

**TREMONTON CITY
CITY COUNCIL MEETING
December 4, 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 December 4, 2007 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: Mayor Weese, Councilmembers Deakin, Holmgren, Reese, Stokes and Wood, Manager Woodworth, Steve Bench of Building and Zoning, Public Works Director Fulgham, Police Chief Nance and Darlene Hess, City Recorder. Also attending the meeting were Jay Hardy, Box Elder County Commissioner and Gina Allen from the Landfill. Mayor Weese informed the Council that Commissioner Hardy had asked to speak to the Council about the landfill issue. He turned the time over to Commissioner Hardy to address the Council.

Commissioner Hardy told the Council that Manager Woodworth told him that the City Council does not want to take a stand on the landfill issue. Manager Woodworth corrected the statement by saying that he told Commissioner Hardy that the Council did not want to take a stand on the issue until they were more informed on the issue. Commissioner Hardy stood corrected. Commissioner Hardy told the Council that they should take a stand as the cities will be impacted more by the issue. Commissioner Hardy gave statistical information on tipping fees, increase recommended by the auditor and proposed savings per household. Other information given: 1. NURLA (consisting of 5 counties and four entities in Box Elder, Cache, Weber and Davis County) will guarantee a secure waste stream - we can't be competitive with only 38,000 ton of garbage. 2. Box Elder County will have a 25% ownership with veto power and if approved it will take the Whites Valley site off the planning list. 3. Tipping fee will drop from \$26 to \$12 when the full waste stream arrives. 4. Host fee will be \$900,000 per year. 5. Current Bond will be paid off for a savings of \$166,000. The savings will be used to upgrade equipment. Commissioner Hardy told the Council that he did not want us to go with the new landfill if we were not competitive.

Commissioner Hardy told the Council that big companies are wanting to come into the area and take

over.

Questions asked by the Council:

1. Councilmember Wood asked if the County will be spending a lot of money to repair roads. Commissioner Hardy told the Council that they will not be spending a lot of money for repair and that Iowa String will be the hub.

Councilmember Wood told the Council that with all the technology that is happening in the world today and the eighty year projected life span of the landfill, garbage will probably be developed into something useful before the site is filled to capacity.

2. Councilmember Holmgren asked about Promontory Point and if this location is still in the planning stage? Commissioner Hardy told the Council that Promontory Point is not an option now. The plan was to put a railroad spur across the lake and they have never addressed the issue.

Commissioner Hardy told the Council that if Box Elder goes with the proposed landfill, it will be a ten to twelve year transition. Additional public meetings will be held on this issue. Commissioner Hardy thanked the Council for letting him speak with them tonight.

The City Council Workshop adjourned at 6:57 p.m.

CITY COUNCIL MEETING

Mayor Weese called the December 4, 2007 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. In attendance: Mayor Weese, Councilmembers Deakin, Holmgren, Reese, Stokes and Wood, Manager Woodworth, Attorney Alyson Draper, Public Works Director Paul Fulgham, Police Chief David Nance, Steve Bench of Building and Zoning and Darlene Hess, City Recorder.

1. Opening Ceremony

Mayor Weese welcomed everyone to the meeting. He asked anyone who may be offended by listening to a prayer to step out into the foyer during this portion of the meeting. The prayer was given by Councilmember Stokes. The Pledge of Allegiance was led by Mayor Weese.

2. Approval of agenda

Motion by Councilmember Reese to approve the December 4, 2007 agenda. Second

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3. Approval of minutes - November 20, 2007 Canvass of 2007 Election Returns

Motion by Councilmember Holmgren to approve the minutes of the November 20, 2007 Meeting and accept the Canvass of the 2007 Elections. Second by Councilmember Stokes. Motion unanimously approved.

4. Introduction of guests

Mayor Weese welcomed everyone to the meeting and told the audience that he enjoyed having the Boy Scouts attend the City Council Meetings. He asked four scouts from Troop 120 to introduce themselves and commit to attain the rank of Eagle Scout in the Boy Scouts of America Association.

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

- a. Garland Cemetery Tax - Ron Jeppesen

Mayor Weese told the Council that Ron Jeppesen had requested to address an issue with them on Garland Cemetery Tax that is assessed to him each year.

Ron Jeppesen distributed a copy of his latest tax notice to the Council. He told them that the Garland Cemetery District taxes him every year which means he is taxed twice. Mr. Jeppesen told the Council that this is an unfair tax and no one wants to be taxed twice. He lives in Tremonton and does not feel he should have to pay a Garland Tax. He also talked to the Garland Cemetery District (Clint Munns, Larry Pierce and Margaret Ann Udy). He did not get anywhere with them. He then talked to Box Elder County and Ronda Menlove. They told him to start in his local community to gain support to protest the tax. That is why he is here tonight. The residents in Tremonton who are receiving this tax ask that the Council write a letter in support of the residents in their endeavor to get the tax assessment removed from their property. Ms. Menlove told him that if it does not work, he should take the issue to the Box Elder County attorney and sue them.

Mayor Weese told Mr. Jeppesen that the Council all agree with them that it is wrong. When we were approached to annex property, the Council did not have an idea that this problem would be an issue. Because we have no jurisdiction, the Council has no authority to help you.

Councilmember Stokes told Mr. Jeppesen that he agreed with him on the issue. He is part of the Garland Cemetery District as that is the way it was set up years ago. Manager Woodworth told Mr. Jeppesen that the Council can write a letter stating that

they feel individuals have a right to protest charges and seek relief. He told Mr. Jeppesen to come by his office tomorrow and he will have the letter written for him.

6. New Council Business:

- a. Consider Chamber of Commerce Office space at City Hall when the Police Department relocates - Sheena Hansen

Ms. Hansen did not attend the meeting so this item was tabled.

- b. Consider Memorandum of Agreement between Bear River Health Department and Tremonton City Police Department.

Mayor Weese asked Chief Nance to explain this item. Chief Nance told the Council that this agreement is for occupation of the building. The Bear River Health Department will be occupying a portion of the building until such time as their new building is constructed. The Police Department will be moving into the basement of the building except for the Police Chief and secretary. They will stay in their present location for the time being due to the ADA requirements. The purpose of the agreement is to establish a mutual framework governing the respective organizational relationship, responsibilities, and activities between the two organizations. The agreement identifies the terms and conditions of the shared occupancy of the building.

7. Planning Commission recommendation(s):

- a. Consider approval of Storm Drain Policy Plan, an attachment to the Public Works Standard Title III

Steve Bench discussed the Storm Drain Policy Plan with the Council. Councilmember Holmgren discussed the type of grass that should be used on the surface of a basin to enhance the aesthetics of the area and eliminate erosion and dust. Councilmember Holmgren suggested that drought tolerant grass may be used. Paul Fulgham suggested that the Storm Drain Policy Plan state on 4.8.2 that grass basins may use drought tolerant grass upon approval or they shall be provided with an automated sprinkler irrigation system previously approved by the City Engineer.

Manager Woodworth suggested the following changes:

- 1. On page 8 under 5.6 we should add to the paragraph and possibly to other item also: In all new construction, easements shall be obtained and pipes or swales sized to handle the 100 year flow.
- 2. On page 8 under 5.2 - the address is the only place you can get the form to fill

out.

3. On 6.1.5 - the address is the only location you can get the form to fill out the application - we need to add the web site to get the form.

Steve Bench told the Council that the Planning Commission had approved the Storm Drain Policy Plan prior to these changes. Manager Woodworth suggested that the changes be taken back to the Planning Commission as advice and consent.

Motion by Councilmember Holmgren that the Council approve the Storm Drain Policy Plan with the changes. Second by Councilmember Stokes. Motion unanimously approved.

8. Comments:

a. Administration/City Manager Advise and Consent

- 1) Manager Woodworth reported to the Council that Marion Layne, Senior Center Director, had given him a cost estimate for the portable building to be used by the Senior Center and remodeling of the Public Works Building for the kitchen use in preparing food for the Seniors. The cost is as follows:

Moving the portable building into place	\$ 4500.00
Remodeling of Public Works Building	\$ 5049.65
Skirt and ramp at portable building, hook up to Water, sewer, power and gas	\$ 3500.00 (estimate)
Rent for 2.5 years @ \$200 a month	\$ 6000.00
Total Project cost	\$19049.00
Matching funds from Tremonton City	\$ 5000.00
Total project request	\$15049.00

Manager Woodworth also reported that the Senior Center had applied for a grant for a Dodge Grand Caravan. The van would be 75% paid for from the grant.

Breakout is as follows:	Van	\$24995.00
	Additional fee	\$ 195.00
	Total	\$25190.00
	Paid for by grant	\$18892.50
	Owed by the City	\$ 6297.50

- 2) Report on BRWCD - tabled
- 3) Special Election - February 5, 2008 to be held at the Civic Center

Manager Woodworth informed the Council that the County would be holding a special election on February 5, 2008. They have asked if they can use the Civic Center. Manager Woodworth suggested that the City Council Meeting which is scheduled for that evening be held at the Public Works Building. The Council instructed the staff to schedule the meeting. If they determine at a future date that they do not want to meet on this night, the meeting will be cancelled.

b. Council Reports:

Councilmember Deakin told the audience that this will be the last official meeting for Councilmember Stokes. He told Councilmember Stokes that he would like to take this opportunity to thank him for his years of service on the Planning Commission and City Council.

Councilmember Deakin informed the Council that two weeks from tonight, is the scheduled Christmas Party for the Council. The Planning Commission Christmas Party is also scheduled on this night. He will be attending the Planning Commission Party then meet up with the Council after.

Councilmember Wood thanked Councilmember Stokes for his service to the City. He told the audience that Councilmember Stokes was the City Council representative when he served on the Planning Commission. He did an outstanding job for the City. Councilmember Wood commended Councilmember Stokes for his dedication to the City.

Mayor Weese told the audience that several years ago when there was an o
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Mayor Weese informed the audience that the playground equipment at the Library park is up. He told the Council that he would like to invite Mr. Wadman to come to Tremonton during the day for The Leader to take pictures. Mayor Weese told the Council that he would like to have a copy of the picture to give to Mr. Wadman and one to each of his stepsons. Mayor Weese expressed his appreciation to the Public Works crew for putting up the equipment.

Councilmember Reese told Councilmember Stokes that he had learned to love him through the years. He may be silent; however, he is deadly. Councilmember Stokes is a professional. Councilmember Reese told the Council that he gained a lot of education from Councilmember Stokes and he appreciate the training he received from him. Councilmember Reese told Councilmember Stokes that he appreciated everything he has done for the City.

Councilmember Holmgren told the audience that he seconded what everyone had said about Councilmember Stokes. He is a good man. I have been involved with Councilmember Stokes with everything from 4H pigs, Turkey Show, and City Council. Councilmember Holmgren told the audience that he is great and I admire him.

Councilmember Stokes told the Council that he appreciated everything that had been said. He had enjoyed serving seven years on the Council - it was an incredible experience. Councilmember Stokes told the audience that he had worked with three great Councils. Tremonton City people are great people. Not everyone had been agreeable with his opinions; however, he was happy to have served.

9. Public Comments:

Mayor Weese called asked if there were any public comments. **Dianna Doutre** told the Council that they were in attendance this evening in support of Ron Jeppesen. She then commented that she was very pleased with the park. She told the Council that it tickles her to see the kids on the playground equipment. She told the Council that the neighbors near the park have told her how grateful they are for the new equipment. She thanked anyone who may have had a part in getting the park upgraded for their assistance.

Mayor Weese thanked Ms. Doutre for her hard work in getting the playground equipment.

10. Closed Session - strategy session to discuss the possible sale of real property

Mayor Weese informed the audience that the Council needed to go into a closed session to discuss the possible sale of real property. **Motion by Councilmember Wood to move to a closed session.** Second by Councilmember Holmgren. Mayor Weese asked those in the audience to leave the room for this portion of the meeting. He, also, read a statement whereby he solemnly swore 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.

Motion by Councilmember Deakin to move to an open public meeting at 8:05 p.m.
Second by Councilmember Wood. Motion unanimously approved.

Motion by Councilmember Stokes to accept the offer on real property owned by the City with the stipulation that the property can be used to construct a hotel/motel only on the property and contingent upon the legal advice of the City Attorney that the City can accept the bid without putting the property up for bid. Second by Councilmember Deakin. Motion unanimously approved.

11. Adjournment

Motion by Councilmember Wood to adjourn the meeting. Second by Councilmember Deakin. Motion unanimously approved. The meeting adjourned at 8:10 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