

Minutes for the Feb 7, 2019 Wallsburg Town Board Meeting

I. Those Present: Scott Larsen, Celeni Richins, Eric Andersen, Ramona Memmott, Clint Allen

II. Also Present: Blaine & Coralee Boren, Howard Ford, Steve Jacques, Troy Ostler, Rick & Kim Sabey, Kris Bigelow, Kent Payne, Trevor Pulham, Kent Payne

III. Regular Meeting Called to Order: The meeting was called to order at 7:12 p.m. by Mayor Celeni Richins

IV. Approval of Budget: The current budget was reviewed by the Town Board and discussed the higher than normal utility costs. Ramona Memmott moved that we approve the budget. Eric Andersen seconded the motion and the motion was unanimous.

VII. Business:

A. Troy Ostler, CIVCO Engineering update on Main Street Reconstruction

The design/engineering stage was funded this UDOT fiscal year (July 1, 2018 through June 30, 2019). The Schedule is to bring final plans to Town Board May 2nd, advertise around May 15th, Bid opening June 6th Town Board meeting and award the bid, Start construction after July 1st, probably about July 8, 2019, and expected completion by October 15, 2019

Q: Do full road from church to top of town?

A: Not sure yet if there will have enough money to go the full distance. If not, we can apply for funds for the remainder. It would probably be 3 years to wait. We could also try to borrow money, or get another grant

Quantities associated with project should be available within week or so

The plan is to take out existing asphalt out down to base, extend sides of road ways to have 2 10 foot lanes with 4 or 5 foot paved edges. Where base is poor, like on Center Street by Spring Creek, dig down and put in new base. Also redo drainage along roadway.

Will send invoices to us to forward to UDOT for payment to us and then to contractors.

Troy will be back to each town board from now till the end of the project to keep us current on the status of the project.

Other grant sources? Troy will bring a list of other funds.

Q: Time frame for other roads

A: That will depend on funding of other projects

Q: how long will the new road last?

A: We need to chip seal it every 5 to 10 years then it will last for 50 years. The sooner we chip seal new road better. We should apply for next project for the balance of the road and include chip seal on new roads as part of that. Without chip seal the new road will only last about 20 years

We can apply for Federal grants through UDOT about every 5 years.

Scott signed requests to UDOT for payments of funds for current billings

B. Trevor Pulham: Applying for building permit in Ashley Acres Lot #6 across from Clint, first lot above north of existing house. Spencer Park did drawings & engineering, set backs 30', 48' north side, level off area where house will be built, no basement, main floor slab, radiant heat, 4 bedrooms, total height 25', Clint moved accept Planning Boards approval, Ramona 2nd, vote carries, unanimous, Town will write a letter for him.

C. Old School – Seth Wright is considering buying old school to renovate it to make it a wedding venue and/or event center. Seth did not attend the meeting. A number of neighbors attended to express their concerns. All were in favor of the Old School being renovated, repaired, and maintained. Their concerns were as follows:

- 1) Parking: the lot is $\frac{3}{4}$ of an acre and parking adequate for the function of the building is required.
- 2) Bringing up to existing building codes: is sandstone foundation adequate, electrical upgrades, new roof (Ron Case owns the place, he's a roofing contractor, roof is in bad condition)
- 3) Noise: It's a residential area and there was concern about the possible noise level, especially late at night. It's purpose should be friendly to the neighborhood
- 4) Landscaping/maintenance: Currently the weed patch is a fire hazard.
- 5) The shed south east of the school needs to be torn down to brought up to code

The Realtor, Brian Olsen, calls to let them know showing the property.

Historical note. The town sold the old school to Lynn Higginson in 1972 for \$3,000. His family lived for about 10 years.

Then Dick Brown bought it and lived there for 2 to 3 years. He built the shed south east of it. It is too close to road, didn't have a permit, has no foundation, and was red tagged.

It was then sold to Ron Case. The shed was not included, but later added back in, probably not legal. It was suggested that we go look at it. They recommended that the shed be torn down or brought up to code.

D. Lindsey Jepperson: 5k race held in Wallsburg – not here

E. Mardee Brown annexation – not here

F. Town Council Elections: Positions up for election: Mayor; Celeni; Town Councilman over water system, Clint Allen; Town Councilman over Cemetery, Ramona Memmott

Process: Publicize, get information about when and where to register

Justin Carlyle interested

Celeni will find out when/where register

Ramona had some questions about the Simmons plots where 4 people are buried, but aren't listed. Ken Clark was over cemetery, Roy Smith may have contact information.

G. Road Ordinance Enforcement: Celeni had prepared a letter and read it. Clint read the ordinance. The letter with a copy of the ordinance needs to be given to those who are not in compliance for safety reasons. The following were listed as not being in compliance. The names of the council members who are to deliver the letters follow the individuals in parenthesis

Tom Hicken: vehicles, gravel, junk(Clint)
Brent Boyden (Ramona)
Yvonne Thompson (Celeni)
Troy Thompson and his and Rental (Celeni)
Verly Young (Scott, Clint offered to help move vehicles and get duplicate titles)
Tony Johnson's rental (Scott)
Doug Givens (Eric)
Chris Sabey (Eric)
Jace Young (Ramona)

VII. Regular Council Meeting Adjourned: Ramona moved to close public session start executive session second Clint 8:25 unanimous

VIII. Executive Session: opened at 8:25

Present: Scott Larsen, Celeni Richins, Eric Andersen, Ramona Memmott, Clint Allen, Howard Ford, Steve Jacques, Kent Payne, Kris Bigelow, Rick & Kim Sabey

A) Background: Celeni read stipulation on the Hicken Law Suit against the Town and others following the mediation on January 23rd that Celeni and Scott attended. On Tuesday February 5th the Town Council had a public meeting to review the stipulation and made considered vacating 100 North, west of 200 West giving the adjacent landowners clear title to the roadway in front of their property.

Rick Sabey – commented that that would take away the frontage for Boyd Whiting's lot and the town can't legally create a nonconforming lot.

The town had the following issues:

- 1) they didn't want to pay ¼ of new survey since we already paid for one
- 2) they didn't want to set a precedent of narrowing right-of-ways, although it did narrow the one by Carma Ford's when her house was built
- 3) They didn't think it was advisable having a gate in the middle of a public right-of-way.

Rick Sabey – commented that the town shouldn't be willing to give up property, but on the other hand they can't afford litigation that would probably cost between \$20,000 to \$30,000

In conclusion, there were three options

- 1) accept ratification of Stipulation
- 2) vacate 100 North west of 200 west – problem creating non conforming lot for Boyd Whiting
- 3) Litigation \$20,000 to \$30,000

There was some more discussion

Clint moved that we bring it to a vote. Eric seconded it. Unanimous.

Vote on accepting the stipulation as is follows:

Celeni: Nay

Eric: Nay

Ramona: abstain

Clint: Nay

Scott: Yea

Stipulation rejected:

IX: Adjournment: Clint moved that we adjourn the Feb 7, 2019 Executive Session of the Board Meeting. Ramona seconded the motion and the motion was unanimous.

Adjourned at 9:04 pm