

**MINUTES OF A SPECIAL COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
JUNE 30, 2004**

Mayor Scovill called the meeting to order at 7:00 P.M. Council Member Attending: Dennis Brandon, Wesley Morgan, Todd Starley, and Tracy Roberts. Council Member Green is excused.

Others attending: City Manager Stefan Chatwin and Janie Caron.

**PLEDGE OF ALLEGIANCE**

Mayor Scovill led the Pledge of Allegiance.

**INVOCATION/INSPIRATIONAL THOUGHT**

Council Member Roberts offered the invocation.

**CONSENT AGENDA**

***Bills – \$135,040.32***

Council Member Roberts moved to approve payment of the bills in the amount of \$135,040.32. Council Member Starley seconded the motion. A discussion was held as to whether an attachment pertaining to the June 6<sup>th</sup> Council Meeting Minutes, could be added to the Minutes after they were approved. Council Member Starley was told the approval of the minutes would be addressed later in the agenda, but the minutes could be attached. After the discussion the vote was unanimous.

**FORMAL PUBLIC HEARINGS**

***Public Hearing with regard to a final FY2003/2004 Budget***

Council Member Brandon moved to enter into a Public Hearing with regard to the FY2003/2004 Budget. Council Member Roberts seconded the motion. The vote was unanimous.

There were no Public questions or comments.

Council Member Morgan moved to close the Public Hearing. Council Member Brandon seconded the motion. The vote was unanimous.

***Public Hearing with regard to Establishing a Tax on the Gross Receipts of Telecommunications Service Providers; Setting the Rate for such Tax; and Establishing the Effective Date of the Tax.***

Council Member Roberts moved to enter into a Public Hearing with regard to establishing a Tax on the Gross Receipts of Telecommunications Service Providers; Setting the Rate for Such Tax; and establishing the effective Date of the Tax. Council Member Morgan seconded the motion. Council Member Roberts reported he has reviewed the proposed Ordinance and feels if there is a tax for one user there should be a tax for all users and the proposed Ordinance makes the tax process fair to all users both of landlines and mobile. Council Member Brandon moved to close the Public Hearing. Council Member Starley seconded the motion. The vote was unanimous.

**UNFINISHED BUSINESS**

***Approval of the City Council Meeting of June 2, 2004***

Council Member Starley moved to approve the minutes of the Council Meeting. Council Member Brandon seconded the motion. Council Member Morgan questioned if the wording should be changed in paragraph 2 of page 5 to read "Council Member Roberts moved to approve the Mayors appointment of Mr. Michalek to the Planning Commission". Council Member Starley amended the

motion to include an attachment of the Spiritual Thought presented by Mr. Bean, during the June 2, 2004 Council Meeting and to include the discussed wording change. Council Member Brandon seconded the amendment. After the discussion the vote was unanimous.

***Authorization for the Mayor to sign the Senior Citizens MAG Contract***

Council Member Roberts moved to approve the Senior Citizens MAG Contract. Council Member Morgan seconded the motion. The vote was unanimous.

**NEW BUSINESS**

***Approval of the Final FY2003/2004 Budget***

Council Member Morgan moved to approve the Final FY2003/2004 Budget. Council Member Brandon seconded the motion. The vote was unanimous.

***Approval of the FY2004/2005 Certified Tax Rate***

Council Member Brandon moved to approve the FY2004/2005 Certified Tax Rate. Council Member Starley seconded the motion. The vote was unanimous.

***Appointment of two Board of Adjustment Members***

Mayor Scovill reported that Lynn Adams and Filip Askerlund have agreed to serve on the Board of Adjustments. Mayor Scovill recommended appointment of these two individuals. Council Member Starley reported he would like to hold a discussion with regard to one of the individuals. Council Member Roberts reported the law allows the Chairperson of the Board of Adjustments the prerogative to make an appointment to this board. Mayor Scovill indicated an Executive Session could be held later in the agenda. The Council Members were in agreement to hold the Executive Session.

***Discussion and possible action with regard to use of Park Impact Fees***

Council Member Starley moved to discuss and possibly act on the use of Park Impact Fees. Council Member Roberts seconded the motion. Council Member Starley reported he has witnessed the lack of lighting at the rodeo arena along with the need to repair existing lighting structures. City Manager Chatwin reported there are rules and regulations pertaining to the expenditures of Impact Fees. Council Member Morgan questioned if the request to add additional lighting would fit within the appropriate Impact Fee expenditures guidelines. Council Member Roberts indicated that with the increased attendance at the rodeo, there is a need for better lighting so all attending would be able to see. Council Member Brandon questioned who could or would challenge the use of Impact Fees. No one had an answer to that question. Council Member Morgan indicated he is in favor of the project as long as City Manager Chatwin is comfortable with the use of Impact Fees. Mayor Scovill reported the Impact expenditure would be associated with the installation of new lighting only. Council Member Starley indicated the cost for the required lights could be around \$3100. After the discussion the vote was unanimous.

Mayor Scovill welcomed Mrs. Caron who joined the meeting.

Mrs. Caron reported she feels that the plywood board used for the information sign is tacky. The Council Members were in agreement with Mrs. Caron. Council Member Brandon questioned if Mrs. Caron could be instrumental in influencing the Representatives of UDOT to allow the installation of a sign along the highway. City Manager Chatwin suggested removal of the sign if it is illegal and find a solution as to how to get information to the City Residents.

**INTRODUCTION AND ADOPTION OF ORDINANCES AND RESOLUTIONS**

***Ordinance 06-02-2004 "An Ordinance Establishing a Tax on the Gross Receipts of Telecommunications service Providers; Setting the Rate for such Tax; and Establishing the Effective Date of the Tax"***

Council Member Roberts moved to approve Ordinance 06-02-2004. Council Member Morgan seconded the motion. Council Member Morgan questioned if the inter-local agreement was apart of the Ordinance. The answer was yes. Council Members Roberts, Morgan and Brandon voted in favor of the motion. Council Member Starley would like to abstain from the vote due to not having enough information. Mayor Scovill indicated that he was under the opinion that abstaining from a vote would give the impression that the Council Member was against the motion.

***Resolution 06-06-2004 "A Resolution approving the finalized 2003/2004 Budget"***

Council Member Starley moved to approve Resolution 06-06-2004. Council Member Roberts seconded the motion. Council Member Starley asked City Manager Chatwin to review the budget for additional funds for extra hours for existing Staff. Council Member Starley was told the budget being voting on was the 2003/2004 Budget and not 2004/2005 Budget. Council Member Starley apologized for the confusion. After the discussion the vote was unanimous.

**EXECUTIVE SESSION** (May be called to discuss the character, professional competence, or physical or mental health of an individual)

At 7:55 P.M. Council Member Starley moved to enter into an Executive Session. Council Member Roberts seconded the motion. The vote was unanimous.

**At 8:12 P.M. the Mayor and Council Members returned to a regular Council Meeting to return to Item 7C.**

Mayor Scovill recommended approving the recommendation of the Board of Adjustments Chairperson to appoint Lynn Adams and Filip Askerlund to the Board of Adjustments. Council Member Morgan moved to ratify the selection of the two individuals by the Board of Adjustments Chairperson to serve on the Board of Adjustments. Council Member Brandon seconded the motion. The vote was unanimous.

A discussion was held as to what should be included in the next Council Meeting Agenda. See the next agenda for the items.

**EXECUTIVE SESSION** (May be called to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property)

Nothing

**ADJOURNMENT**

At 8:45 P.M. Council Member Roberts moved to adjourn. Council Member Brandon seconded the motion. The vote was unanimous.

Approved on July 7, 2004.

Original minutes signed by A. LaDue Scovill, Mayor and attested to by Susan B. Farnsworth, City Recorder.