

**TREMONTON CITY
CITY COUNCIL MEETING
October 7, 2008**

Members Present:

Lyle Holmgren

Jeff Reese

Byron Wood

Max Weese, Mayor

Richard Woodworth, City Manager

Darlene Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Weese called the October 7, 2008 City Council Workshop to order at 6:03 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Mayor Weese, Councilmembers Holmgren, Reese, and Wood, Manager Woodworth, Public Works Director Paul Fulgham, Building and Zoning Administrator Steve Bench, Police Chief David Nance, and Recorder Darlene Hess were in attendance. Councilmembers Deakin and Fridal were excused from the meeting. The Council reviewed the agenda and discussed the following item in detail:

- ▶ Manager Woodworth handed out copies of the building permit for the new IHC Hospital and informed the Council that IHC is committed to raising \$1,000,000.00. They have asked several parties to help them raise this money. Jerry Fronk, representing IHC, has asked the City if they would consider reducing building permit fees for the hospital?

Councilmember Wood asked if the City had already waived some fees for the hospital? Manager Woodworth stated that the City had made the impact fees as low as could be allowed. Administrator Bench told the Council that fees were based on the number of beds in the hospital and there had been an initial discount made in the building permit fee itself.

Councilmember Wood told the Council that he felt that the information regarding these discounts should be brought to the attention of the Hospital Administrators. Mayor Weese stated that the hospital has collected \$600,000.00 to date. Manager Woodworth told the Council that the City could open the budget and transfer the donation amount from excess reserves.

Meeting adjourned at 6:58 p.m.

CITY COUNCIL MEETING

Mayor Weese called the October 7, 2008 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 Holmgren, Reese, and Wood, City Manager Woodworth, Building and Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, Police Chief David Nance, Recreation Director Rhett Ogden, and Recorder Darlene Hess were in attendance. Councilmembers Deakin and Fridal were excused from 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 hallway for this portion of the meeting. The prayer was given by Councilmember Reese, and the Pledge of Allegiance was led by Councilmember Holmgren.

2. Approval of agenda:

Mayor Weese asked if there were any corrections or changes to the agenda? **Motion by Councilmember Holmgren to approve the October 7, 2008 agenda with the following deletions:**

- 4a Public Hearing - To consider adoption of the Sanitary Sewer Collection System Master Plan and Impact Fee study
- 7e Consider bid for a new Street Sweeper
- 7f Consider donation for new hospital
- 7h Consider Resolution 08-33 authorizing an Animal Control Services Agreement with Box Elder County
- 7i Consider authorization to remodel the front counter - Director Rhett Ogden

Motion seconded by Councilmember Reese. Vote: Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

3. Approval of minutes - September 2, 2008 and September 16, 2008

Mayor Weese asked if there were any changes or corrections to the minutes? **Motion by Councilmember Reese to approve the September 2, 2008 and September 16, 2008 minutes as presented.** Motion seconded by Councilmembers Holmgren and Wood simultaneously. Vote: Councilmember Reese - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.

4. Public Hearing

- a. To consider adoption of the Sanitary Sewer Collection System Master Plan and Impact Fee Study

This item was deleted from the agenda.

5. Introduction of guests

This item was skipped during the meeting.

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

a. Domestic Violence Awareness Month - Annette MacFarlane

Mayor Weese invited Ms. Annette MacFarlane to the podium. Ms. MacFarlane, representing the “Your Community in Unity” group, informed the Council of a three-month comparison on domestic violence instances in Box Elder County between July 1, 2007 through September 30, 2007 compared with incidences between July 1, 2008 through September 30, 2008. Ms. MacFarlane stated there was a significant increase in instances during this time frame. The increase could be contributed to the increased visibility of their services, current economic hardships, community growth, or the breakdown of the family institution itself. The problems with domestic violence in our county are very real. The community should be aware of this situation, along with the resources available to assist and resolve these issues. The YCU Center received 15,000 hours of volunteer service in the past year. Ms. MacFarlane thanked the Council and Police Department for their support.

Paulette Garren, another representative from YCU, read their Domestic Violence Resolution. **Motion by Councilmember Wood to authorize Mayor Weese to sign the Domestic Violence Resolution.** Motion seconded by Councilmember Holmgren. Vote: Councilmember Wood - aye, Councilmember Holmgren - aye, and Councilmember Reese - aye. Motion approved. Mayor Weese signed the Resolution presented by Your Community In Unity in the meeting.

7. New Council Business:

a. Consider authorizing the Mayor to sign a Broad Dog Fiber Extension Utility Site Contract

Manager Woodworth informed the Council that the Broad Dog Fiber Extension Utility Contract is similar to what we have done with other utilities throughout the City. The Council has authorized utility companies to use City easements for installation of their services. New service providers associated with UTOPIA will be installing voice, video, and data equipment on City easements. There are a few differences from other utilities. These new providers will need to install antennas, however, it is all within the rights of the City to grant these easements. We would ask the City Council to authorize the Mayor to sign the contract between new UTOPIA

service providers and the City. Should these providers utilize any space requiring the payment of rent, it will be included in the contract. **Motion by Councilmember Reese to authorize Mayor Weese to sign a Broad Dog Fiber Extension Utility Site Contract with UTOPIA service providers.** Motion seconded by Councilmember Wood and Holmgren simultaneously. Vote - Councilmember Reese - aye, Councilmember Wood - aye, and Councilmember Holmgren - aye. Motion approved.

b. Consider cost estimates for direct lighting at Shuman Park

Councilmember Holmgren informed the City Council that soon after he had taken office, he had been contacted by City residents asking for additional lighting at Shuman Park. The Beautification Committee, also, felt this would be a good idea. They have considered installing eight additional light fixtures at the park. That number could be increased or decreased depending on Council input. The park and Library are being utilized a lot more now, which has created the need for additional lighting. Councilmember Holmgren stated that he could obtain further information regarding this matter for the Council.

Mayor Weese informed the Council that he had talked earlier with Councilmember Deakin (who had been excused from the meeting) stating he had no problem with spending money for the lights; however, he is concerned about hours of operation.

Councilmember Wood commented that he felt that there just isn't a need to add additional lights at the park. In the summer, it stays light until almost ten o'clock at night which is the time that the park is used the most. The park is not used much during the winter. He felt there would be concerns with homeowners living by the park having lights shine into their homes at night. There is, also, a concern with the monthly utility expense. Councilmember Holmgren stated that there only needed to be a few strategically placed lights which would not be intrusive to any neighbors of the park. People still use the library area in the winter.

Councilmember Wood suggested this item be tabled to another meeting until additional information can be obtained. Councilmember Holmgren agreed to table this item. Councilmember Reese suggested looking into other possible funding options. **Motion by Councilmember Wood to table this item until additional information is obtained.** Motion seconded by Councilmember Reese. Vote: Councilmember Wood - aye, Councilmember Reese - aye, and Councilmember Holmgren - aye. Motion approved.

c. Consider Resolution 08-32 accepting a petition for Annexation of certain real property under the provisions of sections 10-2-402 and 10-2-405, Utah Code Annotated, 1953, as amended for Cal Osborn and Jeff and Karen Madsen

The Council reviewed the plat for this petition. Manager Woodworth informed the Council that Mr. Osborn plans on using this property for multiple family and neighborhood commercial use. All concerned parties are in agreement with power utility pole placement. Mr. Osborn would like to begin development within the year. Councilmember Holmgren asked if a water lift pump will need to be used at this location. Zoning Administrator, Steve Bench, stated this has yet to be determined, however, if the water will not flow with gravity, Mr. Osborn will have to install a lift pump.

Motion by Councilmember Holmgren to accept Resolution 08-32 and accept Petition for Annexation of certain real property under the provisions of sections 10-2-402 and 10-2-405, Utah Code Annotated, 1953, as amended for Cal Osborn and Jeff and Karen Madsen. Motion seconded by Councilmember Reese. Vote: Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- d. Consider biennial review of Moderate Income Housing Elements of the General Plan

Zoning Administrator, Steve Bench, presented copies of the Tremonton City Current Housing and Development, ending October 6, 2008 to the Council. Administrator Bench explained that with an estimated population of 7184 residents in the City, there are currently 2036 single family dwellings, and 436 multi-family units. Current building permits and developments include 306 approved/recorded/developed residential lots, 284 discussed/concept/preliminary residential lots, and 142 multi-family discussed/concept/preliminary units. There have been 1090 dwelling units constructed 1985 through 2007.

Neighborhood Non-Profit Housing will soon be developing a 12 unit housing complex at 450 North 2600 West which will be geared primarily to provide housing for workers in the agricultural field as funding for the complex will come from the USDA. Administrator Bench asked the Council if they had any questions regarding these statistics?

Mayor Weese stated that even though construction has slowed down this past year, the high price of gas has made residents stay at home and shop in town. As a result of this, current sales tax revenues show an increase in the past quarter. Administrator Bench pointed out that the City is at the same pace with development during 2004 and 2005.

Councilmember Holmgren asked what the current status of unemployment was in the City? Manager Woodworth stated that the City is actually in good standing. There are employers currently looking for people to hire. Employment growth is good. Administrator Bench stated that construction of the new Proctor and Gamble Facility

in the county could bring an increase to housing development as there will be approximately 700 construction employees working on that project. There will be approximately 300 to 350 employees at Proctor and Gamble when they begin production.

Motion by Councilmember Wood to approve the biennial review of Moderate Income Housing Elements of the General Plan. Motion seconded by Councilmember Reese. Vote: Councilmember Wood - aye, Councilmember Reese - aye, and Councilmember Holmgren - aye. Motion approved.

- e. Consider bid for a new Street Sweeper

This item was deleted from the agenda.

- f. Consider donation for new hospital

This item was deleted from the agenda.

- g. Consider changing Policy and Procedures, Section XII, Employment Classifications/Compensation, 9. COMPENSATION TIME

Manager Woodworth informed the Council that it has been decided to do away with compensatory time for City employees. If employees are asked to work extra hours, they will be paid without accrual of any compensatory time. Flex time is available to employees to compensate for the need to make up missed hours, paid out hour for hour. **Motion by Councilmember Holmgren to approve changing Policy and Procedures, Section XII, Employment Classifications/Compensation, 9. COMPENSATION TIME.** Motion seconded by Councilmember Wood. Vote: Councilmember Holmgren - aye, Councilmember Wood - aye, and Councilmember Reese - aye. Motion approved.

- h. Consider Resolution 08-33 authorizing and Animal Control Services Agreement with Box Elder County

This item was deleted from the agenda.

- i. Consider authorization to remodel the front counter - Director Rhett Ogden

This item was deleted from the agenda.

- 8. Planning Commission recommendations(s):

- a. Consider amending the Zoning Code to remove any reference to A-20 Zoning and

amending Title II Land Use Ordinance to include required utilities within developments and street grade design standards.

Administrator Bench informed the Council that Norene Rawlings had received an email from a person who had looked on the City's Internet Website and found a reference to A-20 Zoning. Steve stated that in the late 1990s the City had eliminated this zone, which is agricultural 20 acre lots. The A-20 Zoning was still included in a couple of paragraphs in the City Zoning Code. The Planning Commission held a Public Hearing on September 23, 2008 to removed any reference to A-20 Zoning from the Zoning Code.

The Land Use Authority Board has broadened the current ordinance regarding design standards for public and utility facility services in subdivision developments. To avoid any future problems, the individual utilities needed to be specified. Those utilities will include but not be limited to: culinary water, sanitary sewer, storm drainage, natural gas, electrical, telephone, Cable TV, internet, provide access to public right-of-ways and dedication of land for streets necessary for proper development of a subdivision. Councilmember Wood asked if this would include secondary water? Administrator Bench said that there is limited information in the ordinance regarding secondary water. Manager Woodworth told the Council that the next time the Land Use Authority Board holds a public hearing, they could consider adding a more specific description of secondary water.

Administrator Bench informed the Council that the City Planning Commission and Land Use Authority Board had previously discussed the need to show street grade percentages in the subdivision ordinance. Section 2-7-7.1 was added to the ordinance, giving a more specific description of street grade percentage standards.

Motion by Councilmember Reese to approve amending the Zoning Code to remove any reference to A-20 Zoning and amending Title II Land Use Ordinance to include required utilities within developments and street grade design standards. Motion seconded by Councilmember Holmgren. Vote: Councilmember Reese - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.

9. Comments:

a. Administration/City Manager Advise and Consent

- 1) ISO 300 Class October 29th and 30th - need to register

Manager Woodworth informed the Council of registration for the ISO 300 Class for those included in this training. Contact Joyce Hansen in the Police Department to set up the registration.

Manager Woodworth informed the Council that he will be bringing back to the City Council the consideration for an Amnesty Day. The Court has several outstanding warrants. They would like to consider allowing people to be excused from serving any jail time, yet still be required to pay court fines. This will include any outstanding warrant. The Court will get back with the Council on a specific date for the Amnesty Day. Police Chief, David Nance, informed the Council that this has worked very well in other cities.

b. Council Reports

Councilmember Wood reported that he was surprised with the amount of domestic violence cases in our county.

Councilmember Reese told the Council that he was pleased with the controlled burn of the old Senior Center building.

Councilmember Holmgren informed the Council he had visited with Ace Christensen about trees at the Midland Square Memorial Park. Heat from the sun is causing damage to some of the plaques at the Park. Mr. Christensen feels that planting trees could provide shade and help protect the display at the Park. It is proposed to cut out 4 by 4 sections in the sidewalk to plant six trees. There will be no cost to the City other than needing to water the new trees. Manager Woodworth stated this item will be included in the budget opening. Councilmember Holmgren will proceed with this project.

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

Ace Christensen asked if the City would cut the sidewalk at the Memorial Park where the trees will be planted? Manager Woodworth stated that the City will cut the sidewalk.

11. Adjournment:

Motion by Councilmember Wood to adjourn the meeting. Second by Councilmember Reese. Vote: Councilmemeber Wood - aye, Councilmember Reese - aye, and Councilmember Holmgren - aye. Motion approved. The meeting adjourned at 7:52 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 _____, 2008.

Darlene S. Hess, RECORDER