

**TOWN OF MANILA COUNCIL MEETING
ELECTRONIC MEETING VIA ZOOM
DECEMBER 12, 2020 AT 5:30 P.M.
MINUTES**

CALLED TO ORDER: Mayor David Coombs called the meeting to order at 5:35 P.M.

PRESENT: Mayor David Coombs, Council Members Gretchen Northcott, Greg Scott, William Rylander, and Marlena Connor, Town Clerk

GUESTS: Nick Goodman owner of DDI, Jana Franz, Jason Knight, Jeff McCarty with Sunrise Engineering, Kevin Brengelmann owner of Flaming Gorge Brewing.

EXCUSED: Council Member Randall Browning

CONSENT CALENDAR: Council Member Northcott moved to approve the consent calendar consisting of payroll hours, budget worksheet, invoice register, transaction register, revenue analysis, and November 2020 minutes. Council Member Scott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

SUNRISE UPDATE ON WATER/SEWER MASTER PLAN: Jeff McCarty with Sunrise Engineering explained that there was an issue with the SCADA computer. The computer crashed and all of the data being collected had been lost. They tried to recapture the data off of the hard drive, but they were unsuccessful. A new computer is expected to be installed at the town complex as soon as possible. The water and sewer master plans will have to be put on hold until a year's worth of data can be obtained. Mayor Coombs tabled this item until there is further information from Jesse Rowe with Wetco.

JANA FRANZ EAST RIDGE PROPERTY DRAINAGE: Jana Franz owns Lots 17 and 18 in East Ridge Subdivision. Mrs. Franz stated that there are stormwater issues that had been created by the Town of Manila and the State of Utah. There is a pipe that goes across Highway 43 and drains on to her property. It is creating a lot of erosion and needs to be repaired. Mrs. Franz said that once everything is rectified, they will give an easement for the pipe that currently does not have an easement.

Mayor Coombs asked what Mrs. Franz had heard from the state. Mrs. Franz said that she hadn't heard from the state. Last, she had heard was they were going to buy the 18-inch pipe Mrs. Franz had bought. Then they said they would not buy the pipe because they wanted a bigger size pipe.

Mrs. Franz said that the pipe goes 15 feet into her property and then ends and there isn't a cement junction box and water has been running onto that property for many years.

Council Member Northcott wanted clarification on the retention pond that is on the original subdivision engineering plans.

Mrs. Franz replied by stating that she agreed when a subdivision is created, they must have a retention pond, but the pipe is supposed to go on a kitty-corner across the highway. Instead, they went straight

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across the road. The retention pond is supposed to be there to retain water from the subdivision not water from the town, and that's what is creating the erosion of the property. Mrs. Franz stated that the actual easement ends 5 feet into the pavement, not into her property where the pipe goes.

Mayor Coombs said the issue of no easement is new information to him; when he had originally met with Mrs. Franz, they discussed the original drainage that comes off of Mr. Pallesen's 2 lots on the west side of the north portion of the subdivision. Mayor Coombs said that where the pipe is located is off of the State of Utah's right-of-way/easement. Mayor Coombs said he was of the understanding that when the subdivision was approved there was an easement across there to allow for the water to drain. Mrs. Franz said the easement ends at the asphalt, not her property.

Council Member Northcott asked if Sunrise Engineering helped create the subdivision plans, and said they could probably help with some questions about the easement and whether they had done some studies or not. It may be a stormwater easement and not a utility easement.

Mayor Coombs said that there is a retention pond in the northeast corner of the subdivision, and Mrs. Franz had been fine with the retention pond being there previously because it's not on her property.

Council Member Scott said that the retention pond does not have anything to do with the stormwater drainage from the town and UDOT. The water needs to be piped somewhere else off of her property.

Mayor Coombs asked if Mr. Pallesen is still going to run a 12-inch pipe across the front of his property, under 5th East, and across a portion of her lot 18 where the 24-inch pipe comes across? Mrs. Franz said yes, Mr. Pallesen still plans on doing that. He was under the impression that the state would put in a junction box and tie into the 24-inch pipe and from there continue the 24-inch pipe into the retention pond, but the state won't trade the 18-inch pipe for the 24-inch pipe. Mayor Coombs said that the town can provide 200 feet of 18-inch pipe for the storm drain, and the conversation with Paul Sawyer was that the state would provide the conjunction box. Mrs. Franz said that Mr. Sawyer told her that she could not use an 18-inch pipe, and the erosion/damage would have to be repaired.

Mr. McCarty said that the conversation they had when he met with Mayor Coombs, and Mr. Pallesen was that the state highway has a bar ditch that runs alongside it to collect stormwater. When the retaining pond is dug right next to the bar pit, the stormwater is eating into the retaining pond area. They hadn't discussed easements, just the idea of putting a pipe along the south side of the highway to separate the stormwater from the retaining pond. The issue of the size of the pipe didn't come up at that time.

Mayor Coombs said that he will set up a meeting to do another walkthrough, and record what is going to happen. This item is tabled until everyone can attend a walk-through meeting including Jeff McCarty with Sunrise Engineering.

FLAMING GORGE BREWING: Mayor Coombs explained to the council that this is phase 1 of the business licenses and the conditional use permit had been approved at the planning and zoning meeting held on December 7th, 2020. Council Member Northcott asked if there were any changes needed to be made to

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the business license application. The Town Clerk, Marlena Connor explained that this was the original business license turned in before the idea of phases came about. There would be a change to the cost of this license from \$150.00 to \$50 because they will not be able to sell alcohol under this business license, and the brewery part of the application will be taken off. Marlena explained to Mr. Brengelmann that if/when they do phase 2 of the business license, and they are selling alcohol on-premise and off-premise they would have to pay the amount for both of those items. Council Member Northcott moved to approve the application for phase 1 of the business license and the conditional use permit with the conditions stated by the town legal counsel and the changes Marlena had mentioned. Council Member Scott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

STEVEN & KRISTY COX LOT COMBINATION: Mayor Coombs told the council that this was approved with planning and zoning on December 7th, 2020. Council Member Rylander moved to approve the lot combination. Council Member Northcott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

FIRE DEPARTMENT UPDATE: Council Member/Fire Captain Scott said there isn't a lot going on with Covid-19, but they are still trying to arrange training.

LANTIS FIREWORKS: Mayor Coombs explained that for the 125th anniversary of Utah becoming a state, they want light fireworks and have the town fire department there. They will be supplying the fireworks and the pyrotechnicians. They want to do this in all 29 counties on January 4th, 2020. Council Member Northcott said as long as there was not any cost, and we could coordinate with the county to use the rodeo grounds she didn't have any issues with it. Council Member Scott moved to approve Lantis Fireworks coming to Manila; with the condition that there are not any hidden costs and the county agrees to it as well. Council Member Rylander seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

DDI CONTRACT: Mayor Coombs told Mr. Goodman that the town is going to raise the amount from \$596 by 3% bringing the monthly total to \$617 per the contractual 8 loads a month. Any additional dumps will go up from \$70 to \$150 each. The majority of the additional loads come from the tourists that come to the area and use the dumpsters at the marinas. Mayor Coombs told Mr. Goodman that he could pass on that cost to the forest service. Mr. Goodman wanted to be able to take some time to run the numbers that were just given to him.

1ST WEST, COTTONWOOD, & FARRINGTON CLOSURE: Mayor Coombs said he had contacted 15 residents that live on 1st West, Cottonwood, and Farrington about keeping the roads closed or having them open to through traffic. Out of the 15 residents; 2 said to open them, 2 had no opinion, and the other 11 voted to keep the road closed. Mayor Coombs stated that there is information when the

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subdivision was created that all of the roads were private access roads with utility access easements. Mayor Coombs stated that he has not been able to find where it was recorded but, in 1991 there was supposedly another document recorded that stated that these roads were dedicated to the town. For the time being the road will remain closed, until further documentation or information can be obtained.

METERED WATER/SEWER KIOSK: Mayor Coombs said that the Town Clerk, Marlena had reached out to a couple of different companies about the town selling metered water and having a credit card kiosk, as well as charging for the sewer dump station. Mayor Coombs said he felt that the town needed more room to have something like this installed. Council Member Northcott said she felt that we are going in the right direction with this to recoup some of the costs from the tourist use of town facilities. This is an informational item at this time.

ORDINANCE No. 2020-11-12 AN ORDINANCE APPROVING THE PLAT AMENDMENT, REZONING, AND ZONE MAP AMENDMENT OF CERTAIN PROPERTY WITHIN AND ADJACENT TO THE 5TH EAST SUBDIVISION, AND RELATED MATTERS: This ordinance was posted in its entirety in 3 public places around town for over the amount of time required. Council Member Rylander moved to approve the ordinance. Council Member Scott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

ROLL CALL: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, SCOTT, AND RYLANDER

CIB LIST: The CIB list was updated to show the Planning and Zoning Ordinances/Book updates being added. This item was informational.

ADJOURNMENT: Council Member Rylander moved to adjourn the meeting. Council Member Scott seconded the motion. All were in favor. The motion carried. Mayor Coombs adjourned the meeting at 7:23 P.M.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

David G. Coombs, Mayor

Marlena Connor, Town Clerk