

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
OCTOBER 20, 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 October 20, 2020 City Council Workshop to order at 6:02 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: Public Works Director Paul Fulgham and Police Chief Kurt Fertig.

1. Review Overview of submitted land use applications discussed at the Development Review Committee meeting

Director Fulgham provided an update on secondary water and new development. At this time there are 358 connections, but we are growing all the time. There is a 12-unit townhome going up next to those east of Tremonton by the Crossroads that were built in 2007. They got an access permit from UDOT and we are going through other requirements. That should help clean that area up. There is also the Abigal Townhomes in the River Valley Fourplex Subdivision. The Craig Adams' subdivision is called River's Edge and they are proposing 267 single-family homes, 210 townhomes, and 264 apartments, along with a park, detention basin and seven acres of commercial area that aligns with Main Street. Once it is built there will be an access on 1600 East. Spring Acres Phase 7 is the final portion of Marc Allred's development, which was started in 1997. It is a six-lot subdivision. Magnolia Lane is a new one that was brought to us last year. It is a four-lot subdivision at the end of Tremont Street. They want to take the old home at the end down and subdivide the property. There is also Pena Subdivision, which is in River Valley and is already built and designed as townhomes, but not recorded that way. That will be recorded and broke out to make them separate parcels.

Director Fulgham then explained how many units are planned and how many are under construction. The report also shows how many are single family homes, townhomes and apartments. At the time we issue the permit, the City promises we will provide them with water and sewer capacity. There is a report that shows our water needs for planned growth. We have roughly 833 planned single-family units, 826 planned townhomes, and

568 planned apartments. I broke down how much water would be needed for that. A single family home and townhome uses 150 gallons a day, while apartments use a little less. If we can take that demand off our culinary system then we do not have to upgrade in the near future. The bottom line is that if all these units come to play then in the summer we need to produce another 58 million gallons per month. We currently produce anywhere from 125 million gallons to 150 million gallons a month. The majority of our water comes from the Bear River area. He reviewed those and explained that the City has 5.2 million gallons of storage capacity. With secondary water we will have enough storage to last until 2070 projecting at the growth we have. If we do not do anything different, which we are with our secondary, then we would need to come up with 58 million gallons of new water based on what is contemplated. Councilmember Holmgren said we need to get units online. We are playing games with the upcoming development and our water needs. At some point we will not have enough to supply everyone.

2. Discussion of expanding the secondary water system including, but not limited to, the discussion of the increased water rates and bonding scenarios for the construction of additional water system improvements

Director Fulgham said by adding the equalization basin and property purchase, the bondable amount would be \$5.3 million, if we did everything we had in scenario 1 (Service Area 5, starting Service Area 4, expanding Service Area 2 to take in the Matheson Apartments and Harris Subdivision, as well as 2,000 fixed base water meters). With the 125% obligation, the City would require additional revenue to make an annual payment of \$510,000. That would put secondary water in most the City except Service Area 9. This sheet shows you how we are going to generate revenue and the different scenarios. We could raise the base rate, put on the growth rate, or change the tier rates based on summer usage. In 2020 we have had 114 new residential units, which is about \$17,000 more revenue per year on the base rate. That is the new growth you can count on. We also collect impact fees on new building permits.

Manager Warnke said we are trying to put as much money as possible in the bond so as growth continues we can pay cash for little projects to upsize and go into Service Area 9. We need to put as much money into this phase of the bond for what we know we need and then we would have the money for others as they arise. When asked about timing, Director Fulgham said the longer we wait the higher the interest rate might be. Manager Warnke said we want to start construction as early as spring on some of these projects and have to spend the money in a two-year period. We will add it to the next agenda. Councilmember Vance said maybe we hold off on Service Area 5. I was always a proponent to get this thing done, but I am not comfortable about jacking the prices up.

3. Review of items listed on the 7:00 p.m. agenda
4. ***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 6:56 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the October 20, 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: 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 Councilmember Holmgren and the Pledge of Allegiance was led by Recorder Nessen.

2. Introduction of guests:

Mayor Fridal welcomed those in attendance, including several police officers.

3. Declaration of Conflict of Interest: None.

4. Approval of Agenda:

Motion by Councilmember Archibald to approve the agenda of October 20, 2020. Motion seconded by Councilmembers Seamons and Holmgren. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – October 6, 2020

Motion by Councilmember Holmgren to approve the minutes of October 6, 2020. Motion seconded by Councilmember Rohde. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

6. Public comments: Comments limited to three minutes.

Utah Municipal Clerks Association President Annette Spendlove said I am here to

present Deputy Recorder Cynthia Nelson with her Master Municipal Clerk (MMC) Certificate and thank each of you for allowing her to get the education she needs to excel in her profession. This is not an easy certification. First she had to get her Certified Municipal Clerk (CMC) Certificate, which requires 120 points—60 of which were class hours requiring two hours for one point. She also had to get 40 hours of experience. She had to be a Certified Municipal Clerk and get 60 more education hours and 50 hours of experience or professional service, which requires several years as a Municipal Clerk, as well as education. She has learned all about the laws and other things that help keep you in compliance. She, along with the Council, thanked Deputy Recorder Nelson for her efforts and awarded her with a plaque.

7. Employee Service Award

a. Lloyd Heise, 5-year Employee Service Award

Mayor Fridal thanked him for his service.

8. Presentation

a. Police Recognition Award, Mayors Association

Mayor Fridal said we had a Mayors Association meeting a few months ago and one of the mayors said we should recognize our police and the sacrifices they make to our community. We made this for our Tremonton and Garland officers and are going to meet with the other departments in the County to present them with a shadow box. Chief Fertig said we can very gratefully say that in Tremonton and Garland we feel very supported by our administrations and cities, this is just a physical symbol of what we have already felt and we are so grateful for that. Several individuals expressed their appreciation for the officers.

b. Special Recognition of Police Officer Andy Marchant, New Hope Crisis Center

Penny Evans said we very much appreciate law enforcement at the New Hope Crisis Center. We partner with them every day and cannot tell them thank you enough. She told of a recent experience where they needed law enforcement. I am so appreciative of the job they do every day and putting their lives on the line. I hope they know how much we appreciate the work they do and the relationships we have. Tonight we want to honor Officer Andy Marchant. Several years ago we lost Brigham City Assistant Chief Dennis Vincent and wanted to do something as an agency to honor him. After talking to his family, we decided to do that with the Dennis B. Vincent Crime Victim's Service Award. This is the second year and we chose two really worthy recipients—one in Brigham City and one in Tremonton.

Karrie Vincent read about the award and Mr. Vincent, who loved law enforcement. He always wanted to be a police officer and his life was filled with service. She reviewed his accomplishments and qualities. It is a great honor for Dennis' family to recognize someone in the community who embodies these qualities in their service to their community and Country. She then read the nomination for Officer Marchant. This award was designed to honor those who have aided and empowered crime victims through their skills, practices,

professionalism, and ethics. Sergeant Marchant has been that kind of voice and support to hundreds of victims over nearly a decade of service in the detective division where he has assisted victims of physical and sexual assault, and child abuse. In 8.5 years of working with victims in this capacity, he has worked with dozens of children that have been the victims of physical or sexual abuse. He has patiently interviewed them, worked tirelessly to gather evidence and has expertly testified in court to bring to justice those who in so many instances could not affectively speak for themselves. He has also worked closely with the Division of Child and Family Services to establish safety plans and procedures to protect these children from any future abuse. He was the only investigator in our jurisdiction for a long time and worked extra hours on a regular basis to ensure these cases were well prepared and court ready. It is impossible to measure the sacrifices he made over the years to bring these cases to a successful conclusion yet he always did this without complaint and with true concern and compassion for the innocent children. Through his efforts, hundreds of children have found justice, protection and closure to some of the traumatic childhood events they have had to suffer. He is a true friend, competent ally, and exemplary professional in every way, making him worthy of this award as a true advocate for victims of crime. She then read his bio and thanked his family for their dedication and sacrifice. He would not be where he is at and Dennis would not have been able to achieve all the things he did without the support of his family and all their sacrifice.

9. Proclamation

- a. Domestic Violence Awareness Month- October 2020, Penny Evans – Executive Director of New Hope Crisis Center

Ms. Evans read the proclamation and asked Mayor Fridal to declare October as Domestic Violence Awareness Month.

Motion by Councilmember Archibald to proclaim October as Domestic Violence Awareness Month. Motion seconded by Councilmembers Rohde and Vance. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

10. City Council Business

- a. Discussion and consideration of adopting Ordinance No. 20-14 repealing Ordinance No. 18-05 annexing real property, specifically, tax parcel numbers 05-167-0040; 05-167-003; and 05-167-0044 comprising 62.85 acres located at approximately 1150 E. Main Street into Tremonton, Utah, and zoning said parcels as Mixed-Use

Manager Warnke said several years ago we adopted an ordinance and resolution to annex the property under the caveat that we had to finalize the annexation agreement and we never did. There is a timeline when you annex property and it has been two years. It is being proposed that we formally repeal that.

Motion by Councilmember Holmgren to adopt the ordinance. 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.

- b. Discussion and consideration of adopting Resolution No. 20-47 repealing Resolution No. 18-18 amending Tremonton City's articles of incorporation to annex tax parcels numbers 05-167-0040; 05-167-003; and 05-167-0044; comprising 62.85 acres located at approximately 1150 E. Main Street into Tremonton, Utah

Motion by Councilmember Vance 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.

- c. Discussion and consideration of adopting Resolution No. 20-48 approving an application to be submitted to the Governor' Office of Economic Development to establish an Enterprise Zone Tax Credit Program for Tremonton City

Manager Warnke said we currently have an enterprise zone and my understanding is the State legislature has done away with them. They have replaced it with another program that allocates a certain amount of money to each County, who then pick economic development projects to support. We still have one more year of our current enterprise zone, but if we renew it before December the State will honor the enterprise zone and its benefits for another five years to businesses that expand within the zone. About \$1 million has been claimed in tax credits for businesses. It is a helpful tool and has been appreciated by the business community.

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

11. Calendar Items and Previous Assignment

- a. Review of calendar

Manager Warnke said Gail Halvorsen wrote a thank you letter for the event in his honor with the mural.

I also got a call from the owner of Aspen Ridge RV Park, who is elated with the response his business has had. He wanted to thank the Council for the support. This is one of those industries that has benefitted by COVID as people see traveling in an RV as a safe way to get out. The park looks nice and he has created a destination with the amenities he has. For the month of September he had 2,486 nightly stays, which is 91% occupancy. For the winter months he has 2,040 nightly stays already reserved.

Manager Warnke said the State's Historic Preservation review board meeting for Tremonton City's Historic District is set for October 29. They will review our nomination and make a recommendation to the National Park Service for their final designation. If the State board recommends approval, then the National Park Service strongly factors that into their determination.

There will be an adaptive trick-or-treat event because of COVID. It will be a drive-by at the Fairgrounds. There were a lot of people at the pumpkin walk down by the trail.

- b. Review of past assignment: None.

12. Reports & Comments:

- a. City Manager Reports and Comments: None.
- b. City Department Head Reports and Comments

Director Fulgham said we had a request for compost by Honeyville City, who is redoing one of their ballparks. They did not give me a dollar amount they are willing to pay, but they want 450 yards. I probably have that, but I am not sure on your feelings about letting it go outside of the City or what you would require. We should have enough for people I just do not have the manpower to load it or the equipment to haul it. Councilmember Archibald said with that offering maybe if we came to them with something they would be more anxious to support what we are asking of them. We are all about beautification.

Director Fulgham said we purchased the Cedar Ridge well in 2010 and had an agreement. The agreement was that after 15 years if Mr. David Thompson had not developed then he would have no more right to develop. He asked if the Council would be okay extending that sunset period. When we purchased that well we updated the source protection plan. A geologist determined where the water comes from to help minimize the risk of polluting that by chemicals and septic systems. Since it was an established subdivision, there were already septic systems within our recharge area, which is not a big deal if they are managed properly. However, the new one made that boundary system for the septic system further out so he could not bring any new ones in. He wondered if there is a possibility to reduce that. That say comes from the Division of Drinking Water, which will not reduce those areas so that means he has to push his subdivision further away from our source. I will send the agreement for your review.

- c. Council Reports and Comments

Councilmember Holmgren said the museum has addressed some concerns about their aging staff. They wondered if there is a way the City could partner with them and keep it going three hours a day.

Councilmember Archibald said as we approach the holiday season there are lot

of kind things we can be involved in. The clinic I work at has decided to concentrate our efforts on the New Hope Crisis Center. Who would be the best person in the City for them to contact to point them in the right direction? Manager Warnke suggested Cathy Newman at the Food Pantry and Jenny Christensen at the Senior Center.

Councilmember Rohde asked about a representative for Planning Commission and Teresa Shaffer was suggested.

Motion by Councilmember Archibald 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 7:59 p.m.

13. **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 8:36 p.m.

14. **Adjournment.**

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

The meeting adjourned at 8:36 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