

# Manti City Council Public Hearing and Regular Meeting

## MINUTES

DECEMBER 13, 2023  
6:00 PM

MANTI CITY BUILDING  
50 SOUTH MAIN STREET

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

## Public Hearing

ITEM 1	<b>Public Hearing - regarding issuance of bonds for proposed water treatment plant.</b>
<p>The Mayor Welcomed all present and made the following statement:</p> <p><i>Three years ago, the city commissioned a Water Mater Plan to evaluate and identify strengths and weaknesses in all aspects of our culinary water system including water rights, sources (springs and wells), delivery network (lines, pressure stations), storage and water quality and safety.</i></p> <p><i>The plan also included a financial or rate study and a capital improvements plan to address weaknesses in our system.</i></p> <p><i>Since the plan was completed nearly two years ago, we have worked to address water quality and safety, through the construction of a filtration water treatment plant. We have discussed this project at many of our meetings over the past 2 years, and we are currently in the pre-construction planning stages.</i></p>	

*At our November 1<sup>st</sup> council meeting, the City Council passed a parameters resolution for the funding of this project. That resolution set the parameters, or limits, the city must work within to finance this project, which will be funded through the issuance of parity water revenue bonds.*

*The limits set in that resolution were a principal amount of \$9.5 million, with an interest rate not to exceed 2 percent.*

*However, we currently estimate that the principal amount needed to complete the project will be about \$7.5 million, the amount for which we have secured the 0 percent interest, 40-year loan through the Utah Division of Drinking Water.*

*A copy of the resolution has been available for viewing at the city office and on the city website. As set forth in that resolution, prior to issuance of the bonds, we are required to hold a public hearing and invite public comment regarding the matter.*

Mayor Bigelow then requested that anyone with questions, comments or suggestions during the hearing, approach the podium and state their name prior to speaking.

As there were no comments, Mayor Bigelow closed the public hearing.

ITEM 2	<b>Public Hearing - regarding the proposed ordinance #2023-7, an ordinance dividing the Industrial Zone into 2 zones, elimination of conditional uses and definition of permitted uses in the proposed zones Industrial 1-1 and Industrial 1-2.</b>
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Mayor Bigelow made the following statement:

*Following land-use training that the Council and Planning Commission received by officials of the Utah League of Cities and Towns earlier last year, and upon the recommendation of our City Attorney, the decision was made to look at eliminating 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.*

*This project has been completed in the residential and commercial zones and for the past several months, the Planning Commission has worked to address the issue in the industrial zone as well.*

*As the members of the Planning Commission together with city staff, worked through this issue, it occurred to them there would be benefit in dividing the industrial zone into two zones – namely Industrial 1 or I-1 and Industrial 2 or I-2. With I-1 being designated as “light industrial” and I-2 as “medium industrial”.*

*The Planning Commission held a public hearing at its November 14<sup>th</sup> meeting and then forwarded this proposal onto the Council.*

Mayor Bigelow thanked the Planning Commission for their work on this project, not just on the industrial zone but the commercial and residential zones as well.

He then opened the hearing for public comment.

David Cox – 90 West Union

Mr. Cox stated that Manti City Creek owns property in this area and it should be zoned Industrial.

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

ITEM 3

**Public Hearing – regarding the proposed rezoning of approximately 7.5 acres of property within the proposed Temple View Estates subdivision from Commercial (C-2) to Residential (R-1).**

Mayor Bigelow stated that a public hearing and council meeting was held on July 19<sup>th</sup> regarding a proposed development agreement for a mixed-use subdivision named Temple View Estates. There were some comments and questions during the hearing with all being neutral or in favor of this project. There with no comments opposing the development.

During that same meeting the City Council discussed a draft of the development agreement and a motion to accept the draft was passed.

He continued stating that in order to move forward with development plans, it will require the formality of rezoning of approximately 7.478 acres from the North Gateway Commercial (C-2) zone to the Residential (R-1) zone, so that the Development Agreement can move forward.

He then opened the hearing to public comment.

As there were no comments, Mayor Bigelow closed the public hearing.

## Regular Meeting

ITEM 4	<b>Steve Pyper - request to address Mayor and Council regarding Pyper Annexation Development Agreement accepted by the Council on July 19, 2023.</b>
<p>Mayor Bigelow recognized Mr. Steve Pyper and said there is some disagreement between Mr. Pyper and Manti City in regards to the Pyper Annexation Development Agreement.</p> <p>Mr. Pyper stated that the process that would need to be followed in order to get his land subdivided had been discussed and the attorney had drawn up the agreement. He said it had been decided that he would be allowed to sell the property and the new landowner would be required to place utilities and pavement after which Mr. Pyper would apply for annexation and this was all put in writing.</p> <p>He stated that he is not a developer and is not the one that is going to place the utility hookups, as this has never been in the plan. He had been led to believe that the Mayor was on the same page and assumed that the Councilmembers felt the same.</p> <p>Some discussion ensued after which Mr. Pyper said that this is not a subdivision but just a property split.</p> <p>Some discussion ensued after which City Manager Barton questioned Mr. Pyper if he had read the development agreement that was voted on and stated that there have been two public hearings regarding same. He stated that this agreement is what governs the property. Barton stated that the street must be developed as specified in the agreement and no lots may be developed until the street is annexed into the city limits as there is no frontage for the lots.</p> <p>Councilmember Killian reminded Mr. Pyper that until the Development Agreement is signed there is no agreement.</p> <p>Additional discussion ensued.</p>	

ITEM 5	<b>Discussion and consideration of proposed ordinance #2023-7, an ordinance dividing the Industrial Zone into</b>
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	<b>2 zones, elimination of conditional uses and definition of permitted uses in the proposed zones Industrial I-1 and Industrial I-2.</b>
<p>Mayor Bigelow asked if there was any discussion regarding the proposed ordinance #2023-7.</p> <p>Seeing none he called for a motion to accept Ordinance #2023-7.</p>	
<b>ACTION TAKEN</b>	
<p>Councilmember Jason Vernon moved to adopt Ordinance #2023-7, an ordinance dividing the Industrial Zone into two zones, elimination of conditional uses and definition of permitted uses in the proposed zones Industrial I-1 and Industrial I-2, seconded by Councilmember Gary Chidester.</p> <p>Councilmembers voting “aye”: Jason Vernon, Gary Chidester, Darren Dyreng, Jeff Killian and Mary Wintch. Councilmembers voting “nay”: none.</p> <p>Mayor Bigelow expressed his thanks to the Planning Commission for work on the above noted ordinance change.</p>	

<b>ITEM 6</b>	<b>Discussion and consideration of proposed ordinance #2023-8, an ordinance to rezone approximately 7.5 acres within the proposed Temple View Estates subdivision from Commercial (C-2) to Residential (R-1), as defined in the Temple View Estates Development Agreement.</b>
<p>Mayor Bigelow inquired if there was any discussion regarding the proposed ordinance #2023-8, a rezone within the proposed Temple View Estates subdivision.</p> <p>As there was no discussion, he then called for a motion to adopt ordinance #2023-8.</p>	
<b>ACTION TAKEN</b>	
<p>Councilmember Darren Dyreng moved to adopt ordinance #2023-8, an ordinance to rezone approximately 7.5 acres within the proposed Temple View Estates subdivision from Commercial (C-2) to Residential (R-1), as defined in the Temple View Estates Development Agreement, seconded by Councilmember Mary Wintch.</p> <p>Councilmembers voting “aye”: Darren Dyreng, Mary Wintch, Jeff Killian, Jason Vernon and Gary Chidester. Councilmembers voting “nay”: none.</p>	

<b>ITEM 7</b>	<b>Discussion and consideration of ordinance #2023-9, an ordinance to update Manti City Code, Chapter 5.08, Beer Licenses and Regulations.</b>
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Mayor Bigelow explained that Charlee’s Comfort Kitchen has approached Manti City for a beer and wine business license . Manti City ordinance provides a license to sell beer but not wine and a change in ordinance would need to occur for Charlee’s to be in compliance. He also reported that they have been approved by the Utah State Liquor Agency.

<b>ACTION TAKEN</b>
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Councilmember Jason Vernon moved to adopt Ordinance #2023-9, an ordinance to update Manti City Code, Chapter 5.08, Beer Licenses and Regulations, seconded by Councilmember Gary Chidester.

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

<b>ITEM 8</b>	<b>Kent Barton - monthly financial report: November 2023 statements.</b>
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City Manager Barton presented the November 2023 Financial Statement, which is attached to and made part of the minutes.

He reported that 42% of the budget year is complete with total budgeted revenues realized at 39.2% and total budgeted expenses coming in at 41.6%. He then reviewed the Enterprise and Special Revenue Funds with water revenue at 45.9% of budget and expenses at 58.5%, sewer department budgeted revenues at 43.3% and expenses at 27.9% and electric fund budgeted revenues at 38.5% and expenses 32.4%.

<b>CONCLUSION</b>
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The Mayor and Council thanked the City Manager for the financial information.

<b>ITEM 9</b>	<b>Continuing Business.</b>
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**Discussion concerning nuisance ordinance and enforcement.**

Mayor Bigelow asked if any councilmembers had been able to drive around Manti City and see how many places would be considered a nuisance.

Councilmember Killian said there are approximately 5 homes that he felt needed serious help. He also noted this will be a continual process to get property owners to clean up.

Councilmember Wintch said that she had 10 homes on her list that have health and safety issues.

Councilmember Dyreng stated that he felt there were 5 with serious issues that should be cleaned.

Councilmember Chidester said that he had mixed feeling while he was driving around trying to identify nuisances, but felt there are between 8-10 homes that need to be cleaned up. He also stated that this is going to be a challenge, as where do you draw the line.

Councilmember Vernon said he that he saw about 6 homes needing clean up.

Mayor Bigelow requested councilmembers, including the newly elected council, to send their list to the City Manager and he will compile a master list to review at the next council meeting.

**Dogs running at large.**

Mayor Bigelow said the city attorney is working on this item.

**ITEM 10**

**Councilmembers reports.**

Councilmember Chidester expressed his appreciation to the council and city employees for all they do for the city. He said he appreciated the opportunity to be a Councilmember and the experiences he has had.

Councilmember Vernon also expressed his appreciation to city staff and to all the volunteers in the community that have helped make Manti City a great place to live. He wished the new council the best of luck and much success in their new positions.

Councilmember Dyreng also expressed his thanks to Manti City and said that he is confident in the future and trusted those who will replace the current city council. He also acknowledged the reliable management that Manti City has had over the years.

Councilmember Killian thanked Mayor Bigelow for the great job he is doing and acknowledged the many hours he spends as Mayor.

Councilmember Killian reported on the Airport Board meeting he attended noting they had discussed the possibility of hiring a part-time employee that would report to both Manti and Ephraim. Some discussion ensued regarding airport operations.

Councilmember Wintch thanked Councilmembers Chidester, Vernon and Dyreng for their years of service to the community.

She then reported on the Utah League of Cities and Towns Board meeting noting their audit had been a success with no findings. She said that affordable housing and homelessness continues to be a problem state wide and the legislature will continue to discuss these issues in the upcoming session.

**ITEM 11 Public Comment - two minutes per each comment.**

Mary Pipes - 404 West 500 North

Ms. Pipes thanked Councilmembers Dyreng, Vernon and Chidester for their service to the community and said she was looking forward to the new year as a new Councilmember.

**ITEM 12 Mayor Bigelow.**

Mayor Bigelow reported on the following:

- Six County of Governments recognizes a local business each year that has been successful and this year they had chosen Big Pine Sports out of Fairview.
- Recognized the three outgoing Councilmembers Jason Vernon, Gary Chidester and Darren Dyreng for their commitment and outstanding leadership and expressed appreciation on behalf of the community.

**ITEM 13 Consideration of approval for minutes of last month's meetings.**

The Mayor directed Councilmembers to draft minutes of the council meeting of November 28<sup>th</sup> and December 6<sup>th</sup>. 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 Jeff Killian made the motion to accept the minutes of the November 28, 2023 public hearing and regular council meeting, seconded by Councilmember Darren Dyreng. Councilmembers voting "aye": Jeff Killian, Darren Dyreng, Mary Wintch, Jason Vernon and Gary Chidester. Councilmembers voting "nay": none.

Councilmember Gary Chidester moved to accept the minutes of the December 6, 2023 council meeting, seconded by Councilmember Jason Vernon. Councilmembers



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

**ITEM 14** **City Manager Kent Barton**

City Manager Barton thanked Councilmembers Dyreng, Vernon and Chidester for their service and said he looked forward to working with the newly elected Councilmembers.

**ACTION TAKEN**

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

**ADJOURNED** 7:45 P.M.

**NEXT MEETING DATE** Regular Council Meeting – January 3, 2024

General Account

Kevin Madsen	\$ 117.84
Mary Pipes	45.00
Luke Rowley	250.43
Zion Appraisal	2,100.00

  
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Alfred Bigelow, Mayor

  
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JoAnn Otten, City Recorder