

NOTICE AND AGENDA

May 16, 2017

Difficulties in life are intended to make us better, not bitter.
- Dan Reeves

Notice is hereby given that the Roosevelt City Council will hold its regular Council Meeting on Tuesday, May 16, 2017, 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:

- 1. Roll Call Page
- 2. Pledge of Allegiance
- 3. Minutes
- 4. Appointments and Hearings from Public
 - 5:30 p.m. Welcome
 - 5:32 p.m. Minutes..... 1-3
 - 5:35 p.m. Dixon Taylor - Johnson Water District Water Concerns
 - 5:40 p.m. Crown-Castle Tower Lease Agreement
 - 5:45 p.m. Phased Retirement Resolution 4-14
 - 5:55 p.m. City Manager Contract
 - 6:00 p.m. Public Hearing - 2018 FY Budget Public
 - 6:05 p.m. Reopening of the 2017 FY Budget
- 5. Purchase Orders and Quarterly Financial Review
- 6. Reports from Standing Committees
 - A. Parks & Recreation – Albert Foster and Dustin White
 - B. Capital Projects – Joe Burdick and Aaron Weight
 - C. Finance and Audit – Vaun Ryan and Troy E Rohrer
 - D. UBIC, Red Mud Run – Aaron Weight
 - E. Beautification, Cleanup, Basin Arts Council – Dustin White
 - F. Economic Development, Planning and Zoning – Joe Burdick
 - G. Chamber of Commerce, Emergency Management – Troy E. Rohrer
 - H. UBAOG, Mosquito Abatement – Vaun Ryan
 - I. Airport – Albert Foster
- 7. Report from City Manager
- 8. Standing Agenda Items
 - A. Pending Discussion Items (discussed previously, but final action not yet taken)
 - 1. Chapter by chapter detail review of city code
- 9. Closed Session (as needed)
- 10. Adjournment

MINUTES OF A REGULAR COUNCIL MEETING

May 2, 2017

The meeting was called to order at 5:30 p.m. by Mayor Vaun D. Ryan.

A roll call was taken which showed council members Albert Foster, Aaron Weight, and Joe Burdick present. Dustin White and Troy E. Rohrer were excused. Mayor Ryan 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 City Manager Ryan Snow, City Recorder Carolyn Wilcken, Finance Director John Zilles, Hal Huff, Brenda Fisher, Troy Ostler, Brett Rasmussen, Dan Karren, Jacob Woodland, and Dickson Taylor present.

Opening prayer was given by John Zilles.

MINUTES

A motion was made by Councilman Aaron Weight to approve the minutes of the regular meeting of April 18, 2017, as presented. Motion was seconded by Councilman Albert Foster. Those voting Aye were Albert Foster, Aaron Weight, and Joe Burdick. Motion was carried unanimously.

CONDITIONAL USE PERMIT COUNTRY CABINETS

Brett Rasmussen came before Council seeking final approval for a conditional use permit. This permit will allow Country Cabinets to move into the vacant building located at 30 West on Highway 40 that formerly housed Besst and ALCO. This business needs a conditional use permit due to the fact that he will be manufacturing cabinets at this location and although the zoning is commercial, it doesn't include manufacturing. Brett stated that he plans to improve the aesthetics of the building and grounds over a five year period. This has already been recommended for approval by the Planning and Zoning Commission. After review and discussion, a motion was made by Councilman Aaron Weight to approve this conditional use permit and direction that a privacy fence be installed on the back of this building. Motion seconded by Councilman Joe Burdick. Those voting Aye were Albert Foster, Aaron Weight, and Joe Burdick. Motion was carried unanimously.

OUT-OF-CITY WATER CONNECTION REQUEST

Dan Karren submitted an out-of-city water connection request for property located at 750 North 1706 West North Cove Road. He is requesting a 1½" line. After discussion, a motion was made by Councilman Aaron Weight to approve this request. Motion seconded by Councilman Albert Foster. Those voting Aye were Albert Foster, Aaron Weight, and Joe Burdick. Motion was carried unanimously.

CDBG SECOND PUBLIC HEARING – 800 S CULINARY WATER LINE AND STORM WATER DRAIN PROJECT

Mayor Ryan stated that this is a second public hearing for the CDBG program. Mayor Ryan stated that this hearing was called to allow all citizens to provide input concerning the project that was awarded under the 2018 Community Development Block Grant Program. Roosevelt City has amended its capital investment plan and decided to apply for funds on behalf of the 800 South culinary water line and storm water drain project. The Mayor introduced Assistant City Manager/Finance Director John Zilles and asked him to explain the process and the project. John explained that the application was successful in the regional rating and ranking process and the 800 South Culinary Water Line and Storm Water Drain project was approved in the amount of approximately \$250,000. The Mayor then asked for any comments, questions and concerns from the audience. Hal Huff asked if this project included sewer. It was explained that it did not. John stated that copies of the capital investment plan are available if anyone would like a copy. There were no more comments and the hearing was adjourned at 6:05 p.m.

CRESCENT POINT WATER PURCHASE AGREEMENT

Jacob Woodland from Crescent Point came before Council seeking approval to purchase water to be pumped out of our south sewer treatment lagoon. They will be running a 12” above ground lay flat line to transport the water. This should amount to approximately \$300,000 annually in revenue to the City. They have already submitted a signed agreement and now need the City’s acceptance. After review and discussion, a motion was made by Councilman Aaron Weight to approve the Crescent Point Water Purchase Agreement. Motion seconded by Councilman Joe Burdick. Those voting Aye were Albert Foster, Aaron Weight, and Joe Burdick. Motion carried unanimously. Duane Moss, representing Tribal water rights, expressed concern with the quality of this water being transported over Tribal land. Mr. Moss stated he is interested in meeting with the city to discuss water issues. He was encouraged to call and make an appointment with City Manager Ryan Snow to discuss any concerns or issues.

PURCHASE ORDERS

A motion was made by Councilman Albert Foster to approve the following purchase orders. Motion seconded by Councilman Aaron Weight. Those voting Aye were Albert Foster, Aaron Weight, and Joe Burdick. Motion carried unanimously.

72709	Basin Arts Council	\$20,000.00
	Moon Lake Electric	11,335.09
	K & K Sanitation	<u>65,000.00</u>
	TOTAL	<u>\$96,335.09</u>

COUNCIL REPORTS

- A. Parks & Recreation – Albert Foster and Dustin White
- B. Capital Projects – Joe Burdick and Aaron Weight
- C. Finance and Audit – Vaun Ryan and Troy E. Rohrer
- D. UBIC, Red Mud Run – Aaron Weight – Plans for the Red Mud Run are progressing.
- E. Beautification, Cleanup, Basin Arts Council – Dustin White
- F. Economic Development, Planning and Zoning – Joe Burdick
- G. Chamber of Commerce, Emergency Management – Troy E. Rohrer
- H. UBAOG, Mosquito Abatement – Vaun Ryan
- I. Airport – Albert Foster

CITY MANAGER REPORT

Ryan Snow reported on attending the DEQ meeting regarding our funding application. Ryan also reported on attending the UAOA meeting, the Utah City Managers meetings, and the UGFOA meetings. Uintah Basin Medical Center has approached us regarding our involvement with providing security at the hospital. Stantek is going over our capital improvements list to identify possible grant options to fund projects. A tower will be installed on “R” hill so water meters can be read remotely. Our meter reading radios will need to be upgraded. We are working on connection with Cedarview-Montwell Water District to improve water flow on the North Crescent line. Roosevelt City fire contracts are being reviewed.

CLOSED SESSION

A motion was made by Councilman Aaron Weight to go into a closed session to discuss contract negotiations and then convene back into a regular city council meeting. Motion seconded by Councilman Joe Burdick. Those voting Aye were Albert Foster, Aaron Weight, and Joe Burdick. Motion was carried unanimously.

A motion was made by Councilman Albert Foster to adjourn the meeting. Motion seconded by Councilman Joe Burdick. Those voting Aye were Albert Foster, Aaron Weight, and Joe Burdick. Motion carried unanimously.

Meeting adjourned at 8:30 p.m.

Vaun D. Ryan, Mayor

ATTEST:

Carolyn Wilcken, Recorder

RESOLUTION NO. 2017-279

A RESOLUTION AUTHORIZING PHASED RETIREMENT TO WILLING, ELIGIBLE RETIREES AND ESTABLISHING WRITTEN POLICIES GOVERNING THE PROGRAM.

WHEREAS, The State of Utah has passed legislation through Utah Code, Title 49, Chapter 11, Part 12 and Part 13 establishing written policies governing phased retirement by participating employers with the Utah Retirement Systems (URS) allowing the opportunity to offer an optional retirement program called "Phased Retirement"; and,

WHEREAS, Roosevelt City desires to maintain continuity of services within applicable positions.

NOW THEREFORE, be it resolved by the Roosevelt City Council, that the following be implemented as of the day herein specified.

DEFINITIONS:

Phased Retiree: An active participant in Phased Retirement.

Phased Retirement: This an optional program within URS that allows continuing employment on a half-time basis of a retiree with the same participating employer following the retiree's retirement date while the retiree receives 50% of the retiree's monthly retirement allowance.

POLICY:

1. Phased Retirement Eligibility

- a. Beginning on July 1, 2017, Roosevelt City (City) elects to offer Phased Retirement to willing, eligible retirees under the terms and conditions outlined in this policy, each agreement between a Phased Retiree and Employer, and Utah Code, Title 49, Chapter 11, Part 13.
- b. To participate in Phased Retirement, the employee shall:
 - i. Be eligible to retire, based upon the specific age and service credit requirements for the employee's retirement system, and actually retire with URS;
 - ii. Have been employed full time for at least four years with the City immediately before the retiree's retirement date;
 - iii. Be approved for Phased Retirement and enter into a Phased Retirement agreement with the City; and
 - iv. Prior to the retiree's retirement date, complete and submit all required Phased Retirement forms with URS.

2. Phased Retirement Approval Standards and Process

- a. An employee who is considering participating in Phased Retirement is strongly encouraged to discuss this possibility with the employee's supervisor, manager, and the Human Resources Department with as much advance notice as possible to help facilitate preparation that may be necessary for the future approval of the request, including appropriate revisions to business plans, approved FTE head counts, and budgets.
- b. An employee, in consultation with the employee's supervisor, shall prepare a written request to participate in Phased Retirement. The request shall cover the material elements of the written agreement listed below in Subsection 4a of this policy.
- c. Each request to participate in Phased Retirement shall be reviewed on a case by case basis to determine if the request fills a legitimate business need and is beneficial to both the City and the retiree, such as:
 - i. Completing a specific project;
 - ii. Maintaining business continuity by mentoring and training the retiree's replacement or other employees; or
 - iii. Filling workforce needs relating to a market sensitive or other hard to fill position.
- d. The Phased Retirement position may be the Phased Retiree's pre-retirement position or another position for which the Phased Retiree has the education, knowledge, skills, and ability to perform.
- e. If multiple requests to participate in a limited Phased Retirement position cannot all be accommodated, the Phased Retiree with the best education, knowledge, skills, ability, performance, and attendance shall be selected.
- f. Approval of a Phased Retirement request is conditioned on the review and approval of the following individuals or their designees:
 - i. Employee;
 - ii. Employee's Department Head;
 - iii. Legal counsel;
 - iv. Finance Director/ Assistant City Manager; and
 - v. City Manager.
- g. The Human Resources/Finance Department shall complete and submit all required Phased Retirement employer forms or reports to URS, including:

- i. Notifying URS within five business days if the City enters a Phased Retirement Agreement with a retiree;
- ii. Completing any required City notifications, applications, or certifications; and
- iii. Reporting any change in status of the Phased Retirement to URS.

3. Time limits and other restrictions

- a. The specific business needs and benefits to the City and the retiree upon which the Phased Retirement are justified shall be the basis for the Phased Retirement's authorized time period, provided that one year is the maximum Phased Retirement period.
- b. Phased Retirement may be extended for additional subsequent periods of a maximum of one year each, subject to review and approval of the agreement renewal and any modifications in accordance with Phased Retirement Approval Standards and Process provisions in Subsection 2 of this policy.
- c. Phased Retirement shall be terminated immediately for a Phased Retiree's violation of this policy, the Phased Retirement Agreement, or any other City policies or standards of employee conduct upon which termination may be based in accordance with progressive discipline.
- d. A Phased Retiree enters into Phased Retirement subject to the following potential adjustments or termination:
 - i. The City may modify or terminate Phased Retirement at any time, and for any reason, with 30 day written notice.
 - ii. The Legislature specifically reserved the right to make adjustments to or terminate the Phased Retirement option created in statute, including: A. Amending Phased Retirement eligibility, restrictions, scope, or duration provisions; B. Closing phased retirement to additional retirees; or C. Terminating Phased Retirement for all participating retirees.
 - iii. The Phased Retirement statutes have a sunset date of July 1, 2021, but will require a legislative's committee review prior to the sunset. The committee could recommend extending the program with another sunset date, removing the sunset date, or terminating the program.

4. Written agreement

- a. Prior to working in Phased Retirement, the City and an eligible retiree shall enter into a written agreement, including provisions governing the following for the Phased Retirement:
 - i. Essential job functions and specific duties to be performed;

- ii. Expected deliverables and timelines;
- iii. Authorized time period;
- iv. Authorized time period renewal review date, if any;
- v. Work schedule and hours of work;
- vi. Eligibility and description of benefits;
- vii. Wages for the position; and
- viii. Any other restrictions, conditions, or arrangements.

- b. The Human Resources Department, in consultation with Legal counsel, shall create and maintain a template written agreement for the City's use.

5. During Phased Retirement

- a. A retiree shall begin Phased Retirement employment after the retiree's retirement date but no later than 120 days after the retiree's retirement date.
- b. Phased Retirement shall be a continuous period; it cannot be paused or resumed again following termination.
- c. The Phased Retiree receives 50% of the Phased Retiree's monthly pension allowance from URS, beginning with the retirement date. The Phased Retiree will not receive any cost-of-living adjustment (COLA) to the monthly retirement allowance while in Phased Retirement.
- d. The City can only employ the Phased Retiree on a half-time basis. For most positions, this is defined by statute as requiring an average of 20 hours per week.
- e. The City shall contribute the amortization rate, as provided in statute, to the URS system that would have covered the Phased Retiree if the retiree's part-time position were considered to be an eligible, full-time position within that system.
- f. A Phased Retiree's eligibility to take distributions from defined contribution plans, including 401(k) or 457 plans, is determined by plan governing documents and federal law. Phased Retirement does not create any additional basis for taking distributions. Phased Retirees should contact their defined contribution plan administrator about eligibility for distributions, including in-service withdrawals after reaching a qualifying age or withdrawals during the termination of employment from the retirement date until the Phased Retirement begins.

6. Benefits for Phased Retirees

- a. For City-provided benefits that are paid out or take effect with retirement, the City shall treat a Phased Retiree in accordance with current City policies in the same manner as any other retiree, including payout of unused accrued annual and compensatory leave hours and the commencement of benefits based upon accrued balances of Program 1 Sick Leave, Program 2 Sick Leave, and Converted Sick Leave.
- b. During Phased Retirement, a Phased Retiree shall be treated in the same manner as any other part-time employee working a similar position and number of hours with the City, including regarding non-retirement related benefits, leave benefits, medical benefits, and other benefits.
- c. During Phased Retirement, a Phased Retiree may not receive any City provided retirement benefits, service credit accruals, or any related retirement contributions from the City.

7. Termination of Phased Retirement

- a. The Phased Retiree and the Human Resources Department shall notify URS when Phased Retirement is irrevocably terminated.
- b. City-provided benefits accrued during Phased Retirement that are paid out or take effect with termination, including unused accrued leave hours, shall be paid out by the City or treated in the same manner as for any other terminated employee in accordance with current City policies.
- c. URS shall begin paying 100% of the retiree's retirement allowance on the first day of the month following the month in which URS receives written notification and any required supporting documentation that the Phased Retirement has been irrevocably terminated.
- d. Any post-retirement reemployment with the City or another URS participating employer following Phased Retirement is subject to Utah Code Title 49, Chapter 11, Part 12, Postretirement Reemployment Restrictions Act. The post-retirement separation period begins with the termination date of Phased Retirement, not the original retirement date.

PASSED, ADOPTED AND APPROVED this ____ day of _____, 2017.

We the undersigned Mayor and Recorder of Roosevelt City, Duchesne County, State of Utah, do hereby certify that the foregoing Resolution was duly adopted at the regular meeting of the Roosevelt City Council on the ____ day of, _____, 2017, by the following vote:

Albert Foster
Aaron Weight
Joe Burdick
Dustin White
Troy E. Rohrer

SIGNED:

Vaun Ryan, Mayor

ATTEST:

Carolyn Wilcken, Recorder



****DRAFT****

Roosevelt City Phased Retirement Policy

SUBJECT: Phased Retirement

PURPOSE: In 2016, legislation was enacted that enables participating employers with the Utah Retirement Systems (URS) to offer an optional retirement program called "Phased Retirement." This policy officially authorizes Roosevelt City Manager or authorized designee to offer Phased Retirement to willing, eligible retirees and establishes written policies governing the program.

REFERENCES:

- Utah Code, Title 49, Chapter 11, Part 12
- Utah Code, Title 49, Chapter 11, Part 13

DEFINITIONS:

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- c. During Phased Retirement, a Phased Retiree may not receive any City provided retirement benefits, service credit accruals, or any related retirement contributions from the City.

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- b. City-provided benefits accrued during Phased Retirement that are paid out or take effect with termination, including unused accrued leave hours, shall be paid out by the City or treated in the same manner as for any other terminated employee in accordance with current City policies.
- c. URS shall begin paying 100% of the retiree's retirement allowance on the first day of the month following the month in which URS receives written notification and any required supporting documentation that the Phased Retirement has been irrevocably terminated.
- d. Any post-retirement reemployment with the City or another URS participating employer following Phased Retirement is subject to Utah Code Title 49, Chapter 11, Part 12, Postretirement Reemployment Restrictions Act. The post-retirement separation period begins with the termination date of Phased Retirement, not the original retirement date.