

**Regular Council Meeting
October 9th, 2008**

Attending: Dennis Watson, Clark Christensen, Marilyn Christensen, Ray Christensen, Kaye Watson, Shannon Thomas [Reporter], Erin Anderson [Reporter].

Expression of Choice: There was no expression of choice.

Roll Call: Mayor Eldon Barnes, Council members Boyd Mickel, Bryan Sorensen, Pamela Anderson. Council member Michael Workman was absent. Council member Thomas Allred was excused.

Public Comments

Dennis Watson wanted to know what the rate was for the new water tank. Mayor Barnes stated that it was a low interest rate and that the city had tried to obtain grants but were unable due to the fact that the minimum rate would need to be \$40.00 per month per hook up and was not a good thing for the city to do to the citizens. Mr. Watson stated that the minimum rate increase would penalize the citizens who do not use water. Council member Mickel stated that the city could not guarantee all the water bond payments without increasing the minimum.

Mr. Watson stated that the present rate was fair to all citizens who did not use a lot of water and some citizens would not be able to afford the increase. Council member Anderson stated that with the new base rate citizens would receive 5,000 gallons as minimum usage and would not be charged for gallons used.

Mr. Watson inquired about the Mt. Pleasant Events Center and wanted to know what good this would be to everyone in the City. Mayor Barnes stated that the Events Center would be used not only for an equestrian arena but for other uses that would be beneficial for all the cities.

Mr. Watson stated that the base minimum would not be equitable since the city gained \$5.50 for the 5,000 gallons used. Council discussed the usages for all citizens and the impact on the city's bond payments.

Clark Christensen

Mayor Barnes stated that Mr. Christensen's Zoning Permit had been approved in August with the stipulation that the electric service required a payment for impact fees of \$1,985.00.

Mr. Christensen stated that he objected to the decision and wanted to address council. Mr. Christensen stated that on May 3, 2002 he had paid \$5,220.00 for hook ups and that he believed that this amount paid would cover the costs of Impact Fees. Mr. Christensen stated that Laurel Workman had come to him and told him to pay his fees before Impact Fees were raised. Mr. Christensen stated that once fees had been paid the city can't raise the fees. Mr. Christensen stated that other people here relied on the fact that they had paid their fees and obtained applications for Building Permits. Mr. Christensen stated that he had never been told that fees paid would expire and was never contacted by the city and believed it was the city's responsibility to contact people who had been approved before their fees and permits expired.

Mr. Christensen stated that he had a water service and sewer service, the water service was not hooked up or running at this time but he still had a monthly fee for the sewer even though he was not running water.

Mr. Christensen stated that he had paid for the pole the city had installed and had requested services but the city had not responded to his request. Mr. Christensen stated that he had asked for the electric service over two years ago and the city had not done anything. Mr. Christensen stated that the city had poor record keeping.

Council member Sorensen inquired if underground conduit had been run by Mr. Christensen. Mr. Christensen stated that he had been told the contrary that the city came down the pole to the meter. Mr. Christensen stated that he could buy the wire and run the water but the Impact fee was a big deal.

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Council member Mickel stated that city ordinances stated that building had to begin within 90 days and that the permit was good for two years. Mr. Christensen presented his first zoning permit and stated that he had purchased a second permit since the first permit had expired. Mr. Christensen stated that the county did not require him to get another building permit. Mr. Christensen proposed that he only pay ½ of the impact fee.

Council discussed hookups and Impact fees and the required time limits on Zoning Permits. Council discussed that Kent Kummer the city Lineman had discussed the hook up with Clark Christensen several times. Mayor Barnes stated that he had spoke with Kent Kummer and that Mr. Kummer had told Mr. Christensen what was needed to complete the hookup. Mr. Christensen stated that he had no recall of this conversation. Council member Sorensen stated that conduit needed to be ran before the city could hook up his service. Council discussed the impact fees and that impact fees were not in place during the time Mr. Christensen requested services and that Impact Fees did not go into effect until last year. Mayor Barnes stated that since his permit had expired the new zoning permit required the payment of Impact Fees.

Council member Anderson motioned to accept Clark Christensen's offer of \$1,000.00 or ½ of impact fee due to the sense of fairness. Council member Mickel seconded the motion. Discussion was as follows:

Council member Anderson stated that the city should be responsible to contact citizens concerning their permits and expiration. Council member Sorensen stated that each citizen should have knowledge of the ordinances and that ignorance is not an excuse for not following the laws. Council member Mickel stated that a newly obtained zoning permit required Impact Fee payment since it would Impact the city system for the hook up. Mayor Barnes called for a vote. The vote was as follows:

	In Favor	Opposed
Council member Pamela Anderson	X	
Council member Boyd Mickel		X
Council member Bryan Sorensen		X

Council member Mickel motioned to accept temporary approval while Council Member Sorensen researched the ordinances concerning when permits expired to see if the ordinances that were in place during the time the first Zoning Permit was approved and go with the proposal as a compromise or if Mr. Christensen needed to pay the full Impact Fee. Council Member Sorensen seconded the motion. There was no further discussion. All present were in favor.

Clark Christensen stated that he would have the conduit in place and waiting for Spring City. Mayor Barnes stated that the Zoning Permit laws would be reviewed and if it did indeed expire within two years time to whether Mr. Christensen had to pay ½ of the Impact Fees or the entire Impact Fee.

Marilyn Christensen stated that the date should have been on the zoning permit. Council member Sorensen stated that every citizen has the responsibility to know the laws applicable to each city.

Council member Mickel motioned to have the ordinances researched. Council member Sorensen seconded the motion. There was no discussion. All present were in favor.

Mt. Pleasant Events Center

Those representatives were not present.

Resolution 2008-07, Fee Resolution

Mayor Barnes presented the Fee Resolution. Council member Mickel stated that he was still concerned about the Impact fee for a commercial three phase hook up charge. Council member Bryan Sorensen motion to accept Resolution 2008-07 as presented. Council member Boyd Mickel seconded the motion. There was no further discussion. All present were in favor.

Council member Anderson stated that council should approve the resolution and can review and change any of the fees at a later time. Council member Anderson motioned to send the Impact Fee to the

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Zoning Commission for review. Council member Mickel seconded the motion. There was no further discussion. All present were in favor.

Resolution 2008-08, Planning and Zoning Alternate Member

Mayor Eldon Barnes presented Resolution 2008-08 placing John Gavrilla as a permanent member to the Planning and Zoning Commission.

Council member Boyd Mickel motioned to accept John Gavrilla as a permanent member of the Planning and Zoning Commission. Council member Pamela Anderson seconded the motion. There was no further discussion. All present were in favor.

Resolution 2008-09, Water Rates

Mayor Barnes inquired if council had reviewed Resolution 2008-09. Council member Mickel stated that the water rates should be reviewed in April of each year to meet budget requirements. Council member Mickel stated that the base rate of \$27.50 was based solely on the water bond payments and operation and maintenance. Council member Mickel stated that the 1997 B Water Bond had a big balloon payment in the future.

Council member Mickel motioned to accept Resolution 2008-09, for Water Rates. Council member Pamela Anderson seconded the motion. The vote was as follows:

	In Favor	Oppose
Council member Boyd Mickel	X	
Council member Pamela Anderson	X	
Council member Bryan Sorensen		X

Ordinance 2008-04, Bail Schedule

Council set November 6th, 2008 at 6:30 p.m. for a Public Hearing to receive public input for Ordinance 2008-04, a regular council meeting would follow the public hearing.

Trailer Park Master Water Meter

Mayor Barnes stated that he had spoke with Brad Sorensen, the owner of the trailer court, concerning getting meters for each individual trailer and meters had not been installed in all of the trailers. Mayor Barnes stated that it would cost \$7,000.00 and that the city could put in the master meter and send a bill to Mr. Sorensen. Mayor Barnes stated that Mr. Sorensen would be responsible for paying the minimum amount of \$27.50 per trailer and water usage that would be accurate for the 16 trailers. A bill would be sent to Mr. Sorensen and he would pay for the water usage and pass the amount onto the residents who lived in the trailers.

Council member Mickel stated he had spoken with Jim Bennett, the water maintenance supervisor, and the city could get a meter that would read gallons instead of 1,000 gallons. Council member Pamela Anderson confirmed the usage and the minimum. Mayor Barnes stated that installing the meter at the city's cost would solve the problems of not all trailer park residents not having a water meter.

Council member Anderson motioned to install the master meter at the city's cost and having the owner of the Trailer Court pay for the water usage. Council member Mickel seconded the motion. There was no further discussion. All present were in favor.

Allred Water Line Extension

Mayor Barnes stated that Marilyn Allred inquired about a water line extension to her home and that the resolution in place would accept her proposal to install a water line to her home. Mayor Barnes stated that the proper paper work had not been filed but he had been approached concerning the extension.

Council member Bryan Sorensen stated that she would need to pay the actual costs as well as having the line engineered. Mayor Barnes stated that he wanted council aware of the request.

Mayor, Council and Department Reports

Mayor Barnes stated that he liked the idea of Spring City constructing an Animal control Facility that would be used by all cities. Mayor Barnes stated that it would be good for Spring City and the county as well as a revenue maker for the city. Council member Anderson inquired about the feeding watering and cage cleaning of the animals. Council member Mickel stated that the city should look at the Facility very carefully and look into animal rights.

Council member Boyd Mickel reported that he was working on the OHV Ordinance and the new state laws.

Council member Pamela Anderson reported that the Newsletter had been published. Council member Anderson reported that a public hearing be slated on the OHV Ordinance for usage on Highways and City Streets. Council member Anderson reported that the city had been denied for the tree grant and would try again when the grant came due next year.

Council member Bryan Sorensen reported that he would like the public's patience and understanding in hiring a new lineman. Council member Sorensen reported that Mt. Pleasant had been contacted and would be covering the city until a lineman could be hired.

Suspension Items

Mayor Barnes stated that these items would be discussed in upcoming meetings.

Payment of Bills

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

Adjournment

Council member Boyd Mickel motioned to Adjourn. All present were in favor.