

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
March 4, 2014**

Members Present:

Diana Doutre
Lyle Holmgren
Jeff Reese
Bret Rohde
Byron Wood
Roger Fridal, Mayor
Shawn Warnke, City Manager
Darlene S. Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the March 4, 2014 City Council Workshop to order at 6:05 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 Doutre, Holmgren, Reese, Rohde, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Zoning Administrator Steve Bench, City Attorney Dustin Ericson, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler.

1. Review of agenda items on the 7:00 p.m. Council Meeting:

The Council reviewed the March 4, 2014 Agenda with the following items being discussed in more detail:

Mayor Fridal spoke of the need for an ordinance regarding chickens in residential zones for family food production. The Council should have some residents coming tonight to discuss keeping chickens within City limits.

Another meeting for Mayors with UTOPIA has been scheduled for Friday, March 7th. A UTOPIA representative will be available the first part of the meeting.

Discussion of the City's options to compel the completion of public improvements for subdivisions. City Manager Warnke noted that Holmgren Estates 7 was finished in 2009. City Attorney Ericson created a Development Completion Agreement. The City has tried to get developers with outstanding improvements to sign, creating a time frame in which improvements would need to be complete. Most of the outstanding improvements are for chip seal.

City Attorney Ericson recommends that the City Council consider vacating some of the subdivisions where improvements have not taken place for several years. City Code requires improvements to be complete within a year of subdivision recording. Some of the subdivisions are six or seven years old and have no improvements. Options for

subdivisions with improvements started but not complete would include litigation (which everyone would like to avoid), placing liens on lots that are not sold, and withholding building permits for developers who are also the general contractor, until improvements are complete.

Some developers have signed a Development Completion Agreement as of this date. These developers now have a timeline in which to complete improvements. Some developers have refused to sign the agreement and others have not responded to the request to sign. City Attorney Ericson stated that the only options for the bank owned subdivision (Tremonton Place Subdivision) are to place liens on existing properties that are not sold or wait for the bank to sell to a new developer and have the new developer sign a Development Completion Agreement.

City Attorney Ericson noted that all new developers are required to sign a Development Completion Agreement. Land Use Authority Board minutes could be reviewed to show that developers were notified that chip seal was required as part of the approval process. The minutes could then be presented in court proving an oral contract. Contracts have a five year statute of limitations, but it would not necessarily be from date of approval. The court would be asked to consider later conversations with developers as the date to use for the statute of limitations. Three developers have refused to sign at this point.

Manager Warnke expressed concern that all the requirements from the Development Code were not read during the Land Use Authority Board Meeting and may not be listed in the minutes. City Attorney Ericson recalled that the Code in place at the time of approval required a chip seal. Municipalities have the ability to put a lien on a property based on lack of completion of improvements, but cannot do a contractors lien. The liens could potentially be litigated at a later date. If this occurred, it would give the City the opportunity to discuss the details and negotiate. Furthermore, if an entity or individual filed bankruptcy, the lien would remain on the property. The City would then be able to discuss the option of the City releasing the lien if certain requirements were met by the new property owner.

City Attorney Ericson sent letters to developers (who need to complete improvements) inviting them to come to City Council this evening. The only response was from Clover Field Subdivision stating that it was under a new ownership group and not responsible for previous ownership group requirements. Dwayne Johnson with Clover Field Subdivision came to City Council in January 2013. Mr. Johnson was willing to work with the City, but had concerns with the fairness of the connection at 800 and Main Street. Director Fulgham provided Mr. Johnson with documentation showing the City's responsibility and the previous owner's responsibilities. Mr. Johnson has not been in contact with Director Fulgham since the documents were delivered.

City Attorney Ericson explained that the letter from Mr. Johnson with Clover Field Subdivision was very short. It stated that the new ownership group was not the developer, just the owner. The last sentence said they would like to work to get the

subdivision complete. City Attorney Ericson was a little unsure of the intent of the letter. Mr. Johnson referenced Mr. Higley's bond which is non-existent.

The developers that signed the Development Completion Agreement have until the end of summer 2014 to complete the improvements.

Discussion of initiating the vacation of McFarland Subdivision; Garfield Estate Phase II; Harmony Heights Phases 1-3; and Lookout Point Subdivision Phase 1. Director Fulgham stated that most of the subdivisions have lots recorded but never finalized as far as the construction standards and drawings. The subdivisions started into design and have lots recorded but were never finalized. McFarland Subdivision Phase 1 was further along than the other subdivisions. Zoning Administrator Bench stated that the owners have been notified that the subdivisions would be discussed tonight. The only response came from the owner of McFarland Subdivision Phase 1. The owner, a farmer in Willard, is okay with it being vacated as he can use it for farming. The owner was unable to come tonight as he is on his ranch in Nevada.

Review draft Memorandum of Understanding. The Council would like to have use of the Box Elder County's Fine Arts Building. The City would be responsible to pay a fee to help cover out-of-pocket expenses.

Surplus of 1993 Ford 1-ton Public Works Dump Truck. Director Fulgham explained that the engine went out four years ago. The truck should be worth around \$800 - \$1000 for scrap price. It will be posted in the paper for surplus, and the bid must be worth more than the scrap price.

Using City resources to support Bear River Chamber Street Fest on May 7, 2014. Councilmember Reese noted that it would be good to support the Chamber. The Street Fest is intended to help increase downtown business. The Council agreed to support the Street Fest with City resources.

Ordinance 14-03 approving the amendments to Tremonton City Land Use Code. Zoning Administrator Bench explained that Chapter 16 is a new chapter on a Residential Overlay Zone, Codifying Spring Hollow Legends Overlay Zone Lot Regulations, and the specified timeframe. Map No. 8 will also be added.

The second item is Chapter 17 – Off-Street Parking Regulations which address landscape islands. Parking lots with less than 12 stalls will not be required to have landscape islands while parking lots with more than 12 but less than 20 total parking stalls will be required to install landscape islands at the end of each row. Anything with more than 20 parking stalls will be required to have end islands as well as center islands every 20 stalls. Director Fulgham explained that the more islands there are the harder it is for snow removal.

Councilmember Doutre asked when work on the Senior Center Parking Lot will begin. Manager Warnke stated that City Engineer, Chris Breinholt, is working on the bid documents now.

Zoning Administrator Bench noted that a diagram has also been added to Chapter 17 showing the requirement/placement of islands. Chapter 18 has changes made to the Landscape Buffering and Fencing Regulations. The side or rear of property would require a seven and a half foot easement or buffer between the property line and the parking lot. The old requirements called for a five foot buffer.

Chapter 2.04 will allow minor modifications to the Template Subdivision Development Agreement by the Staff with the Mayor's signature. Agreements would then go to the City Council for ratification. If any major changes were to be made to the Agreement, it would need to go to the Council for approval prior to getting any signatures. Manager Warnke noted that the Council recently reviewed and approved a Resolution regarding Subdivision Development Agreements. The approval process is being removed from this Resolution and codified in the Development Code. The resolution will need to be brought back and changed now that it is codified.

Title III, which is the General Public Works Title, talks about surface draining not being allowed to drain in an irrigation ditch; however, it never covered a tail water ditch. Definitions for an irrigation ditch and a tail water ditch have been included. Street runoff or parking lot runoff would be prohibited in an irrigation ditch, but storm water could be conveyed in a tail water ditch.

2. Discussion on budget issues - Department Heads

There wasn't time to discuss Department Head budget issues. City Recorder Hess will present budget issues next City Council meeting.

Motion by Councilmember Holmgren to move to Closed Session for the purpose of discussing the character, professional competence or physical or mental health of an individual. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

The Council moved into closed session at 6:55 p.m.

3. **Closed Session to discuss the character, professional competence or physical or mental health of an individual**

Mayor Fridal signed a statement in the meeting stating that the sole purpose of the closed session was to discuss the character, professional competence or physical or mental health of an individual. No ordinance, resolution, rule, regulation, contract or appointment was made during the closed session.

Motion by Councilmember Wood to return to open meeting. Motion seconded by Councilmember Rohde. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

The Council returned to open session at 6:58 p.m.

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

CITY COUNCIL MEETING

Mayor Fridal called the March 4, 2014 City Council Meeting to order at 7:05 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 Doutre, Holmgren, Reese, Rohde, and Wood, City Manager Shawn Warnke, Recorder Darlene S. Hess, Zoning Administrator Steve Bench, City Attorney Dustin Ericson, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler (left at 7:25 p.m.).

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

2. Introduction of guests:

Mayor Fridal welcomed all those in attendance.

3. Approval of Agenda:

Motion by Councilmember Doutre to approve the agenda of March 4, 2014. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

4. Approval of minutes – February 18, 2014:

Motion by Councilmember Wood to approve the minutes of February 18, 2014. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

5. Public comments: Comments limited to three minutes:

Mayor Fridal read a letter that he received from several 5th graders at North Park Elementary School, Skyy Schiffenhauer, Ty Judkins, Kale Wilcox, Cannon Raymond, Megan Christensen, Shellie Lewis, Paige Peterson, Gabriel Reeves, Libby Bennett, Tage

Austen, Ridley Burrop, Luella Meads, and Caitlin Summers. The letter proposed the idea of a community butterfly garden. The school children agreed to take care of the garden and get the right amount of money to afford it. The children also proposed that all of the produce grown be either donated to the Tremonton Food Pantry or sold through a Farmer's Market.

6. Request(s) to be on the agenda:

- a. Chickens allowed in Tremonton – Nicole Nielson

Ms. Nielson was not present.

7. New Council Business:

- a. Discussion and consideration of approving the January 2014 Warrant Register.

Motion by Councilmember Reese to approve the January 2014 Warrant Register. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese -aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- b. Discussion and consideration of approving the January 2014 Financial Statement.

Motion by Councilmember Holmgren to approve the January 2014 Financial Statement. Motion seconded by Councilmember Wood. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- c. An allowance for any interested persons to be heard on the appointment to represent Tremonton City to serve on the Box Elder Mosquito Abatement District as a board member

Judy Willard said that she would be interested in serving as a board member with the Box Elder Mosquito Abatement District.

- d. Discussion and consideration of adopting Resolution No. 14-10 appointing a Tremonton City representative to serve on the Box Elder Mosquito Abatement District as a board member

Councilmember Doutre asked Ms. Willard if she is a registered voter in the Tremonton area. Ms. Willard replied that she registered Friday at the Driver's License Division.

Motion by Councilmember Reese to table this Agenda Item to give the Council opportunity to discuss this further as they were not aware of the registration issue. Motion seconded simultaneously by Councilmembers Holmgren and Rohde. Manager Warnke said that he would like to check the State Law requirement for a board member to find out if registration is required prior to the deadline or if it can occur after the deadline. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye,

Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- e. Discussion and consideration of the City's options to compel the completion of public improvements for the following subdivisions: Archibald Estates E, F, & G; Garfield Estates, Phase 1; Heritage Estates 3, 4, & 5; Holmgren Estates East 1 & 2; Holmgren Estates 7 & 8; River Valley Subdivision 5 & 6; Sorenson Subdivision; Tremonton Place Subdivision; and Clover Field Subdivision 2

Councilmember Holmgren declared a conflict of interest on this agenda item.

Manager Warnke noted that there are several individuals present who are property owners. Everyone who has an affected subdivision was invited to attend the meeting.

City Attorney Ericson stated that the staff and Land Use Authority Board have a growing concern regarding some subdivisions that have been approved in which the improvements have not been completed in a timely manner. The City Code calls for the completion of subdivision improvements within one year of the recording of the plat. There are five or six subdivision within the City where that has not occurred. The Staff and Land Use Authority Board are looking for remedy to insure that the improvements are completed as they have been prescribed by the plat and by the City Code.

Manager Warnke added that the Council did something a little unusual in 2009 or 2010. Because of effects of the economic downturn, the Council adopted a measure which allowed a two year extension for the developers to finish their improvements. That extended period of time has now lapsed. One thing that the Staff has been working on to help remedy the situation is the creation of a Development Completion Agreement which has been extended to all currently outstanding subdivisions. This Agreement allows these subdivisions to participate with the City in the City's chip seal project which is forthcoming by using the same unit price that the City receives for the chip seal. Otherwise, the Completion Agreement just identifies the timeframe in which the improvements are to be completed.

Not all of the developers have signed the Development Completion Agreement, but those who have signed the Agreement are considered by the City Staff to be in compliance with the City's regulations.

Manager Warnke stated that the remedy which the City Attorney and Staff have discussed is withholding future building permits on the building lots of those developments where a Development Completion Agreement has not been signed. Withholding other City approvals was also discussed.

Councilmember Dautre noted that the wording states that nothing would be required on small private subdivisions. Councilmember Holmgren clarified that nothing is required in terms of the escrow bond.

Councilmember Rohde asked if he understand correctly that there are some developers who won't sign an agreement. Attorney Ericson replied that that is correct. For those who have signed, the agreement keeps them compliant with

what the Staff is trying to do moving forward. Councilmember Reese commented that it is fine to have those who are willing sign the agreement, but if they won't sign, the City needs to do something. Councilmember Wood said that the Staff just needs to withhold building permits and lien the building lots of those developers who won't sign and see if that will bring about some action.

Councilmember Holmgren, recognizing that he declared a conflict of interest on this topic, stated that his concern is that those who are not willing to do their part at this time will make it hard on the rest of the developers. The developers need to understand that finishing a project out is part of the deal, including doing the chip seal. The City should not be put in a position where they have to do something like putting liens on property and holding back construction permits.

Motion by Councilmember Wood to move forward and withhold permits and lien properties that they own so we can get some action taken. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - abstained, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- f. Discussion of the City initiating the vacation of the McFarland Subdivision; Garfield Estates Phase II; Harmony Heights Phases 1-3; and Lookout Point Subdivision Phase 1

Manager Warnke stated that this is another agenda item where letters were sent out inviting and encouraging developers to come and have a conversation with the City Council. Mayor Fridal invited those who are involved to stand and introduce themselves. Norman Fukui (part owner of Lookout Subdivision), Kelly V. Harris (part owner of Lookout Subdivision), and Jeff Hales (representing the owner of McFarland Subdivision) were present.

As a matter of background, Manager Warnke explained that these are subdivisions which were approved years ago, dating as far back as the 2007-2008 timeframe. These subdivisions have been recorded, and, as such, are eligible for sale and deeding to others. The issue is that new subdivisions require public improvements and financial guarantees for those public improvements. For whatever reason, those guarantees were never solidified. The issue that the Staff has is the fact that there are lots that can be sold without public improvements. This could be problematic because, generally, it would be hard for one individual property owner to make those improvements. The State Law does allow for subdivisions to be vacated. The Staff would like to work with property owners and find common ground, but at this point, without any financial guarantee or public improvements, it is recommended that the City Council vacate these subdivisions.

Attorney Ericson stated that according to Utah Code 17-27a-609, the City Council has the authority to pass an ordinance vacating a subdivision plat that has not been improved. The Ordinance would then need to be recorded with the County Recorder's Office.

Councilmember Doutre asked what action the Council should take at this time.

Attorney Ericson responded that the Council could give the Staff direction to proceed with preparing the Ordinance. Manager Warnke added that the process will include vacating roads, easements, and lots. Councilmember Wood asked if any of the owners are against vacating these subdivisions. One of the owners present, Norman Fukui, indicated that he and his partner, Kelly Harris, are opposed to vacating their subdivision. Councilmember Holmgren said that he felt that this was something that should be looked at on a case-by-case basis. There may be some who are willing to have their subdivision vacated, and there may be others who are still planning to develop their property.

Councilmember Wood suggested that each of the developers present come forward and address the Council so that their stand will be on record.

Norman Fukui and Kelly V. Harris introduced themselves. Mr. Fukui said they would be opposed to vacating Lookout Point Subdivision Phase I because they made a substantial investment in engineering and the recording of the plat that they had every intention of acting upon, but the economy turned against them, and they chose to stop. They still feel like it is an investment that they would like to maintain. They still have every intention of moving forward and developing the property when the market permits. They have no intention of selling off individual lots.

Councilmember Reese asked if the City were to pass the Ordinance to vacate these subdivisions, and the owners decide later to develop the property, would the owners have to go through the full process and pay all the costs and fees again. Attorney Ericson replied that there would certainly be new engineering, but that engineering would probably be required anyway because the original engineering was done in accordance with 2007 standards and the Code has been changed since then. Also, the plats that were recorded in 2007 likely have some deficiencies compared to today's Code. As Manager Warnke said earlier, it is problematic that there are lots that could potentially be sold without improvements.

Councilmember Rohde asked if the owners were to bring those plats up to regulations, or at least have them reviewed, would that show more of an initiative to avoid vacating the subdivisions. Attorney Ericson replied that that would be up to the Council, but Code still requires that improvements need to be completed within one year of recording a plat. These subdivisions are well outside of that.

Councilmember Holmgren asked Mr. Fukui and Mr. Harris if they had a timeframe in mind to proceed with the development of the subdivision. Mr. Fukui replied that he and Mr. Harris are not going to be forced into making a poor financial decision. They are just at City Council to plead their case. Obviously it will be less expensive to bring the lots up to standard than to start from scratch.

Councilmember Wood asked if the County now taxes for individual lots in the Lookout Point Subdivision as opposed to the building permit taxes. Mr. Fukui responded that because of the use it is qualified for the Greenbelt Tax. Mr. Harris added that it is his opinion that the development, for the future, is well conceived, well designed, and well planned, so they would like to keep that aspect of the subdivision in place. Obviously, at some time in the future, it would be necessary to address the calibration of the engineering.

Councilmember Holmgren questioned if these subdivisions are heading toward a vacation no matter what because the standards and everything have changed.

Director Fulgham pointed out that the difference between the Lookout Point Subdivision lots and lots on other older subdivisions that are receiving building permits today is that the improvements were done on the other subdivisions at the time. The improvements have never been done at Lookout Point Subdivision. Mr. Fukui responded that he and Mr. Harris recognize that they would have to meet current regulations. Director Fulgham added that the City is just trying to protect itself. If someone were to buy one of those lots and then decide they want to build a home on the lot, the City has no security bonds to do any improvements.

Councilmember Wood asked if all the lots in Lookout Point Subdivision are landlocked so they can't even be accessed, and Mr. Fukui replied that the hardest part of the engineering and design was access.

Attorney Ericson said that he had just discussed with Manager Warnke that a potential resolution between the two parties would be to enter into a development agreement of sorts with Lookout Point where they would agree, until the completion of the improvements, to not sell any lots and to bring everything up to current code at the time of development.

Manager Warnke added that the other issue that the City needs to have a remedy for is security in the future for any public improvements. A security bond for improvements has never been filed for Lookout Point. Before commencing construction the City would require that a security bond be in place.

Jeff Hales, speaking on behalf of the McFarland Subdivision, told the Council that the owner of this piece of property located on 1200 South and Iowa Street is totally in favor of vacating the subdivision. The original owner who planned to develop the property, no longer owns it. The new owner is an "ag man" and doesn't want to ever have the potential of these fifty-four lots and the rest of the property being rolled out of greenbelt. The owner is in favor of vacating the subdivision and turning the property back to its original form, and, possibly, doing a "disconnect" out of Tremonton City. Out of the fifty-four lots, there are twenty that could be sold right now as they run along 1200 South, but he has no desire to sell those lots.

The Council agreed that the vacating of the subdivision be done on a case-by-case basis. Councilmember Rohde suggested moving forward with vacating all of the subdivisions except for Lookout Point. If the other owners were concerned about the vacating of their subdivisions, they would have been present.

Motion by Councilmember Rohde to have the City move forward with vacating all of the subdivisions except for the Lookout Point Subdivision and with them, move forward with developing some kind of an agreement. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye,

Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- g. Review and discussion of a draft Memorandum of Understanding regarding Tremonton City's use of Box Elder County's Fine Arts Building

Motion by Councilmember Reese to approve the draft Memorandum and try to get the signatures from the County. Motion seconded by Councilmember Holmgren. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- h. Discussion and consideration of putting out for surplus a 1993 Ford 1-ton Public Works Dump Truck – Paul Fulgham, Public Works Director

Director Fulgham requested Council approval to put the 1993 Ford truck out for surplus. If the Council is agreeable, Director Fulgham will get some bids on the truck and come back with an estimate on what the salvage value is.

Motion by Councilmember Holmgren to give Director Fulgham the authority to go forward and surplus the 1993 Ford 1-ton and get something more than salvage value. Motion seconded by Councilmember Wood. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- i. Discussion and consideration of approving the use of City resources to support the Bear River Valley Chamber Street Fest on May 17, 2014 from 11:00 a.m. through 4:00 p.m. and the partial closure of 100 West from Main Street to 100 South during the same aforementioned date and time

Motion by Councilmember Reese to support the Bear River Valley Chamber Street Fest. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

8. Planning Commission:

- a. Discussion and consideration of adopting Ordinance No. 14-03 approving the amendments to Tremonton City Land Use Code, Title I Zoning Ordinance, Title II Subdivision Ordinance and Title III General Public Works

Motion by Councilmember Reese to adopt Ordinance No. 14-03. Motion seconded by Councilmember Rohde. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

9. Comments:

- a. Administration/City Manager Advice and Consent.

Director Fulgham reported that the kick-off meeting for the 10th North Project was held yesterday at the UDOT office in Ogden. A time frame was set for how the project is to proceed forward. On April 14th there will be a Scoping Meeting.

One of the Federal requirements is a public meeting with the residents, especially those who are going to be impacted by the project. Director Fulgham proposed that the Council meet with the residents on April 15th at 5:00 p.m. or 5:30 p.m., prior to City Council Meeting, to discuss the scope of the project and what it will mean to the residents. A notice will be placed in the newspaper, but Director Fulgham said he would personally invite the eight homeowners who live along that section of road and will be directly impacted.

Director Fulgham does not feel there will be any problems with the residents because the project is just going to enhance everyone's property. The only thing is that the City will have to work out some right-of-way issues, because, as the road is widened, it is going to change some of the resident's driveways. The City may have to work with the homeowners on right-of-ways on their own property to enhance their driveways so the grade is not so steep coming out onto the road.

Because this project is using Federal money, various regulations and meetings are required. Other required meetings are a Plan In Hand Meeting and a Plan Submittal Area Review.

The project will be advertised October 1st so the construction will not be until next year, starting as early in the spring as it is possible.

Director Fulgham told the Council that he would like to schedule the meeting with the residents for April 15th if the Council is in agreeance. Councilmember Rohde commented that there are a lot of people in that area who would like to be involved in the residents' meeting. Director Fulgham replied that there will be a notice in the newspaper and it will be posted on the City's website and, as said before, he will personally invite those eight homeowners that will be the most affected.

Councilmember Wood stated that some of the residents may wonder why the City didn't go two miles further. Director Fulgham responded that the problem is the pool of cities submitting projects is getting bigger and bigger but the pot of money isn't growing. Director Fulgham said it might be possible for Tremonton to get on the funding list if the Council wants the Staff to apply for the funds again. That would be for a project around the year 2020.

Councilmember Doutré asked if Director Fulgham is saying that the City will only be able to do this one small portion of 10th North. Director Fulgham replied that that is correct unless the City Council comes up with the money to do more. He reminded the Council that the City was going to do the entire 10th North Street, a \$5M project with \$1M of it coming from Federal Highway funds, but the City had to scale projects back because there is no money. 2020 is the next time the City could get access to that Small Urban pot of money, and who knows how far \$1M will go in six years.

b. Council Reports:

Councilmember Rohde mentioned that the play at the Tremonton Museum was phenomenal. He really enjoyed the play and feels that it is a great asset to our City to have it here.

Councilmember Holmgren reported that in the spring there will be a whole bunch of new trees over at the Splash Pad area, and, hopefully, it will be possible to put some benches in, as well.

Mayor Fridal mentioned a fairly significant issue that occurred north of town Saturday night by Butters' Tractor. There were houses that were almost under water. Director Fulgham told the Mayor that the water was very close to going into some homes. The Box Elder Fairground drains into this subdivision, and the Golf Course was pumping water out of the pond, but it is not known at this time what caused the flooding. Director Fulgham is working with the County on the Fairground drain. Director Fulgham added that the issue is getting the water out of the area so it goes back to UDOT, but that drain isn't big enough to carry the water. In the past, UDOT didn't have a concern because the water backed up into fields. Now there are homes there.

Councilmember Wood said that it isn't as bad as it was before he put a drain in the corner of his field which drains most of his field off. The problem is that when the homes were built in that subdivision, they didn't build them high enough even though they were told when they came in for building permits that they had to elevate those homes. The Golf Course needs to use some sense, too, because they keep their ponds full in case of a dry spring so they can use the pond water for irrigation. Then, when there is rain and run-off, it compounds the situation.

Mayor Fridal stated that UDOT has been out checking their drains at the Fairgrounds, so they are aware of the situation. Councilmember Holmgren commented that the area received between 2.5 and 3 inches of rainfall during the recent rain event. Director Fulgham added that the ground was already saturated due to the recent melting of snow.

Mayor Fridal said that another lady approached him the other night regarding the area of 700 West and 550 South (or the other way around) – at the end of Roger Cooper's street. There are about five houses where basements have significant water. She asked that the Council be notified. Director Fulgham stated that those homeowners have been contacted by the Tremonton Garland Drainage District.

10. Adjournment.

Motion by Councilmember Wood to adjourn the meeting. Motion seconded simultaneously by Councilmembers Dautre and Holmgren. Vote: Councilmember Dautre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

The meeting adjourned at 7:59 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 Norene Rawlings.

Dated this _____ day of _____, 2014.

Darlene S. Hess, Recorder