

**MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING**

**Thursday, May 6<sup>th</sup>, 2010**

**7:00 p.m.**

**Huntsville Town Hall**

**Present:** Mayor James A. Truett  
Council Member Steve Johnson  
Council Member Max Ferre'  
Council Member Alan Clapperton  
Clerk/Recorder, Gail Ahlstrom  
Legal Council Jerald Engstrom  
Ramona Clapperton, Treasurer

**Excused:** Council Member Richard Sorensen

<b>Citizens:</b>	Doug Allen	Lt. Phil Howell	Suzanne Ferre'
	Sandy Hunter	Karen Klein	John Posnien
	Ron Gault	Ken Garver	Mindy Garver
	Leo Meyer	Matt Hawkins	Deputy Terry Thompson

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

The pledge was led by Doug Allen.

Opening Ceremony was led by Suzanne Ferre'.

Public Comment:

(See Attachment #1) **Tim Hansen** updated the council regarding the culinary water budget. Tim put his water plant needs and projects in order of priority. High on this list is funding for leak detection, there is currently excessive water use, meaning there are undetected leaks. There is a PRV valve at Burley's that does not close. Ken Orton has a clay valve that he can rebuild at a substantial savings. There are two valves that are leaking on 600 south, they won't shut down. Tim stated that he could use some new tools, and the new loop line from Holt to Cox's needs to be done. The Hawkins Spring area needs to be fenced this spring, Tim will get pricing and measurements. There needs to be some water testing done at the Hawkins Spring, to see if the water can be incorporated into the existing culinary water system, or if it is contaminated it could be integrated into the secondary water. Tim will get a water sample and take it down to Weber Basin for testing. Mayor Truett asked how many gallons per minute the water system is losing. Tim replied that the plant is running at 55 gallons at 11:00 p.m., it surges as high as 90 gallons per minute at 1:00 a.m.

Doug asked if it could be because the residual pressure on the lines is lower at night and this would create a bigger leak. Tim didn't think so. There are pressure reduction valves that maintain the pressure in the lines. CM Ferre' thanked Tim for the information and input.

**John Posnien** complained that it has been long enough for repairs and construction in front of Lane Christensen's building. Lane has had equipment in front of his building for over 4 months. John thinks there should be a time limit set or allowed for construction projects.

**Suzanne Ferre'** mentioned that she wanted to thank Mayor Truett for all the work he is putting in on behalf of the town, the mayor has been very busy and has attended many meetings promoting the town and is trying to solve some outstanding issues. Suzanne stated that he is doing a terrific job.

Presentation of Preliminary Budget: (Ramona Clapperton): (See Attachment #2)

The Mayor Truett turned the time over to Ramona for a presentation of the preliminary budget. Ramona included the projected 4<sup>th</sup> of July revenues, and the amount of the road fund in the budget just in case the town gets the grant. She will also include the \$5,000 municipal grant; this grant is based on population. Ramona also included expenditures under administration for a new copy machine. This budget comes in \$4,600 less than what was budgeted. The Mayor reported that the council had a work session on the budget last week. The budget will change because there are still two more months of revenue and expenditures that will need to be include in the final budget. Ramona reported that this year she projected more revenue than what is being expended, which is great news. Ramona pointed out that the town is going to get a \$2,700 refund from the Utah Trust.

Motion to adjourn Regular Council meeting to hold a Public Hearings:

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

<b>Roll:</b>	Doug Allen	Lt. Phil Howell	Suzanne Ferre'
	Sandy Hunter	Karen Klein	John Posnien
	Ron Gault	Ken Garver	Mindy Garver
	Leo Meyer	Matt Hawkins	Deputy Terry Thompson

Public Hearing on proposed amendment to Title 12: Traffic & Overnight Parking: (See Attach. #3)

Mayor Truett introduced the proposed amendment to Title 12: Traffic & Overnight Parking: to add 12.3: 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 has mixed feelings about this, and wondered if this will just create a bigger problem. Doug Allen has brought up the sanitation issues at the beach accesses. The Mayor mentioned that he spoke with the Forest Service about this. The big question is how the town will enforce it.

**Kim Garver** all the accesses just spoken about and others are what his family has used for decades. It's unfortunate that the population has become so dense that we are now facing problems with parking and sanitation. Kim doesn't feel that this is just cause to close down a public place, just because it's inconvenient to live around. The people using the accesses aren't trying to do anything wrong, they just have to be shared with more people. Kim doesn't feel that the town should start closing access areas, unless there is a better reason than it's just uncomfortable. He is not the only person who is using them, and would like to continue to enjoy the reservoir. Mayor Truett mentioned that the beaches are closed

at 10:00 p.m. Kim replied that his fishing license says he can fish 24 hours a day for 365 days a year. The question is how we keep what we have, as opposed to locking up what belongs to the public.

**Karen Klein** acknowledged that there is a problem that needs to be addressed, but the “No Parking” idea isn’t the answer. A lot of people in town will be affected by this, not just out-of-towners. Karen feels that the valley is already becoming segregated and by imposing this no parking idea, it will create more bad feelings towards the town. Karen wanted to change topics and brought up the issue with First Street, she suggested looking into having the town give that road back to the state so they can maintain and plow it. CM Johnson replied that the state gave the street to the town years ago, between 1933-37. The Forest Service has posted and closed down all of their public parking. That is why people are spilling into Huntsville looking for other places to park and to access the reservoir. Karen reiterated that she does not want the town to close down beach access.

**Doug Allen** mentioned that if you look at a map of Huntsville all the Forest Service beach access properties surrounding the town have parking, sanitation, and garage, but not for the accesses in town. In Doug’s opinion the Department of Agriculture is responsible for this. Doug suggested having the community petition the Forest Service about the sanitation problems.

**Kim Garver** asked if anyone remembered how much campgrounds used to cost, they were free. They were public property, as was the Point, it was also free. There is a reason this country has public property, our ancestors came from a place where there wasn’t any. There isn’t nearly as much public property as there used to be. The campgrounds are full, and someone is making a profit on them. Kim urged the council to look at what’s right, and ask what kind of people are we going to be, and where did we come from, and what is worth protecting and keeping. It doesn’t matter how many people are using the public access, it should be available to all. For the town to make it harder to get to isn’t right.

**John Posnien** stated restrictions and controls have to be put in place to maintain law and order and compliance for other people’s rights.

Public Hearing on proposed Ordinance to establish First Street as a Toll Road: (See Attachment #4)  
Mayor Truett read from the proposed Ordinance to establish a toll road. Mayor Truett had a conference call with the Forest Service, their attorney, and David Church the Utah League’s Attorney. If this ordinance passes tonight Mayor Truett will hand delivered a copy of it to the Forest Service, and they will take it to AL&L to encourage them to negotiate with the town. They are worried about setting precedence. The town is moving forward with placing a toll booth on First Street. The Mayor gave a brief history: The town gets \$38,000 annually in B&C road funds, this pays for salaries, vehicle maintenance and registrations, purchase of trucks and blades, sand, and snow removal are all included in this fund. The current estimate to repave First Street will cost \$350,000. It would take the town 10 years to come up with this type of money, and that would exclude maintaining any other street in town during that time period. The town has been working with the Forest Service and AL&L for years and they have been completely unwilling to help repave First Street. Hopefully an agreement will take place before Memorial Day.

**Leo Myer** expressed his concerned about the toll booth, there will be tempers flying, he is worried about the safety of the booth operator and the money in the booth. Mayor Truett remarked that the sheriff’s office has offered to be on hand.

**Lt. Howell** mentioned that the person in the booth should have a cell phone with them so they can call for help if they need it. There is a boat unit available patrolling this area all the time, in addition to the normal precinct units. They plan to be very visible. Mayor Truett stated that it's a shame that AL&L uses this facility without contributing to the town in anyway. The town is not asking for any money from them but is asking them to collect the money for the town, so there doesn't have to be two toll booths.

**Matt Hawkins** thinks that the two issues being discussed tonight go hand in hand. If the toll booth goes up, it raises the entry fees for someone to use the facility by 30%. Most will pay this fee, but some will park further away, not drive past the booth, and park their coolers in crossing citizen's yards. There is definitely a problem and he didn't have a solution either. Matt thinks it's a grave mistake to put up a toll booth, making Huntsville the most expensive boat access. Matt thinks this will only exasperate the problem. The Mayor replied that the problem is the heavy trailers and boats on the road, so if people go to a different location, it's better for the town. Having to stop twice is going to be a big problem. Matt agrees that something has to be done, but feels it's a mistake to put up the toll booth and not address the parking issues at the same time. CM Johnson replied that this is what the council was trying to do.

**Karen Klein** asked why the town can't charge AL&L a fee. The council looked at this idea last year, and it ended up with a threatened law suit. CM Ferre' said the council has tried everything they could think of and haven't been successful yet.

**Sandy Hunter** thought that if AL&L isn't willing to negotiate then AL&L employees should pay the fee daily as well. The booth will cause more parking throughout town. Sandy doesn't like seeing the no parking signs where there is public access to the beach, but when you get close to people's private property that is another issue. People are blaming the Forest Service and it is really AL&L who is unwilling to cooperate.

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

CM Clapperton made a motion to close the public hearings to reconvene to the regular council meeting. CM Ferre' seconded. All votes aye. Motion passed.

**Department Reports:**

**\*Mayor Truett:**

Discussion and/or action on Preliminary Budget:

Mayor Truett thanked Ramona for her outstanding work on preparing the preliminary budget. He is very pleased that we are ahead of the game this year. **CM Ferre' made a motion to accept the preliminary budget.** CM Johnson seconded. All votes aye. Motion passed.

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

Discussion and/or action on Sherry Harper's complaints: (See Attachment #5)

Mayor Truett asked if each of the council has had a chance to review Sherry Harper's complaint. There are a lot of accusations being made against the sheriff's department, county judges, lawyers, and family members. The document states that Huntsville Town is not backing her up. The council has been advised to stay out of this; it is not a town issue.

Mr. Engstrom commented that it is a civil issue. It is a dispute between Glenn & Sherry Harper and her siblings. The town doesn't have any right to get involved in a civil issue. Sherry has not come to a council meeting to verbally request help.

Discussion and/or action on proposed Ordinance to establish a Toll Road:

Mayor Truett stated that he was advised by the Forest Service Attorney's that the council adopt an ordinance detailing the toll road issue. Mr. Engstrom recommended changing the heading to include the address of where the toll road will be placed. **CM Ferre' made a motion to adopt the ordinance as amended.** CM Johnson seconded. All votes aye. Motion passed.

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

Sheriff's Department report:

Lt. Howell presented a report on both the upper valley and Huntsville Town exclusively. There were 26 service calls made but only 14 cases in Huntsville that generated an actual police report, one burglary alarm, one vehicle burglary, suspicious activities, four keep the peace, and a few traffic offences. They have an ongoing sexual offender registry in place and deputies are given addresses of sexual offenders and they do checkups on them for employment and check to see if they are on track. There was a threatened suicide and a kidnapping in progress, which was a dispute between a boyfriend and girlfriend. There were 16 calls for service in 2009, and 26 in 2010. There were two citations issued in March in 2010 and four in 2009. Traffic citations have been down this year.

The Un-incorp. Huntsville stats: there were 66 calls for service in March ranging from assaults, burglaries, frauds, trespassing, burglar alarms, medical assists, search and rescue. There were some high profile burglaries in the north end of the valley. They have good leads on these burglaries, but are still working on this case. They have recovered some of the property. For the Ogden Valley excluding Huntsville, in March they received 284 calls for service in 2010, and 256 calls in 2009. Won't have a traffic detail assigned to the town due to budget cuts. Lt. Howell introduced Chief Deputy Terry Thompson, who is also a candidate for Sheriff. He has spent 22 years with the W.C. Sheriff's Office. He was one of the first deputies in the valley when the precinct was created. Mayor Truett thanked them for attending the council's meeting.

Update on Inter-Local Agreement with the Sheriff's Office:

Mayor Truett mentioned that he, Mr. Engstrom, Sheriff Brad Slater, and W.C. Commissioner Jan Zogmeister to talk about a reduction in fees for Huntsville's Inter-Local Agreement with the county. The Mayor is happy to report that there will be a reduction in the annual budget from \$44,000 down to \$30,000 starting July 1<sup>st</sup>. The justification for the reduction was the closure of Valley Elementary, no more J.P. Court or bailiff, and no resource officer. The Mayor is working with Reed Richards, the attorney for the county, to work out an agreement for the rental of the cell tower. The town will let the county use the cell tower for free for one year, plus pay all the utilities, after the year then the town will establish a rental fee with them.

Department Reports:

Mayor Truett mentioned that Jeff Hyde's son is looking for an Eagle Scout Project.

Mayor Truett reported that Father Emanuel passed away, he was a monk at the Monastery and has served there for a long time, and he was 93 years old. The funeral is at 10:00 tomorrow.

The Mayor reported that the GEM Committee held their meeting at the Town Hall last night. Kerry Gibson was there, he is running for the W.C. Commission seat.

The Mayor reported that Arbor Day was celebrated at the new Valley Elementary. The town has been a member of Tree City USA for 5 years. They gave the town a flag, and stickers to add to the sign as you come into town, as well as a plaque.

**\*Council Member Ferre’:**

Department Reports:

CM Ferre’ reported that the town cleanup will be held this Saturday morning at 8:00 a.m. Dave Jenkins is organizing the event. There will be a breakfast served in the west bowery.

CM Ferre’ reported that the town has an old broken down grader and he put it on KSL and it was sold within a few hours, it sold for \$3,000.

**\*Council Member Clapperton:**

Discussion and/or action on proposed amendments to Title 12: Traffic & Parking:

**CM Clapperton made a motion to table the amended traffic ordinance, until the council sees what impact the toll road will have on the community.** He would also like to give some thought to the issues that Doug brought up about sanitation. It could be worthwhile to talk to the Forest Service about providing sanitary facilities at the beach access points. CM Ferre’ seconded. Mayor Truett agreed. All votes aye. Motion passed.

<b>Roll:</b>	Mayor Truett	<u>Yea</u>	CM Ferre’	<u>Yea</u>
	CM Clapperton	<u>Yea</u>	CM Johnson	<u>Yea</u>
	CM Sorensen	<u>Excused</u>		

Department Reports:

CM Clapperton mentioned that he has ordered the fireworks for the 4<sup>th</sup> of July. There should be a bigger show this year, there will be 603 shells with a 250 shot finale.

**\*Council Member Johnson:**

Discussion and/or action on proposed Resolution for Building Inspection Fee:(See Attachment #6)

CM Johnson presented the proposed resolution for building inspection fees. CM Johnson explained that when you get a building permit the fee is determined by the building code. If a person isn’t complying with their inspections, and the inspector has to keep coming back for multiple inspections, the permit fees don’t cover multiple inspections. This resolution is to make sure the extra fees are paid by the contractor or property owner instead of the town. **CM Johnson made a motion to adopt the resolution as prepared.** CM Clapperton seconded. All votes aye. Motion passed.

<b>Roll:</b>	Mayor Truett	<u>Yea</u>	CM Ferre’	<u>Yea</u>
	CM Clapperton	<u>Yea</u>	CM Johnson	<u>Yea</u>
	CM Sorensen	<u>Excused</u>		

4<sup>th</sup> of July update:

CM Johnson reported on the 4<sup>th</sup> of July, he feels like it's coming together nicely. He is pushing more local patriotism, by focusing on the flag raising, parade, and retiring of the colors in conjunction with the fireworks to try to make it nice for the locals. CM Johnson chose not to advertise out of the area. He has a neat idea for the t-shirts. The breakfast and race will begin at 7:00 a.m., flag raising at 8:00 a.m. Hopefully more people will attend, last year's flag raising was very memorable. The parade will begin at 9:00 a.m. the patriotic program on the park will begin at 10:00. Doug Allen is in charge of this. At 11:00 entertainment and booths open. The auction will begin at 1:00 p.m. Mr. Engstrom recommended getting the safety signage up at the playground.

Department Reports:

CM Johnson reported that they are getting ready to open the new section of the cemetery. Lonny Bailey has been asked to contract this.

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

Citizens Comments:

Lt. Howell mentioned that the Ogden Marathon is this Saturday. The canyon will be closed at 6:00 a.m.-1:00 p.m. Lt. Howell stated that the Ogden Marathon just got voted 9<sup>th</sup> in the country.

New Business:

CM Clapperton announced that a cell phone was purchased for the secondary water master and that number will be put on the town web site. The secondary water is on.

Approval of Town Council Minutes for meeting held April 8<sup>th</sup>, 2010:

CM Johnson made a motion to approve the minutes of the Town Council meeting held April 8<sup>th</sup>, as prepared. CM Clapperton seconded. All votes aye. Minutes are approved.

Approval of Work Session minutes for meeting held April 28<sup>th</sup>, 2010:

CM Clapperton made a motion to approve the minutes of the Work Session meeting held April 28<sup>th</sup>, 2010, as prepared. CM Ferre' seconded. All votes aye. Minutes are approved.

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

**Meeting adjourned at 9:00 p.m.**

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Gail Ahlstrom, Clerk/Recorder

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James A. Truett, Mayor