

Mayor Lawrence Flitton

Council Members:

Don Pearson

Jerry Smith

Gordon Cutler

Greg Johnson

## UINTAH CITY COUNCIL MEETING

TUESDAY, April 7<sup>th</sup>, 2015

7:00 PM

### MINUTES

Planning – Zeke Swander

Building Inspector-Jeff Monroe

Treasurer – Mike Ulrich

Sheriff – Lt. Talbot

Fire Chief – William Pope

Attendees: Mayor Flitton, Gordon Cutler, Greg Johnson, Jerry Smith, Don Pearson, Marilyn Pearson, Michelle Roberts, Dave Hutchinson, John Crofts, Jeff Holden, Zeke Swander and Darinda Wardell.

### MEETING MINUTES:

1. **MEETING CALL TO ORDER:** Mayor Flitton called the meeting to order.

**PLEDGE OF ALLEGIANCE:** Led by Michelle Roberts

**CONFLICT OF INTEREST:** Council members are required by law to file a public disclosure statement with the City Recorder listing business interests and investments that could create a conflict of interest with the duties of the Council Member. When a matter in which a Council member has a business or investment interest appears on the Council agenda, the Council member must publicly disclose that interest.

Mayor Flitton asked the Council if they had any conflicts of interest with tonight's agenda; there were none.

2. **PUBLIC COMMENT (2 minutes per person):** (00:01:00)

- There was none.

3. **APPROVAL OF CITY COUNCIL MEETING MINUTES HELD March 17<sup>th</sup>, 2015:** (00:01:15)

Presenter: Mayor Flitton

- Mayor Flitton asked if there were any questions about the minutes.
- Don Pearson stated that he read the minutes state that we plan to have a work meeting on April 21<sup>st</sup> for the budget; he wasn't at the March 17<sup>th</sup> meeting and saw that there was discussion on the class C road funds. Mayor Flitton stated that they have already spent \$38,000 of the \$100,000 they budgeted clarifying that was the right amount coming from two parts, \$50,000 from class C and \$50,000 coming from allocations. Don commented that maintaining the roads is cheaper than having to repair them and that he could do two things; first cut back on the projects or transfer in more money. Gordon Cutler remarked that the new budget year starts in July so he could do some projects then.
- Greg Johnson motioned to approve the City Council meeting minutes for March 17<sup>th</sup>, 2015.
- Seconded by Gordon Cutler.
- All in favor; the motion passed.

4. **PLANNING COMMISSION REPORT TO COUNCIL:** (00:04:47)

Presenter: Zeke Swander

- Zeke asked the Council if they had any questions on the report that they have reviewed.
- Don Pearson asked about the discussion on the sign level; item one of the work session. Zeke stated that they concluded that if they allowed the sign to be twenty five feet from road level that would fix the issue.
- Don asked about item number two of the work session, lighting regulations, does the ordinance need to be changed. Zeke stated no, we are okay with the ordinance the way it is.
- Mayor Flitton asked what are the steps for the re-zone Zeke responded that they have requested to re-zone from RE to C1; and that is subject to change depending on the development. They plan to keep the Bybee home and property west zoned RE. Everything east of the home they want zoned C1.
- Mayor Flitton asked if everything was okay with the plat for Jeff Holden. Zeke replied yes, the Planning Commission has recommended approval from the City Council.

5. **DISCUSSION/APPROVAL ON FINAL SUBDIVISION PLAT FOR JEFFREY HOLDEN; ANDERSON'S CORNER SUBDIVISION; LOCATED AT 2339 E 6550 S; UTAH, UT:** (00:13:34)

Presenter: Jeffery Holden

- Jeff Holden stated that he was disappointed that he couldn't do his original plan for the property, but was happy with the way everything turned out. He had originally planned to subdivide the lot and put a storage building on the second lot and then found out that you can't have a secondary building without a home on the lot. So he pursued subdividing thinking he might sell one or the other or both. He might put a storage building on the lot with the home.
- Don Pearson asked where the driveway will be for the second lot. Jeff replied he envisioned a private drive into the back where the home will be.
- Jerry Smith complimented him on the nice job he did fixing up the old home.
- Greg Johnson motioned to approve the final subdivision plat for Jeffrey Holden; Anderson's Corner Subdivision; located at 2339 E 6550 S in Uintah.
- Don Pearson seconded the motion.

- All in favor; the motion passed.

**6. DISCUSSION/ACTION ON ORDINANCE NO. 226-15; AN ORDINANCE OF UINTAH CITY REGARDING FLOOD DAMAGE PREVENTION; TITLE 11 OF THE UINTAH MUNICIPAL CODE: (00:18:30)**

Presenter: Mayor Flitton

- Mayor Flitton stated that accentually the floodplain has changed and we are required by FEMA to adopt these regulations to assist us with administration of the floodplain. This ordinance is the language of how we manage that land. John Crofts, the Utah State Floodplain Manager is here tonight to help us with any questions, he asked the Council if they had any.
- Don Pearson asked about 11-1-2-A; this implies that we have had a loss of life due to a flood and we have never had that happen. John Crofts responded that this is a boiler plate template used by hundreds of Cities and Towns in the floodplain to assist with adopting the regulations.
- Don Pearson asked about the definition of flood or flooding item B, from any source, does this include a water heater or pipe breaking. John Crofts responded that the event would have to cross two or more properties.
- Don Pearson asked about 11-4-4 variances. John stated that this is a tool that FEMA has put in to allow an avenue for recourse.
- John Crofts stated that he was very happy with Uintah and that these new maps have improved things for Uintah. He enjoys showing the maps when it is better for the community. He stated that the maps will become effective June 2, 2015. He stated that belonging to a community that participates in the floodplain allows us to apply for federal grants and public assistance.
- Gordon Cutler asked what if we don't agree with the maps. John replied that this has been a five year process, and that each community was given the opportunity to disagree. He stated that actually our neighbor did disagree and that has been resolved.
- Mayor Flitton stated that the Planning Commission should read this ordinance to assist them with developments in the floodplain.
- John Crofts stated that he provides training to property developers who develop in the floodplain and he has a training coming up on May 14<sup>th</sup>.
- Gordon Cutler motioned to approve Ordinance No. 226-15 an ordinance of the City Council of Uintah City, Utah, repealing and replacing Uintah City ordinance Title 11, and replacing with Title 11, Flood Damage Prevention and providing a Repealer, severability, and an effective date.
- Greg Johnson seconded the motion.
- All in favor; roll call vote: Gordon Cutler – yes; Greg Johnson – yes, Mayor Flitton – yes; Don Pearson – yes; Jerry Smith – yes.
- The motion passed.

**7. DISCUSSION/ACTION ON INTERLOCAL COOPERATION AGREEMENT BETWEEN WEBER COUNTY ON BEHALF OF THE WEBER COUNTY CLERKS OFFICE; ELECTIONS DIVISION AND UINTAH CITY: (00:04:47)**

Presenter: Darinda Wardell

- Darinda explained that the County contacted her after the Legislature passed HB362 and asked if they could participate with a split ballot this municipal election. They offered to pay for half of the cost for the general election in November. If we have to have a primary election we would have to pay all of it because they would not be involved.
- They asked us to consider vote by mail or the Hybrid Election Services. This means that a ballot will be mailed to our registered voters with an insert explaining that they have several options in casting their ballot. They could return the ballot by mail, they could bring it to the office and put it in a ballot box or they could bring it on Election Day and surrender the ballot and vote the traditional way. If they forget the ballot they have the option to vote provisional, which means they can vote and then their ballot has to be verified that it has not been cast twice prior to being counted.
- The Interlocal agreement was reviewed and discussed. Even though the County provides the poll workers, we appoint who we want from their roster.
- Gordon Cutler motioned to approve the Interlocal Cooperation Agreement between Weber County on Behalf of the Weber County Clerk's Office; Elections Division and Uintah City.
- Don Pearson asked for discussion on the motion. He clarified that we would recruit our own poll workers and we will appoint them on the next item of the agenda.
- Jerry Smith stated that he thought this Hybrid election was a good way to test the vote by mail.
- Greg Johnson seconded the motion.
- All in favor; the motion passed.

**8. DISCUSSION/ACTION ON RESOLUTION NO. 15-0407-ELECTIONS; A RESOLUTION FOR APPOINTMENT OF MUNICIPAL ELECTION JUDGES, SETTING COMPENSATION, AND APPROVAL OF POLLING LOCATION: (00:04:47)**

Presenter: Darinda Wardell

- Darinda explained that the Utah Municipal Election Code requires that the Council appoint election judges and their salary and approve the polling location for the Municipal Elections this year.
- Patti Sawyer, Cheryl White and Nedene Jensen were named for Election Judges with Laurel Standing, Linda Techmeyer and Susan Bird as alternates.
- We will need two judges and they will be compensated \$145 per Election Day and \$25 for the mandatory election training.

- Elections will be held at City Hall on November 3<sup>rd</sup> and if a primary election is required it will be held on August 11<sup>th</sup>, 2015.
- Gordon Cutler motioned to approve Resolution No. 15-0407 – Elections; setting compensation and approval of polling location.
- Don Pearson seconded the motion.
- All in favor; roll call vote: Gordon Cutler – yes; Greg Johnson – yes; Mayor Flitton – yes; Don Pearson – yes; Jerry Smith – yes.
- The motion passed.

**9. DISCUSSION/APPROVAL ON UTAH LOCAL GOVERNMENTS TRUST WORKERS COMPENSATION RATES FOR APRIL 2015 TO APRIL 2016: (00:04:47)**

Presenter: Mayor Flitton

- Mayor Flitton reviewed the figures for the 2015-2016 workers compensation fees. The premium increased four dollars a month due to the NCII rates increasing. The annual premium for 2015-2016 will be \$2,133.
- Greg Johnson motioned to approve the Workers Compensation Premium for April 2015 through April 2016 with Utah Local Governments Trust.
- Gordon Cutler seconded the motion.
- All in favor; roll call vote: Gordon Cutler – yes; Greg Johnson – yes; Mayor Flitton – yes; Don Pearson – yes; Jerry Smith – yes.
- The motion passed.

**10. DISCUSSION/APPROVAL ON ECIVIS MASTER SUBSCRIPTION AND SERVICE AGREEMENT; A SERVICE CONTRACT FOR THREE YEARS \$690 PER YEAR: (00:04:47)**

Presenter: Mayor Flitton

- After discussion Gordon Cutler motioned to table this agenda item until the Council had time to identify our needs and check the references of the company with clients already using the service.
- Don Pearson seconded the motion.
- All in favor; the motion passed.

**11. OTHER BUSINESS: (01:30:09)**

- None.

**12. CITY COUNCIL DEPARTMENT REPORTS: (01:30:10)**

**PARKS & RECREATION; BUILDINGS; ANIMAL CONTROL – GORDON CUTLER**

- Gordon reported that the total cost to fix and repair the flag pole was \$1,000 that included the rent of the lift truck needed for repairs. The flag will go back up after Nate gets the outside light fixture repaired. We received an anonymous complaint on a neglected dog in the City; we gave the complaint to animal control services and they found that the dog was not neglected. Gordon stated that Lt. Ferrin's salary in the past has been paid by the Sheriff's Office, this year his salary will be paid by the contracts of the Cities that use the County's Animal Services; and it is unknown at this time what increase that means to us.

**WATER; GARBAGE; EMERGENCY PREPAREDNESS; PLANNING COMMISSION – GREG JOHNSON**

- Greg reported nothing was happening with garbage. He has sent the template for emergency preparedness to the Mayor for review; and he was working on impact fees, reviewing State laws and the training manual for legal compliance. He stated that the Planning Commission was working hard on the CUP ordinance and keeping administration in line with training materials and issues that arise. We are doing things not to ruffle feathers but to fix what needs to be fixed. They are working hard and doing a great job with everything that is happening within the City. Jerry Smith asked if we were going to have a work session with the Planning Commission on conditional use permits and business licenses. Greg responded that he was having monthly meetings with Zeke and Michelle working on this.

**ROADS; CTC; FIRE DEPARTMENT AND RAILROAD RELATIONS – DON PEARSON**

- Don reported that he and Nate are working on bids for the street projects, we have assessed our needs and now we have to match the needs with the budget. Don reported that the Fire Department has been busy with six fire calls, three were fires and three were control burns that got out of control. He reported that the department was also busy with training and EMT training. Don reported that he now knows our new railroad contact over our area and will set up a meeting to meet him in person and to discuss our community relations; the Mayor will be included in this meeting.

**CEMETERY; EAGLE PROJECTS; SPECIAL EVENTS – JERRY SMITH**

- Jerry reported that the Easter egg hunt was very successful this year. Patti, Neal, Cheryl and Nate did a wonderful job. The Fire Department served a great breakfast that was also provided through donations. The cemetery is looking better every day; Scott does a wonderful job leveling the headstones and maintenance throughout the cemetery. U-Day planning is in progress; they have a lot of participation with volunteers at the meetings and they are preparing the budget for the Council.

**STORM WATER & FLOODPLAIN; GRANTS; NUISANCES – MAYOR FLITTON.**

- Mayor Flitton stated that the floodplain ordinance is now finished and taken care of. He presented tonight an option for the Council to consider for grants. We still have one nuisance that we are working with; Sorenson still has one thing on the list to complete and this process is going through the court system. Anderson's house still has some cleanup and we will have to get with Neal Bybee to eyeball the property line of what he wants the City to maintain.

**13. MEETING ADJOURNMENT:** (001:52:25)

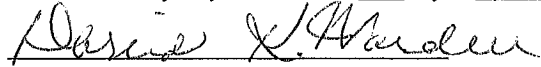
Mayor Flitton asked for a motion to adjourn the meeting.

Gordon Cutler motioned to adjourn.

Seconded by Don Pearson

All in favor; the motion passed. The meeting was adjourned.

APPROVED by City Council this 21<sup>st</sup> day of April 2015.



DARINDA K. WARDELL, City Recorder