

**MAPLETON CITY
CITY COUNCIL MINUTES
OCTOBER 7, 2020**

PRESIDING AND CONDUCTING: Mayor Dallas Hakes

Members in Attendance: Reid Carlson
Jessica Egbert
Therin Garrett
Jim Lundberg
Leslie Jones

Staff in Attendance: Cory Branch, City Administrator
Camille Brown, City Recorder
Sean Conroy, Community Development Director
John Jackson, Public Safety Director/Police Chief
Logan Miner, Parks Director

Minutes Taken by: Camille Brown, City Recorder

The items may not have been heard in the order below.

Mayor Hakes called the meeting to order at 6:00 p.m. Cl. Jones gave the invocation and Cl. Garrett led the Pledge of Allegiance.

CEREMONIAL ITEM: Chief Jackson recognized Brent Seamons for his 25 years of service with the Mapleton Fire Department. Brent and his wife Rickie were presented with a frame full of the different patches he wore during his tenure. Brent thanked his wife Rickie and his children for their support over the years.

Brian Atkinson presented the proposal for the new I-15 Interchange at 1600 South in Springville/2700 North in Spanish that will service Mapleton for better access off the freeway and to help with congestion on 400 South in Springville.

OPEN FORUM: Lori Sheranian stated that she received a letter from Sean Conroy stating that there have been complaints from residents that she has had more than 8 events per month at her reception venue. She stated that she has had to have more than the 8 allowed per month due to Covid-19 restrictions. She has 20 events that need to be filled by the end of the year. In order to fit these in, she will have to have more than 10. Other businesses have had to shut down and she would like to be able to stay in business. Sean Conroy stated this could be discussed with Item 11.

CONSENT AGENDA

- Item 1.** **Approval of City Council meeting minutes-** September 2, 2020
- Item 2.** Consideration of a Resolution approving a change order for the 700 East Waterline Contract with Silver Spur construction in the amount of \$94,477. **Resolution No. 2020-41**
- Item 3.** Consideration of a Resolution awarding the design contract for the Ira Allen Park Futsal and Pickle Ball Court project to Sunrise Engineering. **Resolution No. 2020-42**
- Item 4.** Consideration of a Resolution authorizing the Parks Director to purchase a new John Deere wide area gang mower. **Resolution No. 2020-43**
- Item 5.** Consideration of a Resolution authorizing the Parks Director to purchase a new Ford F-250. **Resolution No. 2020-44**
- Item 6.** Consideration of the 2020 Utah County Municipal Recreation Grant Agreement. **Resolution No. 2020-45**

Motion: Cl. Jones moved to approve the consent agenda.
Second: Cl. Garrett seconded the motion.
Vote: Passed 5:0 unanimously by roll call.

PUBLIC HEARING ITEM:

Item 7. Consideration of an Ordinance regulating Wind Energy Systems in Mapleton City (Mapleton City Code Section 18.84.445).

Sean Conroy, Community Development Director, reviewed the staff report. The council had previously addressed concerns of the impacts on neighbors. Sean visited different sites throughout the county that had these systems on homes.

The proposed ordinances do have the changes that addressed the council's concerns from the previous meeting.

The proposed ordinance would allow for a 1-acre lot required for free-standing and ½ acre for roof mounted, a 40 foot or 6-foot above roof, whichever is less for roof mounted and the setbacks would equal the height of the WECS plus the length of the blade and the maximum decibel would be 55.

Cl. Lundberg inquired why there would need to be a distinction between pole mounted on 1 acre and ½ acre to roof mounts. Sean stated that this would allow these in ½ acre zone as long as it meets the setbacks. The council seems to like the rooftop mounts better.

The public hearing was opened at 6:39 pm no comments were made and the hearing was closed.

Mayor Hakes stated that with the locations provided it needs to be kept in mind that these units do make a whistling noise. Coincidentally a gentleman was at the last meeting and stated that he had installed these in the past. He did not believe that the sound would be able to be kept under 65 decibels. Cl. Jones inquired if the decibel levels can be checked before the mount is installed. Cl. Carlson asked if in Cl. Lundberg's proposal to operate under 65 decibels, his suggestion would be to adjust the decibel to 60 and eliminate the requirement in section D of the proposed ordinance and eliminate the minimum lot size for roof mounted to half acre lots, and allow these on no smaller than ½ acre lots to maintain the existing set back requirements. Cl. Egbert stated that she agrees the sounds should not exceed 60 decibels.

Motion: Cl. Egbert moved to approve an Ordinance regulating Wind Energy Systems in Mapleton City (Mapleton City Code Section 18.84.445) with the following changes: the towers can't be installed in front yard and the turbine cannot exceed 60 decibels.

Second: Cl. Garrett seconded the motion.

Cl. Garrett Aye

Cl. Jones Aye

Cl. Lundberg Aye

Cl. Carlson Aye

Cl. Egbert Aye

Vote: Passed 5:0

Ordinance No. 2020-08

Item 8. Consideration of an Ordinance to rezone approximately 31 acres located at approximately 2100 E 400 N from Agricultural-Residential (A-2) and Critical Environmental (CE-1) to Planned Residential Community (PRC-8) with a Transferable Development Right Receiving Site (TDR-R) Overlay and the review of a development concept plan for the property.

Sean Conroy, Community Development Director, reviewed the staff report. It is proposed that 400 North would be widened to 28 feet of asphalt. The neighboring subdivisions to the

west is 2 acre lots. They are proposing to maintain open space on the upper bluff. The applicant is requesting a PRC zone change to allow for flexibility. One major concern that the neighbors have submitted is parking problems at the entrance to Maple Canyon. The Forrest Service may move the gate further up the road and this would help out with parking.

Cl. Lundberg is concerned with removing the CE-1 zone which would remove protections of open space requirement in the new zone and so he would suggest a conservation easement be put in place.

Mike Nemelka, applicant, gave an overview of the project that they would like to do. He also would like the hillside protected. There will only be one lot on the upper bench area. The neighbors want this protected also. There is going to be a trail, that possibly continue up the trailhead. They are working with forest service to move the gate.

Cl. Egbert stated that she likes the concept of not having sidewalks, but doesn't like the safety aspect of it.

Mark Greenwood, ALM and Associates, stated that the asphalt up there doesn't meet the right conditions. The curve will be widened and there will have to be right of ways obtained.

Cl. Carlson inquired what the plans were for the excess water in the area. Cl. Lundberg inquired why there would be a walking trail through the natural state of the area up there.

Mike stated that there would not be another trail other than the existing Bonneville Shoreline Trail. Cl. Lundberg wanted to make sure the upper area is protected, and the natural state is kept intact. He would also like to add additional protection by eliminating 2 and 3 of subsection 3.

Public hearing opened at 7:25 pm

Rick Maingot stated that he likes the idea of no sidewalks. He said that he was on the Transportation Committee, and their intentions were to not have sidewalks in these subdivisions. As far as road goes, where is the gate, will it go out big and then small again or will it flow. Sean stated that it will flow and if the gate is moved up that will help.

Chris Wigman stated that this looks like a great plan. He drives a tow truck and it is particularly hard to get up this canyon to get cars in the winter. For safety reasons it would help if the gate was moved up.

Torgan Hall said that he lives on 400 North at 1700 East. With the fires that just happened in this area there was a lot of traffic. In the winter when the road is closed you can walk up the canyon and it will help if the gate is moved. He wished there was a bigger buffer against the larger lots. He uses the water that comes out of the canyon and he hopes that will be preserved.

Public hearing was closed at 7:37 pm

Cl. Jones stated that this is very well thought out project. She doesn't like the thought of a home being put on the bench, but steps have been taken so the area will be preserved.

Craig Murdock explained how the homes in the area at the top of 400 North created an irrigation system with the water that comes out of the canyon. Mike Nemelka stated that he will work closely with the neighborhood irrigation district to reroute the irrigation water on his property as necessary to maintain everyone's access to the canyons water supply.

Motion: Cl. Jones moved to approve an Ordinance to rezone approximately 31 acres located at approximately 2100 E 400 N from Agricultural-Residential (A-2) and Critical Environmental (CE-1) to Planned Residential Community (PRC-8) with a Transferable Development Right Receiving Site (TDR-R) Overlay with the conditions included in the staff report and with the following modifications section 18.82.I.100 of the zoning text:

- A conservation easement is to be recorded on the open space on the upper bench
- Exceptions 2 and 3 are to be eliminated.

Second: Cl. Lundberg seconded the motion.

Cl. Carlson Aye

Cl. Egbert Aye
Cl. Garrett Aye
Cl. Jones Aye
Cl. Lundberg Aye
Vote: Passed 5:0

Ordinance No. 2020-09

Item 9. Consideration of an Ordinance to rezone .40 acres located at approximately 2069 W 325 S from RA-1-C and A-2 to RA-2 and approve the two lot South Hollow Plat "B" subdivision.

Sean Conroy, Community Development Director, reviewed the staff report. He stated that this is a cleanup item.

The public hearing was opened at 7:52 pm no comments were made.

Motion: Cl. Jones moved to approve Ordinance to rezone .40 acres located at approximately 2069 W 325 S from RA-1-C and A-2 to RA-2 and approve the two lot South Hollow Plat "B" subdivision.

Second: Cl. Egbert seconded the motion.

Cl. Lundberg Aye
Cl. Carlson Aye
Cl. Egbert Aye
Cl. Garrett Aye
Cl. Jones Aye

Vote: Passed 5:0

Ordinance No. 2020-10

Item 10. Consideration of an Ordinance rezoning 1.34 acres located at approximately 100 North 1750 West from General Commercial (GC-1) to Residential-Minor Agricultural (RA-2) and approving a 4-lot subdivision.

Sean Conroy, Community Development Director, reviewed the staff report.

The public hearing was opened at 7:56pm no comments were made, and the hearing was closed.

Motion: Cl. Jones moved to approve Ordinance rezoning 1.34 acres located at approximately 100 North 1750 West from General Commercial (GC-1) to Residential-Minor Agricultural (RA-2) and approving a 4-lot subdivision

Second: Cl. Garrett seconded the motion.

Cl. Jones Aye
Cl. Lundberg Aye
Cl. Carlson Aye
Cl. Egbert Aye
Cl. Garrett Aye

Vote: Passed 5:0

Ordinance No. 2020-11

Item 11. Consideration of an ordinance amending Mapleton City Code (MCC) section 18.28.040 to modify requirements for certain conditional uses allowed in the A-2 zone and to eliminate short term rentals as a conditional use.

Sean Conroy, Community Development Director, reviewed the staff report. He reviewed the proposed ordinance. The modifications would be to reduce the number from 8 to 4 events per month, an event center must be located on a major residential road or greater, no receptions could be held on back to back days, setbacks would be 200 feet from adjacent

dwelling and increased on-site parking requirements. The ordinance also lists modifications to greenhouses as well.

The public hearing was opened at 8:02 pm.

Karen Thueson stated that they have held 900 events since they built their barn in 2004. Her daughters have followed the hearings for the proposed ordinance, and she would urge the council to make the right modifications.

Rick Silva stated that he applauds the work that has been done on this ordinance. He suggests the wording of contiguous buildable area and add preserving the right type of open space. He is concerned that there is not enough parking at existing reception centers and more parking needs to be added. If there is going to be any removal of trees, then whatever is removed should be replaced with new trees. As far as a noise restriction, he believes a decibel level should be added. Although this is hard to enforce, having a level could make it easier. Sean Conroy stated that with the noise restrictions, the noise ordinance would need to be looked at.

Rick Maingot inquired if the new ordinance would apply to existing applicants or just new applicants. Sean stated that the old applicants would be grandfathered in.

Angela Silva stated that she would encourage the city to limit the number of receptions down to 4 receptions per month. She would also recommend the council consider different ways of notifying the residents of items that will come before the planning commission and city council.

Jake Lake stated that he and his wife will be opening Northridge Reception Center. Many centers are having to play catch up due to COVID 19. Many events have had to be cancelled or postponed which has been a financial strain on many businesses. He is a supporter of short-term rentals. He and his family have used them while traveling. He knows of 6-8 that are operating illegally in Mapleton. He thinks that if they are allowed and the city charges a hospitality tax that it could generate money for the city.

The public hearing was closed at 8:28 pm

Mayor Hakes and Cl. Jones are in favor of allowing more than 8 events per month. Cl. Garrett stated that the provisions that are in place are to protect our residents. He doesn't recommend allowing more than 8 events per month. Cl. Egbert stated that if this is allowed that there needs to be an end date.

Cl. Lundberg thinks that the proposed ordinance with the new restrictions for parking seem very drastic. He suggested continuing the item and each council member could go through the proposed ordinance and submit the modifications they would like to see. Cory Branch stated that this would be a good idea and each member should send their modifications to Sean.

Motion: Cl. Egbert moved to continue this item for additional discovery to be gathered and have staff come back with a draft ordinance with suggested modifications for reception centers as well as short term property provisions.

Second: Cl. Garrett seconded the motion.

Cl. Garrett Aye

Cl. Jones Aye

Cl. Lundberg Aye

Cl. Carlson Aye

Cl. Egbert Aye

Vote: Passed 5:0

Item 12. Consideration of an Ordinance amending Mapleton City Code Section 17.16 to require new subdivision to install conduit for fiber conduit for fiber

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance.

The public hearing was opened at 9:07 pm, no comments made and the hearing was closed.

Motion: Cl. Jones made a motion approving an Ordinance amending Mapleton City Code Section 17.16 to require new subdivision to install conduit for fiber.

Second: Cl. Egbert seconded the motion.

Cl. Egbert Aye

Cl. Garrett Aye

Cl. Jones Aye

Cl. Lundberg Aye
Cl. Carlson Aye
Vote: Passed 5:0
Ordinance No. 2020-12

MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS:

Cl. Garrett reported that the fall cleanup will take place on October 24th. Michelle Estes has planned a meal that will be safe for COVID-19 restrictions.

Cory Branch stated that the service project to fill sandbags is this Saturday from 8am-10am.

Thursday night is the State meeting with regards to the fire from 6-8pm. To join the call, you will need to register. The State is strongly encouraging the affected houses to get flood insurance. Residents have been appreciative for the work that has been done. He also stated to please urge citizens to sign up for the Everbridge notification system.

Camille Brown informed the council that a bid has been received to equip the council chambers with new audio and video equipment that will aide in streaming our public meetings. This will be brought to the next council meeting for approval.

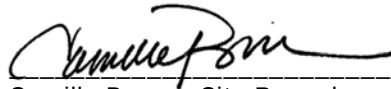
Mayor Hakes thanked the fire department for their outstanding job they did for the fire. The fire burned right to the property lines of the residents and the houses were saved.

Motion: Cl. Lundberg made a motion to adjourn the meeting.

Second: Cl. Jones seconded the motion.

Vote: Passed unanimously at 9:26 pm

APPROVED: October 21, 2020



Camille Brown, City Recorder