

**Minutes of the Interlaken Town Council Regular Meeting
Monday, 8 January 2018, 6:30 PM – 8:30 PM
Town Pump House, 236 Luzern Rd., Midway, UT**

1. Call to Order.

Mayor Simpkins called the meeting to order at 6:35 pm.

2. Roll Call – Members Present:

Lisa Simpkins, Mayor
Chuck O’Nan, Council Member
Sue O’Nan, Council Member
Greg Harrigan, Council Member
Marge Bowen, Council Member
Bart Smith, Town Clerk

3. Presentations: None.

4. Public Comment: None.

5. Consent Agenda: None.

6. Approval of Agenda or Changes.

Motion: Council Member Harrigan moved to approve the agenda.

Second: Council Member Sue O’Nan seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

7. Approval of 11/15/17 Council Executive Session Minutes

Motion: Council Member Sue O’Nan moved to approve the 11/15/17 executive session meeting minutes.

Second: Council Member Harrigan seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

8. Approval of 12/11/17 Council Regular Meeting Minutes

Motion: Council Member Sue O’Nan moved to approve the 12/11/17 regular meeting minutes.

Second: Council Member Harrigan seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

9. Administration of Oath of Offices for Elected Officials

Mayor Lisa Simpkins, Council Members Chuck O’Nan, Sue O’Nan, and Marge Bowen all signed their Oath of Offices.

10. Heber Light and Power Franchise Agreement – Adam Long, HL&P Attorney and Jason Norland, General Manager, HL&P.

Adam and Jason were asked some general questions about HL&P activities in Interlaken. Jason was asked about burying our power lines. He mentioned that it would be very expensive to do the entire town, but was willing to give estimates to individual lot owners. The interconnection point is by the

Midway cemetery. The main distribution is on Interlaken Drive. The town could pay for burying the lines over time. HL&P would add a monthly charge to each lot owner's bill, and these funds would accumulate in a fund that could eventually be used to pay for burying the lines. This could be done through a town initiated franchise tax. HL&P would collect the tax and put it aside for us. HL&P does not finance this type of work.

A motion was presented to approve the proposed HL&P franchise agreement.

Motion: Council Member Harrigan moved to approve the proposed HL&P franchise agreement.

Second: Council Member Sue O'Nan seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

11. Elected Officials Training – Report from Mayor and Council Members

On Saturday, 1/6/18, the ULCT held a training session for elected officials. Mayor Simpkins, Chuck and Sue O'Nan, and Marge Bowen all attended. David Church was one of the speakers.

There were about 300 attendees. Topics discussed included:

- Difference between 5 & 6 member councils
- Planning Commission – a one member PC is possible, if our ordinance is changed
- Open meetings act
- GRAMA
- Electronic communications outside meetings – texting and phone calls are not considered part of the public record. Emails are public record.
- Closed meeting information requirements
- Emergency meetings – do not require 24 hour notice
- Friday facts emails – updates on UT legislative policy
- Legislative group – legislature policy committee. The town can have 3 members on that committee. Meetings are held remotely. Mayor Simpkins is interested in joining.
- April conference in St. George. Someone should attend. Cary McNamara, the ULCT financial oversight representative will give a budget presentation.
- Internet Sales Tax. It may be possible for the town to get internet sales tax if we add a suffix to our zip code.

12. Title 02 Municipal Government Ordinance Review and Discussion

Possible conflict between Interlaken Municipal Title 02, Section 2.02.030 “Form and Character of Motions” and Utah Code 10-3b-402(1)(a).

A motion was made to strike the language in Section 2.02.030, which prevented the mayor from making motions.

Current Title 02 Municipal Government language:

Section 2.02.030 Form and Character of Motions

A. Upon review of the public record on a request and due deliberation among the members of the Town Council, any member of the Town Council, except the Mayor, may make a motion. The motion shall include not only the direction of the motion (table, continue for further investigation, return to referring body for further study, approval, approval with conditions, or denial), but also a recitation of the specific findings and conclusions supporting each motion.

Proposed Title 02 Municipal Government language:

Section 2.02.030 Form and Character of Motions

B. Upon review of the public record on a request and due deliberation among the members of the Town Council, any member of the Town Council, ~~except the Mayor~~, may make a motion. The motion shall include not only the direction of the motion (table, continue for further investigation, return to referring body for further study, approval, approval with conditions, or denial), but also a recitation of the specific findings and conclusions supporting each motion.

Motion: Council Member Harrigan moved to approve the proposed changes to section 2.02.030.

Second: Council Member Sue O’Nan seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

13. Title 11 Land Use Code Changes for Setbacks – Review and Motion to Approve

Clerk Smith presented a list of recommended code changes for Title 11 that affect setback requirements for construction in Interlaken. These code changes were discussed and approved by the planning commission at the December 11, 2017 land use hearing. These changes are detailed in the attachments for this meeting.

Motion: Council Member Harrigan moved to approve the proposed changes to Title 11 that define setbacks.

Second: Mayor Simpkins seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

14. Meeting Scheduling – BHR Letter, Midway Mayor Meeting, Soper Application

These topics will be discussed in a closed session immediately following this meeting.

15. Planning Commission Update – Susanna Littel, PC chair

- General Plan Update – the next General Plan task force meeting is scheduled for 1/13/18.
- Current Building Permit Status – no significant changes or updates
- Replacement of Beth Overhuls – Clerk Smith will advertise the open planning commission position

16. No Parking Signs – Leslie Haarup, 324 Interlaken Drive

Its been determined that the new no parking sign is located in the public right of way and that there is no concern from SuperDave regarding snow removal with the sign in its current location. The alternate location proposed by Leslie Haarup is behind some trees, not high enough, and facing the wrong way. It was decided to leave the sign in its current location. Susanna Littel suggested we clean up the no parking language in our code. For parking violations, only the town council can call the sheriff. If there’s an accident, then any resident can call the sheriff.

17. Lighting Ordinance Specifications Enforcement – Review and Discussion of Specifications

There are no enforcement penalties currently in effect. Cameron Diehl suggested we tag onto Wasatch County for enforcement responsibilities. This new state law won’t go into effect until next summer. The council suggested clerk Smith email a reminder to the town regarding our lighting ordinance.

18. Mayor Items for Discussion

Mayor Simpkins sent out a list of suggested work sessions for 2018.

ULTC - Legislative Policy Committee (remote access) can have up to 3 members from Town.

Work Sessions for 2018

- • Utah Local Government Trust - Review Risk Assessment for planning
- • Review of Ordinances - Updates/changes
- • Create Capital Improvement plan
- • Fiscal Plan/Municipal Plan
- • General Plan – when will we see a draft of the plan?
- • Review of roles and responsibilities

Future Items

- • Look into 3 year rolling budget (? Is it an option contact Kerri Nakamura, ULCT Financial Oversight Consultant)
- • Cedar Hills - HAM Tower
- • State Park / Interlaken Trail Head - Garbage dumpster (open to public) (Tracy). The state park will discuss relocating our dumpsters to their land on the condition that the dumpsters be made available for all the public to use.
- FFSEL - Contact Troy (Wasatch Fire). We don't need a separate agreement with Wasatch County, but we need to sign the FFSEL. Simpkins will look at the town of Daniels copy of the agreement.
- We need to write Hawkins a letter regarding the ROW violation and a request for him to provide a guardrail.

19. Scott Neuner Thank You

We will send him a card.

20. Current Action Items

Bart Smith

- Provide the water masters with an emergency call list.
- Advertise the planning commission opening.
- Make a note on the website that parking violation may be reported only by council members.
- Email a reminder to the town regarding our lighting ordinance.
- Find the guardrail recommendations previously compiled by a former resident and forward them to Simpkins and Littel.
- Contact Howard about garbage on site.
- Track damage to bank by Frank construction and propose a remedy in spring.
- Pass along calling post information to Simpkins and Harrigan.
- Get GIS files from Summit Engineering.

Lisa Simpkins

- Review Daniels' copy of the FFSEL agreement and sign.
- Write a letter to Hawkins regarding the ROW violation and a proposed guardrail.
- Setup a meeting with the Wasatch County Sheriff to do develop an emergency plan.
- Send Scott Neuner a thank-you note.

21. Other Business

The February meeting has been rescheduled to January 30, 2018.

22. Public Comment. None.

23. Council Comments.

24. Adjournment.

Council Member Sue O’Nan moved to adjourn the meeting. Council Member Harrigan seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:23 PM.

The next Town Council meeting will be held on Tuesday, January 30th, at 6:30pm, at the Town Pump House, 236 Luzern Rd.