

1. The meeting was called to order at 6:00 pm.
2. The Pledge of Allegiance was led by Mayor Moser.
3. Roll Call: Trevor Black, Robert Campbell, Judith Davis, Ron Brown, and Mayor Moser were present. Legal counsel, Gary Kuhlmann was present. Rod Mills of Ensign Engineering was present. Dale Harris was excused. Jack Davis was present. Town Clerk, Nathan Bronemann, was present, taking minutes.
4. Declarations of conflict of interests.
None stated.

5. Public Comments

Pamela Quale asked about the county spraying of weeds. She said they were only lifting up the sprayer and she could smell the poison.

Mayor Moser said the Town didn't have to treat for weeds if everyone cleaned up their property.

Gloria Charles said she had been promised that her ditch would be cleaned a few years ago.

Debbie Kopp said there was a storage container on a vacant lot in the Cedar Point area. She asked what the process was to get it removed. She said it had already been red tagged.

Mayor Moser said there were notifications given with a timeline to remove it and upon the third notice legal action would be taken

Joe Parker commended Mayor Moser for his service and what he had done for the Town.

Motion made by Judith Davis to close public comment. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

6. Discussion and action on a backhoe lease and purchase options

Mayor Moser said they had received bids from John Deere and Century. The cost of a purchase from Deere was \$82,804.50. The cost to lease the Deere was \$8,386.12 per year for 300 hours. Century had offered the Case backhoe the town currently had for a purchase price of \$77,000 at 3.75% interest or with our own financing. The offered a lease to own option (option #4) for \$5,000 for the first year and \$16,080 for five years after. He said Wheeler had not responded to a request for a bid. He said this option kept within the Town's annual budget for this year.

Gary Kuhlmann recommended having a lease agreement in writing for the Town leasing the equipment to the water district.

Robert Campbell asked about the warrantee.

Mayor Moser said he didn't have the details with him.

Motion made by Robert Campbell to continue this item to the next meeting so they could get more warranty information. Ron Brown seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

Motion made by Judith Davis to approve paying the \$883 monthly rental fee to Century Equipment. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

7. Discussion and action on updated Mutual Aid Agreement with Washington County

Mayor Moser said the only major changes to the agreement were the additions of new entities.

Motion made by Ron Brown to enter into the updated Mutual Aid Agreement. Robert Campbell seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

8. Report on Gateway Project progress

Rod Mills said they were working on closing out the Gateway project. He said the contractors were working on a number of warranty issues. He said the final payment for some of the rejected concrete had not been paid out yet. He said the goal was to come to a quick agreement and close out the contract. He said there was still a two year warranty on the concrete work. He said the replaced sections of sidewalk and the joint work had been done well.

Trevor Black asked about the noise of the cars going over the joints. He said he thought it was from voids.

Rod Mills said they had done some investigating and their opinion was it was due to air pockets in the joints themselves.

Trevor Black asked how that would hold up over time.

Rod Mills said it should hold up fine.

Robert Campbell asked about the cracks in the slabs.

Rod Mills said that was due to the contractor not cutting the slabs.

Robert Campbell asked how he felt about the state of that concrete.

Rod Mills said that in his opinion, those cracks could have been prevented if the concrete had been cut sooner.

Robert Campbell asked about a change order that had been requested.

Rod Mills said a change order had been created and sent to the contractor. He said the process had not been completed and the change order did not go forward.

Ron Brown expressed concern with slap movement where you could hear the noises. He said he felt that is why it was cracking.

Rod Mills said it was caused by the curling of the joints due to the slope.

Robert Campbell asked with Rod Mills was recommending that the contractor do to fix the issue.

Rod Mills said it was still on the table.

Robert Campbell asked if all the concrete had a two year warranty.

Rod Mills said that was correct.

Trevor Black asked about the information that he and Ron Brown had been requested.

Mayor Moser said that Ron Brown had most of the information and that if anything was missing, to ask Nathan Bronemann and if he didn't have it, he would request it from the engineering company.

Ron Brown said he didn't know what he had.

Mayor Moser said if he didn't have anything, it could be requested from engineering.

Robert Campbell asked if there was a checklist of the work that needed to be done.

Rod Mills said there was.

Robert Campbell said there were a lot of questions on the Gateway. He said he didn't feel the information had been communicated very well to the Council.

Rod Mills said he would provide any information they wanted.

Trevor Black said he wanted everything. He said he felt there was a project that was falling apart and he was over public works and was responsible. He said he wanted all of the Gateway information.

Ron Brown asked about the pour that took place during the rain storm. He said he would rather just have it replaced now. He said they couldn't predict how long it would last. He said he didn't want to accept the concrete work that had been done.

Robert Campbell said he would like to have "discussion and action" for the Gateway put on the agenda in the future.

Motion made by Robert Campbell to have that agenda item on the agenda until the project was closed. Trevor Black added to the motion that he wanted the council to make all decisions on the Gateway going forward. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

Rod Mills said he was at the disposal of the Town Council and would do whatever they wanted to do. He said he was trying to help the Council make the best decisions. He said nothing had been built on the Gateway for over a year. He said he couldn't answer every question on the Gateway that came from everyone. He said he didn't have enough time in the day. He said he could have spent the entire month on the Gateway Project questions.

Mayor Moser said that when the contract was awarded, the fees were paid for their services. He said if they wanted to create a circus it would end up costing the town a lot of money. He said Ron Brown as the liaison on the Gateway Project had just as much information as he did.

Trevor Black expressed frustration because he had a lack of information.

Rod Mills said having this come back on him didn't help the situation. He said he was trying to explain the engineering opinion of the issues in the project. He said they could elect to hire

some other professionals to analyze the situation and it would give them more ammunition, but would cost more money.

Ron Brown asked for Rod Mills' recommendation on the concrete.

Rod Mills said his recommendation would be to leave the concrete and keep the money and to watch how it developed.

Robert Campbell said they appreciated what Mr. Mills does for the Town.

Rod Mills said he was doing his best to do the best for the community. He said he was trying to address everything, but it was simply not possible.

Mayor Moser apologized to Rod Mills for what he just had to go through. He said he understood how much he did for the Town.

Judith Davis also apologized to Mr. Mills.

Mayor Moser said that Mr. Mills took this personally because this was his project.

9. Reports from Town Council members on assignments

Robert Campbell said the Solid Waste District was having a luncheon that was open to the public.

Mayor Moser said the Mayor's Association meeting had met and approved \$1.5 million of COG funding for projects in Hurricane and some in St. George. He said the COG was the funding agency that financed the property purchase for the Gateway Project. He said the Dixie Applied Technology school was moving forward with their project. He said if anyone was interested, they could contact them for more information about classed that would be offered. He also said that UDOT had approved funding to do the proposed work on Main St. and Sheep's Bridge Rd.

10. Report and recommendation from the Planning Commission, (including discussion and action)

- a. Recommendation on zone change to Agricultural for AV-1330-E, owned by Marty & Tish Lisonbee

Jack Davis said they were recommending the approval of the zone change.

Motion made by Ron Brown to approve the zone change of AV-1330-E from OST to Agricultural. Robert Campbell seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

- b. Recommendation on site plan review for AV-1337 – Aaron Stout

Jack Davis said they were recommending the approval of the site plan review pending engineering signoff.

Rod Mills said the applicant had provided additional plans with more detail than was needed. He said he would provide some guidance once the construction plan was submitted. He said he had no problem with the site plan as submitted.

Robert Campbell asked about fire protection.

Rod Mills said there was sufficient fire protection for this first phase.

Motion made by Mayor Moser to approve the site plan proposal for AV-1337 pending the approval of the final construction drawings by staff. Judith Davis seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

11. Report and recommendation from the Big Plains Water and Sewer SSD

Mayor Moser reported that they were very close to the completion of the purchase of the Canaan system.

12. Report and recommendation from the Community Events Committee

Marie McGowan said Founders Day take place on September 23rd. She said they would like to raffle off trees again this year.

Mayor Moser said that as long as the purchase was under \$500 and in the budget she could purchase the trees.

Motion made by Mayor Moser to approve the \$500 tree purchase expense for a Founders Day raffle. Robert Campbell seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

13. Report and recommendation from the Public Works Department

Trevor Black asked the status of the County putting the cinder mix on Coyote Rd.

Mayor Moser said they had been delayed but were still planning on doing so. He said some residents would need to purchase culverts because a ditch would need to be cut. He said letters would need to be sent out.

14. Consent Calendar - Income and Expenses - Town Treasurer

Motion made by Judith Davis to approve the consent calendar. Ron Brown seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

15. Consider approval of minutes:

a. August 17, 2017 Regular Meeting Minutes

Motion made by Judith Davis to approve the August 17, 2017 regular meeting minutes. Ron Brown seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

b. August 22, 2017 Special Meeting Minutes

Motion made by Judith Davis to approve the August 22, 2017 special meeting minutes. Ron Brown seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

16. Announcements

Nothing more to announce.

17. Request for a closed session

None requested.

18. Adjournment

Motion made by Judith Davis to adjourn the meeting. Trevor Black seconded the motion. Vote: Trevor Black-yes, Robert Campbell-yes, Ron Brown-yes, Judith Davis-yes, Mayor Moser-yes. The motion passed 5/0.

Meeting adjourned at 7:00 PM.

Date approved: _____

ATTEST: _____
Nathan Bronemann

Richard Moser