

MAPLETON CITY COUNCIL MEETING

April 20, 2010

PRESIDING AND CONDUCTING: Mayor Wall

Council Members: Ben Christensen arrived at 8:25 pm
Mike Cobia
Ryan Farnworth
Jim Lundberg
Mike Nelson via telephonically until 8:10 pm

Also Present: Robert Bradshaw- City Administrator
Camille Brown- City Recorder
Cory Branch- Planning Director
Gary Calder- City Engineer- left the meeting at 7:35 pm

Minutes Recorded by: Camille Brown- City Recorder

CALL TO ORDER: The Mayor called the meeting to order at 7:04 p.m. Cl. Farnworth gave the invocation and Jacob Westercamp led the meeting in the Pledge of Allegiance.

APPROVAL OF CITY COUNCIL MEETING MINUTES- March 16, 2010

Motion: Cl. Nelson moved to approve the minutes of the March 16, 2010 City Council meeting.
Second: Cl. Cobia seconded the motion.
Vote: Passed 4:0

PUBLIC HEARING:

1. 1400 East to 1700 East Dogwood Drive- Proposed increase of existing street width
Cory Branch, the Planning Director stated that the city was seeking approval to increase the existing width of Dogwood Dr. to 36' of asphalt and the required public notice had been given in the local media.

The public hearing was opened.

Dan Chambers inquired if the only reason the city was widening the road was to comply with the terms of the settlement agreement and when the widening would take place. It was explained to Mr. Chambers that a motion had been filed and the only term of the MOU that had not been fulfilled was not widening Dogwood Dr. It is the city's intent to widen the street as soon as the weather permits.

Richard Nuttall wanted it clarified how much asphalt would be laid and if it would be the same width as Dogwood Dr. is now. He stated that he didn't think it was very cost effective to widen the street when the city is strapped for funds. The city engineer reviewed the map and stated that Class C road funds would be used to complete the project.

Quinn Gillman inquired if by widening this road if it would affect the corner lot. The City Engineer stated that no this would still be a buildable lot. Mr. Gillman further stated that he thinks it would be more cost effective to complete the road when the pressurized irrigation pipe was ready to be put in instead of having to dig the road up twice.

Rick Maingot- if you were to vote today- secondary together- would you have to dig it up later- mayor said due to the time gap, if it would be too far out then we would wait- don't want to have to dig up the asphalt-

Rick Maingot- why is the city doing this we are spending money the city does not have when we do not need to do it now. Another developer could come in and buy the property and a smaller road could used also.

Dan Sumsion inquired if the road would be 36 feet wide all the way up through the subdivision and the City Engineer stated that the road would widen and then it would narrow again. Mr. Sumsion would also ask the council to be consistent with all projects that are approved and the different steps that have to be followed throughout the process.

Steve Aldana stated that he thinks there is an assumption that if you think this problem is going to go away, it will, but he is here tonight to say that this is not going to go away.

Kris Gillman stated that she is concerned that more of her property is going to be affected than what she thought was going to be. Her home is on the street corner of 1500 East and her house number is 1483, she is concerned that she has not had the right address for the 4 years that she has lived in her home. Cory Branch explained that he will get with her and get it worked out. She is also concerned that trucks are going up this road everyday carrying dirt and making a mess, why are they not responsible for cleaning it up or being cited for the mess. She thinks the city should be more responsible for watching what is happening.

John Washburn stated that he has listened to citizens come up and make public comment and they have not really been in favor of this road being widened. He is confused with the purpose of the public comment is if the city council has already made up their mind and know how they are going to vote. Is the purpose of the meeting just so the council can inform the citizens what the council will do and there really isn't any point of people coming to the meeting to make comments or do you listen to what is said?

Rick Maingot stated that if you were to vote today and you were to go ahead with this change, and you couldn't come to an agreement to do a the secondary water at the same time, then are you forced to do widen the road now. The Mayor stated that the city would have to consult with their legal council. The city is hoping to accelerate both projects to do them together. The curb and gutter would only have to be replaced once. He can't see why this makes sense to widen the street in the first street.

Cl. Lundberg stated that the settlement agreement does not give a timeline as to when the widening has to be completed. It states that the city agrees to widen the road to the same width as the developer's design. So there is no time frame imposed, and given the fact we have already referenced the fact that Mr. Gibby has chosen to widen it and may still chose to do something different before he records a final plat.

City Administrator, Bob Bradshaw stated that to help clarify the time frame when the city was in court, Judge Mortensen chastised the city council for its delayed attempts to do the widening of the road and irrespective of the fact that there is no stipulation as to time certain in the

settlement agreement, he saw it as a matter of bad faith that the city had not done this expeditiously and that the city should do this as a sign of good faith and that the city was committed to do this.

Cl. Cobia stated that this is the fourth time that the council has heard this issue. There are some legal ramifications that the council has had to abide by and further public noticing has had to be done this time for this meeting.

Cl. Lundberg stated that this was, not part of the order, but it was dicta and in the legal world this means it was not part of the order it was just simply the judge discussing that this is just an outstanding issue that he believed that needed to be moved forward. It was not an order, but it was a concern.

Cl. Nelson stated that the city council is doing the best they can with what they have to work with.

Motion: Cl. Cobia moved that the City Engineer be authorized to award the bid for this contract and to delay it if the city can come to an agreement with the contractors to negotiate the inclusion of the CUP pipeline within the same contract.

Second: Cl. Nelson seconded the motion.

Cl. Nelson	Aye
Cl. Farnworth	Aye
Cl. Cobia	Aye
Cl. Lundberg	Nay
Vote:	Passed 3:1

Excused Cl. Nelson from electronic participation at 8:10 pm

ACTION ITEMS:

- 2. Section 13.20.060, Reimbursement and Section 17.28.050, Reimbursement For Onsite or Offsite Improvements Permitted; Conditions and Limitations on property located generally at 580 South 800 West. Applicant: Cory Andersen**

This item was withdrawn from the agenda.

OPEN FORUM:

Albert Harmer stated that the Irrigation Company has been faced with problems with claims to water rights. There are big issues with over 800 acre feet of water in Hobble Creek Canyon that is going to be transferred and he would urge Mapleton City to become involved. They would ask for the city to become financially involved with the lawsuits. It was agreed to review this request when preparing the 2010/2011 budget.

Councilman Christensen arrived at 8:25 pm

3. Proposed Mapleton Lateral Canal Parkway Trail project -Grant application to Mountainland Association of Governments (MAG)

Cory Branch, Planning Director, stated that in September of 2009 staff was directed to proceed with a grant application to Mountainland Association of Governments. Cory stated in the report that the trail will be done in phases. Over the past two years the Trails Sub-Committee has held numerous meetings in which the proposed Mapleton Lateral Canal Parkway Trail and grants have been discussed. The concept plan has to be submitted prior to April 29th. The mayor stated that he has made mention of this grant in the Mountainland Association of Governments meetings each month and they have made more money available for the smaller trail systems.

Motion: Cl. Lundberg moved to approve the proposed concept report for submittal to Mountainland Association of Governments to obtain funding and that the proposed conceptual phasing plan be approved for submittal to MAG.

Second: Cl. Farnworth seconded the motion.

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

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS:

Cory Branch stated that he will take care of the addressing problems that were brought up in the public hearing and also for the cleanup on Dogwood Dr.

He further stated that the owner of Mapleton nursery is intending to relocate. Cory has issued a letter to clean up property before April 28th and the owner has contacted the city and stated he will clean up, but he has been busy. He does want to keep the sign. It was agreed that the sign must go, but the Planning Director be authorized to make a concession on the retention of the greenhouse for storage of hay.

Cl. Christensen inquired if the city had heard back from BYU about having an intern to help with the historic museum. Mr. Bradshaw stated that this process is still ongoing and there have not been too many students interested in the project.

Cl. Cobia feels like the city would benefit greatly from hiring a full-time employee for grant writing. He also reported as part of his committee assignment he will be going on an all tour of Utah Lake on Friday.

Cl. Farnworth feels that it would be appropriate if the volunteers from the fire and ambulance associations were given some sort of gift card as a expression of appreciation for their service. He further stated that all vehicles that have EX license plates should be marked that they are city vehicles. This is stated within the state code that any vehicle should be property marked if they have EX license plates.

Cl. Lundberg reported that he will be attending the South Utah Valley Solid Waste Meeting and they are proposing budget increases. He will report at the next city council meeting.

Mayor Wall explained the negotiations that were talked about with the Silver Leaf sub-division and what conclusions they came to. These items were able to be dealt with administratively. He

reported that at the ULCT conference in St. George, a reference had been made to a system for monitoring the garbage collection system to reconcile with the city's billing arrangements.

Motion: Cl. Christensen moved to adjourn the meeting

Second: Cl. Cobia seconded the motion

Vote: Passed unanimously

Meeting adjourned at 9:35 pm

Camille Brown, City Recorder

APPROVED: May 4, 2010