

MINUTES OF REGULAR CITY COUNCIL MEETING

6:30 P.M. COUNCIL MEETING

February 13th, 2024

Council Present: Jim Dieter, Larry Dye, Michael “Chipper” Fenn, Christina Gordon
Absent:
Mayor Present: Mayor Kathleen Cooper
Recorder Present: Alan Allred
Visitors: Sam Davis, Cameron Olsen, See attached sign-in sheet

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

MOTION: MICHAEL FENN MOTIONED TO APPROVE NOVEMBER 14, 2023; MINUTES AS READ. CHRISTINA GORDON SECONDED. JIM DIETER VOTED AYE. LARRY DYE VOTED AYE. MICHAEL FENN VOTED AYE. CHRISTINA GORDON VOTED AYE. MOTION CARRIED.

PUBLIC COMMENT

Mayor Cooper turned the time over to Bryan Winterton who introduced himself and stated he is running for Duchesne County Commissioner and is trying to be involved and get to know those in his community.

PUBLIC HEARING-MYTON CITY FEE SCHEDULE FOR GARBAGE RATES AND TO REVISIT SEWER RATES FOR RV PARKS

MOTION: CHRISTINA GORDON MOTIONED TO EXIT CITY COUNCIL MEETING MOMENTARLY AND ENTER INTO THE PUBLIC HEARING. MICHAEL FENN SECONDED. JIM DIETER VOTED AYE. LARRY DYE VOTED AYE. CHRISTINA GORDON VOTED AYE. MICHAEL FENN VOTED AYE. THE MOTION CARRIED.

Mayor Cooper stated we would now start the hearing for the discussion of the garbage fees and the sewer rates for the RV parks. Alan Allred stated that when we raised rates in November, we raised the sewer rates to \$23.00 per unit and that included the RV parks, now it is being proposed that we change the RV Rates to the \$23.00 and then \$8.00 per additional unit. There was a discussion about the fees and connections and how it affects each owner and how many lots are rented at a time. Mayor Cooper stated that the proposal for the garbage rate increases would be \$21.50 for the first can, \$12.00 for each additional can, \$85.00 for 3-yard dumpster and the 6-yard dumpster to \$145.00. It was opened to the public for comment, there was no public comment.

MOTION: JIM DIETER MOTIONED TO ACCEPT THE FEE SCHEDULE AS AMENDED. MICHAEL FENN SECONDED. LARRY DYE VOTED AYE. CHRISTINA GORDON VOTED AYE. MICHAEL FENN VOTED AYE. JIM DIETER VOTED AYE. THE MOTION PASSES UNANIMOUSLY.

MOTION: LARRY DYE MOTIONED TO LEAVE THE PUBLIC HEARING AND GO BACK INTO CITY COUNCIL MEETING. JIM DIETER SECONDED. MICHAEL FENN VOTED AYE. CHRISTINA GORDON VOTED AYE. LARRY DYE VOTED AYE. JIM DIETER VOTED AYE. THE MOTION CARRIED.

CHANGES WITH TRANSFER STATION-K & K SANITATION-DAVID, BRETT, SAM

David from K & K sanitation stated that he is here tonight because they need to increase the garbage rates. The rates have not been increased since 2017 and they are asking for a \$3.50 increase on the

garbage rates, which would increase the bill for the first can to \$21.50, and for two cans the bill would increase to \$34.00. Michael Fenn asked if there would also be an increase for the dumpsters. David replied that the small dumpsters will be increasing by \$10.00, the 6-yard dumpsters are increasing by \$20.00. Mayor Cooper then stated the costs of all utilities and fuel have increased by 40 percent for the last six months and to answer Ron Fullmer's question this is why K & K and Myton City must raise the rates. Ron Fullmer then stated that fuel has gone down. Alan Allred stated if you look at fuel costs when the contract started fuel was \$1.25 and even when fuel increased to \$5.00 the rates stayed the same so K & K covered the extra costs for a while. Mayor Cooper stated the cost of all things has increased and we may not like it but it's just the way it is, and they appreciate his patronage, and he has done over the years, and they respect that. Mayor Cooper then asked if the council was ready to vote on this. Council then discussed the dumpster rates and clarified the monthly costs to the citizens of Myton. Alan Allred stated that council needed to vote to except K & K new rates and they asked David if he also wanted to renew the contract. David stated the current contract expires in 2026. Mayor Cooper stated that it also includes a clause that they can raise the rates if need be.

MOTION: CHRISTINA GORDON MOTIONED TO APPROVE K & K NEW GARBAGE RATES. JIM DIETER SECONDED. LARRY DYE VOTED AYE. MICHEAL FENN VOTED AYE. CHRISTINA GORDON VOTED AYE. JIM DIETER VOTED AYE. THAT MOTION CARRIED UNANIMOUSLY.

MOTION: JIM DIETER MOTIONED TO EXTEND K & K CONTRACT FOR 10 YEARS. LARRY DYE SECONDED. CHRISTINA GORDON VOTED AYE. MICHEAL FENN VOTED AYE. LARRY DYE VOTED AYE. JIM DIETER VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

AYCOCK & MILES-PRESENTATION OF FISCAL YEAR END 2023

Mayor Cooper turned the time over to Cameron Olsen went over the revenues and expenditures in the general, utility, and housing funds, there was some increases in revenue. There were a few findings, in the budget we exceeded what was budgeted in some areas, the Fraud Risk Assessment must be presented and passed through council, and there was an error in the account amounts reported on the Deposit and Investment Report so make sure you are using the bank amounts not the ledgers amount.

MOTION: MICHAEL FENN MOTIONED TO ACCEPT THE AUDIT AS PRESENTED. LARRY DYE SECONDED. CHRISTINA GORDON VOTED AYE. JIM DIETER VOTED AYE. MICHAEL FENN VOTED AYE. LARRY DYE VOTED AYE. THE MOTION CARRIED UNANIMOUSLY.

DISCUSSION AND ACTION ON 2023-2024 SUBDIVISION ORDINANCE UPDATE

Nate Zilles couldn't attend.

CITY DEPARTMENTAL REPORTS ON THE LAST MONTH'S ACTIVITIES

Carrie Boren- Alan Allred stated that Carrie is out due to medical, and everything has been covered through the meeting.

Alan Allred- Alan stated they are going to start getting ready for spring, he has been handling the stuff in the office, so his guys have been taking care of things out in the field. Mayor Cooper asked how that was going and Alan replied it was going well.

Sam Davis- Sam stated that they have a bid from Shade's Diesel and the fire truck needs repairs of \$17,000.00. He also has fire department applications.

MOTION: CHRISTINA GORDON MOTIONED TO PAY FOR THE REPAIRS FOR THE FIRE TRUCK. JIM DIETER SECONDED. MICHAEL FENN VOTED AYE. LARRY DYE VOTED AYE. JIM DIETER VOTED AYE. CHRISTINA GORDON VOTED AYE. THE MOTION PASSES UNANIMOUSLY.

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)

MOTION: JIM DIETER MOTIONED TO GO INTO EXECUTIVE SESSION TO REVIEW THE FIRE DEPARTMENT APPLICATIONS. MICHAEL FENN SECONDED. CHRISTINA GORDON VOTED AYE. LARRY DYE VOTED AYE. MICHAEL FENN VOTED AYE. JIM DIETER VOTED AYE. THE MOTION CARRIED.

MOTION: JIM DIETER MOTIONED TO LEAVE EXECUTIVE SESSION AND GO INTO CITY COUNCIL MEETING. MICHAEL FENN SECONDED. LARRY DYE VOTED AYE. JIM DIETER VOTED AYE. CHRISTINA GORDON VOTED AYE. MICHAEL FENN VOTED AYE. THE MOTION CARRIED.

MOTION: JIM DIETER MOTIONED TO DENY THE FIRE DEPARTMENT APPLICANT. MICHAEL FENN SECONDED. LARRY DYE VOTED AYE. MICHAEL FENN VOTED AYE. JIM DIETER VOTED AYE. CHRISTINA GORDON VOTED AYE. THE MOTION PASSES UNANIMOUSLY.

CLOSED EXECUTIVE SESSION – 52-4-204 (d)(i)(ii) – STRATEGY SESSIONS TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY, INCLUDING ANY FORM OF A WATER RIGHT OR WATER SHARES, OR TO DISCUSS A PROPOSED DEVELOPMENT AGREEMENT, PROJECT PROPOSAL, OR FINANCING PROPOSAL RELATED TO THE DEVELOPMENT OF LAND OWNED BY THE CITY.

MOTION: MICHAEL FENN MOTIONED TO GO INTO EXECUTIVE SESSION. JIM DIETER SECONDED. MICHAEL FENN VOTED AYE. LARRY DYE VOTED AYE. JIM DIETER VOTED AYE. CHRISTINA GORDON VOTED AYE. THE MOTION CARRIED.

MOTION: JIM DIETER MOTIONED TO LEAVE EXECUTIVE SESSION AND GO INTO CITY COUNCIL MEETING. LARRY DYE SECONDED. MICHAEL FENN VOTED AYE. LARRY DYE VOTED AYE. JIM DIETER VOTED AYE. CHRISTINA GORDON VOTED AYE. THE MOTION CARRIED.

MOTION: JIM DIETER MOTIONED TO GO ACCEPT CHARLIE ALLRED'S BID. MICHAEL FENN SECONDED. MICHAEL FENN VOTED AYE. LARRY DYE VOTED AYE. JIM DIETER VOTED AYE. CHRISTINA GORDON VOTED AYE. THE MOTION PASSES UNANIMOUSLY.

Michael Fenn stated he has a concern about the spending limit of the employees which right now is \$500.00. He would like to see that amount raised to \$2000.00 just in case of emergency situations.

MOTION: CHRISTINA GORDON MOTIONED TO APPROVE RAISING THE AMOUNT THE EMPLOYEES ARE ALLOTTED TO SPEND. MICHAEL FENN SECONDED. LARRY DYE VOTED AYE.

JIM DIETER VOTED AYE. CHRISTINA GORDON VOTED AYE. MICHAEL FENN VOTED AYE. THE MOTION PASSES UNANIMOUSLY.

ADJOURNMENT

There was no further business to discuss. Council adjourned at 8:32 P.M.