

**TREMONTON CITY CORPORATION  
CITY COUNCIL MEETING  
APRIL 4, 2023**

Members Present:

Connie Archibald—excused

Wes Estep

Bret Rohde—excused

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 April 4, 2023 City Council Workshop to order at 5:04 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 Estep, Seamons, and Vance, City Manager Warnke, Assistant City Manager Christensen, and City Recorder Nessen. The following Department Heads were also present: Interim Fire Chief Chris Scothern (arrived at 5:53 p.m.), Public Works Director Paul Fulgham and Treasurer Sharri Oyler (left after the work session). Also in attendance were: Finance Director Curtis Roberts (left after the work session) and Social Media Manager Sara Mohrman. Councilmembers Archibald and Rohde were excused.

1. Presentation and discussion of the 2024 Fiscal Year Budget for governmental funds and enterprise funds

Assistant City Manager Christensen said today we will discuss the governmental funds. Next time we meet the tentative budget is due and then a month and half later the final budget is due. Most of the figures stayed the same, but this one shows the transfer balance to be appropriated changing from \$907,000 to \$0. That is showing a revenue, but that revenue is pulling from our savings account. As we discussed it further, we thought it would be wise to show it as zero so we know exactly what we need to balance the budget. Our department heads have been very financially responsible and, in the past, have not spent their allotted amount. Historically, they hand back 13% of their allotted amount to the General Fund. That budget surplus allows us to transfer money to capital projects and keep that fund balance strong for emergencies.

Assistant City Manager Christensen said we have added things we do not typically budget at this point. The first two show budget transfers to Capital Funds, Vehicle and Equipment Funds and Future Roads Funds. We usually go through the year and any surplus we have is transferred at the end of the budget. We would also like to present transferring 80% of the sales tax. Historically, that is what the City has been able to transfer into capital projects. Next is the 7.2% cost of living adjustment (COLA) for our

current employees to keep up with inflation. That \$269,000 is for the employee wages that come out of the governmental funds. Next is additional personnel. Our department heads are proposing an increase in services to the City and the most notable are police officers. Chief Cordova has suggested a sergeant, three police officers and a civilian position. It is also proposed we hire a planner. What is not included in this draft is any sort of property tax increase.

Finance Director Roberts said we have included all expenses in the budget—all the transfers, COLA and personnel. This budget currently shows a \$1.1 million deficit of revenues compared to expenses. There would be a \$611,000 increase for the officers and \$150,000 for the planner. A property tax increase is a touchy subject, but based on our best estimates each 1% increase to the property tax rate is about \$20,000 of revenue. If we want to satisfy the million, we would need a 50% increase. Mayor Holmgren said it is hard to understand how these tax shifts and evaluations come into play. Even when we do not raise their taxes they can go up in other ways. The Council discussed the importance of communicating this information with the public and other options for funding.

Mayor Holmgren said the roads and future capital projects and vehicles are being funded through sales tax revenue. The sales tax has offset this deficient, but all we are doing is putting us behind in the future. These things might solve the problem of today, but it is the problems in the future we are going to be faced with. Councilmember Vance said the picture is not as bleak as it seems because we are still funding all these projects. We still have \$900,000 that is unanswered for, but we still are not putting enough money into the budget to cover the capital. Mayor Holmgren said that balance goes into capital items and our roads, which is already short. If we utilize that to help offset these costs how will that impact our future? The problem could be bigger next year. A 55% tax increase for Tremonton is going to be a heavy sell though. Director Roberts said at the end of the day they will pay more in property tax because the rate is going up. We want to get to a point where the City does not feel like they have to do a 100% increase in taxes. This tax does not keep up with expense increase. Cost of living on everything has gone up and we are trying to figure out how to handle that. We are giving you the tools to decide what are the priorities. Manager Warnke said for the transfers to the capital projects, we are maintaining the same level of service or the same funding as we have in the past. This is more of a savings plan. The officers and planner is a new level of service. That is what they are getting by virtue of the property tax. The COLA is preserving the same buying power of our employees in their paycheck. The new level of service is something the City wants to do, but will the residents support that. Mayor Holmgren said with the officers it comes down to not only public safety, which is paramount, but also officer safety. When asked if Garland would help with hiring more officers, Manager Warnke said Garland already has and is a bit ahead of where we should be with officers. Assistant City Manager Christensen said Garland has one officer per 625 residents and Tremonton has one officer per 884 residents.

Director Roberts said we are looking for direction from the Council. What do we adjust and adapt? We have to come up with the balanced budget in a month so we want to understand the priorities. The Council said they would like to have a conversation with

Chief Cordova to better understand what is needed and when, and if it could be adjusted. Mayor Holmgren said we pay insurance on our houses for protection from a company and that is expensive. What we are doing here is like that. We are offering a public safety feature. We are providing services that the public benefits from day in and day out. Councilmember Estep said we owe it to our citizens to keep them safe. Interim Fire Chief Scothern said it is about finding the right number of personnel and finding that balance. It is not quite full coverage, but more than liability. Director Roberts said the Council has some tough decisions and we are providing the facts so you can have a good discussion. Give us some indication on how to do a balanced tentative budget.

The Council each provided their input. Councilmember Seamons said the planner position should be part-time or a no for now. We should add all requested officers for the police department. We need to start playing with capital items and the capital vehicle fund and maybe started looking at leases. Councilmember Vance said when Chief Cordova gets here, I have some questions. Brigham City just raised taxes and they went for a 50% increase down to 25%. We could do that. That would be \$450,000 instead of \$900,000. The other 25% could come from the slush we have in the budget. That way people do not think they are getting strangled with their budgets and it balances out at that point. We could possibly cut back on one police officer and the civilian, but I would like to hear the chief's comments. Mayor Holmgren said I wonder if we do a step at a time rather than all at once. Councilmember Estep said I like it as is. I know Manager Warnke is way overwhelmed and we do not want him to get behind on his day to day to take care of planning. We cannot continue without a planner. That is a bunch of money, but our City has got bigger and we need to accommodate what a big City does. I like it as is. Director Roberts said so what I am hearing is, these expenses are all considered necessary for the City, but some of them need to be verified with the police chief, as well as the timing and number of officers. We will make the budget balance with approximately a \$1 million tax increase. We will make sure it balances for the tentative budget and will follow up for the final once we have the potential savings off the department budgets and seeing if we can get the property tax down. We will tweak this with the timing for new officers. If we have excess funds we will figure out where those go. Using your savings to fund ongoing costs only takes you so far.

The Council then discussed Enterprise Funds. Assistant City Manager Christensen said we want to show the Council the Capital Project Plan for 2024. There are a couple things in the Water Fund. One is contingent on the CBDG grant, which would fund it fully. The bigger project is the aquifer storage. There are a couple in Secondary Water—including the equalization basin contingent upon the east canal and when they put the pump in. Money is available to build out Service Area 4. Mayor Holmgren said that has been approved. We will start and as the request for payment comes from the contractor, we will pay it and the State will reimburse us. Manager Warnke said for the wastewater treatment plant we are work toward increasing our capacity this year. The only portion we are working through is the buy-in. In going through the plan, we identified improvements that need to occur. One is an aeration basin (\$3.5 million). Oxygen is needed to break down the loading that is occurring from West Liberty Foods and Post Consumer Brands. Every three years Director Fulgham brings a permit associated with

wastewater treatment issued to these industries with a permit limit. West Liberty Foods consistently exceeds that standard by a significant amount. We need to build capacity and the question is how do we collect on that. We would approach them on participating in this capital expansion and up their limits to what they are consistently using. Otherwise, we have to look at penalizing them for their overages. There is a range of options. We have \$4.5 million available for that. Assistant City Manager Christensen said the sewer fund has a big one this year—the east main project—and that is why the available fund balance is so low. It does receive utility fees throughout the year so it would be able to pay for this next project. A group of students will measure all our sewer manholes and put them on a GIS map. We will have access to that. The storm drain does not have any active projects for the next fiscal year. Those are the four utility funds. The utility fees typically pay for these funds. That is why we have separated the discussion this year.

2. Review of the agenda items identified on 7:00 p.m. City Council Agenda
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 6:47 p.m. by consensus of the Council.

## **CITY COUNCIL MEETING**

Mayor Holmgren called the April 4, 2023 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 Holmgren, Councilmembers Estep, Seamons, and Vance, City Manager Warnke, Assistant City Manager Christensen, and City Recorder Nessen. The following Department Heads were also present: Police Chief Dustin Cordova (arrived at 7 p.m.), Interim Fire Chief Chris Scothern and Public Works Director Paul Fulgham. Also in attendance was Social Media Manager Sara Mohrman. Councilmembers Archibald and Rohde were excused.

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 a

group of students from the local schools.

3. Declaration of Conflict of Interest: None.

4. Approval of Agenda:

**Motion by Councilmember Seamons to approve the agenda of April 4, 2023.** Motion seconded by Councilmember Vance. Vote: Councilmember Archibald - absent, Councilmember Estep - aye, Councilmember Rohde – absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

5. Approval of minutes – March 21, 2023

**Motion by Councilmember Estep to approve the minutes of March 21, 2023.** Motion seconded by Councilmembers Seamons and Vance. Vote: Councilmember Archibald - absent, Councilmember Estep - aye, Councilmember Rohde – absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

6. Presentation

- a. Tremonton City Citizenship Award to Elementary and Intermediate Students

Mayor Holmgren said this has turned into a great tradition for our first City Council meeting of each month. We have the great opportunity to recognize grade school and intermediate students for their efforts in being good citizens and the kind of people we all aspire to be. He read through their names, provided them with a certificate and they took a picture together.

7. Proclamation

- a. Arbor Day Proclamation- April 28, 2023

Mayor Holmgren read through the proclamation for the observance of Arbor Day, which sets aside a day for planting trees and recognizing their benefits.

8. Public comments:

Resident Bill Roosma said when it comes to trailers parked on streets, law enforcement has been really good about responding and getting them to move when they have exceeded their 24-hour limit. I would like the police department to be more proactive about that. I should not have to make a call. I would like to see them take note of trailers on the road and if they are there 24 hours later, get residents to move them. Trailers are a big safety problem. When you are driving down the road and kids are playing you cannot see through or around them. I almost hit one last year. No one got hurt, but that can happen and the last thing I want to do is hit a kid. Also, they are an eye sore. I do not want to look at them. I expect since that is the ordinance that is what law enforcement has to do. The other concern I have is Utah has a statewide leash law for dogs. My wife and I like to walk and get exercise. I have had a couple experiences with dogs that luckily have not gone anywhere. Last year my wife and I were walking and we passed a house with an unfenced yard. A large dog started running and barking toward us. I drew my gun and

stood my ground. It was a big dog, but he stopped and I yelled at him a couple times. I do not want to shoot someone's dog, but I do not want to get bit either. On another occasion my wife and I were walking at the park and a guy was walking his dog, but it was not on a leash. It came up and was acting like it was going to bite us. I told him to get his dog under control and he said he would not hurt anyone, but he was lunging like he was going to bite me. I told him there is a leash law and he rolled his eyes at me. I do not want to kill someone's dog, but I will do what I have to if a dog makes a believer out of me. I will not do it unless it is necessary. I worry someone will have a dog unleashed and it will attack me and I will shoot it and then the owner is going to be upset. I am trying to avoid this, but what if the owner gets upset and attacks me and things escalates even further. I would like you to get word out to the public that there is a statewide leash law. Dogs have to be on their property and fenced in or on a leash when walking. Owners have to be able to control their dogs so no one gets bit and no dog gets shot. Thank you for your time.

9. New Council Business:

- a. Discussion and consideration of adopting Resolution No. 23-23 appointing Mike Garrett to serve on the Tremonton City Library Board and reaffirming and appointing existing Library Board Members

**Motion by Councilmember Estep to adopt the resolution to appoint Mike Garrett to the Library Board.** Motion seconded by Councilmember Seamons. Roll Call Vote: Councilmember Archibald - absent, Councilmember Estep - aye, Councilmember Rohde – absent, Councilmember Seamons - aye, Councilmember Vance - aye. Motion approved.

- b. Discussion and consideration of adopting Resolution No. 23-24 approving a Cooperative Agreement for Phased Development Improvements between Utah Department of Transportation (UDOT), Tremonton City, and Rivers Edge Real Holdings, LLC for a future traffic signal at the intersection of Main Street (State Route 102) and 950 East and other improvements at the intersection of 1600 East (State Route 13) and 450 North

Manager Warnke said with this development there was a traffic impact study done to look at improvements that were needed and attributed to this development. One is a future traffic light at the 950 East collector road and Main Street. The first phase of their development does not trigger that, but subsequent phases will. UDOT wants us to enter into this agreement that includes all three parties. We will help enforce and will not issue additional permits until that traffic light is installed at the appropriate time. The agreement you see is in its final form with the exception of one term. I am hoping UDOT will amend the language so it is written clearer, but the intention is still the same. If the Council approves this, I will follow through to get the last term clarified further and signed. It will be recorded in the County Recorder's Office to put others on notice in case the land sells so the new party will know the obligation.

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

10. Calendar Items and Previous Assignment

a. Review of calendar

The Utah League of Cities and Towns meeting is on April 19. Next Monday the Council is invited to attend the fire chief interviews and Food Pantry Director Cathy Newman is retiring.

b. Unfinished Business/Action Items: None.

c. Branding Implementation update

Assistant City Manager Christensen said they took a flag for Main Street and put it in front of the City Offices and it looks good. We are working on wayfinding signs. There will be a couple welcome signs on the ends of Main Street in the downtown area and different directional arrows will all be branded with our colors.

11. Reports & Comments:

a. City Administration Reports and Comments:

Councilmember Vance said talk us through the tentative budget and the need for the three officers, a sergeant and a civilian. Where is Garland on their officers? Chief Cordova said Garland is ahead of the game when it comes to staffing for their population and we are falling behind. We do have a greater population. This will get us to our staffing needs to assure we have two on every shift, which is the goal. As far as the extra sergeant that is for span of control so we can keep track of things. It is important for checks and balances and to avoid liability to have a leader for every certain amount of officers. That way we are checking reports and making sure they are following procedures so we can protect against civil or criminal liabilities, or even just deviating outside of policy. My biggest goal is to improve moral in making the work manageable and safe. Councilmember Estep asked about the civilian position. Chief Cordova said one of our part-time employees has been employed elsewhere. We have an amazing secretary who does a ton of work. I talked her of the ledge a few times because she does what a normal police staff would have five people doing and I am not exaggerating. We got a part-time person to help fill the void and they are still swimming in work. This would help offset that and keep Tara sane so she does not leave. I am 100% positive we could not replace her. We need to keep her stress down so she sticks around. The civilian position is a top need. If we lost her, things would not function. Occasionally we have to shut down the office so she can get work done. Manager Warnke asked how quickly we can recruit. Chief Cordova said that is the challenge. I have some people interested. We are recruiting and doing things outside the realm of what others are because it is competitive. We have good morale and care about people—that is what sets us apart. Our pay and benefits do not match, but we do treat them well. I would work toward getting two positions filled and then try to sponsor people through the academy. Just because we get the

allocations does not mean we will be able to fill them right away. This is a big ask for the City, but it is right with the direction we are going. Safety is important.

Social Media Manager Mohrman said the Farmers Market is the first week in May.

Animal Shelter Tech Julie Beagley reviewed their March intakes and outcomes. We had 18 animal intakes this month and 12 were returned to their owners. Three were sent to rescues and one was adopted. Three are in foster care and we had two public safety euthanasians. One died of injuries at the shelter. We had six in the shelter at the end of the month. In the first quarter we had 42 animals in and 19 were returned to their owners. We have over 50% of the animals coming to the shelter with no owner claiming them. We are spending more time trying to find an owner. Best Friends Animal Society has invited us to partner with them. This will open up grant opportunities for the City. In April they will hold their Best Friends Adopt Local Challenge and I have signed our shelter up. This helps communities know where to find their local shelter. The goal is to reunite pets with their owners and help others see the need to adopt local. We are trying to recruit extra volunteers and have a good group that is helping me focus on the administrative parts of getting the shelter running smooth. We are grateful for all the help we have had.

b. Development Review Committee Report and Comments

Manager Warnke said we have not had any recent meetings. One item was 90 acres at 1000 North and I-84. The owners were looking at a truck stop plaza with a restaurant. We had residents come and talk through the planning of that area. In the end because of the topography and other challenges that project is not going forward as contemplated. They will try to figure out other land uses and development for that area, which is zoned Commercial General. There are three constructed homes and one building lot there so we want to be considerate of the residents. We will continue to work and see if we can find something that maximizes that use and respects those already there.

- c. City Department Head Reports and Comments: None.
- d. Council Reports and Comments

**Councilmember Estep** said we as a City have done well this winter with flooding. Tremonton should be out of that problem, but we still have plenty of sand and bags if someone needs them. I think it is great with the kids here, those are the best meetings we have.

**Councilmember Vance** said we appreciate the numbers and effort Manager Warnke, Assistant City Manager Christensen and Director Roberts put together so we have a better feel for what is going on.

**Councilmember Seamons** echoed that and said thank you so much, it has really helped. We appreciate it.



**Mayor Holmgren** said I echo that, too. I want to thank our Public Works for all that has gone on since August. Also, our police and fire departments for their efforts. We appreciate your quick response to the recent fire. Our community has stepped up to help that family and we appreciate that, too. We have a great community. It is really heartwarming to see what our community can accomplish.

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

The meeting adjourned at 7:48 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 2<sup>nd</sup> day of May, 2023.

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Linsey Nessen, City Recorder

**Follow-up items for the Council and City Staff**

City Staff will continue their efforts on the tentative budget.