

Manti City Council Public Hearing & Regular Meeting

MINUTES

JUNE 7, 2023
6:00 PM

MANTI CITY BUILDING
50 SOUTH MAIN STREET

MEETING CALLED BY	Mayor Alfred C. Bigelow
TYPE OF MEETING	Regular Council Meeting
ATTENDEES	Mayor: Alfred C. Bigelow Councilmembers: Jason Vernon, Darren Dyreng, Jeff Killian, Mary L. Wintch and Gary Chidester City Manager: Kent Barton City Recorder: JoAnn Otten
ABSENT	
WELCOME	Mayor Bigelow
PLEDGE OF ALLEGIANCE	Led by Councilmember Dyreng

Public Hearing

ITEM 1	Comment concerning proposed ordinance #2023-3 to eliminate conditional uses in residential zones R-2 and R-3, and to reassign said uses as either permitted uses or permitted uses with restrictions.
<p>Mayor Bigelow stated that following land-use training that the Council and Planning Commission received by officials of the Utah League of Cities & Towns last year, and upon the recommendation of our City Attorney, we made the decision to look at the elimination of conditional uses through either assigning current conditional uses to more appropriate zones, or allowing those uses as permitted uses – either with or without defined restrictions or requirements. The Planning Commission has discussed and now completed a proposal for the residential zones R-2 and R-3 and conducted a public hearing of their own concerning the proposal. Tonight, we will take any desired public comment concerning the proposed Ordinance, The proposed ordinance has been drafted based on the recommendation of the Planning Commission, staff and our City Attorney, a copy of the draft ordinance has been</p>	

available at the city office for public viewing since the time that this hearing was noticed.

The Mayor then invited any who desire to make comment to come forward, please state your name and address prior to making your comment.

No public comment.

ITEM 2

Public comment concerning proposed ordinance #2023-4 to define requirements for accessory buildings.

Mayor Bigelow stated that several months ago it was determined that the city's code concerning accessory buildings was somewhat ambiguous and not well organized. The Council asked the Planning Commission to work on this section of code and make a recommendation to the Council. After several months, and a lot of good work by the Planning Commission, we have the Commission's recommendation, for which they have already conducted a public hearing concerning the proposal. Tonight, we will take any desired public comment concerning the proposed Ordinance 2023-4, which if adopted will formalize requirements including height and setback requirements for accessory buildings, not including accessory dwelling unit, which are governed under a separate ordinance. The proposed ordinance has been drafted based on the recommendation of the Planning Commission, staff and our City Attorney. A copy of the draft ordinance has been available at the city office for public viewing since the time that this hearing was noticed.

The Mayor then invited any who desire to make comment to come forward, please state your name and address prior to making your comment.

Mary Pipes, 404 West 500 North

Ms. Pipes said that the Planning Commission had performed an excellent job in their development and revisions of this ordinance. She encouraged the City Council to make sure that the definition is clear and precise, which will eliminate any future problems.

No additional comments.

ITEM 3

Public comment concerning proposed ordinance #2023-4 to adopt APWA standard specifications as construction & development standards.

Mayor Bigelow stated that in an effort to improve our processes for growth and development we have determined that the city formally adopt the APWA Standard

Specifications as development and improvement standards for Manti City. Utah State Code already recognizes these specifications as improvement standards, but on the advice of our City Attorney, we desire to adopt these standards for Manti City. Formally accepting these standards will protect the city and its residents as we continue to grow. Additionally, we are proposing separate requirements for sewer lift stations be included as part of our improvement standards. The Planning Commission, has studied this proposal and has held a public hearing, and has forwarded the proposal to the Council with the recommendation to adopt this ordinance. Tonight, we will take any desired public comment concerning the proposed Ordinance 2023-5, which if adopted will formally adopt APWA Standard Specifications, as Manti City's improvements standards. The proposed ordinance has been drafted based on the recommendation of the Planning Commission, staff and our City Attorney. A copy of the draft ordinance has been available at the city office for public viewing since the time of this hearing was noticed.

The Mayor then invited any who desire to make comment to come forward, please state your name and address prior to making your comment.

No comment was made and Mayor Bigelow closed the public hearings.

Regular Meeting

ITEM 4	Matt & Christena Gray and Keith & Karen Steurer - Review plans for upcoming 4th of July celebration
<p>Mr. Gray and Ms. Steurer reported on the 4th of July celebration noting that the celebration will kick off on July 3rd with a pickle ball tournament and movie that will be held on the north field of the elementary school.</p>	
<p>They also provided a draft 4th of July schedule of activities beginning at 7:00 a.m. with the annual American Legion breakfast, program, games, horseshoe tournament, home run derby, tennis tournament, parade and ending with the fireworks at the Sports Complex. Ms. Steurer said that the theme this year is "Land of the Free because of the Brave".</p>	
<p>Councilmember Wintch felt there should be extra flyers available at the City Park for attendees to see. The council also discussed the watermelon bust and requested it be set for 2:00 p.m.</p>	
CONCLUSIONS	
<p>Councilmember Dyreng thanked the Gray's and Steurer's for Chairing and Co-chairing the annual 4th of July celebration, as he knows first-hand what a huge job it is to plan and prepare for this awesome event.</p>	

ITEM 5	Discussion and consideration of proposed ordinance #2023.3 concerning conditional uses in the R-2 and R-3 zones.
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Mayor Bigelow asked if there was any discussion concerning Ordinance #2023.3 conditional uses in the R-2 and R-3 Zones.

Councilmember Killian felt that on #12 in both R-2 and R-3 "*per duplex*" should be added and the Council concurred with this change.

As there was no additional discussion, the Mayor called for a motion.

ACTION	
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Councilmember Jeff Killian moved to accept ordinance #2023-3 Elimination of Conditional Uses in Zones R-2 and R-3 with "per duplex" added to #12 in both R-2 and R-3 zones, seconded by Councilmember Mary Wintch.

Councilmembers voting "aye": Jeff Killian, Mary Wintch, Darren Dyreng, Jason Vernon and Gary Chidester. Councilmembers voting "nay": none.

A copy of the ordinance is attached to and made part of the minutes.

ITEM 6	Discussion and consideration of proposed Ordinance #2023-4 concerning requirements for accessory buildings.
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Mayor Bigelow called for discussion concerning Ordinance #2023-4 requirements for accessory buildings.

Councilmember Vernon felt that the definition for "accessory building" could be interpreted the same as an "accessory dwelling". He suggested that "accessory building" add at the end of the sentence "*but may not be used as a dwelling unit*".

Councilmember Killian inquired if the ordinance includes containers and some discussion ensued after which City Manager Barton stated that this would need to be sent back to the Planning Commission for review and possible recommendation of a new section of ordinance.

Councilmember Killian inquired if a moratorium could be placed on the placement of containers and some discussion ensued with Councilmember Vernon asking what the purpose of a moratorium would be and questioned if a container is defined as a building.

Some discussion ensued after which Mayor Bigelow directed that this item be placed on the agenda for the next council meeting for further discussion.

Councilmember Vernon then referenced #1 of the ordinance questioning if this authorizes an accessory dwelling and home be constructed at the same time.

Councilmember Wintch recommended that the words “*and constructed*” be added so the paragraph reads: “Accessory buildings and accessory uses shall only be authorized *and constructed* with, or subsequent to, the establishment of a primary building or primary use.

Councilmember Vernon recognized the Planning Commission and the excellent job they completed on all three ordinances.

Mayor Bigelow then called for a motion to adopt Ordinance #2023-4 Accessory Building Requirements.

ACTION TAKEN

Councilmember Jason Vernon moved to adopt ordinance #2023-4 Accessory Building Requirements with the changes noted in section 17.40.012 regarding the definition of “Accessory building” and section 17.40.038 adding “and constructed” in paragraph #1, seconded by Councilmember Jeff Killian. Councilmembers voting “aye”: Jason Vernon, Jeff Killian Gary Chidester, Darren Dyreng and Mary Wintch. Councilmembers voting “nay”: none.

A copy of the ordinance is attached to and made part of the minutes.

ITEM 7

Discussion and consideration of proposed Ordinance 2023-5 concerning specifications for construction and development of standards.

Mayor Bigelow inquired if there was any discussion concerning proposed Ordinance #2023-5.

Councilmember Wintch suggested that in addition to having the standards, the code needs to state who will be responsible for ongoing maintenance of the lift stations, and the Mayor replied that this would require new requirements be placed on the developer.

As there was no additional discussion, Mayor Bigelow called for a motion to accept Ordinance #2023-5.

ACTION TAKEN

Councilmember Darren Dyreng moved to adopt Ordinance #2023-5, as presented, seconded by Councilmember Jason Vernon. Councilmembers voting “aye” Darren Dyreng, Jason Vernon, Gary Chidister, Jeff Killian and Mary Wintch. Councilmembers voting “nay”: none.

A copy of the ordinance is attached to and made part of the minutes.

ITEM 8

Continuing business.

Steve Pyper subdivision request.

Mayor Bigelow said that after meeting with the city attorney it was determined that Mr. Pyper would be able to split the property into three lots and use the existing “Pyper Lane” as the frontage. This would require Mr. Pyper to begin the process of annexation of Pyper Lane to become part of city boundaries. He then stated that Mr. Pyper would also be required to deed property on the west side for future development of 700 East Street.

Mayor Bigelow said that once the utilities are placed Mr. Pyper will be required to oil/chip seal the road that connects to the development property.

Some discussion ensued after which Mayor Bigelow called for a motion to begin the annexation process with details being made in an agreement.

Councilmember Jeff Killian moved to begin the annexation process with a development agreement to follow, seconded by Councilmember Mary Wintch. Councilmembers voting “aye”: Jeff Killian, Mary Wintch, Darren Dyreng, Jason Vernon and Gary Chidester.

Purchase contract for sale of derelict lot.

City Manager Barton reported that he had met with Mr. Richard Gardner and he did not want to remove the debris from the property but hoped the city would take this on then Mr. Gardner will pay the full amount of \$15,000 instead of \$13,500 for the purchase of the property.

Public Works Director Cory Hatch spoke with the individuals who have placed the debris and requested they move items off of the property.

Discussion concerning nuisance ordinance and enforcement.

Councilmember Wintch made note of the City Attorney’s suggestions that had been provided regarding nuisance enforcement and encouraged everyone to review same. She said that the city code needs to be updated to conform with state law for violation of pets.

She made note of the attorney's two pronged approach for nuisance abatement. Those being the offering of support and assistance to reduce the safety and health issues and if no help is accepted, then a penalty be assessed.

Mayor Bigelow said that he still feels that providing incentives to those that take the initiative to clean up their yards is better than a penalty.

Some additional discussion ensued.

Columbarium installations.

City Manager Barton reported that the Columbarium is scheduled to be installed on June 20th.

ITEM 9 Councilmembers reports.

Councilmember Killian requested that any items for the third quarter newsletter be provided to him and Mayor Bigelow suggested an article on the Patten House be included. Councilmember Killian suggested a 4th of July celebration flyer be included with the newsletter.

ITEM 10 Public comment.

Susan Manning – 294 South 400 East

Ms. Manning stated that the Vibrant Valley is connecting the quarterly newsletters to their website and that Manti has not published the last quarter to manticity.com.

She said the Vibrant Valley will be helping Mr. Larry Young clean up his yard on June 9th and any volunteers would be helpful.

Ms. Manning reported that a group will be working at the cemetery on Saturday.

She also reported that the Market in the Park is scheduled for June 17th at 11 am to 9 pm.

ITEM 11 Mayor Bigelow.

Mayor Bigelow reported on the following:

- Looking into possible electrical rate increases to help meet the needs of the City.
- There will be a rate increase with water, which will be needed to pay for the new treatment plant.
- Six County has reported that IPP will now be going to gas fire and not coal fire and this remodel is in full swing.

- Representative Chris Stewart is stepping down and a special session will be held at the state level for a replacement.
- He and City Manager met with the DUP regarding the Patten House needs and reviewed same.
- Noted there are 8 individuals who have declared their candidacy for city council with the Primary election scheduled for August 15th.

ITEM 12	Consideration of minutes of the meeting of May 17th.
The Mayor directed Councilmembers to draft minutes of the council meeting of May 17, 2023. After brief discussion, seeing there were no errors or changes noted, he called for a motion to accept the minutes as presented.	
ACTION TAKEN	
Councilmember Mary Wintch made the motion to accept the minutes of the May 17 th regular council meeting, seconded by Councilmember Darren Dyreng. Councilmembers voting "aye": Mary Wintch, Daren Dyreng, Jeff Killian, Jason Vernon and Gary Chidester. Councilmembers voting "nay": none.	

ITEM 13	City Manager Kent Barton.
The City Manager made note of the following:	
<ul style="list-style-type: none"> • The loan with the Division of Drinking Water is a 40 year 7.5 million dollar loan at no interest. The payment will be deferred for 5 years until the current water bond is paid off. • The ARPA report is in the packet. • Have received the site and ground plans for the new courthouse and a ground breaking ceremony is scheduled for mid-August. • The City is continuing to work with LTD and Temple Estates on new development. • Displayed a drawing of the Family Dollar/Dollar Tree building. • The first Manti ATV ride is scheduled for July 11th and 12th with 110 registered. • The Pool repairs are moving along and we are hoping to have it open the week of June 19th. • The Public Works Department worked incredibly hard to have the cemetery ready for Memorial Day and commended them for their hard work. • An updated calendar is available in the packet. • Has an issue dealing with property negotiations for closed session. 	
ACTION TAKEN	
Councilmember Jason Vernon moved to adjourn from regular session into closed session to discuss property negotiations, seconded by Councilmember Mary Wintch.	

Councilmembers voting “aye”: Jason Vernon, Mary Wintch, Gary Chidester, Jeff Killian and Darren Dyreng. Councilmembers voting “nay”: none.

Adjourned from closed session into regular session.

Councilmember Jason Vernon moved to pay the bills and adjourn the meeting, seconded by Councilmember Gary Chidester. Councilmembers voting “aye”: Jason Vernon, Gary Chidester, Mary Wintch, Darren Dyreng and Jeff Killian. Councilmembers voting “nay”: none.

ADJOURNED	7:40 P.M.
NEXT MEETING DATE	Regular Council Meeting – June 14, 2023

General Account

Shanna Colburn	\$ 79.04
Keyera Braithwaite	1,000.00
Breanne Keisel	1,393.75
Utah Municipal Power Agency	102,747.98
Christena Gray	336.00



Alfred Bigelow, Mayor



JoAnn Otten, City Recorder