

MINUTES OF THE HUNTSVILLE TOWN COUNCIL

Thursday, May 1st, 2008

7:00 p.m.

Huntsville Town Hall

Present: Mayor James C. McKay
Council Member Max Ferre'
Council Member Jim Truett
Council Member Steve Johnson
Legal Council Jerald Engstrom
Clerk/Recorder Gail Ahlstrom

Excused: Council Member Richard Sorensen

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| Citizens: | Deputy Mike Chatelain | Ron Gault | Doug Allen |
| | Bonnie Sorensen | Alan Clapperton | Ramona Clapperton |
| | Carson McKay | Dave Jenkins | Ken Albertson |
| | Ron Gault | Regan Sorensen | Kilen Sorensen |
| | Franco Mortarotti | Sharon Wangsgard | Britain Sorensen |
| | Sam Hall | Jack Hall | John Posnien |
| | Kristin Johnson | Stephen Baker | Richard Baker |

The Pledge was led by CM Ferre'.

Mayor McKay stated that the public hearing was first on the agenda, but Dave Jenkins wondered if he could go first and then leave. The Mayor asked if any of the council would object.

Town Clean-Up:

Dave Jenkins wanted to find out from the council what work they want to accomplish at the town clean-up day on May 17th. The Mayor thought that some pruning at the town hall and the small park would be helpful. CM Truett liked the idea of working with the sheriff's office to block off the road on First Street while cutting back the trees. The cemetery could also use some attention. Dpt. Chatelain commented that placing some flashing barricades along First Street should work just fine on First Street. The Ogden Marathon is also being held on May 17th so he is committed to help out with that event. CM Truett thanked Dave for all his efforts.

Motion to adjourn Regular Council meeting to hold a public hearing:

CM Johnson made a motion to adjourn the regular council meeting to hold a public hearing. CM Ferre' seconded. All votes aye.

Public Hearing on proposed amendments to the Landfill Resolution, and to set fees: (See Att. #1)

CM Truett stated that the council is looking at establishing a \$5 daily fee for each person to use the landfill.

You can visit the landfill as much as you want during the hours of operation that day, for a fee of \$5 total that day. The landfill has been a benefit to the citizens in town. By charging a minimal fee it will help offset a few of the costs of the landfill such as: wages, back hoe, and fuel. Franco Mortarotti asked how many visits there is a day? CM Truett replied that he has this info at home, but he guessed that on a Saturday there is 10-15 visits and on Wednesday 5-6 visits. A notice will be sent out with the May water bills so everyone will know of the change. Mayor asked those who have comments to please come to the microphone. Franco asked how much revenue the town expects to raise with this fee. CM Truett replied \$50–60 a day on Saturdays; it costs the town \$45 in wages just for Saturday. The landfill is open from 10 a.m.-2 p.m. on Saturdays and Wednesdays from 6:30-8:00 p.m. The landfill opens on May 3rd, this is a week later than normal so the road can dry out a little bit more, and it stays open until weather interferes. Ron Gault stated that there will need to be a slight verbiage change made to the ordinance.

Motion to close the public hearing and re-convene to the Regular Council Meeting:

Mayor McKay made a motion to close the public hearing and re-convene to the regular council meeting. CM Johnson seconded. All votes aye. Motion does pass.

Discussion about town easement issues: (Scott & Nicole Kinnear)

Mayor McKay stated that Nicole Kinnear asked to be on tonight’s agenda to discuss town easements issues. The clerk received a call from Nicole about an hour ago saying that they wouldn’t be able to make it to the meeting.

Department Reports:

***Mayor McKay:**

Set date for work session to discuss the new 2008-2009 budget:

Mayor McKay made a motion to hold a work session on June 5th @ 6:00 p.m. for the council to consider issues relative to the 2008-09 budget. CM Johnson seconded. All votes aye. Motion does pass.

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| Roll: | Mayor McKay | <u>Aye</u> | CM Ferre’ | <u>Aye</u> |
| | CM Truett | <u>Aye</u> | CM Johnson | <u>Aye</u> |
| | CM Sorensen | <u>Excused</u> | | |

Mayor McKay made a motion to hold a public hearing on June 19th @ 7:00 on the amended 2007-08 budget and the proposed preliminary budget for 2008-09. The town is required to submit the new budget to the state by June 22. If a decision was made to adjust the property tax, then the town has till August. CM Ferre’ seconded. All votes aye. Motion does pass. Mayor McKay informed the council on the budget process. The council will hold their work session on the budget on June 5th. The budget will be available for public inspection a week prior to the public hearing on June 19th.

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| Roll: | Mayor McKay | <u>Aye</u> | CM Ferre’ | <u>Aye</u> |
| | CM Truett | <u>Aye</u> | CM Johnson | <u>Aye</u> |
| | CM Sorensen | <u>Excused</u> | | |

Discussion on proposed preliminary budget for fiscal year 2008-2009: (See Attachment #2)

The Mayor remarked that tonight the main focus in terms of the town's budget is that state statute causes that on the first meeting in May each year that the council is presented with the preliminary budget for the new fiscal year coming up. This is a difficult task because the town is lacking three months of figures. The treasurer makes her best effort to at least share current observations in regards to budget. Mayor McKay personally thanked Ramona Clapperton, the town's treasurer, for the time she has put in analyzing facts and figures.

Ramona approached the council and went over the anticipated budget items of the preliminary budget. Ramona doesn't know any of the final figures yet. She included the new landfill fees of \$2,000. Ramona stated that the budget is less than what there has been in the past. Revenues have decreased due to sales and use tax being lower than in the past. Ramona stated that she is trying to be conservative this year on expenditures. In the Enterprise Fund she anticipated the consideration of a rate increase and this increase was included in the proposed figures. Any input from the council on the budget is appreciated. The work session will help Ramona in preparing the final budget. They are also considering increasing cemetery permit fees. Basically, she is looking at revenues being less than in the past and reducing expenses. There has been a deterioration of the balance moving forward. The hope is to be able to end up this next year with money left over to add to fund balances. Interest rate on the reserves has reduced and sales tax revenue has decreased. There may be some additional slowing due to economy. The town is experiencing increased costs. As a town we are no different. Anytime the town fills up a gas tank or provides a service it is costing the town more. There have been additional fees are delivery and services. CM Truett agrees that everything is costing more money these days, and the town should supplement its income and increase revenue for the town, while decreasing some of its expenses. **CM Ferre' made a motion to approve the preliminary budget.** CM Truett seconded. All votes aye.

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|--------------|-------------|----------------|------------|------------|
| Roll: | Mayor McKay | <u>Aye</u> | CM Ferre' | <u>Aye</u> |
| | CM Truett | <u>Aye</u> | CM Johnson | <u>Aye</u> |
| | CM Sorensen | <u>Excused</u> | | |

***Council Member Truett:**

Discussion and/or action on amendments to the Landfill Resolution, and to set fees: (See Att. #3)

CM Truett stated that just to man the landfill for one week costs the town \$97.50. With an average of 20 visits a week, this would bring in \$100. This will not be a money maker for the town. Imposing a fee of \$5 per day per resident would only cover wages. Doug Allen asked if there has ever been any discussion as to whether the town would allow non-residence to use the landfill and charge them. CM Truett stated that this is something to look at in the future. John Posnien stated that this issue has been discussed in the past, and due to the size limitations of the landfill the decision was made to keep the landfill for residents only. The idea for the fee is not to make money but to offset costs.

Mayor recommended checking the landfill ordinance against the proposed resolution, there needs to be conformity between the two. Ron read from the existing landfill ordinance. In the ordinance it referred to a \$20 fee per ton to use the landfill. CM Truett is unaware of any time that the town has ever charged to use the landfill.

Mayor asked Mr. Engstrom if the council can go ahead and adopt the proposed resolution with the minor word change. The ordinance allows the council to adopt a resolution to establish fees. Mr. Engstrom recommended holding a public hearing to amend the verbiage. **CM Truett made a motion to hold a public hearing on May 15th @ 7:00 p.m. to readopt the Landfill Ordinance to amend verbiage.** CM Johnson seconded. All votes aye. Motion does pass. Public hearing and then adopt change in ordinance at same meeting adopt fee resolution.

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|--------------|-------------|----------------|------------|------------|
| Roll: | Mayor McKay | <u>Aye</u> | CM Ferre' | <u>Aye</u> |
| | CM Truett | <u>Aye</u> | CM Johnson | <u>Aye</u> |
| | CM Sorensen | <u>Excused</u> | | |

Secondary water update:

CM Truett turned the time over to Doug Allen the vice president of the secondary water board. Doug reported that they are unsure of when the water will be turned on, but it should be on within the next week. There are a couple of trees that need to be moved out of a ditch. This should be done soon. Glen Thompson was going to talk to Steve Songer about water pressure problems in the west end of town. The water board decided to move forward with additional water lines down there, they plan to loop lines to better serve the subdivision north of First Street. Some people are using more than their share of water. Wayne Rollo is the Water Master and will be addressing some of these issues. The secondary water board allowed some drip irrigation systems to be tapped into at a number of locations, to provide water to trees that have been planted over the years. There could be leaks on these drip lines taking pressure from the irrigation, it's a concern to the water company. They will be trying to locate all of these drip systems to check for possible leaks in the system.

Doug Allen brought up issue of the town verge and alleyways. There has been discussion in two of their water meetings about pipe and lot size. The verge is town property that is along every street in town. Doug did some measurements at his place. The town wants to have people take care of the verge to help make the town beautiful. Just for information purposes Doug reported that on a standard ¾ lot there is 34,000 sq ft of watered lawn inside property lines. On his corner lot, outside his property lines there are 19,350 sq ft of property from the pavement. There is 45 feet from pavement to fence line and if you throw in 4290 sq ft of alley way. Each corner lot in town has approx. 60,000 sq ft. Doug questioned if it is possible to water that much property with a one inch connection. If we continue to have problems with service the town might need to upgrade the size of the pipes. Doug remarked that 148 years ago someone said the town roads needed to be 99 feet wide. Doug doesn't know why we need to do this today. Most roads in town have 25 feet of pavement, leaving 37 feet of unpaved road on both sides of the road. If the town gave up 20 feet of the verge to the property owners and kept 17 feet of the verge it would still be a generous amount of property for an easement, for utilities. If town were to surrenders this excess property it would have less property to take care of and still leave ample footage to for easements.

CM Truett asked if they have any plans for repairs this spring. Doug stated that the secondary water board allocated \$20,000 last year to install a valve between the post office and by head gate at the pond, for emergency shut off purposes. Wayne Rollo found the valve right below the pond.

They plan to do some minor repairs on a valve by Rex Harris'. The looping of pipes will be done down by Truett's subdivision and can be fixed in a day. Mayor McKay commented on the idea of the town vacating part of the verge. The positive side to the large verge is that the citizens can use the property and don't have to pay taxes on it.

Cemetery update:

CM Truett reported that they had a cemetery meeting and have a better idea on what is going on. First of all, CM Truett received an estimate from Grass Plus to maintain the cemetery, to mow, spray, trim, etc. The estimate was about ten times higher than he thought it would be. Second, CM Truett talked to Cathy Stoker about raising price of plots. Cathy will be calling around to see what other cemeteries charge. Eden charges \$200 for residents and \$500 for non-residents. Liberty charges \$150 for residents and non-residents \$400. Huntsville charges \$350 for both residents and non-residents. Huntsville charges \$350 for both residents and non-residents. CM Truett would like to raise the fee for outside residents more. CM Truett is looking in his departments for ways to offset some of the costs. If town is below the norm we should raise the fees. Most towns are charging more for non-residents.

CM Truett asked Grass Plus to help at the cemetery with the sprinkler system when the water is turned on. The two ton 76 GMC truck is not running, it is used at the cemetery when graves are dug. The truck will be worked on this week. Right now the town is borrowing a truck from Wasatch Paving.

CM Truett would like to get a log book in the back hoe. Lonny Bailey, who digs graves for the town, because of his work schedule is coming down to cemetery late at night to find that the truck is out of fuel. CM Truett asked; if tank is below ½ tank, please fill it up. John asked how many people have access to the back hoe. Town employees are only ones CM Truett knows of. There are only 4-5 people who know how to run it.

GEM Committee report:

CM Truett went to the GEM meeting today at the Ogden Valley Library. GEM stands for Growth with Excellence Mandate. It's a group of Ogden Valley people who are looking into the growth in the valley and how to control it. CM Sorensen usually attends this meeting. Bonnie Parks from Park City reported on the parks and recreation district. All amenities are funded by grants, bonds, taxes, and impact fees. They buy open space supported by bonds, and paid back by taxes. People who make up this committee are Buck Froerer from Weber School District, Wolf Creek Resort, Ogden Valley Pathways, Liberty Parks, and Eden Park.

Discussion on fund raiser:

CM Truett remarked that the town has been approached about using the stage area to hold a fund raiser event in the park on May 31, for the Yoak's, who have been the caretakers of Red Rock Ranch. The event is planned from noon to dusk. There will be local Cowboy poets and country bands performing. No food will be served. They will be advertising the event in the Ogden Valley News. The money raised will help them with their move. The council was in favor of having the town participates in this event.

***Council. Member Ferre’:**

Department reports:

CM Ferre reported that the annual drinking water quality report will be coming out in the May water bills, this is a state requirement. Wayne Hadley has straightened all the street signs and repaired grass in the park, and is working on getting grass fixed on private property damaged by the snow plow. CM Ferre’ spoke to Blake Powell, who is the physical facilities manager for the LDS Church to get their permission to put in the French drain between the LDS church and the dentist office. This project has been approved. Blake got in touch with CM Ferre’ to let him know that if there is a cost to the church, he will need to get this approved.

CM Ferre’ reported that the chuck holes will be filled next week as long as the weather is dry.

***Council Member Johnson:**

Set date for work session on proposed Culinary Water Ordinance:

CM Johnson made a motion to set a work session on the culinary water ordinance for May 15th @ 6:00 p.m. CM Truett seconded. All votes aye. Motion does pass.

Department reports: (See Attachment’s #3-&-#4)

CM Johnson looked in to current and recent building permit fees and the town is looking pretty good. CM Johnson had questions on one of the building permits, it’s a current permit.

CM Johnson reported that the planning commission wanted direction from the town council on the following: they would like to restrict the square footage of homes and to relook at the height restriction requirements. Mr. Engstrom recommended having the planning commission draft their proposals first and then bring them to the town council. The planning commission wants to know if the council wants to relook at these restrictions. Should the planning commission spend time pursuing them and will they be enforced by the town. Second issue, rental units are they allowed and if not what action will be taken. There are homes in town that are renting out apartments in a single family home. The Mayor replied that the town can’t take action on an issue unless the council knows about it. Alan commented that the issue is, is the town going to enforce the existing ordinance or does the town need to change the ordinance. The town now has an ordinance enforcement officer, Iris Hennon. CM Johnson handles anything that falls under ordinance violations, when he is notified that there is a violation he will then contact Iris Hennen and follow the set procedure.

The next issue is that the planning commission would like to restrict the sale of homes to a primary resident only. Mr. Engstrom stated that this would be unconstitutional. This issue started with the idea of the cabin selling time shares. The planning commission asked where the town council sits on creating an alternate member of the planning commission. CM Johnson has the information needed from the Land Use Handbook for Planning Commissions. CM Johnson feels that the council should instigate this; he will get with Ron Gault and prepare an ordinance to set up the planning commission with an alternate seat. The alternate planning commission member would sit in on their meetings and could only vote if one of the other commission members was absent. There was discussion as to how the alternate member would vote. CM Johnson will get more clarification as to what the planning commission wants.

***Council Member Sorensen: (Excused)**

New Business.

Mayor McKay brought up an email from CM Truett wanting clarification in regard to the gambling laws in the state. CM Truett wanted to know what Mr. Engstrom thinks about the idea of auctioning off a Harley Davidson at the 4th of July Celebration and why the town's attorney hadn't been asked about this issue. Mr. Engstrom made copies of the states gambling laws for each of the council to review.

Citizen Comments:

John stated that he is not against helping people out. He just doesn't like inviting outsiders in to use the town's facilities.

Approval of Town Council minutes for meeting held April 17th, 2008:

CM Johnson made a motion to approve the minutes, as prepared. CM Ferre' seconded. All votes aye. Minutes are approved.

Approval of Summary of minutes for meeting held April 17th, 2008:

CM Ferre' made a motion to approve the summary as prepared. CM Johnson seconded. All votes aye. Summary is approved.

Mayor asked about the summary of the minutes. He wondered if they are still necessary since the full minutes are on the website as well as the recording. The Mayor doesn't see a need for the summary anymore. **Mayor McKay made a motion to eliminate the summary of minutes.** CM Ferre' seconded. All votes aye.

Approval of Work Session minutes #1 for meetings held April 17th, 2008:

Cm Truett made a motion to approve the minutes for work session #1 as prepared. CM Johnson seconded. All votes aye. Minutes are approved.

Approval of Work Session minutes #2 for meeting held April 17th, 2008:

CM Johnson made a motion to approve work session minutes #2 as prepared. CM Truett seconded. All votes aye. Motion does pass. Minutes are approved.

Mayor McKay mentioned that the item on the agenda has been discussed. CM Ferre' made a motion to adjourn. CM Johnson seconded. All votes aye.

Meeting adjourned at 8:30 a.m.

Gail Ahlstrom, Clerk/Recorder

James C. McKay, Mayor

