

Hildale City Council Meeting

320 East Newel Avenue, Hildale, Utah 84784

Wednesday, November 6, 2019, 6:30 pm

Present:

Mayor: Donia Jessop

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

City Recorder: Vincen Barlow

City Manager: Christian Kesselring

Staff: John Barlow (by phone), Kyle Layton (this list may be incomplete)

Court Monitor: Roger Carter

Public: Jesse Barlow, Shem Fischer, Lisa Fischer, Joan Barlow, Sarah Ventre, Arther Jeffs, Jerusha Darger, Vance Barlow, Dawn Bistline-Black, Rex Jessop, Mark Garza(spelling?), Gregg Garza(spelling?), Debbie Jessop (this list may be incomplete)

#1 Call to Order

Meeting called to order at 6:30 pm. Roll was taken, quorum present.

#2. Pledge of Allegiance

Jared led the crowd in the Pledge of Allegiance.

Mayor Jessop took a moment to let those present know of a candlelight vigil taking place at Cottonwood Park to pay respect to those who lost their lives in the Mexico shooting.

#3. Conflict of Interest Disclosures

No new disclosure forms received this month. No conflicts were declared.

#4. Approval of Meeting Minutes

Minutes from the previous meeting were not prepared in time. Therefore, this item was tabled.

#5. Public Comments

Shem Fischer gave the Council a quick update on the Zion Cliff Lodge. He expressed concerns about activities that have been happening around the neighborhood such as small tire fires and disruptive vehicle and ATV traffic. He proposed the city put a roundabout on Uzona and Juniper along with posting speed limit signs and putting in chip seal on the roads for dust control.

A. Preferred Parts Update and Request to Honor 2017 Ruling

Councilmember Seay invited a representative from Preferred Parts to present to the Council. Comments were limited to 10 minutes. Jerusha Darger requested help from the City Council concerning an ongoing issue with the land Preferred Parts is located on. She told of past years struggles with the previous city staff and Council. Christian Kesselring made the current City Council aware of important things to keep in mind when

addressing an issue like the one being presented. Councilmember JVar Dutson asked for past records concerning this case so that they can be reviewed by the City Council.

#6. Council Comments

Councilmember Lawrence Barlow presented to the Council a proposal to amend the Rules of Order and Procedure. Other Council Members added to the importance of addressing concerns of the public. There was conversation amongst the Councilmembers and staff discussing the rules, rights, and protection processes of asking to put something on the agenda and how requests coordinate with the agenda, minutes and other procedures. Councilmember Dutson commented on power that is being put into Maxwell Park to better accommodate the people of this town.

#7. Oversight Items

A. Financial and Check Registry Review and Approval

There was brief discussion on the financial status of the park's budget.

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

Lawrence Barlow moved to ratify the action items from the September 26, 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.

C. City Manager's Report

Christian Kesselring gave a brief overview of the Manager's Report.

D. Mayor’s Report

The Mayors report was distributed in the meeting. Mayor Jessop explained that this month was a busy, challenging month for her. She mentioned that she had been working with MCC to better coordinate with the community in order to make it easier for people to further their education.

E. Presentation of Court Monitor’s Quarterly Report

Roger Carter was asked to give the Court Monitor’s report. For the benefit of the public, he briefly explained how his association with this town came about. He touched on the requirements, codes and mandatory trainings of both cities.

F. Presentation of ClearGov Budgeting System.

John Barlow (via phone) presented and talked about the City’s new ClearGov budget management system. He showed how to navigate through the system and encouraged the council to explore it further in their own time.

#8. Consent Agenda:

A. Independent Contractor Agreement for City Prosecutor

Christian Kesselring reviewed the staff summary concerning the vacancy for the position of City Prosecutor and touched on the applicants that applied for the position and their qualifications.

JVar Dutson moved to approve the Consent Agenda in its entirety, including A. Independent Contractor Agreement for City Prosecutor.

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. Unfinished Council Business

There was no unfinished business carried over from previous meetings.

#10. New Council Business

A. Local Consent for Music Festival Temporary Event Beer Permit

Christian explained that Utah law, as well as the City’s own ordinance, requires a local consent before any local business can submit a permit application to the DABC for a beer license. He explained that Colorado City Music Festival is trying to get a head start on the Beer Garden for the upcoming year and they need the City Council’s consent to do that. Section 112-34(9)(f)(3) does not currently permit operations of a beer garden past 9:00pm. He explained that this may conflict with the real amount of time this event might actually last. He proposed two options for the City Council to review, adding that one would need an ordinance change. Dawn Bistline-

Black explained some of the events that took place at last year’s Festival that she would like to avoid in this upcoming year. She is looking for consents and approvals to better monitor the event properly. There was further discussion concerning potential ordinance changes, beer sales and where a beer garden could take place.

Jared Nicol moved to consent to the Alcoholic Beverage Control Commission issuing an event permit to the Colorado City Music Festival for May 9, 2020 during the hours of 10:00am to 11:00pm, authorize the Mayor to sign the consent form, and direct staff to present an ordinance to the Council for approval modifying Section 112-34 accordingly.

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. Amendment to Zoning Map RE: Rezone of 880 N. Elm St. (lot 25, Short Creek Subdivision 25)

Kyle explained that an applicant requested a planned overlay zone covering 8 acres to enable approval and development of their first phase, which will also be coming before the Council for preliminary plat and development agreement approval. He talked about some standards concerning 880 N. Elm St. along with information on lot splits that would need to be addressed in more detail before final approval.

Stacy Seay moved to approve the zoning map amendment subject to the conditions that the applicant complete a lot division within one year, and to adopt Hildale City Ordinance No. 2019-016 for the rezone of 880 North Elm Street.

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

C. Amendment to Zoning Map RE: Rezone of Phase 1 of the Heights at South Zion Estates (lots 52-55, 60-63 in Short Creek Subdivision 13)

Kyle started off the discussion concerning South Zion Estates by letting those present know that this presentation is quite information intensive. The applicant has requested a planned development overlay zone covering 8 acres to enable approval and development of their first phase, which will also be coming before the Council for preliminary plat and development agreement approval. Kyle mentioned road and parking concerns related to three changes discussed in the Planning and Zoning meeting with the Commissioners regarding right of way, lot width, and set backs. Mark Garza gave details on roads, property, and lots relating to the project. Christian Kesselring made clarifications on a few legal matters pertaining to this discussion.

Jared Nicol moved to approve the Amendment to the Zoning Map to R1-10 PD on the condition that the developer complete the Traffic Impact Study prior to Final Site Plan Approval.

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.

D. Preliminary Plat of Short Creek Subdivision 13, First amendment

The applicant has requested approval of a preliminary plat to re-subdivide a portion of the plat for Short Creek Subdivision 13, covering 8 acres that will make up their first phase. Planned development overlay zoning approval will be necessary prior to approving the preliminary plat. Kyle went through a check list and some requirements pertaining to easements and a preliminary plat. He mentioned that some items on this check list may be more of a City issue rather than a developer's issue. More on roads and streets and the Traffic Impact Study.

Lawrence Barlow moved to approve the Preliminary Plat on the condition that the Developer complete a Traffic Impact Study prior to Final Site Plan Approval and Construct any Off-Site Improvements indicated thereby.

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.

E. South Zion Estates Development Agreement

The Final Development Agreement was not complete. Staff recommended that the Council pass on this agenda item until next meeting. Therefore, this item was tabled.

F. Amendment of Employment Agreement for John Barlow

Christian touched on this amended Employment Agreement, explaining it in more detail to assure it was understood.

Jared Nicol moved to approve the Amended Employment Agreement for John Barlow, and to authorize the Mayor to sign on behalf of the City.

Lawrence Barlow seconded. Roll call vote:

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

Motion carried

G. Creation of Tourism and Recreation Committee

Christian presented, proposing a solution to make the community and Cities a better place by organizing volunteers for projects around the Cities.

Lawrence Barlow moved to refer the proposal to create a tourism and recreation committee to work meeting for further study.

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

H. Hildale Residential Mail Delivery

This item was tabled until next meeting (November 13, 2019).

Stacy Seay moved to move the Hildale Residential Mail Delivery to the work session on November 13, 2019.

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

I. Possible Revisions to Rules of Order and Procedure

Item skipped to be reviewed at next meeting.

Lawrence Barlow moved put this item on the work session for November 13, 2019.

JVar Duston seconded. Roll call vote:

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

Motion carried

J. Resolution Amending Water Service Regulations

The Utility Board recommended that the Cities create a procedure to allow water customers to obtain a billing adjustment of up to half their bill when they experience high water usage as a result of a water leak, once every three years. The proposed resolution, which has been reviewed by the court monitor and the DOJ, would amend the water service regulations to create the procedure.

Jvar Dutson moved to approve Hildale City Resolution 2019-11-01, adopting water service regulations amendment.

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

#11. Executive Session: strategy session to discuss pending or reasonably imminent litigation (Utah Code 52-4-204)

Maha Layton moved to go into executive session to discuss pending litigation 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. Calendar of Upcoming Events

No discussion.

#13. Scheduling

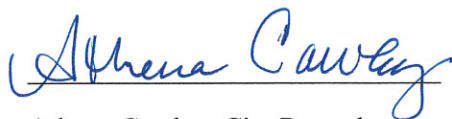
The next meeting will be on Wednesday November 13, 2019 at 6:30 pm for a work session and special meeting, and Wednesday December 4, 2019 at 6:30 pm for the regular Council Meeting.

#14. Adjournment

With no other business, meeting adjourned at 11:19 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 08-05-20.



Athena Cawley, City Recorder

