

**Laketown Town Council
Meeting Minutes
May 1, 2019
10 North 200 East Laketown, Utah**

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ACTIONS

Duane will provide the clerk with Planning and Zoning meeting agendas to post on the Public Notice website.

Gary will go to the county with the road map he received from the state and see if they have anything different and if they are receiving the money for the roads indicated on the map.

The clerk will prepare ordinances for council voting and codification. The Planning and Zoning Committee will continue to make recommendations on changes needed in ordinances. The clerk will respond to Aaron Wade's email letting him know that we will close on our water bonds when we bid, in the spring in about six weeks.

Duane or Dan will turn on the Myer's water on Thursday May 2, 2019 and the Peck's water when they are here at their home. The clerk will call and send a letter to Ms. Peck saying that we will turn on her water when she is in town and ask her to let us know a couple of days in advance.

Mayor Weston, Delora, Scott Archibald and Herm Olsen will meet with Ray Elliot after May 15th at Herm's office to formalize the agreement for land for the water upgrade.

The ball park bases and field will be improved. Zac McKee will head up the softball league.

APPROVALS

Approval to sign the water upgrade plan set cover sheet acknowledging that the town council reviewed the plan set.

Approval for Executive Session to discuss land purchase and dealings.

Approval of Resolution R-2019-02 to Approve Vote By Mail for the 2019 Municipal Election.

**Laketown Town Council
Public Hearing Meeting Minutes
May 1, 2019
10 North 200 East Laketown, Utah**

6:42 p.m. Mayor Burdette Weston called the public hearing to order.

Attendance: Mayor Burdette Weston, Amber Drolesbeke, Gary Ogilvie, Duane Robinson, Planning and Zoning Chairman and Herm Olsen. Dallas Clark arrived at 6:50 p.m. Dan Stringham arrived at 7:36 p.m.

Public Hearing to consider, receive public comment and discuss with Laketown residents regarding the Final Plat for a subdivision of 3 lots located at approximately 30 South 200 East Laketown, Utah - Bryan and Joanne Weston.

Duane Robinson, Planning and Zoning Commission Chairman, had the preliminary plat and had instructed Bryan Weston not to bring a final plat until the Planning and Zoning meeting at the end of May. Mayor Weston explained that this public hearing was held because we expected to have his final plat this evening and wanted to have the public hearing before we approved the final plat. Duane asked why we would have a public hearing tonight. Mayor Weston explained the state code regarding public hearings and public notice. Herm Olsen who acts as the town attorney said that Logan city holds a public hearing for a final plat as a courtesy. If there are concerns or recommended changes, they can send the plat back to the developer to make changes or send the plat to the Planning and Zoning Commission. Another public hearing is not necessary after the changes are made. Duane felt that the preliminary plat is when the public hearing should take place and would not want to collect all of the signatures and then destroy the final plat with required changes. Herm said we can have a public hearing on the preliminary plat. Duane will provide the clerk with Planning and Zoning meeting agendas to post on the Utah Public Notice website. Herm said that after the general meeting is convened, when they get to that part of the agenda, open the meeting up to public comment, if no one is there then close it to public comment, bring it back to the council and proceed.

Duane was instructed to keep the preliminary plat now and bring the final plat to the office.

Motion to adjourn meeting Gary Ogilvie motioned to adjourn the public hearing. Dallas Clark seconded. All in favor. Motion carried.

7:00 p.m. Meeting adjourned

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7:08 p.m. Mayor Burdette Weston called the meeting to order.

Attendance: Mayor Burdette Weston, Gary Ogilvie, Dallas Clark, Amber Droesbeke, Duane Robinson, Dale Lamborn, Rich School Superintendent, Gary McKee and Herm Olsen, Laketown legal counsel. Absent: Kris Hodges and Delora Wight who attended part of the meeting by telephone. 7:15 Scott Archibald arrived.

Approval of Agenda: Gary Ogilvie motioned to approve agenda. Dallas Clark seconded. All in favor. Motion carried.

Approval of Prior Meeting Minutes: Dallas motioned to approve the minutes from the previous meeting. Gary seconded. All in favor. Motion carried.

Action Items from Previous Meeting

Mayor Weston reported on action items from the previous minutes. He spoke with the county commissioners regarding road maintenance on Main Street. They said that the county used to help maintain Main Street from the station to the store but it was annexed into Laketown so Laketown began to receive the money to maintain it and the county does not participate in maintaining it now. He visited with Tony Earley about putting a water meter at the state road shed and Tony is okay with it. Dan told him he would put a ¾-inch meter on there and Tony said they have 2-inch lines and need that pressure to flush our trucks so he needs a 2-inch meter.

Gary Ogilvie referenced a map that he recently requested and received from the state dated 2013 that does not indicate that we are getting money to maintain Main Street from Center Street to Dees. According to the map we are not receiving money to maintain that section of the road. There are two places that are wrong on the map. The road to the rodeo ground and the part on 1st west have been paved still shows gravel there on the map. According to the map we are also not receiving money to maintain Main Street from Dee's going north to the cattle guard towards the Willis's. Gary doesn't think we are actually getting money for it and thinks that we need to talk to the person who is administrating the money. The map does not show any money coming in on Falula Road or any money for Main Street north of Center Street. The county is maintaining Falula Road somewhat. All of the road out to Last Chance is not marked on the map either. Gary thinks we need to go meet with them and give them a new map. The county may have something different than what the state sent him. He called and asked for information on the roads and how much money we are getting for the roads. This map is what they sent as well as a bunch of spread sheets which include every county in the state and only lists the amounts the state is sending to each county. Mayor Weston asked Gary to go to the county with the map and see if they have anything different and if they are receiving the money for the roads that are not colored in on the map. If not, we will go to the state and get everything straight and talk to them in May at the UDOT meeting.

Mayor Weston reported that Kris is still planning to call the game warden about changing the open hunt in Laketown and asked if Buddha can move the angle of the lights to point more at the ground and the clerk sent a text to him asking. At 7:18 p.m. Gary McKee left the meeting.

Planning and Zoning Updates

Duane Robinson reported that the Planning and Zoning Commission has five items go present. Darin and Delora Wight requested approval for a greenhouse cover that is 26 feet by 45 feet. Planning and Zoning approved it. The commission members feel that town residents do not need to come to the Planning and Zoning Commission for this type of garden cover because it is not a permanent structure. Duane anticipates that it will be in his yard during the first big wind.

For Bryan Weston's subdivision Duane would like to conduct the meeting on their final plat during Planning and Zoning meeting rather than the town council meeting. Mayor Weston agreed to this if we post about it on the Public Notice Website. Duane understands that the Town Council determined that we are not responsible to enforce the Last Chance covenants. Dallas requested that we follow the procedures used in many towns and place a check mark on the building permit to indicate if a home owners association exists and have the permit application go to the HOA first and obtain their approval and then comes to the Laketown Planning and Zoning Commission. He thinks it would eliminate our problems. Duane understands that we cannot deny them a building permit because they have not met with their HOA first. He has been instructed that it is not in good practice for the city to treat a section of the city differently than another section. That it is the HOA's responsibility and not Laketown's responsibility. A discussion about this took place.

Rich Middle School came with an electronic presentation of their building addition. Dale Lamborn, Rich School District Superintendent, said that they go to bid May 23, 2019 and hope to dig early in June. They requested another water hookup for another commercial water meter so that two water meters will be in the front. We will receive money for that. They will increase parking to the north of the building on 1st south and to the east. Mayor Weston asked about bus parking because someone told him that they will park buses on the west side of the building. Mr. Lamborn answered that bus parking would be discussed with the town. Duane said that the building goes out beyond the city limits but it is still further in than the other homes on that street. Mr. Lamborn said they need guidance from the Town Council and the Planning and Zoning Commission regarding the parking on the north side of the road. They can take that as east as the town council wants them to go.

Duane reported that a water test was completed to determine the size of the sprinkler to put in there. The pressure was phenomenal, with gravity flow, and when they opened both ends of the fire hydrant there was still lots of pressure when they opened the fire flow.

The Planning and Zoning Commission did not work on ordinance changes because their new understanding is that they will bring the proposed ordinance changes to the town council and leave them with the town council. Mayor Weston's understanding is that the Planning and Zoning Commission will go through the ordinances and determine what they want it to say, then we will type them up the way they want, let Mr. Olsen make sure it is legal and correct, and then get it in the code book. Dallas asked about codifying. Mayor Weston felt like what we were asking the clerk to do a monumental task with so many ordinance changes at one time and we could get those in the form we want them in and send them to the codifier and when we have one at a time to do we can have the clerk do those.

Duane asked if a code is changed by changing the height requirement why would we have to run that by an attorney. Mr. Olsen answered that it would be to confirm the form and the approval and the meeting process. Duane clarified that there would be certain changes that probably wouldn't have to go that route, like changing the height of a flag pole or minimal little things. It will need to follow a process including public notice. A discussion of how to create ordinances took place.

Rodeo & Arena Updates

The clerk reported that the rodeo sponsorship letter mailed out April 30th to past sponsors and Laketown businesses. She asked if they want her to initiate the paperwork process for Rocky Mountain Power's donation. The council said to ask Kris about this. At 7:35 Dale Lamborn left.

Roads and Streets Updates

Gary Ogilvie reported he is working on getting a bid from Anderson's on repairing the road where it is breaking off on the edges and the potholes.

Water Updates

Duane reported that there were no water leaks when he read the water meters and that all meters are readable. Delora joined the meeting on the telephone. Duane shut off both of the Myer's water when they had a leak. On Thursday Duane or Dan will go turn the water on when they are here. They will also turn the Peck water when she is here in the home. The clerk will call and send a letter to Ms. Peck telling her this and ask her to let us know a couple of days in advance. Duane did not try to read the electronic meters or run the machine to read the meters because he doesn't know how to use it. He read the Hunter's meter without using the iPad but the Peck's meter has a dark screen with nothing on it. Dallas asked if Dan will provide instruction on how to read the meter and how to use the iPad but Dan said that he did not remember how to do it. The clerk took notes at the training and will show him how to use the iPad. Duane looked at the Hunter's meter and thinks we need to be careful about what material we cover the meters with because it is covered with rocks now and Duane thinks that the screen may be damaged by the material around it. Dan did not think so. He said the meter can be read through two feet of snow.

Mayor Weston asked Dan if when he has to replace a meter for residents if he asks them if they want to install their own shut off valve on their side of the meter while he is there. Our water bill states that they should install a shut off valve on their side of the meter. Mayor Weston wonders if when they are replacing the meters if we offer to install a shut off on their side of the meter, if they will want to do it. Discussion of homes without water shut offs on their side of the meters took place.

Delora did not have anything additional to report.

Amber Driesbeke reported that the water bill was mailed April 6, 2019. The seven-day shut off notice was mailed April 5, 2019 but not picked up. Decision made to discuss this later. Amber asked how we want to respond to the water bond attorney who asked when we want to close on our water bonds. Scott said that we will close when we bid. Amber asked if we need to transition to a monthly water bill when the water rates increase. Dallas and Delora responded yes. Scott said it is our choice. Mayor Weston felt that we should if it is a large increase. Gary McKee returned at 7:35 p.m.

Scott Archibald presented an update of the water system upgrade and presented plans that are essentially complete. They were submitted to the DEQ on April 17th and are under review now. They can present changes and the town can as well. They have to respond by May 17th. Scott is also working with the attorney on the final land agreement. Jeff Wansguard finally called them and Gary McKee is here this evening representing Mr. Wansguard.

Scott handed out an easement map and explained it. Drafts copies have been sent to the attorney who suggested changes in language. Mr. Elliot will be back in town around May 15th and they are proposing a meeting with him when he returns. Scott will give us the date so that everyone can attend. He said that Mr. Elliot is looking for compensation for the easements and Scott is asking Mr. Wansguard for an easement from Mr. Elliot to get to his property. Mr. Wamsley and Mr. Elliot have a side deal that Mr. Olsen recommends leaving out of our documents.

Mayor Weston said that town members have concerns about having to pay to pump the water to the top of the hill until homes are put in there and thinks that Mr. Elliot should consider that when he considers charging the town for an easement. Scott thinks we can put that back on the table. Mr. Elliot has not given any idea of when he will develop the land. Giving the town the easement allows the town to be able to pay for pumping.

Herm explained his understanding of the water system upgrade and asked Scott if the tank was placed at the lower position would it still not create adequate pressure to service the existing homes let alone any subsequent homes developed. Scott clarified that the lower tank position is designed to give the homes at the highest elevation in Laketown adequate pressure. Herm was told that if the site is placed higher the pressure will service the intervening homes up the pressure zones and absent getting the water up to here, he was told that the hydrant pressure and minimum psi would be inadequate there and asked Scott if that is true. Scott said that is true but we would not have had to go quite that high and by going the extra distance that is solely benefitting more ground to potentially be served.

Herm said that in terms of the requirements for hydrant pressure he was told that right now it is substandard and that siting the tank at the lowest site would help but would remain inadequate. Scott said that it would put it at the minimum required levels. The discussion has been about putting such an expensive asset higher to benefit the long term. Herm stated that as long as the differential cost of setting the tank higher as to lower, if the city gets benefits from it, that offsets the fairly modest pumping costs. Scott said we are able to service everything in Last Chance better with the tank higher.

Gary McKee said that from a developers point of view obviously that land is worth a ton more with a water system up there and asked if the land doesn't get developed in the next five years if they could get a will serve letter to continue from the city where a fee could be attached for the next 5 years so that if the land sits there for 50 years a tax the property could be assessed. Scott said that if we don't have to pay for the easement that could offset the cost of pumping.

Scott anticipated meeting in the middle of the month to finalize, notarize and sign the agreements.

Dallas asked about the words in the green section of the plan that states a purchase but it is not a purchase the town would make, it refers to the agreement between Mr. Elliot and Mr. Wamsley. Scott is also in the process of getting required permits from the county.

Gary McKee spoke about Jeff Wansguard who is unhappy that he has a water line going through his property but he cannot hook onto the water and asked if the city could tell Jeff that he could hook onto the water if he gets the required approvals from the DEQ. Scott explained the necessary psi and that all water hookups are required to maintain 20 pounds of pressure under all conditions. He guessed that the pressure on Jeff's property would be close to 15 or 20 pounds of pressure without any demand going on. Because of this Laketown is not able to offer water service this property.

Delora asked if that goes along with what Dan and Duane heard at the water pressure test the other day at the school and do they agree with what we are doing now with the pounds of pressure. Duane said he did not know what the pounds of pressure was now. Scott referred to the report of the study that Sunrise Engineering previously did. The pressure is best in the core of town. The problem is volume, the lack of looped water lines and small water lines in some areas and the choking of the water from the small line coming out of the tank. The report says that with the pumper truck on it is showing that around the school we can pull up to around 2,800 gallons a minute and the static pressure is around 65 at the school. Duane stated that the only place that will change and benefit by the changes in the water system upgrade is Last Chance hill. Scott pointed out that the decisions were made by the town council. Scott agreed that the changes improve water pressure on Last Chance hill and the whole town gains water storage for fire protection. Right now, we are underserved in fire protection as far as total volume of water. The state requires a minimum of 180,000 gallons to stay in storage for the structures we have. The second source is another component of the water system that is lacking but the town council chose not to move forward on that at this time.

Herm spoke to Gary's questions and Jeff's request. He felt that the town could not speak to that now under the circumstances. After Herm spoke to Steven Wood this afternoon he has more comments for the agreements. Gary thought that Jeff will be fine with it and asked if Mr. Wansguard could hook onto the water system at a lower point to get adequate pressure. Scott responded no, that would not make a difference. Gary McKee left at 8:15 p.m.

Herm said it sounds like Mr. Wansguard is okay with approving the access corridor through his property but if he is not there is a Plan B prepared which is that Ray Elliot would redirect the access around the Wansguard property for an estimated additional cost of \$3,208. It is probably easily offset with the benefit to the town. What is crucial to the town is the agreement between Mr. Elliot and Laketown regarding the additional cost to place the tank higher. That is a large chunk of money and Mr. Elliot has to be willing to fund it. If the city is willing to go take the time and go to the effort and expense of siting the tank higher the town doesn't want to invest that effort and energy unless we are certain that Mr. Elliot can follow through on getting the additional piping and expenses at his costs up to the higher tank location. Herm has not seen any agreement on that yet. It will require a serious look at Mr. Elliot's resources, probably making sure that he has independent financing or that the town is subordinate to the first position on the property so that if worst comes to worst we would be covered. Scott has relayed to Mr. Elliot that he will have to have the money available. Herm has not had any conversations with Ray Elliot about this and we need to make sure we are covered.

Scott provided a plan set and reviewed it in detail. Herm asked questions about the security of the system.

Scott provided a cover page for the plan set for Mayor Weston to sign acknowledging that the town council reviewed the plans.

Approval: Dallas motioned that we sign the plan set cover sheet acknowledging that the town council reviewed the plan set. Gary seconded. All in Favor. Motion carried. Mayor Weston signed the plan set.

Scott said that we can still make changes and asked for the Town Council to call him with any comments or questions. Mayor Weston would like to be included in the conversation with Ray Elliot and Herm Olsen. The decision was made to hold the meeting with Ray Elliot in Herm's office. Scott left at 8:45 p.m.

Duane needed to leave and wanted to show his changes for ordinances and that they each have a reference to where they go in our ordinance book. Amber and Herm explained the process to change the code book which requires creation of an ordinance or resolution in a specific form that is outlined in the law including a number. Herm said it is a simple process that helps it comply with Utah State laws so it will be recognized as law by the state. At 8:50 p.m. Duane and Dan left the meeting.

Mayor Weston requested a motion for Executive session to discuss land purchases. Herm explained that there are three reasons to go into Executive session: personnel issues, pending litigation and contracts and land acquisitions. When you make the motion for Executive Session it should include which of those reasons the Executive session is for and during the Executive session no votes are permitted. Minutes are required.

Approval for Executive Session: Dallas moved that we move into Executive session to discuss land purchase and dealings. Gary seconded. All in favor. Motion carried.

Dallas Clark, Gary Ogilvie, Amber Droesbeke, Herm Olsen and Mayor Burdette Weston are in the Executive session. Delora Wight attended by phone.

Regular session resumed and at 9:28 p.m. Herm Olsen left the meeting.

Earlier today Mayor Weston received an email from Mr. Olsen saying that he had just spend 1.5 hours talking to Steven Wood and that his questions were pretty well answered and he asked if Mayor Weston wanted him at our meeting this evening. Mayor Weston told him yes, please come.

Parks and Recreation Updates

Dallas reported on the Easter Egg Hunt that was held on the Friday before Easter. Attendance was down 1/3 to 1/2 of the kids we usually have. They had candy as much as they wanted and a little bit more. Mayor Weston heard good things. The eggs are cleaned up and ready to go next year.

Zac McKee wants to run softball. He will be the contact person but will share the responsibility with a couple of other guys. They proposed to come prepare the field on May 16th and requested a truck load of sand to fill the bases back up. We also have serious divots on the field. We need a sod cutter to peel it back and to fill the holes especially the large holes near the gazebo. He doesn't know why it is going down, and wonders if we have a leak in the pipes. He thinks we need topsoil to help fix the holes. They proposed having games on Thursday evenings May 23rd through July 25th except for July 4th and a three-day tournament August 6-8th. An end of season BBQ could be on July 25th. They are willing to forego the money to manage the league (\$300-\$500) if we find someone who will prep the field for them every week. It takes approximately an hour. Dallas talked to Dallin Willis's wife about doing it last year and said she would do it. Mayor Weston said they are moving to Evanston. Dallas thinks that someone might do it for \$25 a week. Decision made to advertise on Facebook or our website. It entails tilling the base paths, tilling and raking around the bases and striping the foul lines. It can be done between 5 p.m. and

7 p.m. before they play. They will pay someone to keep the books and to umpire. Brian Nelson has asked for Dallas for Round up for the park, cleaning supplies for bathrooms, to get the field sprayed for weeds and spray for bugs around the building. Tyson Larsen aerated the park today.

Other Items of Business

The clerk provided the Family Place Press release. We will put it on face book page and put their flyers at post office and at the station.

Updates from Clerk's Office

Amber will respond to Aaron Wade's email asking when we will close on our water bond and tell him we will close when we bid in about a month and a half.

Approval: The town council voted to approve and signed Resolution R-2019-02 to Approve Vote By Mail for the 2019 Municipal Election. The clerk reported by email to the Lt. Governor's office that we will vote by mail earlier today.

Mayor Weston signed the sworn statement for the Executive Session held last month and business licenses for Shaketown and Urban Rural Landscaping. The PTIF Resolution required a separate email address for Mayor Weston and the clerk.

Bear River Health sent a letter regarding Temporary Food Permits required for food sold at events. This will affect the concession sales at the rodeo and will not affect the town BBQ. The council wants to get the information to Kris so she can let the high school know if they are doing the concessions.

Amber displayed the town logos received. We will postpone choosing the winner until next month. Next month we will choose a logo or create one from all that we have received and we will determine the prize.

Amber asked if Mayor Weston wants her to attend an election and legislative update training in Logan on Wednesday May 15th. Dallas asked if we are voting by mail who are the ballots mailed to. The council wanted her to attend the election training.

Amber asked if Mayor Weston wants her to attend the Utah Municipal Clerk's Association Annual Conference Training on Sept 25-27th Annual Conference in St. George and apply for the scholarship to attend. Mayor Weston decided he would like her to attend this training.

The Hunter Brothers Mowing Service is advertising in town. Do we want to ask them to obtain a business license? The town council felt that we should since other businesses that are similar are licensed and asked that Amber talk to them and tell them we noticed their flyers are up and we require licenses from other businesses like theirs.

Amber asked if they want to pay for Rich High Education Foundation. Decision was made not to do it because we donate for other things in the school system like paying for radio broadcasting of their games.

Bear Lake Regional Commission Report

Mayor Weston attended the Bear Lake Regional Commission meeting on April 24th where they discussed aquatic invasive species check points. They are opening inspection points earlier in the day and staying

open later. Dallas doesn't think it does any good if they are not open 24/7. Mayor Weston reported that they are close to getting digital tracking for water craft that will track where they are and where they have been. This year they are inspecting kayaks, canoes, paddle boards and all water craft. Idaho is happy with what Utah is doing and will continue doing their checks as well. Richard Drolesbeke from Utah Bear Lake State Park reported that the number of visitors is increasing each year. They had 40,000 additional visitors last year. They are booking their camp sites beginning at Memorial Day by online reservations. Their revenue is above their cost and add \$800,000 to the state each year. Their day use in Rendezvous and their camping are their big revenues. Day use is \$15 a vehicle for up to 8 people and he thinks the camping fees are increasing from \$35 to \$45. It was interesting to compare their report to the Idaho Bear Lake State Park's report last month. Idaho only charges \$7 for day use and they are complaining about not having anywhere to put people and they are still losing money and going in the hole and yet people will park on the road and get a \$45 ticket rather than pull down in and wait to get into the park. Dallas thought it was interesting that they are making so much money and yet increasing the prices. Mayor Weston said the main reason that Utah is raising prices is because they are turning people away because they are full. They are looking for ways to increase the number of camping spots on the east side areas and more day use areas. The January Bear Lake Monster Plunge had 170 jumpers this year. The Conventions and Visitors Bureau reported about the number of emails and social media increasing because of advertising as well as the money they are generating. The Wilford Woodruff home in Randolph needs new roofing. They have to go through state to do that.

Ordinance Updates

PTIF Resolution was signed with a new email address for Mayor Weston.

We will need to go through the ordinances changes that Duane provided and write them up, pass them and send them to the codifier as a group. Then in the future, when we have one ordinance at a time, we will have the clerk do them.

Approval of Bills

The clerk provided the Accounts Receivable summaries and asked about numbers for the budgets. Gary said the only thing we need to change for roads is if we decide to pay for more street repair. Dallas wants to take the \$500 in the account now for summer softball league out of the account or carry it over or include it into the budget for next year. He hasn't used the money for this year and doesn't want to lose it.

We will continue to hold the check for Sunrise Engineering until Mayor Weston talks to Scott Archibald about it. We will send a thank you card to Ane Marie for Easter Egg Hunt.

Budget Public Hearing June 5, 2019 will be held at 7 p.m.

Approval: Gary made a motion to pay the bills. Dallas seconded. All in favor. Motion carried.

Motion to adjourn meeting Gary motioned to adjourn the meeting. All in favor. Motion carried.

10:34 p.m. Meeting adjourned