

MAPLETON CITY COUNCIL MEETING

April 1, 2009

PRESIDING AND CONDUCTING: Mayor Laurel Brady
Council Members: Ben Christensen
Mike Cobia
Michael Nelson
Ann H. Tolley
Brian Wall

Also Present: Gary Calder- Public Works/Engineering Department
Cory Branch- Community Development Director
Robert Bradshaw- City Administrator
Dean Pettersson- Police Chief
Jeannie Bell

Minutes Recorded by: Camille Brown- City Recorder

CALL TO ORDER: Mayor Brady called the meeting to order at 7:05 p.m. Cl. Mike Nelson gave the invocation and Bob Bradshaw led the meeting in the Pledge of Allegiance. There were several scouts in the audience from troops 1479 and 66 who were working on their merit badges.

Utah Valley Home Builders Association: discussion regarding a proposal to allow for alternative options concerning the payment of impact fees by the developer.

Richard Lewis with the Home Builders Association presented information to the council regarding the Home Builders Association and building during this economic downturn. The Home Builders Association would like to see Mapleton City defer impact fees to the time of building permit is issued. Mapleton City's lot costs are higher due to developers having to front the costs of impact fees and this would make land more affordable for the city.

The association had discussed the formation of a task force for economic development to help with more businesses for the city. Mayor Brady stated that the city has an economic development commission established and encouraged builders to come to the meetings to help develop a tax base for Mapleton City.

OPEN FORUM: No comments were made.

CONSENT AGENDA:

1. City Council meeting minutes- March 18, 2009.

Motion: Cl. Christensen moved to approve the minutes of the March 18, 2009 City Council meeting

Second: Cl. Cobia seconded the motion.

Vote: Passed 5:0

ACTION ITEMS:

2. Replacement of Trees as per 1989 Agreement for Tree Screen adjoining Water Tank adjoining Dean Allan's property

Bob Bradshaw presented a staff report. He indicated that he had spoken to the Mr. Allan after the last city council meeting and stated that Mr. Allan would be satisfied that if the City Council would assist in the purchase of the trees then he would take over the maintenance of the drip system and watering of the

trees. Mr. Allan is relying on the 1989 Agreement which states that the trees should be planted at the city's cost. The Council also stated that they would be anxious to see that Mr. Allan redo the lines and have the water come directly through Mr. Allan's property and not the well water.

Motion: Cl. Christensen moved to authorize the City Administrator to pay up to \$1,600 worth of replacement trees and that the agreement be rewritten so that the city does not have any further liabilities for future maintenance or replacement trees and this will end the 1989 agreement. The irrigation drip system should be redone so that the water is coming from the Allan property.

Second: Cl. Cobia seconded the motion.

Vote: Passed 4:1

Cl. Nelson	Aye
Cl. Tolley	Nay
Cl. Cobia	Aye
Cl. Christensen	Aye
Cl. Wall	Aye

3. Public Safety Building- amended schematic architect drawings

The City Administrator introduced this item pointing out the changes made on the drawings. Cl. Wall indicated that he had attended the meeting, with Chief Pettersson, the Ambulance Director, Fire Chief and Cl. Cobia and that they had gone over the drawings and made all the necessary changes for the building. The building would be built with the Fire and Ambulance portion having a full basement and the police department at a later stage. Richard Lewis with the Home Builder Association stated that there could possibly be some donated labor from the association. Mayor Brady stated that the city will be accepting donations either in kind or financially. The current buildings were built by donated money and time and this way it will belong to all the community. The City Administrator, Bob Bradshaw added that the commencement of the building would most likely be in the middle of August consistent with all the architectural and bidding deadlines. He said the council could delay the construction if funds and bid amounts do not come in as projected.

Motion: Cl. Cobia moved to approve the drawings which will be forwarded to the architect with the items that have been outlined.

Second: Cl. Nelson seconded the motion.

Vote: Passed 5:0

Cl. Nelson	Aye
Cl. Tolley	Aye
Cl. Cobia	Aye
Cl. Christensen	Aye
Cl. Wall	Aye

4. Appointment of additional member to the Fine Arts Committee.

Item was continued.

PUBLIC HEARINGS:

5. 1600 South 1600 West –Project plan approval for a retail/wholesale nursery on property generally located at, in the GC-1 (General Commercial) zone. Applicant- Rex Doman

Cory Branch, the Planning Director presented a staff report, which identified the city would normally require to be undertaken by the applicant as a condition of approving the project plan application.

One of the major concerns was the damage to the road (1600 south). The second access will be off highway 89 as approved by UDOT.

The public hearing was opened.

Mike Tippets stated that he thinks that the city needs more commercial areas and that this could be a potential important corner of Highway 89 and that Mr. Doman should conform with the code.

Mark Whiting stated that there seems to be a different attitude and vision in this City Council than others in the past. He thinks that there needs to be more commercial in Mapleton City and there needs to be a commercial corridor like Spanish Fork City has.

Sallie Korman stated that there may be a lot of citizens in Mapleton that do not want development at all, but the council needs to do what is right for the city.

Mike Stewart indicated that he is looking at Mapleton City as a place for his family to move to and he has always held it as a prestige place to live. He thinks that a nursery would make a great asset to the city and thinks that it is right type of business for Mapleton City and he would think it would be right of the city to meet Mr. Doman half way.

Benden Hendry stated that 1600 South as a whole is in bad shape and has been for awhile. He stated that it would be right of the city to let Mr. Doman “plant a seed” if you they will and allow him the time to see if the business will take off and get going. He supports giving the Doman’s a 5 year temporary permit or at least give him an extension on his existing temporary permit.

Jean McCallister inquired what the city planned to do with the property if Mr. Doman’s project is denied and how long the property would sit bare before something else is done with it. She also stated that at least while his business is on the land that a profit is being made instead of just having a vacant lot.

Mark VanWagoner stated that competition is good but when he started his business they had a plan and that they are conforming with the code. When certain conditions were met they made sure that the conditions were met. There is a difference in the zoning, his operation is in the A2 zone, and Mr. Doman is in a commercial zone and there are not as many requirements in the A2 zone.

Laurie Whiting indicated that having the nursery is going to bring some sort of revenue to the city. She also stated that Mr. Doman should be granted the opportunity to be allowed to show the city that he can bring a business to Mapleton and make sure that it is successful.

Brian Bowers stated that he has done business with Mr. Doman and said that he is a good businessman and would be an asset to keep the business in Mapleton.

Rex Doman: The applicant stated that he does have a plan -he is willing to show the city that he will run the business in good faith and build it to be something that is successful.

The public hearing was closed at 8:55 p.m.

Cl. Cobia stated that the improvements must be installed and he is sensitive to the Planning Commissions views. A seasonal permit – if you put the infrastructure in there it would be an asset to another business owner if another business were to come in. Cl. Christensen stated that it may be worth amending the code to reflect phasing for improvements. Cl. Wall stated that general plan was suppose to give some guidelines as to what type of development should go on that corner. If a nursery is going to placed there, it should be an agriculture zone, because the curb, gutter and sidewalk will not be there. Clw. Tolley stated that curb, gutter and sidewalk along highway 89 maybe not be the right solution.

Motion: Cl. Cobia moved to (a) extend the existing temporary approval until December 31, 2009 and that (b) before August 31, 2009 an agreement be entered into for phasing and bonding of the improvements that need to be done to meet the existing code and (c) that no further changes be made to the existing code (d) that if condition B is not met the temporary use will cease December 31, 2009.

Second: Clw. Tolley seconded the motion.

Vote: Passed 3:1:1 abstaining vote

Cl. Nelson	Nay
Cl. Tolley	Aye
Cl. Cobia	Aye
Cl. Christensen	Aye
Cl. Wall	Abstained

6. Amendment Title 18, Development Code, Part III, Zoning, Chapter 18.86, Signs.

Consideration was given to Planning Director's, Cory Branch, staff report on the applicant's requesting to amend the sign ordinance to allow for increased sign area and height within the commercial zone.

The city council reviewed all options of the sign ordinance. It was suggested an off premise sign be allowed and that is issue be reconsidered. The item was opened for public comment.

Mark VanWagoner stated that he does not have a problem with signs, he would recommend to the council to allow off premise signs to direct people to his business.

The public hearing was closed at 10:15 pm

Motion: Cl. Cobia moved to amend Title 18 Development Code, Part III, Zoning, Chapter 18.86, Signs, and adopt the new ordinance in order to allow for an increase in sign area and height within commercial zone with the following changes:

18.86.060 #7 remove off premise signs and make them a conditional use;

Page 5 of 9 free standing monument pole signs; c 3 change 18 to 20- change d3 from 36 to 42;

Page 6 of 9 21b from 45 days to 60 days; 19, off premise signs are a conditional use and may be allowed by this chapter;

Page 7 of 9 add new c may not erected more than 7 days before the event c to d, and d to e.

Second: Cl. Nelson seconded the motion.

Vote: Passed 5:0

Cl. Nelson	Aye
Cl. Tolley	Aye
Cl. Cobia	Aye
Cl. Christensen	Aye
Cl. Wall	Aye

7. 530 South Mapleton Slant Road-approval of an annexation known as Holm Annexation on property consisting of approximately 7.51 acres – Brian Bowers applicant

The development agreement was reviewed with the applicant and necessary changes were made with regards to arbitration. Brian Bowers stated that 42 water shares is more than adequate shares for the use of the project.

The item was opened to the public at 10:35 pm, no comments were made.

Motion: Cl. Christensen moved to approve the request for annexation with the staff recommendations:

No. 1-3 have already been taken care of;

No. 4, the deletion of two sentences regarding arbitration in the middle of the paragraph

No. 5 amend the last sentence to consider making instead of making.

No. 6 remove the last sentence;

These additions: Culinary shares on page two, c. should say three quarter culinary water share per unit;

The applicant shall purchase 14 TDR at the price of \$25,000, amount of TDRs can fluctuate but the total price shall stay the same. The developer shall purchase 14 TDRs at the ratio of one to six per unit and 12 of which can be paid for at time of plat approval and balance to be paid at the beginning of the second phase- the applicant needs to have adequate public facility.

Second: Cl. Wall seconded the motion.

Vote: Passed 4:0 1 abstaining

Cl. Nelson Present

Cl. Tolley Aye

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Wall Aye

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

Cl. Cobia stated that the Utah Lake Commission required the city to pay \$3 to 4,000.00 membership fee a year; some of the four non voting members have been removed and questioned if the city's participation is necessary. The Mayor is having second thoughts.

Mike Nelson reported that the library book sale will be held April 15th. For the next agenda, Cl. Nelson would like to discuss dividing the city into voting districts.

Gary Calder: stated that the Westwood well is online and the culinary connection has been made to the Jr. High. He is working with the school district to go 50/50 to provide curb gutter and sidewalk west of Mapleton Elementary for which \$40,000 is in the budget.

Motion: Cl. Christensen moved to adjourn the meeting.

Second: Cl. Wall seconded the motion

Vote: Passed unanimously

Meeting adjourned at 11:40 pm

Camille Brown, City Recorder

APPROVED: April 22, 2009