

Mendon City Council Meeting
August 10th, 2017
Mendon City Hall & Library
15 N Main
Meeting began at 7:00 PM

In Attendance:

Mayor: Ed Buist

Council Members: Karole Sorensen, Greg Taylor, Kelly Barrett, Bob Jepsen, and Jon Hardman (arrived at 7:05pm)

Treasurer: Daphne Carlson

Clerk: Teena Young, excused

Public Works Director: Kirk Taylor

Recorder: Paul Cressall

Public Attendance: Duane Miles, Teri Miles, Jordan Miles, Paul Davis, Mark Marrott, Harvy Campbell, Troy Teeples, Craig W. Buttars-Cache County Executive, Lisa Baker, Ethon Baker, Jay Apedaile, Eric Dursteler, Steve Baker, Lana Archibald, Joni Endicott, Jim Brown, Heidi Hyatt, Bob Degasser, Phil Zobell, Becki Taylor, Brian Carver

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

Pledge led by Ethon Baker.

Prayer by Karole Sorensen.

Mayor Buist asked if all councilmembers had reviewed the minutes from last month. Approval of July minutes. Vote was unanimous.

Bills approved for July. Bob Jepsen motioned to approve the July minutes as presented, Karole Sorensen seconded the motion. Motion approved.

Craig Butters, Cache County Executive: Mendon Road Repair (600 South)

A power point showing the damage and repair work progression. The Culvert dropped approximately 18 inches due to the flooding in February 2017. March through June 2017 Cache County worked with FEMA, FHWA, UDOT, NRCS and State Disaster Funding. This project did not meet the criteria for funding from any of these organizations. The National Guard was contacted regarding a temporary bridge. It was estimated that the cost would be greater than \$150,000 for the use of the temporary bridge. The county believed that this cost was too high for a temporary fix.

The culvert is being replaced by the same size structure and is being placed in a more permanent fashion. Whittier construction are the contractors doing the work on this project. there are five culverts on the road being replaced.

August 9 and 10 the Box Culvert was installed. By September 8 and 9 the aprons and wing walls should +be cast in place. There is approximately 1000 feet of road to pave as well. The county is paying this from the County fund reserve. There has been \$300,000 reserved for this project.

Eric Dursteler, City Engineer: Mayor Buist expressed concern of a check list for home builders to make sure things are getting completed to the correct specifications. Eric will present the list to the homeowners/contractor.

Eric: 1. Booster station well. Carl Mackley called back and the well will proceed after the irrigation season is over. The pump will be pulled and they will video the well.

2. The new test well – hopefully the soon to be new ground water well - Jon, Kirk, and Eric met Tuesday with Division of Drinking Water and will submit a PDR as soon as possible. Eric suggested that Bio West to do the modeling. We will need to submit a Concept plan, which is at least 30% of the design plan that is submitted with the PDR. We will then have to do the concept plan and have it submitted. Present with a scope of work.

3. C cog submitted in July. The application will be completed before Aug 25. Funding for the widening of the road coming into town from the Mendon road. 10% from the city for the cost. It was submitted at \$180,000 and \$20,000 from Mendon City.

COG submitted on time. The meetings will be Sept 9 or 11 for preliminary and the awarding on the 25th.

Jon asked for his thoughts on the flooding issue on 300 east. It appears to me addition of irrigation on the ground water situation. Remedy would be to clean the swell out. The water would then continue south. Council suggested taking care of it this fall. Put down geo fabric. Eric suggests waiting to see if it dries out at all. It is very wet right now.

July 24th celebration was a success. There were a lot people on the square during the day and for the fireworks.

Close council at 7:30

Opened Public Hearing at 7:30 for Proposed Increased property tax revenue for Resolution 2017-08

Mayor Edwin Buist read the prepared statement with information regarding the rate increase and the impact on taxes for a home valued at 250,000. Ed prepared his 8th budget this year. Budgets are always fairly tight in this community. This new building was planned for, saved for, and charitable contributions assisted in the financing. This building is paid for. Some financial concerns the city is facing are as follows. The community has had one full time employee for 12 years. Last year we hired a ¾ employee and this July 1 he moved to a full time benefitted position. The canal needs repairs at the dam site. Wellsville/Mendon canal will soon have great increases on the shares. Those who own shares will be facing the increases. Mendon owns a number of these water shares. The city cannot sale water. Residents may decide not to rent canal shares with the increase. The backhoe now must be purchased. Aging equipment needs to me replaced. These are reasons for the tax increase proposal.

Jay Apedaile: We really have not had an increase for some time. 27% increase in one year is a rough way to go about it. Honestly, he would really not like to see it increased. The county increases the value of the house every year whether we think the value has increased. He is concerned about all the tax increases getting hit all at one time. He proposes smaller increases more often. The property assessment

is increasing. So why increase the tax rate as well. Jay also thinks that government just likes to keep increasing the taxes.

Paul Cressall, City Recorder: 2008 was the last time Mendon raised their taxes. It is increased by a set dollar amount. 1574 There are not a lot of homes being built in Mendon. Thru the years the mil levy kept going up by the County adjustments. 2015 it went down to 1755. \$84755 received from the Mil levy tax. 2015-2016 from 1755 to 1638. It dropped. It is being proposed to raise a full mil. \$85,200 last year for taxes. 1793 was the highest. It is being suggest that it goes to 1908. It seems like a lot but it really is not very much. State makes us come in and adjust the mil levy. Mendon has a bad habit of adjusting every ten years. More growth would make this necessary more often.

The county auditor helps Mendon with the calculations. There will be a gain of approximately 20,000.

Phil Zobel: Where is this extra money going? Ed Buist stated that the funds could be used for maintenance of roads, fuel, etc. The Mendon/Wellsville shares will be increasing dramatically. More than half of the funds will go to repair of the spill way. 54 million is the estimate. It could happen this fall. Construction is scheduled for 2019. Phil asked why raise taxes before the repairs take place. Phil is concerned the softball association is benefitting from tax dollars. There have been no loans from the water fund to the general fund. Kelly stated that the entire increase could be used for repairs to roads. Working with the same budget as was 8 years ago. The expenditures have increased greatly. The parks and cemetery have issues that need to be addressed. The current budget cannot do it. Mendon City cannot afford water storage. Jay Apedaile mentioned that the storage is for fire protection. Our current tanks need some repairs. If the water was completely shut off the water storage would be gone in less than a day. Phil thinks a 25% increase is probably four times too much. He thinks smaller increases more often would be better.

Ed has arguments both ways. He is a citizen and he has to work with the budget. It has been suggested for more commerce. New business coming to Mendon has not always been welcomed. It was all but a lynching a few years ago when a business proposed coming to Mendon. Some residents said, "I don't want business, raise my taxes" at a previous public meeting.

Jim Brown: Lived in Mendon for 33 years. There are a few things that are needed. Things could be needed. Why has nothing been done during the last 10 years? Ed answered saying he looks at his tax notice and there have been increases in the taxes from the county, school district, etc. Ed didn't want to lay this on his neighbors. There won't even be enough for the needed expenditures. Jim stated that it appears that there is a lack of planning. These are serious problems. Is it going to be 25% in another 5 years. What is coming in the future? That is probably our fault for not coming to these public meetings. I should have been more active in the community and the council meetings. There needs to be more communication or it is going to upset people.

Bob asked if a citizen would react in the same way if we did this every year? Jim stated that we would act the same as tonight but hopefully it won't be as bad. This is human nature. It is normal. Bob stated that we are running a business. It takes money to run the business. Things are needed every year....roads, water, cemetery. Bob thinks it would be difficult to ask the citizens every year for a tax increase. It appears it is going to require more money very soon.

Jim suggested a newsletter. Jon Hardman stated that May is the month for the budget hearing. It is a public hearing. Citizens should come to that particular meeting. Jim says he will take part of the blame because he is not active in the community. Bob stated that it is a real show of devotion to the citizenry when the mayor takes a salary cut to help an employee. Bob is willing to take the cut to make the community better. The council does not make a large salary.

Ed stated that there has been a dark picture painted. It is not that bad. We make it work. Our parks are still beautiful. Our roads are still better than some of Logan's roads

Troy Teeples stated that nobody likes taxes. From all the taxes that are being increased. Mendon's was very small. Troy is very supportive of the increase. The school district was four times as large. Nobody likes taxes.

Ed mentioned the public hearing would be open until 10 after. Two minutes remaining.

Duane Miles. It has been said that nothing has happened over the past 10 years. Things have happened to the increases. They could have been 3 to 4 percent increase a year.

8:10 Public hearing closed. Mayor Buist opened the council discussion regarding the proposed tax increase.

Ed stated that this council is the most awesome group to work with. Ed has a lot of respect for this group. The city is in awesome hands. The council is very good at what they do.

Jon Hardman stated that appreciate everyone's comments and concerns that were presented tonight. Jon said that he has yet to hear someone come to council and ask that we do not do something. He has not heard any one say please do less on roads, lets cut this out. Everyone seems to enjoy Mendon. The costs do not stay stagnant. They go up. Thus, we need to increase the budget. We are facing some significant expenses.

Greg Taylor: Appreciate comments and concerns. What is this increase for? Asked of ed. The county hit everyone hard. This increase is hard. It is needed. Mowers and equipment does not last forever. They need to be maintained and replaced. In favor of increase

Bob Jepsen: I appreciate Jim's comments. This is a learning process for all of us as a council and citizens. These are the concerns of the council. These need attention. This needs to be put out on the website. To acquire property to expand the cemetery will be costly. We choose to live here for a reason. As citizens, we should be willing to live here. Bob is proud to be a citizen of this community. Want to make it even stronger. Believes the increase is needed. The employees sacrifice personal time to the community.

Karole Sorenson: Appreciate all comments for and against. Feels it is all positive. We need all your comments and input. Trying to do what is best for the citizens. This is not taken lightly. It is with much effort and discussion. It is taken seriously. We cannot stop. We need to go forward. To do this we need the increase. Karol is in favor of the increase as well.

Kelly Barrett: There is not a lot to say. In Kelly's other life he builds roads. Material costs increase have gone up for than 27% over the last 10 years. We try to do the best for the city.

Ed works for the state. He lives liability there and here. Liability costs. That is unfortunate. I appreciate our citizens and comments. I apologize for not doing this earlier in the eight years that I have served. Unless someone writes in as a candidate for Mayor, I will be here another four years. It will be brought up in 2 years. I will promise more transparency. I discuss anything. You may not like the answer. I appreciate and respect the comments made. I also saw my tax notice. I am in agreement of the need of this tax much more that the other tax increases you see that are much higher. I love this community and the people here. I am in favor of this call it twisted, if you want.

Read resolution 2017-08 Proposal to increase property tax revenue. Read by Edwin Buist.

Bob proposed to approve the Resolution 2017-08. Seconded by Kelly Barrett. Unanimous vote.

Paul Cressall has resolution

Youth Council. Power Point presented. 612 service hours recorded this year for the Mendon City Youth Council. The current youth council mayor is in the mission field. Mayor pro temp presented. The application process is currently taking place for the next year. Zombie wars, October for swearing in and then the Christmas sing along. \$1200 goes to the youth council in the budget. Thank you.

Top Job, Site plan. Mark Marrott. More than 2 years ago Top job came to city to grow a business. A compilation of information was presented to council. Everything you have asked of Top Job is in that folder. The large plan is the plans for our shop. They are completed. We are prepared to move forward and put a shop in place. Representative of water quality from the state was present at the request of Top Job. The DEQ report is in the folder as well. Top Job wants to continue being better neighbors. A shop will help with the noise issues that you have heard about.

Bob has been gone the last couple months for personal reasons. Very impressed with what work Top Job has done to come to council. The water is handcuffing the town. Mendon needs infrastructure in place to support commerce. A well can be placed on the property owned by Top Job. The well drillers report is in the folder. The well is finished, capped, and ready to go. Is power going to be brought to the property or be off grid? Top Job is looking to go off grid for now. Solar and generator. Top Job has minimal power needs on a daily basis. Would the solar take care of the well? Yes and the function of the building. Panels will be on the roof of the building. The building will look like a barn to fit in. What kind of noise are we talking about with the generator? There will burming and fencing. We will do everything we can to keep noise down. It will only work during the business hours. Not 6 to 10 pm. If the solar levels drop below acceptable levels the generator will kick on. This will most likely during the winter months. The generator is for backup and the welder. Most welding will be off site.

Duane Miles, due to the solar research he has gathered, is concerned about December and January. There is maybe 10 days in those months. The generator may turn on at night to run heat to keep things from freezing. When there are more entities in that area requiring power, they plan to connect to the grid. It is more cost efficient when more than one will help pay for the extension of the power. This is a temporary solution for now. It is too cost prohibitive for one to carry alone. The water is also a concern. It is planned to be connected when available.

Karole Sorenson asked about the wording of “proposed”. Is it the plan and will it happen or is it a proposal and not going to happen? Jordan stated that as time goes on we want to make certain things happen. Jordan has submitted to P&Z a plan that prioritized and a five-year plan. Proposed and promised- Jordan said, “I will not come back next year and get yelled at. That is why it is proposed”.

Steve Baker asked, “What happens in 5 years if it is not complete?” Lisa Baker thinks it is too vague. Ed and Bob said there is a possibility that a city business license will not be issued, if the city feels stipulations have not been met over the five year period. Jordan promises to abide by city ordinance. I can change my mind from a flower bed to zero scape. There is not an ordinance regarding that. There is no ordinance for the fence or the wall. Currently the plan is to construct a concrete wall for noise and visual pollution. It will also help limit vandalism. Most contractor yards have chain link and privacy slats. I do not plan to go that route. We plan to do the wall. We do not know our future profits down the road.

Ed stated there is a fine line of being good neighbors and proposing versus doing and not doing. Site and sound is what Ed hears the most about. Jordan believes the past history of Top Job shows them going above and beyond the requirements of the city. Jordan encourages employees to drive courteously and be considerate with the headlights. He would like to turn his brights on but he shuts them off because neighbors have complained. Jordan thinks he goes above and beyond the law.

Lisa asked what is the noise ordinance for Mendon City. It is vague. Lisa thinks there should be a differentiation between farming and a business. She thinks it should be different. She thinks this should be reviewed before it is approved. Lisa wants to open her windows at night and not hear a generator. There are differing opinions of what annoys people. If you want to change some of these issues, let's change them. But it will not change or stop this business from progressing.

This is east of the railroad tracks below the elementary school. If this is not where you want the commercial zone this is the time to work with Planning and zoning. Many lessons in life is due to reaction and not being proactive.

Bob believes that Top Job is trying to be a good neighbor. As council has been voted in by the citizens, we need to take action. Teri Miles stated that she has not heard anything regarding issues from this summer. Jordan stated that history shows that Top Job goes above and beyond to be a good neighbor. Gentleman from DEQ addressed his inspection of the site.

Documents to show what requires a storm water permit. To simplify it Jordan was saying for a contractors yard there is not a permit required. The permit came about because it has been researched that when people congregate an area, pollutants are generated. 10% will permeate the water shed. Roads, housing etc. complete this. Top Job deal with asphalt a little bit. A new road will impact more than products will coming from their yard. Just trying to put it into perspective. Asphalt does not mix with water. Asphalt is not known to have a lot of pollutants in it.

Karole asked if there is a list of contaminants of this product? Jordan...primary product that is the most susceptible to environmental damage is the seal coat. It has varying amounts of slag. Clays, and water, some have a small amount of water soluble polymer derived from tree sap. Where there are any concerns

when the DEQ visited our yard. Answer. Not really, there were some spills on the ground. It was jelled and not going anywhere. Storm water and Industrial storm water coordinators were not concerned.

Greg stated that there are trucks down there. What if there is a fuel leak? Are there plans to have diesel storage tanks under the permit requirements? They would have to report it and clean it up. Secondary containment is not required but I would suggest it. Greg asked if the city is going to have anything in place for inspection annually? The fire chief makes inspections annually.

The site plan has passed the Planning and zoning. It can be voted on with council tonight. Karole feels this is a very soft issue. She is concerned with the “proposed” wording. There are certain things within the guidelines they have to do. There are other things Bakers we would like to see but we cannot mandate. Goodwill runs both ways. We are both under the microscope. We need to have some thick skin. Jordan said that he operated in Petersboro for 10 years. Six neighbors wrote letters to keep them there. This body would like to see the proposal happen. That is as far as it can go. Lets work together.

Greg asked if there will be any wash bays or anything like that. No

Ed asked if there was a motion. Jon Hardman motioned to accept the site plan and proceed with a building permit. Greg Taylor second. Karole and Kelly voted yes, Bob opposed. Top Job will meet with Paul Taylor.

Ethan Baker, Pioneer Park Pavilion. Sanded flag poles and painted. 220 over 50 hours. It is complete. Kirk said he did a great job. Paperwork will be signed later.

Hardman Family is concerned about this land south of Mendon remaining in green belt. The protection zone needs to be discussed with the Hardman family. The state stated that the land use agreements will be required because the county does not have anything in place. Jon declared a conflict of interest. Jon is a part of the Hardman LLC. Jon excused himself from the conversation.

There have been some real struggles finding water for the last 30 years. The group from New Zealand to conduct electrosismic to find where we have water. Dr. Oaks at USU stated we are in the Salt Lake formation. There are small pockets of water. The farther north you look for water the more arsenic you find. Beaver Dam has had to improve their water system due to high levels of arsenic. Grants have helped pay for the electrosismic. The land is located one-quarter mile south of Jensens. The land is owned by Harman Family property. The well is 250-400 feet deep. It looks pretty good. There is a test well. This showed 300 gallon per minute. Clear cool water. It has been tested. It is good. The Hardman Properties, LLC proposal read by Edwin Buist. .27 acres of land to be sold to Mendon City including zone one and two protection areas, impact area, and protected area. \$10,500 for the land. It is requested that Mendon will cover document preparation, legal fees, and taxes. Hardmans will pay the portion not covered of taxes. Offer of sale is good for up to 12 months. Herber T. Hardman is the main contact person. For information to the community \$10,500 is equivalent to two water hook ups. This would be covered out of the water fund. The state and the city makes sure nothing is built in the protective zone. State prefers the city own the property. Mendon will have more control. Eric says Mendon is getting the better end of the deal. Jim Brown asked who owns the water. Once you own the property you own the minerals and water. Jim thinks this is very reasonable. That allows 300 hookups. Apedaile uses 300 gallons a day. This is the equivalent of 1 gallon per house per minute. Currently it is proposed to allow 5 connections

per year for 106 years. According to the state projections. A developer would put 300 houses in immediately. That is why there is planning and controlling. That is not in the plan or possible. All 300 permits will not be allocated immediately. Wellsville has a lot of water. Mendon has looked into tapping in with Wellsville. Mendon cannot afford it. More than half of the council in Wellsville were not in favor of letting Mendon access their water. This will be piped (10 inch pipe) to the Jensen pump house. No connections allowed.

Bob motioned to propose to buy land from Hardman Properties LLC. Karole Seconded. Vote unanimous. Jon Hardman returned to the meeting.

Kirk talked about the food stand. The health department requires a 3-basin sink. Greg talked with Wayne Myers regarding this. A stainless sink will cost \$1000 plus faucet and plumbing. One of the basins will have to be a floor drain. Greg stated the food stand will be closed down if the sink replacement does not happen. Greg would like to have this taken care of this fall. Schroders food handlers license expires and it will not be renewed until the sink is taken care of.

Kirk asked that there would be some slack regarding the appearance of the cemetery. The new mower is in for repair. Should be under warranty. Street assessment last Friday. New asphalt laid last year needs to be coated and sealed. There is still pothole patching that needs to be taken care of. Mason and Kirk took on the project of fencing around the reservoir to keep cattle out. It has been a nightmare. Agreed for \$2 per foot. Ryle Robins proposed this. The soil, rocks, elevation has made it very difficult. Kirk proposes bumping it to \$3 per foot. Kenny augured 14 holes. Fighting rocks. Kenny would not have done this project for this price. It should be wrapped up by the end of September. Gates will need to be purchased in the spring. Two 12 foot panel gates will need to be purchased. Kirk and Mason Taylor have done this in their spare time. Kirk invited Jon and the mayor to walk it when it is finished.

The grounds look great. Thanks to water movers and Logan. Fertilizer and consistent water always help the appearance of the grounds. Ed mentioned that the landscaping around the building are in the works. Mendon will be working with Fannesbeck Greenhouse and their products. Kirk does not want to use weed barrier. Just put the bark in thick. Lance Hansen can get a price for Mendon.

Planning and zoning, Joni Nethercott, asked for clarification on authority of reviewing new development. She is requesting input on this matter. Kevin Wright thought planning and zoning should be asking more questions and requesting the DEQ. The city engineer and building official should be involved.

Need a check list that stays with the project paperwork and requires a signature of the individual performing the inspection for each item. Other communities have the check lists. It was suggested that there be an initial meeting with the home owner/contractor, engineer, and building official. Planning and zoning should be the last step. The plans can be reviewed and suggestion made prior to the finalization. Cities are more restrictive than the county.

Jon received approval from the state for a change of use for water shares. Mendon is making steady progress. This is for the Upper spring over a possible five year time frame. Jon would rather build up the water reserves and pay for it as we go. Mendon does not want to go for another loan. Mendon must control proper growth. Nothing new has been heard on the canal situation. There will be a meeting in

October. That is when we may find out. Jon reported Hyrum dam has only dropped four feet. There should be adequate water thru September.

Bob asked Joni to discuss with council the set backs for single family plats. Bob would like to standardize the formula. Jon stated that is usually associated with fire. This is for an accessory building. Ron Campbell has spent hours trying to clean up the language in the ordinances. That still needs to be approved thru public hearing. All changes can be approved at one time.

Bob gave his reason for opposing the Top Job motion. He thinks they did everything up front. Bob sensed an attitude of pushing this to go as far as they could. He wanted to make them be aware they are being watched.

Jill Pack sent a list of names to be approved for Planning and Zoning positions.

Todd Slade

Paul Myers'

Steve Jensen

Tom Dawson

Joe Robins

Adam Buist

Paul Willie

Bruce Miller

Brenda Larsen

Neal Jackson

Mayor Buist added Phil Zobell

All names were approved.

The commission positions are a three year term and ask to renew for three years. Could change to stay as long as wanted. Ed agreed but wanted the option to remove an individual if they are driving for their own purposes.

Greg reported that a surge protector for the furnace /ac has been purchased and installed. It will cost \$350/ \$200 is labor. Still pumping water out of the Mendon Station. Mosquito abatement: Mendon is positive for west Nile. Not Zika. The trap is at Wayne Andersens. It tripled from last month. They will be spraying more often. The no spray zones will be shrinking. Those individuals will be notified.

Karole reported that she talked with Phil regarding the trails. Everything has halted due to no funds. The book storage is to be removed by the end of this month. There is a possibility of May Day history to be donated to the city.

Kelly reported the county is now requiring 30 ton for black top. That is about 1.5 mile. We do not have the budget to absorb that. 100 East, 400 north by highway, and 100 West all need fog seal to keep the water out. Kelly would like to combine money and do something more substantial later. COG (Community Organization of Governments) Grants to help communities with a slight investment from smaller communities. \$200,000 project for roads. Kelly is on the advisory board. 13% guaranteed to the rural community. That would be \$600-\$700 thousand to be used in the rural community.

Ed thanked council for what they do, how hard they work, their time and effort. Today was difficult and decisions were made to the best of our ability. Thank you to staff. Thank you to the Citizens of the community to come out to the meeting this evening.

Jon Hardman motioned to adjourn the meeting. Kelly Barrett second the motion. Motion unanimous. Meeting adjourned at 10:12pm.