



Hildale City Special Council Meeting

Wednesday, April 03, 2024 at 5:00 PM

320 East Newel Avenue, Hildale City, Utah 84784

Agenda

Notice is hereby given to the members of the Hildale City Council and the public, that the City Council will hold a Special public meeting on **Wednesday, April 3, 2024 at 5:00 p.m. (MDT)**, at 320 East Newel Avenue, Hildale City, Utah 84784.

The purpose of the special meeting is to consider the adoption of a resolution proposing the creation of a special service district for water and sewer service within the recently annexed area on the west end of Hildale City. All members of the public are welcome to attend.

Councilmembers may be participating electronically by video or telephone conference. The meeting will be broadcast to the public on Facebook Live under Hildale's City page. Members of the public may also watch the City of Hildale through the scheduled Zoom meeting.

Join Zoom Meeting

<https://zoom.us/j/95770171318?pwd=aUVSU0hRSFFHcGQvcUIPT3ZYK0p5UT09>

Meeting ID: 957 7017 1318

Passcode: 993804

or

<https://www.facebook.com/hildalecity/live/>

Comments during the public comment or public hearing portions of the meeting may be emailed to manager@hildalecity.com or privately messaged to Hildale City's Facebook page. All comments sent before the meeting may be read during the meeting and messages or emails sent during the meeting may be read at the Mayor's discretion.

Welcome, Introduction and Preliminary Matters: Mayor Jessop

Roll Call of Council Attendees: City Treasurer Eidenier

Pledge of Allegiance: By Invitation of Mayor Jessop

Conflict of Interest Disclosures: Mayor and Council Members

New Council Business:

1. Consideration and discussion and possible action concerning the adoption Resolution 2024-04-001 proposing the creation of a special service district for water and sewer service within the recently annexed area on the west end of Hildale City.

Executive Session: As needed

Adjournment: Mayor Jessop

Agenda items and any variables thereto are set for consideration, discussion, approval, or other action. Council Members may be attending by telephone. Agenda is subject to change up to 24 hours prior to the meeting. Individuals needing special accommodations should notify the City Recorder at 435-874-2323 at least three days prior to the meeting.

NOTICE OF SPECIAL CITY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that the City Council of Hildale City, Utah, will convene and hold a special meeting on Wednesday, April 3, 2024, at 5:00 p.m. (MDT), at 320 East Newel Avenue, Hildale City, Utah.

Councilmembers may be participating electronically by video or telephone conference. The meeting will be broadcast to the public on Facebook Live under Hildale's City page. Members of the public may also watch the City of Hildale through the scheduled Zoom meeting.

The purpose of the special meeting is to consider the adoption of a resolution proposing the creation of a special service district for water and sewer service within the recently annexed area on the west end of Hildale City. All members of the public are welcome to attend.

EXHIBIT A

[Here attach copy of Order of Special Meeting, Certificate of Delivery, and Certificate of Compliance with the Utah Open Meeting Law]

ORDER OF SPECIAL CITY COUNCIL MEETING

THE UNDERSIGNED MAYOR of the City of Hildale, Utah (the “City”), does hereby order the holding of a special meeting of the City Council of the City, to be held on Wednesday, April 3, 2024, at 5:00 p.m. (MDT), at 320 East Newel Avenue, Hildale City, Utah. The purpose of the special meeting is to consider the adoption of a resolution proposing the creation of a special service district for water and sewer service within the recently annexed area on the west end of the City.

Dated this 2nd day of April, 2024.

DONIA JESSOP 

Donia Jessop, Mayor

By: Eric Duthie, Hildale City Manager

CERTIFICATE OF DELIVERY OF ORDER OF SPECIAL CITY COUNCIL MEETING

I, Sirrene Barlow, the undersigned City Recorder of Hildale City, Utah (the “City”), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 10-3-502 of the Utah Code, I served notice of the April 3, 2024 special meeting of the City Council of the City on April 2, 2024, by on that day delivering to each Councilmember a copy of the Order of Special City Council Meeting, a copy of which is attached as Exhibit A, or by leaving a copy of such Order at the Councilmember’s usual place of abode.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 2nd day of April, 2024.

By: Sirrene J. Barlow
City Recorder

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

I, Sirrene Barlow, the undersigned City Recorder of Hildale City, Utah (the “City”), do hereby certify, according to the records of the City in my official possession, and upon my own knowledge and belief, that in accordance with the requirements of Section 52-4-202, Utah Code Annotated, 1953, as amended, I gave not less than twenty-four (24) hours public notice of the agenda, date, time and place of the April 3, 2024, special meeting held by the City Council of the City (the “Council”) as follows:

By causing a Notice, in the form attached hereto as Schedule 1, to be posted at the principal offices of the City on April 2, 2024, at least twenty-four (24) hours prior to the convening of the meeting, said Notice having continuously remained so posted and available for public inspection until the completion of the meeting;

By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be delivered to The Daily Spectrum, on April 2, 2024, at least twenty-four (24) hours prior to the convening of the meeting;

By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the Utah Public Notice Website (<http://pmn.utah.gov>); and

By causing a copy of such Notice, in the form attached hereto as Schedule 1, to be posted on the City’s official website.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature this 1st day of April, 2024.

By: Sirrene J. Barlow
City Recorder

EXHIBIT B

[Here attach copy of Resolution.]



435-874-2323
435-874-2603
www.hildalecity.com

RESOLUTION NO. 2024-04-001

A RESOLUTION OF THE CITY COUNCIL OF HILDALE CITY, UTAH, PROPOSING THE CREATION OF THE UPPER MESA SPECIAL SERVICE DISTRICT; CALLING A PUBLIC HEARING RELATING TO THE CREATION OF SUCH DISTRICT, AND PROVIDING FOR THE GIVING OF NOTICE THEREOF; AND RELATED MATTERS.

WHEREAS, the City Council (the "Council"), of the Hildale City, Utah (the "City"), after due discussion and deliberation, has found that the public health, convenience and necessity require the creation of a special service district (the "District") under and pursuant to the Utah Special Service District Act, Title 17D, Chapter 1, Utah Code Annotated (the "Act"), for the purpose of providing culinary water and sanitary wastewater services within the proposed boundaries of the District; and

WHEREAS, the Council desires to adopt this Resolution for the purpose of initiating the process of creating the District, consistent with the requirements of the Act.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hildale, Utah as follows:

SECTION 1. The Council hereby declares that public health, convenience, and necessity require the creation of the District, and hereby declares its intent to create the District.

SECTION 2. The name of the proposed District will be the "Upper Mesa Special Service District."

SECTION 3. The boundaries of the District will consist of the property within the City described on Exhibit A attached hereto and depicted on the map attached as Exhibit B hereto.

SECTION 4. The District will be authorized to provide culinary water and sanitary wastewater services.

SECTION 5. The Council will hold a public hearing on the proposed creation of the District on Thursday, May 9, 2024, at 6pm, or as soon thereafter as is feasible, at 320 E. Newel Avenue, Hildale, Utah.

SECTION 6. The Council hereby directs appropriate City staff, including legal counsel, to cause to be prepared and publish a notice of such public hearing. Such public notice shall conform to the requirements of Section 17D-1-205 of the Act, and shall be (i) published once each week for no less than four (4) consecutive weeks, with the last publication being not



Mavor: Donia Jessop

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fewer than five (5) days nor more than twenty (20) days before the public hearing, in one or more newspapers of general circulation within the proposed District boundaries, and (2) posted on the Utah Public Notice Website for at least 35 days before the date of the public hearing.

ADOPTED, APPROVED, and ORDERED by majority vote at a duly called special meeting of the City Council of Hildale City, Utah, this 3rd, day of April 2024.

HILDALE CITY, UTAH

By: _____

Donia Jessop, Mayor

ATTEST:

Sirrene Barlow, City Recorder



Mayor: Donia Jessop

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435-874-2603
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NOTICE OF PUBLIC HEARING
ON PROPOSED CREATION OF SPECIAL SERVICE DISTRICT
HILDALE CITY, UTAH

NOTICE IS HEREBY GIVEN that the City Council (the “City Council”), of Hildale City, Utah (the “City”), will hold and conduct a public hearing on Thursday, May 9, 2024, at 6:00 p.m. (MDT), at East Newel Avenue, Hildale, Utah.

On April 3, 2024 the City Council, pursuant to the provisions of the Utah Special Service District Act, Title 17D, Chapter 1, Utah Code Annotated (the “Act”), adopted a resolution (the “Resolution”) stating the City Council’s intent to create a special service district to be known as the “Upper Mesa Special Service District” (the “District”), for the purpose of providing culinary water, sanitary wastewater services, or both, within the proposed boundaries of the District. The initial boundaries of the District shall consist of the following lands situated within the boundaries of the City:

Township 43 South, Range 10 West, Sections 30 and 31; and

Township 43 South, Range 11 West, Sections 25 and 36.

Comprising 2,206.32 acres.

Taxes may be levied upon all taxable property within the District. In addition, fees or charges may be imposed as permitted by state law to pay for some or all of the services that the District is proposed to provide.

The City Council will hold a public hearing on the creation of the proposed District and its provision of the proposed services described above at the time and place stated above. At such public hearing, all interested persons may appear and ask questions of and obtain further information from the City Council regarding the creation of the District and the issues contained in or raised by the Resolution. The City Council may continue the hearing to another date and time if necessary.

Any interested person may protest the creation of the proposed District or the furnishing of the proposed services by filing written protests with the City Council before the hearing, at the hearing, or within sixty (60) days after the conclusion of the public hearing, explaining why the person is protesting. At the public hearing, the City Council will give full consideration to all protests which shall have been filed and will hear and consider all interested persons desiring to be heard. A person who submits a written protest against the creation of a special service district may withdraw the protest or, having withdrawn a protest, cancel the withdrawal, no later than sixty (60) days after the public hearing.

After the time for filing protests has expired, the City Council may adopt a resolution creating the District. If, prior to the expiration of sixty (60) days after the conclusion of the hearing, adequate protests are filed, the City Council may not take any further action under the protested Resolution to create the District. “Adequate protests” means written protests timely

filed by: (i) the owners of private real property that (a) is located with the proposed District, (b) covers at least 25% of the total private land area within the proposed district; and (c) is equal in value to at least 15% of the value of all private real property within the applicable area, or (ii) voters residing within the applicable area equal in number to at least 25% of the number of votes cast in the boundaries of the proposed District for the office of president of the United States at the most recent election prior to the adoption of the Resolution.

Dated this 3rd day of April 2024.

Sirrene Barlow
Hildale City Recorder
By Eric Duthie, Hildale City Manager

