

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, September 8th, 2017

9:00 a.m.

Huntsville Town Hall

Name	Title	Status
James A. Truett	Mayor	Via Phone
Doug Allen	Council Member	Present
Michael Engstrom	Council Member	Via Phone
Bill Wangsgard	Council Member	Present
Bill White	Council Member	Present
Gail Ahlstrom	Recording	Present
William Morris	Legal Counsel	Excused

Citizens: Michelle Christie Ron Gault Rex Harris

1-CM Doug Allen called the meeting to order. There is a quorum present.

2-The Pledge of Allegiance was led by CM Allen.

3-Opening Ceremony was led by CM Wangsgard.

4-Citizen Comments:

There were none.

***Mayor Truett:**

5-Discussion/action on Request for Land Use Permit for Tommie Christie: (200 S. 7340 E.)

Mayor Truett said he would like to discuss the Christie's property today. The Christie's purchased the home directly north of the Shooting Star. The PC denied the Christie's request for a Land Use Permit because there is no vehicular access from the frontage of this property, they use the alleyway to access their home. Mayor Truett reviewed this matter with the Town Attorney, in the Mayor and the Town Attorney's opinion the property building should be grandfathered, the use of the alleyway has not changed, and the home has not been vacant for 12 months or longer. This was the advice given by the attorney. The Christie's will build something very nice. The new home will fit into the towns landscaping nicely. Mayor Truett said the town shouldn't change the use and force them to put in a driveway along their frontage. That home has historically used the alley for their vehicular access. Mayor Truett feels that the Town Council should grandfather the use of the alley for this property and grant the Land Use Permit.

CM Mike motioned, based on information the Town Council received from the Town's Attorney Bill Morris, that the Land Use Permit be granted to allow the Christie's to continue to access their garage and residence as it has historically from the alley.

CM Wangsgard seconded. CM Wangsgard remarked that this is in the best interest of the town as well as the Christie's to proceed as motioned. CM Engstrom commented that the town has ordinances in place but there are always exceptions. CM Engstrom feels there is justification to grandfather this property. Things have been working fine there and it doesn't make sense to disrupt that area.

CM Allen concurred with CM Engstrom's thoughts but wanted to add something to the discussion. CM Allen said this home is in the commercial district. As we know things change, people move, people pass away, and ownership and use changes. His concern is that in some time in the future if the Christies' were to sale this property that someone might want to use this as commercial venue. CM Allen suggested adding a stipulation that if the use of the property changes, the access would need to be re-evaluated.

Mayor Truett replied that this is a valid point. If at some point the property was sold, and the new owner wanted to change the use of the residential property to commercial, at that time, the grandfathering to the alley should be re-addressed. CM Engstrom said this will happen when the use of a property changes, the owners would need to come to the PC for approval. When there is a use change, it is automatic that the owners would come to the PC for approval.

Mayor Truett remarked that the PC did the right thing by denying the request for a Land Use Permit. This allowed the Council to look into the issue deeper; the PC does an outstanding job. The Mayor feels that the Christie's will do a wonderful job on the re-build and what they have proposed will improve and enhance the property. Mayor Truett welcomed the Christie's to Huntsville. Michelle thanked the Mayor. CM Allen called for a roll call vote on the motion. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Mayor Truett Council Member Allen Council Member Engstrom Council Member Wangsgard
NAYS:	
EXCUSED:	Council Member White

6-Discussion and/or action on Notice to Award contract for Bennett Springs Restoration:

CM Allen asked Gail to explain that the Town put this restoration project out to bid and received three bids. Casey Gauchet's bid was the lowest coming in just under \$6,000 the other two bids were over \$10,000 more than this. Casey has his own equipment and no employees; this helps him keep the price down. Rex Harris, CM Allen, and CM White concurred that this was the best option for the town. Rex helped Gail with this process.

CM Wangsgard commented that he has gotten to know Casey Gauchet, and he supports the contract being awarded to Casey, he will do a great job. Casey loves Huntsville and is a good friend. **CM Wangsgard motioned to award the Bennett Springs Restoration Project to Casey Gauchet.** CM Engstrom seconded.

Mayor Truett mentioned that he knows Casey, but is worried because the bid came in so much lower than the other two bids. The Mayor wants to make sure Casey understands the details of the project. Mayor Truett is worried that change orders could escalate the bid amount. CM Allen commented that he took Casey up to look at the springs, and he believes that Casey and Rex conferred about the details on this project before the bids were turned in. Casey has no employees and does all the work himself, he has no overhead. That's why his bid was so low. CM Allen called for a roll call vote on the motion. All votes aye. Motion passed.

VOTES: APPROVED	
AYES:	Mayor Truett Council Member Allen Council Member Engstrom Council Member Wangsgard
NAYS:	
EXCUSED:	Council Member White

7-Discussion and/or action on Animal Control Contract:

Mayor Truett remarked that he would like to bring in the Weber County Animal Control and hold a work session with them prior to the next TC meeting. **CM Allen motioned to table this agenda item.** CM Wangsgard seconded. All votes aye.

VOTES: APPROVED	
AYES:	Mayor Truett Council Member Allen Council Member Engstrom Council Member Wangsgard
NAYS:	
EXCUSED:	Council Member White

***Council Member Engstrom:**

Department Reports:

CM Engstrom had nothing to report.

***Council Member Wangsgard:**

Department Reports:

CM Wangsgard reported that the flower beds by the tennis courts have been trimmed back and cleaned-up and the mulch looks nice.

***Council Member Allen:**

Department Reports:

CM Allen had nothing to report.

***Council Member White:**

Department Reports:

CM White had nothing to report.

Council Presentations:

CM Allen reported that there is a big water leak up by the Monastery, which is why CM White is not here yet.

Mayor Truett reported that he received an email from Charlie Ewert with W.C. Planning today regarding Dave Booth's landscaping business. The Mayor read from the email "Mr. Mayor, I had a colleague call me from Summit County planning to inform me that one of their "problem" land use cases just moved to the Ogden Valley. On further investigation it appears they moved into the Town of Huntsville, at 498 S 7700 E. The business is called Echo Trees. Their website is www.echotreeranch.com. On their website they are listing their landscape center as being at this home's address.

The issue that the Summit folks had with this use is that the owner purported to only growing the trees onsite, but that no deliveries or customers would come. It turned out to be a whole landscape center operation, with frequent customers and semi-truck deliveries. They just revoked his land use permit due to these violations. If the town is already aware of the land use and supports it then disregard this message."

CM Allen replied that the Town Council stuck his neck out for Dave Booth with the re-zoning of his property. CM Allen feels that Dave has dropped the ball. Mayor Truett would like to call Dave and ask him to come in and talk to the Council again. Gail will set up the work session.

CM Allen wanted to talk about ordinance violations. During the last TC meeting Steve Songer commented that the Council shouldn't wait for someone to file a nuisance complaint. A nuisance complaint shouldn't be based on your neighbor making the complaint or turning someone in. When someone is in violation the town should send them a letter notifying them that they are in violation. CM Allen agrees with Steve's comments. Since Craig Peterson's Nuisance complaint, other property complaints have come forward.

**CM White joined the meeting.

Mayor Truett mentioned that it used to take three complaints about a property before the Council was required to take action, now it just takes one complaint. The town needs an enforcement officer that can start enforcing its ordinances. It might be better to hire someone from out of town. If someone is in violation they should receive a letter. CM Allen said Andrea Dangerfield has done a really good job writing parking tickets; maybe she could be the Ordinance Enforcement Officer as well.

CM White said the Craig Peterson nuisance complaint is before the Judge now and the Judge will force the Council to enforce the law or let Craig off. The decision will be made by the Judge; it's out of the Council's hands. If the Council wants to go after other violations, the Council will need to decide that. Even if the Council hadn't initiated the remediation process for Craig, in Kerry Wangsgard lawsuit he was asking the Judge to enforce the ordinance. CM Allen recommended waiting to see what the Judge says on the nuisance complaint before the Council moves forward.

CM Allen wanted to talk about dog nuisances, he feels the town should do its own thing; he expressed his opinion that the county isn't doing a good job. Technology has advanced to the point that everyone has a camera on them now. If you have a neighbor's dog that barks all the time, you should be able to come to the Council and prove there is a problem. Mayor Truett said the Council needs to decide if this is something they want to deal with. Mayor Truett thinks the first step is to have a discussion with them and see what they have to say.

Gail gave an update on the CIB meeting that was held yesterday. The CIB Board approved the Town's Scope of Work amendment, and the Town can access all of the remaining funds now. Mayor Truett thanked CM White, Richard Bay, and Gail for their work on getting this done.

Approval of Town Council minutes for meeting held August 24th, 2017:

CM Allen motioned to approve the Town Council minutes for August 24th, 2017, as amended. CM White seconded. All votes aye. Minutes were approved.

Approval of Work Session minutes for meeting held August 24th, 2017:

CM Allen motioned to approve the Work Session minutes for August 24th, 2017, as prepared. CM White seconded. All votes aye. Minutes were approved.

CM Allen made a motion to adjourn the meeting. CM White seconded. All votes aye.

Meeting adjourned at 10:00 a.m.

Gail Ahlstrom, Clerk/Recorder