

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
AUGUST 1, 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—SESSION 1

Mayor Holmgren called the August 1, 2023 City Council Workshop—Session 1 to order at 5:04 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor 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, Police Chief Dustin Cordova (attended the first closed session), and Downtown Manager Sara Mohrman. Councilmember Rohde was excused.

Motion by Councilmember Estep to move into closed session. Motion seconded by Councilmember Archibald. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

The Council moved into a closed session at 5:04 p.m.

- 1. *CLOSED SESSION: Strategy session to discuss the character, professional competence or physical or mental health of an individual.***

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

The Council returned to open session at 6:08 p.m.

The meeting adjourned at 6:08 p.m. by consensus of the Council.

CITY COUNCIL WORKSHOP—SESSION 2

Mayor Holmgren called the August 1, 2023 City Council Workshop—Session 2 to order at 6:12 p.m. The meeting was held in the 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, Treasurer Sharri Oyler (arrived at 6:25 p.m.) and Downtown Manager Sara Mohrman. Councilmember Rohde was excused.

1. Discussion of the Planning Commission's recommendation to approve the proposed rezoning of property located in the vicinity of 600 West and 600 North in Tremonton. The property owner is proposing that 10.88 acres of the 17.33 acres that comprise parcel 05-043-0049 be rezoned from the R1-10 District, which allows single-family detached housing on 10,000 square foot lots, to Residential Multiple District, RM-16, with an overlay which reduces the density from 16 units per acre to 10 dwelling units an acre for the development of townhomes

Manager Warnke said we spent a great deal of time talking about this at the last meeting. There is a slideshow in your packet and I can answer questions. The applicant is here to provide his narrative and help you figure out if it is something you want to do. Writing an overlay ordinance is what is contemplated, which takes a lot of time and we are struggling with bandwidth in land use issues right now. I am not sure how we move forward in a reasonable way. I draft the ordinances and agreements and then give that to our City attorney for review. I do not feel I have the time to do that.

Applicant Jason Adams said the total project is 40 acres. We would rezone a portion (10.8 acres) for the overlay zone. Before we considered townhomes, we had 92 single-family lots contemplated. By adding the townhomes there would still be 70 single-family lots at 10,000 square feet. The reason we switched lanes is because of what is around it. The townhomes would provide more affordability. The total townhomes would be about 84. We could do an amenity package and have an HOA to benefit the people in there, but we thought we could put that same amount of money into an escrow account for the City to use for your parks and pickleball courts to benefit the whole City. The townhomes would be two story four-plexes with a garage. When asked about the accesses, Mr. Adams said we have worked with Sierra Homes to get another road. They want to dump their water in our retention ponds so it benefits us to work together. We have talked to the owner of that strip and are still in communication with them. We can get two accesses in time. Timing will matter with Sierra Homes or Visionary.

Manager Warnke said we need direction from the Council on what you want to do and how. If you feel inclined to rezone, I have some limitations at present. This is a discretionary decision. If approved we would work on finalizing what that amenity package would look like, as well as the rezoning ordinance and an agreement to accompany this land use application. When asked about timeframe, Mr. Adams said we do not have specifics. We have owned this property for two years. We want to do all of it, but understand there is a process and can be patient. If approved we will push through that process quickly. If it does not get approved then we will do the single-family homes quickly. We are looking for direction to start planning for the future on which way to go. When asked about the surrounding housing types, Manager Warnke explained those and said the reason my recommendation was to continue the current zoning is because our

future Land Use Plan proposed higher density next to the railroad tracks (12 units per acre) and then it goes to eight dwelling units per acre of attached housing. It then transitions into 10,000 square foot lots. We have higher density moving toward lower density.

Councilmember Archibald said in working with the Planning Commission, one of the things that tipped the scale for them was the amenities package they were willing to offer. However, we have this Land Use Plan and it is important we stay with that. It has been put together with thought and purpose. I understood that our community really wants more pickleball in the community, but my vote would be to stick with our Land Use Plan. There is purpose behind it and I think we should stay with the R1-10 zoning. Manager Warnke said the future Land Use Plan provides certainty to surrounding land uses. We will not always follow it and there could be good reasons to change it, but I feel there is quite a bit of density in this location. Single-family homes would be good to balance it out. I would love to see us get pickleball courts and if you decide to do it, we will adapt. If you choose to change this, we would try to address it as we could, but it would not be the highest priority unless you told me so.

Councilmember Vance asked about passing the cost onto the developer to change the zoning. Manager Warnke said we could pass that onto the applicants. Mr. Adams said we could do that with an attorney, we deal with them on agreements. We could look at that to take it off Manager Warnke's plate. Mayor Holmgren said part of the Truth in Taxation process is contemplating a City Planner, who would take some of the load off of Manager Warnke. We need to let the process work its way through so how anxious are you to start? Mr. Adams said we are anxious to see an approval or rejection. If approved, we understand Manager Warnke is busy so we would be patient. If it is rejected, it is still a process. No matter which way it goes we know we have to be patient. We just need direction so we can make decisions. Mayor Holmgren said we need time. Let us get through August and we will shoot for October to discuss this more. The Council agreed.

2. Discussion of annexing 35 acres located at 6590 West 10000 North – Brodie Calder

Discussion on this item would be saved for a future meeting.

3. Review of the agenda items identified on 7:00 p.m. City Council Agenda

The meeting adjourned at 6:51 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Holmgren called the August 1, 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, Police Chief Dustin Cordova, Treasurer Sharri Oyler, 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 Councilmember Vance and the Pledge of Allegiance was led by Councilmember Estep.

2. Introduction of guests: Mayor Holmgren welcomed those in attendance.

3. Declaration of Conflict of Interest: None.

4. Approval of Agenda:

Motion by Councilmember Vance to approve the agenda of August 1, 2023. Motion seconded by Councilmember Seamons. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – July 18, 2023

Motion by Councilmember Estep to approve the minutes of July 18, 2023. Motion seconded by Councilmember Archibald. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

6. Years of Service Award

a. Kori Williams, Lead Librarian – 5 years

Mayor Holmgren provided her with the award and thanked Kori for her service. Library Director Kim Griffiths read through her bio.

7. Public comments:

Jeff Hoedt said first, I would like to thank everyone who was involved in Hay Days. There was great cooking, food and it was an enjoyable time, so thanks for putting forth the effort. The second item is more of a question. I have heard the information on the additional police positions and you already know I am supportive on that cause and the need for additional staff. On the planner position I do not feel I have enough information to really decide either way. In having contact with a lot of people I would like to share a positive note. Steve Bench's position is there so there is an FTE not being fulfilled at this time, but you are utilizing a contractor, which I assume is less cost. At this point in time, is the intent to refill that position? If it is great, but if it is not what happens to the difference in the funding level? Number two, what exactly will the new planner be doing? Not general terms, I would like some specifics. Hearing it more would help me to have a position and to share it with others. Thank you.

Mayor Holmgren said thanks for being at Hay days. We appreciate seeing you there and helping out. For the planner position I will make a short comment and we can talk about it later in more depth. A lot of people see the planner position as a way to put the gas pedal to the metal on development, but I hope that is not the case. We want to do it right and follow the regulations to make sure we are making a plan and adhering to that.

8. Presentations

- a. Amending a residential solid waste and residential recycle waste collection agreement – Marc Christensen, Assistant City Manager and Val & Jacki Sanders, Econo Waste

Assistant City Manager Christensen provided background on the partnership with Econo Waste. They have provided our garbage collection for 30 years. They started in 1993 and in 2014 we started our recycling program. In 2013, we extended the last contract. Those terms are coming up on August 6. On May 9, Econo Waste sent a letter with a few significant changes. We did not feel comfortable just extending the contract until we checked around to make sure that is where the market stands in the garbage and recycling business. They wanted to discontinue the recycling program and include an annual increase. Before they included an increase based on landfill charges. That's all they have asked for, for 25 years. They had one fuel increase in that time. We have all been pelted with inflation and they had an inflationary increase, too. The last item is about additional cans. The second can went up from \$3.45 to \$12. We did a market study and found that to be fair. We would love to continue to work with them. Recycling has been a big issue. When we started that program in 2014, Hillside Recycling was in Deweyville. They would take their loads for free. After Hillside burnt down, they did not reopen and now go to Ogden to recycle. They fill up one full recycling truck every Monday and Friday. We as City staff feel there are a lot of people who would like to continue recycling and would pay for it. Econo Waste did provide us with numbers on what it would take to continue that program.

Assistant City Manager Christensen said the proposed changes are \$12 per can and \$12 per recycling can (the contractual obligations for us). They have split out the landfill and tipping fees. They would like to see an increase annually (4%) for their operation fee and when the landfill ups their cost. Econo Waste has no control over that so in the contract they will be allowed to ask for increases if those costs increase. That is about 30 cents per can, annually for the operational increase. Currently all our multi-family units have automated cans and are not included in the City contract. Since the market is turning more toward multi-family housing, we are proposing that instead of them all contracting with different haulers, different days of the week, Econo Waste would contract and bring these multi-family units into that. These units would fall within the schedule that the City sets. Those are the biggest changes in this contract. Currently Tremonton has 2,551 first cans. If we add the multi-family that is another 250. About 27% of the population does an additional can and 44% of the population recycles. Residents are paying \$13.45 for a garbage can and \$7.54 for a recycling

can. The margin between the \$12 and \$13.45 includes the fuel surcharge and administrative costs for the program. We as a staff feel comfortable with \$14.90 being the new price for garbage (first, second or recycling can). We will have to buy the 250 cans that Econo Waste owns. We would have to upfront that cost (\$150 each). The contract is due August 6. We would like to amend the fee schedule in our next meeting. August 29 would reflect the new rates. To continue the recycling program we wanted to match it at the second can price. Right now, our recycling cans are cheaper than a second can. We are finding that a lot of people are using that recycling can as a second can and contaminating the whole load. We would reevaluate this program as needed.

Councilmember Archibald said I appreciate the service you offer and your willingness to work with the City. As we talk to people who live in the County, they pay more than this so thanks for offering the service and being fair with us and working with us. We appreciate our relationship and being able to collaborate. Manager Warnke said they have been great to work with. We will work through the proposal and get a new contract on the agenda. We have a few things to finalize and work through before we get it in written form. At this point we want to confirm we are going to move forward with Econo Waste and then draft the contract and work on the transitioning plan for the multi-family housing. The fees that are shown would be effective for the August collection period and we would formalize everything at the end of August. When the billing goes out in September, the new rates would be in play. At our meeting on August 29, we will see a contract that formalizes everything. If this is not what you would agree to, we need to know that at this point and work with them.

9. New Council Business:

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

Motion by Councilmember Archibald to approve the June Financial Statements. Motion seconded by Councilmember Estep. 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 June Warrant Register

Motion by Councilmember Estep to approve June 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. 23-45 approving a grant agreement between the Division of Water Resources and Tremonton City for a \$2,000,000 Water Conservation Grant Award for the construction of a secondary water system for Service Area 4

Mayor Holmgren said we have been working on this for some time and were

officially awarded the grant. Director Fulgham and I presented and the committee was in favor of awarding us this grant. At some point we are going to get started on Service Area 4 (the railroad tracks to the river). We are excited and have been authorized to sign the contract and enter into this agreement officially.

Motion by Councilmember Archibald to adopt the resolution. Motion seconded by Councilmember Vance. 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. 23-46 approving amendments to the Tremonton City Personnel Policies and Procedures Manual including Section XV: Reimbursable Expenses regarding Paramedic Training

Manager Warnke said when former Fire Chief Robert LaCroix was here, he was an advocate for paramedic service. This encourages our employees to obtain their paramedic certification. We have a couple interested in that and they are taking proactive steps. The timing did not line up with the start of their opportunity to go and having a fire chief here. Our Interim Fire Chief Scothern has done a great job in working with them to create this draft policy. These firefighters would get the opportunity to be a paramedic level, which is a pretty intensive program. There are costs associated with it and allowances with staffing in how they are able to attend school, clinicals, and labs and still meet the staffing schedule. The City will pay for the tuition expense and work with them on their scheduling. They are then required to stay for three years post certification. There are some conditions. We can only allow one to complete the course at a time since there will be strain with staffing. Chief Scothern said it depends on the time of year, too. Most of these programs are six to 12 months (1,200 to 1,800 hours). It takes a lot of hours so these individuals usually have to quit the profession entirely or have flexibility. We are confident we could cover one and in the winter, we could maybe cover two. This is a great opportunity and provides ways to better our employees. This is also a morale booster to allow them to continue their education and there are benefits to the community. We would get some of that money back as we charge for paramedic service. It is a no brainer to provide a higher level of service and care. The hospital calls and asks us if we have paramedics on shifts. As the population increases, the need for that paramedic level of services increases as well. These classes cost about \$6,500. There is an agreement they sign that if we put them through their training and pay for it, they would be required to stay for three years to help recoup that cost. If they go to another department before that they would have to pay some of that back to the City. That takes away some of the risk. Those who are doing this full-time have aspirations to reach the paramedic level. If we do not provide it, they will find departments who are going to allow that to happen. We are trying to stay competitive and make sure we have staff. This is something we need to look into.

Motion by Councilmember Vance to adopt the resolution. Motion seconded by Councilmembers Seamons and Archibald. 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. 23-47 purchasing a K-9 police officer truck

Officer Skyler Gailey said last year Tremonton hired Officer Dean, who was a Garland employee. During that time, he was running K9 Oscar, who was originally Tremonton's dog. When he ran for Garland, they wanted to purchase their own K9 truck. Officer Dean then switched over to a Tremonton employee, but has been using Garland's truck for nine months. Since then, K9 Oscar retired in June of this year. We are getting a new K9 and Garland does not want our officers driving their vehicle for liability reasons. They would sell us the vehicle for \$42,000 which is not a bad deal. We did some cost comparisons and to get a new vehicle would be more than \$65,000. This vehicle has over 36,000 miles and is fully equipped. Officer Jorgenson is our new K9 handler. Her dog will be certified in the next few months. Cane is two years old. We are trying to find ways to save money and this is one of those ways. This makes the most sense for the department. Manager Warnke said pending the approval of the fiscal year 2024 budget, we would need to appropriate funds from our Capital Equipment Fund to make that purchase. The end of August is when we are slated to approve the budget formally. Officer Gailey said we had another allocation hired last year and did not get a vehicle. We need the four proposed vehicles plus this K9 vehicle so five total. Councilmember Estep said I am proud of our police department. You are doing your job and we need to support you. The Council echoed that comment.

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.

- f. Discussion and consideration of adopting Resolution No. 23-48 approving a contract for election services between Box Elder County and Tremonton City Corporation for Municipal Election Services

Recorder Nessen said we sign this contract every two years with the County to help us run the election. They mail and tabulate all the ballots. This cost is per election—primary and general. It will be \$10,500 for each.

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

- g. Discussion and consideration of adopting Resolution No. 23-49 amending a residential solid waste and residential recycle waste collection agreement between Tremonton City and Econo Waste, Inc.

Manager Warnke said the resolution is not in its final form we just need to know if we should move forward based on the terms that were outlined. This is a memo of understanding. We have defined the terms that you would base the contract around and if you are satisfied then we will move forward and have it formalized

and work out the administrative issues.

Motion by Councilmember Archibald to continue to make arrangements with Econo Waste. 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.

10. Calendar Items and Previous Assignment

a. Review of calendar

Mayor Holmgren said the Farmers Market is the first Saturday of the month. The Box Elder County Fair and the food drive with JustServe are approaching. Councilmember Estep said we will have a sweeper on August 21, for the parade and will try to get Main Street cleaned up. Ours will be here when the snow falls. We need to rent one for this fall. They will give us a good deal since they are months late. Our streets look rough without a sweeper so we need to find money to clean up our town.

b. Unfinished Business/Action Items: None.

c. Branding Implementation update: None.

11. Reports & Comments:

a. City Administration Reports and Comments

b. Development Review Committee Report and Comments

Manager Warnke said we had a big DRC meeting not too long ago. A developer with Perry Homes has about 50 acres south of the Crossroads that is being evaluated for annexation into the City. A farmer has sold their land, it is listed under contract and they are doing their due diligence. Councilmember Archibald said there is so much that goes into development. There is a long, drawn-out process that happens before anyone builds in Tremonton. There are a myriad of things that have to be met. I have been amazed at what I have learned and appreciate your efforts. There is a lot of strategy.

Manager Warnke said Ron Keller Tire bought Archibald's on Main and 1000 West. They are looking at building a new facility located at 2000 West and Main. Their architect attended DRC. We have identified that road and bringing that right-of-way right up to where the log cabin is. The log cabin would be demolished to do so.

c. City Department Head Reports and Comments: None.

d. Council Reports and Comments: None.

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

The meeting adjourned at 8:14 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 29th day of August, 2023.

Linsey Nessen, City Recorder

Follow-up items for the Council and City Staff

City Staff will continue to make arrangements with Econo Waste in completing an updated contract.

The Council will continue their discussions on a potential rezone at 600 West and 600 North after their meetings on Truth in Taxation. The plan is to revisit it in September or October.