



**Tremont City Corporation
City Council Meeting
September 20, 2016
Meeting to be held at
102 South Tremont Street
Tremont, Utah**

AGENDA

**CITY COUNCIL MEETING
7:00 p.m.**

1. Opening Ceremony
2. Introduction of guests
3. Approval of agenda
4. Approval of minutes – September 6, 2016
5. Public comments: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.
6. Council Business:
 - a. Discussion and consideration of landscaping in the parkstrip on East Main Street from approximately 400 East to 570 East/Amber Avenue (Fridal Heights Subdivision)
 - b. Discussion and consideration of adopting Resolution No. 16-46 providing capital contributions for *Fund 71- RDA District #2 Fund- Downtown* so that the Redevelopment Agency can commence with improvement projects
7. Reports & Comments:
 - a. City Manager Reports and Comments
 1. Bike route on 300 East
 2. Wayfinding signs on State Roads
 - b. City Department Head Reports and Comments
 - c. Council Reports and Comments
8. **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*
- b. *Strategy session to discuss the character, professional competence or physical or mental health of an individual*

9. Adjournment

Anchor location for Electronic Meeting by Telephone Device. With the adoption of Ordinance No. 13-04, the Council may participate per Electronic Meeting Rules. Please make arrangements in advance.

Persons with disabilities needing special assistance to participate in this meeting should contact Linsey Nessen no later than 48 hours prior to the meeting.

Notice was posted September 15, 2016 a date not less than 24 hours prior to the date and time of the meeting and remained so posted until after said meeting. A copy of the agenda was delivered to The Leader (Newspaper) on September 15, 2016.

Cynthia Nelson, DEPUTY RECORDER

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TREMONTON CITY CORPORATION CITY COUNCIL MEETING September 6, 2016

Members Present:

Diana Doutre
Lyle Holmgren
Jeff Reese
Bret Rohde
Lyle Vance
Roger Fridal, Mayor
Shawn Warnke, City Manager
Linsey Nessen, Acting City Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the September 6, 2016 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 Doutre, Holmgren, Reese, Rohde, and Vance, City Manager Shawn Warnke, and Acting City Recorder Linsey Nessen. The following Department Heads were also present: Parks and Recreation Director Marc Christensen, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Also in attendance were: City Attorney Dustin Ericson, Deputy Recorder Cynthia Nelson, and Court Clerk Tara Buckway.

1. Open Meetings Act Training – Dustin Ericson, City Attorney

Attorney Ericson provided training for the Council relative to the Open and Public Meetings Act. He also discussed changes the legislature made in March of 2016 that states when a simple majority of the membership (any three members including the Mayor) of the body meet to discuss City business or items they have power or jurisdiction over, it is considered a public meeting and must be posted accordingly within the proper time-frame and minutes must be taken. He named reasons the Council can go into a closed session.

2. Discussion of possible candidates for the Youth City Council Leader

Mayor Fridal noted the Youth City Council (YCC) Leader, Aimee Brown, has stepped down after six years of service. He asked the Council to consider someone to replace Ms. Brown. It was noted that youth from other cities are allowed on YCC so the leader does not have to reside in Tremonton City.

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

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The Council reviewed the September 6, 2016 Agenda with the following items being discussed in more detail:

Res. No. 16-45 Mark Hirschi Subdivision Development Agreement. Manager Warnke noted this is the first subdivision since approving lot splits. He paid a fee-in-lieu for some of the improvements that will not be constructed at this time.

Demolition of Pie Shack. Councilmember Doutre said the Civic Club is okay with the demolition.

Fund 71 capital contributions in lieu of formal loan. Manager Warnke noted the City moves surplus funds to Fund 71 every year. The Council can choose to treat it like an agreement or a loan. The surplus is currently the only revenue source for Fund 71. Future revenue will come from tax increment from the Tremont Center Community Development Project Area; however, the first \$2.2M is obligated to the developer with the next \$234K split 50/50. He recommends that capital contributions be provided to Fund 71 in lieu of a loan.

The tax increment will go until a cap of \$4.2M is met or until fifteen years has passed. The Council would like to get things going downtown. They do not see an advantage to making a loan to Fund 71 as they are from the same entities. When moving forward with façade grants, the Council will need to determine if downtown businesses receive a loan or are given the funds as an incentive. Manager Warnke prepared information for the RDA meeting on October 4, 2016 to discuss options for the façade grants.

Motion by Councilmember Doutre to move into Closed Session. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

The Council moved into closed session at 6:43 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*
- b. Strategy session to discuss the character, professional competence or physical or mental health of an individual*

Motion by Councilmember Reese 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 Vance - aye. Motion approved.

The Council returned to open session at 6:57 p.m.

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The meeting adjourned at 6:57 p.m. by consensus of the Council.

CITY COUNCIL MEETING

Mayor Fridal called the September 6, 2016 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 Doutre, Holmgren, Reese, Rohde, and Vance, City Manager Shawn Warnke, and Acting City Recorder Linsey Nessen. The following Department Heads were also present: Fire Chief Steve Batis, Parks and Recreation Director Marc Christensen, Public Works Director Paul Fulgham, Police Chief David Nance, and Treasurer Sharri Oyler. Also in attendance were: Court Clerk Tara Buckway, Fire Department Battalion Chiefs Blair Westergard and Mark Thompson.

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 Rodhe and the Pledge of Allegiance was led by Councilmember Holmgren.

2. Introduction of guests:

3. Approval of Agenda:

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

Motion by Councilmember Doutre to approve the agenda for this evening. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

4. Approval of minutes – August 16, 2016:

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

Motion by Councilmember Rohde to approve the minutes of August 16, 2016. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

5. Employee Years of Service Award

- a. Kara Larsen, Assistant Librarian – 25 years

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Ms. Larsen has worked at the library for the past 25 years.

6. Public comments: Comments limited to three minutes:

There were no public comments.

7. Presentation

- a. Presentation and discussion regarding potential physical changes to Midland Square

Manager Warnke gave some examples of programs and activities that can be held at or near Midland Square to bring in more people. More pedestrians equal more shoppers downtown. Midland Square is centrally located downtown and is a good scale. It is beautifully landscaped but needs some physical alterations. The monument is nice to see but there are no activities to draw people in. There is parking on the west of Midland Square that is never full. The City and the business owners need to work together to create an inviting downtown for pedestrians and enhance the streetscape. We need to have amenities and give people reasons to come downtown. Other cities have activities such as: water activities, yoga, street performers, food vendors, and concerts to name a few.

The Sustainable Design Assessment Team (SDAT) noted that Tremonton does not have a public space that can support the kind of programming and events that are critical to the success of a Main Street District. Midland Square was reviewed and re-imagined with flexible hardscaping and a simple pattern of trees and plantings. It was also suggested to move the clock tower to a peripheral location in the square and use the base as a community directory or bulletin board. Manager Warnke would suggest putting in a stage and a smaller clock tower. A water feature amenity would help draw people in. The pine trees could be replaced with shade trees that would take up less space. There should be places for people to congregate.

There is money in the RDA for projects. The funds can be moved around a little if needed. It would be good to get professionals to help with the plan, design, and programming. The objective should be to get 250 people in Midland Square for 250 days of the year.

8. New Council Business:

- a. Discussion and consideration of adopting Resolution No. 16-45 approving the Mark Hirschi Subdivision Development Agreement

Motion by Councilmember Rohde to adopt Resolution No. 16-45 and approve the Mark Hirschi Subdivision Development Agreement. Motion seconded by Councilmember Reese. Roll Call Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

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- b. Discussion and consideration of soliciting bids for new Fire Apparatus estimated to cost between \$755,000 to \$600,000

Chief Batis stated the Ladder truck will be paid off by March of 2017. It is proposed to replace Engine 37, which is a 1985 Kenworth. Engine 37 does not meet National Fire Protection Association (NFPA) guidelines. The new truck will have better personnel protection and safety features. It will have a rescue body and a pump and can do the functions of two trucks.

Manager Warnke said it has been a big year for call volume and the ambulance that has been ordered will be paid for with cash. The City currently pays \$89K per year for the Ladder truck. Impact Fees are currently being accepted that go toward paying for the Ladder truck and will help with the purchase of the new fire truck. The City will purchase the new fire truck on a 10 year lease with the funds coming from the Fire Department Fund. The City also has an Equipment Replacement Vehicle Fund that could be used to help fund the purchase. State Law allows the City to collect Impact Fees for fire apparatus that is over \$500K only from commercial/industrial.

The Council is very happy with the work the Fire Department does. Once the new fire truck arrives, the plan is to donate Engine 37 to a local fire department that provides back up for the City. Engine 37 was originally donated to the City.

Motion by Councilmember Holmgren that we allow the Fire Department to go ahead and get bids for the new fire apparatus/engine. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- c. Discussion and consideration of demolishing the North Park Pie Shack

Motion by Councilmember Doutre to demolish the North Park Pie Shack. Motion seconded by Councilmember Vance. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

- d. Update and discussion of a tiered water rate for Tremonton City and possible preliminary water rate structures

Director Fulgham put together a tiered water rate and Manager Warnke and Finance Director Roberts are reviewing it before it comes to the Council.

The Governor of Utah put together a fifty year water plan that has not been published. There has been talk about asking for a 23% reduction in water usage throughout the State. They are trying to get ahead of the game and be pro-active.

- e. Discussion and consideration of providing *Fund 71 – RDA District #2 Fund-*

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Downtown capital contributions in lieu of a formal loan so that the Redevelopment Agency can commence with small improvement projects

Manager Warnke spoke about this item in the City Council Workshop.

Motion by Councilmember Reese to continue to let the City make capital contributions and calculate the amount of contributions that we've made for purposes of reimbursement. Motion seconded by Councilmember Doutre. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese - aye, Councilmember Rohde - aye, and Councilmember Vance - aye. Motion approved.

Mayor Fridal gave time to Bruce Jeppesen to address the Council. Mr. Jeppesen told how he started the car show and how it attracted a lot of people and has grown and gotten bigger. It has been held in different locations. Mr. Jeppesen does not do it to make money. He makes shirts and pays for it out of his pocket. Mayor Fridal said it was a great event but there were some concerns. The Council encouraged Mr. Jeppesen to continue with the car show but talk to Chief Nance and Parks and Recreation Director Marc Christensen about the concerns before they schedule the next event. Councilmember Reese commented that it needs to be advertised better. Mayor Fridal thanked Mr. Jeppesen for coming. Mr. Jeppesen said the event is always held the first Saturday in June.

9. Comments:

a. City Manager Reports and Comments

- a. Review of a status report submitted to the River Trails Conservation Assistance Program regarding implementation of the *2011 Tremonton City Trails, Parks, & Open Space Master Plan*

The City received a grant from the River Trails Conservation Assistance Program in 2011 and called Manager Warnke for an update. The City has constructed 1 ½ miles of eight foot linear sidewalks as part of the plan. About four acres have been acquired for trail right-of-ways that parallel the canal or the railroad for the dedicated trail corridor. There are also sixteen acres of conservation easement and public access to the Malad River Bottoms. The City has received \$250K from grants or donations.

The summer party is scheduled for September 19th at 5:30 p.m. There will be no Council meeting on September 20, 2016. The drawing for the 1953 Ford Customline will be Friday, September 9, 2016. Parks and Recreation Director Christensen said there will be activities from 6-8 p.m. that night for Play Unplugged with the drawing for the car at 8:00 p.m. at Library Park. There will also be a movie in the park starting when it is dark. The total collected from the raffle tickets is over \$7K.

b. City Department Head Reports and Comments

There were no department head reports.

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- c. Council Reports and Comments

Mayor Fridal thanked the Council. They are terrific and look out for the City.

- 10. Adjournment.

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

The meeting adjourned at 8:17 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 Deputy Recorder Cynthia Nelson.

Dated this _____ day of _____, 2016.

Linsey Nessen, Acting City Recorder

RESOLUTION NO. 16-46

A RESOLUTION OF TREMONTON CITY CORPORATION PROVIDING *FUND 71- RDA DISTRICT #2 FUND – DOWNTOWN* CAPITAL CONTRIBUTIONS IN LIEU OF A FORMAL LOAN SO THAT THE REDEVELOPMENT AGENCY CAN COMMENCE WITH IMPROVEMENT PROJECTS

WHEREAS, Tremonton City, a body corporate and politic of the State of Utah (referred hereafter as “City”) duly created, established, and authorized to transact business and exercise its powers and authority, all under and pursuant to the Utah Municipal Code, Title 10, Utah Code Annotated (“UCA”) 1953, as amended; and

WHEREAS, the Tremonton City Redevelopment Agency is a community development and renewal agency a public body, corporate and politic (referred to hereafter as “RDA”) duly created, established, and authorized to transact business and exercise its powers and authority, all under and pursuant to the Community Development and Renewal Agencies Act, Title 17C, Utah Code Annotated (“UCA”) 1953, as amended; and

WHEREAS, the City and the RDA having the same boundaries, being granted different statutory powers and authority under Utah Code have a common goal and objective of revitalizing downtown Tremonton; and

WHEREAS, the RDA’s mechanism for funding the goal and objective of revitalizing downtown Tremonton is through the creation of a Community Development Project Area and receipt of Tax Increment; and

WHEREAS, as summarized in Exhibit “A” the RDA has followed all of the statutory steps and processes to create the Tremont Center Community Development Project Area (See Exhibit “B” for the boundaries of the Project Area); and

WHEREAS, the Tremont Center Community Development Project Area, which includes what was a 38 acre parcel of vacant property (referred to hereafter as “Tremont Center Site”) wherein the Developer has or will commence the development of new commercial, office, and residential structures, which has and will increase taxable value of personal and real property within this taxing district, and this increase in taxable value is commonly referred to as Tax Increment will be received by the RDA; and

WHEREAS, with the development of the Tremont Center there was and remains significant infrastructure needs (referred to hereafter as “Development Improvements”) which includes but is not limited to: burying the Central Canal; bridges and right-of-way improvements on Main Street; landscaping over the buried canal and pedestrian amenities; burying overhead power; water line installation; boring water line under the canal; and demolition of homes; and

WHEREAS, the RDA recognizes that the prompt development of the Tremont Center Site, which currently was primarily a vacant parcel of ground (i.e. agriculture land), was the only foreseeable investment into the Tremont Center Community Development Project Area that will generate the Tax Increment necessary to revitalize the remainder of the Project Area, and for this reason, the RDA prioritized the use of Tax Increment to reimburse Developer for the Development Improvements using a portion of the Property Tax Increment from the Tremont Center Community Development Project Area as contained in Resolution No. RDA 16-02 adopted on March 1, 2016; and

WHEREAS, Resolution No. RDA 16-02 essentially grants 100% of the Tax Increment received by the RDA to be used for the reimbursement of the actual expense of Development Improvements or to a maximum

reimbursement cap of \$2,234,000 for primary Development Improvements (for more exact information on the terms of the reimbursement see Resolution No. RDA 16-02); and

WHEREAS, both the RDA and City desire for the RDA to immediately undertake improvement projects, such as public realm improvements; public plaza improvements; façade grants, replacement of streetlights; etc., within the Tremont Center Community Development Project Area but recognizes that the RDA's Tax Increment is currently obligated; and

WHEREAS, on September 6, 2016 the City Council discussed the possibilities of providing financial resources to the RDA either by interfund loan, which would be a formal loan, with interest charged to the RDA or by capital contribution, an informal loan of funds where ultimately no interest is calculate or charged; and

WHEREAS, after much discussion, the City Council decided to provide capital contributions to the RDA for the commencement of improvement projects ahead of the RDA having available Tax Increment; and

WHEREAS, the City requests reimbursement of the capital contributions without interest by the RDA if there is sufficient Tax Increment to reimburse said capital contributions; and

WHEREAS, the City fully understands and acknowledge that there is no guarantee that the RDA will have sufficient Tax Increment to reimburse the City for capital contributions.

NOW, THEREFORE, BE IT RESOLVED BY the Tremonton City Council of Tremonton, Utah that as City resources allow and upon approval by the City Council through the budgeting process that it may make capital contributions to the RDA for *Fund 71- RDA District #2 Fund- Downtown* to facilitate improvement projects, within the Tremont Center Community Development Project Area's boundary. Such improvement projects may include but are not limited to: public realm improvements; public plaza improvements; façade grants, replacement of streetlights; etc.;

FURTHER, BE IT RESOLVED that starting for Fiscal Year 2016 that the Tremonton City Finance Director shall track capital contributions made from the City to *Fund 71- RDA District #2 Fund- Downtown* for the purpose of potentially receiving reimbursement from the RDA.

Adopted and passed by the Tremonton City Council this 20th day of September, 2016. The resolution is to become effective upon adoption.

TREMONTON CITY, a Utah Municipal Corporation

Roger Fridal, Mayor

ATTEST:

Linsey Nessen, City Recorder

Exhibit “A”

The RDA and City has taken the following steps to establish the Tremont Center Community Development Project Area Plan and to receive Tax Increment:

- On July 15, 2014, the RDA approved Resolution No. RDA 14-09 authorizing the preparation of the Tremont Center Community Development Project Area Plan; and
- On February 17, 2015, pursuant to UCA § 17C-4-104, the Tremont City Redevelopment Agency adopted Resolution No. RDA 15-01, approving the Tremont Center Community Development Project Area Plan; and
- On February 17, 2015, pursuant to UCA § 17C-4-105, the Tremont City Council adopted Ordinance No. 15-02, approving the Tremont Center Community Development Project Area Plan; and
- On April 7, 2015 the RDA adopted Resolution No. RDA 15-02 entering into Interlocal Agreements with Taxing Entities (Tremont City, Box Elder County, Box Elder County School District, Box Elder County Mosquito Abatement District; and Bear River Water Conservancy District) that authorized the RDA to receive seventy-five percent (75%) of the Tax Increment generated within the Tremont Center Community Development Project Area for a maximum of four million, three hundred thousand dollars (\$4,300,000) or fifteen (15) years of tax increment, whichever occurs first for the purposes of revitalizing the area within the Tremont Center Community Development Project Area.

Exhibit "B"

The Tremont Center Community Development Project Area is located in downtown Tremonton, more specifically described as along Main Street in Tremonton City, Utah from approximately 730 West to approximately 200 East and covers 73.7 total acres; includes 109 parcels that account for 60.3 acres of the total 73.7 acres, with the remaining acreage belonging to roads, rail and alley-ways.

