

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
April 15, 2014**

Members Present:

Diana Doutre
Lyle Holmgren
Jeff Reese
Bret Rohde
Byron Wood
Roger Fridal, Mayor
Shawn Warnke, City Manager
Darlene S. Hess, Recorder

CITY COUNCIL MEETING

Mayor Fridal called the April 15, 2014 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 Doutre, Holmgren, Reese, Rohde, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, 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 Reese and the Pledge of Allegiance was led by Councilmember Rohde.

2. Introduction of guests:

Mayor Fridal welcomed all those in attendance.

3. Approval of Agenda:

Motion by Councilmember Holmgren to approve the agenda of April 15, 2014 with the exception of tabling item 7.e. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

4. Approval of Minutes: March 18, 2014

Motion by Councilmember Doutre to approve the minutes of March 18, 2014. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye,

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

5. Public Hearing:

Mayor Fridal called a public hearing to order at 7:04 p.m. There were 15 people in attendance.

- a. The Federal Highway Administration (FHWA), the Utah Department of Transportation (UDOT), and Tremonton City, advise all interested persons and groups that a Public Hearing will be held for the proposed improvements to 1000 North between 2300 West to I-15 in Tremonton, Utah.

Director Fulgham introduced the Project Manager for the construction project on 1000 North, Rod Terry from UDOT, and Brandon Tucker and Tiffany Carlson from the City's consultants, Horrocks Engineering and turned the time over to Mr. Tucker to discuss the project.

Mr. Tucker stated that they are designing a project to widen 1000 North from 2300 West to the east side of I-15. The road will be repaved under the freeway and tied into the northbound on and off-ramps on I-15. The road is being widened for safety purposes. A center turning lane will be added and the through lanes will be widened to 14 feet and include improvements for curb and gutter and an 8 foot sidewalk on the north side of the road. The improvements will stay within the existing right-of-way, but there will be some minor right-of-way work that will have to be done. There are slopes coming off the road that will impact people's property along the roadway. They have tried to talk to as many of these people as they can to let them know about the impacts, including some easements that will be acquired for the purpose of the project.

Councilmember Doutré stated that one concern of the people and businesses in that area is how much impact the construction will have on the flow of traffic from 2000 West and 2300 West. Mr. Tucker stated that they can't say for certain. The impacts are determined by the contractor that wins the project. There will be traffic limitations in the contract, but they haven't been worked out yet. They know of the importance of the trucking route onto 2000 West and keeping that open to the freeway and the need for access from 2300 West as well. No specifics can be given right now, but they will accommodate existing traffic movements as much as they can during the construction.

Councilmember Holmgren asked about the issues mentioned with runoff from the road and if the curb and gutter will take care of that. Mr. Tucker stated that as the new road is constructed, it will be within the existing right-of-way. However, the road will be a little higher than the existing ground so the dirt runoff will be coming off either the back of the curb or the sidewalk. The curb and gutter will accommodate the drainage runoff.

Mr. Tucker stated that because it is a Federal Highway project, there are certain processes they must go through. The design of the project and the acquisitions of the right-of-way easements needed are fairly straight forward. The design of the

project will continue through the end of the year and in January or February the project will be advertised for contractor bids. The process of procuring a contractor will take a couple months and the actual construction of the project will begin in the spring of 2015 and go into summer.

Mr. Lynn Martineau stated that he is a resident on 1000 North that will be impacted by this project. He asked about the funding for the project and if it would involve funding from residents that would impact him. He also stated that he has covered the property in front of his house with slag and that his understanding is that if concrete or asphalt is placed over the slag, it will break up the concrete. He asked if that will be required to be removed as part of the construction project or if it will be his responsibility to remove. He also asked about the irrigation ditch that is no longer functional that will likely need to be filled in for the sidewalk to be put in. He also wanted to make sure the curb and gutter will be able to handle the runoff as they have had problems in the past when the homes on 1000 North were flooded.

Director Fulgham stated that the funding for the project is Federal Highway funding, which comes from the Federal Government. The City applied for the funding and were allotted one million dollars with a 6.7% match, which the City Council funded the match of \$72,000. No residents will be assessed money for the project. The removal of the slag will be part of the contract. Anything that has to be removed will be done by the contractor. The slope easements that need to be acquired are to help make the transition off the roadway and off the backside of the curb. Director Fulgham also stated concerning the filling of the ditch, that he didn't know much about the ditch. Councilmember Rohde asked about the size of the ditch. Mr. Martineau stated that the ditch is only about 3 feet deep and 2 or 3 feet wide.

Mr. Martineau asked one more question about the 4½ foot area between the curb and gutter and the sidewalk and asked if that area could be filled in with rock or concrete rather than grass that he would have to maintain. Director Fulgham stated that will be worked out with the homeowners as that will be the homeowner's responsibility to maintain.

Mayor Fridal asked if there were any further questions or comments. There were no further questions or comments.

Motion by Councilmember Reese to close the public hearing. Motion seconded by Councilmember Wood. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

The public hearing was closed at 7:16 p.m.

6. Public comments: Comments limited to three minutes:

Ms. Laura Folkman stated that she lives on 1000 North between 2300 West and 2000 West. She agreed that the road does need to be widened and that is a priority. However, she suggested that with the construction of the road that a sewer line be constructed as

most of the homes have septic systems. If a sewer line were to go out that way, it would improve the value of their property and she would like to see money set aside to do a study on the possibility of putting in a sewer line for those few homes. There are not very many homes there, but there are already sewer lines to West Liberty Foods and to the subdivision west of 2300 West and she would like to see a sewer hookup addressed for those few properties.

Mr. John Kitch asked about individual voting, that was discussed in a previous meeting, and wondered if that type of voting (a roll call vote) was required on the items the Council had already voted on tonight. Councilmember Rohde stated it is only required on resolutions and ordinances.

7. New Council Business:

- a. Discussion and consideration of authorizing the Mayor to sign a letter to Box Elder County Auditor notifying the County that Tremonton City Council does not intend or intends to adopt the certified tax rate that is calculated by the Box Elder County Auditor and the State Tax Commission for the 2014 tax year.

Councilmember Holmgren asked what the rate is. Manager Warnke stated that it hasn't been determined yet and won't be determined until June. The letter that is presented to the Council is written with the intention to adopt the certified tax rate calculated by the Box Elder County Auditor. The rate may go up or down depending on the taxable values, but the City is not going to go through the Truth in Taxation process to increase the certified tax rate beyond what the County Auditor calculates. Recorder Hess stated that the letter is due to the County by May 1st.

Motion by Councilmember Holmgren to authorize Mayor Fridal to sign a letter to Box Elder County and notify them that the City intends to adopt the certified tax rate as calculated by Box Elder County. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- b. Discussion and consideration of affirming the use of already appropriated funds to inspect, clean, and test pump – Tremonton City's 2-flowing wells at the North Spring site.

Director Fulgham stated that there are 2-flowing wells at the North Spring area that go down 110 feet deep and they haven't been looked at professionally since the mid 1990's. Director Fulgham stated that he would like to use some of the money leftover from the City Council's appropriation to construct a waterline on the hillside to contract Dewey Peterson, of Peterson Well Drilling, to inspect and test those wells. Over time, the metal casings get rust barnacles growing through them and closing up the perforations in the metal casing where the water comes in the well. Mr. Peterson would video the casings, brush them, clean the debris out, and test pump them and see what the wells produce. Next budget cycle, Director Fulgham will place a meter so the City can monitor the production out of those wells. Director Fulgham stated that he is asking affirmation for the use of \$21,000

of already appropriated funds for this project. It may be less than that as only one well might be able to be checked as the other may be too small for Mr. Peterson to work on.

Councilmember Wood asked if some of the water from the wells syphon off to Deweyville. Director Fulgham stated that is the East Spring on the mountain. These wells are at the pump house by the river. That's where the main production is and can pump roughly 1,700 to 1,800 gallons a minute. Councilmember Wood stated this would be a good idea to use the extra money on this project.

Motion by Councilmember Wood to inspect, clean, and test pump the 2-flowing wells at the North Spring site. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- c. Discussion and consideration of adopting Resolution No. 14-18 appointing a Tremonton City representative to serve as a member of the Box Elder Mosquito Abatement District Board from 2014 through 2017.

Motion by Councilmember Wood to appoint David Jones to the Box Elder Mosquito District Board from 2014 through 2017. Motion seconded by Councilmember Doutre. Roll Call: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- d. Discussion and consideration of adopting Resolution No. 14-19 approving a policy regarding the misuse of Utah Criminal Justice Information System (UCJIS) Files.

Manager Warnke stated that the Utah Department of Public Safety Bureau of Criminal Identification (BCI) does an audit of the Justice Court every 3 years. One of the items on their checklist is a policy on the use of information through the Utah Criminal Justice Information System (UCJIS). This policy meets the requirements that are requisite to have access to that information system.

Councilmember Wood asked if a new law has been passed requiring this. Manager Warnke stated that this just formalizes and ratifies the policy the City has had in place and thought it best to have it come from the governing body in resolution form.

Motion by Councilmember Reese to adopt Resolution No. 14-19. Motion seconded by Councilmember Holmgren. Roll Call: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- e. Discussion and consideration of preliminarily selecting a Branding Consultant and authorizing city staff to prepare a draft contract with the preliminarily selected Branding Consultant for the creation of a distinct City Brand.

Item was tabled.

8. Comments:

a. Administration/City Manager Advise and Consent.

Manager Warnke reminded the Council that there is an Economic Development orientation that everyone is invited to attend. The Economic Development Cooperation of Utah (EDC Utah), which the City is a member of, who is the clearing house for larger economic development opportunities that come to the State will be in Brigham City to discuss what they can provide to different cities and the economic development process.

Manager Warnke asked about putting Item e, which was tabled, on the May 6, 2014 agenda as a discussion item in the work session to get some direction from the Council. Councilmember Reese asked the Councilmembers to study up on the material so they can have a good discussion on it.

b. Council Reports:

Councilmember Rohde stated that they attended the Utah League of Cities and Towns meetings in St. George and it was extremely informative and thanked the City and the citizens for allowing them to attend it.

Councilmember Wood stated that they did get good information from the League meetings and thanked the taxpayers for the opportunity to attend it.

Councilmember Doutre stated that the League meetings were very good and there was a lot of information about communication and the future of communication and how the City can be closer with the community and let people know what is going on.

Councilmember Holmgren stated that everyone was able to attend the League meetings this year and thanked the citizens for allowing them to. As a reminder, on April 25, 2014, at 3:00 p.m. the City will be planting trees around the splash pad and welcomed anyone who would like to help to come out.

Mayor Fridal stated that he read a letter a few weeks ago from children who wanted to do a community garden and also received a phone call from a lady wanting to do a community garden in Chadaz Estates and donate some of the food grown to the Food Pantry. She wondered if the City would like to participate and if they liked the idea. Mayor Fridal told her that the City did think it was a good idea. Councilmember Doutre asked how they would get water for the garden. Mayor Fridal stated that there is a well and she would provide the water this year.

9. Adjournment.

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

Councilmember Wood - aye. Motion approved.

The meeting adjourned at 7:40 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 Linsey Nessen.

Dated this _____ day of _____, 2014.

Darlene S. Hess, Recorder