

**MAPLETON CITY  
CITY COUNCIL MINUTES  
NOVEMBER 18, 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  
Gary Calder, Public Works Director/City Engineer  
Stacey Child, Parks and Recreation Director  
Sean Conroy, Community Development 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. Reid gave the invocation and Cl. Hansen led the Pledge of Allegiance.

**OPEN FORUM:** No comments were made

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

**Item 1. Approval of City Council Meeting Minutes –October 21, 2014**

**Motion:** Cl. Hansen moved to approve the October 21, 2014 City Council Minutes with the change of Cl. Hansen on line 63 to Cl. Nelson.

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

**Vote:** Passed 5:0

**ACTION ITEMS:**

**Item 2. Presentation of FY 2013-2014 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 one of the requirements is that cities and towns are to draft their own financial statements. The other write up was that the city council must receive financial statements regularly, and a city the size of Mapleton should be receiving them at least monthly, so wise financial decisions can be made. Staff has been made aware of this and from now on the council will be given these monthly. The council members asked clarifying questions of Mr. Ogden.

**Motion:** Cl. Nelson moved to accept the FY 2013-2014 Audit Report prepared by Greg Ogden

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

Cl. Farnworth	Aye
Cl. Lundberg	Aye
Cl. Hansen	Aye
Cl. Reid	Aye
Cl. Nelson	Aye
<b>Vote:</b>	Passed 5:0

**Item 3. Consideration to approve Mapleton City to surplus or retain the City Youth Tackle Football Equipment.**

Stacey Child, Parks and Recreation Director reviewed the staff report for those in attendance. She would like direction as to what the council would like to do with the Youth Tackle Football equipment that the city still has. This equipment is being stored and there are a few options as to what to do with the equipment. It can be surplused or the city can retain this for one to two more years. Most of the equipment can be kept without it getting old, but the helmets do have to be replaced at 3-5 years. Mayor Wall stated that the cost to replace this equipment is very high and if it is not taking up space then he would suggest keeping the equipment for a few more years. Cl. Hansen inquired where Mapleton High School is sponsoring the program now, what equipment are they using. It was stated that it is Utah Valley Football League equipment. Cl. Nelson stated that he was at a committee meeting last week and other cities have no desire to go back to the Nebo League or city league. He thinks the equipment should be surplused. There is not enough interest to run two programs. Cl. Farnworth stated that it may be an option to extend the age of flag football participants. Cl. Hansen asked if the money could be used for other programs and Stacey stated definitely.

**Motion:** Cl. Nelson moved to approve Mapleton City surplus the Youth Tackle Football Equipment based on the minimum bids and according to the lots.

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

Cl. Lundberg	Aye
Cl. Hansen	Nay
Cl. Reid	Aye
Cl. Nelson	Aye
Cl. Farnworth	Aye
<b>Vote:</b>	Passed 4:1

**Item 4. Consideration to approve a Franchise Agreement between Mapleton City and Central Telcom Services, LLC, DBA Centra Com Interactive in order to install telecommunication infrastructure within the city**

Cory Branch, City Administrator reviewed the staff report for those in attendance. The applicant is not able to be here and they are requesting a continuance. The school district has given them until this coming spring to get the line in. This company is very well known within the school district. Cl. Hansen wanted to understand what the fee is or is it a tax. Debbie Sanchez stated that this is something that is automatically passed onto the city. Cory will continue to work with the attorney of the applicant and let the council know when they are ready to proceed.

Cl. Lundberg suggested that in the insurance indemnification section, he would like a defined amount instead of it reading adequate.

**Motion:** Cl. Hansen moved to continue the item for a Franchise Agreement between Mapleton City and Central Telcom Services, LLC, DBA Centra Com Interactive in order to install telecommunication infrastructure within the city until such time that Central Telcom is ready to proceed.

**Second:** Cl. Nelson seconded the motion.  
 Cl. Hansen Aye  
 Cl. Reid Aye  
 Cl. Nelson Aye  
 Cl. Farnworth Aye  
 Cl. Lundberg Aye  
**Vote:** Passed 5:0

**Item 5. Consideration to approve a License Agreement between the United States of America and Mapleton City in order for Mapleton City to access their existing city well from a portion of land owned by the United States.**

Cory Branch, City Administrator, reviewed the staff report for those in attendance. He turned the time over to Gary Calder for the review. Gary stated that this request pertains to the well on 1600 North near the Chris Cannon’s residence. The city has not had legal access to this well. The city was able to obtain an easement from Chris Cannon for access to the well in the event that this access point was not going to be able to be obtained. In the event that this is approved, there will be 2 points of access and one will have a hard surface point. This agreement was drawn up through the permit office of the Department of Interior and was going to cost \$3500, but when it was explained that access has always been in place, and the city maintains the area, a charge was not required.

**Motion:** Cl. Lundberg moved to accept the License Agreement between the United States of America and Mapleton City in order for Mapleton City to access their existing city well from a portion of land owned by the United States.

**Second:** Cl. Nelson seconded the motion.  
 Cl. Reid Aye  
 Cl. Farnworth Aye  
 Cl. Nelson Aye  
 Cl. Hansen Aye  
 Cl. Lundberg Aye  
**Vote:** Passed 5:0

**Item 6. Consideration by AT&T Mobility to modify the existing cell site Lease Agreement for property located generally at 450 West 3100 South.**

Cory Branch, City Administrator, reviewed the staff report for those in attendance. On September 14, 2005 the city entered into a lease agreement with Cingular Wireless currently known as AT&T at the site adjacent to Mayor Dean Allan’s home and the Westwood Tank. The agreement is in the first extension term which ends in September of 2015. The agreement does allow for an automatic renewal of three additional five year terms which would end September of 2030. AT&T contacted the city stating they were studying the site and with newer technology they believe that they are paying the city too much and are proposing to modify the existing agreement. The letter that the city received proposes two options: First, the city could secure a longer term lease with a new annual lease amount starting at \$6,600 commencing on January 1, 2015 with a 7.5% rent increase every 5 years and the second option would be a one-time lump sum payment to the city of \$70,000 in return the city will grant a 99 year easement on the property. Currently the city is receiving \$9,675 which is a loss of \$3,075 a year. As each extension comes and goes they could end the agreement at any time. The Mayor stated that there is a lot of infrastructure on that one site and it is most likely they are not going to move the tower. The next renewal is September 2015 and they could renew or could pull out at that time. Cl. Nelson inquired if there was still any interest about having a cell tower on the north east side of town and Sean stated that they have not heard anything further. Cl. Hansen stated that he

would be against accepting the lower amount without making other concessions, he does not think they will leave the site. Next year, the lease agreement goes up to \$10,452. Cory stated that they need to know by Thanksgiving because they have some decisions to make. The Mayor suggested to wait until next year and then negotiate.

**Motion:** Cl. Nelson moved to turn down the offer of the Lease Agreement for property located generally at 450 West 3100 South.

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

Cl. Nelson Aye

Cl. Farnworth Aye

Cl. Lundberg Nay

Cl. Hansen Aye

Cl. Reid Aye

**Vote:** Passed 4:1

### **DISCUSSION ITEM:**

#### **Item 7. The purpose of this item is to discuss potential options for a future cemetery to be located within Mapleton City.**

Cory Branch, City Administrator, reviewed the staff report for those in attendance. The purpose of this item is to discuss the finding from the geotechnical report. Gary Calder reported that he has received the report from IGES and verify that the company has dug test pits at 580 West Maple Street. Gary had an unrelated meeting with Mapleton Irrigation who advised him that there were two drains at this site and several other older drains along Maple Street. Gary did go out and do a site visit and observed the irrigation drains.

This is a very old system, and you can tell that there has not been a lot of water through the system. He further stated that there has been a lot of fluctuations in the ground water, and the city has put in monitoring wells throughout the city. He stated that IGES is here and they have given a positive recommendation for this site. Cory Branch and Stacey Child have done a lot of research with regards to how deep graves need to be dug. Most graves are dug 5 feet and some cities do double graves which need to be dug 9 feet down. The city may have to restrict this property to single graves only. Mayor Wall stated that his concern is the high water table. The well monitoring was begun after the high water a few years back. He also inquired if standards for water and cemeteries was a regulated item.

Ben Peay, stated that he has been talking to four different vault companies in Utah, about the history of vaults. In talking with them vaults have been around since 1940. They started being used because water was making the ground cave in. He was told there only needs to be 18 inches of soil to allow the grass to grow, even if the vault is 40 feet down the first thing they do is pound a hole in the bottom to drain all the excess water because cement sucks in the water.

Ben has contacted home owners in the area and they believe when they quit having the water issues is when the sewer was put in.

Cory asked the council if they were ok with the water table at this property. The council stated yes. Cory stated that he and the mayor have met with a few different families regarding a potential cemetery. Each of the families had unique circumstances and they did not know if they wanted to get involved.

Cl. Hansen stated that he believes that Mr. Peay has put in a lot of time and has a very high interest in this property on Main Street. He does not believe that he should keep holding him off.

Cory Branch reviewed the numbers with regards to the sale of plats by the city and how many are projected for the first 5 years as outlined in the staff report and also what the projected revenues would be.

Staff manpower was also discussed regarding how many employees would be needed to run a cemetery.

Ben Peay stated that he wants to thank city staff for all their hard work and also countless hours they have put in. There is a local artist that has put together a drawing of the entry way to the cemetery. Ben talked about how his company would assume a lot of the risk and that the risk to the city is very minimal.

**PUBLIC HEARING ITEM:**

**Item 8. Consideration of an ordinance amending Mapleton City Code (MCC) chapters 18.28.050, 18.32.050, 18.32.055, 18.36.060, 18.44.050 and 18.48.050. The proposed ordinance would allow for more flexibility in the minimum lot sizes for new residential subdivisions in the A-2, RA-1, RA-2, R-1-B and R-2 zones while maintaining the density requirements that already exist in these zones.**

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. This ordinance would allow for more clustering provisions which would address lot sizes. Some developments have had odd shaped lots because of the overall density, but with this it would allow for smaller lots by keeping within the overall acreage size. Cl. Nelson inquired if this was going to allow for developers to come back in and apply for different lot sizes. Sean stated that the planning commission brought up the same issue and this will not allow them to do so.

Cl. Reid was concerned if those who have TDRs will be affected. He believes those people who have TDRs would lose value. Other discussions regarding TDRs were discussed and it was decided to continue the matter. Public hearing was open. No public comment was made.

**Motion:** Cl. Nelson moved to continue this item.

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

Cl. Farnworth Aye

Cl. Lundberg Aye

Cl. Hansen Aye

Cl. Reid Aye

Cl. Nelson Aye

**Vote:** Passed 5:0

**CLOSED MEETING:**

**Motion:** Cl. Nelson moved to close the regular meeting and open a closed meeting pursuant to U.C.A. §52-4-205 for the purpose of discussing land negotiation and pending and potential litigation.

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

**Vote:** Passed unanimously

Meeting adjourned at 10:15 pm.

**APPROVED: December 2, 2014**

Camille Brown, City Recorder