

**The Minutes of
Honeyville City Council
November 8, 2023 Regular Meeting**

Mayor Bruce Nelson called the meeting to order at 7:00 p.m.

Present were Mayor Bruce Nelson, Councilmembers David Hougaard, Kory Wilde, Trevor Gardner and Dale Millsap. Ryan Adams was excused from this meeting.

Approximately 7 members of the public were present.

Employees present were: Brittany Chlarson, Clerk/Recorder
 Troy McNeely, Public Works
 Codey Illum, Zoning Administrator
 Blair Perry, Treasurer

Trevor Gardner offered the invocation and led the group in the Pledge of Allegiance.

Conflict of Interest: None Noted

Public Comment Period:

Mary Bingham stated that she sent the council an email stating the requirements for the City to sell real property. She also stated that she spoke with the Ombudsman's office who clarified that a city shall by ordinance define what constitutes a significant parcel of real property before the municipality disposes of it. Mary further stated that she could not find that this was described in Honeyville's ordinance and encouraged the council to follow the laws and ordinances when dealing with disposing of city property.

David H clarified that the city has not disposed of any property and that they would be discussing recommendations at this time but will follow the proper process when the time comes to sell city owned property.

Zoning Administrator/Planning Commission Report – Codey Illum & Kenny Funk

- A. Zoning Admin Report:** Codey I reported that he has been working with the city attorney regarding the Arbon request to have an approved easement. **Mayor Nelson** met with John Arbon and suggested that he apply for a building permit so that the city can see exactly what they are asking for.

Codey I further reported that Trent Loveland has pulled a permit to move a garage from one home to another. He wanted the council to be aware of this because it will be a very visible process. **David H** asked about an accessory building that is currently being occupied. **Codey I** stated that there has been no occupancy permit issued. The permit was pulled for an accessory building. **Mayor Nelson** will discuss this issue with the prosecuting attorney.

- B. Planning Commission Report:** **Kenny F** reported that the Planning Commission held public hearings for the creation of an ADU Ordinance and a Living in RV Ordinance. Because of the recommended changes they will also need to update a few of the tables. The attorney will review this and then it will come before the City Council in December.

City Administration – Mayor Bruce Nelson

Discussion Items:

- A. General Election – Canvass Meeting:** The General Election will be held November 21, 2023. The only day that the council can hold a Canvass meeting is December 5, 2023. This will take place at 7:00 p.m.
- B. Water Rate Working Meeting:** Mayor Nelson and Brittney met with Janel from Rural Water and she is going to review the City's water rates. She would like to present these to the council in a working meeting on November 29th at 7:00 p.m.
- C. Compliance to City Ordinances:** **David H** stated that there have been individuals that had set a date to become compliant, but did not comply. Some requested an extension and some have made significant progress. **Dale M** asked if any individuals had gone to court. **Mayor Nelson** shared that in every case that has gone to court, the judge has ruled in favor of the city.
- D. City Hall Remodel:** The remodel started on the 16th of October. There are a few engineering change requests which has pushed back the completion date.
- E. Water Conservation Plan:** The Mayor and Brittney met with Janel from Rural Water to start the process of creating a Water Conservation Plan, they hope to present this in December's meeting.
- F. Status of General Plan:** The changes that were requested in last month's meeting have not been made. They also needed more information regarding the flood zone ordinance.
- G. Reconcile Bank Statement – Trevor Gardner**

ACTION ITEMS:

- A. Cody Tolman Final Subdivision Application:** **Kenny F** shared that the Planning Commission recommended approval of this application, but they also felt that the council should discuss the sidewalk requirement due to the location of this parcel. **Cody T** shared that they will be building a new home behind their current trailer home. Once their new home is built, they will be removing the trailer. He also stated that on 7200 N. there are no other sidewalks and he wasn't sure that requiring a sidewalk at this

time would be beneficial. Cody further shared that he would be dedicating 33' for a future road. There was further discussion about whether or not the city should require a sidewalk now, whether they should do a deferral agreement, or not require one at all.

TREVOR GARDNER motioned to approve the Cody Tolman Final Subdivision Application without the requirement to install a sidewalk. DALE MILLSAP seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

- B. Attorney Resignation – Hire New Attorney:** The City's current attorney, Amy Hugie, is too busy and offered her resignation effective January 1, 2024. Amy has recommended Colt Mund as her replacement. The Mayor will be meeting with Colt and his partner on Monday, November 13, 2023.

DALE MILLSAP motioned to have the Mayor interview Colt Mund and his partner and to hire them if they will be a good fit for the City. DAVID HOUGAARD seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

- C. Mayor/City Administrator vs. Mayor + City Administrator:** Mayor Nelson shared that the Mayor duties & City Admin duties are different, but that they don't need to be done by a completely different person. He stated that he feels there are two options Hire a City Administrator or have the Mayor continue to act as the Mayor and City Administrator. He stated that in order to stay on as the Mayor he is requesting \$250.00 as a stipend and then \$2,250.00 for the City Administrator position. **Kory W** stated that he doesn't doubt that the Mayor puts in a lot of time and wondered if this amount was in the budget. **Blair Perry** the city treasurer stated that the Mayor currently wears so many hats that instead of contracting out the city should be able to move appropriate funds to pay the Mayor to do this work. **Mayor Nelson** stated that he has saved the city a lot of money by doing research himself and finding other options that work for the city. **Dale M** expressed discomfort with this discussion. He wanted to address the \$250.00 stipend and then come back and see if there should be any other changes. **Trevor G** felt that there needs to be an extinction between elected officials and employees. **Dale M** stated that if the city were to change their form of government, then this becomes a more complex issue. **David H** stated that he sees the Mayor doing a lot of work that previously was done by the City engineers. He felt that the council could be contributing more.

DAVID HOUGAARD motioned to have Amy Hugie write an Ordinance for the Council to review that describes the rolls of the Mayor to act as the Mayor and City Administrator. KORY WILDE seconded the motion. MOTION FAILED with David Hougaard for, Kory Wilde for, Trevor Gardner against and Dale Millsap against. Mayor Nelson abstained from voting to break the tie.

Kory W would like to address the current Mayor stipend and get that passed through the proper process.

D. City Owned House – Councilmember Hougaard Report Recommendation: David H requested that Dana redraw the property line as close to the house as possible. She felt that because the accessory building is attached that they would need to follow different setbacks. She also had concerns about the State Health Department allowing the home septic tank to stay on the city's property. **Mayor Nelson** stated that he would speak with Mark at the Bear River Health Department.

E. Engineering Change Requirements: The remodel bid came in at \$261,00.00. When they reviewed the engineering after the bid was accepted it was discovered that a drinking fountain was not included which will add an additional \$4,200.00. They also found that the air conditioning needs to be updated and should be added to the upstairs, this would be an additional \$9,000.00. There was a change to the door location from the clerk's office to the Mayor's office which added \$5,000.00. This brings the approximate total of change orders to \$18,000.00. There will also be another change order on the size of the window in the clerk's office. **Mayor Nelson** asked the council when they would like to be a part of the change order process. He also reported that these change orders were going to add approximately 55 days to the project.

KORY WILDE motioned that City Council update the procurement agreement requiring the council to review and vote on change orders if they exceed 15% of the project or are \$25,000.00 over budget. No second. Motion Died.

F. Resolution 2023 – 05 / 2023 December City Council Meeting & 2024 City Council Meeting Schedule: Mayor Nelson presented the dates and stated that he would like to move the City Council meeting in December to the 5th.

TREVOR GARDNER motioned to accept Resolution 2023-05 with an amendment to Dec. 6th meeting to the 5th. KORY WILDE seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap against.

- G. Resolution 2023 -06 / 2024 Employee Holidays:** Currently the city allows for 12 paid holidays. The staff would prefer to have Christmas Eve off versus Veterans Day. That is reflected in this resolution.

DALE MILLSAP motioned to approve Resolution 2023-06. DAVID HOUGAARD seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wild for, Trevor Gardner for and Dale Millsap for.

H. City Council Regular Meeting Minutes – 10/11/23:

TREVOR GARDNER motioned to approve the Regular Meeting Minutes of 10/11/23 as presented. KORY WILDE seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

I. Check & Deposit Details – October 2023

There was discussion about which account the 5K runners Fireman's Breakfast refund is issued from.

Dale M noticed that there was an error in the minutes stating that he was not present at the October meeting when he was present. The clerk will fix this error.

KORY WILDE motioned to approve the Check & Deposit Details of October 2023 as presented. DALE MILLSAP seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

Public Health & Safety/Buildings & Equipment – Councilmember David Hougaard:
Nothing to report at this time.

Parks & Cemeteries/Youth City Council – Councilmember Trevor Gardner:

- A. Youth City Council:** There are a few activities the youth council has helped with, but Trevor would like to get them more involved with the community. Dale M suggested allowing them to participate in a day at the State Capital set aside for Youth City Council members.

General Community Events/Planning Commission – Councilmember Kory Wilde:

- A. Trunk or Treat:** It was expressed that there the trunk or treat was great success with a good turnout from the community.
- B. Planning Commission:** Kory W wanted to commend the Planning Commission on the outstanding job they are doing.

Water Systems & Drainage – Councilmember Ryan Adams:

A. County Water Master Plan Meeting: Councilmember Adams attended this meeting.

Streets & Roads/Mosquito Abatement/City Communications – Councilmember Dale Millsap:

Nothing to report at this time.

ACTIONS FROM NOVEMBER 8, 2023:

Bruce – Talk to Blair Wardle

Bruce – Talk to Amy about current stipend Resolution

David H – Talk with Mark Reese about the septic tank at the city home.

DALE MILLSAP motioned to enter a Closed Session at 8:45 p.m. to discuss litigation. DAVID HOUGAARD seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

Re-entered the Open Meeting at 8:53 p.m.

DALE MILLSAP motioned to adjourn at 8:54 p.m. KORY WILDE seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

Meeting Adjourned at 8:54 p.m.

The foregoing minutes were taken and typed by Brittiny Chlarson.

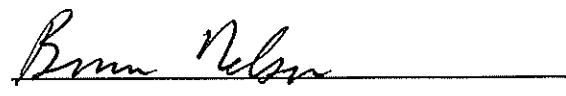
I certify these minutes to be true and accurate to the best of my knowledge.

ATTEST:

DATE APPROVED: 12/5/23




Brittiny Chlarson – Clerk/Recorder


Bruce Nelson - Mayor