

# Hildale City Council Meeting

320 East Newel Avenue, Hildale, Utah 84784

Wednesday September 5, 2018

**Present:**

**Council Members:** Stacy Seay, JVar Dutson, Jared Nicol, Maha Layton, Lawrence Barlow

**City Recorder:** Vincen Barlow

**City Manager:** John Barlow

**Staff:** Weston Barlow, Andy Barlow, Susie Barlow, Leonard Black, Nathaniel Barlow, Chief Askerlund, Harrison Johnson, John Barlow, Mariah La Corti, Officer Taylor Barlow,

**Public:** Joseph Allred, Vance Barlow, Sarah Barlow, Eric Velander, Mindy Barlow, Joan Barlow, Savanah Adams, Willie Jessop, Lee Steed, Debbie Steed, Ray Chatwin, Toni Chatwin, Jessica Chatwin, Thomas Steed, Melissa Galbraith (this list may be incomplete)

**#1 Call to Order and Pledge of Allegiance**

Stacy Seay called the meeting to order at 6:30 p.m. The crowd all joined together in the Pledge of Allegiance.

**#2. Approval of Minutes from 08/01/2018 City Council Meeting**

**JVar Dutson moved to approve the minutes of the 8/1/2018 City Council Meeting  
Maha Layton seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#3. Public Comment**

Debbie Steed, wife of Lee Steed, came to talk to the Board about what happened on 9/4/18. In 2000 they built their home and purchased a 1,000 gallon tank from Nap Jessop. She stated that at that time, renting was not an option. Due to the time that has elapsed they are not able to provide a receipt for such. She stated that she was made to feel like a bad guy while the utility department and cops removed the tank from their property, leaving them without gas. She asked for suggestions on what to do about the tank. Most councilmembers thanked her for coming and sharing their side of the story and assured her that she has been heard and that this will be followed up on to make sure things are right.

Willie Jessop expressed his disappointment about the administration making enemies out of the public by acting heavy-handedly. He asked to be treated the way that those acting would like to be treated. He explained that rules and regulations are not the problem; the problem is the way the people are treated. He cautioned the city against attempting to remove his propane tank, which was obtained the same way Lee Steed's was. He talked about why the city is uninsurable. Lee Steed commented about city officials and officers trespassing on his property without permission and without due process. He claimed he was not given an opportunity to discuss the issue at hand, and what transpired was not right. Maha expressed her appreciation for the comments and assured Lee that communication and due process are important. Stacy explained that no action could be taken at this time but that this issue will be followed up on.

#### **#4. Reports of Administrative Departments**

Andy Barlow presented for the building department. Everything is going as normal. There are some permits out for projects that he has inspected. With the moratorium on land use he is only inspecting and going forward with projects that are not stopped by the moratorium. He announced that he is the CDBG Grant Manager for the Town of Colorado City and invited any interested parties to attend a meeting 9/6/18 at 6:00 to give input on 2019 projects.

Chief Barlow provided a report for the packet. John pointed out that The Fire Department volunteered to cover shifts in Draper while firefighters paid their respects to a passed chief.

Nathaniel Barlow reported on the parks. He explained that the grass and weeds are still growing and there is plenty of work to do.

Chief Askerlund addressed the public and asked them to contact him if there are any concerns with the police department. 321 calls for service were responded to in the month of August. Vandalisms are a big concern. He and the Mayor have discussed starting a neighborhood watch, which the police department cannot start, but can be involved in. He encouraged the idea and offered assistance and training as it develops. The curfew in Hildale is 9:30 and 10:00 in Colorado City; he has requested that this be standardized for ease of enforcement. There are a lot of exceptions to curfew laws, but the law gives officers probable cause to stop youth and make sure they are not up to no good. Chief Askerlund pointed out that the city's noise ordinance needs to be revisited.

There was discussion on the officers being involved in the incidents yesterday. Chief Askerlund explained that it is their duty to keep the peace and they were there on request of a city employee for such. He stated that Lee Steed was given the opportunity to file a report.

The Marshal's office is committed to meeting the requirements of DOJ case, going above and beyond what is required; his goal is to get the injunction ended prior to the 10 years through these actions.

A night out against crime will be held on October 2, 2018, giving the public an opportunity to discuss issues, ask questions and get answers.

Harrison Johnson presented for the Utility Department. He read aloud a letter written for the council. The objective of the Department is to be customer service oriented, while making sure policies and rules are enforced equally. He pointed out safety and security risks that are being addressed. He is working on a policy for dealing with aging and delinquent accounts. The Utility

Board approved a billing cycle change which allows customers to pay on the 1<sup>st</sup> of the month without receiving a late fee. He gave an update on the sewer pond dredging. The Department is conducting research to see if providing fiber optic would be cost effective. He informed the council of a chlorine test reporting violation that happened in July. The management is doing a professional development plan for each employee, so that the employees are working toward their goals, whether they are related to the city or not. He reported on the backflow protection issue. A notice will be included in the utility bills for August, educating and informing the public of how to be in compliance. Harrison invited any feedback. Councilmembers commended Harrison for his hard work thus far.

John Barlow gave the Managers Report. He briefly talked about the Council supporting staff that has followed policy. He discussed a few things that have happened in the Utility Department within the last month that will have a huge positive impact on the community.

John is filling the function of the Planning and Zoning Administrator right now, he explained that land use ordinances outline where things are. He has proposed a philosophical principal for the commissioners to follow which is to develop land use ordinances that are structurally sound and then relax the ordinances enough to get them passed quickly. John walked the council through what to expect when reviewing the proposed ordinance. Key issues that the Council were asked to look at carefully when reviewing the proposed ordinances include allowed non-conforming uses and conditional use permits. Maha asked the public to speak up and give feedback at the public hearings.

Central Street detention pond is deeper and safer due to being used as a resource extraction for other projects. Carling street detention pond is nearly complete. After looking at the Canyon Street project closer it was noticed that the plans included the use of a canal that runs along Canyon Street at the point of the mountain. John authorized a change order for the funding of digging deeper to put in a drain pipe to avoid pushing pedestrians into the road. John explained that while this is in the best interest of the city this may benefit Jeff Barlow and he disclosed conflict of interest with Jeff Barlow being his brother. This will be happening within the next couple weeks.

The cemetery on Canyon Street is in dire condition. John will propose a cemetery budget asking the UEP to fund a renovation in an effort to show the public that the city cares about the cemetery; the city will offer to maintain the cemetery in exchange and possibly use some of the city's parks maintenance money to contribute. Maha expressed concerns about administration spending time on this at the moment because of this being low on the priority list. John explained that he has not spent much time, simply gathered volunteers to work on it.

Harrison Johnson is taking the lead on getting bids for physical security and access control. It is likely there will be bids presented at the next meeting.

In an effort to be transparent and facilitate a better understanding John is looking into an online system that will publish Hildale City financial reports as they are updated in the accounting software. If the pricing is affordable the council may see a proposal to purchase the license.

Christian has spent a lot of time on developing narratives that are required for insurance applications. Three applications were submitted: 1st to renew the insurance that the city currently had, 2nd to expand the City's general liability coverage to include actions taken by public and appointed personnel, 3<sup>rd</sup> for insurance that would cover the Hildale City Police Department. The renewal was accepted right away and we are waiting to hear back on the others.

John believes that public trust in Hildale City is dropping. He will present a way to address this concern and invited the council to propose solutions.

Action has been taken to terminate the lease with Sunny Creek Sales, the trailer across from City Hall, council will receive more details as they develop.

Administration is working on planning a tour of operations and strategy session as requested by the council. Hildale City will be sponsoring a career fair. The Outreach Department will be sponsoring a Cactus Apple Fair.

Engineering for the Utah Avenue Safe Routes to School Project is mostly done. Funds may allow sidewalk on the north part of Utah Avenue in addition to what is going to go in from the original plan. Councilmembers made suggestions on other sidewalk options. Discussion was had on a plan to use Public Works funds to make Utah Avenue safer in the school zone.

A roundabout would not work on Utah Ave and Central Street without doing serious excavating. Engineers proposed a simple intersection structure that will be implemented with after speaking with Public Works.

**#5. Consideration and Possible Action on Canceling Change Order for Flood Mitigation**

Maha declared Jeff Barlow is her brother, but put in on the record that she supports this decision.

**JVar Dutson moved to approve the change order for flood mitigation.**

**Lawrence Barlow seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton			X
Jared Nicol	X		

Motion carried.

**#6. Consideration and Possible Action on Opengov License Purchase**

Skipped

**#7. Approval of Minutes and Ratification of Action Items from 7/31/18 Utility Board Meeting**

**JVar Dutson moved to approve the minutes and ratify the action items from the 7/31/18 Utility Board Meeting  
Stacy Seay seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#8. Approval of Minutes and Ratification of Action Items from 7/2/18 Planning and Zoning Commission Meeting**

**Lawrence Barlow moved to approve the minutes of the 8/1/2018 City Council Meeting  
Jared Nicol seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#9. Approval of Minutes and Ratification of Action Items from 7/11/18 Public Works Advisory Board Meeting**

**JVar Dutson moved to approve the minutes of the 7/11/18 Public Works Advisory Board Meeting  
Stacy Seay seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#10. Public Hearing on Compensation of the Elected and Statutory Officers of Hildale City**

**Lawrence Barlow moved to go into the public hearing on the compensation of the elected and statutory officers of Hildale City  
JVar Dutson seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

John gave an overview of what is being proposed. Pay increases are being proposed for the City Manager and Recorder as the six month probationary period has ended. He has outlined an objective pay structure based on years of service and education and will be working with Utilities and Colorado City Department Heads to implement it. Until that time as a temporary solution, he has made recommendations based on where he feels individuals will fall on that scale. Administrative staff whose six month probationary period will be given temporary raises based on this scale, but that does not need to be taken before the public for scrutiny. These raises were budgeted for in the budget.

No other public input was given.

**Maha Layton moved to close the public hearing and reconvene the regular Council Meeting  
JVar Dutson seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#11. Consideration and Possible Action on Compensation of the Elected and Statutory Officers of Hildale City**

**JVar Dutson moved to increase the salary of the City Manager, John Barlow, to \$56,456.00.**

**Stacy Seay seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		

JVar Dutson	X		
Maha Layton			X
Jared Nicol	X		

Motion carried.

**JVar Dutson moved to increase the salary of the City Recorder, Vincen Barlow to \$53,832.00**

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

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#12. Consideration and Possible Action on Cost Reimbursement Plan for Private Vehicle Use of City Manager**

There is a vehicle being used by the building department that is close to the end of its life. John proposes auctioning off that vehicle and moving the vehicle that he is currently using to that Department and getting a reimbursement for use of his private vehicle.

Maha expressed her concern with not having enough information on the city's current vehicle situation to make this decision. JVar explained that this is a really good rate and proposed that this be approved temporarily and John be asked to come back with more information.

**Stacy Seay moved to approve a temporary reimbursement of \$220.00 a month to the City Manager for use of his private vehicle until council is given an opportunity to assess other options**

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

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton		X	
Jared Nicol	X		

Motion carried.

**#13. Consideration and Possible Action on Appointing Planning and Zoning Commission Member**

Skipped

**#14. Consideration and Possible Action to Pay Bills and Approve Check Register**

JVar asked about the \$200,000 budgetary shortfall. John explained that money was budgeted to take from reserve funds and use it elsewhere. John recommended that the council compare revenues to expenditures for a better understanding of where the city is financially, more money is being brought in than expended.

Susie Barlow presented, walking the council through the provided financial report in detail and answering questions.

**JVar Dutson moved to pay bills as they become due and the funds become available  
Stacy Seay seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

Brief recess taken at 9:40. Meeting reconvened shortly thereafter.

**#15. Consideration and Possible Action on Accepting Caselle Software and Service Proposal for Payroll Systems**

There is an issue with records management presently. Moving to a cloud base system would save everyone a lot of time because of the OCR capability. The Caselle system is compliant and up to date with Federal PII regulations.

If the records management module is purchased, Caselle will waive the fee for the payroll module. The payroll module would make the accounts payable job much easier.

**Maha Layton moved to approve the purchase of the Caselle Document Management Software which includes Caselle Direct Deposit  
Lawrence Barlow seconded. Roll call vote:**

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.



**#16. Consideration and Possible Action on Adopting Ordinance No. 2018-004 Amending the Meetings for the City Council**

Jared expressed his concern with having only one meeting a month because of the length of the meetings and being required to rush through items. John explained that it is helpful to the staff because of the extreme amount of preparation work that it takes to put meetings together.

Maha explained that if meetings are going to be held once a month, there should not be “emergency” meetings. JVar asked to move forward with Town Hall Meetings to increase public involvement.

**JVar Dutson moved to adopt Ordinance No. 2018-004 amending the meetings for the city council**

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

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#17. Consideration and Possible Action on Adopting Resolution No. 2018-09-01 Regarding Segregation and Allocation of Funds**

Weston presented. This was passed by the Utility Board. He gave a brief explanation on how the numbers were reached. This has to be done for auditing purposes. He explained that sewer is owned by Hildale and Propane by Colorado City. Everything else is dually owned.

Maha expressed her appreciation to Weston for everything he has been doing.

**Stacy Seay moved to adopt Resolution No. 2018-09-01 regarding segregation of utility funds**

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

	YES	NO	ABSTAIN
Lawrence Barlow	X		
Stacy Seay	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		

Motion carried.

**#18. Reports from Mayor and Council Members**

Hildale City Council – September 5, 2018

This is an opportunity for council members to bring up things that they would like to see on the agenda, no discussion can be had.

Maha would like to see signage for the Montessori School on Carling Street. She would like to see the packets uploaded on-line. She made a suggestion to the council members to refrain from using the word “legally”. She would like to see polls from the Hildale Citizens regarding what they feel the most important issues are.

JVar reiterated his request for a Town Hall Meeting once a month. He would like to address the Garkane Directors to request fair treatment. He will meet with Harrison to assure due process is being given.

Jared thanked the staff for their hard work.

**#19. Closed Executive Session**

Not needed

**#20. Discussion of Pending or Contemplated Litigation, Claims and Demands**

Not needed

**#21 Adjournment**

With no other business, meeting was adjourned at 10:10 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 October 3, 2018.

Vincen Barlow

Vincen Barlow, City Recorder

