

MINUTES OF THE TOWN COUNCIL
MEETING
OF THE TOWN OF CLARKSTON

July 20, 2021
7:00 P.M.

Town Council Meeting held at the Clarkston Town Hall, 50 South Main, Clarkston, UT

Attendance: Mayor N. Craig Hidalgo

Councilmembers: Jessica Buttars, Mylind Fawcett,
Nichole Sparks, Dan Smith

Town Clerk: Kristi Hidalgo

Public Attendance: Deputy Clerk Holly Jones, Brooklyn Smith, Taylie Balls, Lily Arnold,
Diana Calderwood, Carson Calderwood, Zoey Buttars, Shaun Kurek

1. CALL TO ORDER

Mayor Hidalgo called the Clarkston Town Council to order at 7:00 p.m. Councilmember J. Buttars led the Pledge of Allegiance and offered Reverence to begin the meeting.

Mayor Hidalgo addressed the minutes of the Clarkston Town Council Meeting held June 22, 2021. Councilmember N. Sparks motioned for the Clarkston Town Council to approve and adopt the minutes of June 22, 2021. Councilmember J. Buttars seconded the motion. All in favor "Aye". Motion carried

2. NEW BUSINESS

Clarkston Youth Council – Youth Councilmember Carson Calderwood stated that the Youth Council came to the meeting to thank the Town Council for everything they do for the town. Mr. Carson specifically thanked Councilmember N. Sparks for everything she had helped the Youth Council with. Councilmember N. Sparks stated that she would like to recognize the Youth Council for all they did to help out with Pony Express Days and for the fundraiser they did during the children's baseball games this summer. Councilmember N. Sparks concluded that the Youth Council have represented the town well.

Cemetery Clerk Holly Jones – Discussion on Resolution 21-10 – Mayor Hidalgo explained that at this time there aren't any lots available to be sold in the Clarkston Town Cemetery, so the Council asked Cemetery Clerk Holly Jones to identify all of the cemetery lots that have been unused for sixty (60) years so that the town could reclaim any unwanted lots and sell them (Clarkston Town Code 7-5-9(F)). Cemetery Clerk Holly Jones stated that there were a lot more people that have cemetery plots that have not been used for sixty (60) years than appears on the resolution. Mrs. Jones contacted Clarkston Town Attorney Seth Tait regarding the legal procedures to reclaim the unused lots and because she has contact information for them they don't need to be included on the resolution. The resolution specifies people for which the town has no contact information for. Mrs. Jones said that a letter would be sent to those not on the resolution requesting

that they contact the town and declare interest in and an intention to use the plots. These people would have sixty (60) days to do so from the date the letter was sent. Mrs. Jones stated that the resolution must be approved by the Town Council and then posted on the Public Notice Website for three consecutive weeks. The owners of these plots have sixty (60) days from the date the resolution was approved to contact the town. After that, Clarkston Town can reclaim the sixty (60) year old cemetery plots and sell them.

Resolution 21-10 “A Resolution To Notify The Owners Of A Lot, Site, or Portion Of The Cemetery Which Has Been Unused For Burial Purposes For More Than 60 Years That They Must Express Interest In Using The Site Or Their Rights Will Be Terminated”

Mayor Hidalgo asked if there was any discussion by the Council prior to passing the resolution. Councilmember D. Smith wondered if relatives of the plot owners could challenge the town on this. Mayor Hidalgo stated that Clarkston Town collaborated with the town attorney and has adhered to all Clarkston Town and Utah State Code regulations regarding plots that have been in nonuse for sixty (60) years. There was no further discussion so Mayor Hidalgo read the resolution and asked for a motion to adopt Resolution 21-10. Councilmember M. Fawcett motioned for the Council to approve and adopt Resolution 21-10. Councilmember N. Sparks seconded the motion.

Roll Call Vote:

Mayor Hidalgo	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember D. Smith	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember J. Buttars	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember M. Fawcett	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember N. Sparks	☒ Aye	☐ No	☐ Abstain	☐ Absent

3. DEPARTMENTS

Mayor Hidalgo – Fire Department – Mayor Hidalgo reported that the Fire Departments lap top has been returned to them, after being refurbished by AllTech.

Councilmember N. Sparks – June Warrant List – Councilmember N. Sparks presented the Warrant List for June 2021. Councilmember D. Smith motioned for the Clarkston Town Council to approve the Warrant List as read. Councilmember N. Sparks seconded the motion. All in favor “Aye”. Motion carried

LUDMA – Mayor Hidalgo stated that he listened to the minutes of the LUDMA Meeting held on Monday July 12, 2021. Mayor Hidalgo referenced the John Cook inquiry about property access from a town road. Mayor Hidalgo wanted to caution the LUDMA Commission from making personal recommendations to the public. Mayor Hidalgo said that The LUDMA Commission should be referencing the town ordinances that are in place and making sure that they are adhered to. Mayor Hidalgo feels that when personal recommendations are given it could open the town up to liability. Councilmember N. Sparks agreed that it does but said that a lot of people come to LUDMA meetings to receive direction as well. They aren’t quite sure of what they can or can’t do and historically that is what the LUDMA Commission has done. Councilmember N. Sparks

stated that John Cook came to the LUDMA Meeting to inquire what it would take to be able to build on his property. Mayor Hidalgo reiterated that the LUDMA Commission just needed to be careful giving out personal recommendations and stick to making sure the Clarkston Town Zoning Regulations are being followed. Councilmember D. Smith asked Mayor Hidalgo to be more clear on that because he was at the meeting, filling in for Councilmember N. Sparks, and he did reference the ordinance on roads and told Mr. Cook what the new street construction requirements are. Councilmember D. Smith feels that the LUDMA Commission did a good job at handling the situation with Mr. Cook. Mayor Hidalgo clarified that he was not being critical of what took place he just wanted to caution the LUDMA Commission from giving out personal recommendations and if they do state that it is their own personal recommendation so there is no chance of liability to the town.

Youth Council – Councilmember N. Sparks thanked the Youth Council again for their help with Pony Express Day. They saved the town \$600 by manning the bounce houses.

National Night Out Against Crime - Councilmember M. Fawcett stated that National Night Out Against Crime will be Monday August 16, 2021 at 6:30 pm. Councilmember M. Fawcett is coordinating this event with Clarkton Town Star Deputy Merrill.

Water Department – Councilmember M. Fawcett reported that Water Operator Bryan Goodsell and himself have been keeping an eye on the water tank levels and at the end of June and first of July the tanks were around 15-16 feet deep. Around noon and at midnight every day they would dip to about 14 feet but would quickly recover. Over the last week to ten days that recovery has taken longer. Councilmember M. Fawcett stated that the town needs those tanks to stay as full as possible in case of an emergency. Councilmember M. Fawcett said that most people have been conserving water and following the water restriction that is in place but as always there are some people who are ignoring the water restriction. Councilmember M. Fawcett recommended that the Council consider the following:

1. Implementing a Water Restriction Violation Fine and/or
2. Increasing Water Overage Charges

Mayor Hidalgo acknowledged that there are several homes in town that are ignoring the water restriction that is in place. The reason for the water restriction is to allow the water tanks to refill and keep it at a safe level in case of an emergency, such as a fire. Right now that restriction is working. If residents aren't going to follow the water restriction that has legally been put in place they can lawfully be fined. Mayor Hidalgo stated that the Council needs to determine what the fine should be. Councilmember D. Smith stated that it sounds like the restriction is working. The water tank level is recovering to where it needs to be and stated that his honest opinion is that the Council shouldn't do anything. Councilmember M. Fawcett replied that the problem with that is that it puts the Council in a reactionary state. Councilmember M. Fawcett doesn't want to wait until the Council has to do something or wait until there is an issue. Councilmember J. Buttars stated that

by noon any outside watering is just evaporating and recommended limiting outdoor watering from 12:00-5:00 pm to 11:00-5:00 pm. Councilmember J. Buttars believes that if people are just going to ignore the water restriction they should be fined. Mayor Hidalgo agreed and asserted that if the Council isn't going to enforce what they pass then they shouldn't pass it. Councilmember N. Sparks stated that it isn't fair to penalize everyone for some people's foolish actions and feels that the Council should focus on those that are blatantly ignoring the water restriction rather than increasing water overage charges. Councilmember D. Smith agreed stating that some people have larger yards or more lawn to take care of than others therefore they use more water. Councilmember N. Sparks feels that implementing a fine is the way to go. Mayor Hidalgo recommended issuing a warning for the first offense a \$50 fine for the second offense, \$100 fine for the third offense and so forth. The Council agreed. Mayor Hidalgo stated that the Sheriff's Office would issue the citation and payment would be made directly to the town. If the fine isn't paid it would be turned over to the prosecuting attorney to collect. Mayor Hidalgo affirmed that increasing overage charges and shortening watering hours are other ways to protect the water supply, if it becomes necessary. The Council will continue to monitor the water tank levels and implement more restrictions, as needed. Mayor Hidalgo asked for a vote on approving the abovementioned Water Restriction Violation Fine.

Voting:

Mayor Hidalgo	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember D. Smith	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember M. Fawcett	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember N. Sparks	☒ Aye	☐ No	☐ Abstain	☐ Absent
Councilmember J. Buttars	☒ Aye	☐ No	☐ Abstain	☐ Absent

Councilmember D. Smith – Roads Department – Councilmember D. Smith reported that FY 2022 Road Repairs have been completed. Mayor Hidalgo stated that the stop sign on 100 North 200 East needs to be replaced. Councilmember D. Smith will contact Roads Supervisor David Hale and have him replace the stop sign.

Parks Department – Councilmember D. Smith Reported that some Clarkston Citizens had approached him and wondered if the town could convert part of the tennis court into a pickle ball court. Pickle ball is more popular than tennis right now. Mayor Hidalgo asked Councilmember D. Smith to check into it and see what it would cost and coordinate with Parks Director Jeremy Hidalgo.

Councilmember J. Buttars – Cemetery Department – Councilmember J. Buttars thanked Cemetery Clerk Holly Jones for her efforts in helping the town reclaim unused cemetery plots.

Cemetery Expansion Project - Councilmember J. Buttars reported that Curtis Godfrey had regraded the cemetery parking lot due to the vandalism that took place. Councilmember J. Buttars stated that she is waiting on the parking lot to be dug up and then she would work on getting the grave plots mapped out so the sprinkling system could be installed.

Emergency Preparedness - Flood Plain Maps – Councilmember J. Buttars stated that the town had received from FEMA new updated Flood Plain Maps for Clarkston Town. Councilmember J. Buttars informed the Council that a virtual Public Meeting would be held on August 9, 2021 from 2:30-4:00 pm. During this meeting the revised Flood Insurance Rate Maps (FIRMs) will be available for review and those in attendance will have an opportunity to provide comments and ask questions about the impacts the new maps will have on their property. The maps are also available for view at the Clarkston Town Hall during business hours Monday-Thursday 9:00-1:00 pm.

4. RELEVANT BUSINESS

Next Meeting – The next Town Council Meeting will be held on Tuesday August 3, 2021 at 7:00 pm.

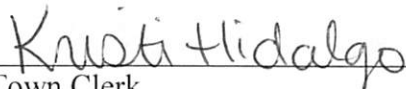
Public Comment

Shaun Kurek – Mr. Kurek asked the Council to think twice before raising taxes 31%. Mr. Kurek stated that there are a lot of families in town that can't afford that. Many people are on social security and already having a hard time paying their taxes. Mr. Kurek recommended that the Council take a look at the budget and tighten the belt. Look for grants and sponsors to pay for things and get the community involved.

Mayor Hidalgo responded that he appreciated Mr. Kurek's Comments and raising taxes isn't being taken lightly by the Council. There hasn't been a tax increase in Clarkston Town for over fourteen years. The town has been very responsible in maintaining our tax base. Mayor Hidalgo invited Mr. Kurek to come to the Truth in Taxation Public Hearing to be held August 18, 2021 at 7:00 pm and find out why the Council is proposing a tax increase this year.

5. ADJOURN

There being no further business to come before the Council, Councilmember N. Sparks motioned that the Clarkston Town Council Meeting adjourn. Councilmember J. Buttars seconded the motion. All members present voted "Aye". Motion carried. The meeting adjourned at 8:04 pm.


Town Clerk

