

1
2 **Genola City Council Meeting**

3 **September 11, 2019**

4
5 Elected Officials Present: Mayor Marty Larson, Councilmembers John Savage, Bryan Draper,
6 Neil Brown, Hale Robison, Planning Commissioner John Rosenberger.

7
8 Staff Present: Legal Counselor Joshua Nielsen, Police Chief Rodney Hurst, Town Clerk Lucinda
9 Thomas and Minutes Secretary Brittany Thornton.

10
11 Citizens Present: Grant Lundburg

12
13 **6:00 pm WORK SESSION:**

14 No Work Session scheduled

15
16 **7:00pm CALL TO ORDER, PLEDGE, OPENING CEREMONY, RECOGNITION:**

17 Mayor Larson called the meeting to order at 7:00 p.m.

18
19 Opening prayer was given by Mayor Larson.

20
21 Chief Hurst led the pledge of allegiance.

22
23 **CONSENT ITEMS:**

24 *Mayor Larson gave a brief description of the item(s) listed below.*

- 25 a. **Minutes of Council Meeting – August 10, 2019**
26 b. **Expenditures in the amount of \$159,587.04**
27 c. **Approval of Work Order #3 for Franson Civil Engineering for one hundred**
28 **thousand dollars (\$100,000.00) for design and construction of a new culinary**
29 **water well and storage tank.**
30 d. **Approval of Work Order \$4 for Franson Civil Engineering for five thousand dollars**
31 **(\$5,000.00) for preparation of funding application for the Genola Tank and well.**
32 e. **Approval of a Town Council Work Order for up to five thousand dollars (\$5,000.00)**
33 **to purchase a vehicle for ordinance enforcement.**

34
35 Councilman Draper made a **Motion** to **approve** the minutes for August 10, 2019.

36 Councilman Brown **Seconded** and the motion **Passed** all in favor.

37
38 Councilman Brown questioned the expense of \$19,000.00 for the Mecham Trust and Ms.

39 Thomas reported that this is just paying back a bond that came due in July.

40 Councilman Brown made a **Motion** to **approve** the expenditures in the amount of one hundred
41 fifty nine thousand, five hundred and eighty seven dollars and four cents (\$159,587.04).

42 Councilman Robison **Seconded** and the motion **Passed** all in favor.

43
44 Mayor Larson gave a brief description on the change orders with Franson Civil Engineering.

45 Councilman Brown asked if the \$100,000.00 would be paid out of town funds or those of the
46 grant. Mayor Larson reported on the grant that has been awarded to the Town and this will be
47 approved by resolution later on in the meeting. Councilman Brown questioned if the Town's
48 funds will be spent first or if the grant funds will be spent first. Legal Counsel Neilson pointed
49 out that the grant portion of approximately \$575,000.00 will be forgiven at the end of the project.

50 Mayor Larson explained the water smart grant and that the change order of \$5,000.00 is to have
51 Franson Civil Engineering prepare a grant, which could be up to an amount of \$750,000.00.

52
53 Councilman Robison spoke on the car he has found for the enforcement officer, which is a 2011
54 Dodge Charger for the purchase price of \$4,825.00.

55
56 Councilman Brown made a **Motion** to **approve** all three work orders and in regards to the
57 purchase of a vehicle approved up to \$5,000.00.

58 Councilman Savage **Seconded** and the motion **Passed** all in favor.

59 60 **Reports:**

61
62 Chief Hurst gave a police report on calls for the prior month. Chief Hurst reported that there
63 were 28 case numbers pulled for the month of August; which included 1 accident, 1 agency
64 assist, 3 animal problems, 2 criminal mischief, 1 drug offense, 1 DUI, 7 extra patrols, 2
65 harassments, 2 thefts, and 5 trespass. The officers issued 25 citations for 39 total offenses.
66 Mayor Larson questioned how trespass issues are handled in the Warm Springs area and Chief
67 Hurst reported that any cultivated land does not need to be posted. Chief Hurst indicated the
68 Police Department will have four SUV's available in another month that they may be able to
69 obtain for the code enforcement officer.

70
71 Planning Commission Vice Chair-Rosenberger gave a report from the Planning Commission
72 and reported on decisions made by the commission at last week's meeting. Vice-Chair
73 Rosenberger reported that the Commissioner recommended denial of a zone change. Mayor
74 Larson asked when a public hearing would take place and Legal Counsel Nielson reported that
75 in past cases the Planning Commission had held the public hearing. Mayor Larson affirmed that
76 a public hearing would need to take place before the Planning Commission before they can
77 recommend that the Town Council denies the zone change. Vice-Chair Rosenberger spoke
78 on the animal nuisance issue and reported that the Planning Commission will be working on the
79 nuisance ordinance for the time being.

80
81 Town Clerk Thomas reported that there are vacancies on the Planning Commission, possibly
82 two positions. Ms. Thomas reported that she has had a few residents express interest and
83 Mayor Larson reported he has also asked someone to volunteer.

84 85 **PUBLIC FORUM:**

86
87 Grant Lundburg asked why the zone change request has to take place again and Mayor Larson
88 pointed out it was just to follow the law and protect the town in its decision. Ms. Thomas stated
89 she will reach out and see if the applicant wants to withdraw their application based on how the
90 last meeting went.

91 92 **AGENDA ITEMS:**

- 93
94 1. Discussion and possible action on an amendment to the Water Ordinance 84-4.

95
96 Ms. Thomas stated that Chris Steele feels that the Town really needs to move to a multiple-tier
97 water rate, so that the higher users would pay more. Ms. Thomas pointed out that she and
98 Chris have recommended changes to the ordinance that include requiring a licensed contractor,
99 and service discontinuation. Ms. Thomas pointed out that this came about when the Town was
100 asked to give the ordinance to the state.

101
102 2. Discussion and possible action on the Agreement for Code Enforcement.
103

104 Legal Counsel Nielson addressed the council regarding the agreement he drafted for the Code
105 Enforcement Officer. Councilman Brown stated he feels confident that this agreement will
106 protect the town. Legal Counsel Nielson pointed out that an oath should be taken as the Zoning
107 Enforcement Officer of Genola. Legal Counsel Nielson reported this will be a 1 year contract, to
108 be renewed from year to year. Councilman Brown suggested not having the agreement start
109 until a vehicle has been provided or October 1st.
110

111 Councilman Brown made a **Motion** to **Approve** the agreement for code enforcement with the
112 amendment of making the effective date October 1, and to update the hourly rate if necessary.
113 Councilman Savage **Seconded** and the motion was **Approved** all in favor.
114

115 3. Discussion and possible action on Resolution 2019-07, accepting a grant for the water
116 tank and well.
117

118 Legal Counsel Nielson pointed out this was the same resolution approved last month with just
119 some minor modifications.
120

121 Councilman Brown made a **Motion** to approve Resolution 2017-07.
122 Councilman Draper **Seconded** and the motion was **Approved** all in favor.
123

124 **COUNCIL COMMENTS:**
125

126 Councilman Savage reported he is still working on park expenditures.
127

128 Councilman Savage stated he sees a need for a community center to be able to hold events in,
129 and possible offices for town employees. Councilman Savage reported on a building being
130 constructed in Spring Lake. Councilman Brown commented on potential grants and how the
131 low number of low income houses within the town would make a grant difficult. Councilman
132 Savage will continue to research the possibility of looking into a community center for the town.
133

134 Councilman Draper reported on the senior dinner that took place and thanked Mayor Larson
135 and Ms. Thomas for supporting the senior citizen program.
136

137 Mayor Larson commented on the MAG meeting he attended.
138

139 Mayor Larson reported on the tower easement and Councilman Brown pointed out that the map
140 is not clear on where the easement is. Councilman Brown pointed out that they should have
141 started paying the town when their construction started. Legal Counsel Nielson stated the town
142 should choose where they want the easement and not let them decide for the town.
143

144 Councilman Draper questioned what happened with Dick Marvin's water meter. Ms. Thomas
145 reported that there is a building permit for a shed that was approved through the planning
146 commission. Ms. Thomas reported that it's being built as a residence and Chris Steele would
147 like him to sign a letter saying that the water will only be used for agricultural purposes.
148

149 **ADJOURN:**
150

Councilman Brown made a **Motion** adjourn the Town Council Meeting of September 11, 2019.

151 Councilman Robison **Seconded** the motion, all were in favor and the meeting was adjourned at
152 approximately 8:20 p.m.
153

154

155 Minutes prepared by`
156 Brittany Thornton
157 Minutes Secretary
158 9/19/2019
159

160

161 Adopted: October 9th, 2019

Lucinda Thomas/City Recorder

162
163