

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
JULY 30, 2024**

Members Present:

Wes Estep
Jeff Hoedt
Bret Rohde
Lyle Vance
Blair Westergard
Lyle Holmgren, Mayor
Bill Cobabe, City Manager
Linsey Nessen, Assistant City Manager
Jeff Seedall, City Planner
Cynthia Nelson, City Recorder

CITY COUNCIL SPECIAL MEETING AGENDA

Mayor Holmgren called the July 30, 2024 City Council Meeting to order at 5:58 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 Estep, Hoedt, Rohde, Vance, and Westergard, City Manager Cobabe, Assistant City Manager Nessen, Planner Seedall, and City Recorder Nelson. The following Department Heads were also present: Fire Chief Brady Hansen and Treasurer Sharri Oyler.

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 Westergard.

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 July 30, 2024. Motion seconded by Councilmember Rohde. Vote: Councilmember Estep - aye, Councilmember Hoedt - aye, Councilmember Rohde - aye, Councilmember Vance – aye, Councilmember Westergard - aye. Motion approved.

5. Approval of minutes – No minutes to approve at this time.

6. Public comments:

Ben Greener brought up weight restricted roads in the code. He said I am bringing this up because they pulled down the weight restriction signs when they started construction on 1000 North. Another resident approached the City and was ignored so I talked to Director Fulgham and Rusty Scoffield. I explained that the code shows two roads in Tremonton that are weight restricted. I am concerned about them. We modified this when I was on the Planning Commission. We had public hearings when Stokes and Freightliner came in. This is a concern. Heavy transportation is taking that road as a shortcut. I want to point out that is a weight restricted road. They did put the sign back up out on 4000 W, but not on the other. We need better signs directing truck traffic to 2000 W. That is a truck route. The code talks about gross vehicle weight, but I think we ought to change that. Gross vehicle weight is what the vehicle weighs. The weight restriction is 12,000 pounds and that is pretty hard to enforce. We need to change that term so law enforcement can pull up registration and see what that vehicle can legally weigh. We ought to be looking at other roads in our town that limit heavy trucks. Some of these trucks weigh over 80,000 pounds and are hard on the roads. 1000 North from the hospital to the on and off ramps is only seven years old and it is already being tore up. We get a lot of truck traffic on it. Our roads need to last longer than that. The road by the golf course has damage too. That does not come from cars. He then addressed parking in the code, saying, commercial vehicles are only allowed to park for four hours. That is 12,000 pounds and should be changed. Mayor Holmgren suggested they setup a discussion with Director Fulgham and Manager Cobabe to continue the conversation.

Kristie Bowcutt said I have three questions about this new annexation possibly going through. What is the cost going to be for taxpayers? Are services in place or are you going to have to add more? And is there going to be affordable housing? Just some things to think about.

7. Presentations:

- a. Discussion of annexation issues and onsite wastewater permitting in and around city limits – Jordan Mathis, Bear River Health Department and Marc Rees, and Lyle Vance

Councilmember Vance said Mark Allred is building a bunch of houses out west past the freeway. This is how many lots are being put in behind those houses that are already built. We have a little city coming up out there. I am concerned about it. I grew up in the area and the ground is clay. Our City engineer has reviewed this to see what we can do to extend utilities. This is the best estimate of where our engineer has constructed it to keep the cost down. The subtotal is \$2.6 million plus a 30% contingency for \$3.4 million total.

Councilmember Vance and Developer Marc Allred spent time discussing the area and what has been done, as well as what could be done to properly service this with utilities. They also discussed limitations and issues that this area has or could face. Councilmember Vance said we have water problems out there with the different types of soil and drainage. As a City councilman I am concerned we are going to have the same problem as in Roosevelt. We could have sewer problems if we do not look at annexing them into the City and getting sewer there. Mr.

Allred explained that the area in question is 21 acres and would have bigger lots. Councilmember Vance said you will end up with septic tanks. For Roosevelt, the State came in and made the city get sewer to that property and I am afraid of that happening in this area. We ought to be trying to find a way to make it happen if we can. This needs to be done at the cost of the developer going out there to help offset costs. Hopefully, we would do a pioneer agreement, which we have never done in Tremonton. Mr. Allred would front the cost to put that system in and over time he would receive impact fees as a reimbursement. Mr. Allred said I do not want to annex, but I am open to this. I can see the benefit to getting City utilities out there, but I only own 21 more acres. We had 44, but this is the last 21. That is not enough land to justify this without really figuring it out or having other landowners involved. Councilmember Vance said from a liability position, we need to seriously look at this so we do not have a lawsuit down the road from the State and make the taxpayers pay for a system that we should have been looking at to begin with. Mayor Holmgren said the health department has been talking about this and their preference is that we do go with the system instead of septic tanks. The State also recognizes that this is sort of a touchy area when it comes to groundwater. There was talk of the State potentially offering grants to help pay for something like this.

The Council discussed the City's future annexation plan and reviewed the map. They discussed Mr. Allred's timeline for his development and if there would be time to obtain more information before making a decision. Mr. Allred said I am good either way. I do not want to get annexed. I just want to finish and move on, but I understand where you are coming from. Mayor Holmgren said if you are willing to let this ride for a little while, then we could come back with more information.

Councilmember Hoedt said I began investigating this situation. I am not done working with health department officials in that area of Roosevelt that has been mentioned several times. I am working with local ones here in the County. This subdivision up here did not follow the correct process to get approved by the County. They had an outdated annexation map for our City. If an area is not zoned then the County allows construction to take place without checking with the City. They now have an updated annexation map. There is an article that talks about Roosevelt. When this process takes place, it is not only the county who approves it, but the health department has to approve these septic systems. So, if we are perceiving that these septic systems are ineffective and they are going to fail in two or three years, then they should not be approved. That is an issue the health department has to work on. How do you create an effective program to assure that these things have longevity. That is a problem that needs to be addressed so that bad situations do not arise like it did in Roosevelt. Those need to be prevented. In talking to these people, they are not aware of the State mandating the city of Roosevelt to do this. When I hear that the State forced them to, I am not aware of that. I am still reading and researching, trying to make sure I digest everything that is going on. Some of the comments that were made at the last

meeting were that, “three years later there was brown water after the subdivision had gone in. The State came in after these people started getting sick from bad water and made the city bring them in.” Nobody is aware of the State making Roosevelt do this and bring sewer at their expense. In reading this article, the vast majority of the funding was through grants from multiple entities, millions of dollars from each entity. Councilmember Hoedt said he is looking into more information and would continue to investigate this situation.

Mayor Holmgren said I think we can gather a lot of this data that councilmembers have discussed and get that put together. He suggested they put this back on the agenda for September.

Director Mathis, from the Bear River Health Department, suggested putting together an application with the State for funding. Councilmember Vance said when this happened back in Roosevelt, what was your position? Director Mathis said I was the director of that county. Councilmember Vance said did the State mandate all these corrections? Director Mathis said nobody mandated the corrections. The reality is when you have individuals who are struggling to live in their home due to sewage, we as government have a responsibility to respond. It was the city, county and Water Quality Board, working together to figure out what to do. In the United States of America, you cannot have people living in their crap. We had to do something. I was not going to sit around as the Director of the health department and not do something. Councilmember Hoedt said so the health department approved these septic systems to be placed in. How did these get approved in such a situation? Director Mathis said the reality is we do not know the future all the time and how well they will work. I can speculate why some of these things, particularly in that area, did not work out. Councilmember Hoedt said if the risk is high, why is the system permitted? Why are there not safeguards to avoid that situation? The soil type, high water table and whatever other variables are involved. Why does the system not address that? Director Mathis said we operate within the confines of State rule and make decisions based off that. If we decide to make decisions outside of that, we have to have strong scientific evidence for why we would require something other than that. Unfortunately, sometimes that scientific evidence comes when we experience something that is a result of a failure. We are working on a scope of work to do an on-site wastewater density study for Box Elder County. That's probably still two years out. We are trying to get data that says how we develop appropriately in Box Elder County given the soil types, groundwater and other variables. We have to have that data before we can anchor to a policy.

Councilmember Westergard said I do not think the City has the funds for this, but that subdivision is going to impact the City with fire response. The only difference is we will not have a say. If we can do it and it does not cost us money, it eliminates potential problems with septic tanks. Director Mathis said I would not presume to tell the Council what to do, but you can always go to the board and find out what you can get for grants or loans and make a determination after that.

Mayor Holmgren said we appreciate Councilmember Vance for putting the presentation together and for the research that has been done.

8. New Council Business:

- a. Discussion and possible action of accepting or denying the Allred Annexation Petition

The Council agreed they need more information. They will continue this discussion at their first meeting in September.

Motion by Councilmember Westergard to table the item. Motion seconded by Councilmember Hoedt. Vote: Councilmember Estep - aye, Councilmember Hoedt - aye, Councilmember Rohde - aye, Councilmember Vance - aye, Councilmember Westergard - aye. Motion approved.

9. Reports & Comments:

- a. City Administration Reports and Comments: None.
- b. Development Review Committee Report and Comments: None.
- c. City Department Head Reports and Comments: None.
- d. Council Reports and Comments

Councilmember Westergard brought up ambulance billing. He said we should farm that out to a company and we need to do it sooner rather than later. Chief Hansen said it will be our proposal going forward with Treasurer Oyler nearing retirement, to outsource ambulance billing in the future. I have already written a draft RFP to send to ambulance billing companies. We will bring that to a future agenda.

Councilmember Hoedt said Habitat for Humanity had a board meeting tonight. They are asking me questions about funding. I have directed them to Manager Cobabe.

Mayor Holmgren said Director Fulgham has announced his retirement so we need to put together an RFP for his assistant. Manager Cobabe said we are working on a job description. When he gets back from vacation, we will get that finalized. We will also have an RFQ for an Economic Developer. Mayor Holmgren added, that the Main Street Committee has been meeting. We are going to ask them to come together with a priority list of suggestions that they can present to the Council in September. I want to thank everybody for your comments and taking this very important issue so seriously. We appreciate your time.

10. ***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*

11. Adjournment

Motion by Councilmember Vance to adjourn the meeting. Motion seconded by Councilmember Estep. Vote: Councilmember Estep - aye, Councilmember Hoedt - aye, Councilmember Rohde - aye, Councilmember Vance – aye, Councilmember Westergard - aye. Motion approved.

The meeting adjourned at 7:30 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 20 day of August, 2024.

Cynthia Nelson, City Recorder