



Mayor Lawrence Flitton

UINTAH CITY COUNCIL MEETING

Planning – Tim Petty

Council Members:

TUESDAY, August 2nd, 2016

Building Inspector-Jeff Monroe

Michelle Roberts

Gordon Cutler

7:00 PM

Treasurer – Mike Ulrich

Jerry Smith

Greg Johnson

MINUTES

Sheriff – Lt. Talbot

Fire Chief – William Pope

Attendees: Gordon Cutler, Greg Johnson, Jerry Smith, Michelle Roberts, Todd Burton, Lee Wohlgenuth, Marnie Rice, Ernest Rowley and Darinda Wardell.

Excused: Mayor Flitton

MEETING MINUTES:

1. MEETING CALL TO ORDER: Gordon Cutler

PLEDGE OF ALLEGIANCE: Led by Greg Johnson

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 was none.

2. PUBLIC COMMENT (2 minutes per person): (00:01:35)

- Lee Wohlgenuth: I want to make some comments to the Uintah City Council in an open, public meeting. My only desires are transparency and honesty. I am Lee Wohlgenuth, President of the Friends and Volunteers of the Uintah City Fire Department. We, the Friends, wanted the best possible remodeled fire station. However, trouble began when the signed contract that the City and we had with SEI was abrogated unilaterally by City Officials. The Mayor and other elected officials conspired to get their preferred contractor into the picture instead. The members of the City Council were neither notified, nor informed about the actions behind the scenes. You City Council members have been misled about the status of the contract with Elk Valley. I reluctantly went along with the Mayor and the Fire Chief and the elected official's proposed course of action with Elk Valley. I signed a contract which did not contain specifics about what the Friends would get for the appropriated State money. I was promised by City officials that I would receive the specifics, but I have never received the specifics. The cost breakdown has never materialized. The Friends were never provided with the proper accounting information for the State money. Due to a lack of specifics, the City Council and the Friends do not know what to expect from the contractor. How can we evaluate the value of the received work? The Friends require a break out, in exact amounts, of what we will have to pay, and a list of specified items we will receive for the money. Instead, the Friends have been presented with invoices which list a few items of general work performed, but without specific costs associated with any one item. All we get is a bottom line amount that we are supposed to pay. That is far below professional standards. I am attaching a copy of the final invoice for which Elk Valley expects payment, so you can see it. It has no details, just the bottom line. The Friends still need to provide an accounting for the entire fire station remodel project to the State. We will only do so, after work has been completed, and we have been provided with acceptable invoices. I also feel the need to assure donors to the fire station that their money has been well spent. At the present time, I cannot give that assurance to anyone. I will be very candid. We need an audit of Elk Valley's time sheets, hourly rates, and equipment, labor, and material costs. Without full disclosure of this information, we must worry about the appearance of improprieties. An audit will provide the necessary accountability for the costs of this project, and will also provide justification for paying the remaining invoice. An audit is required. To repeat, I was misled by City officials. My questions and requests were appropriate and proper, but I consistently received partial or no information in return. I hope the City Council will help reach a satisfactory solution for all parties involved, especially for the Friends, who hold the purse strings. Thank you.

3. APPROVAL OF CITY COUNCIL MEETING MINUTES HELD July 19th, 2016: (00:05:49)

Presenter: Gordon Cutler

- Gordon Cutler asked if there were any questions on the minutes.
- Jerry Smith commented about his question to Beth Holbrook regarding recycling values.
- Michelle Roberts motioned to approve the City Council meeting minutes from July 19th, 2016 as-written.
- Seconded by Greg Johnson
- Gordon Cutler asked if there was any discussion on the motion; there was none.
- All in favor; the motion passed.

4. PLANNING COMMISSION REPORT TO COUNCIL FROM July 26th, 2016 MEETING: (00:08:31)

Presenter: Todd Burton

- Todd Burton reported for Tim Petty who was unable to attend this meeting. Todd reviewed the following report from the July 26th meeting:

- Public Comment: Jim Morkin said that he lives in Cottonwood and just came tonight to thank the City for all they've done for Cottonwood and all they continue to do.
- Planning Commission meeting minutes from June 23, 2016, were approved.
- Discussion/Review of Business License Application for Michelle Smith.
- Michelle Smith appeared before the Planning Commission and explained that she plans to open a business called "Re-" or "Re-love" which will specialize in refinished and repurposed furniture. She explained that they would sell paint and painting products, unfinished furniture, refinished furniture, repurposed items, and furniture hardware like knobs and drawer parts. Tim asked about parking and waste removal, and Michelle said that she has been designated 8 parking spots, and it was confirmed that there is already a dumpster located for use there. Todd and Glen asked about painting on premises and the type of paint used, and Michelle said she will use low VOC paint that doesn't require venting and is environmentally friendly. Michelle was reminded she will need to have a fire inspection completed before issuance of a business license. Motion to approve business license for Michelle Smith passed; all commissioners were in favor.
- Discussion/Review of Conditional Use Permit Application #2016-0199 for Joshua Chapman; The Chapman Shop located at 6796 S. 1800 E., Uintah.
- Joshua and Camille Chapman appeared before the Planning Commission. They explained they felt it went very well this year. Robert Guiller said he had gone by one night in person and approved of the way they were now running the camp. The Chapmans requested that the commission consider changes to the operating hours, number of students, and outdoor sleeping allowance.
- The commission made exceptions/modifications to the following previously agreed upon conditions:
 - 1 month review (*next review date: 08/23/16 PC Meeting*)
 - Outside operating hours must be within the parameters of 7:30am – 9:00pm
 - Hours will now be 7:30am-9:00pm on weekdays
 - Hours will now be 7:30am-10:00pm on Fridays
 - Outdoor backyard sleeping will be permitted for overnight camps. Only allowed inside a tent,
 - Parental supervision is required. There must be strict adherence to quiet hours
 - A student orientation is required in which students must be informed of the location of provided restrooms
 - No on street parking will be allowed
 - The number of students per camp will be restricted to a maximum of 15 students, with the ratio of 5 kids to 1 adult. The number of students per camp will now be restricted to a maximum of 18 students, including the Chapman's own children
 - A food handler's permit will be maintained
 - No camp activities will take place in the street
 - Storage areas will be kept off-limits to students
 - Clutter will be cleaned up, in compliance with the orders of the Fire Marshall
 - All students are required to stay on-site at applicant's property while attending the camp
- A motion to re-approve CUP #2016-0199 with the previous approved conditions and with the addition of the listed exceptions/modifications was passed; all commissioners were in favor.
- Greg Johnson commented that it appeared to him as a neighbor that the Chapman's have adhered to all the conditions.
- Jerry Smith asked if the Planning Commission has seen their curriculum; Todd replied no and that they have indicated that it is a machine shop type course. Jerry asked what size lot they have; Todd replied that it is larger than a half-acre. Jerry asked if the Planning Commission check with legal to be sure that the City is not liable if one of the students are injured.
- Greg Johnson stated that it is a conditional use; we are not liable for any others.
- Michelle Roberts asked if the parents sign a waiver. Todd did not know the answer.
- It was discussed by Council that the Planning Commission secretary should check with legal about this insurance liability issue.
- Gordon Cutler stated that the Planning Commission has approved this for another month and that we should not hesitate to contact legal with our concerns.
- Discussion/Action on-final plat application for Keith-Vanderhout; Cottonwood-Estates-located at 975-E. 6600 S., Uintah. Ernest Rowley with Landmark Surveying attended the meeting on Keith Vanderhout's behalf. Updated plans and photographs of the areas in question were displayed. There was much discussion about what areas will be left for recreation and what any issues might be. Jim Morkin mentioned that the emergency vehicle access had been blocked by trees, and Ernest responded that they are being trimmed to allow future access. Ernest told the commission that Cottonwood has hired a new maintenance employee, so the condition of the recreational property should be being maintained much better now.
 - The commission suggested the following conditions upon approval:

- Trees will have to be removed to accommodate new lots 1-9. The same number of trees that are removed will need to be replaced elsewhere on the remaining recreational areas.
- The Cottonwood HOA will decide where those trees will be, and they are to be planted next year in 2017.
- Benches will be added to the remaining recreational areas as follows:
 - 2 benches in area A
 - 1 bench in area B
 - 2 benches in area C
- The recreational areas will generally be kept nicely landscaped
- Motion to approve the final plat application for Keith Vanderhout, Cottonwood Estates with the listed conditions was passed; all commissioners were in favor.
- Michelle Roberts stated that the Planning Commission was very diligent with this especially pertaining to the ordinances and citizen complaints. She stated in the last City Council meeting that she was in favor to a win-win situation and that's just what we got. Tim Petty and the Planning Commission did a great job with this.
- Discussion/Action on Preliminary Plat Application for a flag lot for Doug Crofts; Teena Crofts Trust located at approximately 6778 S. 2125 E., Uintah. The Planning Commission received an e-mail from Rocky Crofts stating that they have sold the property and no longer need this item on the City's agendas. The Planning Commission was all in favor of removing this item from the agenda.
- Commissioner's responsibility reports and follow-up from previous meeting. Robert, Glen, and Todd had nothing to report. Tim said he is still working on the Site Plan Approval Process and the kennel permit ordinance.
- The Council thanked Todd for his report and for the great job the Planning Commission is doing.

5. **DISCUSSION/APPROVAL ON FINAL CONSTRUCTION DRAWINGS FOR SEVEN NEW LEASE LOTS FOR COTTONWOOD ESTATES; OWNER – KEITH VANDERHOUT; LOCATED AT 675 E 6600 S IN UINTAH, UTAH:** (00:27:16)

Presenter: Todd Burton

- Greg Johnson states to be fair we have been over this and asked if Ernest Rowley had anything to add.
- Ernest stated that he brought the new plan map for the approved nine lots for the Council to review.
- The Council discussed the number of lots approved. It was noted in the last minutes that they had asked for ten new lots and were only approved for eight. Now they are saying they have nine lots approved. The Council reviewed the report and minutes and found where the Planning Commission asked that the tenth lot be made into parking the ninth lot could be approved.
- Greg Johnson motioned to approve the final construction drawings for nine new lease lots for Cottonwood Estates located at 975 E 6600 S in Uintah; with the conditions the Planning Commission extended to them.
- Michelle Roberts seconded the motion.
- Gordon Cutler asked if there was any discussion on the motion; there was none.
- The motion passed.
- Ernest Rowley stated that he would bring a stamped and signed set of plans to the City for their record.

6. **COUNCIL COMMENTS:** (00:54:06)

- Gordon Cutler stated that Lee Wohlgemuth has left, do any of the council members have any comments on his public comment.
- Greg Johnson stated that he appreciates the work that Lee and his team have done in good faith; on their own time and with volunteer status to get the grant and help with the remodel of the fire station. Greg stated that he appreciates that he gave us his opinion and concerns for the record and the predicament he feels that he is in. Part of it is that we have never undertaken a project like this. We thought it was running smooth; and then we hear rumors that one contractor is out and another contractor is in. It puts a shadow on the integrity of the project. When it comes to engaging in this kind of project again; the party that goes to every meeting owes it to everyone on the Council to keep each of us updated and in the loop including the people volunteering for us.
- Michelle Roberts stated that she wished that Lee would have stayed for these comments. She stated that she went on the record that she hasn't liked how this project has been handled; feeling like we had our backs in a corner. What we all wanted was what was best for our firefighters; and we are still doing what is best for the firefighters. We needed to involve everyone in the meetings. Michelle stated that she appreciates the friends and what they have done and doesn't understand the problem; it seems like it should be an easy fix. She doesn't feel like Lee is asking for anything outrageous, or that Lee is trying to be difficult; she feels like there has been a lack of communication with the Friends of the Fire Department and communication is appropriate.

- Jerry Smith commented that the Project Manager is the one accountable for the information and we are not getting that information and neither is Lee. He can see why Lee wanted to put his concerns and thoughts on the record so that at the conclusion of this project if there is a problem Lee can be exonerated. We need to move forward or lose the money; we are all holding our breath that we can get to the conclusion of this project. Jerry commented that he is not sure that we can get the information that Lee wants and he hates to lose Lee; he hopes that he will hang in there.
- Michelle Roberts commented that if we lose Lee we would be losing a very valuable source.
- Gordon Cutler stated that he thinks that the Friends of the Uintah Fire Department has the best interest of the City in heart and that the Fire Department hearts are in the right place. The appropriations went to the Friends and not to us; still ours to be sure that things went right. Lee is not out of line to ask for an audit; we can have our City CPA perform this. Let's wait to see if Lee gets the information he wants; if not we will put this on the agenda to vote on an audit.

7. **CITY COUNCIL DEPARTMENT REPORTS:** (01:05:57)

PARKS & RECREATION; BUILDINGS; ROADS – GORDON CUTLER

Gordon reported that after all the work that has been done on Combe Road he is open for suggestions for anyone who is willing to trade job assignments. He reported that we have some hope that the light at 6600 S will be getting a left hand turn signal maybe by this winter. UDOT has nothing scheduled for the Combe Road intersection for awhile. We have some valid concerns with the speeders and wrong way vehicles on Combe Road. Some would like to see another speed bump at the top of the road. Public Works is not in favor of this because of the issues with snow removal. We have asked the Sheriff's office for some extra patrol in that area.

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

Greg stated that Todd Burton did a great job updating us on the Planning commission. Greg stated that he had visited with Beth Holbrook about our garbage and recycle pickup; with the winds we have in Uintah; the earliest time that they will start on the route is 9am. Lee Wohlgemuth reported to Greg that his recycle was picked up this morning at 6:45 am. Greg contacted Beth and she reported that her driver was unaware of the schedule change and that it won't happen again. Greg and Nate met with Meterworks; the company that supplies our water meters and software program last week. We need to upgrade our software and change some things that have not been working for some time now. Greg reported that he has requested this be on the agenda for our next meeting for discussion.

ANIMAL CONTROL; CTC; NUISANCES; WEBER COUNTY TRAILS – MICHELLE ROBERTS

Michelle stated that she was able to attend the last Pathways meeting. In attendance were Mark and three others who work for Pathways, one person from DWR and one person from South Weber. She stated that there are some exciting things happening. Pathways have purchased more property to aid in completing the Uintah portion and UDOT has stated that if they can get everyone but the one property owner who is holding out they will allow a pathway along the freeway to bypass that property. DWR has some issues of their own with a fancy blue fish; so they are requiring anglers access in the area. The new maps were presented and reviewed by the Council.

CEMETERY; EAGLE PROJECTS; U-DAY; RAILROAD RELATIONS – JERRY SMITH

Jerry stated that he has had some inquiries for painting all the fire hydrants in the City; this would make three Eagle Scout projects and he still has the tunnel that has not been painted yet. He also has the two scouts working on the memorial for the fallen officers. Jerry is working on the Uintah City booth for the Weber County Fair. MJ Morgan is recreating the picture that hangs behind the Council for the wall on the back of the booth. Luke Mildon has made a Uintah United wood sign that spins for the booth. Jerry will also display the train that Luke made for the City in the booth and the Scouts working on their Eagle project for the fallen officers will man the booth for us. Jerry reported that he has the tree deal done for the memorial trees for the cemetery. The railroad is having their rail safety awareness train ride this next Tuesday and the Council have been invited to attend. This will give us an opportunity to make sure that our 6600 S project is still on the table.

STORM WATER & FLOODPLAIN; GRANTS; FIRE DEPARTMENT – MAYOR FLITTON

Mayor Flitton was excused.

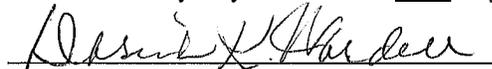
8. **MEETING ADJOURNMENT:** (001:32:48)

Michelle Roberts motioned to adjourn the meeting.

Seconded by Greg Johnson

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

APPROVED by City Council this 16th day of August, 2016.



DARINDA K. WARDELL, City Recorder

