

Hildale City Council Meeting

320 East Newel Avenue, Hildale, Utah 84784

Wednesday, June 5, 2019 6:30 p.m.

Present:

Mayor: Donia Jessop

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

City Recorder: Vincen Barlow

City Manager: Christian Kesselring

Staff: Chief Askerlund, Mariah La Corti, Kyle Layton, John Barlow (by phone)

Court Monitor: Roger Carter

Public: Allen Zitting, Charles Hammon, Savannah Adams, Vance Barlow, Ray Jessop (this list may be incomplete)

#1 Call to Order/Roll Call/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 Meeting Minutes

No corrections noted.

Jared Nicol moved to approve the minutes of the April 29, 2019, May 1, 2019 and May 8, 2019 meetings.

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.

#3. Public Comment

Allen Zitting expressed his appreciation for our planning and zoning processes.

#4. Oversight Items

A. Financial and Check Registry Review and Approval

Revenues with comparison to budget report and check register for the month ending May 2019 were provided for the council to review.

Lawrence Barlow moved to pay the bills as they become due and the funds become available.

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. Ratification of Utility Board Actions

JVar Dutson moved to ratify the action items from the March 26, 2019 Utility Board Meeting.

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. Discussion on City Manager's Report

Christian provided the council with written reports on city departments, UEP-TCWW Settlement, Injunction Compliance, and Staffing. Jared requested an update on capital projects fund. Lawrence expressed his gratitude for the presentation of the Manager's Report.

D. Discussion on Acquiring Tablets for Council, Board and Commission Meetings

After obtaining input from Colorado City, Christian contacted Verizon regarding tablets, as they could be simply added on to the Verizon plan and there would be more control over the network. He reviewed a few options with the council. Device costs will be similar regardless of where they purchase.

Jared liked the idea of having a device just for city business. Councilmembers directed him to focus on screen size, rather than network.

#5. Consent Items

A. Approval of Interlocal Cooperation Agreement Regarding Election Services

Administration is seeking approval of an agreement engaging the services of Washington County to print ballots, provide election equipment, and count the ballots cast. This agreement has been reviewed by the City Attorney.

B. Approval of Memorandum of Understanding with Office of State Debt Collection

Administration is seeking approval of an agreement engaging the services of the OSDC to collect balances due to the Justice Court. This agreement has been reviewed by the City Attorney.

JVar Dutson moved approve the consent agenda as requested by administration, with the exception of item C, which should be moved to the strategic discussion items portion of the agenda.

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. Approval of Customer Service Agreement with Garkane Energy

JVar requested discussion on this item prior to approval. Administration is seeking approval of an agreement to provide customer service on behalf of Garkane in the City’s front office. Generally, our office staff will be accepting payments, answering customer questions, and assisting Garkane customers with connecting with Garkane for more complex issues. Hildale City will receive \$14,000 from Garkane and can terminate the agreement at any time. This agreement has been reviewed by the City Attorney.

After this explanation, councilmembers unanimously agreed that this would be a great benefit to the community.

Lawrence Barlow moved to approve item 5C.

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.

#6. 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.

Lawrence Barlow moved to close the executive session and reconvene the regular council 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.

#7. Discussion on Proposed FY2020 Budget

The budget has been publicly available for review. Staff has no changes to present at this meeting. This is on the agenda for any discussion the council would like to have.

JVar asked if there is more money available to put into the street budget. John discussed the fund availability in the capital improvement fund. When Jared asked for discussion on fireworks, Christian explained the process of appropriating funds to a non-profit. This can be bypassed by the city hosting the fireworks show rather than making a contribution; but there are liability issues that go along with this.

#8. Approval of Resolution Setting FY2020 Tax Rate

Christian presented. The city is required by State Law to do this each year. The resolution is practically identical to previous years.

Lawrence Barlow moved to Approve Resolution 2019-06-001 Setting FY 2020 Certified Tax Rate for Hildale City.

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. Consideration and Possible Action on Adopting Ordinance to Re-Zone Lots HD-SCHR-13-1 through 64 and HD-SCHR-14-17 through 48

Christian presented. At the May meeting staff was directed to prepare an ordinance for this. A draft ordinance was prepared and provided to the council for review. The only difference from what the council asked for is lots 36 & 37 belong to the UEP and are not included in the re-zone.

**Lawrence Barlow moved to approve Ordinance 2019-004.
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.

#10. Consideration and Possible Action on Re-Zone Request for Lots HC-SCHR-2-28 and 29

Kyle Layton presented. The addresses being discussed were 865 N. Pinion Street and 885 N. Pinion Street. This has gone through a public hearing and the Planning and Zoning Commission and a recommendation was given, Kyle provided the council with a summary of such. Staff recommended approval of the zoning map amendment.

Allen Zitting made himself available for questions and comments from the council. There was discussion on parking and the future of housing in Hildale.

**Jared Nicol moved to approve Ordinance 2019-005.
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.

#11. Consideration and Possible Action on Re-Zone Request for Lot HD-SCHR-1-39

Kyle Layton presented. The address being discussed was 685 W. Field Ave. This has gone through a public hearing and the Planning and Zoning Commission and a recommendation was given, Kyle provided the council with a summary of such. Staff recommended approval of the zoning map amendment.

**Maha Layton moved to approve Ordinance 2019-006.
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.

#12. Consideration and Possible Action on Preliminary Plat Application for Lot SCHR-9-13

Kyle Layton presented. The address being discussed was 495 East Jessop Avenue. The applicant is requesting approval of a preliminary plat for a small subdivision. Charles Hammon presented this to the Planning and Zoning Commission, after declaring a conflict of interest, and a recommendation was given, Kyle provided the council with a summary of such. Staff recommended approval of the zoning map amendment.

Charles Hammon made himself available for questions and comments from the council. There was discussion on utilities, development standards, and setbacks.

**Stacy Seay moved to approve the preliminary plat application submitted by Charles Hammon based on the findings set forth in the staff report and the recommendation of the planning commission.
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. Consideration and Possible Action on Adopting Temporary Land Use Regulation

Christian presented. The purpose of this ordinance is to provide an exemption on the off-site improvement requirements for already developed areas, to relieve property owners wishing to build/repair homes in developed areas of the City from the burden of funding street improvements until the City can formulate a unified plan for solving the problem, very similar to the ordinance passed six months previously. Passing this will allow property owners in developed areas of the city to get a building permit without the requirement of curb and gutter.

John Barlow interjected delineation on the difference between new development and the roads maintenance budget. He pointed out how financing mechanisms for developers vary greatly from city improvements.

Lawrence pointed out the progress that has been made in Hildale within the last six months because of the original ordinance.

There will need to be discussion on what to do about off-site improvement requirements when this expires.

**Lawrence Barlow moved to Approve Ordinance 2019-007.
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.

#14. Consideration and Possible Action on Adopting Ordinance Amending Minimum Size for Planned Development Overlay Zone

Christian presented. He provided an explanation of a planned development overlay and the benefits to both the developer and the city. This would reduce the requirement for such from 5 acres to 1.5 acres. This has gone through a public hearing and the Planning and Zoning Commission and a recommendation was given, Christian provided a summary of such and a proposed ordinance with the change. Staff recommended approval of the zoning map amendment.

Charles Hammon addressed the council, declaring his conflict of interest. He shared the personal realization he encountered that brought this conversation up and gave more details about planned development overlays.

**Lawrence Barlow moved to Approve Ordinance 2019-008.
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.

#15. Consideration and Possible Action on Adopting Ordinance Revising Curfew

#17. Reports from Council and Mayor

JVar requested an update on the house on the corner of Richard and Utah. This falls under the public nuisance ordinance. Our Public Works Department does not have the ability to fully

complete the demolition, but there has been discussion on removing everything above ground. Christian has been in contact with the UEP who is fine with the city moving forward with demolition. Ideas were discussed on the expense of the demolition and how to possibly decrease such.

With no other business, meeting adjourned at 9:12 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 July 2, 2019.

Vincen Barlow

Vincen Barlow, City Recorder

