

**MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD ON
OCTOBER 8, 2019
AT 7:00 P.M. IN THE COUNCIL CHAMBERS**

Present:

Mayor:

City Councilmembers:

Joe B. Lyman

Kd Perkins

Cheryl Bowers

Logan Monson

Robert Turk

Logan Shumway

City Manager:

Jeremy Redd

City Finance Director:

Kim Palmer

City Engineer:

Terry Ekker

City Community Development:

Bret Hosler

City Police Chief:

JJ Bradford

Recreation Director:

David Palmer

Others Attending: Valarie Turk, Kendall Laws

Prayer/Thought - The prayer/thought was offered by Jeremy Redd

1. The Pledge of Allegiance was recited.
2. **Councilmember Perkins moved to approve the minutes and financial disbursements of the September 24, 2019 meeting. Councilmember Turk seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:**

Those voting AYE

**Councilmember Perkins
Councilmember Shumway
Councilmember Monson
Councilmember Turk**

Those voting NAY

NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

3. OPEN FORUM

None

4. **REPORTS/DEPARTMENTAL REPORTS**

A. Terry Ekker presented the September 2019 Water Report

Mr. Ekker reported that annual precipitation was at 163.5% of normal compared to 49.1% last year. The water year ended on September 30, 2019. It has been dry with the extended forecast showing no change over the next few months. City reservoirs are all full which is uncommon for the end of the water year.

Mr. Ekker told Council that Well C has been repaired, but not without challenges. While installing the new pump the level probe was damaged. The contractor will be returning and sharing in the costs to repair the damage to it and the sounder tube. The conductor also went out during the repair and has been replaced.

Councilmember Turk participated in the recent tunnel inspection. He spoke of his experience and appreciation to those individuals that constructed the tunnel and brought water to this side of the mountain.

B. Chief Bradford presented the September 2019 Police Report

Chief Bradford reported total incidents were 84 during September. The department has been busy working on some time intensive cases during the past few weeks.

C. David Palmer presented the September 2019 Recreation Report

Mr. Palmer reported the flag football season is finished. Registrations are still taking place for girls basketball. Parks are currently being prepared for winter.

5. **AGENDA**

A. Ordinance 2019-2 Water & Sewer Impact Fees - Terry Ekker/Jeremy Redd

Per Council's request from the previous Council meeting, Mr. Redd shared three options for water and sewer impact fees. Mayor Lyman spoke to the known and unknowns of the decision. Option A are the rates recommended by the recent impact fee study. How will going away from those recommendations impact the City's ability to acquire future funding? Will rates have to increase to meet infrastructure demands? Will moving fees to the recommended amount lead to a decline in development?

Councilmembers Turk and Perkins expressed similar concerns, while also stating a need to see fees defensible if questioned. Councilmember Perkins stated it is hard to argue with the math.

Councilmember Shumway responded that math isn't a hard and fast rule, it can be subjective. The funds generated by impact fees do not cover anything. Unless it affects the ability to get funding responded Mayor Lyman. He then recommended a stepping scenario in which the fees would be on a schedule to increase to the recommended level over a period of years.

Councilmember Monson shared the general responses he received when asking residents and business owners their feelings on the proposed fee changes. The responses he received varied

from those okay with the increase to those that don't see any need for fees period.

Councilmember Shumway stated that it is in the best interest of the citizens to have more people connect to the system. Mr. Redd reiterated that whichever fee Council selects, it should be defensible if questioned.

Councilmember Turk moved to approve Ordinance 2019-2 Water & Sewer Impact Fees Option D.

Water Councilmember Shumway makes a substitute motion of approving Ordinance 2019-2 & Sewer Impact Fees Option L. This motion failed for lack of a second.

Following Councilmember Shumway's substitute motion, Councilmember Perkins seconded Councilmember Turk's motion to approve option D.

During the discussion on option D, Councilmember Shumway expressed his concern with the \$1000 fee for a ¾" sewer impact line. He questioned Council if they would be interested in a 50% discount on the \$1000 fee. This would be defensible and keep the math working.

Councilmember Shumway makes a substitute motion to approve Ordinance 2019-2 Water & Sewer Impact Fees option D, with a 50% discount on the ¾" sewer impact fee. Councilmember Perkins seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:

Those voting AYE

**Councilmember Perkins
Councilmember Shumway
Councilmember Monson
Councilmember Turk**

Those voting NAY

NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

B. Resolution 10-8-2019-1 - Consideration for and adoption of a Parameter Resolution authorizing the issuance of Parity Storm Water Revenue Bonds of Blanding City, San Juan County, Utah and the calling of a public hearing to receive input with respect to the issuance of such Bonds and any potential impact to the private sector from the construction of the Project

This resolution sets the parameters on the storm water revenue bonds. The amount of the project is estimated to be 1.359 million. The parameter resolution allows for a loan of up to \$1.7 million. The interest rate can not exceed 2.5%.

Councilmember Perkins made a motion to approve Resolution 10-8-2019-1 - Consideration for and adoption of a Parameter Resolution authorizing the issuance of Parity Storm Water Revenue Bonds of Blanding City, San Juan County, Utah and the calling of a public hearing to receive input with respect to the issuance of such Bonds and any potential impact to the private sector from the construction of the Project. Councilmember Turk seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:

Those voting AYE	Councilmember Perkins Councilmember Shumway Councilmember Monson Councilmember Turk
Those voting NAY	NONE
Those ABSTAINING	Councilmember Bowers

Constituting all members thereof, Mayor Lyman declared the motion carried.

Councilmember Bowers joined the meeting following the discussion.

C. Resolution 10-8-2019-2 - Requesting the Recertification of the Blanding Justice Court

Mr. Redd told Council that the Court has to be recertified every four years. The court classification is determined by the average number of cases in a month. Council discussed the value of the court to the community. Mayor Lyman stated that if the Court was not active, it would most likely never be reapproved.

Councilmember Monson moved to approve Resolution 10-8-2019-2 - Requesting the Recertification of the Blanding Justice Court. Councilmember Turk seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:

Those voting AYE	Councilmember Perkins Councilmember Shumway Councilmember Monson Councilmember Turk Councilmember Bowers
Those voting NAY	NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

D. Request for Proposal - Justice Court Public Defender Services - Jeremy Redd

The Justice Court's current public defender is no longer interested in providing that service reported Mr. Redd. The current contract has been with Sitterud and Oliver who are located in Price. In a search for a new public defender, Mr. Redd asked for Council's approval of sending out an RFP for the contract. City Attorney Kendall Laws also advised the Council to get a contract with a public defender to avoid excessive charges. Those charges impact the City and the defendant in most cases.

Councilmember Perkins moved to approve the Request of Proposal for Justice Court Public Defender Services. Councilmember Shumway seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:

Those voting AYE

**Councilmember Perkins
Councilmember Shumway
Councilmember Monson
Councilmember Turk
Councilmember Bowers**

Those voting NAY

NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

E. Commercial Properties/Weeds & Maintenance - Cheryl Bowers

Council discussed the letter that was written encouraging businesses along Main Street and Grayson Parkway to be more aware of the condition of their properties. Mr. Redd asked Council what their thoughts were on enforcing the ordinance on weeds and commercial properties. Currently properties are evaluated by the potential of becoming a fire hazard and a letter is written to those property owners requesting they take care of the situation. If a property owner fails to do so, the City hires a local contractor who cleans it up and the property owner is billed. He also stated that 75% of the properties along the discussed route do a good job caring for their properties, while 25% don't. Councilmember Bowers stated that she has no problem enforcing and requiring property owners to maintain their properties.

In further discussion about property conditions throughout the community, Councilmember Turk expressed his dislike of requiring neighbors to go against neighbors, as the City nuisance ordinance requires. Sometimes the City needs to take care of the problem.

Mayor Lyman expressed his thoughts on how that might lead to more issues. Asking individuals to put their name to a complaint, sometimes actually resolves the issue at hand. Without that the number of complaints to the City would increase. It would be good for Citizens to resolve their issues in their neighborhoods, without the City involvement.

Mr. Laws reminded Council that Chief Bradford is the enforcement officer of these type of situations. The time it would take for him to work these cases would be time taken from policing the community. He asked Council to consider that as they work through the enforcement of these ordinances.

Council gave advice and consent to send the written letter.

F. San Juan County - Budget Requests - Jeremy Redd

Mr. Redd discussed the list of items being requested from the County during their next budget cycle. Those items include; \$25,000 for a wildlife fencing project at the airport, 50% match for all maintenance costs at the airport (this is part of the original airport agreement with the county), \$38,157 for recreation programs and an additional \$25,000 for recreation capital projects. During the discussion on the listed requests, Council asked that a request for landfill dumping be waived for the demolition materials of the City owned property on 200 south.

G. Form of Government Study Committee - Mayor Lyman

Mayor Lyman told Council that the study committee for a new form County government has been discussed. The committee will consist of seven members. Members of that committee will come from throughout the County. It is the desire to have all demographics, ideas, thoughts and beliefs included in the discussion. More information will come on the study committee after the election.

6. PUBLIC HEARING - PLANNED UNIT DEVELOPMENT ORDINANCE

Councilmember Shumway moved to enter the public hearing regarding Planned Unit Development Ordinance. Councilmember Perkins seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting

was

as follows:

Those voting AYE

**Councilmember Perkins
Councilmember Shumway
Councilmember Monson
Councilmember Turk
Councilmember Bowers**

Those voting NAY

NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

There were no public comments made.

Councilmember Turk moved to leave the public hearing and re-enter a regular Council meeting. Councilmember Monson seconded the motion. Mayor Lyman repeated the motion

and asked for discussion. Hearing none, he called for a vote. Voting was as follows:

Those voting AYE

**Councilmember Perkins
Councilmember Shumway
Councilmember Monson
Councilmember Turk
Councilmember Bowers**

Those voting NAY

NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

Council returned to an open meeting at 8:00 p.m.

7. INFORMATION

- A. Councilmember Monson informed Council that a Recreation Board meeting is scheduled for October 29th. The meeting is open to the public.
- B. Councilmember Bowers reminded everyone of the Town Hall meeting scheduled for Wednesday night at the Arts and Events Center.
- C. Councilmember Shumway complimented those involved in the recent Dutch Oven Days Event.

8. EXECUTIVE SESSION

Councilmember Turk moved to enter an executive session. Councilmember Perkins seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:

Those voting AYE

**Councilmember Perkins
Councilmember Shumway
Councilmember Monson
Councilmember Turk
Councilmember Bowers**

Those voting NAY

NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

Council entered an executive session at 8:43 p.m.

Councilmember Turk moved to leave the executive session to re-enter a regular Council meeting. Councilmember Perkins seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as

follows:

Those voting AYE

**Councilmember Perkins
Councilmember Shumway
Councilmember Monson
Councilmember Turk
Councilmember Bowers**

Those voting NAY

NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

Council returned to an open meeting at 10:36 p.m.

9. ADJOURNMENT

Councilmember Perkins moved to adjourn. Councilmember Monson seconded the motion. Mayor Lyman repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:

Those voting AYE

**Councilmember Perkins
Councilmember Shumway
Councilmember Monson
Councilmember Turk
Councilmember Bowers**

Those voting NAY

NONE

Constituting all members thereof, Mayor Lyman declared the motion carried.

Meeting adjourned at 10:38 p.m.

By: _____

Kim Palmer, Deputy Recorder