

MINUTES
REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS, EPHRAIM CITY HALL
5 SOUTH MAIN, EPHRAIM, UTAH
NOVEMBER 15, 2023
6:00 PM

CALL TO ORDER

The Ephraim City Council convened in a Regular City Council Meeting on Wednesday, November 15, 2023, in the City Council Room. Mayor Scott called the meeting to order at 6:00 p.m.

OPENING CEREMONY

At the invitation of the Mayor, Tyler Alder offered an invocation. Richard Wheeler led the audience in the Pledge of Allegiance.

ROLL CALL

MEMBERS PRESENT

John Scott, Mayor
Tyler Alder,
Mayor Pro Tem
Margie Anderson
Alma Lund
Richard Wheeler
Lloyd Stevens

MEMBERS EXCUSED

STAFF PRESENT

Sean Lewis, City Manager
Daniel Van Beuge, City
Attorney
Candice Maudsley,
City Recorder
Bryan Kimball,
Community Development

Megan Spurling, Planner
Jon Knudsen, Finance Dir.
Jeff Jensen, Public Works
Cory Daniels, Power Dir.
Colby Zeeman, Police
Jeff Hermansen, Fire Chief
Michael Patton, Rec Dir.

PUBLIC COMMENT

Ty Poulson- He was impressed with the skatepark opening. He requested that Luke Gordan, Ryan Anderson, Ben Mayfield be honored. They were part of the original skateboarder group and have passed away.

Mr. Poulson also requested a beeper be installed on Main Street for pedestrians.

PRESENTATIONS

SWEARING IN OF POLICE OFFICER DILAN OWENS

Ephraim City Recorder Candice Maudsley administered the Oath of Office to new police officer Dilan Owens.

PRESENTATION FROM THE GRANARY ARTS CONCERNING THE PURCHASE OF HISTORIC EPHRAIM SQUARE

Amy Jorgenson gave a presentation to the public and the city council. The PowerPoint presentation can be found in the office of the city recorder and on the Public Notice Website.

PUBLIC HEARINGS AND RELATED ACTION

PUBLIC HEARING REGARDING HISTORIC EPHRAIM SQUARE DISPOSITION

- **Richard Stevens-** He is concerned about the cost of selling the Co-op with the current market prices. He believes the property is worth more. What will the money be used for?
- **Sharon Andreason-** She agrees that the price seems low. Value can't be put on certain qualities. She has previously submitted a landscaping design for the area for community use. Ephraim Square needs to belong to the community. She can agree with the vision Amy has in bringing the community together.
- **Joseph Fitch-** The protection of the historic site has been a priority. This preservation has been done by citizens of the community not by the city. This is a group that passionately loves Ephraim and its history. Granary Arts has invested so much time and money into preserving these buildings. It is not the government's responsibility to educate the citizens. He admonished everyone to go to the Granary Arts to get their questions answered.
- **Maurine Ramos-** Her biggest concern is the CCA Christensen Cabin. She has spoken to people in the family, and those spoken to do not want the cabin sold and would like it to remain a public space. She could not find paperwork on the transfer to the city. Will the council respect the wishes of the Christensen family if they object? The amount of money for the property doesn't seem to be enough. She would like the property to be available for others to buy.
- **Debra Plummer-** The Daughters of the Utah Pioneers met on Monday, Nov 13th. All 42 members present agreed with the letter. The letter was read from the DUP. They propose the city delay the sale of the property by three to six months. They recommend a historical board be created with a council member overseeing it.
- **Andrea McCosh-** She would like the appraisal amount clarified. What zone was it in? What will the schedule be for renovations once the sale goes through? Can we maintain control by more than just zoning? Who is the person or entity that is anonymous?
- **Jason Hansen-** Is there any other way to preserve this area besides a direct sale? He loved the vision that was shared by Granary Arts. How much money does the city give to the Granary Arts annually? Is it possible that money can be reallocated to the buildings instead. The property seems to be going at a very depreciated value. He believes it seems like a backhanded deal. His family were original settlers of Ephraim. They took advantage of 99-year leases. There does not need to be an either, or, with the option as a long-term tenant.
- **Carolyn Christensen-** CCA Christensen family representative. The family is very concerned about the preservation of the cabin. The family desires to turn it into a museum.
- **Tyra Taylor-** Where is the money coming from to fix it? The endowment will not cover the costs. Where will the money come from? Why the rush? The six months to decide is recommended.
- **Ty Poulson-** This property is very important to the community. Anonymous donors don't have to be named and there is usually a reason for it.

- **Paul Tew-** He was excited about Snow College leasing the building. Could the partnership with Snow College be pursued instead?
- **Chad Parry-** He remembers when the Co-op was still a feed mill. It was the livelihood of the community. It has transferred to many things and abandoned. It has been difficult financially to maintain the building. The building was vacant for many years.
- **Rob Nielson-** If the RFP process is good enough to lease, it is good enough for a sale. He believes in trust but verify. To choose one person without an option for others to buy does not seem fair. He asked that the council represent the people. The voice of the people has spoken, and it is obvious what their voices sound like.
- **Adam Larsen-** He is an art instructor at the college. The lot belongs to the people of Ephraim. This has happened too quickly. There is no guarantee putting this property in private property hands. It is the gem of Ephraim and the original home of Snow College.
- **Vivian Coombs-** She is a realtor. There is a bright plan by the Granary Arts. This is the gem of Ephraim. This process needs time. There is concern about the contract and a recommendation that it be checked out.
- **Janette Lanier-** She attended school here 48 years ago and the building was falling apart. She has spent hours in that building. The building is the heart of Ephraim. If there is a way that it can be guaranteed that the building stays the heart of Ephraim. It needs to be in writing.
- **Kelly Brookes-** Co-Founder of Granary Arts. The institution has preserved the heritage of the building and history. There is no need for the citizens to be concerned about the preservation. The buildings are public buildings. There are many partnerships and programs for the public. The preservation has honored the architecture, history, and preservation.
- **Steve Widmer-** He has great concerns about the price. It seems very low. Once the property is gone, it is gone. The interest will not be enough to maintain the building. The amount of money they have been receiving from the city is \$75,000 per year.
- **English Brookes-** We all have the same values. To each, it means something different. Response to change can be status quo bias. It is hard see what can be gained by change. What work can we do to be a part of this?
- **Dana Bell-** Preservation is important to her. If there is an option for a win/win it should be done. She asked that the council represent the citizens.

Mayor Scott addressed some of the concerns:

- The appraiser was questioned about the value. The buildings cannot be torn down because they are on the historic register, because of this they have a different value.
- The history of the Granary Arts in preserving buildings is phenomenal.
- The CCA Cabin will be preserved.
- The sales contract would bind the Granary Arts
- The proposed date was December 1st or 15th.
- We were elected to make decisions. We need to decide.
- The upstairs would be made available for community use.
- Granary Arts can receive enormous grants if they own the buildings.
- The city budget is limited and enhanced by the city's grant writing.

- A council member would sit on the board of the Granary Arts to represent the city.
- The city did not put the building up for sale.
- The anonymity of the donor can be linked to the character of the donor.
- Snow College was told about this situation and their statement has been published.
- The offer was not sought after.
- What if this offer falls through? The city has the right to first refusal.
- This does not include Pioneer Park.
- A sales contract will be drafted ensuring the heritage of the buildings.
- Deed restrictions can be put in place to prevent the building from being torn down.
- How are we guaranteed this foundation has longevity? Financials for the foundation were healthy with letters of credit and attorneys.
- The Council has not decided.
- Many attempts were made to make sure the public was aware of the hearing and situation.

Councilmember Wheeler moved to Close the public hearing regarding the Historic Square Property Disposition. The motion was seconded by Councilmember Alder. The vote was unanimous. The motion carried.

EPHRAIM CITY RESOLUTION ECR 23-21 HISTORIC EPHRAIM SQUARE PROPERTY DISPOSITION Items needed for better decision:

- Would Granary Arts consider a long-term lease? Amy would have to consult the board.
- Amy was asked if putting the decision off would be a deal killer.
- Public opposing the sale should present a plan or solution.

Councilmember Lund moved to continue the Historic Square Property Disposition until the January 17th, 2024, City Council Meeting. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

PUBLIC HEARING REGARDING THE GRASER PROPERTY ACQUISITION

Councilmember Wheeler moved to open the public hearing regarding the Graser Property acquisition. The motion was seconded by Councilmember Anderson. The vote was unanimous. The motion carried.

Tyra Taylor- What will happen to the buildings being relocated? Is there money to relocate them?
Chad Parry- The water shares alone are worth the property purchase.

Councilmember Anderson moved to close the public hearing regarding the Graser Property acquisition. The motion was seconded by Councilmember Alder. The vote was unanimous. The motion carried.

EPHRAIM CITY RESOLUTION ECR 23-22 GRASER PROPERTY ACQUISITION

The city council reviewed ECR 23-22 concerning the Graser Property Acquisition. There are three purposes. 1.) Complete water rights at the well. 2.) New public works yard. 3.) Possible parks and green space. This water will help secure water for the next decade. This purchase opens opportunities for business growth.

Councilmember Stevens moved to approve ECR 23-22 approving the Graser Property Acquisition. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

APPROVAL OF WARRANT REGISTER

The Council reviewed the Warrant Register of November 13, 2023.

Councilmember Alder moved to approve the November 13, 2023 Warrant Register as presented. The motion was seconded by Councilmember Lund. The vote was unanimous. The motion carried.

APPROVAL OF MINUTES

The Council reviewed the minutes of the November 1, 2023 Work Meeting and Regular City Council Meetings.

Councilmember Anderson moved to approve the November 1, 2023 Council Work Meeting and Regular City Council Meeting Minutes as presented. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

REQUEST FOR WATER SERVICE OUTSIDE CITY

Cless Young reviewed the process he has gone through trying to secure a water connection to his property outside of city limits. The Utilities Board denied the request for water service based on the current city code and suggested that annexation be pursued. He has owned the property for 25 years but has recently sold the property that did have the city connection. Two offers on his remaining property have been lost due to lack of water. The city waterline runs directly in front of the property. All his neighbors have city water and Mr. Young believes he should be grandfathered in. He believes his property should be annexed, but his neighboring properties do not want to be annexed. The code was changed in 2021 restricting outside city water connections. Mr. Young informed the council that his next move will be legal.

Councilmember Alder moved to approve an outside city water connection to Cless Young. The motion was seconded by Councilmember Anderson. Thos voting No- Councilmembers Wheeler, Stevens, Lund. The motion failed without a second.

TED MEIKLE CONSULTING CONTRACT

A contract was devised by the city for consulting services related to the airport. Notably, the contract contained an indemnity clause that Mr. Meikle expressed reluctance to sign. It was emphasized that the city is unable to engage in a contract devoid of an indemnity clause. Both the city manager and the city attorney recommended against entering into a contract without such a clause, citing legal considerations.

Mr. Meikle provided insights into his history with the airport and the airport board, delving into the background of the runway and taxiway. Given the airport's significant role in economic development, it was highlighted that small business jets currently face limitations due to the runway's length and elevation. There is a collective aspiration to extend the runway by acquiring additional land. Preliminary land acquisition estimates, conducted by engineers, indicated a cost

of approximately \$150,000. While certain aspects could be managed by others at a lower cost, Mr. Meikle expressed his willingness to serve as a consultant to the involved cities at a rate of \$50 per hour.

The Airport Board approved the proposed contract; based upon the possibility the contested indemnity clause could be removed and satisfy Mr. Meikle. In response, Mr. Meikle expressed reservations about assuming the associated risks. As an alternative, it was proposed that Mr. Meikle could be engaged as a part-time employee. Aviation expressed willingness to collaborate with Mr. Meikle in this capacity, offering a more cost-effective means of determining the feasibility of the land purchase.

City Attorney Daniel Van Beuge and the city manager reiterated their recommendation against signing a contract lacking the indemnity clause, suggesting the consideration of a licensed real estate broker.

Councilmember Alder moved to approve the contract only with the indemnity clause included. The motion was seconded by Councilmember Anderson. The vote was unanimous. The motion carried.

APPROVAL OF PRELIMINARY PLAT FOR CHILDCARE FACILITY AT EPHRAIM CROSSING

The applicant, Camino Verde group, is requesting the subdivision to divide portions of Assessor's Parcel S-6190 consisting of .56 acres and S-6188 consisting of 10.722 acres, into one (1) parcel consisting of 1.005 acres. Conditions: 1) Staff and the applicant can make technical changes to the plat. 2) Roads identified with dedication before final plat. Staff has reviewed the application for compliance with all standards in the Ephraim City Municipal Code and found that it meets the minimum required for approval. Accordingly, staff and Ephraim City Planning and Zoning Commission recommend that the Ephraim City Council approve the Preliminary Plat. Negotiations are being had for someone to run the daycare.

Councilmember Wheeler moved to approve the preliminary plat for a childcare facility at Ephraim Crossing. The motion was seconded by Councilmember Lund. The vote was unanimous. The motion carried.

FINANCIAL REVIEW

Based on the recommendation of the city auditors, Jon Knudsen will be bringing a financial report before the council monthly from now on.

EPHRAIM CITY RESOLUTION 23-23 CITY EMPLOYEE POLICY MANUAL

The new city employee policy manual has been a collaborative effort. It will standardize outdated procedures and policies.

Councilmember Alder moved to approve ECR 23-23 the revised Ephraim City Employee Policy Manual. The motion was seconded by Councilmember Anderson. The vote was unanimous. The motion carried.

Mayor Scott

- CIB grants will no longer be available.

CITY MANAGER REPORT

- Ferguson Group- The earmark has been delayed.
- Interviews for the Recreation Director are scheduled.
- The election canvass will be held on Tuesday, December 5th.
- Election Day will be Tuesday, November 21, 2023.
- Michael's last day is next Wednesday, November 22nd.
- Aaron Broomheads's last Day is November 30th.
- The City was notified of a grant for \$113,000 coming in to the airport. There will be another two allocations in 2024 and 2025.
- Airport bids for resurfacing of tarmac will be opened tomorrow.
- Local Officials Day ULCT January 17th.

ADJOURNMENT

There being no further business to come before the Council for consideration, Councilmember Alder moved the Regular Council Meeting adjourn at 9:43 p.m. The motion was seconded by Councilmember Wheeler. The vote was unanimous. The motion carried.

The next regular City Council meeting is scheduled to be held on Wednesday, December 5, 2023, starting at 6:00 p.m. in the Ephraim City Council room.

MINUTES APPROVED:



John Scott, Mayor

12-5-23
Date



ATTEST:



Candice Maudsley, City Recorder

12-5-23
Date