MINUTES OF MORGAN CITY COUNCIL ELECTRONIC MEETING  
AUGUST 25, 2020; 6:00 P.M.  

MAYOR AND COUNCILMEMBERS PRESENT ELECTRONICALLY:  
Mayor Ray W. Little, Tony London, Jeff Wardell, Eric Turner, Jeffery Richins, and Dave Alexander  

STAFF PRESENT ELECTRONICALLY:  
Ty Bailey, City Manager; Gary Crane, City Attorney; Jamie Grandpre, Water/Wastewater Senior Operator; and Denise Woods  

OTHERS PRESENT ELECTRONICALLY:  
Dennis Lyon, HomeServe; and Terry Lawrence  

This meeting was held in the Council Conference Room of the Morgan City Offices, 90 West Young Street, Morgan, Utah.  

This meeting was called to order by Mayor Ray W. Little.  

The pledge of allegiance was led by Ty Bailey, City Manager.  

The opening ceremony was presented by Councilmember Richins.  

MINUTES AND WARRANTS  
Councilmember Alexander suggested a change in the minutes of the City Council meeting regarding the vote on Resolution 20-19. He suggested the word “unanimously” be eliminated as the vote was 4 ayes to 1 nay.  

MOTION: Councilmember Alexander moved to approve the following:  
Minutes of the Morgan City Council Meeting – August 11, 2020 (Truth in Taxation) with the change mentioned on page 2;  
Minutes of the Special City Council Meeting – August 11, 2020; and Warrants  

SECOND: Councilmember Turner  

The vote was unanimous to approve both sets of minutes of August 11, 2020 with the elimination of the word “unanimously” on Page 2 as suggested and one set of warrants.  

PRESENTATIONS  
HOMESERVE – NLC SERVICE LINE WARRANTY PROGRAM – DENNIS LYON, REGIONAL DIRECTOR  
Jamie Grandpre, Water/Wastewater Senior Operator, introduced Dennis Lyon with HomeServe. Dennis Lyon explained HomeServe was the provider of the National League of Cities Service Line Warranty Program. The program had been available for 17 years and was accredited with the Better Business Bureau with an A+ rating and had the endorsement of the National League of Cities (NLC) since 2010. He explained infrastructure was a challenge and the EPA estimated that cities across the nation would spend
heavily on replacement and upgrades to infrastructure over the next 20 years. Homeowners were responsible for the laterals to their home and they were subjected to the same elements as public lines, i.e. ground shifting, fluctuating temperatures, tree root penetration, corrosion, etc. The common misconception was homeowners thought the municipality was responsible for maintenance of the water and sewer lines on their property or their homeowner’s policy would cover them. He explained HomeServe administered all aspects of the program, i.e. marketing, billing, claims, customer service, and setting up local contractors to provide the service. There was no cost to the City and no public funds were used. HomeServe also educated residents on their lateral line responsibilities. He explained their service offered 3 separate products – External Water Line Coverage, External Sewer Lateral Coverage, and In-Home Plumbing Coverage. He explained the coverage provided to the homeowner and the marketing approach. He stated nothing would be mailed to residents without the City’s review and approval. The City’s role in the partnership with HomeServe would be to allow the usage of the City logo and a generic signature.

Discussion regarding the following items:

- Responsibility of billing;
- Profit or non-profit business;
- Benefits of going through cities to promote the business;
- Residents had confidence in program if City officials had vetted the program;
- Responsibility to make best decision for the community;
- Other companies providing the service and was uncomfortable supporting one over the others;
- Cost for service listed as initially $5.75 per month and there was a clause in the agreement which allowed HomeServe to increase prices when necessary; and
- Number of incidents regarding these issues were approximately one dozen per year and mostly during the winter months.

CITIZEN COMMENTS

Mayor asked if any requests to make comments had been received. Denise Woods, City Recorder, stated no requests had been received to join the electronic meeting to make comments.

Mayor suggested changing the agenda to discuss item 5, Resolution 20-24 – HomeServe, before item 4.

NEW BUSINESS

RESOLUTION 20-24 – HOMESERVE – MARKETING AGREEMENT BETWEEN UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. d/b/a SERVICE LINE WARRANTIES OF AMERICA AND MORGAN CITY

Councilmember London asked if the City would receive $.50 out of the $5.75 a month for the service or would it be in addition to the $5.75.

Dennis clarified it would come out of the $5.75 monthly fee.

Councilmember Alexander asked Gary Crane, City Attorney, if the City entered into this agreement could it set a precedent.

Gary Crane, City Attorney, said the provisions of the agreement provided for an exclusive right for the company to use the City’s logo. He said by allowing this company to use the City’s logo you would be lending, to some degree, credibility to the entity. He mentioned there were implications if the City tied its
name to a commercial business and things didn’t go right. The City could endorse a business, but not allow a private company the use of the City logo for that endorsement. He stated this agreement was establishing a relationship with this company.

Discussion regarding the benefit of the service but concerns over the use of the City’s logo. It was interfering with free enterprise and didn’t want to pick one company over another. Unsure if the citizens would be interested in this type of program.

Mayor stated he was opposed to putting the City’s logo on a private company and mentioned several additional reasons.

Councilmember London asked if a resident could sign up if the City didn’t participate in the agreement.

Dennis said it was only available for communities which entered into the partnership with HomeServe.

MOTION: Councilmember Alexander moved to reject Resolution 20-24 – A resolution regarding HomeServe and a Marketing Agreement between Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America and Morgan City.

SECOND: Councilmember Wardell

Discussion on the motion: None

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

Vote was 5 ayes; Motion passed unanimously to reject Resolution 20-24 – A resolution regarding HomeServe and a Marketing Agreement between Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America and Morgan City.

DISCUSSION / DECISION – APPLICATION TO HOOK-UP TO MORGAN CITY’S CULINARY WATER SYSTEM – TERRY LAWRENCE

Jamie gave a brief summary regarding this item. Mr. Lawrence lives on 100 South across the street from Wilkinson’s property and he had requested to hook onto the City’s water system. He explained since Mr. Lawrence was a county resident, he would need to go through the County process of getting City water. He said currently there was a 10” water line going up 100 South to Polaris then it reduced to a 6” line and then reduced to a 2” line up to Harold Lauder’s home.

Terry Lawrence said he was currently hooked to the Fry Hollow Spring pipeline which he shared with Como Springs. The line was installed in 1964 and would fail eventually. He stated having City water hook-up would make his home marketable. He explained the current owners of Como demanded more of the system and being at the highest elevation he suffered with low water pressure.

Mayor referenced the letter provided by Mr. Lawrence and the list of City costs associated with the request. He stated there were some county residents on 700 East and past Porterville, which were serviced by the City water system. He stated Mr. Lawrence needed to work with the County regarding road cut permits.
and any County fees. He mentioned the water shares were not listed, but the Council could discuss this and determine whether or not to require a water share.

Councilmember Alexander asked because of the elevation of the street could the City provide adequate water pressure without improvements to the City’s existing lines in the area.

Jamie said there was adequate pressure because the old tank used to be located up there so there was a larger line which went up to Polaris. He explained it was a copper and poly service and not galvanized like 700 East and out Highway 66.

Councilmember London asked where the nearest fire hydrant was on 100 South.

Jamie said it was by Polaris and the pressure was approximately 65 psi.

Councilmember London asked Mr. Lawrence regarding his water rights.

Mr. Lawrence said he had a water right for a well and one with Fry Hollow Spring which was combined with Como Springs.

Councilmember London said Mr. Lawrence should be held to the same requirements regarding water shares as others building and connecting to the water service.

Mr. Lawrence said there was a secondary water line up by his home.

Councilmember Alexander asked if the City could require a County resident to give a water share.

Gary said it was a negotiated situation between the City and Mr. Lawrence, but it made sense that he would contribute something towards the capacity of the City. Typically, it was 1 share per residential lot.

Jamie said it would be 1-acre foot if it was going to be used for culinary and irrigation, but if only for use inside the home it would be a ½ acre foot.

Gary asked if this was outside the Morgan Secondary Water service area.

Jamie said he wasn’t sure, and Mr. Lawrence wasn’t sure.

Mr. Lawrence said he didn’t have a need for the secondary water system. He said he used his well for outside watering and he planned on continuing in the same manner. The request for City water hook-up would only be for household water.

Councilmember London said a ½ acre foot of water should be the minimum requirement.

Mayor clarified the motion would be whether the Council approved to proceed with drafting of an agreement and allow Mr. Lawrence to proceed with getting bids for the project.

MOTION: Councilmember London moved to permit Terry Lawrence to hook onto the City culinary water pursuant to discussion with City staff and an agreement in compliance with City ordinance to be approved by resolution and the surrender of a ½ acre foot of water.

SECOND: Councilmember Alexander
Discussion on the motion: None

Vote was 5 ayes; Motion passed unanimously to permit Mr. Lawrence to hook onto the City culinary water pursuant to discussion with City staff and an agreement in compliance with City ordinance to be approved by resolution and the surrender of a ½ acre feet of water.

DISCUSSION – DECLARATION – CONTINUATION OF ELECTRONIC MEETINGS

Mayor referred to the Declaration in the packet to continue to electronic meetings. He asked the Council for their input regarding continuing with electronic meetings or meet in person.

Councilmember Turner asked if it was an option to have a hybrid meeting.

Gary said as long as there was a quorum at the anchor location the remaining members could be remote. The Declaration would allow everyone to be outside of City Hall and no one at the anchor location. It was only good for 30 days and would need to be renewed.

Councilmember Alexander preferred continuing with the Zoom meeting because there were still concerns regarding the virus.

Councilmember London said the risk hadn’t diminished and he was comfortable with continuing with the ZOOM meetings.

Councilmember Richins suggested reviewing it again in 30-days after school had been in session for several weeks. He felt comfortable staying with ZOOM meetings for 30-days.

Councilmember Turner said he was fine with ZOOM meetings but wondered how long we would continue with electronic meetings.

Ty Bailey, City Manager, stated the City office stayed closed until the necessary precautions had been completed, i.e. plexiglass across counter and a solid door, to protect the employees from exposure from the general public. He said the effectiveness of the Council by conducting the meetings through ZOOM and YouTube had not been hindered so if there wasn’t a reason to go back to in-person meetings we could continue with the electronic meeting format.

Councilmember Wardell said continuing with electronic meetings was fine with him.

CITY REPORTS AND BUSINESS

CITY MANAGER

WATER – Jamie updated the Council regarding the water projects:

- 100 North – Water main had been put down 100 North and City crews were working on moving service over onto the new waterline and both cul-de-sacs were completed.
- 700 East – Skyview Excavation had started work on 700 East. The property owners were grateful a new waterline was being installed down 700 East.
- Mahogany Well – The pump and the motor went out on the Mahogany Well (below North Morgan Cemetery). The submersible pump had been in the ground for approximately 20 years. A new pump and motor had been ordered. The approximate cost was $12,500.00. He explained how he was managing the water in the tanks. A boundary valve on 700 East was opened to help to keep
the North Morgan, Robinson, and Mahogany tanks fuller. The tanks were staying at ¾ full so no water restrictions would be imposed unless that changes.

**SEWER** – Jamie updated the Council regarding the sewer lagoons. The plant had been doing well and numbers were coming in good with the new facility. He explained the disinfection system was working well and since the new plant went online the e-coli number had been around zero. He explained the current issues with BOD and a lot of this would be oxygen transfer. The aeration needed to be increased in the ponds. The City operated under a National Pollution Discharge Elimination (NPDS) Permit. The permit was required because effluent wastewater was dumped into the Weber River. The permit needed to be renewed every five years. He submitted the necessary information to the state to renew the permit and the state responded back with an ammonia limit of 2.7, which would require a mechanical plant. He contacted the state and the ammonia limit was dropped and the City received a new permit. The City operated under a 45/65 daily max and the weekly average numbers for BOD and TSS were 45/65. The standard was 85/65 so he reapplied and was able to keep the 45/65 limit and there was a 65% removal of BOD and TSS in the City’s current permit and the requirement was removed from the new permit. The effluent temperature needed to be monitored on a 24/7 basis and it would require an installation of an online analyzer. Also, testing for metals in the effluent wastewater was required and a report would be done quarterly and submitted to the state annually.

Discussion regarding how each of the systems operated. The diffusers were located approximately 9 feet under water. A concrete weight would be attached to each diffuser to keep them on the bottom of the pond. This was a more efficient system. The phosphorus levels were what would require the City to build mechanical plant. The phosphorus level max was 8,000 lbs. per year and currently the City was averaging approximately 2,500 – 2,800 lbs. per year. The City would need to go to a mechanical plant in approximately 15 or 20 years. Dredging the ponds and the installation of the headworks building had reduced the phosphorus numbers.

Mayor expressed his appreciation to Jamie for his work to secure the new permit.

**COVID-19** – The improvement to the office had been completed. The new lobby hours were Monday through Thursday – 8:00 am – 4:00 pm and Friday was 8:00 am – Noon. He stated the second tranche of money would be released soon.

**UTOPIA** – The City had started to build an intranet to connect all the City’s sites and making it possible to operate the SCADA system. WIFI would be installed in various locations of the City to allow the City employees to login and work remotely. This would further limit the contact between employees who are out in the field and those in the office. Also, laptops had been purchased for use in City vehicles and this would increase efficiency of City employees. The City would pay for the connections and the monthly fee per connection would be $7.00 per month.

**CODE ENFORCEMENT** – Ty explained a complaint he had received regarding holiday decorations. He wasn’t planning on addressing the complaint unless the Council gave direction to do so. The City Code didn’t outline a time limitation when holiday decorations could be put up or when they needed to be removed.

Councilmember Alexander asked if there was an ordinance on hording.

Ty explained it depended on where it was placed whether it was a nuisance or not. If it is located in the home or garage, it became a health department issue and not a code enforcement issue.
Gary said when it reached a level where it attracted rodents and insects and created a safety issue it would reach the level for code enforcement.

**CFPP** – Ty gave an update regarding the Carbon Free Power Project (CFPP). The Project Management Committee (PMC) had intense discussions and had voted to extend the deadline to September 30th. The two risk factors were: 1) The commitment from the DOE ($1.4 Billion). If the commitment wasn’t signed first, he felt the PMC wouldn’t move forward with the project. Regardless of the subscription levels the PMC had the ability to end the project, vote not to move or not to move forward until it was signed; and 2) Subscription was a risk and would be monitored. He had asked for an analysis regarding whether a 720-megawatt unit came out to $0.055 per kWh what did a 360-megawatt unit come to per kWh. He stated Logan and Lehi had withdrawn from the project, but the subscription level was still at the 200 level.

Ty updated the Council regarding the caboose. The caboose would be moved by Durbanos and then it would be sandblasted. Once that was completed the remainder of the rock landscaping would be completed.

Councilmember Alexander gave an update on the Planning Commission meeting. The Request for Proposal (RFP) was on the agenda and Ty asked the Planning Commission to be prepared to discuss the process. The Commission discussed mixed-use and asked for an update regarding the projects which the Planning Commission sent to the Council. Councilmember London reported on the status of several subdivisions. Ty gave an update regarding the Young Street Bridge Project. He mentioned several items which would be coming to the Planning Commission, i.e. Daryl Rupp was looking to subdivide and rezone his property, Doug Wickliffe still needed to provide more details, Vista Villa Subdivision was approved in 2006 but wasn’t started and it consisted of 23 homes on 8,000 square foot lots but wasn’t sure of the developers interest, but the City Attorney would need to review it before they went forward with the project.

**MAYOR**

**OPERATION GRADUATION – Thank you letter**

Mayor referenced the Thank You note from Operation Graduation which was in the packet. The 2020 Seniors expressed their appreciation to the City for their donation and our contribution to the community.

Councilmember London received a telephone call from Ernie expressing the Lion Club’s desire to participate in Hometown Christmas again this year.

This meeting was adjourned at 8:00 p.m. p.m.

Denise Woods, City Recorder

These minutes were approved at the September 22, 2020 meeting.