

Minutes of Fairview City Council Meeting and Public Hearing, Tuesday, March 24, 2015

Minutes of Fairview City Council Meeting and Public Hearing held on Tuesday, March 24, 2015, at 7:30 p.m. at 165 North State Street, City of Fairview, County of Sanpete, State of Utah.

Mayor Jeff Cox called the meeting to order at 7:32 p.m. Council Members present were Kenny Cox, Cliff Wheeler, Casey Anderson, and Bawb Nielsen. Councilman Cody Church was excused. City employees present were Dave Taylor and Jan Anderson. Citizens present were Sam and Marcy Curtis, Kasey Curtis, Brentan Harris, Janice Taylor, Wayne and Sandy Stewart, John Iverson, Jesse Ralphs, Jonathan Hayes, Milette Mackay, Brook Cox, Shon Harper, Charlet Pemberton, Ben Rawlinson, Patrick Rawlinson, Eric Fossum, and Mike Fitzsimmons.

City Employee Jan Anderson offered the invocation and led the pledge of allegiance.

APPROVAL OF MINUTES:

Councilman Cliff Wheeler moved to **approve the minutes from February 24, 2015, as amended with UAMPS meeting dates.** Councilman Casey Anderson seconded the motion. The voting was unanimous in favor of.

PUBLIC HEARING:

Open Meeting for Public Comment. Mayor Cox opened the meeting for public comment at 7:33 p.m. for consideration of additional funding from CIB for renovation of the old City Hall located at 85 South State Street. Additional money is needed to finish the City Hall due to some factors that were unforeseen that created a snowball effect causing the project to go over budget. The plan is to go back and ask for an additional \$400,000. No comment was made. Mayor Cox asked the Council for their approval. Councilman Bawb Nielson moved **that Mayor Cox and Dave Taylor approach CIB for an additional \$400,000 to finish the city hall project.** Councilman Kenny Cox seconded the motion. The voting was unanimous in favor of (Councilman Cody Church not present).

Mayor Cox closed the public hearing at 7:35 p.m. and reconvened back into council meeting.

APPEARANCES/COMMUNICATIONS:

Jessie Ralphs, Sunrise Engineering – Water Master Plan Recommendations Update. A probable cost analysis was presented to the Council. To do the following improvements: redevelop three springs, \$123,125; replace spring line, \$567,000; green steel tank level control valves, \$40,000; install VFD at new well, \$16,000; install chlorine detection systems, \$22,500; replace 10' line from elementary to 200 west, \$352,599; integrated system wide SCADA system, \$100,000; install new flow meters, \$40,000; install radio read water service meters, \$253,175; construct new culinary well, \$718,000; mobilization, \$136,000; contingency and incidentals and professional services, \$689,500; it would cost a total of \$3,413,045. That is just for the capital improvements, they also recommend developing a water-rights utilization study; perform a spring redevelopment analysis; develop a fire hydrant inventory and replacement plan; perform a well siting study; and update GIS database for culinary water system (as well as other utilities).

USDA is an avenue for funding along with CIB, and DDW. Sunrise recommends going with USDA. It was asked what is most pressing item? The chlorinators and the spring lines. Sunrise stated that it is hard to do a project in phases because it ends up costing more money. Mayor Cox and the Council was not ready to make any decisions at this time. It was asked if the City was obligated at this time because they committed the study through the State. Sunrise did not think so but they will clarify that with them.

Morgan Hess – Discussion of Placing Vending Machines at Sports Park.

Not here table to next month

REPORTS/ACTION ITEMS – BOARDS/COMMITTEES/STAFF/OFFICES:

Planning Commission

Shon Harper – Business Approval, Red Rock Services, 137 North State Street. Mr. Harper is a real estate broker, and he own the house south of city hall. He would like to open up a real estate office there. The Planning Commission went over the application and all requirements have been met per the commercial zone except the sign. They recommend approval. He has a sign which is on a trailer. He plans on getting a new sign. Councilman Bawb Nielsen moved **to approve the business license application.** Councilman Kenny Cox seconded the motion. The voting was unanimous in favor of.

Branch Cox – Business Approval, MKJ Trailer Sales, 393 North 200 East. Mr. Cox will be selling commercial trailers mainly a reel trailer for cable. He will not sell trailers that will compete with the sport shops in town. He met with the Planning Commission and has met all requirements. They recommend approval. Councilman Clifford Wheeler moved **to approve the business license application.** Councilman Kenny Cox seconded the motion. The voting was unanimous in favor of.

Wayne Stewart - Variance Approval on Lot Split on 288 East 300 South. Mr. Stewart would like to request a variance for a flag lot/lot split. He would like to divide his property and does not have enough frontage for a "normal" building lot. There is only 55 feet of property between Shirley McCrone's property and his garage. He would like to put in a 40' x 100' lane to reach a 150' by 203' lot. There is not the 66 feet required by the City for a legal street to extend 300 east. The lot with the existing home would be on .378 acre and then the proposed lane and lot behind the house would be .802 acre. Because this lane would line up with the existing street, it would make sense to allow a variance with stipulations that Mr. Stewart maintains the lane, that the lane is asphalted with a 66' turn around circle at the end of the lane to turn emergency vehicles around, and, if and when, he decides to build, he will extend the utilities (water, sewer line, and electrical lines). Mr. Stewart went before the Planning Commission, but they there unable to make any recommendations because of the flag lot ordinance. The neighbor to the east, Shirley McCrone, provided a letter in support of the lane. Councilman Cliff Wheeler **moved to give a variance to Wayne Stewart for a lane and a building lot on 288 East 300 South with the stipulations that the lane have a 66' turn around spot at the end, that he maintain the lane with asphalt, and that he extend the utilities.** Council Kenny Cox seconded the motion. The voting was unanimous in favor of (Councilman Cody Church was absent).

Review Cemetery Ordinance 8-252. Restrictions of Resale. The current ordinance states that lots sold by the City shall not be further sold, transferred, conveyed or assigned to any person except the City. The repurchase of such lots shall be for the original price paid by the purchases, or the current selling price of the lot, whichever is less. What the City is coming up against now, is that lots purchased years back, were sold for \$350 for 5 lots. It was discussed that maybe the City offer a percentage rate instead of a dollar amount. It was mentioned 80 percent. The Council would like to get more information on what other cities are doing and come back with the information next month.

Discussion Use of Scheduling of Sports Park Facilities. An incident occurred at the sports park where one group pushed another group out. This incident was a boy's home group and a youth birthday party. The group from the boy's home is not from the Fairview area. They usually come after school hours. This is the same time that the kids from Fairview come to use the facilities too. Mayor Cox mentioned that the City should treat the sports park the same as the City park where reservations should be made for an event such as a reunion where they have access to the whole park. Discussion ensued--with the different venues, how do you distinguish which part of the park you want to reserve, or how do you know if a reservation is made, or how long the reservation is for. The park is open to the public without charge. It was stated to put up signs. Even if you posted signs, how does the City police the use and time. Mayor Cox would like to have the parks and rec. committee look into this.

Little Miss Fairview Pageant Discussion and Obligation of Miss Fairview Royalty Reign. Marcy Curtis is over the Little Miss Fairview pageant. She briefed the Council that, when she started the pageant, she came to the Council asking for support from the Miss Fairview Royalty in participating in the pageant. The first year, Miss Fairview came and did a wonderful job. The Miss Fairview pageant director, Kristen Grasteit, said they would include this event in the contract. Last year, the royalty said they had high adventure (a church function) and would not be able to come so Mt. Pleasant Royalty was called and asked if they would come. At the last minute, Miss Fairview was able to come. This year, calls have been coming in from mother's who's daughters are trying out for Miss Fairview asking that the Little Miss Fairview pageant be changed because it is again interfering with high adventure. Mrs. Curtis stated that they need to follow their contract. All they are asking for is that the royalty come the day before to talk to the girls and then MC the event. She stated, that it is in the contract, and they need to hold up their end of the contract. Mayor Cox stated that, if it is in the contract, then they are obligated to be there. If they are not meeting their obligation, then they should lose their contract. If it is an issue on the date, then a determination can be made at that time if it is not upheld. Mrs. Curtis asked the Mayor to make a phone call to Mrs. Grasteit.

Pioneer Days' Discussion/Update. Councilman Cliff Wheeler stated that in the ASCAP contract it states that any event that grosses over \$25,000 must pay royalties. It costs more to pay for the royalties than the cost of the band. Does the City want to continue having a band at the derby. It was stated by the Mayor that that a live band adds a lot to the entertainment value of the derby. It was the consensus of the Council that they would like to see a band at the derby. Bundles will be sold on Monday, June 1st.

The dance hall is being used for the Little Miss Fairview pageant the first Friday of June. It will be at 7 p.m. Same rules as last year.

Renovation City Hall Discussion/Update. The City Council attended a work meeting earlier and discussed the colors in the city hall. The brick mason is placing the stone on now. The brick is almost done. Looking at a tentative date for the open house on July 17th -- sometime in July anyways.

Veteran's Flag Program Donation Discussion. Diana Compton was discussing the veteran flags with Councilman Cliff Wheeler. They were bantering things around about keeping the funds going. Would the Council consider having a line item on the utility bills for a volunteer monthly donation. This is a facilitator. Councilman Casey Anderson moved **to approve a line item be put on the utility bill for anyone wanting to make a donation on the veteran flags.** Councilman Kenny Cox seconded the motion. The voting was unanimous in favor of. Note: Councilman Bawb Nielsen had left the meeting to go help his wife who had just had back surgery.

Cell Phone Policy Discussion. Mayor Jeff Cox stated that February 15th was the date that the employees were to have transferred their cell phone numbers into their name and own policy. A couple of the employees came back stating that they could not find a plan that was under \$90. So the Mayor did some research. He found that there is a plan for \$60 a month if you don't buy the phone upfront, which with the new policy the City allots them \$200 for a phone every two years. The Council wanted to stay with the policy that was just adopted where they are responsible for their own plan.

Economic Development Discussion. Charlet Pemberton mentioned that a few weeks ago, they had a economic development meeting. There were 13 people in attendance where they created a formal economic development committee. President is Charlet Pemberton, vice-president is John Lee, treasurer is Jonathan Benson, and secretary is Milette MacKay. Their plan is to have a hunter's moon festival on October 10th, They will have local sport venues along with gun manufactures, knife builders, and outfitters. Other projects they are working on are a business directory (it is on-line ShopFairview.click), taking inventory of retail space (Claudia Fossun is helping with this), and working on getting a non-corporate status. Councilman Cliff Wheeler stated that the "...City requires our non-profit organizations to pay for the use of the dance hall. The purpose for the dance hall is to bring in revenue. The floor in the dance hall is fragile, having craft fairs in there can harm the floor...." He does not want the dance hall to be a craft fair destination. Mrs. Pemberton asked how the Council felt about the event in October, she doesn't see it as a craft fair, and where they are a non-profit organization, she didn't think they would have to pay as much for the use of the dance hall. It was mentioned that when rented out for weddings and dinners, etc. tables are used along with chairs-- not much different. Tape is hard on the floor. The last event they used painters tape. It did not leave a residue. Mrs. Pemberton stated that if the City wants events then there is just one venue available in town and that is the dance hall. It builds community pride, and she feels that it is well worth it. Mayor Jeff Cox suggested contacting Curtis Coates to get his input on the wear of the floor and get some stipulations put together on the use of the dance hall. Councilman Kenny Cox stated he appreciated her efforts with the Chocolate Festival, it was a big success. Mrs. Pemberton stated that the economic

development needs to work hand in hand with the City or it is not worth having one. Mayor Cox stated that anything that helps the business is a wonderful thing.

Approval for a Child Abuse Banner for Child Abuse Awareness Month/April. Each city within the county has been asked if they would support April as child abuse awareness month by placing a banner within their City. It was asked if the Council would be willing to purchase a banner. Councilman Casey Anderson moved **to approve a \$100 for a banner in support of Child Abuse awareness month from Children's Justice Center.** Councilman Cliff Wheeler seconded the motion. The voting was unanimous in favor of.

INTRODUCTION AND ADOPTION OF RESOLUTIONS AND ORDINANCES:

Resolution No. 2015-04R; A Resolution Setting Policy that Elected Officials are not Eligible for Service Credit. Councilman Casey Anderson **moved to approve Resolution NO. 2015-04R.** Councilman Cliff Wheeler seconded the motion. The voting was unanimous in favor of.

Resolution No. 2015-05R; A Resolution Setting Policy on a Return to Work Program. Councilman Kenny Cox moved **to adopt Resolution No. 2015-05R.** Councilman Casey Anderson seconded the motion. The voting was unanimous in favor of.

COUNCIL REPORTS:

Mayor Jeff Cox reported that it is in the budget to purchase filters for the sewer plant, and that Dave Nuttall has found a supplier that will sell them for half the cost. There are 400 filters sitting down there now. It takes 1400 to fill a train. We don't have enough sewage going through the plant for two trains. The bacteria will not keep up with the water going through the filter. He would like to get 500 filters in May and then in August get another 500 filters and buy some new cassettes. With all of this the City will basically have a new sewer plant. When this gets done, he can start up a new train and shut down the current one so that all filters wear the same. With all of this, the cost should be the same as was budgeted. This will also allow for some leeway and build up a stock pile. The new sewer position was advertised.

Councilman Casey Anderson wanted to make the Council aware that in the coming months UAMPS is going to want to know if the City is wanting to participate in the Idaho wind project. The next phase will be around \$9,000. Need to be objective. For now, just think about it, but they will be wanting an answer soon.

Mt. Pleasant is working on getting Fairview City property for our metering structure. It may end up across the road from Mt. Pleasants' structure.

Councilman Cliff Wheeler stated that he was working with the beautification committee. They have contracted with Skyview Landscape Nursery. They will do the flower pots this year. It will be less than the year before, but volunteers will be needed to go and plant the pots. They will plant right after Mother's day.

Dave Taylor stated that the City is getting an award from Tree City in St. George. The City can start planting trees in the park or any City property.

APPROVAL OF VOUCHERS:

Councilman Cliff Wheeler move **to approved the vouchers from February 20, 2015 to March 20, 2015**. Councilman Kenny Cox seconded the motion, and the voting was unanimous in favor of.

EXECUTIVE SESSION:

Councilman Kenny Cox moved to go into executive session at 10:17 p.m. to discuss a personnel issue. Councilman Casey Anderson seconded the motion. The voting was unanimous in favor of.

The City Council reconvened into regular session at 10:36 p.m.

ADJOURNED MEETING AT 10:37 P.M.

City Recorder Date

Minutes of Executive Session of Fairview City Council, March 24, 2015

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Minutes of executive session held on Tuesday, March 24, 2015, at 10:17 p.m. in the council room of Fairview City Hall, 165 North State Street, Fairview, Sanpete County, State of Utah.

Those present were Mayor Jeff Cox and Council Members Kenny Cox, Cliff Wheeler, Casey Anderson, Bawb Nielsen, and Cody Church.

The purpose of the meeting was to discuss a personnel matter.

I, Mayor Jeff Cox do swear that the purpose of the executive session was to discuss a personnel matter.

Mayor Jeff Cox

The City Council reconvened back into regular council meeting at 10:36 p.m.

City Recorder Date