

Mendon City Council Meeting
November 10th, 2016
Mendon City Hall & Library
15 N Main
Meeting began at 7:00 PM

In Attendance:

Mayor: Ed Buist

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

Clerk: Teena Young

Recorder: Paul Cressall

Treasurer: Daphne Carlson

Public Works Director: Kirk Taylor

City Engineer: Eric Dursteler

Public Attendance: Logan Tidrow, Seth Tait, Miles Jensen, Katelyn Buist, Diane Buist, Cassidy Buist, Tyler Lake, Rachelle Miller, Ridge Miller, Roger Miller, Riverlee Miller, Kaitlyn Taylor, Casey Sutherland, Dana Myers, Amber Francis, Lexie Myers, Amber Myers, Amelia Anderson, Lauri Anderson, Mark Anderson, Greta Anderson-White, Kaden Myers, Kimball Clark, Finnette Cook, Juliene Robins, Randy Robins, Ray Robins, Dale Robins, Becki Taylor.

Mayor Buist called the meeting to order at 7:10 PM with Boy Scout, Ray Robins, leading the Pledge of Allegiance and Bob Jepsen giving the Prayer.

Council reviewed the October 2016 minutes. No changes needed and the minutes were approved.

October 2016 bills were reviewed. Kelly Barrett motioned to approve the bills. Karole seconded the motion, and the bills were approved unanimously.

The Youth Council was sworn in by Mayor Buist: Kaden Myers as YC Mayor; Lexie Myers as Pro-Tem Mayor; Randy Robins as Historian; and Ridge Miller and Amelia Anderson as Council Members.

Youth Council Report

Kaden Myers reported that they had a zombie wars activity which was a fun event. Next year they will do it again earlier in the year. The Youth Council is working to plan the town sing-a-long, and they will be speaking with Katie Child to discuss how they can help with library events. The Youth Council will be decorating the station for Christmas and planning an upcoming service project.

City Attorney Discussion – Seth Tait and Miles Jensen – Olson and Hoggan

Mayor Buist stated that a few months ago the city's attorney, Bruce Jorgensen passed away. He is served the city well and is missed. Miles Jensen and Seth Tait were Bruce's colleagues and were present to discuss moving forward with attorney services from Olson and Hoggan (O&H). Seth stated that he had worked with Bruce and misses him very much. Seth thanked the council for having them here to be present for the dedication of the new building. As an introduction, Seth stated that O&H has nine attorneys in the firm, who share expertise. The firm has extensive experience in many areas as they specialize in many attributes. Mayor Buist stated that he loved to work with Bruce as he could call Bruce on his cell phone and get answers quickly. Seth stated that he will be the liaison between the city and the firm. He will answer calls quickly and if they don't have an answer, he will at least respond and then do some research. Mayor Buist stated that water law was a strength of Bruce's and with Mendon's history

we often are needing help there. Seth stated that O&H has extensive water law expertise. There is also a paralegal that specializes with just water law. Jon stated that we are working with the state on various projects and asked if the files from the past issues are available at the firm. Seth stated that, yes, they do have those records and they are familiar with this history. Mayor Buist thanked the attorneys for being present to the meeting.

Deputy Casey Sutherland

Mayor Buist stated that he has worked with Deputy Sutherland on a recent robbery at his residence and is grateful to have Deputy Sutherland serving the community. Deputy Sutherland stated that he would remind citizens that winter parking restrictions are in force. One question they get is why don't they give warnings, which they do initially, but when the snow comes they need to enforce the ordinance as they don't have time to do repeated warnings. Also, this is the time of year that criminals are looking for easy access to cars that are running or unlocked. Be mindful and lock up your vehicles. He wants the city to know he is available if there are any questions or issues. Bob stated that he noticed the black stripe on Sutherland's badge. Bob stated that we truly appreciate what you do for us and the valley, please be safe. Deputy Sutherland stated that there has been a huge outpouring of support from the community. Mayor Buist thanked Deputy Sutherland.

Municipal Code Online (MCO) – Kimball Clark

Kimball introduced MCO which is a software service that allows the city recorder or staff can manage the municipal code. The moment the ordinance is passed the code could be updated instantly. The software can generate ordinances and publish them live at the time the ordinances are adopted. The software allows for users to search code online with keywords. The biggest reason people use MCO is that the city staff can manage their own code without needing to get another company to manage the code. Mendon City has codified code from about 1980 that is referenceable with numbers, but we have other ordinances that need to be put into the code book and organized, this is called codification. They assign it a Table of Contents with a numbering system. This reconciles the ordinances within the code. Once that is online, then the city staff may update the code in the future. Mayor Buist has spoken with Nibley City officials, they use this software and are comfortable with the service. Bob stated that he is involved with P&Z. It is difficult for these volunteers to thumb through the pages to find the relevant ordinances. We are trying to go electronic, and this would give them more peace of mind where they can search the code and have it right there.

Karole asked about hyperlink capabilities, to which Kimball stated that code can link to the state code or other areas of code. Mayor Buist asked about cost. Kimball stated that the initial codification which would comprise of merging roughly 130 pages of ordinances to the already codified code from 1980 would be done at a rate of \$15 per page. The estimate would be \$2000 to get updated and current code. After that initial codification, there are two options for software usage. Option A – The code would be put online and searchable for an annual cost of \$500-\$700. Then any additional ordinances would be sent to MCO to input into the code for a cost of \$15 per page and it would take 1-2 weeks for these changes to be made. Option B would allow for city staff to update and manage the code. The cost would be \$1100 per year fixed for unlimited books for a 5-year agreement. This is a unique feature, where the minutes, other policies, and other books are also included. Karole asked about time for initial codification. Kimball stated that they will not take more than 2 months. Most other codification services can take several months or years. Other local cities that use MCO are Hyrum, Nibley, Hyde Park, No Logan, Smithfield. They are working with Providence and other cities also. Mayor Buist asked about assurances that the cost wouldn't double after the initial 5-year agreement. Kimball stated that the contract could

include verbiage that the cost will not increase more than 15% after the initial 5 years. Kimball can send the actual agreement to the city for consideration.

Finnette Cook – Petition for city water hookup

Finnette Cook stated that she knows there is a moratorium for water hookups in Mendon City but is petitioning Mendon City to allow her to hook onto city water. She stated that they have drilled 3 wells which have all gone dry. They have been trucking water to a storage tank for several years, but the well that they are getting that water from is being split into two ownerships. They are unsure of the future access to this source. Finnette stated that she knew that a city hookup has been granted to another county resident in the past. Last summer they spent \$25,000, and they were not able to get water. Mayor Buist stated that we understand the difficulty of finding water, and this is difficult because we understand the problem. Our concern from the city is several fold, number one is as the chief steward for the city we have to look out for what is best for the city. We have recently had a study that indicates that during the driest times of the year, we are already 3 hookups over the capability of our water system. Mayor Buist stated that we must protect the hookups that we have. Another thing that adds to the issue is that Finnette's property is not within the city limits. At this time hookups are not even being granted for properties within the city limits. As the chief steward for Mendon City, he doesn't feel like we can do that because our system is already stressed.

Jon stated that in the short term, it is not a possibility. In the long term, the council needs to spend some time and discuss about where we want to grow once water is secured. Jon added that the city doesn't build water lines. If in the future, if the line goes to her home it would need to be an 8" line. Jon added that at least through April, there is a moratorium. Mayor Buist stated that the other house in the county that hooked up to city water was allowed about 8 years ago. Finnette stated that it wasn't done with an 8" line.

Mayor Buist stated that the city is being proactive to getting water. We are drilling a test well right now, but it would be at least a year or maybe more before we have it into the system. Kelly stated that he agrees with Jon as we should look at areas that should be added to the city at some point. Mayor Buist stated it is with truth felt sorrow that we say that the city cannot allow a water hookup for Finnette at this time.

Kirk stated that the culinary water currently extends to the bottom home of the Gateway Subdivision. The installation of a 8 inch line would be expensive. Eric stated that for an 8" line the cost would be approx. \$50K for that distance. Jon stated that the moratorium is for 6 months because the state won't let them do longer. It will most likely be extended beyond April.

Fire Department

Fire Chief Olsen was not present. Kelly met with Ray last night. They spoke about how to implement a plan to replace vehicles. They are not yet ready to present the plan to council.

Board of Adjustments Member

Todd Gordon has a vacancy on the Board of Adjustments. Todd suggested Bob DeGasser. Council was in agreement and supportive of that proposed name.

Eric Dursteler- City Engineer

Kirk had Mike Leichty regrade the 380 E Swales. During the last rain storm it was flowing. The other neighbors will get their swales restored in the next several months.

Jon and Eric met with Will Atkin to discuss the Maple Bench Springs. We need to file three applications. One is on the Cobblestone well to add the new test well if all works out. The second is to take 52.16 acre feet from Cobblestone and transfer it to the new spring. Three is to submit a letter requesting the shareholder change and a letter from the city. Eric will draft the letter and start the applications. Jon stated that Mendon City has two filings on the Cobblestone Well, both are year-round filings. The shares purchased in the Mendon Central system are only avail from Apr 1 to Oct 30. The State is requiring that in order to use the spring water the full year we need additional water shares to cover the rest of the year. They calculated that transferring the 52 acre feet to the Maple Bench Spring would give us year-round water. The remaining filing of 1.5 second feet would be spread over the booster well, cobblestone well, and potentially the new well. We would be limited to 750 gal/min from these sources at one time.

Eric presented a conductivity map for the test well. They drilled down to 430 feet and hit a clay lens and it plugged up the drill a bit, so they stopped at 430 ft. There is a high productivity layer at 250 feet with very clean gravel. At about 285 it went back into clay. There are upper and lower aquifers which indicates that there is no contamination from the upper into the lower. We are going to try to tap into the deep aquifer. The highest flow potential is thought to be a little to the west by 10'-15'. Marcus Frandsen will be there to perforate the well soon. Eric stated that we do believe we have a good well. We will do some pump and quality tests. Jon stated that this is exciting but until we do some more testing we won't know.

Jon stated that we need to be aware that the neighbors are very concerned, but based on what this is showing, we should just be taking water from the lower aquifer. Will Atkins has already met with one of the neighbors and tested their well levels, they will again test after we begin to pump. If we were to impact those wells, then we would potentially have to provide water to those homes.

Kirk Taylor – Public Works Dir,

Kirk stated that Jeremy Carlson fixed the salt bay. There was an Eagle Scout Project at the cemetery, and they straightened 34 headstones. Everything has been winterized for the season.

The fridge at the food stand went out. The cost for repair will be \$1350 because it is old and parts are expensive. Karole suggested that we consider the cost of a new frig.

The streets are ready for winter. He is going to go through the salter engine and probably gear it down so that it spins slower to reduce wear. Bob stated that it has been a great year and the parks and cemetery all look great.

Jon asked about the grates for storm water. Kirk stated that we have them penciled in to have them blown out; he will follow up.

Council Reports:

Kelly Barrett

Kelly stated that we will see how we do through the winter for streets and may need to do a bit of chip seal. He and Ray are figuring out life cycle cost of vehicles and doing some calculations. The city owns 5 fire department vehicles, and they are considering replacement plans.

Mayor Buist asked Kelly to talk with him about next year's street budget to allow for the parking lot at the new building to be extended to meet the parking lot at the Mendon Station.

Jon Hardman

There are delinquent water accounts. Daphne stated that the people with contracts have been doing good. There were more on the list because of the end of summer overages as meters were read quarterly. Mayor Bust stated that if we are only reading quarterly it hits them with a large overage all at once and some people just can't handle that. He believes that it serves our citizens better to read them monthly during the month's that are hot. Jon asked if we are willing to hire someone short term to help with the readings during these months. Mayor Buist stated that it is something we need to do. Shutoffs will go out Monday. Daphne will update the list. Kirk stated that it works better to do Monday to Monday, and it can be defined as 5 business days.

Bob Jepsen

Bob stated that our turkey problem is getting worse, and he doesn't know if the DWR efforts are helping. DWR is coming in January and we can discuss this and the deer problem. For P&Z they are fully staffed with Amber Myers and Todd Shelton as new commissioners. Shawn is going to do some training with the tablets for P&Z.

Greg Taylor

Amber will be cleaning this building and will be doing a list of supplies. Karole stated that it will be busy to begin with but it might calm down, but you know what will be needed, then you can inform the council of any other needs. Greg stated that he can also provide carpet cleaning services. We do have replacement carpet tiles if needed. Mosquito abatement meeting was tonight, not much going on there except they are looking for land for a new building.

Karole Sorensen

Karole asked whether there are any other needs for parks. Kirk stated that we need a new water heater for the food stand. Questar Gas can't touch the water heater that's there because it is too old. Greg stated that we should replace it in the spring. Kirk stated that the new mower has worked great.

Karole wanted to thank Katie Child and the library board for their efforts to get the library going. Karole asked about a reporting on how the food stand did this year. Daphne will talk to the Schroeder's tomorrow and get the keys back also.

Mayor Buist

Mayor Buist is comfortable with the city staying with Olson and Hoggan as the city attorneys. They have our history and files. Jon added that if we hire someone else we would have to pay them to come up to speed. Olson and Hoggan have records of our easements as they have certified to the state that we have control of our water system in the past. Mayor Buist stated that most issues have been water issues. Greg is supportive of using Olson and Hoggan. Karole asked about the rates. Mayor Buist stated that they are

comparable. Kelly stated that without anyone else pursuing it, he is fine with working with them. Jon motioned to retain Olson and Hoggan as Mendon City Attorneys with Greg seconding the motion. The council approved unanimously.

In addressing the proposal from Municipal Code Online, Mayor Buist stated that his initial concern was that after the 5-year contract, the increase cost would increase too much, but this has been addressed. Paul stated that codification costs have come down recently. Bob stated that a benefit would be for P&Z to have ordinances in front of them, and it would make their job so much easier. Karole would like to see the quote before making the decision. Kelly would suggest not waiting until July 1 but to find money in the budget now. Council would like to get the quote in writing and discuss it further in January.

Most keys to this building have been distributed; he will get the rest of the keys out. There is a top master key carried by Ray Olsen, Mayor Buist, Greg, and Kirk. Deputy Sutherland may also be issued a top master key. Library staff won't have access to the city offices or archives.

Bob Jepsen was excused from the meeting at 9:08PM

Mayor Buist will be doing one-on-one visits for the end of the year. The City Christmas party is Dec 9th at 6:30 at the Elements. Mayor Buist thanked everyone and expressed excitement for the new building. The library opens on Nov 21.

Jon motioned to adjourn with Karole seconding. The meeting adjourned at 9:19PM.