

# Hildale City Council Meeting

320 East Newel Avenue, Hildale, Utah 84784  
 Wednesday, April 25, 2018, 6:00 PM.

**Present:**

**Mayor: Donia Jessop**  
**Council Members: Maha Layton, JVar Dutson, Jared Nicol, Doran Jessop (by phone)**  
**City Recorder: Vincen Barlow**  
**City Manager: John Barlow**  
**Staff: Officer Horsley, Chief Johnson, Weston Barlow, Leonard Black, Roxanne Barlow, David Boshard, Mariah La Corti**  
**Public: Joan Barlow, Vance Barlow, Alma Fischer, Lawrence Barlow, Jeff Barlow, Sarah Barlow, Stacy Seay, Terrill Johnson (this list may be incomplete)**

**#1 Call to Order**

**Mayor Jessop called the meeting to order at 6:02. Roll Call:**

	Present	Absent
Doran Jessop	X	
Brian Jessop		X
JVar Dutson	X	
Maha Layton	X	
Jared Nicol	X	

Quorum Present

**#3. Public Comment**

John Barlow announced that a city employee’s dog was killed recently and there has been a lot of concerns within the past few days; animals are still being treated poorly in this town.

Jared Nicol wanted to publicly thank the Marshal’s Office for assisting his wife with her cub scouts, the kids loved it.

Chief Johnson was out of town and worked a lot of hours and apologized for not being able to attend the new officer graduation. He asked to speak with John after the meeting regarding the animal issue.

JVar mentioned the possibility of generating a way to communicate getting things on the agenda. He wants there to be discussion on it. He thanked everybody for their help laying sod at Cottonwood Park.

**#4. Declaration of Vacant Council Members**

Attorney Kesselring Presented. As the Council is aware there have been some concerns about the absence of some council members from meetings. When any council member is absent from the

Council for 60 days or more their seat becomes vacant. Absent meaning not attending/participating the meetings they are required to be at. The last meeting that Brian Jessop participated in was in January, far past the 60 days. The City reached out to him to see if he is still interested in participating, but he is not responding. There has not been response to phone calls or emails. He was sent a certified letter, even though not legally required, that was not signed for. All of the statutory requirements have been met to automatically vacate his seat. Attorney Kesselring prepared a resolution laying out what he just explained in detail. There was discussion and a few questions on parts of the resolution. If a member is not showing up and representing the interest of their constituents, a replacement who is qualified and willing needs to be appointed to step up to fill that need.

Jared thanked Attorney Kesselring for doing the work on this. Jared has previously asked Brian to step down and Brian chose not to. He feels that enough attempt has been made to reach out and we need to move forward.

Doran asked to speak. He works out of town and it would be much too expensive to travel back to attend the meetings. He informed the Board that this would be his last meeting and gave a verbal registration, which he will follow-up with a written one. He thanked the other Board members for their patience with him. Mayor Jessop thanked him for his years of service, and for making the time to call in. JVar added that if Doran could reconsider, it would be appreciated. Doran did not know how he would make it work financially or with his schedule.

Attorney Kesselring asked for confirmation that Doran’s personal appearance would not be feasible and that it is his choice to resign. Vincen confirmed that we can proceed with filling Doran’s seat as well with his formal resignation. Christian informed the council that by the state code is mandatory that the council move forward to appoint. Christian reminded the attending members of the importance of having a quorum, if we don’t have a quorum we can’t hold a meeting.

Maha requested that the resolution be gone over with the public. John Barlow read the resolution, which will be posted for 15 days, out loud. JVar felt that Brian should be given 20 more days before taking any action. Council discussed election terms, JVar would like the people to fill this position as soon as possible. Jared asked for confirmation from Christian about the term. The appointee will fill the position until the next election cycle of this year. We will make sure that we are following the State code when the replacements are appointed.

**Maha Layton moved to adopt resolution No. 2018-04-01, deeming the office of Council Member Brian Jessop vacant and instituting procedures to fill the unexpired term.**

**Jared Nicol seconded. Roll call vote:**

	YES	NO	ABSTAIN
Doran Jessop	X		
JVar Dutson		X	
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**Jared Nicol moved to have the City Recorder post the vacancy for Doran Jessop's resignation per the State Statue.**

**Maha Layton seconded. Roll call vote:**

	YES	NO	ABSTAIN
Doran Jessop	X		
JVar Dutson		X	
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#5 Welcome of New Officers**

This item was skipped due to a few of the Officers being out of town completing training to become dual certified. Officer Horsley requested that this be addressed at the May 16, 2018 meeting.

**#6 Action on Community Outreach Department Organizational Structure**

Roxanne Barlow presented. Softball for ages 3-18 is in the sign-up stage, deadline is the end of April. The after school club is busting at the seams. The children get to decide what they learn and do at the club, there is a lot of science and art being done. She presented a chart showing ideas of things she wants to get going.

Maha said that she is ecstatic about this program; it will be exciting to have a Miss Hildale to represent the city at the County Fair. JVar wondered if there has been contact with League of Cities to get money to support this program, and Roxanne is researching it. Jared thanked her for taking this on and for all her hard work.

**#7. Consideration and Possible Action on Obtaining a Lease for and Naming of Cemetery on the Corner of Canyon Street and Jessop Avenue.**

Mayor Jessop presented. This plot is what is called the "Baby Cemetery" and it has been completely overgrown with weeds. A volunteer group from the Dream Center went out last weekend and cleaned up all the weeds, took the fence down, etc. It is the Mayor's hope that the City obtains a lease for this land and gives it an official name. The name that has been proposed is "Lydia Jessop Memorial Garden".

Jared requested a history of Lydia Jessop. Lydia Jessop delivered thousands of babies; she is considered a mother to all in the community although she never had children of her own. The property is presently owned by the UEP and there is a landscaping plan in place to beautify the area. Maha questioned the plans for the future; she would like to wait on naming it, and wondered what we plan on doing with it, how many plots are available, expansion plans, etc. John clarified that we are trying to figure out if the city wants to take the planning and care on. Jared thinks it is a good idea to put it under the city and make sure it is being maintained. The council would like time to think about the name and get more public involvement. There was discussion on why the staff feels like the cemetery needs a name and ideas for the future of it.

Alma Fischer addressed the Board. He did not understand why the City has to lease the property and not just maintain it. Maha asked what the downside to leasing is. Alma explained that he thought that the town would be putting out money. John clarified that the “lease” will be more of a contract, there will be no charge.

**Maha Layton moved to obtain a lease for the cemetery located on Canyon Street and Jessop Avenue.**

**Jared Nicol seconded. Roll call vote:**

	YES	NO	ABSTAIN
Doran Jessop	X		
JVar Dutson		X	
Maha Layton	X		
Jared Nicol	X		

Motion carried.

Jeff discussed the UEP’s stand on the lease for the cemetery. Cemeteries are traditionally run by the cities; this is a perfect opportunity to take that on. The UEP is ready for the discussion on the lease. Mayor Jessop asked what the thought was on price. Jeff doubts that the UEP Board will ever have a profit motive, he is not the Board and they may have regulations to follow that he is not aware of. He stated that whatever the city’s request is, he will take to the board, but said that it may benefit the city to offer a monetary amount in exchange for certain commitments, if desired.

JVar asked about tax assessments. The cemetery legally should be taxed but he is not sure the current situation on that. If the City owns the property instead of the UEP it will then become tax exempt. Vincen stated that the City needs to call the county. There was discussion on deeds and leases for multiple properties and that may need to be discussed with the UEP. John stated that the city cannot take care of the cemetery without a lease. If we get a deed there are legal requirements that will need to be met, staff are signed up for classes to learn those.

Lawrence Barlow thanked the Board for considering this carefully. He has a son buried in the cemetery. He gave a short history of the location of the cemetery. It is important because of the record keeping that the cemetery either be a city function or a church function. He encourages the Board to take this on and would celebrate such. He requested careful consideration of a better name for the cemetery, as the name it is currently referred to is very derogatory.

**#8 Consideration and Possible Action on Lease for 325 East Newel Avenue**

John Barlow presented. This is the building across the street from the City Hall. This building is owned by the UEP, there was an informal lease in place between the city and the UEP to use the building for city purposes. John was unable to locate a lease. \$200.00 is paid in addition to the utilities by “Sunny Creek Sales” every month as a sub-lease. There was a verbal agreement made many, many years ago about using the building.

He contacted Tyler Barlow, CEO of Sunny Creek Sales, who said that the location is being used as a sewing factory. Tyler was asked if he would work out a lease directly through the UEP and

he said he would be uncomfortable with that. Tyler also said that he is working out of town and would not have the time to come in to discuss this with the City.

John recommended that we terminate the informal lease that is in place now with “Sunny Creek Sales” and see if the UEP would be willing to figure out a formal lease with the City or if the location needs to be turned back over to the UEP. Jared Nicol would like to speak with Tyler Barlow to personally try to talk to him.

Weston clarified that utility department does not receive the funds for the lease, it is billed with utility but goes into the general ledger. The city has been receiving rent money for the property, but the UEP has leased the building to the city for city use. There was a question as to the legality of this.

Jeff Barlow was under the impression that the building was being used under the utility department. There were questions as to what the building is presently being used for. If the building is not being used by the city, the Board of Trustees will take possession of it. Lawrence Barlow and Vance Barlow informed us that the building used to be the WIC office, many, many years ago. How it morphed to what it is now no one is sure.

It is Jared’s feeling that if as the City we cannot come up with an official lease, initially we should stop asking for the \$200.00 and let the UEP take care of the lease. Maha clarified that the question tonight is whether the city wants to use the building or the Trust needs to decide what the best use is.

It was suggested that the city could use it for the Community Outreach Department, or a mobile Marshal Office. Mayor Jessop said that we need to move forward on this one way or the other, because the current situation is not good. It was clarified that the utility department does not use the building in any way, shape or form.

**Jared Nicol moved to terminate the verbal lease between Sunny Creek Sales and Hildale City and proceed with obtaining a lease for 325 East Newel Avenue from the UEP.**

**JVar Dutson seconded. Roll call vote:**

	YES	NO	ABSTAIN
Doran Jessop	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

JVar would like staff to have a proposed use for the building on the next agenda.

**#9. Consideration and Possible Action on Plot 7 Lot Line Adjustment**

Presented by Jeff Barlow.

A Google Earth image was presented to explain the request. He recommends that we take the alleyway between JVar Dutson’s house and Alvin Barlow’s house and extend it. With this

amendment, it cleans up the lines to prepare property for the sale to the Washington County School District.

Next council meeting there will be discussion on vacating utility easement corridors for a few lots. Any discussion about making the alley a road can be addressed in the future, if it is brought up. JVar cannot vote on this because he has a financial interest. Jeff suggested that a correction be made on a section of Utah Avenue presently owned by the UEP.

Christian pointed out that there is another property more east on Utah Avenue that needs the same action. Vacating these easements right now does not affect the utility department. If the council approves everything discussed today Jeff will have the final changes made to the plat and have it presented for signatures. If the council only approves plat 7, he will only make the changes

The school district asked to have the utility corridors removed. Maha asked for an explanation of a “utility corridor”. Jeff explained that around every lot in a subdivision there is a “utility corridor” with a setback as an access point. A lengthy discussion on the legalities Jeff clarified that the correct terminology is “plat” rather than “plot”.

**Maha Layton moved to approve the plat 7 lot line adjustment and the removal of the utility corridors around plat 7 with the exception of the frontage on Utah Avenue.**

**Jared Nicol seconded. Roll call vote:**

	YES	NO	ABSTAIN
Doran Jessop	X		
JVar Dutson			X
Maha Layton	X		
Jared Nicol	X		

Motion carried.

Jeff continued the discussion to clarify another change that this approval will make. This is not create any alleyways; they already exist and are recorded. Approval of this amendment will split the Mike Emack lot for parking for “Big Rock”. He explained the plan for the “Big Rock” park.

**#10 Proposal of and Possible Action on Employee Hiring Procedure**

This item was tabled

**#11 Closed Executive Session**

Not needed

**#12. Adjournment**

**Maha Layton moved to adjourn.**

**JVar Dutson seconded.**

With no other business, meeting was adjourned at 7:41 P.M.

I verify that a copy of the notice and agenda was delivered to the Mayor and City Council members and posted at the City Hall, 320 E. Newel Avenue, Hildale, Utah and sent to the Utah State Public Meeting Notice coordinator.

Minutes were approved at the City Council Meeting on May 16, 2018 .

Vincen Barlow

Vincen Barlow, City Recorder

