

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
July 20, 2010**

Members Present:

David Deakin
Diana Doutre
Jeff Reese
Byron Wood
Roger Fridal, Mayor
Shawn Warnke, City Manager
Darlene S. Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the July 20, 2010 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 Fridal, Councilmembers Deakin, Doutre, Reese, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Public Works Director Paul Fulgham, Police Chief David Nance and Treasurer Sharri Oyler. Councilmember Holmgren was excused. 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:

The Council reviewed the July 20, 2010 Agenda with the following items being discussed in more detail:

- Councilmember Doutre asked for some background on Agenda Item 7.a regarding a Resolution adopting an Ambulance Bill Reduction Policy for Tremonton City. Treasurer Oyler explained that the Ambulance Bill Reduction Policy was approved by the City Council approximately 18 months ago. Manager Warnke said that, after some experience with administering the policy, the staff is now proposing it be amended, eliminating the resident and non-resident classification and raising the maximum amount of what can be reduced to 100%, according to the patient's needs. The responsible party would be required to submit a signed application/affidavit regarding their circumstances. Also proposed is a change to the approval process, giving the Fire Chief and the City Treasurer authority to approve bill reductions. This would allow for these decisions to be made outside of a public meeting which is probably not the best forum in which to discuss such issues. The Council discussed their understanding of the current policy which allows, in instances where a hardship exists, the Council to write off 100% of the balance of an ambulance bill after insurance payment, and 30% of bills where there is no insurance. Manager Warnke told the Council that it is being proposed that there be no distinction between

residents and non-residents as the Fire Department is now entirely supported by user fees and is not subsidized by the use of property taxes. Also, the service area for the ambulance is much broader than the boundaries of Tremonton City.

Councilmember Deakin stated that he does not entirely agree that the ambulance services are not being subsidized somewhat by the City. All that has really changed is the accounting. It is true that their operating costs are being covered by fees charged for ambulance calls, however, the City does not charge the Fire Department for rent of the building nor for the equipment the City has paid for. He expressed concern that, though he likes some of what he sees, if the City starts down this path of allowing the Fire Department to be more independent and to make decisions related to write-offs, etc., the City may get themselves into a little bit of trouble. Councilmember Deakin said that it makes perfect sense to have the responsible party fill out the application/affidavit form and not to require them to come to City Council to discuss their financial situation, and to have the Treasurer decide when it is useless to send them to collections. There needs to be a policy of how and when the City is going to adjust a bill or write things off, including water bills. Councilmember Reese commented that he agreed that there should be a policy on water bills. Manager Warnke said that he had struggled with whom to put over the approval policy. He suggested Treasurer Oyler as she is the one on the front-line, but, perhaps it should be the Mayor or a Councilmember.

Councilmember Deakin said he would like a little more time to think this over as there are a lot of little ramifications. Perhaps the Treasurer could make the recommendation to the Council and let the Council make the final decision. The need to be consistent and have a write-off policy for water bills, as well, was discussed. Manager Warnke told the Council that the Financial Assistance Form will state that the information contained therein is protected. If the Council wishes to be more involved, he suggested that a Councilmember or two be picked to represent the Council in determining write-offs. Councilmember Wood suggested that the Council consider the possibility of getting into trouble with a resident versus non-resident write-off policy. Mayor Fridal suggested that the Council ponder the proposal for two weeks and then consider it again.

- Manager Warnke told the Council that there is a modification to the proposed Resolution regarding a reduction of utility fees for families of military personnel from the one original presented to the Council. The change is underlined. Also attached is a form for tracking purposes. One of the added requirements is that the customer remain current on their utility bill. Treasurer Oyler said that there are only two military families who have requested the reduction. Councilmember Deakin asked if the reduction would apply to rental property owned by the applicant and Ms. Oyler explained that they would have to live in the house or apartment.

- Director Fulgham discussed the bids for the 350 North Project. The low bid was \$152,908.65 and the high bid was \$153,941.50. It was the recommendation that the bid be awarded to the low bidder, Consolidated Paving. About \$8,000 of the project is for the storm drain, so it will likely be covered under the Storm Drain Budget. There are some other projects that Director Fulgham would like the Council to look at inasmuch as the bid came in lower than what was budgeted. One is the Tenth North Storm Drain Pond (Spring Acres), and another is a storm drain at 850 South 100 West. Councilmember Dautre called Mr. Fulgham's attention to a pot hole located near 2000 West and 1000 North. Director Fulgham said he would look into it. Mr. Fulgham told the Council that the pothole at the Ridley parking lot is not on City property. The roadway belongs to C & D Enterprises.

Director Fulgham recommended that the 350 North Project be awarded to Consolidated Paving. They have done several jobs for the City. They will grind the entire road, re-grade it, and put down three inches of asphalt. The storm drain will be put in on the east and south side, as well as the curb and gutter, then, the whole road will be paved. 400 West from 300 North to 350 North will also be re-done.

Manager Warnke commented that he wanted the Council to think about how the City treats storm drain projects that are a part of road projects so far as City accounting is concerned. Finance Director Curtis Roberts is in the process of dividing some of the assets out into the Storm Drain Fund. During the budgeting process, \$36,000 was called upon, from the Fund Balance, for the Storm Drain Fund. There are some storm drain related projects underway that Mr. Warnke wanted the Council to be aware of: the 350 North Project - \$8,000, the 850 South 100 West project - about \$7,400, and the Spring Acres Project - \$16,000. Mr. Warnke stated that he is in the process of amending the budget for the August 3rd agenda. One of the amendments being considered is taking some funds from the General Fund Balance for road projects. Director Fulgham told the Council that there are several road projects that need attention. Councilmember Reese asked which street was the worst. Mr. Fulgham responded that there are several but the worst is in Park Meadows, the last piece of 800 South that was never done.

- Minutes – Councilmember Deakin questioned the wording in the fifth sentence of the last paragraph of page 10 where it states, “. . . if they are working for the Senior Center, they are still working for Public Works.” He questioned if that should read, “they are *not* working for Public Works”. Director Fulgham explained that they actually are working for Public Works. The Senior Center is one of the charging centers for Public Works.
- Warrant Register – Councilmember Wood questioned a check written to the Salt Lake Bees in the amount of \$6,641.00, wondering if that is the amount the City is paying the Bees each year. The Council said they would like to know more about this payment.

Weed conditions, abandoned cars, etc. within the City were discussed. Chief Nance stated that the Code Enforcement Officer, Greg Horspool, has contacted one of the locations several times. They clean it up for a while, then let it go again.

- Manager Warnke informed the Council that he is working on three grants for the City. One group he is working with is the River Trails and Conservation Assistance Program . They provide planning assistance for trails and outdoor recreation. This group can come in and help with existing City Plans to see if they are still valid. Mr. Warnke suggested that the Council look at the bigger portion of Tremonton. He has checked with UDOT, and they have a trails map that came from the Box Elder Emerging Plan, so the City could connect into that trail plan as well. If the City is able to get this grant, it could be a springboard for getting other grants.

The second grant is \$1,500 for trees. This one requires a match but money has already been set aside in the budget for this. The funds would be used to re-plant some declining trees in North Park and other areas. Councilmember Doutre commented that the City might as well not plant trees if they are not going to be watered. Director Fulgham said that the trees around the Civic Center are doing fine. Some of the plantings are wilting, but that will be taken care of tomorrow. In the past, there were only shrubs planted, and they were being watered off the lawn sprinklers. That is no longer enough water with the combination of the plantings that are now there. A sprinkler system is going to have to be installed.

The Council discussed the Tremonton City Days celebration. Councilmember Fridal asked if there was anyway to get another grill. Director Fulgham said he had purchased a grill. There have been offers of help with the breakfast. Councilmember Wood suggested having the Youth City Council help.

The meeting adjourned at 6:58 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the July 20, 2010 City Council Meeting to order at 7:04 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, Reese, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Public Works Director Paul Fulgham, Police Chief David Nance. Councilmember Lyle Holmgren was excused.

1. Opening Ceremony.

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 lobby for this portion of the meeting. The prayer was given by

Councilmember Doutre and the Pledge of Allegiance was led by Councilmember Reese.

2. Introduction of guests

Mayor Fridal welcomed all those in attendance.

3. Approval of agenda.

Mayor Fridal asked if there were any changes to the agenda. There were no comments.

Motion by Councilmember Wood to approve the July 20, 2010 agenda. Motion seconded by Councilmember Reese. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

4. Approval of minutes – July 6, 2010.

Mayor Fridal asked if there were any changes or corrections to the minutes.

Motion by Councilmember Deakin to approve the minutes of July 6, 2010 with the following correction: on page 10, the fifth sentence of the last paragraph, change “they are still working” to read “they are not working”. Motion seconded by Councilmember Reese. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

5. Proclamation

a. *In Celebration of the 20th Anniversary of the Americans with Disabilities Act, A Proclamation of Recommitment to Full Implementation of the ADA*

Mayor Fridal read a Proclamation in celebration of the 20th Anniversary of the Americans with Disabilities Act, A Proclamation of recommitment to full implementation of the ADA.

Motion by Councilmember Reese to approve the signing of a Proclamation in celebration of the 20th Anniversary of the Americans with Disabilities Act, A Proclamation of recommitment to full implementation of the ADA. Motion seconded by Councilmember Doutre. Vote: Councilmember Deakin - aye, Councilmember Doutre, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

6. Common Consent - Consent Agenda.

a. Consideration of approving the June Warrant Register.

Councilmember Wood stated that he had a question on Check No. 98358 of the Warrant Register, a check in the amount of \$6,641 paid to the Salt Lake Bees. He

said that he didn't understand the payment and requested that the Recreation Department take a look at it.

Motion by Councilmember Wood to approve the June 2010 Warrant Register with the notation that Manager Warnke would check into the \$6,641 payment to the Salt Lake Bees. Motion seconded by Councilmember Deakin. Vote: Councilmember Deakin - aye, Councilmember Doutre, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

7. New Council Business:

- a. Discussion and consideration of approving Resolution No. 10-29 adopting an Ambulance Bill Reduction Policy for Tremonton City

Manager Warnke explained that the City has, for some time, had a policy whereby the City would consider a reduction of ambulance fees for patients who qualify. The City has a form used for evaluating the patient's circumstances. This Resolution clarifies that policy. Councilmember Deakin stated that there are ramifications in the way this policy could affect other Departments. He requested that the adoption of this Resolution be tabled for a couple of weeks to give the City Attorney the opportunity to review the form.

Motion by Councilmember Deakin to table the consideration of Resolution No. 10-29 for two weeks for further consideration. Motion seconded by Councilmember Reese. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- b. Discussion and consideration of approving Resolution No. 10-30 authorizing a reduction toward utility fees for families of military personnel called up to active duty from the Tremonton City

Passage of this Resolution would allow the City to reduce the utility bills of families of military personnel who are serving the country and are actively deployed. There are some eligibility criteria: they must be residents of the City and part of the head of household or otherwise responsible for the utility bill; they must be, and remain, current on the utility bill; and they must be members of one of the branches of military service and be deployed away from home. The Resolution would allow for a 50% reduction in the cost of water and sewer, which, at the base rate, would amount to \$17.43 per month.

Councilmember Doutre stated that she was proud to help our armed services and their families anyway she could. The Councilmembers agreed.

Motion by Councilmember Doutre to approve Resolution No. 10-30 authorizing a reduction toward utility fees for families of military personnel called up to active duty from the City of Tremonton City. Motion seconded by Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion

approved.

- c. Discussion and consideration of awarding the bid for the 350 North Street Project

Director Fulgham explained that there were three bidders for the 350 North Street Project: Consolidated Paving, Legrand Johnson Construction, and Staker Parson Company. The low bid was Consolidated Paving. They are a qualified bidder and the pricing checked out. Their bid was for \$152,908.65. The high bid was for \$153,941.50. All three bids were close. The Staff's recommendation is that the bid be awarded to Consolidated Paving. It is the goal to have the project completed in time for the County Fair. About \$8,000 of the bid amount is for storm drain. The Storm Drain Fund will cover that cost.

Motion by Councilmember Deakin to award the bid for the 350 North Street Project to Consolidated Paving. Motion seconded by Councilmember Doutre. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- d. Discussion and consideration of authorizing the bidding of the Spring Acres Pond Project

Director Fulgham explained that the Spring Acres Pond has been in place for about twelve years. Four years ago, a Councilmember brought to the City's attention that the pond actually sits in the Tremonton City road right-of-way. The City engineers did not realize that. The pond had never been deeded over to the City so it belongs to the Christensen's. The Christensen's approached the City about expanding and re-locating the pond and doing a re-alignment at Harley Drive at 2300 West to make a better intersection. Almost two years ago, Tremonton City agreed that they would take part in doing the construction. It is being asked that the Council give authorization to send the project out to bid. The Christensen's need to see the pricing before they agree to execute the agreement to make certain they can cover their portion of the costs. Manager Warnke stated that he hasn't seen the final engineer's estimate, but the City's portion of the cost should be roughly \$44,000. The City Engineer went through the project to determine what was fair in dividing the costs. The Christensen's will be carrying the larger financial portion of the project. Once completed, the area will be a turfed storm drain pond.

Manager Warnke called the Council's attention to a drawing of the area. There is an upper pond and a lower pond. The drawing shows an area which appears to represent rocks. Director Fulgham said he had not seen the final drawing, but the last he had heard it was going to be sodded and watered. The only concern was mowing the steep slopes, but it was his understanding they had worked that out so mowing wouldn't be necessary. Manager Warnke said that the rock portion is only on the steep slope.

Director Fulgham told the Council that originally this was a retention basin. Now it will be a detention basin which slows up the water flow before it is discharged.

Motion by Councilmember Reese to authorize the bidding of the Spring Acres

Pond Project. Motion seconded by Councilmember Doutre. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

8. Comments:

a. Administration/City Manager Advice and Consent.

- 1) Discussion of Technical Assistance Grant from Rivers, Trails, and Conservation Assistance Program (National Parks Service) to assist the City with planning trails and outdoor recreation

Manager Warnke informed the Council that he is pursuing a Planning Assistance Grant through the Rivers, Trails, and Conservation Assistance Program. They would help with the planning of resources within the City such as natural corridors, rivers, and open spaces. They would help identify these areas, develop future plans, and assist with additional grants. The City's commitment would be to participate in the planning process. They would help the City identify their needs and then determine what assistance they will provide based upon those needs. Mr. Warnke stated that he worked with this organization in Moab on a significant Colorado River project. They were very helpful as a facilitator. They have also worked on a trails project at Bear Lake. Typically, they provide assistance for one year, but it is sometimes longer. They would assign someone to work with City staff, as needed, to help with the planning process, etc. One of the products they could deliver would be actual concept plans which could be used in applying for additional grants.

- 2) Discussion of Tree Utah Grant for trees

Manager Warnke explained that Tree Utah is a non-profit organization which promotes tree planting within cities and counties. This would be a grant for the purpose of planting trees at North Park, the Cemetery, and some other areas that have been identified. If successful in obtaining this grant, it would require 50% matching funds from the City. Another grant is being submitted through Union Pacific for tree plantings, as well.

Councilmember Doutre asked if some trees could be planted which would provide shade for the playground at Shuman Park. Manger Warnke replied, "Yes". Mayor Fridal asked if the City would be required to provide the plan for the trees, and Manager Warnke replied that the City would need to submit a plan which showed the location and the species of trees to be planted. The Area Forester is coming on July 28th and Mr. Warnke will ask him for help with the plan as well as in writing a letter of support. Tree Utah also provides education. They invite people to a workshop where they can learn more about trees and how to plant them. This could be another good project for the Youth City Council.

Council Reports:

Councilmember Doutre expressed appreciation to Manager Warnke for looking into these grants which would help beautify our City.

Mayor Fridal encouraged all those in attendance to participate actively in the Tremonton City Days this coming weekend. The City has free tickets to a Raptors game to be held this Thursday. The public is invited to attend. There is a full schedule of things planned for Saturday.

9. Public comments: Comments limited to three minutes.

Jean Richer from the audience asked where Consolidated Paving was located. Public Works Director Fulgham told her they are from Ogden but they have a hot plant at the gravel pit. They are the closest asphalt company that we have. They have done a lot of subdivision work and work for the City itself. They do a good job.

Director Fulgham stated that he had checked with Recreation Director Marc Christensen regarding the question the Council has on the payment to the Salt Lake Bees. The check was for tickets, jerseys, etc., as part of the Knot Hole Club that the City participates in. It is a program similar to Junior Jazz basketball.

Director Fulgham updated the Council on the status of the Waterline/Well Project. The waterline is all in except for the connection into the tank. That will be made when the well is put in so that the well doesn't have to be lowered until fall. The pump house itself is all blocked. The roof should be installed within the next couple of days, then, Grovers will come to put the pipe together. The pump will be set once the weather cools down when the Cedar Ridge Subdivision can do without their pump for a couple of days while everything is hooked up. The pump house looks good and fits in with the neighborhood.

Director Fulgham stated that he was going to have a meeting on July 29th with the Cedar Ridge homeowners, but David Thompson asked if the meeting could be delayed. He is holding a meeting on August 9th and asked if Director Fulgham could come to that meeting to discuss the Water Well Project with Mr. Thompson's customers. Mr. Thompson put on his flyer that Tremonton City Councilmembers will be at the meeting. There may be some concern about what Tremonton is doing because the Cedar Ridge people have likely not been informed by their water company. The water company should be the ones to provide information because they are not Tremonton City customers. Councilmember Wood stated that they are concerned because they think they have a water share which has a re-sale value. Director Fulgham said that the water rights are tied to the property, but that will be explained at the meeting. Recorder Hess will need to know who is attending so she will know if the meeting needs to be noticed.

Director Fulgham told the Council that the Salsnes Filter Project is moving slowly. Footers will be poured within the next day or two. The building hasn't been built yet. They have been doing all the pipe work.

10. Adjournment.

Motion by Councilmember Deakin to adjourn the meeting. Motion seconded by

Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

The meeting adjourned at 7:34 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 Norene Rawlings.

Dated this __ day of _____, 2010.

Darlene S. Hess, Recorder