

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
May 7, 2013**

Members Present:

David Deakin (Arrived at 6:17 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 7, 2013 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 (arrived at 6:17 p.m.), Doutre, Holmgren, Reese, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Fire Chief Steve Batis, Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler.

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

The Council reviewed the May 7, 2013 Agenda with the following items being discussed in more detail:

Archie Archuleta informed Mayor Fridal that the Utah Coalition of La Raza will be present this evening with 4-6 members.

Resolution No. 13-31 approving a West Liberty Foods Pretreatment Agreement Permit – Director Fulgham stated that West Liberty Foods would like to increase their limits. After looking at building permits and impact fees paid in the past, West Liberty Foods is requesting a slight increase in the amount discharged to the City. When West Liberty Foods exceeds the residential strength of wastewater, they are required to pay \$0.10 per pound they are in excess up to their permit. If they exceed the permit limit they pay a violation charge which is an additional \$0.10 more per pound.

Councilmember Holmgren questioned how the City handles high and low pH limits. Director Fulgham stated that limits are set when a permit is issued. Once the water joins the stream, the pH is neutralized unless it has a large quantity of pH. The food industries usually do not have high levels. The pH levels rise when chemicals are used to clean stainless steel equipment. The City issues permits on pH and temperature but these are not big factors.

Councilmember Doutre asked what increase West Liberty has requested. Director Fulgham stated that the current limits for BOD (biochemical oxygen demand) are 1,697 lbs/day with a requested increase to 1,757 lbs/day. This increase is equal to approximately 10 homes per day. Councilmember Wood asked if West Liberty Foods could pay the Impact Fee and increase their limit. Tremonton City presented West Liberty Foods the option of buying additional capacity but they were not interested. Director Fulgham stated that West Liberty is penalized every month on BOD on their permit limit. The TSS (total suspended solids) and FOG (fats, oils and greases) are easily removed because they float out. The BOD is harder to remove because it is soluble and takes a large amount of oxygen and microorganisms to reduce BOD.

Resolution No. 13-32 approving a Contract for Election Services with Box Elder County - Recorder Hess explained that this is an agreement to use Box Elder County's electronic equipment for elections. Councilmember Doutre asked the cost of an election to Tremonton City. Recorder Hess stated that if a primary is needed it doubles the cost. The City has budgeted \$13,000. June 7th is the deadline for candidates to sign up. If a primary is not necessary it would lower the cost to the City. Manager Warnke noted the County is always generous to provide support for little expense. Recorder Hess indicated that the County provides training for the judges.

Notice to the City's current vendor to remove their copiers and select a new vendor - Councilmember Holmgren questioned why the City chose the highest bid for new copiers. Manager Warnke stated that the City is currently using Les Olsen at some locations and they integrate better with our IT service provider. Our current copier has a hard time integrating. The difference in cost over five years was small compared to the service provided. The lowest bid is from Xerox, our current vendor. The bid from Xerox is considerably less than what we currently pay. The City has had some difficulties with the machines currently in use.

Councilmember Reese asked if the City is using less paper at present. Manager Warnke stated the averages were included in the B&D Summary Spreadsheet, but the amounts have not been tracked. The machines from Ricoh and Les Olson both have advantages. It was decided to use the same vendor for all three copiers and Les Olson was the preferred choice. The machines would be on a five year lease. Marc Christensen, Sharri Oyler, Chief Nance, Joyce Hansen and Manager Warnke all felt that Ricoh has a good product, but Les Olson would work better with our IT. Les Olson has experience working with our IT people setting up the copier at the Library. Councilmember Wood agreed with using the same company for the copiers.

Bid for a new 2013/2014 1-Ton 4WD Dually Truck for Public Works – Director Fulgham stated that this truck will replace the 1-Ton truck that broke down a year and a half ago. The low bid is from Weese Motors for a Ford. Dodge doesn't make a dually unless it has a diesel engine which would add another \$10,000. Director Fulgham recommends going with the low bid. The two local bids were lower than Ken Garff Ford who is a state bidder.

Councilmember Wood asked if the trucks all had vinyl seats and were Heavy Duty. Director Fulgham confirmed that they all do. Councilmember Dautre wondered if the truck would have a snowplow. Director Fulgham is getting bids on a snowplow and bed packages. The old 1-Ton truck had a snowplow and a salt spreader. The new 2013/2014 1-Ton truck will not need a spreader. The new Dump-Truck will have a spreader and will do a better job of spreading salt.

2. Budget Discussion Items

a. **Report on the 2013 Wage Survey and Other Compensation Issues** – Linsey Nessen, HR Clerk and Shawn Warnke, City Manager

Linsey Nessen, HR Clerk, used an online salary survey system called Tech Net. The entities compared had populations from 6,000 to 7,999, Class 5 Cities with population from 1,000 to 10,000, 5th Class Counties, and 4th Class Cities with 10,000 to 30,000. Tech Net has benchmarked job descriptions that were compared with Tremonton City's job descriptions. All positions were compared. Brigham City was also added to the comparisons. The average minimum came from all the comparable cities in each category. The average maximum was the same process but included the spread average from the minimum to the maximum. Ms. Nessen then took the spread average and the maximum average to get our maximum for total staff. Manager Warnke stated this is the average of our comparable groups.

The cities with the strongest comparisons would be the ones with the closest population to Tremonton such as cities with 6,000 to 7,999 in population. Tremonton City is close to 8,000 in population. Class 5 Cities would be the next closest in comparison. Tremonton City provides some services that are closer to counties or larger cities, such as the Library and the Senior Center. Other positions don't compare with other cities, such as the Food Pantry Director. Overall Tech Net was the best source to develop a compensation plan, as lots of Utah Cities subscribe and participate by adding their compensation data to the data base.

Mayor Fridal asked if Tremonton City was participating in Tech Net and if other participants could see what the City was paying. Ms. Nessen confirmed that the City had to enter information including population and wages to find comparisons to others on Tech Net. Councilmember Deakin asked if the comparisons were all in Utah. Ms. Nessen confirmed they were all from Utah. Manager Warnke stated that other states were in the system but Utah was the only state selected for the survey.

Manager Warnke noted that some wages were adjusted after the salary survey in 2009. Jobs on the low end of the wage scale were adjusted, and others were given

a merit bonus. It was essentially a payment and didn't compound/add to their base pay. Jobs at the lower end of the wage scale that received wage adjustments in 2009 gained ground and other jobs fell further behind. In order to keep pace, the City needs to make COLA (Cost of Living Adjustment) an ongoing and consistent effort or the City will fall further behind. The City is behind other comparable cities.

The first recommendation is that the Council consider a 2-3% COLA. Other cities average a 2-3% COLA. COLA affects everyone and raises minimums and maximums while Merit does not. COLA also adjusts extra pay for on-call, cell phone allowances, uniform allowances, etc.

Cities with comparable size also have Police Officer III Positions which allow officers to move up the pay grade based on experience. It is recommended that the Council consider creating a Police Officer III position. This applies to other departments such as Public Works. In the future it is proposed that a Public Works III position be created. The Police Sergeant's would need to be considered for an adjustment as well. The data collected suggests that Lead Cooks and Field Prep Workers should be moved to a higher pay grade.

Tech Net did not have a lot of information to compare to the Fire Department Salary. Utah's Right to Know website was used to reference wages for different Fire Departments. Chief Batis stated that most of Tremonton's Fire Department Personnel would be considered part-time. The Health Care Reform is changing the amount of hours Firefighters can work. Councilmember Deakin questioned why Tech Net did not have a lot of information about Fire Department wages. Manager Warnke stated that it is hard to compare Firefighters wages because some of the other cities have full-time employees while Tremonton Firefighters are paid per call.

Chief Batis indicated that most other fire departments have separate departments for medical and fire and are not combined like Tremonton City Fire Department. Logan Fire Department has full-time employees with paramedics and transport. Smithfield Fire Department has several EMT's and cover medical calls at night in Hyrum and Smithfield. Smithfield pays for 12 hours of coverage during the day. Brigham City is looking at combining the EMS and Fire Department as they have in the past.

Councilmember Deakin felt it would help to see the wages for the other fire departments for comparison. Manager Warnke has included the information that was available for Fire Officers. The Fire Department Employees have never been paid a COLA and it will be a big adjustment in the future. Chief Batis commented that county Firefighter's wages are being raised to \$14.00 an hour and Tremonton City usually matches raises for the County Fire Department.

Councilmember Wood wondered how long it has been since the Fire Department had a raise. Chief Batis thought it had been five or six years since the Fire Department beginning pay was raised to \$11.75 an hour. Councilmember Wood felt that the Fire Department had a very reasonable wage for how well they were trained. The Firefighters and EMT's all do great. Councilmember Doutré agreed. Chief Batis stated that all fire employees were a Grade 1. The City has recently hired a few new trainees that have one year to meet the minimums: be an EMT, a Firefighter I, Hazmat Awareness Ops, and Wildland Certified. All Tremonton's active members will be EMT's, and all but a few are advanced EMT's besides the trainees. Tremonton Firefighters receive a lot of training.

Councilmember Deakin questioned if the Council needed more information before deciding to raise the Fire Department wages. It looks like the Fire Department is paid well now, why was it recommended they receive a pay increase. It appears that the spreadsheet shows Tremonton is paying higher than all the other comparable cities. Manager Warnke explained that Tech Net only shows wages for EMT, not for firefighters or officer pay. The Utah Right to Know does not distinguish how long an employee has been employed. There is time to look at The Utah Right to Know for the specific job descriptions.

- b. Medical, Dental, Life, AD&D and Dependent Life, Disability and Vision benefit renewal – Jim Petersen GBS Consultant

Jim Petersen spoke of the Patient Protection Affordable Care Act or Obama Care. GBS strongly encourages the Council to be aware of seminars offered. As of March 23rd, Senator Mitch McConnell's staff has compiled all the regulations. It is almost seven feet tall and consistently changing and evolving. Director Warnke, Recorder Hess, and Ms. Nessen have attended several seminars learning how the City can achieve safe harbor protection.

Altius gave an initial renewal with a 10.86% rate increase. Public Employees Health Plan (PEHP) provided a binding quote almost on the same market. It is possible to go to through individual underwriting to go to all the carriers to get firm rates, but the 10% is below the market renewal rate that is trending now. Altius agreed to come back and hold benefits and provide 8.89% increase on medical. Other cities have seen a 25% rate increase with the same carrier. GBS feels that the 8.89% rate increase is about the best to hope for. GBS recommends Tremonton City maintain benefits now and help employees understand that they have a good benefit. It is best to get prepared for next year.

The City's current dental insurance TDA has a 6% rate increase. It is recommended that Tremonton City consider going with Educators Mutual Insurance (EMI). EMI has come back with a 3.78% rate increase. EMI was a previous carrier for Tremonton City. It would be minimal interruption as the employees have been with EMI before. Manager Warnke thought EMI had

several dentists in and around town to choose from. Mayor Fridal questioned if Tremonton employees could accept medical and skip the dental and vision. GBS offers the option of choosing which options they would like. It is also optional to take incremental amounts in the Life and AD&D Insurance.

Councilmembers Wood, Doutre and Reese expressed that it would be best to stay with Altius for medical with the 8.89% increase. This would not create any disruption in service as it is the same provider.

Mayor Fridal asked if Mr. Petersen had any idea what to expect for insurance in 2014. Mr. Petersen thought there would be a 25% - 50% rate increase for small businesses once community rating applies. It is confusing trying to determine whether Tremonton City is considered a large or small business. On one degree, it is considered small because there are fewer than 250 employees. On another degree it is also considered small because it is under 100 employees. Tremonton is considered to have over 50 full-time employees when you factor in the full-time equivalency for part-time employees. All major carriers for in the under 50 employee category state that community ratings will increase insurance for healthy groups more than for unhealthy groups. Small self funding groups are being developed that would remove businesses from the community rating index. Several are being implemented after July 1, 2013.

Councilmember Reese understood that if Tremonton City renewed by December 2012 it would postpone the rate increase for another year. Mr. Petersen stated that rule applied to companies with less than 50 full-time equivalents. Tremonton City currently has 41 or 42 full-time employees, but when the part-time employees are considered there are roughly 100 that are consistently on the wage and contribution report. If the City had 25 full-time employees it would be recommended to do a short-term renewal on December 1, 2012 to lock in the rate and avoid the increase.

Manager Warnke stated that in the past the City has created a Resolution to formalize the election of carriers for the upcoming fiscal year. It is understood that the City will continue with Altius for health insurance and switch to Educators Mutual for dental insurance. Other coverage, vision, life, etc., will remain the same. The resolution will be prepared as described above.

Several options will be looked at for the upcoming year, with the understanding that there will be significant changes in the market. Mr. Petersen is accessible for questions. The following two options are available: a defined contribution plan, involving the exchange as a viable option in a year; alternative funded mechanism.

Councilmember Reese heard that if an individual is in a certain pay structure it would be better not to have insurance through their employer because the government would have better insurance. Mr. Petersen stated there are federal

credits for lower income based upon whether the state accepts them as 133% of Medicaid income up to 400%. Providers could be contacted with questions.

- c. General update on the 2013-2014 Tentative Budget which is scheduled for adoption on May 21, 2012 – Shawn Warnke, City Manager

There was no time to hear the report from Manager Warnke on the Tentative Budget.

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

CITY COUNCIL MEETING

Mayor Fridal called the May 7, 2013 City Council Meeting to order at 7:03 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 Chief Steve Batis, Zoning Administrator Steve Bench, Recreation Director Marc Christensen, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler.

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 Public Works Director Paul Fulgham and the Pledge of Allegiance was led by Councilmember Wood.

Mayor Fridal commented that he had been reading a terrific book called *Being George Washington* by Glenn Beck. When George Washington was fourteen or fifteen years old he decided to write his rules of civility which defined how he was going to treat others. Mayor Fridal read some of those Rules as outlined in Mr. Beck's book:

- “Let your countenance be pleasant but in serious matters somewhat grave.”
- “Shew not yourself glad at the misfortune of another though he were your enemy.”
- “In writing or speaking, give to every person his due title according to his degree and the custom of the place.”
- “When a man does all he can though it succeeds not well blame not him that did it.”
- “Strive not with your superiors in argument but always submit your judgements to others with modesty.”
- “Associate yourselves with men of good quality if you esteem your own reputation, for it is better to be alone than in bad company.”
- “Let your conversations be without malice or envy, and in all causes of passion admit reason to govern.”
- “Undertake not what you cannot perform but be careful to keep your promise.”

- “When you speak of God or His attributes, let it be seriously and with reverence.”
- “Labor to keep alive in your breast that little spark of celestial fire called conscience.”

Mayor Fridal commented that George Washington did many great things for our country.

Mayor Fridal then addressed what he called “a problem that won’t go away.” In the past few months there has been a consideration of a plant coming to the Tremonton community. There are rumors that keep coming out, going away, and then coming back. For the information of those present, Project Sam is history. It is not coming to Tremonton. Project Sam is not being pursued by them or by Tremonton City. Project Sam, the pig processing facility that people got so excited about, is not coming to Tremonton. If anyone hears someone say that they heard this or that, or that a member of the Council is trying to get Project Sam to come to Tremonton behind everyone’s back, it is absolutely false. It is not happening.

Mayor Fridal reiterated that Project Sam is not coming to Tremonton.

2. Introduction of guests.

Mayor Fridal welcomed all those in attendance, including Jose Navejas Enriguez, Alpine School District, Archie Archuleta, President of the Utah Coalition of La Raza,

3. Approval of Agenda.

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

Motion by Councilmember Doutre to approve the agenda of May 7, 2013. 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. Approval of minutes – April 2, 2013.

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

Motion by Councilmember Holmgren to approve the minutes of April 2, 2013. Motion seconded by Councilmember Wood. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

5. Public Comments: Comments limited to three minutes

There were no public comments.

6. Proclamation

- a. Encouraging the observance of Arbor Day

Mayor Fridal read a Proclamation encouraging the observance of Arbor Day.

Motion by Councilmember Wood to encourage the observance of Arbor Day. Motion seconded by Councilmember Doutre. Vote: Councilmember Deakin - aye, Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved

7. Request(s) to be on the agenda

a. Utah Coalition of La Raza – Archie Archuleta

Mr. Archie Archuleta stated that several weeks past there were words said at a City Council meeting that were not very nice. It was decided that they should come before the City Council and speak about Hispanic talents and culture. The Utah Coalition of La Raza is working hard throughout the State to help the youth become good citizens and loyal Americans. Many Hispanic people have served in the armed services. They want the youth to appreciate the fact that we live in a different kind of society that allows people to come and speak.

Mr. Archuleta introduced Dr. Jose Enriguez who heads up the state-wide Latinos in Action (L.I.A), a program designed to help kids try to make a better showing in school, go on to higher education, and get better paying jobs. This organization has done a wonderful job throughout the State. Both Bear River High and Jr. High Schools participate in this program.

Before turning the time over to Dr. Enriguez, Mr. Archuleta stated that he had brought with him several Board Members and a young lady, Jessica, that just graduated from the University of Utah and was a graduate of Bear River High School.

Dr. Enriguez stated that it is an amazing opportunity to have the youth come to City Council Meeting to learn Roberts Rules. He ventured to say that, for most of the youth, this is their first City Council Meeting. He said that he loves that because they need to get involved. He wants them to understand that this is their home and that they should be participating in what is going on in their city.

Dr. Enriguez stated that the L.I.A. Program is located in ninety-eight schools across the State, and there are two schools in Jerome, Idaho who are also in the program. The program teaches the youth about leadership, service learning, and literacy, as well as helping the youth understand the value of service and giving back to the community.

Along with learning literacy skills, the youth go out and teach elementary students: not just Latino students who are learning a second language, but also special education students who are struggling with literacy. They also serve at Parent Teacher Conferences, helping anyone who needs help.

L.I.A. is a non exclusive organization that includes Cambodians and Koreans, as well as Latinos. Across the State, 85% of the kids in Latinos in Action go to

college and the graduation rate is 98% to 100%.

Dr. Enriguez asked for reports from some of the youth.

Edgar Lemus said that he was asked to speak on his future. He reported that at one time his life was bleak. He said he was insubordinate and mean to his family and country. He ran into a bad situation and was arrested. He has now changed his life. Since he became affiliated with L.I.A., he is graduating from high school and has been accepted at Weber State in Criminal Justice. Mr. Ramez said that his future is now focused on progress, his family, and Latinos in Action. He stated that he is so happy Latinos in Action came to Bear River High School. He thanked God for all of his blessings and accomplishments, as well as for all the pain and tragedies that prepared him for his future. He thanked God for making life so hard.

Mercedes Gonzales spoke to the Council on Leadership. She stated that leadership is a big responsibility but L.I.A. helped her gain the confidence to become a leader. When speakers came and talked to the students about college, they would always say that the statistics show that the Hispanics would not go to college, or would drop out of high school. The last two years' statistics show that a lot more Hispanics are graduating and also getting higher education. That encouraged her to not only graduate from high school, but to graduate from college with a Masters Degree in Occupational Therapy.

Ms. Gonzales is the Social President in L.I.A. which means that she organizes parties and had the opportunity to choreograph the dance that the youth performed at the Latinos National Conference. Because of these types of opportunities, the students gain a lot of confidence, and that makes them feel good. They did very well at the conference for their first year in attendance.

The conferences are very inspirational. What makes it "cool" is that all those at the conference had a very difficult life and they struggled just like the students at Bear River High School have. It helped everyone to realize that they can still do it, but they will have to work for it. Ms. Gonzales said that she hopes she can be one of those speakers who can inspire the youth to look for a better tomorrow.

Isaac Gonzales said he would be talking on service. Service can be a big part of a lot of things such as one's community, school, or even in one's own home. L.I.A. gives a lot of service. The youth learn by doing individual approved and class service projects. Everyone shares in what is done. It was amazing how much help they were doing. L.I.A. went to the grade schools to help the younger children learn to read and write better. The children were so much fun.

This project taught a lot of things. When one helps the children they hear them say thank you, or that they finally "got it all." It was amazing to be able to make a difference in someone else's life.

Since joining L.I.A., Mr. Gonzales said that he has learned so much about how service can change one's own life. It also teaches how to serve others in many different ways. A simple act of kindness can be a service and can help someone

else feel so much better. Mr. Gonzales said that he hopes that all of the L.I.A. group, including himself, will continue serving others in the community.

Jani Kynaste stated that she is one of the leaders in L.I.A. She said she is not Latino, but Native American. She expressed to the Council that the amount of service that has been done for this community is extensive. A little carnival is currently being planned to raise money for children who do not have reading books in their homes. L.I.A. is still looking for a place to hold the carnival. The problem is that they will have little ponies that the children can ride, so a grassy area is needed. She said she would appreciate suggestions for where the carnival could be held.

Ms. Kynaste said the principal brought her a list of the grade point averages of the L.I.A. students showing the change from last year to this year. Some of the youth have jumped up two points. L.I.A. requires that the students have no "F's", no "U's" and that they have a certain grade point average. If they do not measure up to that, L.I.A. puts them on suspension. If the grades don't come up, the students are asked to leave the group, and they do everything they possibly can to get back into the organization because they love doing what L.I.A. does.

When the L.I.A. students walk into the grade schools, the little children's faces smile. They love their little teachers.

Councilmember Holmgren suggested that Ms. Kynaste check with Jan Rhodes at the Fairgrounds for a possible location for the carnival.

Dr. Enriguez invited the Council to attend some of the L.I.A. classes. He thanked the Council for the opportunity to speak about their program.

Mayor Fridal stated that when he looks at the group of young people in the audience, he doesn't see Cambodians or Latinos. What he sees is a group of great young people.

Ms. Kynaste added that they have never had a Latino run for Student Council before this year. They didn't make it, but they ran. L.I.A. also has four kids in High Steppers at the high school this year. Daniel Martinez spoke up, saying that he was a student body officer in 2002. (The audience applauded Mr. Martinez.)

8. New Council Business.

- a. Discussion and consideration of approving the March 2013 Warrant Register.

Motion by Councilmember Wood to approve the March 2013 Warrant Register. Motion seconded by Councilmember Holmgren. 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 March 2013 Financial Statement.

Draft Minutes

Motion by Councilmember Doutre to approve the March 2013 Financial Statement. Motion seconded by Councilmember Reese. 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. 13-30 approving the MOM Brands Pretreatment Agreement Permit

Director Fulgham stated that every three years the MOM Brands Pretreatment Agreement Permit has to be updated. There are no changes to the Agreement.

Motion by Councilmember Holmgren to adopt Resolution No. 13-30 and approve the MOM Brands Pretreatment Agreement Permit. 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. Discussion and consideration of adopting Resolution No. 13-31 approving West Liberty Foods Pretreatment Agreement Permit

Director Fulgham said that this is also a renewal of a previous Agreement Permit. The Agreement is pretty much status quo, though there were some adjustments to the limits. West Liberty Foods asked for some level increases. Director Fulgham looked at what West Liberty Foods had purchased in Impact Fees and credited them that much more. On the BOD (Biochemical Oxygen Demand), they went up about 50 pounds per day. The same amount on the total suspended solids. The FOG (Fats, Oils, and Greases) equaled about ten pounds per day. West Liberty Foods' total suspended solids average is about 500-700 pounds per day. They are below the limit. The FOG is around 200 pounds per day. The BOD average runs about 1,800 pounds per day. They are always over on that because it is the harder one. The only way they could deal with BOD is if they would put in an equalization based system that would aerate the runoff.

Director Fulgham explained that anything over domestic with residential, the limit is set at 300 mg per liter. Anything above that, West Liberty Foods pays until they get down to their permit limit. If they go over that limit, that fee is compounded, so they are paying double.

Motion by Councilmember Doutre to adopt Resolution No. 13-31. Councilmember Deakin asked if Director Fulgham is comfortable with the situation as it stands now where they are over consistently. Director Fulgham replied that he is because overages don't happen regularly, and they are paying for it in their user fees. West Liberty Foods is paying their share. Manager Warnke added that there was a time when the City Sewer Fund was really sustained by the overage fees that the City was collecting. Now that those overage fees have been reduced over time, it has made it harder. Director Fulgham commented that Malt-O-Meal has done an extremely good job of reducing the amount of wastewater

that the send to the City and the solids that are in them because they know that is money out of their pocket.

Councilmember Deakin asked what MOM's Brand Foods actuals are. There actuals seem to be twice that of West Liberty Foods. Director Fulgham said that the reason why there is a difference is because, when Malt-O-Meal came to Tremonton, they paid for that capacity. They have a plan to grow to about fourteen lines. Now they only have four lines. There will come a time when they will have to do a total pre-treatment program. When it is no longer feasible to pay the City user fees, they will do that. MOM's Foods Brand usually ranges in the 1500 pound range for BOD, but very seldom do they ever go over, but when they do it is usually slight and they will send a letter from their environmental officer stating what they thought happened that caused them to go over the limit.

Motion seconded by Councilmember Deakin. Vote: Councilmember Deakin - aye, Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- e. Discussion and consideration of adopting Resolution No. 13-32 approving a Contract for Election Services with Box Elder County

Motion by Councilmember Reese to adopt Resolution No. 13-32. Motion seconded by Councilmember Holmgren. Vote: Councilmember Deakin - aye, Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved

- f. Discussion and consideration of authorizing City staff to give the requisite 30 day notice period to the City's current vendor to remove their copiers and select a new vendor to provide copiers at the Civic Center, Police Department, and Recreation Department and authorize City staff to prepare the necessary documents associated with leasing the aforementioned copiers

Councilmember Deakin asked if the bid for new copiers was being awarded to the low bid. It seems like there have been a lot of problems with this vendor in the past. Manager Warnke said that he has been disappointed in that product. It is recommended that the City go with a Sharp copier from Les Olson Company. The Library purchased one of these copiers and is extremely happy with it.

Motion by Councilmember Dautre to authorize the City Staff to give the requisite 30 day notice to the current vendor to remove their copiers. Motion seconded by Councilmember Wood. Councilmember Wood asked if, in that motion, it is implied that Les Olson Company be the successful bidder. **Councilmember Dautre modified her motion by adding that the bid be awarded to Les Olson Company per the Staff's recommendation.** Vote: Councilmember Deakin - nay, Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

- g. Discussion and consideration of awarding the bid for a new 2013/2014 1-Ton 4WD Dually Truck for Public Works

Director Fulgham stated that he looked at what could be done with the left-over money that was budgeted for other purchases and not spent. The hope was to get enough to replace an old truck that broke down about a year-and-a-half ago. He feels there is enough money in his budget to get that truck replaced. He received three bids: Weese Motors - \$25,915 (Ford F-350), Crump GM - \$25,963 (Chevrolet 3500) and Ken Garff - \$26,545.68 (Ford F-350). Director Fulgham's recommendation is to go with the Weese Motors low bid.

Director Fulgham explained that the money will come from what was left over on the Dump Truck bid, man-lift purchase, and the Public Works truck bid. There will be enough money left over in the Public Works Budget to put a plow and a bed on the new truck.

Motion by Councilmember Wood to award the one-ton truck to Weese Motors. Motion seconded by Councilmember Deakin. Vote: Councilmember Deakin - aye, Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Wood - aye. Motion approved.

9. Comments:

a. Administration/City Manager Advice and Consent.

1) Continuation (if necessary) of Budget Discussion Items contained in the 6:00 p.m. City Council/Budget Workshop

Manager Warnke compiled a detailed overview of expenses and projected revenues for the tentative budget for the Council to review. The tentative budget is scheduled to be approved on May 21, 2012. The Health Insurance increase is included. A COLA of 3% was included. Zions Bank shows the Consumer Price Index is 3% in Utah along the Wasatch Front. Councilmember Reese asked if Manager Warnke felt the COLA was better than the Merit at this time. Manager Warnke replied that the City is so far behind that a COLA is the only way to make up the difference. Merit doesn't raise everyone and some would get further behind. Most government entities are giving a 2-3% COLA so we will be the same distance behind even if we moved ahead.

The City does evaluations yearly for all employees. It is an option to do part COLA and part Merit raise. It was discussed that most other entities are choosing to do one or the other, a few are doing both. Mayor Fridal asked if the employees would like a Merit or a COLA. Director Fulgham likes to give Merits so he can reward employees that work hard. Chief Nance also likes Merits. The City is quite a way behind now. If the Council approves the creation of a Police Officer III it will help, but the City is still behind in starting wages for Police Officers.

Mayor Fridal wondered about doing a 2% COLA and a 1% Merit. Manager Warnke worries that the split will still keep the employees below the wage survey average. Councilmember Reese asked if the City was in

a position to do a 3% COLA and a 1% Merit. Manager Warnke will look will look at that. Mayor Fridal agreed it would be worth looking at that option. The data shows that Tremonton City is behind. Mayor Fridal thinks it depends on whether the City has the money. The insurance is increasing. Councilmember Reese said the City may have to go to an 80/20 instead of a 90/10 on insurance. It is a potential problem if we have a lot of increases without added revenue coming in. Manager Warnke stated that the City is in the right spot as far as the split between the portion of health insurance premium paid by the City compared to other cities. Councilmember Reese agrees that the City is in the right place now, but with the 25-50% increase looming the City may have to change to 80/20.

Chief Nance said the employees have a hard time hearing that they are underpaid. The new officer that was hired recently had to take a pay cut to come here. The Police Department starting wage is \$14.00 an hour. The Public Works starting wage is \$11.86 an hour. There are more jobs available now as the economy is improving and we will start losing employees to better paying jobs. Manager Warnke has seen more jobs ads in the government sector.

Councilmember Deakin thanked Manager Warnke for getting the information on the wage salary. A COLA is going to be required, probably a 2% COLA and a 1% Merit would be good. Mayor Fridal has no problem with a 3% COLA if the City has the funds available. It was agreed to look at the option of a 3% COLA. Councilmember Wood feels that a Merit is a good way to go. Councilmember Deakin agrees that the City needs to keep up.

Mayor Fridal asked Councilmember Holmgren what kind of wage increases they are giving at Utah State. Councilmember Holmgren replied that it is not that much. Except for a little one last year, they haven't had a COLA for several years. Councilmember Reese suggested giving a 3% COLA and a 1% Merit increase because the City is so far behind industry and competitors. Mayor Fridal asked Manager Warnke to look at raises a little closer.

Manager Warnke reviewed items in the FY 2013-2014 Budget that have changed since the last overview:

- Carried forward projects of the Impact Fees
- General increase in education travel expenses. This increases expenses that were decreased over the last several years to previous amounts.
- Recycle Collection – Both revenue and expenses are budgeted.
- Membership/Dues for EDC Utah
- Webpage Update
- Generator
- CIB Grant and the City's match for the Main Street Planning effort.
- B & C Roads - \$225,000 for road projects

- Sidewalks construction and repair - \$15,000
- Curb & Gutter projects - \$15,000
- Infield Dirt - \$6,000
- Christmas lights - \$6,000
- Education for the Parks and Recreation Director
- Community Events - \$300 - In the SDAT process, the American Institute of Architects recommended that the City do some type of community barbecue or something to induce the public to participate in the public input portion. Rocky Mountain Power has contributed \$300 toward that effort.
- Fund Balance & Transfers from the General Fund – to Fund 21 Food Pantry (\$7,130), to Fund 25 Parks & Recreation (\$101,150), to Fund 28 Fire Fund (\$20,000) – this is the TRT Tax. With that, the Fire Fund is expected to pull out \$54,000 from their Fund Balance for operational shortfall.
- Capital Projects – Senior Center Parking Lot (\$50,000) and North Park Fencing (\$30,000)
- Vehicles Equipment Capital Projects Funds – Police Vehicle (\$35,800)
- Sewer Treatment Fund - \$88,520 for shortfall in operations.
- Water Utility Fund – This Fund is expected to break even.
- Sewer Fund - \$11,730 added to reserves
- Storm Drain Fund - \$23,510 added to reserves
- RDA Funds – Fund 72 will no longer receive tax increment after the payment of the 2015 tax increment which will create a shortfall.

Mayor Fridal commented that he was approached by Allen Williams who has had something to do with North Park in the past. Mr. Williams said that the outside fence was put in thirty-two years ago. It was put in because there were pylons around the outside of the fence and cables going through the pylons, but they were getting broken off. The City took all the pylons and the cables out. After a period of time, they had problems with vandalism. People were coming on a Sunday afternoon and parking their cars around the diamond, drinking beer, and driving through the ballpark. So, they installed the fence

Mayor Fridal felt that the reason for the fence was not to keep balls in, but to keep people from driving their cars on the park. While driving on the freeway, Mayor Fridal noticed that they have steel posts with cables. He wondered if it would be less expensive to do something like that rather than putting in a whole new chain link fence.

Recreation Director Christensen said that there are two fences at the park: a perimeter fence and the ball diamond fences. He feels that if the ball diamond fences were extended on the south and east for the majority of the park that would eliminate the perimeter fence. If the ball diamond fence was extended along the alleyway, it would eliminate the perimeter fence along the alleyway, as well. Director Christensen thinks that the perimeter fence could be eliminated all the way up to the Cook Shack. Then the perimeter fence may still be needed from the Cook Shack to the

railroad tracks.

If someone wanted access to the park, there is no fence all along the railroad track. People could drive into the park right now. He thinks there are ways around replacing the entire perimeter fence, such as extending the ball diamond fences.

Manager Warnke stated that there is one thing that isn't in the budget now. He had a meeting with Library Director Griffiths. The Library received a Grant to put in a Computer Lab at the Senior Center, at the Satellite Library Branch. They are offering computer classes to the seniors and other adults in the area after the Senior Center is closed. In order to carry that program forward they would need to budget about \$1,300 per year in staff time. This would be for two eight-week classes held three times a year. This has been a successful program.

Manager Warnke said that, unless the Council requests that he remove or change an item, he will move ahead, looking at the COLA and adding in the \$1,300 for the Library. Currently there are no adjustments for the Police Officer III position or the Fire Officer contained in the Draft Budget.

Mayor Fridal asked that the Police and Fire Officer positions be talked about when the Council talks about the COLA.

b. Council Reports:

Councilmember Holmgren said that he and Manager Warnke had talked about getting a few trees. The Women's Civic League will be donating \$450 toward trees for Library Park. They were able to get the trees a little cheaper than what had been anticipated, so maybe a little extra can be taken and come up with another tree. He asked Director Christensen to get together with him sometime and identify three locations where the trees can be placed.

Councilmember Holmgren said that he was really impressed with Dr. Enriguez. That was an impressive group. It is good to see young people get together in these organizations and do so well.

Councilmember Doutre asked how things are coming with the Splash Pad. Director Fulgham said that he has the equipment ordered and demolition of the old tennis court will be started soon. The restrooms are being finished. The goal is to complete the project between June 1st and June 30th. The fence will be left up until construction is finished to separate the construction area from the playground equipment. Councilmember Deakin noted that the bathrooms match nicely with the Library building.

Councilmember Wood commended Director Fulgham for mowing the City's twenty-two acres on 2000 West. That looks really nice.

Mayor Fridal told the Council that there is another group that wants to visit a

City Council Meeting. Ms. McFarlane has resigned from the New Hope Crisis Center. The Boys and Girls Cub has acquired the Garland Seminary building. The New Hope Crisis Center will not be locating there. The New Hope Crisis Center invited Mayor Fridal to attend a monthly meeting to inform him of what was going on. They are currently in the survival mode. They are still functioning, and there is a real need for their service.

Mayor Fridal said that in reading *Being George Washington*, he just read a chapter on Valley Forge. There were 12,000 troops in Valley Forge. 2,000 of the troops didn't even have a blanket that winter. They had nothing. We don't have to worry about nothing. We have to worry about splash pads and ladder trucks and ambulances and how to take care of our citizens and community. We don't have to sacrifice anything in our lives compared to what our ancestors had to do. We have life so good. Sometimes we just don't appreciate how good life is in Tremonton. It is a great, great town, and it is a good place to be Mayor of. Mayor Fridal said that he is just proud to be here.

Motion by Councilmember Deakin to move to Closed Session for the purpose of discussing the sale of real property. Motion seconded by Councilmember Holmgren. 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 8:26 p.m.

10. *Closed session for a strategy session to discuss the sale of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.*

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

The Council returned to open session at 8:39 p.m.

11. Adjournment.

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

The meeting adjourned at 8:58 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 and Cynthia Nelson.

Dated this _____ day of _____, 2013.

Darlene S. Hess, Recorder