

**MINUTES OF THE
City Council Meeting for the City of Menan held October 12, 2023.**

Presiding: Mayor Chauncey Haight

Present: Mayor Chauncey Haight, Ron Jones, Amy Gahn, Troy Hanson, Matt Walker, Kris Meek, Allyson Pettingill, Brian Storms, Danielle Andrew, Gary Armstrong, Shirley Hess, Lacey Hanson, Justin and Alysha Anderson, Andrew McClellan, Westin Davis, and Brett Crowther.

INCOME: October 10, 2023 to November 9, 2023:

Sewer Payroll	2565.26
Garbage Payroll	124.76
Sept. 2023 Property Taxes	34.15
4 th QRTR 2023 State Hwy User.	13,962.40
4 th QRTR 2023 State Revenue Sharing	21,935.45
Motor Vehicle Fines	90.45
General Fund Money Market Interest	22.15
General Fund Collateralized Money Market Interest	18.10
Sewer Fund Money Market Interest	16.84
Sewer Fund Collateralized Money Market Interest	10.86
Garbage Fund Money Market Interest	1.89
LGIP State Pool	2.53
TOTAL	\$38,784.84

Income from Sewer Account Oct.:	\$ 15,209.16
Income from Garbage Account Oct.:	\$ 3,065.00

Meeting called to order at 7:01 pm.

Meeting starts with the Pledge of Allegiance.

The Mayor states the Law Enforcement Report will be moved until a representative of the Sheriff's office is in attendance.

P&Z Update: Brian addresses the Council to report on the P&Z meeting. He states that the first thing they discussed was the short plat applications submitted by Ensign Homes. He then states that there were a issues brought up in 8-2-4(A)(2) and 8-2-7(D)(3), regarding street construction and the allowance of home access off of arterials or collector streets, that pertain to the plat submittals. He then stated that because of these code items, the plats do not qualify and the P&Z has sent a recommendation to the Council to not approve the short plat applications. He then states that the P&Z discussed making changes to the short plat application in the code or dissolving it altogether as it can be abused and manipulated in ways it was not intended for. There was discussion of shipping containers and whether they should or should not be allowed as a resident has requested to be able to build a shop out of containers. He states the P&Z will keep working on this issue. There is discussion of the need to keep working on cleaning up the discrepancies in the code and fix them so they are clear and easily understood. He also said the P&Z is excited to work with Gary to fix the issues and on the GAP analysis.

Discussion and Decision for Ensign Homes Short Plat Application-Action: Mayor Haight asks if everyone has had a chance to review the plats submitted. Westin Davis approaches the Council on behalf of Ensign Homes, Andrew and Jorelle McClellan. He introduces himself and his experience. He states that the middle plat is actually under contract to sell, so they are just looking for conditional approval for the north and south plats. Mayor Haight points out that the short plats don't meet the conditions in the code per the notes that Gary Armstrong submitted in his memo regarding roads. There is discussion of roads and classifications. There is

discussion of the code being ambiguous regarding the road classifications and they can't be enforced because its not clear enough. Mayor Haight states that the City can designate roads as arterials, in the City Transportation Plan the road names may be different, but same roads. There is discussion of the city not being able to conditionally approve, per the code, because some of the lots are in the flood plain. There is discussion of how conditionally approving could be a problem. There is discussion of placing a requirement for a bond. Kris states that the definitions in the code would defend 3500 E as a collector or an arterial. There is discussion of the plats being approved, on the condition that the flood plain issue is resolved and the affected lots are taken out of the flood plain. It is discussed that there is no approval until the lots are brought into compliance and taken out of the flood plain. There is further discussion of the streets in the ordinances. There is discussion of what is already on the road. Kris reads the definition of arterial roads in 8-1, definitions. He states that 3500 E, 3600 E, and Menan Lorenzo Hwy are by definition, arterial streets in the city of Menan. There is discussion of having a submittal in writing for the withdrawal of the middle plat so there is a paper trail. There is discussion of treating each plat submittal separately; middle, north, and south. Middle has been withdrawn. North plat submittal cannot meet the criteria as it cannot exit onto an arterial road and several of the lots are in the flood plain. The South plat cannot meet the criteria as the lots would exit onto an arterial road. There is discussion of the subdivision definition in 8-1 of the code stating that a subdivision is three or more lots. There is discussion of Gary's memo regarding the legality of allowing short plats. There is discussion of 3500 E, the street the parcels would exit onto, is not a residential street, it is an arterial or collector by definition. There is discussion of the sewer and how the properties would have to hook into the sewer line that would require removing pavement. There is discussion of how neither arterial nor collector roads allow for subdivisions to have driveways exit onto. There is discussion of the middle plat having to have a right of way to allow for a future road. There is discussion of trusting the P&Z and their recommendation. There is discussion of taking each plat separately and discussing to make decision. North plat is parcels 1-4. This plat has several parcels in the flood plain. There is discussion of this and the fact that the flood plain designation will probably be lifted. There is discussion of the road designation, 3500 E, being either a collector or an arterial, which would not allow the plat. The South plat is parcels 9-12. On this plat it comes down to the road designation, same as the north plat.

Amy Gahn made a motion to deny the North Short Plat submitted by Ensign Homes based on the P&Z recommendation, which states non compliance with 8-2-4(A)(2) & 8-2-7(D)(3) regarding street construction and parcel access off of arterials/collectors and flood plain, the road is considered and designated an arterial road. Ron Jones seconded the motion. Roll Call vote: Troy Hanson-aye; Ron Jones-aye; Amy Gahn-aye. Motion carried, the North plat parcels 1-4 is denied.

Amy Gahn made a motion to deny the South Short Plat submitted by Ensign Homes based on the P&Z recommendation, which states non compliance with 8-2-7 (D)(3), no parcel access off of arterials/collectors, the road is considered and designated an arterial road and doesn't allow driveways onto. Troy Hanson seconded the motion. Roll call vote: Ron Jones-aye; Amy Gahn-aye; Troy Hanson-aye. Motion passed, the South plat parcels 9-12 is denied.

Westin Davis thanks the Mayor and Council for listening.

AOI Agreement Update & Discussion-Action: There is discussion of where the process stands. Milton will schedule the Public Hearing for the County, almost done.

Road Classifications Ordinance-Action: The Mayor and Council look over the proposed ordinance. Kris fixes a few minor issues.

Ron Jones made a motion to suspend the reading of the proposed Ordinance three times on three separate days and have the title of the proposed Ordinance read only once. Amy Gahn seconded the motion. Motion carried.

Ron reads the Title of Ordinance 2023-4.

Troy Hanson made a motion to accept City of Menan Bill 2023-4. Amy Gahn seconded the motion. Motion passed.

Road Classifications Resolution-Action: The Council and Mayor look over the proposed Resolution. Kris makes a few minor adjustments.

Ron Jones made a motion to suspend the reading of the proposed Resolution three times on three separate days and have the title of the proposed Resolution read only once. Amy Gahn seconded the motion. Motion carried.

Ron reads the Title only from Resolution 2023-1.

Troy Hanson made a motion to approve and adopt Resolution 2023-1. Amy Gahn seconded the motion. Motion passed.

Ordinance Change-Dog Impound-Action: There is explanation of needing a contract with a local Veterinarian Hospital to take stray dogs impounded by the City, as there was an issue a few weeks ago and no shelter would take the strays. The City contracted with Mountain River Veterinary Hospital, but this requires a change in the dog ordinance. There is discussion of this.

Amy Gahn made a motion to suspend the reading of the proposed ordinance three times on three separate days and have the title of the proposed ordinance read only once. Troy Hanson seconded the motion. Motion passed.

Amy reads the title only of Bill 2023-5.

Amy Gahn made a motion to adopt Bill 2023-5. Troy Hanson seconded the motion. Motion carried.

Zoom Meetings Protocol & Microphone-Action: There is discussion of needing to put restrictions on those attending by Zoom. There is discussion of notifying the public that they can attend the meeting on Zoom, but won't be able to speak. There is discussion of making a set of policies to put out.

FY 2023-2024 Appropriations Ordinance-Action: There is a short discussion of the ordinance for appropriations.

Troy Hanson made a motion to suspend the reading of the proposed ordinance three times on three separate days and have the title of the proposed ordinance read only once. Ron Jones seconded the motion. Motion carried.

Troy reads the Title only of Ordinance 2023-5.

Amy Gahn made a motion to accept Ordinance 2023-5. Ron Jones seconded the motion. Motion passed.

Public Discussion: Justin Anderson asks about his CUP and resolving the sewer hookup and monthly fee for the RV park. There is discussion of him meeting with Matt to get the issue resolved so the CUP can be finished.

Maintenance Update: Matt states he is working on the sewer dump. The concrete was scheduled, then cancelled, hopefully will be poured next month. There is discussion of the dirt piled in front of the corner in front of Robert Gundersons property and Matt speaking with Robert on how to keep people from driving on his front area. Matt then states there will be a service project at the park on 11/11 to paint the table tops. There is discussion of needing the park shelters painted.

Treasurers Report-Action: There is discussion of the financials provided. Allyson states that the City is still in the black for 2022-2023, but next month will know more as the rest of the State funding comes in.

Ron Jones made a motion to accept the Treasurer's Report. Amy Gahn seconded the motion. Motion passed.

Bills-Action: There is discussion of the bills from last month.

Troy Hanson made a motion to accept and pay the bills. Amy Gahn seconded the motion. Motion passed.

Minutes: There is discussion of the minutes from last meeting.

Troy Hanson made a motion to accept the minutes from the Sept. 14, 2023 meeting. Ron Jones seconded the motion. Motion carried.

Ron Jones made a motion to adjourn. Amy Gahn seconded the motion. Motion carried.

Council Meeting ended at 10:19 pm.

Allyson Pettingill,
City Clerk/Treasurer