

**MORGAN CITY**

**Council Meeting**

03-08-16

Work Session

6:30 p.m.

***NOTICE OF WORK MEETING  
OF THE MORGAN CITY COUNCIL***

Pursuant to Utah Code, Title 52, Chapter 4, notice is hereby given to members of the Morgan City Council and to the general public that the Morgan City Council will hold a work meeting in open public session on Tuesday, March 8, 2016 at **6:30 p.m.**, in the Council Room of the City Office located at 90 West Young Street.

**AGENDA**

**Items for Discussion**

1. Albert Wilde – request for funding
2. Resolution #16-11 – sanitary sewer management plan
3. Sewer adequacy – future developments, ERU's discussion
4. Jamie Grandpre – RWAU award : Outstanding Wastewater Operator of the Year
5. Operation graduation
6. Council department review
7. Financial statement review
8. Attorney Crane – council training

In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.

Notice is hereby given that by motion of the Morgan City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed session for any of the purposes identified in that Chapter.

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Julie A. Bloxham, City Recorder, (801) 829-3461 at least 24 hours before the meeting.

Morgan City invites any person, church or other civic organization to contact the Mayor, to be scheduled for presenting a thought, reading, opening remarks, or invocation in the opening ceremony portion of the public meeting. Written invitations will be made by the Mayor to those who wish to participate.

This meeting may be held electronically to allow a member to participate.

Posted on 03-02-2016

2:00 p.m.

Julie A. Bloxham, Recorder

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02-23-2016

MINUTES OF WORK SESSION MEETING HELD BY MORGAN CITY COUNCIL IN REGULAR  
SCHEDULED OPEN PUBLIC SESSION ON TUESDAY, FEBRUARY 23, 2016 AT 6:30 P.M., IN THE  
COUNCIL ROOM OF THE CITY OFFICE LOCATED AT 90 WEST YOUNG STREET

Present: Mayor, Ray W. Little.

Council Members: Tony London, Jeff Wardell, Mike Kendell, Fran Hopkin and  
Bill Cobabe.

City Staff: Gary Crane, Attorney; and Jamie Grandpre, Senior Wastewater Operator.

Others present: none

This meeting was called to order by Mayor, Ray W. Little.

**Items for Discussion**

**Resolution #16-08**

**Municipal Wastewater Planning Program**

This resolution is required every year by the Division of Water Quality. Jamie Grandpre, Senior Wastewater Operator is here to review this with the members. The members have a copy of the resolution and the plan in their packets. Jamie stated this covers two areas - the sewer system and the treatment side. This is a plan that scores the system and shows the deficiencies of the operation.

Jamie reviewed the different areas of the plan. He stated the collection system did not have a lot of problems. The lagoons had the problem with being septic and all of the work that is being done to help alleviate this problem. There was discussion on the new regulations that are being proposed by the State. Jamie stated due to the lagoon problems, there are some low scores in the discharge areas of the plan. The State is aware of these problems, but Jamie added a narrative to the report regarding this matter.

Mike asked about the projected budgets and what projects or items were in these amounts. Jamie stated he took the items from the capital improvement plan and added them to the various budget years as he felt they should be done and/or completed. Mike asked what the consequences are if the points are at the maximum throughout the plan. Jamie stated as far as he knows it is only used for funding purposes; there are no penalties to the City.

Mayor Little asked about the new SSMP (sanitary sewer management plan) that is required by the State. Jamie stated as he is working through the SSMP, he is trying to integrate this with the plans for the sewer and the upgrades needed. Tony asked about the certifications – what can a level 3 or 4 operator do that a level 2 cannot. Jamie stated you have to have a 3 or 4 certification to operate a mechanical plant. Bill asked if the City only needs one certified at this level. Jamie stated it would be best to have more than one certified. Jamie stated both he and Chris Hansen are certified for the collection side of the sewer department – only Jamie is certified in treatment.

**Resolution #16-09**  
**Sanitary Sewer Adequacy**

There has been a lot of discussion the past several months regarding the sewer lagoon issues and how many ERU's (equivalent residential units) are still available in the system. Jamie has been working on determining this along with determining how many ERU's have already been approved, but are not yet connected to the system. He is here to review this information along with the Resolution that has been prepared by Attorney Crane.

Fran reviewed this matter and stated the resolution was drafted and Jamie provided Exhibit "A" that outlines the ERU's that are in place, or in progress. Comments from the Public Works Director were discussed about certain items – such as commercial developments that may be proposed that have minimal use of water. The resolution provides for this type of item and stated Jamie and/or the City Engineer can determine the effect these would have and approve or deny them as needed.

Jamie stated there are some items that need to be discussed in regards to Exhibit "A". The UDOT building is in progress, along with the Rynell Business Park. There are also 2 lots the Clark's have been given tentative approval to develop in conjunction with the UDOT development. Mayor Little asked Jamie to review the document and explain the ERU's listed. This list outlines 490 ERU's that are "in progress, or that have been approved". Jamie stated the total ERU's is used is estimated at 1,432. The system will hit the 80% maximum level set by the State at 1,500. The system has a total of 1,875 ERU's at total build out. That means there are approximately 443 ERU's to total build out. Jamie stated the State wants to see a plan being worked on when you reach 80% capacity that shows the steps you are taking to improve the system.

Jeff stated the majority of these ERU's are in the North Morgan SID development. This will not totally develop in the next few years. Should there be some latitude to allow a few other homes/commercial developments due to this. Attorney Crane reviewed the resolution and what it allows. He stated there needs to be a plan in place and a determination on the impact of proposed development. Tony stated this resolution and the attached exhibit is useful – the Planning Commission is always looking to the Council for guidance.

Bill asked how binding a resolution is on the City and/or staff. Attorney Crane stated there are two ways the Council can implement regulations or rules, they are by resolution or ordinance. A resolution is less formal and is easily changed, an ordinance can be amended but the process is a little different. Bill stated he has some concerns about #2 on the resolution – what if the engineer and Jamie disagree with a decision. Bill stated he has concerns with one business being allowed due to low impact on the system - and another business wants to develop and is denied. He feels there should be some type of standard. Attorney Crane stated if they were going to define a standard, it would be less than one ERU. Jamie stated there is concern about turning down commercial development. You do not want to deny them unless it is absolutely necessary. Bill asked about a 2 lot subdivision – would this be allowed. The members discussed what a normal home and/or business needs as far as ERU's are defined.

Attorney Crane stated if they are existing lots, they are allowed. It would be new residential subdivisions. If a lot exists now – they are considered a buildable lot. These are defined in the list Jamie has provided. Mayor Little stated Jamie and Mark Schmid; Public Works Director did

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some calculations today. If a development applies and is similar to the Tractor Supply, Family Dollar and NAPA store, these would not have significant impact – they generally have less than one ERU. If it is a car wash is proposed it would be a significant impact. Attorney Crane has tried to word the resolution to handle this type of development.

There was further discussion about the work being done at the lagoons and how it will benefit the system. Jamie reviewed the difference between the collection and discharge systems. If a business wanted to develop and was willing to provide certain improvements to the system, it would depend on the impact they would make and what part of the system the improvements would benefit.

**Council Department Review**

This item was not discussed.

**Financial Statement Review**

This item was not discussed.

**Attorney Crane**  
**Council Training**

This training will be provided in the council meeting.

This meeting was adjourned at 7:15 p.m.

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Julie A. Bloxham, Recorder

These minutes were approved at the \_\_\_\_\_ meeting.

**NOTICE OF MEETING TO BE HELD IN  
PUBLIC AND CLOSED SESSION  
OF THE MORGAN CITY COUNCIL**

Pursuant to Utah Code, Title 52, Chapter 4, notice is hereby given to members of the Morgan City Council and to the general public that the Morgan City Council will hold a meeting in public and closed session on Tuesday, March 8, 2016 at 7:00 p.m., in the Council Room in the City Office at 90 West Young Street.

**AGENDA ITEMS:**

**1. CALL TO ORDER, PLEDGE, OPENING CEREMONY, APPROVAL OF MINUTES AND WARRANTS:**

2 sets of warrants  
February 23, 2016 minutes

**2. PRESENTATIONS:**

**3. CONSENT ITEMS:** (These items will be discussed and voted as one item)

**4. PUBLIC HEARINGS**

**5. NEW BUSINESS:**

Resolution #16-11 – sanitary sewer management program

**6. UNFINISHED BUSINESS**

**7. SPECIAL REPORTS**

**8. CITIZEN COMMENTS:**

**9. ADJOURN**

Notice is hereby given that:

- A work meeting will be held at 6:00 p.m., or at another time as posted to discuss miscellaneous matters.

- In the event of an absence of a full quorum, agenda items will be continued to the next regularly scheduled meeting.
- By motion of the Morgan City Council, pursuant to Title 52, Chapter 4 of the Utah Code, The City Council may vote to hold a closed meeting for any of the purposes identified in that chapter

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Julie A. Bloxham, City Recorder, (801) 829-3461 at least 24 hours before the meeting.

This meeting may be held electronically to allow a member to participate.

Posted on 03-02-2016

2:00 p.m.

Julie A. Bloxham, Recorder

Council Meeting  
02-23-2016

MINUTES OF MEETING HELD BY MORGAN CITY COUNCIL IN REGULAR SCHEDULED OPEN PUBLIC SESSION ON TUESDAY, FEBRUARY 23, 2016 AT 7:00 P.M., IN THE COUNCIL ROOM OF THE CITY OFFICE LOCATED AT 90 WEST YOUNG STREET

Present: Mayor, Ray W. Little.

Council Members: Tony London, Jeff Wardell, Mike Kendell, Fran Hopkin and Bill Cobabe.

City Staff: Gary Crane, Attorney; and Jamie Grandpre, Senior Wastewater Operator.

Others present: none

This meeting was called to order by Mayor, Ray W. Little.

The opening ceremony was presented by Mike Kendell.

The pledge of allegiance was led by Jeff Wardell.

**Minutes and Warrants**

MOTION: Tony London moved to approve the minutes of the February 9, 2016 meetings and one set of warrants.

SECOND: Jeff Wardell. Vote: 5 ayes.

**New Business**

**Resolution #16-08**

**Municipal Wastewater Planning Program**

This resolution is considered every year – it is required by the Division of Water Quality. Jamie Grandpre, Senior Wastewater Operator reviewed this plan with the members during the work session. Fran stated this is a self-assessment report that is done and it basically outlines and scores the system and defines deficiencies.

MOTION: Fran Hopkin moved to adopt Resolution #16-08, a resolution approving the Municipal Wastewater Planning Program, self-assessment guide for 2015.

SECOND: Tony London.

ROLL CALL VOTE: Bill Cobabe – aye  
Mike Kendell – aye  
Jeff Wardell – aye  
Tony London – aye  
Fran Hopkin – aye

**Resolution #16-09**  
**Sanitary Sewer Adequacy**

This resolution has been drafted by Attorney Crane. Jamie Grandpre, Senior Wastewater Operator has been working on determining how many ERU's (equivalent residential units) are still available with the current system. He has also compiled a list of all development that has been approved, but is not complete and hooked into the system at this time.

This item was reviewed extensively during the work session. The members are concerned with the impact new developments may cause. Fran stated the resolution and exhibit addressed the limited capacity of the existing sewer system. There is a need to put restrictions in place for future development. There is also a need to define the ERU's that have been approved and what impact they will have on the capacity.

Jamie reviewed the ERU's in the system. The City is close to the 80% capacity level. The State wants to ensure the City is moving toward improvements to the system when you reach the 80% level. They want a plan to be in place in regards to what steps are being done to upgrade or replace the system. JUB Engineering is working on the master plan and it is almost complete. This will give some alternatives for upgrading the lagoons and/or system.

Attorney Crane stated the ERU's are based on what the engineers have determined, along with Jamie. What has been approved but not developed and what the limit is as far as the number of ERU's to total build out. Jamie reviewed the work that is being done at the lagoons as far as dredging the ponds and trying to get them back on-line. Jeff asked when JUB will be presenting the master plan. Jamie stated they originally were going to present this plan in February – they are now planning for March due to some alternatives that are being considered.

Jamie reviewed some of the regulations the State is considering and how this may impact the master plan. It should be presented within the next month. Fran stated there is a draft copy that has been provided – this has a lot of information the members should be reviewing. This was emailed to the members a few weeks ago.

**MOTION:** Bill Cobabe moved to adopt Resolution #16-09, a resolution setting forth a specific development policy for Morgan City based upon the adequacy of sanitary sewer facilities in Morgan City, with the addition to the wording under #2 being added stating there will be a limited maximum of one ERU.

**SECOND:** There was no second to this motion.

This motion died due to lack of a second.

Mike asked what type of development would be excluded if the motion that Bill made was approved. Jamie stated there is a calculation that is done by determining the number of employees a business employs. One ERU would be a fairly large number of employees – about 25 employees. Bill stated he is concerned with the ability to have a “fudge factor” in the resolution. If it is definitive and a number is inserted in there it helps the employee and engineer, they do not have to be trying to determine what should be allowed and what shouldn't.

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Mayor Little stated Mark Schmid; Public Works Director would like to have a number inserted in there. Attorney Crane stated he would defer to Jamie – if he is comfortable with the proposed wording. The members discussed the various types of developments that would or would not fit into this wording/restriction.

Fran asked Jamie if he was okay with the suggested change or is he fine with the wording that exists. Jamie stated he is kind of on the fence – it would be good to have a set number, but if there is something proposed that is 1.1 ERU's and it is set at 1, would you want to deny it? Mayor Little stated the calculations are not done that specific.

MOTION: Fran Hopkin moved to adopt Resolution #16-09 as it is written, with the changes Attorney Crane suggested so that #2 reads: "That, there may be an exception granted only to existing lots and parcels or development that will require only minimal service and capacity only where the City Sanitary Sewer Manager and City Engineer agree that capacity exists to service the limited development. Those developments that provide new capacity to meet the needs and requirements of the proposed developments for the provision of sanitary sewer facilities as approved by the City Sanitary Sewer Manager and City Engineer may also be permitted to proceed forward with approval."

SECOND: Tony London.

ROLL CALL VOTE: Bill Cobabe – nay  
Mike Kendell – nay  
Jeff Wardell – aye  
Tony London – aye  
Fran Hopkin – aye

**Attorney Crane**  
**Council Training**  
**Open & Public Meetings**  
**Conflicts of Interest**

Attorney Crane stated the Mayor and Council should receive training annually on open and public meetings. He provided each member with a copy of the PowerPoint presentation he has prepared.

He reviewed what constitutes a meeting as defined by State Code. He stated if the meeting is over and there was a topic discussed and three members stay after to discuss that topic – this constitutes a meeting. State Code does provide for items that would be a "chance" meeting such as social gatherings or when they are reviewing administrative matters that do not require a budget or monies to be allocated.

Fran asked about the times a majority of the members are attending a conference, such as ULCT that is held every year. Attorney Crane stated this is a training session and does not constitute a meeting. However they need to be careful that they do not discuss items that are going to be coming to the Council for a decision.

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He reviewed who is subject to the act: all committees such as the historical, water advisory and any Body authorized by the Council are subject to the act.

The next item that was covered was what constitutes a public hearing. A public hearing needs to be advertised and is an item that needs a legislative decision that requires public input be gathered. Any meeting is open to the public but input is not necessary unless it is a public hearing. Work meetings, site visits, executive sessions are all subject to the act and should be agenda items and minutes should be kept.

The notice requirements for meetings were reviewed. The agenda needs to be posted at least 24 hours in advance. It also needs to be posted on the State website and given to the local media.

The question was asked if a topic not listed can be discussed. Attorney Crane stated it is best to stick to agenda items. If it is worth discussing it should be listed so everyone knows the topic will be discussed. Tony asked about the item on the agenda listed as "citizen comments". How much response should be given to these comments? Attorney Crane stated if the item being brought up is on the Planning Commission or Council agenda for future decisions they should not make any comments regarding the topic. They should as the person to present their comments when appropriate. If it is an item such as snow removal, etc. in general – the members can listen and give input. However, they do not need to respond to comments if they do not feel it is warranted.

Bill stated the members need to use caution when making comments when in a meeting. Attorney Crane stated the members can listen to people that approach them on topic that will come before them for a decision, but they are not to give an opinion. The Planning Commission members need to be careful. If any member of the Council or Planning Commission has talked to a developer, etc. outside of a meeting, they should disclose in meeting.

There are recorded and written minutes for each meeting. However, the written minutes are the official records. Recorded ones are available for public if they request and are only kept three years.

Attorney Crane reviewed items minutes include. Bill asked about "verbatim" minutes. Attorney Crane would not suggest "verbatim" and gave some examples as to why. The minutes should usually just be a summary of topics and document any action taken.

Closed meetings were discussed and there are instances when written minutes are not required, for certain topics. The reasons a closed meeting can be held were reviewed. It was mentioned that an individual can attend the meeting and record it if they want.

Electronic meetings can be held - the City has policy in place that outlines the process for these types of meetings. It was clarified that a member must stay on line, or however they are connecting to the meeting for entire meeting – not only for one topic.

Penalties for a violation of disclosing information discussed in closed meetings were discussed along with penalties for not following State Code for meeting procedures.

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Bill requested Attorney Crane do some training on conflicts of interest. This will be done in an upcoming meeting.

This meeting was adjourned at 8:25 p.m.

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Julie A. Bloxham, Recorder

These minutes were approved at the \_\_\_\_\_ meeting.

**RESOLUTION #16-11**

**A RESOLUTION OF THE CITY OF MORGAN ADOPTING A SANITARY SEWER MANAGEMENT PLAN**

**WHEREAS**, Morgan City is a political subdivision of the State of Utah, authorized and organized under the provisions of Utah Law; and

**WHEREAS**, Morgan City owns or operates a sewer collection system; and

**WHEREAS**, pursuant to Utah Administrative Code Annotated R317-801, Morgan City is required to implement a written Sanitary Sewer Management Plan (SSMP); and

**WHEREAS**, the main purpose of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sewer collection system to reduce and prevent Sanitary Sewer Overflows (SSO's), as well as minimize impacts of any SSO's that occur; and

**WHEREAS**, the SSMP must be approved by the Morgan City Council at a public meeting; and

**WHEREAS**, a public meeting was held on Tuesday, March 8<sup>th</sup>, where the SSMP was listed on the agenda as an item for approval by Resolution #16-11

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Morgan that the Morgan City Sanitary Sewer Management Plan, dated March 8, 2016, is hereby adopted and attached as Exhibit "A".

**BE IT FURTHER RESOLVED**, that a copy of the Sanitary Sewer Management Plan be public available at the City office and posted on the State Website under the agenda for the Council meeting held on Tuesday, March 8, 2016.

**APPROVED AND ADOPTED** by the Morgan City Council, Morgan, Utah on this 8<sup>th</sup> day of March, 2016.

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Ray W. Little, Mayor

ATTEST:

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Julie A. Bloxham, Recorder

CITY SEAL:

