

Newton Town Council Meeting
October 1, 2020, 7:00 P.M.
Newton Town Hall, 51 South Center, Newton UT
Minutes

Agenda

1. Roll Call
2. Opening Ceremony – Mayor Rhodes
3. Approval of September 2020 Minutes
4. Request for ordinance variance for secondary water share by James NewMyer
5. CAPSA presentation
6. Grant Application for Newton Town Hall by the Newton Art & Humanities Committee
7. Ordinance 2020-01, accepting the annexation of Newton Hills 200 North, 4.883 acres
8. CARES Act funding for Newton Town, proposed projects and estimates review
9. 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 and Kathryn Rigby.
Karla Ferguson (Recorder) Present electronically: Jed Woodward

Others present: Sarah Rigby, Amy NewMyer, James NewMyer, Susan NewMyer-Jeppson, Bryce Lancaster, Helen Rigby and Carrie Milligan.

2. Opening ceremony conducted by Mayor Kevin Rhodes

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

4. Request for ordinance variance for secondary water share by James NewMyer – James NewMyer explained that they would like to build on a lot in Newton but do not have a secondary water share. James asked if they could split a secondary water share with his mother, Susan NewMyer-Jeppson, if they built on the lot next to her and shared the secondary water stub and share. He explained that his mom has 2 secondary water shares and 3 lots. Mayor Rhodes explained water usage and secondary water. Gordon Anderson discussed that water shares do become available for sale. Jed Woodward explained that Newton Water Users bylaws can't break a share into halves. Variance requirements and other building requirements were discussed.

At 7:25 p.m. Comcast internet was disabled for the entire town of Newton until midnight. The electronic meeting ended and Zoom participants were unable to participate.

5. CAPSA presentation – Bryce Lancaster with CAPSA discussed the services provided by CAPSA. Bryce explained that due to the COVID-19 pandemic domestic abuse has increased and there is an increased need for CAPSA services. Kathryn Rigby asked what we could do to help. Bryce Lancaster explained that we can help with awareness of the increased need and donations for funding.

6. Grant Application for Newton Town Hall by the Newton Art & Humanities Committee – Helen Rigby explained that they assembled a volunteer committee to manage the grant and exhibits for the Newton Town Hall. The grant is with the Utah Humanities on water conservation.

The grant is for \$500 and requires a funding match or in-kind volunteer hours. They plan to meet the required volunteer hours for the match. The committee will attend training and create an exhibit about Newton Dam and efforts to conserve water. Utah Humanities will do the training and advertising for the exhibit. The committee plans to install the exhibit before next summer. The grant money will be used to install a permanent gallery hanging system in the hallway of the Town Hall. The gallery hanging system can then be used in the future for other exhibits. They do not foresee any costs to the town for the exhibit. Details on the gallery system were reviewed. Kent Fabricius signed the grant contract agreement.

7. Ordinance 2020-01, accepting the annexation of Newton Hills 200 North, 4.883 acres – Mayor Rhodes discussed the need to straighten the north boundary to be able for the developer to install a 200 North road. Mayor Rhodes read ordinance 2020-01.

NEWTON TOWN ORDINANCE NO. 2020-01
AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN REAL PROPERTY TO
BE KNOWN AS NEWTON HILLS 200 NORTH ANNEXATION OF 4.883 ACRES

WHEREAS, on, May 14th, 2020, the owners of certain real property (petitioners) filed a petition with the Town Clerk of Newton, Cache County, State of Utah requesting that such property be annexed to the corporate boundaries of Newton Town; and

WHEREAS, on, June 11th, 2020, the Newton Planning Commission heard the petition to annex 4.883 acres into Newton Town and recommended to the Newton Town Council to consider said petition; and

WHEREAS, on, June 25, 2020, the Newton Town Council accepted by resolution 2020-01 the annexation petition for 4.883 acres into Newton Town; and

WHEREAS, said petition contains the signatures of the owners of private real property that: 1) is located within the area proposed for annexation 2) covers a majority of the private land area within the area proposed for annexation; 3) covers 100% of the private land area within the area proposed for annexation if the area is within an agriculture protection area, or a migratory bird protection area; and 4) is equal in value to a least one-third of the value of all the private real property within the area proposed for annexation; and

WHEREAS, the petitioners certify that said property proposed for annexation lies contiguous to the present boundaries of Newton Town as provided in the legal description and does not lie within the boundaries of any other incorporated municipality; and

WHEREAS, the petitioners have caused an accurate plat of the real property proposed for annexation to be prepared by a licensed surveyor and have filed said plat with the town clerk; and

WHEREAS, said petition appears to comply with all of the requirements of Section 10-2-403, Utah Code Annotated, 1953, as amended.

WHEREAS, Newton Town Council held the required public hearing on August 6, 2020, after giving notice as required by law and has determined annexation of said property is acceptable;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Newton, Cache County, State of Utah, as follows:

SECTION 1. That certain real property, more particularly described in Section 2 below is hereby annexed to Newton Town, Utah and corporate limits of said town are hereby extended accordingly.

SECTION 2. That the real property which is the subject of this Ordinance is described as follows:

A Part of the East Half of Section 18, Township 13 North, Range 1 West of the Salt Lake Base and Meridian

Beginning at the Northeast Corner of Block 27, Plat 'A' of the Newton Town Survey, said Point is on the Existing Newton Town Corporate Boundary Line and RUNNING THENCE Along said Corporate Boundary Line the Following Six (6) Courses: (1) North 88°09'17" West (West by Record) 705.98 Feet to the Northwest Corner of Block 27; (2) North 88°07'02" West (West by Record) 99.00 Feet to the Northeast Corner of Block 26 said Plat 'A'; (3) North 88°04'48" West (West by Record) 649.70 Feet to the Northwest Corner of said Block 26; (4) North 88°03'16" West (West by Record) 99.00 Feet to the Northeast Corner of Block 5, Plat 'C' of said Newton Town Survey; (5) North 88°01'44" West (West by Record) 508.79 Feet Along the North Line of said Block 5 to the Intersection with the East Line of Sparks Lot Split Subdivision, Entry Number 772,070; (6) North 01°37'01" East (North 02°40'48" West by Record) 99.00 Feet to the North Line of 200 North Street; Thence Along said North Line the Following Three (3) Courses: (1) South 88°01'44" East (East by Record) 558.92 Feet; (2) South 88°04'48" East (East by Record) 748.77 Feet; (3) South 88°09'17" East (East by Record) 841.16 Feet to said Existing Corporate Boundary Line; Thence Along said Corporate Boundary Line the Following Two (2) Courses: (1) South 01°57'18" West (South by Record) 99.00 Feet; (2) North 88°09'17" West (West by Record) 85.81 Feet to the Point of Beginning. Containing 4.883 Acres.

SECTION 3. That the real property described in Section 2 above shall be classified as being in the Single Family Residential (R1) zone in accordance with the provision of Section 11-05-020 of the Newton Town Code and the zoning map of Newton Town shall be amended to include the real property described above.

Effective Date. This Ordinance shall be effective upon passage by the Newton Town Council, Newton Utah.

ADOPTED AND PASSED by the Newton Town Council this 1st day of October, 2020.

Roll Call Vote:

Gordon Anderson - yes

Kent Fabricius - yes

Kevin Rhodes -yes

Kathryn Rigby - yes

Jed Woodward – absent

8. CARES Act funding for Newton Town, proposed projects and estimates review – Mayor Rhodes discussed that we have not received the estimates yet. The first allocation of CARES

funding needs to be spent by November. The first allocation was \$24,125 and the second will be the same amount. Mayor Rhodes will look into the third allocation.

9. Report on Mayor/Council Member Assignments – Mayor Rhodes discussed that on January 1st the Cache County EMS is disbanding. Costs and management are still in discussion but the north end of Cache County will be managed by Smithfield City. No agreements on EMS services have been made yet. Mayor Rhodes said the water meter audit has been completed. The audit includes an inventory of the type of all our water meters. Mayor Rhodes would like to thank Kelli Myers for her efforts in completing it. We now have a list of those meters and what will need to be changed or fixed in order to upgrade to auto read meters. The town website water and water tank page were discussed. It was discussed to separate the weather and water tank pages and add precipitation to the weather page.

Kathryn Rigby discussed that the Newton Youth Council will be meeting soon to determine how they will do youth council this next year. Sarah Rigby reported that the Library will cancel witches story hour this year. Options for a holiday tree lighting and Santa visit were discussed. It was decided to wait until November to see what the restrictions due to COVID-19 are to determine how or if we should host Santa. Instead of an annual employee dinner this year Kathryn will look into a thank you gift and card for employees.

Kent Fabricius reviewed that two new furnaces have been installed in the town hall. Kent will follow up about work that needs to still be completed and condensation problems. The new pipes also need to be covered. An electrician has looked at outside lights for the front and back doors. We will get estimates to replace lights with LED lights. Kent is still working on getting bids to refinish the wood floor in the town hall. Kent plans to look at the pump at the farm land property to determine if there is a problem.

Gordon Anderson reported that EMS services are trying to work out oversight and billing to go through Smithfield. We have submitted an intent to apply for funding for a new fire station.

Kevin Rhodes reported that the Tom Barker probate case is still ongoing and the court has identified an individual to manage his estate. A green waste dumpster will be provided by Cache County for the month of October. The Mayor requested that bill copies for Eagle Trucking for the green waste be made and an invoice submitted to Cache Environmental Services for the costs incurred by the town. Mayor Rhodes received a request to host the Cache Cup soccer tournament next summer. The drinking fountain and sprinkler repairs need to be made after the water is shut off this fall. Kevin Rhodes discussed Jed Woodward's concerns regarding not wanting to spend money on a water master plan instead of spending money on looking for new water sources and needed improvements. Mayor Rhodes would like to form a water committee to evaluate finding water and also to look at secondary water issues. He would like to ask past Newton Mayors and council members who have been over the water department to be on the committee. The Mayor asked Gordon Anderson to take pictures of current council members at next month's meeting.

The meeting was adjourned.

Minutes prepared by:

Karla R. Ferguson, Newton Town Clerk

Approval Date