

Hildale City Council Meeting

320 East Newel Avenue, Hildale, Utah 84784

Wednesday, December 4, 2019, 6:30 pm

Present:

Mayor: Mayor Donia Jessop

Council Members: Lawrence Barlow, JVar Dutson, Jared Nicol, Stacy Seay, Maha Layton

City Recorder: Vincen Barlow

City Manager: Christian Kesselring

Staff: Harrison Johnson, Kyle Layton, John Barlow (by phone)

Court Monitor: Roger Carter

**Public: Willie Jessop, Lisa Beck, Roxanne Barlow, Heber Barlow, Vance Barlow
(this list may be incomplete)**

#1. Call to Order

Meeting called to order at 6:30 pm. Roll was taken, quorum present.

#2. Pledge of Allegiance

Jared led the crowd in the Pledge of Allegiance.

#3. Conflict of Interest Disclosures

No new disclosure forms received this month. No conflicts of interests.

#4. Approval of Minutes of Previous Meetings

Jared Nicol pointed out an error on the meeting minutes for October 2, 2019 that needed correcting. In the September 16, 2019 minutes, a motion was not acquired for in the audio (because of audio difficulties) or in the minute to close the Executive Session, though it did take place. These errors were amended.

Lawrence Barlow moved to approve the minutes of September 16, 2019, September 27, 2019, October 2, 2019.

JVar Dutson seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

#5. Public Comment

Willie Jessop disclosed some issues and some complaints concerning water rights that he thought weren't fairly addressed in the past. He asked the City Council to put on the record these issues that are of conflicts of interest.

#6. Council Comments

In response to Willie Jessop's comment, Councilmember Barlow gave insight on doing the right thing in regard to being transparent, honest and not being discriminatory to anyone. He clarified what makes the City council and Staff a team. Councilmember Dutson commented that the Board and Staff does try to do what's best for the City. Councilmember Nicol addressed an issue with controlling the dog situation in town.

#7. Oversight Items:

A. Financial and Check Registry Review and Approval

Christian presented the reports concerning this item.

Lawrence Barlow moved to pay the bills as they become due and the funds become available

JVar Barlow seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

B. Ratification of Utility Board Actions

This item was tabled.

C. UDOT Representative Report

Lisa Beck presented the initiation of the SR-59 Project and the improvements that will take place, such as shoulder widening for safety reasons. She went over how long the project may last. She told those present to check the UDOT information page on their website to stay up to date on the project. There was a brief Q&A session pertaining to this discussion.

D. Community Outreach: ATV and Motorcycle Club

Roxanne Barlow announced and presented a new club, The Adrenalin Junkies, for youth by the Community Outreach for those who are interested in motorcycles and ATVs. Appreciation was shown by the Councilmembers for the cooperation of the community to make this club happen safely.

E. City Manager's Report

Christian presented the Manager's Report and talked about managing cash flow. He touched on the General Plan and suggested that those involved with it, to stay in touch with the activities concerning this Plan. He talked about some prioritizing efforts that are going into the parks. He talked about the improvements the Public

Works has been doing around the Cities with all the new buildings and homes being built.

F. Mayor's Report

The Mayor talked about the amount of time she has spent at meetings and trainings and her continuing effort in working with MCC to help the Hildale residents further their education.

#8. Consent Agenda:

Christian gave a refresher on what each item on the Consent Agenda entails so that the Council could easily identify which items would need an in-depth discussion or if any discussion was needed at all. The Council discussed which items they would pull from the Agenda for discussion or approval.

A. Contract with Permanent Community Impact Fund

B. Letters of Tenants in Industrial Park

C. Fiber Conduit Access Agreement with Hi-Speed.US, LLC

D. BLM Lease Application for Maxwell Park

Jared Nicol moved to approve the Consent Agenda as request by Administration with the exception of item B., which should be moved to Unfinished Council Business.

Maha Layton seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

#9. Unfinished Council Business

A. Sale of Lot 31 in the Hildale Industrial Park to Preferred Parts, LLC

Christian presented. He went over a resolution to approve the sale of Lot 31 in The Hildale Industrial Park to Preferred Parts, LLC and the terms and agreements pertaining to it. He directed the Councilmember's attention to the Real Estate Purchase Agreement Contract and the General Release forms in the packets provided. The Councilmembers each had input on this matter.

JVar Dutson moved to approve Hildale City Resolution 2019-12-01, a resolution of the Hildale City Council to approve the sale of Lot 31 in The Hildale Industrial Park to Preferred Parts, LLC and approve the Real Estate Contract with Preferred Parts, LLC.

Stacy Seay seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton		X	
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

B. Ordinance Enacting Amendments to Section 112-34 RE: Hours of Operation for Beer Gardens

Christian presented the ordinance that the City Council asked to be drafted for the Amendments for Beer Gardens.

Maha Layton moved to approve Hildale City Ordinance No. 2019-018 adopting the amendments to Hildale City Beer Garden Standards.

Stacy Seay seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson			X
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

C. Ordinance Adopting Amendment to Zoning Map RE: Planned Development Overlay for South Zion Estates

Christian clarified the points of this items concerning a request for a rezone, which was addressed in a previous meeting.

Jared Nicol moved to approve Hildale City Ordinance No. 2019-017 adopting amendments to Hildale City Zoning Map.

Stacy Seay seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

D. Resolution Amending Rules of Order and Procedure

Christian was asked to remind the Councilmembers of what this agenda item (#9, D.) was. He stated that there was a proposal from Councilmember Barlow to add an

Informational Summaries to the Rules of Order and Procedure. The Councilmembers each had input on this matter to determine where to add this to the agenda permanently.

Lawrence Barlow moved to approve Hildale City Resolution No. 2019-12-02, a resolution of the Hildale City Council adopting Amendments to the Council Rules of Order and Procedure.

JVar Dutson seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

E. Discussion of Item B. (Letters of Tenants in Industrial Park) from #8. Of the Consent Agenda

Christian explained that the job of enforcing contracts with the City is the job of City Manager. If those contracts or agreements are violated, it is up to the City Manager to decide how to handle the situation. That being addressed, these enforcements may cause discomfort for some people, which is what these letters are about and will need to be discussed from time to time. He mentioned that these letters are drafts and will need to be approved by the Council before being release to the tenants. The Councilmembers went into further discussion on Lot 38.

JVar Dutson moved to make a softer approach, sending letters to the current lease holders, with the exception of lot 38. If they don't get back to us by February 15, 2019, we send a stronger worded letter.

Stacy Seay seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

Maha Layton moved to send the (original) letter drafted to Lot 38 in Hildale Industry Park, removing all of the sections other than the lease section.

Stacy Seay seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol		X	
Stacy Seay	X		

Motion carried

Jared Nicol moved to make the amendment to eliminate the last sentence of the first paragraph of page 66 (concerning Lot 38 and Maha's motion above) and add the time limit of 30 days.

Jvar Dutson seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow		X	
JVar Dutson	X		
Maha Layton		X	
Jared Nicol	X		
Stacy Seay		X	

Motion failed.

#10. New Council Business

A. Amendment to Zoning Map RE: Rezone of 680 N. Elm St. (Lot 30, Short Creek Subdivision 2)

Kyle Layton presented. He went over approval standards that have to be considered before making amendments to anything concerning zoning. He went over what should take place when an application for a lot split is received.

Maha Layton moved to approve Hildale City Ordinance 2019-019.

Stacy Seay seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

B. Temporary Land Use Ordinance RE: Required Off-Site Improvements

Christian talked about a previous arrangement concerning the Temporary Land Use Ordinance and a temporary exemption from a requirement in order to do street improvements to get a building permit. He talked about doing improvements on different developments around the City and the recommended requirements to attach to these improvements. He suggested that the Utility Board and the City Council to

have a joint session on this subject. Christian and Kyle had input about the necessity of a 6-month extension because of major decision points that needed to be addressed and added that the meeting between the Utility Board and the City Council would be a good idea.

Lawrence Barlow moved to approve Hildale City Ordinance No. 2019-020, an ordinance of the Mayor and the Council of the City of Hildale, UT, establishing a Temporary Land Use Regulation regarding Off-Site Improvements.
JVar Dutson seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

C. Resolution Delineating Criteria for Development Impact Fee Waivers

Christian talked about the delicate issue concerning Impact Fee Waivers. He presented a draft for the Councilmembers to look over concerning these Impact Fee Waivers. The Councilmembers agreed to address this issue thoroughly in the next meeting.

Jvar Dutson moved to move this Resolution on Criteria for Impact Fee Waivers to the Unfinished Work Meeting in January.
Jared Nicol seconded. Roll call vote:

	YES	NO	ABSTAIN
Lawrence Barlow	X		
JVar Dutson	X		
Maha Layton	X		
Jared Nicol	X		
Stacy Seay	X		

Motion carried.

#11. Executive Session (as needed)

No Executive Session.

#12. Calendar of Upcoming Events

On December 27, 2019, there will be a celebration in Colorado City at the new Marshal's Office.

#13. Scheduling

The Councilmembers discussed the upcoming Utility Board Meeting, Chambers Meeting and City Council Meeting and potential criteria to be addressed in those meetings. Christian recommended a few things for the Council to look over before these meetings take place.

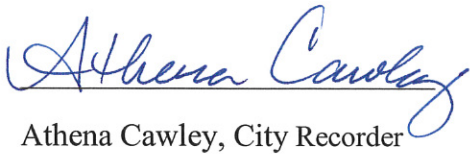
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#14. Adjournment

With no other business, meeting adjourned at approximately 9:45 pm.

I verify that a copy of the notice and agenda was delivered to the Mayor and City Council members and posted at the City Hall, 320 E. Newel Avenue, Hildale, Utah and sent to the Utah State Public Meeting Notice coordinator.

Minutes were approved at the City Council Meeting on August 5th, 2020.


Athena Cawley, City Recorder

