

# Hildale City Council Meeting

320 East Newel Avenue, Hildale, Utah 84784

Wednesday, October 7, 2020, 6:30 pm

## Present:

**Mayor: Donia Jessop**

**Council Members: Lawrence Barlow, JVar Dutson, Jared Nicol, Maha Layton, and Stacy Seay (excused)**

**City Recorder: Athena Cawley**

**Interim City Manager: Harrison Johnson**

**Staff: Christian Kesselring (this list may be incomplete)**

**Court Monitor: Roger Carter**

**Public: Raymond Boyer, Les Holm, Kevin Barlow, Amanda Knudson, Charles Hammon, Jason Graham (this list may be incomplete)**

## #1. Welcome, Introduction and Preliminary Matters

Meeting called to order at 6:35 pm. Roll was taken, quorum present.

## #2. Pledge of Allegiance

Jared led the crowd in the Pledge of Allegiance.

## #3. Conflict of Interest Disclosures

Maha disclosed that John Barlow is her brother in reference to the two items on the agenda, John's resignation and contract agreement. She will abstain from voting on those items.

## #4. Approval of Minutes of Previous Meetings

The Council reviewed and discussed the meeting minutes provided in the packet for following meetings, July 29<sup>th</sup>, August 5<sup>th</sup>, August 12<sup>th</sup>, and September 9<sup>th</sup>.

**JVar Dutson moved to approve the minutes provided in the packet to include the minutes for the meetings held July 29<sup>th</sup>, August 5<sup>th</sup>, August 12<sup>th</sup>, and September 9<sup>th</sup>.**

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

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

Motion carried.

## #5. Public Comments

Jason Graham expressed concern with the building permit for his laundry mat being held up due to high wastewater impact fees. He explained that he owns several other laundry mats in Washington county and has not run into other municipalities that have had an impact fee for a

remodel. To his understanding if codes are interpreted correctly then this would not be an issue. This remodel is in a commercial building and has utilities already suitable for the use of this business.

Raymond Boyer from Ruesch & Reeve Law gave a public comment in representation of Wedgewood Development regarding a long-term lease agreement with the City for Lot 8 of the Hildale Industrial Park.

**#6. Proclamation of National Domestic Violence Awareness Month**

The Mayor read a passage about Domestic Violence Awareness Month.

**#7. Oversight Items**

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

Harrison presented the financial reports and the check registry. The Council asked questions and for clarifications about purchases on the invoice register, particularly on charges from Creek Valley Health Clinic as it has to do with the CARES Act Funding.

**JVar Dutson moved to approve the check registry as funds come available.  
Maha Layton seconded. Roll call vote:**

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

Motion carried.

**B. City Manager’s Report**

Harrison presented on the CARES Act funding going to the fiber system. He talked about the fiber contractor that will work on infrastructure improvements, and on the water projects with the UEP. He gave an update on Dominion Energy on the efforts to transport natural gas to the cities. He answered questions and comments from the Council.

**#8. Appointment of Kevin Barlow to Fire Chief**

Kevin Barlow presented on his career throughout the years in serving the community. The Councilmembers expressed their appreciation for the efforts he has put into the community.

**JVar Dutson moved to appoint Kevin Barlow to Fire Chief.  
Maha Layton seconded. Roll call vote:**

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

Motion carried.

**#9. New Council Business**

**A. Consideration and Possible Action on Appointment of Interim City Manager**

Mayor Jessop, Harrison, and Christian discussed the situation with John Barlow’s resignation from the City Manager position and appointing an Interim City Manager while the hiring committee performs interviews. Mayor Jessop recommended using Harrison for Interim City Manager. The Council Members added their input on the matter. Harrison answered questions and comments from the Council.

**JVar Dutson moved to appoint Harrison Johnson Interim City Manager. Lawrence Barlow seconded. Roll call vote:**

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

Motion carried.

**B. Consideration and Possible Action on Impact Fee Agreement with Jason Graham**

Jason Graham gave a second public comment, touching on impact fees in relation to commercial or noncommercial buildings. Harrison presented a summary of the development agreement. Then gave clarifications on the impact fees pertaining to the agreement. Christian explained the legalities of the contract and read subsection 55-1 of City Code for the Council.

The Council and staff discussed the consideration of whether to approve the development agreement or not. It was specified that decision lies between the policy as it is being enforced with current impact fee amounts or approve this development agreement allowing the Council six months to work on a new solution.

**Jared Nicol moved to approve the Development Agreement with Graham Laundry Holdings LLC.**

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

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

Motion carried.

Christian gave clarifications to the resolution for the Development Agreement with Graham Laundry Holdings, LLC.

**Lawrence Barlow moved to approve Hildale City Resolution 2020-10-01, approving a Development Agreement between Graham Laundry Holdings, LLC and Hildale City regarding wastewater impact fees.**

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

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

Motion carried.

**C. Consideration and Possible Action on Cost Share Agreement with Charles Hammon**

Harrison presented. The cost share agreement with Charles Hammon is proposing the city do construction services by paving and improving along Richard Street and Field Avenue. Charles Hammon will pay for the improvements to those streets and the surrounding.

Charles Hammon gave a public comment about infrastructure improvements agreement to do chip seal on Richard Street and Field Avenue by the public ally after he pays his portion.

Maha Layton asked if public works has seen and submitted anything in writing.

Christian explained that a meeting took place with the City Manager and the Public Roads Director to nail down a per square foot price of what it would cost the city to get the roads chip and sealed. John Todd, Public Roads Director, has received a per square foot price. Charles Hammon gave a detailed sq footage calculation which is stated in the agreement.

**Maha Layton moved to approve the Cost Share Agreement with Charles Hammon on the condition of written approval, the logistics and time frame, from our Public Works Manager John Todd.**

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

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

Motion carried.

**D. Consideration and Possible Action on Resignation and Exception to Policy Leave Time Exception for John Barlow**

Harrison presented that John Barlow is asking the City Council to formally except his resignation and to authorize an exception to the policy that would reimburse accrued leave time all at once. Christian and Harrison gave details from the policy to clarify reimbursements of leave time.

**Lawrence Barlow moved to accept John Barlow’s resignation and approve the exception of the policy of John’s resignation.  
Jared Nicol seconded. Roll call vote:**

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

Motion carried.

**E. Consideration and Possible Action on Consulting Contract for Services for John Barlow**

The Council and staff discussed the services that John would provide for the City and talked about the costs of paying him.

**Lawrence Barlow moved to approve Contract Services with John Barlow and adhering to purchasing limits with standards in the agreement.  
Jared Nicol seconded. Roll call vote:**

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

Motion carried.

**F. Consideration and Possible Action on Safe Routes to School Program**

Harrison presented. The Council discussed the grant that would go towards the improvement of roads and sidewalks for the Safe Routes to School Program.

**Lawrence Barlow moved to direct staff to prepare the grant to improve Hildale Street sidewalk starting from Jessop Ave south to Uzona Ave; also, Utah Ave east from Hildale Street to Memorial Street specifically North side sidewalk under the Safe Routes to School Program.  
JVar Dutson seconded. Roll call vote:**

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

Motion carried.

**G. Consideration and Possible Action on Rezone Request for HD-SHCR-6-1 from Neighborhood Commercial (NC) to Residential Agricultural Half Acre (RA-0.5)**

Harrison explained the rezone request and the applicant confirmed with him his intent to do a text amendment in the future for a higher density zone. Christian presented that the Planning Commission recommended to rezone the entire lot to Residential Agricultural Half Acre (RA-0.5). He explained the difference of what is permitted use in RA1 vs RA.05.

**JVar Dutson moved to approve Ordinance No. 2020-012 rezone request for HD-SHCR-6-1 from Neighborhood Commercial (NC) to Residential Agricultural Half Acre (RA-0.5)**

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

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

Motion carried.

**#10. Executive Session: Closed Meeting Held in Accordance with Utah Code 52-4-205 for the purpose of Discussing Pending Reasonable Imminent Litigation**

**Lawrence Barlow moved to go into a closed Executive Session for the purposed of discussing pending or reasonable imminent litigation.**

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

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

Motion carried.

**JVar Duston moved to come out of Executive Session and go back into a regular meeting.**

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

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

Motion carried.



**#11. Calendar of Upcoming Events**

There is a Rocktoberfest scheduled at Maxwell Park on October 29th. The City Council Work Session Meeting is scheduled for October 28th 6:30 pm.

**#12. Scheduling**

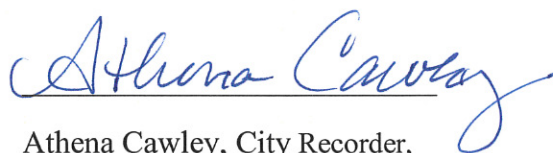
Councilmember Nicol talked about the complaint with Jason Graham and how it was stated as the City Manager would be monitored by Councilmember Duston & Nicol due to conflicts of interested stated in the previous meeting. Lawrence asked if we could add the subcommittee appointments from the last meeting to the board meeting agenda for next time.

**#13. Adjournment**

With no other business, meeting adjourned at 10:35 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 March 3<sup>rd</sup>, 2021.



Athena Cawley, City Recorder,

