

Manti City Council Regular Meeting

MINUTES

AUGUST 9, 2023
6:30 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, Darren Dyreng, Jeff Killian and Mary L. Wintch City Manager: Kent Barton City Recorder: JoAnn Otten
ABSENT	Councilmember Jason Vernon
WELCOME	Mayor Bigelow
PLEDGE OF ALLEGIANCE	Led by Mayor Bigelow

Regular Meeting

ITEM 1	Cory Hatch - report on Urban Deer Control Program.
<p>Public Works Director Hatch reported that the Urban Deer Control Program has been extended for another three years and will run August 1st through October 31st.</p> <p>He said that in the past they have trapped 5 – 8 deer and their goal this year is to be more aggressive and trap 10 – 15. The traps have been placed primarily on city owned property focusing on vacant lots, creek beds and orchards in non-visible areas. These traps are checked regularly and will be relocated every three weeks.</p> <p>Mr. Hatch stated that this is an effective and good program for Manti City to participate in, and each year gets better as they become more familiar with the process.</p>	

ITEM 2	Cory Hatch - update on seasonal street maintenance.
<p>Public Works Director Hatch stated that the chip seal and maintenance on streets is almost complete with approximately 3 miles being resurfaced, which included the</p>	

radius and upgrades along the way. The flush seal coat will be completed in a couple of weeks.

Mr. Hatch said that they are also working on patching the trenches that were opened while placing utilities.

CONCLUSION

Some discussion ensued regarding new subdivisions and road maintenance. The Mayor and Council then thanked Mr. Hatch and the city crew for their continued hard work.

ITEM 3

Discussion concerning acceptance of planning grant agreement with the State of Utah Division of Drinking Water.

City Manager Barton said that, as reported at a previous council meeting, the Division of Drinking Water has awarded a \$100,000 grant to help fund the new water treatment plant. This must be approved by motion of the City Council prior to the Mayor signing the agreement.

ACTION

Councilmember Jeff Killian moved to approve the agreement with the Division of Drinking Water for the award of a \$100,000 grant, seconded by Councilmember Darren Dyreng. Councilmembers voting "aye": Jeff Killian, Darren Dyreng, Mary Wintch and Gary Chidester. Councilmembers voting "nay": none.

ITEM 4

Discussion and consideration of personnel policy update regarding employees serving as elected officials.

Mayor Bigelow asked if there is any discussion regarding the proposed personnel policy regarding employees serving as elected officials.

Councilmember Wintch said she felt that employees serving as a councilmember could lead to potential difficulties and possible conflict of interest. She also felt that approving this policy now would eliminate possible problems, as well as in the future, and that the Council should talk about the pros and cons of the policy.

Councilmember Chidester stated that he did not have a problem with passing this personnel policy, as long as it would be effective in 2025 and not this current election.

Councilmember Dyreng said that everyone on the City Council has had a potential conflict of interest and have had to remove themselves from voting on an issue. He

felt this is a good policy but should not be effective midstream of a current election cycle. He stated that he is not opposing the policy but is opposing the timeline.

Councilmember Killian said that the City Council needs to do what is best for the City and if the policy is right for another election, why is it not right to be effective now to stop any potential conflicts.

He said that the City Manager is the only employee that has the authority to hire/fire an employee but if an employee is serving on the City Council, then that employee has the authority to vote for the hire/fire of the City Manager, to vote on pay raises even after proclaiming a conflict of interest and any other management issue. He felt this would be a huge conflict.

He continued by stating that if the City Council lets this personnel policy on employees serving as a city councilmember slide by, then they have made a vast mistake. He urged the City Council to consider passing this personnel policy.

Mayor Bigelow said that he has seen this same type of situation at the state level and agrees with some of Councilmember Killian's points of view. However, since we are already in the middle of the election cycle he felt that the policy should be adopted and placed in effect after the current election.

The Mayor did state that the roll of a city councilmember would be a tough situation for an existing employee.

CONCLUSION

Mayor Bigelow said that he was hesitant to call for a vote on the personnel policy until there is a full council in attendance. He requested this item be placed on the agenda for the next meeting of August 30th.

ITEM 5 Financial Report - August 2023 financial statements.

City Manager Barton presented the July 2023 Financial Statement, which is attached to and made part of the minutes.

He reported that 8% of the budget year is complete with total budgeted revenues realized at 6% and total budgeted expenses coming in at 14.1%. He then reviewed the Enterprise and Special Revenue Funds with water revenue at 9.8% of budget and expenses at 2.1%, sewer department budgeted revenues at 8.1% and expenses at 6.8% and electric fund budgeted revenues at 6.8% and expenses at 1.9%.

Barton referenced the Municipal Court, which is at 17.2%, due to a "make-up" retirement payment for the Justice Court Judge. He also mentioned the

Administrative account at 35.5% due to automobile and liability insurance that is paid at the beginning of each fiscal year, and the swimming pool at 46.3% due to most of the season being at the beginning of the budget year.

CONCLUSION

The Mayor and City Council thanked City Manager Barton.

ITEM 6 Continuing business.

Discussion concerning nuisance ordinance and enforcement.

Councilmember Wintch requested that the City Council review the draft nuisance ordinance and the changes and amendments that were recommended by the City Attorney. She said that a decision should be made as to whether Manti City will hire a third party to be the Administrative Appeal Officer or appoint an in house officer.

Councilmember Dyreng said that he previously sat on the Board of Adjustment and it was extremely hard to face citizens and deny their requests. He felt that a third party person would be the best option.

CONCLUSION

After additional discussion Mayor Bigelow requested a work meeting be scheduled to review the draft nuisance ordinance.

ITEM 7 Councilmember reports.

Councilmember Killian reported on the process of rezoning the Manti/Ephraim Airport and recommended that City Manager Barton draft a Memorandum of Understanding. Mayor Bigelow said he would follow up with Ephraim City regarding same. It was noted that the Airport is in the Ephraim City buffer zone and that Sanpete County will be the final decision makers as to the zone of the Airport.

Councilmember Killian also said that there should be a 50/50 approval involvement for both Manti and Ephraim in decision making regarding the Airport.

Councilmember Dyreng reported that Miss Manti is continuing to fulfill her duties.

Councilmember Chidester reported on the success of the employee summer party and thanked all employees for helping to making Manti City a great place to live.

Mayor Bigelow said he also felt the pool party was a success and expressed his appreciation to all of the city employees.

ITEM 8

Public comment - two minutes per each comment.

Ben Kishpaugh - 463 West 500 North (B)

Mr. Kishpaugh inquired if any of the nuisance ordinance has been change as of this date, and the Mayor replied that it has not changed.

Gerald Christiansen - 289 North 600 West

Mr. Christiansen stated that the Council does not need to worry about a personnel policy regarding elections , as the people will make that choice.

He also made inquiry regarding the "for sale" sign located on city property north of the cemetery. Mayor Bigelow said that this sign had been placed accidently and was not meant to be there.

Susan Manning - 294 South 400 East

Ms. Manning said that she could not see a line item in the budget for payroll, and the City Manager said that there is a line item titled Salaries & Wages. She then requested a list of employees with their current wages. Ms. Manning was informed that a GRAMA request would need to be completed prior to this information being provided.

Ms. Manning said that regarding the personnel policy that had been discussed she felt this would be a very difficult situation for a city employee and she supported the policy. She said that this is not a personal attack on any of the candidates, but allowing a city employee to be on the city council could lead to potential stressful situations.

Cherie Gunderson - 734 East 100 South

Ms. Gunderson stated that she appreciated the wisdom of Councilmember Killian regarding the personnel policy on elections. She felt that this policy should be adopted and in place to protect the integrity of Manti City employees and also the City Manager.

ITEM 9

Mayor Bigelow.

Mayor made note of the following items:

- Drove up Manti Canyon with Public Works Director Hatch to check on the springs and stated how impressive Manti City's water resources are.

ITEM 10	Consideration of approval for minutes of last month's meetings.
<p>The Mayor directed Councilmembers to draft minutes of the council meeting of July 19, 2023. After brief discussion, seeing there were no errors or changes noted, he called for a motion to accept the minutes as presented.</p>	
ACTION TAKEN	
<p>Councilmember Gary Chidester made the motion to accept the minutes of the July 19th regular council meeting, seconded by Councilmember Mary Wintch. Councilmembers voting "aye": Gary Chidester, Mary Wintch, Darren Dyreng and Jeff Killian. Councilmembers voting "nay": none.</p>	

ITEM 11	City Manager Kent Barton
<p>City Manager Barton made note of the following:</p> <ul style="list-style-type: none"> • Referenced the Technical Plan Assistance Program Cooperative Agreement with Utah Department of Transportation, which is a grant in the amount of \$51,200 for the development of a Transportation Master Plan. • Noted the Development Agreement with Steve Pyper passed at the last council meeting. Temple View Estates Development Agreement also passed and he and Public Works Director Hatch met with the Allred representatives, and it was agreed to the combining of two lots to provide a workable and attractive area to access backyards. The first plat will be available in the near future. • The elevator in the City building is in need of repairs at a cost of \$16,000. There is also a recommended upgrade to the elevator that may be completed at a later date. The budget will need to be adjusted to complete the needed repair. • The Utah Taiko Experience performed at Manti High School and at the City Park with both performances being highly successful. Donations were collected, which were then given to Manti High School for the replacement of seats in the auditorium. They intend to make this an annual event in Manti. • The annual Airport Fly-In is scheduled for September 9th. • The fall Manti Mountain Run is scheduled for September 15-16. • The local restaurant has closed down and Charlie's Country Kitchen will be opening in the near future. • UTV Utah will be staging their ride out of Manti City for the third year on September 22nd. • The Manti ballfields hosted an all-night tournament, which brought in 150 trailers and 62 teams. Manti High School and Ephraim City ballfields were also used to help with the overflow of ballgames. Recreation Director Luke Rowley is aggressively working to schedule tournaments for every weekend in the spring and summer months. • The Sheriff's patrol report is in the packet. 	

- The Patten House repair of the lean-to roof is complete and there is a small amount of grant money left, which will be used to replace windows.
- Requested closed session to discuss property negotiations.

ACTION TAKEN

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

Adjourned from closed session into regular 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, Darren Dyreng and Gary Chidester. Councilmembers voting “nay”: none.

ADJOURNED	8:05 P.M.
NEXT MEETING DATE	Regular Council Meeting – August 30, 2023

General Account

Utah State Treasurer	\$ 730.09
Darren Dyreng	97.04
Utah Department of Recovery Services	203.00
Main Street Clinic	100.00
Utah Department of Recovery Services	180.00
Luke Rowley	238.38
Cory Hatch	142.68
Jack Van Orman	120.00
TJ Roofing	2,075.00
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Manti City	158.65
Utah Retirement Systems	6,922.14


 Alfred Bigelow, Mayor


 JoAnn Otten, City Recorder