

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
OCTOBER 19, 2021**

Members Present:

Connie Archibald

Lyle Holmgren

Bret Rohde

Rick Seamons

Lyle Vance—excused

Roger Fridal, Mayor

Shawn Warnke, City Manager

Linsey Nessen, City Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the October 19, 2021 City Council Workshop to order at 6:01 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, and Seamons, City Manager Warnke, and City Recorder Nessen. The following Department Heads were also present: Assistant City Manager Marc Christensen, Public Works Director Paul Fulgham, Police Chief Nick Nessen, and Treasurer Sharri Oyler (arrived at 6:04 p.m.). Councilmember Vance was excused.

1. Review Discussion of methods to provide more information to Tremonton City residents-Councilperson Bret Rhode

Assistant Manager Christensen presented what Manager Warnke, Councilmember Rohde, and he worked on for Tremonton a few years ago as it relates to the vision, mission statement and pillars. The vision is the ultimate goal or the perfect future. How we accomplish that is the mission. We have come up with six pillars, which is what we work toward and what our department heads could focus on. We also have seven values. This is where we ended in the draft process, but all of this could change. He then read some examples from other cities, including Pleasant Grove, who strives to be the best city in Utah. They might not reach that, but are always working toward it through strategies. Councilmember Archibald said it is crisp and to the point. Councilmember Rohde said we could cut ours down a bit. I would like us to start doing that as a Council. Mayor Fridal said we all have goals and things we are working on in our different departments, this gives us the same mission. Assistant Manager Christensen said under the Tremonton City logo we write specific departments and our mission is the same. It all looks the same, but we put the different departments in and accomplish the same mission. Councilmember Rohde said over the next two weeks we need to wordsmith this. We could even get the department heads involved. Manager Warnke said it might be hard to get everyone's participation on such a large scale. I wonder if we could do a survey with multiple choices. That could then be totaled up to see where things are starting to line up. Councilmember Rohde said let us work on the vision and mission and then when we get to the pillars, we will get additional input. The Council agreed.

The following items were discussed out of order.

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

When discussing a resolution for a landscape plan in the park strip at Jeanie Stevens Park, Assistant Manager Christensen said Director Fulgham came up with the idea. We finished the trailhead in a local-scape with lots of rocks, shrubs, and trees. During the League of Cities and Towns meeting we discussed water conservation and park strips are one of the ways they are leading the charge. They explained that non-useful grass is grass that only gets walked on if you are maintaining it. The park strip at Jeanie Stevens Park is such a prominent visual along 10th West we thought that would be a great place to show as an example to the community and have that replaced. We have a design from a landscape architect who will move forward with the project.

Councilmember Rohde suggested having items 10. c. and d. about Nicholas Nessen becoming the new police chief moved up before the public comment time since that could go long and his appointment should not affect that comment period.

3. Open Meetings and Ethics Training

The Council listed to 10-minute ethics training from David Church, who is a contract attorney with the Utah League of Cities and Towns. Manager Warnke said Mayor Fridal suggested adding the conflict-of-interest section to the agenda in order to bring these types of things to everyone's attention. This allows each of you to do a quick self-evaluation of what is on the agenda and identify any conflicts. Once a conflict is declared you can still vote or abstain according to State code. A conflict of interest and a bias are two different things. In this instance, you as Councilmembers might encourage each other and say no you do not really have a conflict. It is ultimately up to the individual to really know what the conflict is and to identify and declare it. If there are questions I or City Attorney Dustin Ericson can help. Mayor Fridal said this group is pretty familiar with it, but our other groups like the Planning Commission could benefit from this training. It would be a good idea to offer that annually. Manager Warnke said we are transparent to the public, but they sometimes have this perception that people are connected to an economic advantage and so it is important for the public to know. We do that by declaring and explaining what that conflict is so there is not this hearsay and perception that is inaccurate.

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 6:47 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the October 19, 2021 City Council Meeting to order at 7:00 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, and Seamons, City Manager Warnke, and City Recorder Nessen. The following Department Heads were also present: Assistant City Manager Marc Christensen, Public Works Director Paul Fulgham, Police Chief Nick Nessen, and Treasurer Sharri Oyler (left at 7:40 p.m.). Councilmember Vance was excused.

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 Archibald and the Pledge of Allegiance was led by Councilmember Rohde.

2. Introduction of guests: Mayor Fridal welcomed those in attendance.

3. Declaration of Conflict of Interest: None.

4. Approval of Agenda:

Motion by Councilmember Rohde to approve the agenda of October 19, 2021, with items 10. c. and d. being moved to 7. b. and moving item 9. to just above item 8. Motion seconded by Councilmember Holmgren. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye. Motion approved.

5. Approval of minutes – September 20, 2021, September 21, October 6, 2021, October 7, 2021, and October 8, 2021

Motion by Councilmember Archibald to approve the minutes stated above. Motion seconded by Councilmember Holmgren. Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye. Motion approved.

6. Public Presentations:

- a. Northern Box Elder County Suicide Prevention Coalition – Jenny Schultz, Doreen Stever, and Tiffany Palmer**

Mrs. Shultz provided a quick update and said we want to thank the City for all the support you give us. Each summer we do a Remembrance Walk for those who

have lost loved ones to suicide. This is a time for families to heal and mourn. When you have lost someone to suicide you kind of lose the right to mourn especially right after so we are so thankful you allow us to do that. Many of you also support our town hall meetings in the spring and fall. We are staying busy and become advocates to the public. One thing we hear over and over is that there are still not enough services and people do not know where to go for help. This year we have put together a survey to allow people a forum to share their experience, get answers, and share ideas for how we can improve. Mrs. Stever said we are creating a resource help line for families and people who do not know where to go when they see something wrong in their family. They know something is wrong, but they do not know where to reach out. This is not a crisis line, but a help line during the day to talk to a mental health professional. They can get ideas on where to go for resources until they could get into a counselor. We have limited resources in our area that do not serve the entire community. This line could help them explain what is happening and allow them to get help. We are asking your support on this as we talk to the community.

7. Years of Service Award

- a. Kim LeFevre, School Crossing Guard – 5 Years

Mayor Fridal thanked her for her time and service.

The following items were discussed out of order.

8. Public comments:

Resident Kristie Bowcutt said what is going on with the subdivisions in this community? There is a lot of building going on. During the Planning Commission meeting there was public comment time and they listened to us. I am so proud of that Planning Commission because I felt like they stood up to being strong-armed and did an excellent job. I am all for growth, but I want responsible growth. I think the growth going on in the City is irresponsible. You as a Council and Mayor are to listen to what the public says not just blow it off. When subdivisions come in, they bring their plans to you to be approved. During the zoning meeting they said you are not here to listen to public comment you are suppose to pass the zoning so we can pass it onto the Council. I have worked in the schools for 18 years and they are at capacity. The schools cannot take the growth that is going on. They cannot absorb it. It is going to be more taxation on us because more schools are going to have to be built. Not the renters, but the property owners will pay taxes to get new schools. You look around at the growth and I really feel like it is irresponsible. Clarkston was so quiet and all of a sudden people started moving in and the Council is innovated with stopping farmers from going down the road in the middle of the night. They are too loud and making too much dust. The cows are mooing and can you smell that cow manure? They began griping about chickens and people mowing their lawn before 9 a.m. This is what is going to happen if we keep this building going. (She left the rest of her notes with the Council).

Resident Shannon Misrasi Butler said I do not have any ground where they are building

this subdivision, but my farm is on the south side. We have already rerouted the Haws Ditch that has been there for 100 years. Karalynn Freeman has a recorded right-of-way for that ditch and I have a property that states the ditch is used. They have their property lines from Beam Me Up Scotty and all the property is screwed up. I talked to Skyler Chambers who told me they would pipe that irrigation ditch so it will be in the backyards of the subdivision behind a fence and under grass and all the utilities. It is going to be inside that property right in the backyards of these homes and I asked what if something goes wrong with the pipe? He said well we would take the fence down and fix it. Councilmember Holmgren and Mayor Fridal you both have been a farmer, what would you do if that is what they said to you? We are going to pipe your water in the backyard of this subdivision. I know you are not going to comment and I have been there before with you saying we will get a hold of you to give you some answers, but a month ago I sat out here for 30 minutes waiting. The traffic is going to be a disaster, as are the stores and hospital.

Resident Capri Austin said I am here to ask this body to further consider the consequences of a significant housing increase in Tremonton boundaries, but first I want to applaud you for hiring and promoting Nick Nessen. I think he has a great rapport here in this community. He has built relationships and is completely invested in this community. Thank you and whoever was involved for hiring within. Tonight, I bring two factors to your attention that are already in a bad situation, but will become worse as Tremonton continues to grow. This will stress our school systems, our teachers, and educational future, which are our children. There is this issue of school utilization, which is measured and reported similarly to ICU beds in a hospital. Hospitals become overwhelmed when the patient load reaches 85%. That is when health care begins to deteriorate. Box Elder County School District measure utilization in a similar way reporting that when student capacity reaches 90%, effectiveness of teaching, school interactions, and building upkeep all begin to suffer. This affects students, teachers, aids, administration, support staff, janitorial staff, and others who maintain a functional school. Our two schools in Tremonton are title one, which means at least 75% of the student body is at poverty level. North Park has a capacity of 575 and has enrolled 517. We are at 90% capacity. McKinley has a capacity of 575 and has enrolled 547. They are at 95% capacity. Garland has a capacity of 750 and has enrolled 680. They are at 91% capacity. Bear River High School is only 9% away from capacity. I ask you to take into consideration the severe and negative impact continued development of our small City will have on our children, their education, and educators. Please do not add more problems to their backs. This community will grow and it should, we cannot stop it. I love my neighbors and the growth I see in my subdivision, but at this expedited rate of high-density housing and extensive home development is irresponsible and will devastate our school system. The increased tax base from our new developments cannot cover the increased infrastructure, maintenance, facilities, equipment, police, fire, first responders, capital improvements, and education so tax increases are coming. The citizens of Tremonton are already stretched to their financial limits with increased utility cost, secondary water, and fuel costs skyrocketing. I know you guys know the issues that are coming to us so please be responsible in our growth.

Resident Tasha Speas said I was here last week at the Planning Commission and one of the comments the City Manager made was that Utah has a code for a certain amount of affordable housing. Upon further research I found the only schools in Northern Box Elder County that are title one are North Park and McKinley, which she stated was 75% of the poverty level. So to me that is an indication there is plenty of affordable housing here. Why do we need three story apartment buildings in the only part of Tremonton that does not have apartments? Let us keep some of Tremonton nice. We are just begging you to reconsider this. I know this brings people like Micah Capener more money because he is part of the investment. I think it is a conflict of interest having him on Planning Commission and that is something you should address as well. Do you know what the poverty rate in Tremonton is? It is 16.8%, which means 1 out of every 5.9 Tremonton residents lives in poverty. That is 1,378 out of 8,189 residents who have reported income levels below the poverty line in the last year. How does the poverty rate in Tremonton compare to the rest of Utah? The poverty rate is 11% across the state so Tremonton has a dramatically higher than average rate. If you are saying Tremonton City needs to follow codes that the State gives you, this is proof and the numbers do not indicate that we need more apartments.

Resident Chad Poppleton said I have lived on this farm in Tremonton most of my life. I have no problem with Tremonton expanding and growing responsibly. What I am seeing now is a whole bunch of apartments, condominiums, and new homes getting built with no infrastructure being added. There are no new stoplights and no new roads. I live on Main Street in Tremonton by the Crossroads and when my daughter gets off her bus that horn blares everyday to stop traffic so she can safely cross that road. My biggest issue is not with Tremonton growing. I would like to see it grow. I would like to see more restaurants and other things happen in here, but the transparency with the committees who do this stuff is apparent. I was at the last meeting and 50% of the people who were here never got a notice that these meetings were taking place and that there was a development of 700 units going in just across the street from me. We need public input on some of this stuff and voices need to be heard. I am all about growth and building this community, but let us do it responsibly and get public input so everyone is happy, not just the real estate developers and the realtor companies.

Resident Shala Grange said I have heard a lot of discussion about development in my area. We have family here, but I want to be clear that I am a transplant from Layton. We came to Tremonton because it was an inviting place and is what we were looking for. It has a lot of appeal and I like living here. I have met some incredible people and I intend on living here forever. I do not have a problem with growth either. When we bought our home, we knew it was going to be developed behind us, but I did not foresee it happening like this. Having people forced from their property is a red flag. In Layton where I grew up it has got huge. I remember as a kid they built this new high school and took a bunch of kids from Layton and people were in an uproar because they did not want the change, but the reason this was happening is because they foresaw growth. Looking back, it was so smart. They anticipated that growth and made changes. They were anticipating what has happened now and they made plans and changes ahead of time. I do not see that happening here in Tremonton and it has me concerned. That is a concern, not so much

that Tremonton is growing because I can understand that, it is a great place, but I ask anyone in the community with any say to really consider how to be responsible and provide for the needs of so many people coming in at once.

9. Proclamations:

- a. Domestic Violence Awareness Month – October 2021, Penny Evans – Executive Director of New Hope Crisis Center

Mrs. Evans said we appreciate the police department and work very closely with them. We could not do our jobs without them. Our members have gone up a lot and our staff has been very busy. Previously we had 1,965 crisis calls and last year that was up to 2,836. We had served 792 people previously and this past year it was 854. Our advocates are on call 24/7 to assist with all sorts of things. Our staff is small, but amazing. Our shelter is constantly at capacity. I have been there 20 years and I have never seen it as busy as we are right now. The intensity of the violence has continued over the years, too. Even though our center is in Brigham City we do have a victim advocate here once a week in Tremonton at the Bear River Resource Center. All our advocates are on-call for the entire County with a 24/7 crisis line 365 days a year (435-752-5600). She then shared a success story. We do not always hear those happy stories, but are pleased when we do. She then read the proclamation.

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

The following items were discussed out of order.

10. New Council Business:

- a. Discussion and consideration of approving the August Financial Statements

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

- b. Discussion and consideration of approving the August Warrant Register

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

- c. Discussion and consideration of adopting Resolution No. 21-43 appointing Nicholas Nessen to serve as Tremonton City Police Chief

Motion by Councilmember Holmgren to appoint Nicholas Nessen to serve as the City Police Chief. Motion seconded by Councilmember Rohde. Roll Call

Vote: Councilmember Archibald - aye, Councilmember Holmgren - aye, Councilmember Rohde - aye, Councilmember Seamons - aye. Motion approved.

- d. Swearing in of Nicholas Nessen as the Police Chief
- e. Discussion and consideration of adopting Resolution No. 21-44 approving a landscape plan for the Jeanie Stevens Park park strip

Councilmember Holmgren said I would like to applaud Director Fulgham and Assistant Manager Christensen, and anyone else who has worked on putting this park strip into local-scape as a way to conserve water and be an example of how we can have nice landscape while being water wise.

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. Motion approved.

- f. Discussion and consideration of adopting Resolution No. 21-45 approving an Industrial User Wastewater Discharge Permanent Agreement between Post Consumer Brands and Tremonton City Corporation for a three-year period beginning November 1, 2021, and ending October 31, 2024

Director Fulgham said this is something we do every three years with our permitted industries. Post has been a great partner. They have brought in jobs and money to the City to help it grow. As far as the wastewater goes, they are a responsible company. They have very few issues and I recommend you adopt and renew this permit with them. As we continue to grow, we will see more and more of these permits. As we hit a 10,000 population we will have to permit for restaurants and dentist offices, anything the State foresees being a hazard to the wastewater.

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

11. Calendar Items and Previous Assignment

- a. Review of calendar

Manager Warnke said there is a dinner on November 12 that we have a table for at the fairgrounds. We will not have a Council meeting the first part of November.

- b. Review of past assignment: None.

12. Reports & Comments:

- a. City Manager Reports and Comments: None.
- b. Development Review Committee Report and Comments: None.
- c. City Department Head Reports and Comments

Councilmember Seamons asked about Garland's sewer system. Director Fulgham said they hope to have their plant up and running by the first of the year. They do pay their monthly user fees they just have not been paying their impact fees since 2015. Councilmember Seamons also asked for an update on the secondary water project. Director Fulgham said he is meeting with Rupp's to see what his strategy is, but they have to be buttoned up by the end of November.

d. Council Reports and Comments

Councilmember Rohde congratulated Chief Nessen on his new job. Last Tuesday there were a lot of comments about growth and one thing that hit me was is this going to put pressure on the police force? In your presentation you brought up numbers on how we need to expand, but I was wondering if there are not other programs we could start looking into? Could we formalize some neighborhood watch programs? We could start getting a jump on this so people feel safer. Chief Nessen said one thing they do in Riverdale is send officers to zones in the city and if we had them discuss problem areas and give tips to help with crime, then we would have a liaison with the police department that they know and trust. Councilmember Rohde asked Nessen to look into some programs that could be used to the city's benefit.

Councilmember Holmgren said I also want to congratulate Chief Nessen. We are excited about being able to work with you and all the ideas you have to make our City a little bit better. Several weeks ago, Chief Nessen started giving us a weekly report of some of the things that have been going on in our City. He told us about Officer Wheeler who handled a suicide attempt. Without hesitating the officer intervened to save this man's life. This is another example of how our officers are dedicated to the people they serve. We have a good police force that is very concerned about the people who live here and travel through. I wanted to publicly thank our police department. Also, the fall cleanup was a success. We had 36 container loads of trash that were hauled out of our City to make things look a little bit better. That is a lot of trash and that is a service to our community. I want to thank Manager Warnke and Director Fulgham for putting that together. We have great employees and great people who really care about our City and make it a better place to live.

Councilmember Archibald said I feel the same on everything that others have stated. I am grateful that safety is a priority in our City. In my estimation it is the most important thing that we have going for us. I too had a lot of great comments about the fall clean up. I wanted to mention that Councilmember Holmgren invited me to go for a ride around the City. It is amazing to me how much he has done to beautify our City. He and his wife spend a considerable amount of time at the cemetery and Library Park. They pull weeds and plant flowers and all sorts of things to beautify the area because they love our community. He invited me to share with him in becoming someone who would willingly beautify our area in quiet ways and I was impressed with that. This got me thinking I have a lot of work to do as a City Councilmember. I am thankful he invited me and showed me that example.

Mayor Fridal said we have a great Council. You spend so much time and effort trying to make the correct decisions for our City and I appreciate you.

13. ***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***
14. Adjournment.

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

The meeting adjourned at 8:02 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 _____, 2021.

Linsey Nessen, City Recorder

Follow-up items for the Council and City Staff

The Council will wordsmith the City's vision and mission statement and continue that discussion next time.