrator shall conduct an

investigation into the submitted grievance to determine whether any claims asserted in the grievance amounts to misconduct.

- (a) For informal grievances, the administrator shall facilitate a discussion with the applicable individuals.
- (b) For formal grievances, the administrator shall respond in writing to the grievance. If an administrator is unable to answer the grievance within ~~the specified time period~~ reasonable period due to exigent circumstances, the administrator ~~may take an additional ten (10) working days to answer the grievance if they shall~~ notify the employee ~~in writing~~ of the exigent circumstances ~~and that the extension is being exercised~~. If the grievance remains unresolved or the decision is considered unacceptable, the employee may proceed to the next level of administration.

- (3) If misconduct is determined through the investigation, then the administrator, in accordance with Section VII: Disciplinary Action, Subsection 3 and Subsection 4 of this manual, shall determine if the misconduct constitutes Class I or Class II disciplinary action and follow the disciplinary process contained in Section VII.

D. Any clearly false or bad faith claims made by an employee regarding grievances constitutes misconduct and may be subject to disciplinary action.

3. DISCLOSURE AND CONFIDENTIALITY.

A. Disclosure. In order to process and resolve any informal or formal grievance, the disclosure of the identity of individuals that are claiming the grievance and the information provided by them shall be fully disclosed to others named in the grievance.

B. Confidentiality.

- (1) Those that are involved in a grievance shall keep the verbal or written information disclosed private and confidential and shall only be released to others on a need to know basis to address, investigate, or resolve the grievance.
- (2) Files. Any paper documentation related to any grievance complaint, proceeding, or resolution shall be maintained in accordance with Section X: Record Keeping.

4. RETALIATION OR REPRISAL PROTECTION.

- A. Retaliation or reprisals are prohibited against any employee who has filed a grievance or who has testified, assisted, or participated in any manner in an investigation or proceeding.
- (1) Retaliatory and reprisal activities shall be considered misconduct and any employee or supervisor engaging in retaliatory or reprisal activities shall be subject to disciplinary action up to and including termination. Retaliation and reprisal activities may consist of, but is not limited to, any of the following:
- (a) Open hostility.
 - (b) Exclusion or ostracism.
 - (c) Special or more closely monitored attention to work performance.
 - (d) Assignment to demeaning duties not otherwise performed during the regular course of the employee's duties.
- (2) Retaliation and reprisal is misconduct and an additional and separate disciplinary offense.

5. REMEDIES TO PREVIOUS DISCIPLINARY ACTION.

- A. If any Class I types of disciplinary action against an employee is rescinded as a result of the grievance process, the Mayor or City Manager shall remove the record of the disciplinary action from the employee's personnel file.
- B. If any Class I types of disciplinary action against an employee is modified as a result of the grievance process, the unmodified record of the disciplinary action shall be removed from the employee's personnel file and the modified record of the disciplinary action shall be placed in the employee's personnel file.

Exhibit E- Section X: Record Keeping

SECTION X: RECORD KEEPING

Field Code Changed

1. GENERAL POLICY. Federal law requires employers to keep detailed records about their employees.
2. CONFIDENTIALITY.
 - A. Tremonton City's policy is that only relevant, job-related information is maintained regarding its employees, that such information is held in strict confidence, and that access is limited only to those who require it for legitimate business reasons.
 - B. Upon request, employees, or their representative designated in writing, have the opportunity to review their own files, in the presence of the Mayor, City Manager, City Recorder, or HR/Payroll Clerk on Tremonton City premises during regular business hours. When a supervisor requires access to the personnel file of an employee under his or her supervision for the handling of personnel matters, the supervisor may review the file with the City Recorder or HR/Payroll Clerk.
3. PERSONNEL FILE REQUIREMENTS.
 - A. General.
 - (1) Personnel files are maintained regarding each employee and kept by the City Recorder and HR/Payroll Clerk. The record copy (original, copy when available) of all appropriate personnel information, as set forth hereafter, related to an employee shall be filed in the employee's personnel file.
 - (2) ~~No~~ information from any record placed in an employee's personnel file ~~will~~shall be communicated to any person or organization except by authorization of the Mayor or the employee's designated representative.
 - B. Contents.
 - (1) An employment record, including the employee's job application, resume, conditional offer of employment forms, and final job offer letter.
 - (2) Results of any pre-employment medical examinations and background investigations.
 - (3) A signed copy of the employee's acknowledgment of receiving a copy of the personnel policies and procedures manual.
 - (4) Employee's Withholding Allowance Certificate (Form W-4).

- (5) Health Insurance forms.
- (6) Retirement forms.
- (7) All personnel action forms, which may include, but are not limited to:
 - (a) Performance evaluations.
 - (b) Promotions or transfers.
 - (c) Salary rate changes.
 - (d) Disciplinary action taken.
 - (e) Any information the employee wants included in response to any of the above actions.
- (8) Records of citations for excellence or awards for good performance.
- (9) Record of any other pertinent information having a bearing on the employee's status.
- (10) Certificates or documentation of trainings attended.
- (11) Any other documents management deems appropriate to be retained.

C. Change of Employee Status. Employees are responsible for ensuring that personal employee information contained in their personnel files is current and accurate. Employee information (any change in number of dependents, marital status, address, educational degrees, etc.) shall be updated by the employee completing a Change of Status Form (see Appendix Number 27 for details) and giving it to the City Recorder or HR/Payroll Clerk to file in their personnel file.

- 4. EMPLOYMENT REFERENCES. Tremonton City limits information given in an employment reference to the following:
 - A. Verification that the employee worked for Tremonton City during a stated period and the employee's job titles.
 - B. A description of the position held.
 - C. Verification that the employee achieved a given wage or salary.

5. VERIFICATION OF EMPLOYMENT.

- A. When the City Recorder or HR/Payroll Clerk receives a third party request for verification of employment, the third party mustshall also provide the City with the employee's signed authorization to release information. No information willshall be given without the employee's signed authorization to release.
- B. The City Recorder or HR/Payroll Clerk willshall compare the release signature with the employee's signature on file in the personnel files.

6. MAINTAINING SEXUAL/GENDER HARASSMENT COMPLAINT FILES.

- A. Any paper documents related to any sexual/gender harassment complaint, proceeding, or resolution shall be maintained in separate and confidential sexual/gender harassment complaint files. This information shall not be placed or maintained in any employee's personnel file.
- B. Information contained in the sexual/gender harassment complaint files shall be released only with the written authorization of the Mayor or City Manager for internal purposes only.
 - (1) Written Sexual/Gender Harassment Complaints (Appendix Number 54) and documents and supporting or associated documents shall be classified as "Private" for purposes of the Government Records Access Management Act ("GRAMA") of the State of Utah.
- C. Participants in any sexual/gender harassment proceeding/investigation shall treat all information and records related to that proceeding/investigation as confidential.

7. GRIEVANCES COMPLAINT FILES.

- A. Any paper documents related to any grievance complaint, proceeding, or resolution shall be maintained in separate and confidential grievance complaint files. This information shall not be placed or maintained in any employee's personnel file.
- B. Information contained in the grievance complaint files shall be released only with the written authorization of the Mayor or City Manager for internal purposes only.
 - (1) Written Grievance Forms (Appendix Number 21) and documents shall be classified as "Private" for purposes of the Government Records Access Management Act ("GRAMA") of the State of Utah.
- C. Participants in any grievance proceeding/investigation shall treat all information and records related to that proceeding/investigation as confidential.

8. OTHER FILE REQUIREMENTS. Records should be examined annually to keep the files current.
 - A. Job applications.
 - B. Test papers completed by job applicants or candidates for any position.
 - C. Any advertisements or notices relating to job openings or training programs.
9. FEDERAL LABOR STANDARDS ACT (FLSA) MINIMUM WAGE REQUIREMENTS. Tremonton City shall keep time cards on all employees for a period of at least three (3) years with the following information:
 - A. Hours worked each day and total hours worked each week;
 - B. Total daily or weekly straight-time earnings;
 - C. Total additions to or deductions from wages paid each pay period, including an explanation of items that make up additions and deductions;
 - D. Date of payment and pay period covered; and
 - E. Total overtime above regular compensation for work week.
10. OTHER REQUIREMENTS. There are record keeping requirements under other federal and state laws over which the City Recorder and the HR/Payroll Clerk has jurisdiction:
 - A. Occupational Safety and Health Administration record of injuries.
 - B. Workers Compensation files shall be retained for ten (10) years after the case is closed per the Government Records Access Management Act (GRAMA).
 - C. Immigration Reform and Control Act requires the Employment Eligibility Verification (Form I-9) forms to be kept for three (3) years after the person is hired or for one (1) year after employment is terminated, whichever is later.

Exhibit F- Section XI: Performance Evaluations

SECTION XI: PERFORMANCE EVALUATIONS

1. GENERAL POLICY.

- A. Performance evaluations willshall consist of a review between the supervisor and the employee using Tremonton City's Performance Evaluation Form (see Appendix Number 28).
- B. It is the policy of Tremonton City that employee evaluations be conducted in a manner which willshall ensure fair treatment and an objective evaluation of employee performance.

2. ~~PERFORMANCE PERIODS.~~ EMPLOYEE EVALUATIONS.

A. Probation.

- (1) New Hires. Performance Evaluations for employees who have worked for the City for less than three (3) months prior to the time evaluations are given may or may not be evaluated at the discretion of the Department Head. Employees on probation shall have a performance evaluation at the end of the one (1) year probationary period.
- (2) The performance evaluations may be used to provide information to both the employee and management regarding the employee's performance.
- (3) ~~Probationary employees should understand that their P~~performance evaluations and the results of such evaluations shall not obligate Tremonton 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 jobs/positions.

B. Annual.

- (1) Performance evaluation; willshall be completed for all Full-time, Part-time, and Firefighter/EMT employees at least annually.
- (2) Although a salary adjustment never automatically follows a performance evaluation, the performance evaluation willshall be included as a component of any future compensation increase.

3. CONFIDENTIALITY

- A. Completed performance evaluations shall permanently remain in the employee's personnel file and become a part of the ~~private~~ information of that file.

- B. Performance evaluations may be used in decisions concerning advancement, future training needs, performance related salary adjustments, and contested disciplinary actions.

Exhibit G- Section XII: Employment Terms

SECTION XII: EMPLOYMENT TERMS

Field Code Changed

1. GENERAL POLICY. Tremonton City develops, maintains, and interprets the terms and conditions of employment for persons employed with the City.
2. EMPLOYMENT CLASSIFICATIONS. There are five classifications of employees within Tremonton City:
 - A. Full-time Employees. An employee hired for an indefinite period in a position for which the normal work schedule is forty (40) hours per week. Unless otherwise specified, Police Shift Officers are classified as Full-time Employees. See Section XVI Benefits of this manual for benefits which Full-time Employees shall qualify for.
 - B. Part-time Employees. An employee hired for an indefinite period in a position for which the normal work schedule is less than forty (40) hours per week. See Section XVI Benefits of this manual for benefits which Part-time Employees shall qualify for.
 - C. Part-time Recreation Employees. An employee hired for an indefinite period in a Recreation Program position for which the normal work schedule is less than forty (40) hours per week. See Section XVI Benefits of this manual for benefits which Part-time Recreation Employees shall qualify for.
 - D. Temporary/Emergency Employees. An employee hired for a position which is required for only a specific, known duration, usually less than four (4) months. See Section XVI Benefits of this manual for benefits which Temporary/Emergency Employees shall qualify for.
 - E. Firefighter/EMT Employees. An employee hired for call-out in response to fire, medical, and hazardous material emergencies. See Section XVI Benefits of this manual for benefits which Firefighter/EMT Employees shall qualify for.
3. EMPLOYMENT STATUS. To facilitate provisions of the Fair Labor Standards Act (FLSA), employees shall also be classified as either exempt or non-exempt, with respect to eligibility for overtime payment. They shall be defined as:
 - A. Exempt. Positions of a managerial, administrative, or professional nature, as prescribed by Federal and State Labor Statutes, shall be exempt from minimum wage and mandatory overtime payment regulations.
 - B. Non-exempt. Positions of a clerical, technical, or service nature, as prescribed by Federal and State Labor Statutes, which are covered by provisions for minimum wage and mandatory overtime payment regulations.
4. AT-WILL EMPLOYMENT. Unless specified elsewhere, and for employees not covered by Utah Code 10-3-1105, all employment with Tremonton City is at-will, which means

there is no obligation on either the employee or Tremonton City to continue employment for any set length of time. Probationary and post-probationary at-will employees may be terminated at any time without cause, reason, or explanation. Nothing in these policies shall be interpreted to be in conflict with or to eliminate or modify in any way the employment-at-will status of City employees. These personnel policies are not intended to be a contract of employment or a legal document.

5. WORK WEEK.

- A. For purposes of calculating overtime, the work week begins on Sunday at 0001 hours and ends on Saturday at 2400 hours.
- B. The work week for Police Shift Officers and Firefighter/EMT Employees shall be directed by the Mayor or City Manager.

6. WORK DAYS.

- A. Work days for full-time employees shall be Monday through Friday.
- B. Work days for Police Shift Officers and Firefighter/EMT Employees shall be directed by the Mayor, City Manager, Police Chief, or Fire Chief.
- C. Work days for all other employees shall be directed by the Mayor, City Manager, or Department Head.

7. WORK HOURS.

- A. Work hours for full time employees shall be 8:00 a.m. through 5:00 p.m. with a one (1) hour lunch period or as set by the Department Head.
- B. Work hours for Police Shift Officers and Firefighter/EMT Employees shall be directed by the Mayor, City Manager, Police Chief, or Fire Chief.
- C. Work hours for all other employees shall be directed by the Mayor, City Manager, or Department Head.

8. ATTENDANCE. Employees shall be in attendance at their work stations or location during their scheduled working hours.

9. BREAKS AND LUNCH PERIODS.

- A. Full-time Employees:
 - (1) Breaks: Two (2) optional fifteen (15) minute paid breaks may be taken at the employee's election during a standard work day. Breaks cannot be used to extend the lunch period or shorten an employee's work hours. If

employees choose to work through their paid breaks, it is their decision to do so and no extra compensation shall be given for the time worked.

- (2) Lunch period: One (1) hour unpaid lunch period during a standard work day to be taken at the discretion of the Mayor, City Manager, or their Department Head to ensure continuity in the flow of work.

B. Police Shift Officers:

- (1) Breaks and lunch periods shall be taken at the discretion of the Mayor, City Manager, or Police Chief to ensure the continuity in the flow of work.

C. All other employees:

- (1) Breaks and lunch periods shall be taken at the discretion of the Mayor, City Manager, or their Department Head, to ensure continuity in the flow of work.

D. Nursing Mothers Break. Under the Patient Protection and Affordable Care Act (PPACA), employers covered by the Fair Labor Standards Act (FLSA) shall be required to furnish reasonable breaks and a secluded location for nursing mothers to express milk for their infants.

- (1) The Mayor, City Manager, or Department Head, in coordination with the employee, shall provide a reasonable break time for an employee to express breast milk for her nursing child for one (1) year after the child's birth. Breaks shall be paid according to the City break policy. Extra time shall be allotted as needed.
- (2) The Mayor, City Manager, or Department Head shall provide a space, other than a bathroom, which is shielded from view and free from intrusion from co-workers and the public, which may be used by an employee to express breast milk.

10. JOB RELATED TRAINING AND CONFERENCES. Employees may be either encouraged or required to obtain training through attendance at job related training courses, conferences, seminars, or certification courses in areas that ~~will~~shall enhance their job performance. Department Heads shall approve attendance for conferences, seminars, or certification courses in advance based upon such factors as department priorities, employee work schedules, budgeted funds, and other factors. Employee's attendance at out-of-state national conferences and seminars shall be in accordance with the City's Travel Policy contained in Section XV: Reimbursable Expenses. The employee shall be compensated as follows:

- A. Non-Exempt Employees. Non-Exempt employees shall receive their regular hourly pay for travel to, attendance at, and travel from training or conferences. Department Heads shall work with non-exempt employees who travel to flex

travel time and attendance at conferences within the week it was worked (see subsection 12). If flexing time is not possible, Non-Exempt Employees shall be compensated at the rate of one and one-half (1 and ½) times their regular hourly pay if hours worked exceed forty (40) hours in that week (see subsection 14).

- B. Exempt Employees. Exempt Employees shall receive their regular pay for travel to, attendance at, and travel from training or conferences.
- C. For reimbursable expenses associated with job related trainings and conferences, please see Section XV: Reimbursable Expenses.

11. COMPENSATORY TIME. Non-Exempt employees shall be paid for hours worked in a work week and shall not be granted compensatory time unless approved by the Mayor or City Manager. In limited circumstances, the Mayor or City Manager may grant compensatory time in lieu of paid overtime upon recommendation of the Department Head. Compensatory time shall be used within the same pay period or the following four pay periods after which it was earned. Compensatory time is earned at a rate of one and one-half (1 and ½) hours for each hour in which the employee would be eligible for overtime payments.

12. FLEX-TIME.

- A. Flex-time allows an employee to work a schedule that varies from either the position's regular work day or regular work hours. Flex-time does not allow for an employee to work more hours than the total hours that is allotted to be worked for a position in a work week. As such, flex-time is paid at the employee's regular hourly rate and shall be accrued and used within the same work week with the exception of those Police Shift Officers which shall accrue and use flex-time within the same pay period.
- B. The Mayor, City Manager, or Department Head may approve the use of flex-time to accommodate personal time needed by an employee for appointments or other personal issues requiring the employee's absence. Flex-time is typically granted when the employee does not have other accrued leave to cover the employee's absence. The duties associated with some positions do not allow for flex-time. No flex-time is to compromise the safety of individuals. A task requiring two or more persons shall not be permitted to be done by one employee. Flex-time is to be the exception and not the rule.

13. DONATION OF PAID ANNUAL LEAVE/SICK LEAVE. Full-time Employees and Part-time Employees receiving Utah State Retirement (URS) as part of their employment may donate unused annual leave or sick leave to another Full-time employee or Part-time employee receiving Utah State Retirement (URS) as part of their employment if the need is medically related and that employee's leave time balance has been depleted. The process and standards associated with donation of paid annual leave or paid sick leave shall be as follows:

- A. The employee requesting a donation of paid annual leave or paid sick leave shall fill out a Request for Donation of Leave Time Form (see Appendix 45) that authorizes the HR/Payroll Clerk to send out an email in the employee's behalf to notify other City employees of their request for a donation. There shall be no expectation from the employee making the request for a donation that fellow employees ~~will~~shall make a donation.
- B. There shall be no expectation for any employee to donate paid annual leave or paid sick leave. Employees donating unused leave shall fill out the Donation of Leave Time Form (Appendix 36) to be placed in the employee's personnel file. At the time of donation, employees shall maintain a balance of at least eighty (80) hours of paid sick leave and forty (40) hours of paid annual leave. All donations shall be paid to the recipient at the recipient's own regular hourly rate.
- C. No paid annual leave or paid sick leave hours may be donated to an employee while on short-term or long-term disability leave (see Section XVI: Benefits Subsection 4 and 5).

14. OVERTIME PAY.

- A. For Police Shift Officers and Firefighter/EMT Employees who work for a Department with five (5) or more employees, overtime pay ~~would~~shall apply for over eighty (80) hours physically worked in a fourteen (14) day work period and shall be compensated at the rate of one and one-half (1 and ½) the regular hourly rate of the employee. Overtime is still calculated if the employee uses paid annual leave or paid holiday leave during the eighty (80) hour work period. For Police Shift Officers, if a paid sick day falls within a work period, the employee shall physically work over eighty (80) hours before overtime shall be paid.
- B. For Police Shift Officers who work for a Department with less than five (5) employees, the Fair Labor Standards Act (FLSA) does not apply and, therefore, overtime pay shall not be paid for any hours worked in any work period.
- C. For all other employees, overtime pay ~~would~~shall apply for over forty (40) hours physically worked in a work week and shall be compensated at the rate of one and one-half (1 and ½) the regular hourly rate of the employee. Overtime is still calculated if the employee uses annual leave during the forty (40) hour work week. For all other Full-time and Part-time employees receiving Utah State Retirement as part of their employment, if a paid sick day falls within a work week, the employee shall physically work over forty (40) hours before overtime shall be paid.
- D. If a Full-time or Part-time employee receiving Utah State Retirement as part of their employment, who is not a Police Shift Officer, works on a paid holiday because of an emergency situation, they shall, regardless of paid annual or paid sick leave used during the week:

- (1) Receive their regular straight-time pay plus double time for hours physically worked.
- (2) Or, with approval of the Mayor or City Manager, be allowed to take the holiday off at a later date.

E. Overtime shall be approved by the Department Head before worked. Department Heads shall only approve overtime when overtime funds have been appropriated.

15. ON-CALL PAY. Employees, other than Firefighter/EMT Employees, who are required to be on-call at different times during the ~~year~~year, shall receive on-call pay.

16. TIME CARDS.

A. Non-Exempt Employees.

- (1) All Non Exempt Employees are required to maintain and sign, as verification of accuracy, time cards showing all hours worked, including overtime, and noting any hours taken for paid sick leave, paid annual leave, or paid holidays.
- (2) Time cards shall be signed and dated by the employee and their Department Head and forwarded to the HR/Payroll Clerk by the Monday following the end of the pay period for payment (see Appendix 35). These time cards shall then be filed in the employee's personnel file per the City's Records Retention Schedule.

B. Exempt Employees.

- (1) Exempt Employee's time cards shall reflect an eighty (80) hour pay period (forty (40) hours per week) noting any hours taken for paid sick leave, paid annual leave, or paid holidays.
- (2) Exempt employees shall not deduct time off for any reason (paid sick and paid annual leave included) if they have worked any portion of the work day. When using paid annual and paid sick leave, see Section XVIII: Leave of Absence 2. I. and 3. H of this manual.
- (3) Time cards shall be signed and dated by the Exempt Employee and forwarded to the HR/Payroll Clerk by the Monday following the end of the pay period for payment. Signature by the City Manager is not required. (See Appendix 35). These time cards shall then be filed in the employee's personnel file per the City's Records Retention Schedule.

17. JOB DESCRIPTIONS. Job Descriptions defining the essential duties along with the knowledge, skills, abilities, experience, educational requirements, certifications, licenses, etc. may be amended and refined at anytime by the Mayor, City Manager, and/or

Department Head to meet new regulatory requirements and the changing needs of Tremonton City. Employees shall be required to fulfill essential duties or obtain additional knowledge, skills, abilities, experience, educational requirements, certifications, licenses, etc. When a job description is amended, and at the sole determination of Tremonton City, the City shall provide reasonable resources, means, and time period for employees to meet and fulfill the changes in a job description. Said amendments to job description, as authorized by this section shall not be associated or amount to any type of an Involuntary Transfer of Positions as allowed in Section VII Disciplinary Action. See also Section III Employee Hiring, Subsection 1 associated with amendments to job descriptions that occur while a position is vacant.

A. Employees whose job description requires the obtainment of certification(s) and/or license(s), which certification(s) and/or license(s) require testing from an outside agency and/or entity, may be given time to study for testing during regular work hours. Study time for testing shall be at the sole discretion of the employee's dDepartment hHead.

Exhibit H- Section XIII: Compensation Planning

SECTION XIII: COMPENSATION PLANNING

Field Code Changed

1. GENERAL POLICY. The Recorder or HR/Payroll Clerk, under the direction of the Mayor and City Manager, shall be responsible for preparing a Compensation and Classification Plan for Tremonton City Council's consideration and approval. The Compensation and Classification Plan shall consist of minimum and maximum pay ranges. Compensation shall be linked directly to the position classification and shall be determined with due regard to the following considerations:
 - A. Ranges of pay for other positions within Tremonton City.
 - B. Prevailing rates of pay for similar employment in comparable public organizations.
 - C. Cost of living factors.
 - D. Other benefits received by public employees.
 - E. The financial policy and economic conditions of Tremonton City.

2. COMPENSATION AND CLASSIFICATION PLAN DEVELOPMENT. The Recorder or HR/Payroll Clerk, under the direction of the City Manager, shall conduct a study of compensation levels of comparable positions in comparable public organizations at least every three years. The City Manager, City Recorder, and HR/Payroll Clerk shall take these findings and develop a Compensation and Classification Plan which shall be forwarded to the City Council for consideration and adoption. The Compensation and Classification Plan shall include assignment to each position, a pay range based upon the position's relationship to other positions within the City, and compensation of similar positions in other comparable public organizations. Implementation of the Compensation and Classification Plan and corresponding pay adjustments shall be subject to the availability of funds appropriated by the City Council through the budget process.
 - A. Tremonton City shall pay at least minimum wage and overtime to all employees except those who are specifically exempt from minimum wage and overtime under the Fair Labor Standards Act (FLSA) of 1938.
 - B. Tremonton City shall provide equal pay to all employees doing similar work, which requires substantially equal skill, effort, and responsibility and are performed under similar working conditions in accordance with the Fair Labor Standards Act (FLSA) of 1938 and the Equal Pay Act of 1963.
 - C. The City Manager shall recommend to the Mayor and City Council assignment of each new position into the Compensation and Classification Plan based upon the position's relationship to other positions within the City and compensation of similar positions in other comparable public organizations.

Field Code Changed

3. SELECTIVE WAGE OR SALARY ADJUSTMENT.
 - A. The Mayor or City Manager may approve a selective wage or salary adjustment in order to mitigate an existing inequity.
 - B. A selective adjustment is subject to the availability of funds appropriated by the City Council through the budget process.
4. MERIT INCREASE.
 - A. Each year the City Council considers granting a merit increase that adjusts the employee's rate of pay, which shall be effective the first full pay period in July of each calendar year subject to funding in the approved budget.
 - B. Merit increases are to award an employee for the employee's past year performance. If a merit increase is to be granted, it shall be done prior to the end of July. There are no provisions for Department Heads to grant a merit increase for the past year pending improvement of an employee's performance after the first pay period in July. To be eligible for a merit increase, the employee shall have generally been employed for at least three months preceding the first full pay period in July.
 - C. Department Heads shall complete and submit to the City Manager an employee's performance evaluation (See Section XI: Performance Evaluations and Appendix 28) and other necessary paperwork associated with the merit increase by the end of July. Employee's performance that is rated less than successful for the past year (performance prior to first full pay period in July), shall not be eligible to receive a merit increase.
 - D. Full-time Employees, Part-time Employees, Part-Time Recreation Employees, and Temporary/Emergency Employees shall be eligible to receive merit increases subject to the availability of funds appropriated by the City Council through the budget process.
5. COST OF LIVING ADJUSTMENTS. Each year the City Council considers granting a cost-of-living adjustment (COLA) that adjusts the minimum and maximum pay ranges for each position, the employee's rate of pay, on-call pay, and allowances by the same percentage, which shall be effective the first full pay period in July of each calendar year subject to funding in the approved budget.
6. LONGEVITY CONSIDERATION. Tremonton City recognizes the longevity of its employees as a valuable asset to the City. As such, these employees shall be eligible for COLA and merit increases if that employee exceeds the maximum pay of the City's Compensation and Classification Plan.

7. APPOINTMENT.

- A. Pay for newly hired employees shall normally be set at the minimum of the pay range assigned to the position's classification. However, the City Manager may, upon recommendation of the corresponding Department Head, approve new hires wage or salary up to the range of midpoint, as warranted by job qualifications and experience, subject to the availability of funds appropriated by the City Council.
- B. The Mayor may approve hiring above the midpoint of a pay range, upon recommendation of the City Manager, when warranted, based on education, experience and other factors, subject to the availability of funds appropriated by the City Council.

8. PROBATIONARY INCREASES.

- A. The City Manager or Department Head may grant a probationary increase to employees up to a maximum of three (3) percent upon the successful completion of their probationary period.
- B. Probationary increases are subject to the availability of funds appropriated by the City Council through the budget process.

9. ACHIEVEMENT INCREASES.

- A. The City Manager or Department Head may grant an achievement increase to employees up to a maximum of three (3) percent for accreditation and scholastic achievements, such as graduation from a trade school, college, university, and other extraordinary accomplishments.
- B. Achievement Increases are subject to the availability of funds appropriated by the City Council through the budget process.

10. PROMOTION INCREASES.

- A. Public Works Employees and Police Officers are eligible for promotion to a position in a higher pay level upon meeting the requirements associated with the position as listed in the job description. All other employees may be considered for a promotion only if there is a job opening available (see Section III: Employee Hiring).
- B. At the discretion of the Mayor or City Manager, a minimum of three (3) percent and a maximum of ten (10) percent wage or salary increase shall be granted to an employee receiving a promotion. But in no case shall the new wage or salary be below the minimum of the new range.

- C. At the discretion of the Mayor or City Manager, in coordination with the Department Head, an increase up to the midpoint of the new range may be approved when a promotion results from a competitive recruitment to a new position level. Such an adjustment shall be based on exceptional qualifications.
- D. Promotion increases are subject to the availability of funds appropriated by the City Council through the budget process.

11. EMPLOYEE RECOGNITION AWARDS.

- A. Letters of Commendation. It is the policy of Tremonton City to encourage and then recognize the exceptional efforts of its employees. When Department Heads identify that the efforts of an employee merits recognition, the Department Head may write a letter of commendation to the employee. Letters of commendation shall be specific in identifying how the employee's efforts and actions were exceptional, meriting recognition.
- B. Recognition Awards. Subject to the availability of funds appropriated by the City Council through the budget process, a Department Head may request that the employee receives an award of up to \$50.00. Department Heads shall submit the letter of commendation to the HR/Payroll Clerk who shall prepare a separate paycheck and place the copy of the letter and check into an envelope and return it to the Department Head for delivery to the employee. The HR/Payroll Clerk shall also place a copy of the letter of commendation in the employee's personnel file.

12. ORDER OF WAGE OR SALARY CALCULATION. Multiple categories of pay increases awarded simultaneously shall be calculated in the following order:

- A. Promotions, selective adjustments, or increases associated with the increase with federal minimum wage requirements.
- B. Cost of living adjustment.
- C. Merit Increase.

13. REASSIGNMENT. An employee who is reassigned to an equivalent job, as determined by the Mayor or City Manager, shall be paid the same wage or salary received prior to the assignment.

14. RECLASSIFICATION.

- A. If a position is reclassified to a higher level, the incumbent's wage or salary shall be adjusted to at least the minimum of the new range and the Mayor or City Manager, in coordination with the Department Head, may give a zero (0) to three (3) percent wage or salary increase, based upon increased responsibility. A

reclassification increase is subject to the availability of funds appropriated by the City Council through the budget process.

- B. If a position is reclassified to a lower level, the incumbent's wage or salary shall remain the same.
- C. If an employee is involuntarily transferred to a position with less remuneration due to the employee's misconduct, the employee's wage or salary may be lowered to that of the new position (see Section VII: Disciplinary Action).

15. CONSOLIDATION OF RATES OF PAY.

- A. The City may consolidate rates of pay for employees that receive multiple rates of pay for work performed in accordance with the following:
 - 1. The City shall create a single job description for all the work performed by the position.
 - 2. The City Manager and Mayor shall recommend to the City Council assignment of the position's pay into the Compensation and Classification Plan based upon the position's relationship to other positions within the City and compensation of similar positions in other comparable public organizations.
 - 3. The City shall lower the incumbent's wage or salary as necessary to be within the pay range of the consolidated rate of pay contained in the adopted Compensation and Classification Plan.

16. BENEFITS FOR SUSPENDED EMPLOYEES AND EMPLOYEES ON LEAVE.

- A. Unless specifically stated in this manual to the contrary, an employee suspended for disciplinary reasons or employees on leave shall continue to receive Tremonton City contributions to retirement, health, dental, disability, and life insurance programs.
- B. Unless specifically stated in this manual to the contrary, an employee suspended for disciplinary reasons or employees on leave shall pay the employee portion of insurance premiums to continue coverage through the period of suspension or leave.

17. EMPLOYEE SERVICE AWARDS.

- A. It is the policy of Tremonton City to recognize the longevity of its employees. Service awards shall be presented to Full-time and Part-time employees based upon years of service according to the following schedule, subject to the availability of funds appropriated by the City Council through the budget process:

(1)	5 Years	\$100.00
(2)	10 Years	\$150.00
(3)	15 Years	\$200.00
(4)	20 Years	\$250.00
(5)	25 Years	\$300.00
(6)	30 Years	\$350.00
(7)	35 Years	\$350.00
(8)	40 Years	\$350.00
(9)	45 Years	\$350.00
(10)	50 Years	\$350.00

B. The HR/Payroll Clerk shall track years of service and provide an annual report to the City Manger for purposes of proposing to the City Council that the Employee Service Awards be budgeted.

18. CELL PHONE ALLOWANCE. Employees whose job duties include the frequent need for a cell phone may, in lieu of having a City issued cell phone, receive extra compensation, in the form of a cell phone allowance, to cover business-related costs on their personal cell phone. Since the employee owns the cell phone personally, and the allowance provided is taxable income, the employee may use the phone for both business and personal purposes, as needed. Cell phone allowances shall be in accordance with the following:

A. Eligibility. Employees eligible for a cell phone allowance generally include Department Heads, Supervisors, and Full-Time Employees whose job duties regularly require emergency call back, irregular work hours or other job related factors that require the employee to routinely utilize a cell phone to enhance their ability to perform their job duties. Department Heads shall recommend which employees within their departments qualify for a cell phone allowance. The City Manager or Mayor shall give final approval on all cell phone allowances.

B. Allowance Amount. The standard monthly cell phone allowance amount shall be \$40.00. However, based upon the recommendation of a Department Head and with approval of the City Manager, a monthly allowance of \$60 may be provided to any employee whose necessary City business use of a cell phone justifies the need for a greater number of plan minutes. No further reimbursement for cell phone costs is available to employees who receive an allowance.

C. Allowance Payments. The approved cell phone allowance shall be paid bi-monthly as part of the employee's paycheck and shall be subject to all applicable payroll taxes.

D. Employee's Responsibilities. The employee shall retain an active cell phone contract as long as a cell phone allowance is in place. The employee shall provide their Department Head their current cell phone number and immediately notify the Department Head if the number is changed. Employees receiving a cell phone allowance are expected to carry the cell phone on their person both on and off duty and respond when called for City business.

Employees may choose the cellular service provider and plan design of their choice. If available from the City's contracted cellular service provider, employees may be able to take advantage of discounts for their personal service plans if they utilize the same provider as the City. If, prior to the end of the cell phone contract, a personal decision by the employee, or employee misconduct, or misuse of the phone, results in the cell phone allowance being discontinued or the need to end or change the cell phone contract, the employee shall bear the cost of any fees associated with that change or cancellation. For example, if an employee resigns, and no longer wants to retain the current cell phone contract for personal purposes, any cancellation charges shall be the employee's responsibility.

Exhibit I- Section XIV: Payroll Administration

SECTION XIV: PAYROLL ADMINISTRATION

Field Code Changed

1. PAY PERIODS. The FLSA requires that wages be calculated on a periodic basis consisting of twenty eight (28) days for employees working in public safety activities, such as Police and Fire Department employees, and on a weekly basis for employees not working in public safety activities, unless an exception is granted by the Department of Labor.
2. PAY DAYS. The FLSA does not state when employees ~~must~~shall be paid. Tremonton City's pay days are as follows:
 - A. Employees engaged in public safety activities, such as Police and full time paid Fire Departments ~~will~~shall be paid bi-weekly.
 - B. Employees not engaged in public safety activities ~~will~~shall be paid bi-weekly.
3. MINIMUM WAGE. The FLSA requires that Tremonton City pay an employee at least the minimum wage as a gross wage, minus the legally required pay deductions.
4. PAY DEDUCTIONS. Tremonton City is permitted to make deductions authorized by their employees **and required by law**. The following is a checklist of payroll deductions:
 - A. Itemized Deductions.
 - (1) Mandatory:
 - (a) Social Security.
 - (b) Federal Tax.
 - (c) State Tax.
 - (d) Court Order Garnishments.**
 - (2) Optional:
 - (a) Credit Union Loan.
 - (b) Credit Union Savings.
 - (c) Employer.
 - ~~(d) Garnishment.~~
 - (d) Group Life Insurance.
 - (e) Hospitalization.
 - (f) Major Medical Insurance.
 - (g) Pension Fund.
 - (h) Savings Plan.
 - (i) Stock Purchase Plan.
 - (j) Pre-legal.

- (k) United Fund.
- (l) United States Savings Bonds, Series E.
- (m) Gym Membership.**

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Exhibit J- Section XV: Reimbursable Expenses

SECTION XV: REIMBURSABLE EXPENSES

Field Code Changed

1. GENERAL POLICY. (For purposes of this policy, elected officials shall be referred to as employees.) With prior approval, legitimate expenses shall be reimbursed by Tremonton City to the employee. Receipts shall be required to reimburse the employee with the exception of per diem amounts. Reimbursement shall be in the form of a check. Records reflecting the amount of reimbursement each employee has received shall be kept.

2. TRAVEL POLICY.
 - A. Vehicle Travel. In accordance with the Driver Qualification Policy contained in Section XIX: General Safety, if an employee is eligible to operate a vehicle while conducting City business, the following requirements shall apply:
 1. Use of City Vehicle Authorization. Travel for legitimate City purposes in Tremonton City vehicles may be authorized when the use of the vehicle does not detract from the operational needs of the City. Overnight use of City vehicles for travel purposes shall be authorized by the Department Head.
 2. Use of Employee's Personal Vehicle Authorization. The use of an employee's personal vehicle may be authorized with approval from their Department Head or the City Manager. The employee shall keep track of the mileage (or use MapQuest or a similar computer application to track mileage) associated with the approved travel and submit a request for reimbursement using the Employee Trip Advancement/Reimbursement Authorization Form (Appendix Number 3) which shall be submitted to Accounts Payable. The mileage rate shall be consistent with the current established Standard Mileage Rate used by the Internal Revenue Service.
 3. Travel Log. All travel thirty (30) miles outside of the Tremonton City limits during City work hours shall be authorized by the Department Head. At the discretion of the Department Head, a log of all such travel exceeding a thirty (30) mile radius of the City may be required to be kept. This log, when required, shall include the reason for the trip, the time the employee departed, the time the employee returned, and the vehicle used.
 - B. Airplane Travel Authorization. All airplane travel shall be approved by the Department Head and City Manager in advance of the trip. Airline tickets shall be paid in advance by City check or with a City credit card. If this is not possible, the employee shall be reimbursed for their own expenditure for airline tickets after presentation of a valid receipt and submission of the Employee Trip Advancement/Reimbursement Authorization Form (Appendix Number 3) to Accounts Payable.

- C. **Hotel Accommodation Authorization.** If an employee travels multiple days on the City's behalf, the Department Head may choose to authorize hotel accommodations. Each employee requiring accommodations shall have their own room. All hotels or other sleeping accommodations or other travel accommodations shall be approved by the Department Head, arranged in advance for overnight trips, and paid in advance by City check or with a City credit card so that the City can request a refund of taxes paid from the Tax Commission. (See Appendix 42 for more information.) If the employee fails to make arrangements in advance, the City shall reimburse the employee the amount of such sleeping and travel accommodations, excepting taxes paid, after receiving a valid receipt and submission of the Employee Trip Advancement/Reimbursement Authorization Form (Appendix Number 3) to Accounts Payable. Failure to produce a receipt in such circumstances ~~will~~shall necessitate the withholding of reimbursement. No employee shall be reimbursed for room service charges or the like. The City authorizes the cost of a double rather than a single hotel room to accommodate the travel of a spouse or partner with an employee at events sponsored as part of a conference or program.
- D. **Attendance at National Conferences.** No more than once every three years, a Department Head may propose that an individual from a Department be authorized to attend an out-of-state national conference or seminar in their related field. The Mayor or City Manager shall approve attendance at out-of-state national conferences or seminars in advance based upon such factors as City priorities, employee work schedules, availability of funds appropriated by the City Council through the budget process, and other factors.
- E. **Advancement of Expenses.** All registration fees, etc., shall be paid in advance by City check or with a City credit card. If this is not possible, the employee shall be reimbursed for their own expenditure for registration fees, etc. after presentation of a valid receipt and submission of the Employee Trip Advancement/Reimbursement Authorization Form (Appendix Number 3) to Accounts Payable.
- F. **Per Diem.** Tremonton City shall adopt the existing and future per diem rates, plus five dollars (\$5.00) for sundries, set by the State of Utah for reimbursable expenses and staff is authorized to update rates in this policy as the State updates their rates (as found at <http://fleet.utah.gov/fleet/state-travel.html>. Rates last updated in this policy March 5, 2015). Each employee shall complete and submit the Employee Trip Advancement/Reimbursement Authorization Form (Appendix Number 3) to Accounts Payable. No per diem shall be authorized for spouses or partners. The employee shall not be responsible to reimburse the City for unexpended per diem funds, unless the employee does not travel as intended or returns early. Conversely, the City shall not reimburse employees for amounts spent above the per diem amounts. All per diem amounts include costs associated with taxes and tips.

- (1) Department Heads shall determine when the payment of per diem allowances is warranted. The following guidelines are to aid the Department Head in making the decision to authorize per diem allowances:
 - (a) Work assignment takes an employee further than seventy-five (75) miles from their origin of work; and/or
 - (b) Work assignment requires an employee to attend a training, conference, or event outside of the incorporated City limits and outlying areas that lasts the majority of the work day; and/or
 - (c) Work assignment requires an employee to spend the night away from their personal residence; and/or
 - (d) Other unusual factors relating to the work assignment.
- (2) Department Heads shall use the following guidelines when determining when to deny the payment of per diem allowances:
 - (a) When a meal (excluding continental breakfast) is provided as part of the event, the City employee shall not be eligible for a per diem amount for that meal.
 - (b) Meals purchased by the Department Head with a City credit card for legitimate business purposes when employees are engaged in training or under other unusual circumstances.

G. Employees that are eligible for per diem shall receive one hundred (100) percent of the total per diem amount for that day regardless of the time that they depart or return from their travel.

H. In-State Per Diem Allowances. In-State travel shall be compensated by the following specific per diem allowances:

- (1) Breakfast: \$10.00 maximum.
- (2) Lunch: \$13.00 maximum.
- (3) Dinner: \$16.00 maximum.
- (4) Sundries: \$ 5.00 maximum.

I. Out-of State Per Diem Allowances. Out-of State travel shall be compensated by the following specific per diem allowances:

- (1) Breakfast: \$10.00 maximum.
- (2) Lunch: \$14.00 maximum.
- (3) Dinner: \$22.00 maximum.
- (4) Sundries: \$ 5.00 maximum.

J. Out-of State Premium Cities Per Diem Allowances. Premium cities, which include Arlington, Atlanta, Baltimore, Boston, Chicago, Los Angeles, New York, Orlando, San Diego, San Francisco, and Washington DC., shall be compensated by the following specific per diem allowances:

- (1) Breakfast: \$15.00 maximum.
- (2) Lunch: \$19.00 maximum.
- (3) Dinner: \$28.00 maximum.
- (4) Sundries: \$ 5.00 maximum.

3. PARTIAL MEDICAL INSURANCE PREMIUM REIMBURSEMENT.

A. In the month of November, with prior approval of the Mayor or City Manager, the City shall provide insurance premium reimbursement to employees participating in the City provided medical and dental plans when the City withholds a portion of the employee's paycheck to pay premiums associated with the insurance premiums. The insurance reimbursement shall be in accordance with the following schedule:

- (1) A complete year of premium payment: \$ 100.00 maximum.
- (2) Six months to less than a complete year of premium payments: A pro rata share of the \$100.00 maximum
- (3) Less than six months of premium payments: Employee not eligible for reimbursement

4. HIGHER EDUCATION REIMBURSEMENT.

A. General Policy. Tremonton City encourages employees to obtain a higher education. Under certain eligibility requirements enumerated in this policy the City shall reimburse tuition fees, materials, and other necessary and approved expenses, up to a maximum of \$2,000 for a Full-time Employee per fiscal year, based upon the City Council appropriation of funds. The employee shall remain a Full-time employee with Tremonton City for a minimum of eighteen (18) months

following the completion of the course. Failure to remain with the City for a minimum of eighteen (18) months shall require the employee to reimburse the City on a pro-rata basis.

- B. Request & Agreement for Tuition Reimbursement. The employee shall sign the Request & Agreement for Tuition Reimbursement (see Appendix 37) and submit the request to their Department Head. The Department Head ~~will~~shall submit the Request & Agreement for Tuition Reimbursement to the City Manager or HR Clerk if budgeted funds are approved. Approved Request & Agreement for Tuition Reimbursement shall be filed in the employee's personnel file.
- C. Employee Eligibility Requirements. To be eligible for higher education reimbursement the employee shall meet the following requirements:
 - (1) A Full-time Employee who has successfully passed new hire probation.
 - (2) Rated "Satisfactory" or above on their annual evaluation.
- D. Courses Eligibility Requirements. To be eligible for higher education reimbursement the Department Head shall give advance approval for courses. Courses shall meet the following requirements:
 - (1) Courses shall be related to the employee's job and current responsibilities or provide the employee with future growth opportunities with the City.
 - (2) Courses shall not be conducted during regular work schedule except as otherwise approved by the Department Head. The Department Head shall have the right to disapprove courses that ~~will~~shall interfere with the employee's regular work schedule.
- E. Course Completion Eligibility Requirements. To be eligible for higher education reimbursement the employee shall provide one of the following as documentation of successful completion of the course:
 - (1) A certificate indicating successful course completion, if applicable.
 - (2) A grade point average of 2.7 or higher on a 4.0 (A, B, C, D) scale.
 - (3) A grade of pass on a pass/fail grading system.
- F. Procedures for Reimbursement. Upon successful completion of the higher education course and the other requirements contained in this policy, employees shall be reimbursed for tuition fees, materials, and other necessary and approved expenses upon presentation of proper receipts up to a maximum of \$2,000 for a Full-time Employee per fiscal year. The HR/Payroll Clerk and City Manager shall

be responsible for approving reimbursements with the confirmation of the following:

- (1) Proof of successful completion of the course.
- (2) The employee has not exceeded the \$2,000 annual maximum reimbursement amount.

Upon confirmation the City Manager shall send the Request & Agreement for Tuition Reimbursement and other documentation to the Accounts Payable Clerk for reimbursement. The City shall retain copies of the reimbursement payment in the employee's personnel file.

- G. Higher Education Benefit. As part of an employee's compensation package and upon the City Council budgeting funds an employee may be granted a higher education benefit that supersedes the higher education reimbursement policy. Higher education courses shall be related to the employee's job and current responsibilities or provide the employee with future growth opportunities with the City. Such a benefit shall be the subject of an agreement signed by the Mayor and employee that defines the limits of the benefit and employee obligations associated with receiving the benefit. The term of the employee receiving the benefit shall not exceed beyond the duration of the fiscal year in which the City Council has appropriated funds for such a higher education benefit.

Exhibit K- Section XVI: Benefits

SECTION XVI: BENEFITS

Field Code Changed

1. WORKERS COMPENSATION. Tremonton City is committed to providing a safe work environment for employees. All employees who sustain a bona fide, on-the-job injury or illness are covered by Workers Compensation, which generally provides medical reimbursement and disability benefits as provided for by law.
 - A. Initial Reporting of Illness or Injury. Reporting the accident or illness is critical to qualification for payment under Workers Compensation. If an employee is injured while on the job, no matter how minor, the circumstances ~~should~~shall be reported to the Department Head and/or the City Recorder or HR/Payroll Clerk immediately. All injuries shall be reported the day they occur. Failure to report injuries could jeopardize coverage of the injury. The City Recorder or HR/Payroll Clerk shall begin a Workers Compensation claim and help to arrange medical care. After Form 122 is filled out (see Appendix 44), a copy shall be sent to the City's Workers Compensation carrier and a copy shall be sent to the Industrial Commission within seven (7) days of the date of the injury.
 - B. Medical Attention. If an employee sustains a life-threatening injury on the job, 911 shall be called to access normal emergency care. An employee who sustains a bona fide, non-life-threatening, on-the-job injury may seek medical attention from a provider covered by the City's Workers Compensation Network Provider. If a Network Provider is not available, contact shall be made with the HR/Payroll Clerk to arrange medical care. Failure to do so may affect a Workers Compensation claim. The employee shall tell the doctor HOW, WHEN, and WHERE the accident occurred. The doctor ~~will~~shall complete a medical report and copies of this report ~~should~~shall be sent within seven (7) days to the City's Workers Compensation carrier, the Industrial Commission, and to the injured worker. (Do not submit doctor or hospital bills for on-the-job injuries or illness to the employee's regular medical plan.)
 - C. Post Injury Procedures. If an employee becomes injured on the job, Tremonton City shall do all within its means to help the employee heal and return to work as quickly as possible. After receiving medical attention, the following steps shall be taken:
 - (1) The injured employee and their Department Head shall deliver all paperwork received from the attending physician to the City Recorder or HR/Payroll Clerk. All employees shall return to work after the approval of the attending physician. A statement from the attending physician stating that the employee is able to resume normal duties shall be required before returning to work. Failure to return to work when directed may result in immediate termination.
 - (2) The City Recorder or HR/Payroll Clerk and the injured employee's Department Head shall review any restrictions given by the medical

provider with the injured employee's job description and determine if the employee's regular job duties meet the restrictions. If not, Tremonton City ~~will~~shall accommodate light duty/restricted duty jobs and shall work with the employee's Department Head to design a work strategy that meets the injured employee's restrictions and accomplishes the City's goals. An employee who is able to return to work in light duty status may be required to work in a different department and perform duties not contained within their current job description.

- (3) Injured employees shall comply with the restrictions they are given. Failure to do so could slow their recovery or cause further injury and/or immediate termination.

D. While on Workers Compensation Leave.

- (1) Employee Requirements. While on Workers Compensation leave, the injured employee's Department Head and the HR/Payroll Clerk shall regularly follow up with the employee, medical providers, and the Workers Compensation Claims Adjuster to make sure the employee is meeting the following requirements: getting the care required by the attending physician; attending his or her medical appointments; complying with his or her restrictions; and that any restricted duty assignments are helping the employee move closer to his or her regular job duties. Failure of the injured employee to comply with these requirements may result in revocation of the Workers Compensation Leave and/or immediate termination.
- (2) Compensation. Workers Compensation income ~~will~~shall not be paid for the first three (3) days of lost time until the total time for a compensable injury or illness exceeds fourteen (14) days. An employee who is approved for Workers Compensation income ~~will~~shall receive an amount determined by the City's Workers Compensation insurance carrier while absent from work. Workers Compensation payments ~~will~~shall be sent from the insurance carrier directly to the employee. No regular payroll deductions (e.g. federal and State income tax, FICA, etc.) ~~will~~shall be withheld.
- (3) Health Insurance. An employee on Workers Compensation leave shall be required to continue to pay their portion of the monthly benefit premiums. Payment arrangements can be made with the HR/Payroll Clerk to maintain benefits while the employee is on leave. Failure to make premium payments when due may result in a loss of health insurance coverage.
- (4) Accrual of Leave and Holidays. Paid annual leave, paid sick leave, paid holidays, and retirement benefits shall not accrue when an employee is on Workers Compensation leave.

- (5) Use of Paid Annual Leave or Paid Sick Leave. Full-time employees and Part-time employees receiving Utah Retirement Systems (URS) as part of their employment who are eligible for paid annual leave and paid sick leave may supplement their Workers Compensation income through the use of partial paid sick leave or paid annual leave earned prior to the injury.
 - (6) If no Vacancy Exists. At the time of final release or settlement of a Workers Compensation claim, if no vacancy exists and if a reasonable effort, which has proven to be unsuccessful, has been made to place the employee in another position, the employee may be terminated and paid any accrued benefits due to them.
2. SOCIAL SECURITY/FICA. All employees are covered by the benefits of Old Age, Survivors, and Disability Insurance as provided for by law. Contributions of the employee and Tremonton City shall be made in accordance with the provision of the law.
3. STATE AND FEDERAL UNEMPLOYMENT. All employees are covered by the benefits of State and Federal Unemployment. Contributions of the employee and Tremonton City shall be made in accordance with the provision of the law.
4. SHORT-TERM DISABILITY. Eligible employees are covered by Short-Term Disability, which provides short-term disability benefits for non-job-related illness or injury.
 - A. Short-Term Disability Waiting Period. The waiting period for Short-Term Disability is four (4) weeks.
 - B. Eligibility. In order to be eligible to participate in short-term disability benefits, if offered by the City, an employee shall be:
 - (1) A Full-time employee with one (1) year or more of continuous service; and
 - (2) Determined by a physician, in writing, to be disabled and unable to perform their normal duties for a period in excess of four (4) weeks.
 - C. Existing Leave. Before receiving any short-term disability leave advance or benefit payment from the City, employees shall use all their accrued paid sick and paid annual leave.
 - D. Short-Term Disability Benefit. After the four (4) week waiting period and use of all accrued paid sick and paid annual leave, an employee shall receive an advance from a future year's paid sick leave up to eighty (80) hours and an advance from a future year's paid annual leave up to eighty (80) hours. After exhausting all accrued and advanced paid sick and paid annual leave, the employee ~~will~~shall

then receive, as a disability benefit payment, eighty (80) percent of the employee's pay (based on a forty (40) hour week) until the long-term disability benefits waiting period is over, at which time the employee shall be compensated under the terms of the long-term disability insurance program, if offered by the City. In no case shall the short-term disability benefit payment exceed a ninety (90) day period. Employees on short-term disability that do not return to work as a result of their disability shall not be required to repay advanced paid sick and paid annual leave.

- E. Accrual of Leave and Holidays. Paid annual leave, paid sick leave, paid holidays, and retirement benefits shall not accrue when an employee is on short-term disability.
 - F. Donation of Leave Time. No paid annual leave or paid sick leave hours may be donated to an employee while on short-term leave (see Section XII Employment Terms).
 - G. Health Insurance. An employee may elect to continue coverage under the City's group health insurance while on short-term disability at the same level and under the same terms and conditions as if they were not on leave. An employee who elects coverage is required to continue to pay their portion of the monthly health insurance premium. Payment arrangements can be made with the HR/Payroll Clerk to maintain health insurance benefits while the employee is on leave. Failure to make premium payments when due may result in a loss of coverage.
 - H. Family and Medical Leave Act (FMLA). Use of the Family and Medical Leave Act (FMLA) shall run concurrent with short-term disability (see Section XVII Family and Medical Leave Act for eligibility and administration).
 - I. Termination of Employment. If an employee fails to return to work or transition to Long-Term Disability after FMLA leave is exhausted, or after twelve (12) weeks, the employee may be terminated.
5. LONG-TERM DISABILITY. Eligible employees are covered by Long-Term Disability, which provides long-term disability benefits for non-job-related illness or injury.
- A. Eligibility. Full-time Employees are typically eligible for participation in long-term disability benefits if offered by the City. Eligibility of benefits for long-term disability shall be determined by the insurance provider.
 - B. Long-Term Disability Benefit. Determination of benefits for long-term disability shall be determined by the insurance provider.
 - C. Accrual of Leave and Holidays. Paid annual leave, paid sick leave, paid holidays, and retirement benefits shall not accrue when an employee is on long-term disability.

- D. Donation of Leave Time. No paid annual leave or paid sick leave hours may be donated to an employee while on long-term disability leave (see Section XII Employment Terms).
- E. Health Insurance. An employee on long-term disability leave shall be terminated from the City's Health Insurance plan effective the first day of the month after long term disability begins and shall be entitled to a continuation of group health insurance coverage per the mandates of the Consolidated Omnibus Budget Reconciliation Act (COBRA) (see section IX Termination of Employment for more details).
- F. Family and Medical Leave Act (FMLA). Use of the Family and Medical Leave Act (FMLA) shall run concurrent with long-term disability (see Section XVII Family and Medical Leave Act for eligibility and administration).
- G. Termination of Employment. If an employee fails to return to work after FMLA leave is exhausted, or after twelve (12) weeks, the employee may be terminated.

6. UTAH RETIREMENT SYSTEM.

- A. Definitions. For the purposes of this policy the following terms are defined herein:
 - (1) "Utah State Retirement Board" established under UCA 49-11-202 to develop broad policy for the long-term operation of the various Utah Retirement systems, plans, and programs as per UCA 49-11-203.
 - (2) "Benefits Normally Provided" as defined in the Utah State Retirement Board Resolution 2012-09 includes, but is not limited to, Annual Leave, Sick Leave, and Paid-Time-Off (PTO) in lieu of Annual Leave and/or Sick Leave, and retirement benefits of any kind if the employer pays a portion of the cost. "Benefits Normally Provided" shall not include Social Security, Workers Compensation insurance, unemployment insurance, Medicare or other similar payments or any benefits required by law including health coverage of any kind if the employer is required by law to pay a portion of the premium for such coverage (see Appendix 40).
- B. Pension.
 - (1) All Employees who average twenty (20) or more hours per week and who receive at least one normally provided benefit as approved by the Utah State Retirement Board are covered by the Utah State Retirement System, unless otherwise authorized by the City Council according to State Law.

- (a) Tier 2 elected and appointed officials shall not be eligible for retirement benefits.
- C. Minimum Guaranteed Contribution Rates for Pension.
 - (1) Tier 1 Noncontributory Local Government (Fund 15) Full-time Employees and Part-time Employees receiving Utah Retirement Systems (URS) as part of their employment. Tremonton City guarantees their retirement contributions for Tier 1 Noncontributory Local Government (Fund 15) Full-time Employees and Part-time Employees receiving Utah Retirement Systems (URS) as part of their employment shall not drop below 12.73% of the employee's wage, the highest rate set by the State as of July 1, 2003. If the contribution rate set by the Utah Retirement System does drop below 12.73%, the City shall contribute the difference into the benefited employee's 401k.
 - (2) Tier 1 Public Safety Noncontributory (Fund 75). Tremonton City guarantees their retirement contributions for Tier 1 Public Safety Noncontributory (Fund 75) shall not drop below 12.73% of the employee's wage, the highest rate set by the State as of July 1, 2003 for Noncontributory Local Government (Fund 15). If the contribution rate set by the Utah Retirement System does drop below 12.73% of the employee's wage, the highest rate set by the State as of July 1, 2003 for Noncontributory Local Government (Fund 15), the City shall contribute the difference into the benefited employee's 401k.
- D. Savings Plans. Full-time Employees and Part-time Employees receiving Utah Retirement Systems (URS) as part of their employment may establish Utah Retirement System Savings Plans (401k, 457, Traditional IRA, and/or Roth IRA) accounts. Excepting as noted above in subsection C Minimum Guaranteed Contribution Rates for Retirement, the City shall not make contributions to employee's savings plans or match any employee's contributions. Additional details and enrollment forms are available from the City Recorder or HR/Payroll Clerk.
- E. Additional details are available from the City Recorder or HR/Payroll Clerk.
- F. Past Utah Retirement System Contributions.
 - (1) Statute of Limitations – Past Employees. The City shall fully exercise the statute of limitations afforded by Utah Retirement Systems Board Resolution 13-05 (see Appendix 52) that protects the City against unknown liabilities to hold the City harmless from past Utah Retirement Systems (URS) contributions and associated interest amounts older than three (3) years to past employees. The HR/Payroll Clerk or City Recorder in coordination with the City Manager are authorized to inform URS of the City's policy not to pay past URS contributions older than three (3)

years for past employees upon receiving notice from URS regarding outstanding past URS contributions and associated interest.

- (2) Statute of Limitations – Current Employees. The City shall fully exercise *or* partially exercise the statute of limitations afforded by Utah Retirement Systems Board Resolution 13-05 (see Appendix 52) that protects the City against unknown liabilities to hold the City harmless from past Utah Retirement Systems (URS) contributions and associated interest amounts older than three (3) years to current employees. When the City receives notice of past URS contributions due to a current employee, the Mayor and City Manager shall notify the City Council of the amount. Thereafter, the City Council may individually direct or collectively direct, acting as a public body, the City Manager or Mayor to move forward by fully exercising or partially exercising the statute of limitations. Based up on the direction received by the City Council, the City Manager or Mayor may move forward as follows:

- (a) Partially Exercise the Statute of Limitations. Under the partial exercise of the statute of limitations, the City shall pay only past URS contribution amounts older than three (3) years to current employees, but shall *not* pay any calculated interest associated with past contribution amounts. At the election of the current employee, the contribution amount shall be paid either to:
- (1) URS so that the employee receives partial years of service credit as calculated by URS; or
 - (2) Paid directly to the employee in which case the employee ~~will~~shall receive no years of service credit in the Utah Retirement System. Employees shall sign an agreement acknowledging receipt of payment in lieu of a contribution to URS (see Appendix 53).
- (b) Fully Exercise the Statute of Limitations. Based upon the economic conditions of the City, as determined solely by the City Council at the time the City receives notification from Utah Retirement Systems of past contributions, the City Council may fully exercise the statute of limitations afforded by Utah Retirement Systems Board Resolution 13-05 (see Appendix 52) and direct the City Recorder, HR/Payroll Clerk, or City Manager to inform URS of the City Council's decision not to pay past URS contributions older than three (3) years and associated interest for current employees.

7. INSURANCE.

- A. Medical Health, Dental, and Vision Insurance. It is the policy of Tremonton City to pay a portion of the cost of health, dental, and vision insurance for each Full-time employee and his or her lawfully married spouse and dependent children as approved by the City Council during the budget process. If an employee and his or her lawfully married spouse are employed by Tremonton City, both employees may be eligible for health, dental, and vision insurance, but coverage shall only be provided under the name of one spouse rather than as coordinated coverage for both. Dependent children are eligible to be covered under only one Tremonton City-employed parent.
- B. Life Insurance. It is the policy of Tremonton City to pay for a basic life insurance policy for each Full-time employee and his or her lawfully married spouse and dependent children as approved by the City Council during the budget process.

8. HEALTH CARE REFORM.

- A. Employer Mandate. Large Employers are mandated by the Affordable Care Act, effective January 1, 2015, to either be exposed to potential penalty or offer Health Coverage to Full-time Employees and their dependents, excepting the Margin of Error allowed by the Affordable Care Act. The Health Coverage offered ~~must~~shall meet the following requirements:

- (1) Minimum Essential Health Coverage. A plan shall cover at least sixty (60) percent of the total allowed costs of benefits under the plan.
- (2) Affordable Health Coverage. The premium cost to an employee for Health Coverage shall be no more than nine and a half (9.5) percent of the employee's household income. The employee's household income is defined as the employee's wages listed in Box 1 on their Form W-2.

- B. Definitions. In accordance with the Affordable Care Act and for purposes of this policy only, the following terms are defined as follows:

- (1) "Full-Time Employee" shall mean an employee who consistently averages *more* than thirty (30) hours per week or *more* than one-hundred thirty (130) hours per month during a measurement period.
- (2) "Health Coverage" shall mean health insurance that meets the requirements contained in Section A of this policy and shall exclude dental and vision coverage. As noted in subsection 6 A (2) and 6 B (1) of this policy and as contained in Appendix Number 47, the offering of dental and vision coverage constitutes "Benefits Normally Provided" and this requires the City to enroll the employee in the Utah Retirement System.

- (3) "Large Employer" shall mean those employers with more than fifty (50) Full-time employees or Full-time employee equivalents. Tremonton City is a Large Employer by this definition.
- (4) "Margin of Error" shall mean five percent (5%) of your Full-time employees or five (5) Full-time employees, whichever is greater.
- (5) "Measurement Period" shall mean the designated period used to track the hours of Variable Part-time Employees to ascertain whether they are eligible for Health Coverage. The Measurement Period shall be 12 months long.
- (6) "Part-time Employees" shall mean an employee who consistently averages *less than thirty (30) hours per week or less than one-hundred thirty (130) hours per month* during a measurement period.
- (7) "Special Unpaid Leave" shall mean leave due to Family and Medical Leave Act (FMLA), Military, or Jury Duty.
- (8) "Variable Part-time Employees" shall mean Part-time employees that work fluctuating work schedules and employees who have *seasonal* schedules, wherein the City does not know if the employee ~~will~~shall qualify for eligibility for Health Coverage, under the Affordable ~~Care~~ Act, by averaging *more than thirty (30) hours per week or more than one-hundred thirty (130) hours per month* during a measurement period.

C. Compliance with Employer Mandate. It is the policy of Tremonton City to comply with the Employer Mandate provisions of the Affordable Health Care Act by doing the following:

- (1) Full-time Employees. The City shall offer Health Coverage that meets the minimum requirements, enumerated in Section A Employer Mandate, to Full-time Employees consistent with the Affordable Care Act; except the offering requirement specifically excludes offering Health Coverage to both an employee and his or her lawfully married spouse that is also employed by Tremonton City, when both employees may be eligible for Health Coverage as described in subsection 7 A of this policy.
- (2) Part-time Employees. The City shall *not* offer Health Coverage to Part-time Employees whose work schedule is intended to consistently average *less than thirty (30) hours per week or less than one-hundred thirty (130) hours per month*. Department Heads shall not allow Part-time Employees to work over thirty (30) hours per week without approval from the City Manager.

- (3) Variable Part-time Employees. Variable Part-time Employees that work fluctuating work schedules and employees who have seasonal schedules, wherein the City does not know if the employee ~~will~~shall qualify for eligibility for Health Coverage, ~~will~~shall have their work hours measured to determine whether the City is mandated to provide Health Coverage through the Look Back/Stability Period Safe Harbor Method Process.

D. Look Back/Stability Period Safe Harbor Method Process. The Look Back/Stability Period Safe Harbor Method (found in Prop. Treas. Reg. 54.4980H-1 and Prop. Treas. Reg. 54.4980H-3) is adopted by the City to identify if Variable Part-time Employees work on average *more* than thirty (30) hours per week or *more* than one-hundred thirty (130) hours per month during a Measurement Period. The Look Back/Stability Period Safe Harbor Method process is comprised of the following processes:

- (1) Standard & Initial Measurement Period Process. The Measurement Period is a designated period used to ascertain whether ongoing Variable Part-time Employees are eligible for Health Coverage.
 - (a) Standard Measurement Period Process. The hours for these Variable Part-time Employees shall be tracked on a monthly basis by the HR/Payroll Clerk for a twelve (12) month period beginning on December 1st and ending on November 30th of each year (which is the Standard Measurement Period).
 - (b) Initial Measurement Period Process. For Variable Part-time Employees that are hired anytime after December 1, 2013, their Initial Measurement Period shall begin on the employee's first day of work (or day one of the first month following the employee's first day of work) and shall end after twelve (12) months.
 - (c) Determination of Eligibility. If a Variable Part-time Employee averages *more* than thirty (30) hours per week or *more* than one-hundred thirty (130) hours per month during the Standard or Initial Measurement Period, that employee is eligible for Health Coverage.
- (2) Standard & Initial Administrative Period Process. The Administrative Period is a designated period allowed by City Administration to make an offering for Health Coverage (which excludes dental and vision coverage) to a Variable Part-time Employee who averaged *more* than thirty (30) hours per week or *more* than one-hundred thirty (130) hours per month during the Measurement Period. The eligible employee shall pay the same premium amounts as other City employees receiving Health Coverage (see Appendix Number 47 for additional detail). The Administrative Period

allows the City to distribute and process completed Health Coverage enrollment materials.

- (a) Standard Administrative Period Process. The Standard Administrative Period shall be a one (1) month period beginning on December 1st and ending on December 31st of each year.
 - (b) Initial Administrative Period Process. For Variable Part-time Employees that are hired anytime after December 1, 2013, the Initial Administration Period ~~will~~shall begin immediately after the end of the Initial Measurement Period and ~~will~~shall last for a period of one (1) month.
 - (c) During the Administrative Period, the HR/Payroll Clerk shall provide the eligible employee with the Health Coverage Offer Letter (see Appendix 46). The eligible employee shall state on the letter if they accept or decline the offered Health Coverage and provide their signature. The Health Coverage Offer Letter shall be retained in the employee's personnel file.
- (3) Standard & Initial Stability Period Process. The Stability Period is the period during which an employee who qualified for Health Coverage, due to their average hours worked during the Measurement Period, receives Health Coverage. During the Stability Period, the HR/Payroll Clerk shall track, on a monthly basis, the employee's average hours worked.
- (a) Stability Period Process. The Stability Period shall be a twelve (12) month period beginning on January 1st and ending December 31st of each year. For employees that are hired anytime after December 1, 2013, the Initial Stability Period ~~will~~shall start immediately after the Initial Administrative Period and shall last for a period of twelve (12) months.
 - (b) Continuing Eligibility. An employee receiving Health Coverage because they worked on average *more* than thirty (30) hours per week or *more* than one-hundred thirty (130) hours per month during the Measurement Period, need not continue to average these same hours to remain eligible for Health Coverage during the Stability Period. However, at the end of the Stability Period, employees that fail to average *more* than thirty (30) hours per week or *more* than one-hundred thirty (130) hours per month during the Measurement Period, shall lose their eligibility to have Health Coverage provided by Tremonton City.
- (4) Migrating From Initial To Standard Measurement Period Process. New Variable Part-time Employees shall have the tracking of their hours

worked migrated from the Initial Measurement Period to a Standard Measurement Period. Variable Part-time Employees that are hired anytime after December 1, 2013 ~~will~~shall have their hours worked measured during the Initial Measurement Period and the Standard Measurement Period concurrently with the Standard Measurement Period starting with the first December 1st that occurs after the date of hire. All Standard Administrative and Stability Period processes ~~will~~shall apply at that point as well.

E. Calculating Eligibility of Health Coverage for Part-time Employees on Leave. The determination of eligibility for offering Health Coverage for Part-time Employees on leave shall be calculated as follows:

- (1) Variable Part-time Employees Returning From Paid Leaves of Absence. Paid leaves of absence shall be counted the same as paid hours worked. Thus, hours of paid leave during a Measurement Period ~~will~~shall be counted the same as hours worked during a Measurement Period.
- (2) Variable Part-time Employees Returning From Unpaid Leaves of Absence. A Variable Part-time Employee returning from unpaid leave, where employee is gone for more than twenty-six (26) consecutive weeks, shall be considered a newly hired employee upon return to work and shall be measured under the Initial Measurement Period Process. Otherwise, the employee shall be considered a current employee upon return and shall be placed back in the Standard Measurement/Stability Period Process.
- (3) Variable Part-time Employees Returning from Special Unpaid Leave. A Variable Part-time Employee returning from Special Unpaid Leave due to FMLA, Military, or Jury Duty, shall be considered a current employee upon return, regardless of the amount of weeks absent. The Variable Part-time Employee shall be measured under the Standard Measurement Period Process. Work hours accumulated prior to the absence shall be credited and hours during the absence shall also be credited, as if the employee had not been absent, based on average hours actually worked prior to the absence. If a Variable Part-time Employee returns to work during a Standard Stability Period in which the employee was found to be eligible for coverage, the employee shall be eligible for coverage through the end of the associated Standard Stability Period Process.
- (4) Variable Part-time Employees Returning from Non-Special Unpaid Leave. A Variable Part-time Employee returning from regular unpaid leave, who is considered a current employee, shall be credited for the work hours accumulated prior to the absence. However, no hours shall be credited for the absence period. If an employee returns to work during a Standard Stability Period in which the employee was found to be eligible for

coverage, the employee shall be eligible for coverage through the end of the associated Standard Stability Period Process.

9. LAND AMBULANCE SERVICE BY TREMONTON CITY OWNED AMBULANCE. Full-time Employees, their lawfully married spouses and dependent children, Part-time Employees receiving Utah Retirement Systems (URS) as part of their employment, their spouses, and dependent children, and Firefighter/EMT Employees, their spouses, and dependent children shall be eligible to have their fees for services written-off for land ambulance service provided by Tremonton City owned ambulances as follows:
 - A. After primary insurance (if applicable) and secondary insurance (if applicable) have paid their proportionate share of benefits, balance shall be written-off by Tremonton City.
 - B. Non-emergency transfers shall be physician prescribed.
10. CITY RECREATION PARTICIPANT FEES. Full-time Employees, lawfully married spouses, and dependent children shall have their participation fees waived for specific programs that are deemed eligible by the Recreation Director.

10. FLORAL REMEMBRANCE. Floral remembrances generally in the amount not exceed \$50 may be given by the City under the following circumstances:

- A. Floral remembrance may be given to members of the City Council, City employees and volunteers when they are hospitalized.
- B. Floral remembrance may be given to City Council, City employees and volunteers upon the death of spouse, child, step-child, daughter or son-in-law, parent, step-parent, grandchild, grandparent, brother or sister.
- C. Floral remembrance may be given to the family of former Mayors, Councilmembers or employees upon their death.

Notes:

Resolution No. ~~14-3016-41~~
~~2014~~ August 2, 2016

16-14

Adopted on: ~~June 3,~~

Exhibit L- Section XVII: Family and Medical Leave Act

SECTION XVII: FAMILY AND MEDICAL LEAVE ACT

Field Code Changed

1. GENERAL POLICY. The Family and Medical Leave Act of 1993 and the January 28, 2008 Military Family Leave Provisions allow eligible employees to take up to a total of twelve (12) work weeks of unpaid leave for various family and medical reasons and up to twenty-six (26) weeks for qualifying events connected to the Military Caregiver provisions of the law.
 - A. "Intermittent leave" or a "reduced leave schedule" for medical reasons can be taken under this policy "when medically necessary". Intermittent leave or a reduced leave schedule to care for a new child can be taken only if the employee and the City mutually agree to that arrangement.
 - (1) Intermittent leave is leave that is not taken consecutively.
 - (2) A reduced leave schedule is a leave schedule that reduces the usual number of hours per work week or hours per work day.
2. ELIGIBILITY. To be "eligible" for FMLA leave, an employee ~~must~~shall:
 - A. Have been employed for at least twelve (12) months by the employer.
 - B. Have worked for at least one thousand two hundred fifty (1,250) hours with that employer during the twelve (12) months preceding the leave.
 - C. Family and Medical Leave ~~will~~shall be granted to eligible employees for the following reasons:
 - (1) Family Leave of up to twelve (12) weeks for the birth of the employee's child.
 - (2) Family Leave of up to twelve (12) weeks for the placement of a child with the employee for adoption or foster care.
 - (3) Medical Leave of up to twelve (12) weeks to care for a spouse, child, or parent with a serious health condition.
 - (4) Medical Leave of up to twelve (12) weeks due to the employee's own serious health condition that makes it impossible for the employee to perform the functions of his or her own job.
 - (5) Military Exigency Leave of up to twelve (12) weeks to deal with exigencies resulting from a Federal Contingency Act if you are the spouse, son, daughter, or parent of a military service member on active duty, or on notice of an impending call to active duty.

(6) Military Caregiver Leave of up to twenty six (26) weeks to care for a covered military family member who is injured in the line of duty if you are the spouse, son, daughter, parent, or "next-of-kin" of a military service member who is injured in the line of duty.

(a) In order to qualify for leave, an employee still ~~must~~shall comply with other provisions of FMLA. If an employee requests FMLA leave to care for an injured service member and that employee has already taken FMLA leave in the past twelve (12) months, the twenty six (26) week leave period ~~will~~shall be reduced by the amount of leave previously taken.

3. AMOUNT AND TIMING OF LEAVE. An eligible employee is entitled to twelve/twenty six (12/26) weeks of unpaid FMLA leave within a twelve (12) month period for one or more of the six (6) reasons listed above. However, if a husband and wife are both employed by the City, they are entitled to a combined total of twelve (12) weeks of unpaid FMLA leave for the same reason. The City calculates FMLA entitlement on a "rolling twelve (12) month" basis. The twelve (12) month period begins on the first day of a particular FMLA leave.

4. USE OF PAID LEAVE. Employees shall first use paid leave (accrued vacation and sick time) for any type of family or medical leave. The period of time during which paid leave is substituted for unpaid leave ~~will~~shall be counted against the twelve/twenty six (12/26) week FMLA entitlement. After using any paid leave for the FMLA leave, the balance of the FMLA leave ~~will~~shall be provided without pay. Workers' Compensation, Short-Term Disability, and Long-Term Disability time off ~~will~~shall be counted against the employee's twelve (12) week FMLA entitlement.

5. NOTICE AND PROCEDURES FOR REQUESTING LEAVE. FMLA leave may be denied if the following requirements are not met:

A. When the requested leave is "foreseeable", the employee shall make requests for medical leave by submitting a completed Form WH-381 to his or her supervisor at least thirty (30) days in advance of requested leave. When this is not possible, the employee ~~should~~shall provide such notice as soon as possible. Additional unprotected leave extending beyond the twelve/twenty six (12/26) weeks ~~will~~shall only be granted upon further review and approval from management.

B. An employee requesting FMLA leave to care for a spouse, child, or parent or due to his or her own serious health condition ~~must~~shall provide the employer with a medical certification completed by a health care provider verifying the need for medical leave and the probable duration of the leave. The City may require an employee on FMLA leave to report periodically on his or her status or intent to return while on leave.

- C. A fitness for duty report completed by the employee's health care provider is required before an employee returns to work with the employer.

6. BENEFITS AND EMPLOYMENT STATUS.

- A. An employee may elect to continue coverage under the City's group health insurance for the duration of the FMLA leave at the same level and under the same terms and conditions as if he or she were not on leave. An employee who elects coverage is required to continue to pay his or her portion of the monthly premium. Payment arrangements can be made with the Payroll Clerk to maintain health insurance benefits while the employee is on leave. Failure to make premium payments when due may result in a loss of coverage.

- B. The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's FMLA leave. However, during leave without pay in excess of thirty (30) calendar days, seniority benefits, vacation leave, and sick leave shall not accrue. Whether or not the employee elects to continue the City's group health insurance coverage during the FMLA leave, when the employee returns to employment, he or she ~~will~~shall be reinstated to the same coverage as he or she had before the leave.

- C. Upon returning from FMLA leave, an employee shall be restored to his or her original or an equivalent position with equivalent pay, benefits, and other employment terms.

- D. If it has been discovered the employee worked for another company while on FMLA leave, the City maintains the right to terminate employment with the employee.

- E. If an employee voluntarily terminates his or her employment at the end of an FMLA leave without returning to work, the City may back charge the employee for the City's contribution towards the employee's group health insurance premium during the duration of the FMLA leave.

7. Tremonton City reserves the right to change this policy in order to comply with changes in the FMLA law.

- (1) If no Vacancy Exists. At the time of final release or settlement of a Workers Compensation claim, if no vacancy exists and if a reasonable effort, which has proven to be unsuccessful, has been made to place the employee in another position, the employee may be terminated and paid any accrued benefits due to them.

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Notes:

REV 11-10.1

Exhibit M- Section XVIII: Leaves of Absence

SECTION XVIII: LEAVES OF ABSENCE

1. PAID HOLIDAY LEAVE

A. Full-time and Part-time employees receiving Utah State Retirement (URS) as part of their employment.

- (1) Purpose. Paid holiday leave is granted to allow eligible employees paid time off for holidays and special occasions to celebrate or observe events surrounding these significant days.
- (2) Eligibility. Paid holiday leave shall be available to all Full-time and Part-time employees receiving Utah State Retirement (URS) as part of their employment. The number of hours that Part-time employees are granted in paid holiday leave shall be in proportion to the number of hours regularly worked.
- (3) Accrual. Full-time and Part-time employees receiving Utah State Retirement (URS) as part of their employment shall accrue paid holiday leave on the day of the holiday, which are as follows:

(1)	New Year's Day	January 1 st
(2)	Human Rights Day	3 rd Monday in January
(3)	President's Birthday	3 rd Monday in February
(4)	Memorial Day	Last Monday in May
(5)	Independence Day	July 4 th
(6)	Pioneer Day	July 24 th
(7)	Labor Day	1 st Monday in September
(8)	Columbus Day	2 nd Monday in October
(9)	Veteran's Day	November 11 th
(10)	Thanksgiving Day	4 th Thursday in November
(11)	The day after Thanksgiving	4 th Friday in November
(12)	Christmas Eve	½ day - December 24 th
(13)	Christmas Day	December 25 th

- (4) Use of Paid Holiday Leave. Eligible employees shall use paid holiday leave on the day that the holiday is accrued. Full-time Employees or Part-Time Employees that work on a holiday because of an emergency situation as required by a Department Head shall be compensated in accordance with Section XII Employment Terms.
- (5) Paid Holiday Leave Records. Official paid holiday leave records shall be maintained and kept current and reported on individual pay stubs. Employees that use paid annual leave shall record the time used on their time sheets in accordance with Section XII Employment Terms.

B. Full-time Police Shift Officers.

- (1) Purpose. Recognizing that the City requires Police Shift Officers to provide law enforcement on holidays the City grants paid holiday time to be used as work schedules permit.
- (2) Eligibility. Paid holiday leave shall be available to all Full-time Police Shift Officers.
- (3) Advancement of Accrual. Full-time Police Shift Officers shall receive an advance of forty-eight (48) hours of holiday leave accrual at the end of the first pay period in January and fifty-two (52) hours at the end of the first pay period in August of each year. The basis for the advance of holiday leave accrual for Police Shift Officers is twelve and a half (12 ½) paid holidays, or one hundred (100) hours, per year. Employees hired between accruals shall be advanced a pro-rated holiday leave accrual proportional to the amount of time remaining until the next accrual date.
- (4) Use of Paid Holiday Leave. All paid holiday leave requests shall be submitted a reasonable time in advance of the desired time off to the Police Chief. If excessive amounts of Police Shift Officers (being the number of requests, if granted, ~~would~~shall render the department ineffective) request leave for the same time period, it shall be granted in order of application (first-come-first-serve) or at the discretion of the Police Chief.
- (5) Paid Holiday Leave Records. Official paid holiday leave records shall be maintained and kept current and reported on individual pay stubs. Police Shift Officers that use paid holiday leave shall record the time used on their time sheets in accordance with Section XII Employment Terms.
- (6) Payout. Police Shift Officers shall not be allowed to carry forward any paid holiday leave. Unused paid holiday leave balances not used prior to the end of the first pay period in January and the end of the first pay period in August of each year shall be paid to the Police Shift Officers at straight time.
- (7) Termination. Police Shift Officers who terminate shall pay back (shall be deducted from their last check) used holiday leave not yet earned based on the holidays which apply to Full-time non Police Shift Officers.

2. PAID ANNUAL LEAVE

- A. Purpose. The City provides paid annual leave to allow employees periods for rest, relaxation, and renewal away from work with no loss in compensation. Additionally, the City provides paid annual leave to allow employees leave to address other personal needs.

- B. Eligibility. Paid annual leave shall be available to all Full-time Employees and Part-time employees receiving Utah State Retirement (URS) as part of their employment.
- C. Use of Paid Annual Leave. Paid annual leave may be used at any time with approval of the Department Head for any reason determined by the employee.
- D. Accrual. New, Full-time Employees and Part-time Employees receiving Utah State Retirement (URS) as part of their employment shall accrue paid annual leave from the date of hire and are allowed to use the leave time as it is accrued. Five (5) days of paid annual leave time may be used in advance of accrual with approval from the Department Head. Paid annual leave shall accrue based upon employee classification according to the following rate schedules:

(1) Full-time employees shall accrue annual leave at the following rate:

Years of Service	Annual Leave
Date of hire but less than 5 years	10 days (3.08 hours per pay period)
5 years but less than 10 years	15 days (4.62 hours per pay period)
10 years and over	20 days (6.15 hours per pay period)

(2) Part-time employees receiving Utah State Retirement (URS) as part of their employment may accrue annual leave at 50% or 75% of the full-time rate in proportion to the number of hours worked:

Years of Service	50% Annual Leave	75% Annual Leave
Date of hire but less than 5 years	5 days	7 ½ days
5 years but less than 10 years	7 ½ days	11 ¼ days
10 years and over	10 days	15 days

- E. Request for Paid Annual Leave Use. All paid annual leave requests shall be submitted a reasonable time in advance of the desired time off to the Department Head. If excessive amounts of employees (being the number of requests, if granted, ~~would~~shall render the department or organization ineffective) request leave for the same time period, it shall be granted in order of application (first-come-first-serve) or at the discretion of the Department Head.
- F. Carry Forward Balances. The maximum paid annual leave which can be carried forward from calendar year to calendar year is one half (1/2) an employee's annual accrual. Any accrued annual leave in excess of this amount shall be forfeited on January 1, except that there shall be no deduction for less than eight (8) hours carry over. The Mayor or City Manager may approve more than one half (1/2) an employee's annual accrual to be carried over in unusual circumstances.

- G. Paid Annual Leave Records. Official paid annual leave records shall be maintained and kept current and reported on individual pay stubs. Employees that use paid annual leave shall record the time used on their time sheets in accordance with Section XII Employment Terms. A holiday which falls during an employee's paid annual leave shall be counted as a paid holiday and not as annual leave.
- H. Donation of Paid Annual Leave. Full-time and Part-time employees receiving Utah State Retirement (URS) as part of their employment may donate unused paid annual leave to other eligible employees in accordance with Section XII Employment Terms.
- I. Exempt Employees. Exempt employees shall use paid annual leave time hours in increments of eight (8) hours.
- J. Termination. An employee whose employment is terminated shall be compensated for all accrued paid annual leave. Employees who terminate shall pay back (shall be deducted from their last check) used annual leave not yet accrued.

3. PAID SICK LEAVE

- A. Purpose. The City provides paid sick leave to allow employees leave to take care of medical related issues.
 - (1) Eligibility. Paid sick leave shall be available to all Full-time and Part-time employees receiving Utah State Retirement (URS) as part of their employment.
- B. Use of Paid Sick Leave. Paid sick leave may be used at any time with approval of the Department Head for the employee to use for themselves, their family, persons under their care, or residing within employee's household for any of the following reasons:
 - (1) When the employee is unable to perform their regular duties or other temporary work to which they may be assigned.
 - (2) Visits to hospitals, clinics, doctor's and dentist's offices for diagnosis or treatment of illness or injury or examination.
 - (3) For any use that is allowed by the Family Medical Leave Act (see Section XVII Family and Medical Leave Act).
- C. Accrual. Sick leave is accrued at the rate of ten (10) days per year. The employee shall begin to accrue sick leave immediately upon being hired by Tremonton City and shall be eligible to use sick leave as it is accrued. Five (5) days of paid sick leave time may be used in advance of accrual with approval from the Department Head. Sick leave shall accrue to a maximum of ninety (90) days (720 hours).

- D. Request for Paid Sick Leave Use. An employee shall notify the Department Head no later than one (1) hour after normal starting time on each day of a request to use paid sick leave unless the circumstances surrounding the absence make such notification impossible. The Department Head shall also be kept advised of the employee's progress and expected date of return to duty.
 - E. Carry Forward Balances. The maximum paid sick leave which can be accrued is seven hundred and twenty (720) hours. Once the employee has accrued seven hundred and twenty (720) hours of paid sick leave, the employee may request (see Appendix 41) that the City purchase three hundred and sixty (360) hours of the seven hundred and twenty (720) hours at one half (1/2) of the employee's current rate of pay, allowing the employee to again accrue sick leave at the same rate as other employees.
 - F. Paid Sick Leave Records. Official paid sick leave records shall be maintained and kept current and reported on individual pay stubs. Employees that use paid sick leave shall record the time used on their time sheets in accordance with Section XII Employment Terms.
 - G. Donation of Paid Sick Leave. Full-time and Part-time employees receiving Utah State Retirement (URS) as part of their employment may donate unused paid sick leave to other eligible employees in accordance with Section XII Employment Terms.
 - H. Exempt Employees. Exempt employees shall use paid sick leave time hours in increments of eight (8) hours.
 - I. Termination. An employee who is terminated for cause associated with an employee's misconduct shall not be compensated for unused accrued sick leave. Up to one half (1/2) of the accrued sick leave hours shall be paid, at the employee's current rate of pay, to employees who voluntarily resign and to those retiring with seven hundred and twenty (720) accrued hours or less. Employees who terminate shall pay back (shall be deducted from their last check) used paid sick leave not yet accrued.
 - J. Certification of illness. For sick leave in excess of ~~three five (35)~~ consecutive working days, or if abuse of sick leave is suspected, the Department Head may require a physician's certificate stating that such illness prevented the employee from working. Please see Section XVII: Family and Medical Leave Act when an employee is expected to be unable to work for an extended period of time.
4. PAID EMERGENCY LEAVE. A Department Head may authorize Full-time employees and Part-time employees receiving Utah State Retirement (URS) as part of their employment reasonable time off, not to exceed three (3) working days with pay, in case of an emergency. Time shall be deducted from their paid sick leave balance. Upon the recommendation of a Department Head, the Mayor or City Manager shall have the authority to grant longer paid leave, deducted from their paid sick leave balance, in

unusual circumstances in which an emergency exists. During emergency leave periods in excess of thirty (30) calendar days, paid annual leave and paid sick leave shall not accrue.

5. PAID MILITARY LEAVE

A. Annual Encampment or Rifle Competition. Full-time employees and Part-time employees receiving Utah State Retirement (URS) as part of their employment who are members of the organized reserve of the United States armed forces, including the National Guard of the State of Utah, shall receive full pay for all time, not in excess of fifteen (15) days per year, spent on duty at annual encampment or rifle competition or other duties in connection with the reserve training and instruction requirements of the armed forces of the United States, including the National Guard of the State of Utah, as suggested in Utah Code 39-3-2 (2).

B. Active Service. For any employee that enters active service in any branch of the armed forces of the State of Utah or the United States shall be granted a leave of absence without pay during that time of active service. The City shall follow the requirements of Utah Code 39-3-1 associated with the employee's active service in any branch of the armed forces.

6. PAID JURY OR WITNESS LEAVE. Full-time employees and Part-time employees receiving Utah State Retirement (URS) as part of their employment may be granted leave with full pay when performing jury duty or when required to serve as a witness in any municipal, county, state, or federal court, or before an administrative tribunal. Paid leave shall not be granted when the employee is serving as their own witness in financial and related suits which they have initiated.

7. PAID ADMINISTRATIVE LEAVE. Full-time employees and Part-time employees receiving Utah State Retirement (URS) as part of their employment may be granted paid administrative leave during investigations regarding the conduct of an employee.

8. PAID FUNERAL LEAVE. A Department Head may grant Full-time employees and Part-time employees receiving Utah State Retirement (URS) as part of their employment up to three (3) days of funeral leave with pay to attend the funeral of the employee's spouse, child, step-child, daughter or son-in-law, parent, step-parent, grandchild, mother or father-in-law, sister or brother-in-law, grandparent, spouses' grandparent, brother or sister. Such leave shall not be charged against accrued paid sick leave or paid annual leave. Extended funeral leave for out of town travel shall be considered on an individual basis with the supervisor having the authority to decide. A Department Head may grant Full-time employees and Part-time employees receiving Utah State Retirement (URS) as part of their employment one (1) day of funeral leave with pay to attend the funeral of the employee's aunt, uncle, niece, or nephew.

9. POLITICAL ACTIVITY LEAVE.

A. As per Utah Code Annotated 10-3-1108(3) a municipal employee who has filed a

declaration of candidacy may:

- (1) Be given a leave of absence for the period between the primary election and the general election; and
- (2) Use accrued annual leave to engage in campaign activities.

B. If a municipal officer or employee is elected to a public office, the employee may:

- (1) Be given a leave of absence without pay for the time during which the employee receives compensation for service in the public office; and
- (2) Use accrued annual leave to serve in the public office.

10. LEAVE WITHOUT PAY. The City recognizes that circumstances may occur in which employees may need leave but for which there is no provision for leave with pay to be granted. Upon recommendation of a Department Head, the Mayor or City Manager shall have the authority to grant leave without pay when unusual circumstances occur. Employees are expected to apply for absences in advance and in writing, giving as much detail about the absence as is necessary so that the Mayor or City Manager may decide whether the leave without pay is warranted. A leave without pay shall not constitute a break in service. During leave without pay, paid annual leave and paid sick leave shall not accrue. Circumstances that may warrant leave without pay include, but are not limited to, the following:

- A. Leave without pay may be granted to attend funerals not covered by the funeral leave policy.
- B. Leave without pay may be granted to attend to an ill or injured member of the employee's immediate family when such absence is not covered by paid sick leave.
- C. Leave without pay may be granted to employees that have filed a declaration of candidacy or is elected to a public office as suggested by UCA 10-3-1108.
- D. Part-time, Part-time Recreation, Temporary/Emergency, and Firefighter/EMT Employees are not eligible for paid leaves of absences including but not limited to: paid annual leave, paid sick leave, paid jury or witness, etc.

11. DOCUMENTATION OF LEAVE. Some of the above absences shall be supported by a copy of the official paperwork causing the absence. Such paperwork shall be submitted to the Department Head or as appropriate, the Mayor or City Manager, as soon as possible. In some cases where official paperwork is not available, the Department Head, or as appropriate, the Mayor or City Manager, may request that the employee supply additional information in writing to support the absence.

Notes:

Exhibit N- Section XIX: General Safety

SECTION XIX: GENERAL SAFETY

Field Code Changed

1. GENERAL POLICY. The following general safety rules shall apply in all City work places. Each Department may prepare separate safety rules applicable to the specific nature of work in their area but not in conflict with these rules.
 - A. Employees shall use extreme caution when operating any type of power equipment.
 - B. Employees shall not operate equipment or use tools for which licensing and training has not been received
 - C. Employees shall use personal protective 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.
 - D. Employees shall avoid wearing loose clothing and jewelry while working on or near equipment and machines. Long hair shall be properly secured.
 - E. All accidents, regardless of severity, personal or vehicular, shall be reported immediately to the supervisor or Department Head.
 - F. Defective equipment shall be reported immediately to the supervisor, Department Head, Mayor, or City Manager.
 - G. In all work situations, safeguards required by State and Federal Safety Orders shall be provided.
2. PROPER USE OF TREMONTON CITY EQUIPMENT AND TOOLS.
 - A. Employees shall receive the proper training 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.
 - B. 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 shall renew their commercial driver's license at four year intervals.
 - C. Operators and passengers in a business-use vehicle equipped with seat belts shall wear them when the vehicle is in operation, and all employees operating vehicles shall observe all federal, state, and local traffic laws.

- D. Employees shall keep and maintain tools and equipment clean, safe, and in useable manner.

3. DRIVER QUALIFICATION POLICY.

- A. Definitions. For purposes of this driver qualification policy the following terms shall be defined as follows:

- 1. "Authorized Driver Qualification Standards" means a driver who possesses a valid Utah Driver's License, maintains all required endorsements, and meets the following standards:

- a. No more than two (2) violations recorded on the Motor Vehicle Record within two (2) years that are not Single Major Violations; or
- b. No Single Major Violation recorded on the Motor Vehicle Record; or
- c. No more than two (2) Preventable Vehicle Accidents while at work within two (2) years; or
- d. No more of a combination of three (3) driving record events comprised of violations on the Motor Vehicle Record that are not Single Major Violations and Preventable Vehicle Accidents while at work within the last two (2) years.

- 2. "Probationary Driver Qualification Standards" means a driver who possesses a valid Utah Driver's License, or is in the process of obtaining a valid Utah Driver's License, maintains all required endorsements, and meets the following standards:

- a. No more than three (3) violations recorded on the Motor Vehicle Record within two (2) years that are not Single Major Violations; or
- b. No Single Major Violation recorded on the Motor Vehicle Record; or
- c. No more than three (3) or more Preventable Vehicle Accidents while at work within the last two (2) years ; or
- d. Any violation on the Motor Vehicle Record for Careless, Reckless, or Distracted driving.

- e. No more of a combination of four (4) driving record events comprised of violations on the Motor Vehicle Record that are not Single Major Violations and Preventable Vehicle Accidents while at work within the last two (2) years.
3. "Preventable Vehicle Accidents" for purposes of this driver qualification policy. "Preventable Vehicle Accidents" shall be the same definition as contained in the Vehicle Accident Policy contained in Section XIX: General Safety.
 4. "Single Major Violations" means, but is not limited to, the following:
 - a. Driving Under the Influence (DUI) or Driving While Intoxicated (DWI) in the past two (2) years;
 - b. Failure to stop/report an accident;
 - c. Making a false accident report;
 - d. Attempting to elude law enforcement; or
 - e. Other like violations as determined by the Department Head, Mayor, or City Manager.
 5. "Unauthorized Driver Qualification Standards" means a driver who may or may not possess a valid Utah Driver's License, may or may not maintain all required endorsements, and whose driving record meets, at a minimum, one of the following:
 - a. More violations recorded on the Motor Vehicle Record within two (2) years that are not Single Major Violations than allowed under Authorized Driver Qualification Standards or Probationary Driver Qualification Standards; or
 - b. More preventable Vehicle Accidents while at work within two (2) years than allowed under Authorized Driver Qualification Standards or Probationary Driver Qualification Standards; or
 - c. A combination of violations on the Motor Vehicle Record that are not Single Major Violations and Preventable Vehicle Accidents while at work within the last two (2) years than allowed under Authorized Driver Qualification Standards or Probationary Driver Qualification Standards; or

Field Code Changed

- d. A Single Major Violation recorded on the Motor Vehicle Record;
or
- e. A gross Preventable Vehicle Accident as determined by the Accident Review Committee as contained in the Vehicle Accident Policy contained in Section XIX: General Safety.

B. Driver Qualification Standards.

1. Acceptable Driver Qualification Standards. All employees or volunteers operating Tremonton City owned vehicles, or who may operate any vehicle while conducting business for or on behalf of Tremonton City, shall meet acceptable driver qualification standards, which shall include the Authorized Driver Qualification Standards or the Probationary Driver Qualification Standards as defined in this policy.
2. Unacceptable Driver Qualification Standards. All employees or volunteers whose driving record meets the Unauthorized Driver Qualification Standards as defined in this policy shall not operate Tremonton City owned vehicles, or operate any vehicle while conducting business for or on behalf of Tremonton City.
 - a. An Employee or volunteer whose driving record meets the Unauthorized Driver Qualification Standards, who knowingly operates a Tremonton City owned vehicle or operates any vehicle while conducting business for or on behalf of Tremonton City, constitutes misconduct and shall be subject to disciplinary action, up to and including termination.
 - b. An Employee or volunteer whose driving record meets the Unauthorized Driver Qualification Standards and whose position includes driving as one of his or her essential duties or qualifications of the position as listed in their job description may be terminated from his or her position.
 - c. An Employee or volunteer whose driving record meets the Unauthorized Driver Qualification Standard, and is not terminated from his or her position, may be reinstated to drive a Tremonton City owned vehicle, or may operate any vehicle while conducting business for or on behalf of Tremonton City when they have had a period of one (1) year without additional violations on his or her Motor Vehicle Record.

C. Driver Qualification Evaluation.

1. Driver Qualification Evaluation. As part of the driver evaluation process, all employees or volunteer's driving records shall be screened and monitored on an ongoing basis by the HR/Payroll Clerk, City Recorder, City Manager, and Department Heads to ensure the driver standards contained in this policy are met and maintained. Employees or volunteer's driving records used during the driver evaluation process shall consist of the following:
 - a. All violations recorded on the Motor Vehicle Record whether they occurred while at work or not, shall be included in the driver qualification evaluation.
 - b. All Preventable Vehicle Accident, whether or not the accident has been recorded on the employees or volunteer's Motor Vehicle Record.
2. Driver Qualification Notification Process. Through the driver evaluation process, when the HR/Payroll Clerk, City Recorder, City Manager, or Department Head identifies an employee or volunteer's driving record that does not meet the acceptable driver qualification standards, the City Manager and/or Department Head shall give notice to the employee or volunteer using Driver Qualification Notification Form (See Appendix Number 55). The Driver Qualification Notification Form may be expunged from the employee's personnel file with no additional violation of any type or Preventable Vehicle Accidents on his or her driving record within one (1) year.

4. FIRE DEPARTMENT DRIVING RESPONSE POLICY.

- A. Fire Department personnel shall follow all traffic laws when driving their personal vehicles to the Fire Station to respond to an emergency call. Breaking traffic laws when driving a personal vehicle to the Fire Station to respond to an emergency call shall constitute misconduct and shall be subjected to disciplinary action, up to and including termination.
- B. In accordance with UCA 41-6a-210 Fire Department personnel shall be Emergency Vehicle Operator (EVO) certified to be eligible to drive City Fire Department Apparatus. Fire Department personnel shall comply with the requirements of UCA 41-6a-210 when driving City Fire Department Apparatus to the incident scene, hospital, etc. Driving City Fire Department Apparatus without

the EOC certification or breaking traffic laws when driving a ~~shall~~ City Fire Department Apparatus to the incident scene, hospital, etc shall constitute misconduct and shall be subjected to disciplinary action, up to and including up to termination.

C. In accordance with Section VII Disciplinary Action, the Fire Department Officers shall investigate all written complaints regarding Fire Department driving response, and shall take appropriate disciplinary action if any as a result of the their investigation.

4. VEHICLE ACCIDENT REVIEW POLICY.

A. Definitions. For purposes of this policy the following terms shall be defined as follows:

1. Non-preventable Vehicle Accidents. A Non-preventable Vehicle Accident means any occurrence which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the authorized driver in question took all reasonable precautions to prevent the accident, and the accident still occurred.
2. Minor Vehicle Accidents. Minor Vehicle Accident means any vehicle accident with less than \$1,500 of property damage and no personal injury.
3. Preventable Vehicle Accidents. A Preventable Vehicle Accident means any occurrence which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the authorized driver in question failed to do everything that could have reasonably been done to prevent it. In the case of vehicle accidents, Preventable Accidents typically include accidents that result from backing up a vehicle and driving faster than conditions permit.
4. Major Vehicle Accidents. Major Vehicle Accidents means any vehicle accident resulting in \$1,500 or more of property damage or causing bodily injury.
5. Vehicle. A Vehicle means a machine by which someone travels or something is carried or conveyed which includes trailer, snowplows, backhoes, or the like.
6. Vehicle Accident Review Committee. The Vehicle Accident Review Committee means a committee responsible to determine, as far as

possible, the cause of the accident and whether the accident was a Preventable Vehicle Accident or Non-Preventable Vehicle Accident and determining corrective/disciplinary action, for Preventable Vehicle Accidents. The Accident Review Committee shall be comprised of the Mayor, City Manager, the Department Head of the authorized driver that was involved in the accident, and other invitees, upon the election of the Mayor or City Manager.

7. Safety Committee. The Safety Committee means a committee responsible for the prevention of workplace accidents and the implementation and monitoring of safety activities through policies and procedures, culture, and programs. The Safety Committee shall be comprised of the Mayor, City Manager, and Department Heads.
- B. Minor Vehicle Accident. A Minor Vehicle Accident involving City employees or volunteers with City vehicles shall be reviewed by the Safety Committee, but is generally not reviewed by the Vehicle Accident Review Committee, unless otherwise deemed by a Department Head. If the Minor Accident is not reviewed by the Vehicle Accident Review Committee the Department Head shall determine the appropriate corrective/disciplinary action in consideration of the accident, if any.
- C. Major Vehicle Accidents. All Major Vehicle Accidents involving City employees or volunteers and City vehicles shall be reviewed by the Safety Committee and generally the Vehicle Accident Review Committee. The Vehicle Accident Review Committee shall generally not review Major Accidents if no citation has been issued through a police investigation. If an Accident Review Committee Member is involved in an incident or accident that the Vehicle Accident Review Committee is reviewing, that member shall not participate in the review process. The Vehicle Accident Review Committee shall determine, as far as possible, the cause of the accident and whether the accident was a Preventable Vehicle Accident or Non-Preventable Vehicle Accident. In evaluating the accident, the Accident Review Committee shall consider any or all of the following information:
1. Written evidence presented by the employee concerned, the supervisor, and the police report of the accident investigation if there be any;
 2. Maintenance records, if there be any, or other like information available;
 3. The past Motor Vehicle Record of the employee or the like, if there be any;
 4. Diagrams, photographs, and other like evidence if there be any;

5. Aggravating factors and mitigating factors surrounding the accident;
 6. Testimony of others and witnesses present; and
 7. Any and all information related to personal injury to City employees or volunteers.
- D. The Vehicle Accident Review Committee shall document its findings as to whether the accident was a Preventable Accident or Non-preventable Accident and corrective/disciplinary action, when appropriate. The findings of the Vehicle Accident Review Committee shall be recorded on the Report of Tremonton City Vehicle Accident Review Committee.
1. Corrective/disciplinary action may include loss of privileges associated with using a vehicle/piece of equipment consistent with the standards contained in the Driver Qualification Policy contained in Section XIX: General Safety, required defensive driving or safety courses, reassignment or termination of employment for gross negligence and excessive accidents.
 2. The Report of the Tremonton City Vehicle Accident Review Committee shall be placed in the employee's personnel file when corrective/disciplinary action is associated with the accident (See Appendix Number 30 for details) and may be expunged from the employee's personnel file with no other accidents resulting in corrective/disciplinary action after two (2) years.
 3. The Vehicle Accident Review Committee's findings and Report shall be reviewed and discussed with the Safety Committee at their monthly safety meeting.

Exhibit O- Policy Statement and Acknowledgement Form

Appendix Number 1

POLICY STATEMENT AND ACKNOWLEDGMENT FORM

I have received my copy of the Personnel Policies and Procedures Manual which outlines the policies, practices, and benefits of Tremonton City. I accept responsibility for informing myself about these policies by reading them and, if necessary, by asking that they be explained to me.

Since the information in the Personnel Policies and Procedures Manual is necessarily subject to change, it is understood that the information that I have reviewed may be changed or replaced by other policies and procedures which Tremonton City may adopt in the future. I understand and acknowledge that I have the responsibility to inform myself of amended and new policies created in the future by Tremonton City and that no one has promised me that Tremonton City will not change these policies~~and understand that Tremonton City has reserved the right to change these policies in the future.~~ I also understand that the Policies and Procedures Manual and updates to the Manual can be found online at www.tremontontcity.com.

For those at-will employees listed in Utah Code 10-3-1105(2), I understand and agree that my employment with Tremonton City is terminable at-will, meaning that either myself or Tremonton City may terminate the employment relationship at any time for any reason. I understand that neither I nor Tremonton City has any obligation to base a termination decision on anything other than intent not to continue the employment relationship. No one has promised me that my employment will only be terminated for cause, or only for any particular reason, or will only be terminated through some particular process or procedure above, beyond, or in addition to such due process as may be required by Federal or State constitutional and statutory requirements.

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

Signature of Employee

Date

RESOLUTION NO. 16-42

**A RESOLUTION OF TREMONTON CITY CORPORATION APPROVING THE
ESSENTIAL SUPPORT FUNCTION FOR TRANSPORTATION AND
COMMUNICATION FOR THE TREMONTON CITY CORPORATION 2016
EMERGENCY OPERATIONS PLAN**

WHEREAS, legally constituted municipalities are authorized and encouraged to create municipal emergency management plans; and

WHEREAS, on April 1, 2014 the Tremonton City Council approved Resolution No. 14-17 which adopted the Tremonton City Corporation *2014 Emergency Operations Plan*; and

WHEREAS, on January 5, 2016 the Tremonton City Council approved Resolution No. 16-03 which repealed Resolution No. 14-17 and adopted the revised 2016 Emergency Operations Plan; and

WHEREAS, from time to time it is prudent and becomes necessary to review and amend adopted Emergency Operations Plans; and

WHEREAS, the Tremonton City Emergency Manager has created new Essential Support Functions to the Plan for Transportation and Communication.

NOW, THEREFORE, be it resolved by the Tremonton City Council of Tremonton, Utah to approve the Essential Support Function for Transportation as shown in Exhibit "A" and the Essential Support Function for Communication as shown in Exhibit "B".

Adopted and passed by the Tremonton City Council this 2nd day of August, 2016. The resolution is to become effective upon adoption.

TREMONTON CITY, a Utah Municipal Corporation

Roger Fridal, Mayor

ATTEST:

Linsey Nessen, Acting City Recorder

Exhibit A

Tremonton City Corp

Essential Support Function 1

Transportation

Essential Support Function 1 Transportation

I. PURPOSE

The purpose of Essential Support Function (ESF) 1 is to provide coordination and direction to Tremonton EOC to support the transportation needs and resources during and following a disaster or significant emergency. This ESF addresses supporting operations for evacuations, road and road structure damage assessment, and debris removal in transportation corridors.

II. SCOPE

Tremonton City contains State roads along with the various local roads and right-of-ways. Ultimate jurisdiction for State roads rests with Utah Department of Transportation. Tremonton City can, where required for emergency purposes, take temporary control of these thoroughfares to aid during evacuations. Otherwise, the scope of this ESF addresses specifics confined to those assets and roads within Tremonton City's jurisdiction.

III. ASUMPTIONS

Based on the unpredictable nature of emergencies, this plan is flexible in response and scope. Not all emergencies will require the full implementation of the emergency forces described in this plan. Therefore, this annex is based on an escalating scale of emergencies and responses. The basic assumptions of this plan are directed to meeting the needs of disaster victims and the community in an emergency.

IV. EVACUATIONS

Many different disasters or emergencies may require the evacuation of part or all of the community. Tremonton City is unique in that the direction of an evacuation could be determined to go north, south, east or west, depending on where the danger is located and the potential it may spread.

Determining the need for an evacuation should be made first by the incident commander after evaluating the incident. The recommendation is then made to the Mayor, who can issue a disaster declaration and order the evacuation. (UCA 53, Chapter 2A, Section 2, part 205). If the Mayor is not immediately available to make the declaration and order the evacuation, the Police Chief or designee has the authority to issue a 36-hour evacuation order. After 36 hours, the order must be ratified by the Mayor or designee with a disaster declaration and evacuation order.

Route Identification and Notification

The safest and most efficient route should be determined by the Mayor. The EOC staff and emergency response agencies can provide information and suggest routes to the Mayor. Depending on lead times, Utah Department of Transportation (UDOT) may be contacted for recommendations and evacuation support.

Once the route is determined, a recommended evacuation location may be suggested, such as a neighboring community. Keep in mind that the areas which Tremonton City residents are evacuated to will need to be able to support those being sent.

Evacuation routes shall be communicated to Box Elder Communications Center (BECC) for emergency notification of responders and the Utah Highway Patrol. Notification should also be made to local EOC's that are open. Public notification shall be made first by utilizing CodeRED. Additional notifications shall be made as necessary, following ESF 2 communications methods and channels.

Evacuation

Law Enforcement takes the direct lead in managing all evacuation procedures. If activated, Tremonton's EOC is directly responsible for seeking all available resources to support the evacuation and all coordination requested by Law Enforcement.

Mass Evacuations

Tremonton City currently does not possess the resources for mass transit evacuations. The Senior Center bus and non-emergency vehicles may be activated to support those within the City that do not have personal means of travel. A request to the Senior Center director will make the bus available.

Tremonton Fire Department should be prepared to support Bear River Valley Hospital and the assisted living centers/nursing homes during evacuations as personnel and ambulances are available. Additional support may be requested through BECC for ambulance support. Each care center shall be responsible to find specific locations for the individuals within their care, not the Tremonton Fire Department.

Until a written Memorandum Of Understanding (MOU) can be drafted and signed, Box Elder County School District has provided a verbal indication that busses may be requested for evacuations. The school district's primary responsibility lies in taking care of the students within the schools, and no resources will be released until those responsibilities are met. Should additional busses be available, those resources may be released to assist evacuation efforts. Payment for bus services shall be provided to Box Elder School District following the incident.

Citizens are encouraged to discuss within neighborhoods the resources available to assist one another should an evacuation be necessary. As part of Emergency Management, continued public education on preparedness remains a high priority. (See ESF 5) Special emphasis has been suggested with regards to homebound individuals that cannot self-evacuate.

Evacuation Support

All available resources shall be employed to assist in directing an evacuation. Law Enforcement will take the lead in directing the evacuation, supported by Public Works and the Parks department if requested. Tremonton City's CERT Team may also be activated and assist, as requested. Requests for CERT assistance shall be requested through the Emergency Management Coordinator.

Requests for additional **personnel** and equipment support may be made directly by Law Enforcement to BECC or may be coordinated with the EOC, if activated.

UDOT offers support during evacuations through sign placement and barriers. The electronic boards along the freeways can also be used to broadcast evacuation messages.

V. ROAD DAMAGE AND ROAD STRUCTURE DAMAGE ASSESSMENT

If damage occurs to City-owned roads and road structures as a result of the disaster, efforts shall be made to assess the damage and prioritize mitigation based on the traffic demand. Assessments and prioritization shall be completed by Public Works.

Tremonton EOC shall support operations through contacting structural engineers, local heavy equipment operators, and other resources requested by Public Works, to assist in assessment and mitigation efforts. First contacts shall be to agencies and businesses with established contracts or MOU's. After local resources and agreements are exhausted, requests for additional resources shall be made to Box Elder County EOC. Disaster funding shall be appropriated by the EOC and elected officials to mitigate damage.

State road damage will be assessed by the UDOT Bothwell Sheds Supervisor. UDOT engineers will respond and inspect all structures/bridges, including structures over local roads, for damage and safety when an incident possibly damages these structures. In a large-scale incident, initial surveys of structures shall be completed by Tremonton Public Works. Any damage to the State roads or to road structures shall be forwarded to the UDOT Bothwell Shed Supervisor or North Area Supervisor. UDOT will make arrangements for an assessment and coordinate all repairs to be made.

VI. DEBRIS REMOVAL

Public Works is responsible for all debris removal from roadways and transportation corridors. The EOC may assist through resource contacts as requested by Public Works. Public Works is responsible to determine the location for collecting debris to minimize the impact on the community. CERT and other volunteers may be activated to assist where possible and can be accomplished safely. This would include removal of trees and other vegetation.

Agreements exist with UDOT on Main Street for support maintenance. Should debris removal be necessary to open a major thoroughfare, Tremonton Public Works crews shall initiate debris removal. Coordination shall be made with the Bothwell UDOT shed supervisor on clean-up plans and progress, either directly by Public Works or through the EOC.

If volunteers are requested and activated, those volunteers are under the direction of the EOC, and will report directly to the EOC or established Volunteer Check-in area managed by the CERT Team. Teams will be formed and will report to the requested site. Public Works will provide the parameters for the work to be done, and provide supervision as available. Otherwise, the volunteer team leader will supervise the assigned task.

VII. SUPPORT

Heavy equipment and trained operators may be needed to assist with Transportation challenges following a disaster that impacted transportation corridors. All requests for additional resources shall be requested through ESF 7 Logistics if the EOC is operating. Public Works personnel may contact local contractors to assist in initial phases of a disaster. Once the EOC is operational, continued coordination shall be managed by the EOC.

All requests for County Roads assistance shall be coordinated with Box Elder County Emergency Management (EOC or the County Emergency Manager). If requests are made directly to County Roads by Public Works, then the EOC shall contact County Emergency Management and provide an update on the resources already requested.

VIII. CONTACT NUMBERS

UDOT	Bothwell Shed		
	Mike Bowen	435-257-3423(O)	435-452-2433 (C)
	Riverside Shed		
	Todd Gibbs	435-458-3791(O)	435-279-3126 (C)
	North Area Supervisor		
	Troy Esterholdt	435-881-1044 (C)	
Box Elder County Roads			
	Bill Gilson, Roads Supervisor		435-257-5450 (O)
	Mark Millett (Emergency Manager)		435-452-1772 (C)

Box Elder School District (Buses)		435-734-4806 (O)
Jim Christensen		435-230-0842 (C)
Senior Center (Bus)		
Marion Layne	435-257-9456 (O)	435-230-0309 (C)
Hospital/Care Center		
Bear River Hospital	435-207-4570 (Main)	435-207-4589 (ER)
EOC	435-207-4710	435-207-4711
Bear River Care Center		435-257-4400
Our House Assisted Living		435-257-5658

Exhibit B

Tremonton City Corporation

Essential Support Function 2

Communication

Emergency Support Function 2 Communications

IX. PURPOSE

The purpose of Emergency Support Function (ESF) 2 is to provide coordination direction to Tremonton EOC for emergency communications needs and resources during and following a disaster or significant emergency.

X. SCOPE

Tremonton City has the responsibility to notify its citizens when a potential or actual disaster or emergency occurs that threatens individual well-being. This annex addresses unique communications challenges that may occur during a disaster. The Emergency Operations Center (EOC) will manage communications with neighboring communities and Box Elder County EOC for support and assistance. City personnel will be authorized to utilize any communications and warning systems necessary to notify citizens, and to respond and support emergency operations. Initial emergency responder notification shall be made by Box Elder Communications Center (BECC). Additional resource needs communications may be managed by Tremonton EOC or by the Incident Commander directly.

ESF 2 also incorporates volunteer communications groups that may assist communications efforts for Tremonton. Social media and non-emergency notifications are discussed in ESF 15 External Affairs.

XI. ASSUMPTIONS

Based on the unpredictable nature of emergencies, this ESF is flexible in response and scope. Therefore, this annex is based on an escalating scale of emergencies and responses. The basic assumptions of this plan are directed to Tremonton City EOC and emergency responder communications needs during a disaster or emergency.

Due to unique aspects of each disaster or emergency, one or more of the presented methods for communication may not be available. The most viable source of communication will be utilized during the emergency.

Law enforcement, fire/EMS and Public Works have specific communications plans for operations during a disaster or emergency. This annex does not address specific department protocols. It directs communications channels for the EOC in supporting incident response.

XII. COMMUNICATIONS METHODS

There are several methods for communications during a planned event or disaster. The methodology for making communications choices will be to use the most common form of communication that is available.

The first choice for direct communication outside of the EOC is via telephone. This would include both landlines and cell phone service. Cell phone use has become the predominant communication method for regular business and emergencies. Texting is included in the cell phone category, and has proven very useful during emergencies due to the minimal cell tower time usage.

Telephone communication does have drawbacks. A major concern with relying heavily on cell phone communications during an emergency is the inability for the cell phone system to provide enough service to meet the demand. Texting does reduce the load on the system, but cannot be guaranteed. Landlines are losing popularity with citizen at large. Damage to the infrastructure can limit or eliminate communications efforts for both landline and internet-based telephone systems. An additional drawback to telephone communications is documentation. Detailed notes shall be taken during all calls to ensure the correct message is received. The notes become part of the permanent record for the incident.

Electronic communication plays a vital role in emergency communications. There is less chance of message confusion and is easy to maintain documentation. Emails and faxes fall within the category electronic communication.

Radio is the next choice for communicating. Emergency responders utilize radios for on-scene communications. The EOC will not always have access to the responder frequencies used at the incident. If a radio is provided to the EOC by the police or fire department, this may be a viable communications option for the Incident Commander (IC).

Some Family Radio Service (FRS) radios have been acquired and are kept at the police station. They can be requested from any law enforcement staff or from the Emergency Management Coordinator. FRS radios provide a redundant communications avenue for the City. The City's FRS radios have range to communicate within the City limits and to the City wells on the Bear River, which should cover local communications between City departments. They are not powerful enough to be utilized for communication with other local and Box Elder County EOC's. Because these radios are available to the public and are popular, caution must be exercised when utilizing them for transmitting sensitive or critical information. There is not a way to control who receives the messages broadcast with FRS radios. Also, many families and local non-government organizations (NGO's) have adopted the use of these radios with specific frequencies earmarked in their plans. There is a possibility of heavy radio traffic on all channels.

The Amateur Radios in Emergency Services (ARES) team utilizes HAM radio technology. The ARES team plan has assigned specific members to respond to Tremonton and other EOC's when requested. They bring with them their own equipment. Should telephone and electronic communication not be available, the ARES team will provide communications support for contacting other EOC's in the County.

Hand-delivered written messages plays an ultimate backup communication method. Within the EOC, these messages provide an adequate method to communicate. Communication with the IC or with neighboring EOC's becomes significantly restricted if used as the primary communication method. This method is still valid if it is the only method available.

XIII. EOC PRIMARY EMERGENCY COMMUNICATIONS

Communication between the Incident Commander (IC) and the EOC and between neighboring and County EOC's is vital to managing all types of incidents, whether it is a disaster or a planned event.

The EOC will provide a communications conduit between responders and outside resources that will be assisting.

Communications within EOC

Most communications will occur by face-to-face or written, which include hand-drafted messages and emails. A typical EOC set-up would have all staff in the same room.

During initial activation, the EOC atmosphere may be hectic. All information communicated should be documented in writing or captured with a recording device to aid in flow and information retention.

During an extended EOC activation, staff members may be moved back into regular offices to aid in maintaining daily functions. Communications would be best completed by electronic means.

Communications with IC

Once the EOC is activated, the EOC Director will make contact with the IC. Cell phone is the preferred method for communication. All communications should be documented for clarification. This documentation may be a simple hand-written note identifying the critical components of the conversation.

As available, radios with responder frequencies may be issued to the EOC by law enforcement or the fire department for emergency communications. The IC will designate the channel for EOC communications when established. The EOC Director may complete

those conversations personally or may designate an alternate to manage those communications.

For emergent communications that do not involve communicating sensitive material, the FRS radios may be useful as an alternative communications method. A radio would need to be delivered to the IC by a member of the EOC support staff or a volunteer. A designated channel will be assigned by the EOC and the EOC communications person or team will monitor IC communications.

The fallback for communication between the EOC and IC is through hand-written messages delivered by runners.

County and Neighboring Community EOC

Primary communication between Tremonton's EOC and Box Elder County's or other neighboring EOC's will be accomplished via telephone. Tremonton EOC has three telephones, each programmed with an unlisted phone number designated as primary EOC lines. The telephone numbers are listed on each box and on the telephone, and all are stored in the EOC "Go-kits" located in the basement of the City Office. These phone numbers are given out to neighboring EOC's for reference and use prior to a disaster.

The unlisted EOC phone numbers are:

435-257-9496

435-257-9497

435-257-9498

These numbers are to be restricted for EOC communications only. They remain unlisted to preserve dedicated lines for emergency communications.

Electronic communications remains a support to telephone communications if available. It aids with documentation and correct information retention.

The Box Elder ARES team has communications teams designated to respond to Tremonton and other local EOC's, including Bear River Valley Hospital as needed. This team will bring their own equipment to the EOC. They will provide a communication avenue between EOCs and the local hospitals if needed. All information communicated through the ARES team must be in written form.

County Emergency Management has also invested funds to purchase Ham radios for various EOC's. As a redundant system, Ham radios may be utilized for EOC communications. Box Elder School District also has Ham radios available for communications, should the need arise. Once installed, the ARES team or a designated member of the EOC support staff will operate the radio.

Press Releases/Public Information Coordination

All press releases and public information will be managed by the EOC's Public Information Officer (PIO) and will be managed through ESF 15 External Affairs. The EOC staff will assist in coordinating all information with neighboring EOC's and other support organizations.

XIV. PUBLIC WARNING AND NOTIFICATION

Public Notification Types

Tremonton City has the responsibility to notify its citizens and visitors when a disaster or impending emergency occurs. The timeliness and efficiency of public alerts has a significant impact on the outcome. These public alerts are categorized as follows:

1. **Emergency Evacuation.** Situations may occur during a disaster that necessitates relocating residents to protect them from harm. The ESF 1 Transportation coordinator will suggest to the Mayor or designee all evacuation orders and designated routes. These orders and routes shall be communicated to the public by means of the Mass Notification System listed below.
2. **Public Health Notice.** The Utah Department of Health in conjunction with the Bear River Health Department takes the lead in declaring public health emergencies and notification. Tremonton EOC shall assist by utilizing established emergency notification systems currently in place.
3. **General hazards and dangers.** This is a broad category for hazards that do not fall within an immediate emergency but still pose a threat that the community should be aware of. Typically, emergent notification methods will not be used for these notifications. Emergency notification methods may be used at the discretion of the EOC Director after consulting with the Mayor and City Manager.
4. **General messages.** General messages provide non-emergency information and direction to the public that is not time-critical. Emergent notification methods shall not be used for general messages. City websites, flyers and other methods are preferred to communicate general messages.

Mass Notification Systems

Multiple systems are available to the EOC for public notifications. Each system has benefits and restrictions.

1. **Public Alert System:** The State of Utah allows public emergency messages to be broadcast on all local television and radio stations. Tremonton City does not have direct access to utilize this service. Any requests for messages to be transmitted are

coordinated through the county EOC if activated; otherwise the County Emergency Manager is the direct contact. All messages must be brief and detailed.

2. Code RED. CodeRED is a web-based notification system that integrates GPS elements and tagged phone numbers attached to addresses. The Police Chief and designated individuals have access to the CodeRED database for notifications. This database incorporates a mapping feature which allows selecting specific sections of the community and messages sent to all phone numbers that are designated at residences within the selected area.
3. City Website. Tremonton City's website can play a significant role in disseminating information to the public. It is not as useful during initial emergency operations, but can be utilized to get information out post-emergency. Selected administration and staff are granted access to the various pages that can be updated with current information.
4. City Bill Stuffers. Non-emergent information and planned events may be communicated through additions to the monthly utility bill. All information requests shall be made to the City Treasurer.
5. Social Media. City departments that utilize various social media platforms are encouraged to be proactive in getting correct information out to the public. Social media is immediate and highly dynamic, and should be used with discretion. Information accuracy remains the highest priority when utilizing social media as a means of disseminating post-emergency or disaster information.
6. The Leader Newspaper. The Tremonton Leader newspaper is a good source for getting information out to the community, which utilizes a weekly printed paper and social media sites.
7. Face-to-Face. Some situations require going door-to-door and providing direct communication. Tremonton's CERT Teams can be mobilized to undertake the operation of community face-to-face contacts.
8. Electronic and Non-Electronic Message Boards. Message boards are a good avenue for getting information to the public. Several electronic and non-electronic message boards are located along Main Street and are operated by local businesses. Each business may be contacted to post regular messages and updates during the course of an incident or disaster. Utah Department of Transportation (UDOT) has mobile electronic signs that can be requested for messaging
9. Supporting Agencies. There are other agencies that work in cooperation with Tremonton's EOC, although they may not be directly involved in the current disaster or emergency. Utilizing alternate communications chains and methods will help get

the messages out more efficiently. Potential sources include the Bear River Health Department, Bear River Valley Hospital, the Box Elder School District (BESD), and the local church organizations. Some of the contact numbers for these organizations are listed in the next section, titled Contact Numbers. Other contact numbers may change regularly and are not included directly in ESF 2.

Box Elder School District does maintain a notification system for students and parents. Tremonton EOC may request individual schools to send out specific emergency messages. Those requests should be channeled through Facilities Management. Should the Facilities Manager not be available, then each school may be contacted for notification options. The message should be concise and specific, and have relevance to that particular school and parents. BESD will determine if the message meets their criteria for messages, and will send the message out only if it addresses their specific needs. This system shall not be used for general city-wide messages.

XV. CONTACT NUMBERS

Box Elder County EOC numbers	435-734-6508
	435-734-6509
	435-734-6512
Brigham City EOC	435-723-2118
	435-723-2119
	435-723-2100
Garland EOC	435-257-6397 (Fire)
	435-257-3118 (O)
Bear River Health Department	
Mike Weibel	435-792-6520
	435-994-1122 (C)
Bear River School District	435-734-4800
Jim Christensen	435-230-0842
Bear River Valley Hospital Command Center	435-207-4710
	435-207-4711
	435-207-4701 (PIO)
	435-207-4707 (IC)
Dorene Stever, Liaison	435-207-4709 (O)
	435-230-3376 (C)
Utah Transit Authority Communications Center (24/7)	801-287-3937

UDOT	Bothwell Shed		
	Mike Bowen	435-257-3423(O)	435-452-2433 (C)
	Riverside Shed		
	Todd Gibbs	435-458-3791(O)	435-279-3126 (C)
	North Area Supervisor		
	Troy Esterholdt	435-881-1044 (C)	

RESOLUTION NO. 16-43

A RESOLUTION OF TREMONTON CITY CONDUCTING A BIENNIALLY REVIEW OF ITS MODERATE INCOME HOUSING PLAN AND IMPLEMENTATION AND PREPARING A REPORT SETTING FORTH THE FINDINGS OF ITS REVIEW INCOMPLIANCE WITH UTAH CODE 10-9A-408

WHEREAS, Utah Code Annotated 10-9a-403 (2) (a) iii and 10-9a-403 (2) (b) requires that the City's General Plan contains a Moderate Income Housing element; and

WHEREAS, Bear River Association of Government (BRAG) staff, City staff and the Planning Commission have prepared a Moderate Income Housing Plan that meets the requirements of the Utah Code; and

WHEREAS, on November 27, 2012 the Planning Commission conducted a public hearing to take public input regarding the draft Moderate Income Housing Plan and recommended approval of the Plan to the City Council; and

WHEREAS, on March 19, 2013 the City Council approved Resolution No. 13-17 adopting the *Tremonton City & Tremonton City RDA 2013 Moderate Income Housing Plan* as an element of the City's General Plan; and

WHEREAS, the *Tremonton City & Tremonton City RDA 2013 Moderate Income Housing Plan* confirmed that there is a good stock of moderate income housing in Tremonton; and

WHEREAS, Utah Code Annotated 10-9a-408 (1) requires the City Council to review its moderate income housing plan element of its general plan, its implementation of the plan, and prepare a report setting forth the findings of the review.

NOW THEREFORE BE IT RESOLVED that the Tremonton City Council affirms that its has hereby reviewed the *Tremonton City & Tremonton City RDA 2013 Moderate Income Housing Plan* and its implementation and prepare a report setting forth the findings of the review as attached in Exhibit "A".

FURTHER BE IT RESOLOVED that in accordance with UCA 10-9a-408 the City Recorder shall send a copy of the report under Subsection (1) to the Department of Workforce Services and the Bear River Association of Government.

Adopted and passed by the Tremonton City Council this 2nd day of August, 2016.

TREMONTON CITY
A Utah Municipal Corporation

By _____
Roger Fridal, Mayor

ATTEST:

Linsey Nessen, Acting City Recorder

Exhibit "A"



State of Utah

Department of Workforce Services
Division of Housing & Community Development

Last revised: 6/23/2016

Return to: rkohutek@utah.gov

MODERATE-INCOME HOUSING PLAN BIENNIAL REPORT FORM

City or County Seat:	<u>Tremonton City</u>	County:	<u>Box Elder</u>
Respondent:	<u>Steve Bench</u>	Position:	<u>Building Official</u>
Email:	<u>sbench@tremontonciv.com</u>	Phone:	<u>435-257-9510</u>
Date Prepared:	<u>7/28/2016</u>	<input checked="" type="radio"/> City <input type="radio"/> County	

The following questions are based on moderate-income housing plan requirements established throughout Utah Code Title 10, Chapter 9a and Title 17, Chapter 27a.

1 Has your city or county's legislative body adopted a moderate-income housing element as part of its general plan in accordance with UCA 10-9a-403 or UCA 17-27a-403?

Yes No

1.1 **If No:** Please outline the steps your city or county is taking to complete a moderate-income housing plan, and describe any related assistance it needs.

1.2 **If Yes:** When did your city or county complete its most recent moderate-income housing plan?

3/19/2013

2 Has your city or county updated its moderate-income housing plan's estimate of the need for moderate-income housing in the city or county for the next five years?

Yes No

2.1 **If No:** Please describe your city or county's efforts to update these estimates and related assistance it needs.

Although the 2012 plan has not been updated, efforts continue through zoning modifications and home rehab programs to meet the needs for moderate-income housing.

2.2 **If Yes:** Please email your updated affordable housing plan and estimates to:

rkohutek@utah.gov

- 3 Describe your city or county's efforts "to reduce, mitigate, or eliminate local regulatory barriers to moderate-income housing" during the past two years.

Tremonton's current zoning allows and encourages the construction of moderate income housing. Moderate income housing is defined as housing available for those who make 80% or less of AMI.

- 4 Describe the "actions taken by [your city or county] to encourage the preservation of existing moderate-income housing and development of new moderate-income housing" during the past two years.

Tremonton City has over the last year participated with Neighborhood Nonprophet Housing Corp and Box Elder County in providing funds to rehab exterior and interior homes within the city through grants and will continue this program. to date over 20 homes have received help with home improvement projects. Through zoning we have issued many building permits to include multi-family housing units and single family units during the past two years.

- 5 Describe the "progress made within [your city or county] to provide moderate-income housing, as measured by permits issued for new units of moderate-income housing" during the past two years.

2014 - 15 permits for single family dwellings and permits were issued for 32 multi-family units.

2015 - 28 permits for single family dwellings and permits were issued for 20 multi-family units.

- 6 Describe the "efforts made by [your city or county] to coordinate moderate-income housing plans and actions with neighboring municipalities" during the last two years.

There have been no efforts made with the smaller surrounding communities, however we continue to work with the Box Elder County with housing rehab within Tremonton City.

- 7 Please indicate which moderate-income populations your moderate-income housing plan addresses (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> 7.1 80-100% AMI | <input type="checkbox"/> 7.5 Homeless |
| <input checked="" type="checkbox"/> 7.2 50-80% AMI | <input type="checkbox"/> 7.6 Elderly |
| <input type="checkbox"/> 7.3 30-50% AMI | <input type="checkbox"/> 7.7 Disabled |
| <input type="checkbox"/> 7.4 ≤ 30% AMI | <input type="checkbox"/> 7.8 Other: _____ |

- 8 Please summarize the section of your housing plan that describes your city or county's goals and actions to facilitate the development of moderate-income housing in your community. If applicable, detail the use of RDA/EDA/URA/CRA funds for affordable housing. If additional explanation is necessary, please email a separate addendum.

The Tremonton City Redevelopment Agency (RDA) created the West Liberty Foods Project Area. Title 17C of Utah Code requires the allocation of 20% of tax increment generated from the West Liberty Foods Project Area, to be dedicated to the creation and preservation of moderate income housing. The Tremonton City RDA targets the 20% of tax increment generated from the West Liberty Foods Project Area to be dedicated to the creation and preservation of housing within the incorporated limits of Tremonton City.

- 9 Does your moderate-income housing plan address Fair Housing issues and practices related to protected classes and/or suspect classifications (UCA 57-21)?

Yes No

- 9.1 **If No:** Please identify known barriers to Fair Housing in your city or county and describe the steps your city or county is taking to address them.

- 9.2 **If Yes:** Please specify how your moderate-income housing plan addresses Fair Housing issues and practices related to protected classes and/or suspect classifications?

Although the plan is not specific related to protected classes, it encourages an even distribution of moderate housing units through out the city, encourages those locations to be near community amenities and services, encourages the use of sustainable building materials, and encourages the rehabilitation of existing housing stock as moderate income housing and ensure that those areas including multi-family complexes remain attractive and desirable place to live.

- 10 Does the stock of housing designed to accommodate disabled individuals meet the needs of the disabled population of your city or county (UCA 57-21)?

Yes No

- 10.1 **If No:** Please describe the efforts you are making to obtain this information and any plans you have to provide Fair Housing for the disabled.

- 10.2 **If Yes**: Please provide additional detail and describe how the current housing stock meets the needs of disabled residents in your community.

There are current housing units and multi-family units that have been constructed to accommodate and existing units that have been rehabed to accomodate individuals with disabilities.

- 11 What can Housing & Community Development do to assist your city or county in furthering the development and implementation of its moderate-income housing plan?

Thank You

The Utah Division of Housing & Community Development will consider cities and counties that submit a high-quality affordable housing plan and a current Moderate-Income Housing Biennial Report by August 31st for participation in the Community-Driven Housing Program.

- 12 Would you like to receive additional information about the Community-Driven Housing Program (CDHP)?
 Yes No
- 13 Would you like to receive additional information about the Olene Walker Housing Loan Fund (OWHLF)?
 Yes No

SUBMISSION GUIDELINES:

- This form has been optimized for electronic data collection.
- **DO NOT PRINT AND/OR SCAN THIS FORM!**
- Please save this "fillable" form in its original PDF file format and email it as an attachment to rkohutek@utah.gov at the Division of Housing & Community Development.

TREMONTON CITY
CITY COUNCIL MEETING
AUGUST 2, 2016

TITLE:	Continued discussion on Water Rates and Conservation Rates as mandated by the Utah Legislature.
FISCAL IMPACT:	
PRESENTER:	Paul Fulgham, Tremonton City Public Works Director

Prepared By:

Paul Fulgham
Public Works Director

RECOMMENDATION:

Discussion

BACKGROUND:

In the 2016 Legislature Session the Utah Legislature passed a bill which was signed in as law by the Governor, requiring Municipal Water providers to establish water rates which promote water conservation. Water Rates and other fees are set and adopted by City Councils. The information I present will hopefully get the Council to thinking about water rates, which is one tool that can be used along with education, to help promote water conservation.

This New document shows Rates based on use Institutional-Commercial-Industrial that are not using the water for outdoor irrigation would have a flat rate fee, those that combine process and outdoor use would have tiered fees. I have also included High Summer & Low Summer Users also along with what fees may look like for winter use. These are areas that we need to discuss and focus on, how to promote water conservation and increase revenues without burdening users that water is essential to their operations.

Attachments:

1. Tremonton City Water Rate Discussion Document Aug 2, 2016

Water Rates in Northern Utah

Tremonton City

Base Rate	\$13.70 (12,800 Gallons) = \$1.07/1000 Gallons
Tier 1	\$1.13/1000 Gallons

Brigham City

Base Rate	\$9.68 (7,000 Gallons) = \$1.38/1000Gallons
Tier 1	\$1.36/1000 Gallons

North Logan City

Base Rate	\$7.11 (0 Gallons)
Tier 1	\$1.57/1000 Gallons

Logan City

Base Rate	\$16.00 (0 Gallons)
Tier 1	\$0.99/1000 Gallons (1 - 10,000 Gallons)
Tier 2	\$1.60/1000 Gallons (>10,001 Gallons)

Salt Lake City

Base Rate	\$9.51 (0 Gallons)
Tier 1	\$1.21/748 Gallons (1 - 6,000 Gallons)
Tier 2	\$1.73/748 Gallons (6,001 - 40,000 Gallons)
Tier 3	\$2.40/748 Gallons (40,001 - 80,000 Gallons)
Tier 4	\$2.53/748 Gallons (>80,001 Gallons)

Sandy City

Base Rate	\$13.74 (0 Gallons)
Tier 1	\$1.56/1000 Gallons (1 - 6,000 Gallons)
Tier 2	\$2.41/1000 Gallons (6,001 - 40,000 Gallons)
Tier 3	\$2.84/1000 Gallons (40,001 - 80,000 Gallons)
Tier 4	\$3.26/1000 Gallons (>80,001 Gallons)

Ogden City

Base Rate	\$20.27 (0 Gallons)
Tier 1	\$1.74/1000 Gallons (1 - 6,000 Gallons)
Tier 2	\$2.66/1000 Gallons (6,001 - 42,000 Gallons)
Tier 3	\$3.07/1000 Gallons (42,001 - 84,000 Gallons)
Tier 3	\$3.46/1000 Gallons (>84,001 Gallons)

Tremontion City Water Rate Options - 4 Tier Rate

1 - Acre = 43,560 sqft

1 - Acre Foot of Water = 325,829 Gallons

Tremontion City Base Water Rate - 12,800 Gallons - \$13.70 Tremontion City Overage Water Rate - \$1.13 per 1,000 Gallons

Duty Factor for Irrigated Land - (6-Months Irrigation Period May 1st - October 31st)					
Agency		Acre Feet per Year	Gallons per Acre Feet	Gallons per Year per Acre	Gallons per Month per Acre
Utah Division of Drinking Water		1.87	325,829	609,300	101,550
Pineview Water & Weber Basin Water		3.00	325,829	977,487	162,915
Bear River Canal Co.		4.00	325,829	1,303,316	217,219

Tremontion City Average Lot Size & Required Water per Month per Duty							
Square Feet	Acres	Hard Surface Foot Print	Irrigated Area SqFt	Irrigated Acres	Gallons per Month per Duty		
					1.87	3.00	4.00
15,730	0.36	5,650	10,080	0.23	23,357	37,470	49,960

Cost Per Month

Duty Factor	Water Quantity	1,000 Gallon Units	Water Cost per \$1.13/1000
1.87	23,357	23.36	\$26.39
3.00	37,470	37.47	\$42.34
4.00	49,960	49.96	\$56.46

	Sq. Ft. of Irrigated Lawn	Average Summer Water Usage	Average Summer Water Bill \$1.13/1000	Water Rate based on a 4 Tier billing block with a base rate of and no allotted amount of water.					New Average Water Bill	
				Base	Tier 1	Tier 2	Tier 3	Tier 4		Total
					0-7,000	7,001 - 40,000	40,001 - 80,000	>80,001		
					\$1.15/1000	\$1.50/1000	\$2.00/1000	\$2.50/1000		
Paul Fulgham	6,500	46,000	\$51.22	\$8.00	\$8.05	\$49.50	\$12.00	\$0.00	\$77.55	
Rodger Fridal	10,180	70,000	\$78.34	\$8.00	\$8.05	\$49.50	\$60.00	\$0.00	\$125.55	
Diana Doutre	0	0	\$13.70	\$8.00	\$8.05	\$0.00	\$0.00	\$0.00	\$16.05	
Lyle Holmgren	0	43,000	\$47.83	\$8.00	\$8.05	\$49.50	\$6.00	\$0.00	\$71.55	
Jeff Reese	9,000	71,000	\$79.47	\$8.00	\$8.05	\$49.50	\$62.00	\$0.00	\$127.55	
Bret Rhode	8,350	70,000	\$78.34	\$8.00	\$8.05	\$49.50	\$60.00	\$0.00	\$125.55	
Lyle Vance	7,000	40,000	\$44.44	\$8.00	\$8.05	\$49.50	\$0.00	\$0.00	\$65.55	
Jon Miller	5,500	20,000	\$21.84	\$8.00	\$8.05	\$19.50	\$0.00	\$0.00	\$35.55	
Rusty Scoffield	7,000	37,000	\$41.05	\$8.00	\$8.05	\$45.00	\$0.00	\$0.00	\$61.05	
Shari Oyler	4,900	34,000	\$37.66	\$8.00	\$8.05	\$40.50	\$0.00	\$0.00	\$56.55	
Darlene Hess	6,800	71,000	\$79.47	\$8.00	\$8.05	\$49.50	\$62.00	\$0.00	\$127.55	
Dave Nance	8,800	64,000	\$71.56	\$8.00	\$8.05	\$49.50	\$48.00	\$0.00	\$113.55	

Tremonton City Water Rate Options - 4 Tier Rate - High Consumers - Summer

			Average Summer Water Bill	Water Rate based on a 4 Tier billing block with a base rate of and no allotted amount of water.					New Average Water Bill
	Sq. Ft. of Irrigated Lawn	Average Summer Water Usage	\$1.13/1000	Base	Tier 1	Tier 2	Tier 3	Tier 4	Total
					0-7,000	7,001 - 40,000	40,001 - 80,000	>80,001	
					\$1.15/1000	\$1.50/1000	\$2.00/1000	\$2.50/1000	
Post Consumer Brands Outdoor		350,000	\$394.74	\$8.00	\$8.05	\$49.50	\$80.00	\$675.00	\$820.55
LDS West Stake		261,400	\$294.62	\$8.00	\$8.05	\$49.50	\$80.00	\$453.50	\$599.05
BRV Hospital		236,600	\$266.59	\$8.00	\$8.05	\$49.50	\$80.00	\$391.50	\$537.05
Jed Rhodes (11475 N Hwy 38)		200,200	\$225.46	\$8.00	\$8.05	\$49.50	\$80.00	\$300.50	\$446.05
Megan Hunt (1582 W 125 N)		165,300	\$186.03	\$8.00	\$8.05	\$49.50	\$80.00	\$213.25	\$358.80
Clayton Stokes (3461 W 1000 N)		150,800	\$169.64	\$8.00	\$8.05	\$49.50	\$80.00	\$177.00	\$322.55
Kathy Youman (784 W 460 S)		148,400	\$166.93	\$8.00	\$8.05	\$49.50	\$80.00	\$171.00	\$316.55
Jerry & Linda Earl (436 E. David Dr.)		147,700	\$166.14	\$8.00	\$8.05	\$49.50	\$80.00	\$169.25	\$314.80
Omar Anderson (11215 N 3760 W)		144,500	\$162.52	\$8.00	\$8.05	\$49.50	\$80.00	\$161.25	\$306.80
Bob & Erica Hannah (509 W 450 N)		144,100	\$162.07	\$8.00	\$8.05	\$49.50	\$80.00	\$160.25	\$305.80
Marius Christensen (588 E David Dr.)		127,000	\$142.75	\$8.00	\$8.05	\$49.50	\$80.00	\$117.50	\$263.05
Bess Apartments (719 E Main)		122,100	\$137.21	\$8.00	\$8.05	\$49.50	\$80.00	\$105.25	\$250.80
Don Potter (235 E 800 N)		120,600	\$135.51	\$8.00	\$8.05	\$49.50	\$80.00	\$101.50	\$247.05
Brian Crump (705 N 200 E)		116,800	\$131.22	\$8.00	\$8.05	\$49.50	\$80.00	\$92.00	\$237.55
Dale Nicholas (701 S 1000 W)		116,600	\$130.99	\$8.00	\$8.05	\$49.50	\$80.00	\$91.50	\$237.05
Jared Fronk (731 N 500 E)		112,000	\$125.80	\$8.00	\$8.05	\$49.50	\$80.00	\$80.00	\$225.55
Troy Forrest (2640 W 100 N)		110,900	\$124.55	\$8.00	\$8.05	\$49.50	\$80.00	\$77.25	\$222.80
Joyce Harris (470 N 300 E)		110,200	\$123.76	\$8.00	\$8.05	\$49.50	\$80.00	\$75.50	\$221.05
Julia Christenson (385 N 300 E)		109,300	\$122.75	\$8.00	\$8.05	\$49.50	\$80.00	\$73.25	\$218.80
Jerry Garren (258 Mary Way)		106,500	\$119.58	\$8.00	\$8.05	\$49.50	\$80.00	\$66.25	\$211.80
Brian Barton (3045 W 1100 N)		105,300	\$118.23	\$8.00	\$8.05	\$49.50	\$80.00	\$63.25	\$208.80
Shauna Cook (3454 W 1000 N #1)		104,800	\$117.66	\$8.00	\$8.05	\$49.50	\$80.00	\$62.00	\$207.55
Kent Harris (3286 W 1000 N)		104,000	\$116.76	\$8.00	\$8.05	\$49.50	\$80.00	\$60.00	\$205.55
Lowell Archibald (380 E Main)		102,800	\$115.40	\$8.00	\$8.05	\$49.50	\$80.00	\$57.00	\$202.55
Kirt Rees (805 S 1000 W)		101,900	\$114.38	\$8.00	\$8.05	\$49.50	\$80.00	\$54.75	\$200.30
Brent McKinnon (730 N 300 E)		101,400	\$113.82	\$8.00	\$8.05	\$49.50	\$80.00	\$53.50	\$199.05
Christopher Jones (670 N 900 W)		101,200	\$113.59	\$8.00	\$8.05	\$49.50	\$80.00	\$53.00	\$198.55
Jerry Fronk (439 Amber Ave.)		100,400	\$112.69	\$8.00	\$8.05	\$49.50	\$80.00	\$51.00	\$196.55
Russel White (651 N Hillcrest Cir.)		98,500	\$110.54	\$8.00	\$8.05	\$49.50	\$80.00	\$46.25	\$191.80

Tremont City Water Rate Options - 4 Tier Rate - Low Consumers - Summer

	Sq. Ft. of Irrigated Lawn	Average Summer Water Usage	Average Summer Water Bill	Water Rate based on a 4 Tier billing block with a base rate of and no allotted amount of water.					New Average Water Bill
			\$1.13/1000	Base	Tier 1	Tier 2	Tier 3	Tier 4	Total
					0-7,000	7,001 - 40,000	40,001 - 80,000	>80,001	
				\$1.15/1000	\$1.50/1000	\$2.00/1000	\$2.50/1000		
Deloris Hales (386 S 600 W)		14,900	\$16.07	\$8.00	\$8.05	\$11.85			\$27.90
Keith Hyer (151 W 100 S)		14,800	\$15.96	\$8.00	\$8.05	\$11.70			\$27.75
Paul Palmer (910 N 620 E)		14,800	\$15.96	\$8.00	\$8.05	\$11.70			\$27.75
Paul Hales (710 W 375 S)		14,200	\$15.28	\$8.00	\$8.05	\$10.80			\$26.85
Harry McMurdie (430 N Tremont)		14,000	\$15.06	\$8.00	\$8.05	\$10.50			\$26.55
Gary Wilden (161 Christopher Place)		14,000	\$15.06	\$8.00	\$8.05	\$10.50			\$26.55
Rex Earl (1170 E Main)		13,700	\$14.72	\$8.00	\$8.05	\$10.05			\$26.10
Jim Able (937 S Tremont)		13,500	\$14.49	\$8.00	\$8.05	\$9.75			\$25.80
Jay Sandall (511 E 875 N)		13,400	\$14.38	\$8.00	\$8.05	\$9.60			\$25.65
Chris Wise (751 N 200 E)		13,000	\$13.93	\$8.00	\$8.05	\$9.00			\$25.05
Micha Capener (55 S 950 E)		13,000	\$13.93	\$8.00	\$8.05	\$9.00			\$25.05
Gregg Cefalo (390 W 100 S)		12,900	\$13.81	\$8.00	\$8.05	\$8.85			\$24.90
Brian Hales (830 W 600 N)		12,700	\$13.70	\$8.00	\$8.05	\$8.55			\$24.60
Luella Bateman (586 W 225 S)		11,700	\$13.70	\$8.00	\$8.05	\$7.05			\$23.10
Earland Smith (744 N 300 E)		11,100	\$13.70	\$8.00	\$8.05	\$6.15			\$22.20
Blair Westergard (106 S 600 N)		5,000	\$13.70	\$8.00	\$5.75				\$13.75
Mike Norr (780 W 600 N)		4,000	\$13.70	\$8.00	\$4.60				\$12.60
Bob Jex (780 W 600 N)		3,600	\$13.70	\$8.00	\$4.14				\$12.14
Bryce Udy (727 N 400 E)		3,300	\$13.70	\$8.00	\$3.80				\$11.80
Arnold Eberhard (136 S 700 W)		2,800	\$13.70	\$8.00	\$3.22				\$11.22

Tremont City Water Rate Options - 4 Tier Rate - Low Consumers - Winter

	Sq. Ft. of Irrigated Lawn	Average Winter Water Usage	Average Winter Water Bill	Water Rate based on a 4 Tier billing block with a base rate of and no allotted amount of water.					New Average Water Bill
			\$1.13/1000	Base	Tier 1	Tier 2	Tier 3	Tier 4	Total
					0-7,000	7,001 - 40,000	40,001 - 80,000	>80,001	
					\$1.15/1000	\$1.50/1000	\$2.00/1000	\$2.50/1000	
Deloris Hales (386 S 600 W)		5,600	\$13.70	\$8.00	\$6.44				\$14.44
Keith Hyer (151 W 100 S)		2,500	\$2.06	\$8.00	\$8.05				\$16.05
Paul Palmer (910 N 620 E)		3,500	\$3.19	\$8.00	\$8.05				\$16.05
Paul Hales (710 W 375 S)		2,300	\$1.84	\$8.00	\$2.65				\$10.65
Harry McMurdie (430 N Tremont)		4,800	\$13.70	\$8.00	\$5.52				\$13.52
Gary Wilden (161 Christopher Place)		13,900	\$14.94	\$8.00	\$8.05	\$10.35			\$26.40
Rex Earl (1170 E Main)		12,400	\$13.70	\$8.00	\$8.05	\$8.10			\$24.15
Jim Able (937 S Tremont)		12,200	\$13.02	\$8.00	\$8.05	\$7.80			\$23.85
Jay Sandall (511 E 875 N)		9,300	\$9.75	\$8.00	\$8.05	\$3.45			\$19.50
Chris Wise (751 N 200 E)		7,000	\$7.15	\$8.00	\$8.05	\$0.00			\$16.05
Micha Capener (55 S 950 E)		7,200	\$7.37	\$8.00	\$8.05	\$0.30			\$16.35
Gregg Cefalo (390 W 100 S)		5,400	\$5.34	\$8.00	\$6.21				\$14.21
Brian Hales (830 W 600 N)		4,500	\$13.70	\$8.00	\$8.05				\$16.05
Luella Bateman (586 W 225 S)		1,300	\$13.70	\$8.00	\$1.50				\$9.50
Earland Smith (744 N 300 E)		2,600	\$13.70	\$8.00	\$2.99				\$10.99
Blair Westergard (106 S 600 N)		3,800	\$13.70	\$8.00	\$4.37				\$12.37
Mike Norr (780 W 600 N)		1,200	\$13.70	\$8.00	\$1.38				\$9.38
Bob Jex (780 W 600 N)		2,700	\$13.70	\$8.00	\$3.11				\$11.11
Bryce Udy (727 N 400 E)		2,800	\$13.70	\$8.00	\$3.22				\$11.22
Arnold Eberhard (136 S 700 W)		1,800	\$13.70	\$8.00	\$2.07				\$10.07

Tremonton City Water Rate Options - 4 Tier Rate - Institutional-Governmental

	Sq. Ft. of Irrigated Lawn	Average Water Usage	Average Water Bill	Water Rate based on a 4 Tier billing block with a base rate of and no allotted amount of water.					New Average Water Bill
			\$1.13/1000	Base	Tier 1	Tier 2	Tier 3	Tier 4	Total
					0-7,000	7,001 - 40,000	40,001 - 80,000	>80,001	
					\$1.15/1000	\$1.50/1000	\$2.00/1000	\$2.50/1000	
Alice C Harris Inter. School (2-meters)		80,000	\$103.34	\$16.00	\$92.00				\$108.00
Athenian Acadamy Charter School		16,100	\$17.43	\$8.00	\$18.52				\$26.52
Box Elder SD Bus Garage		4,000	\$13.70	\$8.00	\$4.60				\$12.60
McKinley School (2-meters)		45,000	\$63.79	\$16.00	\$51.75				\$67.75
McKinley School Outdoor		520,000	\$586.84	\$8.00	\$8.05	\$49.50	\$80.00	\$1,100.00	\$1,245.55
North Park School		33,800	\$51.13	\$16.00	\$38.87				\$54.87
North Park School Outdoor		770,000	\$869.34	\$8.00	\$8.05	\$49.50	\$80.00	\$1,725.00	\$1,870.55
BEC Fair/Rodeo Grounds (4-meters)		175,000	\$238.09	\$32.00	\$201.25				\$233.25
Bear River Canal Co.		25,000	\$41.19	\$16.00	\$28.75				\$44.75
Bear River Health Dept.		88,800	\$99.58	\$8.00	\$102.12				\$110.12
Bear River Hospital Outdoors		200,000	\$225.24	\$8.00	\$8.05	\$49.50	\$80.00	\$300.00	\$445.55
Bear River Hospital Indoor (4-meters)		58,000	\$105.88	\$32.00	\$66.70				\$98.70
BRV Care Center (2-meters)		75,000	\$97.69	\$16.00	\$86.25				\$102.25
BRV Care Center Outdoors		250,000	\$281.74	\$8.00	\$8.05	\$49.50	\$80.00	\$425.00	\$570.55
Our House Assisted Living		252,300	\$284.34	\$8.00	\$8.05	\$49.50	\$80.00	\$430.75	\$576.30
Calvery Baptist Church		93,800	\$105.23	\$8.00	\$8.05	\$49.50	\$80.00	\$34.50	\$180.05
LDS West Stake Indoor		60,000	\$67.04	\$8.00	\$69.00				\$77.00
LDS West Stake Outdoor		261,400	\$294.62	\$8.00	\$8.05	\$49.50	\$80.00	\$453.50	\$599.05
LDS 1st Ward		189,100	\$212.92	\$8.00	\$8.05	\$49.50	\$80.00	\$272.75	\$418.30
LDS Seminary		50,000	\$55.74	\$8.00	\$8.05	\$49.50	\$80.00		\$145.55
LDS Geneology		60,000	\$67.04	\$8.00	\$8.05	\$49.50	\$80.00		\$145.55
LDS Tre. Stake		360,000	\$406.04	\$8.00	\$8.05	\$49.50	\$80.00	\$700.00	\$845.55
LDS South Stake		523,200	\$590.45	\$8.00	\$8.05	\$49.50	\$80.00	\$1,108.00	\$1,253.55
Santa Anna Catholic Church		30,000	\$33.14	\$8.00	\$8.05	\$34.50			\$50.55

Tremonton City Water Rate Options - 4 Tier Rate - Commercial-Industrial

	Sq. Ft. of Irrigated Lawn	Average Water Usage	Average Water Bill	Water Rate based on a 4 Tier billing block with a base rate of and no allotted amount of water.					New Average Water Bill
			\$1.13/1000	Base	Tier 1	Tier 2	Tier 3	Tier 4	Total
					0-7,000	7,001 - 40,000	40,001 - 80,000	>80,001	
				\$1.15/1000	\$1.50/1000	\$2.00/1000	\$2.50/1000		
Artic Circle		57,000	\$63.65	\$8.00	\$65.55				\$73.55
AUTOLIV (6-meters)		415,000	\$536.69	\$48.00	\$477.25				\$525.25
Bear River Animal Hospital		25,000	\$27.49	\$8.00	\$28.75				\$36.75
Bear River Bowling/The Grill		40,000	\$44.44	\$8.00	\$46.00				\$54.00
Crump Motors		6,000	\$13.70	\$8.00	\$6.90				\$14.90
Denny's Resturant		80,000	\$89.64	\$8.00	\$92.00				\$100.00
Dominos Pizza		12,000	\$13.70	\$8.00	\$13.80				\$21.80
El Parral Resturant		35,000	\$38.79	\$8.00	\$40.25				\$48.25
Golden Spike Travel Plaza (2-meters)		150,000	\$182.44	\$16.00	\$172.50				\$188.50
Greer's		7,000	\$13.70	\$8.00	\$8.05				\$16.05
Jim & Daves Station		5,000	\$13.70	\$8.00	\$5.75				\$13.75
Kent's		60,000	\$67.04	\$8.00	\$69.00				\$77.00
Mack's Drive Inn		35,000	\$38.79	\$8.00	\$40.25				\$48.25
Marble Motel		40,000	\$44.44	\$8.00	\$46.00				\$54.00
Maverick		190,000	\$213.94	\$8.00	\$8.05	\$49.50	\$80.00	\$275.00	\$420.55
Maximums - Hair Sallon		35,000	\$38.79	\$8.00	\$40.25				\$48.25
McDonalds		150,000	\$168.74	\$8.00	\$8.05	\$49.50	\$80.00	\$175.00	\$320.55
Millard Cold Storage (2-meters)		293,000	\$344.03	\$16.00	\$336.95				\$352.95
West Liberty Foods (6-meters)		11,880,000	\$13,492.14	\$48.00	\$13,662.00				\$13,710.00
Post Consumer Brands (3-meters)		4,500,000	\$5,111.64	\$24.00	\$5,175.00				\$5,199.00
Post Consumer Brands Outdoor		350,000	\$394.74	\$8.00	\$8.05	\$49.50	\$80.00	\$675.00	\$820.55
Mountain West Physical Therapy		50,000	\$55.74	\$8.00	\$8.05	\$49.50	\$20.00		\$85.55
Hampton Inn		344,200	\$388.18	\$8.00	\$8.05	\$49.50	\$80.00	\$660.50	\$806.05
Pizza Plus		18,000	\$19.58	\$8.00	\$20.70				\$28.70
Bear River Eye Center		77,400	\$86.70	\$8.00	\$8.05	\$49.50	\$74.80		\$140.35
Ridley"s		191,500	\$215.63	\$8.00	\$220.23				\$228.23
Rigby Chiropractic		43,300	\$48.17	\$8.00	\$8.05	\$49.50	\$6.60		\$72.15
River Wash Car Wash		300,000	\$338.24	\$8.00	\$345.00				\$353.00
Motel 6		103,900	\$116.64	\$8.00	\$119.49				\$127.49
Dr. Gary Shaw		1,100	\$13.70	\$8.00	\$1.27				\$9.27
Taco Time		16,000	\$17.32	\$8.00	\$18.40				\$26.40
Tidy Laudromat		90,600	\$101.61	\$8.00	\$104.19				\$112.19
Lyly Vance Apartments		64,800	\$70.17	\$32.00	\$8.05	\$49.50	\$49.60		\$139.15
Wendy's		96,400	\$108.17	\$8.00	\$110.86				\$118.86
Wendy's Outdoor		34,800	\$38.56	\$8.00	\$8.05	\$41.70			\$57.75
Western Inn		151,200	\$170.09	\$8.00	\$173.88				\$181.88
Dr. Russell White		127,600	\$143.42	\$8.00	\$8.05	\$49.50	\$80.00	\$119.00	\$264.55
Zions Bank		104,500	\$117.32	\$8.00	\$8.05	\$49.50	\$80.00	\$61.25	\$206.80

TREMONTON CITY
CITY COUNCIL MEETING
August 2, 2016

TITLE:	Discussion and consideration of the demolition of the pie shack at North Park Park
FISCAL IMPACT:	
PRESENTER:	March Christensen, Parks Director or Shawn Warnke, City Manager

RECOMMENDATION:

It is recommended that the City demolish the pie shack as it serves no specific function and is an attractive nuisance at North Park.

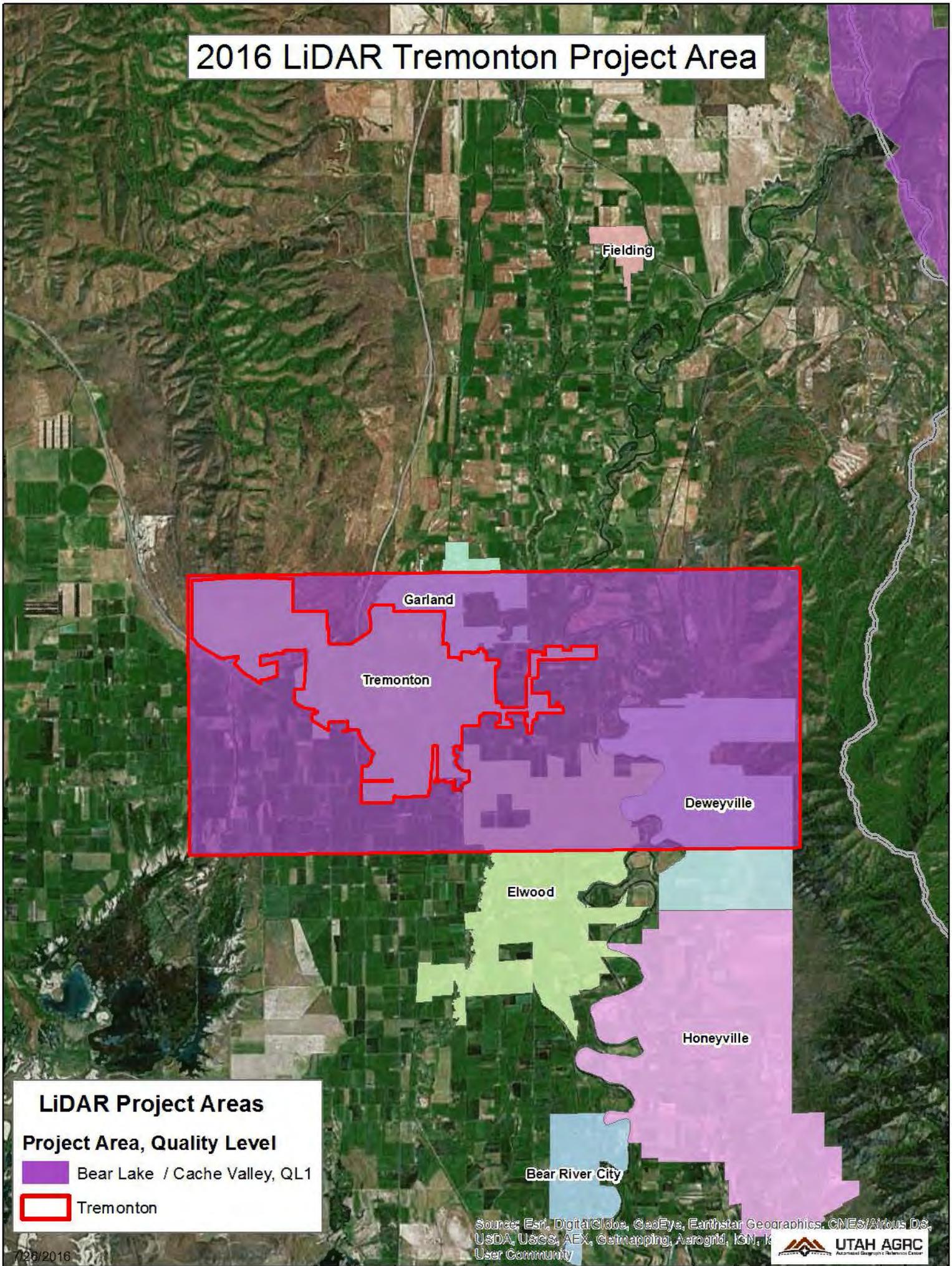
BACKGROUND:

The Pie Shack has become an attractive nuisance for park goers over the years. It hasn't been used for any activities in at least 8 years. The Parks Department tries to keep the doors locked and boarded shut, but people break the locks and get in. Attached are some pictures. The Public Works Department would raze the pie shack if authorized by the City Council.





2016 LiDAR Tremonton Project Area



LiDAR Project Areas

Project Area, Quality Level

-  Bear Lake / Cache Valley, QL1
-  Tremonton

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGA, Swire, User Community

