



## TOWN OF STOCKTON

18 North Johnson Street  
P.O. Box 240  
Stockton, Utah 84071  
Phone: (435) 882-3877  
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### TOWN COUNCIL MEETING MINUTES DATE: March 16, 2017

Pledge of Allegiance

Roll Call: David Durtschi-Councilman  
Judy Bori-Councilwoman  
Kendall Thomas-Councilman  
Thomas Karjola-Councilman  
Mark Whitney-Mayor

#### 1. Action Items

- a. Approval of Town Council Meeting Minutes dated February 9, 2017  
Motion to Accept Minutes of February 9, 2017- Councilman Kendall Thomas  
Seconded-Councilman Thomas Karjola  
All in Favor  
Motion Passed
  
- b. Check Register Review for month of February 2017  
Motion to Approve the Check Register for February 2017-Councilman Thomas Karjola  
Seconded-Councilman-Kendall Thomas  
All in Favor  
Motion Passed
  
- c. Financial Bill Review for bills over \$1,000.00 for the month of February 2017  
Motion to approve invoice #8244 for \$1825.00, dated 1/31/17 from Hayes, Godfrey,  
and Bell-Councilman Durtschi  
Seconded-Councilman Kendall Thomas  
All in Favor  
Motion Passed
  
- Motion to approve invoice #8278 for \$2,000.00 dated 2-28-31 from Hayes, Godfrey,  
and Bell- Councilman Thomas Karjola  
Seconded- Council Kendall Thomas  
All in Favor  
Motion Passed

d. Approval of Bonneville Collection Agreement with the Town of Stockton.  
Motion to Approve Bonneville Collection Agreement-Council David Durtschi  
Seconded-Councilman Thomas Karjola  
All in Favor  
Motion Passed

e. Cooperative Agreement between the Utah Division of Forestry, Fire and State Lands and Stockton.  
Motion to Approve the Cooperative Agreement between the Utah Division of Forestry, Fire and State Lands and Stockton-Councilman Kendall Thomas  
Seconded-Councilman-David Durtschi  
All in Favor  
Motion Passed

f. Proposed Amendments to Town of Stockton Zoning Ordinance, Title 10 of Town Code.

The original will go to the codifiers. This version includes all the changes made over the last four years. Some council members felt, we needed to look at it closer. Councilwoman Judy Bori objects to the 8,000 sq. ft. to 12,000 sq. ft. part. The planning commission recommends that a variance can be asked for. Amendments on a preexisting use, like a burned house, are allowed, and if conditions are satisfied, it can be approved. If they have some changes in appearance that will make it look better, then that benefits the town too. A conditional use permit can be approved if they meet all the setbacks. The contractor who bought several lots can build on it as long as they meet all variances and setbacks. The amount of chickens or cows is mostly for the residential area and the businesses on Main Street. The farm areas are where this applies. Setbacks still require coops and hutches 40 ft. from the residence and 75 feet from the neighbors.. You have to have more than 1,200 sq. ft. to have these animals. Steve Oblad, from the Planning Commission said that we need to remember that we have variances, we can issue. Councilman Karjola thought there was an inconsistency. It was brought up that this is so much better than we have ever had. We can always make changes later. The next item discussed was about three (3) ft. fences in the front yard. Chairman, Marlene Thomas and some others thought it should be four feet except on corner lots. There it needs to be 3 feet for cars to be able to see if traffic is coming. They come get a no-fee permit and show us the layout or plans of the fence. We don't want a full time code enforcer. If there is a complaint, then we handle it as it arises. Councilman Karjola wants to strike the hutches and coops from the residential areas. Attorney, Mark Bell will look at those sections. He needs to see what might happen if we take that out. Councilman Durtschi thinks we should adopt the Ordinance and later make changes. Chairman, Marlene Thomas found where it says 10 feet for hutches and coops. That has to take precedence. We have to keep up on the what the State Legislature passes.

Motion to Approve the Town of Stockton Zoning Ordinance, Title 10 of Town Code-  
Councilman Kendall Thomas  
Seconded Councilman David Durtschi  
All in Favor

Motion Passed

Proposed Amendments to Town of Stockton Zoning Map  
Motion to approve the proposed amendments to the town of Stockton Zoning Map  
Councilman Kendall Thomas  
Seconded-Councilman Dave Durtschi  
All in Favor  
Motion Passed

g. Attorney, Mark Bell-Open and Public Meetings Act Training

This training is a state requirement annually. An attachment was passed out to each member. We must always have meetings in the public eye. A quorum is 2/3 of the members. To take an action, you must have 3 people present, which is a majority. If the Mayor is not present, the senior member will be the pro-tem.. You cannot adopt an ordinance in a closed meeting. It must be a public meeting. County attorney or the public can sue us if there is a closed meeting and you adopt an ordinance. There is also a fine and jail for 6 months. In closed meetings, you have a purpose, than if someone takes it off track, that is a violation. You must stay with what is on agenda. It was brought up, that who should be at closed meetings. We can restrict who is there. We can stop recording and clear the room. The closed door meeting must be recorded and kept. Again 2/3 can decide if it should be closed. So if it doesn't need to be closed, don't do it. You must not take any final action unless it is listed on the agenda. If it is an emergency, then do it and ratify it in next meeting. You must not conduct work at any other social function such as a wedding or Stockton Days. Texting another during a meeting is not permitted. Sending emails to all councilman is subject to GRAMA. You can't replace a member who is elected, however, if they are not elected you can go into a closed meeting. Buying and selling water rights can be in a closed meeting. Security measures can be talked about in a closed meeting. Also criminal misconduct can be talked about in a closed meeting.

h. Appointment of Joe Johnston to Planning Commission.

Motion to appoint Joe Johnston as a member of the Planning Commission-Councilwoman-  
Judy Bori

Seconded-Councilman-Thomas Karjola

Motion Passed

All in Favor

Appointment of Vicki Nash to Planning Commission

Motion to appoint Vicki Nash as a member of the Planning Commission-David Durtschi

One vote was abstained-Councilwoman Judy Bori

Seconded-Thomas Karjola

All in Favor

Motion Passed

The Mayor can bring in and appoint, but he has to have the consent of councilman. In the future, we should advertise for these appointments.

2. Ordinance and Resolutions: Resolutions adopting new Stockton Zoning Ordinance, Title 10 and Town of Stockton Zoning Map. We will assign it a number. It is already approved

above.

3. Reports of Municipal Officers, Departments and Committees and Mayor Repo

(1) Parks-In April we will patch some asphalt.

(2) Sod Farm-We will be cutting down weeds for fire abatement.

(3) Roads-Crack Sealing this year. Councilwoman Judy Bori brought up the house on Johnson Street and how they left Argent Street a mess. We have talked to the Company/contractor and they will fix it as soon as the asphalt companies open.

(4) Garbage-There will be a town clean-up on April 21 and 22.

(5) Water-Water Treatment Plant Update-We will discuss more on the 1<sup>st</sup> meeting in April. Two cells are being worked on. We are operating on one cell.

(6) Sewer-Mayor Mark Whitney will inspect all the manholes.

b. Town Council Report: Councilman Durtschi; Councilman Thomas; Councilman Karjola; Councilwoman Bori

Councilman Kendall Thomas thanked all the codification crew and also Mark's leadership.

Councilman Thomas Karjola-Michael Rapich and his dad will help with building the new council chambers bench.

Councilman David Durtschi- When Mosquito season arrives, they will be spraying. Let them know if there is a problem area so can come spray.

Councilwoman Judy Bori stated we are having a work meeting.

c. Police Report-Travis Romney, Chief of Police-We had our 100<sup>th</sup> call for the year.

We had 28 Stops, 38 cases and 12 tickets. A runaway case took about 4 hours to find her. Thank you to all the reserve officers. The Town really showed up to support the Girl Scouts. David Durtschi really likes the Police facebook page. It went from 5 likes to over 300 likes. Mark stated that Travis is working diligently as an officer, but he may need support with a part-time officer later.

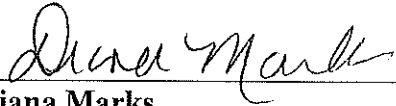
d. Fire Department – Justin Huffman, Fire Chief/Jonathan Thatcher, Assistant Fire-There were not any personnel present.

e. Planning and Zoning – Councilwoman Bori-She likes meeting minutes in the packets.

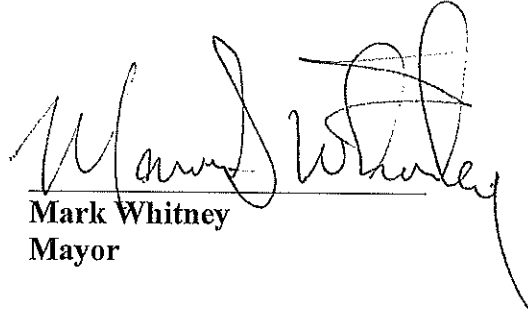
f. Attorney – Mr. Bell, Stockton Town Attorney-Nothing else except he appreciates working with all of us.

4. Unfinished Business-There will be a work meeting on Monday, March 27 at 1pm. An agenda will be sent out. No action can be taken in the work meeting. If you have an action item that needs to be brought up, put it in the agenda for the next regular Town Council Meeting.

5. Adjourn:  
Motion to adjourn-Councilman Kendall Thomas  
Seconded-Councilman Thomas Karjola  
All in favor  
Motion Passed



**Diana Marks**  
**Town Clerk**



**Mark Whitney**  
**Mayor**

Public notice provided as follows:  
Stockton Town Hall  
Stockton Town Post Office  
Stockton Town Web Site  
Utah Public Notice Web Site