

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, April 8th, 2010

7:00 p.m.

Huntsville Town Hall

Present: Mayor James A. Truett
Council Member Richard Sorensen
Council Member Max Ferre'
Council Member Alan Clapperton
Clerk/Recorder, Gail Ahlstrom
Legal Council Jerald Engstrom

Excused: Council Member Steve Johnson

Citizens:	Kevin Brown	Levi Melehes	Cory Thompson
	Ron Gault	Sgt. Ryon Hadley	Paul Avner
	Casey Pratt	John Posnien	Ramona Clapperton

Mayor Truett called the meeting to order and welcomed all in attendance. There is a quorum present tonight.

The pledge was led by Kevin Brown.

Public Comment:

There were none.

Levi Melehes (Club Rec.) concerns about proposed Toll Booth on First Street:

Levi Melehes introduced himself; he is one of the three co-owners of Club Rec. which is located at the marina and they rent out boats, jet skis, kayaks etc. Levi expressed his concerned about the tollbooth that the council is proposing for First Street this spring. A lot of their employees are from Huntsville and the valley. Levi is concerned about his employees having to pay a fee to go to work every day. As a small company, Levi doesn't want this to have a negative impact on his business. Levi would like to work out a solution with the Town for the Club Rec. employees so they won't have to pay a fee at the tollbooth everyday they work. Currently AL&L does not charge them to go through their tollbooth. Club Rec. contracts with AL&L to run their business at the marina. They have 3-4 employees during the week, and on the weekend 5-6 employees. Mayor Truett stated that their employees shouldn't have to pay the toll but their customers will. The Mayor suggested that Club Rec. should call AL&L about this concern. Mayor Truett stated that he called the District Leader at the Forest Service and Scott Layton this week; the conversation was that the Town doesn't want to put up the tollbooth, but would like some type of solution to help bring in revenue for road repairs on First Street on a continuing basis. The Town is willing to work with Club Rec. CM Clapperton stated that the intent of the letter was not to hinder local residents or businesses. AL&L has not been willing to work with the Town at all. He agreed to not charging Club Rec. employees or even AL&L employees.

Club Rec. has employee passes with a picture on them that identify their employees as legitimate employees. Mayor Truett stated that the intent of the tollbooth was not to burden anyone; the concern is the repair and continued maintenance of the First Street, and AL&L has been unwilling to come to any compromise with the Town. Mayor Truett reported that Huntsville Town has 9.57 miles of road. The Town receives \$38,000 per year in B&C road funds. If the Town saved all the B&C road funds each year it would take 8.5 years to facilitate a reconstruction of First Street. There would be no money for pot hole repairs, crack seal, snow removal, truck repairs, wages, etc. Scott Layton proposed having AL&L collect \$2 per vehicle, for the Town up to \$25,000, and once that goal was met the extra fee would be removed. The Town would charge \$3 per vehicle because the Town would have to pay an employee to sit in the tollbooth. Mayor Truett promised to not impact Club Rec.'s business with the tollbooth. There is no positive impact to Huntsville to have the reservoir around us, but there are definitely negative impacts to the Town. It will happen if there is no compromise.

Motion to adjourn Regular Council meeting to hold Public Hearing:

CM Ferre' made a motion to adjourn the regular Council meeting to hold a public hearing. CM Clapperton seconded. All votes aye. Motion passed.

Roll:	Kevin Brown	Cory Thompson	Ron Gault
	Sgt. Ryon Hadley	Ramona Clapperton	

Public Hearing on adoption of Ordinance to finalize re-zone of Cory & Kathryn Thompson's property located at 7300 E. and First Street: (See Attachment #1)

Mayor Truett explained that this public hearing is to adopt an ordinance to finalize the re-zone of Cory & Kathryn Thompson's property from Residential-1 to Commercial-1. CM Clapperton read from the proposed ordinance. The meeting was opened for public comment. There was none.

Motion to close Public Hearing and reconvene the Regular Council meeting:

Mayor Truett made a motion to close the public hearing and reconvene the regular council meeting. CM Ferre' seconded. All votes aye. Motion passed.

Ron Gault, PC updates: (See Attachment #2 & #3 & #4)

Ron reported that the PC would like to propose to the TC that the Town send letters to all the property owners that border the Town. Gail has prepared a map of the proposed properties along with the property owner's names and addresses. A self addressed and stamped post card will be included with the letter. The property owner can check a box indicating interest or not and drop the post card in the mail. CM Clapperton read from the proposed letter. A comment section will be added to the post card. Gail will get the letters mailed out first thing next week.

***Mayor Truett:**

Discussion and/or action on Craig Peterson's request to consolidate his two lots located at 680 S. 7625 E.: (See Attachment #5) Mayor Truett read from the proposed letter prepared by Ron Gault and the PC about Craig Peterson's request to consolidate his two lots into one. The Mayor explained that a few years ago Orvis Peterson was living in one of Craig's outbuildings and the council at that time stipulated that Craig subdivide his property because you can't have two residences on one lot. Since then, Orvis has passed away and Craig is burdened with high taxes.

Craig's intention is to essentially reduce his property taxes. Gail will mail the letter to Craig.

Discussion and/or action to finalize contract signatures for sewer feasibility study:

(Kevin Brown) Mayor Truett mentioned that Kevin Brown is here with the final contracts for the sewer feasibility study. Mr. Engstrom has approved the contract, which is specifically for the feasibility study. Kevin informed the council that from this point they will set up a kick off meeting with both the PC and TC and hold a public meeting with the community to explain what the scope of work is going to include. They will collect data, run scenarios, and do cost and rate projections. At the end of the study they will set up another public meeting to report on the findings. Then a decision will be made whether to move forward or wait. The study is a comprehensive study including Huntsville Town, and the surrounding unincorporated areas. The study will take about five months. Kevin feels that the Town will be pleased with the final product.

Cell Tower update:

Mayor Truett reported that he, Mr. Engstrom, and Brad Slater are going to meet with Jan Zogmeister at the county next week to finalize the details of the cell tower rental.

Justice Court update:

Mayor Truett reported that he and Mr. Engstrom met on March 24th with the Roy City. Right now it looks like there is approval for Judge Waterfall, from the Roy Court, to come to Huntsville for Huntsville Town traffic tickets. Ramona Clapperton will be the court clerk; she has served in this capacity before. Mr. Engstrom will meet next week with Dave Wilson, and Chris Davis to see if he can work out an agreement to have Huntsville Town do the whole Ogden Valley traffic tickets. This is only for people who want to protest their ticket. W.C. doesn't want to lose money; they get 50% of what the Roy Court brings in. What Mr. Engstrom is going to propose is that any tickets written in the Ogden Valley or Ogden Canyon, if they want to protest their ticket they can come to the Huntsville Town Court and the money will be split into 1/3's between W.C., Roy, and Huntsville Town. Huntsville will host the court to facilitate the valley the Town will get 1/3. If the ticket is mailed to Roy the Town will get nothing. Sgt. Hadley thinks most people will just mail their fine in to Roy. Ramona asked who will be entering the tickets into the Coris system. Huntsville Town will be an extension of the Roy City Court. The Mayor is trying to make it more convenient for the Ogden Valley citizens. There are still a couple of details that need to be worked out. Mr. Engstrom feels that this proposal is workable.

Valley School Property update:

Mayor Truett reported that the Town is at a stale mate right now with the three party land trade. They are still trying to work out a road access with the Monastery into the 11 acres the Town owns by the landfill.

Schedule Appreciation BBQ for Fire and Sheriff's Departments:

Mayor Truett would like to schedule an appreciation BBQ for the W.C. Sheriff's who patrol the valley, the Huntsville and Eden Firemen and their families. As a way of thanking them for all they do for our Town. The date was set for August 28th @ 6:00 p.m.

Update on delinquent water bills, prior vs. current:

Mayor Truett reported on the delinquent water bills, from January 30th, when the new collection procedure was established thru March 31st. The Town has collected almost \$3,000 in past due debts. There has only been one shut off, the home has been foreclosed and is owned by the bank. The process is working.

Set date for Work Session for a Preliminary Budget review:

Mayor Truett set a date for the preliminary budget review for April 28th, at 7:00 p.m.

Department Reports:

Mayor Truett stated that he was signing checks yesterday and came across Stuart Murray's bill. He is the Town's Building Inspector. Lane Christensen is remodeling his building; he paid \$220 for his permit. Stuart has done four inspections on this property for a total cost of \$354. The Town is now in the hole \$129 and the building still isn't done. The Mayor recommended getting a resolution in place that says, if the inspection fees exceed the amount collected for a building permit the property owner is required to pay the Town the difference. Gail will work with CM Johnson on preparing this resolution.

CM Sorensen thought it would be wise for each of the council members to get together with Ramona and go over the last couple months of bills for their departments, to look specifically for any overage or recurring charges. Ramona does a really good job, but the council is responsible to help her watch for any type of over charges.

Sheriff's Department report:

Sgt. Hadley presented the February's Sheriff's department report. In Huntsville, for the month of February, there were 14 generated calls, and only 4 were actual crimes or problems. They responded to two medical calls, one vehicle burglary, one alarm, two animal complaints, two residential burglaries, one premise check, one citizen assist, one ordinance violation, one follow up to another activity, one motorist assist, and one traffic control. There were three citations issued in the Town. In comparison to the valley, not including the Town, there were 294 cases called in, 103 of those were actual crimes. Mayor Truett asked if Eden is the hot spot. Sgt. Hadley replied yes. There have been thefts from the storage sheds and two houses. The criminals are pulling trailers up to the houses and are completely emptying them out. One was a vacant home. The other home was in Liberty, the family left for two hours and when they came home things were gone.

***Council Member Sorensen:**

Discussion and/or action on expenditure for sander rack:

CM Sorensen mentioned the Town's insurance risk manager has recommended that the Town store the truck sander in a safer manner. CM Sorensen has taken pictures of different sander racks from other communities, which he shared with the council. CM Sorensen stated that the advantages of having a sander rack would be that the Town would be in compliance with the insurance company, it would be a safer storage option, and it will be easier to clean and maintain. CM Sorensen had Dave Morse and Wayne Hadley look at the drawings and said they could build one for about \$1,600.00. **CM Sorensen made a motion to authorize the expenditure of up to \$1,800 to cover the cost of the sander rack and further move that we authorize Dave Morse to build the rack.**

The money will come out of road fund. CM Ferre' seconded. All votes aye. Motion passed.

Roll Call:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Sorensen	<u>Yea</u>	CM Johnson	<u>Excused</u>
	CM Clapperton	<u>Yea</u>		

Department Reports:

Ice Rink: CM Sorensen reported on the ice rink, this year the rink had the biggest usage. The skate rentals were a big hit. Texas Pride Grille helped with the rentals and it was a win/win situation for both the Town and the grille. They promoted skating and then people would eat at the Texas Grill. CM Truett asked if it costs the Town much to facilitate the ice rink. CM Sorensen commented that the main expense for the ice rink would be the fuel for the tractor; he filled the tank twice this winter. CM Sorensen reported that the lawn appears to be recovering nicely. CM Sorensen added up the volunteer hours for the ice rink, he came up with a total of 240 hours put into the ice rink, spread over 10 people. The grants allow \$20 per volunteer hours, this equals a value of \$4,800 for the residents.

Park lighting: CM Sorensen reported that he met with Kim Garver today; he will install a subpanel on the light. The timer will be put in a locked box. The timer will override the existing manual timer. The lights will automatically shut off at 10:00 p.m.

Town shed siren: The siren at the Town sheds has not been working for a couple of years. Tim offered to fix the siren for free.

Landfill: CM Sorensen reported that the landfill is opening this Saturday from 10 a.m.-2 p.m. It will be opened on Wednesday nights when needed. Free dumping of trees, limbs, and branches will be allowed through April. This will help accumulate more material for mulching. The grant of \$5,000 will pay for the mulching which needs to be completed prior to June 2010. The other part of the grant is that the Town has to show volunteer hours. Volunteers are needed to help fence the north and west side of the landfill area. There needs to be 70-80 volunteer hours.

Hair Salon: CM Sorensen reported on the Town's hair salon building roof repair. The roof has been leaking for years and there is damage to the ceiling, walls, and the floor. The roof has been repaired, the lathe and plaster has been replaced with drywall. The building overall is in poor condition. Margaret Harris rents the building. The rent is about \$75.00 per month. Margaret pays all utilities on the building.

Equipment maintenance: CM Sorensen reported on the equipment maintenance. The Town has been able to turn in the back hoe every couple of years for a newer model, but this year we weren't able to do so. We need to take better care of Town equipment. CM Sorensen spoke with the maintenance manager for Harrisville and he gave CM Sorensen a sample spread sheet they use to keep track of all the maintenance on all of their equipment. CM Sorensen asked Wayne Hadley to be the overseer of the Town's equipment. Wayne will take an inventory of all Town equipment. This will initially take a few hours to get organized. In conjunction with this, all drivers will have to fill out a report on the equipment they are going to use, and if there is any type of maintenance issue they will let Wayne know.

Ramona mentioned that the same type of schedule needs to be set up for the Town playground. The Mayor mentioned that Cory Thompson is willing to sale one of his trucks to the Town for \$10,000, it's worth \$20,000.

John asked who is going to be responsible to turn on the lights on and off at the Town Hall, the park, tennis court, and ice rink. CM Ferre' thinks this has been solved by the new timer being installed. John asked who is making the decision on who is using the Town's equipment; someone needs to be responsible for each piece of equipment. The Mayor replied that the council members are ultimately responsible for the Town's equipment, and is currently assigned to CM Sorensen. CM Ferre' suggested making a list of who is allowed on what equipment.

***Council Member Ferre':**

Discussion and/or action to accept the Joint Highway Committee Grant and approve the Town's percentage matching funds: CM Ferre' reported that he attended a UDOT meeting on March 31st, and found out that there is no second round of stimulus funds for First Street. In order for the Town to be prepared to accept the Joint Highway Non-Urban grant should it become available before 2015, **CM Ferre' made a motion to put \$21,000 of the B&C road funds in a special account to cover the matching percentage required of the Town, for the Joint Highway Non-Urban grant of \$300,000 received in February of this year.** CM Sorensen seconded. CM Ferre' clarified that the \$21,000 is what the Town has to have for the 6% matching funds to qualify for the grant. If the grant becomes available before 2015, the Town will be prepared and will have the money set aside. There is a chance that the Town could be moved up in priority. CM Ferre' wants the town to be prepared. Rex Harris has arranged for UDOT to put together the construction bid on First Street.

The funds need to be in place if the grant comes through on time or in case the funding comes through early. Ramona reported that there is \$32,168.97 in the Town's B&C road fund; this includes a deposit in March. Deposits to the B&C road fund are made four times a year.

CM Ferre' amended the motion to take \$10,500.00 out of the B&C Road Funds this fiscal year ending June 30th, to be set aside in the Capital Fund in a designated category for the repaving of First Street, and in the next fiscal year transfer another \$10,500.00. CM Sorensen seconded. All votes aye. Motion passed.

Roll Call:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Sorensen	<u>Yea</u>	CM Johnson	<u>Excused</u>
	CM Clapperton	<u>Yea</u>		

Update on roads:

CM Ferre' stated that all road signs need to meet requirements on reflectivity by 2015 or be replaced.

CM Ferre' stated that we need to find out the length of all the roads in Town. The last time this was checked and updated was in 2003. The Town can use a GIS map to do this. Curtis Christensen the W.C. Engineer said he would help us. Rex Harris did a quick inventory and came up with 9.64 miles of paved road and 0.61 miles of gravel roadway. There has been a new subdivision since then, and Jeff Holt put in a 130 foot road to his home, and the road to the

cemetery. CM Sorensen asked if all the alleys could be counted as well as the landfill road. These figures determine how much the Town receives from the B&C funds.

Town Clean-up update:

CM Ferre' reported that Dave Jenkins has agreed to be in charge of the Town clean-up again this year. The council agreed with May 15th. Dave would like a list of items that need to be done.

Water plant report:

CM Ferre' reported that the cost of the particle counters and installation is between \$11-12,000. They have been installed and the Town should be receiving a bill for them shortly. CM Ferre' asked the council which fund should this expenditure come out of. The council agreed that the funds should come out of the General Fund.

Discussion and/or action to reinstate prayer to the agenda:

CM Ferre' asked the council if they are interested in reinstating prayer at the TC meetings. Mayor Truett stated that at the WACOG meetings they have prayer. Mr. Engstrom warned that anyone who wants to pray or speak has to be allowed to do so. There should be a procedure in place. There should be a one minute time limit. Anyone who wants to do the opening ceremony should contact Gail in advance. **CM Sorensen made a motion to allow an opening ceremony to be added to the TC agenda.** CM Ferre' seconded. All votes aye. Motion passed.

Roll Call:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Sorensen	<u>Yea</u>	CM Johnson	<u>Excused</u>
	CM Clapperton	<u>Yea</u>		

Mayor Truett spoke with George Remkes about building the tollbooth that will be placed on First Street. CM Clapperton reported that the State Parks will not let the Town use their tollbooth.

***Council Alan Clapperton:**

Discussion and/or action on adoption of Ordinance to re-zone Thompson property from Residentail-1 to Commercial-1: **CM Clapperton made a motion to adopt the ordinance to re-zone Cory Thompson's property as presented.** CM Sorensen seconded. All votes aye. Motion passed.

Roll Call:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Sorensen	<u>Yea</u>	CM Johnson	<u>Excused</u>
	CM Clapperton	<u>Yea</u>		

Discussion and/or action on proposed letter to solicit annexation of bordering property owners: **CM Clapperton made a motion to authorize the letter to be sent to solicit annexation from bordering property owners.** CM Ferre' seconded. All votes aye. Motion passed.

Roll Call:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Sorensen	<u>Yea</u>	CM Johnson	<u>Excused</u>
	CM Clapperton	<u>Yea</u>		

Set Public Hearing date to amend Title 12: in regards to No Beach Access Parking, Memorial Day thru Labor Day: (See Attachment #6) CM Clapperton passed out a copy of the proposed changes to Title 12: Parking and Overnight Camping Ordinance for the council's review. CM Clapperton explained that Section 12.3 will be added: Beach Access Parking. "It shall be unlawful to park or cause to be parked any vehicle in the Town boundaries while accessing the beach areas in Huntsville and surrounding areas during the time period from Memorial Day through Labor Day." Mayor Truett asked if the Town can say no one can park to access Forest Service property. CM Sorensen suggested waiting to see if there is a problem with parking before this amendment is made and signs are posted. The Mayor stated that if the Town posts No Parking signs at the beach access areas, people will start parking in front of our homes and down the roads. **CM Clapperton made a motion to set the public hearing for May 6th to discuss this proposed amendment to Title 12.** CM Clapperton will write the public notice to be put in the Ogden Valley News.

Roll Call:	Mayor Truett	<u>Yea</u>	CM Ferre'	<u>Yea</u>
	CM Sorensen	<u>Yea</u>	CM Johnson	<u>Excused</u>
	CM Clapperton	<u>Yea</u>		

Citizens Comments:

There was none.

New Business:

CM Sorensen reported that last night he and the Mayor attended the GEM Committee meeting. Steve Clarke is going to invite a candidate for County Commissioner up to the valley to hold a joint meeting with the GEM Committee and Huntsville TC. The meeting will be held on May 5th, in the Town Hall at 5:00 p.m.

Approval of bills for February 2010:

CM Ferre' made a motion to approve the bills for February, as prepared. CM Sorensen seconded. All votes aye. Bills were approved.

Approval of bills for March 2010:

CM Sorensen made a motion to approve the bills for March, as prepared. CM Ferre' seconded. All votes aye. Bills were approved.

Approval of Town Council minutes for meeting held March 4th, 2010:

CM Clapperton made a motion to approve the minutes for the TC meeting held March 4th, as prepared. CM Ferre' seconded. All votes aye. Minutes were approved.

Approval of joint Work Session minutes for meeting held on March 4th, 2010:

CM Ferre' made a motion to approve the minutes of the Town Council Work Session meeting held March 4th, as prepared. CM Sorensen seconded. All votes aye. Minutes were approved.

Approval of joint Work Session minutes for meeting held on March 30, 2010:

CM Clapperton made a motion to approve the minutes of the Town Council Work Session held March 30th, as prepared. CM Sorensen seconded. All votes aye. Minutes were approved.

Mayor Truett mentioned that all items on the agenda have been addressed. CM Ferre' made a motion to adjourn. CM Clapperton seconded. All votes aye.

Meeting adjourned at 9:45 p.m.

Gail Ahlstrom, Clerk/Recorder

James A. Truett, Mayor