

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
September 3, 2009**

Members Present:

David Deakin
Roger Fridal
Lyle Holmgren
Jeff Reese
Byron Wood
Max Weese, Mayor
Shawn Warnke, City Manager
Darlene Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Weese called the September 3, 2009 City Council Workshop to order at 6:04 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Weese, Councilmembers Deakin, Fridal, Reese, Holmgren, and Wood, City Manager Shawn Warnke, Public Works Director Paul Fulgham, Sergeant Todd Hunsaker, and Recorder Darlene Hess. The Council reviewed the agenda and discussed the following items in detail.

1. Review of agenda items on the 7:00 Council Meeting:

- ▶ Councilmember Holmgren reminded the Council that the Museum Board has been storing their items in a barn on the Zollinger property and they need to find a place to relocate those items. Board Director, Tamara Zollinger, has been working on this for sometime now. The Museum Board has a possible donor that may be able to help with a new museum building, however, that new building is a few years away. The Board is hoping the City will consider setting up a 99-year lease with the Board to rent City property for placement of the Museum Building when there are sufficient funds to construct the facility.

The Council discussed possible ways the City could assist the Museum Board and asked Councilmember Holmgren to remind the Board that the museum items are not City property. Director Fulgham said he does not have room at the Public Works building, however, the Board may consider purchasing or renting a semi trailer to use as temporary storage. The City also owns an old hanger building that may be a possible temporary solution.

Mayor Weese said this is not the City's responsibility, however, the City will try to support the Museum Board.

- ▶ Councilmember Reese suggested the Council meet with UTOPIA to discuss the status of their company and it's service as it relates to the City. Manager Warnke said the Council has two options to talk with UTOPIA. A representative from UTOPIA can attend a City Council meeting, or the Council can set up an off-line discussion. The Council would prefer an off-line discussion. Manager Warnke will set up a meeting with UTOPIA.

The meeting adjourned by consensus of the Council at 6:56 p.m.

CITY COUNCIL MEETING

Mayor Weese called the September 3, 2009 City Council Meeting to order at 7:03 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Mayor Weese, Councilmembers Deakin, Fridal, Holmgren, Reese, and Wood, City Manager Shawn Warnke, Public Works Director Paul Fulgham, Sergeant Todd Hunsaker, and Recorder Darlene Hess were in attendance.

1. Opening Ceremony:

Mayor Weese informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the hall for this portion of the meeting. The prayer was given by Councilmember Holmgren and the Pledge of Allegiance was led by Councilmember Deakin.

2. Approval of agenda.

Mayor Weese asked if there were any changes to the agenda? Mayor Weese reminded the Council that the July Financial Statement was not ready to be approved at this time and will need to be tabled. The individuals wanting to talk to the Council in Item 6b have asked that this item be deleted from the agenda. They may come back at a later date to request an on-premises beer license for their restaurant.

Motion by Councilmember Deakin to approve the September 3, 2009 Agenda by tabling Item 5b and deleting Item 6b. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

3. Approval of Minutes - August 6, 2009 and August 18, 2009.

Mayor Weese asked if there were any changes or corrections to the minutes? Manager Warnke asked to have the wording changed in Item 1 of the August 18, 2009 Workshop Minutes section to read: The State Statute "requires" cities with libraries "to have" a Library Board of Directors.

Motion by Councilmember Fridal to approve the minutes of August 6, 2009 and August 18, 2009, with the change to the August 18, 2009 Minutes in Item 1 of the Workshop section to read: The State Statute "requires" cities with libraries "to have" a Library Board of Directors. Motion seconded by Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

4. Introduction of guests:

This item was deleted from the meeting.

5. Common Consent - Consent Agenda

- a. Consideration of approving the July Warrant Register.

Motion by Councilmember Wood to approve the July 2009 Warrant Register. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- b. Consideration of approving the July Financial Statement.

This item was tabled.

- c. Consideration of approving the Contract Documents, Specifications, and Drawings for the Jeanie Stevens Park Trail.

Mayor Weese said the City had set aside \$100,000 for a walking trail. The City Engineer, Chris Breinholt, estimated the cost of constructing the trail at Jeannie Steven's Park at \$82,800. The Council viewed a map of the new park trail.

Motion by Councilmember Holmgren to accept the Contract Documents, Specifications, and Drawings for the Jeanie Stevens Park Trail. Motion seconded by Councilmember Fridal. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

6. Requests to be on the agenda (not an action item):

- a. Discussion on Country View Estates water - Russell Scott

Russell Scott and a few of his neighbors from Country View Estates Subdivision asked to be on the agenda to address a water pressure problem in their neighborhood. Mr. Scott reminded the Council of the concerns he presented at the last Council meeting.

Public Works Director, Paul Fulgham, told the residents that circumstances exist in this specific area which cause low water pressure. First of all, low pressure existed in this area prior to any homes being built there. Most homes in this subdivision have pressure regulators installed in their homes and the water lines are made from plastic piping which is smaller in diameter than copper pipe. Both of these issues cause a reduction in pressure. Director Fulgham said the City receives water for this area from the Bear River Water Conservancy District's water tank. When water is reduced in the tank, the pressure drops. All these factors combine to reduce the water pressure and also cause it to fluctuate on any give day. The State requires the City to supply at least 20 pounds per square inch of water and tests show the City is at 40 pounds per square inch. The City recently made flow adjustments to the water regulator at 2420 West 1000 North which has helped increase the water pressure slightly. Director Fulgham also said the subdivision developers could install a variable flow pump at a cost of \$50,000 to \$75,000 which would also relieve the pressure problem.

Mr. Scott said they are not disputing the City's data, however, they are concerned with performance and regularity. Residents of the area say there are many days when they only have a small drizzle of water even after bypassing the water pressure valves. The problem diminishes during the winter months. The residents said they notice a significant increase in pressure whenever the City performs testing on the hydrants.

The Country View Estates Subdivision has certain restrictive covenants which require the residents to install landscaping within one year of occupancy. Some of the residents have installed their landscaping but are unable to water their lawns and are ending up throwing away the money they spent to install it. The lawns and flower beds are burning up and dying from the inability to water their yards. Some residents do not want to spend the money to install landscaping due to this fact, yet they do not want to be in violation of the subdivision covenants.

Director Fulgham said he has visited the area on several occasions to try to resolve the problem. He offered to meet with residents on Saturday, September 5, 2009 to test their individual water lines. One solution which will help the situation is having the second phase of the subdivision developed where a water line will be connected to the City's water tank which is located just north of the development.

Mayor Weese said the City and Council is very concerned about this issue and sympathizes with the citizens. The City will do everything the City has the power to do to relieve the situation. The Mayor asked the residents to give the City at least one week to obtain information and suggested the residents contact the subdivision owner, Randy Marriott, along with the Bear River Water Conservancy District to express their concerns regarding the matter.

- b. Request for an on-premise beer license for a Mexican Restaurant - George Pelago and Hector Martinez

Mr. Pelago and Mr. Martinez came into the City Office a couple of weeks ago to obtain a beer license for their new restaurant and were told they would have to first receive approval from the City Council. They have since decided to wait to see if the restaurant succeeds before applying for the beer license, therefore, this item was deleted from the agenda.

7. New Council Business:

- a. Discussion and consideration of adopting Resolution 09-27 accepting a petition for annexation of certain real property under the provisions of Section 10-2-403 and 10-2-405, Utah Code Annotated, 1953, as amended - Jonathan Randy Grover and Loni Bird Grover

Jonathan Grover told the Council that he would like to annex approximately a one acre portion of his property at 2139 East Main into the City. Mr. Grover wants to build a home on this property which is just north of his existing home. An entranceway to the property will be along the east boundary line of the property.

Mayor Weese asked the representatives from the newspapers if they would print an

article which states the City does not go knocking on doors asking people to annex into the City; it is requested by the property owners. The property tax on a \$200,000 home for the City is approximately \$300.

Recorder Hess asked Mr. Grover if this property was part of the Agricultural Protection Area? Mr. Grover said that to his knowledge it was not part of the protected area. Recorder Hess said she would check with the County to find out for sure.

Manager Warnke asked if the entire parcel of property would be required to be annexed, or can parcels with one tax number be divided? Recorder Hess said she had asked the County regarding this matter and they told her it is not required to annex the whole parcel.

Motion by Councilmember Deakin to accept adopting Resolution 09-27 accepting a petition for annexation of certain real property under the provisions of Section 10-2-403 and 10-2-405, Utah Code Annotated, 1953, as amended - Jonathan Randy Grover and Loni Bird Grover. Motion seconded by Councilmember Reese. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- b. Discussion and consideration of adopting Resolution 09-28 approving a road construction agreement associated with the future development of parcel 05-055-0146 between Chris Sorensen and Tremonton City

Mayor Weese said Mr. Sorensen wants to subdivide his property into three lots so that his children can build homes on the property. Councilmember Deakin said this had been previously approved by the Planning Commission and Director Fulgham said it had been approved by the Land Use Authority Board.

Motion by Councilmember Fridal to approve Resolution 09-28 approving a road construction agreement associated with the future development of parcel 05-055-0146 between Chris Sorensen and Tremonton City. Motion seconded by Councilmember Reese. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- c. Discussion and consideration of adopting Resolution 09-29 approving a road construction agreement associated with the future development of parcel 05-055-0164 between Chris Sorensen and Tremonton City

Mayor Weese said this is the same development situation as in Resolution 09-29 except for a slight change in location. It is still the same area of property.

Motion by Councilmember Fridal to approve Resolution 09-29 approving a road construction agreement associated with the future development of parcel 05-055-0164 between Chris Sorensen and Tremonton City. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and

Councilmember Wood - aye. Motion approved.

8. Comments:

a. Council Reports

Councilmember Fridal said he appreciates the fact that the citizens are able to voice their concerns in our City.

Councilmember Wood thanked the Women's Civic League for putting together the City's Community Booth at the Fair and asked if the local newspaper would print this in their newspaper.

Councilmember Deakin suggested a letter of thanks be written to the members of the Women's Civic League for their work on the City's booth at the Fair.

Sergeant Hunsaker left the meeting at 8:05 p.m.

Mayor Weese thanked the Women's Civic League and all of the City employees for their work pertaining to the Fair. The Police Department works overtime to accommodate for the needs of the community during the Fair time.

Mayor Weese informed the Council that the Police Department has a new volunteer Reserve Officer, Devon Rose, who has recently joined the Department.

9. Public comments: Comments limited to three minutes. No public comments were made.

10. Adjournment

Motion by Councilmember Deakin to adjourn the meeting. Motion seconded by Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved. The meeting adjourned at 8:12 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 Hess, Recorder