



**Tremonton City Corporation
City Council Meeting
March 15, 2016
Meeting to be held at
102 South Tremont Street
Tremonton, Utah**

AGENDA

CITY COUNCIL WORKSHOP

5:30 p.m.

1. Discussion of an evaluation/planning process regarding economic development readiness facilitated by EDCUtah and Utah Governor's Office of Economic Development
2. Discussion of sending City officials to participate in the International Council of Shopping Centers (ICSC) Conference in Las Vegas - Mayor Roger Fridal
3. **CLOSED SESSION:**
 - 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*
 - b. *Strategy session to discuss pending or reasonably imminent litigation*
4. Review of agenda items on the 7:00 p.m. City Council Meeting

CITY COUNCIL MEETING

7:00 p.m.

1. Opening Ceremony
2. Introduction of guests
3. Approval of agenda
4. Approval of minutes – February 26, 2016
5. Public comments: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.
6. Years of Service:
 - a. Five years of service – Sandra Christensen

7. New Council Business:
 - a. Discussion and consideration of adopting Resolution No. 16-14 approving the 2015 Annual Tremonton City Municipal Wastewater Planning Program Self-Assessment Report
 - b. Discussion and consideration of adopting Resolution No. 16-15 authorizing West Liberty Foods, L.L.C. to discharge to the Tremonton City Publically Owned Treatment Works (POTW)
 - c. Discussion and consideration of authorization to sign purchase orders for vehicles purchased during FY 2016 for the Senior Center and authorization to sign a non-obligatory purchase order for police vehicles for potential purchase in FY 2017
 - d. Discussion and consideration of adopting Ordinance No. 16-07 amending Chapter 1.16 Overlay Zones, Tremont Center Mixed Use Overlay Zone, 1.16.050 Tremont center Sign Standards
 - e. Discussion and consideration of adopting Resolution No. 16-16 approving an Impact Fee Reimbursement Agreement for dedication of land (a 20' corridor of land paralleling the canal from Parcel Numbers: 05-186-0001 owned by Joshua Canfield and 05-186-0009 owned by Tremont Place LLC) for system improvements for a trail system

8. Comments:
 - a. Administration/City Manager Advise and Consent
 1. The publication of a Request for Qualifications for a Food and Beverage Concessionaire Services for the City's concession stands
 - b. City Department Head Reports
 - c. Council Reports

9. **CLOSED SESSION:**
 - 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*
 - b. *Strategy session to discuss pending or reasonably imminent litigation*

10. Adjournment

Anchor location for Electronic Meeting by Telephone Device. With the adoption of Ordinance No. 13-04, the Council may participate per Electronic Meeting Rules. Please make arrangements in advance.

Persons with disabilities needing special assistance to participate in this meeting should contact Darlene Hess no later than 48 hours prior to the meeting.

Notice was posted, March 11, 2016 a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was delivered to The Leader (Newspaper) on, March 11, 2016.

Building Blocks of Economic Development



Building a Community that Attracts, Supports and Grows Businesses

Tier 1: Foundation - Leadership/Civic Development and the Role of Public Policy: “The Business Culture”

- The first requirement is that economic development must be a very high priority for local government leadership – that includes elected, appointed and hired leadership within a community
- Economic Development Director with adequate time, budget and elected leadership support to assist local businesses and to work with EDCUtah and GOED for retention, enhancement and recruitment activities (within and outside of Utah)
- Communities will need to make a financial commitment and develop broad support from their local taxing entities for creating incentives and promoting and supporting recruitment of economic development projects (tax increment financing discussions)
- Communities which want new economic development will need an economic development plan with procedures in place so they can “move at the speed of business”
- Communities need to tailor the building code and land use planning requirements to protect the community while at the same time implementing policies and practices that promote business and economic development
- “A rising tide raises all boats.” AKA- Don’t fight amongst yourselves. A project win in any part of the county is good for the entire county and individual cities. Be friends, get along and work as a regional team. Businesses look for area-wide resources, not whether one community benefits over another. Get together so you can work towards common goals for the betterment of your community.

- Attitude. A poor attitude will hinder economic development within the community, while a positive outlook will drive it forward. Create an honest, realistic view of who you are now and strive to cooperatively accomplish something better.
- You can gain useful knowledge by being involved and active with economic development networking groups (GOED Webinars, EDCUtah, Utah Alliance for Economic Development).

Tier 2: Quality of Life

- Characteristics of the community which motivate people to stay in or move to the community
 - Clean community
 - Quality schools
 - Quality Healthcare
 - Adequate retail and restaurants
 - Open space - parks, walking and biking paths, recreation opportunities, wildlife diversity
 - Quality employment opportunities
 - Short commute
 - Well-structured community development plan
 - Variety of housing options
 - Community Optimism/Community Service Opportunities/Inclusive Culture

Tier 2: Workforce Development

- Knowledge of community skill sets
- Job skill development resources (ATC's, colleges, universities, distance learning programs)
- Knowing the regional workforce
- Develop relationships with employment service resources
- Solid Education + Strong Work Ethic = Quality Workforce

Tier 2: Infrastructure Development

- Identify the location and current level of infrastructure- Broadband, Rail Access, Interstate/Highway access, Utilities inventory (water, power, natural gas)
- Determine the need and ability to expand/improve infrastructure (levels and locations)
- Develop a 5, 10 and 20 year plan for growth (capital facilities planning)
- Relationship with your utility providers (include them in your plan for growth)
- Help the local taxing entities understand use of public funds to create project areas and tax increment financing tools
- Know your funding sources for site development, infrastructure, other community and business needs
- Be "Shovel Ready"
- Relationship with owners of sites for potential business and infrastructure

Tier 3: Existing Business Development

- 60-85% of job creation comes from growing businesses already in your community. The first step is to know and understand your local businesses, their needs and what they bring to the community.
- Utilize the BEAR program to help local businesses grow
- Identify your core industries in your community and analyze best ways to help them grow upon their strengths.
- Develop a BEAR team that meets regularly to help existing business development

Tier 3: Entrepreneur Development

- Skills training program – Business Resource Center (BRC) or Small Business Development Center (SBDC)
- Dedicate a team to help with entrepreneur development
- Create a Mentoring program
- Establish an incubator in partnership with education service providers (ATC's, college, universities)
- Create a services resource guide (funding sources, mentors, training programs, etc)
- Find bright, creative people (we know you have them)

Tier 4: Recruiting New Business

- A good website
- An established relationship with EDCUtah and GOED
- Develop a community profile
- Marketing plan and materials that includes the ability to respond to a detailed project RFI.
 - Available land sites and buildings (shovel ready or near shovel ready)
 - Work with property owners, get consent to market their property to prospective industries. Develop a list of properties and prices for new business locations.
 - Workforce demographics
 - Incentive outline (TIF – Tax Increment Financing, High Cost Infrastructure Credits or other available incentives)
 - Maps, aeriels, GIS shape files, etc.
 - Demographics
 - Make it look pretty and no more than 10 pages
- A good relationship with GOED and an understanding of state incentives
- Must have a prepared/qualified team to host site visits (Educate the team on sites selectors)

Win the Project!!!

The following questions may also help to determine the viability of economic development projects for your county/city:

- Determine the 'strengths' of your community. What industries are you good at? What resources give you a competitive advantage?
- Will this project improve the quality of life in your community? (specifics)
- Logically assess what the county and/or city needs to do to win the project based on likelihood of success.
- Are the community leaders passionate about moving in the direction this project requires? Zero passion=Zero results.
- Does your community have the *capacity* to advance this project based on its human, financial and technical resources?
- Will the citizens, business leaders and elected officials support this project and the actions required to be successful?

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**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
February 16, 2016**

Members Present:

Diana Doutre

Lyle Holmgren – excused

Jeff Reese – excused

Bret Rohde

Lyle Vance

Roger Fridal, Mayor

Shawn Warnke, City Manager

Darlene S. Hess, Recorder

CITY COUNCIL TRAINING

Mayor Fridal called the February 16, 2016 City Council Training to order at 5:30 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, Rohde, and Vance, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Also in attendance was Emergency Management Coordinator Jim Hess. Councilmembers Holmgren and Reese were excused.

1. Training on Incident Command System.

Ted Wooley, of the Department of Public Services and Director of Emergency Management presented a review of (ICS-100/200).

Training adjourned at 6:37 p.m.

CITY COUNCIL WORKSHOP

Mayor Fridal called the February 16, 2016 City Council Workshop to order at 6:38 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, Rohde, and Vance, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Councilmembers Holmgren and Reese were excused.

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

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The Council reviewed the February 16, 2016 Agenda with the following items being discussed in more detail:

Public Hearing. Manager Warnke noted that after the public hearing, there is a resolution discussing a Pre-Annexation Agreement for the Council to consider. Several items in the Pre-Annexation Agreement include number of vehicle accesses required during the development of the property that is proposed for annexation and the requirement to have within six (6) months, an agreement for a trail corridor that will be dedicated to the City and the developer will be compensated for the land.

Micah Capener stated that an engineer put something together showing that the dedication of a trail corridor to the City will occupy the equivalent of three (3) lots. Manager Warnke commented that the trail will follow the railroad because it is straighter line and will allow better align with the other existing corridor alignment to the north. Councilmember Doutré asked if there is a parking area planned. Manager Warnke explained there is not as this trail is for alternative forms of transportation. Recreation trails usually need a trailhead for people to park. If the Council decides there is a need for a trailhead at this location, it could be discussed at a later date.

Mr. Capener noted that he and Joshua Canfield would have a 1.5 lot impact because of the trail. Mr. Capener noted he does not have a problem with the Annexation Agreement but he is not sure why the annexation requires another exit. Going over the canal will be a real cost. Tremonton Pines only required one exit and they have ninety (90) plus rental units and Mr. Capener only has forty (40) units. Mr. Capener's property is all improved and planned to stub out to Tremont Street.

Manager Warnke explained it came from a discussion with the Land Use Authority Board. It can be discussed further and worked through it. It was noted that 600 South is critical as it is a collector road. Mr. Capener would like the Annexation Agreement to read that there needs to have a second exit at some point. Manager Warnke stated that 600 South is critical so everyone is not forced to go down to 1200 South. Manager Warnke tried to contact Mr. Capener before City Council to discuss this item but he was unavailable. The price needs to be worked through and Mr. Capener would be reimbursed through Impact Fees. Mr. Capener noted that the lots were planned to sell for \$50K and the \$10-15K development per lot could be adjusted.

Councilmember Vance asked if there is a fence or wall between the trail and the development. Manager Warnke stated that the cost for developing the fence has been split in the past. Mr. Capener noted he would prefer having the trail run along the canal since they are required to put up a fence there and they are not required to put up a fence along the railway. There is a maintenance road on the other side of the canal.

2. **CLOSED SESSION:**
 - 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*

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property under consideration or prevent the public body from completing the transaction on the best possible terms

This item was not discussed in the City Workshop because of time restraints.

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

CITY COUNCIL MEETING

Mayor Fridal called the February 16, 2016 City Council Meeting to order at 7:05 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, Rohde, and Vance, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Public Works Director Paul Fulgham, and Police Chief David Nance. Councilmembers Holmgren and Councilmember Reese were excused. Councilmember Reese will join via telephone later in the meeting.

1. Opening Ceremony:

Mayor Fridal informed the audience that Councilmember Rohde volunteered to lead the Pledge of Allegiance 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 Mayor Roger Fridal and the Pledge of Allegiance was led by Councilmember Rohde.

2. Introduction of guests:

Mayor Fridal welcomed Kevin Christensen from the Bear River Health Department and assorted citizens.

3. Approval of Agenda:

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

Motion by Councilmember Doutre to approve the agenda of February 16, 2016. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

4. Approval of minutes – February 2, 2016:

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

Motion by Councilmember Rohde to approve the minutes of February 2, 2016. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

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5. Public comments: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.

There were no public comments.

6. Public Hearing:

Mayor Fridal called a Public Hearing to order at 7:07 p.m. to consider the proposed annexation. There were nine (9) people in attendance.

- a. Concerning the proposed annexation of real property owned by Tremont Place, LLC, Joshua John Canfield, and Thomas Investments Limited Partnership (Tax ID Nos. 05-186-0001, 05-186-0009, and 05-186-0049) within the areas defined in the Master Policy Declaration for future expansion by Tremonton City

There were no public comments. Mayor Fridal closed the Public Hearing at 7:08 p.m.

7. Request(s) to be on the agenda

- a. 2015 Annual Report of the Bear River Health Department – Kevin Christensen

Kevin Christensen thanked the Council for allowing him to present the Bear River Health Department (BRHD) Annual Report for 2015. He expressed appreciation from Lloyd Berentzen, Director and Health Officer, to Tremonton City for allowing the BRHD to have a building here. The functionality of the building has been good. There has been a good partnership with those that share the building: The Community Health Center, and Bear River Mental Health. The ability to provide services to people has been enhanced because of that close working relationship.

Three of the Board Members are from Box Elder County including Jim Abel who is in attendance this evening. Mr. Christensen expressed appreciation to Mr. Abel, Dale Ward (Box Elder County Sheriff's Office), and Jeff Scott (Box Elder County Commissioner) for their leadership and organizational skills. The BRHD has been very active in vaccinating children and adults against a variety of different diseases. The number of vaccinated people goes up with the vaccination clinics going to the public. This increases the community immunity, so people that cannot get immunized for health reasons have immunity around them because of those that are vaccinated or immune.

Mayor Fridal said there are people that say no one should get vaccinated because it is a conspiracy. Mr. Christensen noted that some people have concerns about if vaccinations because of other concerns or think certain diseases are linked to vaccinations. It has been found that popular people, such as actors, have a lot of sway when they discuss their beliefs about vaccinations. Mr. Christensen is more inclined to look at the individuals' credentials and see if they belong to the medical profession. Right now the medical profession indicates that vaccinations

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are productive and positive. Vaccinations are not without issues. There is about a 30% failure rate with any vaccination.

There were 124 external immunization clinics last year where nurses went to different locations to administer vaccinations. The vaccination rate has increased by over 4,000 people in the health district because of the clinics. Director Berentzen told the Board of Health recently that the immunization clinics have the potential to help out more by being on the road more. The Bear River Valley Senior Center has done immunization clinics for the past several years.

The BRHD has long enjoyed a great relationship with community agencies and judicial systems and provided substance abuse counseling to the organizations. In 2015, the Cache County Jail asked BRHD to provide enhanced services to the inmates to help them make a transition away from drugs and alcohol. Box Elder County heard of the service provided and asked BRHD to provide the same service in Box Elder County.

The Northern Box Elder County Suicide Prevention Coalition was started three (3) years ago in Tremonton. It has expanded to have coalitions in Cache County and Brigham City. The BRHD has trained over 1,000 individuals in the QPR Certification Process. QPR stands for Question, Persuade, and Refer. The goal is to reduce the number of suicides in our communities. The number of suicides in the northern part of Box Elder County has always been high.

Mr. Christensen spoke about the Nurse Family Partnership (NFP) which has nurses that go to homes of women who are having their first baby, are not more than twenty-eight (28) weeks pregnant, and meet low income guidelines. The nurse will work with the mother for a two (2) year period. The main goals are: 1) Improve pregnancy outcomes; 2) Improve child health and development; and 3) Improve economic self-sufficiency. It has been found to have a: 1) 48% reduction in child abuse which is significant; 2) 56% reduction in emergency room visits for accidents and poisonings; 3) 67% reduction in behavioral and intellectual problems in children at age six; and 4) 72% fewer convictions of mothers when the children are age 15.

This NFP is a nationwide program started years ago. The success is impressive. Box Elder County has currently had fourteen (14) referrals since the program started less than a year ago. It is a free program. Currently, seven (7) clients are being served in Box Elder County area; twenty-five (25) district wide and hope to have the number up to one hundred (100) clients. Mr. Christensen asked anyone in the room to spread the word to those that may have need of these services and meet the criteria.

Mr. Christensen thanked the Council for allowing him to come to City Council. He is originally from Brigham City and has a special place in his heart for Box Elder County. There are great people in northern Box Elder County. Councilmember Doutré asked if the BRHD works with religious leaders. Mr. Christensen said the information is shared with religious leaders. The BRHD has success because of partnerships with individuals, businesses, religious

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communities, and organizations. Mayor Fridal asked if there is anything Tremonton can do to help the BRHD. Mr. Christensen does not know of anything that has come up in meetings and asked Mr. Abel if he could think of anything. Mr. Abel said the BRHD can always use more funds. If anything comes up, Mr. Christensen will bring those requests to the Council. Mayor Fridal thanked Mr. Christensen for his time.

8. New Council Business:

- a. Discussion and consideration of approving the FY 2014-2015 Thirteenth period Financial Statement

Manager Warnke explained that the thirteenth period is what is used to make final entries for transactions that occurred within the fiscal year but the paperwork was received after the official ending date. It is the final financial statement for the 2014-2015 fiscal year.

Motion by Councilmember Vance to approve FY 2014-2015 Thirteenth Financial Statement. Motion seconded simultaneously by Councilmembers Doutre and Rohde. Vote: Councilmember Doutre - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

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

Councilmember Vance asked about charges for furnaces at the Senior Center. Director Fulgham stated that two (2) furnaces were replaced. The internal units had cracked and were leaking carbon monoxide. Councilmember Rohde explained that the expense came in December, before Councilmember Vance was sworn in, and Manager Warnke called all the Councilmembers and discussed the need and got approval before proceeding. Director Fulgham stated that Senior Center Director Marion Layne put out the furnaces for bid and took the lowest bid to get the furnaces replaced.

Councilmember Vance asked if there are any other major repairs that need to be done at the Bear River Valley Senior Center. Councilmember Doutre explained that Director Layne would like to have the floor redone. Director Fulgham said there have been roof issues that were repaired but he does not know of any other repairs that have been identified. Councilmember Rohde asked if there is money put aside for these types of repairs. Director Fulgham spoke about depreciation in the utilities that is put aside for future expenses; however, the General Fund properties generally do not have money put aside as the funds come from tax dollars. The City tries to have funds in reserves and Capital Improvement Funds to help cover emergencies.

Motion by Councilmember Vance to approve the January Warrant Register. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

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- c. Discussion and consideration of approving the January Financial Statement

Motion by Councilmember Doutre to approve the Financial Statement. Motion seconded simultaneously by Councilmembers Rohde and Vance. Vote: Councilmember Doutre - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- d. Discussion and consideration of approving Resolution No. 16-08 repealing Resolution No. 15-41 rescinding a Federal Aid Agreement for local agency project for the acquisition of alternative fuel vehicles for Tremonton City

Manager Warnke recalled an agreement (approved when the City Council adopted Resolution No. 15-41) the City entered into with UDOT for vehicles. The funding from CMAQ (Congestion Mitigation and Air Quality) was for cleaner burning vehicles. UDOT processed the Buy America Waiver, which was required. Through the waiver process, it was brought to UDOT’s attention the CMAQ funds could only be used for incremental value between buying a traditional gas burning and a cleaner burning vehicle such as a Hybrid or natural gas. It was found to have very little incremental difference when Chief Nance researched bids for vehicles for the Senior Center primarily.

Motion by Councilmember Doutre to approve Resolution No. 16-08 to repeal Resolution No. 15-41. Motion seconded by Councilmember Vance. Roll Call Vote: Councilmember Rohde - aye, Councilmember Doutre - aye, and Councilmember Vance - aye. Motion approved.

- e. Discussion and consideration of adopting Resolution No. 16-09 adopting the Tremonton City Pandemic Emergency Plan

Emergency Management Coordinator Jim Hess noted that the Tremonton City Pandemic Emergency Plan was not included last month when the Council approved the Emergency Operations Plan. The Pandemic Emergency Plan is an appendix that needs to be approved by the Council. A Pandemic Emergency Plan is different from a regular Emergency Plan and is more of a stand back approach. The Pandemic Emergency Plan outlines what the City will do in the event of a disease outbreak.

There have been a few minor changes from the last time it was approved. Each department was liable for getting supplies and tracking expiration dates. Now departments will be responsible for getting supplies but Emergency Management Coordinator Hess will oversee and review yearly to check expiration dates. Section 4, Essential Preparatory Measures, has a change in wording from “Create plans for conducting Departmental operations with 40% to 60% reduced staff” to “Be prepared to conduct Departmental operations with 40% to 60% reduced staff. Some Departments only have one (1) person so they will not be required to have a written plan but still need to have something in mind for how they will do business during a pandemic.

The overall Pandemic Emergency Plan will be to reduce staff and try to stay away

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from people to keep them from exposure. Councilmember Rohde said it was a well written plan.

Motion by Councilmember Rohde to accept Resolution No. 16-09. Motion seconded by Councilmember Doutre. Roll Call Vote: Councilmember Rohde - aye, Councilmember Doutre - aye, and Councilmember Vance - aye. Motion approved.

- f. Discussion and consideration of adopting Resolution No. 16-10 approving a Pre-Annexation Agreement for parcel numbers 05-186-0001 owned by Joshua Canfield and 05-186-0009 owned by Tremont Place

Councilmember Vance declared a conflict of interest and reported that he cannot vote on item 8f.

Councilmember Reese joined City Council via telephone at 7:30 p.m.

Manager Warnke noted that Resolution No. 16-10 is a Pre-Annexation Agreement for a twenty-seven (27) acre parcel between 600 South and 1200 South. Tremonton City is creating a transportation or trail corridor with the primary objective to provide alternative forms of transportation. The City needs to gain a twenty (20) foot wide trail. The land owners would be reimbursed with the Parks and Trails Impact Fees as they are collected from the development. The template impact fee reimbursement agreement needs to be finalized. Manager Warnke noted that Mr. Capener told the Council in the Work Session that the twenty (20) foot trail would be equivalent to three (3) homes. The City would be responsible for the pre-development and pre-annexation price of the property. The agreement also clarifies that the Canal Company would continue to have maintenance access to the canal.

Manager Warnke commented there was also a discussion in the Work Session regarding accesses into the other adjoining subdivisions and City roads. Mr. Capener will be discussing that further with the Land Use Authority Board. There is one (1) Storm Drain Pond that will service all of the annexed property instead of smaller ponds. If the Council approves and allows City Staff to work on the final language as it relates to the accesses, the Annexation Agreement is in final form. Councilmember Rohde and Doutre would like to know the price that is agreed upon for the property. Manager Warnke explained there will be an Impact Fee Reimbursement Agreement that will come to the Council for approval that will list the amount.

Mayor Fridal asked Mr. Capener if he was okay with the Annexation Agreement. Mr. Capener said he has not spoken with Mr. Canfield yet and would like to address concerns regarding the Storm Drain Pond that would be accessible by the property Mr. Canfield owns. Manager Warnke stated that concern could be addressed in the Land Use Authority Board, but ultimately the Storm Drain Pond would need to be sized so it would accommodate all the property in the annexation and be accessible so Mr. Canfield's property could be added to it. Mr. Capener noted that the land slopes south and the Storm Drain Pond would need to

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be located on the south frontage.

Mr. Capener believes that generally the partners are supportive although he has not spoken with Mr. Canfield.

Motion by Councilmember Doutre to adopt Resolution No. 16-10 and approve a Pre-Annexation Agreement allowing the Land Use Authority Board and the Developer to come to an agreement on some of the final conditions within the stated agreement. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Rohde - aye, Councilmember Doutre - aye, and Councilmember Reese - aye. Councilmember Vance declared a conflict of interest and abstained from voting. Motion approved.

- g. Discussion and consideration of adopting Ordinance No. 16-06 annexing specific property to Tremonton, Utah

Manager Warnke commented that items 8g and 8h are part of the annexation process as required by State Law. The Ordinance must be recorded in the Box Elder County Recorder's Office and also distributed to the Lieutenant Governor's Office. Resolution No. 16-11 would amend the Articles of Incorporation and would go to the Lieutenant Governor's Office to fulfill the City's duty.

Motion by Councilmember Rohde to adopt Ordinance 16-06, annexing real property specific parcel numbers as listed in the Ordinance. Motion seconded by Councilmember Doutre. Roll Call Vote: Councilmember Rohde - aye, Councilmember Doutre - aye, and Councilmember Reese - aye. Councilmember Vance declared a conflict of interest and abstained from voting. Motion approved.

- h. Discussion and consideration of adopting Resolution No. 16-11 amending its Articles of Incorporation

This item was discussed above in item 8g.

Motion by Councilmember Doutre to adopt Resolution No. 16-11 and amend the Articles of Incorporation. Motion seconded by Councilmember Reese. Roll Call Vote: Councilmember Rohde - aye, Councilmember Doutre - aye, and Councilmember Reese - aye. Councilmember Vance declared a conflict of interest and abstained from voting. Motion approved.

- 9. Comments:

- a. Administration/City Manager Advise and Consent

Manager Warnke remarked that the Council will need a Closed Session after the Council Reports.

- b. City Department Head Reports

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Director Fulgham spoke about Senate passed Bill 28 – Water System Conservation Pricing. Director Fulgham is on the Board of Directors for the Rural Water Association and is on the Legislative Committee. The Committee opposed the Bill but it has passed the House and the Senate. By law, it requires every water company to have conservation rates or block pricing per thousand gallons. The more water you use, the more you pay. The Committee does not oppose conservation but does not want State Law telling water systems how to run their business.

Director Fulgham prepared a conservation rate for Mayor Fridal to present to the Council in the past. The conservation rate will be coming to the Council again, but it will be mandated by State Law. Mayor Fridal spoke with Terry Smith from the Rural Water Association. Mr. Smith goes to districts and communities and helps them develop a conservation rate. Director Fulgham went over the conservation rate that was presented to the Council with Mr. Smith and Mr. Smith was in total agreement with the rate. Director Fulgham explained that a conservation rate is to incentivize people to use less water. The requirement will come around the first of May or the first of June. The Council will have to adopt a conservation rate by resolution. The requirement says the City must have incremental block rates.

Councilmember Vance asked how difficult it would be to charge users on usage. Director Fulgham noted there are fixed costs. If a user does not use any water during the month, there are still costs for the City to do business. The City has set a base rate for zero gallons with incremental charges added on for usage. Most cities have a base rate for zero gallons. Director Fulgham noted the City has a base rate of \$13.70 for 12,800 gallons. Once usage goes over the 12,800 gallons per month, there is a charge of \$1.13 per 1,000 gallon units over the 12,800 gallons. Director Fulgham uses about 5,000 gallons per winter month. There are some users that only use 1-2,000 gallons per month which means they are helping supplement other peoples use. The City used to have a base rate based on 15,000 gallons and the Council worked with City Staff to lower it to 12,800. The Council wanted it lowered to 10,000 gallons for a base but City Staff thought that amount would be usage for a medium sized household without any outdoor watering. Director Fulgham will put together different rates for the Council to consider, including a base rate for zero gallons where everyone would pay for actual water usage.

Councilmember Vance noted that commercial and rental properties subsidize some of the residential that decreased the value of the real estate. The expenses go against the value when doing an appraisal and lower the value. Mayor Fridal is on the State Drinking Water Board. The Board deals with communities, districts, or towns that are dealing with water rates and would like a loan. The lowest water rate Mayor Fridal recalls is \$38 per month up to \$60-80 just for basic water service. Director Fulgham explained that bigger cities will have lower rates while rural cities generally have higher rates. The town of Clinton, MI has been in the news lately. Their water rate is \$140 per month just for water. Even though Utah is dessert, it has some of the lowest rates in the nation. Mayor Fridal noted that Tremonton has some of the lower rates he has seen.

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c. Council Reports

Councilmember Vance is excited to note the Senior Center has new furnaces.

Motion by Councilmember Rohde to move into Closed Session. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre – aye, Councilmember Rohde – aye, and Councilmember Vance – aye. Motion approved.

The Council moved into closed session at 7:56 p.m.

CLOSED SESSION:

- 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*

Motion by Councilmember Rohde to return to Open Session. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre – aye, Councilmember Rohde – aye, and Councilmember Vance – aye. Motion approved.

The Council returned to open session at 8:27 p.m.

13. Adjournment.

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

The meeting adjourned at 8:18 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 _____, 2016.

Darlene S. Hess, Recorder

TREMONTON CITY
CITY COUNCIL MEETING
MARCH 15, 2016

| | |
|-----------------------|---|
| TITLE: | Discussion and consideration for the adoption of the 2015 Annual Tremonton City Municipal Wastewater Planning Program Self-Assessment Report. |
| FISCAL IMPACT: | None |
| PRESENTER: | Paul Fulgham, Tremonton City Public Works Director |

Prepared By:

Paul Fulgham
Public Works Director

RECOMMENDATION:

I move that the City Council adopt the said resolution regarding the 2015 Annual Tremonton City Municipal Wastewater Planning Program Self-Assessment Report. *No. 16-14*

BACKGROUND:

This is an annual event.

The State of Utah Municipal Wastewater Planning Program Self-Assessment Report is a strictly volunteer program, if you are applying for State or Federal Wastewater Loan Funds it is required prior to receiving said funds. Tremonton City participates in the program, even though we are not seeking funding. The Program focus on three areas:

- Over all Management & Financial Condition of both Treatment Facility & Collection System
- Wastewater Collection System Condition & Operation
- Wastewater Treatment Facility Process & Operation

Deficiencies

Collection System

- 4 plugged sewer mains in our system in 2015

Treatment Facility

- Points assessed for Influent Flows and Loading
- Points assessed for Effluent Ammonia Limit
- Points assessed against different treatment components for each year of their age
- Points assessed for handling of Biosolids (composting)

This is the only Public Works Annual Report that has to be adopted by resolution; this is to ensure that if there are deficiencies within the systems, it makes it the responsibility of the City Council to correct them.

Attachments:

1. 2015 MWPP Report

State of Utah



Municipal Wastewater Planning Program

2015
Self-Assessment Report
for
Tremonton City



RESOLUTION NO. 16-14

**A RESOLUTION BY THE TREMONTON CITY COUNCIL HEREBY APPROVING
THE WASTEWATER PLANNING
PROGRAM REPORT FOR 2015**

RESOLVED that **TREMONTON CITY** informs the Water Quality Board the following actions were taken by the **CITY COUNCIL**

1. Reviewed the attached Municipal Wastewater Planning Report for 2015.
2. Have taken all appropriate actions necessary to maintain effluent requirements contained in the UPDES Permit (If Applicable).

Passed by a (majority) (unanimous) vote on _____
(date)

Mayor

Attest: Recorder

Municipal Wastewater Planning Program (MWPP)

Financial Evaluation Section

Owner Name: **TREMONTON CITY**

Name and Title of Contact Person:

Paul Fulgham

Public Works Director

Phone: **435-257-9471**

E-mail: pfulgham@tremontoncity.com

PLEASE SUBMIT TO STATE BY: March 1, 2016

Mail to: MWPP - Department of Environmental Quality
Division of Water Quality
195 North 1950 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870
Phone: (801) 536-4300

Form completed by:
Paul Fulgham

NOTE: This questionnaire has been compiled for your benefit by a state sponsored task force comprised of representatives of local government and service districts. It is designed to assist you in making an evaluation of your wastewater system and financial planning. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please call Sid Curnow, Utah Division of Water Quality: (801) 536-4342

I. Definitions: the following terms and definitions may help you complete the worksheets and questionnaire.

User Charge (UC) – A fee established for one or more class(es) of users of the wastewater treatment facilities that generate revenues to pay for cost of the system.

Operation and Maintenance Expense – Expenditures incurred for materials, labor, utilities, and other items necessary for managing and maintaining the facility to achieve or maintain the capacity and performance for which it was designed and constructed.

Repair and Replacement Cost – Expenditures incurred during the useful life of the treatment works for obtaining and installing equipment, accessories, and/or appurtenances necessary to maintain the existing capacity and the performance for which the facility was designed and constructed.

Capital Needs – Cost to construct, upgrade or improve the facility.

Capital Improvement Reserve Account – A reserve established to accumulate funds for construction and/or replacement of treatment facilities, collection lines or other capital improvement needs.

Reserve for Debt Service – A reserve for bond repayment as may be defined in accordance with terms of a bond indenture.

Current Debt Service – Interest and principal costs for debt payable this year.

Repair and Replacement Sinking Fund – A fund to accumulate funds for repairs and maintenance to fixed assets not normally included in operation expenses and for replacement costs (defined above).

Part I: OPERATION AND MAINTENANCE

Complete the following table:

| Question | Points Earned | Total Points |
|---|----------------------------------|--------------|
| Are revenues sufficient to cover operation, maintenance, and repair & replacements (OM&R) cost at this time ? | Yes = 0 points No = 25 points | 0 |
| Are the projected revenues sufficient to cover operation, maintenance, and repair & replacement (OM&R) costs for the next five years ? | Yes = 0 points No = 25 points | 0 |
| Does the facility have sufficient staff to ensure proper O&M? | Yes = 0 points No = 25 points | 0 |
| Has a dedicated sinking fund been established to provide for repairs & replacement costs? | Yes = 0 points No = 25 points | 0 |
| Is the repair & replacement sinking fund adequate to meet anticipated needs? | Yes = 0 points No = 25 points | 0 |
| TOTAL PART I = | | 0 |

Part II: CAPITAL IMPROVEMENTS

Complete the following table:

| Question | Points Earned | Total Points |
|---|----------------------------------|--------------|
| Are present revenues collected sufficient to cover all costs and provide funding for capital improvements? | Yes = 0 points No = 25 points | 0 |
| Are projected funding sources sufficient to cover all projected capital improvement cost for the next five years ? | Yes = 0 points No = 25 points | 0 |
| Are projected funding sources sufficient to cover all projected capital improvement cost for the next ten years ? | Yes = 0 points No = 25 points | 0 |
| Are projected funding sources sufficient to cover all projected capital improvement cost for the next twenty years ? | Yes = 0 points No = 25 points | 0 |
| Has a dedicated sinking fund been established to provide for future capital improvements? | Yes = 0 points No = 25 points | 0 |

TOTAL PART II = 0

Part III: GENERAL QUESTIONS

Complete the following table:

| Question | Points Earned | Total Points |
|--|----------------------------------|--------------|
| Is the wastewater treatment fund a separate enterprise fund/account or district? | Yes = 0 points No = 25 points | 0 |
| Are you collecting 95% or more of your sewer billings? | Yes = 0 points No = 25 points | 0 |
| Is there a review, at least annually, of user fees? | Yes = 0 points No = 25 points | 0 |
| Are bond reserve requirements being met if applicable? | Yes = 0 points No = 25 points | 0 |
| TOTAL PART III = | | 0 |

Part IV: PROJECTED NEEDS

Estimates as best you can the following:

| Cost of projected capital improvements (in thousands) | 2016 | 2017 | 2018 | 2019 | 2020 |
|---|------------------|-----------------|--------------------|--------------------|-----------------|
| | \$804,000 | \$20,000 | \$5,000,000 | \$5,000,000 | \$20,000 |

Point Summation

Fill in the values from Parts I through III in the blanks provided in column 1. Add the numbers to determine the MWPP point total that reflects your present financial position for meeting your wastewater needs.

| Part | Points |
|-------|----------|
| I | 0 |
| II | 0 |
| III | 0 |
| Total | 0 |

**Municipal Wastewater Planning Program (MWPP)
Collection System Section**

Owner Name: **TREMONTON CITY**

Name and Title of Contact Person:

Paul Fulgham

Public Works Director

Phone: **435-257-9471**

E-mail: pfulgham@tremontoncity.com

PLEASE SUBMIT TO STATE BY: March 1, 2016

Mail to: MWPP - Department of Environmental Quality
Division of Water Quality
195 North 1950 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870
Phone: (801) 536-4300

Part I: SYSTEM AGE

- A. What year was your collection system first constructed (approximately)?
 Year 1950
- B. What is the oldest part of your present system?
 Oldest part 66 years

Part II: BYPASS

- A. Please complete the following table:

| Questions | Number | Points Earned | Total Points |
|--|--------|--|--------------|
| How many days in the past year was there a bypass, overflow or basement flooding by untreated wastewater in the system due to rain or snowmelt? | | 0 times = 0 points 1 times = 5 points 2 times = 10 points 3 times = 15 points 4 times = 20 points 5 or more = 25 points | 0 |
| How many days in the last year was there a bypass, overflow or basement flooding by untreated wastewater due to equipment failure? (except plugged laterals) | | 0 times = 0 points 1 times = 5 points 2 times = 10 points 3 times = 15 points 4 times = 20 points 5 or more = 25 points | 0 |
| TOTAL PART II = | | | 0 |

- B. The Utah Sewer Management Program defines sanitary sewer overflows into two classes:

Number of Class 1 SSOs in Calendar year 2015 - 0

Number of Class 2 SSOs in Calendar year 2015 - 4

Class 1 - a Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that:

- a. affects more than five private structures;
- b. affects one or more public, commercial or industrial structure(s);
- c. may result in a public health risk to the general public;
- d. has spilled volume that exceeds 5,000 gallons, excluding those in single private structures; or
- e. discharges to the Waters of the State.

Class 2 – a Non-Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria.

C. Please specify whether the bypass(es) was caused a contract or tributary communities, etc.

Bypass was not caused by a contracted of tributary community.

Part III: NEW DEVELOPMENT

A. Please complete the following table:

| Question | Points Earned | Total Points |
|--|----------------------------------|--------------|
| Has an industry (or other development) moved into the community or expanded production in the past two years, such that either flow or wastewater loadings to the sewerage system were significantly increased (10 – 20%)? | No = 0 points Yes = 10 points | 0 |
| Are there any major new developments (industrial, commercial, or residential) anticipated in the next 2 – | No = 0 points Yes = 10 points | 0 |

| | | |
|--|--|----------|
| 3 years, such that either flow or BOD ₅ loadings to the sewerage system could significantly increase (25%)? | | |
| TOTAL PART III = | | 0 |

- B. Approximate number of new residential sewer connections in the last year 27 new single-family residential connections and 5 new multi-family residential connections.
- C. Approximate number of new commercial/industrial sewer connections in the last year 3 new commercial/industrial connections.
- D. Approximate number of new population serviced in the last year 125 new people served.

Part IV: OPERATOR CERTIFICATION

- A. How many collection system operators are currently employed by your facility?
7 collection system operators employed
- B. What is/are the name(s) of your DRC operator(s)?
Paul Fulgham
Ed Quinn
- C. You are required to have the DRC operator(s) certified at GRADE II.
What is the current grade of the DRC operator(s)? IV
- D. State of Utah Administrative Rules require all operators considered to be in DRC to be appropriately certified. List all the operators in your system by their certification class.

 - Small Lagoons: 0
 - Collection I: 0
 - Collection II: Jason Thompson
 - Collection II: Jeff Wickstrom
 - Collection II: Roger Burnhope

Collection III: **Rusty Scoffield**

Collection III: **Tom Anderson**

Collection IV: **Paul Fulgham**

Collection IV: **Ed Quinn**

E. Please complete the following table:

| Question | Points Earned | Total Points |
|--|-----------------------------------|--------------|
| Is/are your DRC operator(s) currently certified at the appropriate grade for this facility? (see C) | Yes = 0 points No = 50 points | 0 |
| How many continuing education units has each of the DRC operator(s) completed over the last 3 years? | 3 or more = 0 less than 3 = 10 | 0 |
| TOTAL PART IV = | | 0 |

Part V: FACILITY MAINTENANCE

A. Please complete the following table:

| Question | Points Earned | Total Points |
|---|----------------------------------|--------------|
| Do you follow an annual preventative maintenance program? | Yes = 0 points No = 30 points | 0 |
| Is it written? | Yes = 0 points No = 20 points | 0 |
| Do you have a written emergency response plan? | Yes = 0 points No = 20 points | 0 |
| Do you have an updated operations and maintenance manual? | Yes = 0 points No = 20 points | 0 |
| Do you have a written safety plan? | Yes = 0 points No = 20 points | 0 |
| TOTAL PART V = | | 0 |

Part VI: SSMP EVALUATION

A. Has your system completed it's Sewer System Management Plan (SSMP)?

Yes **X** No _____

B. If the SSMP has been completed then has the SSMP been public noticed?

No _____ Yes **X**, include the date of notice **March 17, 2015**.

C. Has the SSMP been approved by the permittee's governing body at a public meeting?

Yes **X** No _____

D. During the annual assessment of the operation and maintenance plan were any adjustments needed based on the performance of the plan?

No **X** If yes, what components of the plan were changed (i.e. line cleaning, CCTV inspections and manhole inspections and/or SSO events).

E. During 2015 was any part of the SSMP audited as part of the five year audit?

No **X** If yes, what part of the SSMP was audited and were changed made to the SSMP as a result of the audit?

F. Has your system completed it's System Evaluation and Capacity Assurance Plan (SECAP) as defined by the Utah Sewer Management Program?

Yes _____ No **X**

The following are the required completion dates that the SSMP and SECAP based on population. The SSMP and SECAP must be public noticed and approved by the permittee's governing body in order to be considered complete.

| Program | Population | | | | |
|---------|------------|---------------|----------------|-----------------|-----------|
| | < 2,000 | 2,000 – 3,500 | 3,501 – 15,000 | 15,001 – 50,000 | > 50,000 |
| SSMP | 3-31-2016 | 3-31-2016 | 9-30-2015 | 3-31-2015 | 9-30-2014 |
| SECAP | Optional | 9-30-2017 | 9-30-2016 | 3-31-2016 | 9-30-2015 |

SSMP Signatory Requirement

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.



February 18, 2016

Signature of Signatory Official

Date

Paul Fulgham

Public Work Director

Name of Signatory Official

Title

The signatory official is the person authorized to sign permit documents, per R317-8-3.4.

Part VII: SUBJECTIVE EVALUATION

This section should be completed with the system operators.

- A. Describe the physical condition of the sewer collection system: (lift stations, etc. included)

The older part of the city sewer system is in good shape, though some areas have mains with protruding taps, so video inspection is hard to accomplish.

The new parts of the city sewer system is in excellent shape.

- B. What sewerage system improvements does the community have under consideration for the next 10 years?

Replacement of some mains and video inspection of the entire city sewer system, with the removal of protruding taps. The replacement of the city sewer system maintenance equipment as needed.

C. Explain what problems, other than plugging have you experienced over the last year.

None

D. Is your community presently involved in formal planning for system expansion/upgrade? If so explain.

Yes, Planning for new subdivisions and commercial and industrial growth.

E. Does the municipality/district pay for the continuing education expense of operators?

ALWAYS √ SOMETIMES _____ NO _____

If so, what percentage do they pay?

approximately **100%**

F. Is there a written policy regarding continuing education and training for wastewater operators?

YES √ NO _____

Part VII: SUBJECTIVE EVALUATION (cont.)

G. Any additional comments? (Attach additional sheets if necessary)

POINT SUMMATION

Fill in the values from Parts II through V in the blanks provided in column 1. Add the numbers to determine the MWPP point total that your wastewater facility has generated for the past twelve months.

| Part | Points |
|-------|--------|
| II | 0 |
| III | 0 |
| IV | 0 |
| V | 0 |
| Total | 0 |

**Municipal Wastewater Planning Program (MWPP)
Mechanical Plant Section**

Owner Name: **TREMONTON CITY**

Name and Title of Contact Person:

Paul Fulgham

Public Works Director

Phone: **435-257-9471**

E-mail: pfulgham@tremontoncity.com

PLEASE SUBMIT TO STATE BY: March 1, 2016

Mail to: MWPP - Department of Environmental Quality
 Division of Water Quality
 195 North 1950 West
 P.O. Box 144870
 Salt Lake City, Utah 84114-4870
 Phone: (801) 536-4300

Form completed by:
Paul Fulgham

Part I: INFLUENT INFORMATION

A. Please list the average design flow and the average design BOD₅ and TSS loading for your facility.

| | Average Design Flow (MGD) | Average Design BOD ₅ Loading (lbs/day) | Average Design TSS Loading (lbs/day) |
|----------------------------|---------------------------|---|--------------------------------------|
| Design Criteria | 1.90 | 5773 | 3177 |
| 90% of the Design Criteria | 1.71 | 5196 | 2859 |

B. Please list the average monthly flows in millions of gallons per day (MGD) and BOD₅ and TSS loadings in milligrams per liter (mg/L) *received* at your facility during 2015. (Calculate the BOD₅ and TSS loadings in pounds per day (lbs/day)).

| <i>Month</i> | (1) Average Monthly Flow (MGD) | (2) Average Monthly BOD ₅ Concentration (mg/L) | (3) Average BOD ₅ Loading (lbs/day) ₁ | (4) Average Monthly TSS Concentration (mg/L) | (5) Average TSS Loading (lbs/day) ₂ |
|--------------|-----------------------------------|--|--|---|---|
| January | 1.11 | 303 | 2802 | 237 | 2197 |
| February | 1.08 | 379 | 3412 | 395 | 3556 |
| March | 1.03 | 329 | 2827 | 336 | 2882 |
| April | 1.06 | 312 | 2755 | 378 | 3344 |
| May | 2.20 | 208 | 3822 | 255 | 4671 |
| June | 1.94 | 232 | 3752 | 272 | 4401 |

| | | | | | |
|----------------|-------------|------------|-------------|------------|-------------|
| July | 2.00 | 206 | 3431 | 297 | 4957 |
| August | 1.90 | 138 | 2190 | 193 | 3058 |
| September | 1.82 | 199 | 2920 | 243 | 3573 |
| October | 1.40 | 232 | 2709 | 222 | 2592 |
| November | 1.10 | 459 | 4211 | 425 | 3899 |
| December | 1.20 | 329 | 3293 | 391 | 3913 |
| Average | 1.49 | 277 | 3177 | 304 | 3587 |

1 BOD₅ Loading (3) = Average Monthly Flow (1) x Average Monthly BOD₅ Concentration (2) x 8.34

2 TSS Loading (5) = Average Monthly Flow (1) x Average Monthly TSS Concentration (4) x 8.43

Part I: INFLUENT INFORMATION (cont.)

C. Refer to the information in A & B to determine a point value for your facility. Please enter the points for each question in the blank provided.

| Questions | Number | Points Earned | Total Points |
|--|--------|---|--------------|
| How many times did the average monthly flow (part B., Column 1) to the wastewater facility exceed 90% of design flow? | 5 | 0 = 0 points 1 – 2 = 10 points 3 – 4 = 20 points 5 or more = 30 points | 30 |
| How many times did the average monthly flow (part B., Column 1) to the wastewater facility exceed the design flow? | 3 | 0 = 0 points 1 – 2 = 20 points 3 – 4 = 40 points 5 or more = 60 points | 40 |
| How many times did the average monthly BOD ₅ (part B., Column 3) to the wastewater facility exceed 90% of the design loading? | 0 | 0 = 0 points 1 – 2 = 10 points 3 – 4 = 20 points 5 or more = 30 points | 0 |
| How many times did the average monthly BOD ₅ (part B., Column 3) to the wastewater facility exceed the design loading? | 0 | 0 = 0 points 1 – 2 = 20 points 3 – 4 = 40 points 5 or more = 60 points | 0 |
| TOTAL PART I = | | | 70 |

Part II: EFFLUENT INFORMATION

A. Please list the average monthly BOD₅, TSS, Ammonia (NH₃), monthly maximum Cl₂, minimum monthly DO, and 30-day geometric averages for Fecal and Total Coliform, produced by your facility during 2015.

| Month | (1) BOD ₅ (mg/L) | (2) TSS (mg/L) | (3 & 4) Fecal & Total Coliform (#/100 mL) | (5) E-Coli | (6) Cl ₂ (mg/L) | (7) DO (mg/L) | (8) NH ₃ (mg/L) |
|-----------|-----------------------------------|----------------------|---|---------------|----------------------------------|---------------------|----------------------------------|
| | Whole Numbers Only | | | | One Decimal Place Only | | |
| January | 7 | 6 | N/A | 15 | 0.0 | 6.4 | 1.8 |
| February | 10 | 8 | N/A | 3 | 0.0 | 7.3 | 4.9 |
| March | 8 | 6 | N/A | 2 | 0.0 | 6.9 | 1.2 |
| April | 7 | 6 | N/A | 2 | 0.0 | 7.0 | 0.8 |
| May | 11 | 11 | N/A | 38 | 0.0 | 5.7 | 4.7 |
| June | 11 | 8 | N/A | 23 | 0.0 | 5.8 | 6.7 |
| July | 14 | 9 | N/A | 16 | 0.0 | 6.0 | 4.1 |
| August | 10 | 7 | N/A | 15 | 0.0 | 5.5 | 1.1 |
| September | 13 | 13 | N/A | 1 | 0.0 | 6.2 | 1.0 |

| | | | | | | | |
|----------------|-----------|----------|------------|-----------|------------|------------|------------|
| October | 18 | 5 | N/A | 0 | 0.0 | 6.5 | 0.1 |
| November | 12 | 4 | N/A | 1 | 0.0 | 6.7 | 2.6 |
| December | 20 | 9 | N/A | 1 | 0.0 | 6.4 | 17.8 |
| Average | 12 | 8 | N/A | 12 | 0.0 | 6.4 | 3.9 |

B. Please list the monthly average permit limits for the facility in the blanks below.

| | BOD ₅ (CBOD ₅) (mg/L) | maximum Cl ₂ (mg/L) | NH ₃ (mg/L) | minimum DO (mg/L) |
|-------------------------|---|--------------------------------------|---------------------------|-------------------------|
| Monthly Permit Limit | 25 | 0.08 | 15 | 5.5 |
| 80% of the Permit Limit | 20 | 0.064 | 12 | 6.6 |

C. Refer to the information in A & B and your operating reports to determine a point values for your facility.

| Questions | Number | Points Earned | Total Points |
|--|--------|---|--------------|
| How many months did the effluent BOD ₅ (CBOD ₅) exceed 80% of monthly permit limit? | 0 | 0 – 1 = 0 points 2 = 5 points 3 = 10 points 4 = 15 points 5 or more = 20 points | 0 |
| How many months did the effluent BOD ₅ (CBOD ₅) exceed the monthly permit limits? | 0 | 0 = 0 points 1 – 2 = 10 points 3 or more = 20 points | 0 |
| How many months did the effluent TSS exceed 20 mg/L? | 0 | 0 – 1 = 0 points 2 = 5 points 3 = 10 points 4 = 15 points 5 or more = 20 points | 0 |
| How many months did the effluent TSS exceed 25 mg/L? | 0 | 0 = 0 points 1 – 2 = 10 points 3 or more = 20 points | 0 |
| How many times did the Cl ₂ exceed permit limit? | 0 | 0 = 0 points 1 – 2 = 15 points 3 or more = 30 points | 0 |

| | | | |
|--|---|--|-----------|
| How many times did the NH ₃ exceed permit limit? | 1 | 0 = 0 points 1 – 2 = 15 points 3 or more = 30 points | 15 |
| How many times did the DO not meet permit limit? | 0 | 0 = 0 points 1 – 2 = 15 points 3 or more = 30 points | 0 |
| How many months did the 30-day fecal coliform exceed 200 #/100 mL? | 0 | 0 = 0 points 1 – 2 = 10 points 3 or more = 20 points | 0 |
| How many months did the 30-day total coliform exceed 2,000 #/100 mL? | 0 | 0 = 0 points 1 – 2 = 10 points 3 or more = 20 points | 0 |
| How many months did the 30-day E coli exceed 126 #/100 mL? | 0 | 0 = 0 points 1 – 2 = 10 points 3 or more = 20 points | 0 |
| TOTAL PART II = | | | 15 |

Part III: FACILITY AGE

In what year were the following process units constructed or underwent a major upgrade?
To determine a point score subtract the construction or upgrade year from 2015.

$$\text{Points} = \text{Age} = \text{Present Year} - \text{Construction or upgrade Year.}$$

Enter the calculated age below.

If the point total exceeds 20 points, enter only 20 points.

| Unit Process | Current Year | Construction or Last Upgrade Year | Age = Points |
|---|--------------|-----------------------------------|--------------|
| Headworks | 2015 | 2003 | 112 |
| Primary Treatment | 2015 | 2011 | 4 |
| Secondary Treatment | 2015 | 2003 | 12 |
| Solids Handling | 2015 | 2003 | 12 |
| Disinfection | 2015 | 2004 | 12 |
| TOTAL PART III (not greater than 20) | | | 20 |

Part IV: BY PASSES

Please complete the following table:

| Questions | Number | Points Earned | Total Points |
|---|--------|--|--------------|
| How many days in the past year was there a bypass or overflow of untreated wastewater due to high flows? | 0 | 0 = 0 points 1 = 5 points 2 = 10 points 3 = 15 points 4 = 20 points 5 or more = 25 points | 0 |
| How many days in the past year was there a bypass or overflow of untreated wastewater due to equipment failure? | 0 | 0 = 0 points 1 = 5 points 2 = 10 points 3 = 15 points 4 = 20 points 5 or more = 25 points | 0 |
| TOTAL PART IV = | | | 0 |

Part V: SOLIDS HANDLING

A. Please complete the following table:

| Current Disposal Method (check all that apply) | Points Earned | Total Points |
|---|--|--------------|
| Landfill | Class B = 0 points <Class B = 50 points | 0 |
| Land Application | Site Life 0 – 5 years = 20 points 5 – 10 years = 10 points 10 – 20 years = 0 points | 0 |
| Give Away/Distribution and Marketing | Class A = 10 points Class B = 20 points | 10 |
| TOTAL PART V = | | 10 |

Part VI: NEW DEVELOPMENT

A. Please complete the following table:

| Question | Points Earned | Total Points |
|--|----------------------------------|--------------|
| Has an industry (or other development) moved into the community or expanded production in the past two years, such that either flow or wastewater loadings to the sewerage system were significantly increased (10 – 20%)? | No = 0 points Yes = 10 points | 0 |
| Are there any major new developments (industrial, commercial, or residential) anticipated in the next 2 – 3 years, such that either flow or BOD ₅ loadings to the sewerage system could significantly increase (25%)? | No = 0 points Yes = 10 points | 0 |
| Have you experienced any upset due to septic haulers? | No = 0 points Yes = 10 points | 0 |
| TOTAL PART VI = | | 0 |

Part VI: NEW DEVELOPMENT (cont.)

- B. Approximate number of new residential sewer connections in the last year new 27 single-family residential connections and 5 new multi-family residential connections.
- C. Approximate number of new commercial/industrial sewer connections in the last year 3 new commercial/industrial connections.
- D. Approximate number of new population serviced in the last year 125 new people served.

Part VII: OPERATOR CERTIFICATION

- A. How many operators are currently employed by your facility? 5 operators employed?
- B. What is/are the name(s) of your DRC operator(s)?

Paul Fulgham

Sid Miller

- C. You are required to have the DRC operator(s) certified at GRADE III.
What is the current grade of the DRC operator(s)? **IV**
- D. State of Utah Administrative Rules require all operators considered to be in DRC to be appropriately certified. List all the operators in your system by their certification class.

Not Certified: **Mitch Nielson**

Not Certified: **Lloyd Hiese**

Treatment I: **0**

Treatment II: **Ed Quinn**

Treatment II: **Allen Corbett**

Treatment III: **0**

Treatment IV: **Sid Miller**

Treatment IV: **Paul Fulgham**

Part VII: OPERATOR CERTIFICATION (cont.)

- E. Please complete the following table:

| Question | Points Earned | Total Points |
|--|-----------------------------------|--------------|
| Is/are your DRC operator(s) currently certified at the appropriate grade for this facility? (see C) | Yes = 0 points No = 50 points | 0 |
| How many continuing education units has each of the DRC operator(s) completed over the last 3 years? | 3 or more = 0 less than 3 = 10 | 0 |
| TOTAL PART VII = | | 0 |

Part VIII: FACILITY MAINTENANCE

- A. Please complete the following table:

| Question | Points Earned | Total Points |
|----------|---------------|--------------|
|----------|---------------|--------------|

| | | |
|---|----------------------------------|----------|
| Do you follow an annual preventative maintenance program? | Yes = 0 points No = 30 points | 0 |
| Is it written? | Yes = 0 points No = 20 points | 0 |
| Do you have a written emergency response plan? | Yes = 0 points No = 20 points | 0 |
| Do you have an updated operations and maintenance manual? | Yes = 0 points No = 20 points | 0 |
| Do you have a written safety plan? | Yes = 0 points No = 20 points | 0 |
| TOTAL PART VIII = | | 0 |

Part IX: SUBJECTIVE EVALUATION

This section should be completed with the facility operators.

- A. Do you consider your wastewater facility to be in good physical and structural condition?

YES √ NO

If NOT, why?

- B. What improvements do you think the plant will need in the next 5 years?

New Grit Removal System

Additional Bio-Solids dewatering Screw

Additional Oxidation Basin for nitrification & de-nitrification for nutrient reduction

C. Were there any backups into basements at any point in the collection system in 2015?

YES √ NO

Why? (do not include backups due to clogged laterals)

The few blockages are due to normal sewer system operation, caused from unknown substances.

D. Does the municipality/district pay for the continuing education expense of operators?

ALWAYS √ SOMETIMES NO

If so, what percentage do they pay?

approximately 100%

Part IX: SUBJECTIVE EVALUATION (cont.)

E. Is there a written policy regarding continuing education and training for wastewater operators?

YES √ NO

F. Have you done any major repairs or mechanical equipment replacement in 2013?

YES NO √

G. What was the approximate cost for those repairs or replacements?

\$0.00

H. Any additional comments? (Attach additional sheets if necessary.)

| | |
|-------|------------|
| VI | 0 |
| VII | 0 |
| VIII | 0 |
| Total | 115 |

**TREMONTON CITY
CITY COUNCIL MEETING
MARCH 15, 2016**

| | |
|-----------------------|--|
| TITLE: | Discussion and consideration for the renewal of the West Liberty Foods Wastewater Pretreatment Agreement |
| FISCAL IMPACT: | None |
| PRESENTER: | Paul Fulgham, Tremonton City Public Works Director |

Prepared By:

Paul Fulgham
Public Works Director

RECOMMENDATION:

I move that the City Council adopt the said resolution regarding the West Liberty Foods Wastewater Pretreatment Agreement, for a period of 3-years as of July 1st, 2016 thru June 30th, 2019.

BACKGROUND:

Since July 23, 2007 Tremonton City has had a Wastewater Pretreatment Agreement in place between West Liberty Foods and Tremonton City. The agreement sets forth the wastewater quality limits required of West Liberty Foods before Tremonton City will receive their Plant Sewer Effluent, if the limits are not met they will receive penalties in the form of additional treatment fees. These agreements has to be renewed every 3-years or as processes in the West Liberty Foods Plant changes. The previous pretreatment agreement period was from July 23, 2010 to July 22, 2013. On January 27, 2016, West Liberty Foods contacted the Tremonton Public Works Director with a written request for the renewal of the pretreatment agreement. The permit will be renewed with the same Limits set forth in the 2013 Pretreatment Agreement.

| | 2007 & 2010 Limits | 2013 & 2016 Limits |
|-------------------|-------------------------------|-------------------------------|
| Daily/Monthly BOD | 1697 lbs/day | 1757 lbs/day |
| Daily/Monthly TSS | 926 lbs/day | 986 lbs/day |
| Daily/Monthly FOG | 309 lbs/day | 329 lbs/day |

Attachments:

1. West Liberty Foods Wastewater Pretreatment Agreement
2. West Liberty Foods Wastewater Pretreatment Agreement renewal request letter.

RESOLUTION NO. 16-15

**A RESOLUTION OF TREMONTON CITY CORPORATION
AUTHORIZING WEST LIBERTY FOODS, L.L.C. TO DISCHARGE TO THE
TREMONTON CITY PUBLICALLY OWNED TREATMENT WORKS (POTW)**

WHEREAS, in 2004 Tremonton City Corporation was advised by State Officials that there was a need to amend the City Code to include more stringent regulations, specifically relating to pretreatment of wastewater collected from primarily significant industrial sewer users; and

WHEREAS, at that time the Wastewater Discharge Permit application was implemented for use when requested by the Public Works Director requiring all industrial users to submit information on the nature and characteristics of their wastewater by completing a questionnaire and a baseline monitoring report prior to commencing discharge; and

WHEREAS, industrial users are required to renew Significant Industrial User Requirements and Regulations as shown in EXHIBIT "1" and the General Permit Conditions as shown in EXHIBIT "2"; and

WHEREAS, the effective date of the West Liberty Foods L.L.C. Wastewater Pretreatment Agreement will be the 1st day of July 2016; and

WHEREAS, the agreement expires on the 30th day of June, 2019, three (3) years later, unless terminated earlier as allowed by law with the deadline to apply for reissuance the 1st day of January, 2019 (6 months prior to expiration).

NOW THEREFORE BE IT RESOLVED, that the Tremonton City Council hereby approves Resolution No. 16-15 authorizing West Liberty Foods, L.L.C. to discharge to the Tremonton City Publically Owned Treatment Works (POTW).

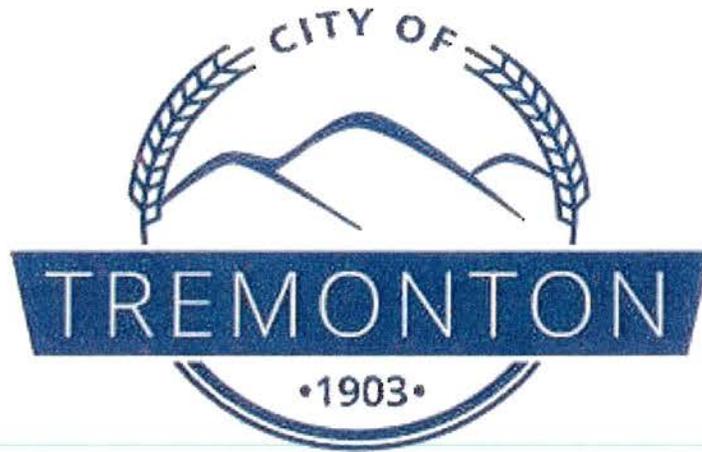
Adopted and passed by the governing body of Tremonton City Corporation this 15th day of March 2016.

TREMONTON CITY CORPORATION

Roger Fridal, MAYOR

ATTEST:

Darlene S. Hess, CITY RECORDER



INDUSTRIAL USER WASTEWATER DISCHARGE PERMIT

Permit Number: 16-001
Company Name: West Liberty Foods, L.L.C.
Division Name: Tremonton Plant
Mailing Address: P.O. Box 318, West Liberty, IA 52776
Address of Premises: 850 North 2000 West, Tremonton, Utah
Telephone Number: (319) 627-6144
Contact Person: Michelle Boney

AUTHORIZATION TO DISCHARGE TO THE TREMONTON CITY POTW

West Liberty Foods is authorized hereby to discharge from the premises stated above to the Tremonton City's POTW in accordance with all terms and conditions of the Tremonton City Wastewater/Pretreatment Ordinance, the Significant Industrial User Requirements and Regulations, Exhibit 1 to this Permit, and the General Permit Conditions, Exhibit 2 to this Permit.

Effective the 1st day of July, 2016.

Expires on the 30th day of June, 2019, three (3) years later, unless terminated earlier as allowed by law.

The Deadline to apply for reissuance is the 1st day of January, 2019 (6 months prior to expiration)

EXHIBIT 1
SIGNIFICANT INDUSTRIAL USER

I. APPLICATION

This permit is issued in accordance with the application filed on January 27, 2016 in the office of the Tremonton City Public Works Director.

II. DISCHARGE REQUIREMENTS

A. Point of Discharge

During the term of this permit, the permittee is authorized to discharge process wastewater to the POTW from the out falls listed below.

Description of out falls:

| Outfall | Description |
|---------|----------------------------------|
| 001 | West Liberty Foods Plant Process |
| 002 | Tremonton City Sanitary Sewer |

B. Discharge Limits

Wastewater discharged into the POTW system shall not have a Daily Peak or a Monthly Average concentration greater than that listed for the following substances:

(2). Local Limits:

Wastewater discharged into the POTW shall not have a Daily Peak or a Monthly Average with a loading greater than that listed for the following substance in the following table:

Pollutant Concentration

| Parameter | Daily Maximum Limit | Monthly Average Limit |
|-----------|---------------------|-----------------------|
| pH | 4 to 11 | N/A |
| BOD | 1757 lbs/day | 1757 lbs/day |
| TSS | 986 lbs/day | 986 lbs/day |
| FOG | 329 lbs/day | 329 lbs/day |

A Chemical Oxygen Demand (COD) may be used as an indicator for BOD in evaluating the West Liberty Foods discharge but will not be used for compliance determination or for billing purpose without an agreement between the permittee and the City.

All pretreatment local limits established in Section 2.4 of the Wastewater/Pretreatment Ordinance shall apply even if not specifically identified in this section of this permit.

III. MONITORING REQUIREMENTS

- A. From the period beginning on the effective date of this permit, the permittee shall monitor Outfall for the following parameters at the indicated frequency:

SELF-MONITORING REQUIREMENTS

| Parameter | Frequency | Type |
|-----------|------------|-----------|
| Flow | Continuous | Recorder |
| pH | 1-2/7 days | Grab |
| BOD | 1-2/7 days | Composite |
| TSS | 1-2/7 days | Composite |
| FOG | 1-2/7 days | Grab |

Reporting Period Quarterly

- B. All handling and preservation of collected samples and laboratory analyses of samples shall be performed in accordance with 40 C.F.R. Part 136 and amendments thereto.
- C. Upon mutual agreement between West Liberty Foods and the City, the self-monitoring requirements for pH, BOD, TSS, and FOG's may be satisfied by samples collected and analyzed by the City.

IV. REPORTING REQUIREMENTS

- A. **Monitoring Reports.** Monitoring results obtained shall be summarized and reported periodically. The reports shall be filed with the City within thirty (30) days of the end of the reporting period. The report shall indicate the nature and concentration of any pollutants in the effluent for which sampling and analyses were performed during the time period preceding the submission of each report, including measured maximum and average daily flows. Where pH, BOD, TSS, and FOG's sampling and analysis is conducted by the City, West Liberty Foods will only be required to submit wastewater flow information in the Monitoring Report. Should any reports be

received later than 30 days after the due date, the IU shall be in significant non-compliance.

- B. **Additional Monitoring.** If the permittee monitors any pollutant more frequently than required by this permit, using test procedures prescribed in 40 C.F.R. Part 136 or amendments thereto, or otherwise approved by the United States Environmental Protection Agency (EPA) or as specified in this permit, the results of such monitoring shall be included in any calculations of actual daily maximum or average pollutant discharge and the results reported in the periodic report submitted to Tremonton City. Such increased monitoring frequency shall also be indicated in the periodic report.
- C. **Automatic Resampling Reports.** If the results of the permittee's wastewater analysis indicates that a violation of this permit has occurred, the permittee must:
1. Inform Tremonton City of the violation within twenty-four (24) hours; and
 2. Repeat the sampling and pollutant analysis and submit, in writing, the results of this second analysis within thirty (30) days of the first violation.
 3. Where the City performs sampling and analysis of West Liberty Food's wastewater, the City will inform West Liberty Foods of any violation of limits the Wastewater Discharge Permit within 24 hours of obtaining the results. The City will then arrange for resampling and analysis of the West Liberty Foods wastewater discharge within 30 days.
- D. All reports required by this Permit shall be submitted to the City at the following address:

Public Works Director
102 South Tremont Street
Tremonton, UT 84337

Exhibit 2
General Permit Conditions

INDUSTRIAL USER DISCHARGE PERMIT

The following conditions apply to all wastewater discharge permits issued by Tremonton City.

1. Violation from Discharge

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant more frequently than, or at a level in excess of that identified and authorized by this permit shall constitute a violation of the terms and conditions of this permit. Such a violation may result in the imposition of civil and/or criminal penalties as provided for by Tremonton City. Wastewater/Pretreatment Ordinance, Federal Water Pollution Control Act, and/or General Pretreatment Regulations of the State of Utah.

2. Prohibited Discharges

No permittee shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass through or interference. These general prohibitions apply to all users of the POTW whether or not the source is subject to categorical pretreatment standards or any other National, State or local pretreatment standards or requirement. Furthermore, no permittee may contribute the following substances to the POTW:

- A. Pollutants which create a fire or explosive hazard in the POTW system, including, but not limited to waste streams with a closed-cup flashpoint of less than 140°F(60°C) using the test methods specified in 40 CFR 261.21.
- B. Any pollutants which will cause, but in no case discharges with a pH of less than 5.0 or more than 11, corrosive structural damage to the POTW or equipment, or endangering Governing Agency personnel unless the POTW is specifically designed to accommodate such discharges.
- C. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference, but in no case solids that will not break down in water and are greater than 2 inch or 1.27 centimeter(s) in any dimension.
- D. Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.
- E. Any wastewater having a temperature greater than 150°F, or which will inhibit biological activity in the treatment plant resulting in interference, but in no case heat in such quantity that it causes the temperature at the treatment plant to exceed 104°F (40°C).
- F. Petroleum oil, non biodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
- G. Pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute or chronic worker health and safety problems.

- H. Any trucked or hauled pollutants, except at discharge points designated by Tremonton City and as approved by the Public Works Director (hereafter PWD). A current IU permit must be obtained, also.
- I. Any noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance, a hazard to life, or to prevent entry into the sewers for maintenance and repair.
- J. Any wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent thereby violation Tremonton City's UPDES permit. Color (in combination with turbidity) shall not cause the treatment plant effluent to reduce the depth of the compensation point for photosynthetic activity by more than 10 percent from the seasonably established norm for aquatic life.
- K. Any wastewater containing any radioactive wastes or isotopes except as specifically approved by PWD in compliance with applicable State or Federal regulations.
- L. Storm water, surface water, ground water, artisan well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water, and unpolluted industrial wastewater, unless specifically authorized by PWD.
- M. Any sludges, screening, or other residues from the pretreatment of industrial wastes.
- N. Any medical wastes, except as specifically authorized by PWD in a wastewater discharge permit.
- O. Any wastewater causing the treatment plant effluent to fail a toxicity test.
- P. Any wastes containing detergents, surface active agents, or other substances which cause excessive foaming in the POTW.
- Q. Any discharge of fats, oils, or greases of animal or vegetable origin is limited to 100 mg/l.

Pollutants prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW. All floor drains located in process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting with the POTW. If the industrial user storing the specified pollutant does not have a pretreatment facility, the floor drains shall be either plugged or valved in such a way as to contain the pollutant and prevent its accidental discharge to the POTW.

3. Permit Modification, Suspension, Revocation

This permit may be modified, suspended, or revoked in whole or in part during its term for causes including the following:

- A. Violation of any term or condition of this permit;
- B. Obtaining a permit by misrepresentation or failure to disclose fully all relevant facts in either the permit or any required report;

- C. Promulgation of a more stringent pretreatment standard by State or Federal agencies having jurisdiction over receiving waters;
- D. Changes in the processes used by the permittee or changes in the discharge volume or character;
- E. Changes in design or capability of receiving sewage treatment plant.

4. Permit Appeals

The permittee may petition Tremonton City for changes to the terms of this permit within ten (10) days of permit issuance.

Such petition must be in writing. Failure to submit said petition for review shall be deemed to be a waiver of any objections to the permit. In its petition, the permittee must indicate the permit provisions objected to, the reasons for such objection and the alternative conditions, if any; it seeks to be placed in the permit.

The effectiveness of this permit shall not be stayed pending a reconsideration.

5. Limitations on Permit Transfer

Permits may be reassigned or transferred to a new owner or operator only with prior written approval of the PWD, subject to the following conditions:

- A. The permittee must give at least thirty (30) days advance notice to the PWD.
- B. The notice must include a written certification by the new owner which:
 - (1) States that the new owner has no immediate intent to change the facility's operations and processes.
 - (2) Identifies the specific date on which the transfer is to occur.
 - (3) Acknowledges that the new owner has read the Permit and the City's Wastewater/Pretreatment Ordinance, understands the terms and conditions thereof, and will fully comply with the existing permit.

6. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or Local laws or regulations.

7. Severability

The provisions of this permit are severable, and if any provision of this permit, or in the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

8. Reapplication

If the permittee desires to continue to discharge after the expiration of this permit, it shall reapply on the application forms then in use at least sixty (60) days before this permit expires. Under no circumstances shall the permittee continue to discharge after the expiration of this permit.

9. Continuation of Expired Permit

An expired permit will continue to be effective and enforceable until the permit is reissued only if:

- A. The permittee has submitted a complete written request for renewal of the permit at least sixty (60) days prior to the expiration date of the user's existing permit.
- B. The failure to reissue the permit, prior to expiration of the previous permit, is not due to any act or failure to act on the part of the permittee.
- C. Permittee receives written communication extending the permit from the Tremonton City Council.

10. Right of Entry

The permittee shall allow the Public Works Director or his duly authorized representative bearing proper credentials and identification:

- A. To enter all properties, without notice and without a warrant, for the purpose of inspection, observation, measurement, sampling and testing to determine compliance with the provisions of this permit;
- B. To examine and copy any and all records, without notice and without a warrant, to copy any and all records required to be maintained by permittee for the purpose of determining compliance with Pretreatment Standards and Regulations

11. Dilution

The permittee shall not increase the use of potable or process water or, in any way; attempt to dilute an effluent as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in this permit.

12. Compliance with Applicable Pretreatment Standards and Requirements

Compliance with this permit does not relieve the permittee from its obligations regarding compliance with any and all applicable local, state and federal pretreatment standards and requirements, including any such standards or requirements that may become effective during the term of this permit.

13. Violation Penalties:

In the event that the permittee discharges in violation of the limits or terms and conditions contained in this permit, the permittee shall be subject to appropriate enforcement action as stipulated in the Wastewater/Pretreatment Ordinance of Tremonton City. Specifically, the Ordinance provides, among other penalties, for the imposition, an assessment not to exceed, \$1,000.00 per violation per day civil penalty.

Civil Fine Pass Through Recovery: In the event that an industrial user discharges such pollutants which cause Tremonton City to violate any conditions of its UPDES Permit and Tremonton City is fined by EPA or the State of Utah for such violations, then such industrial users shall be fully liable for the total amount of the fines and civil penalties assessed against the Tremonton City by EPA or the State of Utah and administrative costs incurred.

14. Hazardous Notification

The permittee, in accordance with section 6.9 of the Tremonton City Wastewater/Pretreatment Ordinance shall notify the Tremonton City Council, the State Division of Water Quality and the EPA Regional Waste Management Division Director in writing of any discharge into Tremonton City's POTW system which, if otherwise disposed of, would be a hazardous waste under 40 CFR part 261. The Notification must include the following items:

- A. Identification of the hazardous constituents contained in the waste stream.
- B. Estimate of the mass discharged and the discharge concentration.
- C. Estimate of potential discharges for the next twelve months.

The above written notification must be submitted within 30 days of the last day of the month the discharge took place.

15. Notification of Slug Load or Accidental Spill

In case of an accidental or slug discharge, it is the responsibility of the permittee to immediately telephone and notifies Tremonton City/the PWD of the incident. The notification shall include the location of discharge, type of waste, concentration and volume, and corrective actions. Within ten (10) days following an accidental or slug discharge, the permittee shall submit to the PWD a detailed written report describing the cause of the discharge or slug and the measures to be taken by the permittee to prevent similar future occurrences. Such notification shall not relieve the permittee of any expense, loss, damage, or other liability which may be incurred as a result of damage to Tremonton City fish and wildlife kills, or any other damage to person or property; nor shall such notification relieve the permittee of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law.

16. Notification of Significant Changes in Industrial Effluent Flow or Production

In the event that the permittee makes significant changes in its effluent flow volume or in the production from its facility, the permittee must notify Tremonton City/the PWD 30 days prior to the planned change becoming effective. This is in accordance with section 6.5 of the Tremonton City Wastewater/Pretreatment Ordinance. This report should include information on any previously unreported pollutants being discharged.

17. Requirements for Records Retention

In accordance with Tremonton City's requirements, the permittee is required to maintain all pretreatment records for a period of three years. Failure to conform with this requirement will be treated as a significant violation.

18. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or correct impacts to the POTW or the environment resulting from noncompliance with this permit, including such accelerated monitoring necessary to determine the nature and impact of the noncomplying discharge.

IN WITNESS WHEREOF, the said parties have hereunto set their hands as of the date stated at the beginning of this Industrial User Wastewater Discharge Permit.

THE CITY:
TREMONTON CITY, a Utah Municipal
Corporation

By _____
Mayor

ATTEST:

City Recorder

DEVELOPER
WEST LIBERTY FOODS, L.L.C.

BY _____

Name: _____

Title: _____

**TREMONTON CITY
COUNCIL MEETING
MARCH 15, 2016**

| | |
|-----------------------|--|
| TITLE: | Discussion and consideration of authorization to sign purchase orders for vehicles purchased with during FY 2016 for the Senior Center and authorization to sign a non-obligatory purchase order for police vehicles for potential purchase in FY 2017 |
| FISCAL IMPACT: | \$75,000.00 (2- 2016 Chev Tahoe - Police Utility) \$75,000.00 (3- 2016 Ford Escape SE) |
| PRESENTER: | Chief Dave Nance |

Prepared By:
Dave Nance
&
Shawn Warnke

RECOMMENDATION:

I move to authorize the purchase the signing of a purchase orders for vehicles purchased with during FY 2016 for the Senior Center and authorization to sign a non-obligatory purchase order for police vehicles for potential purchase in FY 2017.

BACKGROUND:

Fiscal Year 2016- Senior Center Vehicles. On March 1, 2016 the City Council amended the budget for Fiscal Year 2016 to appropriate funds for the purchase of Meals-on-Wheels vehicles. For the last few years the City has held off on replacing meals-on-wheels vehicles in hopes of being awarded CMAQ funding. As you know the City was awarded CMAQ funding however it was later discovered that the CMAQ funds could not be used to replace the entire vehicle. City staff has received several bids for the purchase of these vehicles which Chief Dave Nance will present to the City Council for consideration and approval.

Fiscal Year 2017- Police Vehicles. The Police Department has a 2010 Toyota Tundra (91,000) Patrol vehicle and a 2011 Dodge Charger (83,000) Patrol vehicle that are due to be replaced in the upcoming budget year (Fiscal Year 2017). Generally, for the replacement of police vehicles the City Council has authorized the signing of the non-obligatory purchase orders that allow the ordering of vehicles but the purchasing of vehicles is actually dependent upon the City Council's final appropriation for funds being available on July 1, 2016 which is the start of Fiscal Year 2017. By ordering the vehicle now, but not taking possession of it until after July 1, 2016, the City can beat the ordering deadline on the vehicles and obtain the 2016 model price.

Attached is a list of the vehicle quotes. Both local dealers came in with quotes comparable to the State Contract pricing. I would recommend that the vehicles be purchased from our local dealers. According to the City's purchasing policy all vehicles require the City Council's action.

As you know several years ago the City created Fund 41 Vehicle/Equipment Capital Project. Currently, the fund has \$880,000 available for the aforementioned vehicles. Attached is a spreadsheet that shows additional purchases in future fiscal years to be made from Fund 41 Vehicle/Equipment Capital Project.

Consolidated Capital Vehicle & Improvement List Projects

| Fund 41- Vehicle/Equip Cap Project | FY 2016 | FY 2017 | FY 2018 | FY 2019 | Notes |
|------------------------------------|-------------------|-------------------|-------------------|---------|--|
| Building Dept-Truck | \$ 30,000 | | | | |
| Police Vehicle-T36 | \$ 30,000 | | | | Replaces a 2007 Truck with a 100,000 miles, the truck will be transferred to the Fire Department for use as a squad vehicle. Replaces an investigation vehicle T36, vehicle will be kept in fleet and used for travel to training and a spare Department Head requested, but discussed the ability to have their needs met with the transferring of two police trucks in future fiscal years |
| Parks Dept-Truck | | | | | |
| Meal-on-Wheels Vehicle | \$ 30,000 | | | | Replaces a 2002 passenger vehicle with 120,000 miles, vehicle will be surplus |
| Meal-on-Wheels Vehicle | \$ 30,000 | | | | Replaces a 2002 passenger vehicle with 113,000 miles, vehicle will be surplus |
| Meal-on-Wheels Vehicle | \$ 30,000 | | | | Replaces a 2005 passenger vehicle (which was a police car) with 94,000 miles, vehicle will be surplus |
| Police Vehicle-T39 | \$ 30,000 | | | | Replaces a 2008 Truck T39 with an estimated mileage of 105,000 miles at the time of replacement, truck will be transferred to the Parks Department (Parks & Recreation Director) |
| Police Vehicle-T42 | \$ 30,000 | | | | Replaces a 2008 Truck T42 with an estimated mileage of 95,000 miles at the time of replacement, truck will be transferred to the Parks Department (Park Superintendent) |
| Police Vehicle-T44 | \$ 30,000 | | | | Replaces T44 2011 vehicle, with an estimated mileage exceeding 80,000 |
| Police Vehicle-T43 | \$ 30,000 | | | | Replaces T43 2011 vehicle, with an estimated mileage exceeding 80,000 |
| Police Vehicle-T45 | \$ 30,000 | | | | Replaces T45 2011 vehicle, with an estimated mileage exceeding 80,000 |
| Police Vehicle-T48 | \$ 30,000 | | | | Replaces T48 2013 vehicle, with an estimated mileage exceeding 80,000 |
| Police Vehicle-T47 | \$ 30,000 | | | | Replaces T47 2013 vehicle, with an estimated mileage exceeding 80,000 |
| Police Vehicle-T50 | \$ 30,000 | | | | Replaces T50 2014 vehicle, with an estimated mileage exceeding 80,000 |
| Street Sweeper | | \$ 250,000 | | | Replaces a 2008 sweeper with 10,000 hours, street sweeper will be traded in |
| Tractor | \$ 40,000 | | | | Allows the Parks and Recreation Department to have a tractor suitable for operating on Sod |
| Dump Trailer | \$ 10,000 | | | | For Park & Recreation Department |
| Street Department Truck-308 | \$ 30,000 | | | | Replaces a 2006 Chevy, with an estimated mileage exceeding 123,000 |
| TOTAL | \$ 180,000 | \$ 140,000 | \$ 340,000 | | |

**TREMONTON CITY
CITY COUNCIL MEETING
15 MARCH 2016**

| | |
|-----------------------|--|
| TITLE: | Amend Chapter 1.16 Overlay Zones, Tremont Center Mixed Use Overlay Zone, 1.16.050 Tremont Center Sign Standards. |
| FISCAL IMPACT: | -- |
| PRESENTER: | Steve Bench |

Prepared By:

Steve Bench

RECOMMENDATION: I move the City Council adopt an Ordinance amending Chapter 1.16 Overlay Zones, Tremont Center Mixed Use Overlay Zone, 1.16.050 Tremont Center Sign Standards. The Planning Commission held a public hearing March 8, 2016 and recommended amending Chapter 1.16 to the City Council.

BACKGROUND: In an effort to accommodate how tenant's within Tremont Center wish to brand their stores, a site plan approval process and a maximum number signs per building would be required.

Attachments: Chapter 1.16

ORDINANCE NO. 16-07

AN ORDINANCE OF TREMONTON CITY AMENDING TITLE I ZONING ORDINANCE OF THE TREMONTON CITY CORPORATION LAND USE CODE, CHAPTER 1.16, OVERLAY ZONES, TREMONT CENTER MIXED USE OVERLAY ZONE, AND 1.16.050 TREMONT CENTER SIGN STANDARDS

WHEREAS, from time to time it is prudent for the City to review and on occasion consider making changes to the City’s Land Use Code; and

WHEREAS, it was requested that the City consider amending standards within the Tremont Center Mix Use Overlay Zone to accommodate how tenant’s within Tremont Center wish to brand their stores; and

WHEREAS, in keeping with the noticing requirements, Tremonton City Planning Commission held a public hearing on March 8, 2016 to listen to public comment regarding the proposed changes to the Tremonton City Corporation Land Use Code; and

WHEREAS, after holding a public hearing, the Planning Commission recommends to the City Council for their approval and adoption of an amendment to Chapter 1.16 OVERLAY ZONES and 1.16.050 Tremont Center Sign Standards adding:

Building wall signs and monument signs along public street frontage to be considered for approval through a Site Plan approval process.

NOW THEREFORE BE IT ORDAINED that the Tremonton City Council of Tremonton, Utah hereby adopts, passes, and publishes Ordinance No. 16-07 amending Title I ZONING ORDINANCE of the Tremonton City Land Use Code, Chapter 1.16 OVERLAY ZONES, and 1.16.050 Tremont Center Sign Standards as outlined in EXHIBIT “A” attached.

If any term or provision of this Ordinance shall, to any extent, be determined by a court of competent jurisdiction to be void, voidable, or unenforceable, such void, voidable or unenforceable term or provision shall not affect the enforceability of any other term or provision of this Ordinance.

PASSED AND ADOPTED this 15th day of March, 2016. The Ordinance to become effective upon adoption.

TREMONTON CITY, a Utah Municipal Corporation

Roger Fridal, Mayor

ATTEST:

Darlene S. Hess, City Recorder

Publication or Posting Date: _____

EXHIBIT "A"

CHAPTER 1.16

OVERLAY ZONES

Sections:

- 1.16.005 Purpose.
- 1.16.010 Spring Hollow Legends Overlay Zone Uses.
- 1.16.015 Spring Hollow Legends Overlay Zone Lot Regulations.
- 1.16.020 Spring Hollow Legends Overlay Zone Required Amenities and Specified Timeframe.
- 1.16.025 Tremont Center Overlay Zone Purpose.
- 1.16.030 Underlying Zone of the Tremont Center Overlay Zone.
- 1.16.035 Tremont Center Mixed Use Overlay Zone Uses.
- 1.16.040 Tremont Center Mixed Use Overlay Zone Lot Regulations.
- 1.16.045 Tremont Center Mixed Use Overlay Zone Required Design Guidelines.
- 1.16.050 Tremont Center Sign Standards.

1.16.005 PURPOSE. An overlay district is intended to provide different and/or supplemental regulations or standards from the underlying zoning district necessary to address certain geographic features, land uses, or desired outcomes.

1.16.010 SPRING HOLLOW LEGENDS OVERLAY ZONE USES. The underlying zoning district of the Spring Hollow Legends Overlay Zone is R-12 and all of the land uses shall remain the same as contained in Title I Chapter 1.07 of the Tremont City Land Use Code for the R1-12 Zoning District.

1.16.015 SPRING HOLLOW LEGENDS OVERLAY ZONE LOT REGULATIONS. This Section shall apply to all principle structures and accessory structures within the Spring Hollow Legends Overlay Zone. Whenever there is a conflict between the regulations of the underlying zoning district of R1-12 and the Spring Hollow Legends Overlay Zone lot regulations, the lot regulations contained in this section shall control.

| SPRING HOLLOW LEGENDS OVERLAY ZONE LOT REGULATIONS | |
|--|---------------------------------|
| | Spring Hollow Legends |
| LOT AREA REGULATIONS: The minimum lot area in square feet for any Single-Family Dwelling in districts regulated by this Chapter. | 6,000 |
| MAXIMUM DENSITY: The maximum number of dwelling units per acre. | 60 |
| LOT WIDTH REGULATIONS: The minimum width in feet for any lot in the districts regulated by this Chapter. | 60 |
| FRONTAGE REGULATIONS: The minimum frontage in feet for any lot in the districts regulated by this Chapter. | 45 |
| Cul-d-Sac: | Not Applicable |
| Flag Lot: | Not Applicable |
| FRONT YARD SET-BACK REGULATION: The minimum depth in feet for the front yard for main structures in districts regulated by this Chapter. | 20 |
| Structures on corner lots: front yard set-back in which the structure is addressed shall be: | 20 |
| Other front yard set-back shall be: | 20 |
| Accessory structures may have the same minimum front yard setback as the main structures if they have the same side yard setback required for main structures; otherwise they shall be setback the following number of feet from the rear of the main structure: | No Accessory Structures Allowed |
| REAR YARD SET-BACK REGULATIONS: The minimum setback in feet for the rear yard in the districts regulated by this Chapter shall be: | 15 |
| For Accessory Structures and Garages with no rear openings shall be: | No Accessory Structures Allowed |
| Accessory structures located on an alley shall meet all the requirements of this Ordinance. However, structures may have a one (1) foot setback from the alley, provided they have met all side yards and minimum distances from adjacent dwellings: | No Accessory Structures Allowed |
| SIDE YARD SETBACK REGULATIONS: The minimum side yard set back in feet for any dwelling in districts regulated by this Chapter shall be: | 6 |

| SPRING HOLLOW LEGENDS OVERLAY ZONE LOT REGULATIONS | |
|--|---------------------------------|
| | Spring Hollow Legends |
| Total width of the two (2) side yards required shall equal: | 12 |
| For Accessory Structures and Garages with no side openings shall be: | No Accessory Structures Allowed |
| CARPORTS. Carports not exceeding six-hundred (600) square feet in area and not more than one (1) story in height, when attached to the main building and constructed of fire rated materials may extend no closer than one (1) foot from the side property line and the carport shall remain open on three (3) sides. | No Carports Allowed |
| HEIGHT REGULATIONS: The maximum height for all buildings in districts regulated by this Chapter shall be in feet: | 36 |
| Maximum Number of Stories: | 2½ |
| The minimum height of a dwelling in stories above grade: | 1 |
| The maximum height of an accessory building in feet: | No Accessory Structures Allowed |

1.16.020 SPRING HOLLOW LEGENDS OVERLAY ZONE REQUIRED AMENITIES AND SPECIFIED TIMEFRAME. To mitigate the density associated with the Spring Hollow Legends Overlay Zone, the project shall have the following amenities within the specified timeframe:

- A. The common walking trail, landscaping of the common areas and common parking lot shall be constructed and completed prior to issuing any Building Permit as shown on Map1.08.
- B. The developer shall on or within one (1) year after the first home has been constructed, construct and complete the Club House as shown on Map1.08.
- C. The remaining hard surface common recreation improvements (tennis court, basketball and pickle ball courts) as shown on Map1.08 shall be constructed and completed after fifteen (15) building lots are sold or thirty-six (36) months from the date the final plat is recorded with the Box Elder County Recorder.
- D. Perimeter fencing around the subdivision shall be completed after fifteen (15) building lots are sold or thirty-six (36) months from the date the final plat is recorded with the Box Elder County Recorder.
- E. Front yard and side yard landscaping shall be completed at time of occupancy except during the winter season.
- F. The Tremonton City Council shall be authorized to substitute any of the aforementioned required amenity for another amenity through a negotiated development agreement with the developer.

1.16.025 TREMONT CENTER MIXED USE OVERLAY ZONE PURPOSE. The purpose of the Tremont Center Overlay Zone is to provide an area for higher density, larger building, with a variety of retail, office, entertainment and multi-family residential uses.

1.16.010 UNDERLYING ZONE OF THE TREMONT CENTER OVERLAY ZONE. The underlying zoning district of the Tremont Center Overlay Zone is the Mixed Use Zone as contained in Title I Chapters 1.08 and 1.09 of the Tremonton City Land Use Code for Commercial Development Zone District and Mixed Use Zone District.

1.16.035 TREMONT CENTER MIXED USE OVERLAY ZONE USES. This Section shall apply to land uses within the Tremont Center Mixed Use Overlay Zone. Whenever there is a conflict between the land uses of the underlying zoning district of Mixed Use and the Tremont Center Mixed Use Overlay Zone uses, the use regulations contained in this section shall control. Uses of land or buildings which are permitted in the Tremont Center Mixed Use Overlay Zone are shown as a "P" for "permitted uses" in the appropriate column, or a "C" for "conditional uses" in the appropriate column. If a use is not permitted it is either not named in the uses list or it is indicated in the appropriate column by a dash "-" as "not permitted" or not applicable or is stated as such.

| | |
|--|--------------|
| TREMONT CENTER MIXED USE OVERLAY ZONE USES ^{1 2 3} | TC-MU |
|--|--------------|

| TREMONT CENTER MIXED USE OVERLAY ZONE USES ^{1 2 3} | TC-MU |
|---|--------------|
| Art Shop and/or Supply: | P |
| Bed and Breakfast: | - |
| Bank/Credit Union/Financial: | P |
| Barber/Beauty Shop/Tanning/Nails: | P |
| Book Store: | P |
| Candy Store: | P |
| Church/Place of Worship: | - |
| Clothing/Apparel/Footwear Store: | P |
| Communication Towers and Antennas: See Chapter 1.22 Communication Facilities Permit of this Title. | - |
| Convenience Store: | - |
| Craft and Hobby Store: | P |
| Dance Studio/Instruction: | P |
| Daycare/Preschool: | |
| Childcare/Preschool, Residential-Minor: See Chapter 1.24 Home Occupations & Chapter 1.19 Supplementary Regulations of this Title. | C |
| Childcare/Preschool, Residential-Major: See Chapter 1.24 Home Occupations & Chapter 1.19 Supplementary Regulations of this Title. | C |
| Child Care/Preschool, Commercial: | C |
| Department Stores: Clothing, home furnishings, appliances, electronics. | P |
| Dry Cleaning: | - |
| Dwellings: ⁴ | |
| Single-Family: | - |
| Multi-Family Twin Home: | - |
| Multi-Family Attached: | - |
| Multi-Family Stacked: | P |
| Accessory Dwelling Unit: (In which principal use of the building is commercial) | P |
| Manufactured and Modular Housing: ⁵ See Chapter 1.19 Supplementary Regulations of this Title. | - |
| Educational: | C |
| Existing Agriculture Uses: | P |
| Fitness/Health Center: | P |
| Flag Pole: See Chapter 1.19 Supplementary Regulations of this Title. | P |
| Florist Shop/Nursery: | P |
| Fruit Stand: | P |
| Green House: | P |
| Grocery Store: | P |
| Home Occupation: See Chapter 1.24 Home Occupation Permit of this Title: | |
| Minor: | C |
| Major: | C |
| Hotel/Motel: When Hotel/Motel is configured like a Multi-Family Stacked Dwelling, See Definition of Dwelling Multi-Family Stacked: | C |
| Pets: | P |
| Ice Cream Shop: | P |
| Locksmith/Lock and Key: | P |
| Laundry, Self Help: | P |
| Medical and Dental Clinic: | P |
| Movie Theaters: | P |
| Neighborhood Grocery: | P |
| Neighborhood Pharmacy: | P |
| Office, Business or Professional: | P |

| TREMONT CENTER MIXED USE OVERLAY ZONE USES ^{1 2 3} | TC-MU |
|--|--------------|
| Office and Beauty Supply, Retail: | P |
| Outdoor Retail Sales: | P |
| Pet Shop: | P |
| Public Facilities: | P |
| Public/Quasi-Public Use: | C |
| Reception Center: | C |
| Residential Facilities for Elderly Persons: See Chapter 1.19 Supplementary Regulations of this Title. | - |
| Residential Facilities for Persons with a Disability: See Chapter 1.19 Supplementary Regulations of this Title. | - |
| Restaurant/Fast Food: | C |
| Retail, Big- Box Store: When square footage is limited to 75,000 square feet, see also definition in Chapter 3, for Retail, Big Box Store | P |
| Retail, General: Dollar Stores, Retail Auto Parts, and similar uses. | P |
| Shoe Store/Repair: | P |
| Renewable Energy Systems: | |
| Small Wind Energy System. See Chapter 1.23 Renewable Energy Systems Permit of this Title. | - |
| Solar Energy System, by conditional use permit. See Chapter 1.23 of this Title. | C |
| Sporting Goods, Retail: | P |
| Utilities, Neighborhood: | P |
| Utilities, Transmission, Pad, Facility: | C |

¹ Note: See Chapter 1.25 of this Title, Conditional Use Permit.

² Note: See Chapter 1.26 of this Title, Site Plan Permit for uses that are Commercial, Institutional, and all Multi-Family Dwellings.

³ Note: See Chapter 1.27 of this Title, Sign Permit.

⁴ Note: No dwelling or dwelling unit shall be less than four hundred (400) square feet in living space. All dwelling units are for Single-Family occupancy. See Chapter 1.19 Supplementary Regulations of this Title for Residential Architectural Standards.

⁵ Note: Applicant shall also insure that there are no restrictive covenants that exclude Manufacturing and Modular Housing as required by Utah Code Annotated 10-9a-514. See Chapter 1.19 Supplementary Regulations of this Title for Residential Architectural Standards

1.09.040 TREMONT CENTER MIXED USE OVERLAY ZONE LOT REGULATIONS. This Section shall apply to all structures and accessory structures in the Tremont Center Mixed Use Overlay Zone. Whenever there is a conflict between the regulations of the underlying zoning district of Mix Use Zone District and the Tremont Center Overlay Zone lot regulations, the lot regulations contained in this section shall control.

| TOWN CENTER MIXED USE OVERLAY ZONE LOT REGULATIONS ^{1 2} | TC-MU |
|---|--------------|
| LOT AREA REGULATIONS: Minimum Lot Area in square feet in the Tremont Center Mixed Use Zone: | Note 3 |
| Multi-Family Stacked: | |
| Professional/Business Office: | |
| Retail and Other: | |
| LOT WIDTH REGULATIONS: Minimum Width in feet for any lot in the Tremont Center Mixed Use Zone. | Note 4 |
| Multi-Family Stacked | |
| Professional/Business Office: | |
| Retail: | |
| Hotel/Motel/Other: | |
| FRONTAGE REGULATIONS: Minimum Frontage in feet for any lot in the Tremont Center Mixed Use Zone. Except as modified by a Site Plan approval. (<i>Cul-d-sac, flag lot, irregular shaped lots, etc.</i>) | Note 4 |

| TOWN CENTER MIXED USE OVERLAY ZONE LOT REGULATIONS ^{1 2} | TC-MU |
|---|--------------|
| FRONT YARD SET-BACK REGULATION: Minimum set-back in feet for the Front Yard for structures in the Tremont Center Mixed Use Zone. | |
| Residential | Note 5 |
| Commercial | Note 5 |
| Corner Lots from both streets: | Note 5 |
| REAR YARD SET-BACK REGULATIONS: Minimum set-back in feet for the Rear Yard in the Tremont Center Mixed Use Zone. | |
| Residential | 20 |
| Commercial | Note 5 |
| For Residential accessory structures with no rear openings: | 10 |
| All other accessory structures: | 10 |
| SIDE YARD REGULATIONS: Minimum Side Yard set back in feet for structures in the Tremont Center Mixed Use Zone. | |
| Residential: | Note 5 |
| Professional/Business Office: | Note 5 |
| Retail: | Note 5 |
| All Others: | 10 |
| For Residential Accessory structures with no side openings: | - |
| All other Accessory structures: | 10 |
| HEIGHT REGULATIONS: Maximum Height for all buildings shall be, in feet: | |
| Main/Primary structure: | Note 6 |
| Accessory structure: | 20 |
| Maximum number of stories in a Main/Primary structure: | 3 |

¹ Note: See Chapter 1.17 of this Title Off-Street Parking Regulations.

² Note: See Chapter 1.18 of this Title Landscaping, Buffering, and Fencing Regulations.

³ Note: Minimum Lot Area: There shall be no minimum lot area in TC-MU zone, except as established with a site plan approval.

⁴ Note: Minimum Lot Width and Frontage: There shall be no minimum lot width or frontage required in the TC-MU zone except as established with a site plan approval. Each lot or parcel in TC-MU zone must front on or have legal access to a public street.

⁵ Note: Front, Rear and Side yard setbacks shall be established and approved through the Site Plan approval process.

⁶ Note: Maximum Building Height; Building Height shall be established and approved through a Site Plan approval but in no case shall the building height exceed three (3) stories.

1.16.045 TREMONT CENTER MIXED USE OVERLAY ZONE REQUIRED DESIGN GUIDELINES. To mitigate the density associated with the Tremont Center Overlay Zone, the project shall have the following design elements:

- A. A minimum of sixty (60) percent of the frontage on Main Street shall consist of by buildings facades. The facades along Main Street shall be between one and a half and two stores tall, with two story elements marking main entry drives(s) into the site. The facades should further be articulated with multiple sections using changes of plane, materials, colors or cornice heights. All these facades shall have a generous amount of windows. Facades shall be approved through the Site Plan approval process.
- B. The site area between curb and setbacks shall be designed for pedestrian use. The development shall sponsor sidewalks, street lighting, and landscaping outdoor seating and entry plaza between property line and building line. In no case should this space be used for parking. Pedestrian uses and amenities shall be approved through the Site Plan approval process.
- C. Roadway interior to the site shall be designed and constructed to resemble public streets with sidewalks, street lighting and street trees. Parking shall be consolidated into small lots as much as possible and

separated from roadways. Roadway interior to the site and configuration of parking areas shall be approved through the Site Plan approval process.

1.16.050 TREMONT CENTER SIGN STANDARDS. This Section shall apply to signs within the Tremont Center Mixed Use Overlay Zone. Whenever there is a conflict between the sign standards in Chapter 1.27 and the Sign Standards herein, standards in this section shall control.

- A. Due to the size of Tremont Center being approximately thirty-seven (37) acres and having a frontage along Main Street of 1,235 feet, the Tremont Center is allowed a total of three (3) Multi-Tenant Signs along its Main Street frontage, being either Multi-Tenant On Premise Pole Sign or Multi-Tenant On Premise Monument Signs, of which only one (1) of these signs may have an electronic message display. **Building wall signs and monument signs along public street frontage shall be approved through a Site Plan approval process.** The aforementioned signs shall be in conformance with the standards in the table below.

| SIGN TYPES | SIGN STANDARDS |
|---|----------------|
| Multi-Tenant On Premise Pole Sign: | |
| Maximum Sign Area in Square Feet: | 300 |
| Maximum Sign Area if a Gateway Sign is incorporated into the sign: | 360 |
| Maximum Sign Height: | 36' |
| Number of Signs: | 1.16.050 A. |
| Direct or Indirect Illumination: | P |
| Multi-Tenant On Premise Monument Signs: | |
| Maximum Sign Area in Square Feet: | 200 |
| Maximum Sign Area if a Gateway Sign is incorporated into the sign: | 250 |
| Maximum Sign Height: | 15' |
| Number of Signs: | 1.16.050 A. |
| Direct or Indirect Illumination: | P |
| Wall Signs: | |
| Areas of sign not to exceed twenty (20) percent of total wall face area in square feet: | P |
| Number of Signs per Building or Space: | Note 7 |
| Direct or Indirect Illumination: | P |
| Monument Signs: | |
| Maximum Sign Area in Square Feet: | Note 7 |
| Maximum Sign Height: | Note 7 |
| Number of Signs: | 1 |
| Direct or Indirect Illumination: | P |

⁷ Note: **Monument Signs and Wall Signs other than Multi-Tenant Monument Signs shall be approved through the Site Plan approval process, the maximum number of Wall Sign shall be one (1) per building wall face and one (1) Monument Sign. Awnings, Temporary, and other signs not listed in Section 1.16.050 shall comply with the Sign Standards in Chapter 1.27.**

REV 14.03
 REV 14.23
 REV 15.07
 REV 15.10
 REV 16.XX

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STATE OF UTAH)
 : ss.
County of Box Elder)

I, DARLENE S. HESS, the City Recorder of Tremonton, Utah, does hereby certify that the above and foregoing is a full and correct copy of Ordinance No. 16-07, entitled “**AN ORDINANCE OF TREMONTON CITY AMENDING TITLE I ZONING ORDINANCE OF THE TREMONTON CITY CORPORATION LAND USE CODE, CHAPTER 1.16, OVERLAY ZONES, TREMONT CENTER MIXED USE OVERLAY ZONE, AND 1.16.050 TREMONT CENTER SIGN STANDARDS**” adopted and passed by the City Council of Tremonton, Utah, at a regular meeting on March 15 2016 which appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this _____ day of _____, 2016.

Darlene S. Hess
City Recorder