

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
December 1, 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 December 1, 2009 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. Those in attendance were Mayor Weese, Councilmembers Deakin, Fridal, Reese, Holmgren, and Wood, City Manager Shawn Warnke, Public Works Director Paul Fulgham, Zoning Administrator Steve Bench, Police Sergeant Kevin Allred, 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 p.m. Council Meeting.
 - ▶ Mayor Weese asked about additional parking at the Senior Center described in Item 6a? Manager Warnke said that this item is only meant as information for the Council from Senior Center Director, Marion Layne, to be aware of the need for additional parking at the Senior Center. Manager Warnke said it is Director Layne's intent to work with local civic groups for possible donations to fund this project.
 - ▶ The Council briefly discussed changes to the City's Employee Policies and Procedures.
 - ▶ Councilmember Holmgren informed the Council that he had been approached by the Chamber of Commerce stating they are looking for a new location.
 - ▶ The Council reviewed the remaining items on the Council Meeting Agenda.

The meeting adjourned at 6:51 p.m. by consensus of the Council.

CITY COUNCIL MEETING

1. Opening Ceremony

Mayor Weese called the December 1, 2009 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, Fridal, Holmgren, Reese, and Wood, City Manager Shawn Warnke, Public Works Director Paul Fulgham, Zoning

Administrator Steve Bench, Police Sergeant Kevin Allred, and Recorder Darlene Hess were in attendance.

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 Wood and the Pledge of Allegiance was led by Manager Warnke.

2. Approval of agenda

Mayor Weese asked if there were any changes to the agenda? No comments were made.

Motion by Councilmember Holmgren to approve the December 1, 2009 agenda. Motion seconded by Councilmember Fridal. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

3. Approval of Minutes - November 10, 2009 and November 17, 2009.

Mayor Weese asked if there were any changes or corrections to the minutes? No comments were made.

Motion by Councilmember Reese to approve the minutes of November 10, 2009 and November 17, 2009. Motion seconded by Wood. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

4. Introduction of guests.

Mayor Weese said the City wanted to acknowledge citizens who had recently graduated from the CERT Program (Community Emergency Response Team). Instructor Mark Thompson thanked the Mayor and Council for supporting the CERT Program and said that nine individuals had recently completed the program, seven of which were in the audience to receive their certification of completion.

Mayor Weese had each graduate come to the front of the room as he read their names and presented them with their certificates along with a small key to the City lapel pin.

Graduates receiving certificates were:

Kevin Wright	Steven Keene
Jon Mitchell	Cynthia Nelson
C. Kaylene Taylor	Randy Taylor
Sarah Wilson	Larry Wilson
Patrick Hatchcheck	

Mayor Weese also welcomed students from Mr. Little field's Class at Bear River High School.

5. Request to be on the agenda (not an action item):

a. Field Drain Identification Program - Taylor Payne

Taylor Payne and Clint Hill from the Northern Utah Conservation District presented the Council with the completed Field Drain Identification Project Booklets they had prepared for the City. Mr. Payne said the District had received a government grant to perform this project and expressed his thanks to the City for participating. Mr. Payne and Mr. Hill explained some of the drain maps and said this will benefit the City's future development as well as protect existing drains. Mr. Payne said this information is also available on digital format and he will see that Public Works Director, Paul Fulgham, gets A digital copy.

Councilmember Holmgren complimented Mr. Payne and Mr. Hill for their work on the project.

The City contributed \$6,000 over a three-year period to the Conservation District for the Field Drain Identification Project.

6. New Council Business:

a. Discussion and consideration of the need for additional parking at the Senior Center - Senior Center Director Marian Layne.

Director Layne was not in attendance at the meeting, therefore, the Council decided to table this item.

b. Discussion and consideration of signing paperwork associated with the JAG Grant for 800-Megahertz Radios for public safety - Police Chief Dave Nance.

Sergeant Allred informed the Council that the Police Department had received a grant from JAG (Justice Assistance Grant) to use toward purchasing eleven portable 800-megahertz frequency radios and equipment. Several counties and cities in Utah have switched over to the 800-megahertz frequency. Tremonton will be the only City in Box Elder County to be on this new frequency. The Tremonton Police Department will now be able to communicate by radio with other law enforcement agencies who are also on this frequency. Box Elder County has not switched over to the new frequency from the VHF frequency, however, they have overlapped frequencies to accommodate agencies using the 800-megahertz frequency. The County hopes to switch over to the new 800 frequency within the next three to four years.

Sergeant Allred said the grant does not cover a monthly user fee of \$23.75 per radio. This amount will need to be funded for the remaining four months of the current budget year from the Police Department's Budget. The Police Department will request a line item be added to the 2010/2011 Budget in the amount of \$3155 to cover the user fee. Sergeant Allred said the Box Elder Law Enforcement Administrators Association is working with the County Commissioners to find a way to obtain funding for the user fees.

Motion by Councilmember Deakin to approve the spending of the JAG Grants' money to purchase 800 Megahertz Radios for public safety. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- c. Discussion and consideration of a request by Garland Civic Club to assist with funding enhancements to the Bear River High School Auditorium.

Mayor Weese said the Garland Civic Club is asking for donations for repairs to the Bear River High School Auditorium. The Club is asking for \$1,000 donation.

Councilmember Reese said he is not comfortable with making this donation without some sort of plan for where the money will be utilized and implementation of measures to care for the facility.

Councilmember Wood said the Box Elder School District just received several hundred thousand dollars from tax payers from the recently established bond which they should use for the repairs. He suggested that maybe the Tremonton Ladies Civic League would consider donating to this cause. Councilmember Wood said it is time for the City to put its foot down and say "no" to more spending.

Councilmember Deakin asked where the money for this donation would come from? Manager Warnke said it could be taken from the equipment fund.

Councilmember Holmgren suggested the Civic Club obtain bids and more solid information about the repairs. Councilmember Holmgren asked the High School students in the audience how they felt about the condition of the auditorium? Nicole Thompson said she didn't think there were any major concerns. Alyssia Byington said she has performed in plays on the stage at the auditorium and the sound system cracks during performances. Ms. Byington also said the stage curtain has holes in it.

Councilmember Reese said the sound system at the auditorium was replaced three years ago and the reason it cracks is a result of students being allowed to play music which is turned up too loud for the system.

Mayor Weese said taxpayers have already given a lot of money to the School District, therefore, the School District should pay for the repairs.

Motion by Councilmember Fridal to approve donating \$1,000 to the Garland Civic Club to assist with funding enhancements to the Bear River High School Auditorium. Motion seconded by Councilmember Deakin. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - nay, Councilmember Reese - nay, and Councilmember Wood - nay. The motion did not pass.

- d. Discussion and consideration of approving Resolution 09-39 amending Sections: III Employee Hiring; XVI Benefits; and XVIII Leaves of Absence of the City's

Personnel Policies and Procedures Manual.

Manager Warnke informed the Council that this Resolution will take care of some housekeeping items to the City's Policy and Procedures which will include changes and adjustments in classification and terminology. Specific items to be addressed will be new-hire drug testing and probations, and the cancellation of insurance coverage for one spouse if both spouses are employed by the City.

Manager Warnke said the Council had previously discussed payment and reimbursement to employees for Continuing Education if specific criteria is met, along with short term disability. Manager Warnke suggested the Council not amend these two items at this time.

Motion by Councilmember Holmgren to approve Resolution 09-39 amending Sections: III Employee Hiring; XVI Benefits; and XVIII Leaves of Absence of the City's Personnel Policies and Procedures Manual. Motion seconded by Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- e. Discussion and consideration of approving Ordinance 09-30 modifying, replacing, repealing and/or adding to certain portions of Title 10 Fire, Health, and Welfare, Chapter 10-100 Fires - Department - Code, of the Tremonton City Corporation's Revised Ordinances, more particularly, Part 10-110 Department, adding Section 10-112 Rules and Regulations, and Part 10-120 Personnel and Duties, moving Section 10-122 Power and Duties of Chief to Section 10-125 and adding Section 10-122 Creation of Deputy Chiefs; repealing 10-123 Employees and replacing it with 10-123 Creation of Captains; adding Sections 10-124 Fire Department Employees, Section 10-126 Employees, and Section 10-127 Personnel Policies and Procedures.

Mayor Weese said this Ordinance is an overhaul of the Fire Department's Policies.

Councilmember Deakin said he noticed in some of the wording in the Ordinance the Firefighters are referred to as "employees" and in some places they are referred to as "volunteers." Councilmember Deakin suggested there is just one description for the Firefighters for the sake of consistency.

Motion by Councilmember Deakin to approve Ordinance 09-30 modifying, replacing, repealing and/or adding to certain portions of Title 10 Fire, Health, and Welfare, Chapter 10-100 Fires - Department - Code, of the Tremonton City Corporation's Revised Ordinances, more particularly, Part 10-110 Department, adding Section 10-112 Rules and Regulations, and Part 10-120 Personnel and Duties, moving Section 10-122 Power and Duties of Chief to Section 10-125 and adding Section 10-122 Creation of Deputy Chiefs; repealing 10-123 Employees and replacing it with 10-123 Creation of Captains; adding Sections 10-124 Fire Department Employees, Section 10-126 Employees, and Section 10-127 Personnel Policies and Procedures, and change all references to the Firefighters to read as "employees." Motion seconded by Councilmember Fridal. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember

Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye.
Motion approved.

- f. Discussion and consideration of approving the appointment of Daniel Francom as a member of the Library Board.

Councilmember Holmgren informed the Council that the Library is in need of a new Board Member. The name of Daniel Francom had been presented previously to the Council and there was a concern as to whether or not Mr. Franco was an adult. Councilmember Holmgren said that Mr. Franco is an adult and he is qualified to serve on the Library Board.

Motion by Councilmember Holmgren to approve the appointment of Daniel Franco as a member of the Library Board. Motion seconded by Councilmember Fridal. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

7. Comments:

- a. Administration/City Manager Advise and Consent.

Manager Warnke informed the Council that the City will be holding an open house for Mayor Weese on Friday, January 8, 2010 in the Civic Center. Manager Warnke said he would like to honor Mayor Weese and thanked him for the time they have worked together.

Mayor Weese said we have great citizens in our community and it has been a pleasure and an education serving as Mayor.

- b. Council Reports.

Councilmember Deakin asked if any decision had been made on the Chicken Ordinance (raising chicken within City limits)? Zoning Administrator Bench said the City would stand by the current zoning regulations on this matter.

Councilmember Deakin applauded the CERT Program and said he had participated in this program a few years ago.

Councilmember Deakin expressed his appreciation for Mayor Weese and said that no one can defuse a situation like Max. Councilmember Deakin thanked Mayor Weese for what he has done for our City.

Councilmember Wood informed the Council that the City's sign west of town needs to be painted.

Councilmember Wood said he has appreciated the six years he has served with Mayor Weese and that he choose to run for office again to be able to work with him.

Councilmember Fridal said the CERT Program is terrific and so are the dedicated people in the program.

Councilmember Fridal said it has been a joy to work with Mayor Weese and that he has known him personally for several years.

Councilmember Holmgren said he went into Mayor Weese’s store just after he had been elected Mayor and knew that he was going to be good for the City. The town has grown and he is grateful for all that Mayor Weese has accomplished and is glad he has been Mayor of the town he lived in.

8. Public comments: Comments limited to three minutes.

No public comments were made.

9. **CLOSED SESSION** to discuss pending litigation.

Motion by Councilmember Holmgren to move to a closed session. Motion seconded by Councilmember Deakin. Vote: Councilmember Deakin - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved. By an affirmative vote of at least two-thirds of the members of the public body present, the Council moved to a closed session at 7:51 p.m.

Motion by Councilmember Deakin to move back into an open session at 8:13 p.m. Seconded by Councilmember Wood. Vote: Councilmember Reese - aye, Councilmember Wood - aye, Councilmember Fridal - aye, Councilmember Holmgren - aye, Councilmember Deakin - aye. Motion approved unanimously. No ordinance, resolution, rule, regulation, contract or appointment was approved during this closed session.

10. Adjournment

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 _____, 2010.

Darlene S. Hess, Recorder