

MINUTES OF THE PUBLIC HEARING
AND TOWN COUNCIL MEETING
OF THE TOWN OF CLARKSTON

June 2, 2020
7:00 P.M.

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

Attendance: Mayor N. Craig Hidalgo
Councilmembers: Nichole Sparks, Mylind Fawcett,
Jessica Buttars

Absent: Councilmember Dan Smith

Kristi Hidalgo, Town Clerk

Public Attendance: Vern Draney, Logan Draney, Lieutenant Mikelshan Bartschi

1. CALL TO ORDER

Mayor Hidalgo called the Public Hearing to order at 6:30 p.m.

2. PUBLIC HEARING

Mayor Hidalgo stated that the reason for this public hearing is to hear public comment on the Fiscal Year 2020 Amended Budget and the Fiscal Year 2021 Budget.

Fiscal Year 2021 Budget – Mayor Hidalgo discussed the Fiscal Year 2021 Budget and explained the process he went through to develop the budget. Mayor Hidalgo said that he reviewed the approved budgets from the last five years and did a side by side comparison of them. Mayor Hidalgo said that he also looked at the actual revenues received and actual expenditures for those years and gauged this year's budget off that information. Mayor Hidalgo believes that the Fiscal Year 2021 budget is a workable budget and specified that none of the individual department budgets were reduced. Mayor Hidalgo specified that he moved the Fire Department Vending Budget to the Administration Budget, which decreased the Fire Department Budget by \$4,000 however that money is still earmarked as the Fire Departments and would be amended as usual to their Capital Improvement Fund at the end of the year. The purpose for moving the money from the Fire Department Budget to the Administration Budget is that the Cache County Fire Department reviews the cities and towns fire department budgets and bases the allocation of county funding off of them. The Clarkston Fire Department has the highest budget per capita in Cache Valley therefore their county fund allocation is lower than other Fire Departments. Since vending is not guaranteed, it is based on sales, Mayor Hidalgo feels that it shouldn't be shown as receiving it from the town as part of their budget. Mayor

Hidalgo informed the Council that he had Matthew Regan, Clarkston Towns Certified Public Accountant review the budget and he didn't find any problems or concerns with it.

The FY 2020 Budget is as follows:

- General Fund Budget - \$394,550
- Cemetery Enterprise Fund - \$26,100
- Water Enterprise Revenue Fund - \$151,400
- Water Enterprise Expenditure Fund is \$125,200

Fiscal Year 2020 Amended Budget – Mayor Hidalgo explained the Fiscal Year 2020 Amended Budget. Mayor Hidalgo reported that none of the departments exceeded their budget this year. Mayor Hidalgo specified that the only reason the Fiscal year 2020 Budget needs to be amended this year is to transfer unexpended money into Capital Project Funds. Mayor Hidalgo stated that a Capital Projects Fund had been established for the purpose of saving surplus monies to construct a new Clarkston Town Hall and whereas there are remaining Fiscal Year 2020 funds available in the Administration and Parks Department the Town Council authorized \$62,000 to be reassigned to the Administration Department Capital Projects Fund. Mayor Hidalgo further stated that the Fire Department had \$10,000 in unexpended revenue in the Fire Department Fund. The Council authorized this revenue to be reassigned to the Fire Department Capital Projects Fund to be used for future purchases of fire trucks and equipment for the Fire Department. Mayor Hidalgo stated that because the Clarkston Town Historical Preservation Committee was awarded a \$4,000 federal grant from the Utah Division of History and whereas this grant was not anticipated or approved in the Fiscal Year 2020 Budget a reclassification of budgeted expenses has to be made to incorporate that grant.

Mayor Hidalgo asked if the Council had any comments, questions or discussion on the FY 2020 Amended budget or the FY 2020 Budget. Councilmember M. Fawcett wondered if the Water Utility Fund Budget line item New Water Hookups projected steady growth for the town. Mayor Hidalgo stated that it did. Councilmember M. Fawcett referred to the Fire Department Vending Budget and voiced a concern that moving that out of the Fire Department Budget into the Administration Budget may jeopardize it because future Mayors and Councils may not realize that it is the fire departments and take it from them. Mayor Hidalgo replied that this year the Fire Department Vending Revenue Budget was \$4,000 and they made \$225. Mayor Hidalgo feels that doing it this way benefits the fire department and acknowledged that other Councils may want to do it differently. Councilmember N. Sparks asked if the unused funds for Pony Express Day was put into the Administration Capital Projects Fund. Mayor Hidalgo replied that they were. There was no further discussion by the Council.

Mayor Hidalgo turned the time over to the public for comments or questions. There was no public comment.

3. ADJOURN

Mayor Hidalgo stated that if there were no further questions that a motion to adjourn from the Public Hearing be made. Councilmember N. Sparks made a motion to adjourn the Public Hearing. Councilmember J. Buttars seconded the motion. All in favor "Aye." Meeting adjourned at 6:50 p.m.

TOWN COUNCIL MEETING

1. CALL TO ORDER

Mayor Hidalgo called the Town Council Meeting to order at 6:51 p.m. Councilmember J. Buttars led the Pledge of Allegiance and offered Reverence to begin the meeting.

2. NEW BUSINESS

Mayor Hidalgo addressed the minutes of the Clarkston Town Council Meeting held May 19, 2020. Councilmember N. Sparks motioned for the Clarkston Town Council to approve and adopt the minutes of May 19, 2020. Councilmember M. Fawcett seconded the motion. All in favor "Aye". Motion carried

Cache County Sheriff's Department – Lieutenant Mikelshan Bartschi – Fiscal Year 2021 Law Enforcement and Animal Control Contracts - Lieutenant Bartschi came before the Council to review the Clarkston Town Law Enforcement and Animal Control Contracts for FY 2021. Lieutenant Bartschi stated that the Law Enforcement Contract did increase this year. The Hourly Rate increased from \$50.10 to \$52.35. This increase is directly related to the current pay structure, and increase in equipment costs and training. The number of hours provided also increased from 97 to 107. Lieutenant Bartschi declared that the Cache County Sheriff's Office will never bill for more law enforcement than is needed and stated that the Cache County Sheriff's Office tracked the last three years of service provided to the community and it verifies that the hours provided to Clarkston has exceeded the hours contracted every year. Lieutenant Bartschi stated that the Fiscal Year 2021 Law Enforcement Contract would be for 107 hours of service at the rate of \$5,601. **See Attachment A**

Lieutenant Bartschi stated that the Animal Control Contract did not increase and would be for 100 hours of service at the rate of \$3,200. **See Attachment B**

Lieutenant Bartschi informed the Council of additional services provided by the Cache County Sheriff's Office. He stated that they provide investigations as needed and have eight full time investigators. They also are currently in the process of implementing a probation unit.

Business License Application – Allee Buttars – Mrs. Buttars was not present at the meeting. Mayor Hidalgo stated that the name of the business is Poppin' Pets. It is a dog

grooming business. There would not be any overnight boarding of dogs. The dogs would just be dropped off and picked up. Parking would not be an issue. Councilmember J. Buttars motioned to approve the business license. Councilmember N. Sparks seconded the motion.

Roll Call Vote:

Mayor Hidalgo	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember N. Sparks	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember M. Fawcett	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember D. Smith	☐ Aye	☐ No	☐ Abstain	☒ Absent
Councilmember J. Buttars	☒ Aye	☐ No	☐ Abstain	☐ Absent

Business License Application - Vern Draney – Soda Shack – Vern Draney was present at the meeting. Mayor Hidalgo invited Mr. Draney to present his business. Mr. Draney stated that he bought the Soda Shack. It was an existing business in Clarkston. He moved the building to his property and would like to keep operating it as it has been operated in the past. Mayor Hidalgo stated that the business license was presented to the LUDMA Commission along with a Zoning Clearance and both were approved. Mayor Hidalgo stated that the Zoning Clearance needed to be rescinded because the building was placed right on the property line and Clarkston Town Code (10-6-5) requires buildings to be 30 feet back from the property line. Mayor Hidalgo stated that the Zoning Clearance Permit would be sent back to the LUDMA Commission. Mayor Hidalgo stated that a concern he had was with parking. The road in front of the business is a chip and seal road. It is not an asphalt based road and vehicles pulling off to the side would break it away and cause damage to the road. Mr. Draney stated that he would put a “No Parking” sign up alongside the road and direct the traffic to park in his driveway rather than pulling off the side of the road. Councilmember N. Sparks stated that the Zoning Clearance Permit is separate from the Business License and reiterated that the building has to be 30 feet back from the property line. Mayor Hidalgo stated that the Business License can’t be approved if the zoning clearance doesn’t meet town code requirements. Mr. Draney stated that the previous owners actually placed the Soda Shack on a town right-of-way and wondered if he could get a variance to leave the building where it is on his property. Mr. Draney stated that the building was already existing and was never 30 feet back from the property line to begin with. Councilmember N. Sparks stated that a variance can’t be granted to break an ordinance. Councilmember N. Sparks stated that Mr. Draney’s property is in the A-10 Zone and the Soda Shack doesn’t fall underneath the homebased business for that zone. Councilmember N. Sparks stated that there is a Conditional Use Permit that Mr. Draney could get and recommended that Mr. Draney go before the LUDMA commission and apply for a Conditional Use Permit. Mr. Draney stated that he would move the building back 30 feet from his property line, address the parking issue, and attend the June 8, 2020 LUDMA Meeting to request a Conditional Use Permit for the business. The Business License was denied. The Council agreed that as soon as Mr. Draney meets the above mentioned conditions Mayor Hidalgo

will approve and sign the Business License Application. Mr. Draney doesn't need to come before the Council again for approval.

Ordinance 20-02 "An Ordinance Adopting the Clarkston Town FY 2020 Amended Budget"- Mayor Hidalgo asked if there was any discussion by the Council prior to passing the Ordinance. There was no discussion so Mayor Hidalgo read the ordinance and asked for a motion to adopt Ordinance 20-02. Councilmember M. Fawcett motioned for the Council to approve and adopt Ordinance 20-02. Councilmember N. Sparks seconded the motion.

Roll Call Vote:

Mayor Hidalgo	☒ Aye	☐ No	☐ Abstain	☒ Absent
Councilmember D. Smith	☐ Aye	☐ No	☐ Abstain	☒ Absent
Councilmember J. Buttars	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember M. Fawcett	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember N. Sparks	☒ Aye	☐ No	☐ Abstain	☐ Absent

Ordinance 20-03 "An Ordinance Adopting the Clarkston Town FY 2021 Budget"- Mayor Hidalgo asked if there was any discussion by the Council prior to passing the Ordinance. There was no discussion so Mayor Hidalgo read the ordinance and asked for a motion to adopt Ordinance 20-03. Councilmember N. Sparks motioned for the Council to approve and adopt Ordinance 20-03. Councilmember J. Buttars seconded the motion.

Roll Call Vote:

Mayor Hidalgo	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember D. Smith	☐ Aye	☐ No	☐ Abstain	☒ Absent
Councilmember J. Buttars	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember M. Fawcett	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember N. Sparks	☒ Aye	☐ No	☐ Abstain	☐ Absent

Resolution 20-08 - "A Resolution Appointing A Deputy/Cemetery Clerk For The Town Of Clarkston, County Of Cache, State Of Utah." - Mayor Godfrey read the resolution and asked for a motion to adopt Resolution 20-08. Councilmember J. Buttars motioned for the Council to approve and adopt Resolution 20-08. Councilmember M. Fawcett seconded the motion.

Roll Call Vote:

Mayor Hidalgo	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember D. Smith	☐ Aye	☐ No	☐ Abstain	☒ Absent
Councilmember J. Buttars	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember M. Fawcett	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember N. Sparks	☒ Aye	☐ No	☐ Abstain	☐ Absent

3. DEPARTMENTS

Mayor Hidalgo – Fire Department – Mayor Hidalgo reported that the asphalt road on the north east corner of the fire station has been damaged and that he had asked the Roads Supervisor Dean Archibald to contact Cole Construction about getting it repaired.

National League of Cities and Towns Service Line Warranty Program (NLC) – The Town Council have already discussed this program in depth. For more information see the Town Council Meeting Minutes of April 7, 2020, April 21, 2020, and May 5, 2020.

Mayor Hidalgo asked the Council if they had any further discussion on this program. There was no further discussion. The Council unanimously voted in favor of approving the NLC Service Line Program.

Vote:

Mayor Hidalgo	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember D. Smith	☐ Aye	☐ No	☐ Abstain	☒ Absent
Councilmember J. Buttars	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember M. Fawcett	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember N. Sparks	☒ Aye	☐ No	☐ Abstain	☐ Absent

The Council decided to go with the following Royalty Premium price:

External Water Line Warranty -	\$5.75 per month
External Sewer/Septic Line Warranty -	\$7.75 per month
Interior Plumbing and Drainage Warranty-	\$9.99 per month

Councilmember N. Sparks - May Warrant List – Councilmember N. Sparks presented the Warrant List for May 2020. Councilmember M. Fawcett motioned for the Clarkston Town Council to approve the Warrant List as read. Councilmember J. Buttars seconded the motion.

LUDMA – Councilmember N. Sparks reported that at the May LUDMA Meeting the following were approved:

- Two Business License Applications
- Zoning Clearance Permit for the Soda Shack at 265 South 200 West
- Building Permit for a Tough Shed at 205 South 200 East
- Building Permit for a Shop at 25 East Center
- Building Permit for a shed at 97 East 100 North

Youth Council – Councilmember N. Sparks reported that for a service project the Youth Council cleaned headstones at the Cemetery for Memorial Day. The project went well and Councilmember N. Sparks feels that it should be done every year.

Councilmember M. Fawcett – Water Department – Water Meter Reader Replacement Project – Councilmember M. Fawcett reported that Scott Archibald from Sunrise Engineering evaluated the four proposals and bids for this project and recommended that

the town go with Meterworks Company. The Council will discuss and make a decision at the next Town Council Meeting to be held June 16, 2020.

Water Restrictions – The Council determined to encourage citizens to refrain from watering between the hours of 12:00 Noon and 5:00 pm.

Councilmember J. Buttars – Cemetery Department – Mayor Hidalgo stated that the cemetery looked great for Memorial Day. The Council agreed.

Emergency Preparedness – Councilmember J. Buttars stated that she would be putting a segment in the June Newsletter on Preparing for Wildfire and how to mitigate risks of wildfire.

4. RELEVANT BUSINESS

Next Meeting – The next Town Council Meeting will be held on Tuesday June 16, 2020 at 7:00 pm.

5. ADJOURN

There being no further business to come before the Council, Councilmember N. Sparks motioned that the Clarkston Town Council Meeting adjourn. Councilmember M. Fawcett seconded the motion. All members present voted “Aye”. Motion carried. The meeting adjourned at 8:24 pm.

Kristi Hidalgo
Town Clerk

