

MAPLETON CITY COUNCIL MEETING

May 6, 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-Finance Controller

Minutes Recorded by: Camille Brown- City Recorder

CALL TO ORDER: Mayor Brady called the meeting to order at 7:00 p.m. gave the Cl. Tolley invocation and Cl. Cobia led the meeting in the Pledge of Allegiance.

OPEN FORUM:

Bill Bleggi expressed his concerns about the health care and benefits payable to the Mayor and council and wanted to place on record his opposition to these entitlements.

Grace Nay: The ambulance director presented information to the council on obtaining a \$6,000 matching grant through the city to obtain a second hydraulic stretcher for the back up ambulance. The back up ambulance is used on every other run. Grace and John Higgins and State Representative Francis Gibson she demonstrated the manual stretcher and the hydraulic stretcher that is presently in operation on the main ambulance.

Sallie Korman inquired if Springville City would participate on a Recreation Center and when that might occur. She asked whether the issue of having council districts had been further explored. The Mayor stated that this had been talked about in the neighborhood meetings, but there was not a strong support for this issue.

Francis Gibson: A former city councilmember and Sate representative spoke about the issue at hand on benefits being proposed to be changed for council and mayor. There have been personal law suits filed, and the pay given is no where near equal to the time that each member puts in, they give good service. In his view the \$600.00 a month and benefits still does not equate to the time that is taken as a Mayor or a Councilmember. Mr. Gibson expressed concern that with no compensation available only a certain class of people could run and it would be wrong to eliminate it totally.

Jeremy Bailey: Officer Bailey stated that he has been working with the Mapleton Police Department for almost a year and has enjoyed his time with the city as police officer right out of the police academy, he would suggest that the city make other cuts before cutting the city's safety who is protecting the citizens day and night.

CONSENT AGENDA:

1. City Council meeting minutes- April 22, 2009.

Motion: Cl. Christensen moved to approve the minutes of the April 22, 2009 City Council meeting.
Second: Cl. Cobia seconded the motion.
Vote: Passed 5:0

2. Modifications to Mayor and Council Member's health care benefits

Current Council members and Mayor are offered health care benefits just as full time employees for candidacy for the office of Mayor or City Council member. Cl. Christensen proposed that due to the budget concerns that anyone who puts in a Filing Declaration as of July 09 will not receive the health care benefits as offered now. Current members of the council would be allowed to continue receiving health care benefits until the expiration of their term under the proposal candidates who file for candidacy know what they will be entitled to if they run for office.

Councilmember Tolley stated that if candidates know that benefits know that they are available then it is a liability to the city.

Cl. Christensen stated that the city needs to transition out of offering benefits to council member as terms expire.

Motion: Cl. Wall moved no modifications be made to the current benefits and that the wages be published in the city newsletter, and that the public may request information on which council members are accepting the current wage and benefits package.

Second: Cl. Cobia seconded the motion.

Cl. Nelson Aye

Cl. Tolley Nay

Cl. Cobia Aye

Cl. Christensen Nay

Cl. Wall Aye

Vote: Passed 3:2

Resolution no. 2009-03

ACTION ITEMS:

3. Architectural Design Fees- Public Safety Building

Bob Bradshaw, the City Administrator presented the staff report to the City Council. The staff report outlined the fees designed for the individual plan designs as to which building will be built and the one time fee to cover the design fee to produce the second version of the building plans as discussed by the architect during the February 18th meeting.

Motion: Cl. Wall moved to accept the contract terms for the payment of the architect at 4% of the construction costs plus an additional \$40,000 for a one design fee.

Second: Cl. Cobia seconded the motion.

Cl. Nelson Aye

Cl. Tolley Aye

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Wall Aye

Vote: Passed 5:0

4. Tentative budget by Finance Controller and date and time set for public hearing for formal adoption of budget for fiscal year 2009-10.

Finance Controller, Jeannie Bell presented the tentative budget to the council. She presented reports and charts to show the distribution of revenues and expenditures. There was a proposal for a matching grant for the ambulance department in the amount of \$5,930.00 as mentioned earlier in the meeting and a COPS grant has been which would pay for the salary of a police officer for 3 years. The probation of an officer would need to be extended beyond September. The Utah Lake Commission agreement amount needs to be put in the budget. Cl. Cobia inquired if sewer fees are collected on vacant homes and Ms. Bell stated that they are.

Motion: Cl. Wall moved that the tentative draft budget be adopted and that the date of June 3, 2009 be set for a public hearing to adopt the Mapleton City 2009-10 final budget.

Second: Cl. Nelson seconded the motion.

Cl. Nelson Aye

Cl. Christensen Aye

Cl. Wall Aye

Cl. Tolley Aye

Cl. Cobia Aye

Vote: Passed 5:0

Jeannie Bell left the meeting at 8:50 pm

5. Wage and Personnel Committee

Bob Bradshaw the City Administrator presented the staff report to the city council and explained the changes to the Personnel and Polices Manual on the Appeals Process. The Mayor stated that a reduction in force needs to be added the provisions set out in Paragraph 1 of Chapter 14 the following to the manual.

Motion: Cl. Christensen moved to adopt with changes as noted and that the amount be changed from \$75,000 to \$51,000 as follows:

Chapter 13-3A paragraph 34 “bringing firearms or weapons on to the city premises in violation of the state law with exception of police officer employees in the performance of their normal duties.” Sub-paragraph 33 to read “physical assault while working for the city.”

Chapter 14 paragraph 1A “in “reduction in work force” paragraph 14-2 amend third line by the inclusion of the works “or appeals board” after city council

Second: Cl. Wall seconded the motion.

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Wall Aye

Cl. Nelson Aye

Cl. Tolley Aye

Vote: Passed 5:0

PUBLIC HEARINGS:

6. 1100 West Maple Street- amendment to the Mapleton City General Plan Map land use designation from Low Density Residential to Medium Density Residential on approximately 17 acres . Applicant Cory Andersen- Whisper Rock,

Cory Branch the Planning Director presented the staff report to amend the Mapleton City General Plan Map land use designation from Low Density Residential to Medium Density Residential on approximately 17 acres.

Cory Andersen, the applicant for Whisper Rock stated that when he was here last, the city council asked him to find a zone that would better fit his proposal for this type of development. This is why he has brought forward the R-3 zone for consideration which he thought would be more appropriate for this development. There was a lengthy discussion on the TDR policy and as to whether or not TDRs would need to be used with a proposed density of 58 units.

The item was opened for public comment.

Roger Dudley said the issue at hand is whether Mapleton really want this type of development in Mapleton City. It goes back to Bruce Dickerson's statement of it has to be a win-win situation for all parties involved.

Kelly Cook said the project is built as a Senior Project, but could it also could be fit for living space for single family dwellings units as well which would result in greater impact.

The public hearing was closed.

Gary Calder stated that in a traffic study the traffic could increase by 15% onto Maple Street if this project were to be approved.

Motion: Cl. Wall moved to accept the request for the amendment to the Mapleton City General Plan Map to change the density of the 17 acres at approximately 1100 West Maple Street from Low Density Residential to Medium Density Residential

Second: Cl. Cobia seconded the motion.

Cl. Nelson Aye

Cl. Tolley Nay

Cl. Wall Aye

Cl. Cobia Aye

Cl. Christensen Aye

Vote: Passed 4:1

Ordinance No. 2009-05

7. Amendment to the Mapleton City General Plan Land Use Written Policies for Medium Density Residential. Applicant- Cory Andersen, agent for Whisper Rock.

Cory Branch, the Planning Director presented the staff report to amend to Mapleton City General Plan Land Use Written Policies for Medium Density Residential. He said that it was the opinion of staff that TDRs should be applied on this project.

Motion: Cl. Cobia moved to adopt policy no 2 as written requiring the developer to use TDRs to get to the proposed 58 unit density.

Second: Cl. Nelson seconded the motion.

Cl. Nelson Aye

Cl. Tolley Aye

Cl. Cobia Aye

Cl. Christensen Nay

Cl. Wall Nay

Vote: Passed 3:2

Ordinance No. 2009-04

8. Amendment to Title 18, Development Code, Part III, Zoning, in order to enact Chapter 18.77, Planned Residential Developments (PRD). The purpose of the PRD ordinance is to allow for densities higher than a typical residential development and fit into the surrounding neighborhoods. Cory Andersen, agent for Whisper Rock

Motion: Cl. Nelson moved to continue to a future date when the Planning Commission has heard the item and brings recommendations to the City Council.

Second: Cl. Wall seconded the motion.

Cl. Nelson Aye

Cl. Tolley Aye

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Wall Aye

Vote: Passed 5:0

9. 1100 West Maple Street -Rezone of approximately 17 acres from Planned Residential Community – 5 (PRC-5) to Planned Residential Developments (PRD). Cory Andersen, agent for Whisper Rock

Motion: Cl. Nelson moved to continue to a future date when the Planning Commission has heard the item and brings recommendations to the City Council.

Second: Cl. Wall seconded the motion.

Cl. Nelson Aye

Cl. Tolley Aye

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Wall Aye

Vote: Passed 5:0

10. 1100 West Maple Street -Preliminary Plat approval of Whisper Rock Subdivision (58 lots proposed), Planned Residential Community – 5 (PRC-5) Zone and the proposed Planned Residential Developments (PRD) Zone. Cory Andersen, agent for Whisper Rock

Motion: Cl. Nelson moved to continue to a future date when the Planning Commission has heard the item and brings recommendations to the City Council.

Second: Cl. Wall seconded the motion.

Cl. Nelson Aye

Cl. Tolley Aye

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Wall Aye

Vote: Passed 5:0

11. 1100 West Maple Street.- Final Plat approval of Whisper Rock Subdivision, Phase 1 (5 lots proposed) The subject property is currently located in the Planned Residential Community – 5 (PRC-5) Zone and the proposed Planned Residential Developments (PRD) Zone. Cory Andersen, agent for Whisper Rock

Motion: Cl. Nelson moved to continue to a future date when the Planning Commission has heard the item and brings recommendations to the City Council.

Second: Cl. Wall seconded the motion.

Cl. Nelson Aye

Cl. Tolley Aye

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Wall Aye

Vote: Passed 5:0

DISCUSSION ITEM:

12. To consider modifications of RA2/R1B zone prohibiting chickens, etc. in 1/3 acre subdivisions.

Cory Branch the Planning Director stated that Mayor Brady has asked him to look at this issue, Provo City has run into some problems with this matter and as of May 5th the Mayor of Provo has issued a letter to residents due to issues still needing to be resolved. As the Planning Director has reviewed this, the RA2 zone allows for animal rights as long as you have a minimum lot area of 20,000 sq. ft., his recommendation would be to keep all animal rights to the way they are.

Motion: Cl. Cobia moved to have no action be taken

Second: Cl. Wall seconded the motion.

Vote: Passed 5:0

ACTION ITEM:

13. Upgrade of the Spanish Fork Sewer Digestion System

It was agreed that this item be continued.

DISCUSSION ITEM

14. Strawberry Water Rights progress report- City Engineer

Gary Calder, the City Engineer stated that Strawberry Water is tied to your property and could not be sold or traded and it has been heard that, it could take a few years, but Strawberry Water shares could be bought and sold as other common shares under new proposed legislation. These types of shares are cheaper than other types of water shares, due to the fact that they cannot be sold and traded. Spanish Fork city is actually using this as part of their pressurized irrigation system and so he will be checking into this, but will bring further information to another meeting. NOTED

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS- No reports were given.

Motion: Cl. Christensen moved to adjourn the meeting.

Second: Cl. Wall seconded the motion

Vote: Passed unanimously
Meeting adjourned at 10:55 pm

Camille Brown, City Recorder

APPROVED: June 3, 2009