

# Hildale City Council Meeting

320 East Newel Avenue, Hildale, Utah 84784  
Wednesday, August 7, 2019 6:30 pm

**Present:**

**Mayor: Donia Jessop**

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

**City Recorder: Vincen Barlow**

**City Manager: Christian Kesselring**

**Staff: Vincen Barlow, John Barlow (by phone), Mariah La Corti (by phone)**

**Court Monitor: Roger Carter**

**Public: Bobbie Hendrickson, Toni Chatwin, BJ Fischer, Willie Jessop, Charles Hammon (this list may be incomplete)**

**#1 Roll Call and Pledge of Allegiance**

Meeting called to order at 6:30 pm. Roll was taken, quorum present. Jared led the crowd in the Pledge of Allegiance.

**#2. Approval of Minutes of Previous Meetings**

**Maha Layton moved to approve the minutes of the February 27, 2019, April 2, 2019 and July 2, 2019 meetings.**

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

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

Motion carried.

**#3. Public Comment**

Bobbie Hendrickson addressed the council regarding the alleyway behind their home on Hildale Street which is used by ATV's, UTV's, motorcycles, etc. There have been many accidents that she has witnessed, in addition to criminal activity. She requested that the road be closed as a temporary solution, but ultimately come up with a better solution.

Toni Chatwin read aloud a letter that she wrote regarding the disruption of the residential area in which she lives (640 N. Juniper Street) with the construction of a commercial lodge/restaurant (620 N. Juniper Street). She is concerned that the fence between the two does not provide sufficient privacy. She would like the city to require the business to construct a privacy fence no less than 6 feet tall and refuse a public restaurant, alcohol sales and additional dwellings. She

feels that a town can have both tourism and residents, but that the two should not be combined into one area.

BJ Fischer, an investor for the project discussed by Toni, addressed the council regarding community beautification. He feels that the idea is to take fences down, not put them up, and homeowners should be required to step up and fix up their properties.

Willie Jessop addressed the issue of parking on Utah Avenue. He also touched on graffiti and trespassing problems. He requested help from law enforcement to shut this down. In addition, he discussed an issue with staff, and the requirements he is being required to meet for his subdivision regarding the width of this street. He would like a forum to be able to bring issues with staff directly before the city council.

#### #4. Oversight Items

##### A. Financial and Check Registry Review and Approval

Christian explained that financial statements were not provided because of the transition into the beginning of the fiscal year and audit. A check registry was provided for review.

**JVar Dutson moved to pay the bills as they become due and the funds become available.**

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

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

Motion carried.

##### B. Ratification of Utility Board Actions

**Stacy Seay moved to ratify the action items of the June 25, 2019 Utility Board Meeting.**

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

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

Motion carried.

**B. Discussion on City Manager’s Report**

Christian updated the council on what has been going on through the various departments. Auditors were on-site for a visit, planning and zoning continues to receive a steady stream of applications, we have seen a lot of progress on the economic development front with the new businesses coming to town, Jason Cooke has left the city to work for the UEP which will affect the maintenance contract for Cottonwood Park, Chief Askerlund announced his retirement from the Marshal’s Office, the Fire Department has been busy with wildfires, the Public Works project on Utah Avenue has been completed, SRTS funding application for next year has been submitted, CTC is working on setting up their coalition, Community Outreach spent a lot of time on the Health Fair and it was overwhelmingly successful. He also reported on the progress of the water feasibility study, court monitor report and resignation of Utility Billing Clerk/City Treasurer.

Councilmember Nicol requested further action on the dog issue. Chief Askerlund outlined an impound statute that could be implemented better and updated the council on what has been going on with the Marshals Office.

**#5. Consent Items**

**A. Approval of Planning Grant Agreement with Drinking Water Board**

Administration was seeking approval of an agreement to the terms of an SRF grant from the Division of Drinking Water to fund a feasibility study of new water sources.

**B. Approval of Agreement for Professional Services for Groundwater Feasibility Study**

Administration was seeking approval of an agreement with Bowen Collins & Associates, an engineering firm, which sets the budget and scope of work for a feasibility study of new water sources, to be funded in part by the Division of Drinking Water Grant, and in part by money from the Water Fund.

**JVar Dutson moved to approve the Consent Agenda in its entirety as requested by administration, including 5A the approval of Planning Grant Agreement with drinking water board and B approval of agreement for professional services for groundwater feasibility study.**

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

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

Motion carried.

**#6. Action Items**

**A. Consideration and Possible Action on Adopting Rules of Order and Procedure**

Thorough discussion was had on this at the August 6, 2019 work session. A summary outlining the requested changes was given. Councilmembers had brief discussion regarding transparency.

**Lawrence Barlow moved to table this subject until the resolution has been printed and put before Councilmembers for review.**

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

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

Motion carried.

Resolution was printed and provided.

**Maha Layton moved to adopt Resolution No. 2019-08-002 Adopting Rules of Order and Procedure of the Hildale City Council.**

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

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

Motion carried.

Maha pointed out that the actual number on the resolution was different than what was stated in the motion. Vincen stated that a motion can be made to strike out the extra zero so that they match.

**Maha Layton moved to strike the zero from the last resolution.**

**JVar Dutson seconded.**

**B. Consideration and Possible Action on Appointing Temporary City Engineer**

Canaan Peaks Engineering has gotten very busy and is no longer able to work on the city's items. We already have an existing service contract with Sunrise Engineering. Administration would

like to take advantage of this contract until a permanent city engineer can be procured so that work is not being placed on hold awaiting engineering.

**JVar Dutson moved to Appoint Sunrise Engineering as the Hildale City Engineer temporarily until procurement of a permanent City Engineer can be completed, on the terms and at the rates provided in the existing work release. Stacy Seay seconded. Roll call vote:**

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

Motion carried.

**C. Consideration and Possible Action on Amending Schedule of Rates and Fees**

The Planning and Zoning Commission recommended a few changes to the schedule of rates and fees, a resolution to adopt those amendments is being proposed. Christian walked the council through the changes with an explanation of each; fees are based off the actual cost of staff time and resource to process the application.

**JVar Dutson moved to adopt Resolution No. 2019-08-01, adopting the changes and amendments to the Schedule of Rates and Fees recommended by staff. Maha Layton seconded. Roll call vote:**

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

Motion carried.

**D. Consideration and Possible Action on Amending Land Use Ordinance RE: Definition of Joint Utility Committee**

Kyle Layton presented. He outlined what a joint utility committee is, what they do, and who it consists of. There was brief discussion on the requested change in the definition.

**Jared Nicol moved to adopt Ordinance 2019-009, adopting amendments to Hildale City Land Use Ordinance. JVar Dutson seconded. Roll call vote:**

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

Motion carried.

**E. Consideration and Possible Action on Amending Zoning Map RE: Rezone of Parcel HD-SCHR-3-10**

Kyle Layton presented. Applicant is requesting re-zone from RA-1 to RA.5, splitting the lot in half for selling purposes. After having gone through the public hearing process, both the Planning Commission and staff recommend approval of the change.

**Stacy Seay moved to adopt Ordinance 2019-010, Amending Zoning Map RE: Rezone of Parcel HD-SCHR-3-10**

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

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

Motion carried.

**F. Consideration and Possible Action on Amending Zoning Map RE: Rezone of Parcels HD-SCHR-6-24 and HD-SCHR-6-32**

Kyle Layton presented. These properties have come before the council previously with a re-zone request, but the applicant determined that further consideration was needed. Applicant is requesting an RM-2 with Planned Development Overlay. After having gone through the public hearing process, both the Planning Commission and staff recommend approval of the change.

The need for a Planned Development Overlay was discussed in length. The applicant was invited to address the council. The benefit of a planned development overlay would be an open communal space for the residents to enjoy. There was brief discussion on road improvements for Field and Richard, and roads versus alleyways.

**Stacy Seay moved to adopt Ordinance 2019-011, Amending Zoning Map RE: Rezone of Parcels HD-SCHR-6-24 and HD-SCHR-6-32**

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

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

Motion carried.

#### #7. Executive Session

**Lawrence Barlow moved to go into an Executive Session for the discussion of pending or reasonably imminent litigation.**

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

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

Motion carried.

**JVar Dutson moved to close the Executive Session and reconvene the regular council meeting.**

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

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

Motion carried.

#### #8. Reports from Council and Mayor

Mayor Jessop made and sent videos to UDOT for the SRTS grant.

JVar requested that staff continue working on the water pressure issue from the UEP Office up the canyon.

A mid-month meeting was scheduled for August 21, 2019 in addition to the work session and regular meeting for September.

Jared expressed concerns about the implementation of the strategic plan. He would like to clean up the pipeline.

Hildale City Council – August 7, 2019

## #9. Adjournment

With no other business, meeting adjourned.

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 September 4, 2019.

A handwritten signature in blue ink, reading "Vincen Barlow", is written over a horizontal line.

Vincen Barlow, City Recorder