

MINUTES OF THE TOWN COUNCIL
MEETING
OF THE TOWN OF CLARKSTON

August 3, 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,
Dan Smith

Town Clerk: Kristi Hidalgo

Absent: Councilmember Nichole Sparks

Public Attendance: Robert Dahle, Ollie Lou Dahle, Brad Dahle

1. CALL TO ORDER

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

Mayor Hidalgo addressed the minutes of the Clarkston Town Council Meeting held July 20, 2021. Councilmember D. Smith motioned for the Clarkston Town Council to approve and adopt the minutes of July 20, 2021. Councilmember J. Buttars seconded the motion. All in favor "Aye". Motion carried

2. NEW BUSINESS

Bob Dahle – Fireworks – Bob Dahle stated that on the night of July 4th the neighbor across the street started setting off some fireworks. They were very violent, very loud and very disconcerting, especially because they were going off right over his house. Mr. Dahle stated that he looked out the window to make sure of who was firing them off and then went to bed. The next morning he was appalled at the amount of debris that had drifted over to his house and yard. He cleaned it up and never said anything to anybody. On the night of July 24th he saw a couple of car loads of people show up at the neighbor's house and knew immediately what was going to happen. They started to set off the fireworks so he walked across the street to talk to the neighbor. Mr. Dahle stated that he told the neighbor he was not opposed to fireworks but that he needed to clean up the debris left over from the fireworks. Mr. Dahle was told that firework debris falls where they may and the conversation was confrontational from that point on. Mr. Dahle said that he went back home and took some pictures of the debris and damage to his property.

Attachment A

He called the Cache County Sheriff's Office and Deputy Clark came out and also took some pictures and went to talk to the neighbor and have him clean up the firework debris. Mr. Dahle recounted that when the fireworks would go off the detonation of the blast shredded the leaves of his Honey Locust trees by his garage. His lawn by his front porch steps was also burnt by the firework debris. Mr. Dahle stated that he was surprised the

fireworks didn't start a fire. Mr. Dahle reiterated that he was not opposed to fireworks and never told the neighbor that he shouldn't be shooting off fireworks. He just wanted them to clean up the debris. Mayor Hidalgo responded that when he and Clarkston Fire Chief Casey Andersen talked about fireworks Chief Andersen didn't see a need to place restrictions on fireworks as long as people acted responsibly. Mayor Hidalgo stated that Mr. Dahle's neighbors were not acting responsibly. Mr. Dahle mentioned that he asked Officer Clark and the County Fire Marshall if they could define for him what an illegal firework is and they couldn't. Mr. Dahle proclaimed that there is no law that says what the perpetrator has to do. It reverts back to littering. Mr. Dahle made the following suggestions:

1. Ban fireworks altogether within Clarkston Town limits.
2. Declare that the Clarkston Town Square is the only place that fireworks can be set off.

Councilmember D. Smith affirmed that people need to be super responsible when lighting off fireworks in the town but that the Council shouldn't let a few people doing dumb things ruin it for everyone else. He feels that fireworks are patriotic and shouldn't be banned. Mayor Hidalgo stated that he doesn't believe Mr. Dahle wants that he just wants the Council to define what being responsible is when using fireworks.

Councilmember M. Fawcett stated that people need to be responsible for cleaning up firework debris no matter where it lands. Mayor Hidalgo stated that he is not against fireworks but believes that the Council should draft an ordinance clarifying what Clarkston Town deems as being responsible when using fireworks.

Ordinance 21-07 "An Ordinance Amending the Clarkston Town Code Cemetery Rules and Regulations Title 7 Chapter 5 Section 9(F)"- Mayor Hidalgo stated that because of a change in Utah State Code 8-5-6 Clarkston Town needed to amend the Cemetery Rules and Regulations Title 7 Chapter 5 Section 9(F) Nonuse for sixty(60) years. The amendment allows for noticing to be published on the Public Notice Website instead of in the newspaper. Publishing on the Public Notice Website does not cost the town anything. The newspaper charges a fee. Mayor Hidalgo asked if there was any discussion by the Council prior to passing the Ordinance. Councilmember M. Fawcett wondered if this was just for the nonuse for sixty (60) years or if it was for everything. Mayor Hidalgo explained that it was just for the nonuse for sixty (60) year's resolution publication requirement. Agendas and Public Hearings would still have to be published in the newspaper. There was no further discussion so Mayor Hidalgo read the ordinance and asked for a motion to adopt Ordinance 21-07. Councilmember M. Fawcett motioned for the Council to approve and adopt Ordinance 21-07. Councilmember D. Smith 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 had nothing to report.

July Warrant List – Mayor Hidalgo presented the Warrant List for July 2021.

Councilmember D. Smith motioned for the Clarkston Town Council to approve the Warrant List as read. Councilmember J. Buttars seconded the motion. All in favor “Aye”. Motion carried

Councilmember M. Fawcett – Water Department – Councilmember M. Fawcett reported that with the recent rain storms and citizens conserving water the water tank levels are staying up where they need to be.

Water Meter Access – Councilmember M. Fawcett reported that Water Operator Bryan Goodsell and Richie Calderwood had been completing the final couple meters that needed to be replaced. They have had to dig to find some of them and in doing so have found that people have been tampering with the water meters and in some cases even attaching additional water lines to the meter. Councilmember M. Fawcett referenced Clarkston Town Code 8-1-19(E) which states the following:

E. Inspections: Meters may be checked, inspected or adjusted at the discretion of the municipality, and they shall not be adjusted or tampered with by the customer. Meter boxes shall not be opened for the purpose of turning on or off the water except by an authorized representative of the municipality, unless special permission is given by the municipality through its representatives to the customer to do so. Any person needing water shut off at the meter in case of an emergency may do so. Any damage to the meter, lines or connections will be the property owner's responsibility.

Councilmember M. Fawcett stated that according to the above mentioned town code citizens are not supposed to be adjusting or tampering with water meters. They should contact the town or Water Operator Bryan Goodsell to have the water turned on or off.

Mayor Hidalgo further explained that there were about fifty water meters that Meter Works could not replace so Water Operator Bryan Goodsell and Richie Calderwood have been replacing those meters. There is only one left to do and they haven’t been able to find it yet. What they have discovered, replacing these meters, is that there are citizens that think that the water meter is theirs and that they have a right to do what they want with it. Mayor Hidalgo stated that the public needs to be educated and understand that the water meters belong to the town and they have no right to open the water meter or turn the water on or off without contacting a town official or the water operator. Mayor Hidalgo reiterated that the water meters belong to the town and only in emergencies are citizens allowed to turn their water off and even then they should notify the water

operator. Councilmember M. Fawcett asserted that it is already in the ordinance and agreed that citizens just need to be educated on it.

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. The Council will serve hotdogs, chips, drinks, and ice-cream cones.

Councilmember D. Smith – Roads Department – Councilmember D. Smith reported that Roads Supervisor David Hale is working on getting the stop sign on 100 North 200 East replaced. Councilmember D. Smith stated that he had noticed some pot holes on the roads and would buy some bags of asphalt to fill them in. Mayor Hidalgo wondered if it would be wise to get a bid from Top Job Asphalt to do the job. Councilmember D. Smith stated that he would get a bid from them on repairing the pot holes.

Parks Department - Councilmember D. Smith wondered if the Council was still in favor of converting part of the tennis court into a pickle ball court. The Council was in favor of it. 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 – Cemetery Expansion Project - Councilmember J. Buttars reported that Erik Ravsten had dug up the cemetery parking lot and the soil looks good. There are some areas where there is still a lot of slag. The Council decided to have the parking lot sprayed for weeds and the area where hay was growing to kill that off and then have Mr. Ravsten come back and dig the expansion area again. After that, the grave plots would be mapped out, a sprinkling system installed and the grass planted.

Emergency Preparedness - Flood Plain Maps – Councilmember J. Buttars advised all citizens that have property along any creeks in town to take a look at the Flood Plain Maps and attend the Public Meeting on August 9, 2021 from 5:00-7:00 pm at the Cache County Multipurpose Room, 179 North Main, Logan, UT. 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

August Newsletter Items - The following newsletter items will be printed in the February Newsletter:

- Truth in Taxation Public Hearing Notice
- Clarkston Town National Night Out Against Crime
- CMAD Public Information Announcement

Next Meeting – The next meeting will be a Truth in Taxation Public Hearing and a Town Council Meeting and will be held on Wednesday August 18, 2021 at 7:00 pm.

5. ADJOURN

There being no further business to come before the Council, Councilmember J. Buttars motioned that the Clarkston Town Council Meeting adjourn. Councilmember M. Fawcett seconded the motion. All members present voted “Aye”. Motion carried. The meeting adjourned at 7:58 pm.

Kristi Hidalgo
Town Clerk

