



Hildale City Council Meeting

Wednesday, November 10, 2021, at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Welcome, Call to Order, Introduction and Preliminary Matters: Mayor Jessop called the meeting to order at 6:03 p.m., Quorum present.

1. **Roll Call of Attendees:** City Recorder Cawley

PRESENT

Mayor Donia Jessop
Councilmember Lawrence Barlow
Councilmember JVar Dutson
Councilmember Jared Nicol
Councilmember Stacy Seay (via zoom)
Councilmember Maha Layton

STAFF:

Eric Duthie, Athena Cawley, Sirrene Barlow, Harrison Johnson, Joseph Hood, Roger Carter, John T. Barlow, Nathaniel Barlow, Weston Barlow (via zoom)

PUBLIC:

Brigham Holm, Jen Hardy, Thomas Timpson, Alvin Fischer, Elmer Johnson, Officer Mark Gower, Daniel R. Barlow, Susan Lewis (via zoom).

Pledge of Allegiance: Council Member Nicol led the pledge.

Conflict of Interest Disclosures: None currently. Council Member Dutson reserved the right to disclose if he sees a need to later in the meeting.

Special Recognitions:

2. **Employee Military Service Recognition of Harrison Johnson**

Mayor Jessop announced Harrison Johnson's return and presented a Military Service Award of Recognition.

Public Presentations: NONE

Approval of Minutes of Previous Meetings:

3. **July 19, 2021, Special City Council Meeting Minutes**
4. **August 4, 2021, Regular City Council Meeting Minutes**
5. **October 4, 2021, Special City Council Meeting Minutes**

Council members discussed previous meeting minutes. Council Member Dutson requested the spelling of his name to be corrected on the minutes before finalizing.

Motion made by Council Member Dutson, to approve meeting minutes for July 19, 2021, August 4, 2021, and October 4, 2021. Seconded by Council Member Barlow.

Voting Yea: Council Member Barlow, Council Member Dutson, Council Member Nicol, Council Member Seay, Council Member Layton

Motion Carried.

Public Comments: (3 minutes each - Discretion of Presiding Officer)
No public comments.

Council Comments: (Council Members)

Council Member Dutson spoke of the concern for more passing lanes throughout the town. Council Member Nicol would like to have all comments included in the minutes that come in from Facebook.

Oversight Items: (15 minutes - Presiding Officer)

6. Financial Report and Invoice Register Approval

Council members discussed the financial report and invoice register.

Motion made by Council Member Barlow to approve the register and pay the bills as the funds become available with a note that this is to catch up the financials through October 31, 2021. Seconded by Council Member Layton.

Voting Yea: Council Member Barlow, Council Member Dutson, Council Member Nicol, Council Member Seay, Council Member Layton

Motion Carried

Public Hearing:

8. Annexation Public Hearing (Third).

City Council will receive public comment concerning annexation of certain lands into the City of Hildale. These lands are specifically identified within the Public Hearing Notice published on October 27, 2021 and included herein.

Mayor Jessop opened the public hearing and welcomed public comments.

Public Comments:

Elmer Johnson owns section 30 of the area to be annexed. He presented the council with his thoughts of not annexing the area at this time.

Alvin Fischer would not like to see his property be annexed. He expressed concerns about being forced out of Hildale in the past and has no desire to come back into Hildale. He requested to extent the time to annex long enough to have a greater understanding.

Daniel Roy Barlow has concern for his neighbors and would like to keep on good terms with them. He addressed the staff asking why they feel that annexation needs to happen right now. He feels there is religious discrimination happening and stories are not matching up fairly. He read at length Utah state code 10-2-401, and 10-2-403.

Terrill Musser by text read by City Manager Duthie. He would like to add that Hildale has always been here to serve the people. Hildale did not kick anyone out of their homes or force anybody out of their properties. Hildale runs the infrastructure of our town. So, it's unfair to say Hildale is doing this to you and when it's the property owners asking to be annexed into Hildale. The previous administration was found guilty of discrimination. The new administration has not done those bad acts or bad behaviors.

Alvin Fisher would like to have more discussion before a decision is made.

Council Member Nicol spoke on the annexation plan and gave thoughts about the need for it to be updated before this decision is made.

Mayor Jessop closed public hearing.

Appointments to Boards or Commissions: None currently.

Unfinished Council Business:

9. Consideration, discussion, and possible action concerning Hildale City Ordinance No. 2021-014, Annexation.

City Manager Duthie clarified there has been 3 public hearing regarding this annexation. He explained that the county will oppose multiple islands. He touched on questions and concerns from the public and landowners giving a summary of the documents in the packet.

Attorney Hood clarified this is an annexation without petition and with that the council does not have to consider protest. By the city allowing the landowners to have a public hearing then it shows that the city does care.

Council Member Seay (via text) "As responsible citizens all taxes should be paid for services, we already service. This will be an overall whole of the inclusion of our community. We cannot discriminate but rather follow the law as we follow it. This is a non-petition annex. Hildale will be capturing growth and gain a tax base, increase property values, add proper zoning and development. There is currently a burden of emergency resources as there is improper development and financially this annex is sound. This also includes voting rights and municipal maintenance. This annex is sound and has my vote."

Council Member Nicol gave concerned and reasoning why this should be tabled at this time.

Motion made by Council Member Nicol to table this annexation at this time. Seconded by Council Member Dutson.

**Vote Yea Council Member Dutson, Council Member Nicol.
Vote No Council Member Layton, Council Member Seay, Council Member Barlow.**

Motion failed

More discussions happened with the council.

Council Member Barlow clarified discrimination and due process for procedures.

Council Member Dutson commented regarding the injunction that we are asked to not discriminate and agreed with Council Member Barlow.

Council Member Layton is thrilled about the annexation and feels the community is in support of it. She also encouraged community members to be a part of the council and have their voices heard.

Motion made by Council Member Layton, to approve Ordinance 2021-014 Annexing Sections 30 and 31 of Township 43 South Range 10 West, and Sections 25 and 36 of Township 45 South, Range 11 West Pursuant to Utah Code Section 10-2-418. Seconded by Council Member Barlow.

**Voting Yea: Council Member Barlow, Council Member Dutson, Council Member Seay, Council Member Layton
Voting Nay: Council Member Nicol**

Motion Carried

New Council Business :

10. Consideration, discussion, and possible approval of Resolution 2021-11-02 announcing the official Canvass of the 2021 Hildale City Municipal Election results. The Mayor and Council will serve as the Board of Municipal Canvassers, as prescribed in Utah Statute 20A-4-301. (15 minutes - Washington County Election Officials)

Susan Lewis, Washington County Clerk, presented Hildale's Official Municipal Election results. She gave a summary of ballots cast by mail in only for the 2021 Municipal Election. The final election results were presented for approval as resolution 2021-11-02.

Election Precinct: Hildale 97 - Official Election Day Results

CITY MAYOR 4 Year Term

Jim Barlow	72
Donia Jessop	131

CITY COUNCIL 4 Year Term

Jared Nicol	44
Terrill Musser	148
Brigham Holm	91
Derick Holm	31
Write-in: Darlene Stubbs	79

Motion made by Council Member Layton to approve Hildale City Resolution 2021-11-02 accepting the municipal election. Seconded by Council Member Dutson.

Voting Yea: Council Member Barlow, Council Member Dutson, Council Member Nicol, Council Member Seay Council Member Layton

Motion Carried.

- 11. Consideration, discussion, and possible approval of Ordinance 2021-015, concerning a zoning map amendment to re-zone Lot HD-SHCR-1-40, 685 N. Willow, from Residential Agricultural 1 (RA-1) to Residential 1-8 (R-1-8), as recommended by the Hildale Zoning Commission on October 20, 2021**

City Manager Duthie presented to council the process of rezoning of the property in question. This property has been gone over in Planning in Zoning.

Thomas Timpson presented to council the desire to split the lot into 3 lots.

Brigham Holm spoke on behalf of the Zoning Committee what was presented.

Motion made by Council Member Barlow, to approve Ordinance 2021-015 concerning zoning map amendment to rezone Lot HD-SHCR-1-40, 685 N. Willow, from Residential Agricultural 1 (RA-1) to Residential 1-8 (R-1-8), as recommended by the Hildale Zoning Commission on October 20, 2021. Seconded by Council Member Seay.

Voting Yea: Council Member Barlow, Council Member Dutson, Council Member Nicol, Council Member Seay, Council Member Layton

Motion Carried.

- 12. Consideration, discussion, and possible approval of Hildale City Resolution 2021-11-01 adjusting authorized signers for Municipal financial accounts and access. (10 minutes - City Recorder Cawley)**

City Recorder Cawley presented to the council the need to change authorization persons on the municipal financial accounts. The change would include the City Manager, City Recorder and City Treasurer to be the administration officers on the account.

Motion made by Council Member Layton, to approve Hildale City Resolution 2021-11-01 adjusting authorized administrators for Municipal financial accounts and access. Seconded by Council Member Barlow.

Voting Yea: Council Member Barlow, Council Member Dutson, Council Member Nicol, Council Member Seay, Council Member Layton

Motion Carried

- 13. Council will receive virtual training in compliance with Utah State Auditor recommendations. This is a training requirement for all elected officials to complete within their elected term. (5 minutes - CM Duthie)**

Item Tabled

Calendar of Upcoming Events: (5 minutes - CR Cawley)

- 14. Veterans Day, Thursday, November 11, 2021 - Holiday Office Closed**
- 15. Thanksgiving, November 25 & 26, 2021 - Holiday Office Closed**
- 16. Court Injunction Mandated Training, Wednesday, December 1, 2021, at 11:00 a.m. Training will be held at the Marshal's Department, 50 North Colvin Street in Colorado City.**
- 17. Regular Council Meeting, Wednesday, December 8, 2021**

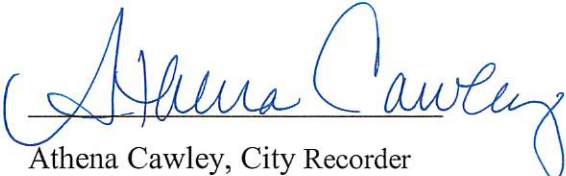
Executive Session: No executive session.

Scheduling: No scheduling needed.

Adjournment: Mayor Jessop adjourned the meeting at 9:30 pm.

I verify that a copy of the notice and agenda was delivered to the Mayor and City Council members and posted at the City Hall, 320 E. Newel Avenue, Hildale, Utah and sent to the Utah State Public Meeting Notice coordinator.

Minutes were approved at the City Council Meeting on 12-8-2021.


Athena Cawley, City Recorder



**Hildale City, Utah
Municipal General Election
November 2, 2021**

Summary of Ballots Cast – 411 Active Registered Voters

	Votes	Additional	Turnout
Unofficial Election Night 11/02/2021	176	0	42.82%
Supplemental Count 11/03/2021	200	24	48.66%
Supplemental Count 11/09/2021	207	7	50.36%
Official Election Results	207	31	50.36%

By Mail Ballot Summary

Ballots Returned and Counted	207
Ballots not Counted (see below)	41
Provisionals not Counted (see below)	0
TOTAL Ballots	248

Reasons for not counting	Qty
Returned Past Deadline	15
Undeliverable	17
Ballots not CURED	9
Needs ID	0
Provisional Ballots not counted	0
<u>Totals</u>	<u>41</u>

Each voter whose ballot was not counted was notified of the reason their ballot was not counted and given instructions on how to correct the deficiency.

Provisional Ballot Summary

	Qty
Provisional Ballots Cast	0
Provisional Ballots Counted	0
Ballots Not Counted	0
Invalid	
Incomplete Application	
Already Voted	
No Proof of Residency	
No ID	

In Person Voting **Qty** **Dixie Convention Center**
Hildale Residents 2



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📠 435-874-2603
🌐 www.hildalecity.com

Mayors Report

November 1, 2021

1. I coordinated the final submission of the Community Impact Board funding application with the City Manager
2. I attended staff meetings.
3. I maintained contact with the City Manager and staff and was “kept in the loop” concerning many issues.
4. I represented Hildale and spoke at the One Utah Summit
5. I met with the Governor at the One Utah Summit and discussed Hildale concerns
6. I attended and supported the Utility Board Meeting
7. I met with Utility Consultant to receive overview assessment of the operations and staff needs.
8. I met with the Washington County Water Conservancy District (WCWCD) to discuss projects beneficial to Hildale
9. I met with Washington County Commissioners to discuss Hildale issues

Submitted,

Donia Jessop
Hildale City Mayor

Mayor: Donia Jessop
City Council: Maha Layton, Lawrence Barlow
Stacy Seay, JVar Dutson, Jared Nicol

320 East Newel Ave.
P.O. Box 840490
Hildale, UT 84784



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Mayors Report

October 1, 2021

1. I attended staff meetings.
2. I maintained contact with the City Manager and staff and was “kept in the loop” concerning many issues.
3. I attended the ULCT annual conference
4. I met with numerous municipal and Utah leaders at the conference
5. I met with a resident who offered to curb the street in front of his property at his own expense. I facilitated a meeting with city staff to discuss.
6. I met with a resident who expressed concern about adding a commercial water filling station on Lewis Lane because of the lack of safe turning ability. I coordinated a discussion with the City Manager and the filling station is being relocated to Jessop Avenue at staff’s direction.
7. I attended an Az-UT Broadband coordinating meeting
8. I met with UEP representatives and the City Manager to discuss issues
9. I participated in a Candidates Forum at the invitation of the Uzona Chamber of Commerce
10. I accepted an invitation to speak at the One Utah Summit in October

Submitted,

Donia Jessop
Hildale City Mayor

Mayor: Donia Jessop
City Council: Maha Layton, Lawrence Barlow
Stacy Seay, JWar Dutson, Jared Nicol

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