

CLARKSTON TOWN RESOLUTION 21-11

“A RESOLUTION CANCELLING THE CLARKSTON TOWN 2021 MUNICIPAL ELECTION”

WHEREAS, the Clarkston Town Council as the duly elected legislative body of the Town of Clarkston does hereby wish to assert its authority granted under Utah State Code 20A-1-206 to cancel a local election if:

- All municipal officers are elected at large
- The number of municipal officer candidates does not exceed the number of open at-large municipal offices for which the candidates have filed
- There have been no write-in candidates filing for candidacy as of the deadline date
- Each municipal officer candidate is unopposed
- There are no other municipal ballot propositions.

WHEREAS, the Clarkston Town Council does hereby declare that all of the above conditions have been met, and resolves to cancel the municipal election scheduled for November 2, 2021. This declaration is no later than 20 days before the day of the scheduled election as required by statute.

NOW THEREFORE BE IT RESOLVED that Clarkston Town Council does hereby certify that N. Craig Hidalgo, having lawfully filed as an unopposed candidate for the seat of Mayor to be elected on November 2, 2021, is elected to office for a four year term to begin January 2022.

Clarkston Town Council does hereby certify that McCall Stephensen, having lawfully filed as an unopposed candidate for a councilmember seat, to be elected on November 2, 2021 is elected to office for a four (4) year term to begin January 2022.

Further proper notice of the cancellation of the election shall be given as required by UCA 20A-1-206(2).

ADOPTED AND EFFECTIVE this day by motion from Councilmember D. Smith and seconded by Councilmember N. Sparks and all approved.
Dated this 5th day of October 2021.

Voting as follows:

Mayor Hidalgo	<u>X</u>	Aye	___	No	___	Abstain	___	Absent
Councilmember N. Sparks	<u>X</u>	Aye	___	No	___	Abstain	___	Absent
Councilmember D. Smith	<u>X</u>	Aye	___	No	___	Abstain	___	Absent
Councilmember M. Fawcett	<u>X</u>	Aye	___	No	___	Abstain	___	Absent
Councilmember J. Buttars	<u>X</u>	Aye	___	No	___	Abstain	___	Absent

N. Craig Hidalgo
MAYOR

ATTEST:

Kristi Hidalgo
CLERK



CLARKSTON TOWN

ORDINANCE NO. 21-09

AN ORDINANCE AMENDING THE CLARKSTON TOWN CODE CEMETERY RULES AND REGULATIONS TITLE 7 CHAPTER 5 SECTION 17; USE OF AMPHITHEATER

Town Council to protect the tranquility of the cemetery and ensure that all use WHEREAS, Clarkston Town owns an amphitheater that is part of Clarkston's cemetery and it is the desire of Clarkston's complies with this objective; and

WHEREAS, the town of Clarkston has entered into a lease agreement with The Church of Jesus Christ of Latter-day Saints (Church) to grant use of the property and other areas within the property in connection with certain amphitheater productions and commemorations; namely the Martin Harris Pageant and Aaronic Priesthood Commemorations. And the Church desires to exercise their lease option until July 1, 2035; and

WHEREAS, the Church of Jesus Christ of Latter-day Saints has permanently cancelled the production known as the Martin Harris Pageant but still plans on holding the annual Aaronic Priesthood Commemoration; and

WHEREAS, the lease stipulates that each year the Church shall designate which calendar days it wishes to use the Property and provide notice to the Town before March 10th; and

WHEREAS, there is a strong likelihood that this venue could be used for other purposes and productions;

NOW, THEREFORE, BE IT ORDAINED, by the Council of Clarkston Town, Cache County, State of Utah, in order to protect the sacredness of Clarkston's cemetery and ensure any and all activities comply with the values of our community the following regulations will be used to govern the use of this venue:

1. Rallies, movies, concerts, theatrical productions, and political events will not be allowed.
2. Maximum capacity shall not exceed 300; including spectators and participants. Events where anticipated assembly of persons, including spectators and participants is greater than 100, additional restroom facilities will be required and provided by requestor.
3. Application for a permit to hold an event shall provide a detailed description of event, content, purpose of gathering, and duration. This information must be submitted for approval by Clarkston's Town Council at least thirty (30) calendar days in advance of such assembly. Clarkston Town reserves the right to repudiate 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 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. Fees for larger gatherings will be proportionate to size of gathering. This ordinance shall become effective immediately upon publication or posting as set forth by State law.

Adopted and approved by motion from Councilmember N. Sparks and seconded by Councilmember J. Buttars.

Dated this 5th day of October, 2021.

Voting:

Mayor Hidalgo	<u>X</u>	Aye	<u> </u>	No	<u> </u>	Abstain	<u> </u>	Absent
Councilmember D. Smith	<u>X</u>	Aye	<u> </u>	No	<u> </u>	Abstain	<u> </u>	Absent
Councilmember M. Fawcett	<u>X</u>	Aye	<u> </u>	No	<u> </u>	Abstain	<u> </u>	Absent
Councilmember N. Sparks	<u>X</u>	Aye	<u> </u>	No	<u> </u>	Abstain	<u> </u>	Absent
Councilmember J. Buttars	<u>X</u>	Aye	<u> </u>	No	<u> </u>	Abstain	<u> </u>	Absent

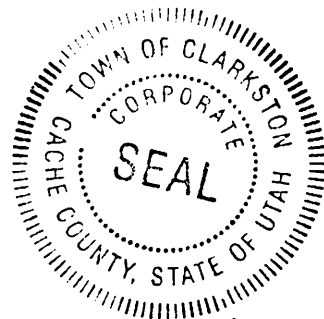
CLARKSTON TOWN

ATTEST:

Kristi Hidalgo
Town Recorder

By: N. Craig Hidalgo
Mayor

Posting Date: October 6, 2021



Attachment A

CLARKSTON TOWN **ANNEXATION POLICY PLAN**

A. GENERAL ANNEXATION CRITERIA OF CLARKSTON TOWN

In accordance with the provisions of 10-2-401.5, Utah Code Annotated, the Town of Clarkston hereby adopts the following criteria for consideration of possible future annexations. This Annexation Policy Plan is intended to incorporate by reference all of the criteria required and suggested by Sections 10-2-401 et seq., Utah Code Annotated.

1. As part of its ongoing effort to plan and prepare for responsible growth, Clarkston Town has identified territory adjacent to its present town boundaries that could at some time in the future be a part of Clarkston Town. The areas proposed for future annexation are not bordered by other municipalities, nor are they within one half (1/2) mile of another municipality. Areas to be annexed must fall within the areas designated for future annexation in the Annexation Policy Plan of Clarkston Town and shown on the attached expansion area map, which by this reference is made a part hereof. Even though property proposed for annexation is located within the annexation expansion area, there is no guarantee that the annexation request will be approved by Clarkston Town.
2. The character of the community is mixed residential, agricultural and very little commercial. Areas to be annexed should be compatible with this character and in accordance with the Clarkston Masterplan.
3. Areas to be annexed must be contiguous to the corporate limits of Clarkston Town at the time of submission of an annexation request.
4. Areas to be annexed shall not be located within the corporate limits of another incorporated city or be part of a previously filed annexation petition that has not been either denied, accepted, or approved.
5. When feasible, the Town favors annexation along boundaries of water and sewer improvements, or special service districts.

The Town also favors:

- (a) eliminating and/or not creating islands and peninsulas of unincorporated territory;
- (b) consolidating overlapping functions of government;
- (c) promoting efficient delivery of services;
- (d) encouraging the equitable distribution of community resources and obligations; and
- (e) giving consideration to the tax consequences to property owners within the area to be annexed, as well as the property owners within the

municipality in order to prevent double taxation and to ascertain that the annexation will not be a tax liability to the taxpayers within the municipality.

The Town does not favor the annexation of areas for which it does not have the capability nor the intention to provide municipal services.

6. It is not Clarkston Town's intent to annex territory for the sole purpose of acquiring revenue.
7. The annexation petition must comply with the requirements of section 10-2-403, Utah Code Annotated.

B. PROCEDURES FOR SUBMISSION OF AN ANNEXATION REQUEST

1. An annexation petition shall be reviewed, processed and finally handled in accordance with the provisions of the Utah State Annexation Law found at Sections 10-2-401, et seq., Utah Code Annotated, 1953, as currently existing and as may be amended in the future.
2. To include tax estimate at the time of annexation petition.

C. EXTENSION OF NEEDED MUNICIPAL SERVICES IN DEVELOPMENT, DEVELOPING AND UNINCORPORATED AREAS AND PAYMENT OF THE SAME

1. In areas where municipal services are not presently extended, services will be extended on an as-needed basis at the cost of the developer. All extensions of municipal services must comply with all town ordinances and policy criteria and will be paid for by the individual developer or property owner.
2. An annexation agreement will be prepared between Clarkston Town, the person(s) requesting annexation, and/or all proposing future individual dwellings or developments consisting of multiple dwellings, outlining specific circumstances relating to water, waste disposal sewage, natural gas, streets, and other specific improvements and services prior to annexation approval. Final approval of proposed annexation will be a majority vote of the Clarkston Town Council. Three (3) "yes" votes being required for affirmative action to occur.

All, or a portion of, (amount to be determined during the annexation process), existing water rights, of the type and quantity acceptable to Clarkston Town, suitable for use as water rights (culinary and/or secondary) shall be required to be conveyed to the municipality of Clarkston Town as a condition of annexation in to the Clarkston Town limits. This condition shall apply to all properties, developed or undeveloped. It is the intent that land annexed to Clarkston Town is to be accompanied by water rights sufficient to accommodate the needs to the existing and potential occupants of said land when development occurs, which water rights shall be transferred to Clarkston Town.

Water requirements, as referenced by the previous paragraph, will be established on a case-by-case basis utilizing, among other things, Division of Drinking Water standards. Specific requirements will be contained in the annexation agreement and/or annexation Ordinance, but the general guideline of one (1) acre foot of water per residential building permit will be a minimum standard.

The annexation will allow developers of the annexed property access to culinary water, and other services, provided all developments meet Town specifications and comply with all applicable development ordinances and all improvements are installed pursuant to Clarkston Town standards.

Property taxes with increased valuation of property and sales tax will contribute to the general fund to help defray the added expenses the Town may incur by annexing these properties. Impact fees may also be adopted and improved. In summary, the newly annexed, developing areas shall finance the extension of needed municipal services, such as new utilities, streets, curb and gutters, sidewalks and other capital improvements as development occurs.

Upon annexation, the newly annexed areas shall receive the following services, unless agreed otherwise:

- (a) Fire Protection
- (b) Police Protection
- (c) Planning and Zoning
- (d) Snow removal and street maintenance on deeded, publicly dedicated and accepted streets
- (e) Curbside garbage collection
- (f) Other services provided by the Town.

It is not anticipated that the annexation will cause any adverse consequences to the residents in the Town or in the area annexed, except there may be a slight reduction in general services to the Town residents in the present Town limits as general services are expanded into the newly annexed territory.

It is anticipated that the residents in the territory to be annexed will experience an increase in their property tax because of the difference in the certified tax rates in the County and Clarkston Town. It is further anticipated that as property taxes are received by the Town, from a newly annexed territory, the Town will increase the total level of services within the total community, thus offsetting any slight reduction that might occur. Additional persons in the newly annexed territory may experience reduction in their fire insurance rates and property insurance rates.

As areas become more densely populated, demand for services increases. Once this policy plan is adopted and areas begin to develop, continual planning by Clarkston Town should allow development to occur in an economical manner, since homes, buildings, streets and other amenities will be developed in accordance with Clarkston Town specifications. The plan and time frame for the extension of municipal services may also

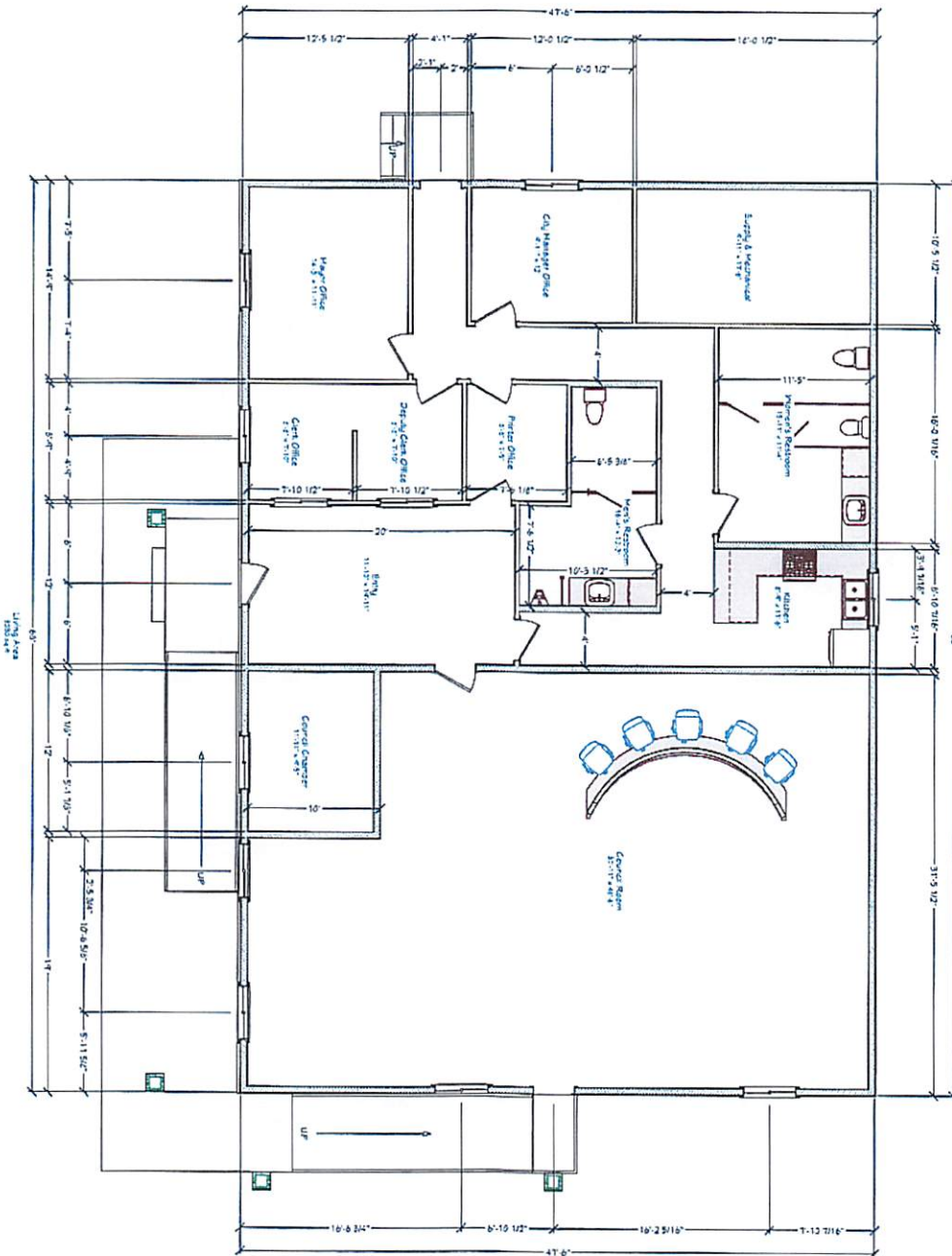
be influenced and/or determined by the interest of the property owners to subdivide their property.

D. AFFECTED ENTITIES

It is not expected that the interests of any currently affected entity will be adversely affected as they currently consist of Cache County Corporation; and Cache County School District. All property shown on the expansion area map will remain in Cache County and within the boundaries of the Cache County School District. Future concerns that may arise will be handled on a case-by-case basis.

DRAFT

Attachment B



DO NOT SCALE. PRINTED DIMENSIONS ARE NOT TO SCALE

PAGE #

1

DATE:

9/27/2021

TITLE:

FLOOR PLAN

PROJECT FOR:

CLARKSTON CITY HALL

OWNER: JAY L. BAIR

PHONE: 412.517.0438

EMAIL: jay@bairdesign.com

WEB: bairdesign.com

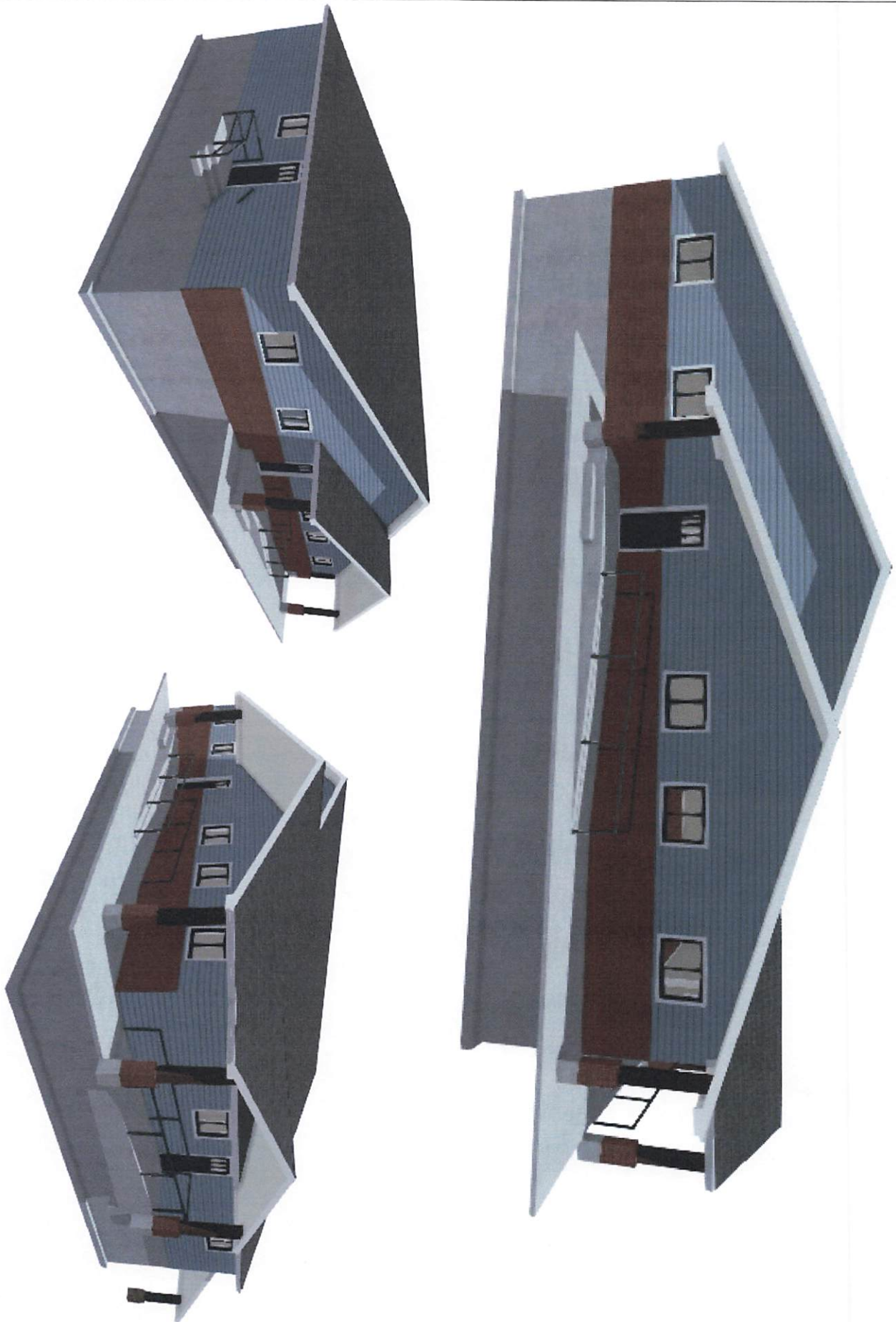
320 S. BRIDGEMAN, 14th FLOOR

RICHMOND, UT 84333

DRAWN BY: KARINA DYCHES

CHECKED BY: JAY L. BAIR

BAIRDESIGN



DO NOT SCALE 11x17 PRINTS
THEY ARE NOT TO SCALE

2

PAGE #

DATE:
9/27/2021

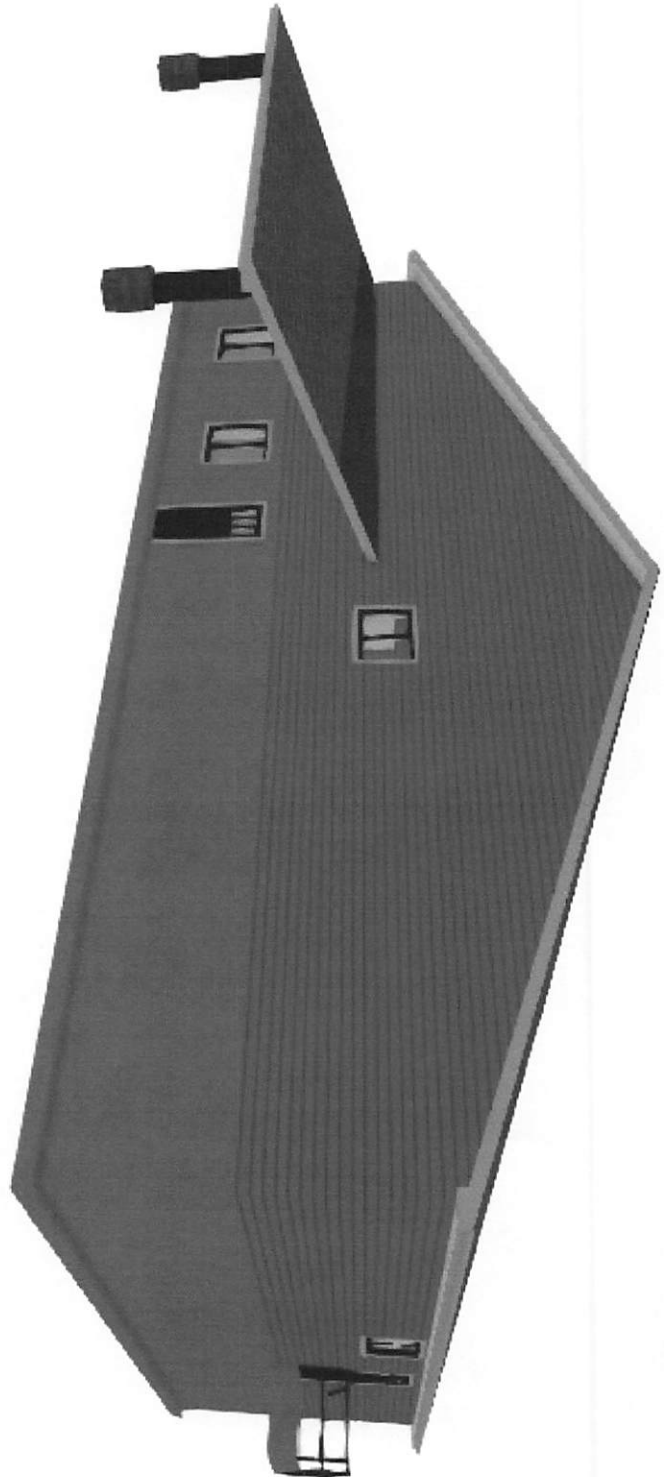
TITLE:
FRONT PICTORIAL

PROJECT FOR:

CLARKSTON CITY HALL



OWNER: JAY L. BAIR
PHONE: (435) 770-8636
EMAIL: jay@bairdesigns.com
WEB: bairdesigns.com
336 SUNBURST LN. ©
RICHMOND, UT. 84333
DRAWN BY: KARINA DYCHES
CHECKED BY: JAY L. BAIR



DO NOT SCALE 11"x17" PRINTS
THEY ARE NOT TO SCALE

3

PAGE #

DATE:
9/27/2021

TITLE:
BACK PICTORIAL

PROJECT FOR:
CLARKSTON CITY HALL



OWNER: JAY L. BAIR
PHONE: (435) 770-8636
EMAIL: jay@bairdesigns.com
WEB: bairdesigns.com
335 SUNBURST LN. ©
RICHMOND, UT, 84333
DRAWN BY: KARINA DYCHES
CHECKED BY: JAY L. BAIR

Report Criteria:

Invoices with totals above \$0.00 included.

Only paid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
GENERAL FUND							
ADMINISTRATION							
10-44-210 INSURANCE							
740	NATIONWIDE	BD 790066899	BOND	08/25/2021	100.00	100.00	09/09/2021
10-44-220 MILEAGE							
440	KRISTI HIDALGO	092021	Mileage	09/20/2021	171.92	171.92	09/21/2021
10-44-230 TRAVEL & TRAINING							
485	HOLLY JONES	090921	UMCA FALL CONFERENCE	09/09/2021	140.00	140.00	09/09/2021
440	KRISTI HIDALGO	090921	UMCA FALL CONFERENCE	09/09/2021	289.50	289.50	09/09/2021
10-44-240 OFFICE SUPPLIES & EXPENSE							
206	STAPLES CREDIT PLAN	50325	supplies	08/17/2021	117.96	117.96	09/21/2021
10-44-245 CODIFICATION							
854	STERLING CODIFIERS/AMERIC	10036	CODIFICATION	07/31/2021	392.00	392.00	09/21/2021
10-44-270 UTILITIES							
657	ALLTECH	AT-20704	INTERNET REPAIR	08/26/2021	383.31	383.31	09/09/2021
657	ALLTECH	ATD-20761	PHONE SERVICE - TOWN HALL	09/16/2021	36.48	36.48	09/21/2021
657	ALLTECH	ATD-20761	FAX SERVICE	09/16/2021	25.00	25.00	09/21/2021
246	COMCAST	090921	INTERNET	09/15/2021	69.79	69.79	09/09/2021
189	DOMINION ENERGY	090921	UTILITIES	08/23/2021	14.47	14.47	09/09/2021
219	ROCKY MOUNTAIN POWER	092021	UTILITIES	09/13/2021	66.72	66.72	09/21/2021
10-44-620 MISC SUPPLIES/SERVICES							
869	CARDMEMBER SERVICE	092021	MISC. SUPPLIES	08/17/2021	22.18	22.18	09/21/2021
10-44-700 TOWN FUND RAISING							
185	PEPSI COLA OF OGDEN	7199382503	VENDING MACHINE POP	08/10/2021	427.00	427.00	09/09/2021
624	SWIRE COCA-COLA, USA-#4131	13351215128	VENDING MACHINE POP	08/31/2021	257.28	257.28	09/21/2021
Total ADMINISTRATION:					2,513.61	2,513.61	
LAW ENFORCEMENT							
10-51-390 ANIMAL CONTROL							
869	CARDMEMBER SERVICE	090921	DOG TAGS	08/16/2021	152.80	152.80	09/09/2021
Total LAW ENFORCEMENT:					152.80	152.80	
FIRE & RESCUE							
10-53-250 FIRE & RESCUE EQUIPMENT							
869	CARDMEMBER SERVICE	090921	FIRE DEPT MISC.	08/16/2021	73.05	73.05	09/09/2021
10-53-270 FUEL/OIL & UTILITIES							
657	ALLTECH	ATD-20761	PHONE SERVICE - FIRE DEPT.	09/16/2021	36.48	36.48	09/21/2021
246	COMCAST	090921	INTERNET	09/15/2021	69.79	69.79	09/09/2021
189	DOMINION ENERGY	090921	UTILITIES	08/23/2021	19.54	19.54	09/09/2021
219	ROCKY MOUNTAIN POWER	092021	UTILITIES	09/13/2021	219.38	219.38	09/21/2021
Total FIRE & RESCUE:					418.24	418.24	
ROADS & STREETS DEPARTMENT							
10-60-350 CONTRACT SERVICES							
875	CACHE COUNTY VEGETATION	15-027-0014	WEED SPRAY	09/01/2021	127.50	127.50	09/21/2021
10-60-420 ROAD UTILITIES/STREET LIGHTS							
189	DOMINION ENERGY	090921	UTILITIES	08/23/2021	14.47	14.47	09/09/2021
219	ROCKY MOUNTAIN POWER	092021	UTILITIES	09/13/2021	554.75	554.75	09/21/2021
10-60-730 ROAD MAINTENANCE							
260	CACHE COUNTY CORPORATIO	6298	ROAD IMPROVEMENTS	08/20/2021	19,193.36	19,193.36	09/09/2021
873	TOP JOB ASPHALT	6919	ROAD REPAIR	09/03/2021	2,954.00	2,954.00	09/09/2021

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total ROADS & STREETS DEPARTMENT:					22,844.08	22,844.08	
PARKS & RECREATION							
10-70-250 PARK GENERAL							
594	PETERSEN PLUMBING SUPPLY	2673376	PARK MISC. PARTS	08/24/2021	94.94	94.94	09/09/2021
219	ROCKY MOUNTAIN POWER	092021	UTILITIES	09/13/2021	22.17	22.17	09/21/2021
10-70-465 TOWN FLOAT							
869	CARDMEMBER SERVICE	092021	Parade candy	08/17/2021	86.75	86.75	09/21/2021
10-70-480 NATIONAL NIGHT OUT							
869	CARDMEMBER SERVICE	092021	MNATIONAL NIGHT OUT	08/17/2021	234.61	234.61	09/21/2021
10-70-800 CONTRACT SERVICES - MOWING							
848	DISTINCTIVE LANDSCAPE	3817	LAWN CARE	07/02/2021	360.00	360.00	09/09/2021
848	DISTINCTIVE LANDSCAPE	3882	LAWN CARE	09/01/2021	810.00	810.00	09/09/2021
10-70-820 CIVIC CENTER UTILITIES							
189	DOMINION ENERGY	090921	UTILITIES	08/23/2021	17.26	17.26	09/09/2021
219	ROCKY MOUNTAIN POWER	092021	UTILITIES	09/13/2021	71.23	71.23	09/21/2021
Total PARKS & RECREATION:					1,696.96	1,696.96	
Total GENERAL FUND:					27,625.69	27,625.69	
WATER FUND							
WATER DEPARTMENT							
51-81-240 OFFICE SUPPLIES & EXPENSE							
869	CARDMEMBER SERVICE	090921	CERTIFIED MAILINGS	08/16/2021	17.70	17.70	09/09/2021
869	CARDMEMBER SERVICE	092021	CERTIFIED MAILINGS	08/17/2021	65.82	65.82	09/21/2021
206	STAPLES CREDIT PLAN	50325	supplies	08/17/2021	117.96	117.96	09/21/2021
51-81-250 WATER DEPT EQUIP-SUPPLY/MAINT							
146	GLENN'S ELECTRIC	1576	CHLORINATOR PUMP	08/27/2021	531.43	531.43	09/09/2021
207	SUNRISE ENGINEERING, INC.	0119677	WATER MISC.	08/18/2021	369.00	369.00	09/09/2021
51-81-270 UTILITIES							
657	ALLTECH	AT-20704	INTERNET REPAIR	08/26/2021	383.31	383.31	09/09/2021
657	ALLTECH	AT-20704	INTERNET REPAIR	08/26/2021	383.32	383.32	09/09/2021
219	ROCKY MOUNTAIN POWER	092021	UTILITIES	09/13/2021	84.90	84.90	09/21/2021
51-81-370 WATER SAMPLING							
114	BEAR RIVER HEALTH DEPT.	212458	WATER SAMPLING	09/02/2021	20.00	20.00	09/21/2021
51-81-741 CAPITAL OUTLAY - EQUIPMENT							
140	DOUBLE C CONSTRUCTION	1282	WATER METER REPAIR	09/20/2021	170.00	170.00	09/21/2021
Total WATER DEPARTMENT:					2,143.44	2,143.44	
Total WATER FUND:					2,143.44	2,143.44	
PERPETUAL CARE FUND							
PERPETUAL CARE DEPARTMENT							
71-40-610 BURIAL FEES							
140	DOUBLE C CONSTRUCTION	1282	BURIALS	09/20/2021	190.00	190.00	09/21/2021
71-40-710 MAINTENANCE							
869	CARDMEMBER SERVICE	092021	CEMETERY MISC.	08/17/2021	40.53	40.53	09/21/2021
175	LOWES	909981	CEMETERY MISC	07/29/2021	34.39	34.39	09/09/2021
71-40-850 CONTRACT SERVICES							
820	ERIK RAVSTEN	22	CONTRACT SERVICES - CEMET	09/08/2021	120.00	120.00	09/21/2021
876	T & S ADVANCED WASTE	1163	DUMPSTER RENTALS	09/15/2021	968.41	968.41	09/21/2021
Total PERPETUAL CARE DEPARTMENT:					1,353.33	1,353.33	

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid
Total PERPETUAL CARE FUND:					1,353.33	1,353.33	
Grand Totals:					31,122.46	31,122.46	

Dated: 5 Oct. 2021Mayor: N. Craig HidalgoCity Council: Myko SmithBob PutnamNichole SparksCity Recorder: Kristi Hidalgo

Report Criteria:

Invoices with totals above \$0.00 included.

Only paid invoices included.