City Council Meeting

Wednesday, November 16, 2022

7:15 P.M

38 West Center Street

Roll Call:

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

Invocation/Inspirational Thought:

Given by Councilor Shawn Crane

Pledge of Allegiance:

Led by Mayor Lori Nay

Public Forum:

Marty McCain with Sanpete Pantry addressed the council. He wanted the council to know how much the pantry appreciates Gunnison's support as a drop off location. Other communities are hoping to replicate the same assistance. In the last month they have served 98 families in this community. He also stated that they run out of food at the last pick up. He said that the Utah Food Bank is showing interest in how things are being run in Sanpete County. He went over all the ways that they are helping in the community. The council expressed they're thanks to Marty for all of the work that he has done in the community.

Bills for period ending November 15, 2022, totaling $75,981.54:

The council took time to go over the bills. They had a few questions on the bills. They did notice that the bill for whites' sanitation was for two months. Valerie stated that she would investigate it and make sure that they were not overpaying.

Councilor Stella Hill made the motion to pay the bills for the period ending November 15, 2022, except for the white's sanitation bill, Councilor Shawn Crane seconded the motion.

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Appointment of Hospital Board Member – Casey Dyreng:

Councilor Robert Andersen made the motion to re-appoint Casey Dyreng to the Gunnison Valley Hospital Board, Councilor Mike Wanner seconded the motion

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

New Business – Discussion and Possible Action Items

Authorization of annual crack seal project for up to $35,000:

Councilor Stella Hill made the motion to authorize the annual crack seal project for $35,000, Councilor Robert Andersen seconded the motion

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Deferral Agreement with Samuel L. Roach and Mary K. Larson:

During the previous City Council meeting information was shared with the Council about improvement requirements along 400 North between 200 West and 100 West. Mr. Samuel L. Roach and Ms. Mary K. Larson would like to build a home at approximately 150 West 400 North, on property adjacent to the unimproved 400 North. City Ordinance provides that development can occur adjacent to an unimproved city street if the developer improves the street, or the City Council enters into an infrastructure deferral agreement. City Administrator Marker went over a possible agreement with the Council. He stated that Mr. Roach and Ms. Larson reviewed the agreement and indicated that they are fine with the terms. He is still waiting for a final review of the agreement by the city's legal counsel. He anticipates minimal changes required by the city's legal counsel. His recommendation is that the Council authorize the Mayor to sign the deferral agreement subject to city legal counsel's final approval of the agreement. The council discussed the agreement. JD Bunnell suggested that they require a turn around if the entire road will not be approved so that firetrucks, delivery trucks, and garbage trucks can get in and out. Marker stated that a temporary turn around could be possible. Councilors also expressed concern that the couple be reimbursed for the cost of extending services to the area. Councilor Taylor referred to city ordinances that allow for a seven year reimbursement provision.

Councilor Mike Wanner made the motion to approve the deferral agreement with Samuel L. Roach and Mary K Larson with the addition of reimbursement provisions within 7 years and a turnaround for emergency vehicles. Councilor Rod Taylor seconded the motion

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Quit Claim Deed for property at 375 South Main Street:

City Administrator Dennis Marker addressed the council. During the March 3, 2021, City Council meeting, a proposal was shared with the Council to remedy a property boundary issue between Childs Play Learning Center at 395 South Main Street and the adjacent property owners. The main issue being a "gap" in ownership of approximately 84 feet between the childcare property and the northern property owner. The day care center property is currently for sale and a willing buyer would like to resolve the property line issues before buying the property. It was indicated by Jesse Richmond of Eagle Gate Title that the adjacent property owners have agreed that the gap property belongs to Childs Play Learning Center. Because the gap is within Gunnison City limits the city has potential interest in the property. Eagle Gate Title has prepared conveyance documents so that the gap will become officially the Childs Play Learning Center's property if approved by the City. Marker stated that there are two items of concern; first, being the adjacent property owner interests. Although Mr. Richmond has indicated that all property owners agree that the gap should be the Childs Play Learning Center's there has been no proof of their acknowledgement presented to that effect. Secondly, according to the county tax maps, there is no gap in ownership; the Childs Play property abuts the same section line as the property owner to the north.
Marci Childs addressed the council. She stated that she had come into council over a year ago and this had been approved but the council never voted, so they are back to get it approved again.

Councilmen Taylor asked if the City would technically own it. Marker stated that the only reason that it had come to the Council was because the gap is within city limits so the City could assert a potential interest in the property. He stated that this raises the question: If the properties are supposed to be abutting and a gap exists, shouldn't both property owners north and south of the gap receive benefit from any reconciliation process? Why is all of the gap being assigned to the southern property and, since the city is involved, what are the city's obligations to all adjacent property owners when conveying the property? The second concern is the need to create a new parcel. Should the council approve the proposed Quit Claim deed, a new parcel will be created which is separate from the Childs Play property. The Childs Play property would remain as indicated on the tax maps and instead of abutting the northern neighbor's property will about the newly created gap parcel. The significance of this new parcel is that it will comply with the applicable R&C zone requirements for lot area and frontage requirements. The new parcel becomes a developable piece of property. The potential buyer would like to build a business shop on the gap and operate a business separate from the Child's Learning Center. If the gap is required to be attached to the Child's Learning Center property, then a new structure could still be built but a separately owned business operation could not take place due to land use codes. Councilor Rod Taylor stated that he remembers that Rodney Willardson did not have any interest in the property. Councilmen Mike Wanner asked if they needed to contact the other owner and get in writing that he was okay with the quit claim deed and it being written that the Childs would assume the gap as a new parcel. Councilor Taylor also asked if a public hearing was necessary before the city approved the conveyance of any property interest.

Councilor Shawn Crane made the motion to approve the quit claim deed at 375 South Main Street pending finding out if a public hearing is required and with the condition that the City contacts the other owner to make sure that they have no interest in the property, Councilor Mike Wanner seconded the motion

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Capital Asset Self Inventory Plan:

One of the requirements for the upcoming CDBG application is to have a capital assets self-inventory plan completed. These plans are considered a minimum standard for forward thinking and financially sustainable communities. The city's desired CDBG project must be one of the projects noted as necessary within the next 5 years on that plan. Marker presented a plan prepared by the city's departments for the Planning Commission and City Council review. This plan will serve as a guide for budget purposes and is in fact required by the city personnel handbook, sections 2.6.050 and 2.6.100. Marker asked the Council to review the proposed projects and determine if other needs should be added or if listed timeframes for improvements should be adjusted. Finally, the Council should approve the Capital Asset Self-Inventory Plan with the anticipation that it will be reviewed again during the annual budget process starting in January 2023. The council discussed the Planning Commission's recommendation to add a recreation master plan to the list. They also felt more work was needed at the airport.

Councilor Shawn Crane made the motion to approve the capital asset self-inventory plan with the changes discussed. Councilor Robert Andersen seconded the motion

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Ordinances and Resolutions

Ordinance 2022-14 Regarding Utility Payment Options:

Marker noted that this ordinance will allow staff to work with customers who have over due balances or large amounts owed to have payment plans. Councilor Shawn Crane made the motion to approve Ordinance 2022-14 regarding utility payment options, Councilor Robert Andersen seconded the motion

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Minutes

November 2, 2022, Regular City Council Meeting:

Councilor Shawn Crane made the motion to approve the minutes for November 2, 2022, Councilor Shawn Crane seconded the motion

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

Reports of Officers, Staff, Boards and Committees

Donald Childs:

He let the council know that they are putting up Christmas decorations tomorrow. Shawn Crane stated that he will get the Christmas music going on the clock tower.

JD Bunnell:

He stated that they are 800ft into the ground with the Well. He said that they came across some clay and limestone. They are planning on going to 850 feet. He said the project is going well. He said that they will be able to check for water the week after Thanksgiving.

He stated that it is going to be warmer tomorrow and they are hoping for 3 hours of paving done with the roads project. The Mayor asked about the pothole on 300 East Main. JD stated that he let Ensign know that it needed to be added to the list of things for Hales to fix.

City Administrator Dennis Marker:

He wanted to let the council know that the due date for the CBDG grant is December 15, 2022. The UDOT grant due December 8.

Zion's bank has preliminary budget numbers for the innoivation park CRA. He suggested a work meeting along with the next council meeting to discuss the CRA status.

A contract has been signed with Civicplus for redoing the City website. The process should take 6-8 weeks.

Marker noted that the office is slow in the mornings and suggested changing the public hours to 9-5 instead of 8-5. Councilor Taylor wondered if they could maybe stagger the times so someone is in the office and stay open until 6 P.M. Dennis suggested that the office be open longer on Wednesday nights where the office is already here preparing for meetings. The council agreed that this would be a good change.

The County has agreed to cover 20% of the School Resource Officer costs, where they had previously indicated not wanting to help at all.

Stella Hill:

She noticed that the sign on main street still has the irrigation schedule on it. Dennis stated that he will get with Jeremy and have the pool get this changed.

Rod Taylor:

He stated that he still thinks that we need to look into joining the county for court.

Mike Wanner:

Asked if someone was interested in fixing up the BMX track what they would need to do. The Mayor stated they would have no issue with someone taking over the project and that they do have money in the budget for it. Dennis stated that he has been in contact with someone that was interested in taking this on.

Shawn Crane:

Went over some of the cleaning up that is needing to be done after main street being redone.

Lori Nay:

She talked about the Santa run, free movie, light parade, and Santa at the fire station that will all be held the Saturday after Thanksgiving.

Robert Andersen:
He stated that the RC airport is distracting during graveside services at the cemetery. Marker noted that the city doesn't have any restrictions currently. A suggestion was made to ask them to not fly during a funeral services.

Adjournment:

Councilor Stella Hill made the motion to adjourn the meeting at 9:30 p.m., Councilor Rod Taylor seconded the motion

Roll Call:
Taylor: Yes, Wanner: Yes, Crane: Yes, Hill: Yes, Andersen: Yes

________________________________ Approval Date:

Lori Nay, Mayor December 7th, 2022

Attest:

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Valerie Andersen, City Recorder