

**MINUTES OF THE
City Council Meeting for the City of Menan held February 16, 2017.**

Presiding: Chauncey T. Haight, Mayor

Present: Chauncey T. Haight, Ron Jones, Noel Raymond, Brian Storms, Keith Nelson, Allyson Pettingill, Kris Meek, Matt Walker, Lt. Fullmer, Jeff Geisler, Wade & Sheree Peterson, Lynn Jacobs, Brent Gunderson, Jolyn Haight, Becky Nelson, Victor Cammans, and Tim Hale.

INCOME February 16, 2017 to March 9, 2017:

Sewer Payroll	2484.66
Garbage Payroll	124.76
Dog tag license	10.00
January Property Taxes	5995.97
Town Hall Rental	70.00
General Fund Money Market Interest	7.53
General Fund Collateralized Money Market Interest	9.44
Sewer Fund Money Market Interest	3.46
Sewer Fund Collateralized Money Market Interest	.97
Garbage Fund Money Market Interest	.38
LGIP State Pool (Sewer)-	25.44
TOTAL	8732.61

Income from Sewer Account February:	\$ 9449.36
Income from Garbage Account February:	\$ 1562.00

Meeting called to order at 7:01 pm.

Pledge of Allegiance

Police Report: Lt. Fullmer addresses the Council. He informs the Council that the report is from the dates 12/17/2016-1/13/2017. The Sheriff's Deputies logged in 94 hours on patrol with no arrests, 8 complaints, 2 citations and 19 traffic stops. He proceeds to discuss the report and the separate incidents reported with the Mayor and Council. There is discussion of the Police Report. The Council thanks Lt. Fullmer and the Jefferson County Sheriff's Office.

2015-2016 Audit: Allyson explains that Dana from Searle Hart & Assoc. called on Wednesday and informed her that the Audit wasn't quite ready to present to the Council. He then stated it would be ready by either February 23 to present before the Public Hearing or for the next Council meeting on March 9th. The Council decides to have it presented on March 9th, the next Council meeting.

***Property Split/Lot Realignment:** Wade and Sheree Peterson address the Mayor and Council. Wade shares some information he has found in the City Code. He passed out a copies of a rough drawing of the property he is proposing to split and how he would like to split them. He then tells the Council he met with the P&Z the previous week. There is discussion of what transpired at the P&Z meeting. Wade explains that he would like to have 4 lots. Each property will face a street, either 3565 E or 630 N. He states that his property falls under the subdivision ordinance, he also believes it falls under 8-2-4, which is a Platt with Short Application. There is discussion of this code. The Council goes through each section with Wade to make sure it does apply to Wade's proposed property split. There is more discussion of the property and splitting the land into the 4 lots. The Council decides that the property does meet the qualifications for a Platt with a Short Application and tells Wade and Sheree to follow the steps in the application and go to the P&Z Commission with the application when complete. It is decided that the Peterson's will bring a Development Draft Agreement to the P&Z as the qualifications are detailed in the Platt with a Short Application.

***Subdivision Review, Becky Nelson:** Becky addresses the Council with some questions she has regarding going forward with her proposed subdivision. She also addresses the fact that she is looking at a Code Review, not really a Subdivision Review. She then reports that she attended the P&Z meeting the week prior looking for some advice on the direction they are headed in regarding the subdivision they are proposing. She then explains the Codes that they are questioning. The Code she is looking at is 8-2-7 (C)(9). There is discussion of this Code. The concern Becky and her Engineer have is the outdated language regarding measuring block lengths with chains and rods. A discussion ensues. Becky then states the second Code in question is 8-2-7 (G). This Code deals with Open spaces and green spaces in subdivisions. It is clarified that this Code is for requiring parks or walk paths or green spaces in a subdivision. The Council and Mayor discuss this Code. The discussion turns to if the City would want another park to maintain and what the costs would be. Keith asks the Council if they would like to open the Code up for revisions, or do they want to keep the code as it is and those wanting to build will have to follow it. There is discussion of what the Council wants to do. Mayor Haight suggests maybe leaving an area for a continuation of the City walk path so eventually the two could join. The Council discusses the proposal of a walk way or walk path. The discussion turns back to the measuring of the blocks. There is then discussion of the Comprehensive Plan and grided streets. The Council gives Becky two options, one is to ask for changes to the Comprehensive Plan which would entail Public Hearings and take a considerable amount of time, or proceeding and making sure there is a dedicated amount of green space and straight streets that tie into existing streets, as much as possible. Discussion ensues. Becky then asks if she could come back with a recommendation from the P&Z. Kris then states that is the correct thing to do, the Council has no authority to approve or deny anything without the requisite recommendation from the Planning and Zoning Commission. The final decision is for Becky to bring an application from the P&Z to the Council for consideration.

Eclipse 2017 Update: Ron Jones reports to the Council that he is going to put together a Committee by the end of March. He would then like to have a public meeting with Rebecca Squires from the County and a representative from the BLM come in and address the residents about the crowds that are expected. It is then mentioned that the County website has the permits for the renting out of property for camping and such. It is confirmed that the City is not regulating the permits or charging, the County is handling that for Emergency Services Management Team. This is specifically for any emergency and allowing the County to know where the venues are. There is discussion of what to expect. Ron asks Kris if there is any law or code preventing the City from allowing camping in the City Park or any other City property and requiring a fee to do so. Kris finds in the Code, Title 5 Chapter 4, a section stating the Council has the ability to grant special privileges for special events. Brent Gunderson gives a brief update on the progress he and Randy South have made on their event for the eclipse. Their website is almost complete. Ron will continue to organize and form the Committee and then report to the Council again.

Beer & Wine Ordinance: Kris explains the reasoning as to why he worded it the way he did. It makes it a little easier for the City and applicants by asking for a copy of both the State and County applications and a copy of both licenses, as the State and County have already investigated the applicants. There is a discussion of the drafted Bill # 2017-2.

Ron Jones made a motion to suspend the reading of Bill 2017-2 three times. Noel Raymond seconded the motion. Motion passes.

Ron Jones made a motion to read Bill 2017-2 by Title only. Brian Storms seconded the motion. Motion passes.

Ron Jones reads Bill 2017-2 by Title only.

Ron Jones made a motion to pass Bill 2017-2. Noel Raymond seconded the motion. Motion carries.

*Kris takes a minute to mention a small detail involving the annexation of the property Becky and Greg Nelson purchased. When the annexation was approved, the legal description of the property was wrong. Now the legal description has changed and it is different than what was annexed and the Ordinance of the annexation. There is discussion on what to do. Kris will have to do a little digging to find out what the best course of action will be. The question is asked if the property that was annexed in that wasn't supposed to be will be taxed at a higher rate due to the fact that it is now in the City. Allyson will talk to the Assessor and ask.

***State Building Dept., Inspector:** Jeff Geisler addresses the Council. Kris notes that Jeff is at the meeting to inform the Council that the contract has been signed and to discuss moving forward. There is discussion of what

to do next, what both parties are expecting. There is discussion of checklists and who will be responsible for what. The discussion turns to setbacks.

***Planning and Zoning Update:** Victor addresses the Council. He informs the Council that there is a new Commission member. Lane Mortimer was nominated and sworn in at the meeting on the 9th. He does ask if when the P&Z makes a recommendation if there needs to be something on paper or if Allyson can just bring it before the Council. The Council responds that there does need to be a written recommendation, one for the resident and one for Allyson for the file. Victor also asks if the P&Z can be put towards the beginning of the agenda so the recommendation from P&Z can be given before any applicants. He also would like to have the parts of the minutes that pertain to the P&Z sent to the Commission members so they have an idea of what the Council is discussing. The Council would also like a copy of P&Z minutes. Discussion ensues. Victor does recommend that the Council adopt the 2012 Building Code. Jeff states he will send an electronic copy of the 2012 Building Code to Kris and he will send it to the Mayor and Council. There is discussion of the Building Code.

City Fee Schedule: Allyson explains she put this on the agenda in case anyone had any questions before the Hearing next week. Kris states that the highest amount that can be charged for the Beer & Wine license fee for on premises consumption is \$200. There is discussion of what is coming up at the Hearing. The minutes from last months meeting are looked at to see what was discussed beforehand. A discussion ensues.

Questions for the Attorney: The Mayor asks Kris about some of the older Ordinances still hold weight. Kris responds that the Council should concentrate on those Ordinances that are effective now. He does state it would be worth it to update some of the older Ordinances. The Mayor then asks about how it works when the City has to prosecute someone who disputes a ticket or charge. Kris states that any money paid for a ticket or misdemeanor should go to the City minus the County's fees. Allyson will check with the County Clerk to make sure that is how it is working. The only line item on taxes is the Motor Vehicle Fines. The Mayor is worried about a large case bankrupting the City. Kris informs the Mayor that all felonies are prosecuted by the County. The City Attorney is responsible for infractions and misdemeanors. Discussion ensues. The Mayor then asks if the City could ever be responsible for someone else's Attorney fees. Kris says no.

Land Acquisition Update: Noel reports that he spoke with the individual who owns the property in question. He informed the gentleman that the City is very interested but cannot pay the price mentioned and also is not in the position to pay a large one-time payment. The gentleman then stated he is not in a big hurry to sell right now. So the City has some time to work on it. He would also consider several payments. Noel expressed that the City would like to work with him on the terms and details in order to make both sides happy. The Council thanks Noel for his hard work on this subject. Discussion ensues.

***Work Meetings-Ordinances:** Noel states that the Council seems to spend a lot of time discussing Ordinances every month but not a lot of progress has been made. He would like to suggest scheduling a few work meetings to through and work on the Ordinances that need it the most. Kris mentions he sent a letter to the previous Council stating the most pressing Ordinances to fix. He suggests tasking him with one a month so its not so expensive. Discussion ensues. Noel would like to pick the 3 Ordinances that are most pressing and get started on trying to fix them. Discussion of the Comprehensive Plan ensues. The Council sets the dates of March 23, April 27, and May 25 at 7:00 at the City Hall for work meetings to review Ordinances. Noel is most concerned about the City's Comprehensive Plan. More discussion. Nathan Bronson is suggested to work with the P&Z on the Comprehensive Plan and have the P&Z look at it and work on it. It is mentioned that the AIC is a good resource to look to when working on the Comprehensive plan and they might send someone out to help.

Public Discussion: Tim Hale discusses the grid system and how Menan didn't plan on expanding out as far as it has. This brings about a discussion.

Maintenance Update: Matt asks about the reason for the high costs for engineering in the sewer budget. He explains that he has to reapply for his permit from the DEQ and they suggested hiring an engineer to help to walk him through the permit process. He discusses a few more things needed for the year. Allyson informs the Council the reason for the high cost was the \$2400 paid for the system replacement cost of the sewer system. Matt does point out that he moved the thermostat to the Council Chambers. Matt discusses the plowing of the roads and maintaining the plow equipment. He also discusses the snow pushing over mail boxes. Discussion ensues.

Bills: Noel Raymond made a motion to pay the Bills for the City of Menan. Ron Jones seconded the motion. Motion passes.

Treasurer's Report: No questions.

Minutes: Noel mentions one problem on the last page of the minutes under Maintenance Report, it should read land, not kind.

Noel Raymond made a motion to accept the minutes as written from the January 12, 2017. Keith Nelson seconded the motion. Motion passes.

Noel Raymond made a motion to adjourn the meeting. Keith Nelson seconded the motion. Motion carries.

Council Meeting ended at 10:52 pm.

Allyson Pettingill, City Clerk/Treasurer