

**MINUTES OF AN EPHRAIM CITY
WORK/COUNCIL MEETING
EPHRAIM CITY BUILDING
5 S. MAIN, EPHRAIM CITY, UTAH
WEDNESDAY, AUGUST 6, 2014
5:30 PM**

MEMBERS PRESENT

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

STAFF PRESENT

Brant Hanson, City Manager
Leigh Ann Warnock, City Recorder
Steve Widmer, Financial Director

OTHERS IN ATTENDANCE

See attached.

STAFF EXCUSED

Bryan Kimball, Planner
Ron Rasmussen, Police Chief

WORK SESSION

The Ephraim City Council convened in a work session on Wednesday, August 6, 2014, in the City Council Room. Mayor Squire called the meeting to order at 5:30 p.m.

DISCUSSION – AGENDA FORMAT

Brant Hanson and the Council discussed the proposed new agenda format vs. the old one-page agenda. The new format gives a lot more information to the public regarding what is happening in the meeting and helps them decide whether they want to attend. It also makes the meetings more transparent. Some of the Council felt the one-page format was easier to read. The final decision was to go with the new format.

APPRECIATION PICNIC

Dates were discussed for the Employee/Volunteer Appreciation Picnic in September. The picnic will be held on September 8th at the Canyon View Park at 6:00 p.m.

CHRISTMAS PARTY

The Employee Christmas Party will be held December 1st at 6:00 p.m. at the Co-op.

AGENDA REVIEW

Questions regarding charges on Warrant Register

- The City pays employees for the use of personal cell phones as well as for a Verizon bill. Steve explained that some employees have opted to use their personal phones for work purposes, and to be available on that phone around the clock. They are paid \$35

per month. Other employees use city owned phones and Verizon is paid for those lines.

- EDCUtah – Brant and Mayor Squire attended a conference held by the Economic Development Corporation of Utah to learn how they can help Ephraim with future economic development. A \$1,500 per year fee will be paid to them for, what the Mayor feels, are a great deal of beneficial services.
- Attorney fees for legal services for Justice Court. These are to cover both the Prosecutor and the Defender.
- Rec. PR for Mel Jacobson. He did some work for the Rec Department.

Tractor Supply

There are two agreements in the packet. They would like to close on Friday and then they will be ready to start work immediately.

Development Agreements have not come before the Council in the past, but Brant has determined that is something that will change, as agreements should come before the Council to review and to be appraised of what is happening.

The Agreements outline improvements to be made on 800 North, how much money will be put into escrow for future development, etc. The City is not obligated to do anything; the agreements are in place to ensure the businesses fulfill their obligations.

The Tractor Supply agreement will be amended to simplify the language. The content of the agreement will not be altered. Brant recommends a motion during the regular session allowing the Mayor to sign the document tonight and include the new language tomorrow. Dave Church will review the agreements as well.

ADJOURN

There being no further discussion, Councilmember Margie Anderson 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, August 6, 2014, in the Ephraim City Council Room. Mayor Squire called the meeting to order at 6:00 p.m. Councilmember Alma Lund offered an opening prayer. Councilmember Terry Lund led the audience in the Pledge of Allegiance.

PUBLIC COMMENT

Carol Gunderson, Jennifer Jorgenson and Sandra Lanier were present to comment on the appearance of Main Street. They compared the appearance of Manti's Main Street with Ephraim's and asked if the City could require those with property on Main Street to maintain their yards and properties to certain standards. They mentioned several homes and businesses that are an embarrassment to them and to the City. They also commented that it is not just Main Street that is the problem, but all throughout the city; however, Main Street is the first thing that people see coming into town, especially the Snow College students and their families. They suggested assessing fines to property owners who do not beautify their yards in a specified amount of time and stressed the importance of Main Street reflecting the kind of city people want to live in.

City Manager Brant Hanson pointed out that legal issues are encountered when a city starts discussing the assessment of fines. Code enforcement is very tricky when trying to get owners to comply with weeds, etc. He will meet with the Mayor to discuss what can be done about properties owned by private citizens, but pointed out that the most effective way to see changes take place is to have neighborhood organizations, offering assistance and support, run by residents rather than the City.

They also commented the trees need to be replaced in the down town area with flowers and other things added to beautify the City. Mayor Squire explained the delay with the Main Street Beautification Project, including trees being planted, due to UDOT issues and having to re-bid. He assured them that trees are going back in, as well as planter boxes, new sidewalks and underground power lines.

Sandra Lanier expressed her concern regarding the abandoned hotel at approximately 350 N on Main Street. There are days when all of those doors are closed and days they are all open. Not only is it unsightly, but it is a dangerous place for the city. Mayor Squire commented the Council is on board with the motel issue. They are doing all they can to get things worked out with the County and the owners of the property. Brant mentioned the City may be able to board up all the windows and doors and put a lien on the property for costs in order to make it safe.

Abraham Hundepool commented he is getting tired of the power outages. It affects a lot of businesses and residents in the city, and there is a financial impact to those people. "You need to become more aggressive with Rocky Mountain Power. I have been hearing for the last six years that you are going to get them to fix it. It is time for you to become more assertive and make them do that."

Brant agreed that the conditions imposed by Rocky Mountain Power are unacceptable. He has reached out to the Utah League of Cities and Towns since Rocky Mountain is linked to the legislature, and the Government Affairs Official with UAMPS has reached out to Mt. Pleasant, Fairview and Manti. A meeting with all these entities is being scheduled with Rocky Mountain and it is felt that with everyone involved, it is more like Rocky Mountain will respond. He mentioned that EDCUtah is helping as well, and a way will be found to get this problem resolved.

APPROVAL OF WARRANT REGISTER

The Council reviewed the Warrant Register of August 5, 2014.

Councilmember Tyler Alder moved to approve the warrant register of August 5, 2014 as presented. The motion was seconded by Councilmember Alma Lund. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Alma Lund, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

APPROVAL OF MINUTES

The Council reviewed the minutes of the July 16, 2014 City Council meeting.

Councilmember Terry Lund moved to approve the minutes of the July 16, 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, Alma Lund, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

APPROVAL OF MINUTES

The Council reviewed the minutes of the July 30, 2014 Special City Council meeting.

Councilmember Margie Anderson moved to approve the minutes of the July 30, 2014 Special City Council meeting as presented. The motion was seconded by Councilmember Terry Lund. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Alma Lund, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

APPROVAL OF DEVELOPMENT AGREEMENTS FOR THE CONSTRUCTION OF 800 NORTH TO INCLUDE TRACTOR SUPPLY AND THE UTAH FEDERAL CREDIT UNION

Tractor Supply is ready to start construction on Friday and the City is excited to have them in Utah. The attorney has reviewed and approved the development agreement. It is straight forward with no obligations from the City at this time.

A representative from the Engineering firm, Jones and DeMille, explained “one little twist” with the project. They met with UDOT and they will be combining their road expansion with curb and sidewalks allowing them to include the sidewalks, curb and gutter in their contract. An escrow account is already in place requiring that work to be done; now UDOT will complete those items as part of that project and will be given that escrow money up front, saving the City time as well as survey and testing fees.

Abraham Hundepool commented that in the discussions in Planning & Zoning meetings, the Credit Union was never mentioned as part of this project. The engineer explained that in order to construct 800 north, participation by the Credit Union is required as their property will be affected. Not much has been said about them to this point because they have been on board from the beginning, but are now involved in the agreement process. Staff recommends approval and authorization for the Mayor to sign the agreements, including amendments.

Councilmember Alma Lund moved to approve the development agreement of the construction of 800 N to include Tractor Supply and the Utah Federal Credit Union, and to authorize the Mayor to sign the agreements with the amendments that will be added tomorrow. The motion was seconded by Councilmember John Scott. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Alma Lund, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

JONES AND DEMILLE ENGINEERING – UPDATE ON THE SEWER TREATMENT EXPANSION PROJECT AND APPROVAL OF THE ENGINEERING CONTRACT

Representatives from Jones and DeMille were present to update the Council on the Sewer Treatment Expansion Project. A mandatory pre-bid meeting was held last Wednesday and eight contractors were represented there, ensuring a good, competitive bid process. The bid opening will be held on the 14th at City Hall. Groundwater has been a concern at the project site, which has delayed things a bit; it has now reached the lowest levels of the summer.

A pre-loan closing conference call is scheduled for the 18th of August, anticipating that everything will be ready to close on the 28th. The goal is to start construction the first of September.

The engineers reviewed a memo in the packet summarizing the project’s scope increase, and with that, the budget increase they are requesting. The project started in 2011 with what was thought was a predetermined course of action. There was some unfinished business that had to take place which resulted in an investigation into the capital facility plan. The new plan includes some environment coordination and approvals and the demographics required updating due to a spike in college enrollment. Costs had to be updated because of the date of the document.

The State had issued a letter declaring discharge of treated wastewater into the Sanpitch River would not be allowed. “We knew that was not true and that there was a period of time discharge could be made into the river.” The State recognized their error and amended the Capital Facilities Plan to include that discharge to the river. The State authorized a grant for \$30,000 to complete the Capital Facilities Plan amendment to include the new alternative combined discharge and land application giving the City an opportunity to unload treated wastewater from December 1st to February 28th.

Jones and Demille assisted the City through that process which included surveying and wetlands reports. A discharge permit was obtained through EPA and the Division of Water Quality. This took a great deal of time and pushed the City to acquire land on which to place

the facilities. “This work resulted in an increase in scope from what was originally costed out, and a lot more time.”

The original budget had been overrun by \$100,000. They put together a projected amount of effort it would take to complete project and put it out to bid, providing City with an amended budget.

A total budget for design of engineering services shows a \$108,624 increase. They realize that is a big number; however, there is comfort in knowing that in the approved alternative they are moving forward with, the budget for engineering services at \$194,000 is in line with what the Division of Water Quality would expect. Jones and DeMille is requesting less than what is included in the project budget and less than what the State approved. That same amount was also approved by the City Council with a decision to move forward with the project.

They are anxious to move forward. Despite taking longer than anticipated, they feel it is in the City’s best interest to do so, as this alternative takes into account a very aggressive growth projection and will work for the City for a long period of time.

The other part of the amendment includes the property acquisition survey of 180 acres and providing a recorded survey to the Recorder’s office. With this revised project, the scope of construction, engineering, testing, observation and documents that the Division of Water Quality requires, they felt the need to include an additional hourly amount to adequately cover the construction process. Adjustments may still be needed if the schedule is extended. It is crucial to make sure there is enough in the budget for a quality product.

Councilmember John Scott moved to approve the amended Jones and DeMille Contract as presented for the Wastewater Project. The motion was seconded by Councilmember Terry Lund. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Alma Lund, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

ECR 14-18 AUTHORIZING A LAND EXCHANGE WITH CRAIG OBERG

Brant Hanson said staff is prepared to move forward with the land exchange with Mr. Oberg. A land appraisal is not required, but he feels it is a good idea to do something to justify the cost. Rather than pay for an appraiser, neighboring land and property was reviewed and determined to be valued at \$1.38 a square foot. An invoice from Mr. Oberg was received in the amount of \$22,823 to show the cost of the covering for the amphitheater. The City will be greatly benefitted from an exchange of property the City will never have any use for.

It was originally planned to grant Mr. Oberg the entire piece; however, that would restrict the adjoining property owner, Lamar Barton, from accessing his property. Staff feels this is a fair exchange and both parties benefit.

Councilmember Terry Lund moved to approve ECR 14-18 authorizing a land exchange with Craig Oberg. The motion was seconded by Councilmember Tyler Alder. A roll call

vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Alma Lund, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

ECR 14-19 AUTHORIZING AMENDMENT OF THE MASTER STREET PLAN

Neither State Statute nor code requires anything other than a simple motion to approve changes to the Master Plan. After research, it is recommended the Council approve the changes as a resolution in order to provide a paper trail. Comments made by citizens at the public hearings have all been taken into consideration and incorporated into the Master Plan where beneficial. It includes improvements and additions to the roads in town as well as a commercial truck route, protecting our Main Street.

Councilmember John Scott commented a lot of thought has gone into this update and the residents had a significant impact on the results.

Councilmember Margie Anderson moved to approve ECR 14-19 authorizing amendment of the Master Street Plan. The motion was seconded by Councilmember John Scott. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Alma Lund, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

DEPARTMENT REPORTS - None

APPOINTMENTS AND REPORTS

NOMINATION AND APPOINTMENT OF A CITY COUNCIL REPRESENTATIVE FOR THE SENIOR CITIZEN BOARD.

Mayor Squire asked Councilmember Alma Lund if he would be willing to attend those meetings. He indicated he would do that.

Councilmember John Scott moved to appoint Alma Lund as the Council Representative for the Senior Citizen Board. The motion was seconded by Councilmember Tyler Alder. A roll call vote was taken: voting “yes” Councilmembers Tyler Alder, Margie Anderson, Alma Lund, Terry Lund, and John Scott. The vote was unanimous. The motion carried.

Tyler Alder

Rec Board – there were several softball tournaments last week and this week. There will be another softball tournament this weekend. 240 kids have signed up for soccer so far.

Terry Lund

Cemetery Board – there was a lightning strike on one of the trees at the cemetery which messed up some wiring. There will be quite a bit of cost required to get things back up and running and the tree will most likely need to be replaced as well.

Alma Lund

Fire Department – Alma attended the Fire Department meeting the previous night. Chief Steck is still in need of four more volunteer firemen to get the department back to

where they are comfortable. We need to actively search for some people that might be willing to volunteer. Brant suggested the firemen would be the best to do that. They will continue to work on that.

John Scott

Electrical Outages – we have received many complaints regarding the outages. The citizens always suspect Ephraim Power is the problem, but they are caused by Rocky Mountain. He suggested Brant reach out to Representative Cox. Brant said he would do that.

Mayor Squire

Grand Opening of Volleyball Courts – 15 to 20 people were in attendance at the Grand Opening. Jace Cox spoke and gave a history of what went on with the project. People were recognized for their help and donations. The Mayor played the ceremonial first serve.

SUMMARY OF CURRENT EVENTS

City Manager Brant Hanson commented on the Softball tournament held in town. He received a call from the Malt Shop saying they were grateful for all the people who came through. Brant feels it would be beneficial in future to give businesses a heads up before tournaments or other main events, so they can be appropriately staffed to handle crowds. EDCUtah is helping the City to market for things like that. The tournament brought in quite a lot of revenue, including approximately \$30,000 in tournament fees.

Brant is working with other City Managers in Utah to see how they are dealing with enforcement issues, keeping in mind there is a fine line between property rights and city restrictions. It is important to be consistent when it comes to any kind of enforcement. He is trying to evaluate a better way to deal with enforcement other than entirely by the Police Department.

The Mayor and Brant attended an orientation for investors with EDCUtah to see what services they offer. If the City pays for these services and doesn't take advantage of them it is a waste of money. Networking opportunities available through them is huge and Brant feels that, along with all the other services offered by EDCUtah will be greatly beneficial to the City.

He is working on an economic development plan so when new businesses come in a template will be prepared to let them know what is offered by the City. It is hoped many businesses will want to locate in Ephraim. Transportation and other issues are being taken into consideration. When there is a labor supply, then EDCUtah can help locate target groups and go after businesses.

The College infrastructure is great. One hope is that we can expand entrepreneurs here to be able to make more money.

Abraham Hundepool reminded the Council that a letter was supposed to go out to businesses regarding the Main Street Project. Mayor Squire assured him the letter has not been forgotten, but more information is needed prior to that letter being sent.

Discussion of an Ephraim City Christmas Celebration will be placed on a future agenda.

Brant will schedule a meeting with the College President and administration to discuss issues.

The Youth City Council will be sworn in at the meeting on the 20th.

ADJOURN

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

The next regular meeting is scheduled to be held on August 20, 2014, starting at 6:00 p.m. in the Ephraim City Council room.

MINUTES APPROVED:

Mayor

Date

ATTEST:

City Recorder

Date