

**TREMONTON CITY
CITY COUNCIL MEETING
FEBRUARY 3, 2009**

Members Present:

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

CITY COUNCIL WORKSHOP

Mayor Weese called the February 3, 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, Reese, and Wood, Manager Woodworth, Zoning Administrator Steve Bench, Police Chief David Nance, Public Works Director Paul Fulgham, and Recorder Darlene Hess were in attendance. The Council reviewed the agenda and discussed the following items in detail:

- ▶ Manager Woodworth informed the Council that the City does not have the final agreement from Randy Marriott on Country View Estates. We have the concept of the agreement. The City will utilize the transmission portion of the impact fee that Mr. Marriott will be assessed. We do not want to take the source and pumping portions. We will still make the necessary improvements for growth on pumps. Mr. Marriott has plenty of credits coming with all of the lots he is planning to have. The City will credit impact fees for each lot for the tank cost and the main line coming across the property because most developers use that supply as part of their impact fee. It pays for tank capacity. Mr. Marriott will put in all the pipe at his expense, then the City will credit him back for building the line. The tank holds 750,000 gallons which will take the development through the first phase. When the subdivision plat is final, the City should set dates for when these projects will be completed.

Councilmember Deakin left the meeting at 6:23 p.m.

- ▶ Mayor Weese informed the Council that UTOPIA will meet with the City on February 16, 2009.
- ▶ Mayor Weese informed the Council that he, along with Manager Woodworth and Paul Fulgham, met with a property owner on February 2, 2009 to discuss the possibility of the City purchasing a well in a neighboring community. Mayor Weese said the meeting went very well, however, the discussion is still in the preliminary stages.
- ▶ Director Fulgham informed the Council of a plugged drain at 2000 West Main. Director

Fulgham informed the Council that the City had to contact the State to report this issue which may result in fines. The problem has since been resolved. This line was installed in 1985 and has never had any problems until now. The plug was a result of grease waste from West Liberty Foods.

- ▶ Director Fulgham, also, informed the Council that the State is going to require cleanup and removal of phosphorous and nutrients from municipal water sources. The Council asked what the cost of this process will be? Director Fulgham said it would depend on the amount of phosphorous needing to be treated and the percent that the State sets on allowable phosphorous in the water. A time frame will be allowed for completion of the cleanup. In previous meetings, Manager Woodworth told the Council that the Treatment and Water Departments should never have to bond for additional funds. He told that Council that this project may require a bond depending on State mandates.

Councilmember Deakin left the meeting at 6:23 p.m.

Meeting adjourned at 6:55 p.m.

CITY COUNCIL MEETING

Mayor Weese called the February 3, 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, Reese, and Wood, City Manager Woodworth, Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, Police Chief David Nance, and Recorder Darlene Hess were in attendance.

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 hall for this portion of the meeting. The prayer was given by Councilmember Wood and the Pledge of Allegiance led by Councilmember Fridal.

2. Approval of agenda

Mayor Weese asked if there were any changes or corrections to the agenda? Being none there was a **motion by Councilmember Deakin to approve the February 3, 2009 City Council Agenda.** Motion seconded by Councilmember Wood. Vote: Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Deakin - aye, Councilmember Fridal - aye, and Councilmember Wood - aye. Motion approved.

3. Approval of Minutes - January 20, 2009 and January 27, 2009

Mayor Weese asked if there were any additions, changes, or corrections to the minutes? Councilmember Fridal asked to have a change on page one, paragraph two of the January 20, 2009 minutes to read "Councilmember Fridal asked what the check was for to the Northern

Utah Conservation District?”

Motion by Councilmember Holmgren to approve the minutes of January 20, 2009 and January 27, 2009 minutes with a change on page one, paragraph two of the January 20, 2009 minutes to read “Councilmember Fridal asked what the check was for to the Northern Utah Conservation District?” Motion seconded by Councilmember Fridal. Vote: Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

4. Public Hearing

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

Mayor Weese called the Public Hearing to order at 7:07 p.m. with 47 people in attendance. The issue of Zoning along Main Street from 300 East Main to 1600 East Main was brought up. The Council discussed which zoning would be best along East Main Street. Mayor Weese told the audience that the Planning Commission has recommended the area be zoned Commercial.

Councilmember Wood said a Mixed Use Zone might be a better fit for what already exists at this location. He told the Council that it will allow for commercial and residential development. If it is zoned Commercial, the City would lose control on what businesses comes into the area. Councilmember Wood told the Council that he felt that a Mixed Use would be best.

Zoning Administrator Bench told the Council that Mixed Use does not allow for the big box stores. Development of big box stores in a Mixed Use Zone would require a zone change. If the area is strictly Commercial Zone, any conflicting development would be required to obtain a Conditional Use Permit from the City. The area along East Main Street is currently zoned R1-10.

Mayor Weese asked the members in attendance from the Planning Commission, Councilmember Deakin, Administrator Bench, and Kasey Thompson, if they had any questions or concerns with changing the zoning along East Main Street to Mixed Use?

Administrator Bench said he was not opposed to changing the zone to Mixed Use. Councilmember Deakin said there might be concerns with limiting potential commercial developments in a Mixed Use Zone.

Manager Woodworth said the City has enough Commercial zoning already, and the State Legislature might be shocked with how much Commercial zoning the City will have if this area on East Main Street is zoned strictly Commercial. Manager Woodworth told the Council that he understood the Planning Commission adopted

this Land Use Plan together with the Country View Estates planned development. Country View Estates has been put on tonight's agenda twice, first as a part of the Public Hearing process and again later to consider accepting the Country View Estates Master Development Agreement. This was a recommendation from the Planning Commission to the City Council on Country View Estates zoning.

Kasey Thompson from the Planning Commission was asked for his opinion on this issue. Mr. Thompson stated that this was essentially the same discussion the Planning Commission had at their last meeting. He felt the Mixed Use Zone would be fine.

Mayor Weese asked if there were any other questions on this matter? Administrator Bench stated this issue also included in the City's Master Road Plan. Manager Woodworth stated that this is a very bold plan when you look at the City's east to west direction which includes incredible costs with natural and manmade barriers. It is still a good plan. Administrator Bench reminded the Council that they are considering three separate items in the Public Hearing: 1- Zoning changes withing current boundaries. 2- Transportation Map. 3- City limits for future land use.

Mayor Weese asked the audience and Council if they had any further questions? Councilmember Reese commented that the new maps show the good work the Planning Commission and Land Use Authority Board is doing, and he expressed his appreciation for their efforts. Councilmember Deakin said the Planning Commission has been working on these issues for several months. Mayor Weese, also, expressed his appreciation for their work.

Mayor Weese closed the Public Hearing at 7:15 p.m.

5. Introduction of guests;

Mayor Weese welcomed a group of Scouts and their leader from Troop 627 to the meeting. Mayor Weese also welcomed students from Mr. Littlefield's Class at Bear River High School.

6. Requests to be on the agenda:

a. Tremonton Pines - Roger Knoles

Mr. Roger Knoles told the Council that he is the developer of the Tremonton Pines Development at 300 South 600 West. This development will include 90 units with five to six buildings. Some of the units will be sold and some will be rented. Mr. Knoles asked the Council if they would consider reducing or eliminating City impact fees for this development as they are having difficulty financing the project.

The Council discussed the situation and expressed concerns about giving this project an unfair advantage over other similar projects. The City has made allowances for Crown Homes low income housing units, however, we do not make a practice of

reducing impact fees for other developments. The City does not have a need right now for additional multiple housing units. The City cannot afford to reduce/waive impact fees. It will set bad precedence. Mr. Knoles was asked who would pick up the slack to pay for this reduction? Mr. Knoles said all private developments should be given the same considerations and he told the Council that he understood the City's views and policies.

Motion by Councilmember Wood to deny the request for reduction of City impact fees to Mr. Knoles and Tremonton Pines Development. Motion seconded by Councilmembers Reese and Holmgren simultaneously. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Deakin - aye, and Councilmember Fridal. - aye. Motion approved.

Mayor Weese asked the youth in the audience if they knew what impact fees were for? No one in the audience commented. He then asked Councilmember Deakin to explain impact fees.

b. Falcon Hill Development - Kasey Thompson

Kasey Thompson informed the Council that the Planning Commission has been reviewing the Falcon Hill Development since last December and felt the Council should be briefed on it as well. Mr. Thompson said new large scale developments are underway on the west side of Hill Air Force Base near Ogden, Utah called Falcon Hill and the Utah Space Coalition. These developments are owned by the Air Force and will be leased by numerous private entities. More than 45 Department of Defense contractors have already shown an interest in taking up residency in these facilities.

Falcon Hill will have the potential of providing 30 to 50 thousand jobs in a ten to fifteen year period. It is predicted that for each position there will be three additional people in hired to work in restaurants, hotels, and manufacturing to support those businesses. Falcon Hill will consist of aerospace, composites and software, with the possibility of providing higher paying jobs. Hill Air Force Base is considering composite training for educating people to fill these positions through Weber State and Utah State Universities along with other satellite campuses.

The Utah Space Coalition is headed by former NASA Astronaut Charlie Precourt and Craig Bott along with other state residents who, through this program, are trying to draw a workload from NASA to Utah. This same endeavor is happening in Colorado where they have been able to draw hundreds of thousands of dollars in a space workload from NASA. The Utah State Senate has put together a package to encourage this transfer of a workload from NASA as well.

Our local area has access to space dynamic labs, college campuses, and the ATK Space Programs. Tremonton City sits in the middle of these resources and is in a good position to posture themselves to take on and benefit from this workload. Local manufactures could also benefit from supplying their products to the building of

facilities for this project.

Bruce Evans is over the development and would like to give a more detailed presentation to the Council. If the Council is interested, Mr. Thompson will set up a time for the presentation. Mr. Evans and Mr. Thompson are current employees at Hill Air Force Base and are not able to lobby State Representatives, however, the City Council will be able to lobby for the project should they feel it is a worthwhile endeavor. Mayor Weese told Mr. Thompson that the Council is interested in hearing more from Mr. Evans. Mr. Thompson was thanked for the information.

7. New Council Business

- a. Resolution 09-03 approving the form of the equipment lease agreement with Zions First National Bank, Salt Lake City, Utah. Finding that it is in the best interest of Tremonton City, Utah to enter into said agreement, and authorizing the execution and delivery thereof - Street Sweeper

Mayor Weese informed the Council that this is the agreement to purchase the new street sweeper and asked if there were any questions? Hearing no questions, Mayor Weese called for a motion.

Motion by Councilmember Reese to approve Resolution 09-03 approving the form of the equipment lease agreement with Zions First National Bank, Salt Lake City, Utah. Finding that it is in the best interest of Tremonton City, Utah to enter into said agreement, and authorizing the execution and delivery thereof. Motion seconded by Councilmember Fridal. Vote: Councilmember Reese - aye, Councilmember Fridal - aye, Councilmember Deakin - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.

- b. Consider appointing Mayor Weese to serve on the Land Use Authority Board

Mayor Weese informed the Council that this would be a temporary position to fill the place of outgoing City Manager Rich Woodworth. This position will be given back to the new City Manager when he/she is appointed.

Motion by Councilmember Fridal to appoint Mayor Weese to serve on the Land Use Authority Board temporarily until a new City Manager is appointed. Motion seconded by Councilmember Wood. Vote: Councilmember Fridal - aye, Councilmember Wood - aye, Councilmember Deakin - aye, Councilmember Holmgren - aye, and Councilmember Reese - aye. Motion approved.

- c. Consider appointing a person to serve as Chairman of the City's Historic Preservation Committee and Ordinance 09-04 establishing a Historic Preservation Commission to survey and inventory community historic resources, to review proposed nominations to the National Register of Historic Places, to review

applications for certificates of appropriateness, to provide advice and information to city officials and other government officials and to support encodement of state historic preservation laws.

The Council discussed the benefits of this committee. It could open up the possibility for grants and financial aid in preserving historical landmarks in the City. Several residents in the community could participate on the committee. Councilmember Deakin told the Council that he felt that the initial terms of office should be staggered, and possibly be set up the same as the Planning Commission's term. Mayor Weese suggested the Council come up with possible considerations for these appointments.

Motion by Councilmember Deakin to consider appointing a person to serve as Chairman of the City's Historic Preservation Committee and adopting Ordinance 09-04 establishing a Historic Preservation Commission to survey and inventory community historic resources, to review proposed nominations to the National Register of Historic Places, to review applications for certificates of appropriateness, to provide advice and information to city officials and other government officials and to support encodement of state historic preservation laws with changes in wording to match the Planning Commission terms of office. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- d. Consider Ordinance 09-05 amending section 2-5-3 (11) of the Tremonton Code to require the signature of the Land Use Authority Board Chair person to the final plat map of all new subdivision

Administrator Bench informed the Council that the City would like to implement a more thorough process for filing new final subdivision plat plans. This will give the City a more secure filing process. The signature of the Land Use Authority Board Chairperson will now be required on all final plat plans. The City will not record a plat until the bond for it is secured.

Motion by Councilmember Reese to approve Ordinance 09-05 amending section 2-5-3 (11) of the Tremonton Code to require the signature of the Land Use Authority Board Chairperson to the final plat map of all new subdivision. Motion seconded by Councilmember Deakin. Vote: Councilmember Reese - aye, Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.

- e. Consider Ordinance 09-06 accepting the Master Development Agreement for the Country View Estates Master Planned Community

Development Attorney Bruce Baird and Engineer Lee Watkins representing Country View Estates presented their Master Development Agreement for the Council's

review. Copies of the agreement and maps were handed out to the Council. Manager Woodworth informed the Council that this is also part of the City's Comprehensive Master Plan. The Council discussed the agreement and viewed maps of the site. Mr. Baird said the development would be completed in phases over a thirty-year period. Occasional amendments may need to be considered. Manager Woodworth said this was a very innovative concept where the City is in partnership with the developer. This is a very up-front, nice way of doing business.

Motion by Councilmember Deakin to table Ordinance 09-06 accepting the Master Development Agreement for the Country View Estates Master Planned Community for two weeks to give the Council time to review the agreement. Motion seconded by Councilmember Reese. Vote: Councilmember Deakin - aye, Councilmember Reese - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.

8. Unfinished Business

- a. Consider ISO 400 Training for March 31, 2009 and April 1, 2009 from 4:00 p.m. to 10:00 p.m.

Mayor Weese reminded the Council of the ISO 400 Training which will be held March 31, 2009 and April 1, 2009. The class will begin at 4:00 p.m. and go until 10:00 p.m. It was decided that the classes will be held at the Public Works Building.

9. Comments:

- a. Administrative/City Manager Advise and Consent

- 1) Presentation of Defensive Driving Certificates - December 2008

Mayor Weese read a letter he had received from Utah Local Governments Trust thanking Tremonton City for sending employees to the Defensive Driving Class. The employees that attended the class were: Kevin Allred, Mary Merrill, Gloria and Robert Nelson, Nick Nessen, Marilyn Rose, Mary Summers, and Marion Layne.

- b. Council Reports

Mayor Weese informed the audience that City Manager Rich Woodworth will be leaving the City for another employment opportunity. Manager Woodworth has spent 23 years with Tremonton City as City Manager. Mayor Weese told the audience that he has spent 19 years with the City - fifteen of those years he served as Mayor with Rich as the Manager. Rich is a hardworking, dedicated employee of Tremonton City. He has foresight, studies his plans and then brings them to City

Council where we decide on those plans. There has never been a time when he bothered the Council with anything not worthwhile. I know all of us will miss him. We will be able to fill his chair, but we will never be able to replace him. He is a wise individual. We are going to miss him.

Councilmember Holmgren seconded the Mayor's feelings. He told the audience that he has worked with Rich for many years in one way or another. He told the audience that he has enjoyed working with him and his friendship. It will be our loss to have Rich move on. If people really understood and knew all the things that have happened to Tremonton over the past 23 years, they would realize we are all beneficiaries of Rich's efforts. We will be grateful to him for a long time. Thank you Rich.

Councilmember Fridal told the audience that even though he is the new kid on the block, he has known Rich for a long time before he became a member of the City Council. Rich is a great man and a great advocate for Tremonton City. He is a wonderful person to be around and it has been a great opportunity working with Rich.

Councilmember Reese said he has worked for the City in one way or another for 19 years. He has spent five years on the City Council, eight years on the Planning Commission and Board of Adjustments, and six years on the Recreation Committee. He told the audience that he thought he was a glutton for punishment but Rich fit the bill more. The Manager position is a thankless job, and he appreciates Rich for being the Manager. Councilmember Reese told the audience that he is an emotional person. He has called Rich a dirty dog 76 times and will only take back about 50 of them. He then thanked Rich for his service.

Councilmember Wood told the Council that he first wanted to thank the citizens for allowing the Youth Council to go to the Day with the Legislature. He told the audience that the kids that attended had a neat experience. We were able to meet with our Legislatures and discuss what we want as a City. We were able to speak with the Legislature representatives and ask them not to pull any of our programs with the proposed budget cuts.

Councilmember Wood spoke to Manager Woodworth. He told the audience that he was good friends with Rich and he was proud to call him a friend. Rich always has Tremonton City's best will at heart. He has done a great job and anyone who has worked with him knows this. We are going to miss him.

Councilmember Deakin agreed with Councilmember Wood's comments on the trip to the Legislature. He then reported that Judy Mason had served on the Planning Commission faithfully for more than eight years and feels it is a good time to step down from the Commission. Councilmember Deakin expressed his appreciation for her contribution to the City and Planning Commission. The Commission will get a

name for a replacement to the Council by the next City Council Meeting or shortly thereafter.

Councilmember Deakin told the audience that he and Rich have butted heads during his tenure on the Council. He is not sure if there has been a Councilmember who has disagreed more on policy than he has. Councilmember Deakin told the audience that whether you agree or disagree with Rich, there is not a person that he can think of that can make an argument about what Rich has contributed to the City. Little pieces of Rich are all over town, and as you drive around you can see it. Rich should take good pride in what he has contributed. Councilmember Deakin told the audience that he had known Rich for some time. They went to the same church in when Rich first moved to town. Rich had hair back then! Councilmember Deakin thanked Manager Woodworth for what he has done for the City. He told the Council that Rich is a hard worker and he will be missed.

Director Fulgham left the meeting at 8:05 p.m.

Mayor Weese read a letter from former Recreation Director Rhett Ogden. Rhett expressed his thanks and appreciation to Tremonton City's administration, staff, and residents for their support and friendship while he was Recreation Director Ogden also expressed his appreciation to the residents of the valley.

Mayor Weese turned the time over to Manager Woodworth.

Manager Woodworth told the audience that he has certainly appreciated his time in Tremonton. There are many good men and women he has worked with in the City that he can truly say that he loves. When you say words, words sometimes sound trite, but we are truly a family. Like Councilmember Wood said, I am so proud to call each of these people my friend and to have had the privilege to have worked with them. Manager Woodworth told the audience that he is excited about his prospects. In three months if he is looking for a job, he won't be as excited, but he doesn't think that will happen. Manager Woodworth told the Council that he is also excited for Tremonton. I believe that you are going to have applicants that are going to be wonderful people that can bring new ideas and be innovative in different ways. You won't even know there's been a bump in the road after a while, and I really believe that.

Now as far as our friendships, not even distance or time can take our friendships away. Dave and I teased each other a little bit here earlier, but the fact is I love each one of these men. They are great men. I've had the privilege of working with so many wonderful people. I have a little theory about mentioning names; it's no fun to be left out. I can truly say that the Council and people I've worked with in Tremonton City are truly wonderful. They are people to whom I owe a debt of gratitude. I have past City Recorders, Treasurers and past office staff people who I

just think the world of. I served as Manager of Riverton City, Utah and life was not fun there. The complaints were always -- and overwhelming. It was a hard place to work. In Tremonton, the compliments exceed the complaints. It's too bad in our lives that we don't look at the compliments because the complaints hurt so badly.

Manager Woodworth told the audience that Tremonton has been a wonderful place to live and work. We've just got great people. To you kids in the audience, I hope you realize what the City Fathers are trying to do with the implementing of UTOPIA and trying to bring broadband to your City. I hope you realize you live in a City now that is world class. Nowhere in the world do they have more opportunities than you do to tap into the world and be a part of educational opportunities and learning. The City Council has worked hard to bring Recreation Programs to the youth of our valley for you to learn discipline, to give you things to do, and to challenge you. This Council has brought you an upgraded Library, which is calculated to say we have pride in our community. We have Councilmembers and people in the City who have donated hundreds and thousands of hours toward the youth of this City. Everything that the Council has done is so that you will want to stay and make this your home because you have a wonderful place to live here.

Manager Woodworth thanked Mayor Weese. He told the audience that Mayor Weese is my second favorite boss. His wife is his first favorite boss! He told the Council that he has had such emotions on this move. He can go from being happy to sad in a three minute period. Thank you so much, all of you.

Mayor Weese read a letter he wrote to Public Works Director, Paul Fulgham, congratulating him on being appointed to the National Rural Water Association Board of Directors.

11. Adjournment

Motion by Councilmember Deakin to adjourn the meeting. Motion seconded by Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Wood - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, and Councilmember Reese - aye. Motion approved. The meeting adjourned at 8:12 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