

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
February 3, 2015**

Members Present:

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

CITY COUNCIL WORKSHOP

Mayor Fridal called the February 3, 2015 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 Doutre, Holmgren, Reese, and Rohde. The following Department Heads were also present: Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, Librarian Kim Griffiths, Senior Center Director Marion Layne, and Police Chief David Nance. City Manager Shawn Warnke and Recorder Darlene S. Hess were excused. Also in attendance was: Deputy Recorder Cynthia Nelson.

Mayor Fridal welcomed all in attendance, including Danielle Rasmussen from the Garland City Library and Juan Lee from the State Library Division.

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

The Council reviewed the February 3, 2015 Agenda with the following items being discussed in more detail:

Councilmember Holmgren asked Director Fulgham if the City was getting any closer to having searchable PDF's. Director Fulgham noted that the software program has been purchased. The people responsible for installing and implementing have been out of the office.

Consortium between Tremonton and Garland Libraries. Librarian Griffiths explained that forming a consortium will allow residents from Tremonton and Garland to check out books from both Libraries. Patrons would have one card that could be used at either Library. The card catalogs would be combined and show inventory for both libraries. It will be a good thing for residents. Residents could return books to either Library, regardless of where it was checked out. The libraries would return books to the home Library. Councilmember Rohde stated that anytime Tremonton can share services

with Garland it is a great idea. Librarian Griffiths said there were no drawbacks to the consortium.

Librarians Griffiths and Rasmussen would like to have free cards for all residents in Tremonton, Garland, and the surrounding towns. The fee for a non-resident card is \$20 a year in Tremonton and \$10 in Garland. Councilmember Doutre asked the librarians if they thought there would be more lost books by creating the consortium. The consensus was that there would be little change in the amount of books that were lost. Juan Lee from the State Library Division stated it is common for libraries to charge a non-resident fee; however, when cities have a collaboration to enhance service to residents it is common to drop fees or significantly reduce them. The consortium could possibly include all of Box Elder County in the free library cards. The idea in offering free library cards is to encourage residents from other areas to come and do business in Tremonton and Garland while visiting the libraries.

Councilmember Holmgren asked if there was a possibility of including the Box Elder County Bookmobile in the consortium. Mr. Lee stated that the focus of Bookmobile is to provide service to remote areas. It is unclear how many people use the Bookmobile in Tremonton and Garland. Councilmember Doutre noted that it would be helpful if people in outlying areas could request a book from the libraries and have it delivered by Bookmobile. Librarian Griffiths explained that Bookmobile is not related to the State Library Division. Box Elder County owns the Bookmobile and all the books and has not had a contract with the State for at least six or seven years. Councilmember Holmgren commented that anytime Tremonton and Garland can work together, it is a good thing. Librarian Griffiths stated it will help with the Grant if library cards are offered free to residents of Tremonton and Garland.

Planning Commission. Councilmember Rohde noted that Ben Greener would like to serve on the Planning Commission. He lives in Spring Acres and would provide good representation from that section of town. Mr. Greener will be a good addition to the Planning Commission.

Resolution No. 15-09. Director Fulgham explained that Black Mountain Lawn Care, LLC bought out Custom Application dba Yard Dawgs. The City has been happy with the service provided in the past. Ryan Bradshaw, the owner of Black Mountain Lawn Care, LLC use to work for Yard Dawgs before buying the company. The costs associated with the Cemetery lawn care are higher because there are so many headstones to navigate. Every time the City goes out for lawn service bids, no one wants to take the Cemetery.

The fee from Black Mountain Lawn Care, LLC is a set amount per acre per year. Councilmember Holmgren's concern is that younger kids using a string trimmer can damage trees if not careful. Director Fulgham explained that the goal of the City is to create a tree ring by killing grass around the base of the trees. Director Fulgham depends on Director Marc Christensen, Rusty Scoffield, and Lynn Green to monitor the yard care. The consensus is that they are comfortable Black Mountain Lawn Care, LLC. The

contract price and length will be the same as the previous contract with Custom Application dba Yard Dawgs.

Councilmember Rohde asked why the City doesn't buy equipment to take care of the lawns. Director Fulgham noted that the City looked into it before but the start-up costs are big and the City would hire seasonal employees. If at the end of the season employees file for unemployment the City would then have to pay unemployment costs for the seasonal employees. The City would have all the liability if someone got hurt while doing lawn care.

Resolution No. 15-10. Zoning Administrator Bench explained that one sentence was added to Section 3, item D of the template Subdivision Development Agreement. If the Final Plat for the subdivision is not finished per the agreement, the City would have the option of putting liens on vacant lots until everything is resolved. The changes would help with new subdivision developments in the future, but not help with any developments that are delinquent now.

Resolution No. 15-11. Director Fulgham noted that Resolution No. 15-11 came about because of work being done by the ULCT (Utah League of Cities and Towns). The gas tax is not enough to keep up with road maintenance. Resolution No. 15-11 supports implementing a 0.0025% general sales tax to acquire revenue for maintaining and repairing City roads. ULCT would like each city to pass a resolution supporting the 0.0025% general sales tax. The revenue would go solely for city and county streets. Director Fulgham explained it is for the Class B & C Road Fund, which is specifically for city and county roads. If the 0.0025% general sales tax were marked solely for B & C Road Fund, it should go to cities and towns, not to the State.

City Streetlight Standard. Director Fulgham stated it wouldn't replace streetlights through Tremonton. The Tremont Center Subdivision would be a place to start the new City owned streetlight system. The streetlights would be LED and would cost the City about \$0.50 a month per streetlight. Tremonton City currently pays Rocky Mountain Power (RMP) \$12.50 per light per month for power and maintenance. If the City maintained the streetlights put in by RMP, the charge per light would be \$3.00 per month.

If the Council approves the creation of a City owned streetlight system, the City could easily maintain the streetlights. The cost to purchase would vary depending on the style chose. Director Fulgham would recommend the LED streetlights. The LED streetlights cost \$100-\$150 more per unit, but the bulbs last much longer and use quite a bit less power. The difference in cost between LED and standard streetlights would be made up in the wiring alone. The LED uses a smaller wire because it does not use as many amps.

The creation of the CDA (Community Development Agreement) will help fund and revitalize Main Street. The new streetlights will be implemented in the Tremont Center Subdivision first. The Council commented that the LED lights are very attractive. A plain acorn style streetlight costs \$1,800. RMP could exchange the existing streetlights

in the City to match, but it would cost the City more. The City currently uses the standard cobra head or town and county style streetlight from RMP. LED streetlights would cost more through RMP for maintenance, etc.

Councilmember Rohde asked if the City could start replacing older poles with City owned streetlights to match Tremont Center Subdivision. Director Fulgham confirmed the City could. The City would have complete control of the streetlights and could shut off power as necessary to perform maintenance. As streetlights are replaced with City owned streetlights, the wires would be moved underground. The streetlights would include places to hang Christmas lights/decorations and electrical sockets to plug the lights in. As funds are available, the streetlights could go farther down Main Street in the future.

Councilmember Holmgren asked if Director Fulgham could notify RMP that some of the streetlights are in need of maintenance.

2015-2016 Street Projects. Director Fulgham stated that the City budget starts in July, but it would be better to put projects out to bid during the spring because contractors are getting work schedules filled for the year. Asphalt prices generally follow oil prices. As prices for oil are low now, the bids should go out now and could be ready for July. The City generally receives \$250K a year in Class C Road Funds. Mayor Fridal asked if road repairs are falling behind. Director Fulgham noted the City is doing pretty good, but data from the Utah LTAP Road Surveys recommends budgeting another \$50K a year to help the City stay ahead.

Some projects Director Fulgham included at the top of the list are Melody Park with a waterline failure. The road has been dug up and patched; however, before the road is redone the water main needs to be replaced. The I-15 Frontage road needs to be resurfaced. The Cemetery roads also need work as the sprinklers water everywhere, including roads. If the roads in the Cemetery are redone and followed up by a sealer, the water can be sealed out to help protect the cemetery roads. Another area that needs work is the Public Works parking lot. In sixteen years, the parking lot has not been paved. The City rents out the facility a lot and mud gets tracked into the building.

It was discussed that the new section of the Cemetery will not be opened when the road work is complete. The new section won't be needed for another four or five years. Councilmember Holmgren asked what the City paid last year for chip and seal. Director Fulgham thought it was \$1.05 a square yard, but said it should cost less this year as the price of oil is down. Councilmember Reese would like the 2015-2016 Street Reconstruction Project budget to go up to at least \$300K. Director Fulgham noted that the City could always scale back on projects if needed. The bids will come back to the Council prior to the budget being finalized. If the projects need to be scaled back after the budget is finalized, they can.

Switching Internet Service Providers. The time has come to renew the contract with Veracity. Director Fulgham stated that Veracity's rates are rising for internet service. Veracity has provided phone and internet service to the City for the past five years. Tremonton City Civic Center, Fire Department, and Police Department share a 10 Mbps connection. The Food Pantry, Public Works, Recreation, and Library have a 10 Mbps connection at each location. It is proposed to continue with Veracity as phone carrier for the City. The City could then buy a connection straight from UTOPIA (Utah Telecommunication Open Infrastructure Agency) for internet service, with the City owning the equipment.

Director Fulgham presented Manager Warnke's recommendation of a 30 Mbps connection to be shared by all facilities, except the Library. The Library would need to be separate because of funding received from the State. The City could also go with a 50 Mbps connection. Councilmember Rohde questioned why the City has to pay UTOPIA, when Tremonton is part of UTOPIA. Councilmember Reese noted that Tremonton is part of UTOPIA, but not part of UIA (Utah Infrastructure Agency). Councilmembers Rohde, Holmgren, and Reese would like the City to go with a 50 Mbps connection or bigger. Councilmember Rohde would like to understand why the City has to pay UTOPIA for service, since the City already pays operational shortfall and other funds to UTOPIA.

It was also noted that the State might start requiring City Council meetings to be broadcast in the future. If that were to become a requirement, the City would need a connection with more Mbps.

Motion by Councilmember Doutre to move into Closed Session. Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, and Councilmember Rohde – aye. Motion approved.

The Council moved into closed session at 6:42 p.m.

Closed Session.

- a. **Strategy session to discuss pending and/or reasonably imminent litigation.**
- b. **Strategy session to discuss the purchase, exchange, or lease 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.**

This item was not discussed

- c. **Health, mental health, character and competency of an individual**

This item was not discussed.

Motion by Councilmember Reese to return to open meeting. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, and Councilmember Rohde – aye. Motion approved.

The Council returned to open session at 6:57 p.m.

The meeting adjourned at 6:58 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the February 3, 2015 City Council Meeting to order at 7:04 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, and Rohde. The following Department Heads were also present: Zoning Administrator Steve Bench, Public Works Director Paul Fulgham, Librarian Kim Griffiths, Senior Center Director Marion Layne, and Police Chief David Nance. City Manager Shawn Warnke and Recorder Darlene S. Hess were excused. Also in attendance was: Deputy Recorder Cynthia Nelson.

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 Fulgham and the Pledge of Allegiance was led by Zoning Administrator Bench.

2. Introduction of guests:

Mayor Fridal welcomed all those in attendance, including Jessica Tanner from the Leader, and Ryan Bradshaw with Black Mountain Lawn Care, LLC.

3. Approval of Agenda:

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

Motion by Councilmember Holmgren to approve the agenda of February 3, 2015. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Rohde - aye. Motion approved.

4. Approval of minutes – January 20, 2015:

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

Motion by Councilmember Doutre to approve the minutes of January 20, 2015.

Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Rohde - aye. Motion approved.

5. Public comments: Comments limited to three minutes:

There were no public comments.

6. Request(s) to be on the agenda

- a. Brigham/Tremonton Board of Realtor – Micah Capener

No one was available from the Brigham/Tremonton Board of Realtors.

- b. Women Civic League Presentation

Councilmember Doutre represented the Women’s Civic League and presented a check to Marion Layne, Senior Center Director in the amount of \$2,000 for the purchase of a 75 inch television at the Bear River Valley Senior Center.

Director Layne has almost \$6,800 in Grant money plus the \$2,000 from the Women’s Civic League to purchase a sound system. There will be eight speakers in two rooms; one room can be turned on at a time or both together. There will also be a cabinet to enclose the system. The BRV Senior Center has been in need of a new sound system for several years, as the sound can’t be heard in the back of the room. Director Layne thanked the Women’s Civic League for the money to help with the purchase of a television. Mayor Fridal thanked Director Layne and the Women’s Civic League. The Women’s Civic League is an asset to the community.

7. New Council Business:

- a. Discussion and consideration of forming a small consortium between Tremonton and Garland Libraries (which would allow card holders to check-out books at either Tremonton City Library or Garland City Library) and authorizing Tremonton City staff to work with Garland City staff in submitting a grant to the State Library to develop the consortium- Kim Griffiths, Tremonton City Library Director and Danielle Rasmussen, Garland Library Director

Librarian Griffiths stated that Tremonton and Garland Libraries would like to form a consortium that would have one card that could be used to check out books from both Libraries. There will also be an integrated Library system that will allow users to search for books from both Libraries. Other changes would allow more services to be available from home, such as placing holds and paying fines. Councilmember Doutre asked if the consortium would include the Tremonton Satellite Library at the Bear River Valley Senior Center. Librarian Griffiths explained that it would.

Councilmembers Doutre and Reese stated it was a good idea for the Tremonton. Librarian Griffiths explained that books could be returned to either Library and would be convenient for residents. Librarian Griffiths thought Garland City Council had already approved the creation of a consortium.

Motion by Councilmember Holmgren to create a consortium between Garland and Tremonton Libraries to share books back and forth and use the same card. The non-resident fees will be waived. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Rohde - aye. Motion approved.

- b. Discussion and consideration of the City Council appointing an individual to serve on the Planning Commission

Councilmember Rohde noted that Ben Greener has agreed to serve on the Planning Commission. Mr. Greener lives in Spring Acres and will fill the opening left by Chair Rick Seamons.

Motion by Councilmember Reese to approve the appointing of Ben Greener to be on the Planning Commission. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Rohde - aye. Motion approved. Mayor Fridal asked for confirmation that the Planning Commission will elect a new Chair. Zoning Administrator Bench stated the Planning Commission will elect a new Chair at the next Planning Commission meeting.

- c. Discussion and consideration of adopting Resolution No. 15-09 approving a Lawn Care Service Agreement between Tremonton City, a Utah Municipal Corporation and Black Mountain Lawn Care, LLC

Director Fulgham explained that the current contract with Custom Applications dba Yard Dawgs, expired in November 2014. Black Mountain Lawn Care, LLC acquired Yard Dawgs and has been doing the lawn care for the City. The City is generally happy with the work performed. It was recommended that the City continue with the new owner of Yard Dawgs, Black Mountain Lawn Care, LLC. The Lawn Care Service Agreement includes fertilization and weeding.

Councilmember Doutre asked who is in charge of cleaning the sidewalks after the grass has been mowed. Director Fulgham noted that Black Mountain Lawn Care, LLC uses a blower to clean the sidewalks. Councilmember Doutre asked who is responsible for the sidewalks by the basin on the hill by Spring Acres. Director Fulgham said the City is responsible for spraying weeds and mowing the area between the sidewalk and the road and Black Mountain Lawn Care, LLC mows the basin.

Motion by Councilmember Doutre to adopt Resolution No. 15-09 and approve the lawn care service between Tremonton City and Black Mountain Lawn Care. Motion seconded by Councilmember Reese. Roll Call Vote:

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

- d. Discussion and consideration of adopting Resolution No. 15-10 repealing Resolution No. 15-06 and amending a template Subdivision Development Agreement

Zoning Administrator Bench noted that one sentence was added to the template Subdivision Development Agreement in Section 3, item D. It talks about the Developers responsibility to finish the subdivision and all improvements. The City could only withhold building permits or certificates of occupancy in the past, which hurts the future homeowner. With the addition in Section 3, item D, the City may also place liens on vacant lots that are owned by the Developer until improvements are completed.

Motion by Councilmember Holmgren to adopt Resolution No. 15-10 and repeal Resolution No. 15-06 and make the changes discussed by Zoning Administrator Bench. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Rohde - aye. Motion approved.

- e. Discussion and consideration of adopting Resolution No. 15-11 encouraging the State of Utah to address comprehensive transportation funding

Director Fulgham explained that Resolution No. 15-11 will go to State Legislators, prompting them to exercise their right to institute a 0.0025% general sales tax - not a fuel tax. The funds will then go to Class B & C Road Funds, which go to cities and counties to maintain streets and roads. The Class B & C Road Funds have not gone up since 1997. The percent of Class B & C Road Funds to each entity is determined by mileage of roads.

Councilmember Reese asked if Resolution No. 15-11 was just a show of support from the City. Director Fulgham said it is. Mayor Fridal noted it is supporting ULCT. Councilmember Doutre would like a footnote added stating the funds are tagged for cities and counties, not for State roads. Director Fulgham thought it was already marked for Class B & C Road Funds, which only go to cities and counties for streets and roads.

Director Fulgham explained that energy efficient and hybrid vehicles do not pay as much in fuel taxes. Everyone will be helping pay the 0.0025% general sales tax that would go toward road maintenance. The number of vehicles on the road hasn't gone down, but the amount of fuel used per vehicle has. Councilmember Reese commented that Hampton Inn is putting in three charging stations for electric vehicles.

Motion by Councilmember Rohde to adopt Resolution No. 15-11 as it has been outlined. Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, and Councilmember Rohde - aye. Motion approved.

8. Unfinished Business:

There was no unfinished business.

9. Comments:

a. Administration/City Manager Advice and Consent.

There were no comments.

b. Council Reports:

Councilmember Rohde would like something added to the next City Council meeting. The terms of three Planning Commission members are up as of January 2015. Two of the members have agreed to continue serving on the Planning Commission and the names need to be approved for another term.

Councilmember Doutre attended the Superhero party at the Library. There were several science experiments for the kids to do. The Library should be commended as it helps encourage kids with reading and education at a young age. It was presented very well.

Councilmember Holmgren noted that Tremonton City has not had any outside industry or manufacturing looking at moving to Tremonton lately. The Council should think about ways to bring development to the City. There could be a part time person that would focus on that aspect. It was discussed that the County can help, but Mayor Fridal would like the City to be actively pursuing development and growth in the City.

Mayor Fridal has a meeting with some Northern Utah Mayors tomorrow to discuss the Macquarie deal.

10. Adjournment.

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

The meeting adjourned at 7:27 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 Cynthia Nelson.

Dated this _____ day of _____, 2015.

Darlene S. Hess, Recorder