

## MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, September 1<sup>st</sup>, 2011

7:00 p.m.

Huntsville Town Hall

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

**Citizens:** Garrett Alton                      Starr Georgie                      Kathy Johansen  
Sgt. Ryon Hadley

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

The pledge was led by Boy Scout Garret Alton.

Opening Ceremony was led by Ramona Clapperton.

### Citizen Comments:

There was none.

### **\*Mayor Truett:**

Discussion and /or action on lease agreement between Huntsville Town/Ogden Valley Library in regards to utilizing town shed property for additional parking: Mayor Truett read an email he received from Linda Wangsgard in regards to the need for additional parking at the Ogden Valley Library. Linda stated that she will not know where the Library Board stands on their proposed projects until she can review their proposed budget for 2011-2012, sometime in October. Therefore, Linda is not prepared to make the town an offer at this time.

### Discussion and/or action on town sheds:

Mayor Truett explained that when the town applied for the CDBG grant, the scope of work was to purchase property to build new town sheds on. So the town needs to fulfill this requirement and will have five years to get town sheds built. Mayor Truett felt that the town has an opportunity; Zion's Bank has already pre-approved the town for a loan of \$65,000. Originally Zion's Bank approved the town for \$325,000 but with the CDBG grant money applied to the purchase of the property the loan came to \$65,000. What if the town added an additional \$80,000 onto the \$65,000 loan and built the town maintenance sheds now. The town can tear down the sheds now, or we wait for grant opportunities that aren't guaranteed. The Mayor called Alan Westenskow with Zion's Bank to see if this would be a possibility, Alan said it would work.

The interest rate on a 10 or 15 year loan is 4%, and on a 5 year loan interest rates would be 3.1%. This could be the town's 13% matching fund requirement for the CDBG grant and would fulfill the town's grant obligations. Based on a loan of \$147,500 the town's payment on the 15 year loan would be \$13,100 annually, the 10 year loan annual payment would be \$17,900, and \$32,000 annually on the 5 year loan. CM Sorensen asked if it would be wise to have two loans, one for the school property and one for the sheds. The town isn't ready to build yet, it could be a couple of months before we went to construction. Ramona mentioned that the loan for the property was 2 years no interest, would this also apply to the additional money for the sheds. Mayor Truett thought it would be the same, 0% interest for two years.

The council discussed placement of the sheds. CM Ferre' mentioned that there needs to be a place to store salt and sand, and a bay to hold the sand racks. CM Sorensen recommended building with expansion in mind. CM Sorensen and Ferre' both liked the idea of borrowing extra money to build the sheds now. Gail said the amount of the loan will still be half of what the original amount for the school property was going to be. Building the sheds now will allow the library to have additional parking, as well as the town gets new sheds. Mr. Engstrom suggested taking disbursements on the loan when money is needed. Mayor Truett will talk to Alan Westenskow about setting up the loan to pay for the property now, and then draw money out at different stages of construction of the sheds. **Mayor Truett made a motion to utilize the Zion's Bank loan to build town maintenance sheds on the old school property.** CM Sorensen seconded. All votes aye. Motion passed unanimously.

<b>Roll Call:</b>	Mayor Truett	Yea	CM Sorensen	Yea
	CM Ferre'	Yea	CM Allen	Yea
	CM Clapperton	Yea		

Update on Annexation:

Mayor Truett said Ron Gault and Bill White, a water rights attorney; have been working together on some language in regards to water rights for the towns ordinances relative to the anticipated annexations. Bill said the process should be pretty simple. Jeff Burton called and asked the Mayor where the town is with the annexation process, the town is just waiting on the water right issue.

Department reports:

Mayor Truett mentioned that he read in the Ogden Valley News that Huntsville would be hosting a 5K marathon. He was upset to find out about this event in the paper instead of in a town meeting. Gail commented that this event has been an annual event for years and they never were required to pay until last year. The council discussed their event last year and asked them to make a payment because it was a fund raising event for their organization. Gail approved this event again this year on the same conditions and did not have them come make a request before the council. Mayor Truett said this year they have advertised the event in the Ogden Valley News and on a website. Gail commented that they have brought in port-a-potties in the past. Mayor Truett signed up for the event and will check to see how many runners are participating and see if there needs to be more restrictions or fees enforced next year.

Update on Monastery: (See Attachments #1)

Mayor Truett mentioned that he spoke about the Monastery in the last meeting. They had a couple of visiting Abbots from Rome come to the Monastery. They walked the facility and came to the conclusion that the Monastery should start shutting down over the next couple of years. They are not to take on any more Monks. Father David flies to Rome on September 4<sup>th</sup>. Mayor Truett wrote a letter from the town, their closest municipality whom the Monastery has had a great relationship with, in support of the Monastery. Mayor Truett asked U.S. House Representatives Gage Froerer, and Rob Bishop, Senator Hatch, Governor Gary Herbert and Elder Marlin Jensen to also write letters in support of the Monastery. Mayor Truett will hand deliver the letters to Father David so he can carry them to Rome with him and deliver them to the Vatican personally.

Update on Lt. Phil Howell:

Mayor Truett mentioned Lt. Phil Howell has been struggling with cancer and is not doing well. The county has been allowing him to work from his home the last while but he is on hospice care now. The town wanted to present Lt. Phil Howell with a plaque in recognition of his selfless service to Huntsville and the greater Ogden Valley. Sgt. Ryon Hadley and Mayor Truett plan to go to Phil's home tomorrow night and present him with the plaque.

**\*Council Member Allen:**

Discussion and/or action on proposed Resolution to set cemetery plot fees: (See Attachment # 2 & 3)

CM Allen stated that she has done some research on the fees different cemeteries are charging. CM Allen passed out a price comparison for the council to review. CM Allen proposed that Huntsville needs to raise its non-resident fee an additional \$500 to \$950, and if there is a name change to a non-resident, within one year there should be a \$500 charge. One thing that has not been addressed is cremation. The council needs to decide if the town is trying to preserve plot space in the cemetery for town residents or not. The Mayor mentioned that the town just spent \$32,000 getting the new section opened, there is limited space. The Mayor liked the idea of raising the fees, but what if someone does a name change on the plot after a year. CM Allen suggested taking that sentence out of the resolution. CM Clapperton stated the best way to get around a name change would be to require them to sell the plot back to the town, and then the town could re-sell the plot. CM Allen feels strongly that the cemetery plots need to be preserved for Huntsville residents. Cathy Stoker, the town's sexton, is having a hard time charging the higher fee already because there are so many families that have lived in the valley their whole lives. People who live in the greater Huntsville and Eden areas will complain but they have not paid taxes to the Huntsville Town cemetery the whole time they have lived in the valley like town residents have. Huntsville town just can't give plots away. CM Clapperton asked how many potential plots will be available in the new area. There will be about 200 additional plots. Park City is not selling plots to anyone who is not a town resident; maybe Huntsville should do the same. CM Sorensen liked the idea of the no-name change, they would have to sale the plot back to the town for what they paid for it, and then the town could re-sale the plot.

**CM Allen made a motion to leave cemetery plot fees for town residents at \$450 and raise cemetery plot fees for non-residents to \$950 and raise the fee for a name change on the plot certificate to \$500. Opening and Closing fees will remain the same.** CM Sorensen seconded. The resolution will become effective as of September 1, 2011. All votes aye. Motion passed.

<b>Roll Call:</b>	Mayor Truett	Yea	CM Sorensen	Yea
	CM Ferre'	Yea	CM Allen	Yea
	CM Clapperton	Yea		

Department Reports:

CM Allen spoke with Diane Nelson in regards to the demolition permitting. She will not issue any more demolition permits until they have plans for what is going to be built if a structure is going to be rebuilt on the same site, and if there are any individuals who want demolition permits they need to go to the planning commission first, not the contractor.

There was some discussion about the rental homes in town. If a home is rented to a family on a monthly basis that's different than renting it out on a week by week basis and the house is advertised as a vacation property, then they should need a business license. Verbiage for this needs to be clarified by the planning commission and presented in an ordinance. This issue is going to come up more frequently as the town gets more second homes.

CM Allen showed the magazine "Utah Style", (See Attachment #4) where the Watt's home (located at 6800 E. and 200 S.) was highlighted as a must see Utah home in Huntsville. The article states that the finished 7,443 square-foot house features two kitchens, five bedrooms with adjoining bathrooms, four fireplaces, a bunk room that sleeps 12, a theatre, game room, and library, and an outdoor stable with a ranch house that has two bedrooms and bathrooms. Mayor Truett said he and CM Sorensen were on the council when the Watts built their home and he remembers that it was made very clear that the barn was not to be residents, there was to be no kitchen facilities. The town ordinances do not allow two residences on a lot. The building permit also states that the barn is not to be used as a residence. If a resident in town tried to do something like this, they would be turned down. If you violate the ordinance it's a class C misdemeanor. CM Allen doesn't think they are renting it out, but it's obvious that they are using it as a second residence. There should be a hefty fine. Gail will research back through the minutes to find any reference made to the Watt's property. Mr. Engstrom suggested forcing them to remove the amenities that allow them to use the barn as a residence. CM Ferre' liked the idea of a fine. There needs to be a letter sent to the Watts with a copy of the article, the town ordinance, the minutes, and the building permit. If the town doesn't do something now, things could get out of control.

There was a conflict with the Nominating Conventions set for the 21<sup>st</sup> of September. The Conventions were moved to September 14<sup>th</sup>, at the Ogden Valley Library at 7:00 p.m.

**\*Council Member Sorensen:**

Discussion and/or action on combining fees on garbage and recycling bill:

CM Sorensen mentioned that a couple of years ago the council adopted a recycling program. A survey was conducted and about 85% of the people who participated in the survey were in favor of recycling. There are a handful of single elderly residents in which recycling will not benefit. The recycling fee is \$4 per can. The recycling program was set up so that it was mandatory for every resident in town to participate to make it worth Econo Waste's initial investment in the blue cans. Currently on the water bill, the water, garbage, and recycle bill are all separate line items.

**CM Sorensen made a motion to combine the garbage and recycle bill into one bill of \$16 per month.** He is proposing this in hopes of eliminating requests to cancel recycling service. CM Ferre' seconded. All votes aye. Motion passed.

<b>Roll Call:</b>	Mayor Truett	Yea	CM Sorensen	Yea
	CM Ferre'	Yea	CM Allen	Yea
	CM Clapperton	Yea		

Department Reports:

CM Sorensen reported that there is chipped mulch available now and prices have been set for self loading which is not convenient for most people. The down side with the town loading the mulch with a backhoe is getting the tractor to the landfill and back. CM Sorensen presented a solution. There will be a charge of \$15 a yard for the town to load the mulch, with a five yard minimum purchase. People could combine with neighbors or organize a day when a group of people will be purchasing mulch. This will be on a trial basis.

**\*Council Member Clapperton:**

CM Clapperton reported that the planning loan the town received from the Division of Drinking Board was raised from \$30,000 to \$45,600. So the town can go ahead and move forward to get contracts signed with Waterworks and Sunrise Engineering. **CM Clapperton made a motion that the town signs the contracts with Waterworks and Sunrise engineering firms and to move ahead with the planning on both the water treatment plant and the distribution parts of the towns culinary water system.** CM Ferre' seconded. The vote was unanimous. Motion passed. CM Allen was out of the room for this vote.

<b>Roll Call:</b>	Mayor Truett	Yea	CM Sorensen	Yea
	CM Ferre'	Yea	CM Allen	Absent from vote
	CM Clapperton	Yea		

Discussion and/or action on Culinary Water Impact Fees: (See Attachment #5 & #6)

CM Clapperton reported that currently the town has two resolutions that address impact fees. The culinary water impact fees for in-town residents is \$ 3,000 and the culinary water impact fee for people outside of town is \$7,000. CM Clapperton has been approached by a couple of people about lowering the out of town fee to \$5,000. CM Clapperton feels like the \$7,000 fee is keeping some people away from hooking up to town water. CM Clapperton would like to reduce the out of town impact fee to \$5,000 and leave the in town impact fee at \$3,000, and combine both resolutions into one. The last time there was a hook up outside of town was for the Fire Station, and the fee was reduced to \$5,000, unilaterally by former Mayor McKay. Mr. Engstrom commented on impact fees, state law says you have to justify that the impact fee is necessary for the service provided. If anyone sues the town, the impact fee can't prove as revenue. CM Clapperton said he has had one inquiry about an out of town hook up, they would be willing to pay \$5,000 and provide water rights, but they don't want to pay \$7,000. In 2007 the town was discouraging water hook ups. With this high of an impact fee the town could be discouraging hook ups to the town's detriment. **CM Clapperton made a motion to lower the out of town culinary water impact fees from \$7,000 to \$5,000.** CM Ferre' seconded.

CM Sorensen said originally he was against allowing any out of town hook ups. The town's culinary water is really the only enticement to encourage people to annex into the town. CM Allen asked why the town would lower it impact fee if we are only discussing one possible hook up. It has to cost more than \$7,000 to put in a well. CM Allen said the town is right on the verge of a big annexation; she would rather wait and see what happens with that before we start lowering our impact fees. CM Ferre' stated there aren't a lot of homes being annexed, but there will be a lot of property annexed. Mayor Truett called for a vote on the motion. The motion did not pass.

<b>Roll Call:</b>	Mayor Truett	Nay	CM Sorensen	Nay
	CM Ferre'	Yea	CM Allen	Nay
	CM Clapperton	Yea		

**\*Council Member Ferre':**

4<sup>th</sup> of July financial update: (See Attachment #7)

CM Ferre' reported on the 4<sup>th</sup> of July financials. The town made a net profit of \$11,500. Next year the town council will approve the t-shirts before they are printed. There are things that turned out really well and some things that need a little more tweaking. CM Ferre' suggested lowering the amounts on the prize money awarded on the speech and film contests. There needs to be a lost and found booth, and a nurse's booth. If the town sold glow sticks that would generate a lot of revenue.

Discussion and/or action on setting up a 4<sup>th</sup> of July Committee:

CM Ferre' asked if the council had any ideas for people to serve on the 4<sup>th</sup> of July committee. They would like to have at least five people serve on this new committee. The council threw out a bunch of names. CM Ferre' will write and mail out a letter asking them if they would be willing to serve on this committee and see who responds. Committee members can be put in charge of an area, and report to the council. Mayor Truett suggested, after people respond, set up a meeting to get the group together to vote on a chairman and to let them know what the council is expecting of them. CM Sorensen recommended appointing them to the committee in staggered terms.

Department Reports:

CM Ferre' mentioned that he met with Morgan Paving in regards to the crack seal and slurry on 7300 E. The road needs a lot more attention than originally thought because of all the grass and weeds along the road side, and the road is longer than he thought, so the bid is \$5,000 higher. CM Ferre' wanted the council's approval for this increase. The proposed date for the road repair is September 12<sup>th</sup>.

Citizens Comments:

Mayor Truett mentioned he spoke with Margaret Harris this past week about how long she has been renting the little hair salon building from the town. Margaret has been renting that building for 25 years. Members of the town council are consistently being approached by people who want to rent that building for various business ideas. The town runs on such a limited budget, it would be nice if we had something in there that could make the town some money and would be a draw for the town. People think the building is vacant. Mayor Truett told her that the town won't throw her out of the building, but it would be nice if she moved out and let the town use the building for a different type

of business. Mayor Truett is thinking about raising her rent if she doesn't want to move out. Margaret is paying \$75 a month. The town could easily get \$200-\$300 per month. Mayor Truett reported that the Shooting Star was sold in June to a lady by the name of Leslie. She has been cleaning up the back yard and is trying to make it more welcoming to the town residents.

New Business:

There was none.

Approval of Work Session #2 minutes for meeting held August 4<sup>th</sup>, 2011:

CM Ferre' made a motion to approve the Work Session #2 minutes for meeting held August 4<sup>th</sup>, 2011, as amended. CM Sorensen seconded. Minutes were approved.

Approval of Town Council Minutes for Emergency meeting held August 11<sup>th</sup>, 2011:

CM Allen made a motion to approve the minutes of the Town Council Emergency meeting held August 11<sup>th</sup>, 2011, as amended. CM Ferre' seconded. Minutes were approved.

Approval of Town Council Minutes for meeting held August 17<sup>th</sup>, 2011:

CM Allen made a motion to approve the minutes of the Town Council meeting held August 17<sup>th</sup>, 2011, as prepared. CM Clapperton seconded. 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.**

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Gail Ahlstrom, Clerk/Recorder

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James A. Truett, Mayor