

**The Minutes of
Honeyville City Council
March 13, 2024 Regular Meeting**

Mayor Bruce Nelson called the meeting to order at 7:00 p.m.

Present were Mayor Bruce Nelson; Councilmembers Ryan Adams, David Hougaard, Kory Wilde, Trevor Gardner and Dusty Bingham.

Approximately 8 members of the public were present.

Employees present were: Wendy Lindauer, Deputy Clerk
Troy McNeely, Public Works
Codey Illum, Zoning Administrator
Blair Perry, Treasurer

Kory Wilde offered the invocation and led the group in the Pledge of Allegiance.

Conflict of Interest: None Noted

Public Comment Period: No comments named.

Public Hearing: Mayor Stipend for Additional Duties:

A. Open Public Hearing: Opened at 7:02 p.m.

KORY WILDE motioned to Open the Public Hearing at 7:02 p.m. DUSTY BINGHAM seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

Dusty B asked what the additional duties of the Mayor are. **Mayor Nelson** responded stating that things that were spread out to other people previously are now being taken on by the Mayor. He is also handling more administrative things than previously done.

Ryan A asked for clarification on the wording where it refers to an *additional stipend*. **Mayor Nelson** clarified that the stipend will be one set amount and not have a separate amount for additional duties. **Dusty B** felt that they should remove the verbiage *additional duties* from the ordinance all together. **Trevor G** does not like it to read like the Mayor is working for himself. He is fine with raising the stipend to \$500. But he does not like the additional duties section. **David H** pointed out the section of the code that refers to bonds and feels that this has been confused as the stipend amount in the past. He could not find anywhere in the code where it

allows a stipend for the Mayor, City Council or Planning Commission. He is reluctant to have any elected official receiving compensation, however if they are going to adopt something he would like it to be crystal clear.

Mayor Nelson suggested tabling the discussion for now and sending the ordinance back to the attorney to rework the verbiage.

B. Close Public Hearing: Public Hearing Closed at 7:10 p.m.

TREVOR GARDNER motioned to Close the Public Hearing at 7:10. **RYAN ADAMS** seconded the motion. **MOTION CARRIED** with **Ryan Adams** for, **David Hougaard** for, **Kory Wilde** for, **Trevor Gardner** for and **Dusty Bingham** for.

C. Action Item: Adopt Ordinance 2024-02 Mayor Stipend for Additional Duties

KORY WILDE motioned to table the current ordinance until the attorney can adjust the verbiage to include stipend amounts for the Mayor, City Council, Planning Commission and Board of Appeals stating an exact amount per month. Along with removing the verbiage stating specific duties. **DAIVD HOUGAARD** recommended an amendment stating that they include in the ordinance what is resolved while discussing action item H. **KORY WILDE** accepted the amendment. **DUSTY BINGHAM** seconded the motion. **MOTION CARRIED** with **Ryan Adams** for, **David Hougaard** for, **Kory Wilde** for, **Trevor Gardner** for and **Dusty Bingham** for.

Zoning Administrator/Planning Commission Report – Codey Illum & Laurie Hunsaker

- A. Zoning Admin Report:** **Codey I** reported that he received a building permit application from Mr. Arbon. He worked closely with the attorney and has officially denied that building permit via a certified letter. Mr. Arbon has the option of going before the Board of Appeals to present what he would like to do. The reason the application was denied was because of lack of water, no access, no dedicated road, it would be a development that needs to meet all of the required improvements. **Trevor G** asked who makes this decision. **Codey I** stated that he worked with the attorney to make the decision based off of how the code reads. **Trevor G** didn't feel that some of the statements were accurate. **Codey I** stated that once you pull a building permit it is called a development, under the development code it states that Mr. Arbon would be required to have proper frontage. Mr. Arbon does not have frontage on an improved dedicated road. **David H** felt that the code read he could have an approved right of way. **Codey I** stated that he left the interpretation of the code up to the attorney. He also clarified that they looked at the definition of development to help determine the

requirements. **Trevor G** had further questions he wanted to discuss. **Mayor Nelson** told Trevor that he could meet with Codey later and discuss his questions.

B. Legislative Update: Codey I updated the council on new legislation that passed.

According to the new law, the City Council will no longer see subdivision applications. It will all go through the Planning Commission. He did clarify that there are some areas that refer to the population and that there will need to be further clarification on that section of the code.

C. Planning Commission Report: Laurie Hunsaker reported that the attorneys are still looking at the RV Ordinance. **Mayor Nelson** stated that he asked the prosecuting attorney, Blair Wardle and the civil attorney, Colt Mund, to look at the ordinance and present a new one to the council. **Laurie H** stated that the Planning Commission is working on addressing the issues the council had with the ADU ordinance. She requested that the Council start watching the Planning Commissions agenda and if they have an interest in one of the items they are working on, she has asked that they take advantage of the public comment period. She would like to prevent some of the back and forth that takes place. She has asked that Brittiny email the Council the Commission agenda. **David H** asked about impact fees and when they can be imposed. He felt that adding impact fees to the ADU ordinance is completely allowable. **Codey I** stated that the Planning Commission and City Council cannot just come up with an impact fee. It has to go through a certain process. If the City wants to increase the fees they have to have a study done. **David H** read what Perry City just passed regarding their impact fees.

City Administration – Mayor Bruce Nelson

Discussion Items:

- A. Ethics Training:** Ethics training will take place Wednesday, March 27th at 6:00 p.m. This will be for the City Council, Planning Commission and Employees. If you do not attend there will be a make up meeting. This ethics training is required by the state. **David H** asked if you could join via google meet.
- B. 4th of July Responsibilities:** **Kory W** will be in contact with Codey Hansen regarding the trap shoot. **David H** stated that the 5K chair said that she would remain as the chair if she could get some assistance from the City Council. David agreed to assist her with things she needed. **Kory W** stated that the council is open to having the public help. He asked residents to contact any of the councilmembers if they are interested in helping with the 4th of July activities.
- C. Emergency Preparedness:** The county has emergency preparedness meetings once a month. The Mayor was concerned that the City does not have a representative. He asked for a volunteer from the council. **David H** volunteered to take on that responsibility.
- D. Fire District Rental Contract:** The Mayor has talked to the Fire District Board. Commissioner Lee Perry is looking into how much money the county has put into the Fire District. They hope to have a proposal by next City Council meeting.

E. Survey on Average Income: When the City applies for Grants they have ran into a couple of complications. One of them being that the average income from residents is too high. BRAG is going to canvass the City on April 20, 2024. They will randomly select which homes they canvass and request that those home owners fill out an anonymous survey. The city would like volunteers to help with this canvass.

F. Reconcile Bank Statement: Kory Wilde

ACTION ITEMS:

A. Petersen Estate Annexation Request Denied – Resolution 2024-01

DAVID HOUGAARD motioned to approve Resolution 2024-01 denying the Petersen Estate Annexation Request. KORY WILDE seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

B. Ordinance 2024-03: Title 10 Chapter 31 Text Amendment for Floodplain Ordinance:

DUSTY BINGHAM motioned to table Action Items B, C & D until next month when the City Engineer can be present. RYAN ADAMS seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

C. Ordinance 2024-04: Title 9 Chapter 1 Text Amendment for Floodplain Ordinance:

Tabled

D. Floodplain Permit & Fee:

Tabled

E. City Owned Home: Mayor Nelson spoke with the State Lawyer regarding selling a city owned home. The council needs to create an Ordinance for how they would like to handle selling City owned property. **David H** stated that the state statute requires them to have the Ordinance for real property. Each municipality needs to define what significant real property is. He presented some examples from other cities in Utah. He recommended wording the ordinance to encompass all real property rather than by size.

RYAN ADAMS motioned to create an Ordinance that states Honeyville City will hold a Public Hearing before disposing of any real property owned by Honeyville City. TREVOR GARDNER seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

F. Water System Upgrade: The Mayor would like to pursue grants available from CIB and the State of Utah. However, rather than identify all the led pipe they need to fix he would like to list other water line repairs such as; 2700 W. pipe repair, fix spring #8 so that it will not run over along with fixing the led lines that go down to the reservoir.

The Mayor also reported that the Bear River Water Conservancy District previously approached the council about the city selling them water. At that time the city was not interested in doing this. The Mayor has changed his mind on this. The reasoning behind his decision is because Honeyville City needs approximately 20 million dollars to get their water line upgraded. 9 million of those expenses have to be done in 10 years. He hoped by selling water to the district it would help alleviate and offset some of those expenses. **Trevor G** was concerned about not being able to take the water back if the city ends up needing it. **Mayor Nelson** reported that there will be a water meeting for the Box Elder County Master Water Plan on April 11, 2024 at 7:00 p.m. at USU auditorium located at the Brigham City Campus. He asked that the council help spread the word about this meeting.

G. Backhoe Lease Renewal: **Dusty B** reported that the end of the Backhoe lease is coming up. The city has the option to buy it for \$61,635.00 or they can lease a new one for 3 years which would be \$27,722.00 per year. For a 5-year lease it would be \$22,302.00 per year.

TREVOR GARDNER motioned to purchase the backhoe for the presented price of \$61,635.00. DAVID HOUGAARD seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

H. City Council & Planning Commission Stipend: **Mayor Nelson** stated that it has been brought to the council's attention that the city does not have the proper ordinances to pay stipends. He felt that they need to get in compliance. He asked the council if they would like to keep the current stipend or increase the values. **Ryan A & David H** were fine with not accepting a stipend. **David H** stated that they could be reimbursed if they attend conferences or for mileage.

DUSTY BINGHAM motioned to keep the City Council & Planning Commission Stipends at \$50.00 per month. KORY WILDE seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard against, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

The Council had discussion about the Mayor's stipend increasing to \$500.00.

KORY WILDE motioned to increase the Mayor's stipend to \$500.00. TREVOR GARDNER seconded the motion. MOTION FAILED with Ryan Adams against, David Hougaard against, Kory Wilde for, Trevor Gardner for and Dusty Bingham against.

There was further discussion about keeping the Mayor's stipend at \$250.00 or how they would like to proceed. **Ryan A** stated that he was confused on what they were actually trying to pass. After discussion stating that they were setting a rate after which the attorney would draw up the proper language. **Dusty B** felt that the Mayor has all of the duties and he can delegate as much or as little as he would like. He felt that \$500.00 was a

large increase. **Ryan A** requested to reverse his vote. **Steven Johnson** addressed the council and said that years ago the Mayor was paid \$100.00 and increased to \$125.00 based on phone bills.

KORY WILDE motioned to create an ordinance for the City Council, Planning Commission and Mayor stipends to be created removing "additional duties" from verbiage. Setting the Mayor's stipend at \$500.00 and the City Council & Planning Commission at \$50.00. TREVOR GARDNER seconded the motion. MOTION CARRIED with Dusty Bingham against, Trevor Gardner for, Kory Wilde for, David Hougaard for, and Ryan Adams for.

- I. **Board of Appeals Recommendations:** Currently there are 2 board members who have served their time and could be replaced. The Mayor was asking for recommendations, after which he will decide who to appoint. Currently serving are Andy Yeates, Keith Dunham, Vickie Chidester, Cherrie Griffin and David DeCoursey. The council will let the Mayor know in the next week if they have any suggestions.
- J. **City Council Work Meeting Minutes: 01/31/24** – These were not in the packet so they were unable to vote on this item.
- K. **City Council Regular Meeting Minutes: 02/14/24** - These were not in the packet so they were unable to vote on this item.

RYAN ADAMS motioned to table the meeting minutes of 01/31/24 and 02/14/24 until next month to allow the council a chance to review them. KORY WILDE seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

L. Check & Deposit Details – February 2024

David H asked why his check that he tore up was still showing on the check and deposit detail. It was explained that it was shown because the check was issued. Blair will have to void the check.

KORY WILDE motioned to approve the February 2024 check and deposit detail with the request that Dave's check show as void. DAVID HOUGAARD seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

Cameron from the Box Elder News Journal asked about the tearing up of checks. **Mayor Nelson** stated that the council is in the process of redoing this stipend process. Councilmember Hougaard was not comfortable accepting a stipend so he chose to rip up his checks.

Public Health & Safety/Mosquito Abatement – Councilmember David Hougaard:

- A. **Emergency Preparedness:** Mayor Nelson told David that the emergency preparedness contact is Mark Millet and he will send that information to Dave.

Parks & Cemeteries/Youth City Council – Councilmember Trevor Gardner:

- A. **Parks and Cemeteries:** It was reported that the fertilizer has been purchased for the parks and cemeteries. Trevor has also been working with Jones and Associates to put out a proposal for the remodel of restrooms and the construction of a pavilion at the East Park.
- B. **Pickle Ball Courts:** Repairs will take place as soon as weather reaches 70 degrees.

General Community Events/Planning Commission – Councilmember Kory Wilde:

- A. **Easter Egg Hunt:** This will take place March 30th at the West Park.

Water Systems & Drainage – Councilmember Ryan Adams:

Nothing new to report at this time.

Streets & Roads/Buildings and Equipment/City Communications – Councilmember Dusty Bingham:

- A. **Old Vehicles:** David H wondered if the city had any old vehicles they might want to get rid of such as the old Ford and the Mini Truck.
- B.

ACTIONS FROM March 13, 2024:

Dana – Impact Fes

Colt – Stipend

Dave – Contact Mark Millet

Ryan – Drainage on 3600 W.

Dusty – Sell of Equipment & Purchase Backhoe

TREVOR GARDNER motioned to enter a CLOSED MEETING at 8:52 p.m. KORY WILDE seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

Entered Closed Meeting at 8:53 p.m.

DAVID HOUGAARD motioned to adjourn at 9:20 p.m. KORY WILDE seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dusty Bingham for.

Meeting Adjourned at 9:20 p.m.

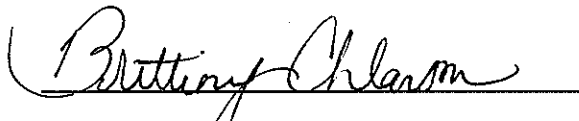
The foregoing minutes were taken by Wendy Lindauer and typed by Brittney Chlarson.

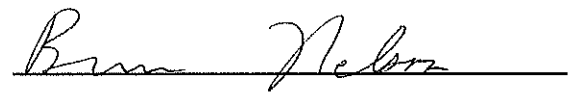
I certify these minutes to be true and accurate to the best of my knowledge.

ATTEST:

DATE APPROVED: 4/10/24




Brittney Chlarson – Clerk/Recorder


Bruce Nelson - Mayor