

**MINUTES OF A REGULAR EPHRAIM CITY COUNCIL MEETING  
EPHRAIM CITY BUILDING  
5 S. MAIN  
WEDNESDAY, JANUARY 15, 2014  
7:00 PM**

The Ephraim City Council convened in a regular meeting on Wednesday, January 14, 2014, at 7:00 p.m. in the Ephraim City Council Room.

**MEMBERS PRESENT**

Richard Squire, Mayor  
John Scott, Mayor Pro Tem  
Tyler Alder  
Terry Lund  
Margie Anderson  
Alma Lund

**STAFF PRESENT**

Regan Bolli, City Manager  
Bryan Kimball, City Planner  
Leigh Ann Warnock, City Recorder  
Ron Rasmussen, Police Chief

**OTHERS IN ATTENDANCE**

See attached.

**WORK SESSION 6:15 PM**

Mayor Squire called the work session to order at 6:16 p.m.

The Council reviewed the Warrant Register and Agenda for the Regular Council Meeting.

Planner Bryan Kimball briefed the council on what would be coming up in the Gobblefield ditch discussion.

The Consolidated Fee Schedule resolution update will include the 5% power rate increase amounts.

Bryan Kimball briefed the Council on the Brad Peterson Conditional Use Permit. Mr. Peterson is requesting a license for a car repair shop just north of the 2<sup>nd</sup> Wife's House on Main Street. He previously received a recommendation of approval from the Planning Commission contingent upon installation of a fence. He did not do that because he felt he could keep all the cars inside the garage, out of view of Main Street. The amount of cars he may work on has now defaulted to the amount that will fit in the shed.

This CUP must be reviewed annually with business license renewal. A trial period of six months was discussed and he is okay with that. The main reason Mr. Peterson was not previously approved was because all the paperwork was not complete, but that has since been turned in. The Fire Safety Inspection has been approved. A fire truck cannot get in but there is a hydrant

immediately in front of the house and Chief Steck feels a hand line would reach to the back if needed. All hydrants meet the code for fire protection.

Bryan took pictures of all the cars he has there. He will go over that list and says any cars that are not Peterson's will be put in the garage. His personal cars will not be parked in the garage. Bryan feels Mr. Peterson has put in more effort than most people wanting a business and that he will be able to accomplish all that has been asked of him.

Councilmember Scott commented that other businesses have issues with this Conditional Use Permit. He feels it is going to be an eyesore as Main Street is developed. Regan Bolli is drafting a new ordinance that will cover zoning on Main Street and what kinds of businesses are allowed there; it will be more restrictive than other areas of town. Mr. Peterson has met all the conditions that satisfy current ordinance. Things can be added that would make it cost prohibitive, but he has done everything he has been asked to do. Councilmember Scott feels he has not met the screening fence requirement and doesn't intend to.

#### **ADJOURN**

*There being no further discussion, Councilmember John Scott moved the work meeting adjourn. The motion was seconded by Councilmember Terry Lund. The vote was unanimous. The motion carried.*

#### **REGULAR SESSION**

Mayor Squire called the meeting to order at 7:00 p.m. Councilmember Margie Anderson offered an opening prayer. Councilmember Alma Lund led the audience in the Pledge of Allegiance.

#### **APPROVAL OF WARRANT REGISTER**

The Council reviewed the Warrant Register of January 14, 2014.

*Councilmember Terry Lund moved to approve the warrant register of January 14, 2014 as presented. The motion was seconded by Councilmember Tyler Alder. A roll call vote was taken: voting "yes" Councilmembers Tyler Alder, Terry Lund, Margie Anderson, John Scott, and Alma Lund. The vote was unanimous. The motion carried.*

#### **APPROVAL OF MINUTES**

The Council reviewed the minutes of the January 2, 2014 City Council meeting.

*Councilmember John Scott moved to approve the minutes of the January 2, 2014 City Council meeting as presented. The motion was seconded by Councilmember Margie Anderson. A roll call vote was taken: voting "yes" Councilmembers Tyler Alder, Terry Lund, Margie Anderson, John Scott, and Alma Lund. The vote was unanimous. The motion carried.*

## **PUBLIC COMMENT**

**Rob Nelson** was present to suggest the council look into the idea of solar energy in our community. He would like to see the City offer rebates similar to those offered by Rocky Mountain Power. The City uses RMP lines to bring in power, but is not affiliated with them. Regan Bolli commented he would be happy to look into options but it would take a little time and work. Mayor Squire suggested seeing if Ted Olson would be willing to take it to UAMPS if we do not find anything on a city level.

**Jack Keisel** was present to solicit donations from the city for Boys' and Girls' State. Each year the American Legion sponsors students from the local high schools to participate in this activity. Mr. Keisel is also asking other municipalities for donations as well as businesses. They are trying to get funds together in order to figure out how many students may participate this year.

**Evelyn Chlarson** from the Pyramid newspaper announced that every year the Pyramid runs a Best of Sanpete Contest. The voting for this contest is reader based, and Ephraim City took several first places, including Best Festival, Best Downtown and Best Place to Live. Evelyn presented the Council with a plaque awarding Ephraim City as Best City to Live.

## **DISUCSSION OF UPCOMING LEGISLATIVE SESSION**

Transportation funding is a topic which concerns Ephraim. On average two-thirds of transportation costs are paid out of the general fund. This could become more problematic in the future. One proposal is a local gas tax option for road projects. The biggest concern with that is practicality. The tax would not be paid at the pump; it would be collected at the distribution level. The second proposal is an option of changing the way we currently assess taxes on gasoline, splitting the 24.5% we currently charge for state taxes in half. The state would use their portion for roads, and the other would be considered sales tax rather than a flat gasoline tax. This would be indexed over time and never adjusting for inflation. In recent years, the price of gasoline has gone up, vehicles are more fuel efficient, less has been collected by way of taxes, but we are maintaining more and more roads. More proposals are anticipated.

One other issue is a bill that has been proposed that would impact the way business licenses are handled by municipalities. The bill would say that any business with revenues under \$250,000 would not be required to apply for a license. A city could still require one, but not charge. They are trying to make it more business-friendly for small businesses. Regan commented the majority of our businesses would fall under that stipulation. The revenue Ephraim brings in now is very small; about \$10-\$12,000 a year. Most of the cost goes to staff time for doing that. We want to be welcoming of businesses and reduce the red tape as much as we can.

The State Legislative Website is great. The public can listen to the Legislature live and search for specific points.

## **GOBBLEFIELD DITCH**

Garrick Wilden of Sanpete County stated funds were filed for, communities came together, and the county administered the funds for this project. For Ephraim there was the large debris basin that was able to be cleaned. A 25% match was required, made by taking sediment and not having to haul it to a landfill. Some head gates were installed along the Gobblefield ditch, banks were built up, and an old diversion behind the turkey sheds with a divider that collected debris was removed. The total cost for the project was \$144,790.61. Everything possible was done by the county to make up the match money. The remainder was split between Gunnison, Manti, Ephraim and a few irrigation companies. Ephraim's match came to \$2,000. Mayor Squire feels the project was a win/win situation.

## **HONOR FLIGHT**

Robert Franson was present to discuss the Panoramaland Honor Flight program which sends World War II veterans to Washington DC to visit all the memorials. ABC 4's web page has a report of local Utah Honor Flight recipients. There are still 14,000 WWII vets still living in Utah, but they are dying rapidly. Those working for the program have begun concerted efforts to find donors that will help them fly the veterans back east. Their purpose for tonight's visit is to help identify veterans in our community. He asked the Council to encourage them to go online and fill out applications and get them turned in. They should be sent to Richfield, not the national address.

Funding is available to send four veterans this spring. The trip includes four days to the National Mall and visits to all the monuments. There is also a nighttime lighted ceremony that is pretty impressive.

## **CONDITIONAL USE PERMIT FOR BRAD PETERSON**

The last time Mr. Peterson was here he just needed a notarized document from the landlord. That has been obtained and turned into the City. Mr. Peterson feels he will be able to meet the conditions set by Planning and Zoning. He has provided proof of registration for all of his personal cars located on the property. The cars that are not his will be parked in the garage. Bryan Kimball sees nothing to make him doubt that.

One of the conditions from the Planning Commission was that he can't exceed the number of cars originally applied for. Every car must be enclosed either in the garage or by a fence. The default is he can only work on the number of cars that can be enclosed.

The original agreement was to install a fence. That fence is not in; subsequent to that he feels he can keep cars inside the garage and did not go for the fence. Councilmember Anderson asked about approved parking on a hard surface. He said there is quite a bit of cement for parking. Bryan feels there is adequate concrete to handle parking for the business.

Fire Chief Steck says there is access in case of fire. He would not be able to get a truck in, but could provide fire protection by using hand lines from the hydrant and pulling a vehicle up to the granary.

Councilmember Scott asked if he had insurance for the business. He does not at this time, but doesn't want to get any until he knows the business is going to be approved.

Mr. Peterson is planning to move his business in the summer. Councilmember Scott asked why he would want to go to all the trouble and expense for a business in a location that limits projects, if he planning to move in 4-6 months. Regan suggested the proposal could state that if the business continues beyond July, a fence would be required.

Mr. Peterson has eight personal vehicles parked outside. The biggest issue for the Council is that it is located right downtown and we are working on a Main Street Beautification project.

Chief Rasmussen stated if the CUP is passed, and he works on a car and spills gas, neighbors call. The doors are open all the time. His concern is if there isn't a fence, what will guarantee those doors will stay closed.

The Council does not feel the Planning & Zoning conditions have been met.

*Councilmember John Scott moved to approve the Conditional Use Permit for Brad Peterson contingent upon the installation of a sight-obscuring fence before the second Council Meeting in February, otherwise approval will be revoked. The motion was seconded by Councilmember Alma Lund. A roll call vote was taken. Voting "yes" Councilmembers John Scott, Terry Lund, Margie Anderson, and Alma Lund. Voting "no" Councilmember Tyler Alder. The motion carried 4-1.*

When asked what types of fence would be acceptable, the Council said rock walls, vinyl, chain link with slats, or wood.

## **RESOLUTION ECR 14-01, CONSOLIDATED FEE SCHEDULE**

Regan Bolli explained there were some items that needed to be changed in the resolution. He clarified that on page three, the library used to fax for the public, but they no longer have a fax machine. The library also eliminated the fee for Manti and Mt. Pleasant residents to obtain a library card as part of their collaboration efforts with those libraries. The interlibrary loan amount has increased to \$3.00. Pavilion reservations at the parks used to be \$15 for first 3 hours and \$7 per hour thereafter; now the fee is a flat \$7 per hour.

There were major changes on power rate amounts due to the 5% increase that was previously approved by the Council. There was an average 5% increase overall. Off-peak demand service was removed from the resolution.

*Councilmember Terry Lund moved to adopt ECR 14-01, Amendment to the Consolidated Fee Schedule. The motion was seconded by Councilmember Tyler Alder. A roll call vote was taken. Voting "yes" Councilmembers John Scott, Terry Lund, Margie Anderson, Tyler Alder and Alma Lund. The motion was unanimous. The motion carried.*

## **DISCUSSION REGARDING CHANGE OF COUNCIL MEETING TIMES**

After preliminary discussion regarding Council Meeting times, it was the consensus of the Council the first and third Wednesdays would remain the same but meeting times would change as follows:

Work Session	5:30 p.m.
Regular Session	6:00 p.m.

## **COUNCIL REPORTS AND APPOINTMENTS**

### **Chief Rasmussen**

**Main Street** – there has been some concern regarding the amount of accidents occurring at the intersection on Main Street and Center. Regan has written a letter to the Department of Transportation requesting a study for an additional traffic light. There is significantly increased traffic and we need to take additional measures to keep people safe. There have been six accidents in the last two years and many close calls.

### **Bryan Kimball**

**Sewer** – we started discharging the sewer on Friday in accordance with a permit from the state. We are required to take two samples per week which will be taken to Provo for testing to ensure we are in compliance. Every time it is tested, it has come out cleaner than the river and ditch water. It is an aggressive monitoring program but those are the conditions of the permit.

**Water Pipe** – there was a frozen water pipe that's not frozen any more. It looks like the obstruction broke loose Saturday afternoon. We seem to be in good shape. Chad opened a valve hoping to get things moving and it seems to have worked well.

### **Regan Bolli**

**Roads** – the life of a road is 20 years. Ours were built in 1996. We are coming to the end of that life. The Public Works Department has done a good job maintaining, but in the near future this Council will have to decide what to do with that. Chad, Bryan and Regan are putting together a priority plan for the roads and what will need to be done in the near future. Be prepared for those coming up in a future Council Meeting.

**Chad Parry** - Regan submitted Chad's name for the Outstanding Service Award for Water Operator. Chad was chosen to receive the award over all other applicants in the state. There will be a banquet in St. George where the award will be presented. Regan will be attending and one other person from the department will be there.

### **Mayor Squire**

**Economic Development** – we have been trying to get the board going for some time. It is hard to get members. With approval, we now have enough members to get started. Mayor Squire presented the following names for approval: Dave Parrish, Travis Good, and as alternate, Marvin Dodge.

*Councilmember Terry Lund moved to approve Dave Parrish, Travis Good, and Marvin Dodge as new Economic Development Board Members. The motion was seconded by Councilmember Margie Anderson. A roll call vote was taken. The motion was unanimous. The motion carried.*

**John Scott**

**Planning and Zoning** – we have created a master plan for the roads prioritizing four additional roads for the future. Two public hearings have been scheduled and we are hoping to run an article in the newspaper. The cost is high. If we are going to expand as a city and meet the needs of the future, we have to make some priorities on our needs now. Some of these roads impact residents. Bryan will get a write-up for the newsletter and the newspaper.

**Alma Lund**

**Fire Department** – talked to Fire Chief and he mentioned a five year plan in which they will be looking at buying a bigger, taller truck. They want to remodel the west fire station and that would require raising the roof and the door on the north bay. The fire district should cover the cost of the new engine.

**Utilities Board** – Ted Olson explained that there is a lawsuit against IPA filed by the dairy cattleman. They had thought that was over with, but it backfired and has gone back to court. Apparently cows are being killed by an electrical charge traveling through the soil.

**Terry Lund**

**Library** – we have been talking about parking improvements at the library. A couple of spots were taken away from them and Zion’s has told them patrons may park in their parking lot. They are also wondering about getting some parking along the alley. A five year plan has been put together by the Board.

**Cemetery** – the Board is talking about planting new trees and where to position those. They will wait until spring and don’t yet know a cost. They are still deciding who will be the chair person.

**Margie Anderson**

**YCC** – Margie met with the YCC; they are planning on attending the legislative day. They have a larger council than in the past so there will be extra kids attending.

**Tyler Alder**

**Rec Department** – the Board met to discuss online registration. Manti and Mt. Pleasant want to do that. The ice rink has been a huge success. We need to look at expanding that to make it bigger. People are coming from all over the county. The splash pad is estimated to be finished May 15<sup>th</sup>. It will go through 30,000 gallons a day. The water will be recycled to sprinkle the fields west of town.

**ADJOURN**

*There being no further business to come before the Council for consideration, Councilmember Terry Lund moved to adjourn. The motion was seconded by Councilmember Tyler Alder. The vote was unanimous. The motion carried.*

The next meeting is scheduled to be held on February 5, 2014, starting at 6:00 p.m. in the Ephraim City Council room.

**MINUTES APPROVED:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Date