

Mendon City Council Meeting
March 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

Treasurer: Daphne Carlson

Clerk: Teena Young

Recorder: Paul Cressall

Public Works Director: Kirk Taylor

Other Attendees: Allison Richman, BRAG; Casey Doolittle; Earl Doolittle; Chad Jensen, Cache County Sheriff; Carlo Lemon; Sidne Lemon; Eric Dursteler, city engineer

Mayor Ed Buist called the meeting to order at 7:00pm.

The Pledge of Allegiance was led by Daphne Carlson, with the prayer being given by Greg Taylor.

Minutes: The February 2015 minutes were reviewed and approved.

Bills: The February 2015 bills were reviewed. Motion to approve was made by Jon Hardman, seconded by Kelly Barrett. Motion passed

Public Hearing – Lot-split – Jeff and Mandy Powell

Council meeting closed and public hearing opened at 7:05pm.

Jeff Powell addressed the council. The existing parcel will be split into two lots and then both will be sold. Bob Jepsen said that he didn't foresee an issue with the lot-split. Bob read a statement from a neighboring property owner. The property owner objected to the creation of the 1.88 acre lots, because the surrounding lots are 4 acre lots. Bob stated that the lot size is in accordance with the ordinances, so he sees this as a non-issue

Bob Jepsen stated that an additional concern is that the city's right of way extends into Steve Baker's property which is county property. The county has said that a quick claim deed can be agreed to by Steve Baker, transferring the property to the city. The Powell's have a verbal agreement of this transfer. Paul Cressall asked about secondary water. The Powell's have fifty shares from the Mendon Central Irrigation Company and have access to the pipeline. A ½ acre foot will need to come to the city at the final plat and it must be declared how many shares will be signed over to each lot. There was no public concern for the lot-split.

Public hearing closed at 7:13pm.

Public Hearing – Preliminary Plat – Powell Subdivision

Public hearing opened at 7:13pm.

The council reviewed the preliminary plat. Eric Dursteler, city engineer, addressed the council. He stated that there are four additional items that need to be addressed, but they can all be addressed in the construction drawings.

Carlo Lemon and Sidne Lemon voiced concern about water coming into the Larsen's property. Bob Jepsen stated that the water drainage will be carried in the swales to the south, though many property owners have filled in the swale which inhibits the flow of water. Jeff Powell stated that he will put the swale as it's written in the standards, but if a property owner removes the swale then they are responsible for any flooding. The council will consider how to enforce the swale requirements for the properties south of this development. Jon Hardman stated that the swale was a good option when the subdivision was approved because some of the water can seep into the ground and not be passed to neighboring properties.

Jeff stated that during the last meeting, he was asked to come with cost estimates on the removal of the existing temporary turnaround. The cost will be approximately \$5000. Mayor Buist asked that this be discussed when the public hearing is closed. Jon Hardman asked about the Bear River Health assessment. The Powell's had a feasibility test done in February and presented the information with their application. Jon stated that he is concerned about the high water table, adding that the viability of the septic system may not be adequate during a wet year. Also basements in this area would be susceptible to flooding. Jon stated that in approving this development, the council could make a statement that they advise there be no basements constructed at this location. Eric Dursteler stated that it could be noted on the plat so that the home buyer is aware. No further public input was received.
Public hearing closed and city council meeting reopened at 7:33pm.

Bob Jepsen motioned to approve the Powell Lot-Split. Greg Taylor seconded the motion. Motion passed.

Mayor Buist asked council about further discussion on the Powell Subdivision Preliminary Plat. Kelly Barrett stated that the Powell's should pay for the removal of the existing turnaround and extension of utilities, adding that a future developer would be required to do the same when extending the Powell's temporary turnaround. The basis is that the city shouldn't bare any cost of the development. Bob Jepsen stated that the city doesn't benefit from development but maintenance costs increase. Bob agreed that the developer should pay the costs to develop the property. Kelly Barrett added that the side walk would be extended and stop at the same location on the new turnaround. Jeff Powell stated that he doesn't feel comfortable ripping up someone's asphalt or infrastructure, this is why he would prefer for the city to do it. Bob stated that there needs to be a discussion between the Powell's and the property owners so that these plans can be finalized on the construction drawings. Kelly Barrett stated that anything removed needs to be restored to what was before the Powell's development. Someone who has an existing driveway should end up with an existing driveway. Jeff stated that it wouldn't be conforming to city standards, and he would be liable. Kelly stated that Jeff would be restoring an existing driveway; the homeowner is liable. Jon Hardman stated that a pipe can be used under the driveway allowing water to flow. Eric Dursteler stated the same issue will come up when further development is extended from the Powell's turnaround.

Justin Anderson, developer of the original subdivision, stated that the city waved the curb and gutter for this development but insisted that there be drainage. Some property owners have filled in the swales since this time.

*Mayor Buist called a recess at 7:51pm.
Mayor Buist reopened the meeting at 7:53pm.*

Mayor Buist asked for suggestions from City Engineer, Eric Dursteler. Eric stated that the developer should replace the asphalt that is removed, use a perforated pipe under the driveway for drainage, and continue the swale. This option should be discussed with the homeowner and a consensus made. Bob stated that when the gas company has to make a repair, they are responsible to pay for the restoration; the developer has this responsibility also.

Jeff stated that the Larsen's driveway was put in against code, so if it were to be restored it wouldn't meet current code. Kelly stated that there are a number of ways to deal with the problem and his engineer will be able to do it. Eric added that it needs to be correlated with the homeowners and specifications will be included in the construction drawings.

The following are the stipulations for approval of the preliminary plat. 1) A disclosure (recommendation) listed on the plat stating that due to the high water table, the city recommends that there be no basements constructed on these properties. 2) Accesses and entries into neighboring properties will be restored, and the developer will coordinate these projects with the effected property owners. Kelly Barrett motioned to approve the Powell Preliminary Plat with the noted requirements. Bob Jepsen seconded the motion, and the motion passed.

Sherriff Chad Jensen

Sheriff Jensen was sworn in to the office January 2015. Sheriff Jensen and his office are working to improve relations with city governments and make needed changes. There has been some confusion concerning contracts, so Sheriff Jensen will be getting contracts out early; Mayor Buist should receive it in the mail soon. Some staff changes have been made so costs have gone down. Restructuring has resulted in is less administration but more boots on the ground. Sheriff Jensen continues to try to get costs down, but he is not in favor of 5 year contracts as variables change yearly. Sheriff Jensen is also working to get response times shorter and is encouraging STAR deputies to meet with their respective cities regularly. Mendon's STAR deputy is Deputy Casey Sutherland. Sheriff Jensen favors open communications and encouraged council members to call or email with any problems or concerns. Mayor Buist asked about the animal control contract. Sheriff Jensen stated that the patrol and the animal control contracts will be kept separate for budgeting and negotiating purposes. Jon Hardman stated that the incident reports are appreciated as they help the council see what is happening. Sheriff Jensen stated that the police department has good relations with the citizens and efforts are continually being made to strengthen relationships. Mayor Buist thanked Sheriff Jensen.

Allison Richman – BRAG Transportation of Rural Areas

Allison Richman informed the council concerning various programs sponsored by BRAG, Bear River Association of Governments. BRAG has been working to address mobility management issues for those who are elderly or disabled and live in rural areas. They have developed a MVP program, Medical Voucher Program. The program is available to the elderly or disabled who live in rural areas and is intended to compensate the costs of getting to medical appointments. Participants choose a driver of their choice to drive them to a medical appointment and then submit for a reimbursement of 35 cents per mile. Currently, there are 19 clients who are participating; they are allowed \$400 per year of compensations, with additional funds available if needed.

The mobility management program also deals with accessibility for city facilities. Some older buildings are hard to accommodate those who are disabled or elderly. BRAG can access the situation and help to find accessibility solutions.

Allison also mentioned that BRAG can help communities with economic developments or growth recommendations. BRAG also has many other programs such as assistance in paying utility bills or pre-disaster mitigation grants.

National Day of Prayer Declaration 2015

Mayor Buist read a declaration in support of Governor Herbert's declaration that May 7th, 2015 be the National Day of Prayer. Bob Jepsen motioned to accept the declaration. Greg Taylor seconded. The motion passed.

Subdivision limitations

Kelly Barrett and Bob Jepsen have presented a possible solution to Planning and Zoning in order to close a loop hole in the subdivision ordinances. The recommendation would be to allow what is equivalent of a minor subdivision created within a 5 year period. After a minor subdivision or its equivalent has been created, a waiting period of 3-5 years would be enforced before a property may be further subdivided. If a major subdivision is approved, a waiting period of 5-7 years would be enforced before further development. The planning commission will discuss the issue next month and make recommendations.

Cache Century Ride – Aug 29th, 2015

Council reviewed the route and is aware of the ride.

Kirk Taylor –

The cemetery has had one interment this month. The basketball courts were taken down. The concrete needs to be removed and disposed of, and Kirk has gotten a bid which includes disposal. They will also remove one tree. The flag pole is in good condition and can be re-used. There are some pot holes in the streets that will be filled. A solenoid valve was replaced in the Cobblestone well. The spring is running at 280 gal/min, and it is dropping 2-3 gal/min per month. Kirk has been keeping track of weekly flow rates for records and monitoring. Kirk suggested that the water meters be read monthly from March through October so that accurate overage charges can be assessed.

Council Reports

Greg Taylor

Greg attended the mosquito abatement meeting. They are expecting an expensive year based on the conditions.

Bob Jepsen

The Easter Egg Hunt banners will be replaced; funding for the banners will come from the celebrations budget. The Queen's Tea will be March 22nd. Bob Jepsen thanked Eric Dursteler for his advice and support with developments. Since Eric is a city employee, the city should pay him directly and bill the developer for reimbursement. Mayor Buist agreed and asked Eric for an estimated budget amount so the cost can be estimated on the yearly budget.

Kelly Barrett

Fire Chief Ray Olsen inquired about who should pay the increased internet bill which resulted from increased internet speed service at the city office. Mayor Buist suggested that Ray have the bill sent to the city's PO Box. The bill will be split between the fire department and administration for this year but next year the administration budget will cover the cost.

Mayor Buist

Mayor Buist and other's involved are finishing up the building plans for the new city building so the bidding process can begin soon.

Jon Hardman

The snow pack and water year have been well below normal. Officials are indicating that Hyrum Reservoir will not fill this year. When secondary water is not available from this source, it will be an added strain on the city water system. Jon was approached by a community member who informed him of a parcel for sale which carries with it a significant amount of secondary water shares. The purchase of the property and water is something that should be considered and investigated. Council held an executive meeting on Monday, to review options of the possibility of purchasing the property. Currently, there are several questions that need to be resolved.

Jon met with Eric and Kirk at the property location to measure the flow of the water. They estimate that it flows at approx. 60gal/min which is not as much as was anticipated. One question is where the city would access the source. Eric stated that if a collection box is installed near the source, it would be more sanitary. Further down would have increased contaminates with more rules to follow. Jon stated that there are multiple spring sources. The Forest Service would be involved in discussions because the sources originate barely on Forest Service property. The Forest Service would not deny the use of the spring, but there would be additional mitigations that would take time.

Negotiations would also need to be made with the Mendon Central Irrigation Company concerning the shares and capacity rate. The city would need to transfer water rights to this source in order to service more homes. Jon stated that the city has available resources to transfer. Even though the spring is producing 60 gal/min, we don't have the right to this much water unless additional water rights are transferred. Jon stated that if the water was brought to the Cobblestone well, the city wouldn't have to pump water to that well.

Jon will speak with the real estate agent. After further investigations, the city council may need to call an emergency city council meeting so a decision may be made. Jon stated that there needs to be a few more answers, before a decision could be made.

A water line would need to be brought $\frac{3}{4}$ mile from the source to Cobblestone in order to use the water. Greg asked about how many homes it could support. Jon answered that with the current shares, it would only support two homes, but water rights could be transferred to provide water for approximately 60 homes. Each home requires 1 gal/min; the potential would be for 60 homes. The next canal company meeting would be February 2016. At that time they could propose to make the source usable.

Jon added that they are still pushing to get funding for the water study. Eric stated that the water study would consist of electrodes placed in 2 well casings connected with a wire 300 ft apart. A charge would be sent from one to the other. The charge would run through the underground water and will light up brighter for the biggest streams. This study would be the same cost as the one previously discussed, but it would show better results and provide 3D models. The application for the grant will hopefully be submitted by next week.

Motion to adjourn was made by Jon Hardman, Greg Taylor seconded. The meeting adjourned at 9:36pm.