

MAPLETON CITY COUNCIL MEETING

June 5, 2012

PRESIDING AND CONDUCTING: Mayor Brian Wall

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

Also Present:
Dave Allen- Finance Controller
Bob Bradshaw- City Administrator
Cory Branch- Planning Director
Camille Brown- City Recorder
Gary Calder- City Engineer
Chief Pettersson- Police Department

Minutes Recorded by: Camille Brown- City Recorder

CALL TO ORDER: Mayor Wall called the meeting to order at 7:05 pm. Kizer Johansen gave the invocation and Jaxson Hales led the meeting in the Pledge of Allegiance.

OPEN FORUM: No comments were made.

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS

Cory Branch reported that Mountainland Association of Governments had new approved inclusion of the funding required for the north and south construction of the former Mapleton Canal for 2013 and 2015.

Gary Calder reported that the city has used 4 times more culinary water so far this year than last year.

Chief Pettersson stated that a Mock Disaster was held on Thursday night which went very well and all departments worked good together.

Cl. Lundberg reported that the budget was just passed by the SUVMWA board which he serves on.

Stacey Child reported that baseball and softball are underway. Also, the Special Needs league will start and plays on Saturday and Wednesday and is really fun to come and watch. This is held at North Park.

Mayor Wall arrived at 7:20 pm.

APPROVAL OF MINUTES

1. Approval of City Council meeting minutes

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

DISCUSSION ITEM:

2. 625 South 800 West (Lot 38 of Silver Leaf Cove Subdivision, Plat "A") Storm water retention basin located on subject property and serves as a retention area for Silver Leaf Cove Subdivision, Plat "A". Applicants- Dean and Nola Durall

Cory Branch, the Planning and Zoning Director reviewed the staff report for those in attendance the subject parcel is located in the Silver Leaf Subdivision and the single family home existed prior to the recording of the subdivision plat in 2006. Prior to the plat recording the Durall's agreed to allow the storm water retention basin to be located on their property. The Durall's were at the meeting and expressed that due to their age it has become more difficult for them to take care of the extra property and the Home Owners Association is not willing to take the property back and they would like the city to take over the maintenance responsibilities.

Cl. Hansen suggested that inquires be made to identify a scout group willing to take care of the water retention basin as a service project.

It was AGRRED that the Mayor would meet with the Durall's and go over different options that were discussed.

ACTION ITEM:

3. Storm water utility fee to meet EPA mandated policies relating to storm and surface water.

David Allen, the Finance Director, reviewed the staff report and stated that this is an Environmental Protection Agency mandate from the Federal Government. The goal is to protect the land and water resources from pollutants that could be carried in storm and surface waters. It is being proposed to add a \$5.00 charge to each utility customer to cover the cost of potential personnel and other costs associated with the mandated storm water stipulations. Cl. Farnworth stated that if Public Works states they need a part-time employee due to this he doesn't want this to turn into a full time position the next year. Cl. Lundberg stated that when there is a Federal mandate usually you just meet it. You rely on your staff that tells you there is no other way. You do not want to be noncompliant.

Motion: Cl. Reid moved to approve the fee that has been proposed by staff
Second: Cl. Farnworth seconded the motion.

Motion: Cl. Hansen amended the motion to postpone the actual \$5.00 fee until the audit is received and determine if the \$5.00 fee is adequate.
Cl. Hansen withdrew his amendment

Motion: Cl. Reid moved that the following monthly fee be adopted effective July 1, 2012:
Per Equivalent Resident Unit : \$5.00

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

Resolution No. 2012-13

PUBLIC HEARINGS:

4. Adopt FY 2012-2013 Budget

The City Council considered the staff report by Finance Controller, David Allen. The Departmental expenditures for the current fiscal year and proposed revenues and expenditures for 2012-13. He explained that funds will be moved from the class C road funds that is showing in the negative currently and that the \$5.00 fee will make these break even. The public hearing was opened at 8:37 pm.

Rick Maingot stated that he would like to speak generally on the storm water fee part of the budget. He always has an engineer or an attorney tell him that he has to spend more money on something. He further stated that if he did everything they told him to, then he would be broke. He inquired if the city can challenge what the EPA is mandating what they are being asked to do? Mr. Calder explained to him that the EPA is the federal government and generally if they say do it, the city basically has to comply or incur penalties. Mr. Maingot stated that he would challenge the city to start looking at the budget and at different ways to save money. Cl. Hansen stated he would encourage the departments to look at this possibly.

The public hearing was closed at 8:40 pm.

Cl. Lundberg inquired why the road budget was \$100,000 higher than last year and Mr. Allen confirmed that it was because of the storm water mandates and that by adding the proposed \$5.00 a month storm water fee this would replenish the budget.

Motion: Cl. Nelson moved to approve the fiscal budget for 2012-2013 as contained in Exhibit A and also that the Approved Positions Lists as contained in Exhibit B be adopted.

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

Resolution No. 2012-11

5. 1500 East between Maple Street and 400 North -rezone property from the A-2 (Agricultural Residential) zone to the RA-1 (Residential Agricultural) zone. Applicants- John and Barbara Pratt

Cory Branch, the Planning Director, reviewed the staff report with the City Council. The applicants are proposing to rezone the subject parcels from A-2 to the RA-1 zone. This would allow for one residential building lot adjacent to Maple Street with the remainder subject parcels to be retained in Green Belt.

The applicant stated that on May 10, 2012 the vote by the Planning Commission to rezone to RA-1 was 5-2 in favor. This has been public noticed for almost 2 months. There has been no opposition to this rezone. The applicant showed various parcels that did not use TDR's for rezoning. The largest being the Gibby parcel from CE-1 to RA-1 Freedom Vista with no TDR's.

The property to the south of their parcel was rezoned with no TDRs required. They are proposing developing the land into 13 lots eventually.

Cl. Reid stated that the council needs to look at the TDRs program within the context of the General Plan. He would look at this request for an exception and would not be able to support this exception when the council is in the middle of looking at the General Plan.

Public meeting opened at 9:43 pm

Rick Maingot stated that he thinks the city needs to keep the integrity of the TDRs. Mrs. Barbara Pratt was the Commissioner Chair of the Planning Commissioner in the past and he thinks she would have greatly opposed this and it would have been a mistake in her mind. The public hearing was closed at 9:50 pm.

After a lengthy conversation it was decided that the matter would be continued until the TDR program and the General Plan had been reviewed and the date could not be given at this time.

Motion: Cl. Farnworth moved to continue the item until the General Plan is done and a discussion on TDRs is held.

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

ACTION ITEMS:

6. Two year agreement to lease 3 new police vehicles.

Consideration was given to Chief Pettersson's staff report. He stated that there will be 3 three Ford F-150 trucks purchased on a two year lease and the final costs are \$7801.50 and \$7360.50. The money for the lease will be used out of the vehicle replacement fund. These vehicles will get much better gas mileage than the Crown Victoria's. Three more vehicles will be leased next year as well.

Motion: Cl. Farnworth moved to authorize the City Administrator to sign a lease agreement with Ken Garff for the leasing of three new Ford F-150 pickup trucks for the police department in the approximate amount of \$30,324.00 including police accessories.

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. 2012-12

7. Interview of the final candidate and Appointment of City Administrator

An interview of Cory Branch was held by the City Council members following which the Council voted to go into a closed session.

CLOSED SESSION

Motion: Cl. Reid moved to close the regular meeting and open a closed meeting pursuant to U.C.A. §52-4-205 for the discussion of the character, professional competence of an individual pursuant to Section 52-4-205(1) of the Utah Code, Annotated.
Second: Cl. Hansen seconded the motion
Vote: Passed unanimously
Motion: Cl. Reid moved to close the closed meeting and adjourn to the regular meeting.
Second: Cl. Hansen seconded the motion.
Vote: Passed Unanimously

Motion: Cl. Farnworth moved THAT Maryclare Maslyn be appointed to the position of City Administrator with effect from July 1, 2012 at a commencing salary of \$90,000 Subject to the terms of the Employment Contract as now approved AND THAT if necessary, the Mayor be authorized to approve modifications to the Employment Contract terms and conditions
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

Meeting adjourned 11:45 p.m.

APPROVED: June 19, 2012

Camille Brown, City Recorder