

MINUTES OF THE TOWN COUNCIL  
MEETING  
OF THE TOWN OF CLARKSTON

February 17, 2015  
7:00 P.M.

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

Attendance: Mayor Kendon Godfrey  
Councilmembers: Ann J. Godfrey, Steven Palmer  
Nathan Whiting, Richie Calderwood

Kristi Hidalgo, Town Clerk

Also in attendance: Glen M. Godfrey, Annette G. Summers, Stacy Goodey, Julia Buttars, Jason Buttars, Gerald Buttars, Ross Buttars

1. CALL TO ORDER

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

2. NEW BUSINESS

Mayor Godfrey addressed the minutes of the Clarkston Town Council Meeting held February 3, 2015. Councilmember A. Godfrey motioned for the Clarkston Town Council to approve and adopt the minutes of February 3, 2015. Councilmember S. Palmer seconded the motion. All in favor "Aye". Motion carried

Business License Applications- The following Business License Applications came before the Council for approval:

- Stacey Goodey – The name of her business is Windyhill Kennels. Ms. Goodey stated she breeds and sells puppies. Ms. Goodey raises four or more litters of puppies a year. Councilmember A. Godfrey motioned to approve the business license. Councilmember N. Whiting seconded the motion. All in favor "Aye".
- Jason Buttars – The name of his business is Jason Buttars Trucking. Mr. Buttars parks his truck on the east side of his home, when not in use. N. Whiting motioned to approve the business license. Councilmember A. Godfrey seconded the motion. All in favor "Aye".
- Gerald Buttars and Ross Buttars – The name of their business is Gunsight Trucking Inc. Mayor Godfrey stated that the only stipulation is that the trucks do not get parked in the road right-of-way. Mr. Gerald Buttars replied that all of the trucks and equipment will be moved to Collinston, Utah soon. The business will be run out of their home in Clarkston but the trucks will be parked at their shop in Collinston. Councilmember A. Godfrey asked when they would be moving everything to Collinston. Mr. Gerald Buttars said that they would be moved by

March 15, 2015. R. Calderwood motioned to approve the business license. Councilmember N. Whiting seconded the motion. All in favor “Aye”.

- David and Malea Hale – David and Malea Hale were not present at the Town Council Meeting. The name of their business is Peaceful Valley Kennel. Mayor Godfrey explained that they breed and sell puppies. Mr. and Mrs. Hale have two different breeds of dogs and typically raise one litter of each per year. Councilmember Calderwood motioned to approve the business license with the stipulation that all Zoning Ordinances must be adhered to. Councilmember S. Palmer seconded the motion. All in favor “Aye”.

### 3. DEPARTMENTS

Mayor Godfrey– March Meeting Cancellation – The Council discussed the March Town Council Meetings. Mayor Godfrey reported that the Town Clerk has a Municipal Clerk Training to attend and will be out of town on March 17, 2015. The Council determined to cancel the March 17<sup>th</sup> Town Council Meeting, unless there is urgent business to discuss. There will only be one meeting in March. It will be on Tuesday March 3<sup>rd</sup> at 7:00 pm.

Amended Zoning Ordinance Discussion – Mayor Godfrey explained that Zoning Ordinance 10-7A-5 was amended in January 2008. The rear yard was changed to 20’ and the lot width was changed to 100’. Zoning Ordinance 10-1-6 was also amended adding the following clarification on to the definition of structure: A temporary moveable building under 200 square feet shall not be considered a structure. The ordinance adopting these amendments to the Zoning Ordinance cannot be found. There is an e-mail correspondence, dated January 18, 2008 that was sent to Sterling Codifiers requesting that the above changes be codified in the Town Code Book. The amendments were codified and printed in the Town Code Book. These are the regulations the town currently follows for Single Family Residential Zones R-1, R-2. Mayor Godfrey stated that the Council can do one of the following:

1. Go on the premise that if these amendments are ever questioned the e-mail correspondence is legal documentation that they were adopted because the e-mail correspondence is referenced in the Town Code Book.
2. The Council could draft and adopt an ordinance amending 10-7A-5 and 10-1-6 again so that there is an actual written adopted ordinance to reference, if needed.

The Council determined to file the e-mail correspondence, in place of the missing Ordinance, as legal documentation that the 10-7A-5 amendments were adopted. The Council determined to amend Zoning Ordinance 10-1-6 to add the following to the definition of structure: A temporary moveable building under 200 square feet shall not be considered a structure, and does not require a building permit. It does require that Zoning Clearance be obtained from the Planning Commission, before the building is constructed.

Appeal Authority - Mayor Godfrey read the following information directly from the Utah League of Cities and Towns Powers and Duties Handbook:

*The appeal authority can be called anything you want to call it. It can be one person or a board or commission. It can even, under certain circumstances, be either your planning commission or city or town council. (Page 150)*

Mayor Godfrey stated that the land use authority for Clarkston Town cannot be the appeal authority because the land use authority makes the decisions that are being appealed. Mayor Godfrey stated that the Town Council can either be the appeal authority or an appeal authority commission can be appointed. Mayor Godfrey informed the Council that in 2010 an Appeal Authority was appointed with five members. Mayor Godfrey feels that in Clarkston Town the appeal authority is used so infrequently that they forget that they have a job. Councilmember R. Calderwood suggested and was in favor of organizing an appeal authority on an as needed basis since they are used so infrequently. Mayor Godfrey asked the Council to read about the appeal authority in the Utah League of Cities and Towns Powers and Duties Handbook pages 150 -154. No decision was determined.

Councilmember A. Godfrey - Dog Clinic – Councilmember A. Godfrey reminded the Council about the Annual Dog Licensing and Rabies Clinic on February 21, 2014 from 10:00 a.m. – Noon, in the Roads Building.

Martin Harris Pageant Dinner- Councilmember A. Godfrey informed the Council that Lynn and Dorothy Page have agreed to chair the dinner this year.

Councilmember R. Calderwood– Water Conservancy District - Councilmember R. Calderwood reported that he attended a meeting to discuss setting up a Water Conservancy District. Councilmember R. Calderwood explained that the Bear River Development Act, created in 1991, allowed for the Wasatch front to develop 220 acres of the Bear River drainage. There is an urgent need for our region to come together to conserve and protect its water. The purpose of the Water Conservancy District is to protect and conserve our long term agricultural, environmental, and municipal water interests with an emphasis on securing our allocation entitlements pursuant to the Bear River Development Act. The district will represent all of Cache County. Councilmember R. Calderwood stated that there are two ways to initiate creation of the district; by resolution or by a petition.

Taxes will be raised to fund the Water Conservancy District, if it is created.

Councilmember S. Palmer – Cemetery Department – Councilmember S. Palmer stated that the Cemetery Caretaker, Jerry Godfrey, is wondering when the town plans on hiring another person to assist at the cemetery. Mayor Godfrey stated that the job needs to be posted.

Councilmember N. Whiting –Parks Department – Soccer Nets - Councilmember N. Whiting reported that the nets for the two large soccer goals need to be replaced. He contacted Katie Godfrey Sports Director about this. She will let the Northern Utah United Soccer League know that they need to be replaced.

Sidewalk Extension – Mayor Godfrey reported that the RAPZ Tax funds, leftover from the Town Square Drain System Project, will be used to extend the sidewalk north to the

corner of Center Street. A culvert will also be installed so the sidewalk will go across the ditch. Mayor Godfrey stated that he will get three bids to install the sidewalk and then determine if there is enough money to also do curbing or at least have it graded.

Fire Department – Purchase Policy Exemption for Brush Truck - The Fire Department has \$22,000 in a Capital Improvement Fund and are actively seeking to purchase a new brush truck with that revenue. The Clarkston Town Purchasing Policy states that for large purposes three bids are required. The Fire Department wants to buy the brush truck at an auction and so getting three bids is not a viable option. Councilmember N. Whiting asked the Council if an exception could be made to the Purchasing Policy for this case. The Council discussed this issue and decided to vote on it. The Council determined that if everyone is in favor of allowing Fire Chief Brooks Dufner to buy the brush truck at a legitimate auction, without procuring three bids, the Council will grant him the authority to do so. Councilmember R. Calderwood motioned for the Clarkston Town Council to allow Fire Chief Brooks Dufner the authority to purchase a brush truck at an auction. Councilmember A. Godfrey seconded the motion. All in favor “Aye”.

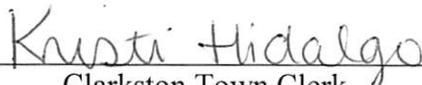
4. RELEVANT BUSINESS

Martin Harris Pageant Bleachers – The Pageant Presidency asked permission to level the ground where the bleachers will be set up for the pageant. Councilmember R. Calderwood reported that John Ravsten replaced Tim Goodey in the Martin Harris Pageant Presidency and Mr. Ravsten alluded to Councilmember R. Calderwood that the Pageant Presidency is wanting to just peel the sod back, flatten the dirt, and place the bleachers on the dirt. Mayor Godfrey declared that Paul Willie, the Martin Harris Pageant President, is supposed to be getting back with the Council with a proposal for leveling the ground for the bleachers. Councilmember A. Godfrey will contact Mr. Willie and tell him that the Council is waiting for a proposal on this project and that no work should be done until the Council approves it.

Next Meeting - The next meeting will be a Town Council Meeting and will be held Tuesday March 3, 2015 at 7:00 p.m.

5. ADJOURN

There being no further business to come before the Council, Councilmember R. Calderwood motioned that the Clarkston Town Council Meeting adjourn. Councilmember A. Godfrey seconded the motion. All members present voted “Aye”. Motion carried.  
The meeting adjourned at 8:04 p.m.

  
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Clarkston Town Clerk

