

**MINUTES OF THE REGULAR MEETING OF THE RUSH VALLEY TOWN COUNCIL
HELD ON OCTOBER 26, 2022 AT THE RUSH VALLEY TOWN HALL
52 SOUTH PARK STREET, RUSH VALLEY, UTAH
THE MEETING BEGAN AT 7:00 P.M.**

Mayor and Council Members Present: Pete Albrecht, Dana Gardner and Jeremiah Harding.
Lacey Burrows was excused.

Appointed Officers and Employees Present: Attorney Rob Clegg, Clerk/Recorder Patty Rowe
and Planning & Zoning Commission Chairman Carl Wall

1. Pledge of Allegiance/Roll Call

2. Approval of Meeting Minutes for 09-28-2022. Councilmember Pete Albrecht made a motion to approve the meeting minutes from 09-28-2022. Councilmember Jeremiah Harding seconded the motion. All present voted in favor and the motion carried.

3. Sheriff's Report. Lieutenant Evans reported there were 4 total details in the month of September including a stray on the Mormon Trail, a medical call, a suspicious with nothing found and an illegal shooting that was closed. The Tooele County Major Crimes Task Force will be starting their annual package theft operations.

4. Discussion with Planning & Zoning Commission Chairman. Carl Wall presented a couple of concerns from the planning commission and asked for some direction. The first one is regarding the additional dwelling unit (ADU) code that was adopted by the State of Utah. Carl feels that the town is vulnerable because we do not have anything in place to address this code. The code allows a second residence to be built on just about any lot. Carl does not know if the town attorney should take this on or if it is outside of his scope. Attorney Clegg said that he will look into it and see if he can find something that will work for Rush Valley. Mayor Johnson said that we have an ordinance in place for single family dwellings and he thinks we could use that as an argument against the new code but agrees that we need a formal document in place. Mayor Johnson said that he will ask the League of Cities and Towns if they may have the name of a consultant that could help with this. Carl asked if we do find a consultant, is there money that could be used for it. Mayor Johnson said if it is over \$500, we will have to advertise it and seek bids.

Carl Wall asked if the International Fire Code has been adopted and Mayor Johnson said that it has been adopted. Carl is concerned that if we issue a building permit for a home, there is verbiage in the International Fire Code that could come into effect, i.e., underground tank for a water source, etc.

Carl Wall asked if the town could put a hold on building until this situation is dealt with. Mayor Johnson said that perhaps we could put a moratorium on all buildings and asked Carl if he recommended this. Carl said that last month there was a question in public comments

asking for a review of our policy as to the number of building permits that are issued annually. With that issue, along with the ADU issue, Carl said that maybe we should put a moratorium in place for a few months. Attorney Clegg said that a moratorium must be on the town council agenda, and it cannot be in place for more than six months. He suggested that we do it for 180 days and lift it sooner if needed. Mayor Johnson said to clarify, if somebody has been on the agenda and received approval for a permit, it will still move forward under a moratorium. If somebody has not yet been on the agenda for a building permit, it will not move forward until the moratorium is lifted.

5. **Approval to Use ARPA Funds to Upgrade Two Cameras at Town Hall.** Councilman Dana Gardner said the existing cameras do not zoom in or move and need to be upgraded. We have a new ballot box that needs better surveillance. The price for two new cameras including labor is \$1,091.50. Councilmember Pete Albrecht made a motion to approve using \$1,091.50 of ARPA funds to upgrade the cameras. Councilman Jeremiah Harding seconded the motion. All present voted in favor and the motion carried.
6. **Approval for Qualified Firefighters to Attend Winter Fire School.** Councilman Pete Albrecht requested approval to send 8-9 firefighters to winter fire school on January 20th and 21st. The costs have not yet been determined. Mayor Johnson made a motion to approve fire school and allow Chief Jason Bolinder to move forward with booking classes and rooms. Councilmember Dana Gardner seconded the motion. All present voted in favor and the motion carried.
7. **Fire Department Report.** Councilman Pete Albrecht reported that all apparatus is in working condition. The department is preparing for winter and reminds us to be mindful of keeping pellet and woodburning stoves clean. Space heaters are also a safety concern. Mayor Johnson said that the department has heat sensing guns and propane detectors that the department can use if residents suspect that something is going on in their home.
8. **Council Reports.** Roads – Councilmember Jeremiah Harding said we are on the schedule for some crack sealing in December starting with 10 ton. We are also on the schedule for chip sealing at the end of May next year. Jeremiah has been talking to a contractor about milling on Charles Hill and the end of Johnson Lane. Mayor Johnson said that he would like to surface with asphalt rather than chip seal in the future. Mayor Johnson said that we will need a bid in order to get the \$200,000 from third quarter sales tax and Jeremiah said that he is working on it. The culverts on Davis Lane still need to be finished up and the contractor needs to get working on them.

Councilmember Jeremiah Harding wants to purchase a new plow truck and has been looking for one. Mayor Johnson said that we will have to solicit bids for a new truck. Jeremiah would like to hire a laborer to help him with some of the road projects. The laborer will be hired as a contractor and will invoice the town for his hours, he will not be hired as an employee. Mayor Johnson reminded Jeremiah to place some cones on Juniper Street.

Cemeteries – Councilmember Lacey Burrows was not present at the meeting.

Parks - Councilmember Dana Gardner said he has been working with the contractor on the new sidewalk and fence.

Mayor Johnson reported that windows were ordered for the Clover Church with a lead time of 30 weeks. He received word from the Department of Environmental Quality that there were no additional findings regarding the asbestos problem, and we are free and clear.

9. Safety Topic. Councilman Pete Albrecht presented the safety topic on winter fire safety.

10. Payment of Bills. Councilmember Pete Albrecht made a motion to accept the bills as written. Councilmember Dana Gardner seconded the motion. All present voted in favor and the motion carried.

11. Public Comments. None

12. Adjourn. Councilmember Dana Gardner made a motion to adjourn and Councilman Dana Gardner seconded the motion. All present voted in favor and the motion carried. The meeting ended at 8:12 p.m.