

# MINUTES OF REGULAR CITY COUNCIL MEETING

6:30 P.M. COUNCIL MEETING

October 10<sup>th</sup>, 2023

**Council Present:** Jim Dieter, Larry Dye, Michael “Chipper” Fenn  
**Absent:** Melissa Burke, Wilford Conetah  
**Mayor Present:** Mayor Kathleen Cooper  
**Recorder Present:** Carrie Boren  
**Visitors:** Alan Allred, See attached sign-in sheet

The meeting was called to order at 6:30 P.M.

**MOTION: MICHAEL FENN MOTIONED TO APPROVE SEPTEMBER 12, 2023; MINUTES AS READ. LARRY DYE SECONDED. JIM DIETER VOTED AYE. LARRY DYE VOTE AYE. MICHAEL FENN VOTED AYE. MOTION CARRIED.**

## PUBLIC COMMENT

No public comment.

## DIESEL TRUCK PARKING IN CITY LIMITS-MILLER’S

Lyndi Miller stated she didn’t see a problem with where they are parking the trucks, behind the elementary school by the dumpster. Mayor Cooper stated that it’s a law and that is where the problem is, Myton City has a truck route ordinance that needs to be followed. It was stated that residents have concerns about the safety of parking by the elementary with the kids coming and going and the concerns of the weight on Myton city streets. Lyndi stated she has seen trucks parked all over the city. Mayor Cooper stated that they have also been notified and just because they have parked there doesn’t mean it’s not against the law. Michael Fenn stated that we have notified everyone who is not following the ordinance. Alan explained why we assign truck routes and the weight on the streets. Jim Dieter stated if that’s what the ordinance says and if we are trying to get things cleaned up then the ordinance needs to be followed. Mayor Cooper stated that we must follow the ordinance that is in place, and they would need to find somewhere else to park the trucks.

## RENTAL OLD CITY HALL-RENEE PALMER & AUDREY ROBERTS

Mayor Cooper stated we have 2 people who are interested in renting the old city hall. Renee Palmer with City Park Pizza was very successful when it was in Myton. The decision to move to Duchesne didn’t last long and now this building is available they are interested in opening the pizza place again. If it could be possible to rent half the building and then another business could rent the other half, but if not, then the rent she could pay would be \$650.00. Audrey Roberts stated she wants to open a barber shop and Myton is where she wants to be, she already has an established customer base. She wouldn’t be able to open until May 1<sup>st</sup>, 2024, as she has a non-compete agreement until then, she would have to do some renovations on the building but would pay \$800.00 for rent. Mayor Cooper stated that they as a body would have to decide on who they would want as a tenant, but it didn’t have to be tonight, that they could take some time to think about it. The council wanted to take some time to decide.

## **TINY HOMES-RICHARD ROSS**

NO One Present

### **PROPERTY ISSUES-WAYNE GINGELL**

Wayne Gingell stated that his parents' house is up for sale, they have someone interested in buying it. The issue is that every map shows the property lines differently but the map the county has shows the property line going through the house and the garage not on the property at all. He stated he spoke with Jerry Allred who knows Myton well suggested that they ask the city to vacate and put the pins where the fence currently exists now, and so the property line on block 6 to match the other blocks as there is a 10-foot difference. So, he needs permission to move the property line pins. Larry Dye asked about what the surveyor would do and how he remedies the problem. Wayne stated he would just resurvey the property showing the property lines on the other side of the structures instead of going through the structures and the north boundary would match up with block one. Mayor Cooper asked if Jerry Allred would write a letter explaining what happened for future council members. Wayne replied yes, Jerry Allred will finish the survey and then it will come back to Myton City for ratification.

**MOTION: MICHAEL FENN MOTIONED TO ACCEPT JERRY ALLRED'S RECOMMENDATION TO CORRECT BLOCK SIX TO MATCH BLOCK ONE AND TO RATIFY THE PROPOSAL ON COMPLETION OF THE SURVEY. JIM DIETER SECONDED. LARRY DYE VOTED AYE. MICHAEL FENN VOTED AYE. JIM DIETER VOTED AYE. MOTION PASSES UNANIMOUSLY.**

### **PUBLIC HEARING-DISCUSSION AND ACTION ON RESOLUTION 08082023-002 MYTON CITY FEE SCHEDULE, AND WATER AND SEWER RATES.**

Mayor Cooper stated we are opening a public hearing portion of this meeting for the Myton City Fee Schedule and the sewer and water rates. No Public Comment. Mayor Cooper then presented the new proposed fee schedule and the water and sewer rates.

**MOTION: LARRY DYE MOTIONED TO ACCEPT THE MYTON CITY FEE SCHEDULE AND THE WATER AND SEWER RATES AS PRESENTED, EFFECTIVE NOVEMBER 1<sup>ST</sup> 2023. MICHAEL FENN SECONDED. JIM DIETER VOTED AYE. LARRY DYE VOTED AYE. MICHAEL FENN VOTED AYE. THE MOTION CARRIES.**

### **DISCUSSION AND ACTION ON RESOLUTION 10102023-001 CANCELING 2023 ELECTIONS**

Carrie Boren stated we had three council seats open, we had three applications. Since then, we had one person withdraw which means we only have two candidates and 3 open seats. So, we don't have to hold an election, the two candidates will take office in January of 2024 and then we can appoint for the open seat.

**MOTION: MICHAEL FENN MOTIONED TO ACCEPT RESOLUTION 10102023-001 TO CANCEL MYTON CITY'S 2023 ELECTIONS. JIM DIETER SECONDED. LARRY DYE VOTED AYE. JIM DIETER VOTED AYE. MICHAEL FENN VOTED AYE. THE MOTION CARRIED.**

### **JUB ENGINEERING MONTHLY ENGINEERING REPORT**

Nothing to report.

### **CITY DEPARTMENTAL REPORTS ON THE LAST MONTH'S ACTIVITIES**

**Carrie Boren-** Stated she is still looking into a few companies for quotes on a new payment system.

**Alan Allred-** Stated they are almost done patching up the roads. They are going to be burning on the hill in the next couple of days. Alan stated with looking to get additional water, Johnson water is source deficient on water, but victory pipeline can sell us more water. So, he is working with them on additional water.

**CLOSED EXECUTIVE SESSION – 52-4-205(C) AND (D)(II) STRATEGY  
SESSION TO DISCUSS PENDING, REASONABLY IMMINENT AND  
ONGOING LITIGATION, WATER RIGHTS OR SHARES**

**CLOSED EXECUTIVE SESSION – 52-4-205 (1)(A) – DISCUSSION OF  
THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL  
OR MENTAL HEALTH OF AN INDIVIDUAL(S)**

**ADJOURNMENT**

There was no further business to discuss. Council adjourned at 7:41 P.M.