

# WALLSBURG TOWN COUNCIL MEETING

September 5, 2024 - 7 pm

MINUTES

## 1. Call to Order 7:01 PM

- a. Pledge of Allegiance - Completed
- b. Prayer – Scott Larsen
- c. Roll Call – Scott Larsen, Troy Thompson, Celeni Richins, Terri Eisel, Mary Piscitelli, Alisha O’Driscoll Excused, Craig Keyser, Troy Ostler, Brenda Richins, Lil Thompson, Yvonne Thompson, Justin Carlile, Amanda Carlile, Rick Sabey, Darell Bigelow, Christine Bigelow, Sam Hicken, Erin Hicken.

## 2. Consent Calendar: Be it hereby moved that the following consent calendar items stand approved:

- a. Agenda of the September 5, 2024 Town Council Meeting
- b. Minutes of the August 8, 2024 Town Council Meeting

Questions/Comments: Mary Piscitelli noted on the minutes to correct it to say that Troy Thompson suggested for Mary Piscitelli to contact Buffo’s pest control for the cemetery, not that he would contact them.

**Items stand approved.**

## 3. Approve Budget

- a. August Budget and check register
- b. August Budget and check register questions

Questions/Comments: Terri Eisel asked if this check register includes everything for the 24<sup>th</sup> so that it can be done and accounted for. Celeni Richins confirmed that should be the last of everything. Mary Piscitelli commented that the last thing they were waiting for was the dumpster bill, and that is on this check register so that should be it. Scott Larsen commented that it seems odd that the operational budget for the Cemetery and the Water, nothing has been spent in two months. Wondered if he is reading that correctly. He pointed out where it says percent earned, the percentage is 0. Celeni Richins, Terri Eisel, Mary Piscitelli, Scott Larsen discussed back and forth with thoughts and clarification- Alisha O’Driscoll will check with the accounting company to see if the report is calculating/printing those percentages correctly. Scott Larsen commented that the amount that was paid to Doyle Gardner (reimbursement) was a really good deal. Mary Piscitelli confirmed that he is continuing to work on cleaning and fixing the headstones up there. Scott Larsen asked what the check was for Moonlight Construction. Troy Thompson explained it was for a water line repair at Yarro’s, the meter wouldn’t shut off so it had to be dug up and replaced. No other questions/comments heard.

**Motion:** Scott Larsen moves to accept the budget and check register with percentage corrections.

**Second:** Troy Thompson      **Vote:** Unanimous

## 4. Public Comment (5 minutes): This is the public’s opportunity to comment on items that are NOT on the agenda. Please come up to the table, state your name and address before making a comment, and speak loudly to assure comments are recorded properly. If you have specific questions or comments regarding items that ARE on the agenda, please contact the Wallsburg Town Council or Clerk after the meeting has adjourned.

Jill Ford (530 Little Hobble Creek Road): Here as a spokesperson for Mom (Yvonne Thompson), wondering if there has been anymore though on the road that borders her property and the cemetery property. Celeni Richins commented that it has not been addressed since last fall when she brought it up. Jill Ford commented that it has been two years. Celeni Richins commented that yes, it needs to be added back to the agenda. Jill Ford commented that she would appreciate that because Yvonne is trying to get her affairs in order.

Erin Hicken (200 E 200 S): Has a question on the fee schedule, RVLA is considering holding the kids business fair in December and if that would count as a commercial rental? Celeni Richins and Terri Eisel commented that it was discussed last time that a waiver would be considered. Celeni Richins said she would look into it. Terri Eisel said the option was added to have a waiver or reduction if it is considered a commercial rental.

No other public comment heard.

## 5. Agenda Items:

- a. **Main Canyon Road Project, Park Trail Grant Projects Updates – Information and Discussion Only**
  - i. Troy Ostler will discuss status of Main Canyon Road Phase II and Park Trail Grant projects.

Troy Ostler: Main Canyon Road project, proceeding with design – anticipate to planning in about a month, PS&E two months after that, with a goal of having the project to bid before the end of the year. There's a couple reasons to advertise and bid by January- if we have it off our list, we can apply for other projects. Scheduled to have archaeologist on site this next week to look at the irrigation ditch up there that isn't a ditch anymore, but is potentially historical that needs to be addressed. Once that is done, everything else can proceed in the next week or so. Park Trail project- bid last week. 7 bidders, 6 of the 7 were no higher than 10% of the estimate. The low bidder came in at 58% of the estimate- it was Geneva Rock. The 3 lowest bidders were within \$7,000 of each other. The project was awarded by UDOT to Geneva. In about 10 days there will be a notice to proceed. They bid to complete it in 25 working days, so about 3 weeks anticipated to have that project complete. That is good news! UDOT agreed to help with some additional funds we had forecasted, but they'll take those back because we don't need them. We'll have some contingency money if there are any overruns or changes during construction. It's really good news on that project. Scott Larsen asked if they'll be able to put in some benches and trees? Troy Ostler commented that yes, those were in the original application and were cut out, but will be added back to what the budget will be. We have about \$50,000 for some of those items for the city to think about, will be talked about at the pre-construction meeting, contract by the end of the month. Scott Larsen commented that they need to lay the asphalt by mid October. Troy Ostler commented they will be able to get asphalt after the 15<sup>th</sup> if we have temperatures, so it should be good. He recommends not watering the grass after the next couple of weeks. Terri Eisel will coordinate with Gordy (groundskeeper) to not water after the notice to proceed. Scott Larsen asked if the contractor knows to dig around all of the sprinklers. Troy Ostler commented that one of the sprinklers will be moved and they are not aware of any others that will be impacted by the project. Scott Larsen commented that 58% of the estimate is phenomenal, all agreed. Miscellaneous discussion.

#### **b. Building Permit Approval Letters – Action Item**

- i. Wallsburg Town Planning Commission has reviewed and determined that a request from Craig Keyser to build a detached garage meets the stipulations and requirements of the Wallsburg Town development code, and hereby recommends to the Wallsburg Town Council that a building permit approval letter be issued.

Terri Eisel: Asked Craig Keyser if this is the same building permit as he applied for a couple of years ago. Craig Keyser confirmed it is, the last one expired and he is required to redo it. Scott Larsen asked where he lives. Craig Keyser gave his address. Celeni Richins asked if he has already paid the planning commission for their meeting, he confirmed.

- ii. Vote to accept Planning Commission recommendation and issue building permit approval letter or continue for further discussion.

**Motion:** Terri Eisel moves to accept planning commissions recommendation and that a building permit approval letter be issued for the Keyser request.      **Second:** Mary Piscitelli      **Vote:** Unanimous

- iii. Wallsburg Town Planning Commission has reviewed and determined that a request from Maillet Adams to build a greenhouse meets the stipulations and requirements of the Wallsburg Town development code, and hereby recommends to the Wallsburg Town Council that a building permit approval letter be issued.

Celeni Richins greenhouse in the back corner where her property meets with Doyleene Graham's. Explained attached photos. It is just over 200 square feet, so needs to be reviewed for a permit. No concrete floor, power, water, etc- but the county requires a letter from the Town. Everything has been reviewed by the planning commission. She was not able to be here today. Mary Piscitelli questioned to confirm there will be no power or water to the building. Celeni Richins confirmed it was a kit that gets put together. Miscellaneous discussion of whether or not to approve it without her being present. Comments that they trust the planning commission reviewed thoroughly.

- iv. Vote to accept Planning Commission recommendation and issue building permit approval letter or continue for further discussion.

**Motion:** Scott Larsen moves to issue the building permit letter.      **Second:** Terri Eisel      **Vote:** Unanimous

#### **c. Waterway and Roadway/Right of Way Issues – Information and Discussion Only**

- i. Discuss waterway ditch issues and solutions for proper drainage
- ii. Discuss how wide Town roads are, responsibility for maintenance and compliance with ditches

Troy Thompson commented that he has had a few people call wondering what they are going to do with the trouble areas, how wide the road is, who is responsible for maintenance and the fill that is brought in that is washing down the road. Scott

Larsen commented that he believes they are 66 feet wide. Troy Thompson questioned if that is the Town's responsibility to maintain that 66 feet? Scott Larsen said no, that would go into everyone's yard. Celeni Richins commented that it's not always from the centerline, to keep in mind it's not always in the middle. Scott Larsen said all of the easements are in that 66 feet, it's the Town's right of way but people put their lawns in there, but it's the Town's right of way so we can move them if we need to – if he understands correctly. Most of the fences aren't setback that far from the road, very few of them are. Celeni Richins asked who's responsibility it is if they bring in a berm and it washes away? Mary Piscitelli asked Scott Larsen for clarification, that some of the property owners have put fences on the road easements? Scott Larsen confirmed, yes. Troy Thompson and Celeni Richins commented that is not supposed to happen. Mary Piscitelli asked who polices that? Is there an ordinance? How does that work? Celeni Richins commented that there is not a fence ordinance, it is up to the Town to determine. Troy Thompson said that is something the Planning Commission should pay attention to moving forward.

Troy Thompson mentioned culverts and soft spots, what are we going to do now looking forward to spring? We aren't going to be able to get asphalt here after long, and something needs to be done. Scott Larsen has a meeting set up with Nancy OToole (Grants) and the Department of Water Quality next week to see about getting some grant money to pay for some engineering and work on the drainage stuff. Troy Thompson asked if it will be done before spring? Scott Larsen said he doesn't know, depends how soon we can get the funds. Celeni Richins asked if there is a specific grant they are working towards, Scott Larsen commented that there are several available. Terri Eisel commented that there is money specifically for storm drainage emergencies, but a plan needs to be made to ask them for help. The Town is going to be responsible to determine who took the ditches and culverts out, and the Town shouldn't be responsible if they filled that in. Mary Piscitelli commented that she agrees moving forward, but the Town should have corrected that when it happened. Terri Eisel commented that homeowners are doing what they need to do to protect their property, what happens up the road is not their fault. Troy Thompson commented on Surratt's property specifically, they filled in the ditch but the high spot in the road causes the problem- it needs to be diverted into the ditch and from there it is his responsibility. Down by Steve Muir's is going to be a lot worse by spring if something doesn't happen.

Amanda Carlile asked if the ditches are the Town's property or the Irrigation Company easements? Celeni Richins clarified the question. Amanda Carlile commented that when they went to pressurized irrigation, they were able to put pipe where the ditch was- and the others weren't addressed that could have been. Celeni Richins commented that is where the problem lies, everyone thinks the ditches aren't needed now that pressurized irrigation is there.

Troy Thompson commented that his culvert at his property runs water into a pasture that has a culvert that has to be cleaned all the time or they flood because a neighboring property.

Scott Larsen commented that the Town doesn't have money to do it, so he is trying to get grants to do something but he doesn't know what the timeframe is. Mary Piscitelli asked to clarify if there are 4 major spots that are being focused on? Troy Thompson confirmed. Troy Thompson and Terri Eisel commented that there is a bad soft spot starting to form by Terri Eisel's. Celeni Richins commented that will be taken care of with the upcoming Main Canyon Road project. Scott Larsen explained the plan to put in gutter. Troy Thompson asked about drainage. Terri Eisel said there is a drain in her yard. Scott Larsen said it will go across the road into the ditch. Terri Eisel said there is not a ditch across the road, the ground is currently taking the water. The ditches were filled and the culverts were pulled out. Terri Eisel reiterated that a plan needs to be in place before the grant is applied for on who will be responsible to maintain the new ditches/culverts. Scott Larsen said the Town will have to watch. Mary Piscitelli asked for clarification, the planning commission? When she landscaped her yard, there was no one to go to.

Celeni Richins asked if the answer is to go back and dig out ditches? Troy Thompson said no, you can't go back and dig out ditches, the pipe was laid in the ditches.

Justin Carlile commented that you need to have a permit from the municipality to do any work in the right of way. Celeni Richins confirmed that yes you are supposed to. Commented that maybe a permit to adjust or work in the right of way needs to be added to the fee schedule. Terri Eisel commented that it needs to be in the building code before you can enforce it. Celeni Richins would like to address putting that into the building code. Scott Larsen agreed it needs to be in there some place and also a way to enforce it, and to have the planning commission enforce it and review the plans with elevations and slope and everything.

Mary Piscitelli asked what needs to be done today to get things done. No response. Scott Larsen asked about the old ditch system. Troy Thompson commented that we can't go back on that. The Town's right of way needs to be maintained by the

Town, the full 66 feet. Whether its asphalt for 32 feet and you have gravel or whatever, but that 66 feet should be maintained by the Town. Celeni Richins asked for clarification if he is suggesting to go through and tear out people's lawns and driveways? Troy Thompson replied that if it is a problem, then yes you should. It's your right of way to eliminate problems. We've been talking about it for weeks but we are at a point where it's gotta happen. Justin Carlile and Amanda Carlile made miscellaneous comments to agree. Scott Larsen commented that if we keep sending the water down the road it just goes to the next guy where we need to put a ditch so it goes to spring creek. Troy Thompson said he doesn't know what the solution is, but something needs to happen. Celeni Richins commented to get with planning and get that put in the development code the right of way encroachment. Terri Eisel commented that priority is dealing with problem areas now. Mary Piscitelli confirmed with Scott Larsen that his meeting is next Thursday, he confirmed he will come back with more information. He commented that he invited Terri Eisel and Troy Ostler, all are welcome to come. Terri Eisel commented that more than 2 council members will need to be noticed as a meeting. Celeni Richins asked Scott Larsen to keep informed.

Rick Sabey commented that when you start ditches and culverts, there needs to be somewhere for it to go and that's something that needs to be kept in mind. One thing that is obvious is by Troy's has been made worse by the residences up the street- they have some responsibility too. Troy Thompson agreed. Miscellaneous comments of other communities putting pipelines in and having city codes to retain the water on property to be dealt with up to half of the road. Storm water needs to be handled where it lands or it creates a bigger problem where it flows to the bottom and becomes impossible task. Scott Larsen commented that on 100 north that whole hillside drains to the low spot. Rick Sabey agreed. Part of the problem is the road being resurfaced, but there is responsibility up the road as well. All discussed and agreed. Scott Larsen commented that there needs to be a ditch along center street to get it down to the creek. Rick Sabey commented that is a possibility but it can't handle storm water the size we have been having. Miscellaneous comments and discussion from town council and several meeting attendees: all agreed that just moving it along to the next guy is not going to solve it. Mary Piscitelli commented that the Town needs to schedule ditch cleanouts. Scott Larsen will come back with more information from his meeting next week.

**d. Water System Improvement Project Update– Information and Discussion Only**

**i. Discuss status of Water System improvement project.**

Troy Thompson regarding the possible contamination – missed a valve when pumping water to the new tank. With the mapping, they were trying to pump water into the old and new tank, couldn't get it up the hill, so all that stagnant water (that was chlorinated but smelt bad) got almost up to the new tank, they shut the well off and that sucked it back into the system. Went to the church and flushed the hydrant, chlorinated both tanks, went around all night flushing hydrants. That's behind us. Now they are filling the upper section, as they go through and cut them over they are afraid of that smell coming back in. The water in the upper tank is continuing to be treated 1 part per million every night. It will clean up eventually so that it doesn't go dormant or stagnant. Supposed to talk about the road base on the access road. BD Bush has ground up all the rock and made a good road. If we put road base on it will wash down and be wasted. All agreed to leave it as is. They poured the top to the tank. Other issue is the SCADA system, needs some attention- keep getting false alarms. We will be getting a bill from them for some maintenance. Celeni Richins asked to clarify if that is already scheduled. Troy Thompson said he will meet with them later Monday. Can't keep taking time off for this Town, going broke. Had to take two Fridays off already. Mary Piscitelli commented that the battery backup wasn't working when the power was out, Alisha O'Driscoll has more information. Celeni Richins asked if he was aware of that. Troy Thompson said he was not. Alisha O'Driscoll will follow up.

**e. Fiber Internet Grant Project Update – Information and Discussion Only**

**i. Discuss status of grant project for Fiber Internet project.**

Scott Larsen statewide meeting yesterday. They are talking about the deadline in December for applications. Someone has applied for a grant to put fiber in Wallsburg, its not Utah Broadband- don't know who it is. Guess is bitstream. Bitstream commented that fiber needs to come in and out of the valley. Three other people besides them offered to come help set up the system, some suggested the Town should control it so the Town owns the infrastructure and leases it out to ISP's. Not sure that is realistic, it would be great – but we don't have the resources to do that. One of the big issues with fiber is getting permits, that's a major issue. Talked to Carl Buchanan, retired from school district, helped with original fiber. UBB was negotiating with UDOT to share fiber in Provo Canyon. Deadline for applications is December, money won't be available until 2026. It is being worked on.

## 6. Department Reports

### a. To discuss continued agenda items, assignments

i. Buildings (Scott Larsen) Got the trees trimmed, cost was \$700

ii. Roads (Scott Larsen) Lightning struck out a power pole. Lineman shut off all of the power to work on it. In talking with Nancy O'Toole next week, the dept of water quality has grant opportunities for rotomill washing into culverts. They may have connections with UDOT to fix it. Once main creek is done, apply for more money to work on other roads. Just a matter of getting the money to work on them.

iii. Cemetery (Mary Piscitelli) Donated sod didn't get watered well enough, so a lot of it died. Recent rain has helped a little, but hearing comments. Tuesday September 10<sup>th</sup> the cemetery will be sprayed for weeds. Working with Alisha O'Driscoll to notify people. Fresh flowers will be affected, but nothing else. No water for 24 hours after, no mowing for 48 hours after that. Bid from Buffo's was \$500 cheaper than GridIron, so we went with them.

iv. Park (Terri Eisel) None

v. Water (Troy Thompson) None

vi. Mayor (Celeni Richins) None

vii. Clerk (Alisha O'Driscoll) working on .gov transition, audit for last fiscal year, collecting emergency contact info, planning commission recommendation to replace alternate Josh Richins. Aubri Buehler was submitted by Planning Commission. Terri Eisel commented that Carly Jackson is interested as well. Troy Thompson suggested Sam Hicken.

### b. Call for Agenda items for September Town Council Work Meeting (Expected September 19, 2024)

MAG Roadshow is coming to explain what they do, all are invited. Sheriff Rigby is sending undersheriff to discuss patrolling in Town. Sam Hicken asked when the work meeting is and if they are allowed to come to that. Celeni Richins commented it is the 3<sup>rd</sup> Thursday and the public is welcome. Work meetings are for discussing things between meetings. Fee Schedule discussion to discuss business licenses, subdivision fees, impact fees, etc. Troy Thompson volunteered to work on comparables. Celeni Richins will contact the county for their breakdown.

### c. Call for Agenda items for October Town Council Meeting (Expected October 3, 2024)

Water updates. Troy Thompson commented that they are having a lot of issues with mapping. Quite a few change orders, etc. Thinks they are on schedule to finish end of October even with some unknowns and setbacks. Storm Drainage meeting, schedule for park trail, we should know more. Closed session.

## Adjourn

**Motion:** Troy Thompson moves to adjourn

**Second:** Scott Larsen

**Vote:** Unanimous

Time: 8:16 PM