

Genola Town Council Meeting
Minutes – January 23rd, 2008

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Meeting called to order at 7:05 PM. Council present: Mayor Eric Hazelet, Councilman Greenwood, Councilman Bryan Draper and Councilman Vail. Prayer was offered by Mr. Lance Chapman. Mayor Hazelet led in the pledge. Mayor Hazelet conducted the meeting and welcomed those present: Lance and Becky Chapman, Marc Halliday, Sandra Greenwood, Steve Greenwood, Marty Larson, Jolene Stubbs, Joe Stubbs, Ried Stubbs, Colten Orton, Ranae Gheen, Mark Gheen.

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Mr. Marty Larson was present to give the Planning Commission report. He updated the council on Mr. Scott Peterson’s water situation. The Planning Commission recommended a zone change from A-1 to R-1. Mr. Larson also reported on Ross and Amy Lyman’s building permit. The Planning Commission reviewed the setbacks, found no problems and recommended that it pass and be given to Mr. Randy Spadafora. Reece and Angela Davis’ zone change was also approved, but needed to have signed documentation of right of way from the rail road. Councilman Vail discussed with Mr. Larson the definition of abandonment and land owners obligation of right of way. Junior Kester’s business license was discussed. The type of business he would like to start at his home would require a zone change. The Planning Commission is not in favor of making this change because there is only residential and agriculture in the area. They feel that this might be unfair to Mr. Kester’s neighbors. His business would be small and kept in his shed and the impact would be small Mr. Larson felt. Mayor Hazelet stated that this still needs to go back to the Planning Commission and they could make the recommendations and send it on to the Town Council. Councilman Vail asked that the Planning Commission to look at it carefully since the ordinance does not cover this and that it would be a small impact, and to see if there is some other business similar to this in town. There has been no decision from the planning commission; Mr. Kester will be to the next Planning Commission meeting to apply for a zone change. Mr. Larson will update the council after their next meeting. Mr. Larson reported that the Planning Commission has reviewed and made changes on the setback ordinances. It has been changed so it measures from the center of the road to the edge of the right of way. This will make everything more uniform. There is a written copy of this and it will be on the agenda for the next Town Council meeting. The Planning Commission also approved the land use information sheet. That will also be presented at the next meeting.

Councilman Vail asked Mr. Larson if the Planning Commission would please think of what land uses they want in this area, the impact of land use, transportation, things that have an impact on this area. Mr. Larson will discuss this with the Planning Commission.

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Reece and Angela were not present. They were on the agenda for a zone change; Councilman Vail stated that he was aware that Reece and Angela Davis were experiencing difficulties on this zone change because of the rail road abandonment.

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Discussion on offer on town lot.
Councilman Greenwood made a point of order, motion to adjust the reports so that approval of the minutes of the last meeting can be discussed. Mayor Hazelet stated that he was apposed to that, however if the council wanted to move it that could be done. There was no second. Motion died. Mr. and Mrs., Lance Chapman presented the offer for 350 E. 800 N.

47(lot # 2) to the council. This is a follow up offer to the town, items have been cleared up and
48now they are back with the offer. Councilman Greenwood suggested that Mr. Rich look at
49this before anything is done on this matter. Motion by Councilman Greenwood to table this
50item until Mr. Rich has a chance to advise the council how to buy and sell land that is held by
51a municipal entity. Councilman Vail amended motion to accept it, not to approve it, so that
52the legal council has it in his review as to determine what the proper procedure is for
53disposition of property owned by the town. Councilman Greenwood spoke with Mrs. Chapman
54on this issue and explained that the town wants them to be able to own this property free
55and clear without any entanglements, Councilman Greenwood stated that he feels that there
56are some requirements that the city must go through so that the Chapman's can obtain a
57clear and legal title to it, part of this would be the advise from the attorney that talks about
58bidding procedures. Councilman Greenwood stated that he did not understand what
59Councilman Vail meant by "accepting". Councilman Vail explained himself. Councilman
60Greenwood moved to amend the motion that the council consider the document that Mrs.
61Chapman has provided and obtain legal council from Mr. Rich. Motion seconded by
62Councilman Vail. Mrs. Chapman wanted to clear up the water rights for this property; Mayor
63Hazelet stated that there are water rights to that property and that he would need to get her
64the serial number. She also wanted to look at the contract deadline. Councilman Greenwood
65asked if there has been an appraisal on the property. Mayor Hazelet stated that it would be
66premature to give an opinion on this with out discussing this with Mr. Rich. Mrs. Chapman
67wanted to make sure that they would be able to put a manufactured home on this lot and
68that the lot showed that it was 2.49 acres instead of 2.5. Mr. Larson stated that this has
69been handled, that this was done at 2.49, it was redone, they said it was a rounding error, it
70has always been 2.5. Mayor Hazelet stated that he would make sure that it is documented
71correctly. Mrs. Chapman also stated that when the right of way is taken off, the lot is only 2
72acres so this should be considered in the price. Mayor Hazelet explained by ordinance that is
73the definition of a 2.5 acre lot. Councilman Greenwood made it clear that the council makes
74no representations as to what a buyer can do with the property, those would be zoning
75issues. All voted aye to the motion. Motion carried.
76Councilman Vail asked that the council give Mrs. Chapman a time frame when she might hear
77back from Mayor Hazelet. A response will be given by January 29th on information on the
78process.

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80Mr. Jay Mecham presented the garbage contract to the council. Councilman Greenwood
81made a motion to table this item until the contract could be reviewed. Motion seconded by
82Councilman Vail. All voted aye. Motion carried. Councilman Greenwood asked for a bond.
83Mr. Mecham discussed ways that problems with service would be handled, purchasing new
84containers, collection, and amount of waste that will fit in the containers. Mr. Mecham asked
85the council to consider changing the terms in the contract to \$14.00 per home, that way after
86the first year, Mr. Mecham could ask for a \$1.00 increase, the residents would still pay the
87same and the city would still make \$1.00 off each can. The town would make \$2.00 the first
88year and \$1.00 the second and third. Mr. Mecham will make the changes in the contract and
89resubmit them for the council to review.

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91Discussion regarding town cemetery.
92Surveying has not been started. Councilman Vail stated that he has not been in contact with

93the engineer for the foot print of the gas pipe line, but will hopefully have the dimensions
94soon.

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96Discussion on the earnest money regarding Brian Ewell.

97Mayor Hazelet explained the earnest money and the document signed by Councilman Draper
98as Mayor Pro Tem. Mayor Hazelet stated that the Town feels that they have done what was
99required to have the earnest money returned; Mr. Ewell does not believe he needs to return
100it. Councilman Greenwood asked Councilman Draper where the money came from.

101Councilman Draper and Mayor Hazelet stated that the money was taken from the general
102fund. Councilman Vail asked if a letter has been sent to Mr. Brian Ewell requesting the
103earnest money be returned. It was stated that no demand letter has been sent. Councilman
104Vail asked that Mr. Ewell send a letter stating what he believes the breach of contract is.

105Councilman Draper made a motion to wait until the cat goes to the property to rip the land,
106and then right a letter requesting the \$5,000.00 be returned. Councilman Greenwood
107amended that motion to postpone discussion on this issue, until the full council can be

108present. Motion amended by Councilman Vail that we get the written objections in a formal
109manner so that we understand what his position is, we can evaluate it if in fact that there are
110things that the town still needs to do. 53:04 Councilman Greenwood wanted to make sure
111that he understood this issue and that this transaction had occurred more than a year ago.

112Councilman Greenwood questioned if the prior council took part in this, did they needed to be
113present to participate in further discussion. He recommended that Mr. John Roberts be
114present to give input on the matter. Motion by Councilman Greenwood to move this

115discussion to a later date until Councilman Ewell is present. Mayor Hazelet stated that he
116sees no problem on this, but he doesn't believe that every item can be tabled until a full
117council is present. There was no second on Councilman Greenwood's motion. Motion died.

118Motion by Councilman Vail that we suspend discussion on this matter until the town receives
119a response from Mr. Ewell regarding his contentions for the town's non fulfillment of the
120contract and determine the earnest money regarding this property. Councilman Greenwood

121made a motion to amend Councilman Vail's motion to include that the town have input from
122Mr. John Roberts in addition to Mr. Ewells response. Motion seconded on by Councilman Vail.
123Second on first motion by Councilman Draper. All voted aye, motion carried with amendment.

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125Discussion on Public Works Department.

126Motion by Councilman Vail to place door issue on next agenda after council observes the door
127themselves. Councilman Greenwood asked for input on this item. Motion seconded by
128Councilman Greenwood. All voted aye. Motion carried.

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130Reports

1311:04.30

132Motion by Councilman Greenwood to move to the top of the agenda, discussion of approval
133of minutes for the January 9th Town Council meeting. There was no second. Motion died.

134Mayor Hazelet discussed with council the out come of the CDBG meeting. The town will be
135able to apply for the grant in 2010 budget year. Mayor Hazelet also discussed the evening
136Representative Painter and Senator Madsen came to give information about water forfeiture
137for municipalities, getting communities to get a water plan as well as a master plan.

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139Discussion on non use filing.

140Councilman Greenwood asked Councilman Draper how long it would take to find these
141documents. Councilman Draper and Councilman Vail stated it would be much faster to
142contact former Mayor Brown. Mayor Hazelet also reported that he spoke with the Mayor of
143Santaquin. Mayor DeGraffenried stated that the talks with Mr. Ekins have ended. No
144agreement has been reached, and neither party can come to terms. Mayor
145 DeGraffenried also informed Mayor Hazelet that because he is not stringent enough, Judge
146Rode will not be reinstated. The Town of Genola will be involved in finding a replacement.
147Discussion on justice courts and what type would benefit the town.

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149Culinary Water.

150Councilman Draper reported to the council that there is still a pond visible at the Clinger
151property.

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153Roads.

154The bid came in for \$2,150.00 for the salt that the Town will need to replace. Councilman
155Vail made a motion to approve to pay this expenditure. Motion seconded by Councilman
156Draper. Councilman Greenwood abstained. Councilman Draper, Mayor Hazelet and
157Councilman Vail voted aye, motion carried.

158Councilman Vail reported on the Utah Lake Commission. There is a master plan being put
159together for the Utah Lake area, it is important that concerns be turned into the Commission
160very soon. Motion by Councilman Greenwood to refer this to a committee that would refer
161back to the Planning Commission then they would report to Councilman Vail. Motion
162seconded by Councilman Vail. All voted aye, motion carried.

163Councilman Vail asked citizens in attendance, if they had any input, to give this information to
164Mr. Marty Larson. Councilman Greenwood made a motion to allow Mr. Larson to appoint Mr.
165Steve Greenwood to this committee. Discussion with council and residents present on ways
166citizens can get the information to the Planning Commission. Councilman Vail stated that
167emailing or calling him would work. Motion seconded by councilman Vail, all voted aye.
168Motion carried. Mr. Larson asked that Councilman Vail be put on the Planning Commission
169agenda for the next meeting.

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171Discussion on Internet access in the Council Chambers.

172Councilman Vail explained how this can be done and the price. Councilman Greenwood made
173motion to continue the discussion when Councilman Ewell can be present. Motion seconded
174by Councilman Vail. All voted aye. Motion carried.

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176Councilman Vail gave update on Mr. Tibbetts and Mr. Mosher. Crushing has stopped due to
177the weather, but as soon as things dry up they will start again. Councilman Vail spoke to
178residents that were present and told them if they had any steel or metal that needed to be
179taken care of to contact Roy Carroll. *1:37.40*

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181Approval of minutes. January 9th 2008

182Motion by Councilman Greenwood to approve the minutes as amended.

183Seconded by Councilman Vail. All voted aye. Motion carried.

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185 Mayor Hazelet gave council information on training through Utah League of Cities and Towns.
186 Dates and information sheet was handed to Council.

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188 Minutes for November 28th.

189 Motion by Councilman Vail to approve the minutes as amended. Seconded by Councilman
190 Draper. Mayor Hazelet, Councilman Vail and Councilman Draper voted aye, Councilman
191 Greenwood abstained, motion carried.

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193 Discussion on financial statements, expenditures, PTIF, and bank accounts.

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195 Expenditures

196 Utah State Commission \$1280.48

197 Zion's \$2,161.13

198 Mountainland \$1340.44

199 Mountainland \$1,918.32

200 Nielson & Senior \$12,288.31

201 Justice Court \$788.38

202 Utah County Auditor \$1000.00

203 Motion by Councilman Vail to approve expenditures as read. Motion seconded by Councilman
204 Draper. Councilman Greenwood abstained, Councilman Vail, Councilman Draper and Mayor
205 Hazelet voted aye. Motion carried.

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207 Motion by Councilman Vail to adjourn meeting. Seconded by Councilman Draper. All voted
208 aye. Motion carried.

209 Meeting ended at 9:33

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211 Minutes written and recorded by Penny Thompson

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