

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
DECEMBER 6, 2022**

Members Present:

Connie Archibald

Wes Estep

Bret Rohde

Rick Seamons

Lyle Vance

Lyle Holmgren, Mayor

Shawn Warnke, City Manager

Marc Christensen, Assistant City Manager

Linsey Nessen, City Recorder

CITY COUNCIL WORKSHOP

Mayor Holmgren called the December 6, 2022 City Council Workshop to order at 5:36 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Holmgren, Councilmembers Archibald, Estep, Rohde, Seamons, and Vance, City Manager Warnke, Assistant City Manager Christensen, and City Recorder Nessen. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief Dustin Cordova, Parks and Recreation Director Zach LeFevre (arrived at 5:58 p.m.), and Treasurer Sharri Oyler (left after the work session). Also in attendance was Finance Director Curtis Roberts.

1. Discussion of contracting with Zions Public Finance, Inc. to perform a water rate study- Curtis Roberts, Finance Director

Director Roberts said the end goal of this model is to run scenarios of what a water rate change, both secondary and culinary, would have as far as the impact on our ability to pay for future projects and continue to meet bond compliance. That is what the model does. It also has a feature to request specific impact on certain users (low, medium, or higher end users). This is modeled to include those types of output as well to show what a bill would look like. Last time we tried to set secondary water rates there were challenges to see what the impact would be financially and on the end user. Their model would address both aspects since any model is built off assumptions. The number one assumption is what the current water users are like. They would take all the information out of our accounting system and dump that into their model for their technicians to manipulate. Last time we relied on Director Fulgham to figure that out. They can organize that, take our rate structure as it currently stands and all the information to verify it is working and would build up the revenues that are happening currently. Their model does a good job at breaking out the operating expenses. It can also factor in different inflationary factors. We would be able to set the assumption based on the inflationary pressures we see. This also emphasizes capital investments that will happen in a five to 10 year period to see what the rate structure will do. We can plug all our projects in a timeframe and it would tell us if we have enough cash or would have to bond. If we do

bond it adjusts what the rate would be in order to be meet the debt coverage. It is a very complex model. We would get the estimates to them and the earlier we can get started in this process the better information we will get. Zions would make a presentation and show all the assumptions and run multiple scenarios. They can also suggest tiers. The model is intriguing and would add value to the City. We will have a number of efforts on our side. Director Fulgham and our City engineer will have to schedule a five-year plan that will need some Council stamps saying we can see that being a realistic plan and something we are willing to commit to. It will be a good tool that will allow the Council to generate information and communicate with citizens as to why these rates are necessary. It can also give you a longer-term rate structure. Councilmember Vance asked if we would be given the software to play around with the rates. Director Roberts said that is what I am assuming. They would do that for the presentation and then we could use it. Manager Warnke said we could use it for other utilities, too. Director Roberts said if we give them notice to proceed, we would work until the first part of January through things. February we would do some analysis and I would hope by March we would have a solid presentation of our rate structure. This will be more exact and precise than other methods we have used in the past. I do not want to under estimate the efforts that will be going into this as a City if this is the direction you want to go. This is a fair reasonable price in what we are receiving.

2. Presentation on Tremonton City Brand Playbook- Rushford Lee, REDKOR Brands

Mayor Holmgren said we have met nearly weekly for this City branding and are excited to see what this means and how we can utilize and benefit from it. We appreciate Assistant City Manager Christensen for his efforts and the committee that worked through this. We are excited about the product. Mr. Lee said here is the entire playbook, that you will always have an updated digital file for. We plan to meet with others who will be extending the brand so we can train them. There are six sections. When you have a new employee who comes to work with you, send this to them and let them read through it to see the mission and vision so they can understand who we are. This is meant to be a living document to help along the way. The brand identity statement explains who we are. Send this to vendors and those you work with because we want everyone rowing in the same direction. We have included the research. Mr. Lee briefly reviewed all sections, as well as the four pillars and how this should be used on social media platforms. Each department has their own color schemes. We have worked with Landmark Design to say here is what we think will look good and they are going to be able to use some of this in their plans. There is also a page of dos and do nots. Do not change the logo or brand. Stick with this and build upon it. We have indicated all the colors that are yours. There is also a marketing strategy section. There are primary goals and effective resident communications. Mayor Holmgren said I appreciate you including the results from the survey and the demographics I have gone through them several times. This really fits us so kudos for putting that together. I like the statement at the first of the book (City of connections) you did a really good job of wordsmithing that and making it something we feel good about. Councilmember Rohde said we have a mission and vision statement as well as pillars that we ought to concentrate on and use to drive our decisions. Councilmember Vance asked about implementation. Manager Warnke said it sounds like

Mr. Lee has ideas on how to engage City staff and start the process. The Council could appropriate funds through the budget process that you would like to do to get the message out there (street furniture, signage, banners, etc.). Assistant City Manager Christensen said it will not be all at once, but as new things come in, we hope to require those to be equipped with the new logos. Mayor Holmgren said we need to get in the habit of doing the small things that are not as costly. That would be a good way to get things going and then the larger budget items we can deal with as time goes on. Councilmember Vance suggested adding it to the agenda for review. The Council thanked Mr. Lee for his time.

3. Review of the agenda items identified on 7:00 p.m. City Council Agenda

Manager Warnke said Adventure Zone reached out to cities about a presentation on inflatables safety. I have had several conversations with her and suggested she work with City staff, but she felt you needed to hear this information. In it is a request to purchase training from them. We do not allow inflatables except for City events when the City has a vendor, who takes on that liability. That is an exclusion in our insurance. Our insurance provider also provides training for that, which I told her.

Councilmember Vance said using the word concise on public comment is open. I highly suggest we put a time limit in there. Five minutes is a long time. Mayor Holmgren said let us see what this brings tonight and if we feel it is not getting anywhere then we can update it. After they present, we would allow ourselves whatever time we need to respond. We can take it to the next level if we need to.

Manager Warnke said on 2000 West we own property and at the time we purchased it there was a ground lease with Yesco. At that time we became successors of interest in that lease. They have been paying us since that time for about 20 years. It was a 10-year term with another 10-year renewal that they exercised. We are at the end of the lease and have renegotiated terms for five years with no extension, which allows us to monitor the market and increase rates accordingly. We negotiated a higher amount (\$27,000 over the five-year period). It increases 2% every year. It is a ground lease so they do own the sign structure, if we ever got to a point where we did not come to terms, they would remove that. At this point in the process, we can accommodate the lease and extend it for another five years. This is an existing billboard that is non-conforming.

Councilmember Archibald asked where we are in the process with Administrator Steve Bench's retirement. Manager Warnke said the job is a posted and we are collecting applications. We had it listed as a building inspector and zoning administrator and got feedback from others that if it was just a building inspector then we would get more interest. We separated out those two job duties and have not received more interest from qualified individuals. We will likely need to get someone through the certification process. We would prefer someone who already has those certifications, but could find someone who would want to get through that process quickly. We could have consultants help us fill the gaps until we get someone fully certified.

Motion by Councilmember Seamons to move into closed session. Motion seconded by Councilmember Archibald. Vote: Councilmember Archibald - aye, Councilmember Estep - aye,

Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

The Council moved into a closed session at 6:49 p.m.

4. 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 Archibald to return to open session. Motion seconded by Councilmember Seamons. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

The Council returned to open session at 6:59 p.m.

The meeting adjourned at 6:59 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Holmgren called the December 6, 2022 City Council Meeting to order at 7:03 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Holmgren, Councilmembers Archibald, Estep, Rohde, Seamons, and Vance, City Manager Warnke, Assistant City Manager Christensen, and City Recorder Nessen. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief Dustin Cordova, and Parks and Recreation Director Zach LeFevre. Also in attendance was Finance Director Curtis Roberts.

1. Opening Ceremony:

Mayor Holmgren 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 Estep.

2. Introduction of guests: Mayor Holmgren welcomed those in attendance, including students from North Park, McKinley, and Alice C. Harris Intermediate.

3. Declaration of Conflict of Interest: None.

4. Approval of Agenda:

Motion by Councilmember Archibald to approve the agenda of December 6, 2022.

Motion seconded by Councilmember Seamons. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – November 15, 2022

Motion by Councilmember Estep to approve the minutes of November 15, 2022.

Motion seconded by Councilmember Rohde. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

6. Presentation

a. Tremonton City Citizenship Award to Elementary and Intermediate Students

Mayor Holmgren said we are recognizing citizenship. This has been a great thing we started a couple months ago in recognizing young people for their efforts in being good citizens. This is one of those things that is going right and we appreciate these young people. He read through those individuals and presented them with a gift card to Little Caesars. They then took a picture. Councilmember Archibald said thank you parents for teaching your children. In our world we have a lot of contention and anger. These children have been taught about being respectful, responsible and safe, so thank you. Thank you to our schools that value these attributes. This is how Tremonton becomes a better City. Thank you so much students for being that example, we appreciate it so much as a City Council.

b. Presentation on Inflatable Bounce House Safety – Amy with The Adventure Zone

Amy said Adventure Zone started safety regulations for inflatables because there is a lack of that. About 83,000 children have been hurt in accidents on inflatable slides and bounce houses between 2015-2019. From 2000-2004 there were only 5,599. That is an increase of 1,382% in less than 15 years. Lack of regulation is now the norm. They need to be inspected by certified individuals with proper credentials so we can provide safety to the public. We find these statistics unacceptable. In Utah there is no state wide administered regulation for these devices. About 20 inflatable companies do business, but have little to no training. We want to help. With the lack of state regulations, we are asking cities to require inflatable operators, who are working in their towns, to comply with practices and standards. We can train City officials on how to properly inspect inflatables and the companies they bring in. We can offer website resources and phone support 24/7 for any municipality working with us to help enforce these safety regulations. We want to work with you to offer training to any company that comes in so they can be compliant. Adventure Zone has had a superb record for over two decades and passed inspection programs. We bring up to 10 attractions and provide a fun filled carnival. There are two payment options. One is free to the public and the City pays \$7,000. There is also the pay for play option where

we come to the City at no cost and provide a payback of 10% of our ticket box sales. The 10 attractions are available for one to five days of operation. Accidents do happen, but it is our responsibility to do everything we can to prevent them. Pricing for the training is \$1,500 per town and you decide how many people attend. This is an eight-hour hands on lecture training. We recommend the refresher course every other year (\$500).

7. Public comments: No public comments.

8. New Council Business:

a. Discussion and consideration of approving the October Financial Statements

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

b. Discussion and consideration of approving the October Warrant Register

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

c. Discussion and consideration of adopting Resolution No. 22-66 approving a ground lease agreement between Tremonton City and YESCO to extend YESCO's ground lease on City property for billboards along Interstate 15

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

d. Discussion and consideration of adopting Resolution No. 22-67 approving the Tremonton City Brand Playbook

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

e. Discussion and consideration of adopting Resolution No. 22-68 approving the termination of a Building Inspection Agreement with surrounding cities in northern Box Elder County

Manager Warnke said over the years the City has provided building inspections for Deweyville, Elwood, Fielding Garland, Howell, Plymouth, Snowville, and Corinne. This was based on an hourly rate and allowed us to do a neighborly favor. The revenue is insignificant. At this point, since we are looking for a

building inspector ourselves it is a good time to get everyone looking for their own building inspector or way to provide services. We are giving notice that come March 1 we will no longer be providing those services to them. Mayor Holmgren said Tremonton was much smaller when this agreement was made. Councilmember Archibald said for now it is the right thing to do.

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

- f. Discussion and consideration of adopting Resolution No. 22-69 approving a professional services agreement with Landmark Design, Inc. to perform special projects related to urban planning, urban design, and landscape architecture

Manager Warnke said we have engaged Landmark Design on several planning projects and each time have done a contract. As funds are appropriated, we can identify the work and get a preliminary estimate. The actual amount would be based upon their billable hours. We do have several projects I could foresee us using them for. Our Land Use Code requires us to use a landscape architect and they have those qualification. We are working on design for open space both for a park and storm drain basins. Rather than having our engineer look at that area purely from a storm drain basin perspective it makes sense to have a landscape architect involved and looking at it from a parks and open space perspective. That is something we would engage them on. That is consistent with what we expect from those developing property within the City. That specific project would come out of impact fees. Billable rates are attached to the scope of work and would be on a case-by-case scenario. City staff would use them purely for their expertise on the planning project. Whatever the task was they would use the lowest professional to bill at. They would put together the scope of work so we are clear on the deliverables. They would lend perspective and understanding of land use and landscape architecture to develop the park based on that perspective. I feel this will give us the best outcome for these public spaces and be in line with what we expect from others.

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

- g. Discussion and consideration of adopting Resolution No. 22-70 approving a professional services agreement with Zions Public Finance, Inc. to perform a water rate study

Councilmember Archibald said the use of data would be a great way to present to our community. The data will show how we need to proceed and I feel really good about it. Councilmember Rohde asked how the data will be audited. There may be some assumptions that could be subjective and drive different results. Manager Warnke said we will disclose what those assumptions are and the

Council will be involved in the process as far as walking through the model and understanding it all. You will be able to add your opinion and perspective into those assumptions.

Motion by Councilmember Archibald to adopt the resolution with the addition to make sure we get the software to manipulate. Motion seconded by Councilmember Vance. Roll Call Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- h. Discussion and consideration of approving the Tremonton City Council annual meeting schedule for the calendar year 2023

Motion by Councilmember Vance to approve the annual meeting schedule. Motion seconded by Councilmember Estep. Vote: Councilmember Archibald - aye, Councilmember Estep - aye, Councilmember Rohde - aye, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

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

City staff will be on Garland's agenda in January to discuss the Senior Center. In two weeks, the Council will meet at Maddox for their Christmas dinner. The Senior Center Christmas lunch is December 16 at 11:45 a.m.

- b. Unfinished Business/Action Items: None.

- 10. Reports & Comments:

- a. City Manager Reports and Comments

- 1. Update on the recruitment for a Building Inspector
 - 2. Update on a Zoning Administrator

Manager Warnke said we have discussed both of these and created the job description.

- 3. Update on the completion and submission of a Fraud Risk Assessment

Manager Warnke said the state auditor requires us to do a fraud assessment every year. It was conducted by Finance Director Roberts and our score was 325, which put us in a low-risk category. We will continue to evaluate that risk for fraud and internal controls.

- b. Development Review Committee Report and Comments

- 1. Gas Station, Convenience Store, and Truck Stop located on 1000 North by the Interstate 84 Off-Ramp

Manager Warnke said there have been a few conversations on new applications. One is a townhome project proposed on 4th West across

from the Shopko area. We will keep you informed as more information comes in. There is also the Bear River Meadows townhome project on 6th South. With the change in interest rates, they lost the original builder who was lined up to purchase it. They have a new perspective builder. We will see if they continue through that process.

Manager Warnke said the truck stop is an application we have had several conversations with. This is a 90-acre site by the State road sheds. They will do some preliminary engineering and are working toward a letter of intent. They are trying to figure out their timeline and costs. They are doing a lot of due diligence and working to understand how this project would layout and what the City requires. Unique things about this project are, there is no sewer in this location. They would need to install the sewer lines in the BR Mountain Road as if they were gravity fed. They have to install a pump station to pump back to 1000 North to a point where it would gravity flow back to the treatment plant until the time when BR Mountain Road is extended and connects on the south end of River Valley. The next person who would develop there would extend it. I feel this is a good location for this and we are conscious of the impacts the commercial would have next to a residential area. We are trying to help with that through design. It really sits low on the site, which adds some visibility heading north. The biggest issue will be trying to figure out what their impacts are. They will do a traffic impact fee study and geo tech report to determine the truck traffic on the road and their proportionate share. They will build out 1000 North to an 80-foot right-of-way. We want truck traffic to be separate from the vehicle traffic passing through so it does not get congested. We will use a traffic engineer to provide data to evaluate their proportionate share. We are seeing a slowdown in development, but there is still a lot of interest.

c. City Department Head Reports and Comments

Director Fulgham said we have three projects in the works. On 10th North, Engineer Chris Breinholt is working on the slope easements as part of the design. He is hoping to have that done by the end of the month. In that same timeframe is the completion of the 1650 West stub street. That will not be put on our books until 2024, but he will have it ready for bid. At 1200 South they are just in the design and do not have a timeline. It is going to be early into the year. We will put together a chip seal project that will go out to bid February to March. We will look at the roads we have cut and also all the subdivision projects we have acquired the funds for, but have not chip sealed yet. By then we should have an idea of what we want to do on 1000 North and where we can gather those funds to complete that project. Manager Warnke said with the slope easements and number of acquisitions we will engage an acquisition agent to negotiate with homeowners on acquiring those easements. That is typical for road projects. Director Fulgham said we did that on our 10th North project, which helped them understand why.

We are not taking property, but we have to have it since we will work and restructure the project as we make those connections. We are going after numbers and will present to the Council.

Chief Cordova said we have implemented new software that will allow us to reduce our cost in manpower by \$4,000 to \$6,000. It reduces how much time it takes for our scheduling and time cards—stuff like that. I appreciate the advice from the Council along the way on places we can save money. We are also in the process to converting to paperless thanks to Assistant City Manager Christensen. We have a new printer so we can scan our old documents and keep track of those files. Phase 1 will take time. I do not have the numbers, but know that will save us money. We have streamlined our animal control and code enforcement process. Our production is on track to be nearly four times what it was before so we are going to keep going down that path and make sure we are making that impact. So far things are going well and I am hopeful for the future. We have a unique problem in law enforcement when it comes to getting people hired and trained through the police academy. There is a lot of outdated policies that tie our hands, but I am working with the Chiefs of Police Association to remedy those. I want to give a shoutout to our officers. I have not seen this much in my career, but I have had a lot of officers present community oriented policing ideas, especially around the holidays. They are looking for ways we can take care of our community and are willing to give up sick time to help families who are struggling. That is touching and I am proud of them.

d. Council Reports and Comments

Councilmember Seamons said someone was asking about a guy who was taking pictures of kids going home from school. Chief Cordova said people can take photos of your kids in a public area. It is something we want to look into though.

Councilmember Rohde said Roger Fridal will no longer be able to serve on the Water Conservancy District. They are asking for a representative from our City. Mayor Holmgren said I will do that.

Councilmember Archibald said I wanted to thank everyone that was involved in our Christmas celebration. It was cold, but well attended. Social Media Manager Sara Mohrman and Director LeFevre were really involved. Lots and lots of effort went into that. It was all for families and I was impressed. Santa Claus was there, the Grinch showed up, the hay ride was fantastic. I had a citizen mention how much she appreciated our posts on Facebook and how it has given them an opportunity to know more. It would be nice to have those on our website as well. Main Street looks nice. Thank you to the Youth Council—they did a nice job with the trees. It looks much improved and more festive.

Mayor Holmgren said I will second everything that has been said. Our Public Works went above and beyond to get the power to all those trees and we appreciate that. That was put on your shoulders and you guys just did it. There are a couple of grants we are working on. One is a rural community's opportunity

grant to redo Midland Square and make it more of a plaza or area where people can gather. There is also a CDBG grant for recharging the cedar ridge aquifer with water that is already going into the Bear River from the spring. That water would be taken through the offseason months to be used during high demand periods. I want to thank everyone for all you do to make Tremonton a better place. It takes a lot of work and we appreciate your efforts.

11. **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***

12. Adjournment.

Motion by Councilmember Seamons to adjourn the meeting. Motion seconded by Councilmember Rohde. Vote: Councilmember Archibald - aye, Councilmember Estep - 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 _____, 2022.

Linsey Nessen, City Recorder