

**TREMONTON CITY CORPORTATION  
CITY COUNCIL MEETING  
March 2, 2010**

Members Present:

David Deakin  
Diana Doutre  
Lyle Holmgren  
Byron Wood  
Roger Fridal, Mayor  
Shawn Warnke, City Manager  
Darlene Hess, Recorder

**CITY COUNCIL WORKSHOP**

Mayor Fridal called the March 2, 2010 City Council Workshop to order at 6:02 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Deakin, Doutre, Holmgren, and Wood, City Manager Shawn Warnke, Police Chief David Nance, Zoning Administrator Steve Bench, and Recorder Darlene Hess. Councilmember Reese was excused from the meeting. The Council reviewed the agenda and discussed the following items in detail.

1. Review of Council Meeting agenda items:
  - Manager Warnke said he is working on the City's new Budget, however, it will not be where he would like it to be for the Council in time for the March 9, 2010 Budget Meeting, therefore, that meeting will need to be canceled.
  - Mayor Fridal said he had received a letter from a resident stating that the City's current cul-de-sac design is poor, and that the City should change the future design.
  - Mayor Fridal said Dan Harbeck, from the Union Pacific Railroad, would like to meet with the Council for dinner on March 12, 2010 at 6:00 p.m. Mayor Fridal asked the Council to let him know who would be attending.
  - Councilmember Doutre asked if any of the Councilmembers would be attending the Chamber of Commerce Breakfast at Hampton Inn? The Council was not sure of the date of the Breakfast.
  - The Council reviewed each item on the March 2, 2010 agenda.

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

## CITY COUNCIL MEETING

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### C 1. Opening Ceremony.

Mayor Fridal called the March 2, 2010 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. Those in attendance were Mayor Fridal, Councilmembers Deakin, Doutre, Holmgren, and Wood, City Manager Shawn Warnke, Police Chief David Nance, Zoning Administrator Steve Bench, and Recorder Darlene Hess. Councilmember Reese was excused from the meeting.

Mayor Fridal 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 Doutre.

### 2. Approval of agenda.

Mayor Fridal asked if there were any changes to the agenda? Manager Warnke said the County had decided not to install the RV Park at the Fair Grounds; therefore, Item 5a would need to be deleted from the agenda. Councilmember Holmgren told the Council that Mr. Munns, representing the County, was not able to attend the meeting and that Item 6a would, also, need to be deleted from the agenda.

**Motion by Councilmember Deakin to approve the March 3, 2010 agenda with the deletion of Item 5a and Item 6a.** Motion seconded by Councilmembers Holmgren and Wood simultaneously. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.

### 3. Approval of minutes - February 16, 2010.

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

**Motion by Councilmember Holmgren to approve the minutes of February 16, 2010.** Motion seconded by Councilmember Doutre. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.

### 4. Introduction of guests.

Mayor Fridal welcomed one scout and his mother to the meeting.

5. New Council Business:

- a. Discussion and consideration of approving a 50 unit RV Park at the Fair Grounds – Box Elder County Commissioner Jay Hardy and Donnie Tarver.

Item deleted from the agenda.

- b. Discussion and consideration of an On Premise Beer License for Bear River Bowling Center, LLC and authorizing a letter be written to the State when all conditions are met – Chad Munns.

Chad Munns told the Council that he owns a bowling alley and restaurant at 1410 West Main. He would like to obtain an On-Premise Beer License for the restaurant. Mr. Munns said he is required by the State to obtain a letter of approval from the City before he may obtain State approval for the license.

Mr. Munns said he is currently remodeling the restaurant. His customers have requested that he serve beer so they do not have to travel out of town to purchase their beverage of choice. Mr. Munns said he would not be serving bottled beer; he will only serve draft beer.

Councilmember Doutre asked if additional insurance is required for businesses selling beer? Mr. Munns said the State has numerous requirements; one of them being insurance. Mr. Munns said he is allowed to hire minors, however, they are not allowed to serve, sell, or furnish beer. They are allowed to receive payments for food and services at the cash register.

It was found that the On-Premise Beer License at this location will meet City regulations.

Councilmember Holmgren said the City is allowed one On-Premise Beer License for every 1000 residents. This allows the City to have seven licenses total. Recorder Hess said the City currently has three On-Premise Beer Licenses issued, and six Off-Premise Beer Licenses issued. One other request has been made for an additional On-Premise Beer License to be considered at the next Council Meeting.

Councilmember Doutre said she felt that the City does not need any more beer in Tremonton.

Mayor Fridal asked if there were any more questions or comments regarding this matter. No other comments were made.

**Motion by Councilmember Holmgren to authorize the staff to sign a letter to send to the State authorizing an On-Premise Beer License for the Bear River Bowling Center, LLC as long as they meet the State of Utah's requirements.** Motion seconded by Councilmember Deakin. Vote: Councilmember Deakin - aye, Councilmember Doutre - nay, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved by majority vote.

6. Unfinished Business:

- a. Discussion of using the Jeanie Steven's Park during a County Fair Event – Monte Munns.

Item deleted from the agenda.

7. Planning Commission recommendation(s):

- a. Discussion on vacating the Johnson Estates Subdivision Phase 1 located at 250 South 1000 West including all road right-of-ways and easements.

Administrator Bench informed the Council that the Johnson Estates Subdivision Phase 1 had been approved and recorded in October 1999. The developer passed away before the subdivision was developed and it was eventually sold. The new owners would like to develop the area which requires vacating the previous subdivision.

Administrator Bench said the Planning Commission held a Public Hearing on this matter, however, only the City Council can hold a Public Hearing regarding vacating subdivisions.

**Motion by Councilmember Wood to approve setting a Public Hearing to discuss vacating the Johnson Estates Subdivision Phase 1 located at 250 South 1000 West, including all road right-of-ways and easements. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, and Councilmember Wood - aye. Motion approved.**

8. Comments:

- a. Administration/City Manager Advise and Consent.

- 1) Federal Railroad Administration requirements applied to Tremonton City's rail spur.

Manager Warnke said the City is required to follow FRA requirements for inspections and tests on the City owned rail spur which services Malt-O-Meal and Intertape Polymer. The City has contacted the certified inspectors who will provide those services and the City will move forward with those procedures. The City's cost for the inspections will be reimbursed by Malt-O-Meal and Intertape Polymer. This will be included as an upcoming agenda item.

- 2) Tremonton City's participation in the Federal Emergency Management Agency's National Flood Insurance Program.

Manager Warnke told the Council that Box Elder Country currently participates in the FEMA Insurance Program. FEMA is in the process of

mapping the flood plain areas in the County. FEMA has a preliminary map of Tremonton City which shows only one flood plain area at 300 East Main Street.

After the City is mapped, the Council will need to decide if they want the City to be a participating community in the FEMA Insurance Program. If the Council decides to have the City participate in the program, they will need to adopt building standards and regulate building in the flood plain area. If the Council should decide not to participate in the program, the City would be in jeopardy of losing FEMA funds in the event of a disaster. Participation in the program also allows property owners in the flood plain areas availability to flood insurance.

- 3) Allowing the U.S. Census space within the Tremonton Civic Center to operate a Quality Assurance Center for a four-week period.

Manager Warnke said the City had adopted a resolution to support the U.S. Census. A representative from the Census Bureau contacted the City to see if the City could provide office space with a waiting area for approximately four weeks at fifteen hours a week, to be used as a Quality Assurance Center. Manager Warnke said the City has an empty office in the Civic Center which could serve their needs. The Civic Center also has a lobby for the waiting area.

b. Council Reports:

**Councilmember Deakin** said the Planning Commission approved the appointments of Bryce Bradfield and John Losee as new members of the Commission. Rick Seamons will remain as Chairman, and Bob Anderson has been appointed as Chairman Pro-Tempore.

Councilmember Deakin asked what the status was on the new water well. Manager Warnke said the owner of the well is out of town and the City is just waiting for him to sign the agreement contract.

**Councilmember Dautre** said she is looking forward to spring and working with the Beautification Committee.

**Councilmember Holmgren** said the Museum Board has an opportunity to purchase a building from a property owner at a discounted price for a new Museum. The property owner wants the Board to show that the museum will be self-sustaining. The Museum will not have to rely on the City for anything if they utilize this location.

**Mayor Fridal** said he had watched a movie recently where a profound statement was made to help change the world: "One act of random kindness at a time." This philosophy can be embraced by the Council along with residents in their relationships with their neighbors and friends. This doesn't take giant things; little things work as well.

9. Public comments: Comments limited to three minutes.

**Cari Doutre** from The Leader newspaper asked the Council if they would be going into a closed session after this meeting? Mayor Fridal said the Council would be moving to a closed session. Ms. Doutre said The Leader would like to get a picture of the new Council. Mayor Fridal said the next time the Council would all be in attendance, would probably be at the April 6, 2010 Council Meeting.

10. **Closed session to discuss possible litigation.**

~~Motion by Councilmember Holmgren to move to a closed session. Motion seconded by Councilmember Douthett. Vote: Councilmember Douthett – aye, Councilmember Doutre – aye, Councilmember Holmgren – aye. Motion approved by consensus of the Council. The Council moved to a closed session at 7:26 p.m.~~

**Motion by Councilmember Deakin to return to an open session.** Motion seconded by Councilmember Douthett. Vote: Councilmember Douthett – aye, Councilmember Deakin – aye, Councilmember Holmgren – aye, Councilmember Wood – aye. Motion approved. The Council returned to an open meeting at 8:01 p.m.

11. Adjournment.

**Motion by Councilmember Wood to adjourn the meeting.** Motion seconded by Councilmember Douthett. Vote: Councilmember Wood – aye, Councilmember Douthett – aye, Councilmember Holmgren – aye, Councilmember Deakin – aye. Motion approved. The meeting adjourned at 8:03 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 \_\_\_\_\_, 2010.

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Darlene Hess, Recorder