

MINUTES OF A SPECIAL COUNCIL MEETING
HELD AT THE CITY HALL
JANUARY 26, 1988

The meeting was called to order by Mayor D. Lynn Crook at 7:02 p.m. Also present were Councilmen Sherman Jones, LaMar Openshaw, Dennis Lamb, Marilyn Clayson and Max Holman. The minutes were recorded by City Recorder, Charles Greenland. The Pledge of Allegiance was led by LaMar Openshaw and the invocation was offered by Marilyn Clayson.

Discussion of salaries, benefits, hours, & etc., of City employees : Mr. Crook told of the new Council and Mayor holding special interviews with certain of the City employees and of follow-up interviews with some of them to determine their feelings, to find out how much comp and vacation time they had coming and how much they made. He further stated that the law requires the Mayor to appoint certain employees after each Municipal Election. There was a question as to whether the Justice of the Peace was one of those to be appointed this year.

Mr. Crook stated that for some time the City office employees have been combining their two 15 minute breaks per day for a 1/2 hour lunchtime. The Council had considered changing this procedure. There is also a problem with comp time as the employees have, at this time, accrued over 2000 hours of comp time which, if the City had to pay it off at once, would cost over \$20,000. He stated that this evening the Council would discuss some requirements on comp time which will come up in the discussion. He stated that it was the opinion of the City Attorney that there was a Federal law concerning vacation time and the City will abide by that law.

Mr. Crook stated that the Council had been prepared to make motions to adjust the office hours and to define clearly the overtime policy but that the City Attorney had advised them that such things could not be discussed except in a public hearing with 7 days notice.

The Mayor then introduced the subject of office employees' time. It was suggested that the employees should take a 15 minute break in the morning and one in the afternoon. Mrs. Edith Jarvis asked if the office would be closed during that time and was told that the employees would rotate their break and lunch times so that there would be no closing of the office from 9:00 to 5:00. Donna Bott asked if the 15 minute break was a State law, as where she works, at the School District, that is not the case. Mr. Greenland stated that the State law was that women and minors must have a 10 minute break after a maximum of 2 1/2 hours of work, while men do not get a paid break except through the City Ordinance. After discussion and clarification Mr. Jones made a motion that the procedure in the office hours be changed to include a 15 minute break, or a 1/2 hour break in an 8 hour period, a normal work day. Mrs. Clayson objected to the motion as made so Mr. Jones withdrew the motion. After further discussion Mr. Jones made a motion to set rest time and lunch time making a 37 1/2 hour work week from 9 a.m. to 5 p.m. for each office employee. Further questions were clarified including one concerning why the employees would be paid for 40 hours if they were only working 37 1/2. They will use comp time to make up for the 2 1/2 hours, thus eventually exhausting their backlog of comp time. As for Mrs. Rosenlund and Mr. Greenland, they will continually be getting comp time by being present at Planning & Zoning meetings and at City Council meetings. Mr. Jones added that there will be a two 15 minutes breaks and a 1/2 hour lunchtime during the work day. Mr. Openshaw seconded the motion and it passed unanimously.

Mr. Crook reiterated that there is, at present, a backlog of over 2000 hours of comp time held by City employees. He stated that the Council had

agreed that all comp time would only be granted on prior approval, except for emergencies. The question needs to be resolved as to who will give the prior approval. Mr. Jones suggested that the approval come from the Council member over the particular department. Mr. Crook suggested that the motion also include a solution as to when comp time must be taken. There was a discussion as to when comp time could or should be taken and Mr. Crook suggested that to solve the problem, some citizens who will work for \$4 or \$5 per hour should be called out instead of the regular crews. Mr. Jones stated that it would be very difficult for the water department to do that as it is pretty specialized work. Mr. Crook told of a conversation he had with Eldon Greenhalgh who had agreed that he would work for the City on an "on call" basis for \$5 per hour. Mr. Openshaw suggested that the outside employees also work a 37 1/2 hour week. Mr. Crook asked if there were any objections to putting the rule into effect that no comp time be allowed except on prior approval from the Councilman over the department and if the Councilman were not available then approval would be asked from the Mayor. The Council agreed that will be the policy from now on. Mr. Lamb reminded the Council that the issue of time limits for taking accrued comp time had not been resolved. Mr. Openshaw suggested that employees take that accrued as quickly as possible. Mr. Lamb suggested that a maximum of 30 days be set for taking comp time. A short discussion ensued; in which the question was not resolved.

Mr. Crook stated that a new time card had been devised and approved by the City Council for the use of the office and outside employees except the Police. The new card will be required of these employees beginning Feb. 1, 1988. Mr. Crook had a supply which he requested the City employees who were present to avail themselves of and get used to using them.

Appointment of statutory employees : Mr. Crook stated that technically, the employees were working for Pro-Benefit and he suggested that the contract with Pro-Benefit be severed. He asked for a strqw vote of the Council to determine their feelings and there was unanimous agreement that the contract should be ended.

Mr. Crook stated that there was a question on the Justice of the Peace. He had requested from the Administrator of the Court, an application for Justice, since he expected there would be a new Justice in Santaquin. A letter had been received from the Court Administrator which was read by Mr. Crook. The letter outlined some criteria to be considered in choosing a new Justice and addressed the question of the appointment of Mr. Jay Peterson. The State statute indicated that terms of Justices begin on Feb. 1, 1988, but Mr. Peterson was appointed for a 4-year term in 1986 so the question of his appointment by the current Mayor is still in question. Mr. Crook stated that he will call the Court Administrator to have them resolve the dilemma. Mr. Peterson's appointment made in 1982 should have ended in 1984 but an error was made at that time.

Mr. Crook said that, as he understood the law, he was obligated to appoint 5 employees of the City. He stated that in an Executive session last week the City Council had agreed to eliminate the position of Superintendent of the Parks and Cemetery. He called for a motion to do so. Mr. Openshaw motioned that the position of Superintendent of Cemetery and Parks be eliminated and that a later date a Sexton will be appointed. Mrs. Clayson seconded the motion and on a roll call vote Mrs. Clayson, Mr. Holman, Mr. Jones and Mr. Openshaw voted for and Mr. Lamb voted against. The motion carried 4-1. Lynnette Neff, wife of the employee just terminated, asked to be heard and was given the floor. She first asked if Mr. Neff was off the payroll as of today. Mr. Crook said "the first of the month". Mrs. Neff asked if he would be paid in lump sum the amount due for his accrued comp and vacation time and was told that he would be but that proof of those hours would have to be submitted.

Mrs. Neff then stated that at the meeting last Tuesday the Council refused to discuss the matter of Ed's layoff with them. On Wednesday morning on the street someone who worked at the packing shed stated that it was too bad that Ed was losing his job. After the meeting last Tuesday she had the understanding that the title was all that was being eliminated, not the employee and had to explain to her son that she had been misled by adults. She also stated that Ed had not taken anyone for a ride but had been a loyal, hard working employee. She requested that Ed be laid off so that he could receive unemployment and that his vacation and comp time be paid on the next payroll check.

Mr. Jones told Mrs. Neff that he hoped that she understood that the move was being taken to save the City money and that it was not a slap in the face for Ed. He also stated that he hoped that there would be no hard feelings. Mr. Neff is greatly appreciated by the City for the work he has done.

Mr. Crook reviewed the history of interviews with Ramona Rosenlund, specifically when he and Mr. Jones met with her and suggested that she take a cut in pay in order to be reappointed. Mrs. Rosenlund was asked to respond to Mr. Crook by last Friday as to whether she would take a cut in pay. Some of the City Council feel that \$12,000 per year was adequate for her position. Mrs. Rosenlund responded that Mr. Crook had told her at that time that the reason was because she should not be making more than the Recorder. She felt that that was not fair when she had been on the job for 9 years and the Recorder had only been working for 6 months. A citizen, Edith Jarvis, asked what hourly wage Mrs. Rosenlund was now making and what it would be at \$12,000 per year. Mrs. Rosenlund responded that she was making \$9.80 per hour and the reduction would be to \$5.76 per hour.

Mr. Crook then stated that up to the present time Mrs. Rosenlund had not indicated whether she would take a cut or not and because of that he would not appoint her as Treasurer. Mrs. Rosenlund then stated that her last day would be Friday. Mr. Crook pointed out that there was a law which called for the old treasurer to stay in position until a new treasurer was appointed. Mrs. Rosenlund disagreed with the Mayor and stated that she could stay in office if she wanted to but was not required to and so Friday would be her last day. Mr. Crook then asked for a motion to ask for applications for Santaquin City Treasurer. No motion was made in regards to appointing Mrs. Rosenlund. Mrs. Clayson so moved, Mr. Holman seconded and on a roll call vote, all voted in favor of the motion.

Mrs. Clayson stated that the position of Treasurer was a political one and that one should not expect to stay in that position forever and that the decision was not to be taken personally but a dollar saving move for the City. Mrs. Rosenlund responded that the wages and salaries of City employees currently take, within 1%, the same percentage of the budget that they took during the time Mr. Crook was Mayor before and during the time that Doyle Crook was Mayor. This statement was totally misunderstood by most present. Mrs. Rosenlund stated further that the amounts for her wages had been budgeted last year and that the budget had balanced so that the indication that the City had no money to pay her was totally false.

Mr. Crook stated that as for the budget, he had discovered that the Police Dept. didn't have enough money for snow tires for their cars and that there were a lot of things like that going on in the City.

Mr. Crook then stated that it was the consensus of the City Council that Charles Greenland keep his job. Mr. Greenland then interrupted and read his letter of resignation, stating that he would be leaving Thursday to go to a new job in St. Louis, Mo. No motion was called for or made to accept the resignation. Mr. Crook stated that that would save a lot of problems and asked if there were any other resignations to be read. There being none the meeting

continued with Mr. Crook nominating Mr. Dennis Barnes to keep his job. Mr. Jones made a motion that Mr. Barnes be reappointed, Mr. Openshaw seconded the motion and on a roll call vote all voted for the motion.

Mr. Crook then made a statement concerning the financial situation of Santaquin City and the probability that it could run on less money. Mr. Crook then stated that if any felt he were to blame and wanted to place the blame with him that he would accept that. He referred to the first executive meeting with the City Council when he stated that he would abide with the decisions that were made by them and this is what Mr. Crook felt that he had done. He stated that on occasion he had not necessarily agreed with the Council but had gone along with them anyways. He restated his readiness to accept blame for the problems at hand and also the fact that he had done what the City Council had asked of him, which concluded his remarks.

Mr. Crook then introduced a few other items of business. The first of which concerned a check from the Nebo school district for \$18,000 to reroof the school house. The second matter concerned a civil engineer, Mike Aldrich of Salt Lake, who wanted to discuss with the city the possibility of being the city's engineer. The Council indicated that they were satisfied with their present engineers and felt no need for any changes.

Mr. Crook then referred to the last meeting when the Council discussed the problem of Tischner's garage. LeMar had been assigned to contact Don Kaye about seeing if the ditch was to be closed on the east side of the road. A few days after the meeting Mr. Kay spoke with Mr. Crook about the possibility of having a meeting with the Summit Creek board and the City Council as soon as possible, perhaps sometime early in February. The purpose of the meeting would be to discuss 1) flood control, 2) the surplace water that overflows the head house, 3) the abandonment of the ditch. Mr. Kay stated that he was in favor of it but would not give permission without the Board's approval. Mr. Crook asked the Council to set a date for the meeting. The meeting was set for Wednesday, February 3, at 8pm being preceeded by the hearing at 7pm. LeMar was assigned to contact Don Kay with the date.

Marilyn made a motion to put up advertisements for the positions of City Recorder and City Treasurer. Mr. Crook expressed concern over there not being applications for applicants to fill out for the jobs. Sherman Jones responded that people were coming in and requesting specifications as to the job requirements and were becoming discouraged by this. Sherman Jones seconded the motion. Three advertisements were decided upon to run over a period of one week. It was decided that the applications needed to be in by February 5 by 4:30pm. Voting was unanimous in favor.

Mr. Crook called for any other miscellaneous business. Mr. Greenland spoke in regards to the public hearing on Wednesday, February 3. Concerning the city's CDB grant at the present time EMT equipment and fire equipment does not qualify because at the 1980 census Santaquin was not more that 50% lower moderate income city. In other words, at that time more that 50% were above that level. And so in order to find out if the city has changed since then a survey needs to be done before the hearing on the third. The survey consists of a door-to-door survey of approximately one-third of the households. It was determined that the EMT could handle the survey.

Mr. Greenland had one other order of business concerning a Community Development and Housing Needs Program which had to be done before December 31 in order for the city to continue to qualify for CDB grants. At that time the paper work was sent into the state and the state is now requesting that the City Council vote on acceptance of the program as soon as possible. The vote was delayed until the next meeting.

Mr. Greenland presented another matter of business concerning Lee Bates who had called to thank the city for good work on the roads during the last snow

storm.

A question was raised as to who would sign city employees pay checks, which require two signatures, if both the recorder and the treasurer would be gone. The question was also raised as to who would run the office with only a part time employee present.

Minutes of the last meeting were reviewed. A letter was read which was written by Jay Peterson, the Justice of the Peace, requesting that he be allowed to finish his term of office. Mr. Crook pointed out that no mention of the matter had been made at the meeting due to his appointment to speak with the Court Supervisor the next day.

Marilyn made a motion that the meeting be adjourned. It was seconded and the vote was unanimous. The meeting was adjourned at 8:55pm.

Approved this 16th day of February, 1988.

Original minutes signed by Mayor D. Lynn Crook.