

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
December 7, 2010**

Members Present:

David Deakin
Diana Doutre
Lyle Holmgren
Jeff Reese
Byron Wood
Roger Fridal, Mayor
Shawn Warnke, City Manager (Arrived at 6:05 p.m.)
Darlene S. Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the December 7, 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, Holmgren, Reese, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, and Police Chief David Nance. 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 December 7, 2010 Agenda with the following items being discussed in more detail:

- Councilmember Holmgren was asked to offer the prayer, and Councilmember Deakin to lead the Pledge of Allegiance.

Manager Warnke arrived at 6:05 p.m.

- Manager Warnke introduced Jim Petersen and requested that he be allowed to address the Council regarding Short-Term Disability.

Mr. Petersen stated that the current Short Term Disability Policy is self-funded with the risk being fully born by Tremonton City. If someone were to abuse the policy, there is quite a bit of exposure to the City. The Long Term Disability plan is being handled by Lincoln Financial. Mr. Peterson told the Council that he has obtained some quotes from Lincoln Financial for the Short Term Disability. He reviewed two options. Both options take into consideration three things: 1) the percentage of income they will receive if they go out on disability; 2) the elimination period, or the time they will be out before the disability comes into

play; 3) the duration of the disability benefit. Options 1 and 2 are both based upon receiving 60% compensation.

Option 1 has a fourteen day elimination period so compensation would begin on the fifteenth day they are off from work. It would be effective for eleven weeks at which point it would dovetail into the long term disability.

Option 1.01 has a 30 day elimination period. An eligible employee could receive 60% of their base salary up to a maximum amount of \$1,500 per week. This option would go for nine weeks.

Both Options 1 and 1.01 are based upon the City paying the premiums so there would be 100% participation of eligible employees. The total monthly cost for Option 1 would be \$397, and the monthly cost for Option 1.01 would be \$276. These amounts would vary with the number of employees and any changes in compensation. The premium is based upon \$0.16 per \$10 of benefit paid with the benefit amount being 60% of base pay.

Mayor Fridal asked if the disability had to be work related, and Mr. Petersen replied that it did not. Recorder Hess asked how this would affect employee benefits. Mr. Petersen explained that in the current City Policy, employees basically exhaust the vacation and sick leave benefits they have before the City's portion kicks in. That would not be the case with these policies. The benefit would begin after the fourteen or thirty day elimination period, depending on which option was selected, regardless of whether the employee still has sick leave or vacation time accrued.

Councilmember Wood asked how often the current Short Term Disability benefit has been used. Recorder Hess replied that the Short Term Disability has been used three times in the fifteen years she has worked for the City.

Manager Warnke commented that the Council has the option to eliminate the Short Term Disability program entirely, or go with the third party provider. Director Fulgham stated that he didn't know the City had a Short Term Disability provision. He always thought that was why people accrued their sick leave: to cover the unexpected. Employees have also donated hours to fellow employees who have run out of sick leave and vacation time.

Councilmember Reese asked what percentage of pay an employee would receive on the current Short Term provision. Manager Warnke replied that there is a thirty day waiting period, then an employee would receive 80% of their salary after they exhaust all of their sick leave and vacation. Long Term Disability kicks in after ninety days. Councilmember Wood felt it was foolish to spend money on a Short Term Policy when there is a thirty day waiting period and the Long Term Disability becomes effective after ninety days. There is only sixty days of exposure. Manager Warnke explained that it takes nine years for someone to

accrue ninety days worth of sick leave. The City has a policy that, after an employee accrues ninety days of sick leave, the City will buy down the sick leave to 360 hours. There is also a limit on how much vacation can be carried over.

Councilmember Doutre said she had always been offered AFLAC at her places of employment. She asked if something like AFLAC could be offered and the employees could choose whether or not to participate. Manager Holmgren suggested that the policy could be set up so that those employees who want Short Term Disability would pay for it. Mr. Petersen replied that there is a voluntary option which provides for this. With Voluntary Option 1 there would be a two week elimination period. Employees would have the option to purchase the policy. Mr. Petersen suggested that the City look at the way the City's current policy is structured as there is a fair amount of exposure that isn't being funded or provided for.

Councilmember Deakin asked Manager Warnke what his concern is with the current policy. Manager Warnke replied that he has never seen a City offer Short Term Disability. He conceded that there are a limited number of occasions when an employee may have the need to go on Short Term Disability, and it could put the City in a little bit of an awkward position. It is his perception that the proposed policy benefits more the employees on the lower end of the pay scale. As the policy only provides 60% of base pay, employees would still be inclined to use sick leave or vacation before going on Short Term Disability. Manager Warnke's recommendation would be to pick up Option 1.01.

Councilmember Reese stated that, at his place of employment, the employees pay the premiums for their Long Term Disability package. It is a voluntary benefit.

Manager Warnke stated that there are two other issues for the Council to consider on this Agenda Item. When an employee accrues 720 hours of sick leave, in lieu of the buy-out, the City offers an option to deposit additional sick leave hours into a 401k for the employee. No one has used it, but it has the potential of substantially increasing an employee's compensation.

Councilmember Reese commented that he does not see that much risk in covering two months pay for employees at 80%. Several Councilmembers expressed agreement. Councilmember Wood said that it would be 80% less sick leave and vacation time. He felt the City should continue with the current policy. Mayor Fridal asked if money was being set aside to cover any potential risk. Director Fulgham said that the employee can be paid, but the City would have to work shorthanded because there wouldn't be money to replace the employee.

Manager Warnke stated that the other part of this Agenda Item is the proposal to make Christmas Eve a City holiday. The Mayor has usually given employees one-half day off on Christmas Eve, but this brings up some issues on how it should be administered.

Councilmember Doutré questioned whether declaring December 24th as a holiday would mean that people wouldn't be as productive on the day before. Director Fulgham said that Public Work's schedule is dependant on what is going on outside. If they aren't busy because of a snow storm or a water line break, they are cleaning the shop, etc. When the Mayor sent people home at noon on December 24th, if one of his staff was called back to work, they were still on the pay clock and didn't get overtime until after 4:30 p.m.

Councilmember Reese asked if other cities are getting December 24th as a paid holiday because the City is already getting one more paid holiday than the local businesses get. Councilmember Holmgren suggested that the City follow what the County does. Cities have the same days off as the government and banks.

Manager Warnke said that he only suggested it because benefits are not always equal, and he has to apply the time off differently for different departments. The Council discussed the fact that Christmas Eve, especially the afternoon, is a quiet time at work and that a lot of employees take the day off anyway as they have vacation time they need to use before the end of the year. Several members of the Council felt that it is a good idea to make December 24th a City holiday.

Mayor Fridal commented that there are several people within the City who don't get paid very much and it would be a nice benefit for them. Manager Warnke pointed out that this is a benefit that would only apply to full-time employees. Part-time employees don't receive holiday pay. Councilmember Wood felt that the time off with pay should be given to the part time-employees as well. If they are being sent home, it should be given to everyone. Manager Warnke informed the Council that there could be a problem with the Utah Retirement System. Paid holidays could be considered as one of the benefits which triggers employees to be eligible for the Retirement System.

- Councilmember Deakin pointed out an error in Item 11 of the November 2, 2010 minutes wherein his name was inadvertently misspelled.
- Councilmember Wood asked about a payment to Motorola on the November 2010 Warrant Register. He asked if it was for the radios covered by the grant. It was confirmed that it was. Chief Nance reported that he had talked with the grant people and was assured that the check was in the mail.
- Councilmember Wood then asked about a payment to the Brigham City Police for \$5,537.64. Chief Nance replied that it was for annual computer maintenance for a system which is shared throughout the County. It usually goes to the Sheriff's Office, but this year it went to Brigham City.

- Resolution 10-46 – Boundary line adjustment – Zoning Administrator Bench explained that this request is due to an individual wishing to purchase 150 square feet of additional property for his rear yard. His neighbor has agreed to sell the property. The only reason it is before the Council is because it is a boundary line change in a subdivision as opposed to a lot line change. This requires a Resolution. Recorder Hess requested that Mr. Bench have the parties come to her office to sign the agreement so it can be recorded.
- Resolution 10-47 – Development Agreement – Manager Warnke stated that this is the first Development Agreement for a subdivision utilizing the recently adopted template agreement. He called the Council’s attention to Section II. Special Conditions, which provides the specifics to this agreement. Item A. Storm Drainage Facilities, Lines, and Appurtenances defines the improvements. This is a required improvement, but, because it is a smaller piece of a larger project, it really can’t be done at this time. In the past the City has done Deferment Agreements where the expense has been deferred to a future date. The problem is that, as years go by, property owners change hands and the City is less likely to collect the money. Manager Warnke’s recommendation is to try to get the money up front. The City may not recoup the full amount due to increases in construction costs, but he feels it is a better option than trying to collect the money ten or twelve years in the future. The money would need to be held in reserve to be spent for this specific project and would appear on future Financial Statements, perhaps as an aggregate amount of like projects.

Manager Warnke explained that \$7,479.25 would be paid to the City now in lieu of doing a Deferment Agreement. The check will be deposited. It won’t be placed in escrow. Director Fulgham added that the only way the City will be out is if the interest rates don’t keep up with inflation for construction costs.

- Zoning Administrator Bench stated that Agenda Item 6.d. is the same project. This is an agreement which allows for temporarily discharging storm water from City streets back onto the developer’s undeveloped property. Once an additional phase for the subdivision is recorded, this agreement will go away.
- Resolution 10-48 - Mr. Bench said that, once again, this is a boundary line adjustment which requires a Resolution. It is an interior lot line adjustment extending beyond the boundaries of the subdivision. It is an extension of lot 25 Holmgren Estates East Subdivision.
- Ordinance 10-09 Powers and Duties of City Manager – Manager Warnke explained that this is an ordinance which would delegate to the City Manager the ability to identify and classify certain amounts to the Assigned Fund Balance category. These classifications can always be changed by the Council.

- Resolution approving an easement between Clayton Grover and Tremonton City for wastewater from a City Well – Director Fulgham explained that there is always a certain amount of water which needs to be pumped whenever a well is started up, and a place is needed to take the water. An agreement has been negotiated with Clayton Grover to place any drain water which comes off the well into a 10,000 gallon concrete storage tank for Mr. Grover to dispose of as he chooses. If the tanks fill up, it will be Mr. Grover’s responsibility to take care of the water.

There is an easement agreement. Mr. Grover doesn’t have any problem with the terms of the agreement, but has had difficulty getting in touch with his attorney so he can review it. There is no cost for either party. The storage tanks were included in the construction costs of the well. Mayor Fridal asked how much water is involved each time the pump is turned on. Director Fulgham replied that it is between 1,000 and 3,000 gallons. Sometimes there is some residue when a well is started up, so it is pumped until it clears up.

The meeting adjourned at 6:55 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the December 7, 2010 City Council Meeting to order at 7:02 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, Reese, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Fire Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, and Police Chief David Nance.

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 offered by Councilmember Holmgren and the Pledge of Allegiance was led by Councilmember Deakin.

2. Approval of agenda.

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

Motion by Councilmember Deakin to approve the December 7, 2010 agenda. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

3. Approval of minutes – November 2, 2010.

Mayor Fridal asked if there were any changes or corrections to the minutes. Councilmember Deakin called attention to a misspelling of his name in Agenda Item 11.

Motion by Councilmember Reese to approve the minutes of November 2, 2010 with the correction of the spelling of Councilmember Deakin's name. Motion seconded by Councilmember Deakin. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

4. Introduction of guests. There were no guests.
5. Common Consent - Consent Agenda.

- a. Consideration of approving the October, 2010 Warrant Register.

Motion by Councilmember Wood to approve the October, 2010 Warrant Register. Motion seconded by Councilmember Doutre. Vote: Councilmember Deakin - aye, Councilmember Doutre, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- b. Consideration of approving the October, 2010 Financial Statement.

Motion by Councilmember Reese to approve the October, 2010 Financial Statement. Motion seconded by Councilmember Holmgren. Councilmember Deakin made note that radios were purchased for a couple hundred thousand dollars and the reimbursement has not been received. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- c. Approval of adopting the 2011 Annual Meeting Schedule of the Tremonton City Council.

Motion by Councilmember Doutre to approve the 2011 Annual Meeting Schedule of the Tremonton City Council. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

6. New Council Business:

- a. Discussion and consideration of approving Resolution 10-45 amending and adding to Section XVI Benefits and XVIII Leaves of Absence of the City's Personnel Policies and Procedures Manual

Manager Warnke noted that the most significant proposed change is the inclusion of some options related to the City's Short Term Disability program. The proposed policy is written as though the Council would elect to have a third party

provider provide the short term disability. The motion should specify the Council's desires: continuing with the status quo, utilizing a third party provider, or eliminating the option entirely.

The other proposed change is the elimination of the City contributing funds to an employee's 401k once the employee has accrued the maximum amount for their sick leave.

There is an additional change to the Annual Leave benefit which would allow the Mayor or City Manager to approve more than one half an employee's accrual to be carried over in unusual circumstances.

Councilmember Deakin asked Mr. Warnke how strongly he feels about the exposure on the Short Term Disability. Mr. Warnke stated that it is a benefit he hasn't seen City's provide. He said he has mixed emotions on the proposal as the City has been fairly successful in providing this self-funded benefit. It puts a little bit of a burden on the City as they would have to determine if an employee is truly disabled and can't go to work, but he feels comfortable with any of the options outlined.

Councilmember Deakin noted that it is less expensive to continue as the City has been doing it, but there is always that behind the scenes threat of liability in case someone wanted to abuse it, and there could be some potential litigation expense. Manager Warnke commented that the current policy is an acceptable way to move forward. Should there ever come a time when there is an incident of abuse, the City could revisit the policy. Councilmember Wood agreed. When one takes into consideration the thirty-day waiting period and the requirement that an employee use their sick leave and vacation time, the exposure is only about thirty days.

Councilmember Holmgren brought out that the City could still make this an option which an employee could elect to take, or not take, and they would pay for it themselves. Councilmember Wood asked how hard that would be to add into the payroll. Manager Warnke said he didn't feel it would be hard. It would translate to an employee paying about \$34 per month depending on wage and age.

Councilmember Deakin stated that the reason there haven't been many issues in the past is because the employees have been so responsible, and, when there has been an issue, there is enough camaraderie between the employees that they have transferred time from one to another to cover for them. If they weren't responsible, this could become an issue. Councilmember Wood commented that the most the City could lose is sixty days at 80% of their salary. Manager Warnke said he had looked at the issue and found that, comparing the self-funded benefit and the insurance premium, with one claim of someone making \$13 or \$14 per hour and with sixty days on Short Term Disability, the City would break even. Mayor Fridal asked how many employees would be insured and was told thirty-

seven. Councilmember Holmgren noted there have only been three occurrences of this in the last fifteen years.

Motion by Councilmember Reese to adopt Resolution 10-45 amending and adding to Section XVI Benefits and XVIII Leaves of Absence of the City's Personnel Policies and Procedures Manual, with the exceptions of going status quo on the Short Term Disability benefit, approving Christmas Eve day as a paid holiday, and removing the 401k buy-out option. Councilmembers Wood and Holmgren stated that they would prefer making the Christmas Eve holiday one half day instead of a full day. **Councilmember Reese amended his motion to make the Christmas Eve day paid holiday one half day.** Motion seconded simultaneously by Councilmembers Holmgren, Doutre and Wood. Manager Warnke commented that, by making the Christmas Eve day a one half day holiday it creates more problems administratively. If the Council doesn't feel comfortable with a full day, he would prefer that the Council leave it as it is and not declare it a holiday. He noted that some part-time employees might appreciate the hours as a holiday would not benefit them. However, it makes it somewhat awkward administratively when there is an unexpected announcement telling people they can go home, and trying to figure who might receive that benefit and who would not. Councilmember Reese asked what would happen if December 24th falls on a Saturday or a Sunday. Would employees get the day before or after off as well? Councilmember Wood felt that it should be left as it is, giving the Mayor discretion. **Councilmember Reese restated his amended motion as follows: approving Resolution 10-45 with the exceptions of staying with the status quo by continuing the current self-funded Short Term Disability, eliminating the 401k sick leave buy out, and approving a one-half day paid holiday for Christmas Eve.** The motion was seconded, again, by Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- b. Discussion and consideration of approving Resolution 10-46 allowing a boundary line adjustment between Parcel No. 05-042-0070, which is a lot in the Holmgren Estates East Phase 1 Subdivision, and Parcel No. 05-042-0084, which is a lot in the Holmgren Estates East Phase 2 Subdivision

Zoning Administrator Bench informed the Council that everything meets the zoning requirements. The reason this is being brought before the City Council is because it involves a change of the boundary of the subdivision and, therefore, it must be adopted by Resolution.

Motion by Councilmember Reese to adopt Resolution 10-46 allowing a boundary line adjustment between Parcel No. 05-042-0070, which is a lot in the Holmgren Estates East Phase 1 Subdivision, and Parcel No. 05-042-0084, which is a lot in the Holmgren Estates East Phase 2 Subdivision. Motion

seconded simultaneously by Councilmembers Wood and Holmgren. Vote: Councilmember Deakin - aye, Councilmember Doutre – aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

Councilmember Wood asked Brett Rhode about his iPad as the Council is considering utilizing this technology. Mr. Rhode said that an iPad can be purchased for \$499 with 16GB of memory and Wi-Fi. The most expensive iPad costs \$829 with 64GB of memory and 3G technology. Councilmember Reese commented that Wi-Fi would be perfect for a City. Mr. Rhode stated that he has not used his 3G. He felt that one could go as paperless as possible with an iPad. Intermountain Health Care has approved the use of iPads for their management team. It is a very good tool.

- c. Discussion and consideration of approving Resolution 10-47 establishing a Development Agreement between Tremonton City and Contemporary Homes, LLC for Pheasant Run Subdivision – Phase 1

Zoning Administrator Bench stated that the in Special Conditions of the Development Agreement it talks about an additional fee the developer will be giving to Tremonton for a future storm drain system. During the discussion and engineering of the development it was found that installing the storm drain system now is just not practical. It was agreed that Contemporary Homes would give the City the money up front, and then they won't have any additional financial obligation when the storm drain is installed. Councilmember Doutre asked if City Policies needed to be changed to indicate this method of doing things. Mr. Bench replied that it will be handled on a case by case basis as there are parts of the City where installing the storm drain up front will work. This is just an unusual circumstance. Manager Warnke explained that policies are already in place within the City for this type of an agreement.

Councilmember Holmgren commented that he was glad to see the contract and forethought put into lighting. Mr. Bench said that provisions for the lighting have been included in the past. The developers just forget to dig the trench and put the pipe in. Also, Rocky Mountain Power changed their way of doing things. In the past the developers knew they would have to dig the trench and put the conduit or wire in, then, Rocky Mountain Power would install. Now, Rocky Mountain Power determines the cost, the City fronts the money, and the developer reimburses the City for that amount.

Mr. Bench stated that the agreement will be recorded so it will follow that subdivision for the rest of its life.

Motion by Councilmember Holmgren to adopt Resolution 10-47 establishing a Development Agreement between Tremonton City and Contemporary

Homes, LLC for Pheasant Run Subdivision – Phase 1. Motion seconded by Councilmember Doutre. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- d. Ratify approval of an Agreement for Storm Water Discharge between Tremonton City and Contemporary Homes, LLC

Zoning Administrator Bench stated that this is the same project as Agenda Item 6.c. Once the public takes ownership of the roads, the City needs a place for the run-off water to go off the curb and gutter. This agreement allows that water to drain onto an undeveloped portion of the Pheasant Run Contemporary Homes property to the west. As things develop, that agreement will go away and a new agreement will be developed as a storm drain system is installed.

Motion by Councilmember Reese to ratify the approval of an Agreement for Storm Water Discharge between Tremonton City and Contemporary Homes, LLC. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Doutre – aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

Councilmembers Deakin and Holmgren stated they have a conflict on the next agenda item and asked to be excused. Both left the bench.

- e. Discussion and consideration of approving Resolution 10-48 allowing a boundary line adjustment of Lot 25 of the Holmgren Estates East Phase 2 Subdivision

Zoning Administrator Bench told the Council that this is similar to Agenda Item 6.a in that it is a boundary line adjustment which must come before the City Council to be approved by Resolution. Amending the boundary line will provide additional property to Lot 25.

Motion by Councilmember Wood to adopt Resolution 10-48 allowing a boundary line adjustment of Lot 25 of the Holmgren Estates East Phase 2 Subdivision. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre – aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

Councilmembers Deakin and Holmgren rejoined the Council.

- f. Discussion and consideration of approving Ordinance No. 10-09 amending Tremonton City Revised Ordinances Section 3-925 Powers and Duties of Manager designating the City Manager as the Official that can assign amounts associated with fund balance reporting in accordance with Government Accounting Standards Board (GASB) Statement 54

City Manager Warnke stated that GASB is the board which sets government accounting policies the City is required to abide by. GASB set a new policy requiring the specific designation of the Fund Balance. The proposed Ordinance, if approved, would allow the City Manager to assign amounts to the Assigned Fund Balance category. If the Council wants to act on the Ordinance, this is one of the rare instances where, according to the State Statutes, the Mayor can vote as it potentially limits or restricts the Mayor's powers and duties in that the Council could designate the Mayor as the body or official who makes those designations.

Councilmember Deakin commented that, when this first came up, he had some discomfort with the Restricted and Committed Categories, but the more he has thought about it, and after reviewing Manager Warnke's write-up of this Agenda Item, he is more comfortable with it and feels that Manager Warnke is the best person to make those assignments. If the Council has discomfort after the Audit is approved, it can be adjusted then.

Motion by Councilmember Deakin to adopt Ordinance No. 10-09 amending Tremonton City Revised Ordinances Section 3-925 Powers and Duties of Manager designating the City Manager as the Official that can assign amounts associated with fund balance reporting in accordance with Government Accounting Standards Board (GASB) Statement 54. Motion seconded by Councilmember Wood Vote: Mayor Fridal – aye, Councilmember Deakin - aye, Councilmember Doutre – aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- g. Discussion and consideration of approving Resolution No. 10-___ approving an easement between Clayton Grover and Tremonton City for wastewater from a City Well

Manager Warnke recommended that the Council table this Resolution at this time to be brought up at a future meeting when it is completely ready for the Council's consideration.

Motion by Councilmember Deakin to table the item. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Doutre – aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

7. Comments:

- a. Administration/City Manager Advice and Consent.

- 1) Manager Warnke reminded the Council that the Senior Center Christmas Dinner will be held at 11:30 a.m. on December 17th. If Councilmembers

are available to serve they are welcome to do so.

- 2) Manager Warnke informed the Council that the City employees are having Employee Ethics Act Training tomorrow. The first session will begin at 11:30 a.m. and the final session will be held at 4:00 p.m. If any of the Council would like to attend, they are welcome to do so. Attendance is not required, though the Council is required to abide by the ethics that will be discussed. There may also be an evening training with the Fire Department if that timing works better for anyone. This training will also be provided as part of the annually required Open Meeting Act Training so, if anyone is unable to attend one of the employee training sessions, the information will be provided at that time.

b. Council Reports:

Councilmember Holmgren reported that the Museum Board held their Christmas Tree Festival at the Holmgren Barn, and it was fairly successful. They are making progress in collecting money toward the museum.

The Box Elder County Economic Development Board has been meeting recently. They are making a proposal to the State to adopt what they call the BEAR Program, which is Business Expansion and Retention. It is a program which has been adopted by some other counties in Utah. The whole idea is to have a better interface between some of the government programs and statewide programs which are going on to help small businesses with information, grants, and the business itself. It is hoped that it will help the small business people here in Tremonton.

Councilmember Wood commented that the Thanksgiving dinner at the Senior Center was very nice. The Westernaires played and the meal was great. If anyone can serve at the Christmas Dinner on December 17th, it is fun to see everyone and to help.

The Christmas lights at the Town Square and throughout the City look very nice. Public Works and Parks and Recreation did a good job.

Councilmember Deakin seconded Councilmember Holmgren's comment on the Museum Board's Christmas tree activity. It was surprisingly well attended. He also thanked Mr. Bench for arranging for the new microphone. When people are asked to comment, it will be more comfortable for them.

Mayor Fridal expressed appreciation for the City Council, stating that we have a great Council and a great group of City employees. He said that he is proud to be part of them.

8. Public comments: Comments limited to three minutes. There were no public comments.

Motion by Councilmember Holmgren to move into closed Session. Motion seconded by Councilmember Doutre. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

The Council moved into closed session at 7:42 p.m.

9. **Closed session for a strategy session to discuss the purchase, exchange, or lease of real property.**

Motion by Councilmember Wood to return to Open Session. Motion seconded by Councilmember Deakin. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

The Council moved into open session at 8:00 p.m.

10. Adjournment.

Motion by Councilmember Reese to adjourn the meeting. Motion seconded by Wood. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

The meeting adjourned at 8:00 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 prepared by Norene Rawlings.

Dated this _____ day of _____, 2011.

Darlene S. Hess, Recorder