

CITY COUNCIL MEETING

Wednesday, November 2, 2022

At 7:00 P.M.

City Council Chambers at 38 West Center Street

Roll Call:

Councilor Shawn Crane, Councilor Rod Taylor, Councilor Stella Hill, Councilor Robert Andersen, Mayor Lori Nay, excused Councilor Mike Wanner

Invocation/Inspirational Thought:

Given by Councilor Stella Hill

Pledge of Allegiance:

Led by Mayor Lori Nay

Public Forum:

Mayor Quarnburg from Aurora addressed the council. He had questions regarding the secondary meter project. Kelly Chappell with Ensign spoke with him regarding the types of meters they can install. The council discussed what Gunnison's plan is for the project. Dennis Marker took the Mayor's info and stated that he would be happy to go over all of the Cities numbers with him.

Bills for period ending October 27, 2022, \$726,708.57:

Councilor Stella Hill made the motion to pay the bills, Councilor Shawn Crane seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

New Business – Discussion and Possible Action Items

PEHP Health Benefits Presentation:

PEHP is the health benefits provider for Gunnison Employees. Each year PEHP asks the city to approve which of their plans will be offered to city employees. The City must make this decision before November 4. Staying with the same plan will result in a 3.9% increase to medical benefits

and 0.5% increase to dental benefits. The City does not pay for vision plans. The City budget anticipated a 5% increase to all medical related benefits.

Councilor Stella Hill made the motion to stay with the current plan with PEHP for the employees, Councilor Shawn Crane seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Website Update:

Valerie Andersen addressed the council. She presented the council with a few options for upgrading the website. She received quotes from Civicplus, HeyGov, and Revize. She showed the council some examples of each company's websites. She went over the costs of each of them.

Councilor Robert Andersen made the motion to go with Civicplus to build a new website for the city, Councilor Rod Taylor seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Service Agreement with Ensign Engineers for Water Meter Installation Project:

Kelly Chappell with Ensign Engineering addressed the council. The city currently has a general engineering services agreement with Ensign Engineering. The State is requiring, as a condition of using their funds, that the city have a project specific engineering contract. Attached is a proposed service agreement with Ensign Engineering for the meter installation project. The agreement stipulates a lump sum of \$48,500 for the design and administration costs. The contract can be amended by agreement of both parties if the city desires to manage some of the work itself.

Councilor Robert Andersen made the motion to approve the service agreement with Ensign Engineers for the Water Installation Project, Councilor Rod Taylor seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Approval of \$40,000 Water Master Planning Funds from State of Utah DEQ:

Gunnison was awarded a 100% forgivable loan from the Department of Environmental quality. The "loan" is for \$40,000 to cover the costs of the city hiring an engineering firm to prepare a water master plan for the city. The plan will include an analysis of current infrastructure, water rights, and system needs relative to community build out and demands. The application was prepared and submitted by our general engineering service provider, Ensign Engineering. To receive the funds, the City Council must approve the loan agreement, with attached scope of

work and the work must be completed within the 16-week time frame outlined in the scope of work. The council had a discussion with Kelly Chappell and Dennis Marker to go over the loan.

Councilor Shawn Crane made the motion to approve the \$40,000 Water Master Planning Funds from State of Utah DEQ, Councilor Robert Andersen seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Phone Stipends:

The city has been paying phone stipends of \$50 per month to certain full-time and part-time employees based on the need for quick and efficient communication. The payment amount and recipients has been a matter of some subjectivity. With the adoption of Resolution 2022-12 on October 19, the personnel policy now states that stipends must be approved by the City Council. The following is a list of current employees receiving the monthly \$50 phone stipend. City Administrator, Dennis Marker Public Works Director, Donald Childs Asst. Public Works Director, JD Bunnell Public Works Laborer, Luis “Poncho” Cejudo Animal Control Officer, Wyatt Scott City Recorder, Valerie Andersen City Treasurer, Mandi Buege Pool Manager, Jeremy Vincent Fire Chief Jed Hansen. Chief Hansen is requesting that Zack Jensen, the Assistant Fire Chief, also be given a phone stipend. The council had some discussion on the need for a stipend. They feel like it is

Councilor Robert Andersen made the motion to approve the phone stipend for Zack Jensen as well as keep the stipends at \$50/Month, Councilor Stella Hill seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

City Administrator Outside Employment Request:

Item #1 The City Administrator contract specifies that any outside employment by the City Administrator for consulting, teaching, etc. must be approved by the City Council in writing. I am seeking Council authorization to assist coaching the GVHS girls’ basketball team this coming season. The team’s Coach, Melissa Sorensen, has expressed a desire to have more help when possible. The position would be volunteer. His contract provides that he must spend a minimum of 40 hours in the service of Gunnison each week. He generally works 50+ hours, especially on weeks with night meetings. He will work with the City Recorder and Treasurer to assure the office is covered and all agendas and work materials are still timely completed. Robert Andersen stated that he thinks this will be good for him to be involved with the community.

Councilor Shawn Crane made the motion to approve Dennis Marker to be employed outside of Gunnison City, Councilor Stella Hill seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Item #2 Upon taking responsibilities as the Zoning Administrator, my monthly wages have been augmented by \$500, which was the stipend to Councilor Taylor when he acted in the same capacity. This stipend is not specifically outlined in my employment contract nor has the Council specifically authorized this increase in my salary. I am seeking either Council approval of the stipend for Zoning Administrator duties, or direction otherwise, including repayment of the stipend amount, etc. The council agreed that the stipend was not supposed to be included with his pay. The \$500 will discontinue and Dennis will pay the city back.

Councilor Shawn Crane made the motion to discontinue the \$500 stipend, Councilor Rod Taylor seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Ordinances and Resolutions

Resolution 2022-12 Regarding Fee Schedule Updates – Infrastructure Deferrals:

The council discussed the need to change the price of the road frontage fee. Councilor Rod Taylor feels that there are so many variables that go into this that they should investigate it more. Dennis Marker stated that they can put in the resolution that it will be based upon engineering review. The council all agreed that this would be a good option and make it to where they would not have to continue to change the pricing. The council agreed that they would table this for this time.

Minutes

September 21, 2022, Regular City Council Meeting:

Councilor Shawn Crane made the motion to approve the minutes for the September 20, 2022, council meeting, Councilor Robert Andersen seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

October 19, 2022, Regular City Council Meeting:

Councilor Robert Andersen made the motion to approve the minutes for the October 19, 2022, council meeting, Councilor Shawn Crane seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

April 6, 2022, Regular City Council Meeting:

Councilor Shawn Crane made the motion to approve the minutes for the April 6, 2022, council meeting, Councilor Stella Hill seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

April 20, 2022, Regular City Council Meeting:

Councilor Robert Andersen made the motion to approve the minutes for the April 20, 2022, council minutes, Councilor Shawn Crane seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Reports of Officers, Staff, Boards and Committees:

Kelly Chappell with Ensign engineering addressed the council regarding the current roads project. The project is a little behind due to a few change orders, he is hopeful that they can finish by November 14th. This will be dependent on what the weather is over the next couple of weeks. They should be able to lay concrete, but the pavement will be hard to lay with bad weather. Kelly stated that he is going to have the contractor come up with a plan of how they will protect and manage the unfinished areas over the winter.

Donald Childs asked if the City would like to put up the same decorations for Christmas. They discussed deciding if they are needing to replace anything.

He also stated that Hales Sand and Gravel hit one of the planter boxes on main. He stated that he will work on getting someone to fix it and then Hales will pay for it. He said that he installed the meters on the sewer. He also brought up the need for doing some crack sealing.

Dennis Marker stated that the numbers for the city are promising for the city to get the CBDG grant. They are requiring them to get a bid before they will approve them for the grant. The City will also have to hold a public hearing regarding the CBDG grant. They have to state they are qualified for the grant, what the grant can be used for, and to see if the community has any input on what the grant could be used for.

The other thing that he wanted to go over with the council is property owned by Samuel Roach. Samuel is currently wanting to build a home but is going to need to put in road improvements. Dennis has investigated into the property and the road. He stated that there are a few conveyance issues with the property; It was deeded to the city by Quit Claim over right-of-way previously utilized by Gunnison Irrigation Company for ditch facilities and related maintenance. Gunnison City granted an exclusive Oil and Gas Lease to Wolverine Gas and Oil Corporation on the parcel in June 2008. The O&G was for 5 years with a potential 5-year

extension with provision that the lease expires only if no drilling, production, stayed operations, etc. exist on the property. Other properties adjacent to city property were conveyed by individual Warranty Deeds in 2006. No required subdivision plat was recorded prior to these deeds, although the configuration seems to be consistent with the description in Council minutes. Can the City assert that the properties are not valid “lots” for building unless a formal plat is recorded and improvements are made to the fronted “street”?

His recommendations were as follows; Although the lots were not created by a subdivision plat, as required by city code, the Council approved the lot configurations and subsequently rezoned the properties for development purposes. City code requires that all lots front on a dedicated street or right-of-way (not this does not include an improvement standard). Evidence is available that a public right-of-way was established over the corridor now owned by the City and thus the lots front on a city right-of-way. Some right-of-way title cleanups may be necessary based on the history of the property and method of conveyance to the City. City Code requires “necessary” street improvements, including fire protections, curb, gutter, asphalt, water lines, and sewer lines, to be installed with any lot development. City code does not specify that property owners must have fully improved streets all the way to their residences. In fact, there are some streets in town that do not have any pavement, curbing or gutter but which are used by residents to get to their homes. At a minimum, the applicant will need to install sewer lines, culinary lines with hydrants per code, and should construct a road surface easily traversable by a fully loaded fire truck. There is no provision in city code for an authorization of deferral to be done by city staff (i.e. by paying a linear frontage fee even though such a fee is currently listed on the city’s fee schedule). The Planning Commission can approve a deferral of improvements for minor subdivisions so long as the applicant pays all present costs for all improvements. These lots were not considered a subdivision at the time of approval and unless the applicants are willing to undergo the subdivision platting process, deferral via the PC is not an option. The City Council has authority to approve an infrastructure delay agreement with the applicants, which must provide that the applicant will install the improvements or participate in an area improvement plan at a future date. An improvement agreement could stipulate that the payment of a street improvement fee based on the linear frontage of the property would be sufficient for participation in a future improvement project.

The council feels that the \$54/linear ft is what they should be charged. They also feel that they need to take the water and the sewer to the property.

Valerie Andersen stated that they will be holding an open enrollment day on Tuesday November 8th for the employees.

Reports by Mayor and Council Members:

Mayor Lori Nay stated that her son-in-law is looking for a project to do for his last year of schooling. She thought that it would be a good idea to get a master plan put together for the parks and recreation in Gunnison. The council all agreed that this would benefit the City.

Stella Hill stated that a few of the trees that they bought this year have died and they are going to have to get them replaced.

Councilor Stella Hill made the motion to go into executive session to discuss the pending or reasonably imminent litigation, and/or purchase, exchange, or lease of real property, Shawn Crane seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

9:44 P.M. The Council came out of executive session

Adjournment:

9:45 P.M. Councilor Shawn Crane made the motion to adjourn, Stella Hill seconded the motion.

Roll Call:

Taylor: Yes, Crane: Yes, Hill: Yes, Andersen: Yes


Lori Nay, Mayor

Approval Date:

November 16, 2022

Attest:


Valerie Andersen, City Recorder