

PLACE:

Cedar Fort Town Hall
50 East Center
Cedar Fort Utah

TIME:

7:02 p.m.

MINUTES TAKEN BY:

Vonda Cook

TOWN EMPLOYEES PRESENT:

Autumn Blackner – Treasurer, Vonda Cook Recorder

VISITORS PRESENT:

Barry Miller, Clay Sorenson, Marie Cook ,Wyatt Cook, Calvin Cook, Julie Sorenson, Claudia Rose, Vickie Draper, DH Draper, Bart Berry, Kelly Berry, Colton Berry, Cody Messersmith, Barbara Hacking, Cara Lyon, Cody Cook, Lynnette Groff

CALL TO ORDER

Mayor Anderson called the meeting to order at 7:02 p.m. Cody Messersmith led the Pledge of Allegiance and Harry Draper offered the prayer.

PREVIEW/APPROVE MEETING MINUTES

Mayor Anderson made a motion to approve the meeting minutes, rev. #4, for 23 May as presented. Councilwoman Cibula seconded it. Motion passed unanimously.

BUDGET REVIEW

The Council reviewed current budget.

REVIEW/APPROVE TOWN BILLS

The Council reviewed the bills. Councilman Gustin wanted to know why the bill for Utah Communications Authority was coming more often. Vonda said she will research it and get back to them.

Councilman Murphy made a motion to accept the bills as presented. Councilwoman Cibula seconded it. Motion passed unanimously.

PLANNING & ZONING

Barry Miller reported that Dave Rose was put in as the vice chair of P&Z. He also reported that Lynnette Groff's request for approval of a previous sub dividing [at 310 North 100 West] was approved under the grace period. The Committee discussed the issue of 100 West not being 56' wide in spite of the fact that Lynnette has deeded 12' to the Town on her side of the road. No action was taken.

Barry also reported that John Jacob's request for a sub dividing [305 S. 100 W.] was not approved. Gary's request for sub dividing was tabled for lack of a quorum when he abstained.

Barry said the road issue for Scott Christensen was hopefully resolved but he was not sure. He also announced that his term on P&Z would end on June 30, 2017 and he did not want to renew.

FIRE DEPARTMENT

Fire Department was not present. They were out on a call.

TOWN EMPLOYEES

No reports were made

REPORTS FROM COUNCIL MEMBERS

Councilwoman Cibula reported that they had made the change to Ace for the Town's garbage pickup. Garbage has to be set out by 7:00 a.m. Tuesday morning. She also reported that she had been looking into our road mileage within the Town and she will check with UDOT and see what they have for mileage for the streets in Cedar Fort.

Councilman Gustin reported that the issue with Scott Christensen's road had been resolved with the signing of the [Town approved] contract and so the permit was ready to be, or was issued. Vonda said it had been issued.

Councilman Stark asked for an update on the park bathrooms. There was discussion on the placement of the bathrooms in the park. Claudia Rose suggested they not place them in the middle of the park where the view of the playground would be blocked. Mayor Anderson asked for other suggestions and said the placement of the bathrooms is driven by the drain fields. He said they will look at the design of the septic system and make a decision. Cara Lyon asked why they were doing bathrooms at the park. She said she never sees anyone there. Councilman Stark said he takes his kids to the park a lot.

Mayor Anderson said the LDS Spanish Branch cleaned and painted at the park and it looks good.

Mayor Anderson reported that they had the Environmental Impact Statement ready to submit to HUD for the extending of the town water line along 100 East from Penovich's to the community center and making a large 50'x50' room inside. This is a grant for a community center upgrade.

He also reported that they have an estimate of \$5,500.00 for a 2 inch water line to the cemetery. And an estimate for \$1,500.00 to clear out the rocks at Spring Creek and cover the water line. He asked Cody to check on the vegetation that needs to be removed at the springs and see if it could be removed with the backhoe.

AGENDA ITEM #1 – VOTE TO APPROVE 2017-2018 TOWN BUDGET – RESOLUTION CFR-BUD-17

Mayor Anderson put the resolution on the screen so everyone could read it.

Councilman Stark made a motion to approve CFR-BUD-17 with the attached budget. Councilman Murphy seconded it. Motion passed unanimously.

AGENDA ITEM #2 – VOTE TO APPROVE CERTIFIED TAX RATE

Mayor Anderson said he was of the opinion that they not raise taxes. Lynnette asked when the last tax raise was. Mayor Anderson said it was when we had a fire a few years back and we had to cover the cost of that. He said the Council didn't feel the need to increase taxes this year due to an accounting

error by the county that gave us a refund and also the fact that the town renegotiated its' contract with the Sheriff's office and got a good deal.

Mayor Anderson made a motion to keep the tax rate the same. Councilman Stark seconded it. Motion passed unanimously.

Mayor Anderson made a motion to approve resolution CFR-CTR-17. Councilman Gustin seconded it. Motion passed unanimously.

AGENDA ITEM #3 – DISCUSSION AND VOTE ON CHANGES TO CULINARY WATER CONNECT EXCHANGE ORDINANCE

Mayor Anderson put the ordinance on the screen. He noted that "residential" had been added to clarify that they were talking about residential building permits in the entire ordinance. Another change was added that an existing residence with an existing well may deed water rights from that well to the town in exchange for a town water hookup. He said the maximum hookups allowed per year would be 4%, the same that is allowed for new water hookups with new construction. It would be a point of diversion change and would be handled by the State. Town requires 1.45 acre ft. Any excess water in their well would be governed by the State.

Mayor Anderson said they are requiring any outside water rights that are brought in to Cedar Fort from 54 West water rights area west of the Jordan River for the past 30 years shall be accepted for inclusion in the Cedar fort Town water system. He said the Jordan River separates 54 West and 54 East. Bart said the division between 54 East and 54 West is at Cedar Pass. There was some discussion on the dividing line between the two. After discussion the Council decided to just say 54 West and not define the division as the Jordan River.

Lynnette asked if someone had a well and transferred it and the water didn't come from this area and hadn't been here for 30 years, could they put it in the Town water system. Bart said you can use it because the State approves it. Councilman Gustin said the Town can still govern what comes in to their system and they would just have to keep using their well. Jon Jacob and Lynnette voiced their disapproval of the ordinance. There was discussion with conflicting views of where the water comes from and how much water is used from the town well.

Claudia said that Kennecott has drilled deeper and now our water levels are going down. Kelly asked why they couldn't grandfather in a well that is already here. Council discussed the issue. Clay asked what he had to do if his water rights in his well are from Vernal and he's been on that well for 30 years. Council said you are ok. Clay asked what if he had been here 10 years. He said his water rights should be grandfathered in if you are established in town. Mayor Anderson said then they can change it to grandfather in wells in town as of July 1, 2017. Clay and Julie, Barbara and Wyatt all said their wells are going down.

Councilman Gustin read the new change to the ordinance.

Mayor Anderson made a motion to approve changes to CFO 414-CE-2017. Councilman Murphy seconded. Motion passed unanimously.

AGENDA ITEM #4 – DISCUSSION AND VOTE TO APPROVE STATE WILDFIRE COOPERATIVE AGREEMENT

Mayor Anderson said this is the State Wildlands Agreement that we talked about some time ago. He said it is the State Department of Natural Resources who is organizing a fire suppression “Insurance co,” which means if we join, they will fight all of our fires. It will cost Cedar Fort \$6,793.00/year with a 5 year contract. The Council discussed how to pay for it. This year would be taken care of with the refund from the Sheriff’s Department. The Fire Department is working on grants etc. If we can’t do it we will have to drop out. The Council discussed pros and cons of joining. Kelly suggested the Council should try to get first responder status for the Town. Mayor Anderson said that will be taken care of in agenda item #6. Mayor Anderson said now, if there is a fire, the bill comes to us. One suggestion was for the Town to self insure. More discussion followed. Councilman Gustin suggested they table it until next month and get more information.

Councilman Stark made a motion to table Agenda Item #4. Councilman Gustin seconded it. Motion passed unanimously.

AGENDA ITEM #5 –DISCUSSION AND VOTE TO APPROVE COUNTY PRE-DISASTER HAZARD MITIGATION PLAN

Mayor Anderson said Mountainlands Association of Government has put together a plan for Utah, Wasatch and Summit County stating what we should be doing to mitigate disasters. He said if they approve this plan there is funding available for us to minimize disasters. The Council discussed the issue.

Mayor Anderson made a motion to accept the Mountainlands Pre-disaster Hazard Mitigation Plan as presented on the Mountainlands Association of Governments website. Councilwoman Cibula seconded it. There was more discussion. Mayor Anderson called for a vote. Mayor Anderson voted yes, Councilman Murphy voted no. Councilman Gustin and Stark and Councilwoman Cibula said they needed more time to review and did not vote.

Mayor Anderson rescinded his motion.

Councilman Stark made a motion to table Agenda Item #5 until next month. Mayor Anderson voted no. Councilmen Stark, Murphy and Gustin, and Councilwoman Cibula voted yes. Motion passed 4 to 1.

AGENDA ITEM #6 – DISCUSSION AND VOTE ON UPDATED CONTRACT FOR EMS SERVICES

Councilman Gustin said this makes our EMS legal.

Councilman Gustin made a motion to accept the EMS contract as presented. Councilman Murphy seconded it. Motion passed unanimously.

AGENDA ITEM #7 – DISCUSSION AND VOTE TO REORGANIZE P&Z

Mayor Anderson said the Council did an “oops”. He said when Paul Peterson moved and resigned from P&Z, the first alternate should have been put in his place instead of posting the position and putting Bart in. Councilman Gustin explained that according to the P&Z by-laws, the alternate takes the place of the outgoing commissioner. Councilman Murphy said Jason [Davis] should have been approached to see if he wanted to take the position. Kelly said since the Town has already put Bart in, they should just leave him in. Mayor Anderson asked Bart, if they rescind the appointment will he still apply. Bart said he would. Cara said she was backing Bart and he should be left in. She said if Jason was interested, he

would have been to the meeting. Councilman Gustin said Jason wasn't shirking his duty just because he wasn't there. Kelly suggested they just rewrite the by-laws.

Councilman Stark made a motion to rescind Bart from Planning Commission, appoint Jason Davis to Planning Commission from alternate to permanent status and appoint Bart Berry as Planning Commission 1st alternate. Councilman Gustin asked Bart if he was opposed to serving a 5 year term instead of a 4 year term. Bart said that didn't matter. He said he committed to serve and he said when you make a mistake you can fix it without doing this but then, the end results are the same.

Mayor Anderson called for a second and a vote. Councilwoman Cibula seconded it and the motion passed unanimously.

AGENDA ITEM #8 – DISCUSSION AND VOTE TO APPROVE LYNNETTE GROFF LAND DIVIDING

Councilman Gustin said they were voting on an application for a piece of property on 100 West that was sub divided before the moratorium. P&Z approved the application.

Mayor Anderson asked her if she got a name change on the property. He asked if Danny Lookers name had been removed. She said it had.

Councilman Gustin made a motion to accept the minor sub division application of the Groff Family Trust for approving the two new pieces [he didn't have the original serial #] serial #59-038-0189 and #59-038-0190. Councilman Murphy seconded it.

Councilman Stark pulled the county website up and said that the property is in Lynnette Groff's name, not the Trust. Councilman Gustin said he didn't see a problem because it showed her as the trustee for the Trust.

Mayor Anderson called for a vote. Motion passed unanimously.

AGENDA ITEM #9 – DISCUSSION AND VOTE ON LYNNETTE GROFF REQUEST FOR A VARIANCE ON ROAD WIDTH

Councilman Gustin said Lynnette had questions at the P&Z meeting about the width requirement of 100 West since the road isn't 56' wide. He said this is like Scott Christensen's road. The new ordinance says the road had to be 56' wide in front of the lot and he thought it should be the same for Lynnette. Lynnette did give 12' to the town when she built her last home so she feels like she has given her half of the road. Councilwoman Cibula said this has been an historic problem. Lynnette said it's not fair and it isn't like Scott Christensen. The Council discussed the matter further. They discussed doing a taking and paying for it maybe with a tax hike, or leaving the road as is and widening it as people build. Sharon Cook and Barry Miller own property across from Lynnette. Councilman Gustin said they could do a taking and make the person who will benefit pay for it.

Councilwoman Cibula said it should go to the variance committee.

John Jacobs said they were picking on Lynnette. Bart noted that there are some problems on the road that need to be addressed. Kelly thought they should just grandfather Lynnette in. Councilman Gustin said it's not his prerogative to add a grandfather clause to an ordinance we don't have. He said he was

just trying to enforce the ordinances we do have. Councilman Murphy said there are established houses along that road and it is not the same as out to Glades.

Mayor Anderson made a motion to move forward to a variance committee. Councilwoman Cibula seconded it. Motion passed with Mayor Anderson, Councilman Murphy and Councilwoman Cibula voting yes and Richard Stark and David Gustin voting no. The motion passed with a vote of 3 to 2.

AGENDA ITEM #10-DISCUSSION AND VOTE ON JULIE SORENSON REQUEST FOR TOWN WATER CONNECTION

Julie said they had already covered her request. Mayor Anderson Julie needs to get an application for a water connection and get on the agenda for approval and then she can go to the State and get a point of diversion change. Mayor Anderson said the applicant will have to pay for the cost of hooking up to the town system. Cody said the cost would be between \$3-5,000.00 for the water connection to the Town culinary water system. Calvin asked where the water was coming from. Mayor Anderson said it comes from the springs and then the well, just like it has been.

AGENDA ITEM #11-DISCUSSION AND VOTE ON NO PARKING SIGNS AND ALTERNATE PARKING

Mayor Anderson said the sheriff was out this afternoon issuing warnings to a couple of cars that were parked by the fire hydrant. Mayor Anderson said the No Parking signs will be about \$40.00 each. Kelly asked why they couldn't park at the parking lot by the rock wall. Mayor Anderson said the school owns that, not the Town. No action was taken at this time.

AGENDA ITEM #12-DISCUSSION ON CEMETERY AND WORK PROJECT

Councilwoman Cibula had to leave. Mayor Anderson said he and Councilman Murphy will have a meeting next Tuesday night at 7:00 p.m., to go over what they have talked about before and the 3 work projects they have. Vickie asked Mayor Anderson if he had the list of volunteers who are willing to help with projects. Mayor Anderson said he thought he had it.

AGENDA ITEM #13-DISCUSSION ON JULY 24TH CELEBRATION ACTIVITIES

Vickie asked why the water fight was not on the list of activities. Mayor Anderson said it is not a Town sanctioned event and the Town doesn't want the liability for it.

Kelly said the theme was "A Community Built Through Generations of Service". She asked if there was a budget. Mayor Anderson went through the list of activities. Councilman Murphy and Councilman Gustin volunteered to be over the Lucky Square (Cow Pie Bingo). They did not get any volunteers for the lucky ball toss.

Kelly said she spent \$400.00 last year for the pageant and the parade. She said the town needs to buy flags to put up and down the street. She said she needs \$200.00 excluding the flags. Councilman Stark said she could have \$500.00. This was neither denied nor confirmed by the rest of the Council.

AGENDA ITEM #14 –ADJOURN PUBLIC MEETING

Councilman Murphy made a motion to adjourn the meeting. Mayor Anderson seconded it. Motion passed. Meeting adjourned at 10:30 p.m.