

MAPLETON CITY COUNCIL MEETING

November 16, 2010

PRESIDING AND CONDUCTING: Mayor Wall

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

Also Present: Robert Bradshaw- City Administrator
Cory Branch- Planning Director
Camille Brown- City Recorder
Gary Calder, City Engineer
Dean Petterson, Police Chief

Minutes Recorded by: Camille Brown- City Recorder

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 pending or reasonably imminent litigation pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

Second: Cl. Christensen seconded the motion

Vote: Passed unanimously

CALL TO ORDER: The Mayor called the meeting to order at 7:05 p.m. Cl. Nelson gave the invocation and Cl. Farnworth led the meeting in the Pledge of Allegiance. Mayor Wall welcomed Scout Troops 1320; 1472; 1322 and 66 to the meeting that. They were working on Citizenship in the Community, First Class and Communications merit badges.

OPEN FORUM:

Jeff Sullivan stated that he had come to council meeting in July, August and September. He feels like the city has not been forthright with the cleanup that he had expected the Salisbury Developers. He knows of horses that have been injured and also a child that was injured by the debris that was not cleaned up satisfactory. Cory Branch, the Planning Director said he has been very satisfied with Salisbury Development and their attempts to clean up the property.

Patrick Carlson addressed the council about adopting a similar ordinance as Spanish Fork City has as to allowing street legal ATV's on public roads within Mapleton City. Residents currently use these to plow snow and other things, but it would be better and probably safer if there was an ordinance in place.

Kelly Thatcher stated she also lives in South Hollow and she is very concerned about the way this area has been cleaned up. They were promised certain amenities when they purchased their property and these things have never happened. She would really urge the council to look hard at this situation and require more from this developer.

APPROVAL OF MINUTES

1. Approval of City Council meeting minutes

- Motion:** Cl. Christensen moved to approve the minutes of the October 19, 2010 City Council meeting
- Second:** Cl. Cobia seconded the motion.
- Vote:** Passed 5:0

PUBLIC HEARING:

2. 650 South Alvey Drive –Request to divide premises into two Condominiums. Applicant- James Jeffers.

The Planning Director, Cory Branch, submitted his staff report and stated that this is an existing building with two businesses located in one property and the applicant is proposing to convert the existing building into two condominium units.

Mayor Wall opened the public hearing, no comments were made, Mayor Wall closed the public hearing.

Motion: Cl. Christensen moved to approve that the Alvey Business Park Condominiums, Plat “A” be Approved, with the following conditions of the October 19, 2010 DRC meeting:

1. *Applicant must meet all requirements of Chapter 17.03, Condominiums Mapleton City Code. As per the above code a building inspection is required for issues related to the life safety requirements of the international building code. The inspector must also verify that each unit has a separate accessible meter and shutoff for natural gas and electrical services, separate water meter, however common areas may have a meter owned by the Homeowner's Association, and that each unit has its own heating unit and air conditioning, if present. Applicant must request an inspection.*
2. *The plat must clearly identify the public utility easement.*
3. *The boundary description shown on the plat must be reviewed and approved by the DRC.*
4. *All concrete improvements will need to be brought to current minimum standards. All existing broken, settled concrete will need to be removed and replaced.*

Second: Cl. Nelson seconded the motion.

- Cl. Christensen Aye
Cl. Cobia Aye
Cl. Farnworth Aye
Cl. Lundberg Aye
Cl. Nelson Aye

Vote: Passed 5:0

Resolution No. 2010-

3. Amendment to Mapleton City Code to 18.84.415: SECOND KITCHENS for changes relating to multiple kitchens in homes and detached buildings.

Prior to this item being heard, Cl. Cobia declared a personal conflict of interest on this item and refrained from participating in the discussion.

Cory Branch, the Planning Director, reviewed the staff report. The council had previously continued this item so that the proposed text could be clarified as to when a building permit is

required.

The public hearing was opened at 8:04 pm and no comments were made.

The council reviewed the proposed ordinance and made the following changes to the building permit portion as well as the accessory building or dwelling section:

SECTION 18.84.415: MULTIPLE KITCHENS PERMITTED:

(1) The number of kitchens on a parcel or lot that includes a dwelling unit is regulated as provided under this section.

(2) (a) An owner of a parcel or lot that includes a dwelling unit shall apply for a building permit with the Department of Community Development for each kitchen within the dwelling unit.

(b) An owner of a parcel or lot that includes accessory building(s)/structure(s) on the parcel or lot shall apply for a building permit with the Department of Community Development for each kitchen that is located in the accessory building(s)/structure(s). Only one (1) accessory building/structure may allow for living quarters if:

(1) The accessory building/structure is located on a parcel or lot of twenty thousand (20,000) square feet or more unless specifically prohibited by the zone text;

(2) The size of the living quarter shall not exceed fifty percent (50%) of the total size of the accessory building/structure, and the living quarter may not exceed one thousand (1,000) square feet; and

(3) Only family members, as defined under section 18.08.145 of this title, are residing in the primary dwelling unit and accessory building/structure.

(3) If an owner of a parcel or lot is required to apply for a building permit under Subsection (2):

(a) for a new dwelling unit or accessory building/structure, only one building permit is required if each kitchen proposed is shown on the building permit drawings; and

(b) for an existing dwelling unit or accessory building/structure, a building permit is required for each new kitchen proposed as shown on the building permit drawings.

(4) The building permit(s) required under this section are for the purpose of enforcement of Section 18.84.410:

OWNER OCCUPIED ACCESSORY APARTMENTS.

Motion: Cl. Farnworth moved to approve the amendment to the Mapleton City code 18.84.145 as pertaining to Second Kitchens as proposed.

Second: Cl. Nelson seconded the motion.

Cl. Christensen Aye

Cl. Cobia Abstain

Cl. Farnworth Aye

Cl. Lundberg Aye

Cl. Nelson Aye

Vote: Passed 4:0

Ordinance No. 2010-

ACTION ITEMS:

4. Amendment of the Garbage Collection contract with Allied Waste Management.

Bob Bradshaw, the City Administrator, reviewed the staff report. There have been recent discussions with the Solid Waste District's Chairman and Allied Waste where it has been proposed that to be consistent with other cities, it would be more cost effective for the Solid Waste District to bill the city directly for the tonnage charges. Allied Waste also requested that the city consider extending their current contract for a further 2 years which would end March of 2014.

The council suggested that shortly prior to the revised expiration date the city should seek bids for providing garbage collection services.

Motion: Cl. Farnworth moved to amend the contract for revising the tipping fees arrangements and extending the Allied Waste service contract for an additional two years to end March of 2014.

Second: Cl. Cobia seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Cl. Nelson Aye

Vote: Passed 5:0

5. Ordinance to Suspend Enforcement of the Mapleton City Sign Ordinance for up to six months.

The city attorney, Eric Johnson, presented this item. When the sign ordinance was passed earlier this year, in the motion it stated that a further review of ordinance would be completed. While this is being done, the current sign ordinance will be suspended for the next 6 months.

Motion: Cl. Nelson moved to adopt an ordinance to suspend the enforcement of the Mapleton City Sign Ordinance for up to six months.

Second: Cl. Farnworth seconded the motion.

Cl. Christensen Aye

Cl. Cobia Aye

Cl. Farnworth Aye

Cl. Lundberg Aye

Cl. Nelson Aye

Vote: Passed 5:0

Ordinance No. 2010-

6. Adoption of a resolution of the City Council of Mapleton City, Utah County, Utah, finalizing the terms and conditions of the issuance and sale by the issuer of its water revenue refunding bonds, series 2010 in the aggregate principal amount of approximately \$4,500,00 (the "series 2010 bonds") for the purpose of financing the refunding of the issuer's outstanding water revenue and refunding bonds, series 2007; awarding and confirming the sale of the series 2010 bonds; authorizing the execution by the issuer of a general indenture of trust, a first supplemental indenture of trust, and other documents required in connection therewith; authorizing and approving a bond purchase contract; authorizing the taking of all other action necessary to the consummation of the transactions contemplated by this resolution; and related matters .

Bob Bradshaw, the City Administrator, stated that due to the way the bond market has fluctuated within the last few weeks, the city's financial advisor would recommended the city to defer the refunding the proposed bond series. The city will have the option to enter into a bond purchase contact in the future and will not be adversely affected or financially harmed by deferring the purchase at this time.

Motion: Cl. Christensen moved to suspend any further proceedings on this transaction at this time.

Second: Cl. Nelson seconded the motion.

- Cl. Christensen Aye
- Cl. Cobia Aye
- Cl. Farnworth Aye
- Cl. Lundberg Aye
- Cl. Nelson Aye

Vote: Passed 5:0

7. Canvassing the Returns of the Referendum Election held in the City on November 2, 2010

The City Recorder, Camille Brown, informed the council that the official canvass was held today at the county building at 4:00 pm. by the Utah County Board of Canvassers. The official canvass was then sent to our office by the election clerk for a formal canvassing of the Referendum Election.

Motion: Cl. Nelson moved to adopt a resolution to accept the canvass as outlined by the Utah County Board of Canvassers for the results of the Referendum Election.

Second: Cl. Lundberg seconded the motion.

- Cl. Christensen Aye
- Cl. Cobia Aye
- Cl. Farnworth Aye
- Cl. Lundberg Aye
- Cl. Nelson Aye

Vote: Passed 5:0

Motion: Cl. Nelson moved to adjourn the meeting.

Second: Cl. Cobia seconded the motion

Vote: Passed unanimously

Meeting adjourned at 8:25 pm

Camille Brown, City Recorder

APPROVED: December 14, 2010