

Gunnison City Council meeting minutes
Wednesday, January 19, 2022, 7 pm
Gunnison City Hall, 38 W. Center
Gunnison, UT 84634

Present: Mayor Lori Nay, Council Members: Robert Andersen, Stella Hill, Shawn Crane, Michael Wanner, and Rodney Taylor. Janine Collins, Gary Keddington, Rick Roberts, Ryan Savage, Matt Reber, JD Bunnell, Donald Childs, Blake Donaldson, Darwin Ogden, Coleen Ogden, Officer Seth Hendrickson, Office Wes Marshall, Josh Flake,

Presiding: Mayor Lori Nay
Invocation: Councilman Shawn Crane

Public comment

Resident Janine Collins came before the Council to discuss her property on 400 S. where there are only two homes on a dead-end road. She stated that she was always under the understanding that this was a private road. She said a few days ago her neighbor Joe Larson called her and asked her if she knew surveyors were on her property. She asked Joe to go ask them what they were doing and was told they were there for the Township of Gunnison. So, she called the city hall and she said she was told to go check her mailbox, where she had a certified letter from an attorney stating she had a No Trespassing & Stop sign at the end of the road. She said that sign had been there for many years to keep people from trespassing on her property and dumping garbage or getting stuck. She thought this was her land. So, she said she replied to the attorney with pictures, stating that this is not a public street it is a dead-end road. Now she's been told this is a city Street and she doesn't know where her property lines are at this point. Janine says that she has now been told since then that this land is owned by KC farms. Nay stated that it is a public right away and has been since the 40's. Nay stated that it says in the letter that Janine received from the Attorney that 400 South is a city street and is a public right of way. Janine says, "How can that be possible if it's owned by KC Farms?" Mayor Nay stated that this is not unusual and that half of the streets in town are owned by residents. Once a street is used by the public for more than 10 years it is considered a public right away. Mrs. Collins asked why it never gets snow plowed if it's a city Street. Donald Childs, Public Works Superintendent said that he did plow 400 S. this winter. Mayor Nay said it just got asphalt last year and is concerned that it's a public safety matter that the fire hydrant is blocked from use. Collins stated that she had spoken to the fire chief, and he told her she was 100% in compliance. She stated she was upset with Mayor Nay because she's using taxpayer dollars to pay for an attorney for this dispute. Councilwoman Stella Hill stated it was voted on and approved as a Council. The surveyor Ryan Savage brought up a picture on the screen of her plat of land and discussed her property lines and the fire hydrant that was put on city property in 2014. Mrs. Collins said that this is the first she has ever seen this plat of her property. She was given a copy.

Rod Taylor suggested the surveyors' put markers on the corners of her property so that she will know exactly where her property line is. Mayor Nay also gave her a copy of the title search that showed an easement that was recorded on the property of 20 feet. Everyone can review the paperwork and mark her property lines, then meet back again in a few weeks. Surveyor Ryan stated that surveyors do not normally speak to property owners when doing surveys but apologized to Mrs. Collins for not letting her know that he was on her property and will work with the City to notify her when they mark the property corners in two weeks.

2021 Audit Report

Gary Keddington with Keddington & Christensen, LLC, and Rick Roberts of Kimball and Roberts, CPA stated that management is responsible for the preparation and fair presentation of these financial statements in accordance with the principles generally accepted in the United States of America. In our opinion the financial statements present fairly and, in all material, respects the financial position of the governmental activities, the business type activities and each fund of Gunnison City June 30, 2021, and the changes in financial position and cash flows thereof, in the year then ended in accordance with the principle that is generally accepted in the United States of America. That is a clean unmodified opinion, and it is as good as we can give.

Roberts said that in planning and performing the audit he considered Gunnison City's internal control and financial reporting or internal control to determine the auditing procedures appropriate for circumstances for the purpose of giving their opinion on the financial statements, not for the purpose of expressing their opinion of the effectiveness of Gunnison City internal control. He stated during their audit they did not identify any deficiencies in the internal control that we consider to be material weaknesses, however, material weaknesses may exist that have not been identified. He said, "Based on our observation and inquiries and walk-throughs, all the procedures we are required to do, we did not identify any thing there."

In the independent auditor's report on compliance as required by the state auditor. The findings in cash management: entities are required to file a written report in the money management Council on or before January 31st and July 31st of each year, to include the yearend report to include the bank balance and accounts held by the entity and we noticed that the deposit investment report was not

submitted. We recommended that this report be done, and it has since been done. So if next year, those reports are submitted on time, those findings come off and this will be resolved.

Roberts said, "The other finding was the Utah Code Act that requires providing officer of governing body of the office are required to have public training of open public meetings. We noticed that not all of you had that training in the past year and we recommend that you do that. Your response was that you will. Those are our two findings. It's not uncommon that most cities have a few findings. These are not bad and very correctable, and this concludes what we have found."

A public hearing to receive public comment regarding the proposed rate increase of \$2 for the Gunnison City garbage rate from White's Sanitation and fuel surcharge

We were presented from White's Sanitation in our last meeting of a rate increase as of January 1st of a \$1.75 per household, but with fuel surcharges, we cannot absorb that cost so we will increase the rate to \$2 per household is what we're recommending.

Councilman Robert Anderson made a motion to open a public meeting to review the \$2 increase from White's Sanitation with a second by Councilwoman Stella Hill, roll call passed 5-0.

Approval for construction standards adoption

Councilman Mike Wanner made a motion to approve the construction standards adoption with the red lines as were discussed in the work meeting at 4 PM today. Second by Councilman Rod Taylor. Passed 5-0

Discussion of approval for Pool Employee Wages and the needs for Main Boiler

Matt Reber pool manager stated he has an employee that he has put a lot of trust in. She has done a really good job with the Facebook page, is our publicist, has taken over the public sign and will keep that updated. He would like to give her a raise of \$.25. She averages 20 hours a month, which would be about \$5 a month promotion. Next, the main boiler that heats the pool needs to be cleaned and repaired, and the plumbing needs to be redone. He had two quotes, SR Mechanical: \$3657, Petersons: \$3800. The boiler is 22 years old, and he hopes with the repairs we can get 4 or 5 more years out of it. He had SR Mechanical do a bid for a new boiler, it came in at \$17,000. When the City has to replace it we would have to redo the plumbing because it won't have the same configuration. Right now, it still working, he had it cleaned about eight years ago.

He recommended SR Mechanical; they know boilers very well. Petersons said they are so busy right now they wouldn't be able to get to it for a long time. Councilman Shawn Crane asked if this could wait until July for the new budget and Matt said yes. He stated at Christmas time, the pump went down and at the same time the heater went out, the water temperature dropped down to 70°. Because it was so cold outside, and we had no sun to help the solar panels, it took 13 days to get the temperature back up to 86°. The boiler is just not efficient, it runs 24/7. As we get into summer, the solar will help heat the pool and we could make it until July.

Councilman Shawn Crane made a motion to approve the \$.25 raise for the pool employee, with the second by Councilwoman Stella Hill. Passed 5-0.

Mayor Nay stated that we had \$30,000 for air-conditioning that wasn't a planned expense for the pool. As of right now we need to pull about \$85,000 out of the water budget to cover the cost of the pool until the end of the year because we are out of money. The pool is a separate entity; it is not part of the general fund in the city budget. City's franchise fees are not covering as much as they used to, so other ways of funding the pool have to be considered. The pool is great for our community, we have swim meets, recreation swim, morning swim, open swim, but pools just cost money. We will need to include this additional cost in our budget for next year. Centerfield used to pay \$10,000 towards the pool, then they paid only \$5000. Council stated that we need to encourage Centerfield to pay \$10,000 again.

Update on the sewer

Garrick Willden from Jones & DeMille Engineering gave an update on the sewer system. He stated that JD, Donald and Robert did some training on the screening device and were no longer putting trash in the lagoons. We do need to get some ventilation in the building and put some heat in to get rid of that moisture that is accumulating in the building. The heater has to be explosion proof, and we are still waiting for some parts, and we need to install the meter. We are still within our budget, construction will likely go over budget because we had to add some gravel, which will be brought before the Council next time. The electrical wire was going to be purchased by the city, but the contractor can get it for a cheaper price, so that was added to their contract. Mayor Nay had concerns about the size of the building and the position of it. Willden said the dual axle trailer that was purchased by the city will not fit in the

building. We built the building at the size that it is to keep down the cost. We also have a contract with Centerfield City for part of the cost. Gunnison would pay the cost, then send a bill for reimbursement from Centerfield City. Willden said, Centerfield and Gunnison have an agreement, it's based on the percentage of flow going into the lagoons. When the meter was installed last year, we received some data and then someone stole the solar panels, and the meter was unable to function. The problem with measuring the flow, the pipes going to the lagoons didn't have enough capacity so when Centerfield water would kick in, it would back water clear up Gunnison's inlet pipe and you wouldn't get an accurate reading. Willden said, "For years it's been wrong, so we can't determine that ratio between Gunnison and Centerfield. We wanted to put the screen in first so the water wouldn't back up like it did before. The screen has been put in and it is working. We know Centerfield is going to contribute some funds." Willden will go to Centerfield City council and approach them about this. Then when we get an exact reading, we will know what their portion will be to pay. Mayor Nay thinks we should bill them for at least 18% of the cost now. It was agreed.

Discussion and review of new bonding requirements for new developments

10-9a-604.5. Subdivision plan, recording or development activity. Improvement completion assurance improvement warranty

Mayor Nay stated that the new bonding requirements do change a lot for developers. The city will make sure that we are getting good quality inspections and a good working relationship during the development process. Josh Flake stated that they just had engineers collecting soil samples this week for the sumps and the roads. He said their head engineer is waiting to receive the soil data. He hopes to get that from him in the next two weeks, and then present the whole plan for approval. As far as bonding goes with this method, he would like to wait to report anything at all. Councilman Taylor said, "We are excited to help you get going on this. We are as anxious about it as you are to get this started." Flake stated that for their insurance, the warrantee that the City holds is 10%, and he is hoping that the city will open a bank account and make that possible so they can make a cash deposit that the City holds for a year and uses that to fix any issues that is fair with the roads and then after that time can be refunded to them. He says that would allow them to forgo complete bonding. That is allowed under the new law.

Councilman Robert Anderson made a motion to close the public meeting regarding the proposed rate increase of \$2 for the Gunnison City garbage rate with White's Sanitation.

Second, by Councilman Shawn Crane. Roll call was made and Passed 5-0.

Councilman Mike Warner made a motion to approve the proposed rate increase of \$2 to White's Sanitation for Gunnison City garbage rate. With the second by Councilman Rod Taylor. Roll call was made and passed 5-0.

Possible approval for Council assistant

Mayor Nay stated that we are in need of a Council assistant, part-time, under 20 hours a month between the range of \$15-\$20 an hour and we would like to accept applications by the 26th of January. She stated that we are not getting done with our minutes and it would help our front office so we could get caught up. With Covid down time and helping with planning and zoning committee, they have been very busy and have gotten behind. This will not be a permanent position possibly a three-month temporary position, then the continuance could be considered for review.

Councilwoman Stella Hill made a motion to approve the posting of a position for a Council assistant temporary, part-time position for three months. With the second by Councilman Shawn Crane. Roll call Passed 5-0.

Discussion of policies for city manager position review of posting and hiring procedure

Mayor Nay stated that Ben Reeves from Springville told us that it's the contract that matters when hiring a city manager. I have a copy contract here I would like to review to make it fit us. I would like to have you guys review this contract and be ready to discuss it at our next meeting. She reviewed it with the council. Our current policy is that anyone that we hire is on probation for one year. With most city manager's contracts, they receive a two- or three-year contract. So, if they do their part and we wanted them out, we will have to buy out their two or three-year contract. It's a commitment between them and the city because they have changed their way of life. She said she will get some more information out about what others City's do and asked Council to review this contract example and be ready to discuss it at the next meeting.

Other Business

JoAnn Taylor approached the Council and asked, "Isn't the recorder responsible to do all the city minutes and meetings by State law?" Gary Keddington stated that a lot of city councils have an assistant to the recorder, especially in big cities. She stated that we

are not a big city and if the recorder can't do the job why should we hire an assistant? It was stated that he is doing his job and that we just need some temporary help.

Councilman Shawn Crane stated that the 4th of July falls on a Monday this year. Do we celebrate on Saturday night, then have a day off Sunday and do the celebration on Monday, or do we do our auction and celebration on Friday night with the parade on Saturday? The Council all agreed it was best to do the Friday night and Saturday to do the celebrating. Councilman Mike Warner stated that Carolyn Childs, the Librarian, had reached out to him about possibly hiring Staci Jackson as an emergency librarian when she couldn't be there. Mayor Nay thought that would be a good idea.

Announcements: Nay announced that the city just found out today that they received \$300,000 from the state to do the industrial park extension road. She said, "We can now build the road onto that land that we have owned forever and did not have access to because we haven't had the money to build that infrastructure."

Councilman Shawn Crane made a motion to accept the money from the state, a grant for \$300,000 and Councilman Andersen seconded the motion. It passed 5-0.

Closed Session

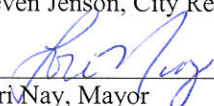
Councilman Shawn Crane made a motion to go into executive session regarding a land purchase. It was seconded by Councilman Robert Andersen, It passed 5-0.

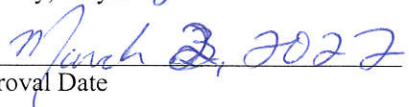
Council came out of closed session 8:50 pm.

Adjourn

Councilman Shawn Crane made a motion for meeting to be adjourned with a second by Stella Hill. Passed 5-0.

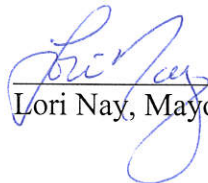

Steven Jenson, City Recorder


Lori Nay, Mayor


Approval Date

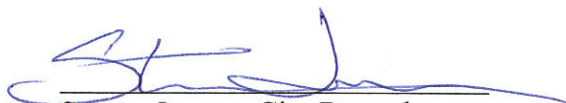
CLOSED MEETING STATEMENT IN LIEU OF MINUTES

I, Lori Nay, Mayor of Gunnison City, do swear and affirm (as required by Utah Code Section 52-4-7.5) that the sole purpose for closing the meeting on January 19, 2022 under Subsection 52-4-5(1) was for (a) discussion of the character, professional competence, or physical or mental health of an individual; (c) strategy sessions to discuss pending or reasonably imminent litigation; (d) strategy session to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, if public discussion of the transaction would: (i) disclose the appraisal or estimated value of the property under consideration; or (ii) prevent the public body from completing the transaction on the best possible terms; (f) discussion regarding deployment of security personnel devices or systems.



Lori Nay, Mayor

ATTEST:



Steven Jenson, City Recorder