

**MAPLETON CITY COUNCIL MEETING**

**September 7, 2010**

**PRESIDING AND CONDUCTING: Mayor Wall**

**Council Members:**  
**Ben Christensen**  
**Mike Cobia**  
**Ryan Farnworth**  
**Jim Lundberg**  
**Mike Nelson**

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

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

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**CALL TO ORDER:** The Mayor called the meeting to order at 7:00 p.m. Gary Calder gave the invocation and Mayor Wall led the meeting in the Pledge of Allegiance.

**OPEN FORUM:**

**Judge Fenstermaker** reported to the council that Administrative Offices of the Court (AOC) has made changes and is having all Justice Courts replace the Caselle computer operating system with a new operating system, Coris, which would increase the workload of the court clerk. She is requesting that the court be able to hire an additional clerk for approximately 5 hours a week to help with this transition. Each Court is to begin using the new program which is a non-funded mandate from the AOC. The Mapleton Justice Court is scheduled to go online in mid November. Because of the change, the clerk is faced with additional work which is above and beyond her normal workload.

Cl. Lundberg asked whether the additional employee would be on a temporary part-time. Bob Bradshaw, the City Administrator and Judge Fenstermaker said this would be a more permanent fix for the court because of the increased workload and the need to cover for the current part-time court clerk when she is out of the office.

**Jeff Sullivan- 84 Slant Road-** stated that he would like to thank Cory Branch and Matt Brady for all their hard work in getting South Hollow cleaned up. Although this has been done, he does not think that the subdivision is all the way cleaned up and this has been going on for 10 years. Mr. Sullivan stated that he would still like to see the park put in on the remaining open space. Cl. Cobia stated that the prospective park was not something between the city and the developer. He

said this land is set out as open space and it is not the city's responsibility to put in a park. The parcel is not owned by the city and now the developer has sold this piece of ground. Cory Branch, the Planning Director was under the impression that the property was in compliance with the clean-up issues Mr. Sullivan has since come in and informed Cory of a few further areas that do need to be cleaned up.

**Clint Meyers**- 210 South Slant Road- stated that he would like to thank the city for helping get the South Hollow Subdivision cleaned up. It looks better, but he is concerned about the mess that the horses are making and there is a very bad smell. He believes that a neighbor is leasing out stalls. Cl. Cobia stated that he apologizes for the conservation easement that is around the property and that this parcel of land has not gone as planned. Mr. Meyers would also like to thank the police department for all their hard work.

### **APPROVAL OF MINUTES**

#### **1. Approval of City Council meeting minutes**

**Motion:** Cl. Farnworth moved to approve the amended minutes of the August 17, 2010 City Council meeting and the minutes of the Special August 26, 2010 City Council meeting.

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

**Vote:** Passed 4:0

### **ACTION ITEMS:**

#### **2. Lowest suitable bid for 2010 Waterline Replacements**

The City Engineer, Gary Calder, reported that the public works department prepared bid documents for the replacement of existing culinary water lines. This project went out to bid and the bid opening was held today at 2:00 pm. Thirteen companies put in for the bid and TNT General Contractors came in with the low bid. The contract is 45 working days and includes the replacement of existing 4"- 6" water lines that are 50+ years old lines with new 8" water lines. The work is scheduled to begin the middle of September and be completed by the end of October.

**Motion:** Cl. Christensen moved to adopt a resolution authorizing the public works department to award the lowest suitable bid for the 2010 Waterline Replacement not to exceed \$300,000 to TNT General Contractors.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

**Vote:** Passed 4:0

Resolution No. 2010-22

#### **3. Purchase/lease a Vactor 2100 Combination Sewer Cleaning Truck, from the Utah State Contract #PD285.**

The City Engineer, Gary Calder stated that since his employment has begun with Mapleton City, the city has been contracting out the cleaning of the sewer system for approximately \$40,000 a

year. His crews have been documenting the progress and to date not all areas of the city have been cleaned. By purchasing a truck for the city, the manpower will be more efficient and all sewer lines will be able to be cleaned and the truck would be able to also assist with water leaks.

**Motion:** Cl. Farnworth moved to approve the purchase/lease of a Vactor 2100 Combination Sewer Cleaning Truck, from the Utah State Contract #PD285 in the amount of \$65,756 per year for a period of 5 years.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

**Vote:** Passed 4:0

Resolution No. 2010-23

**4. ADOPTION OF A RESOLUTION AUTHORIZING APPROXIMATELY \$2,270,000 EXCISE TAX REVENUE REFUNDING BONDS, SERIES 2010 TO REFUND THE ISSUER'S OUTSTANDING EXCISE TAX REVENUE REFUNDING BONDS, SERIES 2007; AUTHORIZING A BOND PURCHASE CONTRACT; AUTHORIZING ALL OTHER ACTIONS NECESSARY FOR THE TRANSACTIONS CONTEMPLATED HEREIN; AND RELATED MATTERS.**

The city's financial advisor, Johnathan Ward, reported that the city was issued a AA- bond rating. He said that the bonds would be reissued from private to public.

By doing this transaction, it will save the city 10.3% of the original monthly payment which would be a savings of \$268,00 over the life of the bond. Johnathan Ward recommended the bond purchase agreement. He said the purchase price listed is not accurate and the recommendation would be contingent upon the city attorney's approval on the bond purchase price.

**Motion:** Cl. Lundberg moved to authorize the resolution for the issuance of the Excise Tax Revenue Bonds of approximately \$2,287,000 and the bond purchase contract subject to the city attorney's approval.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

**Vote:** Passed 4:0

Resolution No. 2010-20

**5. Settlement of hospital treatment charges- Cycling accident- Memorial Hall**

The City Administrator, Bob Bradshaw reported that there was a bicycle accident at the Memorial Hall involving the removable ramp on the west side of the building. The child sustained facial injuries and a suspected skull fracture. The hospitalization and subsequent treatment costs amount to \$4,572. The city's insurers have investigated the accident and appropriate measures have been made when accessing this ramp. The victim's father thanked the city for their helpfulness and submitted the signed release to the city.

**Motion:** Cl. Cobia moved to pay full cost of hospital treatment and medical consultations totaling \$4,572 be paid in full and that this be final settlement of this claim

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

**Vote:** Passed 4:0

**6. RESOLUTION AUTHORIZING NOT MORE THAN \$5,500,000 WATER REVENUE REFUNDING BONDS, SERIES 2010 TO REFUND THE CITY'S OUTSTANDING WATER REVENUE BONDS, SERIES 2007; CALLING A PUBLIC HEARING; PROVIDING FOR PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED; PROVIDING FOR A PLEDGE OF NET WATER REVENUES; FIXING THE MAXIMUM AMOUNT, MATURITY, INTEREST RATE, AND DISCOUNT AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS.**

The city's financial advisor, Johnathan Ward reported to the city council that this bond would be sought to save the city approximately \$20,000 per year on the outstanding water bonds.

**Motion:** Cl. Lundberg moved to adopt a RESOLUTION AUTHORIZING NOT MORE THAN \$5,500,000 WATER REVENUE REFUNDING BONDS, SERIES 2010 TO REFUND THE CITY'S OUTSTANDING WATER REVENUE BONDS, SERIES 2007; CALLING A PUBLIC HEARING for October 5, 2010 at 7:00 pm; AND BONDS TO BE ISSUED; PROVIDING FOR A PLEDGE OF NET WATER REVENUES; FIXING THE MAXIMUM AMOUNT, MATURITY, INTEREST RATE, AND DISCOUNT AT WHICH THE BONDS MAY BE SOLD; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AND RELATED MATTERS

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

**Vote:** Passed 4:0

Resolution No. 2010-21

**7. Zoning of Freedom Vista Subdivision- To consider a resolution Ratifying the Calling of a Referendum Election from the Friends of Maple Mountain and Ratifying all Actions taken to call and conduct such election**

The Mayor reported that this is not a municipal election year and there is a need to call for a special election and ratify other steps that have been taken toward holding the referendum on the PD-2 zone. The county has been contacted and the voter information pamphlet is being prepared.

**Motion:** Cl. Christensen moved to approve the resolution for calling of a special election and ratify all steps taken to date.

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

Cl. Christensen Aye

Cl. Cobia                   Aye  
Cl. Farnworth            Aye  
Cl. Lundberg             Abstain

**Vote:**            Passed 3:0

Resolution No. 2010-24

Cl. Nelson arrived at 9:15 pm

**DISCUSSION ITEM:**

**8. Draft Referendum Voter Information Pamphlet**

Since there is a special election the city council is required to write a voter information pamphlet. This information can also be put on the Statewide Voter Information Website for the voters to review. It was decided that the city council would meet for a special session on the 14<sup>th</sup> of September at 7:00 pm to review this information.

**9. Impact Fees**

The City Administrator stated that it has been discussed with staff and would like the city council's approval to relook at all impact fee calculations. The council discussed the matter a concern that needs to be addressed is that whether or not impact fees should be collected at recording of the plat or at the time of building permit. At the present time impact fees now are paid at the time of recording- other cities are paid at the time of building permit. The City Administrator is looking at different companies to do the studies- staff will look at which impact fees need to be studied and the city administrator will get names of companies and seek out a cost and timescale.

Lew Bankhead, a contractor stated that Mapleton City's impact fees are the highest in the county and to have impact fees due at the time of recording instead of building permit is a further hardship.

**MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS:**

**Cl. Farnworth** stated that there will be a Volunteer Appreciation dinner to be held on September 22<sup>nd</sup> 6:30 at the city park. It was stated that the council should plan to be in attendance to help with the event. Mayor Wall reported that the Staff Appreciation dinner will be held on the 28<sup>th</sup> of September.

**Mayor Wall** stated that there needs to be an additional member added to the Planning Commission and he would like names submitted by the 24<sup>th</sup> of September. Because of the election being held on November 2<sup>nd</sup>, council meeting will be cancelled and it is planned to only hold one meeting in November on the 9<sup>th</sup>.

**Bob Bradshaw** stated that he met with Cynthia Edmunds about chairing the museum committee. He said that she will be meeting with a committee within the next few weeks.

**Dave Allen** reported that he has received the first draft of the audit and he is preparing the management letter for adoption at the 21<sup>st</sup> of September meeting.

**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 the character, professional competence of an individual.

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

**Vote:** Passed unanimously

Meeting adjourned at pm

Camille Brown, City Recorder

**APPROVED: September 21, 2010**