

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, September 23rd, 2010

7:00 p.m.

Huntsville Town Hall

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

Excused: Council Member Steve Johnson Council Member Max Ferre'

Citizens: Sgt. Ryon Hadley Tim Peters Fire Marshall Ted Black
Rip Patton Nancy Patton

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

The pledge was led by CM Clapperton.

Opening Ceremony was led by Mr. Engstrom.

Public Comment: (See Attachment #1)

Tim Peters addressed the council. He owns a piece of land between the Ogden Boat Club and the Wilcox/Black Trust, behind the BLM. His water bill included charges for garbage and recycling. He now understands that anyone with culinary water is required to pay for garbage and recycling. His property has two buildings on it, a shed and a cabin. The cabin is 15 foot square, and is in no way a legal single family dwelling. He does have power hookups and his water is run through a hose and there is no heat, except for a fireplace. Tim stated that he produces about one sack of garbage every two months. Tim lives in Layton. The property does have culinary and secondary water. Tim stated that the property is .86 acres, which is larger than a ¾ lot. His alleyway is 1000 feet from the nearest road, the alley is not graveled. Tim was told back in 2005 that no fire truck would drive down the road and doubts that a garbage truck would either. He has never had garbage cans and has never been billed for garbage. Tim accesses his property from the alleyway west of the boat club.

Mayor Truett read from the culinary water ordinance. Each residence with water service shall be required to have garbage service. CM Clapperton said the question is does this building qualify as a residence. The Ogden Boat Club doesn't have a permanent residence either and they are paying for garbage and recycling. Tim uses water for an outdoor shower, wash dishes, and cook meals. In July, Tim had about 66 people there with 3 motor homes and a bunch of tents. CM Sorensen asked him what he does with his garbage. Tim stated that he hauls the garbage to his home in Layton. CM Sorensen understands Tim's concerns.

Tim bought the property back in 2005, with the hopes of rezoning the property to a recreational zone, he understood at that time that the town didn't have a recreation zone. If a fire truck can't get to his property then who is going to issue him a building permit and insure the property. Tim doesn't have any town garbage cans at his property right now. The Wilcox/Black property will probably have the same issues. CM Sorensen asked if there is any other property like this in town. The Mayor said the council will table this item and address it in the next council meeting.

Department Reports:

***Mayor Truett:**

Discussion and/or action on Animal Control Services with W.C.:

Mayor Truett mentioned that tonight the council had a work session with Chad Ferrin to discuss the proposed inter-local agreement with the W.C. animal control shelter and what that pertains. Animals, fees, services, etc. The Mayor also presented a proposal from South Ogden City. Uintah and Riverdale are working with South Ogden for animal control services. South Ogden's fees are dramatically lower than what W.C. is charging. The council still has a few questions about the agreement with South Ogden. There will be a set fee from South Ogden to pick up and transport an animal down town, but the Town will have to figure out how to contain the animals.

Mayor Truett made a motion to table this item until the next meeting on October 7th, to give the council some time to gather more information before a decision is made.

CM Clapperton seconded. All votes aye. Motion does pass.

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

Department reports:

Mayor Truett reported that two weeks ago he, Jeff Holt, and CM Sorensen met with Drew Wilson from the W.C. School Board. Basically they found out that the school board doesn't want to sell the land, they do want to do a land trade. This will require a lot more work on the town's part. They know the town would like the property. Lan Froerer provided the council with a list of MAI appraisers. The plan is to hire someone to do an appraisal on the school property in the next couple of weeks. Collectively the council has decided, and Drew agreed it would be good to get the property appraised then we will know what property is worth.

***Council Member Clapperton:**

Discussion and/or action on Agreement with Secondary Water Corp. and Town: (See

Attachment #2) CM Clapperton went over the proposed contract for the town to pay the billing for the secondary water board and then be reimbursed for this cost plus 10%. The first contract was quite long and cumbersome. CM Clapperton drew up this agreement; the secondary water board liked this simpler contract. Town will charge a 10% fee to the secondary water company for doing their billing. Mr. Engstrom doesn't think the contract covers everything it should. Mayor Truett suggested that Mr. Engstrom and CM Clapperton work together to finalize the contract. **CM Clapperton made a motion to approve the contract with the option to amend it on October 21st.** CM Sorensen seconded. All votes aye.

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

Department reports:

CM Clapperton reported that he had another firework company call him about the towns 4th of July show. They put together a proposal for almost twice as many shells for about the same price. The proposal was for over 1000 shells, CM Clapperton shot off 580 shells this year. CM Clapperton has purchased shells from this company before. Fireworks West is based in Logan, Fireworks America is based out of California. Fireworks West wants a signed contract by the end of this month. The contract will be for \$5,000 same as this past year. It's a one year contract for the next 4th of July. CM Clapperton stated that Fireworks West will provide the first line of insurance. Action on this item will be taken in the next council meeting.

Discussion and/or action on Resolution to update Fire Codes: (See Attachment #4)

CM Clapperton introduced Fire Marshal Ted Black. Ted reviewed the proposed resolution. The body of the code is done by the state legislature. The appendices that the town has already adopted in the past, and there has been no change of substance. What has been adopted in the past seems to be working well. Fire sprinklers are a continual debate. People don't want to pay for this extra expense. Mayor Truett clarified that a structure 5,000 feet or larger requires a sprinkling system. Ted replied no. There needs to be adequate fire flow. Fire flow is the amount of water available from a fire hydrant to fight a fire in your home. The larger the home the more water it would require. Ted stated that a lot of homes in valley are so big they have to put in sprinklers. Just because the house is over 5,000 sq. ft., doesn't mean sprinklers are required. Ted replied, two things drive sprinklers, access and fire flow. Gail asked who determines if a sprinkling system is required. Ted answered the Building Permitting Official and Building Inspector work together on this decision. There are only two or three homes in town that have sprinkling systems. U- Occupancy stands for utility buildings. **CM Clapperton made a motion to adopt the proposed resolution updating and complying with the 2009 National Fire Code.** CM Sorensen seconded. Mayor Truett thanked Fire Marshal Ted Black for coming up tonight to answer questions about this resolution. All votes aye. Motion does pass.

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

***Council Member Sorensen:**

Discussion and/or action on grant application for land acquisition of old school property: (See Attachment #3) CM Sorensen read from a letter from Department of Natural Resources about the Land and Water Conservation Fund grant program. The Division of Parks and Recreation is accepting applications for outdoor recreation projects for 2011. It is a federal matching grant established to assist in the acquisition and development of high priority outdoor lands and facilities. There is a 50% matching fund requirement. **CM Sorensen made a motion to authorize himself, Gail, and Ron Gault to write and prepare the application for the LWCF grant.** Mayor Truett seconded. All votes aye. Motion does pass.

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

Park update:

CM Sorensen reported that there was a significant water leak in the park. Some of the water lines in the town were replaced two years ago. One of those was a line that led to the ice shack, this line developed a hole. They figured there was a loss of 30 gallons a minutes from this hole. They have replaced the hydrant. There was some damage to the grass around the ice shack so Western Landscaping came in and did some hydro seeding. This was paid for with last year's remaining RAMP grant. CM Sorensen reported that the signs on the baseball backstops were spelled wrong. He took them back to Grizzly Graphics and they will redo them at no charge.

Landfill update:

CM Sorensen reported that the town got a \$5,000 grant for mulching at the landfill. CM Sorensen got a bid to have mulching done and the bid was \$7,500. CM Sorensen got the contractor to agree to do it for \$5,000. The only problem is that he will do it on his time which will probably be in October. There is three years worth of tree to mulch for that price. The town will eventually be able to sell the mulch.

CM Sorensen reported that the landfill is now closed on Wednesday nights but will still be open on Saturdays.

***Council Member Ferre': (Excused)**

***Council Member Johnson: (Excused)**

New Business:

Mayor Truett asked CM Sorensen to update a couple areas on the town's website.

Citizens Comments:

Sgt. Ryon Hadley asked if the town enters into an agreement with South Ogden for animal services, is that only for the pickup and housing of the animals. Mayor Truett replied yes. Will this sever ties with W.C. for other issues such as, dog bites, or viscous dogs? The Mayor replied that the town has three options: One: the town can do nothing with the animal control, second: the town can enter into the agreement and we bring the animals to them, and third: was to have W.C. do the animal control for the town. Sgt. Hadley asked if W.C. would allow the town to split the services. Chad Ferrin indicated that the town could. There are a lot of animal issues that could arise and there should be an entity available to respond. If there is a dog bites animal control deputies do a report and follow up. Sgt. Hadley warned the council to look at all the issues; animal control is more than picking up dogs. Mayor Truett stated that the problem for the town is that in 2008, 15 animals were taken to the shelter and the town was charged for 2 animals. With the yearly fee of \$3,000, that equals \$1,500 per dog. So far in 2010, there have been 13 animals taken in and the town was charged for 2 dogs. The council needs to decide on the level of enforcement the town wants. Sgt. Hadley stated that it appears to him that the animal control officers aren't doing their jobs.

So, does the town try to fix the existing problem or go somewhere else for services? The Mayor remarked that the next step is to sit down with South Ogden and get some of these questions answered. Sgt. Hadley said W.C. Sheriffs take complaints but the animal control officers follow up on the complaints. Will South Ogden do more than pick up and housing. CM Clapperton said Sgt. Hadley has a good point, if deputies are taking reports then who will follow up on the complaints or problems. Sgt. Hadley agreed that it appears that the town isn't getting a fair service for the cost. The county charges the town \$3,000 per year for animal control services, and on top of that there will be an additional \$55 fee that will increase next year to \$88-116 per animal charged to the town if no one picks up the animal. The county also keeps all the money from licensing the animals. Sgt. Hadley asked if Chad Ferrin would be willing to negotiate on the contract. Sgt. Hadley cautioned the council to look at big picture, if the town has to lean on W.C. for other services it could become an issue. CM Clapperton remarked that Uintah, Riverdale, and Roy City are all close, where Huntsville is not. Sgt. Hadley recommended talking to Brad Slater. Mayor Truett would like to see the dog enforcement stepped up. Dogs need to be on a leash.

CM Clapperton would like to see if the town could renegotiate the dollar amount, and a split on the licensing. It seems like the town is getting double dipped, if the county keeps all the licensing money, kenneling fee, plus the annual fee. South Ogden's fee would be \$700 per year to transfer all the animals down town, but the town would need to figure out some type of animal containment. South Ogden has a high animal adoption rate, and they were willing to split adoption fees with the town as well as the fee charged when an owner picked up their animal. The town would need to do its own licensing. W.C. commission won't want to lose service. Mayor Truett thanked Sgt. Hadley for his comments.

Mayor Truett asked Sgt. Hadley about the number of traffic tickets that have been written this year the numbers are extremely low. Sgt. Hadley commented that over a period of time the speeding problems have been solved, the speed limit has been lowered, the controversy with the toll booth, and the pot holes on First Street have all had an effect on the number of tickets written. Traffic ticket fees are high and people are slowing down. There is a different crowd coming to the valley now. Traffic problems have been solved but this took away town revenue. Mayor Truett asked if tickets have gone down around the whole valley. Sgt. Hadley replied yes. The Mayor thanked Sgt. Hadley for his input tonight.

Approval of Town Council Minutes for meeting held September 2nd, 2010:

CM Clapperton made a motion to approve the minutes of the Town Council meeting held September 2nd, as prepared. Mayor Truett seconded. All votes aye. Minutes are approved.

Approval of Work Session minutes for meeting held on August 5th, 2010:

CM Clapperton made a motion to approve the minutes of the Work Session meeting held August 5th, as prepared. Mayor Truett seconded. All votes aye. Minutes are approved.

Approval of Bills for July, 2010:

CM Clapperton made a motion to approve the bills for July, 2010, as prepared. CM Sorensen seconded. All votes aye. Bills are approved.

Approval of Bills for August, 2010:

CM Clapperton made a motion to approve the bills for August, 2010, as prepared. CM Sorensen seconded. All votes aye. Bills are approved.

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

Meeting adjourned at 8:35 p.m.

Gail Ahlstrom, Clerk/Recorder

James A. Truett, Mayor