

MAPLETON CITY CITY COUNCIL MINUTES

March 4, 2014

PRESIDING AND CONDUCTING: Mayor Brian Wall

Members in Attendance: Ryan Farnworth
Scott Hansen
Jim Lundberg
Mike Nelson
Jonathan Reid

Staff in Attendance: Cory Branch, City Administrator
Gary Calder, Public Works Director/City Engineer
Sean Conroy, Community Development Director
Camille Brown, City Recorder

Minutes Taken by: Camille Brown

Mayor Wall called the meeting to order at 7:00 pm. Sabrina Warren gave the invocation and Carter Beck led the Pledge of Allegiance.

OPEN FORUM: Cassie Knapp, Mayor for the Youth Council introduced the Executive Council and turned the time over to Scott Griffin, Mayor Pro Tem who gave a recap of the activities that they participated in this past year. In total they did 1500 hours of service. He also recited the mission statement the Youth Council has chosen for this year.

The Agenda Items were not heard in the same order as shown below:

Item 1. Approval of City Council Meeting Minutes – February 18, 2014:

Motion: Cl. Nelson moved to approve the February 18, 2014 City Council Minutes.

Second: Cl Farnworth seconded the motion.

Vote: Passed 5:0

Item 2. Consideration of a resolution appointing the 2014-2015 Mapleton Youth Council and Advisors and to receive the Oath of Office.

Camille Brown, City Recorder reviewed the staff report for those in attendance. Mayor of the Youth Council Cassie Knapp introduced the Executive Council and then the Oath of Office was administered by the City Recorder.

Motion: Cl. Nelson moved to approve a resolution appointing the 2014-2015 Mapleton Youth Council and Advisors (see attached list) and authorize them to receive the Oath of Office

Second: Cl. Farnworth seconded the motion.

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

Cl. Hansen Aye

Cl. Nelson Aye
Vote: Passed 5:0
Resolution No. 2014-12

Item 3. 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. The applicant was requesting to establish a reimbursement amount for improvements installed as part of the Pheasant View Subdivision located at 1200 West and 900 South. As part of the subdivision the developer installed a full width road (1200 West) that included water, sewer and pressurized irrigation lines. On September 28, 2006 Gordon Livingston submitted a request to establish a reimbursement agreement that would apply to adjacent parcels that front 1200 West.

The developer would like to recoup costs for infrastructure including road improvements, water, sewer, and pressurized irrigation lines along 1200 West.

The City Council has reviewed this item a few times and only limited information has been submitted so additional information from the developer was requested.

The developer has now submitted additional information for the council to review. Sean Conroy posed a few questions for the council to consider. Should reimbursement be based on the City Engineer's estimate or the actual costs provided by the developer and should roads and land also be included.

Gary Calder, Public Works/City Engineer stated that he took the bond amount and looked at what the costs were for 1200 West. He stated that \$88,923.50 is without the land and \$118,923.50 includes the land. The applicants amount with the land is \$186,557.85 and \$156,557.85 is without the land. It would be staff's position to go with the City Engineers estimate.

John Chipman, representative for the Phyllis Jensen Chipman's trust, stated that he has circulated a letter for City Council's consideration.

Gary Calder stated that this project was done several years ago, so that is why staff went off of bonding at this time as if the city were to have to take over and finish the project. Even if the city or the applicant did have actual invoices it would still be difficult to determine the actual cost of the land. Staff does not have a good number for the cost of the land.

Ryan Livingston, applicant stated that the information provided is the breakdown they have, the cost per foot, and linear foot, all coincides with what the cost is.

Cl. Lundberg states that the ordinance is clear, the uncertainty is that if we look at the city engineer's estimate the cost is not as certain. Cl. Lundberg recited the code, and stated what was the cost to the developer in this situation, what is the evidence in this case, and how does the city determine what the reimbursable amount is.

Sharee Killpack, local realtor stated you could seek an appraisal for the cost of the land and you can also find this information online of Utah County.

Cl. Hansen stated that he agrees with Cl. Lundberg and thinks that the council should go by the ordinance as written.

Cl. Lundberg reiterated that our ordinance needs to be followed and there is information that would be helpful to obtain from Utah County, but the city does not have that information at this time.

He does not see any reasoning why the city should accept another value. Also he believes that the city's ordinance doesn't necessitate that it's based on estimates or looking at actual costs. Invoices aren't always the best evidence of actual costs, the applicant has provided draw requests that are correlated to the

costs. The final hurdle that the city needs to get over, is that if you have evidence that was expended by the developer. They have provided cancelled checks and a sworn declaration as evidence.

Mayor Wall stated that he was on the City Council when this subdivision was approved. If you read the attachments of the planning commission minutes, the developer did request a half plus five road. Cl. Reid inquired about our response to Mr. Chipman and his concern that there are no laterals on the west side of the road. If there are no laterals, there is not a full benefit to this road and the road would need to be torn up for future utilities.

Gary Calder stated that the road is treated as a stand-alone road. Mr. Chipman stated that in retrospect, they wish they would have had the opportunity to allow them access to their land and this could have been dealt with.

Motion: Cl. Lundberg moved to approve a reimbursement amount for improvements installed as part of the Pheasant View Subdivision located at 1200 W 900 S. in accordance with city code in the amount of \$156,557.85 to be divided with the estimates provided in the staff report.

Second: Cl. Hansen seconded the motion.

Cl. Lundberg Aye

Cl. Reid Nay

Cl. Farnworth Nay

Cl. Hansen Aye

Cl. Nelson Nay

Vote: Failed 3:2

After a lengthy discussion by the Mayor and City Council revisiting the issues as addressed above a new motion was made.

Motion: Cl. Farnworth moved to approve a reimbursement amount for improvements installed as part of the Pheasant View Subdivision located at 1200 W 900 S. in accordance with city code of the actual costs in the amount of \$156,557.85 to be divided with the estimates provided in the staff report.

Second: Cl. Lundberg seconded the motion

Cl. Reid Nay

Cl. Farnworth Aye

Cl. Hansen Aye

Cl. Nelson Nay

Cl. Lundberg Aye

Vote: Passed 3:2

Item 4. Consideration of a Resolution amending Mapleton City's addendum to the APWA Standard Drawings and Specifications to include a rural-residential street cross section.

Sean Conroy, Community Development Director reviewed the staff report for those in attendance. This item was heard at length on February 18, 2014. The City Council was generally supportive of this, but additional information needed to be added to the cross section and roadway widths. This item has been addressed by reducing the swales on each side and making a 34 foot rural street cross section for lot sizes of 1 unit per acre or larger.

The public hearing was opened at 8:55 pm

Rick Maingot stated that he was on the transportation committee and that a lot of time was spent on the decision of road widths.

His concern with this request is setting up a master plan that will be followed.

A detailed list should outline the standards, so other applicants can't just come forward requesting smaller roads. There should be a standard on all roads showing the same width throughout the community.

Public comment was closed.

Cl. Farnworth stated that if he wants to write a speeding ticket then he goes to the wide roads, people speed on wide roads. He does agree with Mr. Maingot that there should be a standard.

Mayor Wall stated that the swales will be better maintained because the land owner will maintain it. This is a way of getting rid of retention basins.

Motion: Cl. Farnworth moved to approve amending Mapleton City's addendum to the APWA Standard Drawings and Specifications to include a rural-residential street cross section with attachment 1.

Second: Cl. Nelson seconded the motion.

Cl. Farnworth Aye

Cl. Hansen Aye

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Aye

Vote: Passed 5:0

Resolution No. 2014-13

Item 5. Consideration of a Resolution approving the Final Plat for the Pheasant View Plat "B" Subdivision consisting of three lots, and a Project Plan for a 69 bed assisted living center located at approximately 800 S and Highway 89 in the General Commercial (GC-1) zone.

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

Russ Watts, with Watts Enterprises, stated that his company has built these in several different cities in Utah within this last year. He stated that they have been in business for 16 years and there will be many different aspects to this living center. In the future the two pads may be merged which would change the parking configuration. They are anticipating starting the project within the next 60 days.

Sean stated that there will be landscaping along Highway 89, much like Harvest Park.

The public hearing was opened no comments were made.

Motion: Cl. Nelson moved to approve the Final Plat for the Pheasant View Plat "B" Subdivision consisting of three lots, and a Project Plan for a 69 bed assisted living center located at approximately 800 S and Highway 89 in the General Commercial (GC-1) zone to include completion of all DRC conditions and special conditions as outlined in the report.

Second: Cl. Farnworth seconded the motion.

Cl. Hansen Aye

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

Vote: Passed 5:0

Resolution No. 2014-14

MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS

Sean Conroy reported that a date has been scheduled for an open house with regards to the lateral canal on March 19th from 5:30 to 7:30 to show the design concept plans, and staff will be available to address

concerns. He also stated that conversations need to be held with Springville homeowners with regards to easements for the trail that will connect with the Hobble Creek trail system.

Gary Calder reported that work has begun on the Westwood tank and it has been primed and the painting has to be done within a certain amount of time. With regards to the Crowd Canyon well, the chlorination process is moving forward, some work will be done in-house to save on time. This is expected to be completed by early summer. They are still working with the Presidio group to get a second line up to this tank.

Cory Branch outlined the status of the EBCo development.

Mayor Wall stated that he would like to thank staff for all their hard work that is going into the EBCo project. Timelines are sensitive and they will be coming forward to the council meeting within the next month.

Cory Branch stated that with regards to the Mayor's message, he has received about 12 emails from citizens who would like to be involved in the transportation utility fee.

Cl. Nelson inquired about when the wage and personnel meetings and budget meeting would be held. Cory stated that he will email the tentative schedule out to the council.

Cl. Farnworth stated that the solid waste district is considering moving their transfer station. Springville won't allow us to expand and the district needs to expand in order to survive. The district is hiring a consulting group to look into this expansion.

Cl. Hansen inquired if the event for Household Waste got in the Newsletter and it was confirmed that it had.

Cory Branch reported that he received an email last week with regards to the burned down house from KSL. They are considering doing a story on this, and Cory informed the council that the city issued out a media statement.

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 and character, professional competence of an individual pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

Second: Cl. Reid seconded the motion

Vote: Passed Unanimously

Meeting adjourned at 9:40 pm

APPROVED: March 19, 2014

Camille Brown, City Recorder