

**TREMONTON CITY CORPORATION  
CITY COUNCIL MEETING  
May 15, 2012**

Members Present:

David Deakin (arrived at 6:04 p.m.)  
Diana Doutre  
Lyle Holmgren  
Jeff Reese  
Byron Wood  
Roger Fridal, Mayor  
Shawn Warnke, City Manager  
Darlene S. Hess, Recorder

**CITY COUNCIL WORKSHOP**

Mayor Fridal called the May 15, 2012 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 Fridal, Councilmembers Deakin, Doutre, Holmgren, Reese, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, and Police Chief David Nance (arrived at 6:04 p.m.).

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

The Council reviewed the May 15<sup>th</sup> City Council Agenda with the following being addressed in detail:

- \* The Council discussed students who talked to one of the Councilmembers about giving their speech/drama in front of the Council for practice. They are attending a National Conference dealing with History after winning a State Competition. Due to the fact that their request was received too late to be added to the agenda, they will speak during the public comments portion of the meeting. Mayor Fridal suggested allowing them to move up in the agenda for tonight's meetings. The Council agreed.
- \* The Council discussed the Tentative Budget. Manager Warnke told the Council that there were a few items that were changed on the Tentative Budget. There may be a few more adjustments as the actuals come in. Manager Warnke told the Council that Chief Nance has an issue that he would like them to hear about.

Chief Nance informed the Council that when he got back from Emmetsburg, an officer came to him to discuss a problem with his vehicle. This vehicle is not one that is scheduled for replacement this year. The vehicle burns antifreeze which is probably a head gasket or intake manifold which will cost between \$1,000 and \$2,000 to repair. The ABS module has gone out which will cost \$800 and it needs to have the tires replaced for around \$500. This vehicle has 68,000 miles and is a 2007 Charger which we use as our DARE vehicle. This model has brake issues and the City has

spent close to \$8,000 in repairs already on for this vehicle. Chief Nance told the Council that he proposes purchasing a replacement vehicle for the DARE vehicle instead of the Animal Control vehicle. With the brake issue, they have had to replace the brakes every 15,000 to 20,000 miles. This has been the most expensive vehicle the Police Department has owned as far as repairs (oil and parts). Mayor Fridal asked how the Animal Control vehicle is doing. Chief Nance told the Council that it has had some issues; however, it is not as bad as this vehicle.

Councilmember Doutre asked how the City got the decals on the DARE vehicle. Chief Nance informed the Council that this DARE vehicle came with decals due to donations by various businesses in town. This was the first DARE vehicle the Police Department has owned.

Councilmember Wood asked if the body was good on this vehicle. Chief Nance told the Council that the body was good and that the City could probably get more money out of this Charger than the other vehicles they have put out for bid as excess. We will have to take off the decals prior to it being sold as DARE is a copyright symbol. Chief Nance told the Council that it is repairable; however, he hates to put that much money back into the vehicle as there are some electronic problems with it as it died out on the freeway. The gauges showed it had fuel; however, it ran out of gas.

Manager Warnke told the Council that we did not budget for an Animal Control Vehicle in the proposed Tentative Budget; however, if the Council gives him some direction, the City can try to work it in for the final budget. Manager Warnke reminded the Council that they approved creating Fund 41 (Vehicle/Equipment Capital Project Fund). What we are proposing is that at the end of this fiscal year, any funds above 17% in the General Fund (this will give us a 1% margin) associated with the maximum amount of fund balance allowed by State Law be transferred into this fund or the Capital Improvement Fund. The next Budget Amendment Resolution will allow this transfer to be done in either of these funds. That being said, the City could enter into a lease agreement for roughly \$8,000 spread out over three years.

Manager Warnke addressed some changes that occurred over the various iterations of the budget:

- A. \$25,000 will be appropriated from fund balance. Of that, \$15,000 is related to the curb and gutter project that was discussed in a previous Council Meeting.
- b. In the Fire Department, \$37,000 of the fund balance to be appropriated will be used towards the \$40,000 that is being appropriated for a new ambulance anticipating that we will enter into a lease agreement to purchase the vehicle.

Other than this, the budget is basically what the Council has discussed previously.

Councilmember Doutre asked if the City had hired a Court Clerk. Manager Warnke informed the Council that the City did hire a new Court Clerk. Lora Naylor who has been doing Accounts Payable will move to the Court. We are in the process of hiring a Clerk for Accounts Payable.

- \* Mayor Fridal welcomed Jim Petersen with GBS, the City's Benefit Broker, to the meeting to discuss Health Insurance/Employee Benefits. Mr. Petersen told the Council that he was here to answer any questions they may have on the proposed insurance bids.

Manager Warnke covered the renewal information that the City had received from the various carriers.

- a. Medical – Jim Petersen told the Council that Altius came in with a renewal rate of 4.34% - the trend is between 11% and 12%. Mr. Petersen informed the Council that another City in Box Elder County got an increase of 10.2% from Altius. Discussion followed on this being a good rate so the City should stay with Altius.

The \$5,000 on Platinum Peak on page 4 of the Altius bid was discussed. Mr. Petersen told the Council that this was a clerical error. The amount should be \$1,500. There will be no change in the benefits. Mr. Petersen told the Council that the Staff used some strategy in preparing to go out for bids. If we had gone out for bids, all the employees would have had to fill out new health statements. The City would not have gotten a better offer than what we have at Altius right now. GBS is recommending that the City accept Altius' bid as there are no changes.

- b. Manager Warnke discussed the Dental carriers who submitted bids. Mr. Petersen told the Council that they went out to fifteen carries. The City has been with TDA-PPO. They proposed a 9% increase this year. EMI came in -2.4% lower than TDA; however, they will not cover implants. PEHP's proposal came in \$15.40 higher than what the City paid TDA last year; however, only one dentist in Tremonton was In-Network. After some discussion, GBS suggested staying with TDA which will be a \$3,000 increase annually.
- c. Basic Life, AD&D, Dependent Life and Long Term Disability were discussed. Lincoln Financial proposed to have a rate hold and offer open enrollment for the employees without proof of previous insurance. They have a lot of voluntary products for the employees to participate in. This will allow employees to increase their coverage on themselves and their family members. Mr. Petersen told the Council that this was a good option for the employees; however, at least ten employees need to participate in the program. LifeMap offered an 11% decrease which

would save the City approximately \$500 a year; however, the employees do not like to fill out all the paperwork associated with changing policies and did they did not offer open enrollment. GBS suggests that the City stay with Lincoln Financial.

- d. Manager Warnke explained the vision benefits. There was no increase projected for the vision; therefore, the City determined that they would stay with Opticare as most of the employees were satisfied with the coverage.

Discussion followed on the individual mandate, large employers and the employer shared responsibility provisions. Mr. Petersen told the Council that by 2013 they should consider that the City will be mandated to pay those employees working 30 hours or more a week to be full-time employees that receive benefits. If “Obama-Care” does not go through, the State may mandate this coverage. Currently, we are in a safe harbor as far as the hours worked.

The Council thanked Mr. Petersen for his attendance and information.

- \* During discussion on the April Financial Statement, Councilmember Deakin told the Council that someone had approached him about the names listed on the Veteran’s Memorial. Some of the names were coming off and were hard to read. He suggested that the City look at a different way to list the names on the plaque. There are funds listed on our financial under Veteran’s Memorial that are restricted. Can the City use the funds or does the Veteran’s Group need to take care of the issue. It was suggested that A. C. Christensen be contacted about this issue.

Councilmember Dautre commented that she read that the Memorial Program is slated to start at 9:00 a.m. instead of 7:00 a.m. on Monday. She felt this was a better time.

- \* The Council discussed the Splash Pad and what the City has heard/received from Justin Ellingford. Councilmember Dautre told the Council that she appreciated the attachment information giving the history of the Skate Park that was in their packet. Councilmember Deakin asked if the one-year term on the proposed agreement will be long enough. He understood that a term needs to be placed on the agreement; however, he did not feel one year was long enough.

Manager Warnke told the Council of the sentiment that when avoidable the Council should not bind future Councils on decisions. Manager Warnke said that with bonds, Councils do bind future Councils; however, when avoidable it is probably a good practice not to do that. Another thought he had is the agreement can be extended.

Councilmember Deakin suggested that the Memorandum of Understanding with the Splash Pad Group be for eighteen months as current Councilmembers will be in office that long. Discussion followed on the term of the agreement. Manager Warnke told the Council that it would be nice to have the term end close to the end of the budget year so as they talk about capital projects. The Council will be able to see the status on the budget and make decisions accordingly.

Discussion followed on the type of restrooms that should be built, that the restrooms should blend in with the Library, the donation amount that the Splash Pad Group should raise, keeping the Splash Pad simple, removal of trees near the proposed Splash Pad, the misquote on the number of gallons used for the pad in the local newspaper, and the City's contribution to the Splash Pad. The Council discussed the usage of water. Councilmember Reese told the audience that if a child pushed the button to turn on the splash pad every minute of the day, the splash pad would use 2,200 gallons of water. The Council suggested that the splash pad be turned off at 8:00 p.m. and unavailable on Sunday.

Manager Warnke told the Council that they may/may not want to provide a public hearing to take residents comments on the splash pad. For other projects that the City has done, the Council has created a plan and a public hearing was part of the process. Due to the fact that a few individuals have expressed a concern, the Council may want to do a public hearing. It is not required; however, it may be good practice. The Council agreed that a public hearing should be held. If no one shows up to discuss their concerns, the Council can always say they provided the opportunity for citizens to discuss their concerns. Mayor Fridal suggested that the Council provide a Memorandum of Understanding so that the Splash Pad Group will not get discouraged.

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

## **CITY COUNCIL MEETING**

Mayor Fridal called the May 15, 2012 City Council Meeting to order at 7:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Deakin, Doutre, Holmgren, Reese, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, 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 Mayor Fridal and the Pledge of Allegiance was led by City Manager Warnke.

### **2. Introduction of guests**

Mayor Fridal welcomed everyone to the meeting. He asked the Scouts from Troop 337 to introduce themselves and tell the Council what merit badge they were working on. The Scouts were working on their Citizenship in the Community merit badge and were accompanied by two leaders.

3. Approval of agenda

Mayor Fridal asked if there were any additions or corrections to the agenda. A discussion followed on two young ladies that will be present to put on a skit for the Council; however, they were not scheduled on the agenda. Mayor Fridal suggested that they share their talents when they are ready. Being no additions or corrections, Mayor Fridal called for a motion on the agenda.

**Motion by Councilmember Wood to approve the agenda.** Second by Councilmember Doutre. Vote: Councilmember Deakin – aye, Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye and Councilmember Wood – aye. Motion approved.

Mayor Fridal called a public hearing to order at 7:05 p.m. with 20 people in attendance.

4. Public Hearing

- a. To consider adopting the proposed Tentative Budget entitled “The Tremonton City Annual Implementation Budget 2012-2013 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Fund(s), for the period commencing July 1, 2012 and ending July 30, 2013.

Mayor Fridal asked if there were any questions or comments from the Council. There were none. He called for questions or comments from the audience. There were none. Mayor Fridal closed the public hearing at 7:06 p.m.

5. Proclamation:

- a. A proclamation encouraging the observance of Arbor Day – Marc Christensen

Mayor Fridal informed the audience that Recreation Director Marc Christensen was unable to attend the meeting. Mayor Fridal read the proclamation on observance of Arbor Day then called for a motion on this item.

**Motion by Councilmember Reese to approve the proclamation encouraging the observance of Arbor Day for 2012.** 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. Request(s) to be on the agenda

- a. Health Insurance/Employee Benefits – Jim Petersen with GBS

Manager Warnke informed the audience that Jim Petersen with GBS is the City's Health Broker and Consultant. As part of the budget process, Mr. Petersen goes out and looks for renewals and bids for our insurance. The Council discussed the information he shared in our Work Session. Mr. Petersen will not be attending this meeting.

7. New Council Business:

- a. Discussion and consideration of approving the April Warrant Register

Mayor Fridal asked the Council if they had any questions on the Warrant Register. Being none, Mayor Fridal called for a motion.

**Motion by Councilmember Holmgren to approve the April Warrant Register.** Second by Councilmember Reese. 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 the April Financial Statement.

Mayor Fridal asked if there were any questions on the April Financial Statement. Being none, he called for a motion.

**Motion by Councilmember Reese to approve the April Financial Statement.** Second by Councilmember Doutre. Vote: Councilmember Deakin – aye, Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye and Councilmember Wood – aye. Motion approved.

- c. Discussion and consideration of adopting Resolution No. 12-25 approving the proposed Tentative Budget entitled “The Tremonton City Annual Implementation Budget 2012-2013 (General Fund, Capital Fund(s), Enterprise Funds(s) and Special Funds)” for the period commencing July 1, 2012 and ending June 30, 2013

Manager Warnke told the Council that this is just part of the procedure for the budgeting process that the City has to do annually. The City, by State Statute, is required to appropriate funds at the beginning of each fiscal year. The City estimates the revenue and expense. There are not a lot of noteworthy changes to highlight. The City Council has been working on the budget since the January/February timeframe. It is ready for the Council's consideration for adopting the Tentative Budget. On June 5<sup>th</sup>, we have scheduled to adopt the final budget which will go into affect July 1, 2012.

Due to the fact that there were several young people in attendance at the meeting, Councilmember Holmgren suggested that it might be interesting for them to know

how much it costs the City to operate each year and asked Manager Warnke to explain the budget to them. Manager Warnke discussed the General Fund which pays for the City to operate the Police Department, Social Services like the Senior Center and administration. It also provides for planning and zoning and the streets maintenance. Manager Warnke informed those present that, all said, it costs the City approximately 4.5 million dollars annually to operate the General Governmental Services. The utilities are separate enterprise funds. User fees for water and sewer pays for these services where taxes generally pay for the General Fund to operate. Approximately 60% of the revenue for the City's General Fund derives from taxes be it sales tax or property tax. The City also receives energy and franchise tax. That is essentially how the City operates.

**Motion by Councilmember Wood to adopt Resolution No. 12-25 approving the Tentative Budget.** Second by Councilmember Holmgren. Vote: Councilmember Deakin – aye, Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye and Councilmember Wood – aye. Motion approved.

- d. Discussion and consideration on information presented by Justin Ellingford on a Splash Pad, City restrooms and the possibility of identifying a location for said improvements and funding

Justin Ellingford addressed the Council regarding installation of a Splash Pad. Councilmember Deakin asked Mr. Ellingford what he calls the organization he represents. Mr. Ellingford told the Council that nothing is official; however, he has been calling them on Facebook the Tremonton Splash Pad Initiative. Mr. Ellingford told the Council that he had not prepared anything for this evening. Mr. Warnke told him that he would just need to answer any questions that the Council may have.

Councilmember Holmgren told Mr. Ellingford that the Council discussed having something in place like an agreement or Memorandum of Agreement so that when funds are collected there would be a place for the funds. As budgets are prepared each year, this will be addressed. The Council cannot encumber future Councils. Mr. Ellingford told the Council that it was not his intent to drag this out over several years. Councilmember Deakin asked if Mr. Ellingford was willing to be the champion of this endeavor to take care of the funds. Mr. Ellingford told the Council the group had talked about becoming a 5013c group. He was not comfortable with taking care of the funds and being liable for them. He is willing to be champion; however, he would like to see the funds secure.

Mr. Ellingford told the Council that what he envisioned is a partnership with the City because they are donating the ground. The City will maintain the Splash Pad once it is built. The City is the expert. What he envisions is sitting down with Mayor Fridal, Manager Warnke, Paul Fulgham, Marc Christensen and everyone with experience to come up with a pad. Mr. Ellingford would like to gain some

expertise in fund raising from the City to do things properly. Councilmember Holmgren told the Council that it takes a long process to set up a 5013c. He asked Manager Warnke if the City could set up some kind of account for the Splash Pad like the Veteran's used to install the Veteran's Memorial. The funds could only be used for the Splash Pad and nothing else.

Manager Warnke told the Council that it might be possible; however, one of the things that might come into play is what happens to the money if the Splash Pad Group if enough funds were not raised. What is the City going to do with those funds? As long as there is an understanding that if there were not enough fund raised for the Splash Pad, that the funds could be used for some other amenity or improvement it would be ok. Mr. Ellingford asked if this documentation could be written up in the MOU so that as funds are raised the citizens will understand the issue. Plan A will state that this is the amount of funds that we need to generate. If this is not accomplished, then Plan B will take affect.

Councilmember Wood informed the audience that the City Council will schedule a public hearing to discuss the Splash Pad. They explained how a public hearing works to Mr. Ellingford. Councilmember Reese told the Council that they need to get a Memorandum of Understanding with the Tremonton Splash Pad Initiative so they can get going.

**Motion by Councilmember Deakin that Tremonton City enter into a Memorandum of Understanding with Tremonton Splash Pad in care of Justin Ellingford running July 1, 2012 to June 30, 2013 making available, if they can come up with the funds, the piece of property we have under the old tennis courts of Shuman Park.**

Discussion followed on whether the City should open up an account to receive funds. It was decided to wait on this decision. Councilmember Deakin said that what this motion does is open up the property for one year and so they can try to collect money. Mayor Fridal commented that the MOU can be easily extended if the Council so directs.

Second by Councilmember Holmgren. Mayor Fridal asked for discussion prior to taking a vote. Manager Warnke said he wanted some understanding on what the Council was presenting in the motion. Councilmember Deakin stated that this motion gives Manager Warnke authority to come up with an MOU draft to bring back to the Council at the next meeting.

Two Scout leaders in attendance at the meeting asked what a Splash Pad was, what will the cost be and will the City be responsible for liability. Mr. Ellingsford explained what a Splash Pad was to the audience. Councilmember Wood suggested that these gentlemen attend the public hearing where there questions and concerns will be addressed.

Councilmember Wood suggested that the Council not vote on this issue tonight.

Due to the fact that there was a motion and second, Mayor Fridal called for a vote: Councilmember Deakin – aye, Councilmember Doutre - nay, Councilmember Holmgren – aye, Councilmember Reese – nay, Councilmember Wood – nay. Motion did not pass.

Mr. Ellingford told the Council that he has two questions he would like the Council to answer. He has two organizations right now that want to contribute to the installation of the restrooms. They feel that the figures presented by the City to build the restrooms are outrageous as the Golf Course built a restroom for \$10,000. How do we work out this issue? Councilmember Reese told the audience that the Council will not approve building a restroom like the Golf Course installed. It will need to fit in with the surroundings. Councilmember Wood suggested that the individual who said he could build the restroom cheaper come to the public hearing. He told Mr. Ellingford that the Council wants to build restrooms as cheap as we can. Councilmember Doutre told the audience that before anything is built, we will need to go out for bids. The issue of installing a freshwater or circulating splash pad was addressed. At this time, the Council is leaning towards putting in a freshwater pad; however, they will look at all options before it is installed.

Monica Stokes told the Council that she is working with the Tremonton Splash Pad Group. She has found out that if you have a tax exempt status, there are a lot of options to get grants. Grants are available at this park due to the fact that it is completely ADA accessible – something that we do not have at any other amenity in Tremonton at this time. Councilmember Holmgren told Ms. Stokes that this is what he is pushing for. Co-partnering with the City would give them the tax exempt status they need. Ms. Stokes told the Council that currently there are between \$15,000 and \$20,000 in grant funds available for this type of endeavor. This money will give us a big boost towards construction just because it would be ADA assessable. Manager Warnke commented that some grants specifically exclude local governments from participating. Ms. Stokes told the Council that the grants she is looking at do not exclude local governments from applying. They actually encourage small towns (of which Tremonton City would qualify) to apply for the grants.

Mr. Ellingford asked if the email that Manager Warnke sent to him on the Capital Improvement Plan would qualify funds for the Splash Pad. Manager Warnke told him that it will if approved by the Council.

- e. Discussion and consideration of adopting Resolution No. 12-26 selecting insurance carriers and defining the City's contribution for employee benefits for the 2012-2013 Fiscal Year

Councilmember Holmgren explained the benefits offered by the carriers discussed in the Work Session. It was his understanding that we would not change any of the carriers at this time. Manager Warnke told the Council that this is an action

item which basically maintains the current carriers we have for the next fiscal year.

**Motion by Councilmember Holmgren to adopt Resolution No. 12-26 keeping the same carriers as the City used last year.** Second by Councilmember Wood. Vote: Councilmember Deakin – aye, Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye and Councilmember Wood – aye. Motion approved.

8. Comments:

a. Administration/City Manager Advise and Consent:

Manager Warnke told the Council that he has nothing to report.

b. Council Reports:

**Councilmember Deakin** told the Council that he was just following up on what the Council discussed in the Work Session. There is \$11,912.67 in the Veteran's restricted fund for the Veteran's Memorial Park. A citizen had approached Councilmember Deakin about the possibility of using some of those funds to make the names on the memorial look more attractive as the weather has taken some of the black plastic filler out. Manager Warnke is going to look into the possibility of what the process is to use these funds. Whether we need to go through the Veteran's Committee with A. C. Christensen or if the City can decide what needs to be done and use the funds needs to be determined. Manager Warnke will get back with the Council on this issue.

**Councilmember Doutre** told the Council that she wanted to mention the trip to Emmetsburg, Maryland some of the Council went on this past week where we learned about disaster training. It was very worthwhile and Councilmember Doutre appreciated the opportunity to attend the training.

9. Public comments: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.

Mayor Fridal told the audience that this is a good time to have the young ladies perform for the Council. McKenzie Robertson and Jessica Thornley told the Council that they are presenting this skit as part of a History Fair they participated in at the State. The project was on World War II and the reaction of people to the war in America. They won at State History Competition and will be competing in June on the National level. They wanted to present this skit for practice as they prepare for Nationals. The skit is about real people that lived during that era.

The Council expressed their thanks and appreciation for the presentation. It was really informative and well presented.

10. Adjournment.

**Motion by Councilmember Holmgren to adjourn the meeting.** 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 meeting adjourned at 7:50 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 Recorder Hess.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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Darlene S. Hess, Recorder