

CITY COUNCIL MEETING
March 14, 2022

MAYOR & COUNCIL

Daniel M. Keller, Mayor
Todd D. Thomas, Council
Terry Larson, Council
I. Brent Dodge, Council
Chris Larsen, Council

STAFF

Linda Acock, City Clerk
John Balls, Public Works Director
Dan McCammon, Chief
Tyrell Simpson, City Engineer
Shawn Oliverson, Community Development
Kelly Mickelsen, City Treasurer
Lyle Fuller, Attorney

Council Meeting was called to order at 5:00 P.M. by Mayor Dan Keller.

Councilmember Brent Dodge attended via telephone conference.

Mayor/
Council
Community
Comments

Councilmember Chris Larsen stated that he had the opportunity to attend the annual Chamber of Commerce dinner. At the dinner, he recognized the number of businesses in our community, and wanted to publicly thank them for all the support they give to the community.

Consent
Calendar

The consent calendar includes items which require formal Council action, but which are typically routine or not of great controversy. Individual Council members may ask that any specific item be removed from the consent calendar in order that it be discussed in greater detail. Explanatory information is included in the City Council's agenda packet regarding these items.

- A. Council Minutes (February 28, 2022)
- B. Bills (March 14, 2022)
- C. Treasurer's Monthly Report (February 28, 2022)
- D. Cut Permit/Encroachment Bond Refund Brandi Jo Hemmert \$333.50
- E. Swale Bond Refund 155 North 4th East Tyler Bodily \$2,250.00

It was moved by Councilmember Terry Larson and seconded by Councilmember Chris Larsen to approve all items within the Consent Calendar which include the Council Minutes of February 28, 2022, Bills through March 14, 2022, the Treasurer's Monthly Report dated February 28, 2022, a Cut Permit/Encroachment Bond final refund to Brandi Jo Hemmert at 431 East Eagle Way in the amount of Three Hundred Thirty-Three Dollars and Fifty Cents (\$333.50) and a Swale Bond Refund to Tyler Bodily at 155 North 4th East in the amount of Two Thousand Two Hundred Fifty Dollars (\$2,250.00). This received unanimous approval.

4 County
Alliance
CASI
Molly
Beseris

Molly Beseris, Executive Director of the 4 County Alliance introduced herself, as she was named executive director this past February, and will be working with Preston City and Franklin County.

Broadband
Services
Direct
Communi-
cations

Brook Allen and Daniel Parrish, Direct Communications Broadband Services, asked for the opportunity to present a plan to upgrade the cable internet system to allow gigabit speeds to the homes in Preston City, and Franklin County. They would also make a proposal to provide Fiber services to the homes that are not yet connected to internet services.

Council invited them to set up a proposal, and present their plans at a future city council meeting.

Business
License

It was moved by Councilmember Chris Larsen and seconded by Councilmember Todd Thomas to approve a business license for the following:

Krista Carlson	81 S State	(Carlson Counseling)
Mark Wayne Brown	733 East 8 th South	(Galloping Horses Transport)
John & Heidi Carter	3185 E Glendale Rd	(Atmos Homes)

This received unanimous approval.

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Invasive Species Consolidate Irrigation Easton Fellows, on behalf of Consolidated Irrigation asked the council to contribute Two Thousand Five Hundred Dollars (\$2,500.00) to the irrigation company's efforts to eradicate the invasive species, quagga mussels.

It was moved by Councilmember Todd Thomas and seconded by Councilmember Terry Larson to approve a contribution of Two Thousand Five Hundred Dollars (\$2,500.00) to Consolidated Irrigation Company, towards the invasive species eradication efforts. This received unanimous approval.

Ordinance 2022-4 City Attorney Lyle Fuller presented a drafted version of Ordinance 2022-4, amending Title 16, Chapter 22 of the Preston Municipal Code.

16.22 PMC

Minor Subdivision City Engineer Tyrell Simpson explained that there were two major changes to the code. The first one, in 16.22.010(F), which now requires the developer to install on-site and off-site improvements up to the farthest back lot line of the developed parcel from the existing public street. The second major change has to do with the commission's actions. The preliminary plat will go to Planning and Zoning for approval, denial or approval with conditions. After the preliminary plat is approved, the final plat will go to Planning and Zoning for recommendation to the Council and then Council will give final approval, denial or approval with conditions.

Council discussed the change to the minor subdivision relating to the definition of the "mother parcel" and the date, June 13 1974, that is referenced.

It was moved by Councilmember Todd Thomas to adopt the changes made by Planning and Zoning regarding Chapter 16.22 Minor Subdivision with instructions to the staff to change the wording of 16.22.010(B), to remove the reference to 16.08.295 and reference a starting date of ordinance passage for mother parcel splits. Motion died for lack of a second.

It was then moved by Councilmember Brent Dodge and seconded by Councilmember Chris Larsen to pass Ordinance 2022-4 Minor Subdivision, as presented and recommended from the Planning and Zoning Commission. The vote was as follows:

Councilmember Todd Thomas	<u>Nay</u>
Councilmember Terry Larson	<u>Nay</u>
Councilmember Brent Dodge	<u>Aye</u>
Councilmember Chris Larsen	<u>Aye</u>

Due to a tie vote amongst the council, Mayor Dan Keller cast the tie breaking vote, by voting Nay. Motion denied by majority vote.

It was then moved by Councilmember Todd Thomas to propose adoption of the changes to Chapter 16.22, Minor Subdivisions, and request a public hearing, with the exception of the reference to Section 16.08.295(B) that we make the split date retroactive to the date of the original minor subdivision ordinance. Councilmember Todd Thomas withdrew his motion.

Councilmember Brent Dodge motioned to pass the minor subdivision ordinance #16.22, as it has been presented by the Planning and Zoning Commission, with exemption to 16.22.010(B), to read, "no original parcel of land created before and existing of, on June 13, 1974, shall be divided into more than four separate parcels". Motion died for lack of a second.

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It was moved by Councilmember Todd Thomas and seconded by Councilmember Terry Larson to table Ordinance 2022-4 to the next city council meeting. The vote was as follows:

Councilmember Todd Thomas	<u>Aye</u>
Councilmember Terry Larson	<u>Aye</u>
Councilmember Brent Dodge	<u>Aye</u>
Councilmember Chris Larsen	<u>Aye</u>

Motion passed by unanimous vote. This matter will be placed on the March 28, 2022 city council agenda.

Spring Clean-Up It was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to schedule the 2022 spring clean-up dates as:
April 11-14 South side of Oneida.
April 18-21 North side of Oneida.

This received unanimous approval.

Memorandum Of Understanding Standing Preston City Attorney Lyle Fuller and Franklin County Attorney Vic Pearson have drafted a Memorandum of Understanding agreement between Preston City and Franklin County for the use of the council room by the courts, while the courthouse is being remodeled.

After discussion, it was moved by Councilmember Terry Larson and seconded by Councilmember Todd Thomas to accept the Memorandum of Understanding between Preston City and Franklin County as written, with added verbiage for a ninety (90) day termination clause. This received unanimous approval.

Bear River Archery Building Community Development Specialist Shawn Oliverson reported that the archery building, property owned by The City of Preston, has issues in that it needs maintenance and updating. It's currently not funding itself, and falling short in costs. The city needs to protect our asset, with a more robust agreement and collection of funds, and making sure those who are renting the building are treating it properly.

Scott Workman Candidate Legislative District 28A Scott Workman came before council to state that he has filed for a legislative seat in our District 28A. He welcomes support from the community and is hopeful that Franklin County will have representation in the legislature.

Council & Dept. Head Report On Assigned Designations Councilmember Todd Thomas, Councilmember Chris Larsen, Councilmember Brent Dodge, Community Development Specialist Shawn Oliverson, Chief Dan McCammon, Treasurer Kelly Mickelsen, Public Works Director John Balls, and City Engineer Tyrell Simpson all reported on their assigned designations.

Adjourn Meeting was adjourned at 7:27 P.M. by Mayor Dan Keller.

Linda Acock, Clerk

Daniel M. Keller, Mayor