

**MINUTES OF MORGAN CITY
COUNCIL HYBRID MEETING**

NOVEMBER 23, 2021; 6:05 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT IN-PERSON:**

**Mayor Ray W. Little, Tony London, Jeff Wardell,
Jeffery Richins, and Dave Alexander**

STAFF PRESENT IN-PERSON:

**Ty Bailey, City Manager; Gary Crane, City Attorney;
Clark Crook, Power Foreman; and Denise Woods**

EXCUSED:

Eric Turner

OTHERS PRESENT IN- PERSON:

Steve Gale, Karli Orn and Rylie Johnson

This public meeting was held in a ‘hybrid’ in person / electronic format in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020. In-person attendance was allowed in the Morgan City Council Room at 90 West Young Street, Morgan, Utah. In consideration of the COVID-19 pandemic and to accommodate social distancing, attendance was monitored and limited to 12 individuals. Public participation was allowed via ZOOM and the meeting was streamed live on YouTube and available for viewing on the City’s website – morgancityut.org.

This meeting was called to order by Mayor Ray W. Little.

The pledge of allegiance was led by Steve Gale.

The opening ceremony was presented by Councilmember Alexander.

MINUTES AND WARRANTS

MOTION: Councilmember Alexander moved to approve the following:
Minutes of the City Council Hybrid Meeting Minutes – November 9 2021; and
Warrants.

SECOND: Councilmember London

The vote was unanimous to approve the minutes as written and one set of warrants.

CITIZEN COMMENTS

No citizen comments.

NEW BUSINESS

RESOLUTION 21-08 – PERSONNEL POLICIES HANDBOOK

Mayor explained the update to the Personnel Policies Handbook had been reviewed by Ty Bailey, City Manager, Gary Crane, City Attorney, and multiple members of the staff.

Ty Bailey, City Manager, explained the process of updating the Handbook. He stated a management team was formed and each month, over the course of a year, the team reviewed a chapter in the Handbook and

discussed possible changes. He stated most of the focus was updating the Handbook to reflect the role of the City Manager.

Discussion regarding several items in the Handbook:

- Appeals board – Created as needed.
- Sick leave policy and short and long-term disability available for the employees.
- Random drug testing – New employees were drug tested.
- Permitted and non-permitted weapons.

MOTION: Councilmember Wardell moved to adopt and approve Resolution 21-08 – A resolution adopting and approving the Personnel Policies Handbook for Morgan City Corporation adopted November 23, 2021.

SECOND: Councilmember London

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed to adopt and approve Resolution 21-08 – A resolution adopting and approving the Personnel Policies Handbook for Morgan City Corporation adopted November 23, 2021; Councilmember Turner was absent.

RESOLUTION 21-21 – LETTER OF UNDERSTANDING BETWEEN MORGAN CITY AND PETERSON PIPELINE ASSOCIATION

Mayor explained this item was previously discussed at a Council meeting and the Council had suggested changes to be made before it was approved. He said Gary had made the requested changes, but he suggested the following additional changes be made to the Letter of Understanding:

- Second paragraph – remove the first “is” so it read – This letter is to confirm
- Include the word “overage” so it read – . . . Morgan City overage rate per 1,000

He also suggested the following changes be made to the resolution:

- Second Whereas – change the wording from a secondary water source to an additional water source.
- Third Whereas – include the word “overage” so it read – . . . Morgan City overage rate
- Last Whereas – replace the words – PPA is unable to complete construction of a secondary water source – with PPA has a primary water source failure before the construction of an additional water source.

Mayor explained this Letter of Understanding was to satisfy the State’s requirement of Peterson Pipeline to have a backup water supply until their second well was drilled and in place.

Discussion on the term of the agreement and how many years they could ask for it to be renewed. The City was only agreeing to supply water if the City was able to do so. The second paragraph of the Letter of Understanding stated – This commitment is conditioned upon Morgan City’s determination that the City

has enough water to service its needs and the needs of its citizens before selling water to PPA. The resolution was the adopting tool it didn't carry the weight of the agreement.

Councilmember Alexander suggested adding the words "up to" in the second Whereas and also in the Letter of Understanding so it would read – City agrees to sell up to 12,000 gallons

MOTION: Councilmember London moved to adopt and approving Resolution 21-21 – A resolution adopting and approving the Letter of Understanding between Morgan City and Peterson Pipeline Association with the following changes:

- Second Whereas to read as follows – Whereas, the City agrees to sell up to 12,000 gallons per day of potable water to PPA in the event PPA experiences a water shortage before PPA is able to bring online an additional water source.
- Third Whereas to read as follows – Whereas, the City agrees to sell potable water to PPA at the current Morgan City overage rate per 1,000 gallons.
- Last Whereas to read as follows – Whereas, City Staff has reviewed and evaluated the request from PPA and has found it to be in the best interest of the City and citizens of Morgan City to conditionally supply potable water to PPA in the event PPA has a primary water source failure before the construction of an additional water source.
- The corresponding changes to be made to the Letter of Understanding.

SECOND: Councilmember Richins

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed to adopt and approve Resolution 21-21 – A resolution adopting and approving the Letter of Understanding between Morgan City and Peterson Pipeline Association with changes as outlined by Councilmember London; Councilmember Turner was absent.

RESOLUTION 21-25 – APPOINTMENT OF UAMPS ALTERNATE MEMBER REPRESENTATIVE

Mayor explained Ty was the City's representative of UAMPS, but in order to vote you either needed to be the representative or the alternate representative of UAMPS. This resolution appointed Clark Crook as the alternate member representative to UAMPS.

MOTION: Councilmember Richins moved to adopt and approve Resolution 21-25 – A resolution adopting and approving the appointment of Clark Crook as the UAMPS alternate member representative for Morgan City.

SECOND: Councilmember Alexander

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed to adopt and approve Resolution 21-25 – A resolution adopting and approving the appointment of Clark Crook as the UAMPS alternate member representative for Morgan City; Councilmember Turner was absent.

ORDINANCE 21-13 – AMENDMENT TO TITLE 3, CHAPTER 3.04, SECTIONS 3.04.030 AND 3.04.050 OF THE MORGAN CITY CODE REGARDING ALCOHOL LICENSES

Mayor explained this item had previously been discussed and the current City ordinance limited the number of alcohol licenses to two. During the discussion at the prior meeting, the consensus of the Council was to follow State Code. The State regulated the approval of alcohol licenses and they had stringent requirements.

Discussion regarding Section 3.04.050 paragraph 3 – Section stated a beer retailer could not be established within two hundred feet (200') of any public or private school, church, etc. Gary explained the distance was measured from walking from front door to front door. If the use was there before the code was adopted the use was grandfathered in. It was suggested paragraph 6 of this section regarding the enforcement officer conducting quarterly inspections be deleted. It was also suggested to change the wording at the end of paragraph E to state – as set forth in the current city fee schedule. Also, to remove the wording 2003 Code.

MOTION: Councilmember Alexander moved to adopt Ordinance 21-13 – An ordinance amending Title 3, Chapter 3.04, Sections 3.04.030 and 3.04.050 of the Morgan City Code by changing the number of alcohol licenses permitted within Morgan City; Providing for repealer; Providing for severability; Providing for an effective date and making the following changes:

- Removing paragraph D(6) from section 3.04.050.
- Adding the word “current” to paragraph E in Section 3.04.050 to read – current city fee schedule.
- Deleting the words 2003 Code from the end paragraph E in Section 3.04.050.

SECOND: Councilmember Wardell

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed to adopt Ordinance 21-13 – An ordinance amending Title 3, Chapter 3.04, Sections 3.04.030 and 3.04.050 of the Morgan City Code regarding alcohol licenses permitted within Morgan City with the changes suggested; Councilmember Turner was absent.

SPECIAL REPORTS

CITY MANAGER

Hometown Christmas – Ty reminded Council about Hometown Christmas on December 4th from 2:00 p.m. to 5:30 p.m. This event had been planned by the Chamber and there were 14 vendors, games for the kids, hayrides, Santa Claus was scheduled, and entertainment scheduled throughout the day.

Christmas Party – Ty stated the City office Christmas Party was scheduled for December 17th at the bowling alley and he invited the Council to attend.

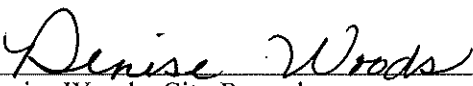
Holiday Hours – Ty informed the Council the office would be closed Thursday and Friday. Friday would be a flex day for the employees so they could either take vacation or come into the office and work, but the office would be closed to the public.

Employee Performance Reviews – Ty stated he had been conducting evaluations with each employee for safety and performance. He explained part of the program was for each employee to come up with a way to save the City money and he listed several of the suggestions, i.e., reevaluated where the City's garbage cans were purchased, changed vendors for copy paper, reviewing utility billings, reviewing sales tax revenue, and making sure businesses which collected sales tax were listed, etc. He stated the employees had on-line training to watch and he was impressed with the safety record this year.

Councilmember Alexander discussed the following items with the Council:

- Public hearings for general plan amendments and zoning changes were only required to be held in the Planning Commission meeting and there didn't need to be another public hearing in a Council meeting. Suggestion made for Denise to notify the Council when the Planning Commission held a public hearing so they could attend. Council could also watch the meeting on YouTube. Suggestion to put the item on the Council agenda the next meeting after the Planning Commission meeting.
- Gary to provide 10 minutes of training for the Council at each work meeting if time permitted.
- Holding a work meeting prior to the general meeting. Work meetings would begin at 6:00 p.m. and the general meetings at 7:00 p.m. The time for the work meeting would be adjusted to allow the appropriate time for the number of items on the agenda to be discussed.

This meeting was adjourned at 7:42 p.m.


Denise Woods, City Recorder

These minutes were approved at the December 14, 2021 meeting.