

**MINUTES OF MORGAN CITY
COUNCIL MEETING**

MARCH 26, 2024; 7:02 P.M.

**MAYOR AND COUNCIL MEMBERS
PRESENT:**

**Mayor Steve Gale, Tony London, Jeff Wardell, Eric
Turner, and Jeffery Richins**

**COUNCIL MEMBERS PRESENT
ELECTRONICALLY:**

Dave Alexander

STAFF PRESENT IN-PERSON:

**Ty Bailey, City Manager; Gary Crane, City Attorney;
Denise Woods, City Recorder; Kale Watkins,
Water/Wastewater Senior Operator; Clark Crook,
Power Foreman; and Lance Prescott, Street
Department**

This meeting was held in the Council Conference Room of the Morgan City Offices, 90 West Young Street, Morgan, Utah. The meeting was streamed live on YouTube and available for viewing on the City's website – morgancityut.org.

This meeting was called to order by Mayor Steve Gale.

The pledge of allegiance was led by Council Member Richins.

The opening ceremony was presented by Council Member London.

APPROVAL OF MEETING AGENDA

MOTION: Council Member London moved to approve the agenda.

SECOND: Council Member Turner

Vote was 5 ayes; Motion passed unanimously to approve the agenda.

MINUTES AND WARRANTS

MOTION: Council Member London moved to approve the following:
Warrants (03/08/24 – 03/22/24)

SECOND: Council Member Richins

Vote was 5 ayes; The motion passed unanimously to approve one set of warrants.

CITIZEN COMMENTS

No citizen comments.

VERBAL PRESENTATION

- **I.P.S.A. SAFETY LEADERSHIP AWARD – MORGAN CITY – RECOGNITION OF ACHIEVING FIVE CONSECUTIVE YEARS WITHOUT A LOST TIME ACCIDENT**
- **I.P.S.A. SAFETY AWARD 2023 – MORGAN CITY – ACHIEVEMENT IN ATTAINING A LOW ACCIDENT FREQUENCY DURING THE YEAR OF 2023**
- **I.P.S.A. APPRECIATION TO CLARK CROOK FOR DEDICATED SERVICE OVER FIVE YEARS AS CHAIRMAN OF THE I.P.S.A. ORGANIZATION**

Ty Bailey, City Manager, explained that the organization, where Clark Crook, Power Foreman, served as president for several years is a certifying body for journeyman linemen and meter technicians. He emphasized its significance in providing apprenticeship programs. He attributed the safety recognition to Clark and the other members of the electric department, particularly highlighting three safety-related awards received.

Clark explained the Intermountain Power Superintendent Association (I.P.S.A.), which encouraged training and safety for apprentices and journeymen, covered a similar group to UAMPS. It included electricians from various areas, with our company being among the closest ones offering training. The program required 8,000 hours, and as apprentices progressed, they were recognized. Safety achievements were recognized annually, with a significant milestone being five consecutive years without lost-time accidents. Despite challenging weather conditions, the team maintained an impressive safety record.

Mayor presented the safety awards and the recognition of service award from I.P.S.A. to Clark Crook.

Council Member London expressed appreciation to Clark and the rest of the department and emphasized it was very impressive to go five years without any lost-time accidents (LTA).

ACTIVE AGENDA

ADOPTION OF MORGAN CITY'S CROSS CONNECTION CONTROL POLICY REGARDING CROSS CONNECTION CONTROL AND BACKFLOW-PREVENTION CONTROL OF THE MORGAN CITY WATER DISTRIBUTION SYSTEM – RESOLUTION 24-11

Ty stated until now, there hasn't been a cross-connection policy in place for Morgan City, which was overlooked in previous years. He acknowledged this oversight and expressed gratitude to Kale for bringing it to their attention.

Council Member Alexander asked for clarification of the permit number Utah 15008,

Kale Watkins, Water/Wastewater Senior Operator, stated Utah 15008 was the City's distribution number.

Council Member Alexander asked Gary Crane, City Attorney, why a policy and not an ordinance.

Gary Crane, City Attorney, stated the City was currently working on amending a code section, which will be presented in an upcoming Council meeting. Our ordinance aligns closely with Kale's recommendations and the state guidelines. We have conducted a thorough review, incorporating penalty sections and other additions not found in the State code due to our secondary system. Both Kale and I have reviewed it, and we'll be ready to present it at another Council meeting. This ordinance also fulfills the requirement by state law and our own ordinance to have a policy in place.

Discussion about the wording concerning the board member overseeing the Morgan City Water distribution system. Gary suggested changed 'Board Member' to 'Water Superintendent' throughout the document. Concerns were raised regarding vagueness in disciplinary actions outlined in the policy. Gary suggested referencing the ordinance for clarity and potential penalties. Additionally, there was a conversation about the types of backflow prevention assemblies required and the responsibility for damages caused by violations. The discussion also covered the specificity of approved backflow prevention assemblies and the provision charging individuals for damages caused.

MOTION: Council Member Alexander moved to adopt Resolution 24-11 – A resolution adopting and approving the Morgan City's Cross Connection Control Policy with the following changes:

- Replace 'Board Member' with 'Water Superintendent' in Part I, paragraphs (1)(b), (2), (4), and the paragraph in Part II; and
- Change Part I, paragraph 2 to read as follows: Any person found in violation of this Policy shall be subject to reprimand or other appropriate disciplinary action as determined by the Water Superintendent over the Morgan City Water Distribution System, pursuant to Title 8, Chapter 8.08, Section 8.08.050 of the Morgan City Code; and
- Part II to read as follows: . . . A copy of the Policy shall be placed in the office of the Water Superintendent over the Morgan City Water Distribution System and will be reviewed for all new construction projects on a case-by-case basis.

SECOND: Council Member London

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye / electronically
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye

Vote was 5 ayes; Motion passed unanimously to adopt Resolution 24-11 – A resolution adopting and approving the Morgan City's Cross Connection Control Policy regarding cross connection control and backflow-prevention control of the Morgan City water Distribution system with changes as mentioned.

Kale Watkins left the meeting at 7:35 p.m.

BID AWARD – COMMERCIAL STREET TRAIL PHASE 1 PROJECT – RESOLUTION 24-13

Ty explained the Commercial Street Trail project was divided into three schedules. Schedule A focused on ADA compliance near Riverside Park to facilitate access to the Mickleson Mile. Schedule B involved connecting Commercial Street to the fairgrounds. Schedule C, which involved water access under the bridge, was contingent on funding. He said the recommendation was to award the project to Wilkinson for \$304,000. However, Schedule C was marked as contingent on funding because the City had applied for a grant for it separately. If the grant is not received, the project will proceed with the current pricing. If the grant is approved, Schedule C will be treated as a separate project with the grant funds, allowing for additional features like parking. This recommendation was made based on the pricing received and the potential grant outcome.

Lance Prescott, Street Department, referenced a map shown on the screen depicting the proposed trail project. He explained idea for the ADA compliance upgrades at Riverside Park stemmed from observing challenges during a park event last fall. The need to provide accessibility from the walking path to the pavilion and Splash Pad led to plans for a skate park ramp and pathway. These additions aimed to ensure ADA compliance while accommodating strollers and wheelchairs. The design incorporated gradual slopes to meet ADA requirements. The project received positive feedback from individuals eager to access Commercial Street's end and connect to nearby facilities. Overall, it was considered a valuable endeavor. He stated the decision was made to install standard streetlights instead of lower-profile pathway lights for the walking path near the intersection under the freeway. This choice was due to the area's darkness at night. The streetlights would illuminate both the street and the walking path, serving dual purposes. This trail addition was seen as beneficial, providing a convenient loop that could ease parking congestion during events like the fair. The sidewalk, or rather, the paved asphalt trail, would not include curb and gutter initially. It was planned to be 10 feet wide over here and 8 feet wide for the section going under the bridge in the future.

MOTION: Council Member London moved to adopt Resolution 24-13 – A Resolution authorizing an Agreement with J. Wilkinson & Sons for the Commercial Street Trail Phase 1 Project; Authorizing further negotiations and change orders necessary for the completion of the Commercial Street Trail Phase 1 Project; Awarding the bid for Schedule A & B in the amount of \$147,094.50 with the option of Schedule C in the amount of \$156,970.00 should additional funding become available; Total bid amount is \$304,064.50.

SECOND: Council Member Richins

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye / electronically
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye

Vote was 5 ayes; Motion passed unanimously to adopt Resolution 24-13 – A Resolution authorizing an Agreement with J. Wilkinson & Sons for the Commercial Street Trail Phase 1 Project; Authorizing further negotiations and change orders necessary for the completion of the Commercial Street Trail Phase 1 Project; Awarding the bid for Schedule A & B in the amount of \$147,094.50 with the option of Schedule C in the amount of \$156,970.00 should additional funding become available; Total bid amount is \$304,064.50.

Lance expressed appreciation to the Council and stated since starting here, had had noticed a significant improvement in our snowplow cleanup times during storms, almost 50% faster. This is largely due to equipment upgrades. I want to express gratitude for the supportive Council that has allowed us to make necessary decisions and upgrades. Despite some skepticism from other cities about the effectiveness of our new truck with a wing, it has proved to be invaluable this winter. Many places might have opposed such innovations, but our Council's support has allowed us to do what we need to do.

Lance Prescott and Clark Crook left the meeting at 7:50 p.m.

Council Member Alexander left the meeting at 7:53 pm.

CLOSED SESSION

MOTION: Council Member Turner moved to go into a closed session at 7:54 p.m. for the purpose of discussing the character, professional competence or physical or mental health of an individual.

SECOND: Council Member London

Vote: 4 ayes; Motion passed to go into closed session; Council Member Alexander was absent.

PRESENT: Mayor Gale, Ty Bailey, City Manager, Gary Crane, City Attorney, Denise Woods, City Recorder, Council Members Richins, Wardell, London, and Turner

MOTION: Council Member Turner moved to open the meeting at 8:13 p.m.

SECOND: Council Member Richins.

Vote: 4 ayes; Motion passed to come out of closed session; Council Member Alexander was absent.

AMENDMENT TO THE CITY MANAGER'S CONTRACT – RESOLUTION 24-12

MOTION: Council Member London moved to adopt and approve Resolution 24-12 – A resolution adopting and approving an amendment to City Manager Agreement Between Morgan City and Tyrell Bailey, City Manager, regarding vehicle use with the amendments below:

- In the first sentence remove 'within the State of Utah'; and
- Removing the last two sentences in the paragraph.

SECOND: Council Member Turner

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – absent
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye

Vote was 4 ayes; Motion passed unanimously to adopt and approve Resolution 24-12 – A resolution adopting and approving an amendment to City Manager Agreement Between Morgan City and Tyrell Bailey, City Manager regarding vehicle use with amendment outlined above; Council Member Alexander was absent.

CITY REPORTS

CITY COUNCIL

Council Member London informed the Council that Nathan Rich, Wasatch Waste Integrated Management District, would be coming to give a presentation regarding the recycling program on April 9, 2024 at 6:00 p.m.

CITY MANAGER

UDOT CONTRACT EXTENSION – YOUNG STREET BRIDGE AND CONNECTOR ROAD

Ty said the UDOT Bridge Project was extended to the end of the year, December 2024, to complete some engineering along the river so the new river access would be included in the FEMA mapping.

ROBINSON WASTE – RATE INCREASE – CPI (CONSUMER PRICE INDEX) INCREASED 3.2% IN 2023

Ty referenced the letter from Robinson Waste Services. He stated the Consumer Price Index (CPI) in 2023 increased by 3.2%, but Steve Robinson, President, of Robinson Waste Services was requesting a 5% increase to cover rising costs. This increase would go into effect on July 1, 2024 as outlined in their letter dated February 1, 2024.

PROPOSED SETTLEMENT AGREEMENT – UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY – DIVISION OF WATER QUALITY

Ty updated the Council regarding the Proposed Settlement Agreement with the Utah Department of Environmental Quality – Division of Water Quality. Ty and Kale Watkins met with Division of Water Quality to discuss the violations and fines which had been assessed and negotiate a settlement.

COMMERCIAL STREET ALLEYWAY CONCEPT – BUSINESS OWNER MEETING

Ty said the City held a meeting with some of the business owners on Commercial Street to discuss the concept for the alleyway behind their businesses. He stated they were in favor of the project.

STREET MAINTENANCE PROJECT – NEIGHBORHOOD MEETINGS

Ty explained there was a meeting with Staff and residents which would be impacted by the summer Street Maintenance Project, which would be almost a complete street rebuild. He said the residents would be impacted because the sidewalk would go into their driveway for ADA compliance. He stated the residents were receptive to the improvements.

HEALTH DEPARTMENT

Ty updated the Council regarding the Health Departments 'Zero Fatalities' program and the 'Take Back Prescription Drug' program.

Council Member Richins referenced the 'Open Comment Form' which had been submitted and asked if Morgan was paying more for power than other Utah cities.

Ty explained each member of UAMPS had their own portfolio and he didn't know what they were paying for their power. He stated the industry had a terrible year last year. The City had an adjustable rate and the City had put a lot of money into system improvements. He said the gentlemen had been invited to come and speak personally with the City.

This meeting was adjourned at 8:30 p.m.

Denise Woods
Denise Woods, City Recorder

SGale
Steve Gale, Mayor

These minutes were approved at the April 23, 2024 meeting.

SWORN STATEMENT

The undersigned hereby swears and affirms, pursuant to Section 52-4-205(1) of the Utah Code Annotated, that the sole purpose for the closed meeting of the Morgan City Council on the **26th day of March, 2024**, was to discuss the of the character, professional competence or physical or mental health of an individual.

Dated this 26th day of March, 2024.

ATTEST:

SGale
STEVE GALE, Mayor

Denise Woods
DENISE WOODS, City Recorder