

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
AUGUST 18, 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 August 18, 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: Community Services Director Marc Christensen, Public Works Director Paul Fulgham, and Police Chief Kurt Fertig.

1. Review and discussion on the expansion of the secondary water system including, but not limited to, the discussion of the possibilities of bonding for the construction of additional improvements and fixed based meter reading

Director Fulgham said I expanded and broke the service areas down so you can see what phases we have done and what is being proposed. Service areas 1 and 2 were completed last year, while Service Area 3 was completed May of this year. Those three are up and running. Then there are the proposals. Service Area 4 shows what we would be putting in versus what the developer would do. We would install the pump station and pipe to the second phase of Tremonton Place Subdivision. That would also serve the Aspen Ridge townhomes. We participated with them on putting in a line from the start of their subdivision to handle the upsize of any growth. Infrastructure has not been put in the south for the Hansen Annexation, but there are a lot of future units there. The next proposal was the Service Area 2 expansion, going further to the Mathison Apartments and through the Harris Subdivision along 350 North. That would serve 153 existing units, the townhomes and apartments on 350 North, and the 300 future units at the Mathison complex. Service Area 5 has no infrastructure and would be starting from scratch, but it would save a lot of our culinary water because there are a lot of rooftops. There are still undeveloped areas, but we have some high users. We would have to pipe under the railroad tracks. The main will be a 10-inch that would break into eight and six inch pipes in the phases. The smaller areas could go down to four inches. The cost of that project is going to be equal to what we spent on Service Area 3 (about \$2.8 million). There are fewer users, but we have bigger users with bigger lots. North Park Elementary and Shuman Park are in that area.

Councilmember Holmgren asked about Service Area 9. Although there has been development in that area over the past couple of years, Director Fulgham said the majority of it does not have pipe and would cost about \$945,000. The factor we do not know is property costs for easements. That is why we let development drive that. As the Adam's subdivision comes in, we can request a piece of property for the pump and have easements that follow the roadways for the pipes. Councilmember Vance said there are 220 homes existing in the area, does it make sense to include Service Area 9 with the other three you are proposing and just get it done? Director Fulgham said it takes care of a big chunk of the City and it would be easy to do if we could bond for it and spend the money over a two to three year period rather than all at once. Councilmember Vance asked if two years is too fast for four zones. Director Fulgham said it would be better if it could be three years. We could do 5 first, then the expansion in Service Area 2, next 4 and then go to Service Area 9. It would be great if Service Area 9 would happen the same time as the Adam's Subdivision. Things would already be tore up, we could leverage property, and we would know where the easements would be. Right now it is guess work. Manager Warnke said it is just a timing issue. If we wait it will benefit us better because we would participate in the upsizing versus allocating money that could otherwise be paid by development and growth.

Councilmember Vance said we could bond up for that extra \$945,000 now to lock in the rate because we know things are going up. It is not a question of if, but a question of when. If we do not borrow that \$945,000 we can slide it off to the next deal. Director Fulgham said we can bid this in phases and that can always be deducted out. Councilmember Vance said to me it depends on the bond and what it will allow us to do and not do. I think we all want to go with service areas 2, 4, and 5 like presented, but the question is do we add zone 9 in or not. Manager Warnke said he would talk to Finance Director Curtis Roberts and Alex Buxton from Zions Public Finance about different scenarios for bonding and what we could undertake. I will work on getting these different scenarios together and invite Alex Buxton to the next meeting to continue the conversation. The Council agreed.

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

The Council was asked to direct City staff on notifying and changing the water rates for those within Service Areas 1 and 2 who have had secondary water at their property for over a year, but have elected not to use it. Manager Warnke said we need your authorization to change the rates for residents within those service areas, who have had access to secondary water for some time. When we adopted the fee schedule, it included a different rate for individuals who have secondary during the months of May to October. Tier one is envisioned to be indoor water use so it is the same whether you are on that penalty rate or the traditional rate. There are about 50 individual homes we believe would fall into this category. We would give them notice of the effective date, which is May 1, 2021. Councilmember Vance said we have to ensure we have done our due diligence in explaining it to them so they cannot come back shocked. I wish there was a way we could show them what their bill looks like and what it will look like if they do not hook up.

Director Fulgham said we can do that and will start in September.

The Council discussed the approval of an aging services contract for fiscal year 2021 with the Bear River Association of Governments' Area Agency on Aging. Manager Warnke said this is the annual contract we sign. The revenue we can anticipate through the agency is about \$97,000. I have shown this to our senior center director and she feels comfortable about the commitments and obligations associated with it.

The Council then discussed a land acquisition transaction between Tremonton and Butters Holding LLC for the future expansion of the 1650 West road. Manager Warnke said we needed 300 square feet from Butters Tractors for a radius. They were willing to partner up and sell it for \$1,400 and the County paid \$900 of that. This project is done as far as the acquisition goes.

The next item on the agenda was a development agreement for the River Valley Self Storage Site Plan, Phase 1. Manager Warnke said it is a straightforward development agreement, but there are some things we are working on receiving such as water shares. The agreement is for all phases although they are doing only one phase now. Whenever a development requires public improvements or a fee-in-lieu, we try to formalize the special requirements within a development agreement. We developed standards, but did compromise to some degree.

A special event permit for a Ryan Shupe Concert and Dinner at Jeanie Stevens Park was addressed. Director Christensen said a concert promoter wants to bring this in during the fair. He and County Commissioner Stan Summers picked this location due to the grassy area and stage. They went through all the application permits and talked to the health department to get a COVID-19 planning template. Through those permits, he is addressing our concerns. They will require face coverings and have assigned seats. People will be ushered to their seats, which will have wide isles, and there will be security. Tickets have to be purchased online. They will also have hand sanitizer stations and bring in their own port-a-potties. They will even take out their own garbage. All the City needs to provide is power and the space.

3. ***CLOSED SESSIONS: 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 6:55 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the August 18, 2020 City Council Meeting to order at 7:01 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.

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 Mayor Fridal and the Pledge of Allegiance was led by Councilmember Rohde.

2. Introduction of guests:

Mayor Fridal welcomed those in attendance, including those from the Chamber.

3. Declaration of Conflict of Interest: none

4. Approval of Agenda:

Motion by Councilmember Vance to approve the agenda of August 18, 2020. Motion seconded by Councilmember Holmgren. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – August 4, 2020

Motion by Councilmember Archibald to approve the minutes of August 4, 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:

Resident Teagen Stocks, a VP and legislative representative for Smart Transportation, said I represent all the conductor engineers in North Utah for Union Pacific. Union Pacific is raising the speed 10 mph from Brigham City all the way to Malad Idaho (25 MPH). I drove the crossings in town and the ones that do not have gates have stop signs, except for the 200 North one, which has a yield sign. I would like to look into changing that to a stop sign. In the last three weeks I cannot count on my hands and toes how many times I have had to look over the nose of my locomotive wondering if people were going to get stopped before I hit them. It is a really big issue and I am worried. I want us to take as many precautions as we can to prevent incidents and make people aware and safe. We should talk to our fire department and EMS personnel to make sure they are aware of possible derailments and serious incidents through here.

7. Years of Service Award
 - a. Rusty Scoffield, Public Works Lead – 25 Years

Mayor Fridal and the Council thanked him for his service.

8. Presentations:
 - a. Update on Box Elder Chamber of Commerce and request for a financial contribution for Fiscal Year 2021- Monica Holdaway, Executive Director

Director Holdaway said a few years back we merged the Bear River Valley and the Brigham City chambers to make the Box Elder Chamber of Commerce and it has gone really well. Our Chamber's annual fundraiser is Peach Days, which makes up about two thirds of our income and allows us to have some of the lowest membership dues in the state for our businesses, government entities, and non-profits. This year with COVID, that event was not an option and had to be cancelled. Halfway through the year our budget got derailed, but we have regrouped and cut expenses. We received a Shop in Utah grant a week ago, which will allow all our business members to have a 20% discount on their dues next year if they pay them this year. I got to pivot our Peach Day sponsorships since some had already paid and instead of refunding that money I asked them to allow me to use it on different programs. We have two new programs coming out this fall. First we are doing a countywide restaurant week, September 14-20. We will advertise and encourage people to support our local restaurants. There is no cost to those businesses and we are going to buy lots of gift cards to give away as prizes the week before to encourage support. We are also doing a countywide shop local bingo program that the businesses do not have to pay to participate in and will encourage residents to spend locally. That will be in September and October, and in November and December we will have our regular holiday shop local promotion. When COVID hit, shopping local was a big thing on everyone's social media and we need to remind everyone to continue to do this.

Director Holdaway said we are working with BRAG on funding. We have contracted with county commissioners for support and met with Brigham City's mayor about continuing their financial support they usually give us for Peach Days. We are asking Tremonton City for a contribution of \$5,000 to help maintain the business services we do and the programs we provide. About 90 Tremonton businesses are chamber members, which is almost 1/3 of our members. We have done some video spotlights this year and a lot of business consulting. I have called over 200 businesses to check in on them and see how they are doing. That is an important role for the chamber and I am glad we are able to offer that service now. We also hold ribbon cuttings for new members. We list all our members in the referral directory and on our site we promote their events. We also do the Tremonton Trick-or-Treat on Main Street, which we plan to do this year. We loved the Goose Chase app you guys did for Tremonton City Days. We are doing that for Peach Days and will do it year-round so Tremonton will have access to it and will not have to pay for future games. We work with

Tremonton Recreation quite a bit. We help with sponsors for City Days and with the holiday extravaganza. We do partner with Tremonton City to help market announcements and surveys. Manager Warnke said it has not been budgeted yet so I need to amend that. The Council thanked her for her time and Councilmember Vance said combining the two chambers has been the greatest thing for our area. Thanks for all you do, this has been a positive deal.

9. City Council Business

- a. Discussion and consideration of adopting Ordinance No. 20-33 directing City staff to notify and change the water rates for residents within Service Areas 1 and 2 that have had a secondary water lateral stubbed into their property in excess of one (1) year but have elected not to use their secondary water system, the change in water rate is in accordance with the City Consolidated Fee Schedule

Councilmember Vance said in addition to the verbiage that is on here we need to make sure the 50 people affected are notified and given numbers like we discussed in our work meeting.

Motion by Councilmember Vance to adopt the resolution. 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.

- b. Discussion and consideration of adopting Resolution No. 20-34 approving an aging services contract for Fiscal Year 2021 between Bear River Association of Governments' Area Agency on Aging and Tremonton City

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

- c. Discussion and consideration of adopting Resolution No. 20-35 ratifying a land acquisition transaction between Tremonton City and Butters Holding LLC for Tremonton City's purchase of land for the future expansion of 1650 West Collector Road

Motion by Councilmember Archibald to adopt the resolution. 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 adopting Resolution No. 20-36 approving the River Valley Self Storage Site Plan, Phase 1 Development Agreement

Motion by Councilmember Holmgren to adopt the resolution. Motion

seconded by Councilmember Seamons. 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 a Special Event Permit for a Ryan Shupe Concert & Dinner at Jeanie Stevens Park, August 25, 2020, from 8:00 p.m. - 10:00 p.m.

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

10. Calendar Items and Previous Assignment

- a. Review of calendar

Manager Warnke said there is a public presentation online this Thursday related to the proposed creation of the Tremonton National Historic District. We have sent out a direct mail notice to all the property owners within the boundaries, along with some FAQs. You are welcome to join.

- b. Review of past assignment: none

11. Reports & Comments:

- a. City Manager Reports and Comments

- 1. Update on Fire Department Calls for Calendar Year 2020

Manager Warnke said this is an update on where they are at for fire calls. We will continue to monitor the situation and bring it to your attention. Right now 58% of the calendar has elapsed and the fire department has experienced 56% of the call volumes in 2019 for EMS. We are trending about where we were last year and holding strong. Fire calls are essentially the same.

- b. Development Review Committee Report and Comments: none
- c. City Department Head Reports and Comments

Director Christensen said we have been trying to get a hold on the invasive weeds in the River Bottoms. Our mowing contractors mowed two big areas with a tractor and will hand mow a couple other areas. This invasive weed is taking over about an acre. Most people say burning them is the best way to get rid of them. Is that something I should continue to look into? Councilmember Holmgren said early in the spring is the best time. It is such an invasive and dense plant that nothing can compete with it.

- d. Council Reports and Comments

Councilmember Vance reminded the Council about a concert that is coming to the fairgrounds in September, which should be good.

Councilmember Holmgren said he and his wife have been doing work at the cemetery. Where the flagpole is they will have a cement boarder and a flower area to make them showier. That is coming up on August 20, if anyone wants to help. North Ogden has done a Gold Star Monument for those who have lost loves ones in the service of their Country and it is cool to see. It is being replicated all over the Country and is something we could do to recognize all those families.

Councilmember Rohde said the firework show was the best one I have seen. It was done well, thank you for that—it was a great night of entertainment.

Councilmember Seamons said someone asked me about 300 East and the speed limit there. Chief Fertig said we will have a speed trailer there next week, which will provide data for us to share with you.

Mayor Fridal said for the fire chief position we had 19 people put in and have narrowed it down to 10. We have talked to the fire department and plan to have five people from there involved in the process. They will choose four representatives to be on the committee and Administrator Steve Bench, who has experience as a retired firefighter, will be the fifth representative. They will be involved in the interview process when that starts. We want the fire department to be represented and that is the direction we are going.

12. ***CLOSED SESSIONS: 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***

13. 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 7:37 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

Director Fulgham and Treasurer Sharri Oyler will go over the water usage for those secondary users in service areas 1 and 2 who will be affected by the incentive water rate. They will be notified about the change with information on how their bill will look if they choose not to hook onto the system.