

**MINUTES OF A REGULAR EPHRAIM
CITY COUNCIL MEETING
EPHRAIM CITY BUILDING
5 S. MAIN, EPHRAIM, UTAH
WEDNESDAY, JULY 16, 2014
6:00 PM**

MEMBERS PRESENT

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

STAFF PRESENT

Brant Hanson, City Manager
Bryan Kimball, City Planner
Ron Rasmussen, Police Chief
Chad Parry, Public Works Director

MEMBERS EXCUSED

Alma Lund

STAFF EXCUSED

Leigh Ann Warnock, Recorder

OTHERS IN ATTENDANCE

See attached.

WORK SESSION

The Ephraim City Council convened in a work meeting on Wednesday, July 16, 2014, in the City Council Room. Mayor Squire called the meeting to order at 5:30 p.m.

DISCUSSION OF AMPHITHEATER CONSTRUCTION

Brant Hanson introduced the topic of the Amphitheater, asking the Council for approval to move forward with construction if that is their wish, and a decision regarding the direction they want to go. The grant money must be spent by January 1st.

Mr. Hanson presented three options: 1. fill in the hole, put the amphitheater at grade and have a small incline. 2. Don't fill in the hole, and have sump pumps pumping the water out to the park area. 3. Not move forward with the amphitheater at all and spend the money on other areas of the park.

Bryan Kimball commented the main concerns are drainage and maintenance. When considering ways to lessen the grade, they came up with knocking the top of the hill down and filling in the hole at the bottom. "By knocking top off 8' vertically and filling the hole in by the same amount, the slope is sufficiently reduced."

Dale Cox had originally agreed to donate the labor if concrete is laid. But that was two years ago, and Bryan can check to see if that offer still stands. Craig Oberg has donated a cover for the amphitheater, and that is sitting in the yard right now.

The total amount of the grant approved by CIB is \$130,000. There is a \$28,000 cash match required and \$65,000 in-kind work. The amphitheater would be used for shows, concerts, and other types of entertainment. Chad Parry and Bryan Kimball discussed eventually enlarging the stage and building storage units behind it.

Chad commented they would like to smooth everything out and clean it up and put the skating rink just east of the road to make it more of a permanent structure, but the area would still be usable for a skate park or basketball court.

The rough estimate on cost for the dirt work is \$60,000 and would be hired out. Bryan would like to have that done by the end of August. It is anticipated the project will stay within the original budget. A bid could be put in the paper within the next two weeks.

Chad talked to the Council about getting a new well for the city. Each time a house is built, it takes more water, and the springs are producing less than they used to. A splash pad has been added as will more grass that will need watering. The City has water rights, but a well is needed to put them in. Chad wants to avoid setting water restrictions. Brant asked about using the water from the splash pad to water the grass at the park. Chad responded that some cities have done that, but the Health Department has put restrictions on it. It is still an option, but it is getting harder to do that. Chad will look into it further. A fence will also be needed in the future.

AGENDA FORMATS

Brant pointed out there were two meeting agenda formats in the packet. He and the City Recorder have been working on producing an agenda with more information included so the public can see what the Council will be talking about, which will also help with transparency. A synopsis or summary will appear beneath each topic, helping the public decide if they would like to attend the meeting or voice their opinions. This will be discussed more at the next Council Meeting.

WARRANT REGISTER

Councilmember Terry Lund pointed out there was a duplicate entry on the warrant register. Finance Director, Steve Widmer, said he will check into that before checks are released.

ADJOURN

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

REGULAR SESSION

The Ephraim City Council convened in a regular council meeting on Wednesday, July 16, 2014, in the Ephraim City Council Room. Mayor Squire called the meeting to order at 6:00 p.m. Councilmember Tyler Alder offered an opening prayer. Councilmember Margie Anderson led the audience in the Pledge of Allegiance.

APPROVAL OF WARRANT REGISTER

The Council reviewed the Warrant Register of July 15, 2014.

Councilmember John Scott moved to approve the warrant register of July 15, 2014 with the duplicate entry removed. The motion was seconded by Councilmember Margie Anderson. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

APPROVAL OF MINUTES

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

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

PUBLIC COMMENT

City Manager Brant Hanson clarified some things regarding the Public Comment section of Council meetings. If an item is not on the agenda, it cannot be discussed in most states; however, Utah is a little different. Brant met with David Church, who is a municipal attorney working for the Utah League of Cities and Towns, and learned that in Utah, items can be discussed that are not on the agenda, but a decision cannot be made. If the public wishes to make public comment or to make a comment on an agenda item, the Council may decide whether or not to respond, but no action can be taken.

Tom Lund commented he noticed that fires have been restricted, meaning no fire of any type may be started without a permit, including a fire in a fire pit. “I took offense to it. I’ve led 830 soldiers in battle; I feel qualified to build a small fire at my residence and let my grandkids roast a marshmallow if they like without having the city fire marshal involved in it.” Mr. Lund feels that individual responsibilities as citizens are under attack by the federal government, and the local government should not feel the need to govern everything as well. He asked that the Council revisit this issue, and on any future business, to ask what affect this will have on the individual as far as their responsibilities before making decisions. “Government should not do everything for everybody.” He feels the Council owes the citizens an apology for taking that responsibility away from them and should rescind their decision.

Mayor Squire thanked Mr. Lund for his comments and said the topic was on the agenda for discussion tonight.

Abraham Hundepool shared his view that as Ephraim citizens expect responsibility from the Council, so should the Council expect responsibility from the Youth City Council. He feels there should be a mandatory attendance percentage set, and members not participating at that level should not be allowed to participate in activities. In addition the YCC should be required to attend Regular City Council meetings on a quarterly basis to report what they are doing.

Councilmember Margie Anderson commented the YCC doesn't just have activities. They do a lot of community service. There is someone different in charge each time for leadership and they all gain the experience of organizing an event and involving their peers. At their next meeting they will elect a Mayor and a Mayor pro tem. The YCC will be sworn in at City Council Meeting on the 6th.

Mr. Hundepool also expressed the need for a Council representative for the Senior Citizen Board meetings. In the past, when he was the president, the mayor represented the Council at the meetings. Mayor Squire agreed that at this point there is not a representative, but the oversight will be taken care of.

Mr. Hundepool also pointed out that if there is to be a change regarding a response from the Council during the Public Comment Period, the form should be changed to reflect that.

REPORT OF GIRLS STATE

Sydney Wathen and Emma Stevens, two of the girls chosen to attend Girls' State, were present to thank the Council for funds helping to make it possible for them to go. They felt it was a good experience; they learned a lot, met a lot of new people, and had a lot of fun. Specifically, they learned about government and about the country and how it is run. They learned about Parliamentary Procedure and they ran for office in different areas. They felt it was beneficial for them to learn more responsibility and understand the rolls played by government leaders.

Councilmember John Scott asked them to share one thing they learned in terms of life skills that they could take with them for the rest of their lives. Both commented that learning how to meet new people and make friends and get along were very important life skills.

Mayor Squire encouraged the girls to take with them the things that they have learned as they move out into the world and establish permanent residences, and become involved in those communities by serving on committees or participating in fundraising activities or whatever it may be.

REPORT OF BOYS STATE

Jace Cox and Thomas Allred expressed their gratitude for the opportunity to attend Boys State and thanked the Council for their donation and support. They learned how important it is to become more involved in local government. They felt the experience gave them a great

opportunity to meet people and really learn how communities work. They also ran for office, and felt it was an educational experience, and nice to see how little things that happen in life are so affected by what a City Council does.

The life skill they said they would be most likely to take with them was their new-found ability to meet new people they have never met before and get to know them and make a connection.

SAND VOLLEYBALL COURTS GRAND OPENING/RIBBON CUTTING

Jace Cox thanked the City Council for getting the project to this point. He is working on setting a date for the grand opening and ribbon cutting, and was thinking about the 26th of July. It was pointed out that that is really close and it is a holiday weekend. A lot of the people who helped with the project may be out of town. The Council told him to pick a date that works best for him and let them know. He bought a couple of volleyballs and said the first game will involve the City Council. He will set a date and let them know. Jace said he will be sending invitations to all the people who donated supplies and to the scouts and everyone else who helped with the project.

Councilmember John Scott mentioned Jace had about 15 youth helping him smooth out the sand and that he has been a great organizer. He also pointed out that this project has come in several thousand dollars under budget and that is a great tribute to Jace and the courts are being used. They are a great feature of that park.

RESOLUTION ECR 14-14 AUTHORIZING DISPOSAL OF CITY PROPERTY

The City has some equipment to be disposed of. There are some older vehicles and a list of other items in the packet for reference. These items have been replaced or are no longer in use and will be put out for public bid. There will be a minimum amount for the vehicles.

Abraham Hundepool pointed out that the number 14-14 was used on another resolution at the last Council meeting. Brant commented that that resolution did not pass, so the number was reused.

Councilmember John Scott moved to approve ECR 14-14, a resolution authorizing disposal of city property. The motion was seconded by Councilmember Margie Anderson. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

After further discussion it was determined that since there was a public hearing attached to ECR 14-14 of the previous meeting, the number should not be reused, and the Disposal of City Property resolution will be renumbered as ECR 14-17.

Councilmember Margie Anderson moved to change the number of the Disposal of City Property resolution from ECR 14-14 to ECR 14-17. The motion was seconded by Councilmember Terry Lund. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

ECR 14-15 AUTHORIZING AMENDMENT TO FIREWORKS RESOLUTION

The Council discussed amending the previous resolution banning fireworks after the 6th of July to allow fireworks two days before and two days after the 24th. Chief Kerry Steck is in opposition due to dry conditions and high levels of danger. There has not been significant precipitation. Police Chief Ron Rasmussen said that people are liable if something burns down due to negligent use of fireworks whether they are banned or not. Brant Hanson commented that as a Council, we want the residents to be able to celebrate and enjoy the 24th of July; it is an important date for the state. There were no incidents on the 4th, and it is the recommendation of the staff that the ban be lifted.

Councilmember Margie Anderson moved to approve ECR 14-15 lifting the ban on fireworks two days before and two days after the 24th of July. The motion was seconded by Councilmember John Scott. A roll call vote was taken: voting “yes” Councilmembers Margie Anderson and John Scott. Voting “no” Councilmembers Tyler Alder and Terry Lund. Mayor Squire voted “yes.” The motion carried 3-2.

ECR 14-16 AUTHORIZING AMENDMENT TO OPEN BURN RESOLUTION

A resolution was previously passed banning any open burning. Mr. Tom Lund spoke to that during the Public Comment Period. Councilmember Terry Lund requested the Council give this topic a second look. Brant Hanson commented a resolution has been prepared in order for the Council to reconsider the ban. Police Chief Ron Rasmussen feels Tom makes a good point and that a fire in an improved fire pit or BBQ pit is different from burning a pile of wood out in the open. Propane fire pits are also contained. He feels the Council should leave some responsibility and accountability to the citizens. The Forest Service has not put a ban on pit fires.

Councilmember Terry Lund moved to approve ECR 14-16 amending the previous ban on open burning to allow pit fires. The motion was seconded by Councilmember John Scott. A roll call vote was taken: voting “yes” Councilmembers Margie Anderson, Terry Lund, and John Scott. Voting “no” Councilmember Tyler Alder. The motion carried 3-1.

UNFINISHED BUSINESS, COUNCIL REPORTS AND APPOINTMENTS

Brant Hanson

Special Council Meeting – a special work meeting has been scheduled for July 30th at 6:00 p.m. to award a bid for the airport project. We need to issue a notice to proceed by August 1st. We will be able to borrow next year’s entitlement from Beaver to take care of the hump in the runway and get everything done at once. Next year our money will go to Beaver.

Brant is going looking into liability issues of providing a courtesy car at the airport. If we have all the amenities, more people will stop here rather than flying past to the Richfield Airport.

A Rec Board Meeting will be held that evening at 5:00 p.m.

Senior Citizen Board – Brant spoke with Carolyn Tidwell and she would like to see some representation from the Council at their Board Meetings. Brant commented he would like to see all entities receiving funds from the City come to report on a semi-annual or quarterly basis at Council Meeting.

Jazz Festival – a Jazz Festival is being held this weekend at 5:00 P.M. Brant invited the public to come out and support that event. He has some tickets available for that.

Bryan Kimball

Sewer Project – the date of July 30th has been set to begin. The notice will be in the paper this week. We will advertise for bids state-wide. Bids are due in mid-August.

Splash Pad – Bryan has received nothing but positive comments about the splash pad. They are working on getting some permanent signs placed out there. Big T had said they would be willing to donate and Bryan will connect with them on that. Some repairs were done this last week and a 4' black fence will be installed with three openings.

Main Street – We need to communicate the status of the project to the residents; they are getting anxious. Brant talked about getting an intern from the college to do PR work for the City. Margie Anderson commented the office staff could use some intern help as well and offered to get information for that.

Chief Rasmussen

Officer Jenkins – Ron explained to the Council that Officer Nolan Jenkins had broken his wrist several weeks ago. He is healing well and has been released from light duty.

Margie Anderson

ECHA – Margie spoke with Lorna Olson, and she said they are almost done putting in the infrastructure at the Hidden Creek Subdivision. They will be ready to start building this fall. The last two homes in Cottonwood have been started and interest has been shown in both homes. They should be finished by the end of October.

John Scott

Planning & Zoning – the P&Z Roads Master Plan Map has passed. That will come to Council for approval at the next meeting.

ADJOURN

There being no further business to come before the Council for consideration, Councilmember Tyler Alder moved the Regular Council Meeting adjourn. The motion was seconded by Councilmember Margie Anderson. The vote was unanimous. The motion carried.

A special meeting is scheduled to be held on July 30, 2014, starting at 6:00 p.m. in the Ephraim City Council room.

MINUTES APPROVED:

Mayor

Date

ATTEST:

City Recorder

Date