

Mayor Sue Bybee

UINTAH CITY COUNCIL MEETING

Planning – Gordon Cutler

Council Members:

TUESDAY, April 16th, 2013

Building Inspector-Brent Stuart

Don Pearson
David Boothe

Heidi Flitton

**7:00 PM
MINUTES**

Treasurer – Mike Ulrich

Sheriff – Lt. Burns

Fire Chief – Mike Marz

Attendees: Dave Boothe, Don Pearson, Heidi Flitton, Mayor Bybee, Greg Johnson, Diane Johnson, John Allen, Dean Larsen, Sara Dye, Gordon Cutler, Robyn Cutler, Monica Swander, Zeke Swander, Scott Dixon, Kurt Dixon, Carolyn Laird, Marilyn Pearson, Dave Hutchinson, Mike Marz, Elaine Kendell, Patti Sawyer, Jade Flitton, Mike Ulrich and Darinda Wardell.

MEETING MINUTES:

1. MEETING CALL TO ORDER: By Mayor Bybee

PLEDGE OF ALLEGIANCE: Lead by Darinda Wardell

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.

2. APPROVAL OF CITY COUNCIL MEETING MINUTES HELD April 2nd, 2013: (00:01:11)

Presenter: Mayor Bybee

- Don Pearson motioned to approve the City Council meeting minutes for April 2nd, 2013.
- Seconded by Dave Boothe
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- All in favor; the motion passed.

3. DISCUSSION/APPROVAL OF EAGLE SCOUT PROJECT FOR TYLER COY, TROOP 290; CEMETERY CLEAN-UP:
(00:02:00)

Presenter: Tyler Coy

- Dismissed; he changed his mind he is going to do another project.

4. INTRODUCTION AND QUESTIONS TO APPLICANTS FOR CITY COUNCIL: (00:02:25)

Presenter: Mayor Bybee

- We have given all the candidates a sheet with questions that we would like them to address.
- We have asked them to talk 10 to 15 minutes each
- We will call the candidates in no particular order to.
- When your name is called, please come to the podium, state your name, and respond to the questions.
- John Allen, Zeke Swander, Gregory Johnson and Gordon Cutler all took turns addressing the council.
- Mayor Bybee THANKED THEM VERY MUCH for responding to the questions and for their willingness to serve.
- We want to say that you are all very well qualified and anyone of you would do an excellent job if chosen.
- We will now Vote on the candidates.
- As required by law, the voting will be done in the open
- The Council will vote for one of the individuals running,
- When their name is called, you will raise your hand if you are voting for that person.
- The names will be called in no particular order.
- At the end of the voting, we will tally up the votes to see who has the most.
- If no one has the most votes or there is a tie of votes, then we will follow the rules from Utah Code 20A-1-510(1)(c).
- The vacancy is filled by lot in the presence of the council. "By lot" can mean cutting the deck, throwing dice, drawing straws, or any other game of chance.
- The person who wins will be our next City Council Person.
- Heidi Flitton voted for Gregory Johnson
- Don Pearson voted for John Allen
- Dave Boothe voted for Gordon Cutler
- Mayor Bybee voted for Gordon Cutler
- Mayor Bybee asked for a motion
- Dave Boothe motioned to accept and appoint Gordon Cutler to serve as a Council Member filling our vacancy.
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- Seconded by Don Pearson
- All in favor; the motion passed. Roll call vote: Dave Boothe – yes; Don Pearson – yes; Heidi Flitton – yes; Mayor Bybee – yes.

5. APPOINTMENT OF CITY COUNCIL MEMBER TO SERVE UNTIL JANUARY 7TH, 2014: (00:38:00)

Presenter: Mayor Bybee

- Darinda Wardell gave Gordon Cutler the oath of office and swore him in.

6. TREASURERS REPORT: (00:40:17)

Presenter: Mike Ulrich

- 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 March was reviewed.
Motion to approve the invoice register for the month of March 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 Boothe – yes; Don Pearson – yes; Heidi Flitton – yes; Gordon Cutler – abstains; Mayor Bybee – 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 03/13/2013 – 04/13/2013.
There was nothing on the Transaction Register; no action was needed.
- Budget:

Mayor Bybee asked the council to review their budgets she advised them that the budget work sheets were handed to them tonight and to prepare for the budget work sessions.
There were no other comments.
- Transaction Reversal Report for March
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.
Mayor Bybee stated that the item on the report was bail forfeiture.
Motion to approve the Transaction Reversal Report for the month of March by Dave Boothe
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 Boothe – yes; Don Pearson – yes; Heidi Flitton – yes; Gordon Cutler – abstains; Mayor Bybee – yes.

7. YOUTH CITY COUNCIL REPORT: (00:48:24)

Presenter: Sabrina Fernellius

- Sabrina reported that they were going to have a guest speaker this month and that it was going to be Gary Laird.
- In May they are going to put the flags out at the cemetery for the Veterans for Memorial Day.
- In June they are planning to sell scones at U-Day for their fundraiser.

8. BUILDING OFFICIAL'S REPORT: (00:49:30)

Presenter: Mayor Bybee

- Mayor Bybee reported that we are in the process of getting a new Building Official.
- Jeff Monroe; the Mayor of South Weber is the Building Official in Washington Terrace, we are working on an Interlocal agreement with Washington Terrace to have Jeff cover our city as well.
- Brent Stuart will finish up the old and anything new will be given to Jeff Monroe.

9. FIRE DEPARTMENT REPORT: (00:50:41)

Presenter: Mike Marz

- Mike reported that they were all done with training; practical's and testing for Firefighter I and II.
- There were four involved in the training. Now they have a pre-rec that they have to have hazardous materials training; that training has been scheduled for April 27th and will run for four weeks.
- Mike reported that they now have three Firefighters I and will have four Firefighter II and another Firefighter I after this training.
- Mayor Bybee thanked Mike for his time getting everyone certified.
- Mike reviewed the calls for service for the year.
- Dave Boothe thanked Mike for his service to the City.
- Don Pearson inquired about burning permits; they have to be done online.
- Heidi Flitton thanked Mike for all his hard work on the website. Mike commented that he would have to solicit John Allen to help him with the Uintah Fire Facebook page.
- Gordon Cutler asked him about the plan review for Aspyn Acres; the fire hydrant and turn around. Mike replied that he had sent his letter with his findings.

10. SHERIFF'S REPORT: (01:00:00)

Presenter: Lt. Burns

- Lt. Burns was excused; Mayor Bybee asked if anyone had any questions regarding the reports.
- There were no questions.

11. U-DAY REPORT: (01:00:25)

Presenter: Patti Sawyer

- Patti Sawyer asked if she could be moved up on the agenda for the next meeting.
- Patti reported that they are having a meeting Thursday night at 7:00 pm.
- This year's parade will start at the Fire Station; come along 6600 S; cross over the tracks at 2275 E and travel up 6550 S to the park. There will be a railroad flagman for the parade.
- We still need someone to man the sound system.
- We also need more golf carts; we have only the one from Scott Dixon.
- Mayor Bybee thanked Patti for all her work on U-Day.

12. DISCUSSION/APPROVAL ON SCOUT HOUSE PLANS: (01:03:56)

Presenter: Dave Boothe and Scott Dixon

- Scott Dixon reported to Council the plans the committee came up with for a better use of the facility for the community.
- The committee members were: Marilyn Pearson, Dave Boothe, Debbie Minster, Wendy Kendell and her uncle Brent Brimhall, Scott Dixon, Kurt Dixon and Jerry Smith.
- Scott reviewed the plans for the remodel of the Scout House. Scott explained to the Council that the market value for the remodel would be around \$35,000; because Scott and Kurt donated their time and the committee solicited for donations; the cost to the City should be around \$18,000.
- Dave Boothe thanked Scott and Kurt for their work; they did a great job getting donations and volunteers to help with this project. Dave was impressed that they made this project a community event that helped reduce the price and improved the facility that will better serve the community.
- Heidi Flitton thanked Scott and Kurt for what they donated and for what they saved the city. She inquired why this was not put out to bid. Mayor Bybee explained that it was not put out to bid because we had the funding.
- Heidi asked why the store front; Mayor Bybee stated because it gave us better handicapped access.
- Heidi stated that we are using RAMP funds; we need return on our investment to pay for our investment to break even so there is no tax burden.
- Scott stated that after the remodel is finished you could advertise the facility and get more rentals.
- Mayor Bybee stated that we have the funding and the volunteers; there was no need to put out for bid. We are going to use Impact fees on the first \$12,000 and then the grant funding.
- Dave Boothe mentioned that Wendy Kendell and Brent Brimhall have lots of ideas and experience with restaurants; they also have a lot of contacts and have helped us with donations. Jerry Smith got the three compartment sink and donated it.
- Mayor Bybee stated that we needed the three compartment sink to be in compliance with the Weber Morgan Health Department.
- Scott Dixon explained the remodel will be in phases; phase one will be framing the kitchen, the concessions and the wall by the restrooms. Phase two will be the carpet the fireplace and the cabinets. Phase one will be functional and nice. Phase two will be the lipstick and rouge.
- Mayor Bybee advised that it was on the agenda for approval.
- Dave Boothe motioned to approve and accept the plans for the Scout House and move forward with construction.
- 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 Boothe – yes; Don Pearson – yes; Heidi Flitton – yes; Gordon Cutler – yes; Mayor Bybee – yes
- Motion passes

13. DISCUSSION/ACTION ON AN INTERLOCAL COOPERATION AGREEMENT BETWEEN WEBER COUNTY on behalf of the WEBER COUNTY CLERK'S OFFICE, ELECTIONS DIVISION -AND- UINTAH CITY: (01:28:36)

Presenter: Mayor Bybee

- Mayor Bybee stated that entering into this agreement with Weber County will allow us to use the electronic equipment for this election and will still be cheaper than using the old paper ballot system.
- Don Pearson clarified that we will still need to add what we will have to pay the election judges.
- Mayor Bybee advised it will still be cheaper.
- Heidi Flitton motioned to approve the Interlocal cooperation agreement between Weber County on behalf of the Weber County Clerk's office, election division and Uintah City.
- 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 Boothe – yes; Don Pearson – yes; Heidi Flitton – yes; Gordon Cutler – yes; Mayor Bybee – yes
- Motion passes

14. DISCUSSION/ACTION ON AN INTERLOCAL AGREEMENT BETWEEN UINTAH CITY AND HUNTSVILLE TOWN FOR JUSTICE COURT SERVICES: (01:30:38)

Presenter: Mayor Bybee

- Tabled

15. OTHER BUSINESS: (01:31:00)

- Dave Boothe – none
- Don Pearson – Cemetery road will be closed April 29, 30th and May 1st for the railroad to replace crossings. We should be getting the crossing arms for 2275 E sometime in June. We have posted this information on the web.
- Heidi Flitton – animal control had two big incidents this past month; sure glad we have their services. Dave Boothe

attended the animal control meeting and Heidi read his report to the Council.

- Gordon Cutler – thanked the Council for their confidence in appointing him to Council.
- Mayor Bybee – reported that she had checked on another contractor coming into the city to collect waste while we are under a waste contract and it is against franchise law to do so. The Weber County storm water coalition has sent out their letter advising what we have to do to meet State requirements. We can enter into an Interlocal agreement with UPDES and they can help us with our permit; training our employees, software for the program; help with the water fair; storm water and flood plain conference in St. George and with the new rules for post construction.

16. PUBLIC COMMENT (2 minutes per person): (01:39:00)

- Marilyn Pearson- "I just wanted to comment on the Scout House Committee. When we first started our options were, because it was a drain on the city, it was fix it or get rid of it and with the history behind it we did not want to get rid of it. So it has been really gratifying to see people step up to help this come to in fruition. One of the things we hadn't realized was the impact it had on Jerry Smith, U-Day, the Health Department and the preparation for the salmon bake. By doing the things they are doing, it makes it so that Jerry can pass off their (Health Departments) requirements as well instead of trying to make it look like he is. So with the improvements that are being made it is going to be an asset to the City and yes it should be a revenue generator instead of one that takes the revenue away from the City and that is the goal of the Scout House Committee. So it has been great and I just wanted you to know the impact on Jerry Smith, the salmon bake and the Health Department as well. Thank you."
- John Allen- "I wanted to congratulate Gordon officially. I know it was a tough decision; there were some good candidates out there. I appreciate those that supported me; I know that was a difficult position. I did also want to make it official I will be running for that position in the fall so I look forward to the support there. Thank you."
- Dave Hutchinson-"I just have a quick question since we have elected a good guy here that was on the planning commission, to the city council. What is going to happen to the Planning Commission? Gordon has done a good job in it and it's just like I said, I am involved in it quite a bit right now. Is it going to progress as normal? (Mayor Bybee advises that everything will be taken care of). Thanks."
- Dean Larsen- "Congratulations Gordon. Of course I want to thank Scott and Kurt for offering their free time, man that was a bold, bold move for them. I am not that big of a man to do it for free, thank you for that. However, the tax money going to this building, I thought was going to be RAMP taxes and it's not now it's coming out of impact fees? So, \$18,000 is a big chunk of change right now. That is a big burden to be burdening on our citizens with right now. (Mayor Bybee advised the money has already been collected) Maybe you should give it back, but it has already been voted on, but in the future. I think people are struggling economically and there is big government in our lives and more taxes. I don't know and we just raised the fees on the conditional use permits, maybe we should lower the fees back if we have all this extra money left over. Or maybe we shouldn't have \$18,000 left over is what I am saying I guess. So I thought this money was coming from RAMP taxes, number one, and it is kind of a shocker to hear that it's not. I mean either way it's bad, it's tax payers' dollars, but to hear it is coming out of our budget has sort of stumped me. I thought we were sold on it that it was going to be RAMP taxes. (Mayor Bybee advises we can talk about this later). I just, again, you know me, I like my money, I like my property. I want to have my money to spend as I wish to spend it and it seems like you spend and spend and spend and there is more spending every time you guys get together. I know this is a cool project, it's neat but there are a lot of neat things we can buy with tax payer's money; it's just, I implore you to maybe next time think about the tax payer. Think about the freedoms that we lose when you take away our property from us to build buildings. I am not taking anything away from this project, I think it is cool, but so is pickle ball courts and so is gazebos and so is park and so are everything, but at some point in time we have to say enough, don't we? Don't we have to say, we need to stop spending and sharpen our pencils a little bit. I just implore you, I know you do this every week, next time you go to spend our tax payer money, know that it is our freedom you are taking. You are taking our property and using it as you wish. I don't think people, generally in this part of the country anyway, are in favor that kind of spending, so please think about the little people next time you do something like this although this is already going to happen. I appreciate it. Thank you."

17. MEETING ADJOURNMENT: (01:44:41)

Mayor Bybee motioned to adjourn the meeting.

Seconded by Dave Boothe

All in favor; the motion passed.

The meeting was adjourned.

APPROVED by City Council this 7th day of May, 2013.



DARINDA K. WARDELL, City Recorder