

MINUTES OF THE TOWN COUNCIL
MEETING
OF THE TOWN OF CLARKSTON

August 20, 2024
7:00 P.M.

Town Council Meeting held at the Clarkston Town Hall, 50 South Main, Clarkston, UT

Attendance: Mayor N. Craig Hidalgo
Councilmembers: McCall Stephensen, Adam Hanover, Mike Kelly

Town Clerk: Kristi Hidalgo

Public Attendance: Amanda Goddard – The Herald Journal, Luke Rashall

1. CALL TO ORDER

Mayor Hidalgo called the Clarkston Town Council to order at 7:00 p.m. Councilmember M. Kelly led the Pledge of Allegiance and offered Reverence to begin the meeting.

Mayor Hidalgo addressed the minutes of the Clarkston Town Council Meeting held August 6, 2024. Councilmember A. Hanover motioned for the Clarkston Town Council to approve and adopt the minutes of August 6, 2024. Councilmember M. Stephensen seconded the motion. All in favor “Aye” Motion Carried.

2. BUSINESS

Proposed Letter to the Utah State Legislature Requesting that Approval Voting be Offered as an Option for Municipalities – Mayor Hidalgo reminded the Council that Nate Allen, Executive Director of Utah Approves, came to the July 2, 2024 Town Council Meeting and gave a presentation on Approval Voting. They are currently working with the state legislature regarding piloting this voting method. Essentially Approval Voting just let’s voters say yes or no to each candidate rather than yes to only one. The candidate with the most yes votes, or in other words, the highest approval rating, wins the election. It’s a simple tabulation of whoever gets the most votes. Approval Voting is asking for letters of support from cities and towns to try and have it included as a voting option for municipalities. Mayor Hidalgo read the proposed letter and asked the Council what their thoughts were on supporting this method of voting. **See Exhibit A** Councilmember A. Hanover stated that he had a qualm with Approval Voting and it’s the lack of majority rule. In the scenario that two candidates split the vote, the candidate that is vehemently opposed by the majority of voters could theoretically be elected. If you’re filling in multiple bubbles, it doesn’t actually reflect what people truly want in every case. The majority of people could want to vote for one person, but since they have filled in multiple bubbles, another person got a higher number in the end. It obfuscates the actual result of what the election might actually be. Councilmember A. Hanover stated Approval Voting allows the voter to vote for everyone they approve of so the voter is not

able to give input on how much they like any given candidate. Councilmember A. Hanover stated that, with the Approval Voting majority rule issue, he does not support it and feels that it is not a viable voting option and thinks the voting system in place doesn't need to be reformed. Mayor Hidalgo said that he thinks Approval Voting is a viable option, but he is old fashioned and likes the traditional voting method as well. Councilmember A. Hanover reiterated that the current voting method is working the way it is, it doesn't need to be reformed and that adding Approval Voting into the mix isn't necessarily a good thing. Councilmember M. Kelly and M. Stephensen agreed. Councilmember A. Hanover made motion that the Clarkston Town Council does not send the proposed recommendation letter to the Utah State Legislature regarding Approval Voting. Councilmember M. Stephensen seconded the motion. All in favor "Aye" Motion Carried.

Holding Tax Rates - Mayor Hidalgo stated that Mayor Bailey from Wellsville attended the Clarkston Town Truth in Taxation Public Hearing held August 6, 2024. Afterwards Mayor Hidalgo visited with him and Mayor Bailey told him that Wellsville City was not increasing their tax rate this year they were just holding their tax rate. Mayor Bailey said that if you don't hold your tax rate each year, you're not getting the full value of your tax increase every year. That perplexed Mayor Hidalgo, so he started to do some research on holding the tax rate versus increasing the tax rate. Municipalities that hold their tax rate still must go through the Truth in Taxation process. Mayor Hidalgo referenced a Tax Revenue handout he made. **See Exhibit B** Mayor Hidalgo explained that Clarkston Town approved \$93,000 in property tax. That is only 31% of our revenue. The majority of our revenue comes from sales tax (45%). The next largest revenue source for FY 2025 is RAPZ Tax (16%). This includes the annual population allocation and the \$45,000 RAPZ Tax Grant awarded for the Pickle Ball Court Project. Property tax and sales tax are the two major sources of revenue for Clarkston Town. Mayor Hidalgo said that he learned that the approved tax rate allows municipalities a set amount of property tax revenue every year. If there isn't a tax increase the tax rate will remain the same for subsequent years, regardless of growth or inflation. Cache County has a budget, and they determine how that money is going to be allocated. They get property taxes from all the property owners, and it goes into a Property Tax Revenue Fund. Cache County then disperses the approved tax rate amount out to each municipality at the end of each year. If municipalities don't hold the tax rate some of that money doesn't get dispersed and becomes unappropriated funds and the county determines what those unappropriated funds are used for. Mayor Hidalgo clarified that property tax revenue received from Clarkston Town citizens that exceed the annually approved tax rate amount for that year becomes unappropriated funds for Cache County. Clarkston does not get that revenue. Clarkston Town only receives the amount of revenue established by the approved tax rate. Mayor Hidalgo said that he talked to County Executive David Zook was told that holding the tax rate accounts for inflation. If property values are high and we don't hold the tax rate, we lose out on growth due to inflation. Mayor Hidalgo believes that the tax

rate shouldn't automatically be held every year. However, a close assessment of the economy needs to be made each year to determine if the tax rate should be held or not because holding the tax rate could also result in a tax decrease, if property values fall so will the taxes. Mayor Hidalgo reiterated that Clarkston Town shouldn't hold the tax rate every year but should be doing it frequently. If we don't, we lose out on growth due to inflation. Mayor Hidalgo asserted that, in the future, when Cache County assesses property values it's a good idea to hold the tax rate. Councilmember A. Hanover clarified that holding the tax rate is a percentage value (0.001330, which equates to \$93,000 in Property Tax for FY 2025) so if you were to say the market is lower, the average home value is 200,000, you're currently taxing at a rate of 0.001330. If the county reevaluates you and we hold the tax rate at 0.001330 then when those new values come in, if they're higher, that same rate percentage would equate to more dollar value. So rather than submitting a tax increase, we just want to hold the percentage. As those property values grow, we receive our fair share of the economic growth that we should get. Mayor Hidalgo said that is exactly right. The economic role plays into this, and we need to be wise about that. Mayor Hidalgo stated that if the town would have held the tax rate two or three times through the years and especially when Cache County assessed the property values, we probably wouldn't have had to raise taxes as much as we did this year. Councilmember M. Kelly wondered what the process is to hold the tax rate. Mayor Hidalgo stated that the Truth in Taxation process must be followed. It technically is considered a tax increase.

3. Departments

Mayor Hidalgo – Winter Canyon Ranch Update – Mayor Hidalgo reported that he had been working with the Utah State Division of Water Rights and Governor Spencer Cox's Office on the Winter Canyon Ranch Development. The Division of Water Rights have reopened the investigation to determine whether the development has done damage to the Clarkston Town Culinary Drinking Water System. Mayor Hidalgo reminded the Council that the town received a letter from Jon Bartholemew, Enforcement Engineer for the State of Utah - Division of Water Rights, on July 10, 2024 stating that they had a Stream Alteration Specialist do an onsite investigation on May 21, 2024 and it was determined that no violations had taken place and that they weren't going to investigate any further. Mayor Hidalgo said that he had provided new information and pictures to the Division of Water Rights and that they reopened the case and are going to investigate the site again. Mayor Hidalgo said that he doesn't think it will change their decision but what it has done is that as the landowner has heard what our concerns are and realizing what he's done, he has gone in and replaced culverts with proper sized culverts, is fixing areas he damaged and is restoring vegetation to prevent erosion. This is all working to rectify the situation and give us confidence that they haven't damaged our water source. Mayor Hidalgo stated that the three towns – Clarkston, Trenton, and Newton are strengthening our Water Resource Protection Plans and making ordinances to cover them that are

legally binding and enforceable. Cache County has also assigned someone to work with the towns to ensure that there is a check box on the County Permit Checklist ensuring that Water Resource Protection Plans are reviewed by persons seeking permits to build or develop in that area before permits are approved.

Town Hall and Community Center Update – Mayor Hidalgo reported that the painting has been done in the building. They will be starting the flooring and doing the siding on the outside of the building soon. Mayor Hidalgo said that he still anticipates that the building will be completed by the middle of September. Mayor Hidalgo informed the Council that he had hired Brady Hale to landscape the North and South sides of the building. There will be some parking as well as grass and trees. Culverts will be installed enclosing the ditch on the north side of the building and curb and gutter installed to the end of the sidewalk.

Councilmember M. Stephensen -Youth Council – Councilmember M. Stephensen reported that she held a Youth Council Retreat at Bear Lake on August 17, 2024. The youth were in charge of teaching leadership lessons. They used a lot of the tips and leadership skills they learned from the leadership conference they attended at Utah State University last year. The youth council also put together a mission statement or value statement that they will adhere to and share with others throughout the coming year. Councilmember M. Stephensen said that three of the youth councilmembers will be graduating this year. Mayor Hidalgo reminded Councilmember M. Stephensen that the Youth Council Ordinance requires that youth council candidates submit an application and come before the Council and the Council selects them.

Citizen Advisory Committee – Pickle Ball Court Project – Councilmember M. Stephensen reported that they are still waiting to hear back from the company that bid on the project. There was some confusion about the layout of the project. Mayor Hidalgo asked that the company send drawings of the project with the following two options:

- One tennis court, pickleball courts and two half basketball courts
- Pickleball courts and one full basketball court

The Council will review the drawings and determine which option would be best for the Town.

Councilmember A. Hanover – Water Department – Mylar Springs Improvements - Councilmember A. Hanover reported that Water Operator Bryan Goodsell and Town Engineer Scott Archibald went out and looked at Mylar Springs to see what was needed to improve it. Councilmember A. Hanover is waiting for a report back from them with the itemized, detailed list of what improvements need to be done. Councilmember A. Hanover explained that the spring had to be diverted out of the system. It was non-compliant with the 2024 Sanitary Survey conducted by the Division of Water Rights.

There are some improvements that need to happen to bring it into compliance so it can be turned back into the system.

Planning Commission – Councilmember A. Hanover reported that the Planning Commission had been looking into recommending some Innocent Buyer legislation to protect buyers from illegal lot splits. However, this is already in the Clarkston Town Code. The only recommendation they may have would be to change the time frame from 14 days to 30 days. The reason behind this is that the Planning Commission only meets once a month, and 30 days just seems like a more reasonable time frame. Councilmember A. Hanover stated that Jeff Thomas came to their last Planning Commission Meeting held August 14, 2024 and asked about the requirements to split a lot. Councilmember A. Hanover told him that the Town is working on a Minor Subdivision Ordinance right now. When they receive a copy of it the Planning Commission will review it, hold a public hearing, and then make a recommendation to the Town Council, who will then either approve or deny it. The Subdivision Ordinance needs to be in place by January 2025.

Councilmember M. Kelly – Cemetery Department – Councilmember M. Kelly reported that the quality of the cemetery is outstanding. The long-term planning for the cemetery is going well. The postholes were dug, and the posts installed for the gate for the new road.

Water Fountain Repairs – Councilmember M. Kelly stated that he sent out two Request for Quotes (RFQ's) to stone masons and neither one responded. Mayor Hidalgo stated that Jeff Noble told him that he would do the job has not been able to get any quotes back Mayor Hidalgo stated Jeff Noble, a Clarkston citizen has agreed to repair them. He said he would get that done by October.

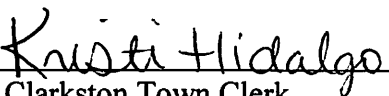
Wellsville Founders Day Parade – Monday September 2, 2024 – Councilmember M. Kelly wondered if the Youth Council were going to participate in this parade. Councilmember M. Stephensen said that she would see if the youth council were going to be around and let Councilmember M. Kelly know.

4. RELEVANT BUSINESS

Next Meeting – The next Town Council Meeting will be held on Tuesday September 3, 2024 at 7:00 pm.

5. ADJOURN

There being no further business to come before the Council, Councilmember A. Hanover. motioned that the Clarkston Town Council Meeting be adjourned. Councilmember M. Stephensen seconded the motion. All members present voted “Aye”. Motion carried. The meeting was adjourned at 7:50 p.m.



Clarkston Town Clerk

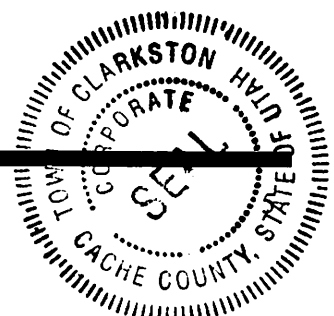


Exhibit A



Town Hall
50 South Main
P.O. Box 181
Clarkston, Utah 84305
Phone (435) 563-9090

Re: Utah Municipal Alternative Voting Methods Pilot Program

August 20, 2024

Dear Members of the Utah Government Operations Interim Committee,

The Clarkston Town Council is interested in effective voting reform that enhances accessibility and strengthens the security of our elections.

Having received a Town Council Meeting presentation on Approval Voting and having participated in discussions regarding it and other options available to our town, the Clarkston Town Council believes that more voting method options, such as Approval Voting, should be made available for use to cities and towns. We believe the State should allow local jurisdictions to explore more methods than the sole method previously allowed, Ranked-choice Voting.

We are interested in the possibility of trying Approval Voting and would like to express our support for adding Approval Voting as an option for Municipal elections in 2025.

Thank you for your service in the Utah Legislature.

Clarkston Town Council

Exhibit B

Property Tax	\$93,000
Fee In Lieu (Auto)	\$6,000
Sales Tax	\$133,000
Franchise Fees(Comcast)	\$3,500
RAPZ Tax	\$47,766
State Liquor Tax	\$400
Telecommunications Tax (Phones)	\$2,000
County Transit Sales tax	\$12,000

