

MINUTES OF THE PUBLIC HEARING
AND TOWN COUNCIL MEETING
OF THE TOWN OF CLARKSTON

October 19, 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: Jeremy Hidalgo, Darrin Michaelis

1. CALL TO ORDER

Mayor Hidalgo called the Public Hearing to order at 7:00 p.m.

2. PUBLIC HEARING

Mayor Hidalgo stated that the reason for the public hearing was to hear public comment on the proposed Clarkston Town Annexation Policy Plan. Mayor Hidalgo said that, as required by Utah State Code 10-2-401.5, the LUDMA Commission drafted the plan, held a public hearing on May 10, 2021, submitted the plan to the Council for review and now the Town Council is holding a second public hearing to hear on the plan.

Mayor Hidalgo asked if the Council had any comments, questions or discussion on the annexation policy plan. See Attachment A Councilmember N. Sparks wondered if there had been any response back from Cache County or the Cache County School District in regards to the annexation policy plan. Mayor Hidalgo stated that there had not been. Mayor Hidalgo said that the whole purpose for the annexation policy plan was because about a year ago a property owner approached the LUDMA Commission wanting to annex their property into the community so they could build a home. 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. When the annexation policy plan is approved and adopted Clarkston Town would be able to consider annexation requests. Councilmember D. Smith thanked the LUDMA Commission for putting the plan together. Councilmember N. Sparks referenced the annexation map and verified that peninsulas are not allowed so someone with property on the very outskirts of town would not be able to annex property. Property to be annexed must be touching Clarkston Town borders. M. Fawcett clarified that the town has the option to deny annexation requests. Mayor Hidalgo reiterated that this is a plan so that the town can entertain annexations. Without the plan property owners would not be able

to even apply for annexation into the town. The town can approve or deny annexations and can determine what resources would be provided if annexation is approved. Councilmember M. Fawcett referenced Clarkston Town Code 10-2-5 which states the following:

10-2-5: AREAS ANNEXED:

New areas annexed to the town shall automatically be classified as being in the A-10 agricultural zone until such classification shall have been changed by an amendment to this title, as provided by law. (Ord. 01-04, 1-7-2002)

Councilmember M. Fawcett said that persons requesting annexation would also have to make a request for a zone change in order to allow for higher density. Mayor Hidalgo replied that a zone change could be determined at the time of annexation.

Mayor Hidalgo asked if there was any public comment. There was no public comment.

3. ADJOURN

Mayor Hidalgo asked that a motion to adjourn from the Public Hearing be made. Councilmember N. Sparks made a motion to adjourn the Public Hearing. Councilmember J. Buttars seconded the motion. All in favor "Aye." Meeting adjourned at 7:12 p.m.

TOWN COUNCIL MEETING

1. CALL TO ORDER

Mayor Hidalgo called the Town Council Meeting to order at 7:13 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 October 5, 2021. Councilmember N. Sparks motioned for the Clarkston Town Council to approve and adopt the minutes of October 5, 2021. Councilmember M. Fawcett seconded the motion. All in favor "Aye". Motion carried

2. NEW BUSINESS

Ordinance 21-10 "An Ordinance Adopting the Clarkston Town Annexation Policy Plan"- Mayor Hidalgo asked if there was any further discussion by the Council prior to passing the ordinance. There was no discussion so Mayor Hidalgo read the ordinance and asked for a motion to adopt Ordinance 21-10. Councilmember N. Sparks motioned for the Council to approve and adopt Ordinance 21-10. Councilmember M. Fawcett seconded the motion.

Roll Call Vote:

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

Resolution 21-12 “A Resolution Supporting Wi-Fiber’s Application for Utah Broadband Access Grant Funding to Expand High Speed-Internet Access” – Mayor Hidalgo informed the Council that there was a federal grant available that would help develop broadband service for rural underserved communities. Originally the west side of Cache valley was not being considered for the grant because Comcast erroneously reported that the west side was being covered by them. Mayor Hidalgo stated that this is not true there are several homes in Clarkston Town that Comcast will not provide service to. This is also the case in other west side communities. Mayor Hidalgo read the resolution and asked the Council to approve the resolution so that Clarkston Town could be added to the list of communities interested in participating and supporting Wi-Fibers application for a Utah Broadband Access Grant to expand high-speed internet access in underserved rural communities. Mayor Hidalgo stated that he believes that this would benefit Clarkston Town and provide Comcast with some competition. Mayor Hidalgo asked if there was any discussion by the Council prior to passing the resolution. There was none so Mayor Hidalgo asked for a motion to adopt Resolution 21-12. Councilmember N. Sparks motioned for the Council to approve and adopt Resolution 21-12. Councilmember M. Fawcett seconded the motion.

Roll Call Vote:

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

Discussion of Impact Fees for County Residents – Mayor Hidalgo stated that there are a couple individuals building above town in the county that want to put roads in and then have the town guarantee snow removal and maintenance on those roads. When individuals build within town limits there is a water and road impact fee that they have to pay. These individuals want the town to send them a letter stating that if they put in the road that the town will maintain it and keep it open during the winter so that they will have access. They develop the road and then the town has maintenance and snow removal responsibility thereafter and they pay no impact fees and the town gets no tax base because the home is built in the county. Mayor Hidalgo stated that he would be meeting on October 20, 2021 with Cache County Executive David Zook and the Cache

County Planning Commission to address this issue. Clarkston Town Attorney Seth Tait would be present at the meeting as well. Mayor Hidalgo stated that this isn't just happening in Clarkston it is happening all over Cache Valley. Mayor Hidalgo proposed having two different types of Road Impact Fees. One for homes built within town limits, which is \$2,500 and one for homes built in the county, which would be the maximum amount allowed by the Road Impact Fee Assessment. The Council agreed. Mayor Hidalgo stated that he would discuss this with the county at the meeting. Councilmember D. Smith asserted that the town doesn't have the equipment necessary to keep roads open above town. Mayor Hidalgo stated that he would let the county know that they are allowing people to build in areas that the town can't guarantee that the roads will be maintained or opened year around; we simply do not have adequate equipment to make this commitment.

4. DEPARTMENTS

Mayor Hidalgo – Fire Department – Mayor Hidalgo had nothing to report.

Set Date for Town Council and Employee Social – The Council discussed and determined to hold the Town Council and Employee Social on January 18, 2021 at 7:00 pm at the Community Center.

Councilmember N. Sparks – Youth Council – Councilmember N. Sparks stated that the Youth Council would be sponsoring some Halloween Activities on October 23, 2021.

LUDMA – Councilmember N. Sparks reported that at the last LUDMA Meeting held October 11, 2021 Darrin Michaelis came before the commission with a subdivision plan. He brought a sketch plan, and it met all the size requirements for the lots but there were questions about roads that would need to be put in so LUDMA would be looking at that. The next step would be a preliminary plat plan. The subdivision is for fourteen homes.

Councilmember M. Fawcett – SCADA System Status – Councilmember M. Fawcett wondered if Mayor Hidalgo had received a Request for Proposal (RFP) to replace the SCADA system. Mayor Hidalgo stated that he had not. Councilmember M. Fawcett will contact Clarkston Town Engineer Scott Archibald regarding the RFP.

Councilmember D. Smith – Roads Department – Tree Trimming – Mayor Hidalgo reported that Roads Supervisor David Hale is concerned about overgrown trees hanging over the roads. Last year they tore lights and mirrors off the snowplow and grader. Mr. Hale is getting bids to have the trees on town property trimmed. He has secured two bids and needs to get one more and then the Council will decide which company to hire for the job. Mayor Hidalgo said that he had contacted a member of the Clarkston Second Ward Bishopric Member who is over facilities and asked him to contact the Church of

Jesus Christ of Latter-Day Saints and find out what they will do with the trees around the church that are hanging halfway over the road.

Master Road Plan – Councilmember D. Smith wondered if Clarkston Town had a Master Road Plan. Councilmember N. Sparks stated that there is a Federally Recognized Plan of Roads that has been in place since the 1800's. It is recognized as roads that we could enforce as a town. Mayor Hidalgo stated that the Federally Recognized Plan of Roads is also recognized by Cache County as legitimate roads. Councilmember N. Sparks stated that as the Darrin Michaelis subdivision is considered the Federally Recognized Plan of Roads Map would be used.

Parks Department – Councilmember D. Smith reported that the sprinkler lines have been blown out for winter.

Councilmember J. Buttars – Cemetery Department – Cemetery Expansion Project – Councilmember J. Buttars explained the Cemetery Expansion Map to the Council. **See Attachment B** Councilmember J. Buttars stated that the light blue lines are where the sprinkler system lines would run, the dark blue line is the water main running East to West and the asterisks are corner plot markers. Mayor Hidalgo suggested designating a section of the new cemetery for just single plots. Councilmember J. Buttars was amenable to that. Councilmember J. Buttars said that the Southwest hill is designated solely for cremains burials only (Ord. 17-09) but are plotted for a full body burial. Councilmember J. Buttars wondered if the Southwest hill should be plotted as half lots for cremation plots. Cremations don't need the larger lots. The Council agreed. Councilmember J. Buttars will look into getting that done. Councilmember J. Buttars concluded that she was still waiting on Sprinkler System Bids.

Spatial Generations Cemetery Software Agreement – Mayor Hidalgo reported that he hadn't signed the agreement from Spatial Generations for the new web-based cemetery software. Mayor Hidalgo said that it is \$4,700 for the existing cemetery only. It doesn't include the cemetery expansion. Mayor Hidalgo asked Councilmember J. Buttars to find out what the cost would be for the new part of the cemetery before he signs the agreement. Councilmember J. Buttars stated that she would have Deputy Clerk Holly Jones find out and let him know.

5. RELEVANT BUSINESS

Next Meeting – The next Town Council Meeting will be held on Tuesday November 2, 2021 at 7:00 pm.

Public Comment

Darrin Michaelis – Darrin Michaelis referenced his proposed subdivision and stated that he had been to a LUDMA Meeting, done his sketch plan, had contacted and been working with Scott Archibald the town engineer and wondered if it was kosher for him to proceed with the subdivision. Mayor Hidalgo responded that before he could proceed the town needs to figure out the roads that he would be required to build and improve. Mr. Michaelis concluded that he wanted to do what is right for the community as well as make a living for himself.

6. ADJOURN

There being no further business to come before the Council, Councilmember J. Buttars motioned that the Clarkston Town Council Meeting adjourn. Councilmember N. Sparks seconded the motion. All members present voted “Aye”. Motion carried. The meeting adjourned at 8:08 pm.

Kristi Hidalgo
Town Clerk

