

Manti City Council Meeting

MINUTES

AUGUST 30, 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, 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 Chidester

ITEM 1	Continuing Business.
Discussion consideration of personnel policy update regarding employees serving as elected officials.	
<p>Mayor Bigelow stated that at the last council meeting they had discussed the proposed draft policy regarding city employees as Manti City elected officials. He explained that the policy states that if a Manti City employee is elected to a position in the city, such as City Councilmember or Mayor, that employee would be placed on an unpaid leave of absence for the duration of time that they hold an elected office.</p> <p>He then said that the item had been tabled at the last meeting so that there would be a full council to discuss and possibly take action on same.</p> <p>Councilmember Vernon said that he felt there is already a process in place, which is the voice of the citizens at the ballot box. He also stated that the timing of the policy was bad because many citizens have already voted. He questioned if it was reasonable and right to require a city employee to be placed on an unpaid leave of absence because they become an elected official.</p> <p>Councilmember Dyreng said that he agreed that this is not the right time to adopt this policy, as many citizens have voted and this could possibility invalidate their</p>	

vote. He said that he has no problem with the actual policy but the timing is terrible. He felt the citizens should make the decision on who is allowed to be an elected official.

Mayor Bigelow said the City Attorney had advised that this policy should be adopted, but the Mayor did agree that the timing is not the best. He explained that there is the potential of problems in the chain of command with an employee being a councilmember.

Councilmember Chidester said that he did not feel that a “conflict of interest” is a reason to pass the policy, as many councilmembers have had different issues arise that fell under the “conflict of interest” status and it would not be unique for a city employee either. He said that if the situation would arise that there is a conflict of interest, they would have to recuse themselves from voting.

Councilmember Killian said that it is not required by law to recuse one’s self – an individual may still vote on the issue.

City Manager Barton stated that he is not on the city council and has no vote. He felt that this issue had been a difficult one for him and city employee AJ Mower.

He stated that he has known AJ for several years and he is a good employee, but there is the possibility of a potential conflict with an employee as a city councilmember. He said that AJ spoke with him prior to becoming a candidate and asked Kent what his thoughts were, and Kent told him he has every right to run but it could be a conflict of interest.

City Manager Barton also reported there have been accusations that he recruited Mr. Mower to run so that Barton would have more control over the council. He also had heard from an individual that he had asked Mr. Mower to withdraw his candidacy and both statements are totally false.

Mr. Barton stated that he respects Mr. Mower and the election process but agrees with the policy.

Councilmember Wintch said she had researched the issue and did feel that the timing is problematic, as this could be interfering in the current election process. However, she does see the possibility of problems arising and someone being hurt, and she did not want either Kent or AJ to be affected in anyway. She also was disappointed in the accusations that were flying around – they are not fair or kind.

Additional discussion ensued.

ACTION TAKEN

Councilmember Darren Dyreng moved to adopt the policy regarding city employees serving as Manti City elected officials effective as of January 1, 2025 with AJ Mower being exempt from the policy as long as he runs concurrently, seconded by Councilmember Mary Wintch.

Councilmember Killian expressed his concerns that this motion singles out one employee who would be allowed to run as long as he desires and no other employee would be allowed. He said that the policy should be adopted and allow AJ to be exempt from this election cycle only. He stated that the policy would provide protection for Manti City and the impacts it would face with a city employee sitting as a councilmember.

Mayor Bigelow called for a vote on the motion.

Councilmembers voting "aye": Darren Dyreng and Mary Wintch. Councilmembers voting "nay": Gary Chidester, Jason Vernon and Jeff Killian. The motion failed.

Councilmember Jeff Killian then made the motion to accept the election policy, as presented, with the effective date of January 1, 2024 which will not affect the current election cycle but would be in effect for all future elections, seconded by Councilmember Jason Vernon.

Councilmembers voting "aye": Councilmember Jeff Killian and Jason Vernon. Councilmembers voting "nay": Gary Chidester and Darren Dyreng.

There was additional discussion after which Councilmember Mary Wintch voted "aye" on the motion. The motion carried.

ITEM 2

Councilmembers reports.

Councilmember Wintch reported that she had met with the State Courts Election Committee regarding the purchase of a sculpture for the new courthouse. She said that a local business, Wildflower Floral, who leases the old Bishop's Storehouse, which has recently been purchased by the State of Utah. They have been told their lease will end as of January 1, 2024 and they will have to vacate the building. Councilmember Wintch said that something needs to be done to pressure the state into allowing this business to stay, as Manti cannot see another Main Street business close down.

Some Discussion ensued with it being noted that the State courts have taken over a prime location in the community and this business needs to be protected. Contacting Governor Cox, Senator Owens and Representative Lund would be a good place to start.

State Representative Steve Lund said that it is important to keep our local businesses open and said that a petition of signatures carries a lot of weight and shows the state that the citizens are engaged in what is happening in our community.

Councilmember Killian suggested that a "Resolution of Support" be adopted. The Council supported this action.

Councilmember Jeff Killian moved to develop a Resolution of Support for local business Wildflower Floral Flower, seconded by Councilmember Gary Chidester. Councilmembers voting "aye": Jeff Killian, Gary Chidester, Jason Vernon, Darren Dyreng and Mary Wintch. Councilmembers voting "nay": none.

Councilmember Killian reminded all in attendance of the Airport Fly-In on Saturday, September 9th.

He also reported that the Airport Board is looking into purchasing American made equipment, such as a tractor, for use at the airport.

Councilmember Chidester said that there will be a Holocaust Exhibition at Snow College throughout the month of September located on the second floor of the Library.

ITEM 3

Public Comment - two minutes per each comment.

Tom Marsh - 402 East 200 South

Mr. Marsh asked if the flower shop building would be torn down and Mayor Bigelow said that is not happening.

Steve Thorsen - 395 North 500 West

Mr. Thorsen questioned what the State would place in the Old Bishop's Storehouse if the flower shop is kicked out. It was noted that had they mentioned leasing to an attorney.

Tom Marsh - 402 East 200 South

Mr. Marsh questioned what the current courthouse will be used for once the new courthouse is completed and City Manager Barton said it would continue to house the Sanpete County Administrative offices.

Larry Lund - 368 South 500 East

Mr. Lund stated that the new courthouse is not being built in the right place and that both the state and federal agencies have devastated our little community by moving major departments out of Manti City, and we cannot lose another Main Street business. He stated that the floral shop has the support of the community.

Susan Manning - 294 South 400 East

Ms. Manning inquired if the City Attorney had reviewed the election policy and had felt there was a possible conflict of interest for a city employee to be a city councilmember. She also wondered if the city could be sued due to a conflict of interest of a city employee being a city councilmember.

Cherie Gunderson - 734 East 100 South

Ms. Gunderson inquired who would generate a petition for the floral store and said the residents would be happy to help in any way possible.

Utah State Representative Steve Lund

Representative Lund said that as a part-time elected state official, they sign a "conflict of interest" form and then if an item came up that is a possible conflict, they are able to recuse themselves. He stated that if a conflict of interest was a problem, there would be no school teachers allowed to be in the House of Representatives at the state level.

ITEM 4

Mayor Bigelow.

Mayor made note of the following items:

- Made note of the flu shot schedule for Sanpete County
- Reported on the groundbreaking of the new courthouse noting that he and Councilmember Wintch had the opportunity to say a few words.
- Provided an update on the Dollar Tree/Dollar Store and said if citizens have questions, please call either City Manager Barton or the Mayor.

ITEM 5	Consideration of approval for minutes of recent meetings.
The Mayor directed Councilmembers to draft minutes of the council meeting of August 9, 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 August 9 th regular council meeting, seconded by Councilmember Gary Chidester. Councilmembers voting “aye”: Mary Wintch, Gary Chidester, Jeff Killian, Darren Dyreng and Jason Vernon. Councilmembers voting “nay”: none.	

ITEM 6	City Manager Kent Barton
City Manager Barton made note of the following:	
<ul style="list-style-type: none"> • The Patten House roof repair is complete. • Received a \$21,000 grant for the replacement of historic windows in the Patten House. • Will be meeting with LTD on Thursday regarding property development. • Met with Rannoch Purcell with the Utah Taiko Experience and they plan on making this an annual event in Manti. • Charlee’s Restaurant will be opening in Manti the end of September. • Requested closed session to discuss property negotiations. 	
ACTION TAKEN	
Councilmember Mary Wintch moved to adjourn from regular session into closed session to discuss property negotiations, seconded by Councilmember Jeff Killian. Councilmembers voting “aye”: Mary Wintch, Jeff Killian, Darren Dyreng, Jason Vernon and Gary Chidester. 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 Jason Vernon. Councilmembers voting “aye”: Mary Wintch, Jason Vernon, Darren Dyreng, Gary Chidester and Jeff Killian. Councilmembers voting “nay”: none.	

ADJOURNED	8:15 P.M.
NEXT MEETING DATE	Regular Council Meeting – September 20, 2023

General Account

Kent Barton	\$ 238.75
Mary Wintch	238.75
Jeff Killian	238.75
Utah Municipal Power Agency	125,625.02
Jones Paint & Glass	3,343.74
Joan Shand	817.70
Sunny Hammouri	160.00
Zions First National Bank	694.98



Alfred Bigelow, Mayor



JoAnn Otten, City Recorder