

Disclaimer: Many hours were spend typing these minutes. Because I was not at the meeting I had only the recording to refer to. In many instances I was unable to recognize voices or even what was said. There are some typos, and incomplete sentences. Because of the circumstances the Council approved the minutes with this disclaimer included. Sue Kendall, Acting Town Clerk.

LEVAN
TOWN COUNCIL
REGULAR MEETING
August 18, 2022
7 PM

1. Opening Ceremonies:

Welcome: Mayor Bruce Rowley

Invocation: Council Member Taryn Brooks

Pledge of Allegiance: Council Member Ray Evans

2. Discussion Items:

Tyler Faddis from Jones and DeMille: Tyler is working as our town engineer. He has been working with the Division of Drinking Water to help us secure a Grant for a \$1.4 million loan with a Loan to match for a \$1.4 million. The loan will be in the form of a 30 Year bond. We would need to Pay \$28,000 up front before the project begins. Only 20 towns were given this grant, and so we are fortunate to be one of the towns chosen to receive the grant. In order to receive this grant/loan we need a design, and a General Service Contract with Jones and DeMille. Once the GSA is in place we would just need an assignment order with each phase of the project. The state is requiring that towns and cities be compliant within 5 years. Tyler estimates that the project should take around 6 months, so if we start the project in the spring it should be completed by late fall. They plan to run the pipes parallel to the existing pipes. The water will then be switched over to the new pipes when the pipes have all been completely laid. Each home should only have their home water shut off for a 6 to 8 hours during the cut over process. Taryn mentioned that homes in Nephi have less water pressure now that their project has been completed. Tyler said that our pressure would be higher afterward. A study proved that our pipes are old and leaking 10% of our annual water. In addition there is some lead leakage into our water. First step is to have an agreement between Jones & DeMille for the design, along with a GSA contract. Water utilities will go up to cover the bond and loan by about \$14 per month.

3. Action Items:

a. Business License

1. Approve business license for Connie Dubinsky – Cee’s Creations.

Motion: Ray

2nd: Taryn

All in Favor: Yes

- b. Approve Park Bench Bid - Taryn bought 5 used benches from KSL but they don't have bases. Patrick Smith drew up a design and gave a bid to install each bench for \$450 to \$475 with new bases. The exact same benches new would be \$8,200.

Motion: Amy

2nd: Ray

All in Favor: Yes

- c. Approve Les Olsen bid for IT. Council decided to table it for now.
- d. Approve purchase of Black Widow Arena Groomer from Juab County - after discussion of pros and cons it was decided that we could buy it and if we didn't like it, or it wasn't getting enough use we could always sell it. A new Black Widow cost \$10,000. Juab County has offered it to us for \$5,000.

Motion: Amy

2nd: Taryn

All in Favor: Yes

- e. Approval of General Service Agreement with Jones and DeMille

Motion: Chris

2nd: Ray

All in Favor: Yes

- f. Approval of Assignment Order for 2022 Water Project with Jones and DeMille

Motion: Ray

2nd: Chris

All in Favor: Yes

- g. Raise for Utility Supervisor - It was explained that the expenses for the raise would be split evenly between the utilities. They decided to leave this item for the end of the meeting.
- h. Pass Resolution 02182022-01 Adopting New Gas Utility Rate - The rates will go up from \$10 to \$11 to cover some of the added expenses. Questions were asked by members of the community. Amy told them that they have been discussing it in the past few council meetings, and it now time to vote on it not the time to be opening it up for discussion. She said that they should be coming to all the town council meetings to know what is going on. Taryn explained that we have to make sure we are covering all our costs so the town doesn't go in the hole. We do not raise rates lightly. We know all costs have gone up for our citizens, and that it is a struggle. There are programs for citizens that are struggling. Alan Paystrup Spoke up, saying: Our town has been greatly blessed by having our own utilities. It is a blessing from a financial point of view. Our town utilities have always run very frugally, and when the town feels that they need to make a raise in the rates, it is always necessary. When the rates to the town are higher, they have to pass that higher rate on to us.

Motion: Amy

2nd : Ray

Roll Call Vote:	Yes	No	Not Present
Mayor Bruce Rowley	X		
Councilmember Ray Evans	X		
Councilmember Taryn Brooks	X		
Councilmember Chris Webb	X		
Councilmember Amy Lowe	X		

i. Pass Resolution 08182022-02 Adopting New Electric Utility Rate –

Motion: Amy

2nd : Ray

Roll Call Vote:	Yes	No	Not Present
Mayor Bruce Rowley	X		
Councilmember Ray Evans	X		
Councilmember Taryn Brooks	X		
Councilmember Chris Webb	X		
Councilmember Amy Lowe	X		

j. Pass Resolution 08182022-03 Adopting Business License Fees – Council decided to table it for now.

k. Pass Resolution 02182022-04 Adopting minimum Building Permit Fees –

Motion: Taryn

2nd : Amy

Roll Call Vote:	Yes	No	Not Present
Mayor Bruce Rowley	X		
Councilmember Ray Evans	X		
Councilmember Taryn Brooks	X		
Councilmember Chris Webb	X		
Councilmember Amy Lowe	X		

l. Pass Resolution 08182022-05 Adopting Building Demolition Fee – this was tabled.

m. Pass Resolution 08182022-06 Adopting Subdivision Ordinances Fees –

Motion: Amy

2nd: Ray

Roll Call Vote:	Yes	No	Not Present
Mayor Bruce Rowley	X		
Councilmember Ray Evans	X		
Councilmember Taryn Brooks	X		
Councilmember Chris Webb	X		
Councilmember Amy Lowe	X		

- n. Pass Resolution 0282022-07 Adopting New Park Rules – New park rules changed the dogs rules back to no dogs in the park. It was asked, who enforces ATV rules. ATV's are not allowed in the park. However, there is no sign stating that no ATV's are allowed in the park. The Sheriff enforces the ATV rules. Signs need to be updated in the park

Motion: Chris

2nd: Amy

Roll Call Vote:	Yes	No	Not Present
Mayor Bruce Rowley	X		
Councilmember Ray Evans	X		
Councilmember Taryn Brooks	X		
Councilmember Chris Webb	X		
Councilmember Amy Lowe	X		

- o. Pass Resolution 08182022-08 Adopting Juneteenth as a Paid Holiday – Amy wants to see a man being hired to work in the town office. It was mentioned that the state has made it a state holiday. Another resident mentioned that it isn't as much about diversity as much as how you want to treat your employees.

Motion: Taryn

2nd: Amy

Roll Call Vote:	Yes	No	Not Present
Mayor Bruce Rowley	X		
Councilmember Ray Evans	X		
Councilmember Taryn Brooks	X		
Councilmember Chris Webb	X		
Councilmember Amy Lowe	X		

- p. Pass Ordinance 10.10.110 Multifamily Dwelling Units - Changes include: no fourplexes or townhomes. ½ acre minimum lot required for each unit. A few months ago we passed an ordinance allowing 1/4th acre per unit and then felt that was a mistake. This is fixing that mistake. The largest number of duplexes allowed in town is 3% or a total of 12 units.

Motion: Taryn

2nd: Ray

Roll Call Vote:	Yes	No	Not Present
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Mayor Bruce Rowley	X		
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Councilmember Ray Evans	X		
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Councilmember Taryn Brooks	X		
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Councilmember Chris Webb	X		
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Councilmember Amy Lowe	X		
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- q. Pass Ordinance 16.10.100 Internal Accessory Dwelling Units – If you want to build an apartment you can, but it has to be a part of the interior of your home. No external units are allowed.

Motion: Ray

2nd: Taryn

Roll Call Vote:	Yes	No	Not Present
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Mayor Bruce Rowley	X		
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Councilmember Ray Evans	X		
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Councilmember Taryn Brooks	X		
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Councilmember Chris Webb	X		
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Councilmember Amy Lowe	X		
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When we did our budget we decided to give a promotion to one of our employees as the utilities supervisor which included a raise. I thought we had agreed to give the wage to the high end of the scale. The Mayor explained how they came to his wage. Amy said she went back to listen to the recordings. Office has to put things together and bring them to the meeting. Amy said she thought she had remembered it differently and that sometimes she can get a little bit mean and she got sassy. She said that she already apologized to Stephanie. And she told her she would do it again publicly. She said it is ok to disagree, but it is never ok to put anyone down. Becky Webb cut in saying...which is what you did, even tonight in the meeting you shamed Stephanie's comment that she made on the Juneteenth holiday. Amy cut back in saying, that is nice that you have backup and friends Stephanie, everyone needs friends.....

Amy said it was hard to hear in the recording what the amounts were. She couldn't make out the recording. When you go back you can't figure out who said what or what was confirmed. So, she was just trying to remember. Becky, then interjected that it was clearly written in the minutes that were approved by the council. Chris Webb said he also listened to the meeting recording and the amounts agreed upon were clear and understandable.

Sorry Stephanie, I wanted to look personally at you tonight and say I am sorry you felt.... We can always agree to disagree, but if you ever feel attacked, no one should ever feel attacked whether it is Stephanie or me.....

Cassie Richmond spoke up, asking if everyone got a pay raise why didn't she. She said she works for the town and doesn't get much for all the time she works. Bruce told Cassie that it is a contract job. The landscapers, the animal control those are contract jobs and they don't automatically get a raise with the employees. He stated that he worked on the ambulance for 25 year and never got a raise. So, he didn't want to get into that tonight because of all the items that still needed to be covered on the agenda. He said he would love to talk to Cassie about that later.

Heather said she went back through the minutes. She said it was very specific and very clear on the recording. It was very clear and set up the way the council approved it. The minutes were approved. Bruce said that isn't the way he remembered it. Ray said it wasn't the way he remembered it. Amy said because we remember differently, and we all have different feelings, we can open it back up, and we can discuss it and we can re-agree upon it. "And that is why we are here today."

Chris: The bigger issue is how it was handled and how it was disagreed upon. Someone was called a liar, and it was very disrespectful the way she was treated. It has been a nightmare for the staff for at least a month or two to be treated with distrust automatically. Chris said "I think this is what I remember", isn't good enough. I told you all that we have to do is go back to the facts. Go to the minutes. It is right in the minutes. There is a reason we have minutes and recordings. Go there and get the facts.

Amy: For the record we did not call Stephanie a liar.

Chris: Yes, you did. I have it on a text

Amy: You want to pull it up right now

Chris: Yes I do.....

Jessie Richmond cut in saying, Bickering and fighting is getting us nowhere. What is the issue here, a raise? Let's get back to the issue instead of bickering amongst yourselves. You can do that later, let's get back to the issue.

Chris: I love that Jessie, but this IS the issue. Chris then explained that the council was not allowed to work out things amongst themselves except in a public meeting. This is the only platform to discuss this. There is something here that concerns him and should concern all of us. The way things are happening. The way the staff was treated. We can't by law discuss this other than in this meeting.

Amy: We are still learning, and we are having to fight the people....

Stephanie came forward. She said she was officially turning in her resignation. She said she did not accept Amy's apology because it was not an apology. She has not been treated with respect and she will no longer take it. She said the reason she has worked for the town for 19 years is because she

loves this town. And it hasn't been until Amy and Bruce started squabbling among themselves and causing contention in the office every time "we" turned around....I am done.....

Heather came forward with her keys saying that she too was turning in her resignation as well. She stated that she had the knowledge and education and has been doing a good job, and they have treated her with disrespect. She said they accused her of things. They are rude and mean and she has taught her children not to put up with bullies and she will not as well.

Jessica Shepherd came forward and resigned as well.

Becky Webb stood and said, Amy, your husband has come in and gone through the city computers, what protocol did you follow to allow this. It isn't legal for you husband to go through the office computers. Can I come and go through the city office? Bruce said he had not. Amy said he did not touch a computer. Becky said, then you are telling stories that go in circles. Around every turn you tell lie after lie.

Bruce said they should close the meeting but no one would 2nd the motion.

___?_____ (who ask this?) ask for clarification on why the Water utility rate was being raise.

Becky ask, now how do we train new employees? What will the cost be to train new employees.

Amy said that just like any other political organization. They can come in and clean house on day one. These ladies made their choice to leave.

Your facts are distorted. You talk in circles and are deceitful.

Bruce Every single time I ask for something they told me no.

Becky: They are required to follow the law; they cannot do just as you ask. If you want a pay raise you have to ratify that here, she cannot write that check because you said so. You accuse them of not giving him his pay raise when they gave him exactly what was in the minutes, and all that was required of you two was to look up those minutes. But instead, you talked and talked.

Bruce: All three of us remembered something different than what was going on there.

Becky: All you had to do was look in the minutes. And the minutes were ratified which means you approved and agreed upon.

Bruce: Those minutes were not ratified; they were turned down.

Ray, Taryn, and Chris corrected Bruce, reminding him that they were approved.

Bruce: I am sorry, I was wrong.

Becky: So that is the checks and balances. They have to obey the law.

Bruce: I am not asking them to break the law. This is one time out of hundreds and I have it documented all the things...because after a while, how am I suppose to do my job when every time I ask for something I am told no. I tried and tried to get along they won't. For 19 years I've been given all kinds of crap while I ran the ambulance. I put up with it and put up with it, and now that I

am mayor there is still absolutely no respect for anything I ask. It's no, you can't do this, no you can't do that.

Becky: What is the disrespect? I keep hearing they are disrespectful, what are they doing? I read the texts and I never see disrespect from Stephanie, I saw disrespect from Amy, and from you

Bruce: I did write a text, and I apologized to Stephanie. That text wasn't meant for her, I was blowing off some steam.

Becky: But Amy's next text was this was the perfect place. But it wasn't, it was cruel.

Amy: what I meant by that was, maybe it was good if Bruce had a problem with Stephanie that she should go.

Bruce: It was absolutely wrong.

Amy: Do we continue on with what is going on between Bruce and Stephanie.... I don't think I want to know. But, butting heads, is it healthier to get it out and talk about it or hold it in? No it is better to get it out in the open and talk about it.

Becky: But your whole staff just left, not just Stephanie.

Amy: And we are going to be ok

Taryn: If you are a boss and you cannot work with that person you can fire them. But that person does not deserve to have their name drug through the mud, that person does not deserve to be treated like garbage.

Bruce: That goes for me

Amy: That goes for Bruce too

Bruce: They have treated me like crap. It got to the point that I asked them to let me know when they aren't going to be here and they said we won't answer to me.

Taryn: I got a call saying he is going to fire Stephanie in the morning. And I was like, wow, what? I didn't now, I didn't know anything about any of this.

Bruce: When a new mayor comes in and wants to do something different, he can do something different. As the staff, you do not have the right to say no on every single item. I am more than happy to hear people's input; I am more than happy with that but I don't need to hear NO every single time I ask for something.

Becky: What kinds of things were they telling you no to?

Bruce: would you mind letting me know if you aren't going to be here? No, I don't have to answer to you.

Becky: And it is too bad they aren't right here so we can hear their side.

Bruce: Well go and ask them because you aren't going to listen to anything I say.

Becky: You talk in circles.

Bruce: I don't talk in circles...He (meaning Chris) won't even answer his phone. I can't talk to him on the phone. I am not going to email I am not going to text. We can talk like people. If we cannot talk face to face then I am not going to bother cause I am not going to play some email game.

Becky: So, Chris has been accused of not doing enough. What responsibilities has he neglected?

Bruce: I didn't say that

Becky: Amy sure did several times. If he were to his meetings. if he were circulating around town he would know more.

Amy:..... I am not going to..... we are the voice of this town?

Becky, you think you, but you are not the voice of this town because you talk to one or two people you haven't been to my house, or my neighbor's house, and anyone I've talked to, they haven't talked to you. How are you the voice of this town?

Amy: We are the voice of this town

Becky: You are not. We (the town people) are the voice of this town.

You answer to us, and you have to justify every action. We are the voice of this town, not you because you talk to two people, or because you make it up in your head. The voice of ALL the people has to be considered.

Bruce: Wouldn't be a good idea if you were concerned about something if you went and talked to both parties instead of....

Becky: That is exactly what Chris did. You guys talked to him for a week and a half.

Chris: I talked to you about the payroll thing the week before that is the only issue I knew about.

Amy: I believe in communication. I called Taryn and Chris the day I found out.

Bruce: We aren't making any head way here. We need a motion to close this meeting

Amy: I will make a motion.

No one would make a 2nd.

Ray: Both Stephanie and Bruce are type A personalities. He has seen over the years that Bruce would ask for something and Stephanie would say that isn't my way. I think this has been coming to a head for a long time. I like both Bruce and Stephanie, but we need to work together. I hate to see them all walk out, but it is their right. It is just sad to see the way Bruce was treated badly.

Becky: we were seeking out both sides, that is why Chris ask each of you. There are two sides to a story.

Ray said he did not actually go and talk to Stephanie.

Becky: She should be sitting here hearing what she is accused of and telling her side of the story instead of being talked about behind closed doors and text messages, and whatever else, so we can hear her perspective and your perspective. But to be treated, and it sounds like you were mistreated to, But from the text messages the disrespect was very one sided, the disrespect. I didn't see any disrespect in the text messages from Stephanie. She invited you to come in and talk with her.

Amy stated that she listened to the meeting several times. And after listening multiple times, and then she saw Stephanie at the fairgrounds and apologized to her. She said, "I can tell her that I am sorry when I am wrong. But, if we cannot be given forgiveness, and we can't work together than it won't work. I mean it, but it doesn't make this situation go away. And they all had their choice and if they can't work in this situation then they can leave."

Chris: My concern is that we just lost the best people we have ever had in those positions.

Bruce: There has never been a time when they were willing to do what I wanted done.. I can tell you that I have talked to the town attorney on more than one occasion on how I could resolve these issues since I have been mayor and it will go good for a month and then it will go south. There never has been any time that I have been able to come in and say this or that and I have been accused of being sexist. I have been accused of a number of items.

Chad Poulsen: Bruce, not by them. You have not been accused of being sexist by the ladies in the office.

Bruce: I don't know where it came from.

Chad: You are mixing in rumor now. Get out of the store, you are in town council meeting and it's being recorded so don't spread lies here. Don't do that.

Bruce: That is what I was told by a city council member.

Taryn: I will tell you how this went down. I told Amy and Bruce that he needs to be careful what he says because he refers to them as the ladies in the office and that can be viewed in a sexist way.

Chad: Do you want to know where you are with the law on this? Because, just the common references that you all make to the ladies in the office can be seen as sexist. So when you are talking about harassment in the workplace and all of these things, you have a protected group. You have women, you have women over the age of 40, that is a protected group. This hostile harassment it's protected. State code is very specific on it. These degrading, constant remarks, right, to them could be construed that way. They have never once accused you of that, I have never heard that, you have never heard that. When you make these comments that are half truths based on gossip at the store, and it gets recorded in here you need to correct the record, that that is not the case.

Amy, I am new to the gossip at the store.

Taryn: That is gossip central

Someone else referred to it as "the third ward"

Amy: Oh, the gas station.

Chad: These are serious issues. The text message when you called Stephanie a liar, Slander. Hundreds of attorneys would love to have that case. There are all kinds of things here that are happening, you guys had an illegal meeting without proper notice.

Bruce: what illegal meeting?

Chad: the text message between the mayor and the town council

Amy: we, have been doing that since day one when Heather has texted all of us.

Chad: that's a meeting

Amy: Good to know

Bruce: I hate this job. It has been living hell because your wife thinks she is in charge of this town, and Stephanie too because the mayors in the past have let the office staff run amuck for so many years.

Becky: what is running amuck in the office? What's broken?

Bruce: this meeting is adjourned. We are finished.

The following was on the agenda but not discussed: It will be added to the next meeting's agenda.

4. Mayor/Councilmember/Department/Committee Reports:

- a. Mayor/Council Member Reports:
- b. Office Issued Permits Report:
 - 1. Building Permit
 - a. TJ Carter – Porch Cover
 - b. Russell Mangelson – Fence
 - c. Carol Bennett – Awnings
- c. Planning Commission Report:
- d. Committee Reports:
- e. Other Reports:

5. Council Business:

1. Budget Public Hearing - Enterprise Funds Transfer

Motion:

2nd :

All in Favor:

3. Regular Session at 7:00

Motion:

2nd :

All in Favor:

a. Approval of Claims June 1 to July 31,