

Manti City Council Public Hearing & Regular Meeting

MINUTES

JULY 19, 2023

6:00 PM

MANTI CITY BUILDING
50 SOUTH MAIN STREET

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

Public Hearing

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| ITEM 1 | Public Hearing regarding proposed development agreement between Manti City and Steve Pyper concerning the annexation of Pyper Lane. |
| <p>Mayor Bigelow welcomed all present and stated that several months ago the city was contacted by Steve Pyper with a request to develop property he owns near 800 East along 300 North, with access to be allowed from a private lane outside the city boundaries. Being that the city's zoning ordinance requires street frontage in order to develop property, the city denied the request. Since that time the city has worked with Mr. Pyper in an effort to allow him to annex the private lane into the city, thereby enabling him to meet the street frontage requirement. It will also be required or Mr. Pyper to deed property to the city on both the east and west sides of his property in order to preserve a possible future link to 300 North by either an extension of 750 East, or by way of 800 East. In order to obtain the property for the possible future street extensions, the city is proposing a reduced street development requirement,</p> | |

which will include 24-feet of paved street, but not curb, gutter or sidewalk along the street to be annexed – currently known as Pyper Lane. If successfully annexed, the road will be renamed 800 East.

Mayor Bigelow then invited public comment.

Jennifer Christiansen – 289 North 600 West

Ms. Christiansen stated that she is a member of the Planning Commission and they had held a lengthy discussion at their meeting the previous night. She noted they had not been involved with the development agreement. However, they trust in the process and in the advice from city staff and city attorney. She said that she supports the development agreement and expressed her appreciation to the City Council for all their hard work.

Mary Pipes – 440 West 500 North

Ms. Pipes said that she had attended the Planning Commission meeting the previous night and listened to their discussion. She stated that she understood the give and take involved with deleting the curb/gutter and sidewalk in order to obtain property for a future road. She felt that the development agreement is the best solution and was in full support of approval.

Ken Glenn – 257 West 400 North

Mr. Glenn stated that he is a great supporter of growth and development in the City. He would definitely support the development agreement with Mr. Pyper and encouraged the City Council to vote in favor of the agreement.

As there were no additional comments, the Mayor closed the hearing.

ITEM 2

Public Hearing regarding proposed development agreement between Manti City and Heritage Homes concerning proposed development of 25-acre parcel north of the temple to include mixed use residential and commercial properties.

Mayor Bigelow stated that about a year ago, the city started discussions with the Allred family concerning the family’s desire to develop property immediately north of the Temple, which has been in the family for over 150 years. The property lies within the city limits and is currently zoned for commercial use along the entire west (highway facing) side of the property, extending eastward for 500 feet into the

property. The remainder of the property is zoned for residential use with a R-1 or low-density, single-family designation.

The Allred family desires to do a high-quality development, which will enhance the entrance to the city and compliment the historic temple property. The family has submitted concept plans and worked with city staff to determine needs and requirements for streets and utilities.

The concept plan includes about 3 acres dedicated for commercial uses and the remainder as single-family home lots, most being in the range of one-quarter to one-third acres in size. The plan also includes 12 lots in the range from .145 to .167 acres with reduced setback requirements, to be used for cottage style homes with small limited-maintenance yards.

The plan will required adjusting the zoning on the property to provide for increased residential acreage and decreased commercial acreage. This rezoning would occur through a separate process, as outlined in the city land-use ordinance.

For designating smaller lots within the project, which is zoned as R-1, the city attorney recommended the development agreement process (also outlined in our ordinance). The rationale for this development agreement is that the city would allow the 12 smaller lots, because the overall density of the proposed 55 total lots is actually less than the maximum allowed density (57 lots)that the property could accommodate because of the use of larger lots throughout the remainder of the development.

Mayor Bigelow then invited public comment.

Russ Hatch – 511 South 600 West

Mr. Hatch asked if the developers have indicated what kind of commercial business will be at the location and the City Manager said not at this time, but the developers are aware of the requirements in the commercial zone.

Ben Bramwell – 210 North 300 East

Mr. Bramwell said that this is a great development with much needed housing opportunities in the community. He then asked if the city has considered requiring first refusal in order to purchase property for green space in the development.

Susan Manning – 294 South 400 East

Ms. Manning stated that she likes smaller lots and questioned how big the homes will be on the smaller lots. Mayor Bigelow said that the setbacks are stated in the development agreement, and this will dictate how large the homes will be able to be built.

Ms. Manning then made inquiry regarding the lawncare and entryway.

Bryan Francois – 196 East 200 North

Mr. Francois stated he is excited for this type of development to come to Manti. He said that Manti has become a high destination and having homes available and commercial opportunities will be a blessing for the community.

Steve Pyper – County

Mr. Pyper had questions regarding the turning lanes and then made inquiry regarding the street names that are listed on the draft map of the Temple View Estates Subdivision.

Ben Bramwell – 210 North 300 East

Mr. Bramwell noted that Cycle Sanpete had received a grant for \$750,000 for bike trails and asked if there will be bike paths connecting to this subdivision going north.

Mary Pipes – 404 West 500 North

Ms. Pipes stated that she supports this development. She also said that the City Council should not require an HOA but leave this up to the developer to determine if an HOA is developed for this subdivision.

Ken Glenn – 257 West 400 North

Mr. Glenn said he was happy to see this development being proposed, as Manti is growing and we must plan and be ready for the growth. He said this will provide additional revenue for the community and he definitely supports and encourages new development.

Susan Manning – 294 South 400 East

Ms. Manning said that it was her understanding the Ranches have irrigation water issues and felt that the City Council should keep in mind the need to improve

irrigation to the area. Mayor Bigelow replied that the Irrigation Company is a separate entity from Manti City.

As there were no additional comments, the Mayor closed the hearing.

Regular Meeting

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| ITEM 3 | Jori Kloosterman - Central Utah Health Department - Sanpete County Story Trails project. |
| <p>Ms. Kloosterman stated that she was present to introduce Sanpete County Story Trails. She said this project 15 story trails and 15 challenges that citizens throughout the county may be involved with. The stories are on yard signs that the Health Department was proposing to place at a city owned location such as the park, ballfield or city building.</p> <p>Each challenge is posted on a sign and community members may scan on their phone a QR Code to find the sites and schedule. Prizes will be available to those that check in to each site and complete the requirements.</p> <p>She said that this is a family and community activity that will help everyone connect to each other.</p> <p>Councilmember Vernon said that he supported this project 100 percent and felt there are multiple places that could be used for the placement of the signs.</p> | |
| CONCLUSION | |
| <p>After additional discussion it was the consensus of the Mayor and City Council to allow Central Utah Health Department to use city property for this project.</p> | |

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| ITEM 4 | Discussion and consideration of appointment of Appeal Authority. |
| <p>City Manager Barton said that Craig Call (former Utah Ombudsman) had agreed to be the Appeal Authority for Manti City and this needed to be approved by the City Council.</p> <p>Councilmember Wintch stated that the fee should be sufficient to pay for the travel and time of Mr. Call and the City Manager said the fee is currently \$300.00 but could be adjusted by the City Council.</p> <p>Mayor Bigelow then asked for a motion to accept Mr. Call as the Appeal Authority for Manti City.</p> | |

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| ACTION | |
| <p>Councilmember Mary Wintch moved to appoint Craig Call as the Manti City Appeal Authority, seconded by Councilmember Jeff Killian. Councilmembers voting “aye”: Mary Wintch, Jeff Killian, Darren Dyreng, Jason Vernon and Gary Chidester. Councilmembers voting “nay”: none.</p> | |

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| ITEM 5 | <p>Discussion and consideration of appointment of retirement policy.</p> |
| <p>Mayor Bigelow reported that an audit had been conducted by the Utah Retirement Systems, and the current policy regarding eligibility needed some clarification as to Mayor and Council eligibility and the City Manager eligibility status.</p> <p>He then called for a motion to adopt the policy as presented.</p> | |

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| ACTION TAKEN | |
| <p>Councilmember Jason Vernon moved to adopt the Manti City Policy – Retirement Coverage, seconded by Councilmember Darren Dyreng.</p> <p>Councilmembers voting “aye”: Jason Vernon, Darren Dyreng, Gary Chidester, Jeff Killian and Mary Wintch. Councilmembers voting “nay”: none.</p> | |

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| ITEM 6 | <p>Becca and Shawn Szymanski, Recyclops – request to address Mayor and City Council regarding recycling program.</p> |
| <p>Mayor Bigelow recognized Becca and Shawn Szymanski of sZy’s Recyclops.</p> <p>Ms. Szymanski said that Recyclops covers the area of Sanpete and Juab County and explained the recycling business and what is offered to their customers.</p> <p>She stated that using a recycling program reduces the waste being taken to the landfill by 60 – 75 percent, which is substantial. After additional discussion Ms. Szymanski proposed that Manti City be the first “city” to sign up for the program at a cost of \$22.00 per month for their buildings, which would be curb-side recycling pick up. They also suggested Manti City adopt a recycling program and that would include all city utility customers to have curb-side pickup by Recyclops.</p> <p>Councilmember Wintch asked how long the Szymanski’s have been in business and they said since April of 2023.</p> | |

Councilmember Vernon said that he was a former customer of this business and had been amazed at how much recycling items his family accumulated each week. He thanked the Szymanski's for providing this information to the community.

CONCLUSION

Mayor Bigelow thanked Becca and Shawn and said that the City Council would discuss this further and get back to them.

ITEM 7

Discussion and consideration of Pyper development agreement.

Councilmember Killian stated that he had attended the Planning Commission public hearing and regular meeting the previous night as an observer. He said that the vote to pass the Pyper development agreement was 3 for and 1 against.

Councilmember Killian said that his brother-in-law, David Tibbs – chair of the Planning Commission – had concerns that Councilmember Killian felt were appropriate to share. He continued by stating that Mr. Tibbs felt that the 34-foot wide strip of land that Mr. Pyper will dedicate to Manti City with the acknowledgement that future property owners within the development will be allowed to improve by build fencing, sheds, etc. with the agreement that improvements may be removed by Manti City without notice or compensation to the property owner, is a major concern. He continued stating that this could create hard feelings and problems with the citizens involved.

City Manager Barton said that the City Attorney did not share this concern.

Councilmember Killian said that he would favor changing the wording to not allow property owners to make any improvements on the strip of land.

Additional discussion ensued after which Mayor Bigelow called for a motion on the development agreement.

ACTION TAKEN

Councilmember Darren Dyreng moved to accept the Pyper development agreement, as presented, seconded by Councilmember Jason Vernon.

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

ITEM 8

Councilmember reports.

Mayor Bigelow asked if there was any discussion regarding the Heritage Homes/ Temple View Estates development agreement.

As there was no discussion, he then called for a motion.

ACTION TAKEN

Councilmember Jason Vernon moved to accept the Temple View Estates development agreement, as presented, seconded by Councilmember Jason Vernon.

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

ITEM 9

Continuing business.

Discussion concerning nuisance ordinance and enforcement.

Mayor Bigelow said that Councilmember Wintch has provided an outline to the Mayor and Council regarding nuisance abatement and a code enforcement plan of action and requested she review same.

Councilmember Wintch then said that the objective is not to be punitive and impose penalties, but rather, provide a clean, healthy, safe and friendly small town. She then reviewed information and resources for those who are out of compliance with Manti City nuisance ordinances. This included the following:

- Courtesy letter regarding nuisance code violation
- Metal recycling information sheet
- Volunteer group contact sheet

Councilmember Wintch stated that there may be incentives provided to help bring properties into compliance such as:

- Awards for most improved property and best kept property.
- Offer dumpster to property owners along with courtesy letter of Nuisance Code Violation.
- Fine forgiven if property is abated within specified time frame.
- Progressive penalties if non-compliance is repeated within two/three years.

Additional information was also provided relative to amending the current code and including a fee schedule. She said the next step would be to update and implement the administrative process.

CONCLUSION

Mayor Bigelow thanked Mary for providing this information, and requested that the City Council review and study the information provided and have this on the agenda for discussion at the next city council meeting.

ITEM 10**Councilmember reports**

Councilmember Vernon thanked Matt and Christena Gray and Keith and Karen Steurer for chairing and co-chairing the Fourth of July celebration. He said they had brought new ideas to the table and made the celebration a two-day event, which turned out to be a huge success. He also thanked all of the volunteers who helped make things happen so this event would be a success.

He also thanked the city employees and fire department.

Councilmember Dyreng said that Manti has been well represented by Miss Manti at several parades covering all of Sanpete County and Juab.

Councilmember Killian reported that he had spoken with State Representative Steve Lund regarding the legislation, which would eliminate the Planning Commission and City Council from the subdivision development process, and said he did not vote for this particular bill. Representative Lund also felt that rural communities should form their own type of League of Cities and Towns that would have the mindset of dealing with the smaller communities and not just Wasatch Front issues.

Councilmember Killian said he had spoken with Jeff Park of Rural Water Association regarding lift stations and Mr. Park said that they should be avoided as much as possible. Councilmember Killian said that Mr. Park indicated RWA would be willing to help with a preliminary study on sewer plants.

Councilmember Killian said that the Library had sponsored a Water Festival activity at the park earlier that day, which was a big success.

Councilmember Wintch thanked all those involved in making the Fourth of July a success including city staff.

ITEM 11**Public comment - two minutes per each comment.**Mary Pipes - 404 West 500 North

Ms. Pipes said that a regional cross country track meet is scheduled for August 19th west of Manti and will bring approximately 7,000 people to the community. She felt that an electronic speed limit sign might be beneficial so that cars will slow down driving on 500 North Street.

Russ Hatch - 511 South 600 West

Mr. Hatch felt that Representative Lund's suggestion was a great idea and would definitely help focus on the smaller communities.

Ben Bramwell – 210 North 300 East

Mr. Bramwell said that the Council should be very careful in the language they use in the retirement policy.

Felt that recycling is a big win for the community and would make a positive difference in the garbage taken to the landfill. He encouraged the City Council to consider recycling.

Dave Cox – 90 West Union

Mr. Cox mentioned that when Leonard Blackham was a State Representative, all of the representatives in the southern end of the state would meet to pass ideas along to one another.

Joe Marsh – 402 East 200 South

Ms. Marsh stated that she gets very upset when people tell her what to do and when she is told she has to pay for something for others, she is not happy.

She would like also like to see green space and walking paths required by developers.

Susan Manning – 294 South 400 East

Ms. Manning stated that she is there representing Vibrant Valley. They are hosting an event at the Manti City Park on July 24th and she requested that this information be shared on the Manti City Facebook page and also on the electronic sign.

Ted Curtis – 370 South 300 East

Mr. Curtis requested that the text on the screen be made larger, as he cannot see what the City Manager is displaying.

Cherie Gunderson – 734 East 100 South

Ms. Gunderson thanked the Mayor and City Council for their time and for giving her the opportunity to give clarification and be tutored. She also thanked City Manager

Barton for taking the time to meet with her and she expressed her love for the community.

Bryan Francois – 196 East 200 North

Mr. Francois had questions regarding ATV's and trails available to get from the area of the proposed Temple View Estates Subdivision to the Canyon Road.

Troy Marsh – 402 East 200 South

Mr. Marsh inquired if the street resigning project was complete. It was noted that the Snow College students are continuing to work on this project.

Carolyn Curtis – 370 South 300 East

Ms. Curtis stated that she had 22 family members visiting during the 4th of July, and she was thrilled at the activities that were available for them to participate in.

ITEM 12

Mayor Bigelow.

Mayor Bigelow note of the following items:

- Thanked the Planning Commission for all their time and hard work.
- The Manti City ATV ride was a success bringing many people to Manti who supported our local business. The second ride is scheduled in September.
- Read an anonymous letter that was received at the city office regarding the trimming of hedges at the Manti Country Village Hotel. He made it clear Manti City had nothing to do with the trimming and Dirk Correnti did this on his own.
- Expressed concern relative to Facebook comments regarding the retirement policy and encouraged anyone with questions to contact him or meet with him personally, as he would be happy to answer any questions. He stated that things that are posted on Facebook are not always true and can be hurtful to the community.
- Expressed his appreciation to the city employees for all they do for the community.

ITEM 13

Consideration of approval for minutes of recent meetings. (June 13th, June 14th, June 23rd and July 6th)

The Mayor directed Councilmembers to draft minutes of the council meeting of June 13, 2023. After brief discussion, seeing there were no errors or changes noted, he called for a motion to accept the minutes as presented.

Councilmember Mary Wintch moved to accept the minutes of the June 13, 2023 council meeting, seconded by Councilmember Jeff Killian.

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

The Mayor directed Councilmembers to draft minutes of the council meeting of June 14, 2023. After brief discussion, seeing there were no errors or changes noted, he called for a motion to accept the minutes as presented.

Councilmember Gary Chidester moved to accept the minutes of the June 14, 2023 council meeting, seconded by Councilmember Darren Dyreng.

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

The Mayor directed Councilmembers to draft minutes of the council meeting of June 23, 2023. After brief discussion, seeing there were no errors or changes noted, he called for a motion to accept the minutes as presented.

Councilmember Jason Vernon moved to accept the minutes of the June 23, 2023 council meeting, seconded by Councilmember Mary Wintch. Councilmembers voting “aye”: Jason Vernon, Mary Wintch, Jeff Killian, Darren Dyreng and Gary Chidester. Councilmembers voting “nay”: none.

The Mayor directed Councilmembers to draft minutes of the council meeting of July 6, 2023. After brief discussion, seeing there were no errors or changes noted, he called for a motion to accept the minutes as presented.

Councilmember Darren Dyreng moved to accept the minutes of the July 6, 2023 council meeting, seconded by Councilmembers Mary Wintch. Councilmembers voting “aye”: Darren Dyreng, Mary Wintch, Jeff Killian, Jason Vernon and Gary Chidester. Councilmembers voting “nay”: none.

ITEM 14

City Manager Kent Barton

City Manager Barton note of the following items:

- Met with Jones & Demille Engineering regarding the UDOT Transportation Plan. He reported that counters have been installed in different locations around town to study traffic volumes on various streets.
- Reroofing at the Patten House will begin on July 20th. The building has 17 windows in it and several of them need to be replaced.

- The Manti Library sponsored their annual Water Festival and acknowledged Librarian Cynthia Lopez and her staff on the success of this activity.
- Utah Taiko Experience will be at Manti High School the evening of July 28th and at the City Park on July 29th at 7:30 p.m. This is a free event with demonstrations and workshops and is sponsored by Manti City and Manti High School. He encouraged all to attend this unique event.
- D1 Prospects will be hosting a 59- team softball tournament at the Manti City Baseball Complex this coming weekend.
- The Father’s Day Baseball Tournament was held earlier in June and was very successful. These tournaments bring many individuals to our community.
- The groundbreaking for the new courthouse is scheduled for August 21st at 1:00 p.m. Mayor Bigelow and Councilmember Wintch have been asked to say a few words. Governor Cox and the Chief Justice of the Supreme Court will also be in attendance.
- The Sheriff’s report is in the packet.
- Has an issue for closed session dealing with property negotiation.

Mayor Bigelow said that the next council meeting will be August 9th.

ACTION

Councilmember Jason Vernon then moved to adjourn from regular session into closed session to discuss property negotiation matters, seconded by Councilmember Gary Chidester. Councilmembers voting “aye”: Jason Vernon, Gary Chidester, Darren Dyreng, Mary Wintch and Jeff Killian. Members voting “nay”: none.

RETURNED TO REGULAR SESSION FOLLOWING CLOSED SESSION.

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

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| ADJOURNED | 8:45 P.M. |
| NEXT MEETING DATE | Regular Council Meeting – August 9, 2023 |

General Account

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| Keith Steurer | \$ 30.00 |
| Darren Dyreng | 1,052.03 |
| JoAnn Otten | 99.85 |
| Elise Van Orman | 34.50 |
| Richard Gardner | 414.00 |
| Out in Back BBQ | 3,000.00 |
| Steve Roberts | 80.00 |
| Katherine Silvester | 263.20 |
| Steve Roberts | 305.00 |
| Judy Chandler | 168.87 |
| Sanpete County Justice Court | 377.02 |
| Kent Barton | 5,328.00 |
| Utah Municipal Power Agency | 66,516.22 |
| LewAnn Jorgensen | 684.34 |
| Shanna Colburn | 216.90 |
| Christena Gray | 815.00 |
| Space Saver Internet | 3,279.76 |
| Mid America Books | 452.37 |
| Zions Bank | 14,734.50 |
| The Penworthy Group | 1,811.67 |
| Kevin Steurer | 594.85 |
| Kevin Daniels | 900.00 |
| Utah State Treasurer | 139.72 |
| Sunny Hammouri | 51.04 |
| Breanne Simonsen | 200.00 |

Alfred Bigelow, Mayor

JoAnn Otten, City Recorder