

MAPLETON CITY COUNCIL MEETING

February 15, 2011

PRESIDING AND CONDUCTING: Mayor Wall

Council Members:
Ben Christensen
Mike Cobia
Ryan Farnworth
Jim Lundberg

Also Present:
David Allen- Finance Controller
Robert Bradshaw- City Administrator
Cory Branch- Planning Director
Camille Brown- City Recorder
Gary Calder-City Engineer
Dean Pettersson,-Police Chief

Minutes Recorded by: Camille Brown- City Recorder

CALL TO ORDER: The Mayor called the meeting to order at 7:00 p.m. Nathan Priest gave the invocation and Jacob Cox led the meeting in the Pledge of Allegiance. Mayor Wall welcomed scout troops 693 and 1462 who were there working on their citizenship in the community merit badge.

OPEN FORUM:

Julie Edwards stated that she is very concerned about the proposed boundaries for new Elementary school that will be open this next fall. A group of concerned citizens have formed a website entitled Mapleton United.com. She does not believe it is fair to send 20% of the children from Mapleton to a Spanish Fork elementary school. She would ask that the council get informed about this and support those who are not in favor of this and keep Mapleton children together.

1. Appointment of Mapleton City Youth Council and Advisors.

The City Administrator, Bob Bradshaw, reported that each year a new youth council is presented to the council for appointment. This year the advisors have done something different by having an executive board and then there are about 55 other members of the Youth Council. The Youth Council helps out the community in many different areas such as the 24th of July and Christmas Tree lighting in the Park. Holly Peterson, Advisor, reported that the Youth Council last year did various service projects to help the community including making quilts to be donated, made lunches for the homeless and their big event was to host a dance for the youth in community and the money is donated to the city. The executive board was in attendance and the remaining council will be sworn in at their monthly meeting on March 3rd.

Motion: Cl. Lundberg moved to adopt a resolution appointing the following to the Executive Board of the Mapleton City Youth Council and Advisors:

Kaelynn Allred; Sarie Cook; Taylor Edwards; Teron Haynie; Natalie Hickey; Alyssa Lewis; Gary Loveless; Cat McQueen; Jacie Peterson; Nathan Priest; Taylor Williamson and Rachel Wirthlin.

Advisors: Julie Edwards; Allyson Haynie; Emily Hickey Gaylynn Jensen; Jolene McQueen and Holly Petersen

Second: Cl. Farnworth seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Vote: Passed 4:0

Resolution No. 2011-03

APPROVAL OF MINUTES

2. Approval of City Council meeting minutes

Motion: Cl. Cobia moved to approve the minutes of the January 18, 2011 City Council meeting

Second: Cl. Farnworth seconded the motion.

Vote: Passed 4:0

PUBLIC HEARINGS:

3. Amendment to Title 10, Vehicles and Traffic, in order to enact Chapter 10.18 Street Legal All-Terrain Vehicles

Chief Pettersson reviewed the staff report with the council. Amended proposed text was presented to council and it was reviewed. Cl. Christensen inquired if by adopting this text it would encourage more individuals to ride their ATV's on the road even if they were not "street legal". The Chief stated that everyone that will choose to ride their ATVs on the road will be expected to be 16 and have a valid driver's license, the vehicle will have to be properly registered and insured. If these things are not in place, a citation will be given.

A public hearing was opened, no comments were made and the hearing was closed.

Motion: Cl. Lundberg moved to adopt the proposed text for a new ordinance 10.04.015 with the exclusion of sub-paragraph c.

Second: Cl. Cobia seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Vote: Passed 4:0

Ordinance No. 2011-03

4. Amendment to Title 9, Public Peace, Morals and Welfare, Chapter 9.24: Weapons, regarding the discharging of firearms within city limits.

Motion: Cl. Farnworth moved to continue this item at the request of the applicant to the March 1st City Council meeting.

Second: Cl. Cobia seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Vote: Passed 4:0

5. 40 North 1900 East -Randal Graham requests Preliminary and Final Plat approval of Plat "B", a 1-lot amended subdivision plat, in the A-2 Zone.

Motion: Cl. Farnworth moved to continue this item at the request of the applicant to the March 15th City Council meeting.

Second: Cl. Cobia seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Vote: Passed 4:0

6. Amendment to Mapleton City Code Title 18, Development Code, Part III, Zoning, Section 18.28.040: Conditional Uses, in order to allow for an equine arena as a conditional use within an A-2 Zone. Applicant- James and Melody Ashman

Cory Branch, the Planning Director, reviewed the staff report with the Council. He stated that the applicants are proposing an amendment to the current ordinance to add new conditions to allow horse arenas in the A-2 zone. A riding arena is being constructed at 1903 East 400 North which is currently approved for noncommercial use only. At this time they are proposing that the arena and yard areas be allowed as a commercial equine arena.

The applicant, Jim Ashman stated that he has a total of 4 acres of property and all neighbors have been informed of their proposals and no one has protested the proposed use for this property.

A public hearing was opened and no comments were made. The hearing was closed.

Motion: Cl. Lundberg moved to approve the proposed text as presented by staff with the following changes:

Paragraph d. replace the word clients with "*persons*"

Paragraph e. hours of no business operation be changed from 8:00 pm to "*10:00 pm*"

Paragraph l. Strike the last sentence starting with Horses....

Second: Cl. Farnworth seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye
Cl. Farnworth Aye
Cl. Lundberg Aye
Vote: Passed 4:0
Ordinance No. 2011-04

ACTION ITEM:

7. Crowd Canyon Water Tank- Restructuring of loan arrangements for Mapleton Village Sub-division.

The City Administrator, Bob Bradshaw, reported that the City Council’s proposals to refund the water tank bond using new AA- rating highlighted that when proceeds the “profit” element would be increased prompted review of the current terms of the addendum to the MOU. Last year’s legislation sharpened up more precisely principles on which impact fees based clarified no profit element.

Cl. Cobia stated that this was a negotiation between Presidio and the City and he doesn’t believe that the city should share its low interest rate with the Property owner. Gary Calder inquired if the lien on the property would stay on the property as part of this transaction and the City Administrator stated that yes it will stay in place.

Motion: Cl. Lundberg moved to authorize the city to execute an amended addendum to the existing MOU to revise the current interest rate being assessed in connection with that MOU to a calculated figure subject to the more detailed arithmetic analysis and clarification by the finance controller.

Second: Cl. seconded the motion.

Cl. Christensen Aye
Cl. Cobia Aye
Cl. Farnworth Aye
Cl. Lundberg Aye
Vote: Passed 4:0

8. Amendment to Title 17, Development Code, Part II, Subdivisions, Section 17.03.040: Building Standards; All Condominiums, regarding the requirement for separate water meters for each unit within a condominium building.

Cory Branch, the Planning Director, reported that in January of 2010 an ordinance was adopted establishing regulations for condominiums and their associated common areas. Since this ordinance was adopted concerns have arisen about having separate meters for each tenant in the building. By installing separate meters in existing buildings the owner would be required to tear up existing landscaping, parking and interior wall for separate water lines.

He further stated that the condominium building that was built on Highway 89 does have separate meters for each tenant that is in the building.

The public hearing was opened.

Mike Hendron inquired if shutting off meters was still an option if there were not separate meters on a condominium.

The public hearing was closed at 8:55 pm.

Motion: Cl. Farnworth moved to approve the amendment to title 17 of the Development Code, Part II, Subdivisions, Section 17.03.040: Building Standards; All Condominiums, regarding the requirement for separate water meters for each unit within a condominium building

Second: Cl. Cobia seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Vote: Passed 4:0

Ordinance No. 2011- 05

9. 800 South (Harvest Parkway) and 1600 West (Hwy 89) HP Commercial, LLC Preliminary and Final Plat approval of Harvest Park Commercial Subdivision, Plat "A",GC-1 Zone. Applicant V. Blaine Turner

Cory Branch, the Planning Director reported that the applicant is proposing a planned unit development that would include eight buildable pads with uses consisting of professional office space, retail office space and mix commercial and residential. Each pad will be privately owned and the pad owner will have a right to utilize roadways, parking areas and landscaping within the common areas. The applicant, Jerry Robinson, addressed the council and stated that this project would be done in 2 phases. Buildings 1, 4 and 5 would be part of phase 1 and when a second phase is ready a second access would be required on Elm Street.

The public hearing was opened and no comments were made.

Motion: Cl. Cobia moved to approve the Preliminary and Final Plat of Harvest Park Commercial Subdivision, Plat "A",GC-1 Zone with the conditions of the DRC on January 20, 2011.

Second: Cl. Farnworth seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Vote: Passed 4:0

Resolution No. 2011-04

10. 800 South (Harvest Parkway) and 1600 West (Hwy 89), HP Commercial, LLC requests project plan approval in order to construct eight buildings with uses consisting of professional office space, retail office space, and mixed commercial and residential on property located generally at in the GC-1 Zone. Applicant: V. Blaine Turner

The Planning Director, Cory Branch stated that the applicant is proposing a planned unit development including eight buildable pads that will be privately owned. The parking within the mixed commercial and residential uses are allowed only for professional office type businesses and not for retail oriented businesses. For the total area there will be approximately 160 parking stalls allowed.

The applicant, Jerry Robinson did a presentation for the council of the project. They have spoken to one home owner where there is a PUE on the property and asked them what type of fencing barrier they would want. The Folsters have given a letter to the Harvest Park stating that landscape fencing would be their preference. He did state that they do have some tenants that have committed to the project.

Motion: Cl. Cobia moved to approve the project plan in order to construct eight buildings with uses consisting of professional office space, retail office space, and mixed commercial and residential on property located generally at in the GC-1 Zone

Second: Cl. Farnworth seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Vote: Passed 4:0

Resolution No. 2011-05

ACTION ITEMS:

11. Appointing members to the Planning Commission.

The Mayor stated that he has met with Leslie Jones and Brandon Finlayson and would recommend that these individuals be appointed as alternate member to the Planning Commission.

Motion: Cl. Christensen moved to appoint Leslie Jones and Brandon Finlayson as alternate members to the Planning Commission.

Second: Cl. Cobia seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Vote: Passed 4:0

12. Historic Preservation Committee- nomination for membership.

Bob Bradshaw, the City Administrator stated that the Chairman of the Historic Preservation Committee has come forward with an additional name for the committee. He has nominated Lynette Jones to become a member of the Historic Preservation Committee and would like the Council's approval.

Motion: Cl. Lundberg moved to approve Lynette Jones as a member of the Historic Preservation Committee

Second: Cl. Farnworth seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye
Vote: Passed 4:0

13. 355 South 800 West -Partial settlement for remedial work to basement - August 6, 2010.

The City Administrator, Bob Bradshaw reported that there was a flood in the basement at this address due to a backed up irrigation ditch. This was caused by water escaping through a storm drain. The insurance has requested an inventory by the property owner and this has not been complete but the restoration company is pressing for payment.

The City Council asked the city administrator for a detailed summary of claims outstanding with URMMA.

Motion: Cl. Christensen moved to authorize the City's insurers to settle the cost of Jeffers Restoration Company in the sum of \$6,049.83 as a partial settlement.

Second: Cl. Cobia seconded the motion.

Cl. Christensen Aye
Cl. Cobia Aye
Cl. Farnworth Aye
Cl. Lundberg Aye
Vote: Passed 4:0

Motion: Cl. Christensen moved to adjourn the meeting.

Second: Cl. Lundberg seconded the motion

Vote: Passed unanimously

Meeting adjourned 11:15 p.m.

Camille Brown, City Recorder

APPROVED: March 1, 2011