

Boulder Town Council Meeting  
November 3, 2022 7:00 PM  
Meeting Minutes

Town Council Members present- Jim Catmull, Mayor Judy Drain, Steve Johnson, Gladys Lefevre, Elizabeth Julian, Town Clerk Judi Davis, Assistant Town Clerk Lexxi Johnson

Public Present-

In person-Ashley Coombs, Jeane Zigler, Kip Greene, John Veranth, Steve Cox, Cindy Willson, Josh Ellis, Nick Vincent, Elena Hughes, Sam Stout, Randy Catmull, Dave Mock

Via Zoom-Anson Fogel, Tina Karlsson, Vanessa Detwiler, Kandice and Corry Johnson, Andria Rice, Tessa Barkan, Shelley Price-Gibson. Mark Nelson, Jen Bach

Meeting was called to order at 7:06

**Pledge of Allegiance**

**Approve Agenda**-Elizabeth comments to move the December business should be after the public comment. Steve makes a motion to approve the agenda with the change and Gladys Second. Elizabeth says yes, Jim says yes, Steve says yes, Gladys says yes, Judy says yes and the agenda is approved.

**October Minutes Approval**-Gladys makes a motion to approve minutes as presented and Elizabeth seconds. Jim says yes, Gladys says yes, Steve says yes, Elizabeth says yes, Judy says yes, and the minutes are approved without any changes.

**Public hearing for Fire Protection Ordinance**-Judy makes a motion to close regular meetings and open public hearing and Gladys seconds. All members say yes, Judy makes a motion to open a public hearing and Gladys seconds. All members say yes and the public hearing opens on Ordinance 2022-4.

Public Hearing Comments- John Veranth comments from his position on the planning commission. He also states that the ordinance was sent to the state fire marshal and the fire marshal approved. The planning commission has sent a favorable recommendation that the council passes the ordinance.

Jennifer and Dan state their support and thank the planning commission on the work they have put in. Josh Ellis wrote an email regarding his position on the ordinance and asks if the council has any questions Josh gives a brief summary regarding his email. Shelley Price- Gibson asks who has the final say on fire protections. Jim replies that it is based on the engineering of the project. After no more public comments Judy Makes a motion to move out of the public hearing and back to the public meeting and Steve seconds. All members say yes and the public hearing ends and the public meeting opens.

#### **Discussion and Vote on Proposed Ordinance 2022-4 Regulating Fire Protection**

-Judy makes a motion to pass the Ordinance 2022-4 and Gladys seconds. All members say yes and it opens for discussion. Judy reads the Whereas's of the ordinance. Judy comments that she has sent the ordinance to Mark Mciff and he requests a grammar change and the "fire authority" needs to be defined. Elizabeth comments that she believes it has already been defined in a previous meeting. Mciff also comments that the word feasible needs to be better defined. Section (a) needs to be changed from 500 feet to 600 feet and in section (b) a spell check error from "many" to "may". Jim comments on the part where it says what the "fire authority may allow" and he mentions that is up to an engineer. Elena Hughes comments that an engineer will have to approve before passing the plat. John Veranth explains what the paragraph (b) is dealing with. After discussion Jim makes a motion to take out the first sentence of the paragraph (b) and Steve seconds. Gladys says yes, Elizabeth says no, Steve says yes, Jim says yes, and Judy says yes. The motion carries to remove the first sentence of (b). Judy reads paragraph C and after discussion Jim makes a motion to get rid of the wording "where feasible" and the second sentence in the paragraph and Steve seconds. Gladys has a question on the motion and the council members have more discussion. After further discussion Gladys says no, Elizabeth says no, Steve says yes, Jim says yes, and Judy says yes. The motion carries. Elizabeth makes a motion to make three changes- 1- adding the Boulder Town code is amended as follows in the Now Therefore sentence 2-change "many" to "may" and 3- changing 500ft to 600 ft in section A and Jim seconds. Gladys yes, Steve yes, Elizabeth yes, Jim yes, and Judy yes, the motion passes to make the three changes. Judy makes a motion to pass ordinance 2022-04 Regulating Fire Protection with the changes and Jim seconds it. Gladys says no, Elizabeth says no, Steve says yes, Jim says yes, and Judy says yes and the motion carries.

**Fogel/Fuller Subdivision Approval-** Judy talks on a letter sent to the town from Boulder Farmstead regarding the application and Judy would like to send the letter on to the attorney. Judy makes a motion to table the item and Gladys seconds it. Gladys says yes, Elizabeth says yes, Steve says yes, Judy says yes, and Jim says yes and the motion passes.

**200 North Road (Cindy Wilson)**-Judy comments that Cindy had a valid question regarding who was responsible if someone hit the objects on the side of the road. Judy comments on the responsibility and states it's the driver's responsibility for their driving and Kandice and Corry have responsibility for having the customers pull into parking spaces far enough. The council has made their decision on the matter and that is where they stand. Cindy Wilson comments that the town is not following their own ordinances. Cindy comments that the objects in the road are litter. Gladys comments that she thinks part of the problem is that the town stated that they allow parking in the easement but some of the items are in the easement as well. Cindy asks why the town is not doing anything about the objects. Elizabeth comments that her understanding was after the decision was made in the special meeting they had 10 days to appeal it. Corry Johnson comments that the road has never been blocked and they do the best they can to have customers pull up as far as they can and to insure they don't put other customers and the building in danger. Cindy Wilson states that her mother has been blocked and if the objects weren't there then people wouldn't park blocking the road. Elizabeth says it may have to be an issue where the Willson family takes legal action further or deals with the matter outside of council meetings since they have not been able to be productive and both parties are not satisfied. Other residents on the road could be invited as well. Judy will send Elizabeth's suggestion to Mark Mciff and see what he says.

**Sam Stout (300 E. 200 N.) road**- Sam is requesting having the road realigned for a safety factor. Sam discusses some of the statistics and costs and offers to help do some of the work. The council agrees they will need more time to look and research the plans that Sam is bringing to the council and take action on a further date. Dave Mock speaks on his perspective and opinion on what he believes should be done with the road as he is a property owner who would be affected by the change.

**10 loads of road base for road repairs**-Jim would like to have the loads stored for when needed. He would like to store the road base on the north end of the town hall. Jim is wanting to move forward on getting the two bids. Judy makes a motion to approve Jim to get two different bids for the road base and Gladys seconds it. Gladys says yes, Elizabeth says yes, Steve says yes, Jim says yes, Judy says yes and the motion is approved.

**Approval of funds for 450 W. survey**-Jim comments that the town needs to receive a survey to determine the road and how the town can move forward with repairs, culverts, and a ditch system. Gladys asks if the area is a flood plain or not. Gladys makes a motion to have a survey done and Jim seconds it. Judy says yes, Jim says yes, Steve says yes, Elizabeth says yes, Gladys says yes and the motion is passed.

**Resolution for Town Park Walkway-** Jim received paperwork from UDOT for the landscaping agreement and UDOT needs a resolution from the town saying the town does not want parking on the trail. Judy will work with the clerks to have the resolution put together and sent to council members before the December meeting.

**Post office phone and internet-**A new router will be placed in the post office so the post office and fire department can access it. Elizabeth follows up on Gladys comment from the previous meeting regarding the town's contract with the post office. Peg said the router was around \$100.

**Posting Matt Cochranes PC position-** In December Matt Cochranes position on the planning commission will be open and the Town will need to post it. Elizabeth comments that the town needs to post any opening whether or not the person wants to keep the position or not. There will be two open positions for the Planning Commission and the Board of Adjustments.

**Approve October Checks-** Elizabeth makes a motion to approve the checks as presented and Gladys seconds. Steve says yes, Gladys says yes, Jim says yes

### **Department Reports**

**Elizabeth Julian-** In December the library will have goodies for sale. The Arts council has a Michael Branch reading Nov. 4.. The next exhibit will be a community exhibit using classic Christmas family photos. Holiday market is Dec 3rd. Planning commission is changing their meetings from 7PM to 6PM. They are finalizing the attainable housing forum, a subdivision discussion and a Lee Nellis discussion. Jared Brems is running to represent the fifth seat for the school board.

**Jim Catmull-** The pit is out of room at the dump and next week Sam will dig a new pit. Also needing to burn the burn pit. The EMT's had one non local fatality. Jim spoke with Karen on how they can get and keep EMT's and support. Jim thinks some form of payment might help the problem. Elizabeth comments that she believes the county does pay EMT's.

**Gladys Lefevre-**Nothing to report

**Judy Drain-** Nothing to report from the county or the planning commission.

**Steve Johnson-**Still waiting on the resolution from the town for the park committee. Steve proposed a rotation from the park committee but he still needs to collect more information

### **Public comments-**

**Steve Cox-** Two years ago the town applied for and received funds and he recommends using the money to distribute to hotel/motel and restaurant businesses in town where the business has been down.

**Elena Highes-** suggests the town could do a fundraiser for the firefighters and EMTs to receive donations for the volunteers.

**December business-**

Fogel/Fuller Subdivision  
Park committee resolution  
Walking path resolution  
Audit in December  
Contract with post office

Jim makes a motion to adjourn the meeting and Steve seconds. Elizabeth says yes, Gladys says yes, Jim says yes, Steve says yes, Judy says yes, and the meeting is adjourned.