

MINUTES OF THE TOWN COUNCIL
MEETING
OF THE TOWN OF CLARKSTON

November 10, 2015
7:00 P.M.

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

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

Kristi Hidalgo, Town Clerk

Also in attendance: Glen M. Godfrey, Kennie Thompson, Gary Thompson, Nancy Thompson, Dan Cooper, Gail Godfrey

1. CALL TO ORDER

Mayor Godfrey called the Clarkston Town Council to order at 7:02 p.m.
Councilmember R. Calderwood led the Pledge of Allegiance and offered Reverence to begin the meeting.

2. NEW BUSINESS

Gary and Nancy Thompson – Land Variance - Gary and Nancy Thompson came before the Council to request a land variance to allow them to build an unattached garage on their property at 185 South Main Street. The Council looked at the Thompson's garage plans and Building Permit Application. Mrs. Thompson stated that the garage would not be a permanent structure. The building would have corner stakes to hold it in place and the floor would be graveled. Councilmember R. Calderwood clarified that the building would be classified as a private garage. Councilmember R. Calderwood wondered why there are two homes on one lot. Mrs. Thompson stated that years ago when the mobile home was put on the lot, with the address of 17 West 200 south, it was only going to be there for one year but it is still there, after 40 years. The Thompsons would like to build the garage between the two homes. The Clarkston Town Zoning Ordinance states that private garages and other accessory buildings shall have a side yard of twenty feet (20') and a total of two side yards shall be forty feet (40'). The Thompsons do not have the two side yards of twenty feet (20') that is required to build the garage where they want to build it. The Thompsons requested a land variance to build the garage in their preferred location without having to comply with the Zoning Ordinance. Mrs. Thompson informed the Council that they can't attach the garage to their home because of their large pine trees. The Council determined that the lot is an illegal or restricted lot and that according to the Zoning Ordinance no other buildings can be allowed to be built on the lot. Mrs. Thompson informed the Council that the mobile home was put on the lot before the Clarkston Town Zoning Ordinance was put in place. Mrs. Thompson further stated that the garage would be right in between that two homes and would not be in anybody's way

and feels that the garage would not be a problem to anyone. Councilmember R. Calderwood replied that the zoning regulations and ordinance were adopted to govern and protect the citizens of Clarkston Town and the Town Council has a legal responsibility to make sure these regulations are upheld. Kennie Thompson informed the Council that there are two other options. One is to move the garage back 10 feet, which would allow two side yards of ten feet or move the garage forward in front of the homes, which would allow two side yards of 20 feet. Mayor Godfrey stated that the second option wouldn't work because the Zoning Ordinance requires 30 feet of frontage. Councilmember R. Calderwood stated that the first option still doesn't allow for two side yards of 20 feet totaling 40 feet. Mayor Godfrey stated that if the garage is located at least 10 feet behind the main building then the side yard is one foot (1'), provided the slope of the roof is not toward the property line. If the slope of the roof is toward the property line, the side yard has to be five feet (5') from the roof overhang. Mrs. Thompson stated that they don't want the garage back that far because of snow removal. The Council agreed that they can't grant a variance at this time because the lot is a restricted lot. Mrs. Kennie Thompson questioned why the lot is being restricted now and wondered if the lot was grandfathered in somehow. She feels that because the mobile home was put on the lot before the Zoning Ordinance was in place, the zoning regulations shouldn't apply to the lot, so technically it isn't a restricted lot. The law changed not the property or the dwellings. Mrs. Kennie Thompson believes there has got to be a Grandfather Claus on this lot. LUDMA Chairman Gail Godfrey commented that his understanding of the Zoning Ordinance concerning non-conforming lots is that you can add or build on a non-conforming lot as long as you don't create anymore non-conforming issues. Mr. Godfrey stated that, that is what the Grandfather Claus is. Mr. Godfrey reiterated that nothing else can be added to or built on a non-conforming lot unless it meets current zoning regulations. Mayor Godfrey recommended tabling this discussion to give the Council time to research and talk with the Clarkston Town Attorney about the best way to proceed on this matter. Nancy, Gary, and Kennie Thompson will come to the next Town Council Meeting held November 24, 2015 to discuss this matter further.

Business License Application – Jamie Hale – Ms. Hale was not present at the Town Council Meeting. Mayor Godfrey explained that the business is a cosmetology business. The Council had no concerns with the application. Councilmember R. Calderwood motioned to approve the business license. Councilmember A. Godfrey seconded the motion. All in Favor “Aye”. Motion carried

Canvass Municipal Election – Mayor Godfrey and the Council reviewed the election returns and Mayor Godfrey signed the Election Report declaring the official results of the municipal election. **See Attachment A**

3. DEPARTMENTS

Mayor Godfrey –Proposed Town Ski Night – Mayor Godfrey turned the time over to Dan Cooper. Mr. Cooper came before the Council to propose a Town Ski Night. Mr. Cooper stated that when he was on the Town Council, in 2012, Mayor Godfrey gave him an

action item to contact Beaver Mountain Ski Resort and set up a Town Ski Night. He did so and Clarkston has been on a waiting list ever since. Mr. Cooper stated that Beaver Mountain Ski Resort contacted him this year and offered Clarkston Town a ski night on Wednesday, January 6, 2016. To secure the reservation a \$200 deposit is required. The same night is automatically rescheduled each year. If Clarkston Town ever decides not to participate the deposit is fully refundable. There is a minimum charge of \$1,200 (100 people at \$12) and \$12 per person is charged after 100 people. The minimum charge of \$1,200 must be guaranteed by Clarkston Town regardless of how many people attend. One form of payment shall be made to Beaver Mountain that night. Lift tickets may be pre-sold or may be purchased at the mountain the night of the party. The Little Beaver Ski Lift will be in operation from 5 p.m. to 9 p.m. Rental equipment is \$12 and ski lessons will be available for \$12. Rental equipment and lift passes will be available after 4:30 p.m. The lodge will be open during the ski night. The café at beaver will have their full menu available if you choose. If you request the café to be open then Clarkston Town must guarantee a minimum \$250 to the café or make up the difference. Otherwise Beaver Mountain does not provide any concessions so citizens will need to bring their own food and drinks.

See Attachment B

The Council unanimously agreed to have a Town Ski Night. The first 100 tickets will be pre-sold at the Town Hall during business hours, Monday thru Thursday 9:30-1:30 p.m. The Town Clerk, Kristi Hidalgo, will advertise the ski night by posting a flyer at the Post Office, putting it in the December Newsletter, on Clarkston Town Facebook, and in the Ward Bulletins.

Proposed Mayor's Association Christmas Project – Mayor Godfrey reported that he received a letter from Mayor Field, President of the Mayor's Association, and his wife Peggy soliciting help with gathering food and other items for the food bank. Mayor Godfrey was not sure if this was just the Mayor's Association that would be involved in this project or if it was for the Town Council or for the whole town. He will find out more information about the project and let the Council know.

Councilmember A. Godfrey - Warrant List- Councilmember A. Godfrey presented the Warrant List for October 2015. Councilmember R. Calderwood motioned for the Clarkston Town Council to approve the warrant list as read. Councilmember A. Godfrey seconded the motion. All in favor "Aye"

Town Christmas Party – The Town Christmas Party will be held on Tuesday, December 1, 2015 at 7:00 p.m. at the Sizzler Restaurant. Invitations have been sent. Councilmember A. Godfrey will need to give a final count to Sizzlers by November 22, 2015.

Councilmember R. Calderwood – Water Department – Councilmember R. Calderwood reported this Friday, November 13, 2015 the Utah Division of Drinking Water will be hearing on the grant application to redevelop Big Birch and North Fork Springs. Scott Archibald from Sunrise Engineering, the Mayor's, and Water Operators of Clarkston, Newton, and Trenton will be there to discuss and answer questions.

Councilmember S. Palmer – Had nothing to report at this meeting.

4. RELEVANT BUSINESS

Next Meeting - The next meeting will be a Town Council Meeting and will be held Tuesday November 24, 2015 at 7:00 p.m.

5. ADJOURN

There being no further business to come before the Council, Councilmember A. Godfrey motioned that the Clarkston Town Council Meeting adjourn. Councilmember R. Calderwood seconded the motion. All members present voted “Aye”. Motion carried. The meeting adjourned at 8:40 p.m.

Kristi Hidalgo
Clarkston Town Clerk

