

Mendon City Council Meeting
Oct 8th, 2015
Mendon Station – 95 North Main
Meeting began at 7:00pm

In Attendance:

Mayor: Ed Buist

Council Members: Greg Taylor, Shawn Osborne, Jon Hardman, Bob Jepsen

Clerk: Teena Young

Recorder: Paul Cressall

Treasurer: Daphne Carlson

Public Works Director: Kirk Taylor

City Engineer: Eric Dursteler

Excused: Kelly Barrett

In Attendance:

Darren DeBloois, Kaymie Davidson, Jordan Floyd, Becki Taylor, Judy Baker, Gaylen Baker, Paul Cressall, Jill Pack, Dianne Hughes, Greg Rose, Duane Miles, Teri Miles

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

The Pledge of Allegiance was led by Daphne Carlson with the prayer being given by Teena Young

Minutes: September 2015 City Council minutes were reviewed and approved.

Bills: The September 2015 bills were reviewed. Motion to approve the bills was given by Greg Taylor with Bob Jepsen seconding. The motion was approved unanimously

Public Hearing - Sorensen Annexation – *Council meeting closed and public hearing opened at 7:05pm*
Duane and Teri Miles were present to the public hearing. No public comment given. *Public Hearing closed at 7:06pm, and council meeting opened.*

Shawn had some concern that proper procedures were followed. Paul Cressall stated that they had, adding that the parcel will be annexed as agricultural. Rezoning would need to be requested after the annexation is completed. Bob read the Annexation Ordinance 2015- 05. Motion to approve the Ordinance of Annexation was given by Jon Hardman, seconded by Greg Taylor. The annexation was approved unanimously.

Youth Council Report – Becki Taylor

The youth council has 17 members. Shawnie Oswald was elected as Mayor. The youth council officers will be sworn in during the November City Council meeting. Becki will be dividing the council into committees, allowing for each member to take more responsibility and leadership roles. The Youth Council has a Halloween activity scheduled for Oct 30th. Later, they will be decorating the Mendon Station for Christmas and holding a town sing-a-long. Mayor Buist would like to get more adult help for Becki Taylor.

Public Hearing Deer Survey-

Council meeting closed and public hearing opened at 7:20pm.

Darren DeBloois from DWR was present for the discussion on the results of the survey. Mayor Buist stated that though this was a survey concerned with the urbanized deer, many citizens are more concerned with the turkey problem. Mayor Buist stated that DWR and Mendon City continue to work to control the turkey population through various tactics. DWR has trapped and removed several hundred turkeys and will continue to do so. There have been crops and bushes planted above town to encourage turkeys to feed and roost above town.

Mendon City has received several complaints concerning the deer population within city limits. In order to measure public opinion, a survey was distributed with the water bill. Many people who may not have any encounters with the deer at their homes also participated in the survey. Mayor Buist stated that he hears the complaints against the deer, but that the survey reflects a different opinion as a majority of those who responded did not want any action to be done concerning the deer. Darren DeBloois stated that there are similar issues in other communities. This is why DWR recommended that the city do the survey prior to taking action.

Mayor Buist still has concern for the farmers and business owners adversely affected by the deer. Darren stated that DWR does have a program for people having damage caused to their businesses. There are options for depredation tags or even financial compensation. The landowners or business owners can contact DWR for some help. Darren added that there are limits to what can be done if the business is within city limits.

Darren DeBloois stated that there are new regulations in place allowing for cities to control deer populations. If the city decides at some point that something needs to be done, then there are options. DWR could also extend an archery hunt to the surrounding areas. The season would run Nov to Dec, so the next possible cycle would be in 2016.

Mayor Buist stated that based on the survey, the farmers or business owners need to seek help from DWR on a case by case basis; he is in favor of the archery hunt in surrounding areas. Jon agreed that problems would need to be solved individually. Jon asked about how the archery hunt would work in reference to private property. Darren stated that hunters would need written permission to access property that is in cultivation; and in order to discharge a dangerous weapon within 600ft of structure, hunters would also need to have to have written permission. The hunt would be unisex, but in order to control deer population, the does should be killed. No public comment was given.

Public hearing closed at 7:35pm and council meeting re-opened.

Limitations on number of homes allowed Oct 2015-Oct 2016

Mayor Buist noted that this is not a public hearing; it is a council discussion, but public comment may be allowed. He added that the council's biggest concern was to have some numbers that reflect the status of the city's water supply in order to make this important decision.

Jon Hardman displayed the Utah Climate and Water Report which provides a forecast of the future water year which starts Oct 1st. The southern half of Utah is expected to be wetter than normal during the next water year, whereas the northern half of Utah is expected to have a drier than normal year. This is not a guarantee but a forecast based on their information.

Jon also displayed a worst case scenario from the State Division of Water website with Mendon City's water statistics added. The Cobblestone Well nitrate levels continue to stay at 9-10 percent, after blending the levels remain between 4-5 percent. This is within the safety level, but we are not able to pump at a higher level because of the nitrate levels. We also can't pump the booster station any more.

Jon mentioned that 85% percent of the town is on secondary water for watering their lawns; since only 15% of homes use culinary for outdoor use, there is not a large cushion for outside water restrictions. There are approximately 430 meters drawing water on the culinary system. Based on the worst case scenario, currently there is not enough water for the town. In fact, there would be a deficit in the amount that the city has 25 too many hookups.

Bob asked if these numbers were representative of the church having been recently taken off of the culinary system for outside use. Jon stated that this is a tool and actual usage goes up and down and also the weather can affect the actual numbers, but this is a way to forecast. Both LDS churches were using culinary water for outside watering. The stake center went off 5 years ago, and the church on the square was taken off this year. The city continues to encourage the use of secondary water for outdoor use. The elementary school also uses secondary water for outdoor use. Jon stated that based on this year's numbers, we have a 104% surplus which would allow for 5 additional hookups.

Bob asked Eric Dursteler if he could give us a current status on the investigation for future water resources. The city will be applying for a \$40,000 grant to do a study to locate a viable well location. Eric displayed the previous electromagnetic study that revealed no viable well source on the foothill area above Mendon. Though the study revealed very low water at the higher levels, the study did identify conduits that have water. These ravines have 50-100 gal per min potential. The company who did the study did not recommend putting a well on the bench as there is not sufficient water there. The new investigation will look for aquifers lower down. Some points of interest would be west of the elementary school, west of the cemetery, and an area south of town. Water quality

diminishes lower down into the valley.

Kirk Taylor presented telemetry charts displaying tank levels from June – September of this year. The tank holds 15ft so any excess is overflow. When the tank gets low the pumps are turned on in order to increase the water levels in the tank. Kirk stated that it takes about 3 days, more on weekends, to refill the tank. The springs are dynamic; they go up and down based on the weather. Nitrate levels in the Cobblestone Well are also variable. There could also be leaks in the system that don't surface.

Paul provided a chart for the total gallons of water used monthly from 2012-2015. Culinary water usage has decreased over time.

Mayor Buist stated that he wants to see the town grow; on the other hand, his stewardship is for those already hooked up. We have been proactive in making efforts to conserve water and explore options and studies. Based on the worst case scenario, the city has 25 too many hookups; for the current year, the city has enough surplus water for 5 additional homes.

Eric stated that we are 2-3 months out before the new study is completed. The city can do a 6 month moratorium, because the state recognizes that the city is in a water crisis. Bob agreed that the council wants to see the town grow, but we do have citizens that are dependent on culinary water for inside and outside uses. Bob asked what the city can do to further promote secondary water hookups. Mayor Buist stated that the city can allow pipelines on city right-of-ways.

Shawn wondered how the city could allow any more hookups if the state considers the city to be in a water crisis. Shawn also asked if the state could help with money to explore further options. Jon stated that in order to get grant money, the city has to have a lower median income. Because the median income is too high, the state expects the city to get loans instead of issuing grants.

Mayor Buist mentioned the Alton Bird property. He has a meter and has been paying for the water, but wants to build a home on the property. This would need to be considered also.

Eric stated that the worst case scenario is based on the state's allowance of 800 gal per day used per household. He added that the average usage in July for Mendon was 574 gal per day. This discrepancy gives a little room. The usage would go up if there is a dry summer, so there could be some risk in using the 574 gal per day average instead.

The council stated that there are currently three homes in process and 8 are on the waiting list. Dianne Hughes stated that her lot has a connection but it hasn't been used in 65 years. She has been paying taxes and has submitted all the paper work to build. Paul Cressall mentioned that he had no record of the water meter on the Hughes property as it hasn't been in use for so long. Judy and Gaylen Baker were present; their daughter and son-in-law are also on the waiting list, they would like to see their children build on the property that they own. Kaymie Davidson stated that she and her husband also want to build. Kaymie added that they will respect the final decision of the council and be patient. Mayor Buist thanked them for their comments. Judy Baker and Dianne Hughes both added that they will respect the decision of the council.

Karole Sorensen asked about what can be done with the nitrates. Jon stated that it is being mixed with other water, but the problem can't be fixed.

Mayor Buist stated that the city didn't use all of the loan money that was issued for the new well. There is \$260,000 available to be used, but we need to either show what we are doing with it or turn it back which would just decrease the total loan amount. The money can't be used to purchase land or water shares, only for infrastructure.

Mayor Buist commented that making a decision for the 8 families on the waiting list could affect the entire city. Kirk added that all those on the list have access to secondary water and that it is important that the city continue to promote conservancy and accountability.

Shawn stated that those on the list want to build right away and it wouldn't be fair for council to put off the decision. Mayor Buist proposed that the city allow the 8 on the waiting list and then shut down building until there is another water source available or until there are some good water years that provide support to allow more homes.

Greg asked about how soon the state needs to know about how the city would use the excess loan funds, to which Jon responded that the state wants a concrete decision right away.

Jon stated that if the city can find a good water source with the study that Eric is doing, the city could transfer water rights from the cobblestone well to another location. Then the water would need to be brought into the system. If a good well location is found, Jon feels like the city could get a 4-5 year loan locally and pay for the loan out of the water budget.

Jon stated that allowing 8 would be too many homes; he added that precedence has been set with 5 per year. The city could allow 5 and then consider an increase in a year. The hope would be that the city would have another source and be able to increase the number of homes allowed.

Shawn asked Eric his opinion on how many homes the city could support. Eric stated that there are a lot of users paying overages; about half of the hookups over use and we need increase our efforts to educate on conservancy. Based on the usage numbers, Eric believes that the city could easily allow 5-10 additional homes on the system.

Bob had further concerns about fire protection, as the tank has to hold enough water for fire protection. Bob agreed with the 5 homes per year. Greg also agreed with the 5 because even if water is found, it will take time to put the infrastructure in place. Shawn is less concerned with the number of homes approves whether 5 or 8; he has more concern that the city have a plan going forward based on facts and data. Shawn added that unless the city has a good plan, we are going to be in the same situation again. Maybe the overage fees aren't enough. Shawn didn't like that we have a high median income and low water rates. Mayor Buist stated that council had increased the fees based on usage data. He added that the city has been in a bad situation in the past; we go through it and we make it.

Shawn stated that it's not fair to issue the permits and have the applicants hold them while others are ready to build. Jill Pack, P&Z secretary, stated that they have 6mo to show progress after receiving approval to go forward. Jill and Teena Young mentioned that the waiting list has caused confusion as there is an expectation that they will be able to build. Mayor Buist stated that allowing 8 and cutting it off building eliminates the variables and expectations; he would like a clean sweep and the state would support the city in cutting off building.

Mayor Buist called for a motion. Bob Jepsen motioned to approve five(5) building permits from October 2015-October 2016 with no minor or major subdivisions allowed. P&Z will allow the top five on the waiting list; if they are not ready, the approval will go to the next on the waiting list. Shawn stated that if the city allows 5 homes, then they need to not sit on the approval, but need to build. The waiting list presents a problem with people having expectations that they will be able to build. Amending the motion from five(5) allowed homes, Bob Jepsen motioned to allow the eight(8) homes that are currently on the waiting list with the contingency that they show progress within a 6mo period, no major or minor subdivisions will be allowed, progress must be shown by July 1st, 2016, and if progress is not shown their approval is no longer valid. Council defined "progress" as that the home be 'dried-in'. Planning and Zoning will no longer keep a waiting list, and no more permits will be allowed until an additional water source is found or council changes the decision. Jon seconded the motion. Council approved unanimously.

Mayor Buist stressed to those in attendance that this was a serious decision and asked that we make efforts to conserve water and teach our neighbors.

The Alton Bird's property wasn't discussed, but this is a separate issue. P&Z will make a recommendation on what to do with properties that currently have a culinary hookup and have been paying monthly water charges.

Jordan Floyd introduced himself to the council. Jordan is a USU student studying journalism; he will be covering Mendon City for USU's Hard News Café.

Mayor Buist mentioned the recertification of Nibley City Court system. The attorney wrote a letter of support. Mendon will continue to use the Nibley Court System.

Deputy Sutherland – Law Enforcement

Deputy Sutherland had to leave early.

Kirk Taylor – Public Works

Mayor Buist thanked Kirk and his crew. Kirk had nothing else to present.

Eric Dursteler – City Engineer

Eric presented the paperwork that he will be submitting for the new water study grant.

Council Reports:

Jon Hardman

Mayor Buist will make another call to the state to request an extension on the use of the loan money. If no extension is given, Mayor Buist suggested that the remaining money be turned back in. If Eric finds a good source, the city will get a different loan to cover the cost. Canal water was avail until near the end of Sept. There is some pushing for the water to be put in the canal earlier in the year. Jon has voiced his opposition because if canal water is put in earlier than it won't be available during the end of summer for watering.

Bob Jepsen

The Sheriff's department provided information on Animal Control hours. Bob spoke with Lt. Peterson about concerns. If no animal control officer is on duty, then dispatch will send an officer only if there is a danger presented from the animal. If the animal is not a danger, then there is a report made and animal control is notified. Greg stated that Becki called animal control yesterday, and the animal control officer was busy. An officer eventually did come out, but the dog was playing with children and the officer said it was ok. Bob would like any problems with animal control to be referred to him; Bob wants to know what is going on and will work closely with Lt Peterson. Karole stated that the sheriff's office was in the process of hiring another animal control officer.

Greg Taylor

The station floors were refinished. The dollies for the piano were installed, and it rolls much nicer. Richard Watkins is still working on the basement door and outlets. There is concern with the water seepage in the basement and the costumes being stored there. Jon has spoken with Eric Bowen concerning the cemetery; there no longer four lots close to each other. So families can't buy four lots together. We need to get an extension of the cemetery planned and going forward. Kirk stated that there are some trees that need to be planted now and that it could be an Eagle Scout project. A new shed will be constructed at the cemetery. Mosquito abatement is finished.

Shawn Osborne

The website is up and running. Emails should be working. Any files wanted on the website need to be sent to Teena or Daphne.

Bob asked if the council should take any action concerning the swales at 380 E. Teena Young had begun a letter for the residents and will email it to Bob. Kirk, Eric and Bob will visit with the residents to discuss the restoration of the swales in front of their property.

Mayor Buist

There will be no meeting in December. Mayor Buist will visit with each council member and staff. He will be adjusting council assignments. Dec 11 at 6:30pm will be the City Christmas Party at the River Woods.

Shawn Osborne motioned to adjourn. Bob Jepsen seconded, and the meeting adjourned at 10:11pm.