

MAPLETON CITY COUNCIL MEETING

August 19, 2009

**PRESIDING AND CONDUCTING:** Mayor Laurel Brady

**Council Members:** Ben Christensen  
Mike Cobia  
Michael Nelson  
Ann H. Tolley  
Brian Wall

**Also Present:** Robert Bradshaw- City Administrator  
Gary Calder -City Engineer  
Cory Branch- Planning Director  
Chief D. Pettersson- Police Chief  
Camille Brown- City Recorder

**Minutes Recorded by:** Camille Brown- City Recorder

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**CALL TO ORDER:** Mayor Brady called the meeting to order at 7:05 p.m. Cl. Christensen gave the invocation and Landon Thorn led the meeting in Pledge of Allegiance. Mayor Brady gave an overview of the Maple Canyon which burned 85 acres in Maple Canyon and 151 acres in Hobble Creek canyon. The Mayor paid tribute to the diligent public works employees and fire volunteers. There were 200 fire fighters from the Forestry Commission participated in extinguishing the fire. The cause of the fires is under investigation and as of this morning the fires were 75% contained.

**OPEN FORUM:**

**Blake Christensen** at 356 South 800 West- Expressed concern about a drainage problem and the speed of traffic along 800 west. There are children walking to school and this is a very big danger and someone is going to be killed. He suggested the installation of a sidewalk to make this a safer road.

**CONSENT AGENDA:**

**1. Approval of City Council meeting minutes- August 5, 2009**

**Motion:** Cl. Cobia moved to approve the minutes of the August 5, 2009 meeting.

**Second:** Cl. Christensen seconded the motion.

**Vote:** Passed 5:0

**PUBLIC HEARING:**

**2. 1600 West (HWY 89) and 1600 South- Rezone of approximately 7.75 acres from the GC -1 (General Commercial) Zone to the A-2 (Agricultural-Residential) Zone. Applicant- Mark Whiting**

This item was requested to be withdrawn by the applicant from the agenda.

**3. Freedom Vista Subdivision- Chapter 18.78, PD-2 Planned Development- Title 18, Development Code, Part III, Zoning, in order to allow for a private air strip or air park and associated hangar structures as a permitted use in Section 18.78.030, Permitted Uses,**

**increase the overall density from forty-seven (47) single family homes to fifty-four (54) single family homes in Section 18.78.080(A), Maximum Overall Density, and modify the hillside preservation regarding slopes of thirty percent (30%) or greater in Section 18.78.090, Hillside Preservation, Paragraph (A), General Purpose. Applicant- Wendell A. Gibby**

The item was withdrawn from this meeting at the request of the applicant.

**Motion:** Cl. Cobia moved to continue this item to a further meeting.

**Second:** Cl. Christensen seconded the motion.

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Nelson Aye

Cl. Wall Aye

Clw. Tolley Aye

Vote: Passed 5:0

**4. Political signs and off-premise signs - amend Title 18, Development Code, Part III, Zoning, Chapter 18.86, Signs. Applicant- Mapleton City**

Cory Branch introduced the item to the council and went over a draft revised ordinance pertaining to signs which include three options. In recent weeks there has been discussion on political signs, when and whether or not they can be placed. The attachments to the staff report were reviewed and the Planning Commission recommendations were stated. Cl. Cobia asked if the Planning Commission had recommended a maximum size of political signs. In response to a question by Cl. Cobia, Cory Branch indicated that the Planning Commission had not yet reviewed this matter.

The Planning Commission had recommended option one pertaining to political signs that the signs may be posted following the filing date and should include language regarding clear vision. A definition of the state code was also circulated.

For the subject of off premises signs Cl. Christensen suggested that the wording be rearranged so it would be more easily understood in sequence.

Cl. Wall suggested 2 off premise signs should be permitted with no set back requirements.

Mayor Brady was concerned about the pre-existing off premises signs on the south end of town in the event that area were to be annexed into Mapleton City and concerned was expressed if the bill boards would be grandfathered in and be allowed.

Cl. Christensen said that he prefers the third option which keeps in place the 60 day limit but suggested that you could take out the verbiage of 60 days entirely and the five days entirely and let the candidates decide when they want to put up and take down their signs to avoid potential legal challenges and to follow the kind of surrounding cities.

Public Hearing was opened for public comment.

Mike Tippetts stated that as a citizen he does not want to see the signs any sooner than he has to, and that there should be a little more enforcement action taken for leaving signs out over an extended amount of time.

**Motion:** Cl. Christensen moved to amend Title 18, Development Code, Part III, Zoning, Chapter 18.86, Signs, as it relates to political signs and off-premise signs attachment one with changes discussed; Option one with the changes that have been discussed – delete no. c- d- 48 sq ft on no. e and 2 on no. j and scratch 1600 west. – rearrange in logical order

Adopt 18.86.030 as proposed definition section: option 1 strike b and c entirely and that the signs may not be posted in clear vision area or in a public right of way.

**Second:** Cl. Cobia seconded the motion.

**Motion:** Cl. Wall moved to amend the motion - to amend Title 18, Development Code, Part III, Zoning, Chapter 18.86, Signs, as set out below:

**18.86.030. Definitions**

(32) **Political sign:** Any sign used in behalf of [~~candidates~~] a candidate for public office or [~~measures on an election ballot~~] a ballot proposition as defined under Section 20A-1-102 Utah Code, [~~solely~~] for the purpose of [~~a local, regional, or national~~] promoting or opposing the candidate or ballot proposition in an election as defined under Section 20A-1-102 Utah Code.

**18.86.100. Specific Regulations by Sign Type.** All signs shall comply with the following listed requirements.

(19) **Off-Premise Signs:**

- (a) a sign permit is required from the City;
- (b) a sign may only be permitted with a City approved business license;
- (c) only two off-premise signs are allowed for each City approved business license.
- (d) a sign may only be allowed along Hwy 89;
- (e) a parcel may not have more than one off-premise sign;
- (f) the sign may not be erected in the clear vision area;
- (g) the sign may not overhang public property or public right-of-way;
- (h) the sign may not exceed a height of 10 feet; and
- (i) the maximum area of the sign may not exceed 48 square feet;

(21) **Political Signs:**

- (a) a permit is not required;
- (b) may not be erected [~~more than 60 days prior to the election with which the sign is associated~~] before the following dates:
  - (i) for a candidate for public office, the day following last day allowed to file a declaration of candidacy; or
  - (ii) for a ballot proposition as defined under Section 20A-1-102 Utah Code, the day following the date the ballot proposition is certified to be placed on the ballot by the government official legally qualified to certify the ballot proposition for placement on the ballot;
- (c) shall be removed within five days following the election as defined under Section 20A-1-102 Utah Code;
- (d) may not be erected in a clear vision area as defined under Section 18.86.030(10);
- (e) may not be posted in a public right-of-way or on utility poles; and
- (f) are permitted in all zones

**Second:** Cl. Nelson seconded the motion  
Cl. Nelson                   Aye  
Cl. Cobia                    Aye  
Clw. Tolley                 Aye  
Cl. Christensen            Nay

Cl. Wall                      Aye  
Vote:                              Passed 4:1  
Ordinance No. 2009-10

**5. 1100 West Maple Street- Preliminary Plat approval of Whisper Rock Subdivision (58 units proposed), The subject property is currently located in the Planned Residential Development - 1 (PRD-1) Zone. Cory Andersen, agent for Whisper Rock**

Cory Branch, the Planning Director reviewed the staff report with the City Council. A brief history of the subdivision was given and it was stated that the common areas would be maintained by an HOA (Home Owners Association).

Paul Washburn spoke on behalf of the applicant. He stated that with the baby boomer era this type of development would be more feasible.

Each section of the development was reviewed and different members of the council expressed concerns. Paul Goodrich, a traffic engineer stated that the American Association of State Highway and Transportation Officials has separate guidelines for interstates, urban highways, low speed urban highways and very low volume local roads. He understands that there is an issue with the first phase of the project which is meant to have a private driveway. This really isn't a private driveway, it is more like a roundabout which Mapleton is probably more familiar with. He stated that this needs to be private, because it doesn't comply with Mapleton City road standards. The factors of the design speed are put into place when designing streets and if you make the roads too wide then traffic is going to go too fast. This private drive or round about will have 5 slots to be used for excess parking.

The item was opened for a public hearing at 8:50- no comments were made and the hearing was closed. It was noted that under existing city policy the open space areas should be maintained by the Home Owners Association and that the developers are required to make a 3 year maintenance payment to the city in the event the Home Owners Association should default and future maintenance of the areas would be transferred to the city.

Gary Calder stated that there are no private street standards in Mapleton and the road to the north section should be wider. Cl. Wall inquired if the development agreement document has been studied and all concerns have been addressed for the text amendments.

**Motion:** Cl. Cobia moved to approve the preliminary plat of Whisper Rock Subdivision (58 units proposed) with the text amended to read- must park on one side- private drive will meet city standards for road construction – 40 ft right of way to the north stub- fencing should be vinyl on interior and with an agreement of rout iron or rock on the exterior fencing- if HOA defaults the city will take over, like other subdivision in the city. No. 11 of exhibit c should conform with the zoning ordinance.

**Second:** Cl. Nelson seconded the motion.

Cl. Cobia                      Aye  
Cl. Christensen              Nay  
Cl. Nelson                      Aye  
Cl. Wall                        Aye  
Clw. Tolley                    Aye  
Vote:                              Passed 4:1  
Resolution No. 2009-13

**6. 1100 West Maple Street Final Plat approval of Whisper Rock Subdivision, Phase 1 (5 units proposed), on property located generally at. The subject property is currently located in the Planned Residential Development - 1 (PRD-1) Zone. Cory Andersen, agent for Whisper Rock**

It was suggested that the final plat be considered once the development agreement is finalized and put in place.

**Motion:** Cl. Nelson moved to continue to September 2nd

**Second:** Cl. Wall seconded the motion.

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Nelson Aye

Cl. Wall Aye

Clw. Tolley Aye

**Vote:** Passed 5:0

**Motion:** Cl. Wall moved to close the regular meeting and open a closed meeting pursuant to U.C.A. §52-4-205 for the purpose of discussing reasonably imminent litigation

**Second:** Cl. Nelson seconded the motion

Cl. Cobia Aye

Cl. Christensen Aye

Cl. Nelson Aye

Cl. Wall Aye

Clw. Tolley Aye

**Vote:** Passed 5:0

**Motion:** Cl. Wall moved close the closed meeting and open the regular session.

**Second:** Cl. Nelson seconded the motion

**Vote:** Passed unanimously

**ACTION ITEMS:**

**7. Purchase an additional gurney for Ambulance Department**

This matter has been withdrawn from the agenda.

**8. 1500 East (Aspen Drive) to 1800 East and 400 South (Dogwood Drive)- Widening of a public street- Applicant- Mapleton City**

The City Attorney attended the meeting for this item and reported on the city's obligations for widening Dogwood Dr. in pursuant to the 2007 settlement agreement.

**Motion:** Cl. Christensen moved to approve the widening of dogwood drive in accordance with the MOU paragraph no. 11 dated May 15, 2007 located at approximately 1500 East to 1800 East and 400 South which is Dogwood Dr. and that the City Engineer is authorized to engage consultants to do the drawings and specifications for the projects and the RFP be issued for the bidding of the project and that the city attorney ensure that the city council is in compliance with the Memorandum of Understanding.

**Second:** Cl. Nelson seconded the motion.

Cl. Cobia Aye

Cl. Christensen           Aye  
Cl. Nelson                Aye  
Cl. Wall                  Aye  
Clw. Tolley              Aye  
Vote:                    Passed 5:0  
Resolution No. 2009-12

**DISCUSSION ITEM:**

**9. Presentation on proposed North-South Corridors in the south part of the county.**

Mountainland Association of Governments is proposing a corridor for the South Parts of Utah County that will start at highway 89 going along Powerhouse Road in Spanish Fork. There are many alternates for different routes that can be taken. These corridors are to be complete in 2040. This is basically a belt route for south Utah County for lots of open space like the legacy highway in northern salt lake county.

**MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS:**

Mayor Brady- The Mayor reported that a resident is very concerned about the speeding problem on 1600 west. The City Engineer responded by stating that the public works department is going to install flexible delineators to help reduce the speed of drivers coming off highway 89.

The Mayor also wants to see that all involved are more cognizant of 800 west and the problem with speeding that was expressed by that Mr. Blake Christensen.

Ann Tolley reported that the Central Utah Solid Waste Plant will be moving forward with using methane gas for renewal energy source.

Mike Cobia stated that he is very adamant about moving forward with Public Safety Building and there needs to be an alternative plan for funding of the project. The city will continue to wait and hear about the stimulus money, but he would like to move forward with this project.

The City Administrator reported that the Crowd Canyon Well open house will be held on September 2<sup>nd</sup> at 540. Also the Staff appreciation dinner will be held on September 15<sup>th</sup> in the city park.

**Motion:** Cl. Christensen moved to adjourn the regular meeting.

**Second:** Cl. Wall seconded the motion

**Vote:** Passed unanimously

**Motion:** Cl. Cobia moved to close the regular meeting and open a closed meeting pursuant to U.C.A. §52-4-205 for the purpose of discussing the character of an individual and reasonably imminent litigation.

**Second:** Cl. Nelson seconded the motion

Cl. Cobia                Aye

Cl. Christensen        Aye

Cl. Nelson              Aye

Cl. Wall                Aye

Clw. Tolley             Aye

**Vote:** Passed 5:0

Meeting adjourned at 11:25 pm

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Camille Brown, City Recorder

**APPROVED: September 2, 2009**