

**ESCALANTE CITY COUNCIL MEETING
JULY 16, 2024
REGULAR MEETING – 6:00 P.M.
ESCALANTE CITY COUNCIL CHAMBERS - 56 NORTH 100 WEST**

Mayor Melani Torgersen called the meeting to order at 6:00 p.m. in the Escalante City Council Chambers.

Present at said meeting were Mayor Torgersen, Council members Blaine Porter, Sally Orme, Lenza Wilson, Marlene Stowe, Chad Lyman, City Attorney Barry Huntington and City Recorder Stephanie Steed.

Also present were Bill Weppner, Fred Spencer, DeEtte Spencer, Terence Tontlewicz, Julie Brugger, Suzanne Stedler, Ted Levine, Richard Crawford and Victory Crawford.

Mayor Torgersen led the Pledge of Allegiance.

ADOPTION OF THE AGENDA

Council member Wilson moved to adopt the agenda as written. Council member Porter seconded the motion. Motion carried with Council members Stowe, Lyman, Wilson, Orme and Porter voting aye.

APPROVAL OF THE MINUTES OF JUNE 18, 2024 MEETING

Council member Lyman moved to approve the minutes of the June 18, 2024 meeting as written. Council member Stowe seconded the motion. Motion carried with Council members Wilson, Orme, Lyman, Stowe and Porter voting aye.

APPROVAL OF THE MINUTES OF JUNE 19, 2024 MEETING

Council member Orme moved to approve the minutes of the June 19, 2024 meeting as written. Council member Porter seconded the motion. Motion carried with Council members Lyman, Stowe, Orme, Porter and Wilson voting aye.

PUBLIC COMMENTS

There were no public comments at this time.

PLANNING AND ZONING ITEMS

PLANNING AND ZONING UPDATES

Council member Stowe said there was a Planning and Zoning work meeting on June 25 to work on the Ordinances.

SCHEDULED ITEMS

SUSANNE STEDLER – CLOSE 200 E. MAIN STREET TO 300 E. MAIN STREET FROM 12:00 P.M. TO 5:00 P.M. FOR VET CLINIC FUNDRAISER.

Ms. Stedler explained this event. Ms. Stedler said the time of the event is from 2:00 p.m. to 7:00 p.m. Ms. Stedler said she has contacted the Garfield County Sheriff's department and they have no objections to closing the road where it is a side street. **Council member Orme moved to**

allow Ms. Stedler to close 200 E. Main Street to 300 E. Main Street from 2:00 p.m. to 7:00 p.m. on August 3, 2024 for the Vet Clinic Fundraiser. Council member Porter seconded the motion. Motion carried with Council members Porter, Lyman, Wilson, Stowe and Orme voting aye.

BILL WEPPNER – REPAIRS FOR LADDER 1

Mr. Weppner said in researching the issue with Ladder 1 they gained access to the Cummins database and learned that there is an open recall on the component of the engine. Mr. Weppner said they contacted the Cummins service department in Grand Junction, Colorado and they will send a repair guy down to do the recall. Mr. Weppner said Cummins explained that everything should be covered for the recall, the travel, the lodging, the meals, the parts and the labor. Mr. Weppner said City Recorder Steed set up an account with Cummins so the parts could be ordered and they came in today so they scheduled the recall and diagnostic trip for Tuesday and Wednesday next week. Mr. Weppner said the repair guy will do the recall and the diagnosis to see what the issue is with the Diesel Exhaust Fluid (DEF) system in the truck. Mr. Weppner said if the diagnosis shows something in the DEF system needs to be fixed the repair guy will have to come back and the City will be charged for that.

MEDICAL CENTER ADDITION BID AWARD – CONTRACTOR

Mayor Torgersen said the City only received one bid for the Medical Clinic Addition. Mayor Torgersen explained the City received \$1,365,000.00 with a contingency fund from CIB for the construction and the bid was 1,847,000.00. Mayor Torgersen said the bid is almost three quarters of a million dollar over budget without the contingency fund of \$123,000.00. Mayor Torgersen said it is scary to go into a project without a contingency fund. Council member Wilson said he assumes the best thing to do at this point would be to reject the bid and go back and try to change things. Mayor Torgersen said she contacted another contractor and he said the bid looked fair to him due to commercial buildings coming in just over \$500.00 a square foot. This item was discussed at length. **Council member Wilson moved to deny the bid and make adjustments to rebid in the future. Council member Porter seconded the motion. Motion carried with Council members Wilson, Porter, Stowe, Orme and Lyman voting aye.**

RESOLUTION ADOPTING FINAL TAX RATES FOR 2024

City Recorder Steed explained the Final Tax Rates for 2024. **Council member Orme moved to approve the final tax rates for 2024. Council member Lyman seconded the motion. Motion carried with Council members Orme, Stowe, Porter, Lyman and Wilson voting aye.**

MOVE POWER POLES FROM CITY STREET

Council member Lyman said he contacted Garkane Energy and paid the \$390.00 fee to get the engineering done on this project. Council member Lyman said the estimated cost of this project is just under \$10,000.00. Council member Lyman said when he submitted the application, he requested Garkane Energy pay for half but the chief operating person came back and said they will not pay for half. Council member Lyman said he talked to Justin Miller and he told him the City could get on the next meeting agenda and ask the board if they will reconsider and pay for half of the project. Council member Lyman said he talked to Garkane Energy Board member Reed Munson and he told him to get on the agenda and he can either represent it for the City or we can attend the meeting. Council member Lyman said the next meeting is the last Monday of this month and he would strongly suggest we have someone there representing the City. Council

member Wilson said he will attend if Council member Lyman cannot. Council member Lyman said he will attend if possible but if not Council member Wilson or another City representative will attend. **Council member Wilson moved to get on the Garkane Energy agenda to work for better terms and move forward with the project after the meeting. Council member Lyman seconded the motion. Motion carried with Council members Wilson, Orme, Porter, Lyman and Stowe voting aye.**

POLICIES AND PROCEDURES – AMENDING SECTION 3.1.120 AND 3.2.050

BENEFITS

City Recorder Steed explained this item. City Recorder Steed said in the City Employee handbook it states when an employee is injured on the job they have to report it to their supervisor the day of injury, but in the Policies and Procedures manual it states it shall be obtained as required by law. City Recorder Steed said she has contacted the City’s insurance company and they suggested adding in “any injury including beyond basic first aid must be reported to the City Office immediately” which is state code. City Recorder Steed said she feels this will eliminate any confusion. **Council member Porter moved to add the suggested language above to the Policies and Procedures. Council member Stowe seconded the motion. Motion carried with Council members Lyman, Orme, Stowe, Wilson and Porter voting aye.**

WATER/SEWER – DELINQUENT BILLS

City Attorney Huntington explained the City has individuals that have delinquent utility bills going back as far as two years. City Attorney Huntington said he has put a lean on the property but it is only for the amount of the bill at the time of the lean. City Attorney Huntington said if property owners still do not pay, we have to keep putting leans on them due to the amount of the bill being larger than the current lean. City Attorney Huntington said his suggestion is to look at pulling the meter and make the owner reapply for services and pay for the impact fee and connection fees. Council member Porter asked if the City can legally pull the water meter and sewer service. City Attorney Huntington said yes if it is in the City Ordinances. Council member Wilson said he feels if someone goes six months without paying their utility bill it should be declared abandonment. City Attorney Huntington said the City will have to give a notice and a time limit to pay the bill in full before pulling the service. This item was discussed at length. **Council member Porter moved to move forward with an Ordinance to pull the water meter and sewer service and make the owners reapply for services and pay for the impact fees and connection fees if they are six months delinquent. Council member Lyman seconded the motion. Motion carried with Council members Lyman, Stowe, Porter, Orme and Wilson voting aye.**

DEPARTMENT REPORTS

ADMINISTRATIVE

City Recorder Steed said the budget and financial statements are available for review.

City Recorder Steed said the annual audit is scheduled for October 3, 2024.

City Recorder Steed said she needs to post for a public hearing on the matter of Mark Austins request to abandon a city street. City Recorder Steed said August 6, 2024 would be the earliest she could post for a public hearing, but she will not be able to attend that meeting. City Recorder

Steed said the next meeting would be August 20, 2024. The Council said to post for the public hearing on August 20, 2024

PUBLIC WORKS DEPARTMENT

The Public Works Department was not present at said meeting.

FIRE DEPARTMENT

Mr. Weppner said Since the last meeting they had we had six call outs. Mr. Weppner said they were called on one false alarm at the high school, a single car accident by Boulder, a call out to assist 506, two calls to Calf Creek recreation site, and one structure fire at Of Land.

Mr. Weppner said the Fire Department would like to remind everyone burning and doing fireworks, that it is dry and can potentially cause a fire, so everybody needs to be careful.

Mr. Weppner said if you remember from some past discussions, they have their standard operating procedure for electric vehicle fires with lithium batteries. Mr. Weppner said it requires almost 20,000 to 30,000 gallons of water to extinguish one lithium battery fire. Mr. Weppner explained at this time the EPA requires you to recover all that water as a hazardous waste, but they do not have the ability to do that. Mr. Weppner said the Fire Department will basically fight this type of fire defensively, which means we will not fight the actual fire.

COUNCIL REPORTS

MAYOR MELANI TORGERSEN

Mayor Torgersen had nothing to report at this time.

COUNCIL MEMBER CHAD LYMAN

Council member Lyman said he is still working on possibilities to widen Center Street to the south part of town. Council member Lyman said he will talk to Council member Porter about the waterlines and get an estimate on the project.

Council member Lyman said the next time Mayor Torgersen has a meeting with the Public Works Department he would like to talk to them about sweeping the streets before the 24th of July Celebration. Mayor Torgersen said the Street Sweeper is not working. Mayor Torgersen said Brent Pickering has been cleaning out the gutters on Main Street every morning.

COUNCIL MEMBER LENZA WILSON

Council member Wilson said he has been able to get a few problem areas on the fence fixed at the Airport.

Council member Wilson said he is working with the Public Works on putting a timer on the Splash Pad so it will turn off at night. Council member Wilson said he is working on putting some extra outlets by the Splash Pad to help with events in the park.

Council member Wilson said he would like to Commend the area Fire Departments on the response of the Of Land fire. Council member Wilson said he was impressed at how many agencies showed up and how well it was handled.

COUNCIL MEMBER BLAINE PORTER

Council member Porter had nothing to report at this time.

COUNCIL MEMBER MARLENE STOWE

Council member Stowe said she has ordered signs for the Park, the Community Center and the Splash Pad.

COUNCIL MEMBER SALLY ORME

Council member Orme had nothing to report at this time.

UNPAID BILLS

Council member Porter moved to pay the unpaid bills. Council member Stowe seconded the motion. Motion carried with Council members Stowe, Orme, Lyman, Wilson and Porter voting aye.

EXECUTIVE SESSION

Council member Orme moved to go into executive session at 6:37 p.m. for a strategy session to discuss the purchase, exchange, or lease of real property. Council member Stowe seconded the motion. Motion carried with Council members Porter, Orme, Lyman, Stowe and Wilson voting aye. Present at the executive session were Mayor Torgersen, Council members Lyman, Orme, Stowe, Porter, Wilson, City Attorney Huntington and City Recorder Steed.

Council member Lyman moved to go out of executive session and back into regular session at 7:07 p.m. Council member Porter seconded the motion. Motion carried with Council members Stowe, Porter, Lyman, Wilson and Orme voting aye.

Council member Porter moved to adjourn the meeting at 7:08 p.m. Council member Stowe seconded the motion. Motion carried with all in favor.

Stephanie Steed, MMC
City Recorder

Date minutes approved: 08/06/2024