

**Gunnison City Council Meeting Minutes
Wednesday, December 15, 2021, 7:00 PM
Gunnison City Hall, 38 West Center
Gunnison, UT 84634**

Present: Mayor Lori Nay, Councilmembers: Robert Andersen, Stella Hill, Michael Wanner, Rod Taylor, City Recorder Steven Jensen, Public Works Director Donald Childs, Assistant Public Works Director JD Bunnell, Citizens Blake Donaldson, Deanne Addis, Colleen Ogden, Suzanne Dean
Councilmember Shawn Crane absent and excused from the meeting.

**Presiding: Mayor Lori Nay
Invocation: Councilmember Steven Jensen**

Approval of 2022 road project to be put out to bid

Mayor Nay said, "We're looking forward to our CIB project, we're anticipating it to be about a \$2.5 million project, \$2.2 million of that will come from the CIB, another \$200,000 of that will come from a grant from UDOT "Safe to School" grant, and the other \$100,000 will come from funds we have saved up over time through our B&C road projects". Engineer Tyson Jewkes stated that the "Safe Routes to School" will take care of 200 East which connects from the sidewalk at the riverwalk north to Highway 89 and that will be a road widening\expansion, with asphalt, curb, gutter, and sidewalk of 200 East. Then a road widening on Cemetery Road, 8 feet on one side and 10 feet on the other, which will include a bike path. Industrial road which is Cemetery Road and the rest of the way up, will be pulverized and repaved. There will also be improvements on 400 West to the road with pulverized and repaved sections with a new road on another section with a 2-inch over lay, fill cracks, seal and do an overcoat. Also, storm drain structure to be put along 400 West, to run along farmers freeway to 300 West and then down to the existing River. Also plans include new asphalt to the last house north on Indian Road. A question was asked when the asphalt is widened on 200 East, will it be wide enough for parking down both sides of the street. Answer: yes.

**Councilman Michael Warner made a motion to approve the 2022 road project, and to put it out to bid. Second by Councilwoman Stella Hill. Mayor Nay did a roll call all in favor. Passed 4-0
Councilman Shawn Crane is excused for tonight's meeting.**

Discussion of draft for multifamily uses in the R&C- 1 zone

Councilman Rod Taylor got a reply to from Bruce Barker about doing high density housing or town homes, it's a draft to decide what direction we want to go, we should have a public hearing at the planning commission level to see if they want to adopt some changes. It's a summary of high-density housing where you build a structure in lesser square feet like a duplex that becomes 1000 ft and that could change to 2000 feet. Discussion ensued about those that are on a street will face a street so it looks more like a residential area, you can have a common parking lot in the back, off street parking. There's a proposal of the height of the building, it could be 35 feet. The way of doing that, the height of the building would determine the setback of the building. All of this would be determined by a public meeting with planning and zoning. We would have to have a discussion after everyone has read the draft. We also discussed larger lots. Those with a lot of depth could have a commercial out on the front, they could have the flag lot driveway and build round units or economy town house that gives you more options on these properties. It makes it so there are usable lots on the backs of those R&C than commercial zones; we hope to have the timing of this in place by spring, maybe March. There are other documents we must do, a state law requirement and those flag lots too. Mayor Nay stated that we are doing a better job to process developments, doing a design review where everybody's in the same room at once, so the developer knows what's expected. JD Bunnell explained that it's what most cities do to streamline this process better and is more developer friendly, so everyone knows what the requirements are. JD Bunnell said; It puts you face-to-face with the Council members to get on the same page, so when you try to e-mail back and forth and wonder what the e-mail is really saying; you can just ask the questions that you have during the development stage. There will be a consistent set of construction standards for road, curb and gutter, pipe size, etc. so there's no guesswork for the developers.

A comment by Deann Addis; "With high density housing usually comes the problem of not enough parking, people park on the street and sometimes get towed, and they don't understand when they purchase the townhome that it's possibly a single car driveway and single car garage, somehow high density housing needs to allow for more parking for more than one resident as a standard, because then they start parking on the street." Her comments were appreciated; the council will review adequate parking as they open it up for public meetings. Councilman Taylor said, our Code does talk about parking in the plans, you have to have two parking spaces per unit and the Council may consider adding area parking for visitor parking.

Approval of attorney services regarding a property dispute

Mandy suggested that we look at other attorneys that specialize in more property-based issues. Our Chief Counsel Peter Stirba suggested attorney Tim Pack. He will charge a discounted price of \$300 an hour. He is efficient and doesn't think any of our current issues will cost us a large sum. The Mayor suggested that the Council set aside \$5000 knowing that it may cost much less than that sum. The Mayor said that there is \$5,000 available in the Council budget under Professional and Technical line item. Councilman Taylor asked if we were involved in any property dispute right now. Mayor Nay reported yes regarding 400 South and a dispute as to ownership of the roadway – it was discussed in November meeting. The attorney will advise the City regarding public right of way laws and be of service in advising the City on solutions for this problem and other property questions, the City may have. The 400 South Street has been a road on the City's maps since the 1940's and even though it is not owned by the City on the Sanpete County plat, it is considered a City right of way. The attorney will start off with a letter in hopes of educating the resident regarding right of way laws and with the intent that this action will resolve the dispute and there will be no need to consider any further action. If it can't be resolved through discussion, the City would have to determine what the next step would be at that time. The Attorney also recommended that the City get a survey of 400 South to establish recorded ownership and a title search for possible easements.

Councilmember Rod Taylor made the motion to hire Tim R. Pack with Clyde and Snow & Associates to represent Gunnison City in a possible property dispute. Councilmember Mike Wanner seconded the motion. The vote was unanimous 5-0

Possible approval to post city manager position along with a timetable for interviews

Mayor Nay would like to get approval to get the city manager position posted by December so that they can start taking applications by January. Councilman Wanner asked; weren't we going to make some changes to our policy to make this friendly to the person that we hire? The Mayor commented that we need to have some stability with this position, every job description has a year's probation. One option would be to have a contract between them and the city stating that they would have a year to learn and work out things. The wording that people were upset with was that 4 out of the 5 councilmembers could let them go without cause, and that really bothered everybody, because without cause, could mean they could be fired for a political reason rather than a reason for cause. So can we accomplish this through contract or through changing the policy. We could handle the matter with a letter of engagement with the person we select, but we should address the policy so it's straightforward. The only thing we really need to change is with cause or without cause; I still think 4 out of 5 make sense. It doesn't need to be unanimous to let someone go. Councilman Taylor said there is a probation period anyway to turn them loose without cause, 4 out of 5 is fair. How would you get 4 out of 5 councilmembers to let someone go without cause? Councilman Wanner said. It's my concern that if we hire someone say from American Fork, he moves his family down here and four years later there's all new councilman and they don't like the idea of a city manager and want to let him go, then that wouldn't be fair to the person you hired.

Once the decisions made, and everybody has voted on it, and the citizens have had their input at one time, then they need to move on with it and they need to be the city manager. Councilman Taylor said as long as you're doing your job as city manager you wouldn't get fired. We are a business, if I were city manager I wouldn't worry too much about Gunnison City firing me, but if I came here as a young person, I would want to establish myself and get a good resume, then might want to move on, I wouldn't want someone on the other token to say "these guys can't get rid of me, so I'll just kick back until I retire" that's the other side of the coin. Councilman Wanner said, you shouldn't have the right to let someone go if they're doing their job, what I'm talking about is, the position itself has controversy already, it's not fair to be put in that position, not knowing for sure if it's going to last. For example, one person that applied for this last time had no intention of leaving the area, they want to stay here and that's why they want the position in the first place. So what I'm saying is, there has to be a cause, if they're not doing their job right. You just can't let them go because we don't want a city manager anymore. The key word is cause or without cause. Mayor Nay said there would be severance pay, so there is a pain on the other side, that it is a give-and-take on both sides. If the Council is determined they're going to let someone go if there's a cause and effect, which would help to some degree. We need to look at some other cities policies with their city manager and compare it to ours. In doing that it puts us behind, month after month in moving forward, trying to find someone for the position. Councilman Taylor said this is going to be a pricey deal, you are going to spend \$250,000 as an added expense to the community forever. Mayor Nay said, no it would not be \$250,000, it would be more like \$130,000, and it won't be a big expense to the city. Mayor Nay asked Councilmember Taylor, are you aware we did not transfer any of the water money over to the general fund this year? He was aware of that. Nay said we are doing well as a city and most cities that have a city manager do well. Look at our whole central region, the cities that do well have a city manager in place because volunteers can't run an \$8 million dollar budget

appropriately. What we need today is approval to post this or wait until January. It was suggested that they wait until January and have all the facts.

Approval of city Council minutes and bills

Steven Jenson reported that they are having computer problems and are behind on minutes and paying the bills and he feels they will get everything fixed by tomorrow so that they can get those out for approval. Then they can close out for the end of the year.

Other Business

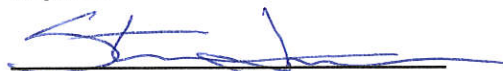
In other business they would like to try to get a public hearing set for January and get those state requirements that have been added adopted into City code. It might need to be through a commission meeting first before a public meeting, and it should only take one public meeting to handle it at the end of the month if everything went well. Councilman Taylor talked about the irrigation system and water shares. We need to collect them when they do their zoning permits. The way the irrigation company charges, they charge the shareholder in October, and usually upfront we have time to collect enough money until October when they do their connection, that we can pay that out of their pocket and not ours. Because we get dinged for every shareholder that we have in October, if we collect the money at the time of zoning instead of waiting until occupancy.

Other concerns: Councilwoman Stella Hill said, the trailer court and the gray apartments on Main Street are in Gunnison first Ward. Because they don't have what they need, for example, there's no one in Gunnison that will work on those trailers in the trailer park with plumbing or heating problems, so they come to the church for assistance. Could the trailer court owner and the owner of the gray apartments be responsible for the people there and their services. Councilman Taylor said that should be a landlord problem. Also, the problem might be with the trailer court. Those people might own their own trailers, where apartments are just rentals. They have a responsibility for their own trailer but not the hookup and outside the trailer; the trailer is their own responsibility. The apartments would be the apartment owner, they should be responsible. Councilman Wanner said the problem with that is the reason they're not helping is the liability and they don't get paid for their services. It is the bishop's choice as to whether they want to help that person out. For example, if the trailer owner doesn't take care of their own heat, it's not the responsibility of the trailer park owner; they can't afford to put new heating in every trailer. Councilwoman Hill asked if there was not any kind of ordinances that a trailer owner has to follow? Wanner stated probably not, once the trailer is on the lot. Even the inspectors don't have to go in and inspect, like they do for a homeowner. They don't know if there is an easy answer to this. It was mentioned that six county has heating programs through the federal government.

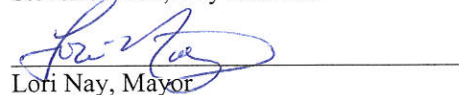
Mayor Nay wished everybody a Merry Christmas and they look forward to a new year working together. They then discussed putting a picture in the Sanpete Messenger for Happy Holidays from Gunnison City. Suzanne Dean was in attendance to take the picture.

Councilmember Hill made the motion to adjourn. Councilmember Wanner seconded the motion. The motion passed with a unanimous vote 5-0.

Adjourn



Steven Jenson, City Recorder



Lori Nay, Mayor

Feb 16 2022

Approval Date