

**TREMONTON CITY  
CITY COUNCIL MEETING  
November 20, 2007**

Members Present:

David D. Deakin  
Lyle N. Holmgren  
Jeff Reese  
Stanley Stokes  
Max Weese, Mayor  
Byron Wood  
Richard E. Woodworth, City Manager  
Alyson Draper, City Attorney  
Darlene S. Hess, Recorder

**CITY COUNCIL WORKSHOP**

Mayor Weese called the 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. In attendance were Mayor Weese, Councilmembers Deakin, Holmgren, Reese, Stokes and Wood, Manager Woodworth, Alyson Draper, City Attorney, Public Works Director Paul Fulgham, Police Chief David Nance and Recorder Hess. The Council reviewed the agenda with the following being discussed in detail:

- ▶ In discussing the September Financial Report, Councilmember Deakin asked if the City will be okay with the amount budgeted for fuel. Manager Woodworth told the Council that the staff may be back to them in January for an increase.
- ▶ Public Transit was discussed in anticipating of what the Industrial Committee's presentation would be. The Council discussed the issue that 50% of the people who work in Tremonton are from outside of the area. Manager Woodworth told the Council that gas prices are a hardship and Mayor Weese commented that the manufacturers in our valley are concerned about employment with additional companies coming into the valley.
- ▶ The Council discussed the request to increase the garbage fee. Manager Woodworth told the Council that in 2004, the fee was increased \$.20 which the City absorbed. Councilmember Wood told the Council that the City cannot absorb an additional \$.25 per household. The Council needs to increase the fees. Manager Woodworth told the Council that the increase would assist with the statement mailings, stamps and the cost of having the second garbage can not being further eroded.

**CITY COUNCIL MEETING**

Mayor Weese called the November 20, 2007 City Council Meeting held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah to order at 7:00 p.m. Those

present: Mayor Weese, Councilmembers Deakin, Holmgren, Reese, Stokes and Wood, Manager Woodworth, Alyson Draper, City Attorney, Paul Fulgham, Public Works Director, Police Chief David Nance, Steve Bench of Building and Zoning and Darlene Hess, City Recorder.

1. Opening Ceremony

Mayor Weese informed the audience that the Council had received no written or oral request to participate in the meeting; therefore, a member of the Council had volunteered to participate during this portion of the meeting. Mayor Weese told those present that anyone who may be offended by listening to a prayer should step out into the hallway during this portion of the meeting.

The prayer was given by Councilmember Holmgren and Councilmember Reese led the audience in the Pledge of Allegiance.

2. Approval of agenda

Mayor Weese called for a motion on the agenda. **Motion by Councilmember Wood to approved the agenda with the following corrections:**

- 6b Should be changed to Selling of Little Mountain Landfill instead of Closing of Little Mountain Landfill
- 7a Discuss the Trailer Ordinance - parking on the street - coming from the Land Use Authority Board Meeting on October 17, 2007 by Jay Stocking should be deleted from the Agenda.
- 7f Closed Session - for strategy session to discuss the possible sale of real property - move to the end of the meeting after item 11.
- 10a 2) Bench Marking Review - tabled

Second by Councilmember Reese. Motion unanimously approved.

3. Approval of minutes - September 27, 2007, October 2, 2007, October 16, 2007, October 18, 2007, October 25, 2007 and October 30, 2007

**Motion by Councilmember Reese to approve the above listed minutes of the City Council.** Second by Councilmember Holmgren. Motion unanimously approved.

4. Introduction of guests

Mayor Weese asked five Scouts from Troop 129 to introduce themselves and pledge to earn the rank of Eagle Scout.

5. Common Consent:

Mayor Weese asked if there were any questions or comments on the common consent items. Councilmember Deakin told the audience that with the cost of fuel increasing, the

Council will have to open the budget to increase fuel expense. Mayor Weese told the audience that this is a problem across the counter in all municipalities. Manager Woodworth told the Council that the Council will be opening the Budget in January/February to make the changes necessary.

**Motion by Councilmember Holmgren to approve the following:**

- a. Approval of monthly expenditures as indicated on the October Warrant Register.**
- b. Approval of the September Financial Statement.**

Second by Councilmember Wood. Motion unanimously approved.

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

- a. Miss Bear River Valley - Taylor Williams

Taylor Williams, Miss Bear River Valley, met with the Council to explain her platform. Miss Williams told the Council that she wanted to make women more aware of their hearts through bettering their lives. She spearheaded a walkout to help women exercise and would like to put up a 4 x 4 sign surrounded by lights on the Civic Center or on Midland Square in February so women will be more mindful of their hearts. Miss Taylor asked for monetary support in the amount of \$100 for supplies to erect the sign.

**Motion by Councilmember Reese to allow a 4 x 4 sign with lights hung around a heart to be erected in the City in support of Miss Taylor's platform.**

Second by Councilmember Wood. Motion unanimously approved.

- b. Selling of Little Mountain Landfill - Commission Richard Vandyke

Box Elder Council Commissioner, Richard Vandyke, met with the Council. He told the audience that the issue is rather to sell the landfill or not. Mr. Vandyke told the audience that he wanted to make sure his constituents knew all the facts. Questions asked:

- 1) Don't we already have a landfill? Mr. Vandyke told the audience that we do have a landfill at Little Mountain. The County has been approached to have a Regional Landfill for Northern Utah. This will include Box Elder County, Logan City, Davis and Weber Counties.
- 2) Why do they want to bring their garbage here? Mr. Vandyke told the audience that Box Elder is centrally located and we are the area that has been targeted for landfill. He listed the areas being considered.

Issues discussed: Cost, Legislature lobbying to prevent municipalities from doing a garbage business, projected years of use, pros and cons of various locations, fee tipping and private company service. Commissioner Vandyke informed the audience that a public hearing is scheduled for December 18, 2007 to discuss this item.

Nancy Fuller asked how the other County Commissioners feel about his issue and what the County will do with the money if they sell the landfill? Mr. VanDyke told the audience that the other Commissioners do not agree totally on the issue. If the landfill is sold, the money will pay off the current bond and a capital project fund will be setup for the future.

Commissioner VanDyke told the Council and audience that they should check the web site to become better informed. He then thanked the Council for giving him the opportunity to speak at this meeting.

- c. Grant review to do with Underground Study (Subsurface Field Drains) - Taylor Payne of Northern Utah Conservation District (NRCS)

Taylor Payne met with the Council to discuss underground field drains. Mr. Payne showed the Council an example of a map which his group had prepared. He told the Council that field drains were installed throughout the valley back when the Sugar Factory started. He told the Council that some of the old tile drains have been plugged by construction and others filled in. His company would like to document where these lines run. The cost of this project will be around \$75,000 to complete the project. They are asking each community in the valley to participate. Tremonton's share will be \$6,000. They will apply for a grant to pay one-half of the cost.

Mr. Payne told the Council that Elwood Town has an ordinance which stipulates that anyone who cuts into a field drain has to notify the city. Councilmember Wood asked if the drains are tested once the maps are drawn? Mr. Payne told the Council that they make sure that the water is moving in the drains.

Councilmember Holmgren asked what NRCS's experience is in East Tremonton as there are a lot of drains on the west side? Mr. Payne told the Council that everywhere the land is farmed there will be drain fields. The problem is where they begin, expand and grow.

Councilmember Stokes told the Council that the community is heading down the road to disaster. What do you do when a person down stream clogs off a line? Councilmember Deakin ask how useful this project will be for Tremonton City? Paul Fulgham told the Council that the problem the City had in the South part of town was due to clogged drain lines which caused the water to go into citizen's basements. Mr. Fulgham told the Council that this is a three-year program and the City can pay the fee in three annual payments.

Mr. Payne told the Council that his group needed a letter of commitment and a schedule of when payments will be made.

**Motion by Councilmember Reese to give a letter of commitment to the Northern Utah Conservation District with a schedule of payments in the amount of \$2000 to be made annually over a three year period.** Second by Councilmember Deakin. Motion unanimously approved.

d. Lions Club - Earl Colyer

Mayor Weese informed the audience that Jonathan Grover was in attendance this evening representing Earl Colyer for the Lions Club. He turned the time over to Mr. Grover.

Jonathan Grover, representing the Lions Club, presented Kathy Newman, Food Pantry Director, a check for \$1178.68 to purchase turkeys and hams for Thanksgiving. Mayor Weese asked how the Food Pantry was doing on turkeys for the holidays? Kathy Newman told Mayor Weese that they have enough turkeys to serve approximately seventy-five families. Ms. Newman thanked the Lions Club for their generous donation. She told the audience that this great organization donates and helps the Food Pantry a lot.

e. CERT Graduation recognition - Mark Thompson

Item table as they were not in attendance

7. New Council Business:

a. Discuss the Trailer Ordinance - parking on the street - coming from the Land Use Authority Board Meeting on October 17, 2007 by Jay Stocking

Item deleted from the agenda

b. Industrial Committee requests transit support from Tremonton City - Jonathan Grover and company presentation

Mayor Weese turned the time over to Mr. Grover

Jonathan Grover, President of the Bear River Valley Chamber of Commerce Industrial Committee, and Ron Kramer Human, Resource Director for La-Z-Boy, addressed public transportation. Mr. Grover told the Council that there is a growing concern with this issue and the Council can help. Mr. Kramer told the Council that the businesses in Tremonton are struggling to hire enough people to work. La-Z-Boy is losing people. With public transportation, it may bring enough people to the valley to handle our jobs. It will also encourage trade if companies feel that they can get people to work.

Mayor Weese asked if the Industrial Committee was asking the Council to support buses? Mr. Grover told the Council that they would like them to support the rail line and bus routes. Cache Valley has expressed an interest in bringing public transportation into our area. Mr. Grover told the Council that they were not asking for funding. They were just bringing this issue to their attention.

Nancy Fuller told the Council that there was a Dan Jones Traffic Study conducted. She has a copy of the information. Mayor Weese asked Ms. Fuller to email the study to the office.

Ron Kramer told the Council that people are happy to have their own cars and be independent; however, with the cost of gas public transportation or car pooling is becoming a must.

Manager Woodworth told the Council that affordable housing and having a way for people to come to Tremonton to work is needed.

- c. Consider Rate Resolution 07-23 increasing the garbage fee. Also discussing amending the Garbage Collection Agreement

Mayor Weese informed the audience that the garbage collector had asked for a \$.25 per household increase. This would amount to \$400 a month. If gas goes up to \$4.00 a gallon, they may be coming back to ask for another increase.

Manager Woodworth told the Council that when they increased the fee to pay for the landfill by \$.20, the City did not pass the increase onto the residents. Councilmembers Reese, Stokes and Holmgren all commented that the increase is understandable with the price of gas.

**Motion by Councilmember Reese to increase the garbage fee by \$.25 per household.** Second by Councilmember Holmgren. Vote: Councilmember Holmgren - aye, Councilmember Stokes - aye, Councilmember Reese -aye, Councilmember Wood - aye, Councilmember Deakin - aye. Motion unanimously approved.

- d. Discussion on the cost of Recreation Center Survey for 13, 000 population with a time line of how long it would take to structure the survey and get results - Dan Jones and Dave Spatafore (Note: Mr. Spatafore could not be contacted)- Rhett Ogden

Mayor Weese turned the time over to Rhett Ogden.

Director Ogden explained the options the City has on doing a survey to see if the citizens are interested in a Recreation Center. Mr. Ogden discussed the time line, cost, pros and cons of using Option #1 conducted by Utah State University and Option #2 conducted by Dan Jones. Option 1 requires more volunteers to distribute the surveys and Option #2 is more costly.

**Motion by Councilmember Reese to go with Option #1 conducted by Utah State University for \$1000.** Second by Councilmember Wood. Motion unanimously approved.

- e. Water sales and agreement outside of Tremonton City incorporated limits - transfer of use

Mayor Weese told the audience that several years ago (1984/1985), the City laid a water line through various landowners property without a secured easement. In order to rectify this error, the City gave water connections to the landowners. This included Fred Selman and Robert Brough. It has been the practice to transfer connection rights for landowners on several occasions. Robert Brough has two water connections. Due to the annexation of property, the home next to Mr. Brough is currently within the city limits. Mr. Brough has requested that the water connection for this home be transferred to Ben Brough. In order to make this transfer, Mr. Brough will pay for all connection costs associated with the change for the home next to his as the home is eligible for water as it is now in the city limits.

**Motion by Councilmember Deakin to transfer the Brough water connection right from the home next to Mr. Brough to Ben Brough. Mr. Brough will pay for all costs associated with providing a new connection for this home.** Second by Councilmember Reese. Vote: Councilmember Holmgren - aye, Councilmember Stokes - aye, Councilmember Reese - aye, Councilmember Wood - aye, Councilmember Deakin - aye. Motion unanimously approved.

8. Unfinished Business:

- a. Fire Department Contract with Box Elder County

Manager Woodworth told the Council that the City is still in limbo with the Fire Department Contract. Another meeting is scheduled for January 22, 2008.

9. Planning Commission recommendation(s):

- a. Consider changing street parking restrictions - If approved, the item will be brought back to the Council in ordinance form.

Mayor Weese told the Council that the only restriction the City has for parking is for snow removal. Chief Nance told the Council that there is a problem with recreation trailers being parked on the streets. The Police Department is getting several complaints that people cannot see because trailers are blocking the view. Chief Nance told the Council that he would like to see an ordinance approved which allows for loading and unloading of trailers only with stipulation that they cannot be parked on the street for more than twenty-four hours. Mayor Weese asked if this type of ordinance would be enforceable. Chief Nance told the Council that it would.

Councilmember Deakin asked if parking trailers on the street is becoming more and more common? Chief Nance told the Council that there are more trailers in use. The trailers can be of flatbed construction for Four Wheelers and snowmobiles.

**Motion by Councilmember Holmgren for Chief Nance to work with City Attorney, Alyson Draper, to come up with an Ordinance for restricting recreational trailers from parking on City streets and bring it back to the Council for approval.** Second by Councilmember Stokes. Motion unanimously approved.

- b. Consider zoning amendment to allow guest houses as accessory buildings in residential zoned areas of the City. If approved, the item will be brought back to the Council in ordinance form at the next meeting.

Attorney Draper discussed this issue with the Council. She told the Council that this allows citizens who purchase large parcels of land to build a guest home for relatives to live in. The ordinance will provide for family members and stipulate that the guest home cannot be rented or utilized for commercial use. The concept will have to be addressed on a case by case basis. Manager Woodworth asked if the restrictions could be printed on the plat and recorded when approved by the Land Use Authority Board? Discussion followed both pro and con on this issue.

**Motion by Councilmember Wood to table the item for further discussion.** Second simultaneously made by Councilmembers Holmgren and Reese. Motion unanimously approved.

10. Comments:

- a. Administration/City Manager Advise and Consent:

- 1) Final approval of the Holmgren Estates Phase 8

Manager Woodworth informed the Council that the Land Use Authority Board had approved the Final Phase of the Holmgren Estates Phase 8.

- 2) Bench Marking review - item was tabled

- 3) Consider offering developers who provide secondary water a discount on their impact fees. Manager Woodworth discussed secondary water with the Council. He told the Council that due to the fact that using secondary water rights directly affect the water usage for Tremonton City, he asked if they would be interested in offering a discount on the impact fees for developers? It is difficult to encourage secondary water under the current set of rules. It would be crafted so they have to be on a separate system. Councilmember Holmgren told the Council that it is a desirable/marketable thing, Councilmember Deakin commented that it has to take burden off of our current system and

Councilmember Reese told the Council that it has to be feasible. Director Fulgham told the Council that the developer would be the one who takes care of the system. The direction of the Council was to look at this issue and bring it back to the Council for consideration.

- 4) Manager Woodworth reminded the Council of the upcoming City Council Christmas Party which is scheduled for December 18, 2007 at 6:00 p.m.
- 5) Manager Woodworth told the Council that the Fire Agreement had already been discussed.
- 6) Board of Health Building update: Manager Woodworth informed the Council that the Board of Health Building is moving along nicely. We made an offer which they have agreed to. A new building will be built on 2000 West and they have approved a 15 to 19 foot easement.
- 7) Industrial pretreatment requirements: Manager Woodworth told the Council that when new industry comes into the City and hooks onto our system, we set certain standards as we do not know how it will affect our system. We have a company that has high readings in BOD & TSS and their charge rates are high. We will be coming back to the Council with considerations on this issue.
- 8) BRWCD: Manager Woodworth informed the Council that they have a meeting with the BRWCD on November 28<sup>th</sup>. He is putting together a model of how they can sell more water so there will not be a rate increase.
- 9) SAA/impact fees, water/sewer/roads discussion: Manager Woodworth told the Council that in their meeting with the Planning Commission, an SAA was discussed. If the number of homes discussed at that meeting are going to be built, it may not be a bad idea to consider an SAA if we have to put in water tank, roadway that will have a big impact on the City to help mitigate costs. The Council may want to keep an open mind to an SAA.
- 10) Food Pantry bid: Manager Woodworth informed the Council that the Pantry put out a bid which is due back on January 11, 2008. There is a problem with the bid. Equipment is not included. This is such things as shelving, refrigerated units, etc. Although the Food Pantry has saved \$60,000, it is estimated that the equipment will cost \$60,000 leaving Tremonton City to consider funding the building cost. The building location was discussed. The Council will need to determine the location.

b. Council reports:

**Councilmember Reese** reported that he had looked at the new sewer line and road. They look great.

**Councilmember Wood** reported that the road on 1200 South looks great. Councilmember Wood complimented Christy Asay, Youth City Council Director, and the Youth City Council for doing a great job with the Food Drive. They collected 1800 pounds of food.

**Councilmember Deakin** reminded everyone about the Emergency Operations Center Training for December 1, 2007. Councilmember Deakin welcomed and congratulated Roger Fridal as the new City Councilmember.

Councilmember Deakin told the Council that he had received a request from a citizen about installing bike racks at the Library, City Office and at the parks. He told the Council that this may be something they want to think about or suggest as an Eagle Project. Manger Woodworth told the Council that previous Councils had discussed putting bike racks in the downtown area; however, nothing became of the idea.

Councilmember Deakin informed the Council that the Planning Commission had an issue with the property behind the golf course and freeway and access to that property. From their discussion, they came up with two options: 1) Spell out our road plan and developers have to follow it. 2) Implement impact fees on roads. Manager Woodworth told the Council that following their direction, the City is looking at road impact fees. The problem is the deficiency there is on roads in various areas. This will be coming back to you for consideration.

Mayor Weese told the Council that at the September ULCT Convention, they asked municipalities to utilize the statement "Making Life Better" on some of our City equipment. Mayor Weese asked if the City wanted to use this statement? Manager Woodworth told the Council that he had asked the Department Heads to come up with a proposal of how they could implement this statement in their departments - something affordable and not too large. Manager Woodworth asked that this item be placed on the agenda in January.

11. Public comments:

Mayor Weese asked if there were any public comments. **Cari Doutri** asked where the December 1, 2007 Special Meeting will be held? Mayor Weese told Ms. Doutri that the special meeting for Emergency Operations Center Training will be held here in the City Council Meeting Room at 8:00 a.m.

**Councilmember Wood** commented on how nice the new playground equipment looks that was installed at Shuman Park. Lila Miller, one of the people who contacted the Council about improving the playground equipment, was at the park raking leaves this past week. Mayor Weese informed the audience that additional equipment will be installed at Steven's Park in the near future. He has asked Public Works Director Paul Fulgham to give him a two-week notice of when the equipment will be installed so he can get in contact with Mr. Wadman and have him come here for a picture. Mayor Weese told The Leader representative that he appreciated their support in getting the picture in The Leader.

- 7f. Closed Session for strategy session to discuss the possible sale of real property.

Mayor Weese told the audience that the Council needed to discuss the possible sale of real property. **Motion by Councilmember Wood to move to a closed session at 9:23 p.m.** Second by Councilmember Deakin. Motion unanimously approved.

Mayor Weese read a statement in the meeting that the sole purpose for closing the meeting was for a strategy session to discuss the purchase, exchange, or lease of real property. No ordinance, resolution, rule, regulation, contract or appointment will be made during the closed portion of the meeting. The audience left the City Council Meeting Room.

**Motion by Councilmember Deakin to return to an open public meeting at 9:45 p.m.** Second simultaneously made by Councilmembers Holmgren and Wood.

Mayor Weese called for a motion on the proposal submitted for the sale of real property. **Motion by Councilmember Wood to decline the offer made on a piece of land that the City owns.** Second by Councilmember Reese. Motion unanimously approved.

12. Adjournment

**Motion to adjourn by Councilmember Deakin.** Second by Councilmember Reese. Motion unanimously approved. Meeting adjourned at 9:51 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.

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Darlene S. Hess, RECORDER