

**SALINA CITY CORPORATION
WORK MEETING
JANUARY 22, 2025**

COUNCIL AND STAFF PRESENT:

Mayor Jed Maxwell
Earl Taylor
Jon Maxwell
Kevin Mickelsen
Randy Christiansen
Allen Tietjen

Ashlee Larsen City Recorder
Kathy Maxwell City Treasurer
Al Taylor Chief of Police
Mario Gonzalez Sunrise Engineer
Brock Jackson R-6 County

Visitors Present for Work Meeting

Robert Udy
Reid Udy
Hayden Udy
Stetson Udy

Mayor Jed Maxwell called the work meeting to order at 7:20 pm. at the Salina City Hall.

Mayor Maxwell stated Robert Udy and his sons are here to discuss the impact on the building they are currently constructing on 100 North. **Udy** asked if the Mayor and Council mind if he records this meeting.

Mayor Maxwell stated no, Salina City is recording the meeting as well.

Udy stated as you know, I'm building a project for my son Reid on 100 North. Three weeks ago, I received a phone call from Salina City regarding my impact fees, stating they need to be upgraded to a tri-plex and I will be charged additional fees.

Udy stated he originally paid for those impact and connection fees, on 5-22-2021.

Mayor Maxwell stated Salina City has a new utility resolution in place.

Udy stated yes, he's aware, he received a copy of the new Resolution, and he paid for his impact and connection fees prior to the date it was approved on June 9, 2021.

Udy stated I understand the new fees make it cost-effective for the city, but prior to that, is there any resolution, anything in the minutes about paying an impact fee without a building permit.

Mayor Maxwell stated yes, there should be correct. **Kathy Maxwell** stated yes, it's in our ordinance.

Robert Udy asked when the ordinance went into effect, because he's developed some ground, and paid for his impact fees and meters beforehand, he even sold the property, and they were put in by Salina City.

Mayor Maxwell asked where this property is located, he's talking about?

Udy stated Salina City would have a record of it. **Udy** stated I had six lots together on 250 West. It was with Mayor Jim Reynolds and the City Council at that time.

Udy voiced his concerns about the previous Mayor Conrad Miller, who placed a water meter on his lot in 2020, **Udy** is sure Conrad never received a building permit at that time. He doesn't know if a building permit lasts four or five years anyhow.

Udy stated he never received a return check from Salina City regarding his impact and connection fees on 100 North. **Udy** presented a copy of a receipt showing his check being cleared through his bank on 5-22-2021.

Mayor Maxwell asked **Udy** if he paid all the fees, knowing the rates were going up, because he heard about it from a city employee.

Udy stated I don't know if that matters. Is that relevant?

Udy stated he thinks Salina City needs to be equal and fair. **Udy** said he was just pointing out that he's paid impact fees without building permits. It's gone on for years.

Mayor Maxwell stated Salina City accepted them prior to this new ordinance being approved.

Udy said he knew the impact fees were going up, but there was no reason why he couldn't pay for the impact and connection fees before the ordinance was approved.

Udy said he spoke with Mario Gonzalez from Sunrise Engineering for a while on the phone. They talked about why duplexes are being charged more than one ERC or one impact fee, and he expressed his concern to Mario stating Salina City have several duplexes in town. It would be easy to see if they're impacting our water and sewer system more than a residential home or more than the allotted water usage of 10,000 gallons per unit.

Mayor Maxwell stated he doesn't know how the engineers evaluate them. That's why we hire engineers to do studies for Salina City.

Udy voiced his concerns of his new charge for a tri-plex cost and asked if he needs to pay for two additional impact fees in the amount of \$19,600.

Mayor Maxwell stated yes.

Udy asked what the connection fee is for? **Mayor Maxwell** stated the connection fee is when Salina City connects it from the line and stubs it to your property, and an impact is when you physically turn the water on and start feeding it into Salina City's system.

Udy asked if he was going to be charged two more connection fees. Was the intent ever to put two more water meters on his lot?

Udy stated Salina City have other duplexes in progress right now. Are they using more than one three-quarter inch connection? And have they been charged a connection fee?

Udy presented a paper with two different duplexes that were built in Salina City after the Ordinance was passed.

Kathy Maxwell stated these lots didn't pay an impact and connection fee because they already had an existing meter.

Udy asked if that line is any different than his meter he paid for and didn't get until just two weeks ago?

Mayor Maxwell said the duplexes already had an existing line and yours is a new line.

Udy stated his meter should go back to the date Salina City cashed his check on 5-22-21. Before the ordinance was changed.

Mayor Maxwell said when you initially paid for the impact and connection fees, did you submit your building permit.

Udy said no, he didn't think there was anything in the bylaws saying I had to do that. Udy said that's something you were trying to control. It's a control problem.

Udy said he contacted the owners of the duplexes Donavan Viers and Mark Mitchell. They said they didn't pay any additional fees. No connection fees, no meter fees, no impact fees.

Udy said he thinks what's fair for one person is fair for another person. I don't know where we can go from there. But I don't have a hard time being fair with people. And I don't have a hard time being honest in everything I do. But these things should be brought up. Udy doesn't want to write a \$20,000 check without receiving answers first.

Mayor Maxwell said you turned in a building permit for a single-family residency and you are constructing a tri-plex. Salina City emailed it to Sevier County. You never went to the county and paid for it. Then you resubmitted a new application for a triplex in 2023. Udy said yes, and it was approved.

Maxwell said if you had built a single-family home, we wouldn't be here discussing it today.

Udy voiced his concerns about why he must pay two additional fees, and the duplexes only paid for one. You cannot charge another person a different fee than someone else.

Earl Taylor said if they already had existing lines at the duplexes then they shouldn't have to pay for the impact fee. **Udy** said no, he doesn't agree with that, and he would take it further if needed.

Kathy Maxwell said they were existing lines, and she didn't charge a hook-up fee and so maybe it is her fault that she didn't charge them a different amount.

Udy said it doesn't matter if it's your fault you represent Salina City.

Udy said this wasn't even an issue until your other developer contacted Salina City and wanted to know what his impact fees were.

Earl Taylor said the line was impacted when it was put in, and that's when it gets recorded. It was impacted as a single-family dwelling not a tri-plex. The water was taken out of Salina City's line and went to that lot and started being used. That is an impact on the system.

Udy said the line didn't even have a yoke there. Salina City didn't even have a meter, so the water couldn't have been running through the meter.

Reid Udy said the lines for the two new duplexes which were intended for a single-family dwelling as well and have yet since been converted to be a duplex.

Mayor Maxwell asked if Mr. Udy his constructing a triplex. **Udy** stated, yes, he stated Salina City Ordinances aren't clear on who must pay what.

Kathy Maxwell stated Salina City has a new system in place now.

Kathy Maxwell stated it was probably my fault because in my mind, we just had the impact, and with this new ordinance, I didn't put ERCs together because we haven't had a whole lot of other duplexes, mainly single-family dwellings. But since then, we have a checklist. I have charged everybody up to date on this.

Udy said his line was impacted and connected the same as the duplexes, he spent the money and Salina City cashed his check. It's not my fault that you didn't put it in. What about my interest in the money Salina City has sat on for the last three years?

Kathy Maxwell said to take it back to the beginning, Mr. Udy knew that the ordinance was changing, and we were going to send the money back to all of those that hadn't turned in a building permits and Mr. Udy came in and turned in a building permit before the ordinance changed, knowing that we needed to refund him.

Udy asked why Mayor Conrad never placed a meter at his home. **Mayor Maxwell** said I don't know why he didn't have a meter put in there. This would have been an existing line before any of us were voted in.

Earl Taylor asked Mario Gonzalez Sunrise Engineer, how Salina City should make this fair, from the engineering side of it, knowing that we have two other units that have gone in, and we haven't charged them the ERCs? **Mario**

Gonzalez discussed the difference between and ERC and a ERU which will make a factor if the lot is considered residential or commercial.

Mayor Maxwell stated if Udy would have turned in his building permit for a tri-plex instead a single-family home back in 2021. If you were currently building a single-family home, you wouldn't be here discussing this matter. Now we're two years past that point when you bought it, and all we're saying is, you're building a triplex, and this is our ordinance. So, we're asking for the other two. We're not asking to up your first one to what today's current price is because obviously you got a discount because you beat it by almost a month, eight days, ten days, right? So, we're not asking you return that and charge you today's rate on all three of them.

Udy stated I want equality and justice. That's what I think is right. I've had issues with Salina City with my sidewalks in the past where I was expected to replace them even though they needed to be replaced.

Udy said Salina City wouldn't even give him occupancy. It was a brand-new rule just for him.

Mayor Maxwell said no, it's the same rule for everybody. It wasn't just for you. Everybody's sidewalk gets checked off.

Mayor Maxwell said it's not me against you. I'm just saying they've changed the ordinance, and this is where it is. And if you would have turned in a triplex in 2021. Udy asked if he could receive several ordinances from Salina City.

Mayor Maxwell said yes, that's not a problem. **Udy** voiced his opinion of Salina City locking his meter and not letting him know about it.

Kathy Maxwell said Salina City Maintenance usually places a lock on meters until they have been paid.

Mayor Maxwell said there is know issue giving him water for a couple weeks until this issue can be resolved.

Udy stated I can't build a house in two weeks, and I paid Salina City for my impact and connections.

Kevin Mickelsen stated I think at the end of the day, there's been some miscommunication and some accidental issues. Nobody's perfect. We all know that. Salina City does have to follow the ERCs that's been put in place.

I don't know if anyone's intentionally been not charged.

So, I mean, at the end of the day, if you're going to put three families in your tri-plex. **Udy** stated I don't have \$20,000 extra in a job. Mayor and Council discussed the terminology of ERC's. Udy stated if he is paying for a tri-plex than he wants three meters placed. **Udy** stated he just wants things to be fair and equal. Mayor Maxwell said if you receive three meters Salina City will need to charge the homeowner three water bills.

Mayor Maxwell said Salina City hires engineers to do a study done on the sewer and water system. Salina City takes the study and that's what they

charge the citizens. **Mayor Maxwell** said we all live here and don't want are utilities to evaluate. Salina City's rates were to low which made it so Salina City couldn't receive a CIB loan for the sewer project. Mayor and Council discussed other meters in town.

Mayor and Council will discuss this issue and figure out what will be fair for Mr. Udy and Salina City. Udy asked if the lock can be removed off his meter. **Mayor Maxwell** said yes, he is fine to remove the lock while Udy finishes his project.

Kevin Mickelsen motioned to adjourn the Work Meeting at 8:20pm. **Earl Taylor** seconded. Motion carried 5 to 0.

Date 2-12-2025

Mayor 

Date 2/12/2025

City Recorder 