

MINUTES OF THE TOWN COUNCIL
MEETING
OF THE TOWN OF CLARKSTON

September 7, 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, Nichole Sparks

Town Clerk: Kristi Hidalgo

Public Attendance: There was no public attendance at this meeting

1. CALL TO ORDER

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

Mayor Hidalgo addressed the minutes of the Truth in Taxation Public Hearing and Town Council Meeting held August 18, 2021. Councilmember J. Buttars motioned for the Clarkston Town Council to approve and adopt the minutes of August 18, 2021. Councilmember N. Sparks seconded the motion. All in favor "Aye". Motion carried

2. NEW BUSINESS

Ordinance 21-09 "An Ordinance Amending the Clarkston Town Code Cemetery Rules and Regulations Title 7 Chapter 5 Section 17; Use of Amphitheater" – Mayor Hidalgo proposed amendments to Cemetery Rules and Regulations 7-5-17; Use of Amphitheater. Mayor Hidalgo stated that the regulations for this section need to be more explicit regarding what events are allowed to take place in the amphitheater. Mayor Hidalgo discussed the following proposed changes with the Council:

1. *No political events, rallies, movies, musical or theatrical productions will be allowed.*
2. ~~The Church will provide notice by March 10th of the dates it will be using the amphitheater for the Aaronic Priesthood Commemoration; and~~
3. *All other requests will require a ~~written~~ detailed description outlining ~~production~~ content, purpose of gathering, and duration. This information must be ~~submitted~~ presented to Clarkston's the Town Council for approval thirty-days prior to ~~desired usage date~~ *scheduled start date*. Clarkston Town reserves the right to reject any request that does not meet the Town's objective *to maintain the sanctity of the cemetery* and is not approved by majority vote of the Town Council.*
4. *All usage of this ~~venue~~ site will require: 1) a permit authorizing use of amphitheater, and 2) a Hold Harmless agreement between the Town of Clarkston and those requesting use before any event is allowed.*

5. Since this area is not regularly maintained fees will be imposed for clean-up prior to and after scheduled events. In the event of a large gathering fee assessment will be proportionate to size of gathering.

The following recommendations were discussed by the Council:

- Councilmember M. Fawcett recommended rewording regulation #1 to the following:
No movies, concerts, theatrical productions, political events, or rallies will be allowed.
The Council agreed with that recommendation.
- Mayor Hidalgo stated that parking needed to be addressed. With the cemetery expansion parking capacity has been reduced.
- Require a permit from Clarkston Town to use the facility.
- Stipulate requirements based on the size of the event.
- Ensure that a Special Events Permit from Cache County has been obtained, if necessary for large events.
- For large events, coordinate with the Cache County Sheriff's Office, Cache Fire District, Cache Emergency Medical Services, and provide additional restroom facilities (Porta Potties).

Mayor Hidalgo stated that he would incorporate the above-mentioned recommendations into the ordinance and the Council would review and approve Ordinance 21-09 at the next Town Council Meeting to be held October 5, 2021. Mayor Hidalgo concluded that the ordinance would give Clarkston Town the authority to call the Cache County Sheriff's Office and request enforcement of the ordinance if someone does not comply.

Annexation Policy – The Council discussed the Clarkston Town Annexation Policy Plan drafted by the LUDMA Commission. See Attachment A Mayor Hidalgo stated that the LUDMA Commission had held a public hearing on the Annexation Plan and now it is the Town Council's turn to hold a public hearing and get the annexation policy in place.

Councilmember N. Sparks stated that roughly a year ago a property owner approached the LUDMA Commission wanting to annex their property into the community. The commission realized that Clarkston Town did not have an Annexation Policy Plan currently in place so, according to state code, Clarkston Town could not annex any property into the town.

Councilmember N. Sparks said that the LUDMA Commission started working through the process of adopting an Annexation Policy Plan. The commission drafted a plan and held a public hearing on May 10, 2021. Councilmember N. Sparks explained the proposed annexation boundary map to the Council. The commission considered the following factors when determining the annexation map:

- Where the town would be able to provide snow removal
- Where building is currently taking place.
- Where it is easier for people to build.
- Where the county will approve building permits. The county will not approve a building permit unless the town agrees to provide access to the road and provide snow removal.

Councilmember N. Sparks emphasized that the town does not request annexations. Land owners have to make a request for their land to be annexed into the town. Councilmember

N. Sparks reported that the LUDMA Commission had approved the proposed annexation policy plan and have sent it to the Town Council to review and hold another public hearing on it. Councilmember N. Sparks stipulated that the municipality would need to provide reasonable notice, including notice to each affected entity (Cache County and Cache County School District), of the public hearing at least 14 days before the date of the hearing. After the public hearing the Council would make any modifications to the annexation policy plan that they consider appropriate and adopt the recommended annexation policy plan, with or without modifications. Councilmember N. Sparks stated that once the Clarkston Town Annexation Policy Plan has been approved a property owner has the right to request annexation into the town. Mayor Hidalgo emphasized that even if people are annexed into the community Clarkston Town does not have to provide resources to them. People can annex into the town but they can't force the town to put in roads or provide culinary water or other services to them. Councilmember N. Sparks stated that at the LUDMA Commission Public Hearing citizens wondered why the boundary map did not include areas on the west of town. Councilmember N. Sparks stated that it is just not feasible for Clarkston to allow growth on the west of town. Presently the county will not approve a building permit unless the town agrees to provide access to the road and provide snow removal. Clarkston Town doesn't have the resources or equipment necessary to maintain roads and provide snow removal to the area west of the town. Councilmember N. Sparks further stated that water is also an issue. The town can't provide water above 5,000 feet elevation because there's not enough pressure and it would degrade the whole water system if development were to be allowed in that area. Councilmember N. Sparks told the Council that when the county gets a request for a building permit they look at it to see if it is in a current annexation plan and if it is then they include that municipality in the permit approval process. Mayor Hidalgo stated that that would be extremely beneficial for the town. Mayor Hidalgo concluded that the annexation plan would give the town the opportunity to annex, if requested. Mayor Hidalgo asked the Council to review the proposed Clarkston Town Annexation Policy Plan and be prepared to discuss it and make any modifications at the next Town Council Meeting to be held October 5, 2021. It was determined that the public hearing would be held on October 19, 2021 at 7:00 pm in the Town Hall. The regularly scheduled Town Council Meeting will be held immediately following the Public Hearing.

3. DEPARTMENTS

Mayor Hidalgo – Fire Department – New Fire Engine – Mayor Hidalgo stated that the Fire Department hadn't received the new fire engine yet and wondered if Councilmember D. Smith had heard when the truck would be here. Councilmember D. Smith stated that he hadn't heard.

Employee Wages - Mayor Hidalgo asked for a motion to go into an executive session to discuss employees and wages. Councilmember N. Sparks made the motion to go into an Executive Session. Councilmember J. Buttars seconded the motion. All in favor "Aye". Motion carried. At 7:50 pm. the Mayor and Council entered into an Executive Session.

Mayor Hidalgo and the Council returned from Executive Session at 8:30 pm. Mayor Hidalgo asked for a motion to return to the regular Town Council Meeting. Councilmember J. Buttars made a motion to return to the regular Town Council Meeting. Councilmember D. Smith seconded the motion. All in favor "Aye" Motion carried.

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

LUDMA – Councilmember N. Sparks stated that the LUDMA Commission would be holding a meeting on Monday September 13, 2021 at 7:00 pm.

Youth Council – Wellsville Founders Day Parade - Councilmember N. Sparks reported that the youth council were planning to but did not end up participating in this parade because some of the youth were on vacation and others were quarantined due to exposure to Covid-19.

Pickle Ball Court - Councilmember N. Sparks reported that the youth council had offered to donate some of the money they made from fund raisers this summer to help fund the pickle ball court. Councilmember N. Sparks stated that Mayor Hidalgo had a great idea to have them head this project. They would come up with a plan, do a cost analysis and present it to the Town Council.

Councilmember M. Fawcett – Water Department – SCADA System – Councilmember M. Fawcett reported that the SCADA System reporting capabilities have stopped working. Water Operator Bryan Goodsell and Deputy Clerk Holly Jones are having to perform manual water testing to get data for the quarterly reports that the State of Utah require. The town engineer is preparing a Request for Proposal (RFP) to send to companies for bids on what it would cost to get the SCADA System back up and running. Councilmember M. Fawcett asserted that it would be expensive. Mayor Hidalgo stated that it could very easily cost around \$100,000 to get the system up and running the way it needs to be. Mayor Hidalgo stated that the Council needs to be as responsible as we can and focus on looking forward. The SCADA System has needed to be updated for years and the approach has been to do what is necessary to just keep it going rather than updating the system and the town may not have a choice any longer. It has been pushed down the road as far as we can push it. Parts are needed and they no longer make them or they are very expensive. The Council needs to be willing to make hard choices and determine what is the right thing to do, looking forward.

Local Assistance Matching Grant Program – Mayor Hidalgo said that he had met with Mayor Payne of Trenton and Mayor Rhodes of Newton and their respective Councilmembers over the water departments. Scott Archibald from Sunrise Engineering was also present. Mayor Hidalgo reported there is an opportunity for some grant money that would require matching funds. The three towns have agreed to take some of the American Rescue Plan Act Money (ARPA) they have received and put that toward

conducting a well study and the construction of a new water tank. Each town would provide \$50,000 of their ARPA money for the matching grant funds. Mayor Hidalgo stated that Scott Archibald from Sunrise Engineering is filling out and will submit the grant application to the State of Utah requesting a million dollars in grant money for these projects.

Councilmember D. Smith – Roads Department – Councilmember D. Smith stated that winter is coming and that he would be getting the equipment ready.

Councilmember J. Buttars – Cemetery Department – Cemetery Expansion Project - Councilmember J. Buttars reported that she is working on getting the new sections of the cemetery square with the old sections of the cemetery so that the headstones would all line up in rows. Councilmember J. Buttars said that she had figured that 150 corner markers would be needed to mark the new section of the cemetery. She checked on pricing for the corner markers and they are \$3.45 a piece for the 2 inch diameter and \$6.13 for the 3¼ inch diameter. Mayor Hidalgo wondered if our cemetery software company Spatial Generations would have a recommendation regarding which markers would be best to use. Councilmember J. Buttars will have Deputy Clerk Holly Jones contact them and find out. The Council determined to get a bid on installing a sprinkler system in the new section and completely automating the sprinkling system for the entire cemetery. The old section and the new.

Emergency Preparedness – Annual Certified Emergency Response Team (CERT) Certification Survey – Councilmember J. Buttars informed the Council that in order to maintain official CERT status there is a CERT certification survey that needs to be completed every year.

Certified Emergency Response Team (CERT) Training – Councilmember J. Buttars stated Hyde Park City is offering a free CERT Training. It is an 8 week course. Classes will be held each Tuesday and Thursday from 6:30 – 9:30 pm beginning September 28th and ending on October 28th, followed by a mass casualty exercise on Saturday October 30th from 9am - noon. The classes will be held at the Professional Development Building 2015 N 1200 E, North Logan. Registration is required. The Town Clerk Kristi Hidalgo will post this information at the post office in case anyone is interested in taking this CERT Training.

Flood Plain Insurance Rate Program – Councilmember J. Buttars stated that Clarkston Town needs to approve and adopt a Flood Plain Ordinance. Councilmember J. Buttars said that the ordinance needs to match or exceed the federal minimum standard for developing or building in a flood plain.

4. RELEVANT BUSINESS

Next Meeting – The next Town Council Meeting will be held on Tuesday October 5, 2021 at 7:00 pm.

5. ADJOURN

There being no further business to come before the Council, Councilmember D. Smith 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 8:55 pm.

Kristi Hidalgo
Town Clerk

