

Mendon City Council Meeting
February 12, 2015
Mendon Station – 95 North Main
Meeting began at 7:00pm

In Attendance:

Mayor: Ed Buist

Council Members: Greg Taylor, Kelly Barrett, Jon Hardman, Shawn Osborne, Bob Jepsen (*arriving at 9:14pm*)

Treasurer: Daphne Carlson

Clerk: Teena Young

Public Works Director: Kirk Taylor

Attendance: Brooks Copeland, Camden Copeland, Doug Larsen, Mike Peterson, Todd Parker, Curtis Taylor, Mary Taylor, Cory Wheeler, Lexie Myers, Rylan Myers, CJ Myers, Wayne Meyers, Cassidey Buist, Becki Taylor, Janelle Simmons, Al Pollak, Jeff Powell, Mandy Powell, Rusty Myers, Kaden Myers, Eric Dursteler

Mayor Ed Buist called the meeting to order at 7:00 pm and excused Councilmember Bob Jepsen who would be arriving later.

The Pledge of Allegiance was led by Boy Scout, Brooks Copeland, with the prayer being given by Teena Young.

Minutes: The January 2015 minutes were reviewed and approved.

Bills: The January 2015 bills were reviewed. Greg Taylor stated that the cemetery budget is over budget because of some road patchwork. The charge needs to be deducted from the roads budget, instead. Greg will speak with Paul Cressall to made the change. With the adjustment, motion to approve the bills was made by Shawn Osborne and seconded by Greg Taylor. Motion passed.

Public Hearing – Lot-split Preliminary Plat – Curtis and Mary Taylor

Mayor Buist closed the City Council Meeting and opened the public hearing at 7:06pm.

The Taylor's would like to divide a 25 acre parcel into two roughly equal parcels. Their daughter, Maggie Felsch, plans to build a home on one of the lots; another home will be built on the second lot at a future time. Planning and Zoning recommended the lot-split approval. Curtis Taylor mentioned that he would like to build a barn on the second lot before a home is constructed. Mayor Buist stated that a barn is permitted as long as the property is agricultural, and the barn is used for agricultural purposes. The council reviewed the plat maps. The Taylor's own 13.25 Class B shares from Mendon North Irrigation Company. The shares will be split between the two parcels equally. Councilman Jon Hardman stated that there are a number of users down-stream, adding that the Taylor's will need to work closely with those users. Jon Hardman has checked the numbers, and the Taylor's have sufficient water to meet the water policy. Jon added that although the shares on this system are adequate to cover the lot-split, the stream doesn't have a consistent flow rate, as it changes every year based on the water conditions.

Mayor Buist closed the public hearing at 7:15pm and opened the council meeting. Shawn Osborne motioned to approve the preliminary plat for the lot-split, Kelly Barrett seconded the motion. The preliminary plat was approved. The final plat will be on the agenda in April 2015

Public Hearing – Hook up fees (Resolution 2015-01)

Mayor Buist closed City Council meeting and opened a public hearing at 7:17pm.

Public Works Director, Kirk Taylor, has researched the costs associated with a culinary service connection. The new costs are based on 2015 costs for parts and labor for the hookups. The cost for a ¾" hookup is \$1739. The cost for a 1" hookup is \$1999. Kirk recommended that the fees be as follows: ¾" hookup for \$1900 and 1" hookup for \$2100. There was no public comment.

Mayor Buist closed the public hearing at 7:20pm and reopened council meeting.

Mayor Buist read resolution 2015-01. Kelly Barrett asked if we could just bill those who hook up the actual cost of the work, instead of passing a resolution. Jon Hardman stated that the state requires that a resolution be passed, and Daphne Carlson, City Treasurer, confirmed this requirement. Jon Hardman

motioned to pass Resolution 2015-01. Greg Taylor seconded the motion. Resolution 2015-01 Water Hookup Fees was passed and adopted.

Youth Council Report –

Youth Council member, Kaden Myers, stated that the youth council will be trained on the sound system by Chad Matz. The Youth Council will be painting the gazebo during the Spring Cleanup on April 25. Youth Council member, Lexi Myers, stated that the youth council will be hosting the annual Easter Egg hunt on April 4 at 10am. They are buying a new sign and have planned the activities for the event. The youth council asked if they could ask the participants for a donation: \$1 per person or \$5 per family, and asked if someone from the city could be there to collect the money. The council agreed that the donations would be fine, and Mayor Buist stated that someone from the city could be there to accept the donations. Youth Council Advisor, Becki Taylor, stated that Heart of Mendon will fund a service scholarship for the Youth Council. Mayor Buist stated that the Youth Council may continue to pursue donations for a city scholarship, also. Daphne Carlson will be talking to the lawyer about proper procedures for accepting these donations. Mayor Buist thanked the youth council for what they do.

Heart of Mendon – Jason Christensen

Jason Christenson informed the council concerning the upcoming Heart of Mendon events. The Spring Cleanup will be April 25th; a flier with a list of service opportunities will be sent to residents. Some of the jobs include planting native plant at the three entry signs, cleaning of barrow pits in town, cleaning up of the playground area, and painting the play house.

The Summer Concerts in the Park have been scheduled to be held at Pioneer Park, with the first concert being held after the spring cleanup on April 25th. Youth from the community will open each show, and local bands will provide the entertainment. They have asked the bands not to publicize their concert so that it will be enjoyed by the Mendon area community. Jason asked if they could use the piano that is used for Mayday. The council agreed. Jason asked if the city could donate a banner which would advertise the concerts at city entries. Jason Christensen will get the price quotes and present them to the council.

The Mendon Music Festival, an event that raises money for the Heart of Mendon, will be held June 20th, 2015 at Jason Christensen's residence.

A Children's Art and Science Camp, which is also a fundraiser for the Heart of Mendon, will be held June 15th-17th. Trina Apedaile is the chair person for this activity.

Corrie Wheeler asked if a flyer for the spring cleanup could be sent to residents with the water bill. Mayor Buist agreed and stated that the city could also email the information.

Use of Mendon Station – Janelle Simmons

Janelle Simmons will be sponsoring a speaking series in the Mendon Station as a Ladies Night Out on Fridays, Mar 6th, Mar 13th, and Mar 25th. There will be an admittance charge which will cover the costs of supplies, the speakers, and the rental for the Mendon Station. Janelle is estimating that she will have about 40 people. The council approved the use of the Mendon Station for this event.

Animal Control – Officer Todd Parker and Lieutenant Mike Peterson– Cache County Sheriff's Office

Mendon City has contracted with Cache County Animal Control for the past six months. Since July 2014, they have had 29 animal control calls concerning various problems including lost animals, roaming cattle, and vicious dogs. Officer Todd Parker stated that he drives around Mendon two-three times per week. The dogs usually run home, where Officer Parker can talk to residents about keeping the dog on their property and licensing the animal. Mayor Buist asked if the number of hours provided have been in line with the hours that were detailed in the contract. Mike Peterson stated that we will have better numbers next month, adding that it is progressing as we would have expected.

Councilman Shawn Osborne informed the officers of a recent situation involving a vicious dog. Officer Parker was on vacation at this time so another officer was dispatched. The officer, who doesn't work with animal control, and the dispatch had no information on what to do with the animal. Councilman Osborne suggested that the dispatch be given a list of cities with all contract information, allowing dispatch to inform officers about proper procedures. Lieutenant Peterson agreed, adding that the animal control is limited to one full time and one part time officers and it's hard to train everyone. Lieutenant Peterson will work on getting contract information to the dispatch and other officers. Dogs caught in Mendon should be impounding at Cache Humane. If a dog is missing, residents should contact Cache Humane or local Vets as the animal may have been injured. Also information is commonly found on social media. The Dispatch number has changed to 435-753-7555, which residents should use to report animal control issues.

Deputy Casey Sutherland –

Deputy Sutherland stated that everything is looking good and no complaints have been received for the last two months. Mayor Buist appreciates the increased presence on Hwy 23, adding that he has received many complaints about Deep Canyon Rd. Cars are traveling too fast down the mountain to make the stop at the bottom. This is a concern because the area is used as a bus stop and many walk along the road at this location. Currently there are no speed limit signs on Deep Canyon Rd, Lieutenant Peterson will work to get this process started. The council would like the area posted as a 25mph zone. Deputy Sutherland will be present for both the May Day and the 24th of July celebrations.

Infrastructure Questions – Jeff and Mandy Powell

Jeff Powell stated that they are beginning the lot-split process. The existing 380 S road is 22' width, but the current Standard and Specs require the road to be 25'. The Powell's asked if they could continue the road at a 22' width. Councilman Kelly Barrett stated that the standards are in place, and they should stick with it and the standard shouldn't be changed, adding that if we change the standards for one subdivision other's will request the same. Kelly Barrett added that a 22' road is a narrow road; cars would be driving on the shoulder which will crumble. The council recommended that the width of the existing road be gradually increased to meet the 25' requirement. Councilmembers Jon Hardman and Greg Taylor agreed that the 25' standard should remain in place.

The Powell's asked the council for a reduction in the impact fees in order to compensate for the cost of taking out the existing temporary turnaround, adding swales, and extending culinary water lines and sidewalks to their property line. Kirk Taylor stated that the turnaround is intended to be temporary and that's why the sidewalk did not extend to the property line and stated that the Powell's would be in the same situation with their temporary turnaround.

Jon Hardman stated that culinary water impact fees can only be used for the culinary system and can't be used for other purposes. Shawn Osborne stated that we need another plan, perhaps a negotiation about what is paid for by the city and what is paid for by the developers. Eric Dursteler stated that they have dealt with this situation with other cities. Some cities mandate that upgrades have to be made by developers in order to develop the property. Other cities compensate costs for the upgrades.

Jon Hardman asked for a quote detailing the costs associated with the improvements. Kelly Barrett stated that he is not sure if a developer should be required to include amenities in front of other people's property. Kelly questioned whether the developer or the city should pay for the improvements. Jon Hardman stated that it will be the same when the Powell's put in the turnaround on their property; would the city require the sidewalks and utilities to be extended to the property line? Jeff Powell stated that the neighboring property owner, Gene Hiibner, has a conservation easement on the property and will not be developing the property. Jon Hardman stated that he was aware that Gene Hiibner's land is in a Agricultural Protection area that protects him from nuisance calls when he is operating farm equipment, but Jon is not aware of a conservation easement on the property.

Kelly Barrett concluded that the city isn't interested in piling on fees, but the city has to protect its interest and shouldn't have to pay for private lots to be developed. Kelly added that it makes since to end the

sidewalk where it did, so perhaps the issue is what the city requires at the Powell's turnaround.

Jeff Powell asked about a compromise with the city fixing the swales and extending the fire hydrant with the Powell's covering the remaining costs. Mayor Buist stated the city would rather a different compromise. Eric Dursteler stated that it would be good to show the council a list of all associated costs. Kelly Barrett added that the city has run into a problem with the impact fee collected for sidewalks as it has to be spent within a 5 year time period. Eric Dursteler stated that the city could collect a completion fee that could be held indefinitely. Kelly Barrett suggested that the city collect a completion fee from the Powell's for any future cost extending infrastructure and then the city cover the cost of extending the existing sidewalk to the property line. Shawn Osborne stated that the city would need to find out about the status of Gene Hiibner's property before making a decision; if it has a conservation easement then no building would be permitted on the property for 99 years. Kirk Taylor asked what the difference was with either paying for the upgrades needed now, or paying now for future development. Jeff Powell stated that they will get more information about the costs and come back to the city with their Preliminary Plat.

City Impact Area – Eric Dursteler

Eric Dursteler has been informed by the county about an anticipated a development near Mendon City boundary. Mendon City doesn't have a city impact area where city standards would apply for development in areas close in vicinity. In Idaho, cities have a city impact area for these purposes, but it isn't standard policy in Utah. Mendon city does have an annexation declaration boundary, but it doesn't give us much say in what is being done in areas around our city. Eric has been in contact with the Cache County Development Services. In event of a development, the city does have the opportunity to object within 90 days after being notified. The city has a say when they are contiguous to the development or if access to the development is through the city. Eric spoke with Chris Harrild, County Planner, about these types of projects and was told that developers would need to follow the city's standards and that the county would be open to working with the city.

Kirk Taylor stated that wells are a big issue, adding that state law dictates that if there are 25 people or 15 connections, then they have to follow state code and have a reservoir. Kirk's concern is that developers do things as cheaply as possible and when these systems are at some point annexed into the city, the cost of improvement will fall on the city. The next step is to develop a master plan and work with the county in adopting this policy. Agreement would need to be made in writing between Mendon City and Cache County.

Lot-split & Building Permit Restrictions

Councilman Kelly Barrett has contacted various cities concerning limitation on the subdividing of a parcel. Out of the ten entities he contacted, only two have this type of regulation. Many of the large cities don't have a limitation on subdividing. The two cities that do limit the subdivision of a parcel have implemented a five year waiting period before a subdivided parcel can be further subdivided. Mayor Buist asked that Kelly Barrett and Bob Jepsen work with Planning and Zoning to develop a regulation within the next few months in order to fill in the loop holes. Greg Taylor asked if a approval for a building permit can be transferred with the property if the property is sold. The planning commission has decided that the approval for a building permit stays with the property when sold or transferred. If there is no progress on the property for six months, then the permit will be made available to those on the waiting list.

Public Works – Kirk Taylor

Kirk Taylor reported that there has been one burial at the cemetery this month. There is a little money left in the RAPZ tax that would cover some trees at the cemetery. Kirk stated that he needs to purchase new bases for the softball field and get the plugs so that the bases can be taken when not used. Kirk stated that the electrical in the snow plow has had to be repaired. This spring Kirk will work on inspecting cross connections to insure the safety of the culinary system. Our biggest problem is dual source of water (culinary/secondary). Residents need the proper connections, which should be regularly inspected. Testing on the backflow/cross-connections need to be paid by the home owner.

Councilman Bob Jepsen arrived at 9:14pm.

Council Reports

Jon Hardman

Jon Hardman stated that the snow pack was below 80 percent a few weeks ago. He will forward the information he has received concerning water conservancy districts to council members. This information has been provided by Bob Fotheringham, County Water Master. The county is not looking to ram conservation on the residents but asking each community to promote conservancy. Though the county doesn't have the revenue or funds to run a conservancy district, they could be involved with future water supplies or put in structure and bill local conservancy districts. The possibility of bringing water from Bear River to Hyrum Reservoir is being explored. This may be of benefit for Mendon residents as they may be able to hook up at some point. Also on the table, is the possibility of bringing water from the areas east of Mendon. County officials will be coming to city council in March or April to present ideas to the council. Any concerns may be addressed at that time.

Eric Dursteler stated that he is continuing to prepare for the upcoming exploration of water sources. He is seeking the grant to cover these costs. Eric invited a gentleman who does water witching to explore the foothills. He has done other areas in Petersboro and got 10 for 10 on locating a water source. This information will be of interest when scientific techniques are completed.

Jon has talked with Division of Wildlife Resources about planting city property into a grain to keep turkeys up on the hillside. Half will be planted in oats and half in barley to see what the turkeys prefer. The DWR is currently applying for funding for the tractor time and seed. Because the funds may not be available in time to work the ground, Jon is proposing that the city cover the cost until the funds come through. The property is no longer being leased out.

Kelly Barrett

Fire department budget is looking good. Some equipment will be purchased for EMS and other gear as the budget allows. There were four calls last month. Fire Chief Ray Olsen is applying for additional grants.

Greg Taylor

Greg Taylor attended the Mosquito Abatement meeting. Their main concern is the pasture mosquito, and Greg will have more information as the season gets closer.

Bob Jepsen

Bob Jepsen thanked Shawn Osborne for his work with the technology upgrades. The Easter Egg hunt is April 4. He has met with the May Day Committee and everything is in place. The Queens tea is Mar 22nd.

The planning commission will be adopting a policy concerning the allowed building permits. Once an approval is given for home construction, the builder must have some progress within 6 mo. If there is no progress the approval will be available to those on the waiting list. Permits will be transferred with the property if sold. P&Z also continues to discuss short term rentals.

Bob stated that as the Powell's are fixing the swales along part of 380 E, perhaps the residents along that road need to restore their swales. Kelly stated that a letter may need to be written informing the residents that if the swales are not restored then they would be responsible for the financial cost of any flooding. Mayor Buist agreed with the letter informing the residents. Bob stated that we can further discuss this next month.

Shawn Osborne

The new website issues are about 80% worked through. Shawn asked that the council take a look at the

website and suggest any changes. Shawn added that no ordinances will be posted on the website, because we don't want to have to keep two sources up to date. New emails are working. Comcast increased the internet speed, so access to the cloud drive is faster. All agenda related items will be scanned and uploaded to the cloud.

Shawn has been working with phase 3 of the walking path. He asked about linking the walking trail to the trail being developed at the Mendon Gateway Subdivision. Kirk stated that the developer, Duane Williams, was supposed to contact property owner, Aaron Bunker, concerning the trail crossing Aaron's property.

Heart of Mendon asked about the city paying for a steel and green waste dumpster. Greg Taylor stated that if there is enough steel then it may pay for itself. Kirk Taylor stated that he doesn't want to use Logan City but has another contact. Kirk will contact Jason Christensen about the dumpsters

Mayor Buist

Mayor Buist asked about the food stand. Shawn will check with Breck Rushton to find out who will be running the stand this summer.

The city building plans will be finalized next week. Mayor Buist will be meeting with Paul Taylor, Paul Willie, and the architect and is hoping to have plans out for the bidding process soon. Daphne Carlson stated that Mrs. Dennison, Mountainside Librarian, is on a State Library Board. Mrs Dennison has mentioned that the board would like to be involved in the ground breaking ceremonies.

The Cultural Heritage, Library & Arts Committee wants to do a fundraiser on Friday, July 24th by showing a film. Ron Cambell will be pursuing fundraising efforts for the ball field and the trails.

The council reviewed the route of the Century Bike Ride that will be accessing Mendon on August 29.

Bob Jepsen motioned to adjourn the meeting with a second by Shawn Osborne. The motioned passed, and the meeting adjourned at 9:55pm.