

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
JULY 21, 2020**

Members Present:

Connie Archibald

Lyle Holmgren

Bret Rohde

Rick Seamons

Lyle Vance

Roger Fridal, Mayor

Shawn Warnke, City Manager

Linsey Nessen, City Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the July 21, 2020 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 Archibald, Holmgren, Rohde, Seamons, and Vance, City Manager Warnke, and City Recorder Nessen. The following Department Heads were also present: Fire Chief Steve Batis (work session only), Community Services Director Marc Christensen (arrived at 6:04 p.m.), Public Works Director Paul Fulgham, Police Chief Kurt Fertig, and Treasurer Sharri Oyler (arrived at 6:02 p.m. and left after the work session). Also in attendance were: firefighters Nate Christensen, Blair Westergard, Lanette Sorensen, and Dan Nelson.

1. Review and discussion of the process for hiring a full-time Fire Chief

Manager Warnke said this would be the game plan, but it could change. This process has served us well and is similar to what we did for recruitment and selection of the chief of police. The job description has been reviewed by myself, Recorder Nessen and Chief Batis. We looked at comparable positions and this is in a lower pay grade than the police chief so for that reason we felt the qualifications and education requirements had to be equal to or less than the police chief. Someone with more years of experience and education is going to meet a more desirable application, but these are the minimums. If someone does not have a bachelor's degree they could make that up in years of experience. It does require one year of supervisor experience and different certifications. The job description is robust and will be a challenging position to fill. We are looking for someone to handle the administration, as well as the day-to-day duties associated with service calls and emergency management. We need to be realistic about what a person can achieve in a position like that and there will be a learning curve. The emergency management duties will be secondary to the day-to-day functions of managing and administrating the fire and EMS since we have to prioritize what they need to do. Emergency management is something they need to do on the side. Whoever fills the position would grow into it and as more resources are added to the department, they would be able to do more. We merged the emergency management position and cut back to the core elements of that job so it is not so proactive. I do not think anyone can achieve

two positions at the same time.

Manager Warnke said we have an advertisement period, which we anticipate to be about three weeks. Prospective candidates would submit their resume and a Tremonton City employment application. A small committee including the mayor, city manager and city recorder would screen them. We would be looking for people who meet the minimum qualifications. Those people would then be given written essay questions. One advantage is that it weeds out individuals who are not really serious about going through the process. It takes some work and allows a prospective candidate to think through their responses as opposed to an oral interview where they are giving impromptu responses to a question. This allows the interviewing panel to know the candidate ahead of the interviews and the written document could be shared with other stakeholders that are not involved in the oral interviews. We would then invite them to an interview with our panel, which would include the mayor, a city council representative, city manager, three reps from the fire department, the police chief, the city recorder, and Brian Potts—a consultant we used who has good insights. That is a really big interview panel. We do not want it to be overwhelming for individuals because this is a reciprocal process where we are trying to select and recruit someone at the same time. We want to make it as welcoming and comfortable as we can. Applicants can tell a lot about the City through our process and help them determine if they feel they would be a good match for the position and organization. There would then be a second round of interviews with two or three applicants. We want the fire department to review the written responses and provide comments. We would then give a conditional offer to go further into the process with background checks and testing with one or two candidates. From there it would be a recommendation to the City Council on who would be selected.

Councilmember Rohde said I do not think we are paying them enough. This is a position that requires more pay. Manager Warnke said I do not disagree. The range we established was based upon the market research we did. We could put a premium on any position in the City you think is important to have the pay above the market. This is a position that could warrant that. It is a great investment to have someone with experience and pay them accordingly. We have only budgeted the minimum amount so it would take a budget amendment. Councilmember Rohde said instead of the interview panel, I would like to see us use three panels. A fire department panel with six members, a panel with the mayor, two City councilmembers, and three citizens, as well as a panel with the city manager, city recorder, and four department heads. They could all interview according to their specialties. A chairman from each would then talk about the results. That could feel less intimidating, but they would have to go through three panels. Manager Warnke said I am not opposed to it, but that could require a lot of time and we need to be respectful of that. We could maybe do that later in the process with fewer candidates.

Councilmember Vance said it is important to have a fire department committee to get their advice on what they think. We have a unique situation and whoever comes in has to work with these volunteers so we do not lose them. It would be wonderful if there could be some type of an incentive to get them in the door. They need to work well with our volunteers, the budget, and come up with ideas on how to get more volunteers. We need

to pay incentives if they are still here running the program the way we need them to. Manager Warnke said I am not opposed to incentives, but we have to think about the organization as a whole because we have a lot of great department heads. We could change their salary based on selective salary increases, which we do from time to time, but a written plan for incentives based upon benchmarks is difficult for department heads. Councilmember Vance said we are evolving from being a total volunteer department to hiring people and this cannot fail. This is a way to help it succeed. Manager Warnke said this is an at-will position so we could let them go if it does not work out. We need to include the fire department, but how do we include 30 individuals in a way that is not chaotic. We could allow them to invest the time into reading the responses once the applicants are short-listed. It will take time to review those responses and provide open-ended comments. We would omit applicant's names and warn them that their responses would go to the fire department since people could draw conclusions on who they are based on the content.

Manager Warnke has kept the fire department in the loop throughout this process and plans to follow up with them at drill this Thursday. I could get comments and have them consider appointing representatives. The challenge is how we can get people to participate in a process that is not naturally geared toward a large group. Councilmember Rohde asked if we talk about premiums and kick that wage up, will that have any bearing on the minimum qualifications. Manager Warnke said we could change that. We want to encourage more people to apply than less and having the minimum set at a reasonable level would do that. Those with advanced experience and education would rise to the top. This is a good plan to follow, but things could change. We have put together a timeframe and intend to put it on the October 20 agenda for the Council's recommendation. We can look at changing the job salary so it is comparable with the police chief, which will take a budget amendment. I will have a conversation with the fire department and report back to you during our August 4 meeting. We could post the position now. As an organization we want them to be successful and that comes by setting the expectations, lay of the land, and where the landmines are. We have a narrative that explains where the department is and tells them what they are up against so they can determine if their skill set is going to help them be successful in that position.

2. Review of items listed on the 7:00 p.m. agenda
3. ***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***

The meeting adjourned at 6:53 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the July 21, 2020 City Council Meeting to order at 7:02 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 Archibald Holmgren, Rohde, Seamons, 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 were: firefighters Nate Christensen, Lanette Sorensen (left at 7:07 p.m.), and Dan Nelson (left at 7:49 p.m.).

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

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 July 21, 2020. Motion seconded by Councilmember Archibald. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – July 7, 2020

Motion by Councilmember Archibald to approve the minutes of July 7, 2020. Motion seconded by Councilmember Seamons. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

6. Public comments: There were no public comments.

7. Years of Service Award

a. Marsha Fuhrman, Assistant Librarian – 15 Years

Mayor Fridal thanked her for her service.

8. City Council Business

- a. Discussion and consideration of approving June 2020 Financial Statements

Motion by Councilmember Holmgren to approve the June 2020 Financial Statements. Motion seconded by Councilmember Vance. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- b. Discussion and consideration of approving June 2020 Warrant Register

Motion by Councilmember Vance to approve the June 2020 Warrant Register. Motion seconded by Councilmember Seamons. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- c. Discussion and consideration of adopting Ordinance 20-10 amending provisions from Title 15 Motor Vehicle and Traffic, Chapter 15-100 Administration of the Revised Ordinances of Tremonton City Corporation modifying the authority to install traffic control devices and the like

Manager Warnke said last year one of the code amendments that occurred in the Land Use Plan was removing the Planning Commission as the Traffic Advisory Board. That was because in our revised ordinances, we already assigned those same duties to the police chief. What is being proposed here is we broadened the individuals who participate with the chief in making decisions related to traffic control devices and the like. That would include the public works director, based upon their knowledge of traffic in the City and since they are the ones installing and maintaining them. They have a lot of knowledge of the manual of uniform traffic control devices, which is the standard used in making decisions and how those devices are installed. In some of these specific sections, it included the city engineer. They would be valuable to the process as warranted. We also talked about having our zoning administrator participate as needed. These are technical issues so it makes sense to have individuals who have those expertise.

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

- d. Discussion and consideration of approving Ordinance No. 20-11 amending provisions from Title 10 Fire, Health, Safety, and Welfare, Part 10-120 Personnel and Duties of the Revised Ordinances of Tremonton City Corporation

Manager Warnke said there is a specific section in our revised ordinances that deals with the fire department. This proposes we eliminate quite a bit of the text to simplify it. It talks about the position of the fire chief and the hiring process, which would redefine that process. This would eliminate the current process, which included three candidates recommended from the fire department as the

initial kick-off to the process. That would be more cumbersome with what is being proposed with open recruitment. There is also a process of hiring battalion chiefs. It proposes the fire chief would make the hiring decision and the duties would be those that are defined in the job description. It had the powers and duties of the fire chief in the last ordinance, but I propose we strike that and refer to it as duties that are defined in the job description. The process for creating job descriptions includes the mayor and city manager. This is one of the things the mayor can vote on. The city manager currently has in his powers and duties the ability to appoint, with advise and consent of the City Council, individuals for department head level positions. This proposes all the department heads we currently have or could reasonably have in the future. The library director is different. By statute of State Code you have to have a library board and there is a broad delegation, which includes the appointment of the library director. The city manager would facilitate the process in selecting a library director.

Motion by Councilmember Archibald to approve the ordinance. Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- e. Discussion and consideration of approving Ordinance No. 20-12 amending provisions from Title 3 City Government, Part 3-925 Powers and Duties of Manager of the Revised Ordinances of Tremonton City Corporation modifying the Manager's duty to appoint persons to City offices with the advise and consent of the City Council

Councilmember Rohde said we could grandfather in Manager Warnke, but something I would like to see put in the ordinance is that the city manager needs to live within the City's boundaries. It gives them more ownership. The Council agreed they could just add it in the job description. Manager Warnke said one other position that would fall into this would be that of emergency manager. It is with the fire chief for now, but we went with a broad list of department heads we could have in the years to come.

Motion by Councilmember Seamons to approve the ordinance with the addition of Emergency Manager. Motion seconded by Councilmember Holmgren. Roll Call Vote: Mayor Fridal – aye, Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- f. Discussion and consideration of approving a Special Event Permit for a Bear River Valley Pumpkin Walk, a Community Event at the Holmgren Nature Preserve Trail on October 9 & 10 or October 16 & 17, 2020

Director Christensen said we added an ordinance that if a group wants to meet and do a special event that is beyond a family reunion, then we have them come to the City Council. The GFWC Women's Civic League wants to do a Pumpkin Walk and will get groups to coordinate booths along the walking trail with different

displays. They would be available Friday afternoon and all day Saturday. Depending on restrictions with COVID, we could also have a gathering time for awards and treats, or just stick with the display for the community to walk through. The City side-by-side would be used to help them setup. We could tell them no candles just battery powered lights to limit any fire potential.

Motion by Councilmember Archibald to approve this special event. Motion seconded by Councilmember Seamons. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- g. Discussion and consideration of approving a Special Event Permit for a Yard Sale, a Community Event, at Shuman Park on August 1, 2020

Director Christensen said this is the other Women's Civic League and they want to hold a community yard sale from 8 a.m. until 2 p.m. They have done this in the past with some success. This is for fundraising to give back to the community. Mayor Fridal asked how they can do this with COVID. Director Christensen said we could give them as many tables as they need and spread it out throughout the whole park. We would also encourage social distancing, wearing masks, and hand sanitizing stations. If the Council approves this, I will send them a letter with those guidelines. Councilmember Seamons said I think it is too early to get people out and touching things.

Motion by Councilmember Archibald to approve this special event. Motion seconded by Councilmember Rohde. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - nay, Councilmember Vance - aye. Motion approved by a 4-1 vote.

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

Director Christensen discussed the Goose Chase app and activity for the week of City Days. I appreciate those who have helped create challenges. There have been 100 families register and 50 have done a mission. This is a virtual scavenger hunt and businesses have participated with incentives. Participants video themselves completing the challenges and it has gone well. He also talked about the cornhole tournament, softball tournament, homerun derby, and pickleball tournament.

- b. Review of past assignment: none

- 10. Reports & Comments:
 - a. City Manager Reports and Comments: none
 - b. Development Review Committee Report and Comments

Manager Warnke said we continue to work with the applications that are being discussed, but we have had no new applications. The Council asked about a few of those projects and their timeframe. Manager Warnke said some of the materials

are still required. We have been as flexible as we can to let them start the process, but we are working with them to tie up some of their documentation.

c. City Department Head Reports and Comments

1. Tremonton City Water Report- Paul Fulgham, Public Works Director

Director Fulgham said this shows a comparison to the beginning of the year. Mayor Fridal asked about the six million gallons associated with Bear River Water. Director Fulgham said we measure everything we produce and buy from the conservancy district and then some of it is taken back out because they are willing water through our pipes. I deduct it because we are not consuming it—another entity downstream is. We contract for 150 acre-feet. You can see where we are on our contract and whether we are going to go over or be under. Those numbers change from year-to-year based on heat and consumption. I throw in two big industries who are big users—Malt-O-Meal and West Liberty Foods. Last month, 23% of the water we produce went to them. I also give a report showing revenues versus water use and how things go up and down from year to year. We read our master meters on Fridays and report them by month.

2. Secondary Water Shares Report- Paul Fulgham, Public Works Director

Director Fulgham said this is just what we have used this year. People are starting to sign up and use secondary. We passed a water rate that says if the secondary is in front of your home and you choose not to use it, you have a different rate and those who sign up for secondary have a different rate. We have not pulled the gun on that yet. We will present this to the City Council to make the decision off my recommendation. Director Fulgham also discussed shares and how they will be acquired as the City grows. We need about 555 shares. The developers will bring another 717 as the City expands out. We will have a total of about 1,300 shares. We have 465 shares currently. Of them, 444 are City purchased shares and 21 shares have been brought in by developers. As a City, we are getting really close to what we need, we are within 120 shares to cover anything the City already has developed and future facilities. We are getting along well with the canal shares and working on the equalization basin.

3. Tremonton City Wastewater Report- Paul Fulgham, Public Works Director

Director Fulgham said I send a graph report showing our flows into the plant on a yearly basis and monthly what our loading is. This is information I use throughout the year and end of year to send reports to the State. Garland's plant bid has been awarded. They are shooting for late fall of 2021 time frame. Everything is up and going on our plant.

Director Fulgham said this sheet shows you how to get on the My Water Advisor app. Each of you has a fixed base meter installed at your home to see your day-to-day water use. We have 505 fixed based meters installed in the City out of almost 3,000 meters. As you work with constituents and help them understand this, you could walk them through this setup. The fixed base metering will read twice a day allowing people to see their real time consumption. They can also build reports, setup restrictions or limits, and send messages with notifications to their email.

d. Council Reports and Comments

Councilmember Rohde asked if there are any firework restrictions. Director Christensen said we are not setting up shade structures and tables to create gathering areas. People can go to the park and find their own piece of grass. Chief Fertig said there are not any extra restrictions, just the usual ones.

Councilmember Archibald said the Library is having a chalk art event with water games and pizza for teenagers. On August 3 they will have visiting authors and an ice cream treat. A new library board was elected on July 15. They are also having virtual puppet shows, as well as the Harry Potter magic show. The Summer Reading Program is happening and there are 67 adults, 56 teenagers, 85 children, and 36 pre-school children participating despite everything going on.

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

The Council moved into a closed session at 8:08 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 Rohde. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

The Council returned to open session at 8:19 p.m.

12. Adjournment.

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

The meeting adjourned at 8:19 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 _____, 2020.

Linsey Nessen, City Recorder

Follow-up items for the Council and City Staff

Manager Warnke will look at changing the job salary for the fire chief to be more comparable to the police chief. He will also have a conversation with the fire department to gain their input on the process. The job ad for the fire chief will also be posted.