

**MAPLETON CITY  
CITY COUNCIL MINUTES  
May 6, 2014**

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**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  
Camille Brown, City Recorder  
Gary Calder, Public Works Director/City Engineer  
Stacey Child, Parks and Recreation Director  
Sean Conroy, Community Development Director  
Dean Pettersson, Police Chief/Public Safety Director  
Debbie Sanchez, Finance Director

**Minutes Taken by:** Camille Brown

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Mayor Wall called the meeting to order at 7:00 pm. Cl. Farnworth gave the invocation and Gary Calder led the Pledge of Allegiance.

**OPEN FORUM:**

**Liz Graden** with the Nebo Philharmonic Orchestra inquired from the council that this group would like to perform somewhere in Mapleton. She believes that there are many residents that would enjoy this type of concert. Their concerts usually draw people from other areas of Utah County that could benefit Mapleton City by bringing others into the community. Their group consists of about 40 members that are from most cities within the south part of Utah County.

There are many ways that Mapleton City could support the orchestra by advertising, having them perform in the summer concert series and also a grant can be obtained that could directly benefit the group.

**Michael Stark** stated that he is a concerned citizen of Mapleton who lives in Mapleton Fields which is near the Whisper Rock subdivision. Himself and neighbors of the area put together a letter because of murmurings that Whisper Rock is going to have new owners and the amenities could change as well as the type of housing which could change the aspect of the neighborhood. He believes that if a major plan is made that the residents should be notified.

**Geoff Wright** living in the Mapleton Fields subdivision is concerned that the ownership of Whisper Rock is changing and that the type of housing for this area could bring their property values down. Himself and the group of neighbors that submitted the letter would like to be involved in this process.

**Richard Howell** was present on behalf of Mike Aiello and stated that he has had issues in the past where there was a development put in next to his animals, which is the reason he is asking that the proposed Harvey Subdivision, Plat "B" install a privacy fence. The current ditch could seep into the east lots of the proposed development. For this reason they would request piping the ditch.

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

**Item 1. Approval of City Council Meeting Minutes – April 15, 2014:**  
**Motion:** Cl. Hansen moved to approve the April 15, 2014 City Council Minutes.  
**Second:** Cl. Nelson seconded the motion.

**Vote:** Passed 5:0

**Item 2. Consideration of a resolution to authorize the Mayor to sign the Utah County Municipal Recreation Grant Application 2014.**

Stacey Child, Parks and Recreation Director, reviewed the staff report for those in attendance. Each year the city is able to apply for the Utah County Municipal Recreation Grant through Utah County, this year the amount is \$4,791. The grant must be used for projects that involve development of tourism, recreation or cultural facilities. This year the department is proposing to add metal park swing benches placed in the North Park and/or Wing Pointe Park

**Motion:** Cl. Nelson moved to approve a resolution to authorize the Mayor to sign the Utah County Municipal Recreation Grant Application 2014.

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

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

Cl. Hansen Aye

**Vote:** Passed 5:0

**Resolution No.** 2014-19

**Item 3. Consideration of Final Plat approval for the Virginia Estates subdivision consisting of two lots located at approximately 2975 South and Highway 89 in the Agricultural-Residential (A-2) zone.**

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. The project site consists of two parcels totaling 7.12 acres in the A-2 zone. The two parcels were originally combined into a single parcel, but were divided through the recording of a deed. This division did not go through the proper subdivision process and therefore the northern lot is not yet buildable. The Planning Commission is the final decision making body for subdivisions of three lots or less, however the applicant is requesting that some of the requirements be waived, thus the City Council must be the final decision making body for this application.

In 2011 the City entered into an agreement with Ensign Bickford Company located at the southern end of the city, for the installation of an off-site sewer line which would front the applicant's property. Based on the installation of the future sewer line, the applicant is requesting approval to have a septic tank until such time as EBCo runs the line. When EBCo eventually runs the sewer line and it is available within the applicants property the applicant will be required to connect to the line and if not then the city reserves the right to turn off the water until the line is connected.

Staff would consider allowing a septic tank if the applicant agrees to hook into the available line within 3 months of it becoming available.

Cl. Reid inquired what the penalty would be if they do not connect, and Sean stated that the water would be shut off.

Dennis Gore, applicant, doesn't feel like he should have to put the line in as it is going to get dug up when the new property owner to the south puts a new line in.

Cl. Lundberg, inquired whether a delay agreement is in place or if one would need to be written up and how does it become binding where there are so many variables down the road. He further inquired if the applicant would be willing to have a written document in place with an actual number and have both scenarios brought forward.

**Motion:** Cl. Lundberg moved to adopt a resolution approving the Final Plat for the Virginia Estates subdivision consisting of two lots located at approximately 2975 South and Highway 89 subject to the special conditions set forth in the staff report including a written agreement signed by the applicant that contemplates the connection to a sewer

main having two options: a. that you connect within 3 months to a sewer main that's put in by an adjacent land owner or b. if you elect not to do this then you connect within 6 months by way of your own sewer line placement. This is the only change to the special conditions as set forth in the staff report.

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

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

Cl. Hansen Aye

Nelson Aye

**Vote:** Passed 5:0

**Resolution No. 2014-20**

**Item 4. Consideration of Final Plat approval of the Harvey Subdivision Plat "B", consisting of four lots located generally at 400 South Main Street.**

Sean Conroy, Community Development Director, stated that the applicant owns the 4.81 acres located in the RA-1 zone and the applicant is proposing four 1 acre lots, with a full width road including curb and gutter. This is a significant improvement for this area. At the Planning Commission meeting there were several concerns about the open irrigation ditch and the need for certain type of fencing to contain the cattle that are on the adjacent lot.

Brent with Northern Engineering stated that there is an irrigation ditch and it most likely will be piped.

**Motion:** Cl. Farnworth moved to approve the Final Plat of the Harvey Subdivision Plat "B", consisting of four lots located generally at 400 South Main Street with the conditions outlined by staff.

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

Cl. Reid Aye

Cl. Farnworth Aye

Cl. Hansen Aye

Cl. Nelson Aye

Cl. Lundberg Aye

**Vote:** Passed 5:0

**Resolution No. 2014-21**

**Item 5. Consideration of a Resolution approving the Preliminary Plats for the Freedom Vista Subdivision Plats "A-D" and approving the Final Plat of Plat "A" located generally at 2000 E Maple Street in the RA-1 and CE-1 zones.**

Eric Johnson, Attorney for the City introduced himself and his associate Briant Platt. He further stated that if there is an appeal filed of your decision tonight that the appeal court would not take evidence from past lawsuits. If the City Council acts within their discretion where there are some conflicting items, then the city would be within their discretion to make necessary findings. Listen carefully to the applicant to fully understand what he is presenting, and make sure he is heard before you come to a resolution.

Sean Conroy, reviewed the staff report for those in attendance. There are topographical challenges with this plat. The applicant is proposing 58 lots for the preliminary plat approval of plats A-D and 16 lots for the final plat approval of Plat A. Lot sizes vary from .52 to 3.49 acres in size.

With regards to density the 2007 Settlement Agreement allowed for 47 lots. In 2011 there was a stipulation which indicated the applicant can develop according to the RA-1 standards and staff is supportive of the proposed 58 lots.

To meet the Transportation Master plan and the Mapleton City Code, city staff is requesting a stub street to the north, thus providing for a third point of access for safety purposes. It is routine to require stub

streets through the city for connectivity.

The city is requesting that the trail be entirely on the applicant's property, and that there be a remediation plan shown for the grading that has taken place. It was presented that 3 traffic engineers have outlined the benefits of providing a stub street. Previously, the applicant advocated for a stub street.

Wendell Gibby, applicant thanked the mayor, council and staff for their time. He stated that he has presented in the past a 100 year storm report with regards to the water on the hill. There are 3 to 4 retention areas on the property and there is always water coming off the hill, but he has provided a way to revert the water. He has also thought about the retaining wall issue and they have eliminated all the retaining walls on the plans.

He further stated the need for a third access is not necessary in this area. He stated that the city should have to go by the standards set with other subdivisions and this would be a violation of the MOU.

Eric Johnson, read page 26, paragraph 5 of the settlement agreement.

Evan Roundy referenced the letter dated May 13, 2013, regarding the stub street, and stated that he only got the drawings on Thursday, but will still stand by the letter that they want the stub street.

Gary Calder referred to the concept drawing, noting that the drawing was to prove that the proposed stub could work.

Mayor Wall stated that the stub street is consistent with the Master Transportation Plan.

**Motion:** Cl. Farnworth moved to approve a resolution for the Preliminary Plats for the Freedom Vista Subdivision Plats "A-D" and approving the Final Plat of Plat "A" located generally at 2000 E Maple Street in the RA-1 and CE-1 zones with conditions outlined by staff.

**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. 2014-22**

**Item 6. Consideration to approve Chief Pettersson as a member of the Board for the South Utah Valley Animal Shelter.**

Chief Pettersson reviewed the staff report for those in attendance. He has served on the board for the last 7 years and needs to be reappointed for the next two years.

**Motion:** Cl. Nelson moved to approve Chief Pettersson as a member of the Board for the South Utah Valley Animal Shelter.

**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

**Item 7. Receive the tentative Fiscal Year 2014-2015 budget and set a public hearing on June 3, 2014 to take public comments prior to considering adoption of the final budget for Fiscal Year 2014-2015.**

Debbie Sanchez, Finance Director, reviewed the staff report for those in attendance. She stated that she would recommend the council receive the tentative budget and set a public hearing for June 3, 2014.

**Motion:** Cl. Hansen moved to approve the tentative Fiscal Year 2014-2015 budget and set a public hearing for June 3, 2014 to take public comments prior to considering adoption of the final budget for Fiscal Year 2014-2015.

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

Cl. Hansen Aye

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

**Vote:** Passed 5:0

**Resolution No. 2014-23**

**Item 8. To consider a resolution authorizing the Public Works Director to purchase one new Ford vehicle for the Public Works Department and authorize the surplus of a 1999 Chevrolet K1500 pickup truck.**

Gary Calder, City Engineer/Public Works Director reviewed the staff report for those in attendance. He stated that the cost of a new 2014 F150 pickup would be \$28,549 and this money is available in the Public Works vehicle replacement fund. By purchasing this vehicle, the department will be able to rotate the vehicles every 7 years.

**Motion:** Cl. Nelson moved to adopt the purchase of one new Ford vehicle for the Public Works Department and authorize the surplus of a 1999 Chevrolet K1500 pickup truck.

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

Cl. Nelson Aye

Cl. Lundberg Aye

Cl. Reid Aye

Cl. Farnworth Aye

Cl. Hansen Aye

**Vote:** Passed 5:0

**Resolution No. 2014-24**

**MAYOR, COUNCIL, AND ADMINISTRATIVE REPORTS**

**Sean Conroy** reported that the building permit activity in up and there have been about 100 lots proposed in the last month.

**Gary Calder** reported that he had a conference call today and the city will be moving forward to Accept Strawberry Water Shares.

**Chief Petterson** reported that the rabies clinic was a great success and also he is still receiving training on the reverse 911 system and it will be about 3 weeks until this is complete.

**Cl. Nelson** reminded all that the Fireman's Breakfast is on Saturday May 17<sup>th</sup>.

**Cory Branch** reviewed the email that was previously sent out regarding upcoming dates during the month of May.

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

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

**Vote:** Unanimous

Meeting adjourned at 10:20 pm.

**APPROVED: May 20, 2014**

Camille Brown, City Recorder