

**MAPLETON CITY COUNCIL MEETING**

**November 19, 2013**

**PRESIDING AND CONDUCTING: Mayor Brain Wall**

**Council Members:**  
**Ryan Farnworth**  
**Scott Hansen**  
**Jim Lundberg**  
**Mike Nelson**  
**Jonathan Reid- Excused**

**Also Present:**  
**Cory Branch- City Administrator**  
**Camille Brown- City Recorder**  
**Sean Conroy- Community Development Director**  
**Debbie Sanchez- Finance Director**

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

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**CALL TO ORDER:** Mayor Wall called the meeting to order at 7:05 p.m. Cl. Hansen gave the invocation and Ethan Blackett led the pledge of allegiance.

**APPROVAL OF MINUTES:**

**1. Approval of City Council meeting minutes- October 15, 2013**

**Motion:** Cl. Hansen moved to approve the minutes of the October 15, 2013 City Council meeting.  
**Second:** Cl. Nelson seconded the motion.  
**Vote:** Passed 4:0

**ACTION ITEMS:**

**2. Canvass of the 2013 General Municipal Election.**

Camille Brown, City Recorder presented the results of the General Election and the City Council as the Board of Canvassers reviewed the numbers and certified that the certifications of the canvass were complete and accurate.

**Motion:** Cl. Nelson moved to approve the canvass result of the 2013 General Municipal Election.

**Second:** Cl. Hansen seconded the motion  
Cl. Nelson Aye  
Cl. Hansen Aye  
Cl. Lundberg Aye  
Cl. Farnworth Aye  
Vote: 4:0

**3. Presentation of FY 2012-2013 Audit Report.**

Debbie Sanchez, Finance Director, reviewed the staff report for those in attendance. The Auditor, Greg Ogden reviewed the audit with the council. He stated that as a whole, the city is in good financial standing. He explained that the two key write ups the city received were that currently the city hires the Auditor to review the financial statements and the city should review their own financial statements, so they feel confident approving them. Mr. Ogden explained that the other write up was a new condition set by the State Auditor's office effective July 1, 2013 where it requires that the city be charged and pay for utility usage and if this isn't happening then a public hearing should be held notifying the public of such action. Also, when reviewing the city's bonds, two bond related escrow accounts were missing and these need to be shown as being owned by the city and not by a financial institution. Council members asked clarifying questions of Mr. Ogden.

**Motion:** Cl. Nelson moved to accept the FY 2012-2013 Audit Report prepared by Greg Ogden  
**Second:** Cl. Farnworth seconded the motion  
Cl. Hansen Aye  
Cl. Lundberg Aye  
Cl. Farnworth Aye  
Cl. Nelson Aye  
Vote: 4:0

**4. Consideration to approve the renewal extension of the Lease Agreement dated February 9, 1994 by and between Mapleton City and Verizon Wireless**

Cory Branch, City Administrator, reviewed the staff report for those in attendance. The proposed extension will begin on May 15, 2014 initiating the fourth five year extension with an ending date of May 14, 2019. The annual rental for the fourth extension is \$8,395.00. Cl. Farnworth inquired if the rent was that of other surrounding towers that lease space from the city. Cory Branch stated that yes it is.

**Motion:** Cl. Nelson moved to renew the extension of the Lease Agreement dated February 9, 1994 by and between Mapleton City and Verizon Wireless.

**Second:** Cl. Lundberg seconded the motion  
Cl. Lundberg Aye  
Cl. Farnworth Aye  
Cl. Nelson Aye  
Cl. Hansen Aye  
Vote: 4:0

**5. Consideration to approve the renewal of the Interlocal Cooperation Agreement by and between Mapleton City and Utah County regarding the joint undertaking to provide library and bookmobile services to the residents of Mapleton.**

Cory Branch, City Administrator reviewed the staff report for those in attendance. This is a current agreement that is just being extended. Jim Lundberg stated that he would like to see the prior agreement before approving this item.

**Motion:** Cl. Lundberg moved to continue this item in order for staff to provide to the council the prior agreement.

**Second:** Cl. Nelson seconded the motion  
Cl. Farnworth Aye  
Cl. Nelson Aye  
Cl. Hansen Aye  
Cl. Lundberg Aye  
Vote: 4:0

**DISCUSSION ITEM:**

**6. Consideration of a request for a discussion item related to the conversion of an existing residence located at 903 S Nemelka Lane into a family reunion retreat.**

Sean Conroy, Community Development Director reviewed the staff report for those in attendance. The applicant is interested in renting the home for family reunions, corporate retreats and other similar activities. Mr. Conroy displayed pictures of the property to the council. Currently this property is in the A-2 zone and this type of use would not be allowed, however the applicant could apply for a text amendment.

David Nemelka, Applicant, stated that his father built the home over 20 years ago to bring his family to Mapleton. Houses like these are not easy to sell and it has been a financial burden for his mother and family. This request would not compromise the nature of the neighborhood. Mr. Nemelka would like to minimize any negative aspects this could have to the neighborhood.

Cl. Lundberg inquired if the property to the south is sold now and Mr. Nemelka stated yes. This was sold by his father prior to him dying. Cl. Hansen inquired what improvements will be made to the home or will the home be used as is. Mr. Nemelka stated that the home was updated after

his father died. He didn't think many improvements would need to be made. The isolation of the home is unique and neighbors would not be bothered. Cl. Farnworth inquired if he has had any feedback from the neighbors. Mr. Nemelka stated that it may be a good idea to have this as a temporary use for a year to see how it operates during that time. Cl. Hansen stated that if a temporary use was granted what other impacts would be created. Mr. Nemelka does not want to create a negative impact to the community. A full time property manager would be available on the property at all times.

Cl. Farnworth stated that on the internet there are homes you can rent all over the world including Utah. There is a hotel tax attached to most of these types of homes.

Skip Tandy, 875 South 1250 East, stated that he lives directly to the west of the Nemelka home. He is concerned about this home being turned into a family retreat home. He has worked for Provo City for the past 25 years and does commercial building plans. The changing of the use of the home would also change the structure to an R-1 occupancy. If this is approved, it needs to be certain that the address is correct, because whatever was given out prior to this time was not correct and a lot of people have come to his neighborhood looking for directions. Maybe this means that the city needs to put more street signs up. Several times last summer the home was rented and he would like the neighborhood to remain a safe place.

Dave Smaldone, 905 South 1250 East, stated that he also lives directly west of the Nemelka home and he has been in his home for almost a year. He said that he bought a home in a residential area and wants it to stay residential. He thinks it would be irresponsible to make this home anything other than a single family home.

Sonia Smaldone stated that she is a mother and grandmother. They purchased their home to live there having a beautiful and peaceful area. They know their neighbors, but they will not know who will be staying at the subject home. She wants to protect her children and grandchildren.

David Nemelka stated that he respects the concerns of the neighbors and he also lives in a residential area and wants to find a solution for the property. Financial considerations are part of the plan right now. This is a unique home and it has been there for 25 years. He thinks this is the least impact solution for the community.

Mayor Wall stated that the city should look a little further into this item rather than just turn it down.

Cl. Lundberg would like to see options explored.

Mayor Wall stated that he would like staff to gather more data and if this is to be brought back to the council, a formal application would need to be done. Mr. Nemelka stated he would work with staff.

## **MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS**

**Sean Conroy** reported that Rocky Mountain Power has completed their work on the East Bench and now they will begin working on the existing line which runs through town and expect to be done the 1<sup>st</sup> week of December.

**Cl. Nelson** is concerned about the considerable amount of additional traffic surrounding the new gas station along Hwy 89 and 1100 N. Cory Branch explained that he has been in contact with UDOT and this is being discussed.

**Cl. Lundberg** stated that SUMWA is doing a presentation on December 12<sup>th</sup> here at our city building with regards to a Ground Water Recharge Study. All Mayors and Council members are invited to attend.

**Cl. Farnworth** suggested that Mapleton City consider obtaining their own cemetery. He has had several citizens inquire about this.

**Camille Brown** inquired about the meeting dates for the 2014 meeting schedule.

**Cory Branch** stated that a date needs to be scheduled for the annual Christmas Party with the Mayor, Council and their spouses. An email will be sent out.

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

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

**Vote:** Passed unanimously

Meeting adjourned at 9:30 pm

**APPROVED: December 3, 2013**

Camille Brown, City Recorder