

Mt. Pleasant City Council  
MINUTES  
July 26, 2011  
7:30 P.M.

REGULAR MEETING

The Mt. Pleasant City Council held a regular meeting July 26, 2011 at 7:30 p.m. The meeting was held in the Council Chambers, 115 West Main, Mt. Pleasant, Utah.

1. Welcome  
Mayor welcomed everyone to the meeting.
2. Opening Ceremony/ Pledge of Allegiance  
Mayor led the council in the pledge of allegiance.
3. Roll Call  
Mayor Sandra Bigler, Justin Atkinson excused, Monte Bona, Michael Hafen arrived a little after 7:30, Coleen Oltrogge, Reed Thomas. Recorder Woodard. Others present: Eric Probasco, Jeff McDonald, Shane Ward, Sam Draper, Faith Woodard, Jim Yearsley.
4. Approval of Agenda Items  
Motion to approve the agenda as written: Reed. Second: Coleen.  
Question on the Motion: All Aye
5. Approval of Minutes  
Motion to approve the minutes for July 12, 2011 as written: Coleen.  
Second: Reed. Question on the Motion: All Aye.
6. Approval of Claims & Requisitions  
Reed pointed out he had gone 200 miles, not 51 miles as is noted for vender 1000 on the report.  
Motion to approve the claims for \$190549.63: Coleen.  
Second: Monte. Question on the Motion Roll Call Vote All Aye  
Jon pointed out he provided the council financial statements for the end of the fiscal year. He asked if there were any questions. There were not any.
7. Public Participation  
Mayor asked if anyone wanted to make public comment. No one did initially, but after item 8, Jim Yearsley arrived and was allowed to speak under public participation.  
Jim is the President of the Central Utah Food Bank. It serves over 400 families. They are having financial trouble. Grants they have relied on for years have dried up.

They have 2 paid employees who have not been paid. They would like to be relieved of their power bill.

Monte points out they are not affiliated with the 6 county government. He checked with them, and there is no money available for the food bank at this time.

Jim says their power runs between \$150 and \$180 a month. They have plenty of food, they just have no cash to cover their overhead.

Monte points out they are not on the agenda, and so no action can be taken at this time. He suggests they take this matter under advisement, and put the matter on the next agenda.

8. Industrial Park Zoning Issues

Kristy Mayo did not appear. Monte asked Jon to present Kristy's concerns. Jon advised he would rather not serve as the go between for the City Council and the Planning Commission.

9. Issue regarding naming 1650 South

Mayor Bigler explains this is a road somewhere on the Spring City side of Mt. Pleasant outside the city limits. The County has asked the City to name the street. The road needs to be named something besides 1650 S. Monte suggests that in keeping with Mt. Pleasant and Sanpete County tradition, we name the road for who owns property on the road. Mayor Bigler is not sure if the road is on the East or West side of 89. If it is on the East side, she will name the street Johansen Ln. If it is on the West side, she will name it Brothersen Ln. The council unofficially concurred with these names.

10. Election ordinance to follow state statutes on municipal elections.

The Mayor explains this is an ordinance that will allow the city to cancel elections if they are uncontested. Jon explains because our current code references Utah Code 20A:404, the city is not able to adapt to changes in the state code that do not take place in this specific section. By taking out this reference, Mt. Pleasant City's code will be able to follow the State Code in total for Municipal elections.

Monte explains he only ran this election because there were so few people that signed up to run that the city would have needed to appoint a council member to fill his seat if he had not put in his name.

Jon says passing this ordinance will be advantageous to the city because we can cancel uncontested elections by resolution if we meet certain criteria. This will save the city money.

Motion to adopt Ordinance 2011-06: An Ordinance Allowing Uncontested Elections to be Cancelled: Monte.

Second: Coleen. Question on the Motion: All Aye.

11. Resignation of Stacy Goble from Planning Commission.

The Mayor says Stacy Goble resigned from the Planning Commission.

Motion to accept Stacy's resignation and thank her for her years of service:

Coleen. Second: Reed. Question on the Motion: All Aye.

12. Consideration of Wind Towers in Mt. Pleasant.

Jeff McDonald wants to put in a wind tower on State Street. Its turbines will be about 10 ft. in diameter. It will be 45 to 65 ft. high. It will be quiet. He is wondering how high he can build. He hopes to power his business from it. He hopes to not need to tie into the city grid. He thinks the wind will work better than solar, though he may supplement the wind power with solar power.

Coleen supports wind energy, but is worried about aesthetics as more wind towers are put up in the city.

Monte points out all uses in the modified commercial zone are conditional uses. The city would need to draft an ordinance, hold public hearings, and have the ordinance reviewed by an attorney before they could approve this use. Monte is concerned their would be public opposition.

Mike says the rules require buildings to have heights similar to surrounding structures, and the use should be similar to those in the area.

Jeff points out he spoke to every property owner in the area, except for the owner of the car wash and Mr. Sorenson who owns the apartments there. No one expressed opposition to the tower.

Monte asks Shane about his thoughts as a representative of the power department. Shane says whether or not the generator is attached to the grid makes a big difference to the power department. They have had problems with solar being tied into the grid.

Jeff says he likes the idea of providing his own power.

Mike in concerned neighbors may not have understood how high 45-65 feet is. Jeff says this is shorter than some trees in the area, and he explained the height to the neighbors using the power poles as a rough estimate. Shane says the power poles are mostly 40 ft., and 6 ft. of that is in the ground.

Reed asks about other towns in Utah. Jeff is not aware of any other cities in Utah which allow wind towers in urban areas.

Mike asks how the towers are held down. They can be held by cables or by a cement pad. This tower will be held up by a 3" 80 gauge pole. It will weigh 56 lbs. It is rated for 220 kw a month with a moderate constant wind.

Monte points out this may take some time to work out.

Motion to take the matter under advisement and have the Mayor make a recommendation to the council during the second meeting in August: Monte.

Second: Coleen. Question on the Motion: All Aye.

13. Sewer issue at about 400 N 40 W.

The Mayor explains this is an old issue. In September of 2010 Jones DeMille studied the sewer pipe at issue on found the problem was not the fault of the city's. She shows the attached evaluation by Jones DeMille. There are also 3 estimates from contractors, and a letter from Robyn Monk asking for the city to pay for the repairs.

Mike spoke to Brothersons about the Jones DeMille evaluation, and Brothersons questioned the point Jones DeMille used to measure the height of the pipe at the house. Mike says they have had 2-3 backups. There is a problem here, and there is another sewer line they could tie into that they think would solve the problem.

Monte says there are 3 options: 1) Accept the Jones DeMille study and not pay. If they are not happy with that, have them provide evidence the city is at fault. 2) Pay for

the lowest quote. 3) Spilt the cost 50/50 and have Mike act as an intermediary between the city and the property owners.

Sam says the lateral must have issues on the house's sewer system because the main line has never plugged. Cass cameraed it, but Sam does not know what he found. Sam says the laterals are the property owner's responsibility, and if the city starts paying for repairs on laterals it will set a precedent the city will need to follow in the future. Sam recommends not fixing this.

Reed comments this will cost a great deal if the city starts covering costs every time a lateral backs up. He is trying to decide between splitting the cost, or not paying at all.

Monte points out the other side is arguing the Jones DeMille study was tainted by a biased city employee.

Mayor says she recently spoke to Jones DeMille and they reaffirmed they are 100% sure it is not the city's fault.

Mike says Ches inspected the older sewer lines, and this is an argument they are using for why the city should pay. Sam points out the city cannot be expected to guarantee all work associated with every inspection done by the city, especially ones like this which were done over 30 years ago.

Shane agrees with Sam. If this were a power line the property owner would be responsible for cost. It will cost the city lots of money if they start covering this for every property in the city.

Sam considered the possibility of having the line unearthed, but not disturbed, and if it was found to be the city's fault, the city would pay for it. Otherwise, it would be up to the property owner. Monte liked this idea, and asked if they could unearth the line.

Jon points out we have paid for the line to be evaluated once. We should not pay for it to be evaluated twice without some evidence the city is at fault.

Reed agrees, and is concerned about costs.

Monte makes a motion to have the city abide by the Jones DeMille study showing the city is not at fault, and not pay any costs for the sewer repair. The city will re-evaluate this if the property owner comes forward with proof the city is at fault. Second: Reed.

Question on the Motion: All Aye.

Mike comments proof the city was at fault would need to come from a licensed contractor who could provide video evidence with a presentation to the city council showing why the city is at fault.

The Mayor says the Mayor and Jon will work together to draft a letter to the Ruiz's tomorrow explaining the city's position.

#### 14. Matt Draper travel request

The Mayor explained this was for travel Matt would do for UAMPS next month. The costs will be reimbursed by UAMPS. Sam thought it had to do with the Horse Butte wind project.

Motion to approve Matt's travel request: Mike.

Second: Coleen. Question on the Motion: All Aye.

#### 15. Mayor's Report.

The Mayor invited questions, and gave no report. No questions were asked.

16. Council Concerns

Monte: Nothing.

Reed: He has looked at the recent work Christensen Bros. has done on the roads. They will start chip & seal work in August. Mike points out the road by the school needs to be done before school starts. Sam is asked to pass this on the Matt. Sam thinks they would know to do this. Reed comments he thinks Mt. Pleasant is doing the best it can with the road money we have.

Reed comments the bleachers at the old stadium would cost about a quarter million to replace. He would like to see a service project next year to paint the bleachers to help keep them up.

Mike: Nothing.

Coleen: Nothing.

17: Closed Session for Employment Matter.

Motion to go into closed session to discuss an employment matter: Coleen.

Second: Mike. Question on the Motion: All Aye.

CLOSED MEETING SWORN STATEMENT

I, Mayor Sandra Bigler, swear, as the person presiding at this closed meeting, that the sole purpose for closing the meeting was to discuss employment issues.

Sworn and executed this \_\_\_\_ day of \_\_\_\_\_, 2011.

Mt. Pleasant City, by

\_\_\_\_\_

STATE OF UTAH            )  
COUNTY OF SANPETE    )

Subscribed and sworn to this \_\_\_\_ day of \_\_\_\_\_, 2011, by Jon Woodard.

\_\_\_\_\_  
Notary

18: Employment Matter.

No action was taken at this time.

19. Adjourn – 9:55.

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Jon Woodard, Recorder