

**TREMONTON CITY
CITY COUNCIL MEETING
March 18, 2008**

Members Present:

David D. Deakin

Roger Fridal

Lyle N. Holmgren

Jeff Reese

Max Weese, Mayor

Byron Wood

Richard E. Woodworth, City Manager

Darlene S. Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Weese called the March 18, 2008 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 Wood, Reese, Holmgren Fridal and Deakin, Manager Woodworth, Public Works Director Paul Fulgham, Police Chief Nance and Recorder Hess were in attendance. The Council reviewed the March 18, 2008 Agenda and discussed the following items:

- ▶ Manager Woodworth discussed the budget amendments with the Council. He informed the Council that he will be coming back to them in the future for other adjustments. Manager Woodworth informed the Council that with the asbestos in the old Senior Center, State Law requires an engineering firm to do an inspection prior to demolition. The cost of the inspection is \$5600. Manager Woodworth discussed bids for demolition.

The proposed new Senior Building was discussed. Fifty parking stalls have been identified for implementation by the engineer and will run along the back where the grass and playground equipment were located.

Councilmember Wood asked if the City has put earnest money down on the new Senior Building? Manager Woodworth told the Council that he was going to go with a Standardized Real Estate Agreement then decided against it. The Council agreed that it would be best to go through a title company for escrow holdings.

Manager Woodworth informed the Council that the Food Pantry Building will not fit on the proposed Senior Center lot. It will need to be constructed by the old Senior Center as previously discussed by the Council. The City will need a building constructed for the Food Pantry prior to demolition of the old building. Manager told the Council that he would like

them to look at the proposed location right after this meeting. After looking at the Food Pantry blueprints, it was suggested that the proposed Food Pantry building be reduced in size.

- ▶ The WWTP was discussed. There is a big issue with one of the manufacturing companies in our area and the waste they send to the plant. The City needs to get this issue brought into compliance. Director Fulgham told the Council that the new attorney will work with them to see what can be done.
- ▶ Manager Woodworth discussed impact fees on the hillside cost recovery. Councilmember Holmgren asked if this should be made available to all developers or if it was just pertinent for this area where several developers are going together to build infrastructures. Manager Woodworth told the Council that the infrastructure will not cost the City a dime - it will be paying the developers back with impact fees for money they spent on infrastructure for growth.
- ▶ Councilmember Wood told Director Fulgham that the culvert by Doutré's on the hill is full of mud. Director Fulgham told the Council that he would take care of this issue and Manager Woodworth told the Council that it is a calendared item.
- ▶ Councilmember Fridal reported to the Council that citizens are concerned about what to do with the Museum items. Eli Anderson told the citizens who were at a recent meeting that he did not know if he had room for the museum items in Wagon Land. This group suggested that storage units be rented to house the items until such time as a museum could be purchased/built. This is a temporary solution. The Council discussed allowing the units to be stored on City property and Councilmember Reese asked who would pay for the units? Councilmember Fridal told the Council that this group is looking to raise funds for the storage units.
- ▶ Mayor Weese discussed hiring a person ten to twelve hours a week to do the minutes for the City. This person would work with Recorder Hess and attend the City Council Meetings. Other municipalities are using contracted people to do the minutes. Manager Woodworth told the Council that minutes take a lot of time to do and Councilmember Wood told the Council that it would be a good thing and assist the Recorder in the work she has to do.

CITY COUNCIL MEETING

Mayor Weese called the March 18, 2008 City Council Meeting to order at 7:00 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, Public Works Director Paul Fulgham, Police Chief David Nance, Steve Bench of Planning and Zoning, Senior Center Director Marion Layne and Recorder Hess were in attendance.

1. Opening Ceremony

Mayor Weese welcomed all in attendance to the meeting. He asked anyone who may be offended by listening to a prayer to step out into the hallway during this portion of the meeting. He informed the audience that no one had called to request participation during the opening ceremony; therefore, members of the Council had volunteered. The prayer was given by Councilmember Fridal and the Pledge of Allegiance was led by Councilmember Deakin.

2. Approval of agenda

Motion by Councilmember Wood to approve the March 18, 2008 City Council Agenda. Second by Councilmember Holmgren. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved.

3. Public Hearing

- a. Consider revising and amending the combined annual implementation budget (General Fund, Enterprise Fund(s), Capital Reserve Fund and Special Improvement District 31) for the period commencing July 1, 2007 and ending June 30, 2008

Mayor Weese called the public hearing to order at 7:05 p.m. with eight people in attendance. He turned the time over to Manager Woodworth to discuss the budget amendments. Manager Woodworth told the audience that the following changes were necessary:

- ▶ Loan proceeds for the building will be added in other income for \$600,000. Senior Center Building purchase will be \$600,000 with demolition estimated at \$60,000. This will be added to the Senior Building expense. Manager Woodworth told the Council that this is the expense that the City knows about. Bids have been received on demolition; however, it does not include the costs for asbestos removal. When the total cost for demolition is determined, the budget will need to be amended to include these costs.
- ▶ The revenue will be increased \$16,700 to show money received for the Fire Department grant for defibrillators.
- ▶ \$1500 will be allocated for the Girls and Boys Club. This will be a line item change only.
- ▶ The State Grant for the Library did not come in as high as expected. Expense was lowered by \$110.00.

Mayor Weese asked if there were any questions or comments from the Council?

Councilmember Fridal asked what SID stood for on the budget. Manager Woodworth explained that this is the Special Improvement District. When residents wanted to annex on the hillside, the water system was not in that area. A Special District Area was formed, an interest free loan was obtained in the amount of \$140,000 and the systems installed. The residents are paying for the loan with annual payments. This should soon be paid for.

Nancy Fuller asked if the asbestos was in the Day Care Building? Mayor Weese told her that it was in the old Senior Center Building.

With no further questions, Mayor Weese closed the public hearing at 7:08 p.m.

4. Introduction of guests

Mayor Weese asked Dylon Anderson, a Boy Scout in attendance at the meeting, to introduce himself and pledge to earn his Eagle Rank in Scouting.

5. Common Consent:

- a. Approval of monthly expenditure as indicated on the February Warrant Register

Motion by Councilmember Reese to approve the monthly expeditors on the February Warrant Register. Second by Councilmember Fridal. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved.

6. New Council Business:

- a. Consider Resolution 08-06 adopting the Municipal Wastewater Planning Program Financial Evaluation

Mayor Weese asked Public Works Director Paul Fulgham to explain this item. Director Fulgham told the Council that this is an annual report that the City needs to submit to the Department of Environmental Quality. They require that the Council approve the report by resolution. This makes the Council responsible for the information.

The points that are assessed were discussed. Director Fulgham told the Council that the higher the points - the older the system and the more likely that funding will be available.

Mayor Weese complimented Director Fulgham on the training of his staff. He told the audience that Director Fulgham and Ed Quinn are Collection III & IV certified. Rusty Scoffield and Tom Anderson are Collection III Certified, Corwin Hess, Jason Thompson and Tyler Martineau are Collection II certified. Director Fulgham told the audience that he tries to get everyone cross trained in his department. The staff knows more than other municipalities because of this. Other Cities train individuals for one area only.

Mayor Weese told the audience that there were 117 new residential connections with 250 new people served and 9 additional commercial/industrial connections. Tremonton City is growing.

Councilmember Wood told Director Fulgham that he appreciates him and his whole crew. When you call upon the department to do something, they get it done.

- b. Consider Resolution 08-07 amending the annual implementation budget 2007-2008 for the fiscal year commencing July 1, 2007 and ending June 30, 2008.

Motion by Councilmember Holmgren to approve Resolution 08-07 amending the annual implementation budget (General Fund, Enterprise Fund(s), Capital Reserve Fund and Special Improvement District #1) for the period commencing July 1, 2007 and ending June 30, 2008. Second by Councilmember Fridal. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved.

- c. Discussion on Canal Company Shares and Canal Company Water Share Pool - Director Fulgham

Director Fulgham told the Council that the Bear River Canal Company came to the Land Use Authority Board to discuss water shares. They are concerned that the water will be taken away that we are not using. The City has 136 shares of water and we are using 88. The Canal Company wants the City to join a pool where shares not being used can be rented/leased to other users for beneficial use. The individuals using the rented/leased shares will pay an annual fee. As we grow and need additional shares, we will pull them out of the pool. Director Fulgham asked the Council if they were interested in participating in a pool?

Councilmember Deakin asked how long the shares would be leased for? Director Fulgham told the Council that the lease would be on a year to year basis.

Councilmember Holmgren told the Council that this is a real issue and the City should be concerned about losing unused water shares. Mayor Weese asked if they had given an amount on what the City would receive for their shares in the pool? Director

Fulgham told the Council that the Canal Company probably does; however, he does not have that information. The water shares can only be used by the Canal Company. Councilmember Wood told the Council that you have to demonstrate usage or the share will be taken away. Director Fulgham told the Council that this is every seven years.

Manager Woodworth suggested that the Canal Company draft an agreement and it be brought back to the Council for consideration.

d. Biennial Review of Moderate Income Housing Element of the General Plan - 10-9a-408

Mayor Weese asked Steve Bench to discuss this item. Steve Bench told the Council that the Council is required by State Law to review the Moderate Income Housing Element of the General Plan biennially. Mr. Bench distributed information to the Council on this item and reviewed the Tremonton City Housing Units for Tremonton City covering the last 22 years. Mr. Bench told the Council that in 2007, Tremonton City seen 125 housing units built. Of these, 117 were single family dwellings. To date in 2008, 14 single family dwelling building permits have been issued. Housing is a little slower this year as in 2007 at this time, there had been 28 building permits issued. Mr. Bench informed the Council that as of March 18, 2008, there are 2012 single family dwellings and 416 multi-family units. The ratio of multi-family units compared to single family dwellings is 20.6% with an estimated population of 7155 people.

Mr. Bench then gave the Council the following information:

- ▶ Number of approved/recorded/developed building lots for residential - 334
- ▶ Number of discussed/concept/preliminary residential lots - 284
- ▶ Number of multi-family discussed/concept/preliminary - 154 units

Mr. Bench informed the Council that the Moderate Income Housing Plan in the packet was approved in 2002. The plan needs to be modified. The Planning Commission will be working on the plan sometime this year. Mr. Bench told the Council that the City met their 2002 goals.

Motion by Councilmember Deakin to accept the Biennial Review of the Moderate Income Housing Element of the General Plan. Second by Councilmember Reese. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved.

e. Impact fees on the hillside cost recovery

Mayor Weese asked Manager Woodworth to discuss this issue. Manager Woodworth told the audience that there are four developments who want to prepay impact fees in order to install a system on the hill as it is not in their area. Later, the City will pay back these developers - dollar for dollar - for any infrastructure that the City would have had to install from impact fee assessments but as a credit as growth occurs. Councilmember Holmgren told the Council that he feels what the Council needs to do is zoning in the area.

Motion by Councilmember Holmgren to authorize the City to go ahead with the the process of permitting developers on the hillside to use impact fee credits to install infrastructure. Second by Councilmember Wood. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved.

- f. Consider Resolution 08-08 adopting a Utah WARN Statewide Mutual Aid Agreement

Mayor Weese requested that Public Works Director Paul Fulgham discuss this item. Director Fulgham told the Council that the Utah Water/Wastewater Agency members throughout the State of Utah determined that there is a need to provide mutual assistance in times of emergency. They have established an agreement where participating water and wastewater utilities which sustain damage from a disaster can obtain emergency assistance in the form of personnel, equipment, materials and other services from other water and wastewater utilities with reimbursement procedures outlines in the agreement.

Motion by Councilmember Reese to approve Resolution 08-08 adopting a Utah WARN Statewide Mutual Aid Agreement. Second by Councilmember Holmgren. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved.

- g. Consider Resolution 08-09 amending the prioritized and approved FY2007-2008 Capital Improvement List

Manager Woodworth discussed the Consolidated Capital Improvement List for 2007-2008 with the Council. The following adjustments were made:

- ▶ Senior Center/Pantry and Senior Center Parking lot estimated cost reduced to \$900,000.
- ▶ Item #1 under Physical Facilities - more square footage for the Police Department to be removed from the list.
- ▶ Recreation fence at South Park Meadows - completed - remove from the list.

- ▶ Bandstand at the Jeanie Steven's park completed - remove from the list
- ▶ 2000 West Road completed - remove from the list
- ▶ Skate Park completed - need to remove from the list
- ▶ Slurry seal amount to be removed as it will be rolled into the B&C Road
- ▶ The amount on the Cemetery Roads will be removed and slurry seal listed in its place
- ▶ The Building/vehicles/equipment for the Police Department amount will be reduced to \$30,000 as the building is already purchased.

Motion by Councilmember Deakin to approve the adjusted Consolidated Capital Improvement List. Second by Councilmember Fridal. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved.

7. Planning Commission recommendation(s):

- a. Consider Ordinance 08-04 changing the zoning on property belonging to Gaylen Craig Christensen, Bruce Jardine and Matthew G. Hess Tax IDs 05-055-0092, 05-055-0093, 05-055-0094, 05-055-0095, 05-055-0096, 05-055-0097, 05-055-0129, 05-055-0148 and 05-055-0149 from R1-20 to R1-10

Mayor Weese asked Steve Bench to discuss this item. Mr. Bench told the Council that the Planning Commission held a public hearing on this item. The Council has the right to hold an additional public hearing if they want; however, it is not required. This move will change the zoning from R1-20 to R1-10.

Motion by Councilmember Wood to adopt Ordinance 08-04 changing the zoning on property belonging to Gaylen Craig Christensen, Bruce Jardine and Matthew G. Hess from R1-20 to R1-10. Second by Councilmember Reese. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved.

8. Comments:

- a. Administration/City Manager Advice and Consent
 - 1) Manager Woodworth informed the Council that the City has made a change with the attorney. He told the Council that the City will need to appoint an interim attorney in the meantime.
 - 2) Manager Woodworth told the Council that the budget amendment included the

following items: Fire Department Defibulator Grant, Senior Center Building, demolition of the old Senior Center and Library Grant funds. These items were discussed during the public hearing.

- 3) Manager Woodworth informed the Council that this item on the agenda was unclear and actually covered two things. The Canal Crossing License Agreement between Bear River Canal Company and Tremonton City was approved for the Hillside Drainage District. The standard real estate agreement was originally considered for the Senior Center Building purchase. The City decided not to use the standard form for the Senior Building and just needs the Council's authorization to proceed.
- 4) Manager Woodworth informed the Council that Public Works Director Fulgham has requested to present his budget on April 15th instead of April 22 as he will be out of town.
- 5) Manager Woodworth informed the Council that the Public Hearing originally set for April 1, 2008 will be set back until April 15th. This will provide the opportunity for the Council to go on a field trip on March 28, 2008. Manager Woodworth invited Cari Doutré of The Leader and Nancy Fuller of Ogden Standard to take the tour with the Council. Manager Woodworth asked them to R.S.V.P. if they plan to attend.

b. Council Reports

Councilmember Deakin told the Council that he would like to clarify something on the property tax issue that was discussed at the last meeting. He received a call from Jonathan Grover who commented that Rich and I said the same thing in the meeting about property taxes. Then he asked if we have a difference of opinion? Councilmember Deakin told the Council that he told Mr. Grover that they agreed on what happened. The difference of opinion is on what to do about it.

Councilmember Wood reported that he, Mayor Weese and their wives attended the Youth City Council Banquet at USU. This is the best conference that they have had. He told the Council that Christy Asay took care of everything for the conference. Christy is doing a great job as the Youth City Council advisor. The Youth City Council came out with a lot of good ideas and information to run the Youth City Council. He thanked the Council for providing the funds for the Youth City Council to attend the training.

Councilmember Fridal reported that he had attended a meeting with citizens and the Museum Board last week. They are concerned with what to do with the items that were donated to the Museum.

Councilmember Holmgren reported to the Council that the Library received a \$5,000 Tourism Grant to go toward the statue at the Library. The cost of the statue is around \$25,000.

9. Public Comments:

Cari Doutre of The Leader asked the Council if the City was getting a new attorney? Mayor Weese told Ms. Doutre that a new attorney would be hired.

10. Adjournment

Motion by Councilmember Deakin to adjourn the meeting. Second by Councilmember Wood. Vote: Councilmember Wood - aye, Councilmember Reese - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye. Motion unanimously approved. The meeting adjourned at 8:31 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 of the City Council meeting held on the above referenced date.

Dated this _____ day of _____, 2008.

Darlene S. Hess, RECORDER