

**TREMONTON CITY
CITY COUNCIL MEETING
January 20, 2009**

Members Present:

David Deakin
Roger Fridal
Lyle Holmgren
Jeff Reese
Max Weese, Mayor
Richard Woodworth, City Manager
Darlene Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Weese called the January 20, 2009 City Council Workshop to order at 6:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Mayor Weese, Councilmembers Deakin, Fridal, Holmgren, and Reese, Manager Woodworth, Zoning Administrator Steve Bench, Police Chief David Nance, and Recorder Darlene Hess were in attendance. Councilmember Wood was excused from the meeting. The Council reviewed the agenda and discussed the following items in detail:

- ▶ The Council discussed fire response to Elwood, Deweyville, Bear River City and Box Elder County on page 5 of the Financial Statement. Manager Woodworth informed the Council that Elwood, Deweyville and Box Elder County paid their pro rata share of fire response for last fiscal year. It does not show on the financial statement because it was paid prior to July. Bear River City has decided to go with another municipality.
- ▶ In discussing the Warrant Register, Councilmember Fridal asked what the Northern Utah Conservation District charge was for. Manager Woodworth said it is the payment commitment the City made to help pay for the drain line study and drain line mapping.
- ▶ Mayor Weese asked to have YWCA 10-41-570 changed to read YCU 10-41-570. The City has budgeted \$2,000.00 for the Boys and Girls Club which has not been paid out yet. Manager Woodworth said the Club is aware the money is available. They call the City when they want the money.
- ▶ Manager Woodworth informed Councilmembers that the cost to fax five papers is costing the City approximately 25 cents. Local retailers offering this service are charging \$1.50 for the first sheet and \$1.25 for every sheet thereafter. The City is not currently offering this service to the public. The Council discussed the fairness of competition with the private sector.
- ▶ Manager Woodworth informed the Council that every time the City has a zone change, someone comes in complaining. The City is not required to advertise the draft of the Zoning

Map, Transportation Map, Land Use Map and accompanying Zoning Ordinances. They have always notified the community properly per State Code. The City is making every effort to ensure that the public is made aware of the proposed changes through placing a notice in the newspaper for the review. Zoning Administrator, Steve Bench, told the Council that they will bring this issue back two or three times so the public knows about it.

- ▶ Mayor Weese informed the Council that Utah League of Cities and Towns Spring Conference will be held April 15, 16 and 17, 2009. Please let Recorder Hess know if you will be attending these meetings.
- ▶ Mayor Weese informed the Council of a Retirement Dinner for Librarian Lorna Adams on January 24, 2009 at 6:00 p.m. at Munn's Bar TJ Steakhouse. An Open House for Lorna will be held January 30, 2009 at the Civic Center from 2:00 to 4:00 p.m.
- ▶ Manager Woodworth informed the Council that Chris Hogan from UTOPIA is in the process of negotiating rates to determine if the City should go forward with resolving the issue of porting phone numbers from Frontier. The City's current phone system is approximately 18 years old and becoming outdated. The company we are working with will put together a proposal for a new phone system for the City. Other vendors will be contacting the City to bid on phone services and equipment for the City as well. The phone system will be interfaced with the computers. Manager Woodworth informed the Council that Kathryn Bodtke will be the go-to-person on the phone system.
- ▶ Manager Woodworth told the Council that there are things he wants them to remember. He has compiled a list of almost forth-five items. Manager Woodworth went through the list as follows:
 1. Follow up on the 3/4 million gallon Randy Marriott tank which will take care of the Marriott development and is it's own water zone.
 2. All hillside drainage goes to the 2000 West pond. There are sections in between the hillside and the 2000 West pond that needs to be developed.
 3. Rocky Mountain Power has partnered with the City on the 2000 West development by being pro-active in providing electrical service to the area.
 4. The goal regarding the 3/4 million gallon tank is to only give credit to Marriott to build the tank on the lots he is going to service from the tank. Tremonton City will not fund any part of this project - we will just not charge for impact fees for water. Our engineer will tell you that the tank in this area will service the entire city because it relieves demands elsewhere.
- ▶ Manager Woodworth informed the Councilmembers that the State will be cutting back on funds for the Senior Center, by about \$26,000.00. With this comes an additional \$26,000.00 plus loss in Federal Funds. Manager Woodworth has visited with Senior Center Director

Marion Layne. The City has discretionary funds that could possibly make up this shortage short term. If the City uses their own funds to make up this difference, then the City will be locked into paying this shortage every year which it cannot afford, especially since most people served are not City residents.

- ▶ Manager Woodworth informed the Council that Carl Cook from the Boyer Company and the Economic Development will only go forward as far as the City pursues the endeavor to fill the La-Z-Boy Plant building.
- ▶ Manager Woodworth said the City is in the process of putting together a new job description for the Fire Chief. When it is in place, it will give the Fire Chief the same authority as a department heads. A seven-member committee will be organized to select the new Fire Chief, with members from the City Council and Fire Department. Terms will be staggered for each officer. The Mayor and Council will ultimately decide all appointments.

Manager Woodworth informed the Council that there are people in the Fire Department who want to have a Fireman's Association. He told the Council that he offered to have the City Attorney assist in setting up the association. If they want him to help, the department will have to come to the City.

Manager Woodworth told the Council that the Fire Department is trying to stagger the terms of office to ensure that corporate memory is in place. The Council discussed morale in the department. It is not good for a volunteer department to have division in the department. City Policy was discussed in regards to this issue.

- ▶ The question came up on the Fire District and where this issue stands. The people voted down the Fire District; however, municipalities are still talking about going to the district by funding it with their City dollars.

Manager Woodworth informed the Council that fire agreements are as proceeding as instructed by the Mayor and Council.

- ▶ Mayor Weese informed the Council that City Public Works Director, Paul Fulgham, has been appointed to the National Rural Water Board.

Meeting adjourned at 6:55 p.m.

CITY COUNCIL MEETING

Mayor Weese called the January 20, 2009 City Council Meeting to order at 7:00 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Mayor Weese, Councilmembers Deakin, Fridal, Holmgren, and Reese, City Manager Woodworth, Zoning Administrator Steve Bench, Police Chief David Nance, and Recorder Darlene Hess were in attendance. Councilmember Wood was excused form the meeting.

1. Opening Ceremony:

Mayor Weese informed the audience that he had received no written or oral requests to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was given by Councilmember Deakin and the Pledge of Allegiance was led by Councilmember Holmgren.

2. Approval of agenda

Mayor Weese asked if there were any changes or corrections to the agenda? No comments were made.

Motion by Councilmember Holmgren to approve the January 20, 2009 City Council Agenda. Motion seconded by Councilmember Reese. Vote: Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Deakin - aye, and Councilmember Fridal - aye. Motion approved.

3. Approval of Minutes - January 6, 2009

Mayor Weese asked if there were any additions, changes, or corrections to the minutes? No comments were made regarding the minutes.

Motion by Councilmember Reese to approve the minutes of January 6, 2009. Motion seconded by Councilmember Fridal. Vote: Councilmember Reese - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, and Councilmember Deakin - aye. Motion approved.

4. Introduction of guests

Mayor Weese welcomed Mr. Littlefields' Bear River High School Government Class to the meeting and told them that he is always happy to have them attend City Council Meeting. Councilmember Reese informed the audience and Council that the Bear River High School Cheerleaders had taken First Place at State.

5. Common Consent:

- a. Consider adopting the December Warrant Register
- b. Consider adopting the December Financial Statement

Motion by Councilmember Fridal to approve the Common Consent items. Motion seconded by Councilmembers Deakin and Reese simultaneously. Vote: Councilmember Fridal - aye, Councilmember Deakin - aye, Councilmember Reese - aye, and Councilmember Holmgren - aye. Motion approved.

6. Request(s) to be on the agenda:

a. BRAG Presentation

Lisa Dustin distributed handouts of information explaining various Bear River Association of Governments programs. Ms. Dustin also handed out pamphlets on the BRAG Heritage Programs which encompasses heritage tourism. BRAG has a Certified Local Government Program which qualifies communities that have been “certified” by the Utah State Historic Preservation Office and the National Park Service. Once certified, municipalities are eligible for projects such as:

- * Conducting architectural and archaeological surveys
- * Nominating properties to the National Register of Historic Places
- * Printing walking tour booklets
- * Preparing feasibility studies and working drawings for property improvements
- * Rehabilitating National Register properties

Ms. Dustin told the Council that she was in attendance to assist cities in organizing historic preservation committees, and she encouraged the City to select and appoint a resident from the community to head a committee. Grants are also available for Heritage Preservation. The Council asked if the City would have a co-share on the grants. Ms. Dustin told the Council that generally the grants are 50/50. Mayor Weese thanked Ms. Dustin for her presentation.

Councilmember Holmgren told the Council that he thought this was a great thing. It is only time and effort at no cost. It could help with the Museum, buildings and barns. It is good for in-kind things.

7. New Council business:

a. Consider implementing a Fax charge for Library Patrons

Mayor Weese informed the Council that the City Library has had requests from patron wanting to send faxes. A fee schedule has not been set up for this service. Councilmember Holmgren stated that he felt enough businesses in town already provide this service. Councilmember Fridal asked if this service would benefit the Library or should it even be considered a service at a Library? The Council asked for more information on how many requests are made for this service. The Librarian will report to the Council before a decision is made.

The Council discussed the issue that the Fax Service is a lot like the sewer dump issue the Council reviewed in a previous meeting. It is competition with the private sector and the Council should not do it. Item tabled until further information is provided.

- b. Consider proposed changes to 100 South between 1st East and Tremonton Street

Manager Woodworth informed that Council that Carl & Don's Enterprise owns 18 feet of property into the street from the south wall of their building at 100 South 100 East. Ridley's grocery store currently occupies this building. It is proposed that the box storage area be fenced to make the area more aesthetically pleasing. The fence will not obstruct the line of sight. A stop sign could also be installed where the alleyway enters the street at 100 South. The City's Nuisance Officer, Greg Horspool, has visited with the Manager at Ridley's concerning this situation. The City is also proposing to add curb, gutter, and sidewalk along the street at this location with angle parking. The existing stop sign will be moved further into the street. The street will be made into more of a two-lane street with the addition of angle parking. An area will still be provided for supply trucks to dock and unload freight at Ridley's.

The project will cost approximately \$6,000.00 to \$7,000.00. In addition to this proposal, the City will remove existing trees and replace them with new trees along 100 South to 100 North on Tremont Street.

Motion by Councilmember Deakin to proceed with the proposed changes as presented at 100 South 100 East and Tremont Street. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, and Councilmember Reese - aye. Motion approved.

- c. Consider Resolution 09-02 amending its Articles of Incorporation for the Osborn/Madsen Annexation

Mayor Weese reminded the Councilmembers that this proposal at 1000 West 1300 South has been brought to the Council on several other occasions. Mayor Weese suggested combining item c and item d in one motion.

- d. Consider authorizing the certification for the State Tax Commission on the Osborn/Madsen Annexation

Motion by Councilmember Reese to approve Resolution 09-02 amending its Articles of Incorporation for the Osborn/Madsen Annexation and authorizing the certification for the State Tax Commission on the Osborn/Madsen Annexation. Motion seconded by Councilmember Fridal. Vote: Councilmember Reese - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, and Councilmember Deakin - aye. Motion approved.

- 8. Planning Commission recommendation(s):

- a. First reading of the draft of the Zoning Map, Transportation Map, Land Use Map and

accompanying Zoning Ordinances

Zoning Administrator Bench informed the Council of projects that the Planning Commission has been working on. Administrator Bench presented Zoning, Transportation, and Land Use Maps. Changes were pointed out which have been made to the current Zoning Map. On East Main Street from the river at approximately 350 East Main Street out to approximately 1330 East Main, 150 north and 200 feet south, will be changed to commercial zoning. This area was previously zoned R1-10, and has now been changed to Commercial District zoning.

Councilmember Fridal asked if this change will affect current residents living along this area. Administrator Bench said existing residents will be legal non-conforming and will not be adversely affected by this change. Manager Woodworth informed the Council that Utah is taxed by use not by zone, therefore, there will be no adverse effect regarding Property Taxes. Councilmember Deakin told the Council that the reason the Planning Commission decided to make this change was to dispel the confusion of mixed zoning at this location.

Administrator Bench informed the Council of a change in zoning on City property adjacent to the City Cemetery. This will be changed to Public Use for future Cemetery use. Chadaz Estates property at 340 West Main Street was previously zoned R1-10 and will now be zoned Mixed Use Residential. The Osborn/Madsen property south of town will also be zoned Mixed Use. Privately owned property on 1000 West, south of Main Street, will be zoned Commercial Highway. Morrison property at 1000 North by the new Hospital is being proposed to change to Commercial Highway. The River Valley Subdivision zoning will be changed to R1-10. Thousand Acres Subdivision will be a mixed zoning of current zoning usage. Administrator Bench informed the Council that these proposed changes will be made within the next month. There are also future zoning proposals for areas outside City boundaries which will give property owners the best opportunities for their land. The Councilmembers discussed use of roads in the proposed Brough Annexation at 1300 East. Manager Woodworth informed the Council that the County does not have authority over the City's decisions regarding annexations and/or road placement.

Administrator Bench displayed and explained the City's Transportation Master Plan map. These items will be put on the City Council's Agenda in two weeks, then a Public Hearing will be held sometime after that. Manager Woodworth stated the City will be holding several meetings to discuss and approve these issues being very up-front with the comprehensive zone change.

Mayor Weese asked the Council to review these changes and get with Administrator Bench if they have any questions or concerns.

9. Comments;

a. Administration/ City Manager Advise and Consent

1) Annual Local Officials' Day at the Legislature is January 28, 2009

Manager Woodworth reminded the Council of the Day at the Legislature on January 28, 2009. Everything is set up for this event. Councilmember Wood has organized and made arrangements for the Youth City Council to attend this event as well.

2) Manager Woodworth invited the Council to visit with him about separate items if they wished to do so to debrief prior to his resignation.

b. Council Reports

Councilmember Deakin informed the Councilmembers of a CERT Certification Class held January 17, 2008 on earthquake simulation. Approximately 50 to 60 people participated.

Councilmember Deakin told the Council that during the City's budget process, the Council might want to consider purchasing another snowplow for the City due to the issues they had during the snow storm. Heavier equipment is needed to handle the snow.

Councilmember Holmgren informed the Council that Library's Summer Reading Program will begin June 4, 2009. All residents of the community are encouraged to attend and invited to participate.

Mayor Weese informed the Council that the City has received 50 applications for the Recreation Assistant position. They have selected 12 of those 50 to be interviewed.

10. Public Comments: This is an opportunity to address the Council regarding concerns or ideas. Comments limited to three minutes.

Cari Doutre from The Leader asked if Manager Woodworth was resigning from the City? Manager Woodworth informed the audience that he will be resigning effective February 6, 2009. He has been offered another position which will better facilitate the needs of his wife and himself.

Mayor Weese informed the audience that the Council needed to discuss an issue. He called for a motion to move into a Closed Session. **Motion by Councilmember Holmgren at 7:47 p.m. to move into a closed Session.** Second by Councilmember Deakin. Vote: Councilmember Reese - aye, Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye. Motion unanimously approved.

Motion by Councilmember Deakin to return to opening meeting at 8:28 p.m. Second by

Councilmember Fridal. Vote: Councilmember Holmgren - aye, Councilmember Deakin - aye, Councilmember Reese - aye, Councilmember Fridal - aye. Motion unanimously approved.

11. Adjournment

Motion by Councilmember Fridal to adjourn the meeting. Motion seconded by Councilmember Reese. Vote; Councilmember Fridal - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Deakin - aye. Motion approved. The meeting adjourned at 8:30 p.m.

The undersigned duly acting and appointed recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council meeting held on the above referenced date. Minutes were taken by Shirley Colvin.

Dated this _____ day of _____, 2009.

Darlene S. Hess, RECORDER