



**Tremonton City Corporation
City Council Meeting
July 16, 2019
Meeting to be held at
102 South Tremont Street
Tremonton, Utah**

CITY COUNCIL WORKSHOP AGENDA

6:00 p.m.

1. Review of items listed on the 7:00 p.m. agenda
2. Development Review Committee Report and Comments
 - a. Preliminary review for a subdivision at 2550 West BR Mountain Road
 - b. Request to rezone parcel number 05-039-0013 to accommodate storage units
 - c. Request to rezone parcel numbers 05-055-0074 and 05-055-0034 to accommodate storage units
 - d. City initiated rezoning of Commercial Highway and Mixed Use Zone to Manufacturing Distribution- Business Park
3. **CLOSED SESSIONS:**
 - a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; and/or*
 - b. *Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or*
 - c. *Strategy sessions to discuss pending or reasonably imminent litigation; and/or*
 - d. *Discussions regarding security personnel, devices or systems*

Please note that any agenda item listed on the 6:00 p.m. City Council Workshop may be discussed in the 7:00 p.m. City Council Meeting

CITY COUNCIL MEETING AGENDA

7:00 p.m.

1. Opening Ceremony
2. Introduction of guests
3. Declaration of Conflict of Interest

4. Approval of agenda
5. Approval of minutes – July 2, 2019
6. Public comments: This is an opportunity to address the City Council regarding your concerns or ideas. Please limit your comments to three minutes.
7. Years of Service Award
 - a. Jeff Wikstrom, Public Works – 10 years
 - b. Lyn Corbett, Senior Center Lead Cook – 15 years
8. New Council Business:
 - a. Discussion and consideration of adopting Resolution No. 19-34 approving the signage plan and benches for the Holmgren Nature Preserve and Trail (located in the vicinity of 300 North and 700 East)
 - b. Discussion and consideration of adopting Resolution No. 19-38 approving the dissolution of the district entitled “Tremontion City Special Improvement District #1”
 - c. Discussion and consideration of authorizing the Parks Department to purchase a 2019 Silverado 4WD LT Crew at the State Bid contract price.
9. Calendar Items and Previous Assignment
 - a. Review of calendar
 - b. Review of past assignment
10. Reports & Comments:
 - a. City Manager Reports and Comments
 - b. Development Review Committee Report and Comments (If report is not completed in the 6:00 p.m. Workshop)
 1. Preliminary Review for a subdivision at 2550 West BR Mountain Road
 2. Request to rezoning parcel number 05-039-0013 to accommodate storage units
 3. Request to rezoning parcel numbers 05-055-0074 and 05-055-0034 to accommodate storage units
 4. City initiated rezoning of Commercial Highway and Mix Use Zone to Manufacturing Distribution- Business Park
 - c. Arts Council Report- Zach LeFevre, Recreation & Events Manager
 1. Report on the Midland Square Chalk Affair
 2. Report on the Drama Camp
 3. Report on the Murals
 4. Report on the Art Plan
 - d. City Department Head Reports and Comments
 1. Construction Update- Paul Fulgham
 - e. Council Reports and Comments

11. **CLOSED SESSIONS:**

- a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; and/or*
- b. *Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or*
- c. *Strategy sessions to discuss pending or reasonably imminent litigation; and/or*
- d. *Discussions regarding security personnel, devices or systems*

12. 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 Linsey Nessen no later than 48 hours prior to the meeting.

Notice was posted July 12, 2019 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 July 12, 2019.

Linsey Nessen, CITY RECORDER

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TREMONTON CITY CORPORATION CITY COUNCIL MEETING JULY 2, 2019

Members Present:

Diana Doutre
Lyle Holmgren
Jeff Reese
Bret Rohde
Lyle Vance
Roger Fridal, Mayor
Shawn Warnke, City Manager
Linsey Nessen, City Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the July 2, 2019 City Council Workshop to order at 6:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, Rohde, and Vance, City Manager Warnke, and City Recorder Nessen. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief Kurt Fertig, and Building Official Steve Bench.

1. Discussion by the City Council of the Development Review Committee

Manager Warnke said DRC is a five-member board that reviews land use applications. The City's land use code delegates some approval authority to the DRC, but is limited to administrative applications. The legislative decision cannot be delegated from the Council, but the Council approves the development code and the standards that the DRC applies.

The Planning Commission also plays a role in the land use process by virtue of approving the ordinances and the way they are written. They approve the preliminary plats and make recommendation to the Council on legislative decisions. The Council can make any changes relative to development standards or the review process. Engineer Breinholt writes a report from the engineering side, I write one from the zoning side telling applicants the code standards and how they apply. Director Fulgham is there to provide comments relative to utilities and Official Bench facilitates everything as the zoning administrator.

Mayor Fridal suggested a Councilmember participate in the group, rotating each meeting. Councilmember Rohde said when developers see a councilmember there that shows our interest in them coming to town. Director Fulgham said as a board member I would rather see a Councilmember there as a voting member so you are tied into the decisions that are made. Councilmember Holmgren said the Board's role is to apply those standards so I think for the time being we would be a non-voting member and report back.

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Councilmember Vance said we have to make those meetings more welcoming when a group comes in and introduces their idea or we are going to start losing people to other cities. The participating Councilmember could shake their hand, show interest, and discuss how to make it work—letting them know we want them here. Manager Warnke said we apply standards and figure out what the code says. Having that element of encouragement and welcoming by a Councilmember would be good. Councilmember Vance said the councilmember could make sure people feel welcome and are being treated fairly. They could also help follow up and make sure questions are getting answered. The Council agreed to send one member to each meeting.

2. Review of items listed on the 7:00 p.m. agenda

Chief Fertig said the agreement on pricing for animal control services between Tremonton and Brigham City is renewed every couple years. This is set in case we should ever need to load animals onto Brigham City and get their help if we are overwhelmed or for an emergency. They like to know the pricing ahead of time to make sure they would do that service for us. We have only used them once in the past.

Manager Warnke said several years ago the state legislature created a Local Public Safety and Firefighters Surviving Spouse Trust Fund. It is for public safety employees who are killed in the line of duty. This used to be a voluntary program and cities participated by paying a rate in case an issue arose. This would then give their spouse and children (age 26 and younger) ongoing health insurance coverage. Tremonton voluntarily participated, but now it is mandatory, which drives the costs down. We currently pay \$1,000 and there is an annual agreement that needs to be signed. The policy recognizes that we do participate and eligibility is determined by the State. If one of our own does pass away in the line of duty, we report it and the State evaluates it and councils with the surviving spouse.

Manager Warnke said there are landscaping plans for three areas in the City. Mayor Fridal asked about timing. Director Fulgham said they would work on the Tremont Street triangle, trailhead and then Main Street. For the triangle, we would like to get the sidewalk in this summer so when school starts they have a better route. For the trailhead we will only work on the park strip and around the building. Money has not been set aside for the big area yet. Manager Warnke said we did budget some funds, but those areas will be done before we work on the interior. When asked about the bathrooms Director Fulgham said we have to finish the wiring for power to the restrooms. There is also a post in the cement for a future electric car charging station.

Manager Warnke said the Bear River Association of Governments has put together a signage plan for the Malad River Trail. A three-sided kiosk (24x36 inches) would be placed at the entry to the trail giving an overview of its history and rules. There will also be five different signs throughout the trail. One could be placed at the overlook. These panels, which were all approved by the Division of Natural Resources and other Utah State employees who specialize in natural resources, will address different land and terrain. Chief Fertig helped give input because he is very knowledgeable about the species

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and wildlife in the area. They will be mounted on corten steel, which turns brown and is low maintenance.

Councilmember Vance asked about pricing. Manager Warnke said I do not have the cost estimates yet, but I can get that. It is a 50/50 cost-sharing proposal based on our grant. Mayor Fridal asked about bench locations. Manager Warnke said in walking the trail, we discovered there are a lot of wet areas. On the north end would be a good marker, it is halfway around the loop and dry. An Eagle Scout wants to do one there for his project. There would also be one at the overlook. We could determine other locations based on feedback. The proposed bench is simple with no back. The idea is having it real minimal so it does not compete or have a presence greater than what is there. It would be made of dense wood so it does not weather or require stain. Donors and past councilmembers, who have participated in making this trail possible will be mentioned on the signage.

Councilmember Rohde asked how much is set aside for signage and benches. Manager Warnke said we have spent \$130,000 with Rupp's contract and the grant was for \$180,000. We do not have to do this, it is just an opportune time and half of it would be paid for through the grant. I can bring back the actual amount if you would feel better about approving it then. It is a little time sensitive because our grant runs out in September so we need to move fairly quickly. The landscaping is not grant eligible and that is why it might lag. The cost for signage and benches could be upwards of \$15,000 and we would pay half of that. Director Fulgham said benches are about \$1,000 because they would be hardy and not easily destroyed. Councilmember Rohde said I think we owe it to the citizens to know how much it is going to cost first and asked if Manager Warnke can have those numbers by the next meeting. Manager Warnke said we will try, but the thing we want to know now is does the signage plan look good and is acceptable so we can go out to bid. The Council gave him permission to move forward with the bids.

Director Fulgham said this is just the renewal of West Liberty Foods' discharge permit they do every three years. It is a little behind because they wanted to negotiate if they could buy down some of their loading issues based on impact fees, but decided they did not want to invest their money and will pay the fees and penalties at this point.

The Council then discussed the 2019 Tremonton Analysis and Recommendations for Street Network. Director Fulgham said this is required by the audit. We contract with Utah Local Technical Assistance Program Center in Logan for our road survey. If you compare where we are as far as road service, we are doing well and are still in range. Criteria has been set to ensure our roads meet or exceed those standards. If you look at the road surface life, we are doing really well. Our average road surface life is 13.7 years for the whole 43 miles worth of our roads. We have reinvested some money to help shoot that up again and will continue to keep that up with the funding we have. Annually we get about \$330,000 to \$350,000 from the B&C Road funds. If we did not do any projects this year, we can take that money and put it aside in the Capital Project Fund to do further road projects in the future. By doing those types of projects, we get a better bang for our buck, we get more road miles to reduce the costs per quantity. Manager Warnke said the last two years we made a transfer from the General Fund to the Capital Project Fund of

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\$325,000. There is \$650,000 that is assigned on the balance sheet for Fund 40 for roads. We have not been doing road projects for a few years because we have been doing the secondary water project. Finance Director Curtis Roberts took a look at the resolution and made minor modifications based on his expertise.

On the discussion of annexation, Official Bench said Mr. Stan Summers has property he is requesting to be annexed and zoned commercial. Apartments will horseshoe around, but we are not sure what the actual use will be. Stone World Design will store stone there for now, but anticipate buying the 2.92 acres from the Summers family. Manager Warnke said he proposes annexing a portion of the entire parcel as it is now configured. That is what he hopes to subdivide in the future with the City. Typically we annex complete parcels not a portion of property. This does create an issue for the tax assessor because part of it is in the County and the other part is not. They would have different taxing rates that apply based on jurisdictional boundaries. Zoning also becomes somewhat of an issue. In this case he is trying to annex and subdivide the property as shown. With annexations, we try to acquire the right-of-way needed, but 100 South is less than 660 feet from Main Street, which is UDOT's spacing requirement for this classification of road. We do not propose extending that through. We would look to 200 South as being the road that continues eastward. Councilmember Reese asked if we are creating precedence by partial zoning an area or if it is going to look that way. Manager Warnke said there is nothing in our code right now and it is a legislative decision. You can accept this with the request they include the entire parcel. I am not sure how significant of an issue it is for Mr. Summers. I recommended it to him and he submitted something less than the full parcel. Councilmember Vance asked about acquiring the road. Manager Warnke said no road dedication is required. We backed away from the thought of extending 100 south, but we will continue to maintain it. It could also be an access point to the surrounding properties. Mr. Todd Thornley is requesting that Mr. Summers find an alternate access into his property. This would have the Council accept the petition to continue to explore the annexation process. With that they would do the rezone. Before the Council approves and accepts the annexation, there will be a zoning designation applied with all the permitted and conditional uses within that zone. The Planning Commission will also make a recommendation to the Council on that zoning.

3. ***CLOSED SESSIONS: There was no closed session held at this time.***
 - a. ***Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; and/or***
 - b. ***Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or***
 - c. ***Strategy sessions to discuss pending or reasonably imminent litigation; and/or***
 - d. ***Discussions regarding security personnel, devices or systems***

The meeting adjourned at 7:02 p.m. by consensus of the Council.

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CITY COUNCIL MEETING

Mayor Fridal called the July 2, 2019 City Council Meeting to order at 7:07 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese, Rohde, and Vance, City Manager Warnke, and City Recorder Nessen. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief Kurt Fertig, and Building Official Steve Bench.

1. Opening Ceremony:

Mayor Fridal informed the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by Councilmember Rohde and the Pledge of Allegiance was led by Councilmember Vance.

2. Introduction of guests:

Mayor Fridal welcomed those in attendance.

3. Declaration of Conflict of Interest—Councilmember Reese declared conflict on item 6. m

4. Approval of Agenda:

Motion by Councilmember Reese to approve the agenda of July 2, 2019 with correction to the time and to table item f. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – June 18, 2019

Motion by Councilmember Vance to approve the minutes of June 18, 2019. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

6. New Council Business:

a. Discussion and consideration of approving May 2019 Financial Statements

Motion by Councilmember Holmgren to approve the May 2019 Financial Statements. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

b. Discussion and consideration of approving May 2019 Warrant Register

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Motion by Councilmember Doutre to approve the May 2019 Warrant Register. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

- c. Discussion and consideration of approving Resolution No. 19-31 Tremonton City Council approving an agreement for animal control services between Tremonton City and Brigham City

Motion by Councilmember Rohde to approve the resolution. Motion seconded by Councilmember Reese. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

- d. Discussion and consideration of approving Resolution No.19-32 amending Section XVI: Benefits of the Tremonton City Personnel Policies and Procedures Manual relating to the Local Public Safety and Firefighters Surviving Spouse Trust Fund

Motion by Councilmember Holmgren to approve the resolution. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

- e. Discussion and consideration of adopting Resolution No. 19-33 approving the landscaping plans for the triangular median at the intersection of 600 North and Tremont Street; the park strip on Main Street from 400 East to Amber Avenue/ 570 East; and the trailhead at the Holmgren Nature Preserve and Trail

Motion by Councilmember Reese to adopt the resolution. Motion seconded by Councilmember Doutre. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

- f. Discussion and consideration of adopting Resolution No. 19-34 approving the signage plan and benches for the Holmgren Nature Preserve and Trail (located in the vicinity of 300 North and 700 East)

The Council tabled this item until pricing information could be obtained.

- g. Discussion and consideration of approving Resolution 19-35 authorizing West Liberty Foods, LLC to discharge to the Tremonton City publicly owned treatment works (POTW)

Motion by Councilmember Vance to approve the resolution. Motion seconded by Councilmember Reese. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember

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Rohde - aye, Councilmember Vance - aye. Motion approved.

- h. Discussion and consideration of adopting Resolution No. 19-36 approving the 2019 Tremonton Analysis and Recommendations for Street Network prepared by the Utah Local Technical Assistance Program Center

Motion by Councilmember Dautre to adopt the resolution. Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

- i. Discussion and consideration of approving Resolution No. 19-37 accepting a petition for annexation of certain real property, being 2.92 acres of the 5.84 acres of property that comprises tax parcel no. 05-074-0044 located at approximately 100 South and 1600 East (State Road 13) under the provisions of Sections 10-2-403 and 10-2-405, Utah Code Annotated, 1953, as amended

Councilmember Rohde clarified this is a petition to allow us to look into the annexation, we are not making any final decisions at this point. Manager Warnke said we would start the public notice process if the petition is accepted and work through the zoning. It would then come back before the Council. Councilmember Rohde said it would be nice to see if the whole thing could be annexed. Councilmember Vance said he might not want to get out of green belt for tax purposes. Councilmember Holmgren said annexation does not take him out of green belt, he will just have to reapply. This is what he wants to do and we are trying to think for him. Manager Warnke said we could amend the code. There is criteria in our code that declares standards to consider annexation. We could accept it then be clearer as we meet and talk with people and allow City staff to say this is the City's policy whereby we consider annexations. Councilmember Vance said I think we need to approve it at this point so the conversations can be had and we can coach him into understanding he would not lose green belt and the property would increase in value. Let us get the ball rolling. We are not approving it yet and more discussion can be had.

Motion by Councilmember Holmgren to adopt the resolution. Motion seconded by Councilmember Vance. Roll Call Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - nay, Councilmember Vance - aye. Motion approved by a 4-1 vote.

- j. Discussion and consideration of adopting Ordinance No 19-04 amending the Tremonton City Land Use Code, Title I Zoning Ordinance Chapter 1.19 Supplementary Regulations creating standards for Drive-Up Window, Drive-Through, Stacking Lanes, Number of Vehicles

Official Bench said City staff had conversations with local business owners to work things out with Ridley's drive thru window. The staff put together a one-page ordinance and made some changes based on other cities and recommendations by the Planning Commission. This talks about the minimum

vehicle stacking that would be needed depending on the use. It addresses markings and signage that designate a particular area. Part of the discussion we had was about the alley behind Ridley's and making sure they are not parking and blocking that. Councilmember Rohde said this is good, but it does not take care of the problem or what we will allow to happen on our streets when it comes to stacking, one ways, and blocking traffic. We need to develop an ordinance that does not show favoritism; it needs to say this is what we do on our public street. Manager Warnke said it does say it cannot impede or restrict traffic. Official Bench said Ridley's would paint one square and one stall. It will take a few years to determine their cliental, but if we see an issue, they have the option to do a stacking lane in the parking lot with striping and signage. Mack's is also willing to move their reader board to the north. Manager Warnke said these standards apply going forward as we evaluate new applications. For a drive thru, they would need to have at least three car lengths for us to approve it and not impede traffic. Those that exist become a legal non-conforming use. They are approved permits that are allowed to continue, but they can never increase the degree of non-conformity. This is meant to go forward. We could make a stronger statement section if we feel we need to be clearer.

Motion by Councilmember Rohde to pass the ordinance. Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

- k. Discussion and consideration of adopting Ordinance No. 19-05 rezoning nine parcels of property (05-060-0047; 05-060-0048; 05-060-0049; 05-060-0046; 05-060-0050; 05-060-0045; 05-060-0051; 05-060-0044; and 05-060-0095) that total approximately 2.15 acres located on 600 South from the Central Canal, west to approximately 560 West and between 550 South and 600 South, from Residential Multiple District (RM-8) to Residential Multiple District (RM-16)

Official Bench said just south of Chadaz Estates, Mr. Matt Ritter wants to develop a parcel into multi-family. The existing buildings are RM-8, which makes them a legal non-conforming use. If we rezone that to RM-16, it puts it in conformity. Not a big deal, but banks call when they see a legal non-conforming use and want a letter. That would allow Mr. Ritter to build a couple four-plexes. Two units would face north and two would face south. The second building would be the same—making them look like a townhome rather than a typical four-plex. They would have a garage and individual driveways with grass on the sides. Councilmember Vance said that would help clean that area up, it is a great idea.

Motion by Councilmember Vance to adopt the ordinance. Motion seconded by Councilmember Dautre. Roll Call Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

- l. Discussion and consideration of declaring a 1996 Ford F-150 Pick Up (331), 185,000 miles as surplus property

Director Fulgham said we would put it up for bid but take no lower than what I

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could get out of it from scrap price. The engine runs, but the frame is broken. It has served us well, but is not salvageable to us.

Motion by Councilmember Holmgren to declare this vehicle as surplus. Motion seconded by Councilmember Rohde. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

- m. Discussion and consideration of the City Council authorizing the purchase of 3 police department vehicles and 1 for Public Works

Chief Fertig said these are the three vehicles we are going to rotate out that have aged. We would like to replace them with Chevy Silverado's, which tend to be the favorite and have really good service on them. They all hover around \$35,000, which was budgeted. There is a fourth one that Director Fulgham would like to tag along for Public Works. Director Fulgham said it was in his budget too.

Motion by Councilmember Rohde to approve the four new vehicles—three for the Police Department and one for Public Works. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

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

Monday, July 15, at 6 p.m. is the Mayor's Annual Party.

- b. Review of past assignment
 - 1. Record of property tax increase of Tremonton City

Manager Warnke said the City reached out to the Tax Commission in 2005 asking when the last time was we did a tax rate increase above what the County Auditor had determined and he could not find any records dating back to 1988, which is how far the records go back. Councilmember Holmgren reiterated taxes have gone up, we just have not ever done more than the County's certified tax rate.

- 2. Report on remaining burial lots in the Riverview Cemetery

Recorder Nessen said on average we sell 33 plots a year. We are down to 328 plots that have not been purchased. A total of 4,300 have been sold with 1,700 of those still vacant. According to this, if we keep selling that same amount, we have almost 10 years, but options are more limited and it might be nice for people to have other options. Director Fulgham said opening up the new section would cost about \$150,000 by the time we put the utilities, road, and sod in. We do own the land west of the cemetery and can develop whenever we want. The Council asked about the cost of plots, which are \$400 for residents and \$800 for non-residents.

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8. Reports & Comments:

- a. City Manager Reports and Comments
- b. Presentation on Development Review Committee

- 1. Preliminary and Final Review for Archibald Estates two-lot subdivision at approximately 760 North 900 West

Manager Warnke said this is a simple straightforward two-lot subdivision. There are no issues and it is going onto Planning Commission for preliminary approval.

- 2. Concept plan at 1200 South 1000 West

Manager Warnke said this is a project between interstates I-84 and I-15. They presented a plan, but there is limited access from Iowa String. We have concerns about that as far as sight distance and the speed of the road. They proposed manufactured homes and townhomes, and we provided some comments. Mr. Paul Keeler is the landscape architect, who laid out this development. They talked about the design and thought process behind that. The DRC is reviewing and discussing standards with the developer. They plan to have 234 units and proposed enlarging the entryway to accommodate more traffic with an emergency access against the abutment. It is a concern, but this is just a concept. They will refine the layout and address our concerns. It is an isolated neighborhood and that sometimes leads to deterioration. Cities often put undesirable land uses against the interstate, but I think that is a mistake. That is the world's window into your community. The front of the parcel is constrained with overhead transmission lines and fill slopes of the overpasses, but then it flattens out. I am glad they have a landscape architect working on it.

- 3. Concept Plan at 2550 West BR Mountain Road

Manager Warnke said this is another concept plan, but Mr. Terry Johnson is moving quickly. We purchased the corridor for the BR Mountain Road from him and it created two parcels of property. He is the owner of the remainder parcels. It is a six-lot subdivision, seven lots with the remainder parcel. He intends to build one building on lot 4 for manufacturing wholesale, but he anticipates an evolution of these buildings as the City continues to grow. They will have more of an industrial feel at first. There are some industrial uses to the east and to the north is residential. As properties increase and land uses change, he would update the facades to make them more attractive. We are looking at the subdivision and the site plan issues. We will review the preliminary plat at the next DRC meeting.

- c. City Department Head Reports and Comments
 - 1. Water shares update- Paul Fulgham, Public Works Director
 - 2. Construction update- Paul Fulgham, Public Works Director

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Director Fulgham said we obtained quite a few water shares from the property purchased and bought 22.5 from Todd Miller. The City currently owns 326 shares. We have about 50 more from other leads and developers to come. We will be ahead of the game from what we have developed in secondary once those are all in. This is a good investment for the City. Manager Warnke said Director Roberts is concerned we are starting to bump against what that fund can do. We might shift and purchase some out of our Capital Projects Funds with some of our surplus. The City is going to need its own water shares as we continue to develop. We should figure out how to continue funding the acquisition of these shares.

3. Midland Square Chalk Affair- Zach LeFevre, Recreation & Events Manager
Tabled until the next meeting.

- d. Council Reports and Comments

Councilmember Rohde said they had fun playing in the softball game during Wheat and Beet Days. He also applauded the videos on the City's website.

Mayor Fridal thanked the Council and staff for all they do.

9. ***CLOSED SESSIONS: No closed session was held at this time.***
 - a. ***Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms; and/or***
 - b. ***Strategy session to discuss the character, professional competence or physical or mental health of an individual; and/or***
 - c. ***Strategy sessions to discuss pending or reasonably imminent litigation; and/or***
 - d. ***Discussions regarding security personnel, devices or systems***
10. Adjournment.

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

The meeting adjourned at 8:16 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date. Minutes were prepared by Jessica Tanner.

Dated this _____ day of _____, 2019.

Draft Minutes

Linsey Nessen, City Recorder

Follow-up items for the Council and City Staff

Manager Warnke will get pricing for signage and Benches proposed for the Malad River Trail.

TREMONTON CITY
CITY COUNCIL MEETING
JULY 16, 2019

TITLE:	Discussion and consideration of adopting Resolution No. 19-34 approving the signage plan and benches for the Holmgren Nature Preserve and Trail (located in the vicinity of 300 North and 700 East)
FISCAL IMPACT:	Signage will be paid for out of the Fund 26, with 50% of the cost being borne by the RTP grant. City staff is awaiting a bid from Impact Signs on the costs for the signage. The bid should be done ahead of the City Council meeting and presented at the City Council meeting
PRESENTER:	Shawn Warnke, City Manager

Who, What & Why: Since acquiring the Conservation Easement and Public Access Easement the City has received various grants and contributions to develop a trail and a trailhead to provide for off-street parking and public restrooms that are needed to accommodate public access to the Holmgren Nature Preserve and Trail. There have been many entities and individuals that have donated funds or otherwise contributed to the planning, designing or constructing of the aforementioned amenities at the Holmgren Nature Preserve and Trail. Tremonton City desires to recognize the generous donations and contributions of entities and individuals who have participated in the aforementioned project through the placement of signage.

Additionally, the *2011 Tremonton City Trails, Parks and Open Spaces Master Plan* include the objective of recognizing and enhancing ecological open space through the placement of interpretive signage to educate the public about nature, history, and culture of Tremonton City. As such it is recommended that the Tremonton City Council hereby adopts a signage plan and benches for the Holmgren Nature Preserve and Trail.

Attachments: Draft Resolution

RESOLUTION NO. 19-34

A RESOLUTION APPROVING A SIGNAGE PLAN AND BENCHES FOR THE HOLMGREN NATURE PRESERVE AND TRAIL (LOCATED IN THE VICINITY OF 300 NORTH AND 700 EAST)

WHEREAS, the ecology and wetland of the Malad River Bottoms provides natural amenities unlike anything else within Tremonton City's incorporated limits and should be preserved in perpetuity; and

WHEREAS, pursuant to Resolution No. 14-24 Tremonton City acquired a Conservation Easement and Public Access Easement for 14.23 acres of land in the Malad River Bottoms referred to as Holmgren Nature Preserve & Trail; and

WHEREAS, since acquiring the Conservation Easement and Public Access Easement the City has received various grants and contributions to develop a trail and a trailhead to provide for off-street parking and public restrooms that are needed to accommodate public access to the Holmgren Nature Preserve and Trail; and

WHEREAS, there have been many entities and individuals that have donated funds or otherwise contributed to the planning, designing or constructing of the aforementioned amenities at the Holmgren Nature Preserve and Trail; and

WHEREAS, Tremonton City desires to recognize the generous donations and contributions of entities and individuals who have participated in the aforementioned project through the placement of signage; and

WHEREAS, the *2011 Tremonton City Trails, Parks and Open Spaces Master Plan* include the objective of recognizing and enhancing ecological open space through the placement of interpretive signage to educate the public about nature, history, and culture of Tremonton City.

NOW THEREFORE BE IT RESOLVED, that the Tremonton City Council hereby adopts Resolution No. 19-34 approving the signage plan and benches for the Holmgren Nature Preserve and Trail (located in the vicinity of 300 North and 700 East) as attached in the Exhibits.

Adopted and passed by the governing body of Tremonton City this 2nd day of July 2019.
To become effective upon passage.

TREMONTON CITY CORPORATION

Roger Fridal, Mayor

ATTEST:

Linsey Nessen, City Recorder

EXHIBIT “A”- KIOSK SIGN PANELS (24” x 36”)



NATURE PRESERVE & TRAIL

- *You Are Here (Kiosk)*
- *Interpretive Signs*
- *Nature Trail (1.13 miles from trailhead and back)*
- *Malad River*
- *Elevation Contours (ft)*



**FOR THE BENEFIT ALL TRAIL USERS AND FOR
THE PROTECTION OF WILDLIFE AND THEIR
HABITAT, PLEASE FOLLOW ALL RULES:**

- Stay on the designated trail
- Stay to the right and pass on the left
- Trail open from dusk to dawn
- Use at your own risk



- For police and medical emergencies call 911; or for non-emergency dispatch, call 435-734-3800 ext. 0.
- Any person violating any of the instructions, signs, or rules may be expelled from the Halmgren Nature Preserve & Trail, cited, and/or other penalties.
- For problems, concerns, and to report vandalism, please call Tremonton City Offices at 435-257-9500.

THE BIDWELL-BARTLESON TRAIL



John Bidwell

In May of 1841, John Bidwell (age 22), an adventure seeking native New Yorker, and Captain John Bartleson (age 54), set out as the Bidwell-Bartleson emigrant wagon train across the western U.S. and through what is now Tremonton. The group consisted of 69 people, and what transpired during the next 6 months would test them beyond what they imagined. Their experience and record served an important role in aiding later west-bound travelers.

Thanks to the company's well documented efforts, their experiences served as a guide for others. They had key roles in the establishment of the State of California, where they served in various military, civic, government, and social positions. John Bidwell passed away April 4, 1900 at age 81 in California. John Bartleson reached California but soon after returned to Missouri and died in 1848. The map to the right shows major events as they traveled cross-country from Missouri to California. The map below shows the company's route through Idaho and Utah, where they actually traveled along the Malad River through Tremonton.



Bidwell-Bartleson Cross-County Route

- 1 May 12, 1841, the Bidwell-Bartleson wagon train set out with 69 people from Westport, Missouri. Their goal: get to Marsh's Fort in California. True to their goal, they made it but not without struggles and setbacks.

Despite their eagerness to start the journey, they wisely chose to wait a few extra days so missionaries led by Pierre-Jean De Smet, along with Thomas "Broken Hand" Fitzpatrick an experienced mountain man, could join. Smet and Fitzpatrick brought with them the

skills and knowledge to reach Soda Springs, Idaho. Without them, it was highly unlikely the wagon train would have reached California.

- 2 Enjoying the relatively flat terrain through Kansas and Nebraska, the company reach Fort Laramie on June 22, just 42 days into their journey. After leaving the fort, the rugged terrain of the rocky mountains and diminishing food supplies forced the party to slow their pace to 12 miles a day.

- 3 Early August the company reached Soda Springs, Idaho. After a few days of rest, the group split at Sheep Rock (Soda Point). From there Bidwell and Bartleson along with 28 men, 1 woman and 1 child followed the Bear River south towards the California Trail while the remaining travelers, lead by Smet and Fitzpatrick, continued west along the Oregon Trail to Fort Hall.

- 4 Traveling through the Great Basin Desert of Utah and Nevada, declining food supplies

continued to be a problem and on September 15, 1841, it was decided that in order to survive, they would abandoned their wagons and continue on foot with their stock animals. With worsening conditions, the company was forced to eat their animals to survive.

- 5 On November 4, 1841 after 176 days on the trail and just over 2,000 miles, the remaining 54 members arrived at Marsh's Fort. There John Marsh cared for them for a brief period after which they separated and began to settle in California.

Bidwell-Bartleson Route Across Idaho and Utah



THE MALAD RIVER WATERSHED

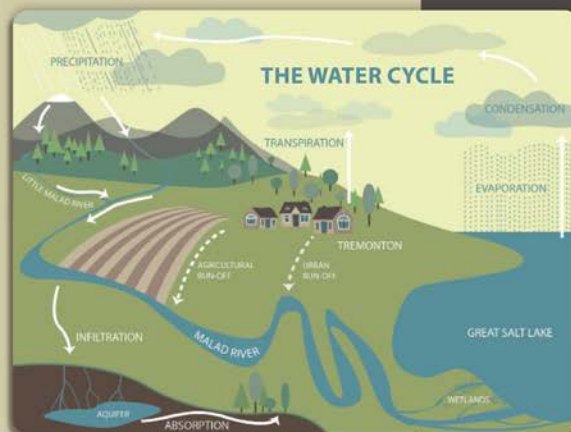
What is a watershed?

A watershed, or basin is an area of land that drains into a body of water. We all live in a watershed, and rely on it for clean and plentiful water. You are standing in the Malad River Watershed, which means all the water that enters this basin will drain into the Malad River. The Malad River then flows into the Bear River which flows into the Great Salt Lake.

The shape and extent of a watershed is defined by the Earth's topography. Mountain ridges divide one watershed from another. For example, if you were to straddle the ridge of the Malad Mountains one foot would be in the Malad River watershed and the other in the Middle Bear watershed.

The water cycle

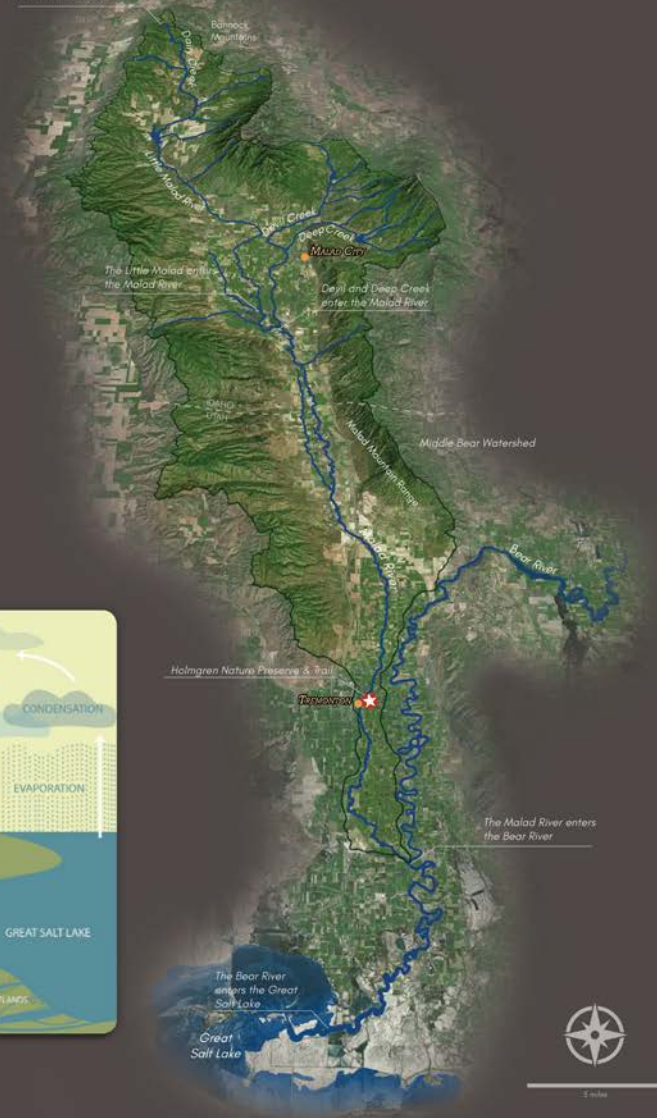
Water enters and exits a watershed through a process called the water cycle (see diagram below). Water from the Earth's surface evaporates or transpires from plants into the air, condenses into clouds, and falls back to Earth again as precipitation (rain or snow). Precipitation will either infiltrate into the soil and become groundwater stored in aquifers, be absorbed by plants, pumped from wells by humans; or it may run off the Earth's surface into the nearest stream or lake.



Impacts to the watershed

What happens on the land in a watershed is important because it affects the quality and quantity of our water supply. There are many ways humans impact the watershed and the quality of water. The two biggest impacts humans have on the watershed are pollution and non-permeable surfaces. Fertilizer, pesticides, wastewater and industrial discharge are a few examples of pollutants that can get into our surface and groundwater by humans. Non-permeable surfaces, such as roads and rooftops, are surfaces that prevent water from infiltrating into the ground. When precipitation occurs moisture hits those non-permeable surfaces and runs off them, which can cause flooding. If those surfaces contain oils or other pollutants, it can also enter groundwater and surface water sources.

Dairy Creek forms the upper reach of the Malad River, originating in the Bonanza Mountain Range in southeastern Idaho.

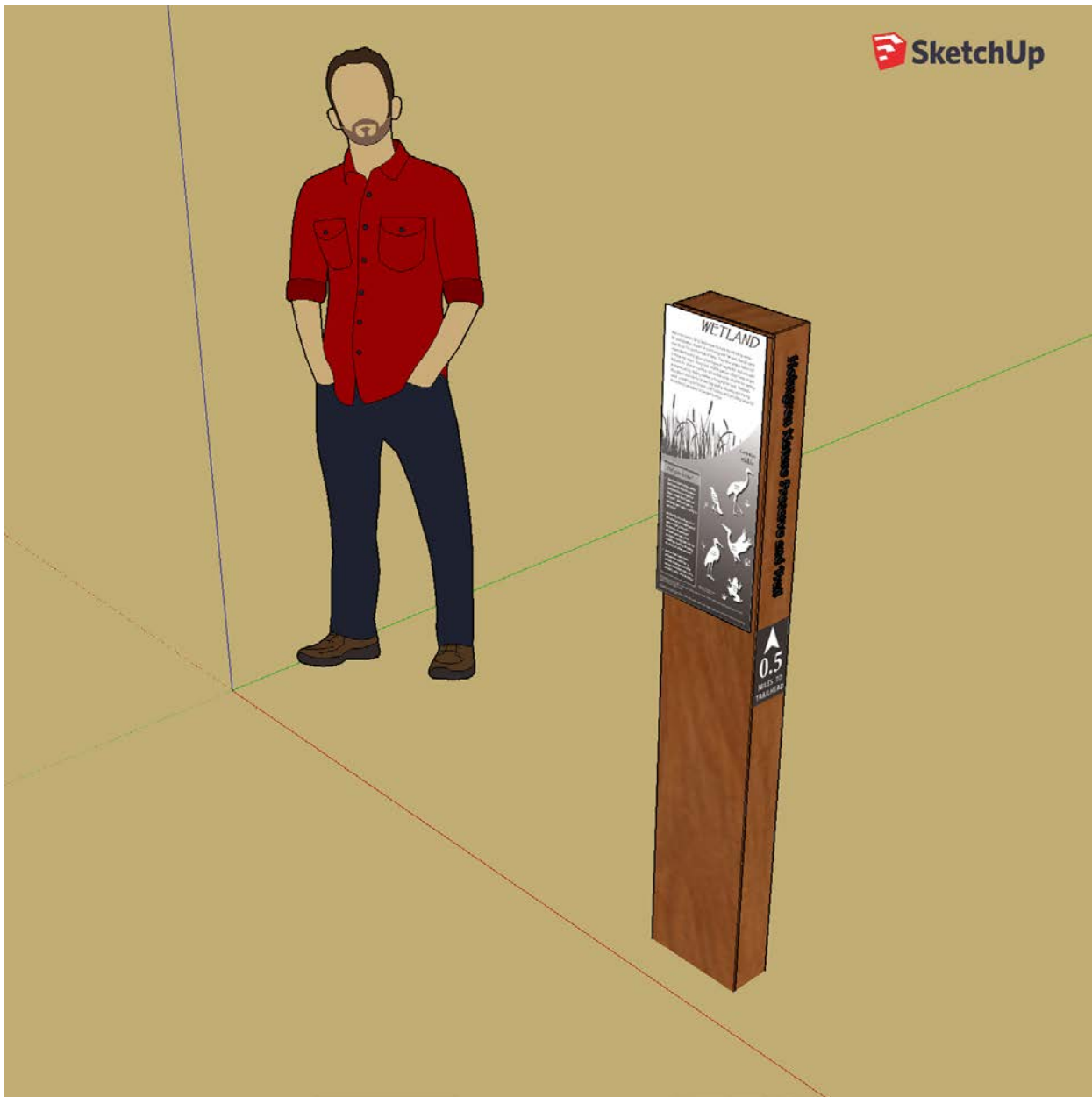


How can we protect our watershed?

It's easy to help keep our watershed healthy so that humans, animals, and plants have clean and plentiful water:

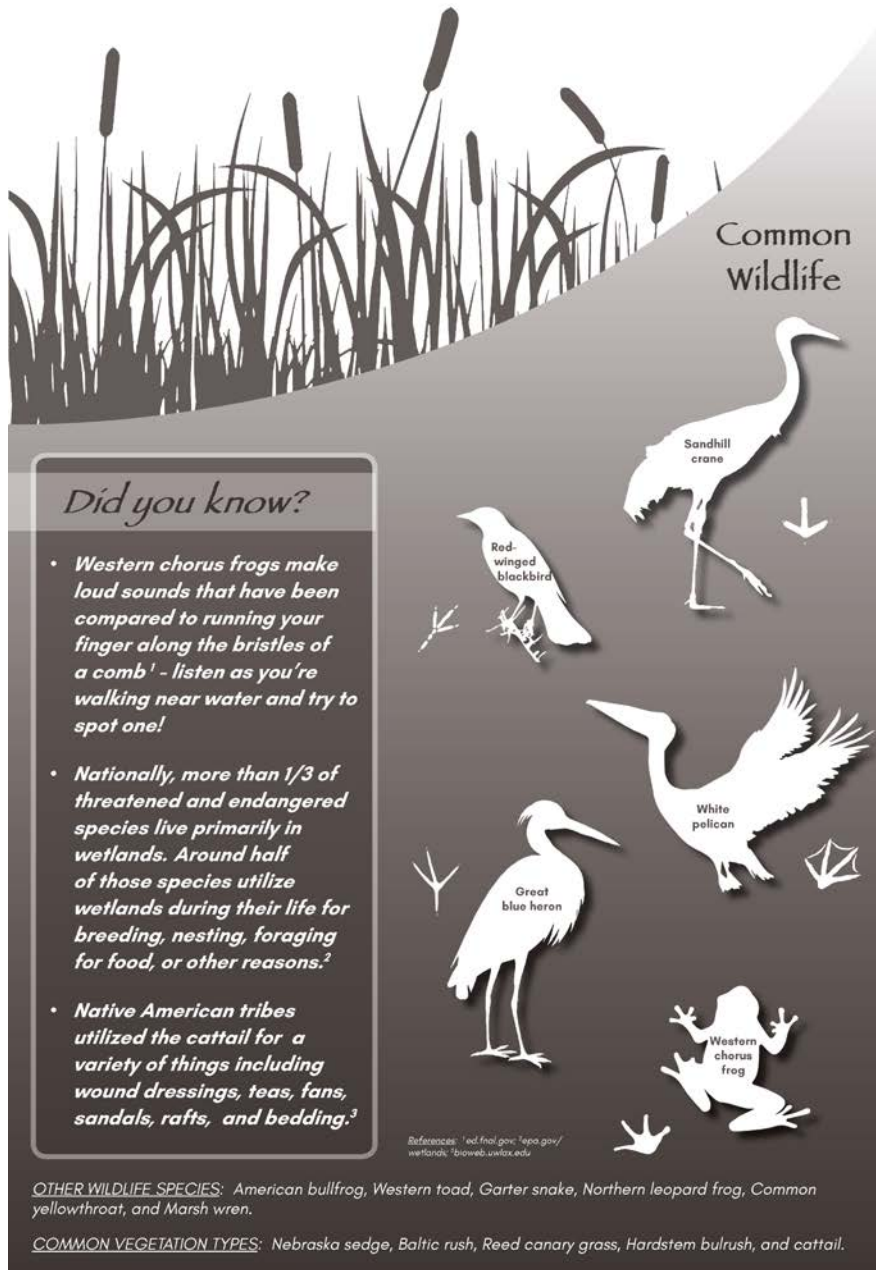
- Pick up pet waste, and dispose of it in the trash
- Clean up after yourself and others
- Minimize fertilizer on your landscape
- Landscape with drought-tolerant plants
- Never pour paint, oil, soap, or other chemicals down drains or sewers, take them to a hazardous waste center
- Conserve water by taking shorter showers, fixing leaks and turning water off when not in use

EXHIBIT “B”- INTERPRETIVE SIGN PANELS (10” x 20”)



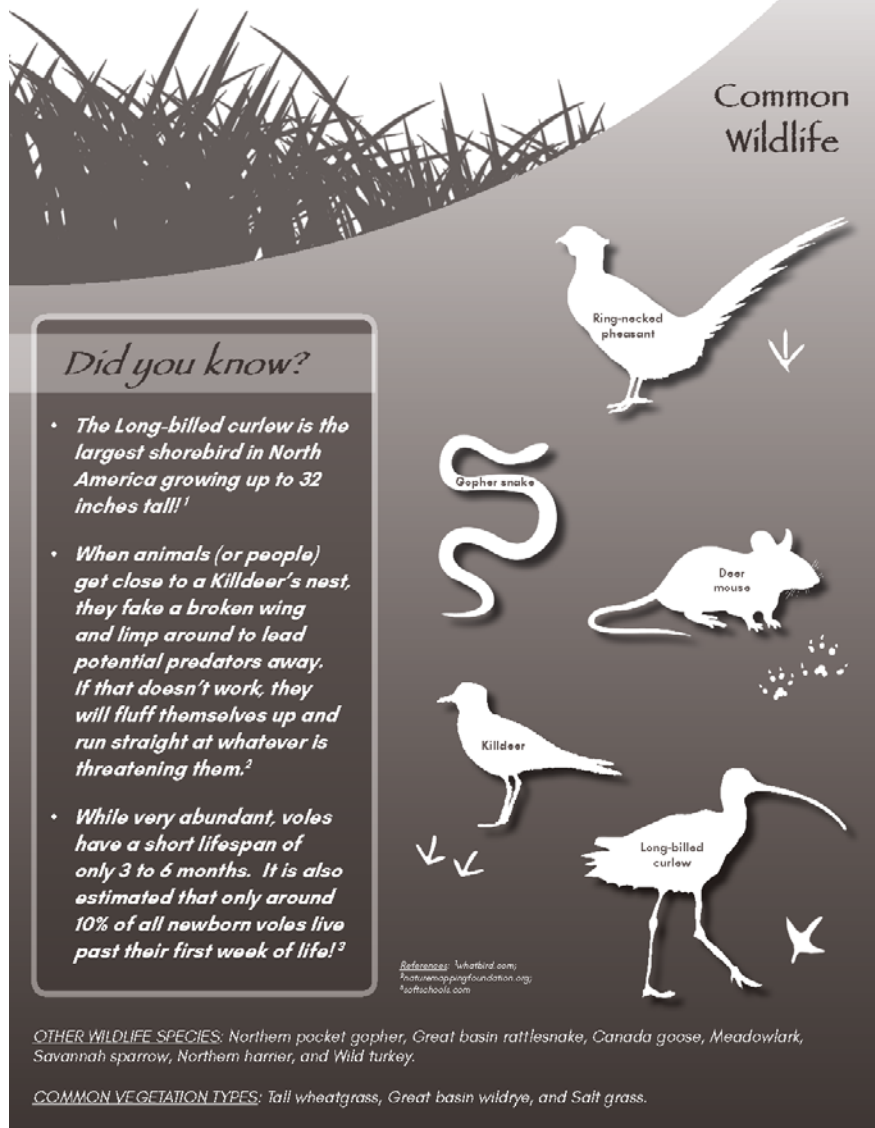
WETLAND

Wetlands are low-lying landscapes that are inundated by water for a substantial amount of time throughout the year, though some may dry out for short periods of time. They have unique hydric soil characteristics and grow certain types of vegetation that only exist in these wet areas. Many local wildlife species utilize these unique habitats for at least a portion of their life cycle, whether for nesting or rearing young, finding shelter, or foraging for food. Wetlands also play a vital role for protecting wildlife, cleaning and storing water, preventing soil erosion and flooding, and providing beautiful recreational amenities for people to enjoy.



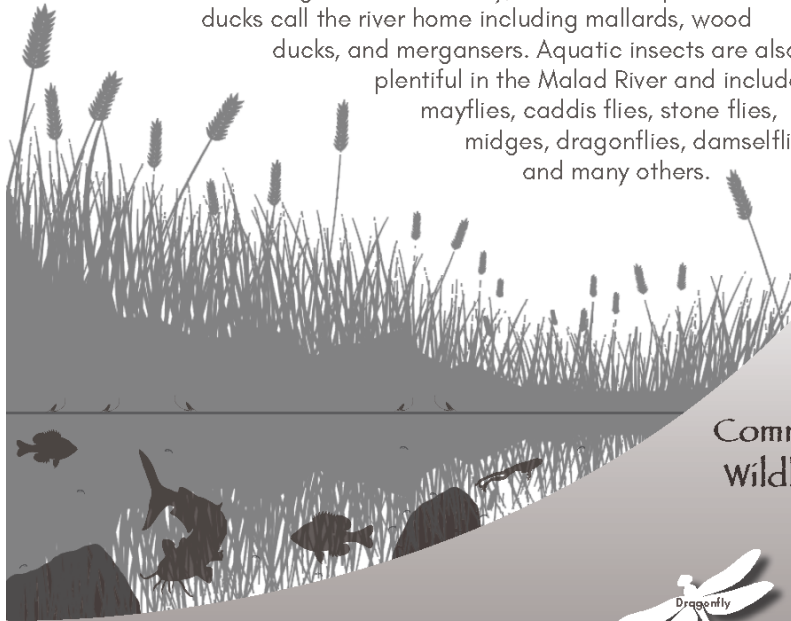
GRASSLAND

Grasslands may not have as much wildlife diversity as wetlands, but they make up for it in numbers. Many rodents, birds and snakes frequent grassy areas along the Malad River. Pocket gophers, gopher snakes, and pheasants frequent the area, while other species are a little more elusive, such as the Long-billed curlew. An occasional great basin gopher snake may also be seen looking for an easy meal of deer mice, gophers, voles, or other snakes. These snakes have similar markings to a rattlesnake and even attempt to make rattling sounds with their tail to scare potential predators, though they do not have a rattle on the end of their tail. Also watch for hawks and other birds of prey as they sit in the tree tops or on fence posts, waiting to swoop down and have their lunch in the tall grass.



AQUATIC

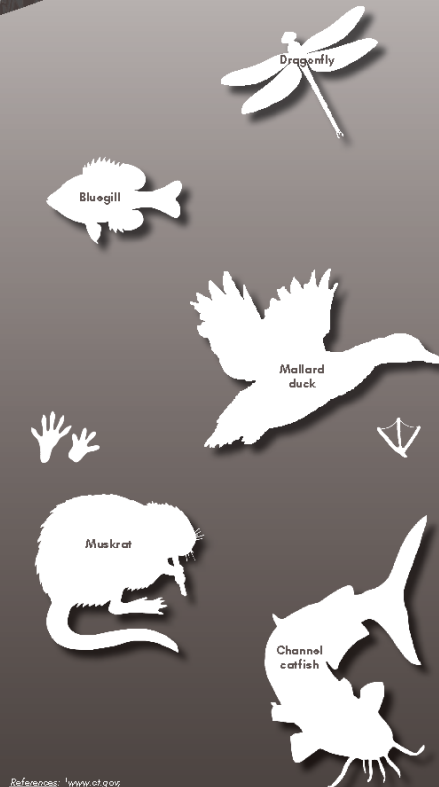
Many types of wildlife live in and utilize the Malad River for habitat, food, and shelter. Fish feed, spawn, and take cover under the banks of the river. Beavers and muskrats build homes in and along the river banks and forage for food nearby, and several species of ducks call the river home including mallards, wood ducks, and mergansers. Aquatic insects are also plentiful in the Malad River and include mayflies, caddis flies, stone flies, midges, dragonflies, damselflies and many others.



Common Wildlife

Did you know?

- Muskrats can remain underwater for up to 20 minutes at a time and can actually swim backwards!¹
- When spawning, a female smallmouth bass will lay up to 14,000 eggs in a "nest" that the male builds on gravel areas in a river or lake. After the eggs hatch, the male aggressively protects them from predators.²
- There are over 3,000 species of Mayflies worldwide. While plentiful during evening hatches on local rivers and streams, mayflies only live as adults for anywhere from several minutes to several days.³

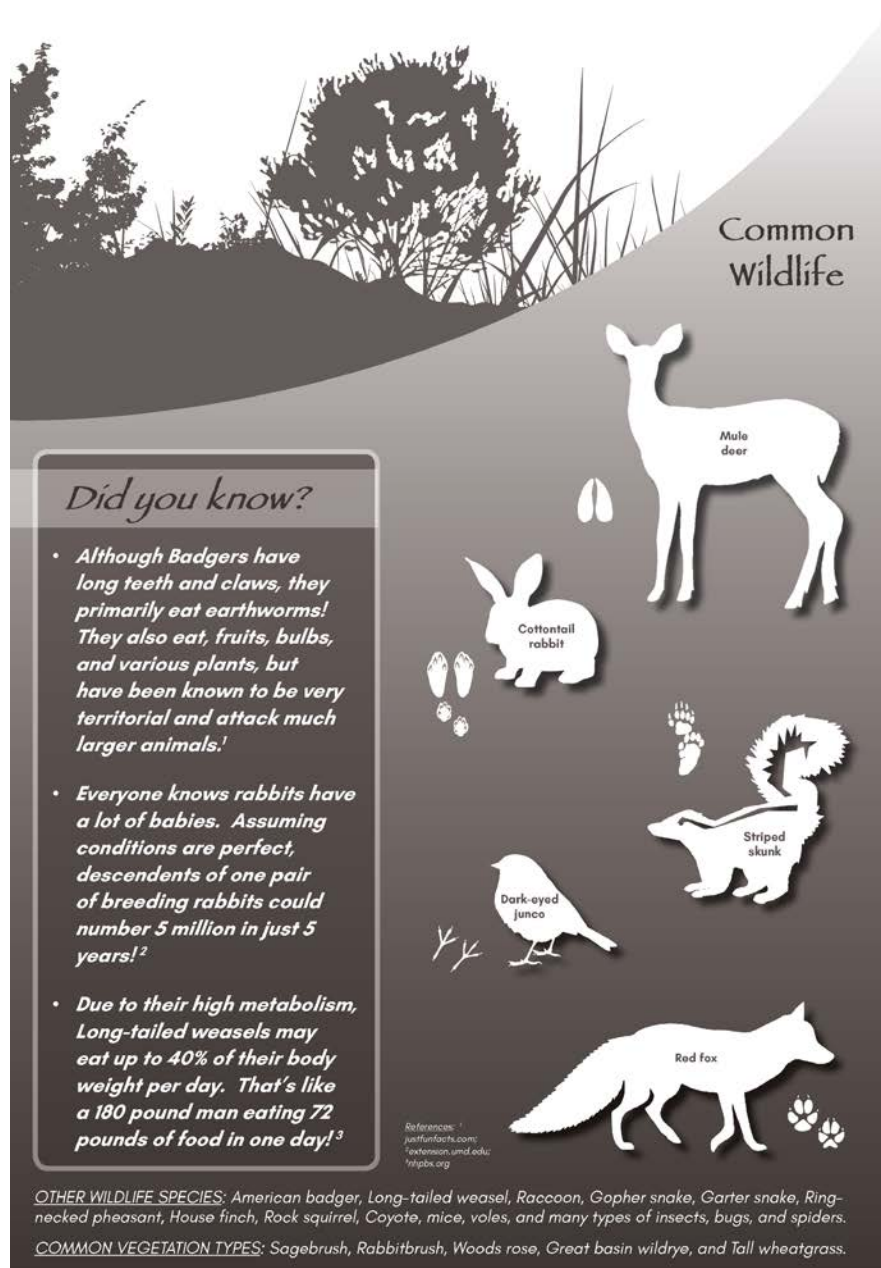


References: ¹www.ct.gov
²forum.americanwildlife.com
³thevalleybridge.com

OTHER WILDLIFE SPECIES: Wood duck, Gadwall, Goldeneye, Merganser, American bittern, Smallmouth bass, Bluegill, Green sunfish, Sculpin, Redside shiner, Walleye, Fathead minnows, Crayfish, and many types of aquatic insects.

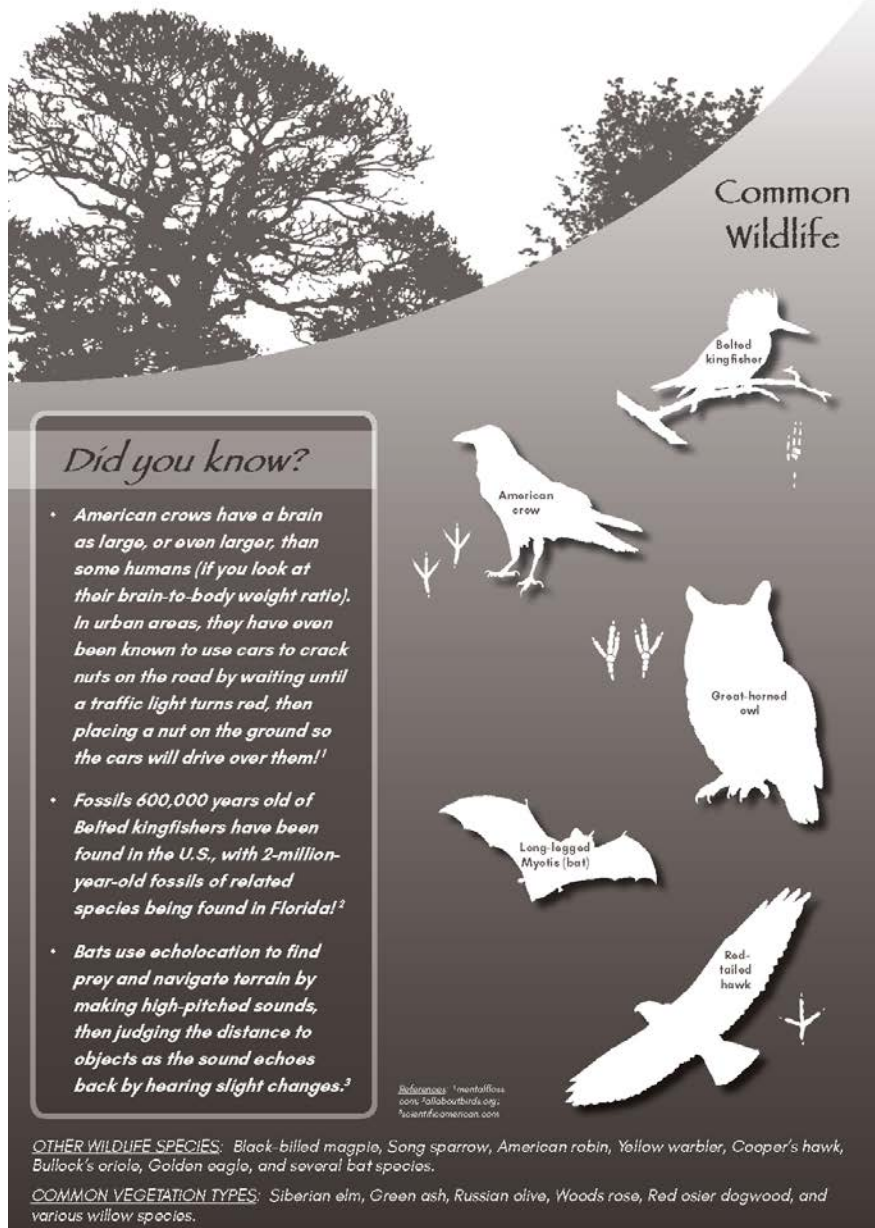
UPLAND

The upland areas on the hills above the Malad River provide critical wildlife habitat for a variety of wildlife species. Sage brush, rabbitbrush, and woods rose, along with large bunch grasses and small forbs, provide shelter and food for rabbits, pheasants, mule deer, raccoons, red foxes, badgers, various song birds, and several types of snakes and rodents. The larger vegetation in the upland habitat also helps to prevent erosion on steep hillsides due to their strong, deep root systems. Vegetation in this area is also quite resilient to drought and high soil salinity which both occur in the Malad River valley.



TREE CANOPY

Tree canopies along the Malad River not only include large trees on the hillside above the river, but also the smaller trees and large shrubs that grow along the river in what is referred to as a riparian area. Riparian areas refer to the vegetation on the banks of springs, streams, and rivers that serves as quality habitat for birds and insects. While tree canopies are great for birds, they also provide shade and shelter for other animals that live on the ground below, protecting them from the rain, hot sun, or powerful wind storms. Tree roots and the grasses and forbs that surround the tree are also home to various rodents, insects, and other small animals. They also help stabilize the soil on steep hillsides and reduce soil erosion.



Common Wildlife

Did you know?

- American crows have a brain as large, or even larger, than some humans (if you look at their brain-to-body weight ratio). In urban areas, they have even been known to use cars to crack nuts on the road by waiting until a traffic light turns red, then placing a nut on the ground so the cars will drive over them!¹
- Fossils 600,000 years old of Belted kingfishers have been found in the U.S., with 2-million-year-old fossils of related species being found in Florida!²
- Bats use echolocation to find prey and navigate terrain by making high-pitched sounds, then judging the distance to objects as the sound echoes back by hearing slight changes.³

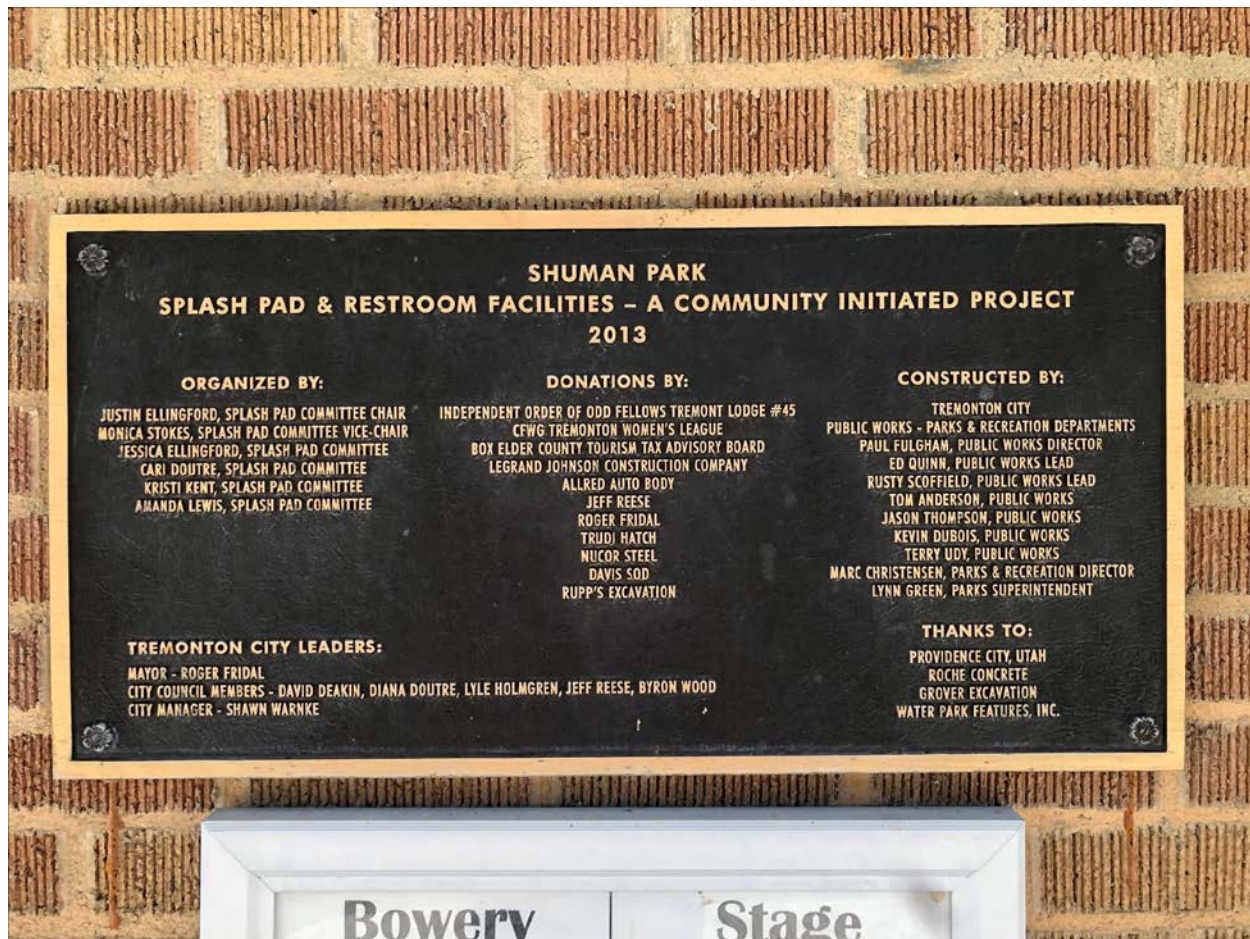
References: ¹mentalillness.com, ²allaboutbirds.org, ³scientificamerican.com

OTHER WILDLIFE SPECIES: Black-billed magpie, Song sparrow, American robin, Yellow warbler, Cooper's hawk, Bullock's oriole, Golden eagle, and several bat species.

COMMON VEGETATION TYPES: Siberian elm, Green ash, Russian olive, Woods rose, Red osier dogwood, and various willow species.



EXHIBIT "C"- BRONZE RESTROOM SIGN



Draft list of contributors, which is subject to additions

Holmgren Nature Preserve and Trail Completed in 2019

Donors or Contributors

Holmgren Properties LLC
LeRay McAllister Critical Land Conservation Program
Intermountain Healthcare
Box Elder County
Utah Recreational Trails Program, Utah Division of Parks and Recreation
Tremonton City
Bear River Association of Governments
National Park Service- Rivers, Trails, and Conservation Assistance Program

Mayor, Councilmembers, & Manager

Roger Fridal, Mayor
Jeff Reese, Councilmember
Diana Doutre, Councilmember
Lyle Holmgren, Councilmember
Bret Rohde, Councilmember
Lyle Vance, Councilmember
Byron Wood, Councilmember
David Deakin, Councilmember
Shawn Warnke, Manager

Parks & Recreation

Marc Christensen, Director

Engineer

Chris Breinholt, Jones and Associates

Designer

Zac Covington, Bear River Association of Governments
Scott McCombs, Bear River Association of Governments
Dayton Crites, Bear River Association of Government
Katie Gerratt, Bear River Association of Government

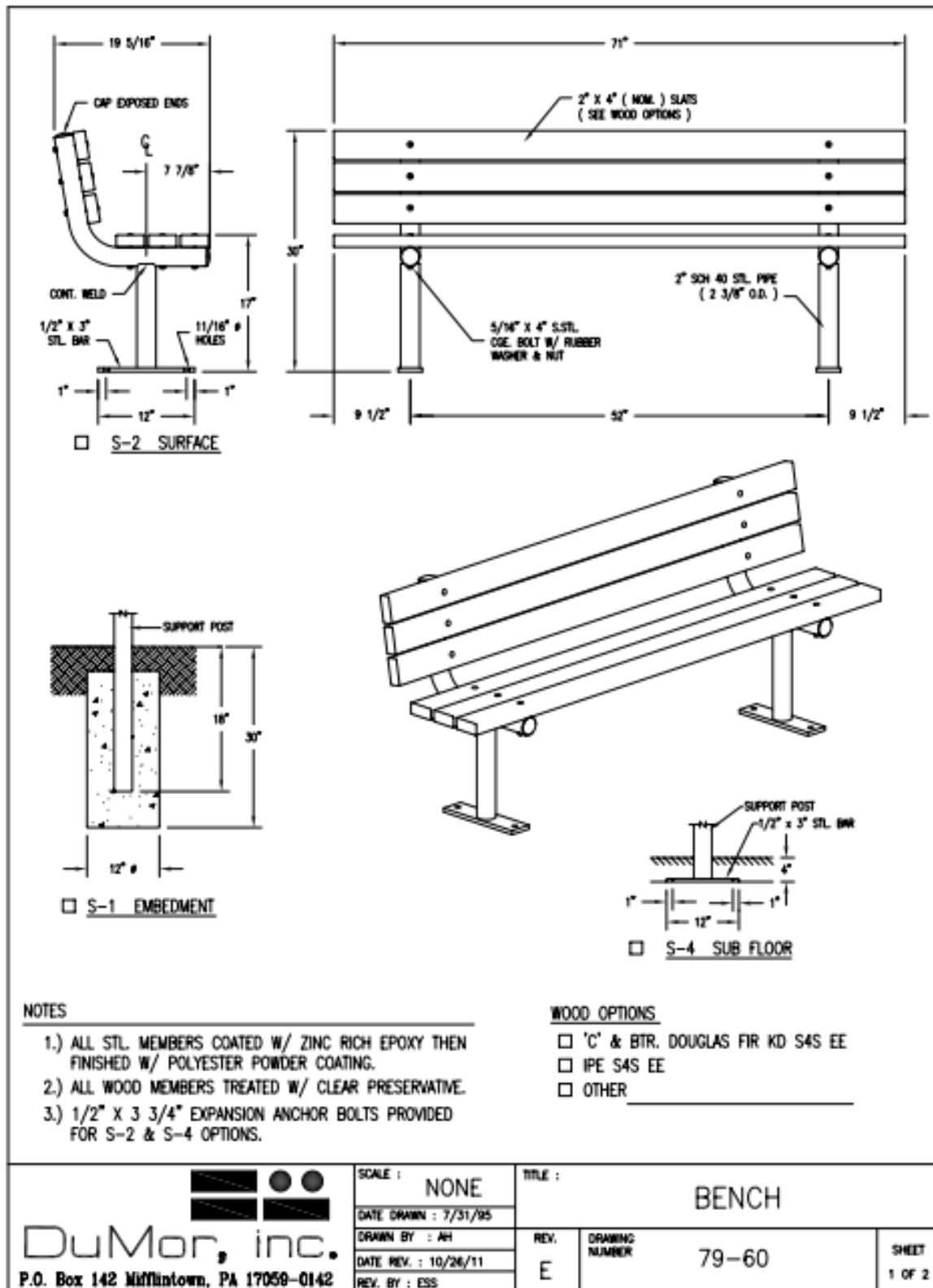
Public Works

Paul Fulgham, Public Works Director
Rusty Scoffield, Public Works Lead
Tom Anderson, Public Works

Contractors

Rupp's Trucking

EXHIBIT "D"- TYPICAL BENCH



TREMONTON CITY
CITY COUNCIL MEETING
JULY 16, 2019

TITLE:	Discussion and consideration of adopting Resolution No. 19-38 approving the dissolution of the district entitled "Tremonton City Special Improvement District #1"
FISCAL IMPACT:	Not applicable
PRESENTER:	Shawn Warnke

PREFACE:

In the 2019 Utah Legislative Session the Legislature adopted Senate Bill 28 and Senate Bill 29, which is codified in UCA 67-1a-15 which requires all Local Governmental Entities, Limited Purpose Entities, and Redevelopment Agencies to register with the Lt. Governor's Office. It was at this time that it came to the City attention that the previous adopted Resolution 12-32 that dissolved Special Service District had not been completed. Specifically, following the passage of Resolution 12-32, the intent of the Tremonton City Council was for the Tremonton City Recorder to provide notice to the Lieutenant Governor of the State of Utah. For some unknown reason the Lieutenant Governor's office does not have record of receiving notice of Resolution 12-32, the Tremonton City Council is hereby adopting this Resolution to again dissolve the Special Service District. Below is more background information on Special Service District.

BACKGROUND:

In 1991 Tremonton City created a District to provide culinary water services to residents that wanted to be annexed into the Corporate City Limits of Tremonton. Since the creation of the District, the City has collected annual assessments to pay for the indebtedness associated with the culinary water services for property owners within the District. During the 2011-2012 Budget the City made the final payment, completing the financial obligation for which the District was created.

It is recommended that the District now be dissolved. If the City Council approves the proposed Resolution the assets that were associated with the District will be transferred to the Water Fund. By state statute the City is required to give notice to the Lt. Governor's Office of the dissolution. The Lt. Governor's Office has already reviewed the draft Resolution and believes that it is in good order.

Attachments: Proposed Resolution

RESOLUTION NO. 19-38

A RESOLUTION APPROVING THE DISSOLUTION OF THE DISTRICT ENTITLED “SPECIAL IMPROVEMENT DISTRICT #1”

WHEREAS, via Resolutions 91-19 (See Exhibit “A”) and 92-05 (See Exhibit “B”), the Tremonton City Council created a District entitled “Special Improvement District #1”; and

WHEREAS, it has been determined the District created by Resolutions 91-19 and 92-05 was mischaracterized as a Special Improvement District, when the District created was, in reality, a Special Service District (See Exhibit “C”); and

WHEREAS, the District was created to provide culinary water services to residents newly annexed into the Corporate City Limits of Tremonton in 1991, those services having been completed and all obligations of the District having been fulfilled; and

WHEREAS, since the creation of the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1” the assets of the Special Service District have been maintained by the Tremonton City Water Department; and

WHEREAS, the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1” has fulfilled all its obligations, financial and otherwise; and

WHEREAS, since the creation of the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1” has been governed by the Tremonton City Council; and

WHEREAS, the Tremonton City Council has determined that the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1” is no longer needed for the purposes for which it was created;

WHEREAS, on or about June 19, 2012, the Tremonton City Council passed Resolution 12-32 dissolving the Special Service District created by Resolutions 91-19 and 92-05; and

WHEREAS, in accordance with the passing of Resolution 12-32 dissolving the Special Service District the Finance Director transferred all of the assets more particularly described in Exhibit “D” to the Tremonton City Water Department to be accounted for in the Tremonton City Fund 51- Water Fund; and

WHEREAS, following the passage of Resolution 12-32, the intent of the Tremonton City Council was for the Tremonton City Recorder to provide notice to the Lieutenant Governor of the State of Utah of the dissolution of the Special Service District created by Resolution 91-19 and 92-05; and

WHEREAS, as the Lieutenant Governor’s office does not have record of receiving notice of Resolution 12-32, the Tremonton City Council is hereby adopting this Resolution to again dissolve the Special Service District created by Resolution 91-19 and 92-05.

NOW, THEREFORE, pursuant to Section 17D-1-601, Utah Code, the Tremonton City Council hereby resolves to approve the dissolution of the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1,” which is legally and more particularly described in Exhibit “E” attached and incorporated hereto.

Additionally, be it resolved that, pursuant to 17D-1-603, the City Council directs the City Recorder within 30 days after the passage of this Resolution to give notice to the Lieutenant Governor regarding the dissolution of the Special Service District created by Resolutions 91-19 and 92-05, and incorrectly entitled “Special Improvement District #1.

ADOPTED AND PASSED by the City Council of the City of Tremonton, Utah, this 16th day of July, 2019.

TREMONTON CITY CORPORATION

By _____
Mayor Roger G. Fridal

ATTEST:

City Recorder Linsey Nessen

(city seal)

Exhibit “A”

Tremonton, Utah

December 5, 1991

A special meeting of the City Council of Tremonton City, Box Elder County, Utah (the "Council") was held on Thursday, the 5th day of December, 1991 at the hour of 6:15 pm at its regular meeting place of the Council at which meeting there were present and answering roll call the following members who constituted a quorum:

Present:

Gilfred W. Smart	Mayor
Louise Day	Councilor
Harry W. Gephart	Councilor
Max Weese	Councilor
DeWayne H. Falk	Councilor

Also present:

W. Paul Buys III	Recorder
------------------	----------

Absent:

Gordon G. Worley	Councilor
------------------	-----------

After the meeting had been duly called to order there was presented to the Council a Certificate of Compliance with Open Meeting Law with respect to this December 5, 1991 meeting, a copy of which is attached hereto as Exhibit "A".

Thereupon, the following resolution was introduced in written form, discussed in full, and pursuant to motion made by Councilor DeWayne Falk and seconded by Councilor Harry Gephart, adopted by the following vote:

YEA:

Max Weese
Louise Day
Harry Gephart
DeWayne Falk

NAY:

None

RESOLUTION NO. 91-19

A RESOLUTION OF THE CITY COUNCIL (THE "COUNCIL") OF TREMONTON CITY (THE "CITY") DECLARING THEIR INTENTION TO CREATE WITHIN THE CITY, SPECIAL IMPROVEMENT DISTRICT NO. 1; APPROVING THE FORM OF THE NOTICE OF INTENTION TO BE PUBLISHED; ESTABLISHING THE TIME WITHIN WHICH THE CITY WILL ACCEPT PROTESTS AGAINST THE CREATION OF THE DISTRICT; ESTABLISHING THE DATE AND TIME FOR A HEARING AT WHICH ALL PROTESTS FILED SHALL BE CONSIDERED; ESTABLISHING THE NECESSARY NUMBER OF PROTESTS TO CAUSE THE ABANDONMENT OF THE DISTRICT; AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION; AND ALL RELATED MATTERS.

WHEREAS, the Council is the legislative body for Tremonton, Utah, a Utah municipal corporation; and

WHEREAS, the Council has received a Petition for Annexation from the owners of certain real property which is contiguous to the northwest boundary of the City; and

WHEREAS, the primary, motivating factor for said Petition is that the owners of the referenced real property have private culinary water sources that have been drying up and efforts to drill new wells at greater depth or to obtain culinary water from sources other than the City do not have merit; and

WHEREAS, the referenced petitioners and property owners desire to be annexed to the City in order that they might receive municipal culinary water, but it has been estimated by the City Engineer that it will cost approximately \$150,000.00 for the construction of the necessary improvements to provide municipal culinary water to said property owners; and

WHEREAS, the City is willing to annex the referenced real property and to provide culinary water to the owners of the real property, provided they pay for the costs associated with extending the necessary water main line, the costs for the installation of a booster pump station; the costs for engineering, legal, financing and all other related costs associated with the necessary improvements to the City's water system, together with monthly service fees and the costs for operation and maintenance of the booster pump station; and

WHEREAS, it has been determined that the most appropriate method by which the necessary cost can be isolated and assessed to the owners of the property to be annexed is through the creation of a Special Improvement District for that area; and

WHEREAS, the City has obtained the authorization for a loan up to \$140,000.00 from the Utah State Drinking Water Board and said Board is willing to purchase a bond for such amount from a Special Improvement District; and

WHEREAS, the City Council has determined that it would be in the best interests of the City and the owners of the property proposed for annexation if a Special Improvement District were formed, concurrently with or after the annexation of said real property.

NOW, THEREFORE, the City Council of Tremonton City does hereby resolve as follows:

Section 1. The Council hereby finds and determines that it is in the best interest of the residents of the City, including those to become residents in the area proposed for annexation for a Special Improvement District to be formed for purposes of extending a main culinary water line along 1000 North Street and installing a booster pump station and necessarily related appurtenances, so as to enable the City to provide culinary water service to the property owners in the annexed area. The area proposed for annexation and the area for the proposed Special Improvement District are identical and are more particularly described in the Notice of Intention which is set forth in Section 4, below.

Section 2. The City Council hereby determines that there is sufficient capacity in its culinary water system and sufficient quantity of water from its municipal water sources to service the area located within the boundaries of the proposed Special Improvement District so as to provide the culinary water service to the referenced property owners in the manner contemplated.

Section 3. The City Council hereby declares its intention to create Special Improvement District No. 1 within its corporate boundaries and hereby authorizes and directs the Mayor to execute the Notice of Intention as more specifically set forth in the next section of this resolution and authorizes and directs the City Recorder to cause the publication of the same in The Leader, a newspaper published on a weekly basis within the City. The Recorder shall cause it to be published in the manner required by law.

Section 4. The form of a Notice of Intention shall be in substantially the form set forth below:

NOTICE OF INTENTION

Public notice is hereby given that on the 5th day of December, 1991 the Municipal Council and the Mayor of the City of Tremonton, Box Elder County, Utah adopted and approved a

resolution declaring their intention of creating in said city Special Improvement District No. 1, Tremonton City, Box Elder County, Utah, for the purpose of extending a main culinary water line, of installing a booster pump station, with all related appurtenances, and to levy special taxes and assessments as provided in Chapter 3, Part 3, Title 17A, UCA, 1953, as amended, on the property within said District for the benefit of which such assessments are to be expended in the improvement of street frontage and general value of said properties. The proposed District area is described as follows:

Commencing at the Northwest corner of Section 5, Township 11 North, Range 3 West, Salt Lake Base and Meridian; thence as follows: North 558.00 feet along the East line of Section 32, Township 12 North, Range 3 West; thence North 89°41' East 2649.84 feet; thence South 591.00 feet along the Quarter section line; thence North 89°48'04" East 1600.00 feet along the South line of 10th North; thence South 200.00 feet along the existing corporate boundary; thence South 89°48'04" West 450.00 feet along the existing corporate boundary; thence South 89°39' West 1953.80 feet; thence South 278.50 feet; thence North 89°39' West 507.00 feet along the South boundary of the Hiroko Isaki property; thence North 50 feet more or less to the South boundary of the Melvin A. Schneiter property; thence South 69°50' West 394.5 feet along the South boundary of the Melvin A. Schneiter property; thence South 71°20' West 396.17 feet along the South boundary of the Lee D. Fuhriman property; thence North 153.74 feet; thence South 77°15' West 582.20 feet along the South boundary of the Collen Laws property; thence North 274.00 feet; thence West 210.00 feet; thence North 450.00 feet; thence East 210.00 feet to the point of commencement. Contains 72 acres more or less.

The water line extension and pump station are proposed to be installed in the street right-of-way known as 1000 North, on which each of the property owners in the proposed Special Improvement District area has frontage. Property owners will access the improvements by use of collateral water lines running from their property and connected to the main water line in the street. Other improvements outside the District may be made to coordinate the proposed improvements with existing improvements and topography, but assessments will be levied only for improvements within the District.

ESTIMATED COST; METHOD OF ASSESSMENT

As determined by the City Engineer, the total estimated cost of the improvements including necessary amounts to cover the actual cost of legal fees, engineering fees, costs for financing, preparing, publishing and mailing of notices, and all other incidental costs relating to the District, including costs for making the levy, is approximately \$150,000.00 and \$140,000.00 of said cost will be paid by a special assessment to be levied against the property described above, and which abuts upon or is adjacent to the said 1000 North Street and which may be affected by or specially benefitted by any of such improvements. Assessments shall be levied on the basis of the frontage of the property of each owner immediately adjacent to the said 1000 North Street, in which the planned improvements are to be located. Each property owner shall also be required to pay the established connection fee for each connection to the main water line, prior to making such connection, shall pay a prorata portion of the expenses related to the operation and maintenance of the referenced pump station and shall pay the monthly service charge for the use of the municipal water system.

The special assessments to be levied may be paid by the abutting property owners in full or in part, without interest, within fifteen (15) days after the ordinance levying the assessments becomes effective. It is the intention of the City Council to fund up to \$140,000.00 of the costs for the improvements proposed in said District with a loan which has been authorized by the Utah State Drinking Water Board. The Board has agreed to purchase the City's interim warrants which will provide up to \$140,000.00 in funds to be added to the City's contribution of approximately \$10,000.00, to complete the project. Once the project is completed and all costs have been assessed to the property owners within the District and time has been allowed for those who desire to pay their entire assessment or have it charged to them annually on their property tax bill, then the balance left unpaid shall become the amount for the special assessment bond which the Board will purchase in making the loan to the District.

TIME FOR FILING PROTESTS

Any objections to the proposed special improvements or to the creation of the Special Improvement District shall be in writing, signed by the owner or owners of property within the proposed District and abutting upon or adjacent to 1000 North Street, shall contain a description of the owner's property (lot, block, etc.) and shall be filed with the Tremonton City Recorder, Tremonton City Offices, 102 South Tremont Street, Tremonton, Utah, 84337, on or before 5:00 o'clock p.m. on Friday, January 10, 1992. Thereafter, at 7:30 o'clock p.m. on

Tuesday, January 21, 1992, the Municipal Council and Mayor will meet at the Municipal Council Chambers to hear and consider any such objections to the proposed improvements or to the creation of the District. The governing body shall abandon the District and not create it if protests representing one-half (1/2) of the front footage of the property to be assessed which abuts upon and is adjacent to the referenced 1000 North Street have been filed with the City Recorder on or before 5:00 o'clock p.m. on Friday, January 10, 1992.

DATED this 5th day of December, 1991.

TREMONTON CITY, a Utah
Municipal Corporation

By Gilfred W. Smart, Mayor

Publication Dates: December 11, 18, 24 and 31, 1991.

Section 5. All proceedings, resolutions and documents pertaining to the Special Improvement District, to date, and actions of the City and its officers taken in connection with the transactions contemplated by this Resolution are hereby ratified, confirmed and approved. All items as specifically noted in the Notice of Intention set forth in Section 4, above, including those related to the types of improvements proposed, the estimated cost and method of assessment, the proposed methods for payment and financing and the time for filing protests and the number required to stop the creation of the Special Improvement District, the date and time for the hearing to be held regarding any protests, and all other items, shall be as set forth in the referenced Notice of Intention.

Section 6. The appropriate officers of the City are authorized to take all action necessary or reasonably required to carry out, give effect to and consummate the actions contemplated hereby and are authorized to take all action necessary in conformity with the Utah Municipal Improvement District Act, to create the Special Improvement District as contemplated.

Section 7. The Mayor is hereby authorized to make any alterations, changes or additions in the Notice of Intention herein approved and authorized necessary to correct errors or omissions therein, to remove ambiguities therefrom, or to conform the same to the provisions of this Resolution, or the provisions of the laws of the State of Utah.

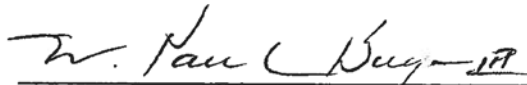
STATE OF UTAH)
 : ss.
County of Box Elder)

I, W. Paul Buys III, duly qualified and acting City Recorder of Tremonton City (the "City") do hereby certify:

1. The foregoing is a true copy of the record of proceedings of the City Council of the City (the "Council"), had and taken at a lawful public meeting of said Council held at the regular meeting place of said Council, in Tremonton City, Box Elder County, Utah, on the 5th day of December, 1991, commencing at the hour of 6:15 p.m., as recorded in the regular official book of the proceedings of the City kept in the office of the City, and said proceedings were duly had and taken as therein shown, and the meeting therein shown was duly held, and the persons therein were present at said meeting as therein shown.

2. All members of the City Council of said City were duly notified of said meeting, pursuant to law.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 5th day of December, 1991.



City Recorder

(SEAL)

EXHIBIT "A"

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

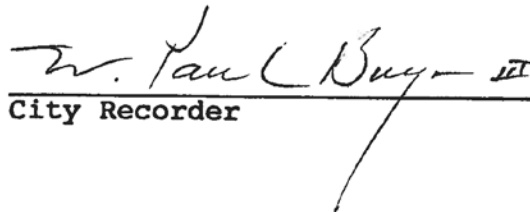
I, W. Paul Buys III, the undersigned City Recorder of Tremonton City (the "City") do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-6(2), Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the December 5, 1991 public meeting held by the City as follows:

(a) By causing a Notice, in the form attached hereto as Schedule "A", to be posted at the City's principal offices on December 4, 1991, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting; and

(b) By causing a copy of such Notice, in the form attached hereto as Schedule "A", to be delivered to The Leader, a newspaper of general circulation in the City and to each local media correspondent requesting Notice of Meetings on December 4, 1991, at least twenty-four (24) hours prior to the convening of the meeting.

In addition, Notice of the 1991 Annual Meeting Schedule of the Council, in the form attached hereto as Schedule "B" was (and has remained) posted and available for public inspection and was made available to the local media correspondents as required by law.

IN WITNESS WHEREOF, I have hereunto set my official signature of this 5th day of December, 1991.



City Recorder

SCHEDULE "A"

Meeting Notice

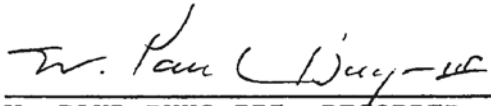
TREMONTON CITY CORPORATION

COUNCIL SPECIAL MEETING AGENDA DECEMBER 5, 1991

TO BE HELD AT 102 S. TREMONT, AT 6:15 p.m.

1. CONSIDERATION OF A RESOLUTION DECLARING THE INTENT TO CREATE WITHIN THE CITY, SPECIAL IMPROVEMENT DISTRICT NO. 1; APPROVING THE FORM OF THE NOTICE OF INTENTION TO BE PUBLISHED; ESTABLISHING THE TIME WITHIN WHICH THE CITY WILL ACCEPT PROTESTS AGAINST THE CREATION OF THE DISTRICT; ESTABLISHING THE DATE AND TIME FOR A HEARING AT WHICH ALL PROTESTS FILED SHALL BE CONSIDERED; ESTABLISHING THE NECESSARY NUMBER OF PROTESTS TO CAUSE THE ABANDONMENT OF THE DISTRICT; AUTHORIZING THE PUBLICATION OF THE NOTICE OF INTENTION; AND ALL RELATED MATTERS.
2. ADJOURNMENT

NOTICE WAS POSTED December 4, 1991, A DATE NOT LESS THAN 24 HOURS PRIOR TO THE DATE AND TIME OF THE MEETING AND REMAINED SO POSTED UNTIL AFTER THE SAID MEETING. A COPY OF THE AGENDA WAS DELIVERED TO THE LEADER ON December 4, 1991.



W. PAUL BUYS III, RECORDER

SCHEDULE "B"

Annual Meeting Schedule

NOTICE OF ANNUAL MEETING SCHEDULE

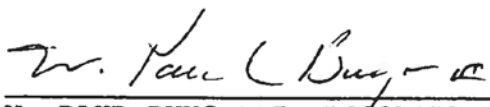
CITY COUNCIL OF TREMONTON CITY, UTAH

PUBLIC NOTICE IS HEREBY GIVEN THAT THE 1991 ANNUAL MEETING SCHEDULE OF THE CITY COUNCIL OF TREMONTON CITY, BOX ELDER COUNTY, UTAH IS AS FOLLOWS:

<u>REGULAR MEETINGS</u>	<u>DATE</u>
JANUARY	8 AND 22
FEBRUARY	5 AND 19
MARCH	5 AND 19
APRIL	2 AND 16
MAY	7 AND 21
JUNE	4 AND 18
JULY	2 AND 16
AUGUST	6 AND 20
SEPTEMBER	3 AND 17
OCTOBER	1 AND 15
NOVEMBER	5 AND 19
DECEMBER	3 AND 17
JANUARY 1992	7

REGULAR MEETINGS OF THE COUNCIL ARE HELD AT THE OFFICE OF THE COUNCIL IN THE CIVIC CENTER AT 102 S. TREMONT, TREMONTON, UTAH COMMENCING AT 7:00 PM.

ADOPTED THIS THE 8TH DAY OF JANUARY 1991. POSTED AND DELIVERED TO THE LEADER ON THE 8TH DAY OF JANUARY 1991.

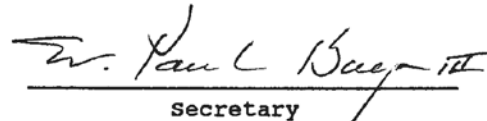


W. PAUL BUYS III, RECORDER

NOTICE OF SPECIAL MEETING

TO THE MEMBERS OF THE TREMONTON CITY COUNCIL, TREMONTON CITY, TREMONTON, UTAH:

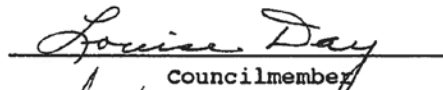
NOTICE IS HEREBY GIVEN that a special Council meeting of Tremonton City, Utah, will be held at the Council's regular meeting place at 6:15 on Thursday, the 5th day of December 1991, for the purpose of consideration of a resolution declaring the intent to create within the city, Special Improvement District no. 1; approving the form of the notice of intention to be published; establishing the time within which the City will accept protests against the creation of the district; establishing the date and time for a hearing at which all protests filed shall be considered; establishing the necessary number of protests to cause the abandonment of the district; authorizing the publication of the notice of intention; and all related matters and the transaction of such other business incidental to the foregoing as may come before said meeting.


Secretary

ACKNOWLEDGMENT OF NOTICE
AND CONSENT TO SPECIAL MEETING

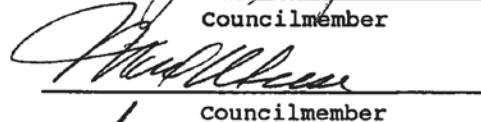
We, the members of the Tremonton City Council, Tremonton City, Utah, do hereby acknowledge receipt of the foregoing Notice of Special Meeting, and we hereby waive any and all irregularities, if any, in such notice and in the manner of service thereof upon us and consent and agree to the holding of such special meeting at the item and place specified in said notice, and to the transaction of any and all business which may come before said meeting.


Chair


Councilmember


Councilmember


Councilmember


Councilmember

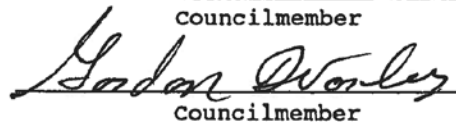

Councilmember

Exhibit "B"

MAR 6 1992
BOX ELDER COUNTY RECORDS

430151

DEP MS FEE 67.00

1992 MAR -9 PM 2:54

RESOLUTION NO. 92-05

Red note vvv

BOOK 516 PAGE 471

WHEREAS, the City Council of Tremonton, Utah, adopted Resolution No. 91-19 on December 5, 1991 wherein the Council declared its intention to create Special Improvement District No. 1, approved the form of the Notice of Intention to be published, established the time within which the City would accept protests against the creation of the District, established the date and time for a hearing of all protests, established the necessary number of protests to cause the abandonment of the District, and authorized the publication of the Notice of Intention, together with all related matters; and

WHEREAS, the City caused the Notice of Intention to be published in The Leader, a newspaper published on a weekly basis within the City for four (4) consecutive weeks and to be mailed to each owner of property to be assessed in the District as required by law; and

WHEREAS, all protests and objections against the creation of said District and improvements proposed to be constructed therein were to have been submitted by 5:00 p.m., Friday, January 10, 1992, the same to be heard and considered at a public hearing scheduled for 7:30 p.m., Tuesday, January 21, 1992, with said hearing having been held and no protests or objections having been received; and

WHEREAS, there has been no legally sufficient protest to prevent the creation of said District;

NOW, THEREFORE, be it resolved by the City Council of the City of Tremonton, Box Elder County, State of Utah, as follows:

RESOLUTION CREATING TREMONTON CITY SPECIAL IMPROVEMENT DISTRICT NO. 1 AND ESTABLISHING A LIST OF PROPERTIES PROPOSED TO BE ASSESSED WITHIN SAID DISTRICT.

1. The Tremonton City Special Improvement District No. 1 shall be and the same is hereby created. The legal description for the boundaries of Special Improvement District No. 1 are more particularly described as follows:

Commencing at the Northwest corner of Section 5, Township 11 North, Range 3 West, Salt Lake Base and Meridian; thence as follows: North 558.00 feet along the East line of Section 32, Township 12 North, Range 3 West; thence North 89°41' East 2649.84 feet; thence South 591.00 feet along the Quarter section line; thence North 89°48'04" East 1600.00 feet along the South line of 10th North; thence South 200.00 feet along the existing corporate

boundary; thence South 89°48'04" West 450.00 feet along the existing corporate boundary; thence South 89°39' West 1953.80 feet; thence South 278.50 feet; thence North 89°39' West 507.00 feet along the South boundary of the Hiroko Isaki property; thence North 50 feet more or less to the South boundary of the Melvin A. Schneider property; thence South 69°50' West 394.5 feet along the South boundary of the Melvin A. Schneider property; thence South 71°20' West 396.17 feet along the South boundary of the Lee D. Fuhrman property; thence North 153.74 feet; thence South 77°15' West 582.20 feet along the South boundary of the Colleen Laws property; thence North 274.00 feet; thence ~~South~~ West 210.00 feet; thence North 450.00 feet; thence East 210.00 feet to the point of commencement. Contains 72 acres more or less.

Refer to page 4 for clarification

2. There is attached to this Resolution as Exhibit "A" and incorporated herein by reference a copy of the final approved Notice of Intention relating to the creation of this Special Improvement District No. 1, which Notice of Intention was published in The Leader, a newspaper published on a weekly basis within Tremonton City, said publications having occurred on December 11, 28, 25 and 31, 1991. The attached Notice of Intention sets forth the purposes for the creation of the District, the improvements to be constructed by reason of the District, and the estimated cost and method of assessment.

3. A list of properties proposed to be assessed within the District is attached to this Resolution, marked Exhibit "B" and incorporated by reference and it lists the properties proposed to be assessed by tax identification number and legal description and the lineal front footage of the property to be assessed.

4. This Resolution shall be effective immediately upon adoption by the City Council.

APPROVED AND ADOPTED this 3rd day of March, 1992.

TREMONTON CITY, a Utah Municipal Corporation

ATTEST:

Mr. Paul C. Buehler
City Recorder

By [Signature]
Mayor



CERTIFICATION

BOOK 516 PAGE 479

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

I, W. PAUL BUYS, III, the City Recorder of Tremonton, Utah, do hereby certify that the above and foregoing is a full and correct copy of Resolution No. 92-05, entitled Resolution Creating Tremonton City Special Improvement District No. 1 And Establishing A List Of Properties Proposed To Be Assessed Within Said District, adopted and passed by the City Council of Tremonton, Utah, at a regular meeting thereof on the 3rd day of March, 1992, 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 6th day of March, 1992.



W. Paul Buys, III
 W. Paul Buys, III
 City Recorder

wpd/blj/t/sid.res/T-998.40

4

SURVEYOR'S CERTIFICATE

BOOK 516 PAGE 480

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE MAP OF THE TRACT OF LAND TO BE ANNEXED TO TREMONTON CITY, BOX ELDER COUNTY, UTAH

BOUNDARY DESCRIPTION

COMMENCING AT THE NORTHWEST CORNER OF SECTION 5, T.11N., R.3 W., S.L.B. & M.; THENCE AS FOLLOWS:

COURSE	DISTANCE	REMARKS
NORTH	558.00'	ALONG THE WEST LINE OF SECTION 32, T.12 N., R.3 W.; THENCE
N 89° 41' E	2,649.84'	TO THE EAST LINE OF THE SW 1/4 OF SAID SECTION 32;
THENCE SOUTH	591.00'	ALONG SAID 1/4 SECTION LINE AND EXISTING CORP. LIMIT LINE TO S. LINE OF 10TH NO.;
THENCE N 89° 48' 04" E	1,600.00'	ALONG THE SOUTH LINE OF 10th NORTH ST. AND CORP. LIMIT LINE; THENCE
SOUTH	200.00'	ALONG THE EXISTING CORPORATE BOUNDARY; THENCE
S 89° 48' 04" W	450.00'	ALONG THE EXISTING CORPORATE BOUNDARY; THENCE
S 89° 39' W	1,953.80'	ALONG THE SO. PROP. LINE OF EXIST. LOTS TO THE SW COR. OF THE B. PALMER PROP.
THENCE SOUTH	278.50'	TO THE SO. LINE OF THE H. ISAKI PROP.
THENCE N 89° 39' W	507.00'	ALONG THE SOUTH BOUNDARY OF THE HIROKO ISAKI PROPERTY; THENCE
NORTH	50' MORE OR LESS	TO THE SOUTH BOUNDARY OF THE MELVIN A. SCHNEITER PROPERTY; THENCE
S 69° 50' W	394.5'	ALONG THE SOUTH BOUNDARY OF THE MELVIN A. SCHNEITER PROPERTY; THENCE
S 71° 20' W	396.17'	ALONG THE SOUTH BOUNDARY OF THE LEE D. FUHRMAN PROPERTY; THENCE
NORTH	153.74'	TO THE SE COR. OF THE COLLEN LAWS PROP.;
THENCE S 77° 15' W	582.20'	ALONG THE SOUTH BOUNDARY OF THE COLLEN LAWS PROPERTY; THENCE
NORTH	274.00'	TO THE SO. LINE OF 10TH NO. ST.; THENCE
SOUTHWESTERLY	210.00'	MORE OR LESS ALONG SAID LINE TO THE WEST LINE OF THE D.E. JONES PROP. PROJECTED;
THENCE NORTH	450.00'	ALONG SAID WEST LINE TO THE NO. LINE OF SECTION 6, T.11N, R.3W; THENCE
EAST No. 5181	210.00'	TO THE POINT OF COMMENCEMENT

CONTAINS 72 ACRES MORE OR LESS

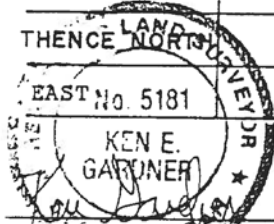


EXHIBIT "B"

BOOK 516 PAGE 481

TREMONTON CITY SPECIAL IMPROVEMENT DISTRICT NO. 1
LIST OF PROPERTIES PROPOSED TO BE ASSESSED

<u>PROPERTY OWNERS(S)</u> <u>(W/STREET ADDRESSES)</u>	<u>TAX I.D. NO.</u>	<u>FRONTAGE</u> <u>LINEAL FEET</u>
CLAUDIE H & JUANITA STEVENS 8050 WEST 12000 NORTH TREMONTON, UTAH 84337	06-059-007	400'
TED L & BONNIE R MOWER 8076 WEST 12000 NORTH TREMONTON, UTAH 84337	06-059-006	165'
ROBERT E. & DIANA M. DOUTRE 8096 WEST 12000 NORTH TREMONTON, UTAH 84337	06-059-0005	248.9'
COLLEEN LAWS 9365 WEST HWY 102 TREMONTON, UTAH 84337	06-059-0004	1879.2' 609.45'
BRADLEY J & CHRISTIE PALMER 8113 WEST 12000 NORTH TREMONTON, UTAH 84337	05-055-0063	304.8'
ROBERT O & LAURIE T BREMS 8135 WEST 12000 NORTH TREMONTON, UTAH 84337	05-055-0051	121'
CHARLES & REBECCA JOHNSON 8155 WEST 12000 NORTH TREMONTON, UTAH 84337	05-055-00049	121'
HIROKO ISAKI P.O. BOX 185 TREMONTON, UTAH 84337	05-055-0007	145.1'
JOEL LUKE & ANGIE H RAMSDELL 8191 WEST 12000 NORTH TREMONTON, UTAH 84337	05-055-0050	121'
MELVIN A & RUTH W SCHNEITER 8195 WEST 12000 NORTH TREMONTON, UTAH 84337	05-055-0037	400'
LEE D & EVELYN H FUHRIMAN 675 W. MAIN TREMONTON, UTAH 84337	05-055-0044	397.55'
LEE J & NOLA S WOOD * 8055 WEST 12000 NORTH TREMONTON, UTAH 84337	05-055-0060	100'

HEBER A & LORALEE B ANDERSEN	05-55-0017	200'
7905 WEST 12000 NORTH	05-55-0053	100'
TREMONTON, UTAH 84337		
ALICE MAY BUXTON	05-055-0011	100'
8019 WEST 12000 NORTH	05-055-0016	200'
TREMONTON, UTAH 84337		
OLEEN & WALTRAUD M JOHNSON	05-055-0010	100'
8029 WEST 12000 NORTH		
TREMONTON, UTAH 84337		
DARYL E & KATHLEEN J ROBBINS	05-055-0009	100'
238 NORTH 100 WEST		
TREMONTON, UTAH 84337		
JEAN C STOKES *	05-055-0036	100'
546 NORTH 2300 WEST		
TREMONTON, UTAH 84337		
CACHE VALLEY BANK	05-055-0008	89'
101 NORTH MAIN		
LOGAN, UTAH 84321		
FOUR M FARM CORP	05-055-0019	510'
1117 ALLSTON WAY		
SAN JOSE, CALIFORNIA 95120		
LAWRENCE L & MARGARET ANN BUXTON	05-055-0018	300'
4739 BELLVIEW		
KANSAS CITY, MISSOURI 64112		
JOSEPH T & KATHY D ALLEN	05-055-0042	100'
7965 WEST 12000 NORTH		
TREMONTON, UTAH 84337		
CARLOS FLORES III	05-055-0015	100'
866 SOUTH TREMONT		
TREMONTON, UTAH 84337		
DAVID E. JONES	05-175-001	210'
84200 W. 12000 NORTH		
TREMONTON, UTAH 84337		
BR RANCH LTD *	06-059-0024	16.5'
% GLEN CRUMP		
695 W. MAIN		
TREMONTON, UTAH 84337		

* INDICATE PARCELS TO BE DIVIDED SEE DEED REVISIONS AS ATTACHED

LEGAL DESCRIPTIONS FOR THE PARCELS LISTED ABOVE:

05-055-0073 ✓ off 0060

~~05-055-0060~~ 101
 WOOD, LEE J & NOLA S JT
 8005 WEST 12000 NORTH
 TREMONTON, UT 84337

✓ BEG AT A PT ON S R/W OF CO RD 33 FT
 S OF N/4 COR OF SEC 5 T11N R3W SLM.
 S 89°39'E 81 FT, S 200 FT, S 89°39'
 E 1000 FT, S 459 FT M/L TO N/L OF
 BOTHWELL HIGHLINE CANAL, S 68°10'W
 ALG SD LINE 1185 FT, N 1099.7 FT TO

05-055-0060 101 # 2

S/L OF 12000 N ST, S 89°39'E 19 FT
 TO BEG. BEING LOT 1 OF MT VERNON
 ESTATES MINOR SUB. CONT 17.77 ACRES

06-059-0032 ✓ ✓05-055-0001 ✓ ✓05-055-0002 ✓ ✓06-059-0034 ✓ off 0024 ✓05-055-0072 ✓ off 0048 ✓

05-055-0017 ✓ ✓ 101
 ANDERSEN, HEBER A & LORALEE B JT
 7905 WEST 12000 NORTH
 TREMONTON, UT 84337

✓ BEG AT A PT ON S R/W OF CO ROAD 581
 FT S 89°39'E ALG SEC LINE & 33 FT S
 OF N/4 COR OF SEC 5, TWP 11N, R 3W,
 SLM, S 89°39'E ALG SD LINE 200 FT,
 S 200 FT, N 89°39'W 200 FT, N 200
 FT TO BEG. CONTG .92 AC.

05-055-0053 ✓ ✓ 101
 ANDERSEN, HEBER A & LORALEE B JT
 7905 WEST 12000 NORTH
 TREMONTON, UT 84337

✓ BEG AT A PT ON S LINE OF CO RD 33
 FT S & 481 FT S 89°39'E FROM NW COR
 OF NE/4 OF SEC 5 T11N R3W SLM. S
 89°39'E 100 FT, S 200 FT, N 89°39'W
 100 FT, N 200 FT TO POB.
 CONTG .459 ACRE M/L

05-055-0011 ✓ ✓ 101
 BUXTON, ALICE MAY ETAL JT
 8019 WEST 12000 NORTH
 TREMONTON, UT 84337

✓ BEG AT A PT ON CO ROAD R/W LINE 33
 FT S & 19 FT N 89°39'W FRM N/4 COR
 OF SEC 5, TWP 11N, R 3W, SLM, N 89°
 39'E 100 FT, N 200 FT TO BEG. CONTG
 .46 AC.

BUXTON, ALICE MAY
8019 WEST 12000 NORTH
TREMONTON, UT 84337

BOOK 516 PAGE 484

✓ NEW DESCRIPTION: BEG AT A PT ON S
LINE OF CO RD 33 FT S & 281 FT S
89*39'E FROM NW COR OF NE/4 OF SEC
5 T11N R3W SLM, S 89*39'E 200 FT,
S 200 FT, N 89*39'W 200 FT, N 200
FT TO POB. CONTG .918 ACRE M/L

05-055-0010 ✓ 101
JOHNSON, OLEEN & WALTRAUD M JT
8029 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT ON CO ROAD R/W LINE 33
FT S & N 89*39'W 119 FT FRM N/4 COR
OF SEC 5, TWP 11N, R 3W, SLM,
RUNNING N 89*39'W 100 FT, S 200 FT,
S 89*39'E 100 FT, N 200 FT TO POB.
CONTG .46 AC. WITH CER WATER RGTS &

05-055-0010 101 # 2
WELL.

05-055-0009 ✓ 101
ROBBINS, DARYL E & KATHLEEN J JT
238 NO 1ST WEST
TREMONTON, UT 84337

✓ BEG ON CO ROAD R/W LINE 33 FT S & N
89*39'W 219 FT FRM N/4 COR OF SEC 5
TWP 11N, R 3W, SLM, N 89*39'W 100
FT, S 200 FT, S 89*39'E 100 FT, N
200 FT TO BEG. CONTG .46 AC.

05-055-0071 ✓ 0036 ✓
~~05-055-0036~~ 101
STOKES, JEAN C
546 NORTH 2300 WEST
TREMONTON, UT 84337

✓ BEG AT A PT 33 FT S & 385 FT N 89*
39'W FRM N/4 COR OF SEC 5, SD PT
BEING ON S R/W OF CO ROAD & S 478.5
FT, N 89*39'W PARA TO N BDRY OF SEC
5, TWP 11N, R 3W, SLM, 427.8 FT, N
278.5 FT, S 89*30'E PARA TO N BDRY

05-055-0036 101 # 2

OF SEC 393.8 FT, N 200 FT TO R/W
LINE OF CO ROAD, S 89*39'E ALG SD
LINE 34 FT TO POB. CONTG 2.89 ACS.

BOOK 516 PAGE 485

~~05-055-0008~~ ✓ 101
CACHE VALLEY BANK
101 NORTH MAIN
LOGAN, UT 84321

✓ BEG AT A PT ON CO ROAD R/W LINE 33
FT S & 419 FT N 89*39'W FRM N/4 COR
OF SEC 5, TWP 11N, R 3W, SLM, N 89*
39'W 393.8 FT ALG SD R/W LINE, S
200 FT, S 89*39'E 393.8 FT, N 200
FT TO BEG. LESS: W 304.8 FT TO TAX

05-055-0008 101 # 2

SALE. CONT .41 ACRE

~~05-055-0019~~ ✓ 101
FOUR M FARM CORP
1117 ALLSTON WAY
SAN JOSE, CA 95120

✓ BEG AT A PT ON CO ROAD R/W 33 FT S
& 1181 FT S 89*39'E FRM N/4 COR OF
SEC 5, TWP 11N, R 3W, SLM, S 200 FT
S 89*39'E 10 FT, N 200 FT, N 89*39'
W 410 FT TO POB. ALSO BEG AT A PT
ON CO ROAD R/W LINE 33 FT S & 1081

05-055-0019 101 # 2

FT S 89*39'E FRM N/4 COR OF SD SEC,
S 89*39'E 100 FT, S 200 FT, N 89*
39'E 100 FT N TO BEG.

~~05-055-0018~~ ✓ 101
BUXTON, LAWRENCE L & MARGARET ANN
% CARL I BOWEN & CO
4739 BELLVIEW

KANSAS CITY, MO 64112
BEG AT A PT ON CO ROAD R/W LINE 33
FT S & 781 FT S 89*39'E FRM N/4 COR
OF SEC 5, TWP 11N, R 3W, SLM, S 89*
39'E 300 FT, S 200 FT, N 89*39'W
300 FT, N 200 FT O BEG. CONTG 1.38
ACS.

05-059-0042 ~~X~~ ✓ 101
ALLEN, JOSEPH T & KATHY D JT
7963 W 12000 N
TREMONTON, UT 84337

P.5/9

BOOK 516 PAGE 486

✓ BEG AT A PT ON CO RD R/W 33 FT S &
181 FT S 89*38'E FRM N/4 OF SEC 5,
TWP 11N, R 3W, SLM, S 89*39'E 100
FT, S 200 FT, N 89*39'W 100 FT, N
200 FT TO POB. CONTG .459 AC.

05-055-0015 ~~X~~ ✓ 101
FLORES, CARLOS III
866 SOUTH TREMONT
TREMONTON, UT 84337

✓ BEG AT A PT ON CO ROAD R/W 33 FT S
& 81 FT S 89*39'E FRM N/4 COR OF
SEC 5, TWP 11N, R 3W, SLM, S 89*39'
E 100 FT, S 200 FT, N 89*39'W 100
FT, N 200 FT TO BEG.

06-059-0007 ~~X~~ ✓ 114
STEVENS, CLAUDIE H & JUANITA JT
8050 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 2630.5 FT N 89*41' E
ALONG THE SEC LINE AND 33 FT N OF
SW COR OF SEC 32, TWP 12N, R 3W,
SLM. SD PT BEING ON N R/W OF CO RD
AND W LINE OF A FENCED LANE, S 89*
41', W ALONG CO RD R/W 400.0 FT, N

06-059-0007 114 # 2

0*29', W 525.0 FT, N 89*41', E
400.0 FT, TO THE FENCE ON W SIDE OF
LANE, S 0*29', E 525 FT ALONG SD
FENCE TO BEG. CONT 4.8 ACRES.

06-059-0006 ~~X~~ ✓ 114
MOWER, TED L & BONNIE R JT
8076 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 2230.5 FT N, 89*41' E
ALONG SEC LINE AND 33 FT N OF SW
COR SEC 32, TWP 12N, R 3W, SLM. SD
PT BEING ON N R/W OF CO ROAD. S 89*
41', W ALONG CO RD R/W 165 FT, N
0*29', W 525.0 FT, N 89*41', E 165.0

06-059-0006 114 # 2

FT, S 0*29', E 525 FT TO BEG. CONT
2 ACRES.

BOOK 516 PAGE 487

06-059-0005 114
DOUTRE, ROBERT E & DIANA M JT
8096 WEST 12TH NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 1899.6 FT N, 89*41' E
ALONG SEC LINE AND 33 FT N OF SW
COR OF SEC 32, TWP 12N, R 3W, SLM.
SD PT BEING ON N R/W LINE OF CO
ROAD AND RUNNING N 89*41', E ALONG
SD LINE 165.9 FT, N 0*29', W 525 FT

06-059-0005 114 # 2

S 89*41'W 165.9 FT, S 0*29'E 525 FT
TO POB. CONTG 2.00 ACRES.

06-059-0004 114
LAWS, COLLEEN TRUSTEE ETAL
9365 WEST HWY 102
TREMONTON, UT 84337

✓ BEG AT THE SW COR OF SEC 32, TWP
12N, R 3W, SLM. AND RUNNING N ALONG
SEC LINE 558 FT, N 89*41', E 2620
FT, S 0*29', E 525 FT, S 89*41', W
1292.3 FT, S 71*29', W 105.2 FT TO
SEC LINE. S 89*41', W 1230.5 FT ALG

06-059-0004 114 # 2

SEC LINE TO THE POB. EXC W 16.5 FT.
LESS TRACTS SOLD TO C. H. STEVENS.
D.L. ANDERSEN. AND DAVID NEELEY.
✓ LESS: LOT 9 OF JOHN G LAWS MINOR
SUB DESC AS FOLLOWS: BEG ON NLY R/W
LINE OF 12000 N ST AT A PT 1816.60
FT N 89*41'E ALG SEC LINE & 33.00
FT N 00*29'W FROM SW COR OF SEC 32
N 00*29'W 525.00 FT, N 89*41'E 83.0

06-059-0004 114 # 3

FT, S 00*29'E 525.00 FT TO N R/W
LINE OF 12000 N ST, S 89*41'W 83.0
FT ALG SD R/W LINE TO POB.
CONT 22.73 ACRES M/L

05-055-0063 ~~X~~ ✓ 101
PALMER, BRADLEY J & CHRISTIE JT
8113 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT ON CO RD R/W LINE 33 FT
S & 508 FT N 89*39'W FROM N/4 COR
OF SEC 5 T11N R3W SLM. N 89*39'W
304.8 FT ALG SD R/W LINE, S 200 FT,
S 89*39'E 304.8 FT, N 200 FT TO BEG
CONT 1.42 ACRES M/L

05-055-0051 ~~X~~ ✓ 101
BREMS, ROBERT O & LAURIE T JT
8135 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 31.83 FT S & 386.0 FT E
OF THE NW COR OF NE/4 OF NW/4 OF
SEC 5, T11N, R3W, SLM. SD PT BEING
ON THE S R/W LINE OF A CO. RD., TH S
360.00 FT, S 89*39'E 121.0 FT, N
360.00 FT, N 89*39'W 121.0 FT TO

05-055-0051 101 # 2

✓ BEG. ALSO KNOWN AS LOT 4, OF NORTH
RIDGE ESTATES MINOR SUB. SUBJECT TO
A 10 FT EASEMENT ON THE N & E. &
A CERTAIN INTEREST IN A WELL.
CONTAINS 1 ACRE

05-055-0049 ~~X~~ ✓ 101
JOHNSON, CHARLES & REBECCA JT
8155 WEST 12000 NORTH
TREMONTON, UT 84337

✓ BEG AT A PT 32.57 FT S & 265.0 FT E
OF NW COR OF NE/4 OF NW/4 OF SEC 5,
TWP 11N, R 3W, SLM, SD PT EING ON S
R/W LINE OF CO ROAD, TH S 360.0 FT,
TH S 89*39'E 121.0 FT, TH N 360.0
FT, TH N 89*39'W 121.0 FT TO POB.

05-055-0049 101 # 2

✓ ALSO KNOWN AS LOT 3, NORTH RIDGE
ESTATES MINOR SUBD. SUBJECT TO A
PUBLIC UTILITY & WATER LINE EASE-
MENT OVER THE N 10 FT. TOGETHER
WITH 25%INT IN EXISTING 6 INCH
CULINARY WATER WELL. CONTG 1 ACRE.

05-055-0007 101
ISAKI, HIROKO ETAL
PO BOX 185
TREMONTON, UT 84337

BOOK 516 PAGE 489

BEG AT A PT 40.74 FT S & 120.3 FT E
OF NW COR OF NE/4 OF NW/4 OF SEC 5
711N R3W SLM. BEING ON S LINE OF CO
RD, S 362.1 FT, S 83*51'W 121.0 FT,
S 94.54 FT, S 89*39'E 507.0 FT, N
118.5 FT, N 89*39'W 242.0 FT, N 360

05-055-0007 101 # 2

FT, N 89*39'W 73.11 FT, S 83*51'W
72.0 FT TO BEG. RESERVING A 75 FT
SQ AREA IN E END FOR HOLDING POND.
ALSO KNOWN AS LOT 2 NORTH RIDGE EST
MINOR SUB. SUBJECT TO CERTAIN
EASEMENTS. TOGETHER WITH AN INT IN
IN A CERTAIN WELL
CONTG 2.52 ACRES

05-055-0050 101
RAMSDELL, JOEL LUKE & ANGIE H JT
8191 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT A PT 53.70 FT S OF NW COR OF
NE/4 OF NW/4 OF SEC 5, T11N, R3W,
SLM, SD PT BEING ON THE S R/W LINE
OF CO. RD., S 362.1 FT, N 83*51'E
121.0 FT, N 362.1 FT, S 83*51'W
121.0 FT TO PT OF BEG. ALSO KNOWN

05-055-0050 101 # 2

AS LOT 1 OF NORTH RIDGE ESTATES
MINOR SUB. SUBJECT TO PUBLIC
UTILITY & WATERLINE EASEMENT OVER
THE N 10 FT THEREOF.
TOGETHER WITH A CERTAIN INTEREST IN
CULINARY WELL. CONTAINS 1 ACRE

05-055-0037 101
SCHNEITER, MELVIN A & RUTH W JT
8195 WEST 12000 NORTH
TREMONTON, UT 84337

BEG AT A PT ON S R/W LINE OF CO
ROAD, SD PT BEING N ALG SEC LINE
4,856 FT & N 71:37'E 993.9 FT FRM
SW COR OF SEC 5, TWP 11N, R 3W, SLM
& RUNNING N 69*50'E ALG SD R/W LINE
400.0 FT, S 0*38'W 46.5 FT, S 69*

05-055-0037 101 # 2

50'W 394.50 FT, N 467.6 FT TO POB.
CONTG 4 ACS.

BOOK 516 PAGE 490

05-055-0044 101

FUHRMAN, LEE D & EVELYN H -JT
675 W MAIN
TREMONTON, UT 84337

BEG AT A PT ON S R/W LINE OF CO RD,
SD PT BEING N ALG SEC LINE 4856 FT
& 71*37'E 993.9 FT FRM SW COR OF
SEC 5, TWP 11N, R 3W, SLM, S 467.50
FT, S 71*20'W 396.17 FT, N 463.46
FT TO S R/W LINE OF CO RD, N 71*20'

05-055-0044 101 # 2

E 247.55 FT, N 69*50'E 150.00 FT TO
POB. CONTG 4.00 ACS.

MAR 06 '92 15:14 BOX ELDER COUNTY

P.2/2

05-175-0001 101

JONES, DAVID E & CAROL ANN JT
8420 WEST 12000 NORTH
MONTON, UT 84337

BEG AT NE COR OF SEC 6, TWP 11N, R
3W, SLM. W 210 FT, S 450 FT TO CO
ROAD, TH RUNNING E ALONG CO ROAD
210 FT, N 450 FT M/L TO PT OF BEG.
CONT 2.18 ACRES.

The following parcels &
owners are missing from
your list:

05-055-0001 Colleen Laws
05-055-0002 Colleen Laws
06-059-0032 Robert E. Douthie

Northwest Annexation
Deed Revisions reflecting partial annexation

Jean C. Stokes Deed - Warranty Deed dated and recorded May 7, 1979, as Entry No. 70738H, in Book 319 at Page 218, records of Box Elder, County, Utah.

- ✓ **Portion to be annexed:** Beginning at a point 33 feet South and 385.00 feet N 89° 39' W from the North Quarter Corner of Section 5, T 11 N, R 3 W, SLB&M, said point being on the South right-of-way line of the County Road, and running thence South 200 feet; thence N 89° 39' W 34 feet; thence North 200 feet to the South right-of-way line of said County Road; thence S 89° 39' E 34 feet along said right-of-way to the point of beginning.
- ✓ **Portion remaining:** Beginning at a point 233 feet South and 385 feet N 89° 39' W from the North Quarter Corner of Section 5, T 11 N, R 3 W, SLB&M, and running thence South 278.5 feet; thence N 89° 39' W 427.80 feet; thence North 278.5 feet; thence S 89° 39' E 427.80 feet to the point of beginning.

Jean C. Stokes Deed - Warranty Deed dated and recorded April 20, 1984, as Entry No. 72926H, in Book 323 at Page 138, records of Box Elder, County, Utah.

- ✓ **Portion to be annexed:** Beginning at a point 33 feet South and 319 feet N 89° 39' W from the North Quarter Corner of Section 5, T 11 N, R 3 W, SLB&M, said point being on the South right-of-way line of the County Road, and running thence South 200 feet; thence N 89° 39' W 66 feet; thence North 200 feet to the South right-of-way line of said County Road; thence S 89° 39' E 66 feet along said right-of-way to the point of beginning.
- ✓ **Portion remaining:** Beginning at a point 233 feet South and 319 feet N 89° 39' W from the North Quarter Corner of Section 5, T 11 N, R 3 W, SLB&M, and running thence South 1020 feet more or less to the North right-of-way line of the Bothwell Highline Canal; thence Southwesterly along said right-of-way line 1,075 feet, more or less, to the West line of the East Half of the Northwest Quarter of said Section; thence North along said line 1110 feet, more or less, to a point 511.5 feet South of the North boundary of said Section; thence S 89° 39' E 939.3 feet; thence North 278.5 feet; thence S 89° 39' E 66 feet to the point of beginning.

Exhibit “C”

Attorney Opinion

I, Dustin D. Ericson, City Attorney, for Tremonton City opine as follows:

After a thorough review of the creation resolution of Tremonton “Special Improvement District#1” and the state code, I concluded that, in 1991-1992, the City inaccurately entitled this District a “Special Improvement District” (hereinafter referred to as “SID”). Instead, the District should have been entitled a “Special Service District” (hereinafter referred to as “SSD”). The basis for this conclusion is as follows:

Utah Code Annotated (hereinafter referred to as “UCA”) 17B-1-203 explains the process to create an SID, the major requirement being a petition from the private land owners equaling 33% of the total private land within the proposed district and signatures of land owners equaling 25% of the value of all private land within the proposed district. However, Resolution 92-05, which is the creation resolution for the SID, makes no reference to a petition for the creation of an SID. Instead, Resolution 92-05 makes reference to a petition for annexation, which is an entirely different petition process.

Furthermore, UCA 17D-1-201 provides the services for which an SSD may be created to provide. The first of those services listed is water, which is what the creation of the 1991 District was attempting to accomplish. Additionally, UCA 17D-1-203 outlines the creation process for an SSD, with two creation processes being acceptable, one of which is a creation resolution by a municipal government without the need for a petition from the landowners. UCA 17D-1-204 through 17D-1-207 describe the notice, protest, and public hearing requirements for creating an SSD through a resolution, all of which are referenced in the 1991 creation Resolution 92-05. Finally, UCA 17D-1-208 outlines the process by which a resolution or ordinance is used to demonstrate the creation of the SSD has been approved. Again, this process was followed by the 1991 District. As one last note, UCA 17D-1-401 outlines the process of using an SSD to provide a service to an area being annexed into the corporate boundaries of a municipality. Again, this would seem the very intent of the 1991 District.

Perhaps the most telling element that this District was mischaracterized in 1991-1992 by the City, is the requirement in UCA 17B-1-301 for an SID to be governed by a Board of Trustees. However, an SSD, per UCA 17D-1-301 shall be governed by the legislative body of the municipality in which the SSD is created. In the case of the 1991 District, there is no evidence that a Board of Trustees was ever created. Thus, it becomes overwhelmingly conclusive the 1991 District was an SSD as opposed to an SID.

Based on the foregoing, it is my opinion that the 1991 District was mischaracterized as an SID, when in reality, the District was an SSD. Thus, as the City now looks to dissolve the District, I recommend following the procedures outlined for the dissolution of an SSD.

/S/: Dustin D. Ericson
Dustin D. Ericson
Tremonton City Attorney

Exhibit "D"

Tremonton City - Northwest Annexation Culinary Water System Improvements (SID)

Item #	Quantity	Item Cost
1	2,400 6-inch Ductile Iron (Class 50) Pipe	
2	4,800 8-inch Ductile Iron (Class 51) Pipe	
3	2 6-inch Gate Valve with Box	
4	4 8-inch Gate Valve with Box	
5	10 Muller Firehydrant w/Aux Gate Valve	
6	22 Meters & Service Lines	
		\$125,910.00

Exhibit "E"

Commencing at the Northwest corner of Section 5, Township 11 North, Range 3 West, Salt Lake Base and Meridian; thence as follows: North 558.00 feet along the West line of Section 32, Township 12 North, Range 3 West; thence North 89°41' East 2649.84 feet; thence South 591.00 feet along the Quarter section line; thence North 89°48'04" East 1600.00 feet along the South line of 10th North; thence South 200.00 feet along the existing corporate boundary; thence South 89°48'04" West 450.00 feet along the existing corporate boundary; thence South 89°39' West 1953.80 feet; thence South 278.50 feet; thence North 89°39' West 507.00 feet along the South boundary of the Hiroko Isaki property; thence North 50 feet more or less to the South boundary of the Melvin A. Schneider property; thence South 69°50' West 394.5 feet along the South boundary of the Melvin A. Schneider property; thence South 71°20' West 396.17 feet along the South boundary of the Lee D. Fuhrman property; thence North 153.74 feet; thence South 77°15' West 582.20 feet along the South boundary of the Collen Laws property; thence North 274.00 feet; thence Southwesterly 210.00 feet; thence North 450.00 feet; thence East 210.00 feet to the point of commencement. Contains 72 acres more or less.

TREMONTON CITY
CITY COUNCIL MEETING
July 16, 2019

TITLE:	Discussion and consideration of authorizing the Parks Department to purchase a 2019 Silverado 4WD LT Crew at the State Bid contract price.
FISCAL IMPACT:	\$38,619 – The council has budgeted \$40,000 to 41-48-560 in the Vehicles Equipment Capital Projects Fund
PRESENTER:	Marc Christensen

Prepared By:

Marc Christensen
Community Services
Director

RECOMMENDATION:

I recommend that the City Council approve the Parks Department to make a purchase of a 2019 Silverado 4WD LT Crew at the State Bid contract price.

BACKGROUND:

- In the 2019-20 Tremonton City Budget, the City Council approved an appropriation of \$40,000 in fund 41-48-560 for the purchase of a truck.
- This truck will replace a 2005 Chevy truck with 204,369 miles.
- Purchasing with the State Bid ensures that Tremonton City will be receiving competitive pricing.

Attachments: Crump/Reese cost estimate

2019 SILVERADO 4WD LT CREW

GAN SILVER ICE METALLIC

/V8G

H0Y JET BLACK

ORDER NO. WQH01Z/TRE

STOCK NO.

VIN 1GC UYDE D5 KZ266318

GENERAL MOTORS LLC

RENAISSANCE CENTER

DETROIT

MI 48243-1114

VEHICLE INVOICE 10D84641413

*****8777*****13*13201S

MODEL & FACTORY OPTIONS

MSRP

INV AMT

RETAIL - STOCK

CK10743 SILVERADO 4WD LT CREW

42900.00

40197.30

INVOICE 02/15/19

CXH LEATHER PACKAGE

985.00

896.35

SHIPPED 02/15/19

* LEATHER FRONT SEATING SURFACE

EXP I/T 03/06/19

* 60/40 FOLDING REAR BENCH

INT COM 03/06/19

SEAT WITH SEATBACK AND

PRC EFF 02/15/19

UNDERSEAT STORAGE

KEYS XXXXXX XXXXX

C6A GVWR, 7,300 LBS. (3,311 KG)

N/C

N/C

WFP-S QTR OPT-1

FE9 50-STATE EMISSIONS

N/C

N/C

BANK: GM FINANCIA

GU6 REAR AXLE 3.42 RATIO

N/C

N/C

CHG-TO 13-201

L84 ENGINE, 5.3L ECOTEC3 V8 WITH

1395.00

1269.45

DYNAMIC FUEL MANAGEMENT

SHIP WT: 5063

M0E TRANSMISSION, 8-SPEED AUTOMATIC

N/C

N/C

HP: 45.5

NHT MAX TRAILERING PACKAGE

1125.00

1023.75

GVWR: 7300

* 9.76 REAR AXLE

GAWR.FT: 3800

* ALTERNATOR, 220 AMPS

GAWR.RR: 4150

* TRAILER BRAKE CONTROLLER

EMPLOY: 47049.98

* ENHANCED COOLING RADIATOR

SUPPLR: 48935.60

* REVISED SHOCK TUNING

NTR: 1/2

* HEAVY DUTY REAR SPRINGS

EMPINC: 2796.27

* INCREASED RGAWR

SUPINC: 910.64

PCM CONVENIENCE PACKAGE II

920.00

837.20

* UNIVERSAL HOME REMOTE

* POWER SLIDING REAR WINDOW

WITH REAR DEFOGGER

* 120V I.P. POWER OUTLET

* 120V DURABED POWER OUTLET

* CHEVROLET INFOTAINMENT 3 PLUS

8" DIAG HD COLOR TOUCHSCREEN

AND VOICE RECOGNITION

* 2 USB PORTS, 1 SD CARD READER

* SIRIUSXM SATELLITE RADIO

SUBSCRIPTION SOLD SEPARATELY

BY SIRIUSXM AFTER 3 MTHS

* HD RADIO

* HD REAR VISION CAMERA

PDU ALL STAR EDITION

2815.00

2561.65

* DUAL-ZONE CLIMATE CONTROL

* SEAT ADJUSTER, DRIVER 10-WAY

POWER INCLUDING LUMBAR

* SEATING, HEATED DRIVER AND

FRONT PASSENGER

* STEERING WHEEL, HEATED

* STEERING WHEEL,

LEATHER-WRAPPED

* STEERING COLUMN, LOCK

CONTROL, ELECTRICAL

* STEERING COLUMN, MANUAL TILT

AND TELESCOPING

** CONTINUED ON PAGE 2 **

CRUMP-REESE MOTOR CO
2019 SILVERADO 4WD LT CREW
GAN SILVER ICE METALLIC
HOY JET BLACK

/V8G

GENERAL MOTORS LLC

RENAISSANCE CENTER

ORDER NO. WQH01Z/TRE STOCK NO.
VIN 1GC UYDE D5 KZ266318

DETROIT MI 48243-1114

VEHICLE INVOICE 10D84641413

*****8777*****13*13201S

MODEL & FACTORY OPTIONS

MSRP

INV AMT RETAIL - STOCK

** CONTINUED FROM PAGE 1 **

- * 2ND ROW USB PORTS,
(2) CHARGE-ONLY
- * REAR-WINDOW DEFOGGER
- * POWER OUTLET, REAR AUX 12V
- * KEYLESS OPEN AND START
- * REMOTE VEHICLE STARTER SYSTEM
- * THEFT-DETERRENT SYSTEM
- * SEATS, FRONT 40/20/40 SPLIT-
SPLIT-BENCH WITH COVERED
ARMREST STORAGE, ADJUSTABLE
LUMBAR AND UNDER-SEAT STORAGE
- * TAILGATE, WITH LIFT ASSIST,
POWER LOCK, AND RELEASE
- * LED DURABED LIGHTING
- * DIFFERENTIAL, AUTO LOCKING
REAR
- * TRAILERING PACKAGE
 - TRAILER HITCH
 - 7 PIN AND 4 PIN CONNECTORS
 - HITCH GUIDANCE

PZX 18" BRIGHT SILVER PAINTED ALUMINUM WHEELS	300.00	273.00
QDS ALL TERRAIN TIRES	350.00	318.50
ZL6 ADVANCED TRAILERING PACKAGE	240.00	218.40
* HITCH GUIDANCE WITH HITCH VIEW		
* ADVANCED TRAILERING SYSTEM		
* TRAILER TIRE PRESSURE MONITOR SYSTEM		
1SZ ALL-STAR EDITION DISCOUNT	500.00-	455.00-

Purchase Price

38,619.70

TOTAL MODEL & OPTIONS	50530.00	47140.60	ACT 237	47119.70
DESTINATION CHARGE	1495.00	1495.00	H/B 261	1515.90
DEALER IMR CONTRIBUTION		252.65	ADV 261	252.65

TOTAL	52025.00	48888.25	PAY 310	48888.25
MEMO: TOTAL LESS HOLDBACK AND APPROX WHOLESALE FINANCE CREDIT		46643.05		

INVOICE DOES NOT REFLECT DEALER'S ULTIMATE COST BECAUSE OF MANUFACTURER
REBATES, ALLOWANCES, INCENTIVES, HOLDBACK, FINANCE CREDIT AND RETURN TO
DEALER OF ADVERTISING MONIES, ALL OF WHICH MAY APPLY TO VEHICLE.

TREMONTON CITY CITY COUNCIL MEETING

July 16, 2019

TITLE:	Review of Calendar and Review of Past Assignments
FISCAL IMPACT:	Not applicable
PRESENTER:	Shawn Warnke, City Manager or Linsey Nessen, City Recorder

Calendar Items:

Mayor's BBQ July 15th at the Mayor's House. The annual Mayor's BBQ and swim party is planned for July 15th. Please bring a side dish for the party.

Tremonton City Days July 19- July 27, 2019. Below is a tentative schedule for the upcoming Tremonton City days.

Follow-up Items:

- The Council would like an updated report on the equalization pond when it is available.
- Reasons for the City Council approving the Warrant Register.
- Annexations of a portion of a parcel of property.

City Days 2019 - Tentative Schedule			
Date/Activity	Location	Starts	Notes
Friday, July 19			
Suicide Prevention Walk	Jeanie Stevens Park	7:30 PM	Sprinklers off from 6-11pm
Thursday, July 25			
Pickleball	County Fairgrounds	5:00 PM	music/sound, water, treats, prizes
Friday, July 26			
Booths	Shuman Park	4:00 PM - 9 PM	
Jr Miss Bear River Pageant	Shuman Park	5:45 PM	Set up and registration from 5-5:45pm - 5-10 year olds
Community Dinner - Transcontinental	Shuman Park	6:00 PM	Chinese Food, Tables, chairs, plates, utensils, table cloths, decorations, food permit, money box, City Days announcements,
Softball Tournament	Jeanie Stevens Park/North Park	6:00 PM	
Movie in the Park	Shuman Park	9:00 PM	By Vote -
Home Run Derby	Stevens Park	10:00 PM	
Saturday, July 27			
BBQ Contest	Shuman Park	7:00 AM	BBQ Ribs, Brisket, Pork Loin, Any side dish, all must be prepared at the park. awards, judges, forms
5K Race	Shuman Park	7:30 AM	blow horn, signs, finish banner, breakfast coupons, printing
City Council Breakfast	North Park	8:00 AM	watch, maps
Softball Tournament	Jeanie Stevens Park/North Park	8:30 AM	tables, canopies
Booths	Shuman Park	9 PM - 6 PM	
Baby Contest	Shuman Park	9:00 AM	
Bounce Houses	Shuman Park	10 AM - 4 PM	
Bingo & Family Contests	Shuman Park	1:00 PM	prizes,
Stage Show	Shuman Park	4:00 PM	Magician or Hypnotist?
BBQ Judging	Shuman Park	5:15 PM	Need Judges
Children's Parade	Jeanie Stevens Park	7:45 PM	
Concert	Jeanie Stevens Park	8:00 PM	End at 9:50 PM
Fireworks	Jeanie Stevens Park	10:00 PM	Synchronized to music on 104.9 The Ranch radio station

Other Possible Events