

MINUTES OF REGULAR CITY COUNCIL MEETING

6:30 P.M. COUNCIL MEETING

November 14th, 2023

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

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

MOTION: JIM DIETER MOTIONED TO APPROVE OCTOBER 10, 2023; MINUTES AS READ. MICHAEL FENN SECONDED. JIM DIETER VOTED AYE. LARRY DYE VOTED AYE. MICHAEL FENN VOTED AYE. WILFORD CONETAH VOTED AYE. MOTION CARRIED.

PUBLIC COMMENT

No public comment.

PROPERTY ISSUES-WAYNE GINGELL

Craig Smith stated that there would be two parts to this discussion, one would be in an open session, and one would be in closed session. Wayne Gingell stated that his situation is with the property issue. His family has owned the house since 1968, the fences were on the property when they purchased it. They recently had a survey done and it shows the property line going through the garage and basically cuts off 85 percent of the garage. He discussed how when using the map, it will show different property lines but when putting the cursor on the part in question it brings up nothing. Wayne asked what the situation is there? He understands the Tribe has a claim on the roads then he asked if it was understood what the definition of claims was. Craig Smith then discussed the property and how there could be a road there but there isn't right now and talked about the map discrepancies, he then stated how Myton City and others are in litigation with the Tribe for many different things and the streets in Myton are part of that litigation. Craig Smith stated that if Myton City were to vacate there would still be the Tribe's claims and there isn't anything we could do about that. Wayne Gingell stated that he came in and asked that he be put on the agenda and the street vacate request be noticed. Carrie Boren stated that she didn't public notice it because the attorney said we can't vacate the streets when the Tribe lays claims to the streets. Wayne Gingell stated he wasn't notified until a week later that it wasn't posted, so it was never posted, never withdrawn, he didn't withdraw it, so his questions were was his due process of law. Mayor Cooper stated we will have to ask the attorney's when we get them back on zoom. Wayne Gingell stated he feels that his due process wasn't given to him, and the process was not followed correctly, and it would have been nice for that process to be followed.

BUSINESS LICENSE-FAMILY DOLLAR

Carrie Boren stated Family Dollar called and asked to be put on the agenda but never got the documentation turned in.

PROPERTY BID-PHRASE ONE PROPERTIES LLC, ROB MCNEEL

Property bid was discussed in executive session.

DISCUSSION AND ACTION ON RENTAL OF OLD CITY HALL

Mayor Cooper asked the council if they had time to think about who they would like to rent the old city hall too. We had Audry Jo Roberts with the Barbar Shop/Coffee Shop and Renae Palmer with City Park Pizza who were both interested in renting the property. Mayor Cooper stated she would like to see it rented to the Barbar shop, but council had the final say. Jim Dieter stated he votes for the Barbar shop. Larry Dye stated she did offer more rent and stability. Michael Fenn stated City Park Pizza had rented the building before and when they left it was a mess and disarray. Larry Dye stated she wouldn't be ready to open until May but was agreed she would start paying rent now. Michael Fenn stated he didn't think she should have to pay rent until she opens, but she should pay the utilities.

MOTION: MICHAEL FENN MOTIONED THAT WE ACCEPT AUDREY ROBERTS AS THE NEW TENANT IN THE OLD CITY HALL BUILDING. MELISSA BURKE SECONDED. LARRY DYE VOTED AYE. WILFORD CONETAH VOTED AYE. JIM DIETER VOTED AYE. MICHAEL FENN VOTED AYE. MELISSA BURKE 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 we are still working on getting the changes made to the bank account. Carrie stated she is still looking at a replacement payment system. Larry Dye asked which payment system looks more beneficial. Carrie stated she thinks the Gov Card system would be the best. Mayor Cooper stated we could try the Gov Card payment system for a year and see how it goes and the council agreed.

Alan Allred- Alan stated that the city was approached by Mr. Soloman about placing a No Jake Brake sign on highway 40 because the trucks going by are using the jake brake all hours of the night. Mayor Cooper stated that the issue is US40 is a UDOT road so it's not really a Myton City issue. She said she would call the state and see about getting a sign. Alan stated that they are going through Christmas lights right now and they have been replacing bulbs and getting them ready to hang them up, but they are in extreme poor shape, it's the wiring and the plugs that are in the worst shape. He then gave the council some different repair options. Larry Dye asked how much it would be to replace all the lights as the current ones are so old and obsolete. Alan stated that we were looking at about \$300.00 a fixture. Melissa Burke asked about the decorations for City Hall. Alan stated they are in extremely poor shape also and then discussed putting an LCD screen there, so we have it for many uses and for every Holiday. Mayor Cooper asked Alan to see what an LCD screen would cost and bring it to the next meeting.

MOTION: MICHAEL FENN MOTIONED TO PURCHASE NEW CHRISTMAS FIXTURES AND A STORAGE TRAILER FOR THE LIGHTS. LARRY DYE SECONDED. WILFORD CONETAH VOTED AYE. JIM DIETER VOTED AYE. MELISSA BURKE VOTED AYE. MICHAEL FENN VOTED AYE. LARRY DYE VOTED AYE. THE MOTION CARRIED.

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

MOTION: JIM DIETER MOTIONED TO GO INTO EXECUTIVE SESSION TO DISCUSS MATTERS ABOUT TRIBAL LITIGATION. MICHAEL FENN SECONDED. LARRY DYE VOTED AYE. WILFORD CONETAH VOTED AYE. JIM DIETER VOTED AYE. MELISSA BURKE VOTED AYE. MICHAEL FENN VOTED AYE. THE MOTION CARRIED.

MOTION: LARRY DYE MOTIONED TO COME OUT OF EXECUTIVE SESSION. WILFORD CONETAH SECONDED. MICHAEL FENN VOTED AYE. JIM DIETER VOTED AYE. WILFORD CONETAH VOTED AYE. MELISSA BURKE VOTED AYE. LARRY DYE VOTED AYE. THE MOTION CARRIED.

**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 8:14 P.M.