

Town of Cedar Fort

Town Council Regular Meeting Minutes

March 17, 2018 at 4:00pm

Town Hall, 50 East Center Street, Cedar Fort

APPROVED



Time:

Minutes Taken By: Cara Lyon

Town Employees Present: Cara Lyon – Town Clerk/Recorder, Jerry Lamoreaux – Water Systems Manager

Town Council Present: Mayor David Gustin, Ellen Cibula, Richard Stark, Harold Draper, Wyatt Cook

Visitors Present: Deputy Nathan Harris, Mike Smith, Lori Adams, Bart Berry, Ashley Cook, Charlynn Anderson, Howard Anderson, Carol Peterson and Tom Peterson (Mike Smith's Wife, no name provided and Clay Sorenson – did not sign in)

1. Call to Order; Roll Call; Pledge of Allegiance; Prayer/Thought

Deputy Harris led all in the Pledge of the Allegiance.

Councilman Cook provided an invocation.

2. Prior Meeting Minutes:

Councilwoman moved to approve the regular town council meeting minutes from February 22, 2018.

Councilman Stark seconded the motion.

Motion is carried and passed unanimously.

3. Budget Review:

Mayor Gustin stated that Councilman Stark has provided copies of the most recent budget work sheet. He asked if the PTIF account statements were provided to Caselle because he believes they received some B&C road funds this last quarter.

Councilman Stark responded that all of these are recorded as interest and the interest goes in account 10-330.

Mayor Gustin stated that there are some transactions that are not showing up. He asked if Councilman Stark will look into this for him.

Councilman Stark confirmed that he will look into this.

Mayor Gustin said that the water revenue is zero.

Councilman Stark indicated that this is for the current period of March and the cycle ended on the 15th and the report has not been provided to them.

Mayor Gustin asked if there were any other questions on the budget. There were none.

4. Town Bills:

Mayor Gustin indicated that ADT would be going away, and the bill only represents a partial amount. The new company they are switching to will be a fraction of the cost. The \$96 does not represent a full month of what the town is being charged. The same is true about Century Link and the new provider will be Jive. The Daily Herald expense was in connection to the planning commission public hearing.

Councilwoman Cibula asked about the \$96.

Mayor Gustin indicated that this is the fee for transferring the town phone number over. It will be about \$29 after that. Of this, \$23 goes to the monthly phone service and the rest are fees. He requested a motion for the accounts billable.

Councilman Stark motioned to accept the bills for February 22, 2018.

Councilwoman Cibula seconded the motion.

Motion is carried and passed unanimously.

5. Reports: Fire, Water, Treasurer, Clerk, Sexton, Owner Representative, Planning Commission Chair:

Deputy Harris introduced Mike Smith the police chief of Pleasant Grove who is running for sheriff. He commented that he is their candidate.

Mayor Gustin asked what he means by “our candidate.”

Deputy Harris commented that the majority of officers want him as sheriff.

Mike. Smith thanked the council for their time and stated that he has been in Pleasant Grove for 24 years and as chief for six years. He has also worked as a reserve deputy for the county for six years. He has served on the county swat team as a leader for 18 years. He is a graduate from the FBI National Academy and has a degree in Emergency Management Administration. He believes what sets him apart from the other candidates is his background in law enforcement and he has worked closely in community policing. He has worked hard to connect with the community. There are a lot of great programs that he would like to bring to the sheriff’s office. He mentioned that they could start an honorary colonels club that could help the sheriff’s office do a lot of things like raise money for equipment and programs. He has been involved in working with schools. They do a walk-through program with the local schools in Pleasant Grove.

Mayor Gustin stated that he had breakfast with the mayor of Pleasant Grove and Mike Smith is highly recommended by him.

Mayor Gustin indicated that Jerry Lamoureux is out of town, but Jerry insured the mayor that everything is taken care of regarding their water system.

Cara Lyon commented that she has been volunteering along with Howard, Charlyn, Linda, Vonda, and Julie at putting the multiple maps of the cemetery into one map. It’s been a great experience to see the history in the cemetery.

Howard Anderson commented that they have put in about 50 hours of volunteer work and are about half way done. They will then coordinate the information they found in the field with data reflected in the maps. They will give some suggestions to Mr. Draper for software to tie information to each plot.

Mayor Gustin asked if this project is taking longer than anticipated.

Mr. Anderson commented that it takes a long time to go through each grave site.

Mayor Gustin indicated that he received a phone call from someone desiring to purchase a plot.

Mr. Anderson recommended that they not allow this until the new procedure is in place. There may be some conflicts.

Mayor Gustin stated that the caller was not sure if she can purchase a plot prior to her death.

Mr. Anderson stated that if someone dies and they do not have a plot then the town will allow it.

Councilman Draper stated that they have done this in the past.

Mr. Anderson indicated that they have ordinances in place now.

Mayor Gustin then asked for an owner representation report.

Mr. Anderson stated the engineered drawings were completed on the restrooms at the park. Construction will have a 6-8-week timeframe. Construction is done off site and then a crane will position the restroom in place.

Mayor Gustin asked if they have financial obligations for the restrooms.

Mr. Anderson responded that they have a 4% match requirement.

Councilman Stark asked what type of ramp would connect to the restroom.

Mr. Anderson stated that it would be concrete.

Councilwoman Cibula asked if the doors lock.

Mr. Anderson commented that they do lock and suggested that they be locked at night.

Mr. Anderson mentioned that they had a walk through on Friday regarding the water line. The line is completed and there are a few remaining items to finish. The hydrants will be usable by next week.

Mayor Gustin commented that he received the invoice from JUB for the design work. He indicated that it is his understanding for commercial and industrial projects that design work be a percentage of the project cost. He believes that they have gone past this and asked if there is a problem with the design and are they over budget.

Mr. Anderson responded that they are under budget for the costs. Part of the cost was to help him with the bidding process.

Mayor Gustin commented that when they put it out to bid the low bidder was Nolan Construction. Doug Nolan is a resident and connected to the firm. His is giving the town a very good price.

The planning commission chair and vice chair were not in attendance.

6. Public Comment – Citizen Opportunity to Address Council

Mayor Gustin opened public comment period and asked comments to be limited to two minutes.

Charlynn Anderson asked if they have made a final decision on the date and time for the monthly meeting.

Mr. Gustin responded that he is going to bring this up with his report to the council.

7. Reports from Council Members

Councilman Cook reported that the paving for Station Road will have people come out to give bids. One is Preferred Paving. Nolan uses Preferred Paving and they are doing paving on the Rec Center Road and said that they might be able to do a cheaper deal if both projects are completed at the same time.

Councilman Stark stated that he is looking into the recycling bin. He thanked Autumn Blackner for what she has done for the town as a Treasurer. Mayor Gustin echoed his thanks to Autumn Blackner as well for be the Town Tesseræ.

Mayor Gustin commented that there is a bill they are getting for a light at the park. He asked if Councilman Stark could locate which light it is and if it is working. They are paying every month for a light.

Councilwoman Cibula stated that she has finished the checklist for the town building inspector. The residential permit applications are completed for residential. There have been a couple requests for building permits.

Mayor Gustin clarified that they revised the checklist that the town disseminates to an applicant and created a checklist for residential, residential modifications, and out buildings for the building official.

Councilman Draper stated that in regard to the three papers dropped off at his house, the first if from DNR (Division of Natural Resources) which provides the town the opportunity to recognize Arbor Day. They are providing \$600 for the donation of trees if they match the funds. They can do this through an in-kind donation. They can become a tree city.

Mayor Gustin asked if they have a need for \$600 in tree donations.

Councilman Draper indicated that he does not think so. He then spoke about the roll over money from the Utah County Commission for \$1,000 from the prior council. There is \$2,000 available for the town to use in tourism, recreational facility, cultural facility or convention facility. The eligibility is restrictive. It has to be a publicly owned building.

Someone asked if the rodeo grounds qualify.

Mayor Gustin indicated that he has asked Brad Norris to help him understand the rodeo grounds needs.

Councilman Draper suggested that they roll it over another year. They have to decide by May 4th.

Mayor Gustin stated that they could use this money on the benches or sound system. He asked that the explore this to make a final decision. There has been a vandalism problem in the past at the rodeo grounds.

Councilman Draper commented that UDOT has funding for FY 2019 to put sidewalks on state owned property which is Highway 73. There is a lot of work that needs to be down

before April 5th in terms of maps. The state wants to focus on new sidewalks first and refurbished sidewalks next.

Councilwoman Cibula asked if there is a grant for sidewalks to schools and can they do these together.

Councilman Draper indicated that they could go from the school to the church with one grant and from the church to the post office on the other. The money for the infrastructure in town will not be available until 2022. The other money is available next year. He asked if they should talk with the residents to see if they can put the curb and gutter in front of their homes.

Mayor Gustin indicated that if someone has a concern they can comment to the council.

Councilman Draper stated that there is a 24% matching on the Highway 73 sidewalk. He requested a cost from UDOT. UDOT does feel that the cross walk is a worthy cause but there is no grant money for it. He commented that there is a woman who lives on Highway 73 that is dying from cancer. She is disturbed by the trucks using their j-brakes. He asked the Sheriff's Office if they can do anything.

Mayor Gustin asked what the difference is between a restriction and a prohibition on j-brakes.

Deputy Harris responded that they need signage. If it is posted, they can enforce the ordinance.

Mayor Gustin commented that they do have an ordinance and that they would only need to install the signs. He asked what the signs costs.

Councilwoman Cibula stated that they have signs already.

Deputy Harris stated that they can enforce this now.

Mayor Gustin asked them to enforce the ordinance now.

Deputy Harris indicated that prohibited means it is an automatic citation. If it says restricted, they can still pull someone over. If it says restriction they can have some discretion. He stated that he has talked with Mike Smith about this because it is and has been a problem for a long time. He indicated that Mike Smith is planning on getting more volunteers county wide for areas like Cedar Fort in marked vehicles.

Councilman Draper stated that they have a woman dying and need to get some cooperation from people in town.

Tom Peterson stated that he drives trucks and that a phone call to the truck company would get them to police themselves. It is the same trucks that do it. People call his company all of the time.

Mr. Gustin stated that he will make the phone call to Bear Trucking.

Councilman Draper commented that he would like to organize a ward activity to move the timbers along the roadway, so they do not interfere with the headstones. They can straighten it up and make it look nice.

Mayor Gustin suggested that they put it on the next agenda to discuss in more detail.

Council Draper commented that it is in line with the markers but does not have to be. It does not look nice. He stated that he will get some public input.

Mayor Gustin thanked Cara Lyon for putting in so many hours. She is the clerk and the recorder. He thanked Councilwoman Cibula as well for working hard to implement the changes to the building process. The meeting schedule was settled on the fourth Thursday. The problem is that he has a MAG meeting on the fourth Thursday. The only other date that works is the second Thursday of each month at 6:00 PM.

The council appeared to agree with the change.

8. Planning Commission Alternate

Mayor Gustin stated that they had two applicants for the planning commission alternate position. He has reviewed both and believes that they are great individuals. He stated that he recently reviewed the by-laws of the commission and does not want to have alternates in the future. There is a different process for when someone resigns and when their term is up. This will be the last time they call an alternate. He then stated for the public record that the notice that was sent out says that the applications need to be mailed in so that they have a post mark and they know that they met the deadline. This will provide a paper trail. They will be strictly enforcing this in the future. This will protect Cara from someone making allegations.

Mayor Gustin commented that Clay Sorenson is a Cedar Fort resident of 40 years. He has been attending planning commission meetings and has been actively involved. Christopher Whiting is the other candidate and has lived in town for four years. He has a home business and lives on 20-acres. He asked Mr. Sorenson to come to the podium for questions.

Councilman Stark asked methodology used for providing credible data in his decision making as was indicated on the application.

Mr. Sorenson stated that the reason he is interested is that residents have requested him to serve to bring common sense to the planning and zoning commission. He would get citizens input on what they want.

Mayor Gustin asked Mr. Sorenson what his understanding of the role of the planning and zoning commission is.

Mr. Sorenson stated to enforce the ordinances, make ground available for people to build, and not to restrict people.

Councilwoman Cibula asked if he has a personal agenda and how do they know that he does not have a personal agenda.

Mr. Sorenson responded that he does not and has no ground to develop. He loves the town but believes they need to control what happens in the next ten years. He hates the traffic and wants to move.

Councilman Draper motioned to accept Mr. Sorenson's application.

Councilman Cook seconded the motion.

Councilman Cook	Yea
Councilman Stark	Na
Mayor Gustin	Na
Councilwoman Cibula	Na
Councilman Draper	Yea

The motion failed

Mayor Gustin asked for an alternate motion.

Councilwoman Cibula motioned to approved Christopher Whiting as a planning and zoning commission alternate.

Councilman Stark seconded the motion.

Councilman Cook	Na
Councilman Stark	Yea
Mayor Gustin	Yea
Councilman Draper	Na

Councilwoman Cibula Yea

Motion is carried and passed.

9. Town Treasurer

Mayor Gustin commented that Ashley Cook applied for the town treasurer position and he had the opportunity to interview her with Councilman Stark. He has found her to be capable to handle their finances. He wanted to allow the rest of the council to ask her questions.

Councilwoman Cibula asked what kind of financial experience she has.

Mrs. Cook responded that for the last four years she was a financial broker. For the last 2-1/2 years she has managed Dan Metcalf's books for Cedar Valley Net.

Mayor Gustin indicated that they have quarterly reports that are submitted to the state.

Councilman Stark motioned to accept the application and appoint Ashley Cook as Treasurer.

Councilwoman Seconded Motion.

Councilman Cook	Abstain
Councilman Stark	Yea
Mayor Gustin	Yea
Councilman Draper	Yea
Councilwoman Cibula	Yea

Motion is carried and passed unanimously.

Mayor Gustin stated that this will take effective immediately. He then publicly thanked Autumn Blackner for her service.

10. Planning Commission Proposals from Public Hearing

Mayor Gustin stated that he has not received formal responses from the planning commission. The proposals have been delayed because Chairman Rose has personal matters that he has to attend to. He expects that he will get these in the next month. There are three matters: The first is a Right to Farm ordinance which places the burden on someone developing next to agriculture land that will require them to erect fencing to protect chil-

dren from agricultural activities. Second, is to change the ordinance that says a structure will not be placed within 10 feet of an easement to allow them to come up to the easement but not be located on it. The third, is to add “residential” on the Rodeo Road in front of the word construction. Only the land along the road would be required to be deeded for a new home. Commission Member, Gary Cook was appointed as the vice chair. He will report to the council in their meetings.

Councilman Draper asked if the mayor appointed Gary.

Mayor Gustin indicated that according to the commission’s by-laws, they vote for their vice-chair themselves. He stated that the commission’s responsibilities include proposals for land use ordinances and approval of subdivisions.

11. Adjourn 5:25 p.m.

Councilman Stark motioned to adjourn.

Councilwoman Cibula seconded the motion

Motion is carried and passed unanimously.