

Mayor Sue Bybee

UINTAH CITY COUNCIL MEETING

Planning – Gordon Cutler

Council Members:

TUESDAY, January 15th, 2013

Building Inspector-Brent Stuart

Don Pearson

Heidi Flitton

7:00 PM

Treasurer – Mike Ulrich

David Boothe

Lee Wohlgemuth

MINUTES

Sheriff – Lt. Burns

Fire Chief – Mike Marz

Attendees: Dave Boothe, Don Pearson, Lee Wohlgemuth, Heidi Flitton, Mayor Bybee, Gordon Cutler, Mike Marz, Cindy & Kevin Stevens, John Allen, Sara & Joseph Dye, Nichole Venz, Mike Ulrich, Marilyn Pearson, Scott Kendell, Brent Stuart, Jim Morkin, Lt. Kevin Burns and Darinda Wardell.

MEETING MINUTES:

1. **MEETING CALL TO ORDER:** By Mayor Bybee.

2. **PLEDGE OF ALLEGIANCE:** Lead by Nichole Venz

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 Bybee asked the Council if they had any conflicts of interest; there were no conflicts.

3. **APPROVAL OF CITY COUNCIL MEETING MINUTES HELD JANUARY 3RD, 2013:** (00:01:23)

Presenter: Mayor Bybee

- Heidi Flitton motioned to approve the minutes of January 3rd, 2013
- Seconded by Lee Wohlgemuth
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- All in favor; the motion passed.

4. **RE-APPOINTMENT OF CITY RECORDER – DARINDA WARDELL; CITY TREASURER – ULRICH AND ASSOCIATES; BUILDING OFFICIAL – BRENT STUART; JUSTICE COURT JUDGE AND APPEALS AUTHORITY – JUDGE PATRICK LAMBERT:** (00:02:18)

Presenter: Mayor Bybee

- Don Pearson motioned to re-appoint Darinda Wardell City Recorder, Ulrich and Associates City Treasurer, Brent Stuart Building Official, Judge Patrick Lambert Justice Court Judge and Appeals Authority and Heidi Flitton as the representative to the Planning Commission.
- Seconded by Dave Boothe
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- All in favor; roll call vote; Dave – yes; Don – yes; Mayor – yes; Lee – yes; Heidi - yes.
- Motion passes.

5. **TREASURERS REPORT:** (00:03:42)

Presenter: Nichole Venz / Mike Ulrich

- The Council thanked Nichole for her service and dedication to Uintah City and wished her continued success in her new endeavors. Mayor Bybee then introduced Mike Ulrich with Ulrich and Associates and welcomed him to the City as our Treasurer.

Invoice Register:

The invoice register is a listing of bills that were paid during the month.

The invoice register is reviewed and approved each month per guidelines from the state and our auditors in order to stay in compliance with the laws of the state financial code.

The invoice register for December was reviewed.

Motion to approve the invoice register for the month of December by Heidi Flitton

Mayor Bybee asked if there was any discussion on the motion; there was none.

Seconded by Don Pearson

All in favor; roll call vote; Dave – yes; Don – yes; Mayor – yes; Lee – yes; Heidi – yes

Transaction Register:

The transaction register is a listing of any changes that are made during the month to customer accounts in the ENTERPRISE ACCOUNTS, water, storm water, or garbage. The changes are credits given, over changes reduced or added, late fees removed.

These changes to accounts are reviewed and approved by the council as directed by the state and our auditor to stay in compliance with the laws of the state financial code.

The transaction register was reviewed for the period of 12/13/2012 – 01/13/2013.

Mayor Bybee advised there was nothing on the Transaction register so no action was required.

Budget:

Mayor Bybee asked if there were any questions on the budget; there was none.

Transaction Reversal Report for December

The transaction reversal report is a listing of any changes that are made during the month to customer accounts for the court. The changes are credits given, over changes reduced or added, late fees removed. These changes to accounts are reviewed and approved by the council as directed by the state and our auditor to stay in compliance with the laws of the state financial code. There was nothing on the report; no action was needed.

6. YOUTH CITY COUNCIL REPORT: (00:06:40)

Presenter: Heidi Flitton

- Heidi reported that the permission slip and registration forms were given out for the youth to participate in the Day at the Legislature. They are using the funds they have raised over the course of the year to pay the registration.
- In February they are planning heart attacks for the elderly; they are spreading the love.
- March is the Easter Egg Hunt which will be held on March 30th at 10:00 am; they are not planning to spend any general funds; they plan on using donations so please everyone give generously.
- Heidi reported that the YCC had received a call for assistance with some snow removal; one of the youth went and assisted the citizen and was asked if they could pay him; he replied no just give generously to the Youth City Council projects in the future.

7. SHERIFF'S REPORT: (00:54:05)

Presenter: Lt. Burns

- Lt. Burns reported about the fatality on Hwy 89 earlier in the day. It was a ninety year old man who either suffered a heart attack and then crashed or crashed and then suffered the heart attack. The accident involved both north and south bound traffic.
- Lt. Burns reported that there has been an accident every day on Hwy 89 due to road conditions and poor weather.
- Lt. Burns reviewed the stats for the month and reported no crime wave in Uintah.
- Don Pearson advised Lt. Burns that he had met with Alex Carson with the railroad and that they have been given permission to adjust the barriers on the east and the barriers on the west are staying where they are.

8. BUILDING OFFICIAL'S REPORT: (00:09:31)

Presenter: Brent Stuart

- Brent reported that he had no inspections in the month of December.
- He had received two calls inquiring about building permits; one of them was for Uintah Highlands.
- Mayor Bybee asked Brent to call Nate Hutchinson about some questions he has for Brent.

9. FIRE DEPARTMENT REPORT: (00:11:02)

Presenter: Mike Marz

- Chief Marz thanked Lee Wohlgemuth for his help with the Fire Department page on Facebook. Lee advised that Heidi is the one who has helped posting the photos. Chief Marz thanked them both for their help.
- Chief Marz reported that he was still reviewing and working on the SOP's.
- They are having training on the first week of February.
- We have a new recruit, William Pope. He currently lives in Washington Terrace and is attending school to be an EMT and wants to become a full time fireman and buy a home in Uintah.
- We did have a fire meeting Thursday in the middle of the bad storm; we reviewed and went over needs and what has to get done and we have some budget requests for this budget year.
- Chief Marz reported that they will have a draft report ready to give to Council of what they want to see go into the contract with Sanders.
- Lee Wohlgemuth advised that they are going to meet with the City Engineer and would like Chief Marz to attend as well so that we are all on the same page as to what we want in the design.
- Chief Marz reported that they are having some radio programming done this week.
- Don Pearson asked for an update on trading the brush truck. Chief Marz reported that Kirk Combe was working on that and would have him follow-up on it.
- They are having repairs done on brush truck 91; the pump seal was leaking. Kent with Kent's repair was ordering the parts; it is \$71 for the seal and \$31 for the O-ring.
- Don Pearson suggested that we get the restroom fixed as soon as possible at the station and that we need to keep the water running so that it won't freeze.
- Chief Marz agreed that the restroom needs to be repaired; there is no room for a porta potty and it is too cold to go outside. We are doing our training in South Weber so that much will help.
- Chief Marz reported that they have a sink that they could put in when the time comes.

10. DISCUSSION/APPROVAL ON AMENDMENTS TO THE POLICY & PROCEDURES HANDBOOK: (00:31:11)

Presenter: Mayor Bybee

- Mayor Bybee advised that the changes were as follows:
 - Page 2 – added volunteer Firefighter
 - Page 8 – appointed positions
 - Page 31 – Tier 2 Elected and appointed Officials eligibilities
- Don Pearson motioned to accept the updates for the employee policy and procedure manual for the City of Uintah.
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- Seconded by Lee Wohlgemuth
- All in favor; the motion passes.

11. PLANNING COMMISSION REPORT TO COUNCIL: (00:33:11)

Presenter: Gordon Cutler

- Gordon reported that they had only one conditional use permit update and that was on Kent's Repair. He wanted to amend his permit to start renting U-Hauls. After further research he has decided he is not going to pursue this any further. So, he just amended his CUP for an LLC.
- Mayor Bybee asked Gordon to contact the owner of the trailer on Hwy 89 and advise them that they need to have a UDOT permit and furnish us a copy of the permit.

12. DISCUSSION/ACTION ON ORDINANCE NO. 215-13; AN ORDINANCE OF THE CITY COUNCIL OF UINTAH CITY, UTAH,

TITLE9, LAND USE REGULATIONS, CHAPTER22, BOUNDARY LINE ADJUSTMENTS AND PROVIDING A REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE: (00:36:36)

Presenter: Mayor Bybee

- Mayor Bybee advised that this is for adjusting boundary lines if you are in a subdivision between you and your neighbors.
- Don Pearson noted that this will help families who want to give land to their families.
- There were no other questions or comments.
- Don Pearson motioned to approve Ordinance No. 215-13; an ordinance of the City Council of Uintah City, Utah, Title 9, Land Use Regulations, Chapter 22, Boundary Line adjustments and providing a repealer, severability and an effective date.
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- Seconded by Lee Wohlgermuth
- All in favor; roll call vote; Dave – yes; Don – yes; Mayor – yes; Lee – yes; Heidi – yes
- Motion passes

13. DISCUSSION/ACTION ON MOVING FORWARD WITH PLANS TO WIDEN 6600 SOUTH AND PUTTING IN A WALKING PATH: (00:38:43)

Presenter: Don Pearson

- Don Pearson read the following:
- You have read the information in your book, on the Web site, and on FB that I wrote titled "Widening 6600 South: Information". You were reminded of the council affirmative vote November 13, 2012 on motions requesting that 6600 South be reclassified as a "collector" and that a letter of intent to the Wasatch Front Regional Council regarding widening 6600 to accommodate pedestrians/bikes.
- To clarify, for the council, those present, and those reading the minutes, the reasons that this item is on the agenda is:
- So that everyone would be aware of what is happening, and ask for a council vote to proceed.
- The need for a wider, safer, 6600 South has been discussed by Uintah City Councils before us and placed on the Master Plan but until more recently it seemed almost impossible to carry out because of UPRR owned property.
- During the last 3 years of negotiations with UPRR personal the possibility has become very realistic. I cannot promise success! I cannot give you the details of what an agreement would be! I am now convinced that an agreement can be reached that will greatly benefit the users of 6600 South, those living along 6600 South, the railroad, and the relations that the City has with the UP.
- I am also convinced that there is absolutely no way to make everyone happy with all aspects of any such agreement. However if and when there is an agreement, there will still be plenty of opportunity for all willing parties to be involved with the actual plan and all that goes with it. Everything considered this could be years to come.
- Recent negotiation progress:
- In an email on December 5, 2012: "UP has gone through its preliminary review process and we would like to continue the dialogue with the city on furthering their goals. There are a few conditions UP would propose at this point for the pedestrian pathway a 6 foot high fence is constructed at the northern boundary of the roadway.
- The city shall enter into a lease for all property in Union Pacific's right of way south of the existing northern boundary of the roadway that is not currently covered by a lease. All new construction will be on the south side of the existing roadway, give me a call to discuss."
- December 13, 2012 thru January 5, 2013
- Still a fence but 25 feet from the track and we will discuss the style and funding.
- Construction can be on both sides of the existing roadway. In some cases 10 feet on the North, in other cases divided between the North and the South. I can't answer exactly what will happen on the South because of the varied terrain. Expenses may include moving a fence or a mailbox but I don't see any ,place along 6600 South where there would be more than just a few feet on the • North side of the Uintah Central Canal.
- We will still need to work through a lease agreement but "beautification leases" are in the discussion and require a "nominal fee".
- Lee Wohlgermuth explained we are where we are today because of all of Don's hard work.
- Mayor Bybee asked Don to be sure in the agreement that it clearly states "We were here first". And any leases with private people need to be reviewed by our attorney first.
- Lee Wohlgermuth motioned to approve to move forward with the plans to widen 6600 South and all the other work with the railroad and reclassification efforts.
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- Seconded by Don Pearson
- All in favor the motion passes

14. DISCUSSION/ACTION ON PROPOSED RAMP PROJECTS: (01:02:43)

Presenter: Mayor Bybee

- Mayor Bybee explained to Council that we need to submit our plans by April to the County.
- RAMP Projects can be parks and recreation, arts or museum.
- Lee Wohlgermuth asked if RAMP could be used for furniture for the Fire Station; Mayor Bybee advised no.

15. DISCUSSION/ACTION ON PURCHASE OF WATER/PENALTY FROM WEBER BASIN WATER: (01:03:35)

Presenter: Mayor Bybee

- Mayor Bybee advised that we went over 78 acre feet in water usage this year. The penalty is \$31,000 or we can purchase the water for \$26,000. If we purchase the water we are committed to buy that much every year.

- Mayor Bybee explained that the trend is increasing each year and without secondary water our water usage will continue to increase.
- It was discussed that if we needed to we could find a market to resale the water.
- Mayor Bybee explained that the cost is currently at \$358 a share; in the next couple of years that cost is going to go over \$ 700 a share.
- Don Pearson motioned to buy 70 acre feet of water to avoid the penalty and prepare for the future.
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- Lee Wohlgemuth seconded the motion
- All in favor; roll call vote; Dave – yes; Don – yes; Mayor – yes; Lee – yes; Heidi – yes
- Motion passes

16. OTHER BUSINESS: (01:10:53)

- Dave – no
- Don – no
- Lee – I have been looking at other websites and am checking into online payments and adding forms for complaints and other concerns. Lee asked when we can get our ordinances online; Mayor Bybee explained we have been working on codification and we still have around 3 to 4 months until completion.
- Heidi – no
- Mayor - no

17. PUBLIC COMMENT (2 minutes per person): (01:31:32)

- John Allen – on the walkway; thanked Don for all his hard work and wanted to know if they maintain the walkway has to be on the south side. Don answered that nothing can be on the north side of the road. John asked if the citizens could do the work to put the walkway in to save money. Mayor Bybee explained that it had to be to code. John asked if water is legally transferable; Mayor Bybee advised not on open market and yes we can find a buyer. John suggested that we educate the citizens to use less water and offered again to assist with the website.
- Scott Kendell – communications need to be discussed; communications are pretty bad; who is the webmaster? Mayor Bybee advised that all of the Council is the webmasters. Scott – it is not appealing to have a two minute comment time at the end of the meeting; you started this Mayor Bybee on May 17th 2010. Scott showed notices in the newspaper that other Cities in the County are doing by having the two or three minutes comment time at the beginning of the meeting; this way we have a chance to comment before any action is taken on the agenda item. We can't discuss after the fact because it is too late; please consider it.

18. MEETING ADJOURNMENT: (01:20:35)

Mayor Bybee motioned to adjourn the meeting.

Seconded by Heidi Flitton

All in favor; the motion passed.

The meeting was adjourned.

APPROVED by City Council this 5th day of February, 2013.

DARINDA K. WARDELL, City Recorder