

Newton Town Council Meeting
August 6, 2020, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Roll Call
2. Opening Ceremony – Jed Woodward
3. Approval of July 2020 Minutes
4. Newton Hills subdivision, 7 lots, phase 1, Final approval
5. Public Hearing for Annexation of 4.883 acres for 200 North boundary
6. Rank Choice Voting presentation – Zakk Rhodes
7. Closed Session to discuss litigation
8. Proposed Water Master Plan by Sunrise Engineering
9. Newton Town Hall proposed furnace and air conditioning improvements
10. Proposed stop signs for 100 West – Gordon Anderson
11. Proposed request for mussels inspection at Newton reservoir by BLM – Gordon Anderson
12. Report on Mayor/Council Member Assignments

NOTICE OF ELECTRONIC PARTICIPATION. Due to restrictions because of the COVID-19 virus, members and public may participate in the meeting electronically pursuant to UCA 52-4-207. Pursuant to the duration of the Utah Governor's Executive Order, Newton Town will hold an optional electronic participation meeting. Due to social distancing requirements public attendance at the Newton Town Hall may be limited.

1. Call to Order and Roll Call of Members present.

Members present: Mayor Kevin Rhodes, Gordon Anderson, Kent Fabricius, Kathryn Rigby, and Jed Woodward. Karla Ferguson (Recorder)

Others present: Sarah Rigby, Von Brown, Clark Rigby, Eric Dursteler, Brent Hellstern, Helen Hellstern, Doug Thorsen, Jill Thorsen and Ethan Ferguson

2. Opening ceremony conducted by Jed Woodward

3. The Newton Town Council July meeting minutes were approved.

4. Newton Hills subdivision, 7 lots, phase 1, Final approval – Mayor Rhodes asked Eric Dursteler with Forsgren & Associates, Town Engineer, to discuss the engineer review of this subdivision. Mr. Dursteler explained that he has been working with the surveyor on addressing concerns. The subdividers have addressed with the construction plans water drainage issues by planning for ditch, culverts and design of swale. Bear River Health Department will need to give approval for the final. **Kathryn Rigby made a motion to give final approval pending the completion of the final mylar and approval by Bear River Health Department. Gordon seconds the motion and all in favor.**

Other business: Gordon Anderson discussed the predisaster mitigation plan that was just completed. Gordon reviewed items in the plan and areas of concern. Items in the agenda were adjusted to be able to hold the public hearing on time.

11. Proposed request for mussel inspection at Newton reservoir by BLM – Gordon Anderson addressed his concerns that Newton reservoir is very busy and heavily used but there is no inspection for quaga mussels. Gordon Anderson will contact the Bureau of Reclamation to ask about it.

10. Proposed stop signs for 100 West – Gordon Anderson has received requests for a stop sign installation on 100 West at either 100 North or 200 North to address traffic coming down from the dam. Mayor Rhodes showed the new radar speed signs that have been purchased to help address speeding traffic. Gordon asked if a stop sign could still be installed. Jed Woodward said that UDOT does not recommend installing a stop sign to slow traffic. Jed recommends using the new radar speed signs to collect data on traffic. The data then can be used to determine if a stop sign is needed. The traffic data could also be given to Cache County to plan for road improvements to Newton dam.

5. Public Hearing for Annexation of 4.883 acres for 200 North boundary – Mayor Rhodes opened the public hearing. Mayor Rhodes described the aligning of the north boundary line to include 200 North road right-of-way. Clark Rigby explained he is helping the developer and he described a gap that exists between the legal descriptions of the properties and that the annexation adjusts the boundary line to the other side of the gap that exists in the legal description and will help adjust to have the entire 200 north road right-of-way be within town boundaries in this section. Jill Thorsen asked where the road will be installed and if it will be maintained by the town. Mayor Rhodes explained that with the next phase of development the developer will build the 200 North road and it will be maintained by the Town. Von Brown asked that by putting in that many lots has the town thought about how much water will be used and if we have enough. Mayor Rhodes explained that yes the town is concerned about that and that is why we are going to have a water master plan completed to evaluate our water situation. The public hearing was closed. Most public attendees then left the meeting.

6. Rank Choice Voting presentation – Zakk Rhodes and Taylor Morgan representing Utah Ranked Choice Voting described how rank choice voting works. Rank choice voting eliminates the need to hold a primary and allows a voter to rank their candidate choices. The lowest ranked candidate is eliminated and their ballots are tallied until a candidate wins by at least 50% of the votes. The rank choice voting was used at the caucus conventions and a couple City elections last year. If Newton would like to use this type of voting we would need to decide and pass by ordinance by April of the election year. Cache County most likely would need to administer the election to have the tools needed to administer it.

7. Closed Session to discuss litigation – Meeting closed at 8:01 p.m. or 1:01:30 in the recording. Present: Mayor Kevin Rhodes, Gordon Anderson, Kent Fabricius, Kathryn Rigby, and Jed Woodward. Karla Ferguson (Recorder) and Seth Tait, town attorney with Olsen & Hoggan were also present. The meeting was closed to discuss pending litigation. Closed session was completed and the meeting was reopened at 8:38 or at 1:37 in the recording. Mayor Rhodes gave authorization for Seth Tait to proceed with court case # 203100095, estate of Tom Hancock Barker. Kathryn Rigby seconds the motion and all in favor.

8. Proposed Water Master Plan by Sunrise Engineering – Meeting reopened with Mayor Kevin Rhodes, Gordon Anderson, Kent Fabricius, Kathryn Rigby, and Jed Woodward. Karla Ferguson (Recorder), Steven Wood (Sunrise Engineering), Sarah Rigby and Eric Dursteler also present. Steven Wood with Sunrise Engineering gave an update on the \$75,000 water wise grant awarded to Newton of the \$150,000 needed to replace all water meters with auto readers. Steven Wood discussed the need for a water master plan. A water master plan is especially needed when seeking grants. The plan would include an impact fee study, water hydraulic map of town, GIS model, flow pressure evaluation and mapping and catalog of assets. Steven Wood discussed the scope of the work. The water master plan will include: 1. A preliminary study including water meter sampling of a selected set of water meters twice a month, capital improvement list and their proposed expenses, 2. Well log research, 3. Water model, 4. Water rate analysis and water

impact fee, 5. Funding assistance for the master plan by requesting 50% grant from CIB board. The application to seek CIB funding is due October 1. Jed Woodward proposed to wait and make a decision about pursuing the water master plan at next month's town council meeting. Steven Wood will come back to the September 3 meeting. Sunrise Engineering will also continue to read meters samples every 2 weeks and will help compile our water report at the end of the year.

9. Newton Town Hall proposed furnace and air conditioning improvements – Kent Fabricius received a third bid for furnace replacement. Kent has cleaned out the fenced in area behind the town hall to place air conditioning units. The options for furnace replacement were discussed. Kent also proposed to install a condenser unit in the fenced in area on a composite pad rather than a concrete pad. Kent proposed to accept and use Advanced Heating for the replacement of two furnaces and two air conditioning units' installation for a bid of \$7,785.00 for each system. All of Town Council agreed with the proposal.

12. Report on Mayor/Council Member Assignments – Jed Woodward discussed that chip seal on 7 street blocks has been completed. Jed discussed water leaks that have been fixed. Kathryn Rigby reviewed the town celebration with the parade and fireworks and that it worked out great. Jeff Benson did the fireworks and spent \$2,900. We received about \$1,950 in donations for fireworks and there are a few more donations still coming in. Kathryn asked the Town Council what they would like to pay Jeff Benson for the fireworks. They asked Kathryn to determine based on her budget. Nichole Jenkins and Jenny Richards have agreed to be chair and co-chair for the celebration again next year. Sarah Rigby reported that 30 kids have participated in the summer reading program this year. Kathryn Rigby would like to look into upgrading Caselle software and adding the payroll module. We need to know what is required for the auto water meter software and compatibility with Caselle. Kent Fabricius discussed farm land property and problems with a culvert there. Kent will try to clean out the culvert to determine what the problem is. Kent plans to replace a valve at the farm land and Jed will help. Gordon Anderson said that the disaster mitigation plan needs to be submitted tomorrow. Gordon thinks that an educational statement for problem soils should be given with building permit applications. Gordon feels that we may need to look at a flood hazard ordinance and install larger culverts. Gordon discussed FEMA flood maps and will pass along the information to the Planning Commission along with soil studies information. Kevin Rhodes discussed that the final land payment of \$125,000 will be paid.

The meeting was adjourned.

Minutes prepared by:

Karla R. Ferguson, Newton Town Clerk

Approval Date