

MAPLETON CITY COUNCIL MEETING

February 21, 2012

PRESIDING AND CONDUCTING: Mayor Brian Wall

Council Members:
Ryan Farnworth
Scott Hansen
Jim Lundberg
Mike Nelson
Jonathan Reid

Also Present:
Dave Allen- Finance Controller
Bob Bradshaw- City Administrator
Cory Branch- Planning Director
Camille Brown- City Recorder
Gary Calder- City Engineer/Public Works Director
Eric Johnson- City Attorney left the meeting at 8:15 pm
Chief Pettersson- Police Department

Minutes Recorded by: Camille Brown- City Recorder

CALL TO ORDER: Mayor Wall called the meeting to order at 7:00 pm Cl. Reid gave the invocation and Johnathan Hagen led the meeting in the Pledge of Allegiance.

OPEN FORUM:

Jack Cooper stated that his home is on Aspen Dr. In years past the Mapleton Irrigation Company has allowed him to keep his horses on the property behind his home. He said that he had come to a previous City Council meeting and approached the council about selling or leasing the property to continue to house his horses. Since that time a fence has been constructed and there is not enough room for the horses. The Council explained to him that due to the city receiving the grant, they do not have control over the land and could not sell it at this time.

Lance Cooper reiterated his concern about the fence around the perimeter of the pond. He believes that there were concessions for other neighbors that trees were not taken down all the way around the pond and just in certain areas. He would just like everyone treated fairly.

DISSCUSION ITEM: Carl Parker with URMMA addressed the council about the fence around the irrigation pond. He stated that once you start to fence something that you owe a duty to control and maintain that area. By fencing an area you increase your liability by putting up a fence, but if the council choose to fence the area then that is their choice and other measures will have to be taken such as maintaining the area.

APPROVAL OF MINUTES

1. Approval of City Council meeting minutes

Motion: Cl. Nelson moved to approve the minutes of the January 17, 2012 City Council meeting.
Second: Cl. Farnworth seconded the motion.
Vote: Passed 5:0

ACTION ITEM:

2. Concussion and Traumatic Head Injury policy

Stacey Child, the Parks and Recreation Director reviewed the policy and said that pursuant to HB204 that was passed in last year’s legislature, all youth participating in any youth program are required to have their parent or guardian read the information sheet and have a parental acknowledgment signed.

Motion: Cl. Lundberg moved to approve a resolution that as a matter of future policy the provision of HB204 be adopted for regulating Concussion and Traumatic Head Injury to all your events organized by the city’s Parks and Recreation Department, including review of the policy information and have the parent or guardian sign the Parental Acknowledgement.

Second: Cl. Nelson seconded the motion.

Cl. Farnworth Aye

Cl. Hansen Aye

Cl. Lundberg Aye

Cl. Nelson Aye

Cl. Reid Aye

Vote: Passed 5:0

Resolution No. 2012-03

PUBLIC HEARING:

3. Amendment to Title 18, Development Code, Part III; Zoning, Section 18.84.370(B), Residential Facility for Handicapped Persons

Cory Branch, the Planning and Zoning Director reviewed his staff report. Cory turned over the time to the City Attorney and Eric Johnson thanked Mr. Harper for bringing the text forward to the City Council for consideration. Cl. Reid questioned as to why section B(1)a 2 was included and Mr. Johnson answered that the applicant is bringing this forward. He further explained that other city’s and county’s codes were reviewed, especially Duchesne County due to a recent lawsuit. The state code does not cover the federal act as well so that is why the new code was put together.

Motion: Cl. Lundberg moved that the amend Mapleton City Code Title 18, Development Code, Part III; Zoning, Section 18.84.370(B), Residential Facility for Handicapped Persons, as proposed and recommended by city staff.

Second: Cl. Farnworth seconded the motion.

Cl. Farnworth Aye
Cl. Hansen Aye
Cl. Lundberg Aye
Cl. Nelson Aye
Cl. Reid Aye
Vote: Passed 5:0
Ordinance No. 2012- 01

4. Modifications to the current FY 2011-2012 Budget.

David Allen, the Finance Controller reviewed the staff report and stated that there has been an increase in the city’s revenues, and a need to draw on the city’s reserves.

Cl. Reid’s inquired if alternative options were explored prior to deciding to use the reserve funds. Mr. Allen explained that there is an extra pay period this which happens only every 10-15 years and it happens to be this year. Mr. Allen thought it would be counterproductive if budgets were required to be decreased when this is solely an accounting phenomenon. The public hearing was opened- no comments were made.

Motion: Cl. Nelson moved to approve the resolution for the budget modifications for fiscal year 2011-12 as amended in Exhibit A with the following additions:
-An increase of \$2,500 in the Community Development department for the mitigation of the burned out house;
-Crowd Canyon Tank/Westwood Well

Second: Cl. Hansen seconded the motion.

Cl. Farnworth Aye
Cl. Hansen Aye
Cl. Lundberg Aye
Cl. Nelson Aye
Cl. Reid Aye
Vote: Passed 5:0
Resolution No. 2012-04

5. Reappointment of the City Administrator, City Recorder, Treasurer, Police Chief and Justice Court Judge.

The Mayor explained that these positions are reappointed every two years after a municipal election has taken place.

Motion: Cl. Farnworth moved the reappointment of Robert P. Bradshaw, City Administrator; Camille Brown, City Recorder; Marian Everett, Treasurer; Dean Pettersson, Police Chief; and Sherlynn Fenstermaker, Justice Court Judge.

Second: Cl. Reid seconded the motion.

Cl. Farnworth Aye
Cl. Hansen Aye
Cl. Lundberg Aye

Cl. Nelson Aye
Cl. Reid Aye
Vote: Passed 5:0
Resolution No. 2012- 05

6. City Administrator-Timetable and Arrangements for Recruitment Process

The Mayor explained a timeline of the recruitment process has been attached and the City Administrator added that the job advertisement would be placed not only in the local paper but also on the Utah League of Cities and Towns job links and Utah City Managers Association links.

Motion: Cl. Nelson moved to approve the timetable with the only change of the application process to add a background check for the short list.

Second: Cl. Hansen seconded the motion.

Cl. Farnworth Aye
Cl. Hansen Aye
Cl. Lundberg Aye
Cl. Nelson Aye
Cl. Reid Aye
Vote: Passed 5:0

7. Resolution setting Utility Deposits Fees as Part of the City Providing Utility Services to Residents.

David Allen the Finance Controller stated that Mapleton City has never charged a deposit to provide utility services to customers within the City. By instituting a deposit, this will help the city reduce its bad debt write offs.

Motion: Cl. Hansen moved to approve as recommended by David Allen with the following changes:

150.00 for Owner Occupied Residences and Utility Deposit Fee for Rentals and also change the word blacklist to “removed from”

Second: Cl. Lundberg seconded the motion.

Cl. Farnworth Aye
Cl. Hansen Aye
Cl. Lundberg Aye
Cl. Nelson Aye
Cl. Reid Aye
Vote: Passed 5:0

Resolution No. 2012-06

8. Mapleton City 2012 Annual Meeting Schedule for Mapleton City Planning Commission.

Camille Brown, the City Recorder, reported that pursuant to the Utah State Code the annual meeting schedule for the each body is to be passed by resolution and published.

Motion: Cl. Nelson moved that the 2012 Annual Meeting Schedule for the Mapleton City Planning Commission be approved.

Second: Cl. Reid seconded the motion.

Cl. Farnworth Aye

Cl. Hansen Aye

Cl. Lundberg Aye

Cl. Nelson Aye

Cl. Reid Aye

Vote: Passed 5:0

Resolution No. 2012-07

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

Gary Calder reported on the 800 West remediation and gave a timetable as to the work that will take place on this road.

Chief Pettersson reported that one of Mapleton City's officer's vehicle was struck by an intoxicated driver. Last year there were 14 DUI and this year already there has been 5. There is a bill going to be heard at the legislature that is to have DUI check points be done away with.

Bob Bradshaw stated that the city was approached from a business out of St. George to occasionally use conference room and use our address. They would have liked to use the incubator space, but with Community Development moving downstairs, this does not seem feasible. The council could not support this request on having another business use the conference room or the address.

Closed Session

Motion: Cl. Nelson moved to close the regular meeting and open a closed meeting pursuant to U.C.A. §52-4-205 for the discussion of pending or reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

Second: Cl. Lundberg seconded the motion

Vote: Passed unanimously

Meeting adjourned 10:30 p.m.

Camille Brown, City Recorder

APPROVED: March 6, 2012