

Minutes of Fairview City Council Meeting, Tuesday, November 17, 2015

Minutes of Fairview City meeting held on Tuesday, November 17, 2015, at 7:30 p.m. at 85 South State Street, City of Fairview, County of Sanpete, State of Utah.

Mayor Jeff Cox called the meeting to order at 7:32 p.m. Council Members present were Cliff Wheeler, Casey Anderson, Bawb Nielsen, Kenny Cox, and Cody Church. City Employees present were Bob Bingham, Dave Taylor, Greg Sorensen, and Jan Anderson. Citizens present were Randy and Janet Dowland, Richard and Julia Prue, Keith Williams, Brook Cox, Iven Cox, Kerrie Jackson, Ramon and Erma Lee Aaron, Amber Kerksiek, Tanner Kerksiek, Melinda Ostraff, David Olsen, Jon Shaderrie, Bob St. Jacques, Charlet Pemberton, and Milette Mackay.

City Councilman Cliff Wheeler offered the invocation and led the Pledge of Allegiance.

APPROVAL OF MINUTES:

Councilman Cliff Wheeler stated that under section Community Emergency Organization Plan Discussion, sentence nine, it states ...the Stake Presidency of this area... needs to be clarified adding the Church of Jesus Christ of Latter-Day Saints. Councilman Cody Church **moved to approve the minutes as amended**. Councilman Cliff Wheeler seconded the motion. The voting was unanimous in favor of.

REPORTS/ACTION ITEMS – BOARDS/COMMITTEES:

Kerrie Jackson- Discussion on Renting Room in Police/Fire Station Twice A Week for Preschool. Kerrie is looking for a commercial building/room to use ten-months out of the year to teach preschool. She has looked at the old council room in the old city hall/fire station. It would work perfectly for her. She can only pay \$200 a month. She has her own tables and benches. It was mentioned that the fire department and ambulance personnel use the room for training. She stated that wouldn't be a problem, when they need to use the room, they could push the tables and benches up against the wall and then move them back when finished. Tuesdays and Thursday would be her school days from 9 a.m. to 11 a.m. and then from noon to 2 p.m. The school year will start in September. She would like to use it for three days in June. When parents drop off their kids, it is about a five minute span. They can use the back door. Parents are good to make sure their kids get in safe. A lock will need to be installed so that the kids are not able to get into the fire bay. It was suggested that she carry a certificate of liability. She said she had looked into that, and she can't afford the insurance. She said she would look into it again. The City will also check with the Trust. Councilman Cody Church **moved to accept Kerrie's offer to rent the room, with the idea that the insurance be checked on and on a one-year trial bases**. Councilman Kenny Cox seconded the motion. The voting was unanimous in favor of.

Randy Dowland - Donation from North Bend Entertainers and Update on Events. Randy Dowland prepared a breakdown sheet on the two performances they held. They were the dinner theater and the summer production. He presented a check for \$1,000 to the Council. They fell short \$400-- the productions were fantastic, but there was a lack of audience. They are in need of support and help. They asked if the City would be able to help with a banner. They have checked with UDOT and have met their requirements. They asked if there was availability on the north and south side of town

for sign. The sign at the rodeo grounds is very difficult to change. They asked if they would be able to attach anything on it. The answer was probably not. They would like to be able to put information in the Focus. That should not be a problem. They are needing to get a set of locks on the double doors in the basement of the dance hall.

Charlet Pemberton – Use of Dance Hall for Chocolate Festival /Waive fee.
Charlet Pemberton went over the expenses and revenue from last year's festival. It cost \$1,150 to put the festival on. They brought in \$860, they fell short \$400. Sanpete Economic Development will give a \$300 grant if the City is willing to waive the fee on the dance hall rent. Councilman Kenny Cox moved **to waive the fee for use of the dance hall for the chocolate festival on Saturday, February 13, 2016.** Councilman Casey Anderson seconded the motion, and voting was unanimous in favor of.

Richard Prue – Personnel Issue: Mr. Prue stated he has a desire to use modern technology-- solar power. He is not asking for any kick back on power, he just wants to be able to put the unused power back into the grid. He wants to be able to put in a solar system with the understanding that the City does not have to give him anything for the power he kicks back into the system. It was stated that as long as he had the proper switches and met the specifications from the power department, he would be okay.

Larson & Company, PC - Annual Audit Report for Fiscal Year Ending June 30, 2015. Jon Harderlie reported on the fiscal year ending June 30, 2015, audit. He went over the management letter, bond compliance, and financial report along with the findings. The City was found to be in good standings. The results from the Auditor's test disclosed no instance of noncompliance that is required to be reported under government auditing standards. The general purposed financial statements are in conformity with accounting principles generally accepting in the United States. Note: Audit reports are available at the office for review.

REPORTS/ACTION ITEMS - BOARDS/COMMITTEES/STAFF/OFFICES:

Planning Commission:

Home-Occupation Permit Approval for Keith Williams, 565 North 100 East, Williams Plumbing & Water Treatment, LLC. Keith Williams would like to start a plumbing business based out of his home. All requirements have been met, and the Planning Commission recommends approval. Councilman Cody Church moved **to approve the home-occupation permit for Keith Williams.** Councilman Bawb Nielsen seconded the motion. The voting was unanimous in favor of.

Business License Approval for Power Plus Carpet & Restoration, 437 North Milburn Road. Councilman Cody Church met with the Planning Commission and has met all the requirements. Councilman Kenny Cox moved **to approve the business license for Power Plus Carpet & Restoration.** Councilman Cliff Wheeler seconded the motion. Those voting in favor were Kenny Cox, Cliff Wheeler, Casey Anderson, and Bawb Nielsen. Councilman Cody Church abstained.

Justice Court:

Indigent Attorney, Lawrence H. Hunt, Retiring End of December, Discussion on Whether to Contract With a New Attorney or Continue on a Case per Case Basis. Very seldom is there a need for a indigent attorney. The justice court has used

Attorney, Lawrence H. Hunt only when needed. It is the recommendation of the court, that the City continue to use an attorney on a case-per-case bases. It would be too costly to retain an attorney. Tami Larson, the court clerk, indicated that Attorney David Angerhooper would more than like will be the indigent attorney used for the surrounding cities. Councilman Cody Church moved **that an indigent attorney be used on a case-per-case basis and not on a retainer**. Councilman Kenny Cox seconded the motion. The voting was in favor of.

Canvass of Election. The general municipal election was held on November 3, 2015; there were 549 active registered voters. There were 292 votes cast or 53.2%. There were three ballots received on November 5th, that were too late to be counted. No provisional ballots were received. The following are the results: Clifford A. Wheeler, 219, *Michael Jarman 0, Robert St. Jacques 68, Kaelyn D. Sorensen, 131, and *Sean P. Rawlinson 0. *Votes for these candidates were not counted as per Utah Code 10-3-208(8). Councilman Bawb Nielsen moved **to accept the canvass on the November 3, 2015, elections**. Councilman Kenny Cox seconded the motion. The voting was unanimous in favor of.

Economic Development Discussion. More information is needed before this item is ready to present to the Council. Charlot Pemberton would like to see it separate from the state as quazi-private, it is set up different. The economic development agency would have their own budget and board. The City would recognize them and give more credibility to their board.

Proposed Business Sign Discussion Placement on Highway 89. The economic board would like to put up a sign with a list of businesses on it. The idea of the sign is to draw people into town and help local businesses. They were thinking of placing it on the corner of 400 North and Hwy 89. The City owns this corner piece. It is adjacent to Miller's Convenient store, where the welcome to Fairview sign is. City Employee Dave Taylor thought it would be better to place the sign on Hwy 89 just before you get to the turn off to go up the canyon. Robert Morris has a billboard on his property, it has nothing on it. This way those riding in the vehicle have time to read the sign instead of concentrating on the turn. Dave has been trying to get hold of Steve from UDOT, but has not been able to contact him. He did find out that a permit is required, it is for five years, and the cost is \$975.

Discussion of Past due Accounts. Things are going pretty good. It is a hard lesson for some families to pay their bill on time.

Discussion On Ways to Cut Expenses. The Council was asked if they had any ideas how to tighten the budget. There are areas that have already met the 100% mark. General discussion ensued-- talked about using the lower grade fuel in the city vehicles, talked about taking water samples north. The Mayor will check to see what other cities are doing with their samples. It was said that a party-time city council cannot manage the City nor are they suppose too.

Continue Discussion on Personal Policy and Procedure Handbook. There was some confusion on this item. The Council was under the impression there would be a work meeting to work on this. There are some places in the handbook that need to be

updated and addressed. Dave Taylor and Jan Anderson would look into this for next council meeting.

COUNCIL REPORTS:

Mayor Jeff Cox-- next meeting will be December 22nd, at 6:30 p.m. It will be a quick meeting so that they can attend the Christmas party which starts at 7:30 p.m. Mayor Cox mentioned that the spring line did get fixed. A meter was put on it, it is flowing 61 gallons a minute. The upper well has not run in over a week. There is no way to know the amount of water that was lost.

Councilman Cliff Wheeler thanked everyone for their support in the elections. Dates need to be looked for the week of the 24th of July.

Councilman Casey Anderson gave a formal invite to the Council and Mayor to attend the annual UAMP Christmas conference Tuesday and Wednesday, the 15th and 16th of December. He stated that with all the activity UAMPS is involved with and answer that they need sooner than later, the City may need to consider having Council meeting twice a month. He can see spending 15- to 20- minutes on each power issue. There are ordinances and policies that need to be created. Mayor Cox would like to keep one meeting a month, and, if needed, schedule additional meetings. There was also discussion on creating a power board where they work out the details and then come to the council with their decisions. More discussion will need to be had on this issue.

Councilman Bawb Nielsen stated that the Planning Commission is going to lose two of their members. He is open for any suggestion of names. A new chair person will need to be nominated in January. A public hearing is scheduled to be held in December on amending the zoning ordinance on commercial design standards (facade). After the public hearing it will come to the Council for final approval.

APPROVAL OF VOUCHERS:

Councilman Bawb Nielsen moved to approve the vouchers from October 24, 2015 to November 13, 2015. Councilman Casey Anderson seconded the motion. The voting was unanimous in favor of.

ADJOURN:

Councilman Cody Church moved to adjourn the meeting at 9:45 p.m. Councilman Kenny Cox seconded the motion. The voting was unanimous in favor of.

/s/ Jan Anderson December 23, 2015
Jan Anderson Date