

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS, EPHRAIM CITY HALL
5 SOUTH MAIN, EPHRAIM, UTAH
WEDNESDAY, JUNE 16, 2021
6:00 PM

CALL TO ORDER

The Ephraim City Council convened in a Regular City Council Meeting on Wednesday, June 16, 2021, in the City Council Room. Mayor Scott called the meeting to order at 6:00 p.m.

OPENING CEREMONY

At the invitation of the Mayor, Leigh Ann Warnock offered an invocation. Devan Fowles led the audience in the Pledge of Allegiance.

ROLL CALL

MEMBERS PRESENT

John Scott, Mayor
Margie Anderson, Mayor Pro Tem
Tyler Alder
Alma Lund
Lloyd Stevens
Richard Wheeler

STAFF PRESENT

Shaun Kjar, City Manager
Brian Page, City Attorney
Leigh Ann Warnock, City Recorder
Bryan Kimball, Community Dev.
Devan Fowles, Planner
Steve Widmer, Financial Director
Jeff Jensen, Public Works Director
Cory Daniels, Power Director
Aaron Broomhead, Public Safety
Michael Patton, Rec Director

PUBLIC COMMENT

No public comment presented.

PRESENTATIONS

MANTI TRAIL BUILDERS PROGRESS REPORT

Andy Anderson and Daniel Barlow reported that with the support of other teams contributing volunteer time and community volunteers, they were able to complete everything as anticipated. Manti also stepped up in a big way by trucking in loads of road base and materials. Final review of the trails will take place next week. Next on the list is establishing parking and pit zones. They are currently spending money they do not have and are relying on the County to help. They anticipate 600 racers along with their families to use the trails

this year. For Phase II, they have applied for a grant for additional trails that will be a draw for other areas, and signage restricting the types of vehicles that can use the trails.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING A PROPOSED 4% WATER RATE INCREASE.

The Public Hearing was called to order. Steve Widmer explained that the last water rate increase was adopted in 2017, and prior to that, was 2011 at 25%. Now asking for a 4% rate increase to help cover costs of water rights purchased. The City has since tried to make increases in smaller amounts, more often. Effective July 1, 2021.

No public comment was received. The hearing was closed.

Councilmember Anderson moved to approve the proposed 4% water rate increase beginning July 1, 2021. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING A PROPOSED GARBAGE RATE INCREASE OF .50 PER GARBAGE CAN PER MONTH.

Steve Widmer stated more is spent from the garbage fund for purchases of new cans than rates allow for. The last time the garbage fund was raised was in 2014 because the landfill had raised their rates. Additional revenue from this increase will be used for operation and maintenance. The .50 will apply to each garbage can a resident has per month.

No public comment was received. The hearing was closed.

Councilmember Stevens moved to approve a .50 rate increase per can per month beginning July 1, 2021. The motion was seconded by Councilmember Alder. The vote was unanimous. The motion carried.

PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC COMMENT REGARDING A PROPOSED TRANSFER OF UTILITY FUNDS TO OTHER FUNDS

Steve Widmer explained that several years ago the Legislature met and decided they did not want cities to take advantage of various enterprise funds. Cities were getting use of utilities without paying for them and decided they should start paying for those services. As installing meters on all City-owned buildings would have been a substantial expense, the Legislature allows cities to determine a reasonable estimate. Programs were put in place to come up with realistic estimates for city properties. The Legislature allows cities to create a transfer from what was paid for the utilities back into the general fund to help preserve the financial integrity of various funds.

No public comment was received. The hearing was closed.

BUDGET APPROVAL FOR 2021-2022 FISCAL YEAR

Three (3) new full-time positions have been added to the budget along with a 4.6% pay increase for employees. Health insurance premiums went up and there are various projects in capital outlay projects. The total amount of the budget is \$5M for the general fund.

No public comment received. The hearing was closed.

Councilmember Wheeler moved to adopt ECR 21-08 approving the Ephraim budget for fiscal year ending June 30, 2022. The motion was seconded by Councilmember Alder. The vote was unanimous. The motion carried.

BUDGET MODIFICATIONS FOR 2020-2021 FISCAL YEAR

Modifications have been made to balance the 2020-2021 Fiscal Year Budget. Requesting a \$50,000 expenditure increase to go to administration. All Modifications reviewed.

No public comment received. The hearing was closed.

Councilmember Anderson moved to approve ECR 21-09 approving budget modifications for 2020-2021 Fiscal Year. The motion was seconded by Councilmember Alder. The vote was unanimous. The motion carried.

APPROVAL OF WARRANT REGISTER

The Council reviewed the Warrant Register of June 14, 2021.

Councilmember Alder moved to approve the June 14, 2021 Warrant Register as presented. The motion was seconded by Councilmember Anderson. The vote was unanimous. The motion carried.

APPROVAL OF MINUTES

The Council reviewed the minutes of the June 2, 2021 Work Meeting and Regular City Council Meetings.

Councilmember Alder moved to approve the June 2, 2021 Council Work Meeting and Regular City Council Meeting Minutes as presented. The motion was seconded by Councilmember Stevens. The vote was unanimous. The motion carried.

DANISH FIELDS

Request of approval of boundary line adjustments in the Danish Fields Subdivision Phase II, and approval of Danish Fields Phase III. Most of the underground infrastructure has been completed. It was found two property owners had placed fences in the wrong places. Adjustments were proposed rather than requiring they move their fences. The Planning Commission approved the adjustments unanimously. They are also seeking approval for Phase III of the subdivision. Bryan requested that the motion allow for adjustment of omissions on the plat with the County Recorder if needed.

Councilmember Anderson moved to approve boundary line adjustments in the Danish Fields Subdivision Phase II, and approval of Danish Fields Phase III, with discretion to make adjustments with the County Recorder as needed. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

POWER USAGE WAIVER: DON ROBBINS

Power Director Cory Daniels informed the Council that Don Robbins owns a pump at the end of a power line south of the airport in the middle of the pivot. The power line has been there for a long time. On or about Friday, May 14, a fuse blew which feeds the line to that pump. It was replaced by the Power Department. On Wednesday, May 19th another fault occurred on that line, Cory being unsure of the cause. The problem was fixed and on inspection, everything was working. On Friday May 21, another fault occurred on a different phase of the line. It was repaired and inspected. Saturday, May 29 another fault occurred. At this time, Don Robbins requested the Power Department inspect his pump. Wires from the pump to the breaker had melted. An investigation ensued and it was determined the cable that feeds the line going to the transformer in the field had broken. The Power Department was unaware of the break. Don had a motor-saver on his side to protect his pump motor and determined one of the faults may have caused the damage. Cory and his crew worked for four days to repair the cable. In the end, a new trench and a whole new cable went in at a cost to the City of \$10,000.

Don Robbins must order a new pump and had inquired if the City would help him with the cost. Whether the damage to his pump was caused by a faulty pump, failure of the motor-saver, or the faults in the line is unknown. Don appeared before the Utilities Board requesting financial assistance; the Board was favorable. Recommendation was given to waive his power bill for four months, not to exceed \$10,000, rather than take the money all at once out of the budget. Don currently pays an average of \$1,200 - \$1,500 per month for power.

Cory felt comfortable with the compromise and said the problem with the line had been resolved. The Council expressed concern that the waiver could set precedent for future claims. City Attorney Brian Page explained that paying due to liability would be because the City was at fault. This is not the case in this incident and is not an admission of guilt. It has been made very clear that the cause of the damage to the pump is unknown, and as a one-time determination, the waiver seemed fair.

Shaun asked if it were possible the motor-saver could have caused problems up the line. Cory said fusing down the line was blown in other areas, as well. It is possible, but there is no way to know. The Utilities Board agreed to help financially without any admission of wrongdoing.

Councilmember Wheeler moved to approve the power usage waiver for Don Robbins from June to September, not to exceed \$10,000, as a one-time incident, without determination of fault. The motion was seconded by Councilmember Alder. The vote was unanimous. The motion carried.

ECR 21-04: FIREFIGHTER RETIREMENT

Steve explained that Utah Retirement Systems has several funds covering most full-time employees and one for the Police Department. They are now requesting the URS Board to create a firefighter fund. To do that, the Fire Department would need to have a full-time fire chief, a position which was just passed in the budget. At their board hearing, URS will discuss and determine creation.

Councilmember Stevens moved to approve ECR 21-04 requesting admission to the firefighter's retirement system. The motion was seconded by Councilmember Alder. The vote was unanimous. The motion carried.

ECR 21-05: COUNTY FIRE PROTECTION AGREEMENT

Annual agreement allowing the County to draw upon our resources in the event of a wildfire beyond city boundaries. The agreement includes vehicle extrication.

Councilmember Stevens moved to approve ECR 21-05, a resolution enacting a Fire Protection Agreement between Sanpete County and Ephraim City. The motion was seconded by Councilmember Anderson. The vote was unanimous. The motion carried.

ECR 21-06: FIREWORKS RESTRICTIONS

Shaun exhibited a map from the State website, which shows our area is 53 times more likely to have a fire than on a normal water year. It has been helpful in determining Ephraim's risk. Jeff Hermansen reported risk in Ephraim has doubled in the past two weeks. The Governor is urging people to do away with fireworks this year. Mayor Scott read the proposed resolution aloud in the meeting. It was reported the brush truck would be on-call on and around July 4th and 24th. It is a cost, but less than if a fire got out of hand.

Councilmember Stevens moved to approve ECR 21-06, a resolution discouraging fireworks within City limits with the addition of the word "Fire" to 2021 season. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

ECR 21-07: 2021-2022 CERTIFIED TAX RATE

A municipality is allowed to increase the certified tax rate much higher than what is proposed. A significant increase would require a public hearing and truth-in-taxation procedures. The resolution shows the calculation that has been pre-approved by the State. The Certified Tax Rate covers property taxes, the GO bond for the library, and flood control.

Councilmember Anderson moved to approve ECR 21-07 adopting the 2021-2022 Certified Tax Rate. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

CANCELATION OF JULY 7TH COUNCIL MEETING

It was determined the regularly scheduled first meeting in July would not be canceled as has been done in the past.

APPOINTMENTS AND COUNCIL REPORTS

Tyler Alder

Recreation Board – Rachel, asst. rec is leaving at the end of the month. We are looking for a replacement.

Richard Wheeler

Airport Board – the Board discussed 12 items at their last meeting, to do with zoning, approvals of hangars, AWOS system repairs, reviews of airport bylaws, a flowage fee resolution requiring pilots who bring their own fuel to pay .10 per gallon to the City to eliminate liability issues, and land acquisitions. It was determined that just to get the procedure started to buy needed land at the end of the runway, just to find out if we can, would cost the airport \$50,000. However, if we do not start proceedings, we will never get an answer. These expenses are reimbursable by the FAA, after the fact, if done correctly. The goal is providing a safety zone to protect take-off zones, not to lengthen the runway. The only thing that affects residents is the annual fly-in, which will be held the 25th of September.

Mayor Scott

New full-time positions – additions to the Fire, Police, and Power Departments have been approved; let's get those positions posted and filled as quickly as possible.

Airport buffer zone – a comment period with the County regarding the protection zone that would protect the airport, will be held June 22nd at 9:00 a.m. via Zoom. We can provide feedback on the buffer zone formation, with the County allowing municipalities authority over zoning for those future annexation areas, eliminating the problem of them annexing properties not compliant with Ephraim City ordinances.

DEPARTMENT REPORTS

Bryan Kimball, Community Development Director

Misc. – many applications have come through the Community Development Department for building. They are busy making sure things are in order there. 12 permits have been issued in the last two days for residential, and an additional six are on his desk. Another 15 more projects have been mentioned but we have not seen applications yet. We can see in the next three weeks having 30-50 permits applied for and issued as we can keep up.

Cory Daniels, Power Director

UAMPS – UAMPS representatives would like to meet with the Council soon to discuss whether the City will build a six- module or an eight-module facility. We will probably go with six. Costs are going up. There is talk of other entities re-entering the project. We could up our subscription at that point if desired. We need to do that. There is the possibility of a new substation with growth.

Jeff Jensen, Public Works Director

Water Supply – water is down from last year. Right now, we are at 2,100 (3M gallons) per day.

New Well – the new well is online and running. Production has dropped to 360 gallons per minutes, which is not a substantial drop. We are reliant on the first well running every

day right now. It averages about 850 gallons per minute. If that well goes down, we will have to set immediate restrictions.

Aaron Broomhead, Public Safety Director

Canine Program – Officer Hatch is going out twice a week to visit and evaluate the chosen litter. By the 2nd week of July, we should have it. We will do something with Ephraim City employees for the naming of the dog.

CITY MANAGER REPORT

Budget – The budget has been a lot of work. Departments are spending money well and not trying to hide expenditures.

ADJOURNMENT

There being no further business to come before the Council for consideration, Councilmember Alder moved the Regular Council Meeting adjourn at 8:24 p.m. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

The next regular City Council meeting is scheduled to be held on Wednesday, July 7, 2021, starting at 6:00 p.m. in the Ephraim City Council room.

MINUTES APPROVED:

John Scott, Mayor

Date

ATTEST:

Leigh Ann Warnock, City Recorder

Date