

**Regular Council Meeting  
Wednesday, July 2, 2008**

**Attending:** Mr. & Mrs. Wells Cloward, Laurel Workman, Jessica Lindow, Hillary Workman, Jorie Christensen, Kenyon Anderson, Daniel Tullis, Noel Bertelson, Marie Bertelson, Eric Johansen, Lana Gardner, Ken Allred, Neil Sorensen, Kim Sorensen.

**Roll Call:** Mayor Eldon Barnes. Council members, Bryan Sorensen, Thomas Allred, Boyd Mickel, Pamela Anderson, and Michael Workman.

**Approval of Minutes**

Council member Thomas Allred motioned to accept the minutes as amended. Council member Boyd Mickel would like the recorded minutes also allowed. Council member Mickel seconded the motion. There was discussion concerning correction of the minutes. There was no further discussion. All present were in favor. The vote was unanimous.

**Public Comments**

There were no public comments at this time.

**Lana Gardner, Skateboarders**

Lana Gardner stated that she was having difficulty with skateboarders in front of her residence, and businesses. Mrs. Gardner stated that the city needed to address the problem that the kids in Spring City did not have a place to be. Mrs. Gardner suggested that the city create a Skate Park for the kids and that she would help implement the project.

Council member Mickel stated that there had been vandalism through town. Mrs. Gardner stated that the parents let their children go without supervision and the kids had no place to go in town. Neil Sorensen stated that a fund had been started for a Skate park for the Spring City youth. Council member Anderson stated that there was \$1,300.00 in the fund. Marie Bertelson stated that if the kids in town helped they would value the Skate Park. Laurel Workman suggested that a Youth survey be conducted to help with coming up with an idea for the use of the money. Mrs. Gardner stated that something needed to be done for the city's kids that are left to their own devices.

Mayor Barnes stated that a youth survey would be a good way to decide how to use the funds that had been set aside for a Skate Park.

**Oath to Youth Council Members**

Council member Bryan Sorensen introduced youth council Hillary Workman, Jessica Lindow, \_\_\_\_\_ Fryer, Jorie Christensen, Eric Johansen, and Danielle Watson. These Youth Council members were given a oath. Laurel Workman was instated as their advisor.

**Ken Allred, Refund Subdivision fees**

Ken Allred approached council with the request to refund his subdivision fees. Mr. Allred stated that he would also like to get approval from the city to subdivide his lots. Council member Workman inquired the cost of splitting a lot. Ken Allred stated it was \$100.00 per lot.

Ken Allred stated that he had been to the Board of Adjustment for a variance on the acreage. Mr. Allred stated that he had spent time pursuing the subdivision with the Planning and Zoning Commission and the Board of Adjustments. Council member Mickel inquired the size of the lots. Ken Allred stated that he had a full ½ block; there were parcel's 13 & 14 that the county had put on one tax identification serial number and another lot that measured 2.11 acres. Ken Allred stated that the lots were grandfathered as buildable lots, and did not understand the Subdivision Ordinance and why it was so complicated. Council member Mickel stated that the state defines a subdivision as a split of a piece of property. Ken Allred stated that he wanted to subdivide the lots into 4 lots out of 2 lots. Mr. Allred stated that one split was approved and the other was not approved and would like council to refund his money. Council member Mickel stated that the Subdivision Ordinance did not allow the refund of his money and read 11-1-9 (6) to Mr. Allred and Council. Council discussed the subdivision and looked at maps.

Council member Pamela Anderson motioned to allow the Allred Subdivision as approved by the Board of Adjustments. Council member Bryan Sorensen seconded the motion. Discussion was as follows:

Council member Mickel stated the Mr. Allred had moved rocks into the city right of way off his property and he needed to clean them up. Mr. Allred stated that the irrigation company had moved the rocks into city right of way. Mr. Allred stated he had moved the rocks left by the irrigation company to put in a new fence. Council member Mickel inquired if Mr. Allred expected the city to remove the rocks. Mr. Allred stated that he would furnish the equipment and move the rocks left by the irrigation company.

Council member Workman inquired about the roads, and utility's that are the Subdividor responsibility. Council member Mickel stated that the road was the city's responsibility as it was dedicated to the city before the subdivision. Mayor Barnes stated that Mr. Allred needed to install sewer, water, and electricity to the lots and pay impact fees on all three lots as per City Ordinances. Mr. Allred argued that they were agricultural lots. Council member Sorensen stated that when the property was split it was a subdivision, and that the property was buildable whether it was split or not.

Council member Workman stated that the Subdivision Ordinance needed to be changed for a small division of property and called a lot split that didn't require connecting utilities, and that the lot should be able to be sold as agricultural. Council member Mickel stated that state law made required that a division of property was a subdivision. Mayor Barnes stated that by current Ordinances Mr. Allred would need to provide utility's to sell the property. Council member Workman stated that by the current Subdivision Ordinance all utility's including cable and phones should be installed. Mr. Allred asked if he could put the subdivision on hold and see what develops, or if they sell. Mayor Barnes stated that there is a issue if the lots were sold if the would the lots are buildable if the Ordinances were not followed.

Mr. Allred stated he needed a letter from the city that the lots could be split. Council member Sorensen stated that the letter would need to state stipulations. Mayor Barnes inquired if Mr. Allred wanted the Subdivision put on hold. Mr. Allred stated that he would favor of putting the subdivision on hold.

The motion died.

### **Wells Cloward Subdivision**

Mayor Barnes stated that the Planning and Zoning Commission had approved the subdivision application. Mayor Barnes stated that the 4.0 acre lot would be split into a buildable

lot only for Mr. Cloward's new home. Mayor Barnes stated that the cost of putting in utilities would be incurred by Mr. Cloward as well as impact fees.

Council member Bryan Sorensen motioned to approve the Well's Cloward Subdivision. Council member Michael Workman seconded the motion. There was no further discussion. All present were in favor. The vote was unanimous.

### **Heath Cook Subdivision**

Mayor Barnes stated that Heath Cook's Subdivision application had been approved by the Planning and Zoning Commission. Mayor Barnes stated that there was a problem with the Subdivision due to an issue of frontage, and Mr. Cook had purchased the frontage needed.

Council member Boyd Mickel motioned to approve the Heath Cook Subdivision. Council member Bryan Sorensen seconded the motion. There was no further discussion. All present were in favor. The vote was unanimous.

### **Dennis Ludington Zoning Permit**

Mayor Barnes stated that Mr. Ludington had put a shed on his property without the proper zoning permit and that he had moved it within the city setbacks. Council member Mickel stated that it was a portable shed, but exceeded the size the ordinance allowed.

Council member Bryan Sorensen motioned to accept the Zoning Permit. Council member Boyd Mickel seconded the motion. There was no further discussion. All present were in favor. The vote was unanimous.

### **Wells Cloward Zoning Permit**

Council member Boyd Mickel inquired about the setbacks. Council reviewed the plot plan. Council member Pam Anderson motioned to accept the Zoning Permit. Council member Bryan Sorensen seconded the motion. There was no further discussion. All present were in favor. The vote was unanimous.

### **Einer Bergstead Zoning Permit**

Mayor Barnes stated that this permit included a roof and a porch. Plans were reviewed by council. Council member Michael Workman motioned to accept the Zoning Permit. Council member Pamela Anderson seconded the motion. There was no further discussion. All present were in favor. The vote was unanimous.

### **Reports from Mayor, Council and Departments**

Mayor Barnes reported that he would like to get a temporary seasonal laborer to help the city employees. Mayor Barnes stated that the job would last until the end of October. Mayor Barnes stated that he would also like to get part time office help that would help the Planning Commission communicate with Council. Mayor Barnes stated that a third party would have no interest, and that he had been advised to take the Council member off the Planning Commission by the city attorney.

Mayor Bares reported that the picnic tables were in need of repair and that Kent Kummer would buy some trexx and repair them. Council member Allred stated that this material was not stable enough and would not support those who sat at the tables. Mayor Barnes stated that he would look into getting something different. Mayor Barnes inquired if Council member Allred

would purchase some tables and benches that could be cemented for the city grounds. Council Member Allred stated that he would look into the purchase.

Council member Thomas Allred had nothing to report at this time.

Council member Michael Workman had nothing to report at this time.

Council member Pamela Anderson reported that Wayne Wright had worked on the city PA system and that he would repair the system at minimal costs. Council member Anderson reported that checks would be made for prizes and games. Council member Anderson reported that Mainstreet would be blocked off for the city dance. Council member Boyd Mickel stated that there would be police support. Mayor Barnes inquired about the lighting. Council member Anderson stated that Josh Jensen would conduct the city Softball Tournament and Nedra Allred was in charge of the Tennis Tournament.

Council member Bryan Sorensen had nothing to report.

Council member Boyd Mickel opened bids for the Street for road base. The bids were as follows:

Johansens	\$7,725.00
Crisp Construction	\$7,000.00
Bennett	\$25,015.00

Council member Boyd Mickel motioned to accept the bid from Tom Crisp Construction. Council member Thomas Allred seconded the motion. There was no further discussion. All were in favor. The vote was unanimous.

Council discussed some of the problems with the roads. Council member Mickel reported that there were problems concerning the city right of way and storage of cars and junk. Council member Mickel stated that the litter law should be enforced.

Council member Mickel reported that the fire danger was high and that citizens should be aware that all weeds should be removed around their homes and other structures.

Noel Bertelson reported that the fire department had received a grant for \$13,000.00 that would go to training and the brush truck.

### **Payment of Bills**

Council member Boyd Mickel motioned to pay the bills as presented. Council member Pamela Anderson seconded the motion. There was no discussion. All present were in favor. The vote was unanimous.

### **Adjournment**

Council member Boyd Mickel motioned to adjourn. Council member Pamela Anderson seconded the motion. There was no discussion. All present were in favor. The vote was unanimous.