

Mayfield Town Council
Special Meeting
Wednesday July 22, 2020
6:30 PM

This meeting was held electronically. Public link for zoom meeting is: <https://zoom.us/join> enter meeting id # 215-070-8960

Anchor Location: None

Present are Mayor John Christensen, Eric Peterson, Aaron Peterson, Jake Dyreng, and Mike Bennett. Taylor White w/White's Sanitation, Patrick w/ Rebel Automation, Walt Jenkins, Bryce Haas, Eldon Olsen and Heidi Langus with the public. Brandi Meyer, and Amanda Bennett Clerk/Recorder are also present.

6:30 PM Meeting called to order. Mayor Christensen explains to the public this meeting is not open to public input, items to be discussed are on the agenda. Prayer by Mayor Christensen.

Scheduled Item

Taylor White- discussion and possible approval of contract for garbage collection services. Taylor explains that the monthly increase for each household is \$2.00. The major factor to this increase is the added service we receive from White's of picking up additional garbage items set out with their cans. Tires and wage increases also contributed to the change. The proposed contract and supplemental information is reviewed by the council. A motion is made by Aaron to accept the new contract from White's Sanitation, the motion is seconded by Eric, yes vote is unanimous and the motion passes.

Adoption of 2020-5 Resolution of the Mayfield Town Council Adopting the State of Utah Department of Natural Resources Order #CACLO2005 Fire Restriction Order

Mayor introduces this resolution and explains that this is to be on the same page as the state. It helps us with law enforcement if the need arises. Jake questions the resolution where it states an approved spark arrestor for atv's. Newer atv's are built with these spark arrestors. The Resolution is read on the record. A motion is made by Aaron to adopt Resolution 2020-5 as stated on the record, the motion is seconded by Eric, yes vote is unanimous, and the motion passes.

6:51 PM Mike joins the meeting.

Aaron Peterson

Mayor has asked that Eric moderate this portion of the agenda.

Aaron motions to hold a future public hearing to open the budget for amendment to reduce spending to the parks, streets, cemetery, and utility department budgets.

Aaron motions to create the position of Water Operator as an "Appointed Position," with selection and terms of employment agreed on by the Town Council.

- a. The Water Operator position may be held by a current town employee and does not preclude current and past contractors and those under contract from applying for the position.
- b. The Water Operator must hold, or obtain in three months, a level 1 Water Operator's license.

Aaron motions to open up the Water Operator position to the public for application with annual salary starting at \$6000 where the public, including the temporary town employee doing the water, may apply.

Aaron motions to dissolve the employment of current town employee's temporary role over water operation from all current terms and conditions of employment, roles, and duties with the town's water upon the selection of a newly appointed Water Operator. He continues by explaining his position on opening the budget. Eric then turns the floor over to the Mayor who continues by stating the budget is a statutory thing the council already has control over and doesn't see the need to open the budget. Aaron states the council voted to open up Van's position, and selected EcoLife. In this process another position arose with an increase in time, pay and retirement. The Mayor's recollection is that it was his desire and recommendation that the water duties stay with the town. Aaron agrees, and that what was agreed with EcoLife was that we address it again in June 2020 and allow Brandi to do the water in the meantime. EcoLife's proposal for water was \$6,000. Aaron continues with an explanation on his desire for a resolution which allows for accountability to be shared. Mayor continues with rebuttal. He indicates that he agreed to pay more while she was covering Van's jobs and informed the council after the fact. His concern was keeping the water safe for the community.

7:13 PM Aaron motions to hold a future public hearing to open the budget for amendment to reduce spending to the parks, streets, cemetery, and utility department budgets. The motion is seconded by Jake, roll call vote is unanimous and the motion passes.

Aaron motions to create the position of Water Operator as an "Appointed Position," with selection and terms of employment agreed on by the Town Council.

- c. The Water Operator position may be held by a current town employee and does not preclude current and past contractors and those under contract from applying for the position.
- d. The Water Operator must hold, or obtain in three months, a level 1 Water Operator's license.

He explains that due to the importance of this position and the history, accountability and decisions shared with the council, we need to formalize it and make it an appointed position to allow for the entire council to check on the execution of the duties. Mayor continues by explaining by statute the council would vote on a mayor pro-tem, so there would be no need if it's handled that way. Eric asks for clarification. Mayor states it should have been done when he wasn't able to act on his duties but wasn't due to lack of training or education. Aaron clarifies that the Mayor made it clear that his actions were legal but it's important to note that the council should give consent, and over time there has been resistance to that idea.

7:23PM Eldon Olsen joins the meeting.

Aaron re-reads his motion. Mayor cites the 'Powers and Duties' book from Utah League of Cities and Towns. All councils have the right to advise and consent, does not mean to choose who is selected, the Mayor has executive power to decide. Jake questions when there is disapproval what does it mean. Mayor continues by stating that the council controls the financial decisions. Jake states that the role is a little unclear, and does the proposal Aaron has brought forth help bring clarity to the situation. Eric re-reads from the 'Powers and Duties' regarding appointment, advise and consent. Aaron reads from the Utah League of Cities and Towns 5 member form of government. The Mayor states this doesn't rise to remove his authority, there are other things that can be done before such drastic action. Eric asks the Mayor to describe why he would consider drastic. Mayor states executive powers are given to the office of the Mayor, it feels like an insult. Other council aren't necessarily seeing it this way. Mayor indicates that if the council votes to do away with the job that Brandi is doing and work at appointing someone, the harm to the town would be that the water isn't being monitored.

Discussion ensues.

7:49 PM Mike asks the Mayor for an explanation as to why we had to play catch-up with the water. Mayor invites Eldon to explain the points system situation that we had with the reporting. Mike asks Eldon how long this went on for, he states it was about a year and a half.

7:54 PM Brandi weighs in on other requirements not followed, they were done but not submitted properly. Mike states that perhaps the water maybe needed some more follow through. That making this a shared accountability could prevent this from happening again. Mayor indicates all water reports go to the council too. Jake states he is not concerned about the past, but in the future could the approval of this motion be

helpful. Mayor states he is against the motion passing. Eric says that communication could have been better, but doesn't see this motion passing as an insult, more shared accountability could be a good thing. Aaron continues by explaining that this position is important enough due to the certifications involved that it should be an appointed position. Mayor with description about there not being a designation for a water operator position and that it's not necessary to take this action because the council still has the opportunity to say no to anyone he brings before them.

8:16 PM Aaron motions to change the position of water operator to appointed position, with selection and terms of employment agreed on by the Town Council. The Water Operator position may be held by a current town employee and does not preclude current and past contractors and those under contract from applying for the position. The Water Operator must hold, or obtain in three months, a level 1 Water Operator's license.

the motion is seconded by Mike, yes votes- Mike, Jake, Aaron, Eric, no votes- Mayor, the motion passes.

8:19 PM Aaron motions to open up the Water Operator position to the public for application with annual salary starting at \$6000 where the public, including the temporary town employee doing the water, may apply. Eric opens motion for discussion. John recalls the time study done and what was required, he opposes the \$6,000 per year. Mike proposes this salary be moved to up to \$10,000 annually. Jake's interest is keeping within our budget. Aaron with rebuttal. Mike asks Eldon what his opinions would be on how many hours a week. Eldon explains the requirements and travel involved with the job.

8:30 PM Mike runs some figures at 20 hours a week at \$15.00 per hour and wonders if the salary needs to be more around \$15,600 annually. Brandi with input on how many hours it takes and the cross connection certification that is needed. Eldon reminds the council that there are new rules put out by the state which makes more requirements for the town and if we don't follow the rules, we could get assessed fines.

8:39 PM Mike amends current motion by motioning to open up the water operator position with the annual salary of \$16,000. Motion is seconded by Eric, roll call vote is unanimous yes, and the motion passes.

8:41 PM Continued to Aaron motions to open the water operator position as stated with the \$16,000 annual salary at 20 hours per week, the motion is seconded by Eric, roll call vote is unanimous yes, and the motion passes.

8:42 PM Aaron motions to dissolve the employment of current town employee's temporary role over water operation from all current terms and conditions of employment, roles, and duties with the town's water upon the selection of a newly appointed water operator. Discussion ensues. The motion is seconded by Mike, roll call vote is unanimous yes, and the motion passes.

Unfinished Business

The EcoLife contract will be added on the next agenda.

Any duties that are done by the current water operator other than water will be discussed at a later date.

Move to adjourn

Motion to adjourn is made by the Mayor, seconded by Mike.

Meeting adjourned at 8:49 PM