

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
JUNE 6, 2023**

Members Present:

Connie Archibald

Wes Estep

Bret Rohde—excused

Rick Seamons

Lyle Vance

Lyle Holmgren, Mayor

Shawn Warnke, City Manager

Marc Christensen, Assistant City Manager

Linsey Nessen, City Recorder

CITY COUNCIL WORKSHOP—Canceled

CITY COUNCIL MEETING

Mayor Holmgren called the June 6, 2023 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 Holmgren, Councilmembers Archibald, Estep, Seamons, and Vance, City Manager Warnke, Assistant City Manager Christensen, and City Recorder Nessen. The following Department Heads were also present: Interim Fire Chief Chris Scothern, Public Works Director Paul Fulgham, Police Chief Dustin Cordova, and Downtown Manager Sara Mohrman. Councilmember Rohde was excused.

1. Opening Ceremony:

Mayor Holmgren 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 Assistant City Manager Christensen and the Pledge of Allegiance was led by Resident Bill Roosma.

2. Introduction of guests: Mayor Holmgren welcomed those in attendance, including a group of students.

3. Declaration of Conflict of Interest: None.

4. Approval of Agenda:

Motion by Councilmember Archibald to approve the agenda of June 6, 2023. Motion seconded by Councilmember Estep. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – May 16, 2023

Motion by Councilmember Vance to approve the minutes of May 16, 2023. Motion seconded by Councilmember Seamons. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

6. Presentation

- a. Tremonton City Citizenship Award to Elementary and Intermediate Students

Mayor Holmgren said we would like to recognize these students for their efforts in being good citizens. He read through their names, presented them with a Twisted Sugar gift card and took a picture.

7. Years of Service Award

- a. Allen Corbett, Public Works – 15 years
- b. Rosa Moosman, Senior Center – 5 years

Director Fulgham provided a bio on Allen Corbett and they presented him with the award. Rosa Moosman was not in attendance, but they will provide her with her certificate.

8. Public comments:

Jeff Hoedt said this City Council and other entities need to make informed decisions in order to be effective in their positions. Such effectiveness is based on measures of effectiveness both on pre and post implementation of any strategy. Not only do you need to measure, but you need to measure the right things in order to define the problem and see if the strategies are effective. You thus need to direct your staff to gather the right data. An example of this would be to look back concerning the creation of paid firefighters over the past few years. You only measured the case load and determined that paid responders were needed. Given that measure, has the case load gone down? That was not the right measure. Instead, I trust you were trying to improve the medical response results. Were they improved? Have you performed any measures of that or are you only assuming that creating these paid positions and increasing the public's taxes was effective. If so, that is sad and avoids finding out if the strategy was effective. Now you are proposing to increase the police force and taxes based solely on the ratio of officers to the population, which guarantees no lessening of crime. You need to better define the problem so you can make an informed decision on your strategy and have a qualified police department. Let us look at the data to see what the crime situation is in Tremonton and what has happened over the past four to five years. Tremonton's population has grown tremendously. In fact, nearly 75% of the County's population growth last year was in Tremonton alone. Now look at the crime statistics. From this you will not see any correlation from the population growth and the crime level, which would not support an increase in the number of officers, yet there is more to the story and you need to hear that from your police department. A ratio of officers to population is not a good approach. For example, we are about to pass Burley Idaho in population even though they were far larger than us 50 years ago. However, their crime problem is huge compared to ours. Why is that? They have a very different culture where a criminal element has moved in. We do not want that here yet the City continues to massively grow

the population. I would caution you that we may see a huge increase in crime as you continue to change the culture. I encourage you to make informed decisions concerning your change in the City. All of this necessitates your transparency and I encourage you to be transparent with the public. Share with us the data and facts and show us you are making effective decisions you can measure. Lastly, I anxiously await your transparent response to my question at your last meeting of why you promoted such huge growth in our population.

Kristie Bowcutt said I come here for one really big reason and that is to thank Chris Scothern for his work as Interim Fire Chief. I appreciate his service. I admire the fire department and the EMTs. Mr. Hoedt brought up a good point, has adding additional personnel changed response time? I sat at the hospital for two hours waiting for an ambulance two weeks ago and my husband kept asking why? She cannot walk, talk or move, what is taking so long and no one could answer that question. I do not know whether it was the hospital's fault or whether it was response from EMTs for whatever reason. Has adding additional people made a difference? He brought up some good points and I hope you will take that as food for thought and really look into what is going on.

Councilmember Vance asked to clarify what would have happened with the ambulance. Interim Fire Chief Scothern said there are two sides to this, there is our response from the time we get notified by dispatch and the time we get to the hospital. The hospital has their own policy on who is critical and goes out. If we have multiple ambulances out, our number one priority is to the City. We always work with the hospital because they are in Tremonton, but our number one priority will always be the City. If there is a 911 call, we want to have immediate response. If we have multiple ambulances out, the hospital will determine criticality. They will say either this patient can wait until another ambulance gets back or they have to go now. I do not know of any case where we have had to wait for our guys when someone was a life-or-death situation. We have always provided coverage for that. I wonder if it was something on their side. That is not our call to make on how critical the patients are or how fast they need to be transferred. When they page us, we will respond or find resources.

Chief Cordova said I agree, it is not ideal to assess staffing based on population size. It is a standard, but is not the best in the world. With that said, my job is to make sure our citizens and officers are safe. The biggest and most paramount thing is that we have at least two officers on duty at all times. Currently we cannot do that. Unfortunately, the statistics do not show everything and some of the crimes we have seen are unprecedented in this community. We had an attempted home invasion and one of my officers had to confront that person alone. Someone was involved in a hit and run and when we located him, he had two bombs. These are major crimes. I do not want our officers taking these on alone. We have been lucky for a long time, but I want to make sure we are doing things to avoid that. Councilmember Vance said we get these reports and spend hours going over them. We understand why we are doing what we are doing. Mr. Hoedt said I agree with the Chief and understand, but that is not the justification the public is getting. It is based on the ratio. Mayor Holmgren said we are making a conservative effort to get this information out to the public so they can understand why we are making this decision to increase public safety with our police department and improve public safety. I used to work with farmers on noxious weeds. Those weeds start in fields and if we let them go all of a sudden it is in neighboring farms. The way we are looking at public safety is similar. We want to make sure our officers are safe and our public, too. We need to have the police force that can handle these situations. Councilmember Estep said last week's

report, which can be found on the police webpage, reported 197 calls. That is 28 calls per day. Mayor Holmgren said we need to make sure the public understands this is the issue. We see this information every week, but the information needs to be getting out to people so they understand why we are doing what we are doing. Chief Cordova said the City has limited resources. My challenge to community members, who are showing up, is to help us spread that word and be part of the solution, not the problem. If you have platforms or ideas run with it and we will give you the information you need to help advertise that.

Bill Roosma said as a citizen I am in full support of adding officers. Proper prior planning prevents piss poor performance. We are getting a lot more people in this town and even if it is a small town, nothing ever happens in Mayberry until something happens in Mayberry. I am not a cop, but I know law enforcement is really busy with a lot of crap. As a citizen I need to be able to call the police department and have an officer respond if I need one. If I end up in a dispute with someone sometimes you need a professional who is neutral to keep the situation from escalating. I rely on them as a backup to keep me and neighbors calm and settling anything that might arise. We need plenty of officers and they have to have a team. They have to have backup. There is no reason an officer should have to confront someone alone. I am in full support of that. The reason I came here tonight was I noticed a couple drones in the air and that bothers me. Especially when I am in my backyard. They are hovering over with cameras and this has happened a few times. I was told by dispatch there is no law against flying drones. I am here tonight to ask the Council to come up with an ordinance against flying drones in residential areas. They could be surveilling yards, that is a great way to case the neighborhood. It would be nice to pass a law against that and give us some recourse. Chief Cordova said there is an invisible line going straight up from your property and it is prohibited from operating a drone over private property. They would be in violation so you can call us. The problem is proving proof it was in your property and identifying the flier. Mr. Roosma said I confronted the person and said I do not appreciate you flying over my property and he said it is not against the law. I said that does not belong in residential areas and they stopped, which is great, but there have been other instances.

Brianna Daisson said I would like to propose the idea of a dog park in Tremonton. My whole street, in Sandallwood Acres, has multiple dogs per house. There are so many in our neighborhood and in this town that have pent up energy. I did some research and there are scientific articles explaining the benefits of a dog park in communities. It can result in greater positive feelings toward the neighborhood and enhance the sense of community. Also, in some cases social capital and sometimes even monetary depending on how it is done. It can also improve safety because pent up dogs can become aggressive and attack. Those who can release that energy are a lot calmer and it makes community members feel safer. People leave their dogs in their front yards and they approach me when my dog and I are out, which is normally okay, but sometimes not. Dog parks also reduce unwanted behaviors such as excessive barking. I understand this would have an expense. Is there land being unused in Tremonton that has the capacity for a large land of dirt with an enclosed area? Half acre to two acres is good. Brigham City has one, but that is too far for daily use. Dogs can wear out other dogs more than humans can. Money is always an issue, but I have some ideas on how the park could fund itself. You could do rentals for the park for dog birthdays, have dog training or educational sessions, pet portrait and fundraisers for dog bandanas or treats. This could potentially be in a corner of a current park we already own. It would need a dog run so dogs could be enclosed not just running around. It is better to have them in a fenced area so they do not disrupt those around them. You could also do a timeshare where certain areas of the park are enclosed

and could be addressed for that purpose. There would be rules that would have to be followed. You could also have a small dog versus a large dog area. Manager Warnke said we have contemplated adding a dog park in some of our parks that we are discussing tonight, but they are the storm drain basins and our engineer was worried about feces and polluting the water. It is something we are actively contemplating.

9. New Council Business:

- a. Discussion and consideration of approving the April Financial Statements

Motion by Councilmember Estep to approve the April Financial Statements.

Motion seconded by Councilmember Archibald. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

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

Motion by Councilmember Vance to approve the April Warrant Register.

Motion seconded by Councilmember Seamons. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- c. Discussion and consideration of adopting Resolution No. 23-31 ratifying the Mayor's signing of a Cooperative Agreement between the Utah Division of Forestry, Fire, and State Lands and Tremonton City for the City's participation in the wildfire suppression cost assistance program

Interim Fire Chief Scothern said these types of agreements exist between cities and states so if a large wildland fire ever happened some of that cost would be absorbed through the state. To ensure that can happen, there are three different categories: prevention, mitigation and preparedness. We have mitigation plans we do now and controlled burns, as well as training. If we are doing our part then if we had a large wildfire in the City the State could cover most of the cost for those incidences. It is beneficial for the City and takes some of the liability, but it does require the City to go out and do mitigation efforts. This is an agreement with the State, like an insurance policy. This is a renewal of what we have done.

Motion by Councilmember Vance to adopt the resolution. Motion seconded by Councilmember Seamons. Roll Call Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- d. Discussion and consideration of adopting Resolution No. 23-32 reaffirming the appointment of Dustin D. Ericson as City Attorney and approving a professional services agreement with Daines & Jenkins, LLP for Dustin D. Ericson to serve as the Tremonton City Attorney

Manager Warnke said this includes an increase to his wage. He has been with us since 2008 and does both civil and acts as the prosecutor. He has served us well. His hourly rate is going up \$10 (from \$125 to \$135).

Motion by Councilmember Archibald to adopt the resolution. Motion seconded by Councilmember Estep. Roll Call Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- e. Discussion and consideration of adopting Resolution No. 23-33 formally appointing Christopher Wells to serve as the Tremonton City Fire Chief

Mayor Holmgren said I had an opportunity to sit on the interviews and I was very impressed with him. He will be a great addition to our community and is bringing his whole family here.

Motion by Councilmember Estep to adopt the resolution. Motion seconded by Councilmember Seamons. Roll Call Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- 10. Calendar Items and Previous Assignment
 - a. Review of calendar

Assistant City Manager Christensen said the Farmers Market just happened for this month and the second Friday Stroll for downtown Main Street will happen again. Businesses will stay out longer and have deals. We are trying to get more activity and life downtown. Hay Days will be held on July 21-22 with the breakfast on Saturday. The Junior Jazz player appearance will be at the fairgrounds on Saturday, June 10. He will sign autographs and play basketball with the kids. Saturday, June 24, is our Chalk Affair at Midland Square. Mayor Holmgren said for the Farmers Market on July 1 we are inviting everyone to participate in the watermelon eating contest and we are cooking free hotdogs.

- b. Unfinished Business/Action Items
 - 1. Updates on Septic Tanks

Manager Warnke said the last time we discussed this in great detail was July of 2022. The health department presented and they have been vital in the process. We discussed working together with the County, health department and City. When we have a development application before us, that is the time to exact improvements to service that development. Many discussed the issue and they were very receptive. That started the process of working toward creating ordinances. We cannot charge impact fees on septic tanks because there is no impact and once you permit them, they become an existing deficiency that the City is responsible for. The County adopted an ordinance that says if a land use application is filed with the County and is located within the municipal annexation policy plan, then the developer needs to file a notice of intent with the City for annexation. This puts us in a position to be able to evaluate if we want to annex the property. If we do not annex then they go back to the County and process

their land use with them. In order for us to annex the property it has to be adjacent to our municipal boundary. The standard the health department adopted applies in unincorporated areas and city limits, too. If an individual building lot is within 300 feet of a public sewer line they need to connect. They will not issue a septic tank unless the City says we do not want to serve them. The other issue is the multiplier. Any subdivision that is proposing multiple lots would use the multiplier of those lots by 150. If the distance is within that multiplier they would need to connect. This way we become more in control if we want to annex the property and provide services. We accomplished what we discussed and have great partners. This was a great outcome and we will continue to work with our partnering agencies. The County wants development to occur within the City and have more rural areas in the County where there are not services. The health department is interested in people being connected to sewer systems. This is not perfect, but it respects the City's annexation policy and encourages people to go to the City for services.

c. Branding Implementation update

Assistant City Manager Christensen said we are close to having a store created online so employees can order promo items. We are working on street furniture and will have a bunch of TC logos made for our outdoor garbage cans on Main Street. We have the grant to buy the benches and bike racks.

11. Reports & Comments:

a. City Administration Reports and Comments

1. Concept Park & Storm Drain Basins

Manager Warnke said we engaged a landscape architect, Landmark Design, who has done several projects for us, to lay out what these park storm drain basins will look like. This will help us come up with construction estimates so as we move forward, we can program that into our capital improvement plans and know those costs. The canal company has funds available for flood projects and storm drain basins are eligible. This park would be 13 acres along BR Mountain Road. There would be a pavilion, playground, pickleball courts and playing fields. This would be the largest park of open space we have when developed. This is a great location. It is close to different neighborhoods, but positioned so the noise of the pickleball courts would not be an issue. We are supportive of a dog park we just need to find the best area to do that.

Manager Warnke said this storm drain basin is along I-15 at the end of Harvest Village, south of the cemetery. This is 5.5 acres. There will be a walking trail that would connect to the Central Trail. The developer is required to put a pedestrian crossing from the other side of the canal that will connect into this park so there will be access for residents on the west

side. This will be more of a leisure park, it will not be programmed with any formal sporting events, but could provide practice fields. There could be ping pong tables and corn hole. There is a parking lot and pavilion, as well as an area with trees and a hillside.

Manager Warnke said lastly, is the River's Edge Park. There will be on-street parking and an increased right-of-way to accommodate parallel parking along the collector road. This will connect an eight-foot sidewalk with the trail that runs from the Holmgren Nature Trail head. It will be programmed to some degree and have practice areas for coaches and events. There will be a playground and a variety of modules. Parks & Recreation Director Zach LeFevre will eventually reach out to the public and see what amenities they would like in these neighborhood parks. This is eight acres of open space.

- b. Development Review Committee Report and Comments
 - 1. Summary of Development Applications and Activities

Manager Warnke said we have quite a few developers working toward recordation or continuing their application. Bear River Manor is the redevelopment of the hospital and nursing center. They are working toward recording. These next two are ready to record—River Valley 8 and Harvest Village Phase 1. Then along 4th West two developments who adjoin one another are working on developing some of their infrastructure. They will have a common storm drain basin, which will provide more open space for residents. One is a site plan and the developer will hold all the units. The other will be subdivided and sold individually. These two frontages will extend to the final width of 4th West, which will be a collector road. The City will work with Bingham Livestock and the trailer park at some point to extend all the way through. Envision Estates would like to rezone property. It is going before the Planning Commission and is currently zoned R1-10. Our future Land Use Plan affirms that zoning, which is what City staff will recommend. The public hearing is June 13. We explained to developers we feel it is best left as is.

Manager Warnke said we also have long range planning issues we are working on. For the future Land Use Plan, we got the results back on traffic modeling and it showed that Main Street from 3rd to 4th East will struggle. We are trying to reevaluate our land uses to reduce traffic there. We also have a future road on the west side of the City on property that is not annexed in. They suggested that be upsized to an arterial road. There is also the moderate-income housing report due on August 1. The State continues to evaluate and amend the code as it applies to providing moderate income housing. There are penalties for non-compliance. Fiscal year 2024 this report is due. Financial penalties will begin in 2025 and is \$250 a day for noncompliance. If you are non-compliant for two years in a

row it jumps up to \$500 a day. We are working on an accessory dwelling unit ordinance, which was one of our strategies for meeting affordable housing projects. We have a draft to review with the Planning Commission on June 13. We are working on establishing a mortgage assistance program, too. We are working with the Inland Port Authority and had a meeting with all the taxing entities to discuss what these project areas look like.

c. City Department Head Reports and Comments

Chief Cordova said we were awarded the grant through the Department of Justice for the rural violent crime reduction initiative. We did find a statistical crime trend that allowed us to apply. It is for a two-year period and to make this happen we need the support of the Council to allow us the money to hire another officer. This is something we have discussed and would alleviate some of that financial burden. There are a ton of guidelines and we have to report a lot of data annually. This will not cover benefits and that will be on the next agenda. We are also working on a SWAT agreement with the Sheriff's Office. Right now, we do not have a standing SWAT agreement and the best decision is to create a team with the County. We would give them some assets in the form of personnel and equipment and would train together. The Sheriff's Office is on board. This would provide something in writing that assures we are covered. We are doing tryouts now. I would be the commander since they need someone to step up as a team lead. My goal is to get it all operational and then get someone trained and pass that command position on.

Director Fulgham said the Main Street project is moving along. We have had some hurdles. We have the bid opening for the equalization basin on the Central Canal. I will bring that to the Council to award. We will have a pre-construction meeting on our road projects and determine timelines. The chip seal will likely be June 20. We will schedule the other around Hay Days and the County fair.

Interim Fire Chief Scothern said we had two full-time positions with vacancies, but made final offers and will have our full-time staff back up where we need. We are working on the captain position job description. We included input from the new chief. When that is finalized, we will go out with those positions, too. We will do an interview, as well as some additional testing to make sure we get qualified candidates. For the two we just hired, they live within five miles of the City so they can be on call backs when they are not on duty. Carl McBride was running part-time with Garland Fire Department and this will become his full-time job. He did well on his interview and will start June 19. The other is Jade Bengtzen, a paramedic who worked at a hospital in South Davis. She is familiar with transporting patients and will fit right in to help here. She brings a lot to the table and will start on June 21. They will be a great addition; we are happy to have them.

d. Council Reports and Comments

Councilmember Seamons said thank you for all you do—all the City workers. You do not hear it enough.

Councilmember Vance asked about Truth in Taxation. Manager Warnke said we need to adopt our budget by June 22 or go through Truth in Taxation. At the next Council meeting we will have that on for formal consideration. The tentative budget proposes a property tax increase. That is what we are preparing to propose again in anticipation that you will go through that process. Unless you want to redirect us. The final budget would then have to be adopted by the 20th. A public hearing would be held on August 15. We will get the word out.

Councilmember Archibald said the Mayor has asked me to meet with the group Just Serve. This year they will put together a service project in our area. They would like me to come with ideas as far as what we could do in our community. I thought about beautification, but if you have any ideas, let me know. I want to give thanks to those involved in the Memorial Day program. The cemetery looked amazing and the program was terrific. Also, a shout out to police and the fire departments who participated in escorting our state championship teams (softball and lacrosse). It was so wonderful for those students to feel that connection. We had our last citizenship awards tonight and I would propose we continue that next year. The schools will focus on being responsible, respectful and safe in our schools. We want to help students know the importance of living that life and celebrating all the good we have. Manager Warnke said one of the highlights at the Utah League of Cities and Towns was the conversation about dignity. We are working on bringing that presentation here.

Mayor Holmgren said I attended a water smart workshop at USU and it would be good to have our land use and water use mesh together so it is all in balance. We could have someone who specializes in water wise landscaping do a workshop here and invite the public to learn about water wise landscaping. We appreciate all of you very much and we are trying to implement your ideas.

12. ***CLOSED SESSIONS: No closed session held at this time.***

- a. ***Strategy session to discuss the purchase 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; and/or***
- b. ***Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or***
- c. ***Strategy sessions to discuss pending or reasonably imminent litigation; and/or***
- d. ***Discussions regarding security personnel, devices or systems***

13. Adjournment.

Motion by Councilmember Seamons to adjourn the meeting. Motion seconded by Councilmembers Archibald and Estep. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

The meeting adjourned at 8:52 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 Jessica Tanner.

Dated this _____ day of _____, 2023.

Linsey Nessen, City Recorder