

**Mendon City Council Meeting**  
**August 8<sup>th</sup>, 2019**  
**Mendon City Hall & Library**  
**15 N Main**  
**Meeting began at 6:00 PM**

**In Attendance:**

**Mayor:** Ed Buist

**Council Members Present:** Jon Hardman, Bob Jepsen, Karole Sorensen

**Clerk:** Teena Young

**Recorder:** Paul Cressall

**Treasurer:** Daphne Carlson

**Public Works:** Kirk Taylor

**Engineer:** Eric Dursteler

**Excused:** Kelly Barrett, Greg Taylor

**Public Attendance:** Ian Nemelka, Gail Taylor, John Davidson, Eric Dursteler, Kirk Taylor

Mayor Buist called the meeting to order at 6:02 PM. Bob Jepsen led the Pledge of Allegiance with Karole Sorensen saying the prayer.

Council reviewed and approved the July 2019 minutes. Council reviewed the July 2019 bills. Bob motioned to accept the July 2019 bills. Karole seconded and all voted in favor.

**Deputy Travis Clark**

Deputy Clark stated that the sheriff's department participated in the celebrations. He has some ideas for next year. Some ideas would be to have a lost and found. There was some traffic issued talked about last month. He spent a lot of time here watching some of these areas. He hasn't seen a dirt bike in the area that council was concerned about. Mayor Buist appreciated their participation at the celebrations. The Tour of Utah is coming through Mendon on Tuesday. He isn't aware of what traffic precautions are being made. Karole stated that we did have a dog attacking chickens. She called dispatch, and the officer was quick to respond. Mayor Buist thanked Deputy Clark for what he does.

**Q&A Curtis Knight future zoning inquiry concerning parcel 11-017-0013**

Andy Bennett stated they recently purchased a parcel. Part of it is in the county and part is in the city. The portion that is in the city is zoned commercial. They are asking if the council would support them keeping that area commercial. Mayor Buist stated that his opinion is that is a good location for this type of thing. Karole asked what they are proposing to do. Adam stated that they are flexible. They brought a couple plans and ideas. If the lot is changed to residential, the plan would be to subdivide in 8 lots. Another option is to put a buffer between the houses and the railroad tracks. Mayor Buist stated that the water table is high in this area. Jon stated no basements and septic tanks are an issue. Bob asked if there would be someone living onsite. Curtis stated that they would have a manager on site during the day. Curtis Knight stated that they did have a break-in in the past, and the individual was caught. Curtis stated that they would be well made and cared for. They wouldn't mind putting 5 commercial lots and then 2 ¼ acres of storage units. The storage units are great for a high-water table. Jon mentioned that they may have to be built up a bit. Curtis stated that the engineer will be planning that. They have talked to the neighbor who recently purchased the home neighboring. He has told them that if the city doesn't want storage units, they will look into doing residential lots. Curtis stated that we are here to please the city. Curtis stated that he has a son and son-in-law that would like to move here and manage the units. Kirk will go down and look at where the water line is. It is a 8 in line. Jon stated that we are currently under an annexation freeze while we are trying to get the annexation policy plan date. The other issue is that the general plan and annexation plan stated that we have a lot grid system; there would need to be a road through the north-south, so there may be fewer maps. We are still working on that map. Curtis asked that

council let him know, they don't plan to begin until next summer. Jon stated that as soon as we get the block and grid laid out, he will have a better idea about where the road will need to be. Curtis asked about if the city would like curb and gutter. Jon stated that his opinion would be swales. Jon asked about what does he have in mind with the commercial lots. Curtis stated that he would like to sell the property and make a profit. Mayor stated that something that came to mind is that this is one of the two areas that he could see some storage units. Property taxes for storage units is higher than apartments or businesses, a portion goes to the city and school districts. Jon asked that they do their research on the septic system requirements. Once the tests are in, they may have to change the plans. They would rather be commercial. Mayor Buist stated that the city is interested in working with them on this project.

### **Ordinance 2019-03 Building Code Amendment**

Council reviewed the changes suggested by Paul Taylor, Building Inspector. The changes made update the building code

### **Eric Dursteler, City Engineer**

The Coldwater Well pipeline bid was postponed until next Thursday. They needed more time to give a bid. They also asked to postpone the completion date to next May. It will give them 6mo to schedule it and should promote a better bid. Jon stated that we have no more loan money, so his feeling is that if we can get better bids, he would prefer to push it to May. Bob asked about the costs of material. Eric asked about the cost, and they told him that it should matter, it needs to be put on the schedule.

Eric is working on getting the irrigation drawings done and is thinking about putting that out for bid this spring also. Bob would like to approach the Wellsville-Mendon canal board and see if they would allow the city to put in a head gate that would prevent us from having to bore. Jon stated that there is inherit risk, which is that we would be told no. The policy has been that there is no water head gates on the upper side. He is not saying no, but it is a risk that the bureau would tell us that we can't use the water above the canal. Bob would ask about what options we would have.

Legrand Johnson did some grinding on the new road on some of the areas that needed to be fixed. Fixed the area on 1<sup>st</sup> East. They tried to fix trail on South end. Some people complained about it. The furthest south trail problem was a little tougher to fix. They are going to have to over-lay that section. There are baracades to try to protect it.

On the 2019 cog re-application project for city projects, regarding center street, a year and a half ago they developed a design for perpendicular parking on the north side of the road. If we carry center line from east to west the center line is off set. We need to fix this and change to angled parking and to cleaner trees. We can do curb and gutter along with a 5 foot landscape strip, accompanied by angle parking.

### **Public Hearing Proposed increase to property tax revenue**

*(Mayor Buist closed the public meeting. Opening the public hearing at 7:04pm.)*

Paul stated that the last time we raised taxes was in 2017. Paul displayed a table that listed the 2017 tax rates. We get increases because the county looks at the property value. As the value goes up they tax it higher. The problem is that Mendon city doesn't get that revenue. The rate drops because the rate is shared with more people as more people build. All the council is raising the rate back up. The average home value in Mendon is \$309,000. The county raises the value of homes and it increases the taxes and Mendon gets a little bit of that. We propose to raise it to .002003 which would generate \$140,000 in revenue. In 2018 we didn't raise taxes. If there were no tax rate increase, the home owner is still paying more because of the increase in the value of the home. We have 379 taxable parcels in Mendon. Paul averaged a \$40 increase in every parcel which would increase the revenue by \$15,000 but the city only had an increase of \$900. The county market value increase was 9% in 2017-2018 and 35% in 2018-2019. Paul stated that the proposal is that the city increase the tax rate from 001772 to .002003.

Paul made a comment as a citizen that he found in city, state, national government that it is easy to spend someone else's money. He would suggest that we need to be more accountable to the money that is spent. He sees what looks like waste to him in certain city departments. He thinks that we need to have better oversight and accountability. The 24<sup>th</sup> celebration, we have turned it over to someone, and the city has lost control, for example, we pay for the clay pigeons and ammunition, portable volleyball sets, gas reimbursement, cash prizes for the events. 44 food vouchers to Kirks for \$7 each. 75 dinner coupons for the food stand at \$6.50 each. Paul wonders where these are going. If the city is going to raise taxes, he wants to know where these costs are going

John Davidson's concern is the reason he sold his old house is the taxes. He is always concerned with taxes going up. In Mendon we haven't been very business friendly and just taxing properties. John would like to see community friendly businesses. John stated that we need to be a bit more friendly, we have tightened everything, making it hard for expansion and growth. Something simple is business licenses, we charge a set fee. Other communities charge a set fee plus a percentage.

Mayor Buist asked about any further comment from the public. He stated that there are some things that can change. Mayor Buist echoes some of the things that John has said, sometimes Mendon can be anti-business. As a citizen, he stated that it is frustrating to have people move in and then want growth to stop with no business. He thinks there is a consensus that we are growing and instead of taxing finding other ways to increase revenue. Jon stated that people don't like to see taxes raised, but when we look at the budget; they all want the same services. The costs are increasing for services. When there is a flooding event, the damage wasn't enough for the state to become involved, but it was a budget buster. In the long term, Jon would like to see these businesses come in, but in the mid-time there are some critical needs such as storm water. Bob stated that Millville is having to run sewer and it is putting a financial burden on the citizens, we could nit-pick, but people volunteer a lot of time. Bob stated that the cost of running business keeps going up, the city is the same way. Paul stated that his point is that we need to be more involved with those who are in charge of spending the money and not turn everything over to them. He also doesn't think that we need to pay people to come to the celebrations. It will just keep going up further. Paul is asking that council look at it and control some of the spending in other departments. Ian Nemelka stated that he moved in a year ago. He understands that growth is a double-edge sword, and on one edge is new friends, perspectives and the other edge is the avoidance of the change. He has visited many of the other cities in Utah. He understands that it isn't going to be easy or simple. He understands that it does take money and because of that he is in support of the increased taxes. Local solutions are the best solutions and he is very interested in knowing what the county is doing with the money.

*Mayor Buist closed the public hearing at 7:45PM*

Resolution 2019-04 Fiscal year 2019-2020 City Budget; including the setting of the Tax Rate, Salaries, and the General, Water, and Capital Projects fund. Mayor Buist read the resolution listing the following budgets.

Council Discussion: Jon stated that he supports the tax rate increase. He feels like there are some things that we need to get done. He is also strongly committed to see what we can do to generate other revenue. Jon stated that rarely do we get enough people here when we have these discussions, and it is concerning. Karole appreciates the comments that were offered. Karole would like some interaction with the county discussing the tax funds discussed. Mayor Buist stated that he would contact Craig Buttars, County Ex., asking him to address some concerns that council has. Karole does also see a need to have a closer survey of the celebrations expenses and have accountability. Mayor Buist recognizes that there are special interests, but he wants to look at what is best for the entire community. He agrees that there needs to be more accountability and understanding. Karole added that as the community grows there are a lot more talents, and people want to make things better. Bob stated that he would like to have the same conversation with the county. As he has sat in this position, he thinks the council has based decisions based on needs, not wants. For example, we are looking to expand the cemetery, and we have got to have

it expanded. At some point there isn't a lot of give and take. We look at infrastructure and every year to the cost goes up.

Mayor Buist has been asked about why the council is raising taxes. For him, the biggest reason is for the increased costs, the cemetery expansion, continued things in the parks, roads, and buildings. Mayor Buist will take responsibility for the issues; he will see what he can do to better those things. We will do what we can to be more fiscally responsible.

Setting the wage for the city clerk position will be set at \$11 per month, and the parks scheduler position will be set at \$60 per month from Feb to Oct.

Mayor Buist read Resolution 2019-04 adopting the 2019-2020 budget.

General Fund \$767,429

Water Fund \$400,000

Capital Projects \$25,000

Tax Rate at .002003 increasing the revenue to \$140,000. Jon motioned to adopt the resolution as read including the tax rate increase. Bob seconded the motion, and council all voted in favor of the motion.

### **Kirk Taylor, Public Works**

We have an LED light in the women's restroom. We have a spare, but he is checking with the electrician to see if we can get that fixed. At the food stand, two burners went out at the grill.

There has been discussion about the playhouse. Some kids broke the stairs, they have been boarded up, but it has gotten to the point that we either need to put more money into or take it out. Kirk doesn't know if it gets the use to make it worth keeping it around. We will take a look at that. Water samples have been pulled and delivered for the year. The spring and the two wells supplementing did well this summer. Bob thanked Kirk for his work, everything looked fantastic. Kirk stated that he has good help. We will get more trash receptacles for the celebrations. Daphne stated that the blue cans aren't as good. Kirk stated that we also need to look at the event trailer. Mayor Buist wondered if we could find something used to replace it. Mayor Buist stated that there is \$25,000 in capital projects and leaving for Kirk for things that are coming up like mowers, truck, ect. Of course, bring those to the council for approval, but that amount is for those items. Bob asked if lease is an option. Mayor Buist stated that we are doing that with the backhoe. Kirk stated that we are able to buy on state contract, keep for two years, then sell and break even. John stated that with Bridgerland they roll them every year; you have the upfront cost, but they roll over. We will be putting a plow on it.

### **Council Reports:**

#### **Bob Jepsen**

Bob noted that he hadn't been to P&Z. Jon said P&Z is still working on the zoning code. A meeting was scheduled for Tuesday, but didn't have a quorum show up. There is a meeting scheduled for this coming Wednesday.

#### **Karole Sorensen**

Karole mentioned that we need to talk about the trails and what they are planning, as well as what repairs need to be made with incoming funds from races. Daphne stated that money from the sidewalk impact fee may be able to be used on the trail. She hopes that we can get the money up to \$4,000. Funding has specs that need to be allotted in a certain way. Residents who damage the trails during construction are responsible for paying for repairs to the trail. Mayor Buist envisions that the next phase should run up from 1<sup>st</sup> East to Main street, running along 1<sup>st</sup> North. Daphne wondered if there might be grant money available via the school to help with this next phase of trails. Mayor Buist stated if we need to keep the current trails committee or do we need to get a new trails committee. Karole agrees we may need to get new people to help with the committee, but she's not sure who. She would like Bruce's input. Teena said

there were several mothers who have a vested interest in this next phase for trails. Mayor Buist and Karole said that it is time to start a new trails committee. Mayor Buist said we need to assess future goals, current resources, and potential resources (including grant money) to complete these goals. City Clerk will get Karole a list of possible volunteers to help with the trails committee.

There were some complaints about the parade when the fire department sprayed people that were outside the wet zone. There were kids with buckets throwing water as well. We need to communicate to any new fire department members about where to spray water. The 24<sup>th</sup> overall was a very good celebration. \$4,500 of the budget go to fireworks. About 1/3 of the funding for fireworks is from private donations. Karole still feels passionate about getting banner flags up on main street. Daphne wonders if we need permission because it is a state highway. We need to find out if we need permission. Karole is going to talk to the prison because they make banners. She will report back with pricing options.

### **Jon Hardman**

Jon said that they are anticipating that the canal will stay in operation until the end of September. Bob asked about the maintenance on the canal, are they planning to do routine maintenance on the canal. Bob wondered if there is any maintenance that can happen in the Fall instead. Jon stated that this year's maintenance was a due to excess rain washing the weed spray away.

Jon asked about anyone who saw information regarding senate bill 52. He stated we need to make an accounting of who and how many people are on a pressurized line back to the state and the cost to get it metered. Flow meters are going to be difficult because Mendon has several people on a line. This requirement is coming and Mendon will be required to comply in the future.

As part of the master planning process we talked about holding workshops. He hopes that we can hold these meetings before P&Z at 6:00. He would like to use the email system to send out word to people. Regarding format he'd like to see instruction for the first 15 minutes and then let discussion follow for the next 45 minutes. Three main topics: business options, how we want to grow, infrastructure and recreation.

P&Z has given them a draft of the annexation policy. Section "a" of the draft was reviewed. See P&Z policy with Jon's red changes document:

John Davidson noted that the Bear River Health Department does have the 5/8 acre requirement even though it isn't specified in the code. Jon Hardman introduced a draft with his added thoughts regarding annexation policy. Jon stated that there should be several solutions to make available low-income housing. He would like to see multi-family structure (duplex & 4-plex) spread out through the community, rather than confining it to one area. Septic systems won't support more than duplex or 4-plex plans. Jon showed the block system based on the 10 acre design. Currently people can split lots by subdividing. Theoretically you could do two duplexes per block or one four-plex per block. He prefers them to be on lots 1, 2, 5, and 6 are to be used for multi-family dwellings. Tiny homes may also be an option in these areas. We need to define whether the home actually needs to sit on a foundation. Karole asked about containers being used as tiny homes. P&Z has a full section on containers, detailing size, foundation, and appearance. There is concern about being able to follow set back requirements of 30 feet on the corner lot. Jon's other concern was maintaining the culinary water system and that developers need to review it with the city engineer and the city council and be in compliance with the city public works director. Regarding secondary water (from springs and the Wellsville canal system), Jon emphasized that secondary water be utilized to not stress culinary water resources. Karole felt the words "strongly encourages" verbiage could be disputed by developers and that it is vague. Council had consensus on fact that where secondary water is available developers are "required to develop and utilize that resource." Jon noted that any westward expansion of Mendon (above the canal) will not have

secondary water, in which case Mendon City will have to address the impact that may have on culinary resources. Jon stated that in the past people have tried to with-hold water rights and sell it elsewhere, but Bureau of Reclamations will come after them for it. Secondary water must be sold with the property that goes with it.

There was concern about the statement that the City will continue to make secondary water available (this is from canal shares, Mendon Central and Rocky Point shares). The recommendation of the city council is to review this wording.

Ron and others have strong feelings about Mendon city taking over the irrigation pipelines and secondary water system and administering said systems. Hyrum manages a secondary water system. Jon feels that such action would open Mendon city up to lawsuits. Jon recommended open wording that the "City may require that additional secondary water systems and water be provided to the property being annexed." Jon said an opportunity may arise for Mendon city to manage secondary water, but currently we need to keep this wording open.

Jon wanted to address annexation regarding lots above the canal. There is concern over lot size on lots above the canal. Jon stated that we don't have the water pressure.

He stated that P&Z has not addressed this yet. Jon stated that currently in our zoning we do not have an A-10 designation. Jon is worried that not having secondary water is that weeds become prolific and it become a challenge to manage a 5-10 acre size of lot. Mayor Buist stated that we need to define this sooner rather than later because of future development above the canal. Jon recommends that the council needs to define a new zone size. Mayor Buist stated that we need to give the county guidance tonight. Council wants to specify that they have A-10 above an elevation above 4590 feet.

Mayor Buist stated that regarding raises with staff in the library. The library uses the umbrella of the city to pay them. For library operations, there is the \$10,000 donation that the city has agreed to match for 10 years. The library pays what is above that. The money for raises needs to come through the library board. Mayor Buist stated the new clerk needs a name plate. Many were able to be here to meet Spencer Cox. It was a neat experience. Mayor Buist motioned to adjourn. Karole seconded. Meeting was adjourned.