

**TREMONTON CITY
JOINT CITY COUNCIL/R.D.A. MEETING
December 2, 2008**

Members Present:

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

CITY COUNCIL WORKSHOP

Mayor Weese called the December 2, 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 Deakin, Fridal, Holmgren, and Wood, Manager Woodworth, Public Works Director Paul Fulgham, Police Chief David Nance, and Recorder Darlene Hess were in attendance. Councilmember Reese was excused from the meeting. The Council reviewed the agenda and discussed the following items in detail:

- ▶ The Council and City Officials discussed impact fees for the Parks Department. Based on the Cost Construction Index, all impact fees should be raised. Impact fees for the Parks Department have not been raised for some time. All current impact fees are still under the allowable rates. It will be more efficient to review these fees annually.
- ▶ RDA Executive Director Woodworth informed the RDA Board that the City had been contacted by Carl Cook from Boyer and Company. This company goes into cities that have had major manufacturing plants close down. They work with the city in contacting the plant owners to have the plant and property turned over to the city. Property Managers are then hired to dissect or sub-divide the building and assume all costs. The City and the Property Managers then become partners in the sale of the building. A tour has been scheduled December 5, 2008 at 8:00 a.m. to go through the La-Z-Boy plant with Project Jade as a prospective buyer. It was decided to remove this item from the agenda as further information is required on the issue.
- ▶ Manager Woodworth informed the Council that he and Mayor Weese had visited with neighboring cities and County Officials regarding fire protection costs. Additional fire protection fees for soft costs will only be charged for fires other than structural fires. The County Commission will sign an agreement allowing Tremonton City to charge each household approximately \$50.00 for fire protection fees. The County will pay Tremonton City \$19,845.00 for the past year, and this next calendar year for unincorporated areas of the County. Each municipality will be required to make their own payments. Tremonton City will send the County a statement indicating associated costs incurred by the Fire Department.

Meeting adjourned at 6:55 p.m.

CITY COUNCIL MEETING

Mayor Weese called the December 2, 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 Deakin, Holmgren, Fridal, and Wood, City Manager Woodworth, Public Works Director Paul Fulgham, Police Chief David Nance, Recreation Director Rhett Ogden, and Recorder Darlene Hess were in attendance. Councilmember Reese was 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 lobby for this portion of the meeting. The prayer was given by Mayor Weese and the Pledge of Allegiance was led by Manager Woodworth.

2. Approval of agenda

Mayor Weese asked if there were any changes or corrections to the agenda?

Motion by Councilmember Holmgren to approve the December 2, 2008 City Council Agenda with the following deletions:

- 6d Consider RDA #3 joint venture proposal
- 7a Consider authorization to proceed with in-house engineer and IT appointment
- 7c New City Logo
- 8a3 Consideration of dedication of a protection strip of property running approximately one foot in width alongside of 2000 West as a designated public street to be on January agenda

Motion seconded by Councilmember Fridal. Vote: Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye, Councilmember Wood - aye. Motion approved.

3. Approval of Minutes - November 18, 2008

Mayor Weese asked if there were any changes or corrections to the minutes?

Motion by Councilmember Deakin to approve the City Council Minutes of November 18, 2008 with a change on page #2, having the paragraph broken up as follows:

“The Industrial Park RDA Funds have been increased by \$616,915.00 as a result of tax values.

After extensive discussions with Financial Advisor, Curtis Roberts, and Box Elder County Auditors, we believe a mistake has been made by Box Elder County with an overpayment of approximately \$389,945.00 in tax revenue and the City was paid in advance \$210,000.00 in property taxes. We feel the \$389,945.00 should be left

untouched in the General Fund and considered a potential liability should the County recognize this as a mistake and ask for this money to be returned to the County.”

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

4. Mayor Weese called the Public Hearing to order at 7:13 p.m. with 29 people in attendance.

The Public Hearing was held to consider the following:

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

Public Works Director, Paul Fulgham, informed the Council that this is the same proposal presented at previous City Council Meetings compiled by City Engineer, Chris Breinholt, from Jones and Associates. Director Fulgham discussed the ERU's, value of Master Plan and Study, and consider reviewing Impact Fees annually.

Mayor Weese explained Impact Fees to the scouts in attendance then asked if there were any questions or comments from the Council or audience regarding the Study? Hearing no comments, the Mayor closed the Public Hearing at 7:17 p.m.

5. Introduction of guests

Mayor Weese welcomed three separate Boy Scout Troops and their leaders to the meeting. Troops 130, 436, and 714 attended the meeting.

6. New Council Business:

- a. Consider Ordinance 08-10 adopting the Sanitary Sewer Collection System Master Plan

Mayor Weese asked if there were any questions or comments on this matter.

Motion by Councilmember Deakin to approve Ordinance 08-10 adopting the Sanitary Sewer Collection System Master Plan. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Holmgren - aye, Councilmember Fridal - aye, and Councilmember Wood - aye. Motion approved.

- b. Consider Ordinance 08-11, Impact Fee Ordinance, which includes Attachment A, Rate Resolution 08-36, which amends the impact fees, and also establishes a policy for considering adjustments to ambulance billings where payment becomes impossible due to personal and medical hardship and approving the Ambulance Financial Assistance Application Form.

The Councilmembers discussed the need to limit the ambulance billing adjustment option to City residents only.

Motion by Councilmember Holmgren to approve the adoption of Ordinance 08-11, Impact Fee Ordinance, which includes Attachment A, Rate Resolution 08-36, which amends the impact fees, and also establishes a policy for considering adjustments to ambulance billings where payment becomes impossible due to personal and medical hardship and approving the Ambulance Financial Assistance Application Form for Tremonton City residents only. Ambulance bills for nonresidents will be handled on a case-by-case basis. Motion seconded by Councilmember Wood. Vote: Councilmember Holmgren - aye, Councilmember Wood - aye, Councilmember Deakin - aye, and Councilmember Fridal - aye. Motion approved.

- c. Consider granting 2000 West Right-Of-Use

Manager Woodworth informed the Council of a situation at 2000 West, on the west side of the road for the first ½ mile from Main Street to 600 North, where a protection strip exists which essentially restricts Taylor Enterprises from accessing that road. The City is granting Taylor Enterprise a Right-Of-Use so they can cross that protection strip anywhere along the stated ½ mile. This property is a possible location for a line of new power poles proposed by Rocky Mountain Power.

Motion by Councilmember Wood to grant the 2000 West Right-Of-Use. Motion seconded by Councilmember Deakin. Vote: Councilmember Wood - aye, Councilmember Deakin - aye, Councilmember Fridal - aye, and Councilmember Holmgren -aye. Motion approved.

- d. Consider RDA #3 joint venture proposal - Item deleted from the agenda.

- e. Consider appointing Mariah Bradfield to be a member of the Library Board

Councilmember Holmgren informed the Council that a vacancy had been created on the Library Board by Board Member Donna Tracy's resignation. Ms. Bradfield is an avid reader and a dedicated patron of the Library.

Motion by Councilmember Holmgren to appoint Mariah Bradfield to be a member of the Tremonton City Library Board. Motion seconded by Councilmember Fridal. Voter: Councilmember Holmgren - aye, Councilmember Fridal - aye, Councilmember Deakin - aye, and Councilmember Wood - aye. Motion approved.

- f. Consider adopting the Tremonton City Council Annual Meeting Schedule

Mayor Weese asked if there were any comments regarding the 2009 City Council Meeting Schedule?

Motion by Councilmember Fridal to adopt the Tremonton City Council Annual Meeting Schedule. Motion seconded by Councilmember Deakin. Vote: Councilmember Fridal - aye, Councilmember Deakin - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.

7. Unfinished business:

- a. Consider authorization to proceed with in-house engineer and IT appointment - Item deleted from the agenda.
- b. New City Logo - Item deleted from the agenda.

8. Comments:

a. Administration/City Manager Advise and Consent

1) 2000 West Development

Manager Woodworth informed the Council that the City is working with Rocky Mountain Power to install a new power line to service the Industrial Park from Main Street to 10th North.

George Humbert, with Rocky Mountain Power, is still in the process of providing this line for the City. A line from 10th North to the Glen Thompson property along 2000 West has already been approved. How the service will be divided between property owners is still being negotiated.

2) City Council Christmas Party - December 8, 2008 at Councilmember Holmgren's home

Manager Woodworth reminded the Council of the annual Council Christmas Party to be held December 8, 2008 at 6:00 p.m. at Councilmember Holmgren's home.

3) Consideration of dedication of a protection strip of property running approximately one foot in width alongside of 200 West as a designated public street to be on January agenda - Item deleted from the agenda.

4) Minute approval process to be done by ordinance, states draft status and final status/discussion. ULCT 10 20 08 - ULCT to provide ordinance. To be considered at January meeting.

Manager Woodworth informed the Council that the State is requiring an approval process for the Council minutes stating when they actually become the official minutes of the City. The Utah League of Cities and Towns is putting together a model ordinance. When the ordinance is complete, we will bring it to the Council and try to adapt it to our City practice in taking

minutes.

5) Fire Department Elections 6:30 p.m. Thursday, December 4, 2008

Manager Woodworth informed the Council that the Fire Department will hold elections on Thursday, December 4, 2008 at 6:30 p.m. All Councilmembers have been invited to attend.

Manager Woodworth also informed the Council that Box Elder County signed the City's Fire Agreement on December 1, 2008 for the \$19,845.00 to be paid for annual Fire Protection Fees.

b. Council Reports

Councilmember Holmgren stated that he had received several compliments from City residents on the decorative Christmas lights at Midland Square and along Main Street. He thanked the City crew for their work with the lights. Councilmember Holmgren also stated that he had received compliments on work done by the Public Works Department on various projects.

Councilmember Fridal reminded the Council that UTOPIA was going to attend a City Council Meeting in December to update the Council on their services. It is now December and what is the status on this meeting? Rich stated that a special meeting will be posted for the City Council to meet with UTOPIA in the near future as soon as a date can be arranged.

Councilmember Fridal informed the Council that his daughter had visited the Library the other night and it was so dark she could not even see the sidewalk going into the Library. What is the status on new lights at the City Library? Councilmember Holmgren stated that there is a light along the sidewalk going into the Library. Director Fulgham informed the Council that one of the lights at the Library had gone out and will be replaced shortly.

Councilmember Wood informed the Council that he will not be able to attend the Council's Christmas Party.

Councilmember Deakin passed on thanks from Emergency Management Coordinator, Jim Hess, to those who participated in the recent safety training. Everyone involved with this training certified.

Councilmember Deakin informed the Council that the City Planning Commission had approved the new zoning map. The Planning Commission will be discussing the Main Street corridor next.

Mayor Weese asked the Council if they were comfortable with their current Council Assignments? All members accepted their current assignments.

Mayor Weese informed the Council that he had received calls about the new light at 1000 West Main Street not allowing enough time for north and south traffic to pass through. Manager Woodworth stated this light is on a regulated cycle, however, he will contact UDOT to look into this situation.

Recreation Director, Rhett Ogden, informed the Council that Shayla Worrell is the City's current Punt Pass and Kick winner and has also won all the local state competitions. She is now in position to compete nationally.

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

No public comments made.

- 10. Adjournment

Motion by Councilmember Deakin to adjourn the meeting. Motion seconded by Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Wood - aye, Councilmemeber Fridal - aye, and Councilmember Holmgren - aye. Motion approved. The meeting adjourned at 7:38 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