

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
OCTOBER 15, 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 Pro-Tem Reese called the October 15, 2019 City Council Workshop to order at 6:03 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 (arrived at 6:13 p.m.), Councilmembers Doutre, Holmgren, Reese, Rohde, and Vance, City Manager Warnke, and City Recorder Nessen. The following Department Heads were also present: Community Services Director Marc Christensen, Public Works Director Paul Fulgham, and Police Chief Kurt Fertig.

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

When discussing amendments to the Tremonton City Personnel Policies and Procedures Manual, Manager Warnke said legislation has clarified specific conditions and those are now reflected in this policy. It is almost verbatim. The biggest change is in the Employee Code of Conduct policy as it relates to personal use of City property. If you use City property, it has to be something the employee would typically have in their possession.

Manager Warnke said the next item on the agenda is requesting the recertification of the Tremonton City Justice Court. Every four years we go through this process. Garland also needs to recertify their court and we have talked about possibly combining like we have with our unified police department. If we do not go this route, Garland would go to the County, which could be inconvenient for our officers, who would have to drive to Brigham. We are working on some terms. There would not be a lot of added costs with Garland participating in our court. We do have capacity to hear more cases. During certain hours, the court is open for walk-ins and they do have down time. There would be some expenses associated with the prosecution, public defense, and the judge's salary, which Garland would participate in and would share a percentage of the revenue. Their expenses do exceed their revenue with the court. We have more efficiency with our court clerk in the office and have talked to her about the added workload. We would bear the costs of the facilities and power. Garland should pay some, but the terms are still shaking out. It is contemplated they would pay the direct cost for the judge's salary, the prosecutor and public defender. I would recommend we have the same prosecutor and public defender. Those are the direct costs and the indirect costs would be covered by some of the revenues. We would need to come up with a percentage that would be fair. This is timely because Garland needs to figure out what they want to do as it relates to

their court.

Councilmember Reese said we are not Garland's keeper. I know you are saying it is all smooth because we are spending the money anyway, but Garland is getting a free ride and I do not agree with that. If you are a city then be a city. I know it has helped our police department, but they pick and choose what they can afford. They bash on our recreation all the time and I really struggle with this. Councilmember Vance said we need to see an analysis of their income from last year. How much dead time do we have in our own court and will this require us to hire more people? Manager Warnke said some things we may not know until we are into the process, but we would work out an interlocal agreement. There will be some inefficiency and we should not bear all the cost of that. We would bear and share in some of those benefits. Councilmember Rohde said it seems they pick and choose the things that benefit them. There needs to be a partnership with give and take. We would help with the courts and police, but things like recreation, the whole community could benefit from. My heartache is when they are not willing to work with us. They are very selective in what they are willing to offer up. Councilmember Reese asked if they are willing to pay their share for the Senior Center. Manager Warnke said the plan is to go out and educate all city councils who participate and ask for partnerships this spring. Councilmember Vance said they need to start paying their impact fees and do what they agreed to do originally before we make new agreements. We need to address everything and make an agreement they are standing up to. We forwent making improvements on a sewer system based on the fact that Garland was putting in a sewer system. Now we put ourselves in jeopardy for growth if it never gets built. We need impact fees to enhance the sewer plant. If we sign this agreement or any others, we need to re-sign the sewer agreement and they need to send the impact fees. There ought to be a penalty if they do not build it within so many years.

Councilmember Rohde said let us find out what will benefit Tremonton City the most and say to Garland this is why we think it ought to happen. If not, then we do not do anything. Councilmember Reese said it is more convenient for us, but we have to look at the whole picture here. They pick and choose what works well for them all the way through the system and that is not good for the citizens of Tremonton. Chief Fertig said, in Garland's defense, I suggested they contact us as a better option because their first option was just to submit it to the County. They mentioned they tried with Tremonton once before and it did not work so I suggested they try again and see. I do not think they were looking to benefit themselves. Manager Warnke said he would continue the conversation with Garland and keep the Council posted.

For discussion on an interlocal agreement for policing services between Tremonton and Garland, Chief Fertig said this is the next step. It was already built into the MOU that at some point the cities would make it an interlocal agreement. It is a little more binding, but the provisions are the same. I am of the opinion that we as a police department would not want to back out of it. We have achieved so much benefit from it and I think Garland feels the same way. There are a lot of things we could not predict and had to sort through to make changes to the MOU.

Motion by Councilmember Vance to move into closed session. Motion seconded by Councilmember Dautre. Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

The Council moved into a closed session at 6:33 p.m.

2. 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**

Motion by Councilmember Vance to return to open session. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

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

The meeting adjourned at 6:57 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the October 15, 2019 City Council Meeting to order at 7:03 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: Community Services Director Marc Christensen, Public Works Director Paul Fulgham, and Police Chief Kurt Fertig. Also in attendance was Justice Court Judge Kevin Christensen.

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 Holmgren and the Pledge of Allegiance was led by Councilmember Reese.

2. Introduction of guests:

Mayor Fridal welcomed those in attendance.

3. Declaration of Conflict of Interest—none

4. Approval of Agenda:

Motion by Councilmember Holmgren to approve the agenda of October 15, 2019. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – October 1, 2019

Motion by Councilmember Holmgren to approve the minutes of October 1, 2019. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

6. Public comments: Comments limited to three minutes—there were no public comments.

7. Presentation

- a. Presentation by students from Promontory School of Expeditionary Learning on Xeriscaping

Zoey Riser gave a presentation on xeriscaping and lawns, explaining what it is and where it is used. She also talked about the benefits, which included saving money and water, and taking up less time and maintenance. She said the school in Perry has also made conceptual plans for a desert eco system. Annaliese Nielson also presented information on why xeriscaping can be better than lawns and how much water can be saved. She said we live in a desert and need to conserve. Saving water means saving money. The Council thanked them for their time. Director Fulgham suggested taking this information and adding it to the City's website.

8. New Council Business:

- a. Discussion and consideration of adopting Resolution No.19-46 amending the Tremonton City Personnel Policies and Procedures Manual including *Section VI: Employee Code of Conduct* regarding personal use of Tremonton City facilities, equipment, and vehicles and *Section XVIII: Leaves of Absence* regarding the accrual of paid annual leave

Manager Warnke said we are amending our policy to be consistent with some of the new state legislation as it relates to the City's property and use by employees, as well as the calculation of vacation leave. Rather than it being based upon years of service to Tremonton City, it would be based upon years of service in Utah Retirement Systems (URS). This should be helpful as we look to recruit future positions. We might be able to attract more experienced candidates because they would not lose annual vacation time accruals.

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

- b. Discussion and consideration of adopting Resolution No.19-47 requesting the recertification of the Tremonton City Justice Court from the Justice Courts Standards Committee and the Utah Judicial Council

Judge Christensen said every four years we are up for recertification. It requires an affidavit from me, which I have filled out and signed. It also requires a resolution from the City Council and a letter from the City attorney. Everything is in place and ready to go, we just need the Council's okay.

Motion by Councilmember Doutre to adopt 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.

- c. Discussion and consideration of approving Resolution No. 19-48 adopting an Interlocal Agreement for United Policing Services between Tremonton City and Garland City

Motion by Councilmember Holmgren to approve the resolution. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - nay, Councilmember Rohde - aye, Councilmember Vance - nay. Motion approved by a 3-2 vote.

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

The Council was reminded of the New Hope Crisis Center's walk event and the Chamber of Commerce's Trick-or-treat on Main Street.

- b. Review of past assignment

The following items were discussed out of order.

- 10. Reports & Comments:
 - a. City Manager Reports and Comments
 - 1. Publication of *Request for Qualifications & Bids for the Creation of a Historic District - October 2019*

Manager Warnke said we have a certified local government grant through the State Office of History to do a study that would create a historic district. I have created the request for qualifications for consultants to do that work. The deadline is October 28 for them to submit their qualifications and bid. The central part of town is where we anticipate them doing the survey work. The previous reconnaissance survey looked at properties that are contributing or significantly contributing to the historic integrity of the City and found 50% were either contributory or significant. That needs to be closer to 60% so we will do surveys on the

north side of town (600 North to Main Street) to see if we can increase that number. From a windshield survey, there were a lot buildings that would qualify and increase that percentage to allow a historic district.

2. Draft designs for Tremonton City billboards

Manager Warnke said the City has several billboards and presented two options we are exploring. Manager Zach LeFevre and a small group put these together. We want something simple with a short message. One is the screaming kid—"Time to Take a Break" concept and the other one ties into one on SR-13 with symbols and the City's name. We took a tour of the Yesco facility and talked about pricing. We have budgeted \$60,000. We got \$20,000 from the County from a tourism grant so the City would pay the additional \$40,000. Vinyl wraps are much more expensive, but have more staying power. We have a sign on Rocket Road for I-15 northbound. The second is right off 2000 West and the interstate. The third sign is off SR-13 south, which is a double faced sign. For that one, they are proposing to strip everything down except the supports and rebuild. The one side would advertise to local traffic to get them to go to Tremonton's Main Street and the back side of this billboard would be a sign copy for Box Elder County's Chamber of Commerce. This will be more of a permanent sign with a box cut out providing depth and lighting. We can either choose one of these, go back to the drawing board and get more people involved, or hire a professional. Director Christensen said the food, fuel, and lodging will be painted, but the kid picture is vinyl and would last for two years before being switched out. That would cost \$5,200 just to buy the picture. They agreed to explore this option and could suggest other picture ideas. The Council agreed to continue moving forward with this concept.

b. Development Review Committee Report and Comments

Manager Warnke said we are working with Kurt Sadler, who has a public hearing scheduled with the Planning Commission. Wasatch Development owns the property for the multi-family project behind Tremont Center. They are close to putting in an application. Councilmember Vance thanked staff for being welcoming and working with people to encourage development. The opportunity zone is helping and people are looking at us.

c. City Department Head Reports and Comments

1. Public Works construction project updates

d. Council Reports and Comments

The Council said the flowerpots and pumpkins were a nice touch to Main Street.

Motion by Councilmember Doutre to move into closed session. Motion seconded by

Councilmember Reese. Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

The Council moved into a closed session at 7:55 p.m.

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*

Motion by Councilmember Holmgren to return to open session. Motion seconded by Councilmember Reese. Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, Councilmember Vance - aye. Motion approved.

The Council returned to open session at 8:09 p.m.

12. **Adjournment.**

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

The meeting adjourned at 8:09 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.

Linsey Nessen, City Recorder

Follow-up items for the Council and City Staff

City staff will continue efforts on the billboards and have conversations with Garland City about possibly combining the courts.