

MINUTES OF THE TOWN COUNCIL  
MEETING  
OF THE TOWN OF CLARKSTON

August 6, 2019  
7:00 P.M.

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

Attendance: Mayor N. Craig Hidalgo  
Councilmembers: Elaine Goodey, Ryan Thompson,  
Lloyd Bytheway

Kristi Hidalgo, Town Clerk

Absent: Councilmember Nichole Sparks

Public Attendance: Alan Spencer, Leesa Spencer, Myland Fawcett, Becca Jeppson, Sara Atkinson, Kotie Godfrey

1. CALL TO ORDER

Mayor Hidalgo called the Clarkston Town Council to order at 7:00 p.m. Mayor Hidalgo led the Pledge of Allegiance and offered Reverence to begin the meeting.

Mayor Hidalgo excused Councilmember N. Sparks from the meeting. She is out of town.

Mayor Hidalgo addressed the minutes of the Clarkston Town Council Meeting held July 2, 2019. Councilmember L. Bytheway motioned for the Clarkston Town Council to approve and adopt the minutes of July 2, 2019. Councilmember E. Goodey seconded the motion. All in favor "Aye". Motion carried

2. NEW BUSINESS

New Business License Application – McKenzie Christensen - Mayor Hidalgo stated that the name of her business is Pines and Pros. It is a taxidermy business. Mrs. Christensen would turn animal capes/ hides into décor and hunting trophies. There are no parking requirements. Monthly sales depends on the cliental that she brings in. One taxidermy project takes longer than nine months to complete. Mayor Hidalgo asked Mrs. Christensen about the chemicals that would be used. Mrs. Christensen stated that she would not be tanning the hides she would ship them out to be tanned so there would not be any chemicals involved. Mayor Hidalgo asked about the disposal of animal waste products. Mrs. Christensen said that there would be none because she only accepts the hides of animals. She requires that the clients have the hides already prepped when she receives them so there would be no animal disposal necessary. The Council had no further questions. Councilmember E. Goodey motioned to approve the business license. Councilmember L. Bytheway seconded the motion. All in Favor "Aye". Motion carried.

Alan and Leesa Spencer – Water Impact fee Discussion – Alan Spencer said that he wanted to preface his address to the Council by saying that the staff, Christina Atkinson, Kristi Hidalgo and Councilmember Nichole Sparks went above and beyond to make sure

he got his building permit before the new impact fees went into effect June 19, 2019 and he appreciated that. Mr. Spencer stated that he had a request and a recommendation to present to the Council. Mr. Spencer passed out a handout to the Council.

See Attachment A

Mr. Spencer referred to the first page, which was an invoice from Valley View Excavation for \$20,040 and stated that that was the amount that he and Darrin Michaelis paid to have the waterline put in to their properties. Mr. Spencer stated that in addition to this invoice they paid another \$13,000 for pipe and other materials. Mr. Spencer asserted that it is done, paid for and good. Mr. Spencer referred to the second page, which was from Sunrise Engineering and stated that there was a \$3,500 modeling fee to make sure any impact on the new proposed system would not impact any other parts of the system. Mr. Spencer detailed that there were other associated costs such as utilities, survey work and a \$1,750 fee for the plan drawings. Mr. Spencer proposed that, since he had already paid all of those fees to Sunrise Engineering to have it modeled to determine what impacts the new water line would have and then essentially he and Mr. Michaelis have donated the new water line to the town, he feels that he should not have to pay the \$1,500 Water Impact Fee and requested that it be refunded to him.

Mr. Spencer recommended that the Council take into consideration the new impact fees that are in effect when anyone else goes through the permit process to build a single family home and also consider that when persons put in a road or a water line they are doing it because they want to live there and it is a requirement in order to get a building permit. Mr. Spencer feels that having to pay the water and road impact fees on top of that is like paying for the system twice, once to put it in and once to use it.

Mr. Spencer concluded by saying that when he delivered the plans for the Council's approval he was instructed that the water line had to be built specific to the plan and that is what he did. Mr. Spencer said that specific to the plan his water meter was installed. The only thing that was not installed was a valve. Mr. Spencer declared that he would like to have that valve installed and the water turned on. All of the fees have been paid. Mayor Hidalgo replied that he would have Water Operator Bryan Goodsell install the valve, turn on the water and Mr. Spencer would start receiving monthly water statements.

Mayor Hidalgo said that he needed to clarify what an impact fee is. Mayor Hidalgo said that impact fees are not what Mr. Spencer is describing at all and stated that an impact fee is a fee charged by the water system to a new connection to pay for the improvements required to accommodate new growth down the road. Mayor Hidalgo declared that Mr. Spencer wanted to build a home outside of the town infrastructure and that was his choice. To build it he had to comply with Clarkston Town ordinances that require persons that build outside of the current infrastructure to install new water lines and a road. That is not an impact fee. Mayor Hidalgo stated that there are other people in the community that have had to build roads and put in new water lines and have paid the Water Impact Fee. Mayor Hidalgo feels that the refund request should be denied because the impact fee as he is trying to define it is not what the impact fee is for. The Council agreed.

Becca Jeppson – Options for Exercise Class - Becca Jeppson stated that she is a certified High Fitness Instructor and would like to teach a High Fitness Class in Clarkston Town. Mrs. Jeppson gave the Council a list of people that were interested in taking the class. See Attachment B

Mrs. Jeppson declared that she needs a place to hold the class and stated that the only place available in Clarkston would be the Community Center and wondered if she could use it for that purpose. Mayor Hidalgo asked her about utilizing the church house. Kotie Godfrey stated that she didn't think the church could be used for the class because there would be a fee charged to attend the class. Mrs. Jeppson wondered what the options are for her to use the community center for the fitness class. Mrs. Jeppson stated the High Fitness Class Instructor in Lewiston City pays \$40 a month to use the cities ball room and they use is 3-5 times a week for an hour. Mrs. Jeppson said there would be very little impact on the building. Mayor Hidalgo stated that he was on the Town Council when the Community Center was completed and the Council then determined that the ground rules were that the community center would not be used as a money maker for people or as a multiple use or over-night use building. Mayor Hidalgo stated that several individuals have been denied this type of use. Charles Thompson wanted to hold a Non-profit After School Program, Hailey Jensen wanted to have a Home School Tutoring Program, two other individuals wanted to have a pre-school, and some have wanted to stay overnight in the Community Center and all were denied. The main reason is the liability that Clarkston would assume in allowing those activities in the community center. Mayor Hidalgo divulged that he already talked to the Clarkston Town Insurance Company about allowing this fitness class to be taught in the community center and their recommendation to the town was that third parties desiring to use town facilities for ongoing events would need to purchase liability insurance of their own and provide proof of it to the town. There are Tenant User Liability Insurance Policies (TULIP) that are generally inexpensive. Mayor Hidalgo stated that the point to the Council is that the precedence has been set since the community center was completed in 2014 not to allow this type of use. If the Council decides to change the precedence and allow this type of use the bylaws will need to be rewritten. Kotie Godfrey asked the Council if they would look into how other cities and towns handle multiple use of their facilities and what regulations and rental fees they have in place to see if there could be a feasible option for our community. Mayor Hidalgo stated that he was not against the request. The Council needs time to discuss the request and decide if they want to allow these types of activities in the community center and set a new precedence. If the Council determines to allow ongoing events then they will have to decide what the regulations and fees are going to be. Mayor Hidalgo declared that the Council will not give special treatment to certain individuals. If the Council grants permission for this fitness class other ongoing events would be allowed to use the community center. Everyone would be given the same opportunity. Mayor Hidalgo concluded that the Council would discuss and consider the request. Mayor Hidalgo asked Councilmember L. Bytheway to contact other

communities around the valley and find out what policies they have and fees they charge to use city buildings for multiple use events.

3. DEPARTMENTS

July Warrant List – Mayor Hidalgo presented the Warrant List for July 2019. Councilmember R. Thompson motioned for the Clarkston Town Council to approve the Warrant List as read. Councilmember E. Goodey seconded the motion. All in favor “Aye”

Fire Department – Had nothing to report.

Cemetery Department – Mayor Hidalgo reported that Randy Smith had been hired and would eventually take over as Cemetery Sexton. He has started working and is doing a fantastic job. Frank Holmes will still be utilized as a Cemetery Assistant.

Councilmember R. Thompson – National Night Out Against Crime - Councilmember R. Thompson stated that the Clarkston Town National Night Out Against Crime will be August 19, 2019 at 6:00 pm at the town square. The Council will provide hotdogs, chips, cookies, and drinks. Councilmember R. Thompson stated that Clarkston Town Star Deputy Rhett Garr is working with the S.W.A.T. Team and will have some activities ready for that event. Neighborhood Watch Chair Person Joel Smith will also talk to the citizens about their opinions on Neighborhood Watch. Town Clerk Kristi Hidalgo will pick up the food for the event. Councilmember R. Thompson said to plan for 225 people.

Town Float – Councilmember R. Thompson reported that to replace the axle on the town float trailer would cost \$1,700. To purchase a new float trailer would cost \$6,000. The Council did not make a decision at this meeting which to do.

Roads Department – Mayor Hidalgo reported that road repairs for Fiscal Year 2020 exceeded the budget by \$14,000. Mayor Hidalgo informed the Council that the Roads Department had \$10,000 in revenue left over from the Fiscal Year 2019 budget so that revenue was used to help offset the Fiscal Year 2020 budget overage.

Councilmember E. Goodey – Emergency Preparedness – Councilmember E. Goodey stated that she needs a list of people who have moved in or moved out of the community so she can update the Emergency Preparedness Block Captain Lists. The Town Clerk Kristi Hidalgo will make sure she gets that updated list. Councilmember E. Goodey is frustrated that people don't know who their Block Captains are. Councilmember E. Goodey feels like there needs to be better communication. She has asked the Block Captains to contact the citizens on their list to let them know but most haven't done this.

Councilmember L. Bytheway – Ricky Thompson Memorial Sign – Councilmember L. Bytheway stated that the Ricky Thompson Memorial Sign would be ready soon.

Water Department – Mayor Hidalgo reported that he talked to Mervyn Thompson about Mylar Spring. Mayor Hidalgo stated that Mr. Thompson told him some things that should have been happening every year at the water springs but have not been done regularly. Mayor Hidalgo said that regular maintenance of the spring's area should have been being done. Twice a year the vegetation was supposed to have been mowed. Since that hasn't happened the vegetation is very overgrown and root systems are causing issues with Mylar Spring. Mayor Hidalgo stated that his thought process on the situation is to hire someone to get rid of the vegetation and then camera Mylar Spring pipes to define the magnitude of the situation and determine what needs to be done. Mayor Hidalgo reiterated that maintenance has not been taking place like it should have been.

4. RELEVANT BUSINESS

Next Meeting – The next Town Council Meeting will be held on Tuesday August 20, 2019 at 7:00 p.m.

5. ADJOURN

There being no further business to come before the Council, Councilmember L. Bytheway motioned that the Clarkston Town Council Meeting adjourn. Councilmember R. Thompson seconded the motion. All members present voted "Aye". Motion carried. The meeting adjourned at 8:15 p.m.



Kristi Hidalgo  
Clarkston Town Clerk