

**MAPLETON CITY COUNCIL MEETING**

**October 11, 2011**

**PRESIDING AND CONDUCTING: Mayor Brian Wall**

**Council Members:**  
**Ben Christensen**  
**Mike Cobia**  
**Ryan Farnworth**  
**Jim Lundberg- Excused**  
**Mike Nelson**  
**Mayor Wall**

**Also Present:**  
**Dave Allen- Finance Controller**  
**Scott Bird- Public Works**  
**Bob Bradshaw- City Administrator**  
**Cory Branch- Planning Director**  
**Camille Brown- City Recorder**  
**Police Chief- Dean Pettersson**

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

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**CALL TO ORDER:** Mayor Wall called the meeting to order at 7:00 pm Cl. Farnworth gave the invocation and Scott Bird led the meeting in the Pledge of Allegiance.

**OPEN FORUM: No comments were made.**

**APPROVAL OF MINUTES**

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

**Motion:** Cl. Nelson moved to approve the minutes of the September 20, 2011 City Council meeting with changes as indicated by Cl. Christensen.  
**Second:** Cl. Cobia seconded the motion.  
**Vote:** Passed 4:0

**PUBLIC HEARING**

**2. Home Occupations in the PRD-1 Zone – amendment to Section 18.77.040**

Cory Branch, the Planning and Zoning Director stated that the PRD-1 zone was established for the Whisper Rock Subdivision located at 1100 West Maple Street. At the current time, Home Occupations are not currently allowed as a permitted use in this zone. The proposed ordinance would be a compatible use for this zone but there would be restrictions relating to parking. The public hearing was opened- no comments were made. Cl. Farnworth stated that if it is a private drive, parking cannot be enforced.

**Motion:** Cl. Christensen moved to approve the proposed Home Occupations in the PRD-1 Zone

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Nelson Aye

Vote: Passed 4:0

Ordinance No. 2011- 16

**3. Mapleton City Code Title 19: Impact Fees Procedures- Appeal for the calculation and collection of impact fees. Applicant- Alan R. Ellis.**

Referring to his staff report Cory Branch, the Planning and Zoning Director stated that the applicant was the developer for Maple Tree Acres Subdivision, plat B which was recorded on December 8, 1999. Lots 12 and 13 are currently vacant. Impact fees were due at the time of building permit in 1999, which were then approximately \$5,300. Since that time impact fees have increased and at today's rate would be in range of \$17,100. In the last few months the applicant has shown interest in building on either lot 12 or 13 and he was informed what the impact fees would be. The applicant then appealed the cost of the impact fees and feels that he should have been notified in 2001 and given the opportunity to pay when the fees had been changed and paid at plat recording. Cory added further that today there are 54 vacant lots that impact fees have not been paid and would be due at the time of building permit. If an appeal is granted, the other 54 lots should be taken into consideration.

The applicant expressed his views and history with Mapleton City. Mr. Ellis explained that his daughter would like to build on one of these lots now and the total cost with the building permit would be \$25,000. Other lots only had to pay \$4800.00 in impact fees.

The Public Hearing was opened no comments were made.

Cl. Farnworth stated that the impact fees are high but this is being addressed and an impact fee study is being done to rectify this issue. Bob Bradshaw said that all seven impact fees are going to be studied at one time.

**Motion:** Cl. Christensen moved to deny the appeal regarding Title 19; as it relates to the calculation and collection of impact fees, on the following basis:

- (a) the applicant did not pay the fees in 1999;
- (b) subsequently the public was notified through the open public meeting act on at least 3 different occasions that the impact fees would change;
- (c) the city is unaware of any prohibition for him to have paid the fees early along with other developers over the last 12 years;
- (d) if the applicant doesn't develop those final two pieces of property he will never have to pay which is unlike all the other developers under the ordinance change that he has pointed out in his letter.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Nelson Aye

**Vote:** Passed 4:0

**ACTION ITEM:**

**4. Wage/Personnel Committee-to consider and approve recommendations relating to Janitorial Services and Community Development Department Office Relocation, from the September 27<sup>th</sup> meeting (minutes to be circulated) commission**

Bob Bradshaw, the City Administrator, reported that a meeting was held with the Wage and Personnel committee and the minutes of the meeting were circulated with the staff report.

**(i) Building Maintenance/Cleaning**

**Motion:** Cl. Nelson moved to approve the recommendation of that two part-time employees would be hired each working up to 19 hours a week at the discretion of the director, one employee being responsible for cleaning and the other for maintenance.

**Second:** Cl. Cobia

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Nay

Cl. Nelson Aye

**Vote:** Passed 3:1

**(ii) Recreation Administrative Assistant**

**Motion:** Cl. Christensen moved to approve the increased hours of the Recreation Administrative Assistant's to 32 hours a week with pro-rated benefits with effect from October 9<sup>th</sup>, this increase includes the 5 hours as the assistant Court Clerk- for an increased budget cost for this fiscal year of \$5589.00.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Nelson Aye

**Vote:** Passed 4:0

**(iii) Community Development Department Office Relocation**

**Motion:** Cl. Nelson moved that the Relocation of the Community Development Department be continued to the November 1<sup>st</sup> City Council meeting when the Planning Director will prepare a more detailed report to reflect the suggestions as identified by the Wage and personnel committee.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Nelson Aye

Vote: Passed 4:0

**5. 2563 South Hidden Canyon Drive - Removal of a dangerous building/structure**

Cory Branch, the Planning Director reviewed his staff report. The city has been renting a fence for safety purposes and due to the cost and an eyesore for the neighbors, and the city needs to pursue mitigating this hazard. A few city building inspectors apart from Mapleton City have looked at the property and proposed a schedule of modifications to make the building safe at an estimated cost of \$44,000. Cl. Farnworth suggested the staff investigate a cheaper alternative solution based on filling the swimming pool and basement with dirt.

**Motion:** Cl. Nelson moved to continue the item to the November 1<sup>st</sup> meeting.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Nelson Aye

Vote: Passed 4:0

**6. Sewer Volume Increase- City Engineer verbally**

Scott Bird, the Public Works Director of Operations, reported that Gary Calder has been in contact with Springville City who the City has an Interlocal Agreement with for a TV Surveillance of the sewer system, staff recommended using their service to investigate the large amount of sewer infiltration that is occurring.

**Motion:** Cl. Nelson moved to support the city engineer in his investigation of the sewer lines up to \$30,000.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Nelson Aye

Vote: Passed 4:0

**7. 790 North 1600 West (Hwy 89).-The Junction Market -approval for the sale of beer in their convenience store. GC-1 (General Commercial) Zone.**

**Motion:** Cl. Cobia moved to approve the sale of beer at the convenience store located at 790 North 1600 West (The Junction).

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Nay

Cl. Nelson Aye

Vote: Passed 3:1

Resolution No. 2011-18

**8. Consideration of resolution requesting recertification of the Mapleton Justice Court**

Camille Brown, the City Recorder, stated that the Utah State Statute requires that municipal justice courts be recertified by the Utah Judicial Council every four years and Mapleton's certification expires in February. All three components have been completed and requires the Council's approval.

**Motion:** Cl. Farnworth moved to approve the recertification of the Mapleton Justice Court.

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

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Nelson Aye

Vote: Passed 4:0

Resolution No. 2011-19

**MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

Scott Bird reported that in approximately 3 weeks the pipe work will be done with the Pressurized Irrigation project. Scott was thanked by the City Council members for his hard work and good public relations in dealing with this large project.

Chief Pettersson stated that on October 29<sup>th</sup>, Mapleton City will participate in the drug take back program from 10 am to 2pm in conjunction with Clean Out the Cabinet Month for October.

Dave Allen reported that the audit is done and will be heard at the November 1<sup>st</sup> City Council meeting.

Cl. Nelson moved to adjourn the meeting.

Cl. Christensen seconded the motion.

Vote: Unanimous

Meeting adjourned 9:30 p.m.

Camille Brown, City Recorder

**APPROVED: November 1, 2011**