

**Mendon City Council Meeting**  
**November 8<sup>th</sup>, 2018**  
**Mendon City Hall & Library**  
**15 N Main**  
**Meeting began at 6:00 PM**

**In Attendance:**

**Mayor:** Ed Buist

**Council Members:** Greg Taylor, Bob Jepsen, Karole Sorenson, Kelly Barrett, Jon Hardman

**Clerk:** Teena Young

**Treasurer:** Daphne Carlson

**Recorder:** Paul Cressall (arrived at 7:45PM)

**Public Works:** Kirk Taylor

**Attendance:** Joni Endicott, Eric Dursteler, Becki Taylor, Youth Council leadership council

Mayor Buist called the meeting to order at 6PM. Daphne Carlson led the Pledge of Allegiance with Eric Dursteler saying the prayer.

Council reviewed the October 2018 minutes and approved. Jon motioned to approve the October 2018 bills, Karole seconded, and the bills were approved unanimously.

**Public Hearing – Amendment of MCC 3.10.190 “Amount of Bond”**

*Public hearing opened at 6:05 PM*

Teena Young detailed the recommendations from the Utah Local Governments Trust in amending current bonding requirements to allow for crime or theft protection as an alternate to a bond for the liability coverage. The ULGT provides a \$5 mil blanket crime or theft protection coverage for governments who have property insurance through the trust. Mayor Buist read amendments listed in Ordinance 2018 -16.

*No public comment given. Public meeting opened at 6:12PM.*

Mayor Buist read the Ordinance 2018-16. Jon motioned to approve the bonding requirements as read. Greg seconded. No further discussion. Council approved unanimously with Kelly Barrett absent.

*Kelly arrived at 6:14PM.*

**Council Discussion on Resolution 2018-15 – Building Regulations**

The public hearing was held last month concerning the allowance of a limited number of culinary hookups in Mendon. Mayor Buist read Resolution 2018-15 allowing “up to fifteen (15) culinary water hookups which may include one (1) minor subdivision between the dates of October 11<sup>th</sup>, 2018 and December 31<sup>st</sup>, 2019.” Jon motioned to pass the resolution with the approved wording. Kelly seconded. No further council discussion. The resolution was approved unanimously.

**Extending the City’s Water System**

Jon stated that it has been a long time since we have allowed building, so he is reviewing the policies and there is some discussion needed from the council. He has always been told that if a culinary line is extended it is always at a minimum an 8” line. MCC 7.06.030 Water Department and System calls for a water superintendent, he sees Kirk as holding that position. Also, in the code are forms and verbiage with requirements. There is an issue with a block that doesn’t have a water line and a property owner is wanting to build a home. Jon and Kirk agreed that when water lines are in the city right-a ways we want to meet fire hydrant standards with an 8” line.

### **Inter Block Building**

Jon has always understood that we don't allow inter block building. The only lots in the original Mendon grid system that could be split were the corner lots. The inner lots were to remain at the 1.25-acre sizes. But many of these lots have been changed over time. The general plan says that there is no inter block building unless they have road access. Council needs to discuss this and discuss the appropriate way for the city to grow. He is not saying one way or the other but that it needs to be discussed. Instead of allowing a corner lot split, do we want to also allow long skinny lots. This is something that we need to address and decide how we want to see this happen. Jon's opinion is that in Logan they have put apartment complexes in the interior of the block. It limits privacy and causes other issues; we need to be careful how we move forward.

The general plan does mention that we should try to provide more dense lots to provide for more low-income housing. Mayor Buist sees both sides. He stated his opinion that people have the right to do what they want to do with their property and, on the other hand, wonders if it is in the city's best interest to have inter-block building. It may be a bunch of weeds in the inter blocks.

Another issue Jon mentioned concerning a particular lot is that a home must be 50' from the water way. Bear River Health will enforce the septic take setback of 100'. Joni asked if we had any water way maps. Kirk stated that it should be on the builders site plan.

Jon also mentioned another issue is fire department access to inter block properties and a turn around area. Kelly isn't wanting to restrict what property owners do as long as they are meeting the city's requirements. Daphne stated that the fire department should be consulted to verify that they can turn a vehicle around. The wet areas are a concern with heavy fire equipment.

### **Installation/use of culinary water system for other than residential uses discussion**

We have a honey business, a nursery, and agricultural properties that have culinary hookups without homes on the property. Kelly asked if the water rates are the same for commercial businesses. Right now, it is the same base rate. In other cities commercial properties usually have a different rate. We haven't made it an issue, but it would be worth looking at. Daphne stated that it would be nice to have more commerce that fit into our area. Jon mentioned that these things are going to come up and we want to be proactive. If we adjust our base or overage rate, then we can adjust.

Kelly stated that we should be inline with other communities. He doesn't understand how sales taxes work. He doesn't want to burden businesses but does want them to pay their fair share. Daphne stated that if the business is in our community, then we get a higher portion of the sales tax. Jon stated that he estimates 50% of the revenue stays in the community the others go on and shared throughout the state. Commercial businesses help. We haven't been approached by commercial properties recently, but we may see something.

Jon mentioned that we need to codify our policy on culinary water uses outside of residential uses.

### **Use of the spring overflow – winter water rights**

Jon stated that periodically we have an overflow in two places on the spring. The Joe Hardman family has a filing to take the overflow to their property and retain in a pond from November to March. What we need to decide is where that overflow comes from that they are eligible to use. The city has a filing from Jan 1 to Dec 31 for culinary use, but if we aren't using it, they are eligible during the winter months. They want the city to pay the cost to get the water over to their system as they claim that the city altered the flow. We need to write a letter that spells out the city's position.

## **Youth Council**

Lexi Myers reported that they had a great response to the Zombie Wars in October. They will have a town singalong in December. There will be a family contest where families need to take photos of themselves at 10 local areas to be entered into a drawing. They are working to get prizes for the contest. This year they will do hot chocolate and candy canes. They will have a donation jar for a specific need for a local family.

The Youth Council leadership was sworn in. Lexie Myers - Youth Council Mayor; Mariah Harris - Youth Council Pro-Tem Mayor; Jenna Pack - Youth Council Secretary; Lexie Myers - Youth Council Historian; Sabrina Swasey - Youth Council Executive Council.

Mayor Buist stated that this is the same oath that the council takes, and the city is proud of them and their work. Mayor Buist stated that they would like to have some Christmas decorations at this building. Youth Council won't be decorating the station this year. We have had lots of problems with that and people who have weddings do not want the Christmas decorations. Becki stated that if council could get someone to head up the efforts in the future, then the Youth Council could help.

## **Approved names for Planning and Zoning Committee Members**

Names presented and approved are Kevin Randall, Shara Swan, Jake Anderson, Doug Coggins, Paul Keller, Barry Foncesbeck, Dave Welker, Chris Niemann, Doug Hunsaker, Rusty Myers, and Wayne Myers.

## **Cemetery Expansion Drawings**

Bob stated that he is worried that the money set aside in the perpetual fund may not do all that is needed for the expansion. He asked about possibility utilizing some capital funds money. The current available funds would just get the roads cut out. Mayor Buist stated that prior to next year's budget that option can be discussed. Bob added that the cemetery shed will be torn down and extra storage provided with a new building at the city shed. Mayor Buist asked Eric to put some price estimates for a well to be used for watering the cemetery. Council would like to have a public hearing in February concerning the expansion plans and costs.

## **Eric Dursteler, City Engineer**

Eric stated that the Cold Water well is finished. It measured at 635 gal per minute, the state will allow us to utilize about 2/3 of that for homes. Recovery was 89% in 3 hours and full recovery by 12 hours. Water quality samples were sent in on Wednesday. The water temperature is 46 degrees. Eric stated that it appears to be a really good well. Bob asked about how it will affect the neighbors' wells. Eric stated that those wells are shallower so should not be affected. If the water sample comes back with drinkable standards, then it would be 6-9 months to get it into the system.

The 500 Eastern Gateway project is substantially complete, we did hold back a 5% retaining fee for them to come back and fix an area. The repurpose request was approved for extending the work another block. We will bid for next year's project in February. Mayor Buist asked about that road project happening between June 2 and July 24. Eric stated that it would be a possibility depending on the weather. Kelly stated limiting the time frame may affect the price.

Eric has prepared a cost analysis for the 2000 S water line. This would be the extension to the Cook's, who had approached the city in the past, asking for water extension to their property. Eric provided a cost analyst of that extension. The Cooks have stated in the past that they are willing to pay the cost. The cost of \$36 per foot is an average price from multiple contractors.

**Kirk Taylor, Public Works**

Kirk stated that the frame is bent on the plow truck. Intermountain Hydraulics will have to bend the plow to make it fit. It is a 2007 truck. Kirk stated that River Heights buys their trucks new, keeps them for two years, and sells them at a profit. We need to think about that down the road. We put \$2500 into the 2001 truck for a repair. Kirk stated that he is hoping to get the little red truck replaced. He has looked at a replacement. It would be a run around truck, for meter reading and running into town. This would save on gas. We need to start setting some money aside to save up for that cost. Logan has taken a new job. We appreciate him and his work for the city. Kirk's plan is to go back to part-time help in the summer. It is a tough fit for an employee, because of the age requirement and wage. Mason can help out when he can. Kirk proposes that council increase the wage for snow removal help to \$12 per hour. Jon motioned to put the back-up snow plow driver to \$12. Karole seconded and the council agreed unanimously.

*Paul Cressall arrived at 7:45pm.*

**Bob Jepsen**

Bob asked what Joni had concerning Planning and Zoning. Joni mentioned that they will be having an election to choose a new chair and co-chair.

**Greg Taylor**

Mosquito abatement is purchasing property for a new building. Their meeting was tonight.

**Karole Sorensen**

Dayton Crites emailed about the RAPZ funding for the parking lot at Deep Canyon. Karole emailed Wayne about the progress. We have submitted for engine brake restriction signs. Kelly stated that there was a work order for those to be installed. Nothing concerning the library.

**Kelly Barrett**

Nothing additional

**Jon Hardman**

The well drilling invoice will come in before January and we will make payment at that time. Ultimately, it will be submitted to the state for reimbursement.

Jon stated that we need to get the checklists in place for building. We want to have an easy and seamless building process. Kirk has worked on that, and Paul Taylor needs to be involved. Eric is going to pull stuff from Logan's checklist, and he has talked with Paul Taylor on it. By January we should discuss and pass the policy.

Mayor Buist asked for council's input about impact fees for existing meters. When it comes to the count of 15 allowed hookups for this year, there are differing opinions on what an impact fee is tied to. Concerning a lot that has a demolished home and inactive meter, has the impact fee already been paid at some point? We need a decision as to what gets an impact fee and what doesn't. Greg stated that there should be an activation fee. Jon stated that there is a fee for turning on an inactive meter. Kelly stated that impact fees have certain rules on how it can be applied. The impact is to the water system and used to help pay for the maintenance. Eric clarified that impact fees have to be used for new development. Eric stated that you have to use those funds within 6 years. Jon stated that we are re-evaluating our impact fees and will discuss in January. Kelly stated that it is an impact to the system and that the fee should apply. Jon stated that it is really not new because they have paid on the culinary system for years prior to the home being torn down. Bob stated that if the meter has been inactive for several years, it is an

impact. Eric recommends that we ask the attorney because it may be in question. Mayor Buist would suggest a call to Utah League of Cities and Towns concerning impact fee regulations.

The Conrad's need to pay an impact fee for the new home that they built next to the old home. Paul asked about other meters like the Degasser's and Myers' and Nederhauser's. The impact fee has been assessed when the building permit is paid for. The question is whether the meters were put in before the impact fee was enacted, or they may grand-fathered in. It was always triggered with the building permit. There are potentially 3 of them that perhaps won't pay the impact fees. If there is a meter being used and it has been paid on, then there isn't additional impact. Eric will call the ULCT and more discussion will be in January.

Paul stated that the property owners who have an inactive meter want to activate the meter, and then they think they can build whenever after that point. Kelly stated that he doesn't think we should limit building once it is active, they should be able to build on it at any time. Kelly stated that we don't want to keep track of it. It doesn't matter if there is an active meter or not. Paul stated that the reason we did that is because it was not counted on the active list when we did the water study. Paul stated that there are 7 inactive meters that he knows about it. Paul Murray's meter has been paid on, so it is active and was counted. Jon stated that it is a little bit of a pinch now, but he suggests that we allow the 15 plus the other meters (inactive or active) to go on the system. From here on out, they will all count on the system. Jon motioned that meters inactive or active will not count in the 15 new hookups allowed.

Eric stated that Karole is correct anyone who has a service connection will be counted in the study. Bob stated that the new well is taking pressure off us. As we go forward, are we going to set a number every year? Council has stated that this will be the process. Jon withdrew his previous motion.

Mayor Buist added that we have a strict secondary water policy when it comes to building and it needs to be looked at. There are not enough secondary shares out there or people wanting to sell them to allow for people coming in to build. Jon reminded council that the water policy only goes into effect when the lot is subdivided or as properties are annexed in. Mayor Buist stated that the policy may need to be relaxed some. We will look at that policy going forward.

Kelly doesn't want anything tied to the yearly number we choose. Jon suggests that those existing meters don't count on any of these limits, any year. That they may get a building permit at any time. We recognize that they are out there. We will be able to collect the impact fees from the 15 new hookups that we do allow.

Kelly motioned that concerning the fifteen building permits that we allow for the upcoming year, existing meters, regardless of whether they are active meters or not, do not count against the 15 total permits allowed in any year. Bob seconded. No further discussion. Kelly, Karole, Greg, and Bob voted in favor, and Jon recused himself from the vote. Owners of the properties with existing meters may apply for a building permit at any time and are not counted in the limited 15 permits.

We will contact the property owners with the inactive meter because they don't have to activate the meter at this time.

### **Mayor Ed Buist**

Mayor Buist presented a change to the salary policy for full-time employees. Logan had asked to be paid for comp time and vacation that he had earned before he quit. Paul has called the League of Cities and Towns for verification, and we do need to pay that out. Paul stated that the change on the policy will address how much can be carried over, because that is what they can be paid for. Upon termination or retirement, up to 160 hours vacation and 120 comp hours will be paid out. Jon motioned to make the

recommended changes. Kelly asked if the payout is still required if an employee is terminated. Paul stated that they have earned those hours. Mayor Buist stated that the only thing that is lost is the sick leave. Kelly seconded the motion. No further discussion. Council voted in favor unanimously.

Karole presented an original document from 1872 from the US Government recognizing the incorporation of Mendon City. Daphne has gotten it framed and it will be hung in the city offices.

Jon motioned to adjourn. Greg seconded, and the meeting adjourned at 8:47pm.