

NOTICE AND AGENDA

February 18, 2020

Either I will find a way, or
I will make one.
- Philip Sidney

Notice is hereby given that the Roosevelt City Council will hold its regular Council Meeting on Tuesday, February 18, 2020, at the Roosevelt Municipal Building, 255 South State Street, Roosevelt, Utah, which meeting shall begin promptly at 5:30 p.m.

The agenda will be as follows:

	<u>Page</u>
1. Call to Order	
2. Roll Call	
3. Opening Ceremony <i>(Prayer and Pledge of Allegiance)</i>	
4. Minutes.....	1-6
5. Public Comment Period <i>(The comment period is limited to 15 minutes. Any person wishing to comment shall limit their comments to three (3) minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the front and state his/her name and address for the record. All comments shall be directed to the Mayor or entire Council. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 15-minute period. During this time, citizens may address the Council on any subject.)</i>	
6. Public Hearings (as needed)	
A. Conditional Use Permit – Moon Lake Electric.....	7-10
7. Appointments	
A. Approve Human Resources Contract.....	11-15
B. Vehicle Lease Allowance Policy.....	16-18
C. Discuss Possible Ordinance Revisions to City Code Title II	
8. Purchase Orders and Quarterly Financial Review	
9. Reports from Standing Committees	
10. Report from City Manager	
11. Standing Agenda Items	
A. Pending Discussion Items <i>(discussed previously, but final action not yet taken)</i>	
1. Chapter by chapter detail review of city code	
12. Closed Session (as needed)	
13. Adjourn	

MINUTES OF A REGULAR COUNCIL MEETING

January 21, 2020

The meeting was called to order at 5:30 p.m. by Mayor JR Bird.

A roll call was taken which showed council members Dustin White, Don Busenbark, Vince Reiley, and Cody Aland present. David Baird was excused. Mayor JR Bird stated that the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been provided to the local news media, to each member of the governing body, and was posted on the city web page and the state public meetings web page.

Others present included Acting City Manager Ryan Clayburn, City Recorder Carolyn Wilcken, Acting Finance Director/Assistant City Manager Randy Robb, Hal Huff, Steven Timothy, Dusty Anderton, Kirby Wolfinger, Hailey Dart, Nikki Mecham, Dan Karren, bob West, Greg Buxton, Kim Mecham, Cody Fisher, Nate Snow, Lori Ann Potter, Jessica Shaw, Greg Todd, Clyde Watkins, Dex Winterdon, Jim Marshall, Stephanie Mecham, Zak Mecham, Susan Lemon, Lloyd Neilsen, Heather Sorensen, Dean Powell, Patty Powell, Judy Hamblin, Chris Anderton, Kerry Hicken, Sherry Lott, Dixie Swasey, Craig Collin, Rakeyl Gilley, Doug Gilley, Kael Smith, Eric Major, Daniel Mauchley, Mikelle Despain, and Grant Charles.

Opening prayer was given by Vince Reiley.

MINUTES

A motion was made by Councilman Dustin White to approve the minutes of the regular meeting of January, 7 2020, after revision. Motion was seconded by Councilman Don Busenbark. Those voting Aye were, Dustin White, David Baird, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

PUBLIC COMMENT PERIOD

Mickie Mecham came before Council and stated that she is seeking a conditional use permit from Planning and Zoning. Her request falls outside of our current zoning allowances.

Daniel Mauchley expressed gratitude for the road improvements in his residential area.

PUBLIC HEARING – DAN KARREN MINOR SUBDIVISION

Dan Karren came before Council to receive approval to join two lots into one lot which would be a Minor Subdivision. Mayor JR Bird opened the public hearing to receive public comment. Approval has been recommended by Planning and Zoning. Councilman Vince Reiley expressed concern that Lot 2 would have an access easement for Lot 1. After review and discussion, a motion was made by Councilman Dustin White to approve. Motion seconded by Councilman Vince Reiley. Those voting Aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

PUBLIC HEARING – ORD. 2020-433 – ZONE CHANGE FROM R-R-1 TO M-2 MUELLER

Nate Mueller, represented by Nate Snow, has requested a zone change for property located at approximately 3000 West 755 South from R-R-1 to M-2 consisting of approximately 29 acres. Mayor JR Bird stated the meeting was now in a public hearing and called for public comment. Planning and Zoning have recommended approval. Concern was expressed that the M-2 zoning would allow activities that could concern the neighbors. Zoning Director Steve Timothy explained that when site plans are submitted, at that time recommendations would be given to protect the neighbors. After review and discussion, a motion was made by Councilman Don Busenbark to approve Ordinance 2020-433, a zone change from R-R-1 to M-2. Motion seconded by Councilman Dustin White. Those voting Aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

PUBLIC HEARING – ORD. 2020-434 – ZONE CHANGE FROM R-1-10 TO R-2 WEST

Jared West, represented by Bob West, has requested a zone change from R-1-10 to R-2 for property located at approximately 361 N. Bonnie Drive. There are five lots that would be combined into two lots with a planned twin home to be constructed on these lots. Planning and Zoning have requested direction from Council on this zone change. Councilman Dustin White asked for clarification on the intent to construct twin homes on these properties. Zoning Director Steven Timothy explained that R-2 zoning has been researched and discussed previously before being approved by City Council. Mayor JR Bird stated they were now in a public hearing and called for public comments. Cody Fisher expressed his opinion that he would like to see the lots made into one lot and the zoning remain as it is. Doug Gilley lives in this neighborhood and he is concerned with additional traffic on the roads. Nate Snow stated a party-wall agreement can be recorded to protect the roofing concerns. Heather Jensen stated that she would like to see it a single lot so the zone wouldn't be changed and that she moved to this area expecting the area to remain a R-1-10 zone. Chris Anderton stated that he feels spot zoning would open up other requests for R-2 zoning and this wasn't appropriate. Stephanie Mecham stated that she also has a traffic concern. Craig Collins said he doesn't mind a twin home, but he is concerned about where the property line comes across his lawn. Hal Huff suggested dedicating a specific area for developing twin homes. After discussion, a motion was made by Councilman Vince Reiley to not approve this rezone request. Motion seconded by Councilman Cody Aland. Those voting aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

PUBLIC HEARING – CIB APPLICATION – CONSTRUCTION OF 2M GALLON WATER STORAGE TANK IN HAYDEN

Mayor JR Bird explained that Roosevelt City plans to apply to the Community Impact Board for construction of a two-million-gallon water storage tank to be constructed at the top of our water system. Currently, Roosevelt City has a 300k gallon tank at the Hayden Well field that is no longer sufficient for our needs. Mayor Bird then welcomed those in attendance that have an interest in more adequate water storage. Due to the increased draw on our system, our existing

tank is no longer sufficient for our needs and replacement is necessary. Acting City Manager Ryan Clayburn explained that Roosevelt City is continually searching for adequate water to sustain growth and the demand for treated water. Mr. Clayburn stated that the City will approach the Community Impact Fund Board for the needed funding at a 75% grant and 25% funding mix at 2½% interest rate. The existing tank was built in the 1980's and Mr. Clayburn showed how much growth on the top end of our system we have experienced since that time. He reported that last year we pumped 440 million gallons through the existing tank, which created a lot of demand on our well pumps turning on and off. The tank is continually being filled and emptied. With a 2M gallon tank, this cycle would not be as frequent. Currently, the storage is a problem, the continuous filling and emptying is hard on the system, and when there is a leak, it takes time to take care of the problems and still have adequate water. When the tank deains, it puts a lot of strain on the chlorination pump as well. A larger tank would give us days to respond instead of hours for maintenance and repairs. In 2015, Cedarview-Montwell went onto our system and they are now requesting additional water due to their growth. The size of our existing tank limits our ability to provide additional water. We can only provide 300 gallons per minute at the present time. Cedarview-Montwell received requests last summer that would require an additional 1,000 gallons per minute to service customers. We can pump the water, but we haven't got the storage capacity. Councilman Dustin White explained that we are already past our capacity and are in need of additional storage right now without even considering potential needs for the future. The new tank would be constructed about 11 miles from our next 2M gallon tank. The growth being experienced is between the two tanks, our 2M gallon tank. Mayor Bird asked our Acting Finance Director Randy Robb about our ability to fund our portion of the project. Randy reported that even though our sales tax trends are showing a decline, if we can get the 75/25 funding, we would be able to cover that amount. The demands on the system have changed dramatically since the original tank was built. Constructing a 2m gallon tank at the top of the system will allow for better management of the system and greater efficiency of the Hayden wells. It will buy time for leaks and line breaks to be repaired, reduce the risk of running out of water along the system. Mr. Clayburn stated. Mayor JR Bird opened the public hearing to receive public comment. Judy Hamblin representing the Cedarview-Montwell Special Service District stated this project would positively affect them and their Board have voted to support the 75/25 request. Chris Thomsen asked if we had applied for funding from the Department of Water Quality. He stated that Rural Water is also a good funding source. Mayor Bird stated that CIB looks like the best funding source for this project at this time. Chris also suggested Rural Water as a source. Acting City Manager Ryan Clayburn stated that Department of Water Quality had been approached. Jim Marshall asked if there were additional water sales anticipated to cover the cost of the loan portion. Mayor Bird stated that we anticipate that there will be since Cedarview-Montwell have already asked for additional water and the hope that our ability to supply water will not bottleneck because we aren't ready to supply water for additional growth, but this application will only be to fund the existing need and not for future growth. Aaron Averett from Sunrise Engineering explained in 2017, a regional plan was developed for Cedarview-Montwell to identify the best source for additional water for Cedarview Montwell Special Service District and the most viable source is from Roosevelt City. If the funding ratio was changed, the increased costs would be very difficult for Cedarview-Montwell users. After discussion, a motion was made by Councilman Dustin White to approve approaching the CIB for

funding for a new 2M gallon water storage tank. Motion seconded by Don Busenbark. Those voting aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

MOON LAKE WATER USERS ASSN. TITLE TRANSFER DISCUSSION

Dex Winteron, General Manager of Moon Lake Water Users Association, came before Council to report that they are working to get the title transfer prepared as it was originally a part of the project and to have the assets transferred to Moon Lake Water Users Assn. from the US Government. Part of this process is having the stakeholders give their support for this transfer. He is asking for a letter of support from Roosevelt City. After review and discussion, a motion was made by Councilman Don Busenbark to authorize the Mayor to sign a letter of support from Roosevelt City. Motion seconded by Councilman Cody Aland. Those voting Aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

APPOINT PLANNING AND ZONING BOARD MEMBERS

Mayor JR Bird explained there are two Planning and Zoning Board positions that were advertised asking for those wishing to serve on the P & Z Board. Mayor Bird received two responses from Cody Fisher and Chris Thomsen. After review and discussion, a motion was made by Councilman Dustin White to accept the Mayors recommendations for appointing Cody Fisher and Chris Thomsen to serve on the Planning and Zoning Board. Motion seconded by Councilman Cody Aland. Those voting Aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

TITLE 17 DISCUSSION

Zoning Director Steve Timothy approached Council to discuss Title 17 of the City Codes regarding home occupation permit issues. The Planning and Zoning Board is seeking direction from City Council before continuing to pursue revisions to this chapter of city code. Mayor JR Bird explained to those attending that the purpose of the P & Z Board is to execute the laws and that City Council is the body that approves the laws.

FINAL PLAT APPROVAL – POLE LINE SUBDIVISION PHASE 1A

Bob West came before Council seeking final plat approval on the Pole Line Subdivision Phase 1A. Planning and Zoning have recommended Council approve this plat. This is property that was formerly a dedicated 21 foot strip that was a dedicated utility easement. He will subdivide the strip to match the adjoining home lots. The final plat showed the easements as required by Planning and Zoning. After review and discussion, a motion was made by Councilman Dustin White to approve the final plat of Pole Line Subdivision Phase 1A. Motion seconded by Councilman Vince Reiley. Those voting Aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

PARKS & RECREATION BUDGET DISCUSSION

Mayor JR Bird reported that the new Arts, Parks and Rec Committee will appoint a treasurer to keep track of city funding. It has been discussed that the \$20,000 that has been given to the Basin Arts Council in the past would now be budgeted for use by the Arts, Parks and Rec Committee. Mayor Bird is proposing the balance of the funds for 2019 be given to this Committee for the rest of this budget year and then the 2020 amount of \$20,000 be divided with the Arts, Parks and Rec Committee for their activities. After discussion, a motion was made by Councilman Vince Reiley to follow the recommendations of the Mayor and fund the Arts Parks and Rec in the amount of \$20,000 for 2020, and give them the remaining 2019 funds. Motion seconded by Councilman Dustin White. Those voting Aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion was carried unanimously.

Don Busenbark had to leave the meeting at this point.

PRESENTATION OF NEW LIBRARY PROPERTY ACQUISITION

Daniel Mauchley came before Council to discuss the purchase of city property to construct a new 15,000 square foot building for a new library complex. There are 1.68 acres on the West side of the City Park that are being proposed.

CLOSED SESSION

A motion was made by Councilman Vince Reiley to go into a closed session to discuss property acquisition and personnel compensation and then convene back into a regular city council meeting. Motion seconded by Councilman Cody Aland. Those voting Aye were Dustin White, Vince Reiley, and Cody Aland. Motion was carried unanimously.

SALE OF CITY PROPERTY FOR NEW LIBRARY

City Council has negotiated a purchase price from the Duchesne County Library Board in the amount of \$375,000.00 for property on the west side of City Park on which to build a new library. After discussion, a motion was made by Councilman Cody Aland to accept the amount of \$375,000.00 for this property with the understanding that Duchesne County will take responsibility for parking and expansion of the road on the west side of the property and Roosevelt City will assume responsibility for taking care of the remaining portion of the City Park property. Motion seconded by Councilman Vince Reiley. Those voting Aye were Dustin White, Vince Reiley, and Cody Aland. Motion was carried unanimously.

REVIEW RECORDER/FINANCE DIRECTOR POSITION & DESCRIPTION APPROVAL

After review and discussion, a motion was made by Councilman Cody Aland to approve the job description and advertisement for the Recorder/Finance Director position and begin the advertising process. Motion seconded by Councilman Vince Reiley. Those voting Aye were Dustin White, Vince Reiley, and Cody Aland. Motion was carried unanimously.

INTERIM PERSONNEL COMPENSATION DISCUSSION

After review and discussion, a motion was made by Councilman Dustin White to approve \$300 per week for compensation to the interim City Manager for the extra work required by the interim city manager position and authorize him to adjust the pay of other employees that are also putting in extra work at this time. This extra compensation will only be for the period of time each individual is serving during the interim period. Motion seconded by Councilman Vince Reiley. Those voting Aye were Dustin White, Vince Reiley, and Cody Aland. Motion was carried unanimously.

PURCHASE ORDERS

A motion was made by Councilman Dustin White to approve the following purchase orders. Motion seconded by Councilman Cody Aland. Those voting Aye were Dustin White, Don Busenbark, Vince Reiley, and Cody Aland. Motion carried unanimously.

2667	Duchesne County Water Conservancy	\$27,846.65
77487	Duchesne County Water Conservancy	<u>11,277.89</u>
	TOTAL	<u>\$39,124.54</u>

Councilman Vince Reiley had to leave the meeting at this point.

STANDING COMMITTEE REPORTS

There were no reports.

CITY MANAGER REPORT

Acting City Manager Ryan Clayburn reported that we have received six responses to our search for outside human resources assistance.

A motion was not made because a quorum was no longer present.

Meeting adjourned at 8:30 p.m.

Roddy I. Bird Jr., Mayor

ATTEST:

Carolyn Wilcken, Recorder

All applications must be submitted 10 days prior to a Planning & Zoning meeting
 Plans and plats must be approved no later than Friday prior to the scheduled meeting

PLANNING AND ZONING APPLICATION

TYPE OF REQUEST AND FEES: (Check one)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> Lot line adjustment/Property boundary adjustment – 75.00 | <input type="checkbox"/> Planned Residential Unit Development (PRUD) – 250.00
Plus per dwelling unit – 10.00 |
| <input checked="" type="checkbox"/> Master site plan – 150.00 Over 1 acre 75.00 per acre | <input type="checkbox"/> Subdivision preliminary plat – 250.00 |
| <input checked="" type="checkbox"/> Conditional Use Permit Fee: 200.00 is required before Home Occupation Permit can be applied for and approved | <input type="checkbox"/> Subdivision, minor – 250.00 |
| <input type="checkbox"/> Zoning map amendment (rezone) – 250.00 | <input type="checkbox"/> Subdivision vacation/amendment – 200.00 |
| <input type="checkbox"/> Application for reimbursement of public improvements - 100.00 | <input type="checkbox"/> Time Extension – 100.00 |
| <input type="checkbox"/> Hearing office appeal - 150.00 | <input type="checkbox"/> Subdivision final plat – 150.00
Plus per lot – 25.00 |
| <input type="checkbox"/> Hearing Officer Variance request – 150.00 | Signed plat must be sent electronically to the Building & Zoning Director,
djohnson@rooseveltcity.com no later than Friday prior to the meeting |
| <input type="checkbox"/> Infrastructure reimbursement agreement – 100.00 | <input type="checkbox"/> Petition to Vacate Public Right of Way – 200.00 |
| <input type="checkbox"/> Manufactured home park – 250.00 plus per home pad – 10.00 | |
| <input type="checkbox"/> Ordinance/general plan amendment - 200.00 | |

DETAILS OF REQUEST (include how property is affected and attach maps and drawings) Attach additional pages as needed.

Moon Lake Electric Association, Inc. (MLEA) is requesting a Conditional Use Permit to allow for a new power substation located in T2S, R1W, S34. The substation is planned to be constructed on the eastern part of the property. The rating of the new power transformer is 15 MVA. MLEA has attached a General Area Map, a Preliminary Site Map, and a General Site Plan to this application. MLEA is also requesting that the City of Roosevelt assign an address to this property.
The existing Roosevelt Substation located near 500 N State Street is reaching its capacity. Without sufficient capacity MLEA will not be able to provide power to new loads near Roosevelt City. A new substation will alleviate the loading at the Roosevelt Substation. The new substation will also provide MLEA with the ability to maintain Roosevelt City's growth.

INFORMATION:

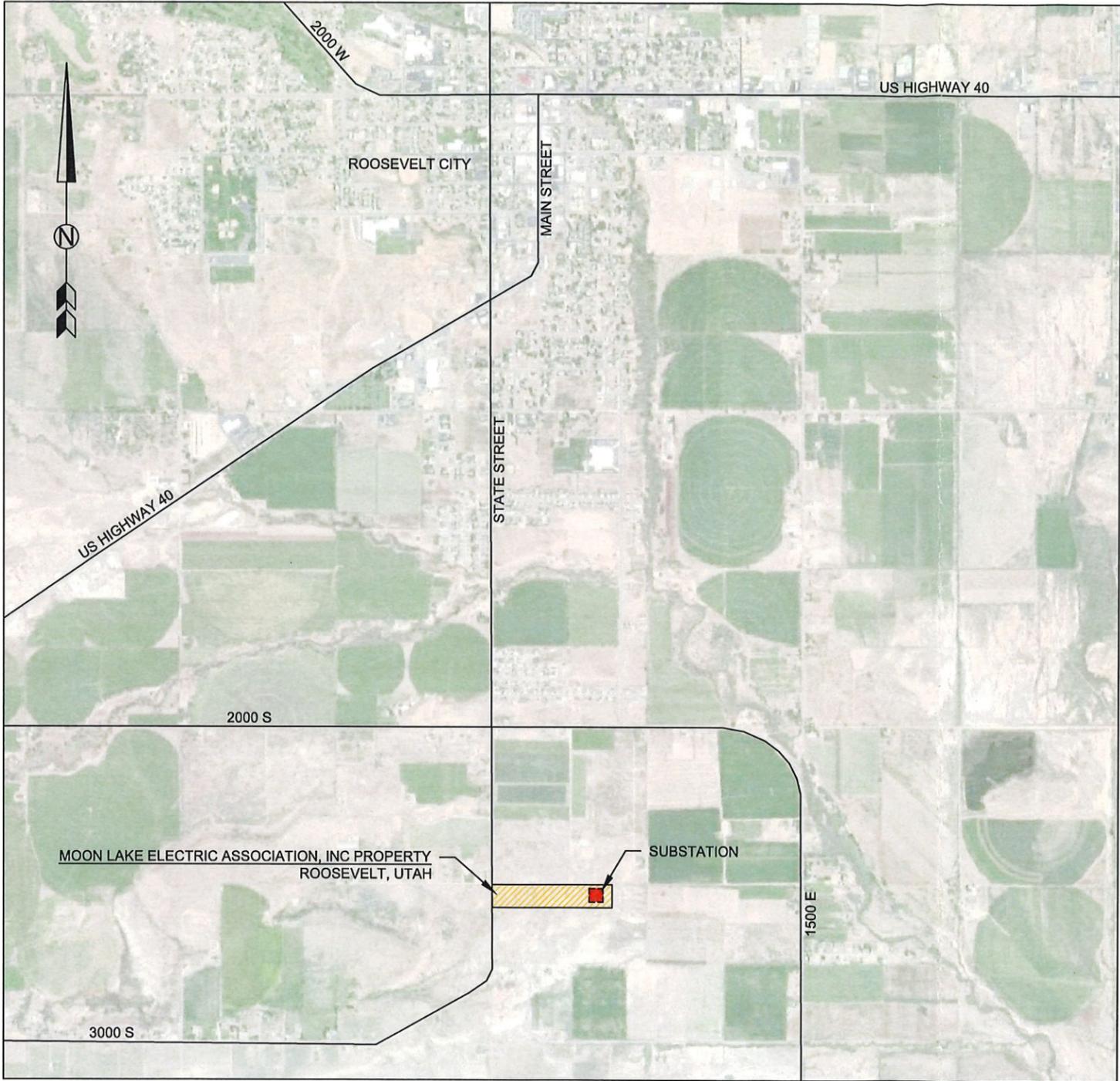
Date application submitted: 01/13/2020 Contact #: 435-722-5479
 Owner or Representatives Name: Mark Tervort or MLEA Email: mtervort@mleainc.com
 Mailing Address: PO Box 278 City: Roosevelt State: Utah Zip: 84066
 Project Name: Pole Line Substation
 Tax I.D. Number on property: Parcel # 00-0034-8865 Zoning of Subject Property: R-1-6
 Property Location: T2S, R1W, Section 34
 Nature of Request: Conditional Use Permit
 Current Land Use: Vacant Residential Commercial Professional

PROPERTY OWNER(S) NAME: Moon Lake Electric Association, Inc.
 (If not the same as applicant) (Current Title Holder as shown on County Records)
 Mailing Address: PO Box 278 City: Roosevelt State: Utah Zip: 84066
 Contact #: 435-722-5400 Email: NA
 SIGNATURE: _____ Dated: _____

OFFICE USE ONLY: Fee Paid: 200.00 Date Paid: 1-13-2020
 Zoning Director: Dean E. Johnson Planning Director: Dean E. Johnson Dated: 1/13/2020 Hearing Date: 2/15/2020

Comments:

GENERAL AREA MAP



POLE LINE SUBSTATION

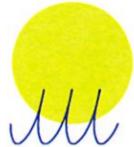
T2S, R1W, SECTION 34

PARCEL # 00-0034-8865

POWER TRANSFORMER RATING: 15 MVA

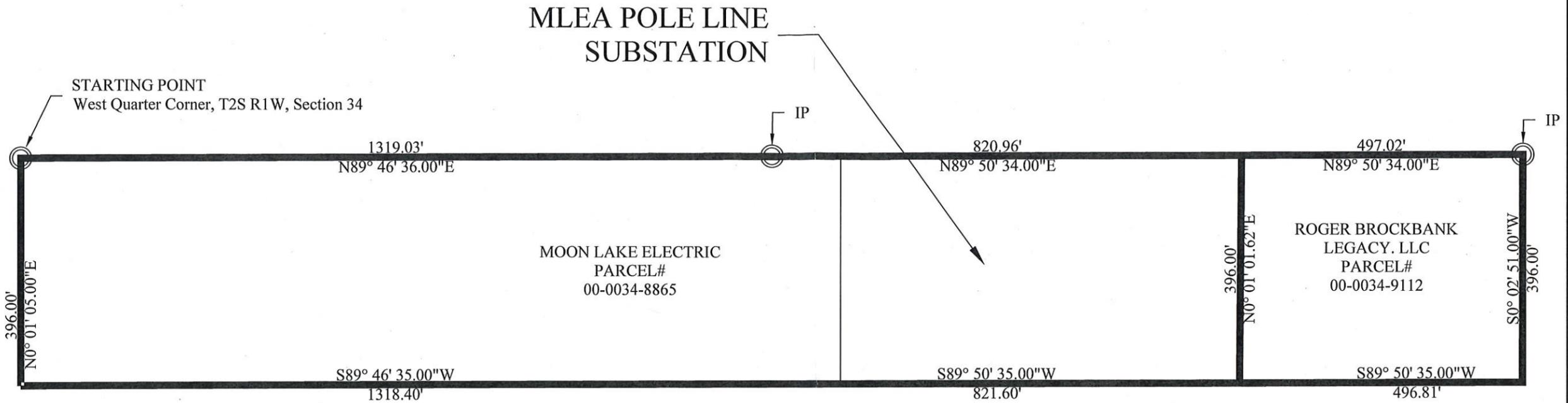
*****DISCLAIMER*****
 THIS PLAN IS FOR PURPOSE OF
 VISUALIZATION ONLY. THIS IS NOT
 PRECISE WITH REGARDS TO
 SCALE AND IS OFFERED SIMPLY
 TO PRESENT A GENERAL IDEA OF
 THE PROPOSED LAYOUT.

DRN BY: MCT	DATE: 12/10/2019	SCALE: NA
SURVEYED BY: -	CHKD BY: -	
NOTES:		



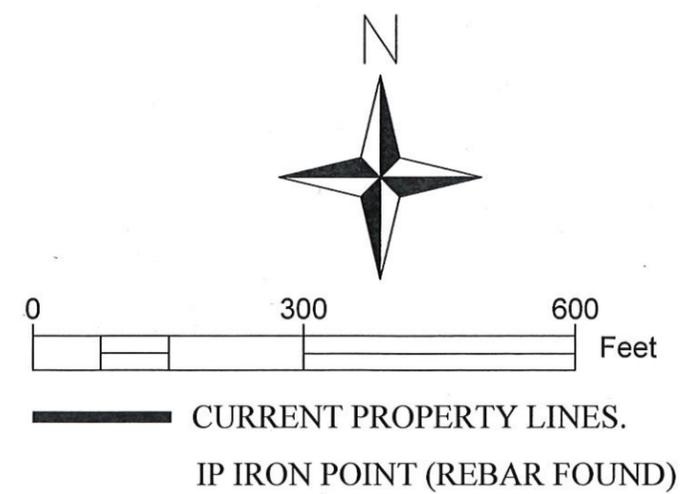
**MOON LAKE
 ELECTRIC ASSOCIATION, INC.**
 800 WEST US HIGHWAY 40, ROOSEVELT UT, 84066
 Phone:(435)722-5400 Fax:(435)722-5466

S. STATE STREET



NOTES AND COMMENTS:

1. THIS IS A PRELIMINARY MAP FOR REFERENCE AND DISCUSSION PURPOSES ONLY.
2. SURVEY DATA CAME FROM DUCHESNE COUNTY SURVEYOR FILE NO. 4297.
3. BEGINNING POINT IS LOCATED IN THE COUNTY ROAD CENTERLINE ALIGNMENT.
4. ADDITIONAL FRONTAGE MAY BE REQUIRED TO PROVIDE ADEQUATE COUNTY ROAD RIGHT OF WAY.



POLE LINE SUBSTATION
NEW SUBSTATION
PRE-PLANNING MAP

CIVIL PLAT MAP
FOR REFERENCE ONLY

CAD DWG FILE: c:\shared\dwg\mlc\00\0034\0034-9112\Substation\General Documentation\Preinary Site Map_IP.dwg

NO.	DATE	REVISION	BY

ENGINEER _____ DRAWN BY _____
 JOB NO _____
 SCALE _____ DATE 12/19/19
 DWG NO _____
 SHEET NO _____

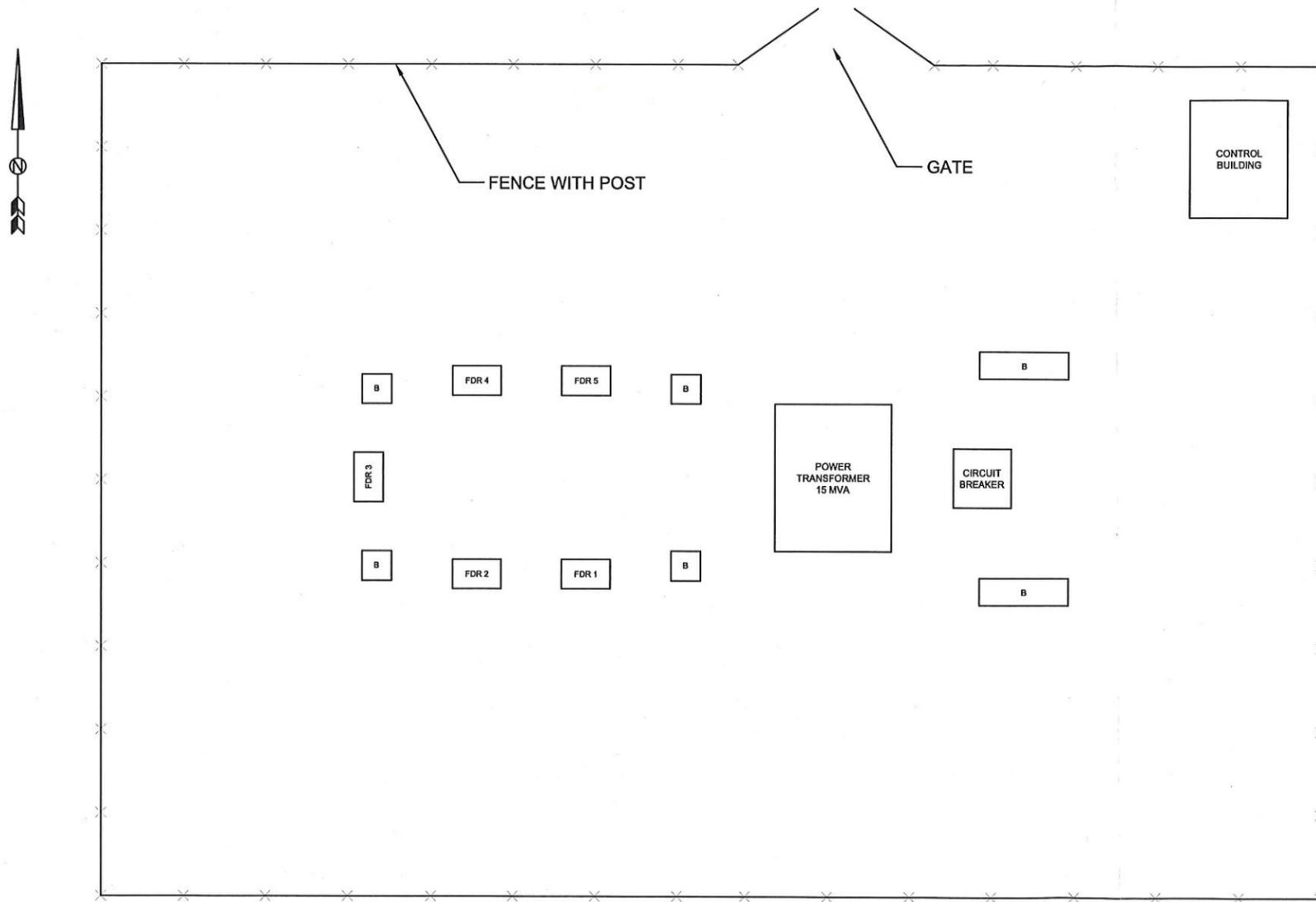
GENERAL SITE PLAN

POLE LINE SUBSTATION

T2S, R1W, SECTION 34

PARCEL # 00-0034-8865

POWER TRANSFORMER RATING: 15 MVA



*****DISCLAIMER*****
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 THE PROPOSED LAYOUT.

DRN BY: MCT	DATE: 12/10/2019	SCALE: NA
SURVEYED BY: -	CHKD BY: -	
NOTES:		



MOON LAKE
ELECTRIC ASSOCIATION, INC.
 800 WEST US HIGHWAY 40, ROOSEVELT UT, 84066
 Phone:(435)722-5400 Fax:(435)722-5466

ROOSEVELT CITY HUMAN RESOURCES SERVICES CONTRACT

Roosevelt City, hereinafter referred to as "City" and MY HR, hereinafter referred to as "Consultant" hereby contract and agree as follows:

Recitals

WHEREAS, Roosevelt City requires the services of a Human Resource Consultant, and

WHEREAS, MY HR is willing to serve as Roosevelt Human Resource Provider, and

WHEREAS, MY HR has been selected and this agreement has been approved by action of the Roosevelt City Council, and

WHEREAS, it is in the best interest of both Roosevelt City and MY HR to formalize the terms of their agreement.

NOW THEREFORE, in consideration of the services to be performed by MY HR, as Roosevelt City Human Resource Provider, and the compensation to be paid therefore by the city, the parties hereby mutually covenant and agree as follows:

1. Duties. Consultant shall function as the Roosevelt City Human Resource Department.
2. Objective. Consultant agrees to address the following objectives: 1) Conduct a Human Resource Audit; 2) Complete a Human Resources Compliance Review; 3) Create an Effective Recruitment and Onboarding Process; 4) Manage Employee Relations and Retain Talent; 5) Research and Recommend a Competitive Employee Benefit Package; 6) Design and Implement an Employee Training and Development Program.
3. Term. The provisions herein shall take effect, retroactively, on February 1, 2020 and shall continue through the last day of June 2020 subject to the provisions of subsection

eleven (11) herein. Unless a party takes action pursuant to subsection eleven (11) herein this agreement shall automatically renew for subsequent Twelve (12) month terms. Said renewal(s) shall be subject to yearly increases as outlined in subsection four (4) herein.

4. Compensation. Roosevelt City shall pay to MY HR an hourly rate of \$45.00 with a maximum monthly total of \$3,250.00 not including reimbursable costs. Compensation shall be paid on a monthly basis. Invoices shall be submitted no later than the tenth day of the month following the month services were provided and shall be paid by City on or before the last business day of the month in which the invoice was submitted. Said yearly sum shall increase by the Consumer Price Index ("CPI") as determined by the "All Items Index" over the previous 12 months, located at <http://www.bls.gov/news.release/cpi.nr0.htm>. If the CPI drops below 0%, compensation shall increase by 0%. If the CPI increases to above 5%, compensation shall be capped at 5%. The increase shall be calculated in May and shall take effect in July of each year this agreement remains in effect.
5. Expenses. The City will provide access to and/or use of: a) a copy machine; b) a printer; c) office space; d) internet access; e) a Roosevelt City email account; f) file envelopes and a filing cabinet for storage; g) in the event that travel and or training is required, outside Duchesne County, solely for Roosevelt City business, the city agrees to pay reimbursement for mileage, at the then current state rate, lodging and per diem. Consultant shall not be entitled to any employee benefits other than set forth herein.
6. Expenses Paid by Consultant. Consultant will determine the need for and will be responsible to pay for the following: a) secretarial or other staff support; b) travel inside

Duchesne County; c) cell phone; d) office supplies, with the exception of those stated in subsection five (5) herein; e) computer; f) all other expenses not mentioned above.

7. Part Time. Consultant is not and shall not be considered a full-time employee of Roosevelt City, but rather is an independent contractor. It is understood and agreed that Consultant is not a full time position and that it may engage in whatever employment and/or contracts it deems appropriate while serving as Roosevelt Human Resource Provider and other employment and/or contracts shall not be a per se violation of this agreement.
8. Office Hours. Consultant agrees to be present in the Roosevelt City Offices 20 hours per month. To the extent reasonably possible office hours shall be on each Thursday afternoon from 1:00 pm through 5:00 pm. On occasions when Consultant will not be able to physically be present in the office on a Thursday afternoon notice shall be posted on the door of the office space provided by City giving as much notice as reasonably possible of the anticipated absence and the next planned day and time when Consultant will be present.
9. Availability by Phone and/or email. Consultant agrees to provide City with a phone number where it may be contacted during regular business hours. Consultant further agrees to respond as promptly as reasonably possible to voice, text or email messages.
10. Reimbursement and Hold Harmless. Consultant shall reimburse Roosevelt City for any costs, damages or expenses incurred by the City including defending itself against claims arising out of actions by the Consultant which are outside the scope of this agreement. Consultant is entitled to all indemnification from the City allowed by law for claims against it in performing duties to the City pursuant to this agreement.

11. Termination. This contract is for an initial term of five (5) months subject to the automatic renewal provisions in subsection three (3). Notwithstanding the specified term, the parties hereto shall have the right to terminate this contract upon thirty (30) days written notice to the other party for any reason.

12. Notices. Notices required hereunder shall be considered as properly given if delivered in writing personally or sent by certified United States mail, postage pre-paid with return receipt requested, addressed to the parties or such addresses as may hereafter be designated by either party in writing. Notice mailed as aforesaid shall be deemed given on the date of such mailing.

Roosevelt City Corporation
255 South State Street
Roosevelt, Utah 84066

MY HR

230 N Nelson Ave

Roosevelt, UT 84066

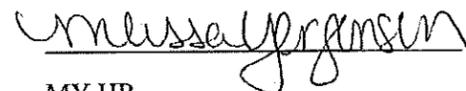
13. Default. In the event of default by any party in the performance of any of the covenants herein contained, the defaulting party agrees to pay all costs incurred in pursuing any remedies arising there from, including a reasonable attorney's fee.

14. General. This agreement is binding upon and insures to the benefit of each of the parties hereto, their successors, and assigns, and their respective heirs and personal representatives.

15. Binding Effect. It is mutually understood and agreed that this agreement shall be governed by the laws of the State of Utah, both as to interpretation and as to performance. Any Provisions in this contract which is contrary to or in disagreement with the Utah Constitution, state statutes, or administrative rules shall be disregarded and the rule, statute or constitution shall provide the operative language relevant to that section of the contract.

16. Effective Date. The retroactive effective date of this contract shall be February 1, 2020.

Roddie I. Bird, Jr,
Roosevelt City Mayor



MY HR

Attest:

Carolyn Wilcken
Roosevelt City Recorder

**ROOSEVELT CITY
VEHICLE ALLOWANCE POLICY**

Effective Date: _____

1. SUMMARY AND OBJECTIVES:

To provide an alternative to assignment of City vehicles, for those employees whose duties require transportation, by offering a vehicle allowance to those who wish to utilize a personal vehicle in the course of their employment with the City.

2. POLICY AND PROCEDURES:

This option shall be limited to the positions listed within this policy.

Eligible employees who elect not to use a personal vehicle, with a vehicle allowance, will be assigned a vehicle owned by the City. After their initial election regarding which alternative they desire, eligible employees may only change alternatives, pursuant to this policy including City Manager approval. The City Manager's participation in this program requires approval of the governing body.

Electing to receive a vehicle allowance shall require a four-year commitment from the employee. The City Council has the discretion to discontinue this program at any time. However, should the governing body of the City decide to discontinue this policy four-years notice shall be given to employees who are using personal vehicles at the time the policy is discontinued. Authorization from the Department of Public Safety, granting emergency equipment use on privately owned vehicles shall be provided by the employee and kept on file with the Chief of Police during the life of this policy.

This policy was made effective as of _____, 2020.

Eligible positions:

The following job positions are eligible to participate in this program with City Manager approval.

- A. Assistant City Manager
- B. The Police Chief
- C. Public Works Director
- D. Water Source Director
- E. Zoning & Building Director

The Chief Appointed Officer or City Manager with approval of the governing body.

3. REQUIREMENTS:

Individuals opting for the vehicle allowance alternative must meet the following standards:

- A. All vehicles used under this policy shall be five years or newer with less than 100,000 accumulated miles. All vehicles must be in good condition and appearance. All vehicles must be approved in advance by the City Manager.
- B. Vehicles shall be fully insured by the owner (employee), with liability, collision and comprehensive insurance coverage at \$50,000/\$300,000 levels and must be able to provide proof of same on demand. At the beginning of each calendar year each employee on this program must provide a certificate of insurance showing active coverage with no less than a One Thousand Dollar (\$1,000.00) deductible and the specified limits of liability. Employees will provide the certificate to the City Manager or designee.
- C. Vehicles shall be suitable for the type of work they will be used for as deemed appropriate by the City Manager. All vehicles will be maintained in a neat and clean fashion and be available for use both day and night.
- D. Participating employees will be responsible for repair costs of any and all damages incurred to any personal vehicle used pursuant to this policy. If a vehicle is out of service for maintenance not to exceed thirty (30) days, a city vehicle may be used. If a vehicle is out of service for longer than thirty (30) days then a city vehicle will be provided and the employee whose vehicle is out of service must reimburse the City for any days in excess of thirty (30) days that a city vehicle is used. The reimbursement rate shall be the monthly allowance divided by thirty (30) and multiplied by the number of days a city vehicle is used less thirty (30).
- E. Any emergency equipment required by the City such as radios, antennas, lights, sirens, or other equipment, will be installed and maintained at the City's expense. The employee must properly care for City equipment thus installed. Damage to the equipment resulting from abuse or negligence shall be paid for by the employee.
- F. Employees who elect to use personal vehicles pursuant to this policy shall use the approved vehicle for all calls and/or assignments made, as they would a City owned vehicle. For business travel in excess of 200 miles one way, a city vehicle may be used or the employee may submit fuel receipts for reimbursement of a properly approved personal vehicle. No employee electing to use a personal vehicle pursuant to this policy shall be eligible for mileage reimbursement.
- G. Nothing in this agreement will require an employee to utilize a specific dealer to acquire a suitable vehicle.
- H. All employees of Roosevelt City who drive City vehicles or who drive approved personal vehicles under this policy shall maintain a valid and appropriate Utah driver's license and shall maintain a good driving record and shall enter into an Automobile Allowance Agreement.
- I. The City Manager or designee shall maintain records of all employees electing to use approved personal vehicles pursuant to this policy including a signed copy of the Automobile Allowance Agreement for each applicable employee. All eligible employees, who choose the personal vehicle with allowance alternative, must commit in four year blocks. The City Manager may

waive an employee's obligations pursuant to this policy upon demonstration of obvious, extreme or other extenuating circumstances that would no longer make it feasible for an employee's continued participation.

4. REVOCATION FOR NON-COMPLIANCE:

Roosevelt City reserves the right to revoke authorization to utilize a personal vehicle and to discontinue vehicle allowance payments to any employee for non-compliance with the terms of this policy. Prior to discontinuing payments the employee will be given thirty (30) days notice of the policy violation and of the City's intent to discontinue payments and to revoke authorization to utilize a personal vehicle. If the employee fails to comply with all terms of this policy within the thirty (30) day notice period then authorization to use personal vehicle will be revoked and vehicle allowance payments will be discontinued.

5. VEHICLE ALLOWANCE:

The monthly allowance paid to employees choosing that alternative shall be \$800.00. The allowance amount shall be subject to annual adjustment by the governing body. The City will reimburse eligible employees for fuel for City business travel in excess of 200 miles one way pursuant to Section 3 (F) herein. All other fuel and maintenance expenses shall be the responsibility of the employee.

6. DISCONTINUED EMPLOYMENT:

When an employee's term of employment ends with the City for any reason, both voluntary and involuntary, any applicable vehicle allowance shall be prorated to the date employment ended and will be paid until but not beyond that date.

7. TAXES:

Vehicle allowance payments shall be subject to State and Federal taxes. Eligible employees will be responsible to reporting and paying said taxes on their personal tax returns. Roosevelt City will not offset vehicle allowance payments in any way for an employee's personal tax obligations.