

MINUTES OF THE PUBLIC HEARING  
AND TOWN COINCIL MEETING  
OF THE TOWN OF CLARKSTON

August 18, 2015  
6:30 P.M.

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Public Hearing and Town Council Meeting held at the Clarkston Town Hall, 50 South Main, Clarkston, UT.

Attendance: Mayor Kendon Godfrey  
Councilmembers: Steven Palmer, Ann J. Godfrey  
Richard Calderwood

Kristi Hidalgo, Town Clerk

Also in attendance: Venna Balls, Ken Balls, N. Gail Godfrey, Deanna Godfrey, Stephen Ravsten Elaine Goodey, Claude Gibbons, Diane Gibbons, Annette G. Summers, Matthew Wood, DeeAnn Wood, Julynne Thomas, LaNeita Godfrey, Christina Atkinson, Scott Archibald-Sunrise Engineering

1. CALL TO ORDER

Mayor Godfrey called the Public Hearing to order at 6:30 p.m.

2. PUBLIC HEARING

Mayor Godfrey stated that the reason for this public hearing is to hear public comment on making application to the Community Impact Board for a project to update Clarkston Town's Water Master Plan.

Mayor Godfrey explained the scope of the project stating that Clarkston Town will hire Sunrise Engineering to update the water master plan. The water master plan will review the five major components of a water system which are: water rights, water sources, water storage, water treatment and water distribution piping. Current water system demands in each of these five areas, along with 20-year demands, will be calculated to determine if there are any areas where water system improvements are needed, according to the rules outlined by the State of Utah. Mayor Godfrey informed those present that state law now requires water master plans to include a water model. A water model is a computer program that will analyze any proposed expansions or upgrades of the water system and determine what impact they would have on the water distribution system. Once the water model is created there are no additional costs to the town. The costs to run the water model will be passed on to the developer.

Mayor Godfrey stated that a second component to this project is to conduct a Clarkston Water Study. The North Fork spring box and collection lines need to be redeveloped and cleaned. It is proposed to camera a portion of the spring lines and map where

improvements are needed. This will assist in better understanding the needs of the area including the Big Birch and North Fork Springs areas. Opinion of probable costs will be generated to assist in future funding options. The total cost for the project is \$20,000. Mayor Godfrey reported that Sunrise Engineering will assist Clarkston with making a \$10,000 grant application to the Community Impact Board (CIB). The grant will be a 50% matching grant. Mayor Godfrey informed the Council and those present at the meeting that Clarkston Town already has \$10,000 allocated for this project if the grant is awarded to the town.

Councilmember R. Calderwood stated that the last time the water master plan was updated was in 2001. The master plan will help determine and plan for future growth in Clarkston Town and address necessary maintenance issues with the water system.

Mayor Godfrey asked if the Council had any comments, questions or discussion on making application to the Community Impact Board for a project to update Clarkston Town's Water Master Plan. There was no further discussion. Mayor Godfrey turned the time over to the public for comments or questions.

Stephen Ravsten – Mr. Ravsten asked if the current water master plan gives a definition of what is the water capacity from our sources and how large of a community will our water sources support in the future? Councilmember R. Calderwood replied that the water master plan does address the capacity for future growth and what our system can handle in the future. The water master plan helps prove water rights and future growth water rights. Mr. Ravsten stated that it is a good idea to have an updated water master plan.

Annette G. Summers – Mrs. Summers referred to Mr. Ravsten asking about what the water master plan says about future growth and water capacity and asked if the town can determine growth by the amount of water available. She wondered if the water master plan can say that water is a reason to restrict growth. The Council did not know the answer to this question. Scott Archibald from Sunrise Engineering commented that some communities have done this but they have to be making strides to make water available. Mrs. Summers stated that she doesn't think the master plan can be used to inhibit growth. Mayor Godfrey stated that restricting growth is not the intent of the water master plan. Mr. Archibald stated that water master plans help communities plan for future growth and water requirements. Mayor Godfrey commented that the water master plan will also help the town identify needed improvements and determine financial needs to maintain the water system.

Claude Gibbons – Mr. Gibbons wondered if any part of the water system is going to require electricity. Councilmember R. Calderwood replied that there are no plans on requiring electricity in the water master plan. Clarkston Town is very fortunate that the water system is set up so that everything is gravity flow. Mr. Gibbons believes that the national electric grid will be destroyed one day and he would like to have water to drink, if that does happen.

3. ADJOURN

Mayor Godfrey stated that if there were no further questions that a motion to adjourn from the Public Hearing be made. Councilmember A. Godfrey made a motion to adjourn the Public Hearing. Councilmember R. Calderwood seconded the motion. All in favor “Aye.” Meeting adjourned at 6:47 p.m.

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TOWN COUNCIL MEETING

1. CALL TO ORDER

Mayor Godfrey called the Town Council Meeting to order at 6:50 p.m.  
Mayor Godfrey led the Pledge of Allegiance and offered Reverence to begin the meeting.

Mayor Godfrey addressed the minutes of the Clarkston Town Council Meeting held July 7, 2015. Councilmember R. Calderwood motioned for the Clarkston Town Council to approve and adopt the minutes of July 7, 2015. Councilmember A. Godfrey seconded the motion. All in favor “Aye”. Motion carried

2. NEW BUSINESS

Steven Ravsten - Nuisance Complaint – Mr. Ravsten decided not to address the Council with the complaint.

Elaine Goodey – Tithing Granary Update – Mrs. Goodey asked that Steven Ravsten address the Council with his thoughts on the importance of preserving the tithing granary. Mr. Ravsten feels that preserving the tithing granary is a positive thing. Mr. Ravsten stated that the whole valley is becoming more urban and yet we want to maintain contacts with our rural heritage. Mr. Ravsten stated that he grew up in Clarkston and even though you move away you never forget where you grew up. Mr. Ravsten continued by saying that there is a large community of us that if we made some contacts would be willing to help support this effort in many ways. Mr. Ravsten feels that there is a community outside of the community that lives here that would like to be involved as much as the community would let them be. Mr. Ravsten concluded that preserving the tithing granary contributes to the theme of what this town is and as it becomes more urban than we want it to be the tithing granary will allow us to reach back and keep some memorabilia of our heritage.

Mrs. Goodey, on behalf of the Martin Harris Camp of the Daughters of the Utah Pioneers (DUP), requested the following from the Town Council:

- A written statement from the town which would allow the tithing granary to be moved north of the tennis courts onto town property.
- Information the Town Clerk, Kristi Hidalgo, was asked to find out about liability and town insurance coverage for the tithing granary.

- To Establish a Preservation Committee with input from the Town Council. Mrs. Goodey stated that a Preservation Committee is necessary to help the DUP apply for a grant to help fund this project.

The following are questions and concerns from the Council:

- Councilmember A. Godfrey wondered if the DUP had asked the Ruth Clark family to donate the property the tithing granary sits on and leave the tithing granary where it's at. Mrs. Goodey responded that the DUP has asked the Clark family this question and the answer was no.
- Councilmember R. Calderwood advised the DUP not to throw out the idea of preserving in place and encouraged them to contact the Historical Society to see what can be done to allow the building to be preserved where it is. Darlene Thompson stated that in order to keep the historical status it's not necessary for the tithing granary to stay where it is. The tithing granary is on the National Historic Register and if it's documented the building can keep that status in the process of being moved and after it's moved, or it can be reinstated later. Mrs. Thompson concluded that it's not the ground that's so historical it's the building. Mrs. Thompson reiterated that the building can be moved without losing its historical status.
- Councilmember A. Godfrey wondered, where it's a tithing granary, has the DUP asked the church about putting it on church property and the church taking over liability vs. the town? Mrs. Goodey stated that they have contacted the church and they have not given a solid answer but it looks very doubtful. The church has said that it is not in the business of preserving historical cabins. Financially they won't support it.
- Mayor Godfrey asked what the DUP envisions the Tithing Granary to be. Mrs. Thompson responded that the tithing granary is unique. It has an entry way and four rooms in it. There are two small rooms in the front and two larger rooms in the back. Artifacts would be displayed in the rooms and it would be a small museum for people to come and learn about the history of the building and of Clarkston Town. It is anticipated that the museum would be open to the public during the summer for a few hours each day, on Pony Express Days, on Memorial Day, during the Martin Harris Pageant, and other unspecified times.
- Mayor Godfrey asked about utilities for the tithing granary. Mrs. Thompson stated that it would need to have electricity but not heat. The cost would be minimal.
- Councilmember A. Godfrey wondered if they would have to put a restroom in it. Mrs. Thompson answered no.
- Councilmember S. Palmer asked who would conduct tours of the building. Mrs. Goodey stated that the DUP would be responsible for this. Members of the preservation Committee could also be involved.

Mrs. Thompson gave the Council copies of a sample Historic Preservation Commission Rules and Regulations and a sample resolution adopting The Rules and Regulations Regarding the Purpose, Organization, and Duties of the Historic preservation Commission. **See Attachment A**

The purpose of the Historic Preservation Commission (HPC) is to assist the town in identifying, preserving, protecting, and enhancing historical buildings, sites, monuments, and landmarks within the town.

Mrs. Goodey asked the Council when they would have an answer as to whether or not the tithing granary can be moved onto town property. Mayor Godfrey stated that the Council would make a decision at the next Town Council Meeting held September 1, 2015.

*Mayor Godfrey deviated from the agenda and allowed Councilmember S. Palmer to address LUDMA items because Councilmember S. Palmer needs to be excused early from the Town Council Meeting.*

**Councilmember S. Palmer – LUDMA – Building Permit Applications -** Councilmember S. Palmer reported that LUDMA is seeking approval from the Town Council to use two building permit applications. One for residential structures, home remodels, or additions and one for all other structures over two hundred square feet. **See Attachment B**  
The council approved both applications.

**Zoning Clearance Application** – Councilmember S. Palmer explained that the Zoning Clearance Application is for structures under 200 square feet. Anyone who wants to build or place a structure on their property is required to come before LUDMA for zoning clearance approval. This is to ensure that zoning regulations are being met.  
**See Attachment C** The Council approved the Zoning Application.

**Building Permit Bond** – Councilmember S. Palmer reported that LUDMA recommends establishing a \$500 building permit bond fee, refundable upon final inspection, for buildings over 200 square feet. LUDMA feels that if a bond were in place people would be more likely to get a final inspection done. The LUDMA Clerk provided the Council with a copy of the 2014 Building and Zoning Permit Log showing those buildings that did not have a final inspection done. **See Attachment D**  
If a final inspection is not done the building permit case remains open and incomplete on the Clarkston Town inspection records. The Council will implement a \$500 Building Permit Bond Fee by resolution at the next Town Council Meeting held September 1, 2015.

**Agricultural Building Statement and Acknowledgement** – Councilmember R, Calderwood explained that persons building a structure strictly for agricultural purposes do not have to get a building permit. They are required to get a Zoning Clearance Permit. LUDMA proposes that it also be a requirement that an acknowledgement be signed by the property owner stating that the proposed building is for agricultural use only and as an agricultural building may not be used for any purpose, including residential or

commercial, other than agricultural. They must understand that if a building permit and inspections are not obtained at the time of construction the use of the building cannot be changed in the future, unless the property owner comes before LUDMA and obtains a building permit to do so. The Council agreed to adopt an Agricultural Building Statement and Acknowledgement. **See Attachment E**

**Matt and DeeAnn Wood – Road Improvement Inquiry** – Mr. Wood reported that they are interested in purchasing some property owned by Norris Buttars. The property is adjacent to the Clarkston Town water tanks. There are two pieces of property. One is  $\frac{3}{4}$  of an acre and is within town limits. The rest of the property is 17.28 acres and is in the county. The Woods stated that they are trying to determine what would be required by Clarkston Town if they were to access the property on the town side and what would be required if they were to access the property on the county side. Mr. Wood specifically asked what Clarkston Town would require of them as far as road improvements to access the property from the town side. Councilmember A. Godfrey asked if the Woods have sought a building permit from the county. Mr. Wood stated that they have and the county would require road improvements to the point of access to the property. Councilmember A. Godfrey stated that Clarkston Town has been told, by the county, that they will not issue a building permit because they will not do any road improvements on that road or guarantee snow removal. Mr. Wood responded that they know that they would be responsible for snow removal and to improve the road, up to county standards, if they decide to access the property on the county side. Mrs. Wood reported that the only issue the county had with building on this property was the road. The Woods suggested to the county that they bypass the county road and access the property from the Clarkston Town side. The county stated that if the Woods did that they would issue them a building permit. Councilmember A. Godfrey stated that the town doesn't provide snow removal on that road. Mayor Godfrey informed the Woods that that road from 200 West to 300 West, does not meet county standards and would need to be improved to county standards. Councilmember R. Calderwood stated that Clarkston Town has no incentive to improve or provide snow removal for that road. The property the Woods want to build a home on is in the county. Clarkston Town will not receive any taxes to help with the costs of maintaining that road. Mayor Godfrey reported that he talked with Josh Runhaar, Cache County Road Department Supervisor, and the two of them have agreed to have the Cache County Attorney draw up an agreement between the county and Clarkston Town concerning this property so that there is clarity on what the county requires and what Clarkston Town requires concerning road improvements and snow removal to the property.

### 3. **DEPARTMENTS**

**Mayor Godfrey – Park Rules and Regulations** – Mayor Godfrey stated that Parks Director, Rodney Buttars, has drawn up a list of Park Rules and Regulations that he would like the Council to adopt.

**See Attachment F**

Councilmember R. Calderwood informed the Council that there is only one park rule or regulation in the Clarkston Town Code Book. It states the following:  
Town Square; Usage Restrictions: The Clarkston town square (including the playground area, pavilions, ball diamond, volleyball pit, and all other property considered part of the “town square”) shall be closed for use from dusk until dawn with the exception of activities authorized by the governing body or its agents. (Town Code 7-4-5)

The Council discussed Mr. Buttars proposed list of Park Rules and Regulations and agreed upon the following:

1. No pets allowed on town square grounds unless they are leashed.
2. Town Square is closed from dusk until dawn.
3. No alcoholic beverages or public consumption of alcohol or illegal drugs.
4. No littering. Use trash cans and dumpsters or pack it out.
5. No unauthorized weapons, firearms, or fireworks.
6. The sale of goods and services requires approval from Town Council.
7. Motorized vehicles allowed only on roads and in parking areas, this includes ATV’s, motorcycles, and snowmobiles, excepting maintenance vehicles performing maintenance for the town.
8. Fires and coals are allowed in grills and pit only. Grills must be at least 12 inches off the ground and may not be placed on grass. Thoroughly extinguish all charcoals, dispose of properly or pack it out.
9. Fires may only be constructed in fire pit at east pavilion. Fires must be completely extinguished when done.
10. Sprinklers including hoses, faucets, and automatic systems shall not be moved or tampered with.
11. Soccer goals and sports nets shall not be moved and/or removed without approval from the town. Soccer goals must be staked down at all times for safety reasons.

Councilmember A. Godfrey – Martin Harris Pageant Dinner – Councilmember A. Godfrey reported that the numbers attending were down this year and recommended asking the Martin Harris Pageant Presidency to put the Town Dinner information on the on-line tickets that people print out or on the e-mail confirmation that is sent automatically to them when they reserve tickets. Councilmember A. Godfrey feels that this will increase awareness of the dinner.

Councilmember R. Calderwood – Water Department – Councilmember R. Calderwood reported that the Water Department has been monitoring water usage throughout the summer. The average water usage per user was 66,254 gallons in June and 42,437 gallons per user in July. The Council determined that the reason more water was used in June was because June was very hot and there was some precipitation in July. Also, water restrictions went into effect July 1, 2015. The Council determined to leave the water rate at \$32.75 for now and start charging overages to water users that exceed the 70,000 gallon monthly allotment. The charges will be as follows:

- Monthly Water Usage Allotment: \$70,000 Gallons

<u>Gallons Used Monthly</u>	<u>Metered Water Rate</u>
70,000 – 80,000	\$0.25 cents per every 1000 gallons
80,000 – 90,000	\$0.50 cents per every 1000 gallons
90,000 – 100,000	\$0.75 cents per every 1000 gallons
100,000 – 999,999,999	\$1.50 per every 1000 gallons

The Council feels that charging for water overages will encourage water conservation by consumers. Councilmember R. Calderwood informed the Council that water meters will be read consistently, by the fourth of each month.

The Town Clerk, Kristi Hidalgo, stated that, at the Councils request, in July of this year, Deputy Clerk Christina Atkinson called other towns within the valley to find out what their monthly water usage allotment and water rates are, compared to Clarkston Towns. One of her findings was that nonresident water user rates were double that of resident water user rates in all of the towns called. Clarkston Town nonresident water users pay only \$4.00 more per month than Clarkston Town residents. The Council asked Deputy Clerk Christina Atkinson to research minutes and records to find out about nonresident water rates through the years and what the discussion has been concerning nonresident water rates.

#### 4. RELEVANT BUSINESS

Public Comment – Darlene Thompson – Mrs. Thompson commented that during the Martin Harris Pageant many people wondered what there was to see in Clarkston. She feels that it would be nice to have the tithing granary museum for people to see and that it should be in close proximity to the Town Square.

Annette Summers – Mrs. Summers stated that she feels that it is better to preserve the tithing granary on site rather than having it moved. She feels this way because of the uniqueness of its foundation and the fact that if something is standing where it was used there is a greater feeling for the history of it. Mrs. Summers wondered if there are other needs that will arise in the future as far as the town square goes. Mrs. Summers asked the Council to take into consideration the percentage of acreage already used, with the fire station and community center and what percentage is left on the town square that can be used for expansion of town needs in the future. She asked the Council to take this into account, when considering using town square land for a museum. Mrs. Summers also feels that requesting a deadline for a decision from the Council is not in the best interest of the historical preservations benefit because if you feel like you don't have all of the information or things aren't researched as deeply as you would like it is always safer to go with a no until those things are figured out. Mrs. Summers feels that a 1<sup>st</sup> of September deadline may not be in the benefit of the Historical Preservation Committee.

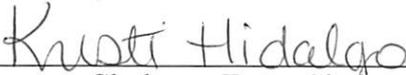
Elaine Goodey – Mrs. Goodey referred to the proposed Park Rules and

Regulations previously discussed by the Council. She feels that Clarkston Town is a rural community and people are generally very considerate. Mrs. Goodey feels that if a sign were posted stating: Leave the park better than you found it. It would have a positive effect on people. Mrs. Goodey believes that if you make a lot of rules then you have to enforce those rules and that is hard to do.

Next Meeting - The next meeting will be a Town Council Meeting and will be held Monday September 1, 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 8:40 p.m.

  
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Clarkston Town Clerk

