

**MAPLETON CITY COUNCIL MEETING**

**July 16, 2013**

**PRESIDING AND CONDUCTING:** Mayor Brain Wall

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

**Also Present:** Cory Branch- City Administrator  
Camille Brown- City Recorder  
Gary Calder- City Engineer/Public Works Director  
Stacey Child- Parks and Recreation Director  
Sean Conroy- Community Development Director  
Chief Pettersson- Police Chief

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

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**CALL TO ORDER:** Mayor Wall called the meeting to order at 7:00 p.m. Cl. Reid gave the invocation and Cl. Farnworth led the pledge of allegiance.

**CEREMONIAL ITEM:** Dean Miner, with the USU Extension program stated that as part of their centennial celebration they wanted to recognize the Mendenhall Farm. The farm has been in operation in Mapleton since 1918. Mayor Wall presented a State of Utah Farming commemorative sign to the Mendenhall family.

**APPROVAL OF MINUTES:**

**1. Approval of City Council meeting minutes- June 18, 2013**

**Motion:** Cl. Farnworth moved to approve the minutes of the June 18, 2013 City Council meeting.

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

**Vote:** Passed 3:0

**Cl. Nelson joined the meeting electronically at 7:10 pm.**

**ACTION ITEMS:**

**2. Consideration of a resolution to purchase a 2013 Brush Truck for the Fire Department.**

Chief Pettersson reviewed the staff report for those in attendance. He turned the time over to Fire Chief, Ryan Withers, to review the proposal that was circulated. The fire department is requesting adequate funds to purchase a 2013 crew cab brush truck. They are currently using a 1974 standard cab with 114,000 miles and it no longer meets the NFPA requirements for this type of fire apparatus. There is currently \$67,236.00 in their vehicle replacement fund and they are requesting an additional \$10,764.00. With the increased amount of fires in the state, now would be an appropriate time to purchase the vehicle. The cost they are getting is part of the state contract.

**Motion:** Cl. Farnworth moved to approve a resolution allowing the Fire Department to purchase a 2013 Brush Truck and approve the additional funds needed in the amount of \$10,764.00.

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

Cl. Farnworth Aye

Cl. Reid Aye

Cl. Hansen Aye

Cl. Nelson Aye

Vote: 4:0

Resolution No. 2013-22

### **3. Consideration to approve the surplus of the 1952 Fire Department Tender Truck.**

Chief Pettersson reviewed the staff report for those in attendance. The current tender is a 1952 Studebaker and it is not in working condition. The Public Safety Director and also the Fire Chief would recommend to surplus this vehicle.

**Motion:** Cl. Farnworth moved to approve a resolution declaring the 1952 Fire Department Tender Truck surplus.

**Second:** Cl. seconded the motion

Cl. Nelson Aye

Cl. Hansen Aye

Cl. Reid Aye

Cl. Farnworth Aye

Vote: 4:0

Resolution No. 2013-23

### **PUBLIC FORUM:**

Tracey Padgett-853 North 1140 West- inquired from the City Council if they were still interested in helping with an aid station for the Moonlight Half Marathon. The Mayor and Council stated that they would like to help.

Also she was there to inquire about the Trails Committee and if the committee would become active again. Cory Branch stated that RB&G is doing some preliminary work on the trail and it

will be a few more months before the city knows any more. There are currently no items that need to go to the trails committee at this time.

**4. Consideration to approve a Residential Solid Waste Collection and Disposal Services Agreement between Mapleton City and Allied Waste Services of North America, LLC.**

Cory Branch, City Administrator, reviewed the staff report for those in attendance. At this time Addendum #3 is being proposed in order to extend the contract to June 30, 2019 and reduce the current rates per container.

**Motion:** Cl. Hansen moved to approve the Mayor to sign the Residential Solid Waste Collection and Disposal Services Agreement between Mapleton City and Allied Waste Services of North America, LLC. beginning January 1, 2014 to June 30, 2019.

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

Cl. Hansen Aye

Cl. Farnworth Aye

Cl. Reid Aye

Cl. Nelson Aye

Vote: 4:0

**Cl. Lundberg arrived at 7:35 pm**

**5. Consideration of a request to establish a reimbursement amount for improvements installed as part of the Pheasant View Subdivision located at 1200 W 900 S.**

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. As part of the development the developer installed a full width road at 1200 West that included water, sewer and pressurized irrigation lines. In September of 2006 Gordon Livingston submitted a request to establish a reimbursement agreement that would apply to adjacent parcels that front on 1200 West in order to recoup some of the costs of the infrastructure. Cl. Hansen inquired if anything was brought forward at time of final plat approval. Reimbursement agreements were part of development agreements but there was not a reimbursement agreement as part of this development. Gary Calder stated that this was a condition as part of the staff report when this subdivision was brought forward, and stated that the Developer did submit a letter in 2006.

The Applicant, Ryan Livingston, circulated a letter that included a brief history of the Pheasant View Subdivision. They stated they submitted the documents that the previous Planning Director has requested and with the assumption that they would be reimbursed for the items listed in letter. They submitted this letter prior to recording the plat.

Mel Laird, Jane Jensen's, husband, stated that they are concerned because now they are responsible for the charges that the contractors have against their property. He is concerned because he said he has not been informed of this before this time and now they could be responsible for several thousands of dollars. They have not had an offer on their land and they do not have an attorney. They are simply here to present their case.

Mayor Wall stated that there should not be a lien on their property and reimbursement would only be due if the property is subdivided. The new owner would be responsible for the amount. If in fact they put the road in, the city would need to know the contract price not the bid amount.

Ron Jensen stated that a drain was put in on the northwest side of the property that goes all the way down the back of the property and it does not drain. He stated it is on his property and the contractor has said they had permission from the city to put in the drain. He stated that he was never notified either. There is only one way in and one way out of this subdivision.

Cl. Hansen asked if Mr. Laird understood how the reimbursement worked and that it's not a lien, and it is only in place if the land is sold or subdivided.

Cl. Lundberg inquired if the letter dated September 28, 2006 is sufficient to establish reimbursement and that the invoices would be necessary to have prior to making a decision. Mr. Conroy stated that there has only been a few reimbursement agreements done where roads were included.

**Motion:** Cl. Lundberg moved to continue the item so that staff could gather further information and have the applicant supply invoices for proof of costs.

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

Cl. Reid Aye

Cl. Hansen Aye

Cl. Lundberg Aye

Cl. Farnworth Aye

Cl. Hansen Aye

Vote: 5:0

#### **6. Consideration of Mapleton City leasing existing football equipment to UVFL.**

Cl. Reid stated that he would like to request that Mapleton City lease the existing football equipment that was recently purchased to the UVFL 8<sup>th</sup> grade league. He stated proper channels were followed to put this item on the agenda. Last year there were several issues with the 7<sup>th</sup> grade league and there has been a citizen, Kalin Hall who is willing to volunteer to coach this team with Cl. Reid as well as Cl. Nelson. It is his understanding that the equipment will cost each participant 100.00 each and this could generate revenue for the city of \$2,500.00. He does not believe that there will be enough participants within the city to have a team and that the equipment will otherwise not be utilized. The UVFL is a fully insured program and can add Mapleton City as an insured party.

Stacey Child, Parks and Recreation Director stated that one of her questions has been about insurance and liability, but that has been answered. She further stated that last season there were 35 kids that played football and it is her worry that there will not be enough equipment for the kids who want to play football in Mapleton City.

Cl. Lundberg stated that if there are 25 kids going to the UVFL, he doesn't know how there would be enough kids to fill a Mapleton team. He agrees that the team or that grade is somewhat broken, and the city just inherited it this year. He also has a problem with the good kids leaving the city to go play on a super league team, but if all the kids are leaving to go play in another league, then maybe we can't enforce everyone to stay here.

Cl. Nelson stated that he has the roster and 25 kids will be playing with the UVFL. He thinks that the equipment should be utilized rather than being unused. Last year when his son got his equipment it was brand new and if the equipment sits then it deteriorates and if its rented out then it could generate \$2,500.00 for the city.

Randy Park, from Parks Sportsman who runs the UVFL explained that with the UVFL there is an A and B team concept. This would accelerate the process of helping the kids to excel in different levels. Parks Sportsman leases equipment to the UVFL program.

Cl. Hansen inquired if the Mapleton team could lease their equipment and Mr. Park stated that yes they could.

Cl. Lundberg stated that it seems to be that there are about 40 uniforms that could go out for lease.

Cl. Reid stated that there are two options we can chose to adopt the Nebo League or UVFL as our football league.

Mayor Wall inquired if this 8<sup>th</sup> grade team could rent the equipment from Parks Sportsman.

Cl. Nelson stated that there is a sense of pride of wearing your own school colors and have Mapleton on their jerseys.

Stacey Child stated that the city committed to play in the Nebo League last fall. She said that her goal has always been for the city to have fair and equitable play for all the kids in Mapleton City in all sports.

Greg Thorpe representing the Nebo League stated that it would be a travesty if the league lost the kids from Mapleton. The league philosophy is that the kids get equal and fair play. The high school coaches have talked and want to keep the kids together that will be playing in high school.

Cl. Hansen stated that he does not think that this is the place for this item to have come forward. He does not think that the council should hear this item and thinks that it is self-serving where both council members are the coaches. He thinks this is unethical and does not think this is the right setting for this item to come forward.

Cl. Reid stated that his son will not benefit one bit from having the equipment leased to the UVFL. He believes that the kids from 6-8 grades are going to gravitate together and go where each other are playing.

Mayor Wall stated that Cl. Reid did follow the proper way of getting on the agenda.

**Motion:** Cl. Nelson moved to approve Mapleton City to lease the existing football equipment to the Mapleton 8<sup>th</sup> grade UVFL football team.

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

Cl. Reid Aye  
 Cl. Nelson Aye  
 Cl. Hansen Nay  
 Cl. Lundberg Nay- needs to make sure that there are enough uniforms for Nebo league  
 Cl. Farnworth Aye  
 Vote: 3:2

**PUBLIC HEARING ITEMS:**

**7. Consideration of an amendment to Mapleton City Code Chapter 18.76 related to the use Transferable Development Rights (TDR's) on rezoned property.**

Sean Conroy, Community Development Director reviewed the staff report for those in attendance. This ordinance would allow for TDR's on rezoned property so that you can get to half acre lots.

Cl. Farnworth inquired how many TDRs are available and Mr. Conroy stated that there are about 240.

Public Hearing was opened.

Paul Walter- has interest in the Walter property at 300 West 800 North. This property is an example of where it is currently a 2 acre lot and you can rezone down to 1 acre and utilize TDR's to get to a half acre lot.

Public hearing was closed.

**Motion:** Cl. Farnworth moved to amend the Mapleton City Code Chapter 18.76 related to the use Transferable Development Rights (TDR's).

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

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

Ordinance No. 2013- 06

**8. Consideration of Final Plat approval of the Diamond Back Plat "A" subdivision consisting of three lots located generally at 540 W 600 S, and a request for a Transferable Development Right Receiving Site overlay zone.**

Sean Conroy, Community Development Director reviewed the staff report for those in

attendance. Cl. Reid stated that he does business with Cory Anderson and he would abstain from this item. This property is about 8 acres and is just east of the Silver Leaf Subdivision. The applicant is proposing to apply the TDR Overlay zone to the property and use two TDRs. This would create a three lot subdivision consisting of half acre lots. The applicant will also install a half-width road extension on 600 south.

**Motion:** Cl. Farnworth moved to Final Plat approval of the Diamond Back Plat “A” subdivision consisting of three lots located generally at 540 W 600 S, and a request for a Transferable Development Right Receiving Site overlay zone.

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

Cl. Farnworth           Aye  
Cl. Reid                   Abstain  
Cl. Nelson               Aye  
Cl. Hansen               Aye  
Cl. Lundberg            Aye  
Vote:                     4:1 Abstain

Resolution No. 2013-24

**9. Consideration of Final Plat approval of the Peay Plat “A” subdivision consisting of two lots located generally at 903 S 1300 E, and a request for a Transferable Development Right Receiving Site overlay zone.**

Sean Conroy, Community Development Director reviewed the staff report for those in attendance. The project area is approximately 2 acres in size located in the A-2 zone. This zone requires 2 acre lots with 200 feet of frontage. The applicant is proposing that the property be rezoned to a TDR receiving site to increase the density from 2 acres per unit to 1 acre per unit. The 11.91 acre parcel left would not be a problem as it would meet zoning requirements for the A-2 Zone.

**Motion:** Cl. Farnworth moved to Final Plat approval of the Peay Plat “A” subdivision consisting of two lots located generally at 903 S 1300 E, and a request for a Transferable Development Right Receiving Site overlay zone for a 1 Acre Lot

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

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

Resolution No. 2013-25

**MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS:**

**Sean Conroy** reported that 81 lots have been approved so far this year.

**Chief Pettersson** stated that there have been a lot of auto burglaries in the county. He would advise all to keep their doors locked and also keep your garages closed.

**Gary Calder** stated that all the wells are operating at 100% capacity. The springs are drying up. In the future, watering restrictions should be established.

**Cl. Reid** stated that he fully supports our Parks and Recreation Director.

**Cory Branch** stated that neighbors are complaining again about the burnt down house in Triple Crown. The council stated they realize that it is an eyesore, but do not want to incur more costs or legal fees.

**Motion:** Cl. Reid moved to adjourn the meeting

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

**Vote:** Passed unanimously

Meeting adjourned at 10:00 pm

**APPROVED: August 6, 2013**

Camille Brown, City Recorder