

# City of Green River

460 East Main Street, Green River, Utah  
City Council Minutes  
Special Meeting  
Tuesday, October 27, 2020

**ATTENDING:** Mayor Travis Bacon, Council Members Kathy Ryan, Michael Silliman, Larry Packer, Bo Harrison and Kent Nelson; Employees Conae Black, Julie Spadafora, Phillip Stubblefield, Cameron Willford; Citizens Annalee Howland, Tammy Howland, Amy Wilmarth, Gwen Ambrose

**CONDUCTING:** Mayor Travis Bacon, the meeting began at 7:05 p.m.

## **ORDER OF BUSINESS:**

1. Discuss/approve/deny proposed employee compensation plan. Kent Nelson said he has spoken with some members of the City Council and was concerned that there was not any plan in place for the future. He liked the step system that is used by the Emery County School District. Larry Packer also in favor of a step system rather than throwing money at this problem. Kathy Ryan said UDOT bases the employee raises upon performance rather than step and grade system and would like to look into that and let the employees decide which one would be best because they know more about what their jobs are than most of us. Mayor Bacon said that Cameron Willford has been working on formulating a plan. They discussed having a performance plan where the employee and their supervisor set goals. At one time we discussed having a part COLA part performance raise each year. When it comes to that time rather than being completely subjective it would be objective because the goals would either have been met or they weren't. These goals would largely be set by the employee. Bo Harrison said that is good on the years where there is good tax revenue but feels that on the lean years the employee incentives should be curved. Mayor Bacon agreed and Kathy Ryan didn't feel the employees would object to that. Bo Harrison agreed with Kent Nelson that a plan needs to be in place. He felt that some of the employees have been here for a while and they think they should be further than they are which is building a tension. He would like to show them a piece of paper of what they can expect in five or ten years. Cameron Willford said both the step & grade system and COLA/performance plans are common. It all depends on what the City Council wants for their employees. He said that he worked on a step and grade system with Mayor Brady at one time but they stepped away from it because there were too many city employees who were doing so many different jobs which made it very difficult to put something together that made sense. Personally he feels that a step and grade system pays someone for just having the job. The employee gets the attitude that just because they stayed for one more year or just because they obtained a certification that they didn't really need for the job because you are paid a bunch of money for it for the rest of their career. It is sort of a dangerous to do because it can get expensive if people stay on for a long time. What he has been trying to put together for the city employees is a 1 ½% COLA and a 1 ½% performance. There is always a concern that a boss may not want to make his employee mad in a small town so he/she does not want to take away that 1 ½% because it is easier. That is why we set it up a different way. The idea is the employee and the supervisor sit down together and say this is what we are looking at, this is what you need to accomplish and let's talk about it. Together they make a plan and set goals. If there is some kind of certification that you feel they needed or some project they are working on that you want them to complete you set that up as goals that they work on for the next year. At six months you do a review and at the end of the year you look at their performance. Then it is not based upon whether you like them or not it is based upon a review of the goals set that the employee participated in setting. Kent Nelson asked if there was a form that is filled out because if you just write it down somewhere then it will just get lost. There also needs to be a firm date on when this happens every year. It can't just be random. Cameron Willford said its already in the employee handbook but it just hasn't been done. He is in the process of updating the handbook and hopes that it will be complete by the December City Council meeting. He would like to know which direction the City Council intends to go so he can adjust the employee handbook accordingly. Kent Nelson said another problem that the new City Council Members had were they were not involved in the process and all they

saw was the power point presentation. Mayor Bacon said he should have informed the Council that this was being worked on but this has been an issue for years. Kathy Ryan attested to the work that has previously been done on a better employee compensation plan. She and Phillip Engleman worked on a step and grade and performance goals system. She likes the performance plan where employees and supervisors together can set goals to advance them. Mayor Bacon said he has worked and managed under a step and grade system but personally feels a performance system is much better if it has some defined parameters as already discussed. He asked the Council if they liked the performance system that Cameron Willford just presented. Kent Nelson said he would like to add that if the evaluation doesn't happen then the raise doesn't happen. Phillip Stubblefield said in his working experience he was given a 2% to 3% COLA raise and if the budget allowed an additional 1% to 1 ½ % merit raise based on evaluations. The problem is when you do performance or merit increases with people you work with every day it is hard to look at them and tell them no. It can cause some resentment if the employee is not given the merit raise. There was some discussion on performance evaluations. Will the performance evaluations be measurable? Will the supervisor make good decisions? Bo Harrison asked if the City Council could review the goals and did not have confidence in supervisors giving accurate reviews. Phillip Stubblefield said that seemed like micromanagement because the Council does not see their daily work. Mayor Bacon said it is not uncommon for the leader over the supervisors to review the evaluations. Phillip Stubblefield said he has said this before but he has never seen where the city councils are over a department. They should be all one unit and employees and departments should go through a town manager. Mayor Bacon said we are different. We don't have a city manager. Conae Black is a City Administrator but she is not a traditional city manager. That is the reason we break things up like that. Kathy Ryan liked the idea of the council being over everything. The council does not have the knowledge and expertise as the employees. Bryan Meadows is the Public Works Director and Conae Black is over the office and Public Works come to her for advice. The Council can keep an eye on things but we shouldn't be their boss. Mayor Bacon felt that the Council does not have overbearing personalities and let the departments manage themselves. You guide and advise but don't run the departments. He said if the city has an exceptional performer would anyone be opposed to a merit based raise. It would need approval from the City Council and would hate to not reward an outstanding employee. Kent Nelson said it would depend. If he is hired as a maintenance worker but he has a Doctorate degree doesn't mean he should get the wages for a Doctorate degree because he is overqualified for it. Bo Harrison said he would lean more towards a bonus rather than a pay increase for that situation. Mayor Bacon said a bonus might be the best way to handle that. The Mayor and City Council agreed that any outstanding performance or certifications obtained would merit a bonus rather than an increase in their wage. Mayor Bacon asked if they were leaning towards a step and grade system or an evaluation/COLA based wage system. Kent Nelson suggested a 1 ½ % to 2% COLA and a bonus for a good evaluation based upon performance. Phillip Stubblefield said bonuses do not let you gain throughout your career. Then the new people you hire are at a lower wage. Bo Harrison asked what Social Security's COLA is. Cameron Willford thought it was 1.67%. The Council decided that performance/evaluation/COLA system was acceptable as long as the evaluations happen and the performance goals are measurable. Cameron Willford said he has heard that the Council felt blindsided by his power point presentation. This is not true there were others involved. He does not want this to happen again and would like to set up a committee with some members of the city council as long as it doesn't make a quorum. Mayor Bracon said Cameron Willford has a background in HR. There was some discussion on filling the vacancy for animal control officer. The Council decided to offer a wage range of \$13.00 to \$19.00 an hour. In summary the Council will set up a committee who will work out the employee performance evaluations, the COLA percentage rate, and the period of time raises will be given.

**MOTION:** Kent Nelson made a motion to table this until next month. Kathy Ryan seconded the motion. **VOTE:** Michael Silliman, Kent Nelson, Bo Harrison, Kathy Ryan and Larry Packer voted aye. The motion carried.

2. Discussion on economic development incentive for fund raisers. Mayor Bacon said he made a mistake. For about the last four years the city has sponsored the "Hero's Among Us" charity event for wounded veterans and first responders. Either a veteran or officer or a family member

is brought in and there is a hunting event put on for them. They receive a new Benelli shotgun and it is a really enjoyable event. Generally, Emery County Travel Council pays half of the sponsorship and he will ask if they will contribute again this year. The mistakes that he made were he used the funds out of the Economic Development line item in the Capital Projects fund and did not realize that it was already earmarked to renew the contracts for Better City LLC and River Restoration. He knew of Better City LLC but not River Restoration. Another mistake that he made is he should have had an invoice up front before the check was cut. He knows that you need an invoice for the records but he didn't do that first. He stated that he has actually done that before but realizes his mistake and has learned from it. He stated that he has talked to most of the Council and asked if they need any more explanation or questions. He could spend some time and extol the virtue of what this does for the city's economic development efforts on top of it being an amazing charity event. Kent Nelson asked if there was an invoice yet. Mayor Brady said Scott Banasky is working on that. Bo Harrison asked what the city's purchasing policy is. There are two checks written. One for \$5,000 and the second one for \$12,000. Kathy Ryan said the city's purchasing policy allows for expenses up to \$5,000 before going out for bid. Mayor Bacon said apparently he has made another mistake by not following the purchasing policy. Bo Harrison said it is a lot of money and is very serious writing checks without invoices to a friend. Mayor Bacon stated that it is a small town and Scott Banasky does not make any money off of this. It all goes to the veterans or wounded heroes and this year the Primary Children's Hospital was another beneficiary. Kent Nelson said he understands that it is going to a good cause but at one of the budget work sessions he asked for a city donation for the school children here in this town and was told there was not enough money in the budget. But we can give \$17,000 to the Primary Children's Hospital that may benefit some people in this town. Mayor Bacon said it is possible. Kent Nelson said it does not have the direct benefit when we should put \$17,000 into youth sports or something useful in this town. Mayor Bacon felt that there was a little lack of vision here. He also said he remembered when the Council turned down the donation for the high school PTSA Grad Night event and he fought for that. Kent Nelson said he understands that we should make people feel good when they come to town but doesn't think the city needs to spend \$17,000 to do that. Mayor Bacon asked Kent Nelson if he was familiar with the term "return on investment". Bo Harrison asked for clarification on the Inland Port event. Mayor Bacon explained that was held before the Hero's Among Us event. Bo Harrison asked if this was border line bribery to take someone out and smooze them. Wasn't this what the hunt was about is to show them a good time. Mayor Bacon said it was for the Carbon, Emery, Grand and San Juan County Commissioners. Bo Harrison asked how much money they contributed. Mayor Bacon said they didn't contribute any funds. Bo Harrison told Mayor Bacon that this has shady written all over it. Mayor Bacon said he doesn't see it that way. Bo Harrison questioned whether Scott Banasky benefited from these events. Mayor Bacon said the IRS verifies it every year. The Hero's Among Us organization is a 501(c)3 organization and to maintain the tax free status you need to report everything. Phillip Stubblefield reminded the Mayor and Council of the laws established for excepting personal donations. Cameron Willford told Phillip Stubblefield he was speaking of donations that went directly to an individual and not to an entity. Bo Harrison asked Cameron Willford if he was familiar with the situation. Cameron Willford said tonight is the first time he has heard of it and Mayor Bacon concurred. Bo Harrison explained that two checks were written for the total amount of \$17,000 without invoices to a someone who was born and raised in Green River but is no longer a local citizen. He asked Cameron Willford what he thought was wrong here. Cameron Willford, Financial Director, said you never cut a check without an invoice. Bo Harrison asked who the checks were written to. Mayor Bacon said Scott Banasky Promotions LLC. Cameron Willford said that is significantly different. If it had been cut just to Scott Banasky it would be a problem. Mayor Bacon said it is hard to do business in a small town. Kent Nelson said it looks terrible to him because it was never in the budget and never discussed. Bo Harrison told Mayor Bacon that he felt he overstepped his power by a long way. Mayor Bacon said maybe he did but it wasn't intentional. Bo Harrison asked what the money was spent on. Mayor Bacon said usually it has been spent on promotional items. This year the hunting vests all have the city logo on them and the city sponsored that. There were also some promotional knives and other materials. Scott Banasky has a world class trap range and he threw in a sponsorship for the range. One of the stations will have the Green River logo. Bo Harrison felt it was really

expensive advertising and he doesn't see any of the beneficiaries of the event building businesses in Green River. Mayor Bacon said he has made a vast amount of his connections through these events. 70% of the economic boom that Green River could experience is through these connections. \$17,000 is a pretty small price to pay for that. These will bring in quality jobs and break cycles for intergenerational poverty. Conae Black stated that it is a marketing technique and one of many techniques that are taught by Economic Development Corporation of Utah (EDCUtah). It is called "relationship marketing". Mayor Bacon said he has been trying to make contact with each member of the council to tell them that there are several industries interested in coming into the west side industrial park. These are big entities that will bring in good head of household paying jobs. Kathy Ryan said Mayor Bacon made a mistake but he does very well marketing Green River. Bo Harrison said he can't argue with that. Kent Nelson asked more questions on Banasky's shooting range. He stated that there will be a station that has Green River City all over it but is that range only going to be used by this foundation. Mayor Bacon said one of the great things about it is we can take anybody we want to the range. He said that he has learned from this and will not make the same mistake twice. Bo Harrison asked what is going to be different next time because there are some loop holes here. There was a Councilman who also signed the check without an invoice. Mayor Bacon said that was not on the councilman. He is sure that he assumed it was done correctly. Kent Nelson asked if there were procedures in place to protect city funds. The answer is yes. Bo Harrison asked if the city employees know that they have the right to say no and not lose their jobs. Mayor Bacon said Conae Black educates him all of the time. Kent Nelson asked if Conae Black educated him when he came in to get this check. Mayor Bacon said he didn't talk to Conae Black. Kent Nelson asked Conae Black if the Mayor talked to her. She said he talked to Julie Spadafora. Kent Nelson said he is concerned how many times this has happened. Conae Black said it has never happened before. Mayor Bacon said he hopes the Council understands that he would never misappropriate or misuse city funds. Conae Black said she has worked with the Mayor long enough that she believes what he says. This is a marketing technique that allows you to tailor your message and brings people in and because of the Mayors ability to do that he has really marketed the city. Kent Nelson asked Conae Black if she knew the Mayor was doing this. Conae Black said he spoke to her about it briefly. Kent Nelson said if these actions were a breach in policy what would the recourse be. Kathy Ryan asked Kent Nelson what he wanted it to be. Kent Nelson said he doesn't know and wanted to know if there was some kind of recourse. Cameron Willford said he has not read a policy that states some kind of action. Conae Black said perhaps one recourse could be to ask for the \$12,000 check back. Kent Nelson said he wanted to do that. Mayor Bacon said that would be a very bad idea and understands that they are upset and apologized again. He is not dishonest when it comes to city dealings. He never has been nor will he ever be. He has done himself harm on behalf of the city financially, physically, emotionally and health wise.

3. Discuss/approve/deny appraisal agreement with The Appraisers. Conae Black explained that this is another step towards the city's plan for the Gateway into the West Industrial Park. There are not many appraisers who do appraisals on commercial and industrial property. He is one that she found who is familiar with Green River and the surrounding area. The city has used him one other time. She reminded the Council which property the city has interest in getting appraisals on. The quote she had was from The Appraisers for \$14,000. This money will come out of the Capital Projects fund. **MOTION:** Kent Nelson made a motion to approve the appraisal agreement with The Appraisers for \$14,000. Kathy Ryan seconded the motion. **VOTE:** Kent Nelson, Bo Harrison, Kathy Ryan, and Larry Packer voted aye. Michael Silliman abstained from voting. The motion carried.

4. Adjourn. The meeting adjourned at 8:23 p.m.

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Travis Bacon, Mayor

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Conae Black, City Recorder

Approved: December 8, 2020