

MINUTES OF REGULAR CITY COUNCIL MEETING

6:30 P.M. ELECTRONIC MEETING

MAY 12, 2020

Council Present: Jim Dieter, Wilford Conetah, Brad Gingell, Dakota Bruns, Larry Dye
Absent:
Mayor Present: Kathleen Cooper
Recorder Present: Kalecia Fowler
Visitors: Alan Allred, Ronnie Young, Mike Stengel, Michael McKee, Nathan Bracken

Meeting was called to order at 6:49 P.M.

MOTION: LARRY DYE MOTIONED TO ACCEPT THE APRIL 14, 2020 MINUTES AS READ. BRAD GINGELL SECONDED. WILFORD CONETAH VOTED AYE. DAKOTA BRUNS VOTED AYE. JIM DIETER VOTED AYE.

PUBLIC COMMENT

Mayor Cooper asked if there were any public comments for this meeting. There were no additional comments.

DISCUSSION AND ACTION ON UINTA BASIN RAIL FROM MIKE STENGEL AND MIKE MCKEE

Mayor Cooper turned the time over to Mike McKee. Mr. Mike McKee stated the terrain for the Uintah Basin is difficult and made a rail station unreasonable. Mr. McKee stated the Seven County Commission dusted off the railroad study that was started by Utah Department of Transportation in 2014. The Seven County Commission received funding from the Permanent Community Impact Fund Board and finished the original study. The Seven County Commission is hopeful the railroad project can begin in one year. Mr. McKee stated the draft EIS (Environmental Impact Study) will be out this summer. Mike Stengel stated as a businessman he has received overwhelming support for this project with his radio talk show.

DISCUSSION AND ACTION ON THE MEMORANDUM OF UNDERSTANDING BETWEEN MYTON CITY CORPORATION AND THE UTE INDIAN TRIBE OF THE UINTAH AND OURAY RESERVATION CREATING AN ADVISORY BOARD; TO APPOINT AN ADDITIONAL ADVISORY MEMBER FOR MYTON CITY AND SELECT MEETING DATES FOR THE BOARD

Mayor Cooper turned the time over to Nathan Bracken from Smith Hartvigsen. Mr. Bracken stated they are finalizing the missing pieces with the negotiations with the Ute Tribe. The Memorandum of Understanding was approved by the Tribal Business Committee last evening. There are some issues the advisory board can begin discussing.

MOTION: BRAD GINGELL MOTIONED TO ADOPT THE MEMORANDUM OF UNDERSTANDING BETWEEN MYTON CITY CORPORATION AND THE UTE INDIAN TRIBE OF THE UINTAH AND OURAY RESERVATION. JIM DIETER SECONDED. DAKOTA BRUNS VOTED AYE. LARRY DYE VOTED AYE. WILFORD CONETAH VOTED AYE.

Mayor Cooper then turned the discussion towards appointing an individual to the advisory board. Nathan Bracken stated the second person needs to be a reasonable individual with the ability to attend meetings and speak on Myton's behalf. Wilford Conetah volunteered to be on the advisory board until a permanent individual can be found.

MOTION: LARRY DYE MOTIONED TO APPOINT WILFORD CONETAH AS A TEMPORARY ADVISORY BOARD MEMBER UNTIL A PERMANENT INDIVIDUAL CAN BE FOUND. DAKOTA BRUNS SECONDED. BRADLEY GINGELL VOTED AYE. JIM DIETER VOTED AYE. WILFORD CONETAH ABSTAINED. MOTION CARRIED WITH FOUR VOTES IN FAVOR AND 1 ABSTENTION.

DISCUSSION AND ACTION ON EXTENDING THE RESOLUTION DECLARING AN EMERGENCY DUE TO COVID 19; RESOLUTION 04142020-001

Mayor Cooper asked Nathan Bracken what his thoughts were on extending this emergency declaration. Mr. Bracken stated this helps with funding and other resources if there is an outbreak in Myton City. Mr. Bracken stated the Tribe has issued a stay-at-home order and will need to be discussed with the advisory board and coordinate any efforts.

MOTION: BRAD GINGELL MOTIONED TO EXTEND RESOLUTION 04142020-001 FOR ANOTHER 30 DAYS. WILFORD CONETAH SECONDED. LARRY DYE VOTED AYE. DAKOTA BRUNS VOTED AYE. JIM DIETER VOTED AYE.

DISCUSSION AND ACTION ON LAW ENFORCEMENT WITHIN THE CITY OF MYTON

Mayor Cooper turned the time over to Nathan Bracken from Smith Hartvigsen. Nathan Bracken stated he would still be more comfortable discussing this in an executive session.

CITY DEPARTMENTAL REPORTS ON THE LAST MONTH'S ACTIVITIES

Ronnie Young – Maintenance

Ronnie Young stated there was a water leak on 100 North and Center. Mayor Cooper stated we are in the middle of clean-up. Mayor Cooper stated Ronnie Young has informed her that he will be retiring in January. Mayor Cooper instructed Kalecia Fowler and Ronnie Young to contact Johnson Water District and Rural Water Association to compile a list of requirements to hire a new water master. This cannot wait and will need to be done as soon as possible.

Alan Allred – Fire Department

Chief Alan Allred stated he has three applications requesting membership to the Fire Department. Kalecia Fowler stated she sent the applications to Alan for his records. Kalecia stated she sent the applications to the Council via email. Brad Gingell stated he would rather look at the application before making a decision.

Chief Allred asked about reinstating Chris Christensen from his suspension. Larry Dye asked if he met the requirements directed by the City Council in January. Mayor Cooper asked if Chris Christensen wanted to be reinstated as an employee for Myton City as well. Chief Allred stated that Mr. Christensen would like this question answered. Nathan Bracken stated this should be discussed in an executive session that does not have to be recorded as you are talking about personnel.

Chief Allred asked what to do about fire meetings. Brad Gingell stated the fire department should remain out of close contact for another month. Larry Dye stated the Covid 19 Resolution that was discussed this evening should apply to the fire department also. Mayor Cooper stated we have Kalecia working in the office but she is to have no personal contact with the public for the next thirty days as well.

APPROVAL AND SIGNING OF CHECKS

Mayor Cooper stated the list will be in her hallway to collect signatures from the council for April 2020 expenditures.

CLOSED EXECUTIVE SESSION – 52-4-205(C) AND (D)(II) STRATEGY SESSION TO DISCUSS PENDING, REASONABLY IMMINENT AND ONGOING LITIGATION, WATER RIGHTS OR SHARES

Mayor Cooper stated it is now time for our closed executive session. Mayor Cooper stated she will entertain a motion to enter a closed executive session.

MOTION: JIM DIETER MOTIONED TO ENTER EXECUTIVE SESSION TO DISCUSS PENDING, REASONABLY IMMINENT AND ONGOING LITIGATION AT 8:15 P.M. LARRY DYE SECONDED. DAKOTA BRUNS VOTED AYE. WILFORD CONETAH VOTED AYE.

***BRAD GINGELL WAS HAVING INTERNET ISSUES AND LOST AUDIO CONNECTION. HE REJOINED US VIA CHAT.**

MOTION: JIM DIETER MOTIONED TO EXIT EXECUTIVE SESSION AT 8:35. LARRY DYE SECONDED. DAKOTA BRUNS VOTED AYE. WILFORD CONETAH VOTED AYE. BRAD GINGELL VOTED AYE.

No motions made while in executive session.

CLOSED EXECUTIVE SESSION – 52-4-205 (1)(A) – DISCUSSION OF THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL(S)

Mayor Cooper stated she will entertain a motion to enter an executive session to discuss the character, professional competence, or physical or mental health of an individual.

MOTION: BRAD GINGELL MOTIONED TO ENTER EXECUTIVE SESSION AT 8:00 P.M. LARRY DYE SECONDED. DAKOTA BRUNS VOTED AYE. WILFORD CONETAH VOTED AYE. JIM DIETER VOTED AYE.

MOTION: JIM DEITER MOTIONED TO EXIT EXECUTIVE SESSION AT 8:10 P.M. WILFORD CONETAH SECONDED. LARRY DYE VOTED AYE. DAKOTA BRUNS VOTED AYE. BRAD GINGELL VOTED AYE.

No motions made while in executive session.

MOTION: LARRY DYE MOTIONED TO TERMINATE CHRISTOPHER CHRISTENSEN FROM THE MYTON VOLUNTEER FIRE DEPARTMENT AND MYTON CITY DUE TO HIS RELUCTANCE TO COMPLY WITH THE DIRECTIVES GIVEN TO HIM FROM THE COUNCIL AS LISTED IN HIS SUSPENSION. JIM DIETER SECONDED. WILFORD CONETAH VOTED AYE. DAKOTA BRUNS VOTED AYE. BRAD GINGELL VOTED AYE.

ADJOURNMENT

There was no further business to discuss. Council adjourned at 8:37 p.m.