

# Manti City Council Public Hearing & Regular Meeting

## MINUTES

JUNE 14, 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: Gary Chidester, Jeff Killian and Mary L. Wintch City Manager: Kent Barton City Recorder: JoAnn Otten
ABSENT	Councilmember Darren Dyreng and Jason Vernon
WELCOME	Mayor Bigelow
PLEDGE OF ALLEGIANCE	Led by Mayor Bigelow

### Public Hearing

ITEM 1	<b>Invite public comment concerning proposed FY 2023-2024 budget.</b>
<p>Mayor Bigelow stated that over the past several months a new budget for the upcoming fiscal year beginning July 1<sup>st</sup> has been worked on. City Manager Barton presented a tentative, or draft budget, to the Council on May 3<sup>rd</sup> and since that time, some changes and modifications have been made.</p> <p>He then said that the General Fund budget totals just over \$2.85 million, which is an increase of 7.8% over the current year's budget. The final proposed budget has been completed and available to view at the city office or online.</p> <p>He then invited public comment.</p> <p>Russ Hatch – 511 South 600 West</p>	

Mr. Hatch inquired if the proposed fee schedule would incorporate an increase in utility rates.

Mayor Bigelow stated that there is an increase to utilities based on upcoming needed infrastructure.

Mr. Hatch then said that he was very happy to hear that the proposed water treatment plant will be a filtration system and not chemical.

Ben Kishpaugh – 463 West 500 North #B

Mr. Kishpaugh questioned if the filtration will clean the **slate** and the Mayor said it would.

Mary Pipes – 404 West 500 North

Ms. Pipes inquired when the utility rate increases would be in effect and how would the citizens be notified of the increase and how would the citizens be notified of this increase.

Ms. Pipes then commented that this would increase the utility bill by approximately \$8 to \$10 per month. She noted that there is help available to citizens through the Six County Heat Program.

**CONCLUSION**

Mayor Bigelow thanked all those present for their comments.

<b>ITEM 2</b>	<b>Invite public comment concerning proposed transfers from enterprise funds to the general fund in the FY 2023-2024 proposed budget.</b>
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Mayor Bigelow said that for many years, Manti City has transferred some of the profit monies from the enterprise or utility funds to general fund. Manti cities have used this practice in lieu of increasing property taxes and franchise taxes – especially cities where there are high concentrations of “tax exempt” property, such as we have in our community. The transfers from the enterprise funds create a fairer source of revenue, for all users of city services, as increasing property taxes alone would disproportionately affect non-exempt tax-payers.

He continued by stating that as required by Utah state code §10-6-135.5, a city that is proposing to transfer funds from an enterprise fund to another fund for a purpose not directly related to the goods or services provided by the enterprise fund must provide notice of the transfers to the users of the enterprise funds. The city must

also hold a public hearing on the transfers prior to adoption or the amendment of the City's budget.

Each household in the city received a notice of the hearing and it was published on both the Manti City website and the State public notice website.

For the current year the City is proposing \$375,000 be transferred to the General Fund as follows:

- \$250,000 from the electric fund
- \$75,000 from the sewer fund

He then invited public comment.

Ben Kishpaugh – 463 West 500 North #B

Mr. Kishpaugh asked what the money that is transferred is used for.

City Manager Barton said that this becomes a source of revenue for the general fund. Barton also stated that if there was a shortage, the City Council would have to increase property taxes which is not a fair tax across the board and transferring funds is money that every household in the community has paid into.

Ben Bramwell – 210 North 300 East

Mr. Bramwell questioned if the city is allowed to save the transfer monies.

City Manager Barton said that Manti City has reserve funds in invested accounts (PTIF funds), which is state invested accounts and no money is just sitting.

Councilmember Killian said that the City does have a reserve account for emergencies. He said that the City's job is to provide for the citizens and not to have excessive funds.

Ken Glenn – 257 West 400 North

Mr. Glenn questioned the \$8 fee that was originally placed on the utility bill for the road improvement project in 1993/94 and inquired why it has continued to be on the utility bill for the swimming pool and ballfields.

City Manager Barton said that this was voted on by the community when the pool was on the ballot.

CONCLUSION	
Mayor Bigelow thanked all those present for their comments.	

ITEM 3	<b>Invite public comment concerning proposed adjustments to the FY 2022-2023 budget.</b>
<p>Mayor Bigelow stated that every year the City is required to open the budget and adjust the revenue and expenditures before completing the budget year.</p> <p>He then invited public comment.</p> <p><u>Susan Manning – 294 South 400 East</u></p> <p>Ms. Manning requested a written detail of the adjustments.</p>	

CONCLUSION	
Mayor Bigelow thanked all those present for their comments.	

ITEM 4	<b>Invite public comment concerning changes to city code 17.52 “Amendments” to “Amendments &amp; Agreements”, and to modify code section 17.52010 “Amendments”, and to add section 17.52.020, “Development Agreements”</b>
<p>Mayor Bigelow stated that under the advice of our city attorney, we are proposing changes and updates to Chapter 52, in order to comply with current state code. We are also proposing an additional section titled “Development Agreements”, which are also governed by state law. Development agreements allow negotiation between the developer and the city to set forth the specific requirements, elements and aspects of a development prior to receiving approval from the applicable land use authority on a land use application. Cities are allowed to advance the city’s general plan and community planning objectives or to facilitate developments that may not otherwise be permitted under applicable zoning and land use regulations in order to realize otherwise unavailable benefits to the city and its residents.</p> <p>He said that similar to amendments to re-zone property, state law requires that development agreements must be subject to public comment taken before both the Planning Commission and the City Council.</p> <p>He then invited public comments.</p> <p><u>Mary Pipes – 404 West 500 North</u></p>	

Ms. Pipes had questions regarding the posting notifications.

CONCLUSION

Mayor Bigelow thanked all those present for their comments.

## Regular Meeting

ITEM 5

**Discussion and consideration to accept proposed transfers from enterprise funds to the general fund as detailed in the proposed FY 2023-2024 proposed budget.**

Mayor Bigelow asked if there was any discussion regarding the transfers from the enterprise funds to the general fund.

Councilmember Killian asked why there are not transfers from the water fund and the City Manager said this had not been done in years.

As there was no additional discussion, the Mayor asked for a motion to accept the transfers as presented.

ACTION TAKEN

Councilmember Mary Wintch moved to accept the transfers from the enterprise funds to the general fund as detailed in the proposed FY 2023-2024 proposed budget, seconded by Councilmember Gary Chidester.

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

ITEM 6

**Discussion and consideration to adopt proposed FY 2023-2024 budget.**

Mayor Bigelow asked if there was any discussion regarding the proposed FY 2023-2024 budget.

Councilmember Killian requested an overview of the budget and City Manager Barton produced a graph showing the revenues and expenditures and reviewed same.

Mayor Bigelow then asked for a motion to adopt the 2023-2024 budget, as presented.

ACTION TAKEN

Councilmember Gary Chidester moved to adopt the 2023-2024 a budget as presented, seconded by Councilmembers Jeff Killian. Councilmembers voting “aye”: Gary Chidester, Jeff Killian and Mary Wintch. Councilmembers voting “nay”: none.

ITEM 7	<b>Discussion and consideration to open, adjust and finalize the current year budget (FY 2022-2023) as proposed.</b>
<p>Mayor Bigelow inquired if there was any discussion regarding opening and adjusting the current year budget.</p> <p>Councilmember Killian asked if there were any significant changes.</p> <p>Some discussion ensued after which the Mayor called for a motion to open and adjust the 2022-2023 year budget.</p>	
ACTION TAKEN	
<p>Councilmember Jeff Killian moved to adopt the budget for 2022-2023 as presented, seconded by Councilmember Mary Wintch. Councilmembers voting “aye”: Mary Wintch, Jeff Killian and Gary Chidester. Councilmembers voting “nay”: none.</p>	

ITEM 8	<b>Discussion and consideration of proposed changes to city code 17.52 “Amendments” to “Amendments &amp; Agreements”, and to modify code section 17.52.010 “Amendments”, and to add section 17.52.020, “Development Agreements”.</b>
<p>Mayor Bigelow asked if there was any discussion concerning the modification of section 17.52.010 and addition of section 17.52.020.</p> <p>Councilmember Killian stated that this ordinance provides the city with additional tools in working with developers.</p> <p>City Manager Barton said that the development agreement is at the discretion of the City Council with no obligation unless it benefits the community.</p> <p>Seeing no additional discussion Mayor Bigelow called for a motion to adopt the changes and additions to city code 17.52</p>	
ACTION TAKEN	
<p>Councilmember Gary Chidester moved to adopt the amendments to “<i>Amendments &amp; Agreements</i>” and to modify code section 7.52.010 “<i>Amendments</i>” and to add section 17.52.020 “<i>Development Agreements</i>”, seconded by Councilmember Jeff Killian. Councilmembers voting “aye”: Jeff Killian, Gary Chidester and Mary Wintch. Councilmembers voting “nay”: none.</p>	

ITEM 9	<b>Consideration of Resolution #2023-02 to accept updated consolidated fee schedule.</b>
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Mayor Bigelow inquired if there was any discussion concerning Resolution #2023-02 the consolidated fee schedule.

Councilmember Wintch said that if the price for a non-resident grave is raising, should the fee for a resident raise.

Some discussion ensued after which Mayor Bigelow called for a motion to accept Resolution #2023-02 Consolidated Fee Schedule.

**ACTION TAKEN**

Councilmember Mary Wintch then moved to adopt Resolution #2023-02 Consolidated Fee Schedule, seconded by Councilmember Gary Chidester. Councilmembers voting “aye”: Mary Wintch, Gary Chidester and Jeff Killian. Councilmembers voting “nay”: none.

**ITEM 10**

**Continuing Business.**

**Discussion concerning nuisance ordinance and enforcement.**

Mayor Bigelow said there was nothing new to discuss in regards to the nuisance ordinance.

He then reported that the City Council had held a work meeting to discuss the proposal by Steve Pyper and more information will be forthcoming at a later date with the City Council making a decision at that time.

**ITEM 11**

**Councilmembers reports.**

Councilmember Wintch reported that she had attended the ULCT Board meeting and made note of the delay of election and ARPA funds available for utilities to support smaller city staffs. She also reported on the Six County Regional Growth Summit and recognized them for the excellent training provided.

She stated that with the excessive growth that Utah is seeing there is now pressure from the State to provide more housing and some discussion ensued.

Councilmember Killian said that the Legislature used to be filled with city/council officials who understand government, but now 75 percent of the legislature is affiliated with development and this is a concern.

He mentioned that the Airport Fly-In is scheduled for September 9<sup>th</sup> and encouraged all present to attend this fun-filled day.

**ITEM 12**

**Public Comment**

Susan Manning – 294 south 400 East

Ms. Manning inquired if the City Council would consider allowing an apartment above a garage, as this would provide affordable housing.

City Manager Barton responded that there is an accessory dwelling unit ordinance and if it fits under this ordinance, it would be allowed.

Michael Brook – 294 South 400 East

Mr. Brook said that a “Welcome to Manti” bag is being provided to all new residents.

Ben Kishpaugh – 463 West 500 North #B

Mr. Kishpaugh inquired who manages the city website and offered to volunteer his services in helping with the website.

He also said that the “Market in the Park” is scheduled for Saturday, June 17<sup>th</sup>.

Ben Bramwell – 210 North 300 East

Mr. Bramwell stated that State statute prevents any latitude for amending what developers are required to do.

City Manager Barton said that the City Council may change zoning but if a developer meets the standards, then the land authority will be involved.

Some discussion ensued relative to the legislature and Mr. Bramwell felt that cities need lobbyist for small communities. It was noted that ULCT provides lobbyists for cities and they are watching all bills that could affect cities.

Cherie Gunderson – 734 East 100 South

Ms. Gunderson thanked the Mayor and Council for all they do and stated that she is a concerned citizen who would like to help. She made note of the activity at the City Park on June 17<sup>th</sup> and provided a handout for the activity on July 24<sup>th</sup>.

ITEM 13

**Mayor Bigelow**

Mayor Bigelow made note of the following items:

- LTD has been receiving nasty emails regarding the construction of Dollar Tree/Dollar Store, which is not appropriate and encouraged whoever is doing this to stop.



- Made note of the election date changes.
- The water runoff has stayed at 270 cfs or less.
- Six County Government has reported that if you plan on traveling outside the USA, apply for a passport early as they are taking several months to get.
- Six-County has many assistance programs that citizens can utilize.

<b>ITEM 14</b>	<b>Consideration of approval for minutes of last month’s meetings.</b>
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The Mayor directed Councilmembers to draft minutes of the council meeting of June 7, 2023. After brief discussion, seeing there were no errors or changes noted, he called for a motion to accept the minutes as presented.

<b>ACTION TAKEN</b>	
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Councilmember Mary Wintch made the motion to accept the minutes of the June 7, 2023 regular council meeting, seconded by Councilmember Jeff Killian. Councilmembers voting “aye”: Mary Wintch, Jeff Killian,. Councilmembers voting “nay”: none.

<b>ITEM 15</b>	<b>City Manager</b>
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- City Manager made note of the following items:
- The pool will be open on June 28<sup>th</sup> and swim lessons and evening rentals are now available on manticity.com.
  - ULCT Conference is scheduled for September 6-8 in Salt Lake City. Contact JoAnn, if interested in attending.
  - Met with Manti Communications regarding security services, which will help protect city facilities.
  - The Columbarium is scheduled to be placed on June 20<sup>th</sup>. Thanked Councilmember Wintch for her work in this project.
  - A calendar of future meetings is in the packet.

<b>ADJOURNED</b>	7:40 P.M.
<b>NEXT MEETING DATE</b>	Regular Council Meeting – July 12, 2023

**General Account**

Blake DeMill	\$198.54
Shanna Colburn	85.00
Utah State Treasurer	907.80
LewAnn Jorgensen	100.00

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Alfred Bigelow, Mayor

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JoAnn Otten, City Recorder