

**The Minutes of
Honeyville City Council
October 14, 2020, Regular Meeting**

Mayor Boyd Bingham called the meeting to order at 7:00 p.m.

Present were Mayor Boyd Bingham, Councilmembers Bruce Nelson, Jeff Sanders, Sharon Lorimer and Trevor Gardner. Councilmember Dale Millsap arrived at 7:01.

Approximately 14 members of the public were present.

Sharon Lorimer offered the invocation and led the group in the pledge of allegiance.

Conflict of Interest: None noted.

Public Comment Period:

Allen Heniefer stated that he has been helping at the Camelot Inn and has had problems with someone piling dirt on top of his landscaped island that is located between the sidewalk and the gutter on the south side of the property. He also stated that the gutter has been extremely cluttered. **Mayor Bingham** stated that the city would look into this issue and see if they could find out who is piling dirt there.

PLANNING COMMISSION REPORT – ZONING ADMINISTRATOR, CODEY ILLUM:

- A.** **Codey I** reported that the Planning Commission will be doing their final review of the A-5-A zoning and will present it to the council in November he suggested holding a Public Hearing at that time.
- B.** He also asked if they have the councils support in creating a way to expedite the small subdivision process. This would allow a minor subdivision to be approved administratively once reviewed by the city engineer. **Bruce N** asked what the process is to get a subdivision approved at this time. **Codey I** clarified that it is a 2 month, 4 meeting process at minimum. They begin by paying the concept and prelim fees. From there the individuals are placed on the Planning Commission agenda where they can present their concept and prelim. Once it has been approved at the Planning Commission level, they are sent to the City Council where they must also approve or deny the concept and prelim plans. If it is approved the individuals must go back to the Planning Commission for approval of their final plans and then again gain approval from the City Council. **Mayor Bingham** clarified that it was suggested that the concept and prelim would be approved or denied administratively following the city engineers'

recommendations and would not have to appear before the council for this step. The individuals would then present the final plan to the City Council for approval. **Codey I** shared that they are currently talking about a few different options and that the commission didn't want to move forward if they did not have the support of the council. **Trevor G** shared concerns regarding stream lining this process. **Sharon L** asked about the extra set of eyes that would look at these plans. **Mayor Bingham** stated it would consist of the Planning Commission, City Engineer, Mayor and the City Attorney. **Codey I** will work with the Planning Commission to build some suggestions regarding expediting small subdivisions and present that to the council at a later date.

- C. **Codey I** stated that he had received a subdivision review for a 2 parcel subdivision from Doug Madsen down on Salt Creek road. The parcels meet the proper frontage and acreage, however there are some issues regarding a waterline. Blair Perry and Doug Madsen paid for the installation of the waterline from the highway all the way up, but they paid for the pipe and installation from the end of the asphalt all the way up the road about 15 years ago. He does not know how to proceed with the controversy on the waterline. **Mayor Bingham** shared that in the past minutes were vague and only stated that they had the surrounding neighbor's approval to proceed. He stated that the easement issues need to be addressed. He also shared that the past minutes shared that once the waterline was completed it would become city property, however if impact fees were charged those fees would be split between the city, Doug and Blair. **Dale M** shared that they are currently mapping out what the desired right of way would be and then they would begin to work with the property owners in that area to get a prescriptive right of way. **Mayor Bingham** also questioned how many hook-ups would be allowed on the 4-inch waterline. **Sharon L** felt that they need to proceed with proper criteria. They need to start making things right. She felt that they need to stick to our ordinance. **Bruce N** stated that this would require an 8-inch line from 6900 N. all the way up to Blair's house. **Mayor Bingham** shared that Doug had already paid to put a 4-inch line in per the previous councils' requirements. **Sharon L** stated that the council cannot keep allowing people to build homes without meeting the cities standards. **Jeff S** felt that the city would be responsible to run the 8-inch line. **Codey I** recommended turning this over to David Church for advice. **Blair P** stated that they tried to have an 8-inch line installed in the beginning however the city would not allow it. **Mayor Bingham** will contact David Church for legal advice.

CITY ADMINISTRATION – MAYOR BOYD BINGHAM

- A. **RICHARD SHAW:** **Richard Shaw** asked the council why his gates were removed. **Mayor Bingham** asked Troy M why the gates were removed and if he had received a written formal complaint that was signed and filed with the office regarding the gates. **Troy M** stated that there was a complaint but not a formal complaint made. He proceeding to

share that the gates were put up on a city road and shut with a chain. **Mayor Bingham** reminded him that they had spoken and that he had requested Troy make sure his facts were correct before proceeding with any action. It was clarified that the Mayor did not authorize the removal of the gates. **Dale M** stated that Troy had reached out to him regarding locked gates. **Richard S** clarified that they were chained not locked. **Dale M** was under the impression that they had been locked. **Richard S** wanted to know why they weren't contacted. **Dale M** stated that he had tried to reach out, but wasn't sure if he had the right contact information. **Kelli Shaw** showed the council where their property lies. She clarified that once they purchased their parcels that road was vacated to the city from the county. She continued on stating that it is a dead-end road and that when they first purchased the property, they had petitioned the county to do something with this road because of the issues they had with un-lawful things happening down there. Kelli shared that originally the county was going to vacate the road to the Shaw's but once they realized it was within Honeyville city limits they decided to vacate it to the city. Kelli is in the process of finding the minutes from those meetings with the county. **Richard S** shared that every land owner there was on board and in fact asked for the gates to be installed to help defer the growing traffic. **Kelli S** shared that the pipes and everything to install the gates were placed off of the city roads. She clarified that the gates have never been locked and that she had researched city policies and that there are several steps that should have taken place prior to the gates being removed. The Shaw's were frustrated that they weren't even contacted regarding this issue and stated that the city has their information on file. They also expressed frustration with the fact that the gates weren't simply removed, but were destroyed and bent in the process. **Mayor Bingham** asked Troy and Dale if they would like to address the Shaw's. **Dale M** owned his mistake and asked the council if they still had an interest in maintaining that road. **Jeff S** stated that they had discussed this issue and because there are different land owners on that road, they felt that the city needed to maintain it for all land owners. He then expressed it was illegal to gate a city road. **Mayor Bingham** clarified that he had spoken with an attorney, David Church, and it is not illegal to gate a city road as long as it is not locked. It was further clarified that the Shaw's own property on both sides of that road and the posts were in fact installed on their own personal property. The Shaw's had also contacted an attorney regarding this issue and received the same information. **Jeff S** felt that all of the property owners should have drafted a letter presenting the problem to the council and gain permission to gate the road. **Kelli S** clarified that this road is not a residential road it is agricultural. She asked if the city wants a road to a dead end? **Bruce N** wanted to know who complained and why. He wanted to know if there was some emergency the day the gates were removed. **Troy M** stated that an individual wanted access to the river. **Richard S** stated that he has never denied people the right to fish down there even though it is in fact private property. He simply asks that they clean up the garbage. **Kelli S** expressed gratitude to the Sheriff's Department for monitoring the area so closely. She also asked the council if they would

want these things happening in their front yard. She continued on asking that their gate be replaced. They were custom made and very expensive. She then asked the city if they really want that road or if they would be willing to vacate the road to the property owners. **Dale M** will take the lead on this and make sure the gates are put back up and will research the interest in the road or the possibility of vacating the road. **Kelli S** can't remember a time that she has ever seen someone from the city mow or maintain that road. They in fact have mowed and maintained the road to make sure their irrigation pipeline maintained. **Mayor Bingham** clarified that they would look into documentation with the county regarding when and who the road was vacated to and that in the meantime Dale would take the lead and make sure the gates are put back up.

B. OSHA:

Mayor Bingham shared that OSHA has stated the city needs to maintain a hazard communication program as well as a confined space entry policy. OSHA sent out a couple of forms and has requested the city approve these procedures. Once those are approved, they need to come up with a training program.

JEFF SANDERS motioned to adopt the Hazard Communication Program and Confined Space Entry Policy sent to us by the State OSHA Department. **SHARON LORIMER** seconded the motion. **MOTION CARRIED** with **Bruce Nelson for, Jeff Sanders for, Sharon Lorimer for, Trevor Gardner for and Dale Millsap for.**

C. ENTERPRISE ZONE RESOLUTION 2020-03:

Blair P shared that back in 2016 the State came out with a program for areas around the State that were economically challenged and met certain criteria. Municipalities created an application for those conducting business within their municipality that would allow those businesses to receive tax credits for economic development, capital improvement and other things of that nature. There is no obligation or commitment on the city's end other than to state that they want to take care of the businesses that are here and make sure they get to take full advantage of the tax credit. Davis and Bott strongly suggested they renew the resolution because it is a 4 year agreement.

JEFF SANDERS motioned to approve Resolution 2020-03 to renew the application for the Enterprise Zone. **BRUCE NELSON** seconded the motion. **MOTION CARRIED** with **Bruce Nelson for, Jeff Sanders for, Sharon Lorimer for, Trevor Gardner for and Dale Millsap for.**

D. EMPLOYEE PROTECTIVE CLOTHING:

Mayor Bingham shared that most places have reflective protective clothing for their employees. He wondered if the council would be interested in providing these items for the city employees. He also mentioned that employees need proper protective clothing when spraying. **Bruce N** felt that they need to be safe and that employees should be wearing protective clothing.

E. NOVEMBER CITY COUNCIL MEETING DATE (VETERANS DAY)

Mayor Bingham informed the council that the regular schedule City Council meeting will fall on Veterans Day. If the meeting is moved to a week later it will conflict with the Planning Commission because they moved their meeting up due to the Thanksgiving Holiday. He asked if it would be a problem to hold the meeting on Veterans Day. No one had an issue with this. The meeting will remain as posted.

F. CITY COUNCIL REGULAR MEETING MINUTES - 09/09/20:

Mayor Bingham reported that he had signed and renewed the contract with Blair Wardle per the discussion from last month's meeting. He also shared that he and Blair had spoken about the grant received for the drainage on 3600 W for engineering. They are requesting quarterly updates on how the money has been spent and where the city is at. They are anticipating this will be a yearlong process.

The **Mayor** also updated the council on the cost estimate for a Geotech study. The Bear River Health department will develop a septic system plan for \$450.00 and another company will come and do the Geotech study for \$4,400.00 which will save the city thousands of dollars.

Mayor Bingham continued informing the council that the Fire District contacted him and they are budgeting for a \$2,000.00 payment to pay the city monthly starting in January 2021.

Jeff S asked if the pump had been fixed on the North Well. **Troy** stated it was up and running and he was waiting on a bid from Glenns Electric for the surge protector.

DALE MILLSAP motioned to approve the City Council Regular Minutes of 09/09/20 as presented. **BRUCE NELSON** seconded the motion. **MOTION CARRIED** with Bruce

Nelson for, Jeff Sanders for, Sharon Lorimer for, Trevor Gardner for and Dale Millsap for.

G. CHECK & DEPOSIT DETAIL - 09/01/20 – 09/30/20

BRUCE NELSON motioned to approve the Check & Deposit Detail for 09/01/20-09/30/20 as presented. DALE MILLSAP seconded the motion. MOTION CARRIED with Bruce Nelson for, Jeff Sanders for, Sharon Lorimer for, Trevor Gardner for and Dale Millsap for.

GENERAL COMMUNITY EVENTS/BUILDINGS & EQUIPMENT – COUNCILMEMBER TREVOR GARDNER

- A. Trevor G reported that they are still scheduled to have the Halloween Celebration at the park October 27th. The Mayor suggested having a lot of hand sanitizer available.

PARKS & CEMETERIES / CITY COMMUNICATION – COUNCILMEMBER JEFF SANDERS

- A. Jeff S reported that the sprinkling system at the park is almost done. Mayor Bingham wanted to come up with a plan on how to move forward. He was waiting for an email from Kellen's contact on what would be the best grass to plant at the upper park. They felt it may be beneficial to plant in the fall and hopefully have grass up in the spring.

PUBLIC HEALTH & SAFETY / PLANNING COMMISSION / YOUTH CITY COUNCIL – COUNCILMEMBER SHARON LORIMER:

- A. Sharon L reported that she has been meeting with the youth city council again.
- B. Sharon L also reported that the Utah Legislature is getting money for sidewalks to be put in along highways. The city would have to do some things in order to get the money as well as come up with 25% of the expense and she would like to apply for these funds. Bruce N felt that they should apply for the grant. Sharon L suggested having a sidewalk that would meet up with the future park plans. She felt that BRAG could help with the documents they need. Sharon L will take the lead on this project and reach out to Dale with any questions.

WATER SYSTEMS & DRAINAGE – COUNCILMEMBER BRUCE NELSON:

- A. Bruce N reported that himself, the Mayor and Blair would be having a meeting to discuss a change order Newman Construction sent after they had difficulty getting through some rock as they worked on the waterline project. Dana S stated that this is a normal process when companies come across problems during a project. Mayor

Bingham felt that they knew where they would be digging when they bid the project out and adding in the amount, they are requesting would make the expense higher than some of the other bids presented. **Codey I** suggested they ask Dana about a change order policy which should protect the city.

Dale M reported that the swell through Jim Keller's place and through Spencer's is lower than it originally was and is about a 2-foot low spot on Zundel's and it pools there before it exits through the culvert. **Sharon L** wanted to know who is inspecting the culverts being installed. It was discussed that previously the city has not had anyone in place who inspected these issues. **Bruce N** felt that having Codey working for the city has really helped reduce these issues. **Dale M** shared their plan is to lower the culvert. **Mayor Bingham** would like them to present the plan and make sure that the road is repaired properly.

STREETS & ROADS / MOSQUITO ABATEMENT – COUNCILMEMBER DALE MILLSAP

- A. **Dale M** reported that the mosquito abatement had a meeting to discuss a preliminary budget, but nothing else to report at this time.

BRUCE NELSON motioned to adjourn. **JEFF SANDERS** seconded the motion. **MOTIONED CARRIED** with Bruce Nelson for, Jeff Sanders for, Sharon Lorimer for, Trevor Gardner for and Dale Millsap for.

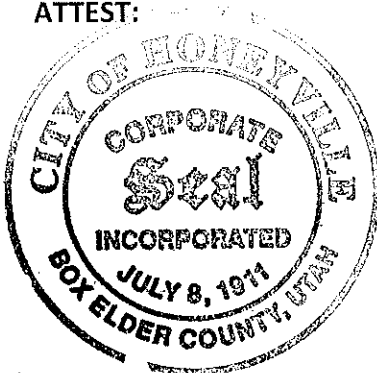
Meeting adjourned at 8:41 p.m.

The foregoing minutes were taken by Jody Chambers and typed by Brittiny Chlarson.

I certify these minutes to be true and accurate to the best of my knowledge.

ATTEST:

DATE APPROVED: 11/11/20



Brittiny Chlarson

Brittiny Chlarson – Clerk/Recorder

Boyd Bingham

Boyd Bingham - Mayor