

### NOTICE

Notice is hereby given that the Mayor and City Council will hold a Work Session on Wednesday, October 9, 2013 in the Council Chambers, 45 West 100 South, beginning at 6:00 pm.

### DISCUSSION ITEMS

1. No Parking Signs along 300 West
2. Future Council's Technology Needs
3. Santaquin City Code 1-5-4-F Electronic Meetings – Regarding the City Council's ability to participate in public meeting via electronic means
4. Council and Council-Elect Training
5. General Discussion

If you are planning to attend this Public Meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City Office ten or more hours in advance and we will, within reason, provide what assistance may be required.

### CERTIFICATE OF MAILING

The undersigned duly appointed City Recorder for the municipality of Santaquin City hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Payson Chronicle, Payson, UT, 84651.

  
By: Susan B. Farnsworth, City Recorder

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**MINUTES OF A COUNCIL WORK SESSION  
HELD IN THE COUNCIL CHAMBERS  
OCTOBER 9, 2012**

The meeting was called to order by Mayor James E. DeGraffenried at 6:02 pm. Council Members attending: Keith Broadhead, Matthew Carr, James Linford and Rick Steele. Kirk Hunsaker was excused.

Others attending: City Manager Ben Reeves, Director Dennis Howard, Director Dennis Marker, Jeremy Roos, Andrea Urban, Nick Miller, Karen Parsons, Katherine Holman, Cindy Johnson, David Hathaway, Ramona Peterson, Rebecca Peterson, James Walker, Shauna Walker, Harrison Carr, Dan Kirk, Tory Kirk, and other unidentified individuals.

**DISCUSSION ITEMS**

***No Parking Signs along 300 West***

Council member Steele indicated there are issues along 300 West. He voiced his concern for the safety of the children walking along this road. There are plans for future plans for additional roadways from the North to Main Street. He thinks the Council should stand strong with the current parking regulations.

Council Member Carr also has a concern with the road width as well as the safety of the children using that road to get to school. Council Member is fine with removing the "No parking signs as long as the roadway is striped and violators ticketed.

Council Member Broadhead indicated the park strips are a safety issue between the pedestrians and the vehicles. He stated perhaps the road should be posted as a one way only.

Council Member Linford indicated the Council Members have discussed this issue a number of times. When the Council requested the signs installed the Council Members were trying to eliminate all the hazards along the narrow roadway.

Mr. Kirk voiced his concerns with not being approached before the signs were installed. He suggested before the Council Members make any decisions they should do some research. He suggested time restrictions on parking during the hours the children are coming and going from school. He suggested community involvement to teach the kids to use the sidewalk.

Ms. Holman indicated she has lived on that street for 40 years. She walks on the sidewalk and has to go around cars parked on the sidewalk. She wants the No Parking Signs kept in place.

Ms. Parsons indicated when the "pedestrian paths" were installed the parents were encouraged to use 200 West instead on 300 West. She recommends remarking the "pedestrian path" as well as have an Officer stationed along the roadway to remind the students to use the marked walkways. She strongly encourages posting certain hours for no parking. She also reported they filled in the ditch in front of their home so they would have room to park. She questioned how much frontage they would need to allow parking in front of their home.

Mayor DeGraffenried stated he has received a number of suggestions:

- allow parking Friday night to Monday morning

- no parking Monday – Friday 8 am to 6 pm.
- Parking on opposite sides of the roadway on opposite days of the week

Ms. Kirk suggested having Crossing Guards along 300 West.

Ms. Urban suggested striping the “pedestrian path” as a crosswalk the full length of the path. She also suggested supplying the parents with a travel pattern at the beginning of the school year.

Council Member Carr was told by Director Howard that on garbage days, there isn’t any room to travel along 300 West let alone room for parking along the roadway.

Director Marker there is enough room for 2 -10 foot travel lanes which would cause “friction traveling”. He was asked to show the plans for a 500 West roadway. He stated the school district has a designated safe walking route for the children, which is approved by the State. Rerouting of a safe walking route would need approval at the State level as well as authorization from current property owners.

Mr. Kirk stated keeping the no parking signs up will not address the “kid’s safety”. He thinks this meeting needs to be about “kid’s safety” not about parking.

Mr. Hathaway indicted he travels 300 West a lot. He indicated he has had to stop for kids darting out from between cars. When there are cars parked on both sides of the road it increases the chances of someone getting hurt.

Mayor DeGraffenried indicted a Special Improvement District in that area to install curb, gutter, sidewalk and widening the roadway could be established. Once the SID is complete, there would be designated areas for parking. He indicated the City doesn’t have the funds to pay for additional Crossing Guards along 300 West.

Ms. Parsons understood a Storm Drainage Plan would need to be in place. She was told once the SID project is paid for the property owners would not have to continue paying the fee. She also stated she appreciated the Council Members being prudent with the Citizens money.

Council Member Broadhead is ok with time restrictions, see striping in the middle of the roadway, he also indicted safety is a liability. He asked “what will it take to complete 200 West between 300 North and the subdivision”? He was told it was approximately 300 feet of area that would need to be improved. “What would it take and do we have the room to add 3-4 feet of asphalt on the West side of 300 West”. “If we can’t widen it, it would be reasonably to make it a one way road going South”.

Ms. Ramona Peterson indicted her concern is the parking safety along 300 West.

Council Members Steele, Carr, and Linford agree with Council Member Broadhead’s suggestion of allowing one way travel. Council Member Linford stated “people will park in the pedestrian strips which makes the kids have to walk in the road anyway”.

Ms. Kirk indicated her children don't visit on the weekends they visit during the week. She would like to have no parking during certain hours.

The Mayor and Council Member took a 10 minute break.

***Future Council's Technology Needs***

City Manager Reeves indicated he invited Mr. Roos to attend this evening to discuss technology needs for the current and future Council Members. He indicated in the past Tablets were purchased for each of the governing body which have been customized for each of their needs. When the time comes for the individuals to leave office they will be allowed to take the Tablet with them.

Mr. Roos reviewed 5 different Tablets/iPads:

- Apple iPad
- Google Nexus 10
- Samsung Galaxy Note 10.1
- Asus Transformer Pad Infinity TF700
- Microsoft Surface with Window 8 Pro

The concern of the Council Members is not being able to produce documents on the current Tablet. Council Member Steele likes how the current Tablet fits into the keyboard. Council Members Carr and Broadhead indicated they are happy with the device he currently has. Council Elect Hathaway indicated he would like to have a device that would open all the documents sent to him. Council Elect Miller and Jeffs indicated they didn't have a preference.

***Santaquin City Code 1-5-4-F Electronic Meetings – Regarding the City Council's ability to participate in public meeting via electronic means***

City Manager Reeves reviewed the current code pertaining to Electronic Meetings. It was the recommendation of Legal Counsel Rich that there should be a quorum at the anchor. It was suggested to add the wording "unless it is an emergency meeting". Also a request is not to allow participation electronically for an Executive Session.

***Council and Council-Elect Training***

Mayor DeGraffenried indicated he would like to have training with the Council elect which would help make the transition in leadership easier. City Manager Reeves requested each of the Council Members take a topic to discuss with the Council Elect Members. Mayor DeGraffenried suggested reviewing the Council Protocols and delegation of authority. Council Member Broadhead suggested hearing Mayor Elect Hunsaker's vision for the Council and City as a whole. He also stated the League hold a "Newly Elected Officials Training" in December.

City Manager Reeves reported departmental reviews will begin during the next Work Session. The first review will be of the Administration Department. The Director will be present to discuss the organizational structure, to review each position and duties, salary ranges of the position with comparisons to other Cities, possibility of outsourcing work, review operational budget line items, scope of function area, the number of director reports and the size of each department's budget. The Mayor and Council Members couldn't think of any other information they would like to receive.

Council Member Steele indicated he is of the opinion that some of the small business should be tabled until the reviews are complete. City Manager Reeves indicated a budget amendment is scheduled for December which would include any changes made with any discussion to be continued from Work Session to the Council Meeting.

City Manager Reeves continued by discussing what can be discussed in an Executive Session as well as in Open Meetings. (see attachment "A" for discussion topics)

City Manager Reeves reported Summit Creek Irrigation has requested the review of the Summit Creek Water Management Project Addendum #4. A copy of the Addendum was presented to the Mayor and Council Members.

***General Discussion***

Council Member Carr reported he will be out of town the next Council Meeting.

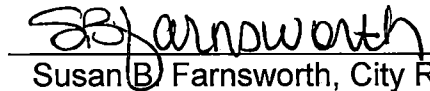
Council Member Broadhead reported he has been invited to meet with the President of J-U-B Engineering in the morning. He was told other Council Members have received the same request; some has taken advantage of the invitation.

Director Marker reported the RFQ for the Transportation Plan has been distributed. There have been questions asked with regard to the detail of the plan. (see attachment "B" for the questions asked and the answers given)

At 8:50 pm the meeting adjourned.

Approved on October 16, 2013.

  
James E. DeGraffenried, Mayor

  
Susan B. Farnsworth, City Recorder

## Firing or Terminating an Employee

How an employer handles firing or laying off an employee on the front end can make all the difference imaginable on how the separation of employment actually takes place. A well executed, carefully planned employee termination can avoid any serious stir in the workplace. A poorly executed, shoot-from-the-hip approach, on the other hand, can cost an employer dearly in terms of productivity and morale, as well as financially when the ex-employee fires back with a lawsuit.

### Mastering HR: Firings and Terminations

Properly preparing for firing an employee starts with getting the paperwork in order – look at performance evaluations, disciplinary action forms, attendance sheets, etc., and make sure that the documentation shows that a case can be built that supports a proper reason to fire the employee. Documentation is important in helping make the decision in the first place but, more critically, it serves to back up the decision should the fired employee file a lawsuit.

Consistency in the documentation is key. Harmony between the employer's reason for why the firing took place and the documentation on the employee's work history can mean the difference between a simple parting of ways and a prolonged and messy legal battle, and employment attorneys know this. If an ex-employee's lawyer, looking for evidence of a wrongful termination, sees a lack of consistency in the employee's personnel files or a lack of records at all, employers should consider that blood on the water.

HR Guide to Employment Law: A practical compliance reference manual covering 14 topics, including firing

### **Protected classes of employees**

Another very important consideration is whether an employee slated for possible termination is a member of a protected class. Federal law prohibits discrimination based on a number of factors such as race, color, religion, national origin, sex, pregnancy, age, disability, or citizenship.

State and local laws also can provide additional protection to employees. For example, no federal law currently protects against discrimination based on sexual orientation but a large number of states do.

Below is a list of the major employment laws which create protected status for certain employees:

- Americans with Disabilities Act (ADA) and the ADA Amendments Act (prohibits discrimination because of a job applicants or employees disability)
- Age Discrimination in Employment Act (ADEA) (prohibits discrimination based on age)
- Title VII of the Civil Rights Act of 1964 (prohibits discrimination based on several different characteristics)
- Civil Rights Act of 1866, Section 1981 (prohibits discrimination because of race in contracts)

- COBRA (federal law regarding health insurance coverage continuation)
- Employee Retirement Income Security Act (ERISA) (prohibits discrimination in employee retirement plans)
- Fair Labor Standards Act (FLSA) (federal law regarding wage and hour issues)
- Family and Medical Leave Act (FMLA) (federal law providing job-protected family and medical leave)
- National Labor Relations Act (NLRA) (federal law governing labor relations)
- Occupational Safety and Health Act (OSHA) (federal law regarding workplace health and safety)
- Older Workers Benefit Protection Act (OWBPA) (protects older workers benefits from age discrimination)
- Pregnancy Discrimination Act (PDA) (prohibits discrimination based on pregnancy, childbirth or related conditions)
- Rehabilitation Act
- Sarbanes-Oxley Act (protects workers who are whistleblowers)
- Uniformed Services Employment and Reemployment Rights Act (USERRA) (prohibits discrimination against members of the armed forces)
- Worker Adjustment and Retraining Notification Act (WARN Act) (layoff notification law)

#### **Other considerations**

Terminating an employee can lead to a number of other important issues. As every human resources professional knows, just because an employee no longer works for an employer it doesn't mean that all ties have been severed completely.

Unemployment compensation is one such issue that can leave the specter of a former employee haunting an HR pro's office long after the employee was fired. Again, having good documentation that shows the employee was fired for misconduct can be critical in an unemployment compensation hearing. Winning in these hearings can save an employer big bucks in the long run.

COBRA and severance pay are two more issues that must be dealt with. By law, an employer must make an employee aware of his rights under COBRA for continuing to stay on the company's health insurance program. Severance pay arrangements can offer some peace of mind for employers that the ex-employee won't sue, but at a hefty price. Yet, putting a severance pay agreement in front of an employee who is being fired or laid off isn't always a solid insurance policy against a lawsuit. If an exiting employee feels that he is leaving on bad terms, even the heftiest of severance sums may inspire him to use it if he sees it as the company's attempt to cover up indiscretions.

# Protected class

From Wikipedia, the free encyclopedia

In United States Federal anti-discrimination law, a **protected class** is a characteristic of a person which cannot be targeted for discrimination.<sup>[1]</sup> The following characteristics are considered "Protected Classes" by Federal law:

- Race – Civil Rights Act of 1964
- Color – Civil Rights Act of 1964
- Religion – Civil Rights Act of 1964
- National origin – Civil Rights Act of 1964
- Age (40 and over) – Age Discrimination in Employment Act of 1967
- Sex – Equal Pay Act of 1963 and Civil Rights Act of 1964
- Pregnancy – Pregnancy Discrimination Act
- Citizenship – Immigration Reform and Control Act
- Familial status – Civil Rights Act of 1968 Title VIII: Housing cannot discriminate for having children, with an exception for senior housing
- Disability status – Vocational Rehabilitation and Other Rehabilitation Services of 1973 and Americans with Disabilities Act of 1990
- Veteran status – Vietnam Era Veterans Readjustment Assistance Act of 1974 and Uniformed Services Employment and Reemployment Rights Act
- Genetic information – Genetic Information Nondiscrimination Act
- Sexual Orientation – United States v. Windsor

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Individual states can and do create other protected classes, which are protected under that state's law.

## See also

- Office of Fair Housing and Equal Opportunity
- Equal Employment Opportunity Commission
- Civil Rights Act of 1968—In particular, Title VIII of the Act, also known as the *Fair Housing Act*
- Affirmative action
- Protected group
- Suspect classification

## References

1. ^ "Civil Rights Act of 1964 – CRA – Title VII – Equal Employment Opportunities – 42 US Code Chapter 21" ([http://finduslaw.com/civil\\_rights\\_act\\_of\\_1964\\_cra\\_title\\_vii\\_equal\\_employment\\_opportunities\\_42\\_us\\_code\\_chapter\\_21](http://finduslaw.com/civil_rights_act_of_1964_cra_title_vii_equal_employment_opportunities_42_us_code_chapter_21)). Retrieved 2010-06-06.

## External links

- 14th Amendment of the United States Constitution ([http://finduslaw.com/us\\_constitution\\_5th\\_and\\_14th\\_amendments#2](http://finduslaw.com/us_constitution_5th_and_14th_amendments#2))
- Office of Fair Housing and Equal Opportunity ([http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp))
- File a housing discrimination complaint ([http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/online-complaint](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/online-complaint))

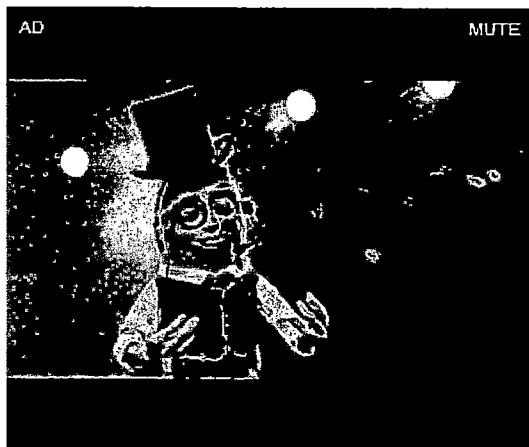
Retrieved from "http://en.wikipedia.org/w/index.php?title=Protected\_class&oldid=572482754"



Categories: Discrimination in the United States | Collective rights | Legal term stubs

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# **Transportation Consultant Selection**

**Questions Needing Council Direction/Clarification**

Council Work Session  
10/9/13 Attachment "B"

## **What does updating the 2010 Transportation Plan include?**

The 2010 Plan considered transportation needs through 2030. The plan needs to be updated to reflect:

- Current populations and GOPB growth projections
- Economic trends that may affect Santaquin growth and travel demands through 2040.
- New land use details. New TAZ areas and trip generation models need to be created to reflect the new plan.
- Priority projects and project costs need to be updated.

## **What scenarios are contemplated in the planning process?**

The 2010 plan considered five scenarios;

- Buildout (includes master planned system)
- Buildout with new interchange at 12400 South
- Buildout without interchange at 12400 South
- Buildout with Commuter Rail station
- Buildout with Commuter Rail station and interchange at 12400 South

The 2013 plan needs to update the above scenarios and add one more;

- Buildout with Commuter Rail, with 12400 South interchange, and with Goshen Valley Freeway connection.

## How will oral interviews and bid submittals take place to make sure no one is given an unfair advantage?

### Interview Setting:

Option	Pros	Cons
Open Meeting	Open to public. All Council involved.	The last consultant gets the advantage of knowing what's been said. May create public clamor.
Closed Meeting	Consultants interviewed individually. All Council involved.	Restricted dialogue.
Non-public Interview	Consultants interviewed individually.	Limited number of Council can attend.



## How will oral interviews and bid submittals take place to make sure no one is given an unfair advantage?

### Bid Review:

Option	Pros	Cons
Prior to Interview in public meeting	Open to public. All consultants aware of price.	May bias the interview process, which is currently established as a desired evaluation step and selection criteria.
In Interview	Not an option. Any public bid process is required to be open to the public.	
After interview in public meeting	Consultants interviewed individually without a bid biasing the Council.	Decision turnaround time is narrow, but can be done during the meeting with additional discussion allowed.