

PLACE: Cedar Fort Town Hall, 50 East Center Street, Cedar Fort Utah

TIME: 7:00 p.m.

MINUTES TAKEN BY: Vonda Cook

EMPLOYEES PRESENT:

Autumn Blackner – Treasurer, Jerry Lamoreaux – Water Systems Manager, Vonda Cook - Recorder

COUNCIL MEMBERS PRESENT:

Mayor Howard Anderson, Chris Murphy, Ellen Cibula, Richard Stark, David Gustin

VISITORS PRESENT:

Wyatt Hoisington, Bart Hoisington, Lori Adams, Lori C. Adams, Tandy Visser, Brad Visser, Lacie Harmon, Kristina Stark, Wendy Lojik, Josel Lamoreaux, Sharon Cook, Cody Cook, Carolyn Cook, Josh Watterson, SuzAnn Miller, Marlene Allen, Taras Lojik, Charlynn Anderson, Shannon Cleverley, Shantelle Cleverley, Marlene Allen, Calvin Cook

CALL TO ORDER

Mayor Anderson called the meeting to order at 7:00 p.m. All Council members were present. Bart Hoisington led the Pledge of Allegiance and Mayor Anderson offered the prayer.

Mayor Anderson made a motion to approve the Public Hearing meeting minutes for 22 August, 2017 as presented. Councilwoman Cibula seconded it. Motion passed unanimously.

Mayor Anderson made a motion to approve the regular meeting minutes for 22 August, 2017 as presented. Councilman Stark seconded it. Motion passed unanimously.

BUDGET

The Council reviewed the budget. Councilman Gustin asked why there was a negative balance on the cemetery. Councilman Stark said it had been miscoded. He said there were a couple of mistakes that they would have to correct with Casselle. Mayor Anderson asked what the check was for the fire department from Fairfield. Councilman Stark said the check was received this year but it was for last year.

BILLS

Councilman Gustin had a question about one of the park project payments. He said he thought the grant paid for everything. Mayor Anderson and Councilman Stark said it will come out of the park project. They explained that the Town pays for it and then gets reimbursed 96% of the cost.

Mayor Anderson made a motion to approve the bills as presented. Councilwoman Cibula seconded it. Motion passed unanimously.

WATER REPORT

Jerry reported that there was a leak at the PRV by Justin and Mindy Anderson's house. He said it had been leaking for awhile. He has checked with the sales rep and the part will be warranted. The lid is off so it can dry out so there are barricades around it. Councilman Stark thanked Jerry for all of the work he does. Councilman Gustin asked Jerry if there was something wrong with the PRV valve and asked if he was going to check the rest of them. Jerry said he was.

COUNCIL REPORTS

Councilman Murphy said they had a good turnout at the cemetery project. He reported that they are half way done with the mapping. There will be another work day at the cemetery on Saturday at 8:00 a.m. and they would appreciate any help they can get.

Councilman Stark asked if they were going to do any more mapping. Mayor Anderson said he would get with Vicki [Draper] on that because he has since put her over that.

Mayor Anderson reported that he had received notification from the County Commission that Cedar Fort will have to start paying for the Bookmobile. He said the County has come up with a fee schedule – 1 hr. /\$2800.00, 3 hrs./\$8400.00. Cedar Fort currently has a 3 hr. stop. With the help of the bookmobile people, Mayor Anderson figured out that the usage is about ¾ students and ¼ townspeople. The Town is proposing to send a letter to Alpine School District asking for some help. Mayor Anderson suggested they go to a 2 hr. stop and pay ¼ of it. He is going to talk to Paula Hill from the school board about it.

Charlynn wanted to know what Suzann's take on it was since she works in the school library. Suzann said they should ask the parents if their kids are getting enough books.

Charlynn said all of her grandkids enjoy the bookmobile as well as the townspeople. She said she has access to about any book she wants through the bookmobile because they have access to the Utah Library System. Wendy asked if the County was aware of our population and our budget. She asked if it would help if people would write letters. Mayor Anderson said if people feel strongly about the bookmobile, they should write letters to Paula Hill and the County Commissioners.

Charlynn pointed out that the bookmobile used to stop in Fairfield and at the subdivision but now it only stops in Cedar Fort because of the school. She said she sees a number of people from the subdivision using the bookmobile. She said the County needs to be made aware that not just Cedar Fort benefits from it.

Councilman Gustin said his family has been using the Eagle Mountain Library and it's free. Lori C. Adams suggested they approach Fairfield and see if they would help. Brad said since we have a limited budget, we should look at what we are allocating monies for and use our funds for the most important things.

AGENDA ITEM #1 – DISCUSSION ON CANDIDATE MEETINGS/DEBATES – FORMAT, CONTENT, TIME, WHO

Mayor Anderson said it was suggested at the last meeting to have Representative Mark Roberts write the questions and present them at the next meet the candidate's night. He said Rep. Roberts is willing to do that for us and Jake Andregg said he would come out too. He said since the last Town Council Meeting, the Council has received feedback from the residents that they want to ask their own questions.

Josel said the townspeople should be able to ask questions that are pertinent to them and the Town. She pointed out that a 3rd party doesn't know the town like the residents do. She said the town's people know what is important to them and they should be able to ask the questions. Mayor Anderson asked if anyone had any objection to Mark Roberts being the moderator. Josel said that would be fine.

Brad said there is going to be criticism and a lot of attention given to anyone who does this. He said that in order to vet the mayoral candidates they [residence] should be able to ask questions that are on their

minds. He continued by saying that they [residence] are trying to partner up with someone who can move the community forward. He said they don't want to limit the voice of the people just because they disagree with someone. He said he feels like everyone has a right to be heard even if it makes someone feel uncomfortable.

Mayor Anderson asked people to be thinking about what kind of format they wanted – pass around a box and put questions in or stand up and ask questions or what.

Kristina said she liked putting the questions in the box but the questions should be by the people and she thought the state representative asking the questions was a great idea. She also said she didn't think the mayoral candidates should be included because they have already answered questions at the last meet the candidates' night and also because it would take too long. Mayor Anderson suggested that maybe they hold two meetings. Kristina agreed. Jerry stated that a moderator would be ok as long as he asked questions from the Town.

Lori C. Adams said she felt that putting the questions in the box would be best. She thought that not all people can stand up and ask questions, but they can write them down on paper. She also thought a moderator from outside of Cedar Fort would be best.

Mayor Anderson summarized by asking if they wanted one meeting or two shorter meetings. The consensus from the audience was to have two meetings – a council candidate meeting and a mayoral candidate meeting. The consensus from the audience was to have 2 shorter meetings.

Lori Adams said she thought you should be able to either stand up and ask questions or write them down and put them in a box. She said an outside moderator was a great idea and there should be another mayoral night because there were some people that didn't get to attend the last one and they would like to hear what they have to say.

Mayor Anderson said one of the problems with the last format was that they got bogged down with the same question being asked more than once. There was discussion about the best way to do it. There were suggestions that they could have a site where people could go and ask their questions ahead of time and then they could be gone through to eliminate duplicates before the meeting.

Councilman Gustin said maybe they could have 2 [independent] moderators and they could briefly go through the questions and combines question that were close to the same.

Wendy complimented the way they did the last meeting. She said it was great to see people putting their questions in the box. She said she thought it was an extremely fair way to do it. She said it was an informative meeting. She suggested they come up with a way to ask questions ahead of time.

Mayor Anderson suggested that the two moderators could take 10 minutes and sort through the questions while the candidates gave their opening remarks. SuzAnn agreed that it would be good to combine questions that were the same.

Mayor Anderson said that way no one is stacking the social media deck and the questions would go into an empty box. He said they could have 10 minutes at the front and 50 minutes for questions. He said the council meeting will go slower because there are more candidates.

Lori Adams asked where it would be held. Mayor Anderson said it would be held at the community center and maybe they could ask everyone to bring their own chairs.

Charlynn said she thought this was a good way to go. She said the synopsis of the Lehi meeting didn't tell anyone anything.

There was a discussion on dates for the 2 meetings. Oct. 4, 11 or 18 were discussed. They will talk to candidates and see what they can work out.

Councilman Murphy said they need to decide how much time and how many questions they want to have and he thought the moderators will need more than 10 minutes to sort through the questions. He suggested they come up with a way to submit the questions beforehand. He said if the Council gets in the middle of deciding what questions are asked then someone is going to cry foul. He said they need to come up with a way to decide what questions get asked and how many will be asked and come up with a way to have those questions ready.

Tandy suggested they have a locked box somewhere. Councilman Cibula said you would run the risk of impropriety.

Charlynn pointed out that if you do anything beforehand there could be accusations of wrongdoing. She said there were accusations at the last meeting even doing it the way they did it. Jerry thought they should try to do it that night. Councilman Stark thought they should do it that night. He suggested the moderators could be going through the questions while the candidates were giving their comments. He didn't think the moderators necessarily needed to listen to the candidates comments.

Councilman Murphy suggested they ask people who want to submit a question to come 15-20 minutes early. Lori C. Adams suggested they have a signup sheet for questions. They discussed asking a certain number of questions vs. having a time limit. Jerry suggested they let people stand up and ask questions while they go through the box. The Council will consider the suggestions.

AGENDA ITEM #2 – DISCUSSION ON CHRISTMAS STREET PARTY PROPOSAL – HARMONY WITHERS

Harmony wasn't present to give her proposal. Mayor Anderson said they would put her on the next meeting agenda.

AGENDA ITEM #3 – DISCUSSION AND VOTE ON BART HOISINGTON WATER CONNECTION AND ZONING FOR IFA PROPERTY

Mr. Hoisington said they were in negotiations to buy the IFA building. He wanted to clarify the zoning and the water connection with the Town Council. Mayor Anderson asked him if he would be doing commercial/retail. Mr. Hoisington said retail was an aspect of the business [couldn't hear the rest]. He said they repair hydraulics plus they are retail too. He said they were looking for clarification or a green light.

Mr. Hoisington said he had talked to Dan Cary and the accountant [representing the IFA owner] and they showed him a plan that showed the water was there. He said he told them the Town is still concerned about it and they told him not to worry. Mayor Anderson said the Town's position is that you need 1.45 a.f. and that if the seller initiates a point of diversion change and a change of use in Mr. Hoisington's name, with the Town on it as the interested party and then the Town would ultimately be

the recipient of that. He said once the water right comes to Mr. Hoisington, they would transfer it to the Town.

Mayor Anderson told Mr. Hoisington the water hookup had been removed by a court decree. Councilman Murphy further explained that the water connection in question was one of the old connections that were sold by the Town. The owners of these hookups have title to them and were allowed to move them around as long as they disconnected from one piece of property they can move it to another. It is an asset they own so that was the nature of the hookup. He said that's not the way the Town does it now. Councilman Gustin said he would like to see the paperwork so they can figure out what the Town does from this point forward. He said you shouldn't be able to just take them back or move them around.

Mayor Anderson gave an example of the Cleverleys, who made application to the Town and were given the OK, and now then they go to the State and the Town allows them to build their home before the water is approved by the State.

Mayor Anderson said the same would apply to Mr. Hoisington's situation. He told Mr. Hoisington that as part of the sale he should require the sellers to give him 1.45 a.f. of water with the Town as an interested party. Councilman Gustin said this process needs to be reviewed. He said they are setting someone up to end up with a building they can't use if they don't get their water approved. Mr. Hoisington said according to the realtor, there is water with the building. He said it is in the real estate purchase agreement that the seller will provide water. He said the seller keeps assuring him that he won't have to deal with the water.

Councilman Murphy said the seller has not contacted or made any arrangements with the Town.

Councilman Gustin advised Mr. Hoisington to talk to an attorney before he signs anything. Mr. Hoisington said the water was the number one issue. Mayor Anderson said he would call Dan Cary again. The Council discussed whether the water could be directly transferred to the Town. They did not see a reason why it couldn't be.

Mayor Anderson asked if anyone had any issues with the zoning. Councilman Gustin asked Mr. Hoisington what would happen at the IFA. He said he was at the P&Z meeting and Mr. Hoisington's description then was a little different than now. He wanted to know what would happen outside the building. Mr. Hoisington said there will be a forklift, trucks (not semi), painted cylinders on pallets; repairs will be done on the inside. He said their long term goal was to repair from start to finish which will require bringing in a lathe and welder. He said the yard is just there mainly for inventory.

Charlynn ask what kind of impact there would be from noise and trucks. He said not much. He said there will be only 3 employees.

Wendy suggested they have a diagram of what's going to be in the yard and where everything will be so that down the road, there is no question about what was approved on either side. Councilman Gustin agreed that this would be a good idea. He said this is a commercial zone, not an industrial or manufacturing zone. He said it's not a lot of things. Councilman Gustin continued by saying it's not that there is no flexibility but the Town wants them to stay within the appropriate zoning. There are limits within the zoning, and the Council wants to protect the Town.

Councilman Gustin said he didn't think they had anything to vote on at this point Mayor Anderson said they would stay in touch.

AGENDA ITEM #4 – DISCUSSION AND VOTE ON SHANTELLE CLEVERLEY CULINARY WATER TRANSFER APPLICATION

Mayor Anderson said P&Z had approved the Cleverleys request for a culinary water connection. Councilman Gustin looked over their paper work. He said they have 2 a.f. of water and he asked them if they were giving 2 a.f. to the Town. Shannon said they thought they had to. Mayor Anderson said they only have to give 1.45 a.f. to the Town, but he told them if they deed it to the town, it is considered a gift. Councilman Murphy said they will not have any claim on it in the future and it doesn't give them any right to lower rates or anything. Councilman Gustin said you will never get it back.

Councilman Gustin said the water is coming from 54 West and it's been there since 1961. He said if they keep the ½ a.f. they will have to segregate it. Mayor Anderson said they will have to sell it or drill a well or something. Shantelle said they wanted to do whatever would get them in their house the fastest. Mayor Anderson said the water right was ok and if they wanted to think about the other [extra ½ a.f.] they could get back to him on that. Councilman Gustin pointed out that if they keep it, they need to do segregation first, otherwise they can go ahead with the change of use, etc. He said he wanted to make sure they understood. He also said if they accept the application tonight, they were accepting the 2 a.f. Shantelle said they wanted to move ahead and approve it with the 2 a.f. of water. Shannon said to do it with the 2.

Mayor Anderson made a motion to accept the Shannon and Shantelle Cleverleys Culinary Water Connection Application #2017-1. Vonda told them to use the new application number. Mayor Anderson corrected the motion saying it is application # 001 for water right number 54-1346. Motion passed unanimously.

Shannon asked if they had to put in a fire hydrant. Mayor Anderson told them there may be a water line in front of their place if the dates work out right. Councilman Gustin asked who was going to pay for the infrastructure. Mayor Anderson said CBDG would. Shannon said they were planning on paying for it.

Councilman Gustin said he wanted to make sure they understand that the ordinance says you pay for it. Shannon and Shantelle both said they understood.

AGENDA ITEM #5 – DISCUSSION AND VOTE ON CAROLYN COOK OUTBUILDING BUILDING PERMIT

Councilman Gustin said Mrs. Cook had made application to build an outbuilding. P&Z approved it. He said there will be no water or electricity or plumbing. He said it is a pre-fab barn. Carolyn brought a picture of the building. The highest section is 12 ft. and all setbacks are fine. Carolyn said there will be an automatic overhead door on one end. Councilwoman Cibula asked what the door was running on if she didn't have power. Councilman Gustin said she had not applied for any power. She said she would change it to a manual door. Councilman Gustin said Carolyn was not being approved for power.

Councilman Gustin made a motion to approve Carolyn Cook's outbuilding permit application #1260 located at 71 N. 100 W. for a proposed outbuilding/barn, non- agricultural. Councilman Stark seconded it. Motion passed unanimously

AGENDA ITEM #6 – DISCUSS AND VOTE ON JOSH WATTERSON OUTBUILDING BUILDING PERMIT

Councilman Gustin said he had reviewed the plan. He said the only thing was it was on a corner so the outbuilding had to be 40' from the road instead of 30'. Josh asked if it was 40' from the road or the property line. Councilman Gustin said it is the same thing. Josh made note of the corrected 40' setback on plan.

Councilman Gustin made a motion to accept Josh Watterson's outbuilding permit #1261 as proposed in the document specifically that it be 40' off Center Street to comply with our ordinances. Councilman Murphy seconded it. Motion passed unanimously. Councilman Stark asked how tall the building was. Councilman Gustin said it is 11 ft. on the sidewall with a 3/12 pitch which would gain more than a foot.

AGENDA ITEM #7 – DISCUSSION AND VOTE ON HOWARD ANDERSON CARPORT BUILDING PERMIT

Councilman Gustin said this application was for building permit #1262 for Howard Anderson for a prefab carport. It has sidewalls with open ends and is 11 ft. tall with 9 ft. sidewalls. It is in RA1 and complies with setbacks.

Councilman Gustin made a motion to accept Howard Anderson's outbuilding permit #1262 for a prefab carport as describes and depicted in the application. Councilwoman Cibula seconded it. Motion passed with Councilman Murphy, Gustin and Stark and Councilwoman Cibula voting yes and Mayor Anderson abstained.

AGENDA ITEM #8 – VOTE ON TARAS LOJIK COMMERCIAL BUSINESS LICENSE

Taras wants to put a small used car lot at the Junction Market. He said the cars will be on the back side where the propane is and he will have a small office in the empty end of the store.

Councilwoman Cibula asked what they were going to do about the old diesel pump. Taras said he was going to ask them to take it out and cap it or something. He also said he had the State guy come down and he suggested they use a small shed type outbuilding. Councilman Murphy and Councilman Gustin both said that would be a separate application and would have to be made by the store [owners].

Councilman Murphy asked if it needed to be approved by the Fire Chief. Taras said they said it didn't because they had approved the owners of the existing building. Councilman Gustin asked Taras if he had any other locations. Tara said no, he had lost his lease. The name of the business is TLW Auto and it will be a permanent business.

Councilman Murphy told Taras that the ordinance says you have to have a letter from the owner saying you are leasing from them. Tara said they will give him a contract if the Town will approve his permit. Councilman Murphy said it should be the other way around. Councilman Gustin said they could give him a license contingent upon receiving the letter from the owners. Tara said he is trying to make it work for himself and the Town even though it's not the best place for a business.

Councilman Murphy asked Tara why his sales tax license said Lehi on it. Taras explained that he won't change that until he gets the ok for a business in Cedar Fort. He said it is transferrable to whatever location he is doing business at.

Charlynn asked how many cars will be on the lot each day. Councilman Murphy said the application says 1-2 clients per day. Councilman Gustin asked Taras if he will be doing any service and repairs. Tara said no.

Councilman Stark asked what he was going to do for a sign. Taras said he wanted to put one above the door on the building. He said it will be about 4 ft. x 8 ft. Councilwoman Cibula pulled up the sign ordinance and it said you have to have a building permit for a sign. Taras said the State also has sign restrictions. The Council discussed whether they needed a permit for a sign on the building.

Councilman Stark asked how many cars he would have on the lot. Taras said 5-6 at a time. Taras asked if Junction Market could email their letter of intent to the Town. The Council discussed and decided that would be sufficient.

Councilman Murphy made a motion to approve the commercial business license application for Taras Lojik, "TLW Auto", contingent upon receiving a letter from Junction Market stating their agreement to sign a lease for the business. Mayor Anderson seconded it. The motion passed with Mayor Anderson, Councilmen Murphy and Gustin voting yes and Councilwoman Cibula and Councilman Stark voting no.

Vonda will not issue a business license permit until the letter from Junction Market is received.

AGENDA ITEM #9 – DISCUSSION ON CDBG PROJECTS FOR 2018

Mayor Anderson it is time to put in for next years' CBDG grant. He said they will have to do an LMI survey again this year to see if they qualify.

Councilman Gustin suggested they improve the rodeo grounds, with a new bathroom facility and improve the water and electricity to bring in more events. Councilman Stark said at one time they had entertained the idea of putting rubber under the playground equipment at the park. Councilman Gustin also suggested they could make some improvements at the fire station. Mayor Anderson suggested they could do more improvements to the community center. Lori C. Adams suggested maybe they could do a library in the community center. The Council will consider all ideas.

AGENDA ITEM #10 – ADJOURN PUBLIC MEETING

Councilman Murphy made a motion to adjourn. Councilman Stark seconded it. Motion passed unanimously. Meeting adjourned.