

**WALLSBURG TOWN COUNCIL
FIRST CDBG PUBLIC HEARING**

December 5, 2024 - 7 pm

MINUTES

1. Call to Order 7:03 pm

a. Roll Call - Celeni Richins, Scott Larsen, Troy Thompson, Terri Eisel, Mary Piscitelli, Alisha O’Driscoll, Carrie Mecham, Daniel Jensen, Jon Haderlie, Jill Ford, Yvonne Thompson, Lil Thompson, Dennis Phillips, LuWanna Phillips

2. Agenda Item: The purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications for the 2025 funding cycle.

Mayor Celeni Richins opened the public hearing for the CDBG program and stated that the purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications for the 2025 funding cycle. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. The Summit and Wasatch Region in which Wallsburg Town is a member, is expecting to receive approximately \$623,000 total in this new program year, with the highest total portion available to be awarded to any one municipality being \$400,000. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time. Mayor Celeni Richins read several of the eligible activities listed including examples, such as Construction of public works and facilities, e.g., water and sewer lines, fire stations, acquisition of real property, provision of public services such as food banks or homeless shelters. Mayor Celeni Richins indicated that in the past Wallsburg Town has received many different CDBG funded grants to accomplish various water and infrastructure projects and patches. The Town has handed out its capital investment projects as part of the regional “Consolidated Plan”. This list shows which projects the Town has identified as being needed in the community. It was asked that anyone with questions, comments or suggestions during the hearing please identify themselves by name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing.

Mayor Celeni Richins quickly touched on some of the projects that the Town has identified on their CIP list such as roads, water system, stormwater drainage solutions, park bathroom renovations, etc.

Mayor Celeni Richins then opened the meeting up to further suggestions from the audience.

Hearing no public comments or questions, Mayor Celeni Richins called for a motion to adjourn.

3. Adjourn

Motion: Terri Eisel moves to adjourn the public hearing.

Second: Troy Thompson Vote: Unanimous

Time: 7:09pm

**WALLSBURG TOWN COUNCIL MEETING AGENDA
December 5, 2024 – Directly Following Public Hearing**

1. Call to Order 7:10PM

- a. Pledge of Allegiance - Completed
- b. Prayer – Scott Larsen
- c. Roll Call – Celeni Richins, Scott Larsen, Troy Thompson, Terri Eisel, Mary Piscitelli, Alisha O’Driscoll, Carrie Mecham, Daniel Jensen, Jon Haderlie, Jill Ford, Yvonne Thompson, Lil Thompson, Dennis Phillips, LuWanna Phillips

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

- a. Agenda of the December 4, 2024 Town Council Meeting
- b. Minutes of the November 7, 2024 Town Council Meeting

Items stand approved.

3. Approve Budget

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

Alisha O'Driscoll noted that the fuel got mistakenly charged to the water maintenance account and it was corrected to go to the fuel. Celeni Richins asked about the park power bill. Alisha Odriscoll explained that Rocky Mountain Power confirmed that the Water Pump is on the Park power bill, so we will need to figure out how to split that. Scott Larsen asked about the \$18,000 to BD Bush, Troy Thompson replied that is was a change order. Terri Eisel asked about the money to MAG. Celeni Richins explained that it was membership dues. Scott Larsen asked if the workers comp insurance was monthly or annually. Celeni Richins and Alisha Odriscoll confirmed it was annual.

Motion: Scott Larsen moves to accept the budget and register

Second: Terri Eisel 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) – Wondering if there has been any discussion about the road closure that borders the cemetery and Yvonne Thompson's property. Celeni Richins commented that they have not discussed it recently due to several other issues, will add that to the work meeting in January and let them know.

Carrie Mecham (235 South 200 East) – At a recent public meeting, an attendee stated that the Mecham's had blackmailed the Town into granting the changes in the lots of record. She just wants to remind that 4 lots of record were reduced to 3 lots of record, the realignment of some deeds to clear up ownership of property errors in surveying were not meant to blackmail anyone and would like a retraction. Celeni Richins asked for the date of the planning commission meeting and will address that. Celeni Richins and Terri Eisel apologized.

5. Agenda Items:

a. Fiscal Year 2024 Audit Report – Information and Discussion Only

- i. Jon with Larson and Company will report on the Fiscal Year 2024 audit of Wallsburg Town.

Jon Haderlie: This is the first in depth audit Wallsburg Town has had, because they have over 1 million dollars in expenditures. The good thing about an audit is that it's a lot more invasive than the standard agreed upon procedure. Everything on the budget is reviewed for correctness. The water project caused the expenditures in excess of 1 million dollars. Scott Larsen commented that there is a road project coming up next year that will be over 1 million dollars. Jon Haderlie explained that everything that was reported back from the staff was that the Town Staff and Pelorus turned out really well. The first opinion (on the financial statements) is unmodified. Meaning that they didn't come across anything that needed to be modified for the reporting. Went through the different processes that were tested during the audit. The second opinion (on the compliance with Utah State Code) goes over budget integrity, fund balances, government fees, treasurers' bond, restricted taxes, fraud risk assessment, cash management, compliance with OPMA. Opinion on compliance is also unmodified. There was one finding that the capital projects fund exceeded the budget. Not a huge concern, would be more of a concern if it goes on year after year. Make sure you give yourself enough grace during the budget review meeting. A lot of times there are expenditures that come in late and aren't budgeted for. Last year there was one finding that the minutes were uploaded to the Utah Public Notice website in the time frame required – this year it was checked and they were uploaded timely and the finding was corrected and is no longer a finding. Next year they will look at the budget again to make sure the finding does not repeat. Jon Haderlie called for questions. Scott Larsen asked what we can be improved upon. Jon Haderlie said keep leaning into Pelorus, they are a great asset to not have separation of control issues. Keep up on checking the budget and check register every month as you did tonight, look over financial reports, pay attention and ask questions as needed. Scott Larsen said that a lot of the financials come from Pelorus and we think they do a good job. Jon Haderlie confirmed and said that he refers clients to Pelorus all the time because they do a great job.

b. Subdivision Code Update – Information and Discussion Only

- ii. Review and discuss with Daniel Jensen (Sunrise Engineering) update of the Subdivision Section of the Wallsburg Town Development code to meet Utah State Code.

In 2024 substantial changes to the state code were made regarding subdivision codes. Compliance deadline of December 31st. If the changes aren't made by the deadline, any subdivisions will default to state code and not municipality code. They helped update the Town code to be easier to walk through. State authorized funding for small communities for engineering consultants to review and update the subdivision code through December 31st. Met with the Planning Commission last week. The process is that the State is concerned that subdivision applicants were taking too long and that they were being treated as legislative actions and not administrative actions. So if the developer can meet the requirements of the code, it has to be approved. Neighbors come out and protest against them because they don't like them. Some Town Councils were putting their opinions on the subdivisions even though the standards of the code had been met, etc. What they did is redid the process so that now instead of allowing subdivisions to go to Councils, it has them stay at a lower level. It still allows for preliminary public hearings, but not final approval. The way it is set up is a prospective developer has the option that the Town has to allow to come in and discuss the proposal with the Planning Commission before the application process. Planning Commission can give out details of the application process and make sure its viable before they go out and get started on the process. When the developer comes back, they must submit an entirely complete application. If there is anything missing, it is immediately rejected and sent back to the developer. Once a complete application is submitted, the Town has 40 days to complete the review (unless there are FEMA or ArmyCorps reviews needed, etc). These deadlines only apply to residential development, not commercial or industrial, which take longer. The review needs to be thorough. If a comment is not included in the initial review, it cannot be brought in later. Scott Larsen asked if there is a certain list of things that need to be reviewed. Daniel Jensen said that prior to submittal there needs to be a complete list of standards available on the website (which is something that sunrise has made sure is in this updated version of the code). The applicant has up to one year to come back to Planning Commission to address all comments from the review. If they haven't addressed each item, it is returned. Second review cycle starts once completed review comes back. Can go up to a fourth review cycle- but that's the maximum. After four reviews, it is denied. Engineered plans only need to be submitted once – preliminarily during the application phase. Once approved from the Planning Commission – the final plat process becomes streamlined because the engineering is all done. Electronic copy of the mylar, gets reviewed, performance guarantee bond (if not doing at risk). Scott Larsen asked what happens if engineering needs to be changed after the preliminary review. Daniel Jensen explained that those things will need to be addressed, just as much as possible needs to be reviewed preliminarily. In rare cases, the review deadline can take up to 60 days during second or third or fourth review. The final plat is very simple, reviewed by a consulting engineer to sign off on the mylar and the bond. Scott Larsen asked if the developer pays for the consulting engineers. Communities say that the applicant must pay for all fees incurred in the process – require a retainer at the beginning and return unused portions. Celeni Richins referenced the current fee schedule and Daniel Jensen said that it all sounds like it should be. Carrie Mecham stepped forward with some questions for the Council and Sunrise Engineering. Carrie Mecham asked about in the code where sometimes it referenced specifically Town Council or Planning Commission and other times it just says Town. Daniel Jensen said that was intentional because it is broad and gives the control to the Town to decide their own policies that are not dictated by State code. Carrie Mecham asked why it isn't left broad always. Daniel Jensen said that state code does dictate some of the policies. Carrie Mecham asked if Legislative and Administrative can be defined. Daniel Jensen will add that in there. Daniel Jensen stressed that during general plan updates, that's when the public needs to have a voice- not during the subdivision process. Carrie Mecham asked about hiring outside engineers, it talks about an enforcement engineer- can that be included in the rate? So the developer can be responsible for that. Daniel Jensen said that is existing in the code. Terri Eisel commented that Spencer Foster with MAG is going to look into enforcement. Carrie Mecham asked for maps of roads and streets, trails map, etc. Survey monuments need to be looked into. Waterways and irrigation – it says the Town has to investigate it and she believes it should be the applicant. Daniel Jensen said that is outside of the grant but should be addressed. Carrie Mecham said that design standards and specifications, asked if that is the county? Celeni Richins confirmed. Carrie Mecham said about drainage and culverts. Celeni Richins commented that is actively being worked on. Carrie Mecham said that there are some incorrect references to slope that need to be corrected. Scott Larsen asked about how the annexation process works with subdivision processes. Daniel Jensen explained that they are generally done together. Now the state has said that all legislative actions (annexation) must be done first before the subdivision process is started. During the annexation process, an agreement can be made to require anything the Town wants. Subdivision processes cannot be done during annexation agreements. Annexation agreements are property specific and recorded as such, run with the land and not the owner. Daniel Jensen continued with Simple Subdivision Process: the Town can have an alternative method to do a subdivision without a plat. Administrative action, no council. No plat, it is done with a record of survey. The process is much simpler- cities and towns allow the process when all proposed lots are along existing roads and infrastructure. Not intended for big developments. The State caps it at 10 lots, the state code says that Town can choose any number up to 10, the Planning Commission said that they believe 4 is appropriate. The State Code says the process can only be used when the proposed lots don't cross planned roads, included on the general plan. With this, the record of survey gets filed with the county- not recorded. It is really important that if there is a record of survey that gets filed, it must specify the amount of lots, date of approval, as much detail as possible. The idea is that it must be recorded as valid so that it is on hand. The surveyors

office will file and surveys brought in, so having that on file will clear up any questions. Carrie Mecham clarified that simple subdivisions must be on an existing road, not add their own lane or road. Daniel Jensen said they could approach the council to construct the road. The Town Council commented that if that road was not approved or done that would be a subdivision, not a simple subdivision. Alisha O'Driscoll clarified that simple subdivisions would apply to Wallsburg in most cases and Daniel Jensen confirmed. Miscellaneous discussion to clarify details previously discussed. Alisha O'Driscoll clarified that Daniel Jensen's checklist to work on for the final draft includes the checklist and application- Daniel Jensen confirmed.

c. Conflict of Interest Policy – Action Item

- i. Wallsburg Town will adopt by resolution a Conflict of Interest Policy to be filled out by each elected official and staff member annually.

Motion: Terri Eisel moves to adopt the resolution Conflict of Interest policy for Town Officials and Employees

Second: Troy Thompson

Votes: Celeni Richins – Aye, Scott Larsen – Abstain, Terri Eisel – Aye, Mary Piscitelli – Aye, Troy Thompson – Aye.

d. 2025 Meeting Calendar – Action Item

- i. Wallsburg Town will present the proposed 2025 meeting schedule

Motion: Scott Larsen moves to adopt the 2025 meeting calendar.

Second: Terri Eisel Vote: Unanimous

Alisha O'Driscoll will post on the Town website and send to the Wasatch Wave.

e. Waterway, Roadway, Right of Way Issues – Information and Discussion Only

- i. Discuss waterway ditch issues, solutions for proper drainage.

Terri Eisel has not received more information on the funds for the stormwater master plan from Nancy O'Toole.

Scott Larsen said that the Utah Provo River Water users \$10,000 meeting got rescheduled. They want to know how much the Town will contribute as part of the application process. The Town will put in time and money depending on what the costs are forecasted at. The meeting will be in January sometime. Terri Eisel said that the cost will be the cost of the culverts and manpower to do the work. They all discussed that the match would come out of the roads. Terri Eisel commented that part of the match could be someone donating their equipment or time to help do the work. Troy Thompson commented who could we ask that would have the equipment and in the winter, suggested a 50/50 match – with the Town contributing at least \$10,000. Terri Eisel commented to get pricing on culverts for the January Town meeting. Scott Larsen commented that the meeting with Provo River Water Users will be after that. Scott Larsen said the application needs to be revised to include the match information. Alisha O'Driscoll commented that maybe the application could be filled out to say the Town would be willing to match up to the \$10,000 that they are providing, as Troy Thompson suggested. Scott Larsen will follow up and see what he can find out. Scott Larsen also said that the Provo River Water Users association was asking about landowners on the hill to work with them on long term solutions in the future and what the plans are going to look like.

f. Events Committee – Information and Discussion Only

- i. Report on Christmas Celebration and plans for winter activities

Alisha O'Driscoll reported that we bought an artificial tree and lights to use year after year. We didn't have too many leftovers and overall it was a great success. A few notes for next year but overall it was excellent.

6. Department Reports

- a. To discuss continued agenda items, assignments

- i. Buildings (Scott Larsen)

***Fiber Internet Update**

Final due date for applications is December 23, they have not had a completed application for Wallsburg yet, but UBB is planning to. The Town may want to submit it as a Town. The other council members did not agree.

- ii. Roads (Scott Larsen)

***Road Project update from Troy Ostler**

This Tuesday is PS&E at 11, remote call. Put it out to bid before the end of the year to be able to apply again in January.

iii. Cemetery (Mary Piscitelli)

Mowers got fuel stabilizer in them this week. Making a dump run this week. Need to talk about the leave of absence for Gordy, he will be leaving in a couple of weeks.

iv. Park (Terri Eisel)

***Trail Project update from Troy Ostler**

Couldn't get the signs for the park trail, going to add them to the Main Canyon Road project.

v. Water (Troy Thompson)

***Water System Project update**

The tank had a link, they went through and tried to seal it after trying to fill it for 40 days. They are trying to fill it again, as of today it is filled. When they drained the tank, there was a complaint to DNR that it killed fish in spring creek. That has been handled now, the DNR guy said there were a few fish killed -but not ALL as the complainant had said. Having trouble with the well pump. The next thing after the leak test is completed, they will go around and take the old tank offline and the new tank online. Dale Carlson called today and asked to put his meter 200 feet closer to the house. Told him that is okay but he needs to pay BD Bush, he said that was too much. As of now, we are finishing the project as built.

vi. Mayor (Celeni Richins)

Mark Allen has asked about using the building and thought it cost \$100 and not \$150. Would like a retroactive waiver for his events in the future and the past. Alisha O'Driscoll commented to clarify that the cost communicated was clear. Multiple comments that fee waivers need to be done ahead of time. Alisha O'Driscoll will follow up with Mark Allen to collect the difference in payment, future fee waiver requests will be considered.

Ronnie Bishop asked Celeni Richins when their water will be back on because their booster pump seized up. It currently takes 5 minutes to fill up a pot. Troy Thompson said to turn their booster pump back on or wait until the project is complete.

vii. Clerk (Alisha O'Driscoll)

.gov final meeting is on Tuesday, that will all be done by the end of the year deadline.

Additional comments from Mary Piscitelli:

-Paying the Planning Commission for their hard work. Celeni Richins commented that January is a great time for it. Scott Larsen asked about a Christmas Gift Card or a monthly salary. Mary Piscitelli said both, if possible. They need to be compensated. Multiple people agreed. Will discuss at the January work meeting. Troy Thompson commented that maybe they get a free water bill each month as payment. Alisha O'Driscoll will ask Pelorus if that would work with taxes and the misc details. Mary Piscitelli will get 6 \$50 gift cards and Christmas cards for each of them to be signed at the January work meeting. -Joe Carlson asked if the Town wants to be involved in the New Year's Fireworks. Alisha O'Driscoll will call him back and ask for more details on what we can do to help.

b. There is no work meeting scheduled for December 2024, Merry Christmas!

c. Call for Agenda items for January Town Council Meeting (Expected January 2, 2025)

If there are any agenda items, please let Alisha O'Driscoll know.

January Work Meeting: Discuss Cemetery Road Vacate, Planning Commission pay/gift cards,

7. Adjourn Regular Meeting

Time: 9:37PM

Motion: Troy Thompson

Second: Scott Larsen

Vote: Unanimous

CLOSED SESSION to discuss personnel

NOT HELD

Call to Order Roll Call:

Adjourn Closed Session Time: