

Mendon City Council Meeting
February 11th, 2016
Mendon Station – 95 North Main
Meeting began at 7:00pm

In Attendance:

Mayor: Ed Buist

Council Members: Greg Taylor, Kelly Barrett, Karole Sorensen, Jon Hardman (arrived at 7:44 pm), Bob Jepsen

Clerk: Teena Young

Recorder: Paul Cressall

Treasurer: Daphne Carlson

Public Works Director: Kirk Taylor

City Engineer: Eric Dursteler

In Attendance: Andy Shock, Logan Shock, Adam Torrie, Lance Hansen, Kathleen Snyder, Al Snyder, Nancy Cheal

Mayor Buist opened the meeting at 7pm

The Pledge of Allegiance was led by Boy Scout, Logan Shock, with Bob Jepsen saying the prayer.

January 2016 minutes were reviewed and approved.

The January 2016 Bills were reviewed. Bob Jepsen motioned to approve the bills with Kelly Barrett giving the second, and the bills were approved unanimously.

Deputy Sutherland

Deputy Sutherland was not present to the meeting but had followed up with the animal control issues. His email in reference to these issues will be discussed later in the meeting.

Public Hearing – Sorensen Rezone

Mayor Buist closed Council Meeting at 7:04PM opening the Public Hearing.

Mayor Buist stated that this item has been through Planning and Zoning. The Planning Commission recommended approval of the rezone. A letter of concern from neighboring property owners, Timothy and Pam Wright, was submitted by email prior to the public hearing. Mayor Buist read the letter during the public hearing. The Wrights expressed opposition to the rezone because of the surrounding areas are residential and agricultural.

Mayor Buist stated that currently the property is zoned agricultural, but the master plan calls for the area to be zoned as commercial or industrial in the future. Jordan Miles was present to the meeting as a representative for the rezone. He would like to use the property for a contractor's yard with business vehicles and a shop for his Top Job Asphalt business. Lance Hansen, a neighboring property owner, asked if there would be any home built there, to which Jordan stated that they would not be building a home.

No hazardous materials or oils will be present at the location. They will use it for the purpose of parking equipment overnight and storage of materials. All of their work takes place at their customer's locations. The materials used for their business consist of a solid material and a liquid material. Jordan stated that the materials are not hazardous. They are not required to have special licenses to transport the material, but they do have MSDS sheets for the materials which they can provide to the planning and zoning commission. Jordan was not aware of any required inspections but he would think that Fire Marshall would inspect the business. Bob also suggested that the Bear River Health Department be involved.

Karole asked about what volume of material would be stored at the site. Jordan stated that there would be one semi coming in to fill a 10,000 gal tank of the water-based sealer. The solid material comes on pallets. Jordan stated that because the sealer is water-based, there isn't any concern if it spills. Kelly Barrett stated that there is concern when it is spilled; there are specific requirements to clean up the material. Greg agreed and stated that there has to be a containment system for the material. Jordan stated that he would do what the city requires as far as the standard procedure for cleanup. He doesn't know what agency would oversee the containment, but he is willing to meet the city's policy. Bob agreed with the concern and stated that we do need to have a containment system in place and involve the Fire Department in the procedure. Mayor Buist stated that their next step, should the rezone be approved, would be going through P&Z with

building and business plans at the location. Mayor Buist asked that Bob work with P&Z to address these concerns.

Lance Hansen asked why the business is moving from Petersboro to Mendon. Jordan stated that they were too big to operate in the county within the current zoning. Rezoning the county property is not part of the county plan, and the parcel is part of a subdivision.

Karole asked about how much traffic will be coming to the location. Jordan stated that it is hard to say projected over time. As of right now, he plans to leave his office in Logan, there will be 5-10 full time employees at the Mendon site. The materials will be delivered on semi-trucks; last summer 1-2 shipments per month of the liquid material and 3 shipments per year of the solid material were delivered. Access to the business would be on 5400 W. The shipments will come through Tremonton. Karole asked about a fire that happened recently at the Petersboro facility. Jordan stated that it is not an impossibility but it is unlikely to happen again. The fire was caused when he had bought a used storage tank and was trying to melt some asphalt out of the used tank. The asphalt caught fire.

Lance Hansen stated that he doesn't want to tell people what to do with their land but asked if this type of business is something we want to see in a pristine location. Mayor Buist stated that we are growing and these types of businesses are coming in. They don't have to be eye-sores. Jordan stated that his plan is to put the barn in the back, so that it blocks the view from the homes to the west. Eventually an office will be built at the front of the property with fencing on the sides.

Lance asked about water. Jordan stated that because of the railroad tracks they plan to dig a well and do solar power to be off grid completely. Andy Shock, Petersboro resident, stated that he is Jordan's neighbor and his business hasn't been an issue, he believes Jordan to do what he says he will do.

Public Hearing closed at 7:39pm, council meeting reopened.

Mayor Buist read the P&Z recommendation of approval. Bob stated that he has concerns, but they can be resolved with conditions as far as aesthetics and maintenance of the property set at P&Z. Jon Hardman motioned to approve the rezone based on the fact that it is in accordance to the Mendon City General Plan. Greg Taylor seconded the motion. The motion was approved unanimously. Mayor Buist stated that the city will issue a letter for approval and asked that Jordan work with Jay Apedaile, P&Z Chairman; Paul Taylor, Building Inspector; and Eric Dursteler, City Engineer.

Discussion on the Cobblestone Annexation

Mayor Buist stated that Council Member Jepsen would like to discuss this issue. A previous Mayor had pursued the annexation of Cobblestone in the past. Mayor Buist spoke with a Cobblestone resident recently about what the concerns are; the main concern was snow removal. The council's interest is that these residents be part of the community as we could use them in the city. Kathleen Snyder, Cobblestone resident, had read the agenda in the paper and was concerned that the city could annex without notice, and she wants the neighborhood to be involved in the discussion.

Al Snyder stated that they need to define the scope of the annex, adding that Cobblestone is a Home Owners Association. The homeowners can take a vote: some are for and some are against annexation. He stated that road maintenance and the culinary limitations are also major concerns.

Jon stated that the majority of the Cobblestone residents have sided with not annexing in the past. Kelly stated that the last time we asked, it was close to a 50/50 split. There aren't many benefits to the city in fact it may cost the city more to provide the services. Kelly's thought is that we are providing services and so they should be part of the city. Bob stated that there isn't an unincorporated community he's aware of in the valley that is being serviced by a city. There is an option to have the county continue to do the snow removal.

Bob asked about how the water policy would affect the annexation. Jon stated that originally 34 units were approved for culinary hookups; we have not allowed any others to attach on. If we allow any more, the state would require a larger tank. There are 1 or 2 lots left of the original 34 units that haven't hooked on yet.

Bob stated that the residents bring an added voice to the community. Kirk Taylor stated that there is one lot that would need to be looked at as it is served by a spring and the annexation wouldn't be contiguous unless that lot is also annexed. Jon stated that if the value of the homes further wanted to come in, then that particular lot would be forced to be annexed.

Kelly asked what the concerns are about snow removal and road maintenance; do the Cobblestone residents have concerns with the way the city roads are kept. The Snyder's replied that the county uses a grader to maintain the road in the winter. This maintenance could still be contracted with the county. Jon stated that the challenge is that the road has a 50' right of way; there is no place to put the snow.

Al stated that the council may need some sort of enticement for the people who have a property. Mayor Buist stated that we are not looking for all their property to be annexed, just the homes. Jon stated that he had always wanted the people in Cobblestone to approach the city and not push them. Jon worries that this may cause conflict between the neighbors. Also, water revenue would go down if Cobblestone is annexed. Mayor Buist stated he sees the point but we are servicing them. Mayor Buist asked that the Cobblestone residents talk to their neighbors. A Public Hearing would be held in council meeting within this calendar year. Bob asked that they go to their neighbors, to see what their feelings are. Kelly stated that we are all anti-change and they are content, they may not come to the city unless we start to ask the questions.

Kirk Taylor, Public Works Director

Karole mentioned that she had a comment from a visitor to town at how good Kirk had cleared the roads after a major snow storm. The council appreciates Kirk and are glad to have him.

Kirk stated that there have been a couple interments at the cemetery. The frost layer is only about 6". In November he took the cemetery mower to the repair shop. They serviced the mower and it required \$900 in repairs already. It also needs a new hydrostatic transmission which will cost an additional \$2000. He told them to hold off that replacement. The mower is 15 yrs old; Kirk asked council if we should make the repairs or look into getting a new mower. Bob asked about what the value of the mower is; Kirk hopes it would be \$1000. Greg asked about what it would be worth if it is fixed. Kirk stated it wouldn't be worth \$3000. Mayor Buist stated that we could possibility find something at the University. Kirk researched and found one that would work, Logan City has a few of them. They are grasshoppers, with front deck mowers, which can make better turns and get under bushes. The cost new is \$14,000 - \$15,000. Logan City only keeps them for 5 yrs and then sells the machines. Mayor Buist would like to look at some used mowers from state entities. Kirk stated that it has been mentioned that we look at outsourcing. He has asked about the cost. It would be \$75 per acre per week and it would be approximately 20 total acres. Kirk can get the mower back without the new transmission and just go as long as it can go. Eric asked about a lease option; Kirk stated that he has looked into it, but he doesn't know if they offer a lease on mowers. Mayor Buist would like to do some more research and discuss it again next month. He feels like we may need to repair it and then work something in the new budget for a replacement. Bob stated that the best time to get one used would probably be fall.

Kirk has had to return the backhoe from Century on Feb 3, which left him without a backhoe. He was able to get a loner backhoe until a new backhoe is delivered in March. The new lease is \$75 per month which is much less than last year.

Eric Dursteler, City Engineer

Eric stated that there was a Pre-Bid meeting for the city building earlier today. There were 27 contractor representatives present. The building plans are available on the cloud to the council. The opening date is Feb 25th at 3pm. If there are a lot of questions, we are willing to postpone the opening. A start date and end date have not been discussed yet, but he is expecting it will be about 6 months of construction with a start date in April. Daphne had concern with May Day celebrations and the building construction. Eric stated that the contractors are aware and they will fence the area. In reference to the ground water study, Eric stated that there is new technology in the field work and analysis. He has added a few more sites to the study. The idea is to create a 3D model with a 100' array of points. Eric stated that we will find water the only concern is the quality.

Council Reports

Kelly Barrett

Kelly stated that we are waiting to get through winter to see if we have any budget money left for road repair. We typically plan on spending the budget in May or June. The fire department hydrant testing was done by Ray and Paul; it was offered to other members of the Fire Department but no one else took the opportunity. Ray billed the city through his business. It was done last August. The FD calls are about the same as always. Kelly has nothing from the Youth Council.

Jon Hardman

As of Feb 1, the snow pack is at 101% which is good. The water year is only at 95%. The precipitation is approximately

normal. The concern is the Soil Moisture levels. The water from the melting snow needs to fill the soil before it comes down into the spring. Jon stated that we still need these storms to saturate the soil moisture.

Jon stated that he received a phone call from a gentleman who is buying the Wade Quinlan home. He would like to switch the water hookup from the old home to a new home. Jon stated that is a council decision because of the limit on water hookups.

The issue of a water conservancy district would most likely be placed on the ballot next year by resolution. The County and all the municipalities would need to make a decision whether or not to support the issue for it to be on the ballot. Jon encouraged the council to study the issue. A Public Hearing would likely be needed before considering a resolution. Mayor Buist asked Jon if he would prepare a presentation or have someone present to the hearing to inform the citizens of the conservation district. Jon stated that there are some very strong positives and some negatives. The major holdup is that the district would be a taxing body. The maximum cost of a district would be \$50 per year per home. The issue in the past has been taxation without representation, but state law has changed requiring at least 50% of the board to be elected.

Bob Jepsen

The Queen's Tea is on March 12 at 1pm. Bob may not be there that day. Karole will be there if Bob can't attend. The building permit for the city building was approved at P&Z. Mike Morgan's term has finished with the Planning Commission and he will no longer be on the board. Dave Willie's term will be up in May 2016. Amy Garbe and Darnee Neimann were suggested as new commissioners. The council supported those names. The Easter Egg hunt will be the Saturday before Easter. We are looking for some volunteers to help. Alton Bird's home was approved at P&Z. Mayor Buist read a letter from Deputy Sutherland regarding the animal control issues. There was an issue regarding a dog, and a letter written and distributed to citizens to follow up with citizen complaints. DWR is trapping some turkeys.

Greg Taylor

Greg stated he will have a contractor look into the corner at the station that needs repair.

Karole Sorensen

Judy Crocket will do the NIMS compliant training at the fire station for council and staff. Karole will make arrangements for April. The training is about 2 hours. The Heart of Mendon is saving for the Emily Wright Service Award for graduating seniors. The Heart of Mendon are designing some t-shirts. The library and arts committee meets the same night as the council meeting, so Karole doesn't have anything from them; she will get their minutes.

Mayor Ed Buist

Bob asked about a way to provide devices for P&Z to see plans on the cloud. Perhaps a device for them to project the maps onto the screen.

Paul Cressall stated that he needs to know if the council would like to increase the tax rate. Ed stated that the tax rate is about the same but the revenue increased. The council need to decide if they increase the tax rate. Bob stated that some cities are proposing a tax increase. Mayor Buist stated that he will be meeting with other cities and will ask them. Typically, the rate drops and typically you have to adjust it. Mayor Buist stated in 2008 the rate was increased and revenue increased since then. Karole stated that perhaps increasing a little bit, would avoid a drastic increase in the future. Bob stated that we Band-Aid things and we do the best we can. Kelly stated that we have been saving for a long time for a new building. Kelly is against raising taxes and would be reluctant to do it before we get the building paid off and see what money is freed up after paying off the building. Bob stated that we have desperate needs and they add up. Daphne stated that the fastest way for revenue is commerce but no one is bringing a business right now. We need a decision now to have a notice for a public hearing. Kelly is against, Karole for, Bob for, Greg against, Jon against. Jon stated that the way we need to be operating is that each department came with their top priorities. Jon stated he would feel better about this if we have these things itemized and specific to the public. Kelly stated that we are paying \$500,000-\$600,000 building that we have been saving \$100K per year. It would be hard for us to build a new building and ask for a tax increase. Bob asked about the maintenance on the building, Mayor Buist stated it would be \$10,000 per year which we get from the cell tower. Mayor Buist asked for each council members to make a list of priorities, as far as things that need to be repaired or replaced.

Jon stated that the only addendum that would justify an increase would be to hire an additional full-time employee. Mayor Buist stated that Logan has some other opportunities, and he some thoughts on how to entice him to stay with Mendon City. Because of the budget, he is not comfortable to offer a full-time position until next year, but a $\frac{3}{4}$ time position that is benefitted would be an option. A promotion policy would be needed to avoid having to post the position. There would need to be a public hearing concerning this policy.

Jon Hardman motioned to adjourn the meeting at 9:09pm, seconded by Kelly Barrett, and the meeting adjourned at 9:10PM.