

Hildale City Council Meeting

320 East Newel Avenue, Hildale, Utah 84784

Wednesday, September 09, 2020, 6:30 pm

Present:

Mayor: Donia Jessop

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

City Recorder: Athena Cawley

City Manager: John Barlow

Staff: Christian Kesselring, Rob Radley (this list may be incomplete)

Court Monitor: Roger Carter (by teleconference)

Public: Sarah Barlow, Darlene Stubbs, Brayanna Braithwaite (this list may be incomplete)

#1. Welcome, Introduction and Preliminary Matters

Meeting called to order at 6:32 pm. Roll was taken, quorum present.

#2. Pledge of Allegiance

Jared led the crowd in the Pledge of Allegiance.

#3. Conflict of Interest Disclosures

No new disclosure forms received this month. No conflicts of interests.

#4. Approval of Minutes of Previous Meetings.

No meeting minutes to approve.

#5. Public Comment

No public comments.

#6. Informational Summaries:

Mayor Jessop welcomed Cherish Families and Chief Marshall to present a helmet drive. Cherish Families Representatives, Darlene Stubbs, Sarah Barlow, and Brayanna Braithwaite, presented that they are running a helmet drive to collect as many helmets as they can by the end of next month (goal 150 helmets or more). After that they plan on doing a safety class with Chief Radley to go over the new routes approved by the police, safety concerns, and to pass out helmets to kids in hopes that they wear them while speeding down our roads. They have posted flyers and provided a box for donations at the Marshall's office and City Hall where community members can donate helmets new or used.

The Council expressed thanks to Cherish Families for doing the helmet drive.

#7. Council Comments

Councilmember Dutson expressed anything that helps our community with the young motorcyclists that speed down our roads is a great thing. Mayor Jessop commented that she had great feedback on the event that Lonny Boy's did at Maxwell Park this past weekend.

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Councilmember Duston brought up that commercial users are filling up their big tanks at Maxwell Park during early hours of the morning and if there is a possibility of closing the park at night. In response, Councilmember Layton said that it seems like a good thing because they were tying up the taps during the day. There was discussion on how this will resolve once the decision had been made to charge for commercial use of Maxwell Park water which has been discussed in other meetings. Councilmember Nicol brought up that he likes the idea of a Council retreat. Mayor Jessop is in the works of seeing if it can happen.

#8. Oversight Items:

A. Financial

John mentioned that a budget was not submitted on time to the state auditor’s, so revenues were held up for April & May. Now those revenues have been received.

B. Check Registry Review

John covered and touched on highlights of the check registry.

**JVar Dutson moved to approve the check registry
Lawrence Barlow 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. Manager’s Report

John presented and updated the Council on several items. The UEP proposal of a plat revision on Canyon Street was revised by Sunrise Engineering and the revision shows that the road should be shifted straight to the right. John showed a sketch to the Council of the area in question and stated that he will add this change to the UEP proposal. Also, the road on Uzona that bends into Arizona right at the border should be straight. The UEP owns this property and have agreed to help do a plat revision if needed. The Council discussed this in depth and agreed to move in the direction to make it happen. John stated that he is looking for a way to consolidate the Wastewater debt with two large bonds at 4.5% interest to be paid over 20 years. There are 3 special events applications happening this month that are being worked on. John is still reviewing and doing research on how we can spend the Cares Funding. The Parks Department is removing all UEP garden trees and extending power to the northwest border of the ball field at Maxwell Park. Previously talked about in the work session meeting then a consultant has been paid to help the City Council better understand water rights. John concluded with the incident that happened on Utah Ave involving a minor on a bike and he stated that Chief Radley was present to answer any questions for the Council. He suggested adding to the general plan some planning to our roads focusing on thorough fares and street crossings to help traffic flow safer.

Councilmember Barlow asked if an update could be given of the road projects. John summarized Public Works projects that are in the works.

Councilmember Nicol brought up the shooting at the park and asked Chief Radley if there was anything the council needed to know about. Chief Radley expressed that the community is in pretty good shape as far as the shooting and that the attorney cleared the deputy involved. The civil litigation on the matter is still going through the process. Also, he mentioned that things in the community are going well and the police are keeping up their involvement with positive interactions like the helmet drive.

D. Ratification of Utility Board Actions

**JVar Dutson motion to ratify the Utility Board Action items.
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.

E. Request for Donation of Water Rights from UEP

The city is asking the UEP to donate a large amount of water rights to the City. The Director of the UEP, Jeff Barlow, is John’s brother which is conflict of interest. John recommended to the council his suggestion of assigning an oversight committee and two council members be involved in attending the meetings with the UEP to observe, then bring back information to the Council. His reason for this suggestion is to have transparency and improve trustworthiness.

Roger Carter gave observations of the situation and the decision being made after the Council discussed John’s recommendations extensively. He added that having oversight from representatives is not unusual for Cities to do.

Jared Nicol moved to appoint Councilmember Duston to observe preliminary discussion with the UEP requesting donation of water rights.

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. Wastewater Impact Fee Calculation

Jason Graham, owner of Dixie Spin, is putting a laundry mat in a building located on Hildale Street that is owned by Harrison Johnson, Utility Department Director, and Jeff Barlow. The Utility Board has assessed and calculated a sewer impact fee of \$43,000, but the fee seems economically burdensome for a laundry mat. John suggested four ways to handle the complaint due to conflicts of interest with Harrison owning the building and Jeff Barlow being his brother. First, have him handle the situation like any other and keep Christian and City Council looped in. Second, have a political oversight board. Third, take the complaint forward and have Vance Barlow handle it. Fourth, the City Council does not agree and goes with the fee as is. The Council discussed this thoroughly and decided to move forward with appointing oversight committee.

Lawrence Barlow moved to appoint Councilmember Dutson and Councilmember Nicol to observe the City Manager in his official duties relating to the complaint of Jason Graham and report back to the Council any perceived conflicts arising due to related parties.

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.

#9. Public Hearing

None

#10. Unfinished Council Business

A. Consideration on Course of Action to Develop Fire Protection on City Owned Building Near Mulberry Street

John gave a description of the project and the funding involved. He pointed out in the staff summary use of \$90,000 cares funding and coming up with the other proposals for the full cost. Jared Nicol declared that he owns several properties in the area.

Maha Layton moved to direct staff to use \$90,000 of CARES funding to connect as many as possible of the Hildale City residents that were affected by COVID to the City’s fiberoptic system and begin working on another solution to get adequate fire protection to the Mulberry building.

Lawrence Barlow 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. Consideration of Procurement for General Plan Revision Design Services

John presented a packet of two potential candidates for the General Plan Revision Design Service. The Council looked through the packet and reviewed the results. The Council agreed with the proposed candidate, Rural Community Consultants.

Maha Layton moved to accept the proposal from Rural Community Consultants and contract with them to prepare a general plan revision for the consideration. 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.

#11. New Council Business

A. Consideration of Ratification of Insurance Binder

JVar Dutson moved to ratify the renewal of the City’s insurance policy with Olympus Insurance.

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.

B. Consideration and Possible Action on Website Procurement

C. Consideration and Possible Action on Discontinuation of ClearGov Services

John gave a summary of what MuniCode provides in comparison to ClearGov. The yearly cost for ClearGov is \$6,000 and to purchase MuniCode for the first year would be \$14,550 and \$7,450 ongoing each year after. There is great value the City will get with MuniCode by having a custom designed website for Hildale and Utility Department and a searchable feature for items like ordinances, minutes, policies, and fillable applications. Having online accessibility for the

community will assist with COVID and would be an option for use of Cares Funding. The Council briefly discussed the benefits of going forward with this item.

JVar Dutson moved that we purchase website services from MuniCode and discontinue ClearGov.

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.

#12. Executive Session: Closed Meeting Held in Accordance with Utah Code 52-4-205 for the Purpose of Discussing pending or Reasonable Imminent Litigation.

Lawrence Barlow moved to go into a closed meeting for the purpose of discussing pending or reasonably imminent litigation and invite the City Manager, Attorney, Recorder, and Court Monitor to join the closed 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.

#13. Calendar of Upcoming Events:

None

#14. Scheduling

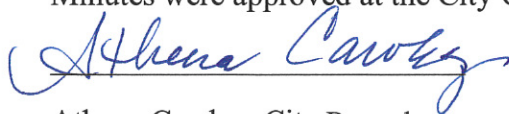
None

#15. Adjournment

With no other business, meeting adjourned at 9:50 pm.

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 7, 2020.



Athena Cawley, City Recorder
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