

## **Draft Minutes**

### **TREMONTON CITY CORPORATION CITY COUNCIL MEETING June 16, 2015**

#### Members Present:

Diana Doutre - Excused  
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 June 16, 2015 City Council Workshop to order at 6:00 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 Holmgren, Reese, Rohde, and Wood, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Councilmember Doutre was excused

Items were discussed out of order as the recording system was not functioning at the beginning of the workshop. The Closed Session was held first.

1. Discussion on identifying possible groups to create the Tremonton City fair display.

Mayor Fridal noted that the group responsible for the fair display last year had to rush and did not have a lot of notice. Councilmember Wood stated the group should be allowed to do it again this year as they did a great job last year. Councilmember Reese suggested that Kristen Riley be contacted to lead a group since she has experience assisting last year. The Council liked the suggestion. Mayor Fridal noted that the display last year was awesome especially with such short notice.

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

The Council reviewed the June 16, 2015 Agenda with the following items being discussed in more detail:

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**Employee Service Award** – Mayor Fridal noted that during a discussion with Manager Warnke, it was decided that employees should come to City Council to receive recognition for their years of service. Rebecca Jeppesen is scheduled to receive her Five year employee service award this evening. It is an opportunity for the Council to express appreciation.

**Adopting the Annual Budget 2015-2016** – Manager Warnke explained there were some changes to the budget based on projects that will carry over into the next fiscal year, but there were not any big changes. Manager Warnke stated that Finance Director Curtis Roberts previously told him that depreciation went down last year. It was noted that the budget has to be adopted by June 22, 2015.

**Amending the Annual Budget 2014-2015** – Manager Warnke explained that the Budget needs to be amended to account for unexpected issues throughout the year including but not limited to the hours Public Works charged the Senior Center for time spent on the parking lot. There have also been some unanticipated Grants. The increase in revenue needs to be reflected on the Budget. Another item that changed the Budget is property on 2000 West that belonged to the General Fund was sold. The proceeds of the sale have been transferred to the Storm Drain Fund to help with costs for the reconfiguration of the storm drain basin on 2000 West.

Water overage was down for the year. West Liberty Foods cut production and the wet spring contributed to the shortfall. There were also additional expenses related to some Water Fund Capital projects. Director Fulgham remarked that the 1200 South and 1000 North project came in higher than anticipated. West Liberty Foods will be increasing production and should bring water overage levels up.

Mayor Fridal asked about the water level in the springs. Director Fulgham remarked that the rain helped increase the water level in the springs. The tanks are full right now, but once people start watering lawns it will be harder to keep the tanks full. Things look really good right now.

Manager Warnke anticipates that revenue will exceed expenses for the 2014/2015 fiscal year. There is a 25% cap that can be reserved in the General Fund. It is proposed to transfer \$20K to the Downtown RDA Fund and the remainder of the excess in revenue over expenses above the 25% cap will be split 50/50 among the Capital Projects Funds and Capital Equipment Fund. Sales tax came in higher than expected and some expenses came in lower.

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**Septic tanks in a subdivision** – Brandie Tanner addressed the Council and stated she and her husband Kip Tanner would like to put in a new subdivision along the canal on the frontage road by the crossroads of Highway 13 and Main Street. The subdivision would be south of Main Street and west of Highway 13. The closest sewer line is about 6,500 feet away. Ms. Tanner requested they be allowed to do septic tanks. There would be approximately 15 lots ranging in size from 1.5 to 4 acres. Director Fulgham noted the new subdivision would be across the highway from David Thompson's blue storage units.

Councilmember Wood asked where the closest sewer line is located. Director Fulgham stated it is on the river bottoms by Clayton Grover's property and is a little over a mile away. Councilmember Holmgren asked who owns the property and how the property would be accessed. Ms. Tanner stated the property is from an estate sale by the Coford grandchildren and there would need to be an easement to allow access. It was noted that property owners Mr. Grover, Bernie Hill, and Tamara Judkins that live close to the proposed subdivision have septic tanks and wells.

Ms. Tanner stated that the Planning Commission told her husband, Mr. Tanner, they would like the subdivision to be connected to the sewer system. Ms. Tanner noted it is not economical to connect to the sewer system. Councilmember Holmgren thought there could be a problem with the water table being that close to the canal. Leonard Hill commented there would need to be perk tests to determine the water table. Mr. Hill noted the health department requires shallow septic tanks now. Septic tanks used to go 10-12 feet underground, but are only allowed 30" to the top by the health department. Every house must have a lift pump for basements.

When Ms. Tanner contacted the County, she was told that the County allows septic tanks. Mr. Hill stated the property is still in the unincorporated area of the County and the property and has not been annexed; however, they would like to have City water. To get hooked to Tremonton's water system the property would need to be annexed with a variance for the septic tanks until the sewer system is closer. Ms. Tanner noted they are willing to put in the sewer mains and laterals so it will be easy for homeowners to connect when the sewer system is more accessible.

Director Fulgham noted the Land Use Authority Board does not like the idea that the subdivision will not be hooked to the sewer system at the start. Director Fulgham commented that if the Council chooses to allow septic tanks in the proposed subdivision, he suggested that all sewer laterals and mains be installed. Director Fulgham noted that connecting to the sewer system is quite costly.

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Manager Warnke noted that the best time for the City to exact improvements is at the time of the land use application. It is recommended that all improvements, including connecting to the sewer system, be done with the approval and construction of the subdivision. It is difficult to collect Impact Fees from homeowners after the home is built. Impact Fees for the Sanitary Sewer Collection System and Waste Water Treatment are currently \$1,600 but will likely increase to \$4,000. Councilmember Wood noted that subdivisions were granted amnesty for finishing roads until more lots were sold but nothing was ever resolved. Councilmember Wood recommended that the perk tests be completed to see if the water table will be a problem.

Mr. Capener noted that the other homes on 1550 East have septic tanks and City water. Director Fulgham explained they are not required to connect to the sewer system because they were built before the sewer system was installed and are grandfathered in. New homes are required to connect to the sewer system unless an exemption is issued. Manager Warnke commented that the Planning Commission would need to review the issue and make a recommendation to amend the Code as the current Code requires a connection to a sewer system. It would ultimately be the City Council that would approve a change to the Code.

Mr. Capener stated that Open Acres subdivision west of West Liberty Foods is a new subdivision in City limits that has septic tanks. Ms. Tanner remarked that Open Acres is closer to a sewer connection than the proposed new subdivision. Mr. Capener noted that Open Acres is 1,200 feet from the sewer line. Manager Warnke cited the City Code had a major re-haul three years ago and clarified many issues. The requirements for sewer connections at new homes could have been included at that time. The issue would need to be presented at Planning Commission and have a public hearing and then be recommended to the City Council. Councilmember Holmgren would like Zoning Administrator Bench involved in the discussion regarding septic tanks.

**Resolution No. 15-22** – Manager Warnke commented that based on the County Auditor’s calculation of the Certified Property Tax Rate, there would be \$1,191,000 of property tax collected for the General Fund. The City estimated and budgeted \$1,172,000 from property taxes for the 2015- 2016 Fiscal Year. The Certified Tax Rate adjusts from year to year to deliver the same amount of revenue plus new growth in the property tax base.

**Resolution No. 15-23** – Manager Warnke informed the Council that if the budget is approved, this Resolution will enact a part of the budget regarding the 2% COLA (Cost of Living Adjustment). It is proposed that Police Officer I pay increase to be more

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comparable with other entities, especially Box Elder County and Brigham City. It is getting harder to find qualified officers.

Chief Nance remarked that police officers in general are not getting good publicity. During the last round of testing for an officer, it was difficult to find qualified candidates. The City ultimately hired someone still enrolled in academy at POST (Peace Officer Standards and Training). The candidate was a good choice but the City had to wait a couple months for him to graduate from the academy. It has been a common problem around the State. The numbers currently enrolled at academy is down. When the economy is good, there are fewer people wanting to work for the government, but when the economy is bad, more people want to work for the government because of the benefits. The officers rotate shifts every month with two months on graveyards, two months on swings, and one month on day shift. During busy shifts, the Police Department tries to double coverage.

There is an officer that will go on a year military deployment on July 6 which will leave the department short an officer. Chief Nance stated there are two part-time officers that will help with coverage but the part-time officers already have full-time jobs and don't necessarily want to cover that many hours.

Manager Warnke remarked that employees in the Public Works Department can earn a promotion by becoming certified. Police Officers can earn a promotion by years of experience.

**Motion by Councilmember Holmgren to move into Closed Session.** Motion seconded by Councilmember Reese. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Rohde – aye, and Councilmember Wood – aye. Motion approved.

The Council moved into closed session at 6:04 p.m.

- 3. **Closed Sessions.**
  - a. **Strategy session to discuss pending and/or reasonably imminent litigation.**
  - b. **Strategy session to discuss the purchase, exchange, or lease 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.**

This item was not discussed in closed session.

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### **c. Health, mental health, character and competency of an individual.**

This item was not discussed in closed session.

**Motion by Councilmember Wood to return to open meeting.** Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Rohde – aye, Councilmember Wood – aye. Motion approved.

The Council returned to open session at 6:13 p.m.

The meeting adjourned at 6:55 p.m. by consensus of the Council.

## **CITY COUNCIL MEETING**

Mayor Fridal called the June 16, 2015 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 Fridal, Councilmembers Holmgren, Reese, Rohde, and Wood, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Recreation Director Marc Christensen, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Councilmember Doutre was excused. Also in attendance was: Rebecca Jeppesen from the Library.

### **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 Reese 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:**

Mayor Fridal asked if there were any changes or corrections to the Agenda. No comments were made.

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**Motion by Councilmember Wood to approve the agenda of June 16, 2015.** Motion seconded by Councilmember Holmgren. Vote: Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

4. Approval of minutes – June 2, 2015:

Mayor Fridal asked if there were any changes to the minutes. There were no comments.

**Motion by Councilmember Reese to approve the minutes of June 2, 2015.** Motion seconded by Councilmember Rohde. Vote: Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

5. Public comments: Comments limited to three minutes:

There were no public comments.

6. Presentation

- a. Tremonton City Five Year Employee Service Award – Rebecca Jeppesen

Mayor Fridal presented Rebecca Jeppesen with an Employee Service Award for five years of employment and thanked Ms. Jeppesen for her service to the City. The Council thanked her for her service and for coming to City Council to receive the award.

7. Public Hearing:

Mayor Fridal called a Public Hearing to order at 7:08 p.m. to consider adopting the Annual Budget 2015-2016. There were 10 people in attendance.

- a. To consider adopting the Annual Budget entitled “The Tremonton City Annual Implementation Budget 2015-2016 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Fund(s))”, for the period commencing July 1, 2015 and ending June 30, 2016

Manager Warnke remarked that the Council has been working on the Budget for several months. The Council is required to adopt a balanced budget. The Budget is based upon a conservative estimate of revenue and a slightly higher estimate for

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expenses. There is generally a surplus at the end of the year used to fund projects.

Both public hearing items were discussed together.

Mayor Fridal called a Public Hearing to order at 7:09 p.m. to consider amending the Annual Budget 2014-2015. There were 13 people in attendance.

- b. To consider adopting amendments to the Annual Budget entitled “The Tremonton City Annual Implementation Budget 2014-2015 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Funds)”, for the period commencing July 1, 2014 and ending June 30, 2015

Manager Warnke spoke of the 2014/2015 Budget. It appears to be a good fiscal year for the City. Some of the excess funds will be transferred to the Capital Project and Capital Equipment Funds for future capital projects and expenses for equipment. The Utility Funds are doing fairly well. The Waste Water Fund rate needs to be looked at and adjusted as discussed in previous City Council meetings. The Water Fund experienced a shortfall in water overage due in part to decreases in production from some industries. The Storm Drain and Sewer Fund are performing well.

Mayor Fridal closed the Public Hearing at 7:10 p.m.

8. Request(s) to be on the agenda:
  - a. Discussion of amending the City Land Use Code to allow septic tanks in a subdivision – Kip and Brandie Tanner/Micah Capener

This item was discussed in the work session.

9. New Council Business:
  - a. Discussion and consideration of approving Resolution No. 15-20 adopting the Annual Budget entitled “The Tremonton City Annual Implementation Budget 2015-2016 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Funds)”, for the period commencing July 1, 2015 and ending June 30, 2016

**Motion by Councilmember Holmgren to approve Resolution No. 15-20 adopting the annual budget entitled Tremonton Annual Implementation Budget 2015-2016.** Motion seconded by Councilmember Reese. Roll Call Vote:

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Councilmember Rohde - aye, and Councilmember Wood – aye, Councilmember Reese – aye, Councilmember Holmgren - aye. Motion approved. Councilmember Holmgren told those in attendance that the Council has been working on the Budget for quite a while. Tonight was just approving the budget.

- b. Discussion and consideration of approving Resolution No. 15-21 adopting amendments to the Annual Budget entitled “The Tremonton City Annual Implementation Budget 2014-2015 (General Fund, Capital Fund(s), Enterprise Fund(s), and Special Fund(s))”, for the period commencing July 1, 2014 and ending June 30, 2015

**Motion by Councilmember Reese to approve Resolution No. 15-21 adopting amendments to the Annual Budget 2014/2015.** Motion seconded by Councilmember Wood. Roll Call Vote: Councilmember Rohde - aye, Councilmember Wood - aye, Councilmember Reese - aye, and Councilmember Holmgren - aye. Motion approved.

Mayor Fridal welcomed scouts to City Council. The group explained they were late as they were waiting for more scouts that never arrived at the meeting point. Mayor Fridal encouraged the scouts to receive their Eagle Scout award.

- c. Discussion and consideration of adopting Resolution No. 15-22 adopting the Certified Tax Rates for the 2015 Tax Year

Manager Warnke explained that the County Auditor calculates the Certified Tax Rate. The actual certified rate will adjust up and down to deliver the same amount of revenue plus new growth. This year the property tax, which includes real property and personal property, will deliver \$1,191,000. Last year the certified rate was calculated to deliver \$1,172,000. There was a little increase this year due to the City’s tax base increasing. Mayor Fridal noted the City is accepting the County’s estimate and not raising property taxes.

**Motion by Councilmember Wood to adopt Resolution No. 15-22 adopting the Certified Tax Rate for 2015.** Motion seconded by Councilmember Holmgren. Roll Call Vote: Councilmember Rohde - aye, Councilmember Wood - aye, Councilmember Reese - aye, and Councilmember Holmgren - aye. Motion approved.

- d. Discussion and consideration of adopting Resolution No. 15-23 approving the Revised Tremonton City Compensation and Classification Plan

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Manager Warnke noted that the Budget includes a 2% COLA and other proposed increases. The beginning pay for Police Officer I will increase to be more comparable to Brigham City and Box Elder County. The wage will still be under the starting wage of the other entities but will be getting closer. Chief Nance stated that if the Council approves the increase the wage will be \$1.00 below the County and \$2.00 below Brigham City. Wages have increased but they were considerably behind and the City is still trying to catch up. Manager Warnke noted there is only one officer in the Police Officer I category so now is a good time to change the wage.

**Motion by Councilmember Reese to approve Resolution No. 15-23.** Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Rohde - aye, Councilmember Wood - aye, Councilmember Reese - aye, and Councilmember Holmgren - aye. Motion approved.

- e. Discussion and consideration of accepting the bid on the Melody Park Waterline Replacement Project

Director Fulgham noted that part of the 2015-2016 Budget was set aside for streets. Melody Park has failing infrastructure in the Water and Sewer lines. The estimate was a little low and did not include costs to remove and replace material before lines could be replaced. There were six bids to replace the water mains, fire hydrants and valves, provide new service up to existing meters, and replace sewer laterals from sewer mains up to the property line which is the back side of the sidewalk. Homeowners are responsible for sewer laterals from property lines to the home. The roads will not need to be torn up if sewer laterals fail.

The low bidder will make an offer to homeowners to finish installing new sewer laterals to their homes. If homeowners accept the offer it would save them money as opposed to replacement at a later date. It is planned to have the sewer laterals burst under the sidewalks and not have to dig them up.

The high bid was \$333,290 with the low bid at \$201,810 from Grover Excavation. The two low bids were both from local contractors. Director Fulgham's recommendation is to award the bid to Grover Excavation. Next years Budget needs to be amended to cover the difference with an increase to the Water Fund of \$50K and \$18K to the Sewer Fund. Councilmember Reese likes to see the sewer lines being updated. Director Fulgham explained that the project will start the first of July. Melody Park will be graded first to allow for replacement of water

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and sewer mains. The other road projects will be completed with Melody Park being paved last after work is complete on the mains.

**Motion by Councilmember Holmgren to accept the Grover Excavation bid of \$201,810 for the Melody Park project.** Motion seconded by Councilmember Wood. Vote: Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- f. Discussion and consideration of approving appointments to the Tremonton City Library Board of Trustees

Manager Warnke remarked there are two vacant seats that came mid-term. The Library Board recommends that Rebecca Burnham and Carol Jones be appointed to fill the remainder of the terms for Rebecca Ashby and Nicole Hale. Councilmember Wood stated that Ms. Jones will do a good job. She is the wife of David Jones on the Mosquito Abatement Committee.

**Motion by Councilmember Rohde to approve the appointments of Rebecca Burnham and Carol Jones to the Library Board.** Motion seconded by Councilmember Reese. Vote: Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Wood - aye. Motion approved.

- g. Discussion and consideration of adopting Resolution No. 15-24 supporting the House Bill 362 (2015) authorizing a 0.25% local option general sales tax dedicated to transportation, encouraging the County of Box Elder to submit the proposal to voters in November 2015, and encouraging voters to support the proposal

Councilmember Holmgren noted that Resolution No. 15-24 would support House Bill 362 to appear on a ballot for a public vote. Councilmember Wood thought the optional sale tax should have been proposed before adding the \$0.05 fuel tax.

Mayor Fridal noted that the Transportation Coalition is committed to do the promotion, public education and outreach if Salt Lake County decides to put it on the ballot. Councilmember Wood wondered why the City was voting to approve the authorization of the bill before the County has committed to a definite timeline.

Councilmember Holmgren commented that Salt Lake has a lot of public transits

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that would benefit from the increase. Mayor Fridal noted that Box Elder County could use the extra revenue to help with roads. Councilmember Wood remarked that every town/city would benefit from the tax as most B & C Road Funds are short, especially in cities around Tremonton. Tremonton City would receive about \$115K if the tax is approved by voters.

**With the idea that the bill will go before the voters for approval, motion was made by Councilmember Holmgren to adopt Resolution No. 15-24.** Motion seconded by Councilmember Rohde. Roll Call Vote: Councilmember Rohde - aye, Councilmember Wood - aye, Councilmember Reese - aye, and Councilmember Holmgren - aye. Motion approved.

10. Comments:

a. Administration/City Manager Advice and Consent.

1) This item was not discussed.

b. Council Reports:

**Councilmember Rohde** asked for clarification that the road work on 1000 North will be complete by the middle of July. Director Fulgham noted there is a meeting every Monday with UDOT (Utah Department of Transportation), the engineer, and the contractor. The rains and the gas line work have pushed the completion date back as did the addendum to include paving to I-15, but the work should be complete by the middle of July including the chip seal.

**Councilmember Wood** thanked Manager Warnke, Recorder Hess, and Department Heads for all the work done on the budget. Councilmember Wood noted the City has great department heads.

**Councilmember Reese** also thanked everyone for the work that went into the budget.

**Councilmember Holmgren** agreed with Councilmembers Wood and Reese. The Tour of Utah is getting closer and thanked the Parks and Recreation Department for the leadership they have taken.

**Mayor Fridal** noted that Director Christensen and Joan Hammer from the Box Elder County Tourism came to the last Mayor’s meeting. The Tour of Utah is

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coming together nicely and was well received by everyone.

### 11. Adjournment.

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

The meeting adjourned at 7:25 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 Cynthia Nelson.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Darlene S. Hess, Recorder