

MINUTES
MANTI CITY COUNCIL MEETING
September 17th, 2014
6:30 P.M.

Mayor Korry Soper in chair and presiding. Roll call showed Councilmembers Jason Maylett, Vaun Mickelsen and Jason Vernon present. Ryan Phelps was excused and Darren Dyreng was expected to join the meeting late. The Mayor welcomed all attending and asked them to stand and join him in reciting the pledge of allegiance.

Mayor Soper invited Garrick Willden of Jones and DeMille Engineering. Willden explained that the bid opening for the Council Room addition to the city building had occurred on September 3rd and presented a bid summary to the Mayor and Council. Councilmember Jason Maylett announced that he had submitted a bid and asked to be excused from the discussion and any action that the council may take and asked the Mayor if he should leave the meeting. The Mayor acknowledged Maylett's conflict of interest but told him the meeting was an open meeting and added that he was not required to leave. Willden then went on to explain that he had received one bid, which was from Empire Builders of Manti. Councilmember Darren Dyreng joined the meeting in progress. Willden also reported that a second bid was submitted but had arrived late after the bid opening had occurred. Willden said the late bid remains sealed and then went on to review the bid from Empire Builders (attached), which totaled \$96,100. Willden referenced the sealed bid, which arrived late but recommended that the council risked litigation in allowing consideration of the bid, referencing lawsuits that had successfully been brought against UDOT for awarding work to late bidders. Willden then turned to the budget sheet and pointed out the addition of a \$9,550 for contingency and \$9,150 for project management bringing the total project budget to \$116,000. Willden also explained that the project management fee included an addition of \$400 to changes in the scope of the project with the addition of some improvements to the city offices and asked the council's permission to add the \$400. After some discussion and a few questions directed to Willden, the Mayor called for a motion to accept the project budget of \$116,000 as presented by Willden and the \$96,100 bid submitted by Empire Builders. Jason Vernon made that motion, which was seconded by Vaun Mickelsen. Councilmembers voting "aye": Darren Dyreng, Vaun Mickelsen and Jason Maylett. Councilmembers voting "nay": none. Councilmember Jason Maylett recused due to conflict of interest. The Mayor thanked Willden for his oversight of the project.

Mayor Soper welcomed Doug Barton to come forward. Barton explained that he was here to speak to the council as a concerned citizen of the community and wished to make the council aware of the conditions of some of the rental properties in the community. Barton explained that although he had become aware of the problem due to his work as an ecclesiastical leader; that he was here to speak only as a citizen of the community. Barton then distributed written copies of statements or interviews that he had conducted with several renters in the community. He said that one of those making a statement, Troy Wooten, was in attendance at the meeting and another Desirae Thelan had hoped to attend but had been detained in Provo. He explained that the others

asked not to be identified, as they feared retribution from their landlords. Mr. Barton then went on to read the statements (attached). He then acknowledged that while his report to the Council likely brought more questions than answers, he would like to suggest that the city look at addressing the problem by ordinance or housing authority. He also referenced other communities in the area that are taking steps to correct these types of problems.

Councilmember Dyreng said: “We can’t sit on our hands on this issue, I’m appalled”.

Mayor Soper explained that the Council has had some discussion and is exploring ordinances from other communities in an effort to correct the problem. The Mayor referenced the Centerfield “Good Landlord Agreement” which was projected and briefly reviewed.

Darren Dyreng stated that he feels we need include standards and inspections.

Scott Olsen, Sanpete County Planning Administrator, stated that while the county currently inspects newly constructed homes prior to occupation, there is no such requirement for re-sales or trailer houses.

Citizen Mary Pipes asked for permission to speak and explained that even though she is a landlord herself, she recognizes that there was very little recourse in our community for renters. She said most wouldn’t complain because of fear of eviction.

Troy Wooten, who authored one of the statements read by Barton, concurred saying that he continued to live in a rental property with a faulty and improperly installed gas water heater, which the landlord promised to replace but never did.

The Mayor stated that he recognized there was a serious problem and work to be done. He said that he felt there was a consensus among the Council to act and he committed to addressing the issue. He thanked those in attendance for raising the issue with the Council.

Mayor Soper asked the Council to refer to the proposed electrical department wage scale, included in the packet (attached). After brief discussion the Mayor stated that there appeared to be consensus to accept the proposal and called for a motion to that end. Jason Vernon made that motion, which was seconded by Vaun Mickelsen. Councilmembers voting “aye”: Darren Dyreng, Jason Maylett, Vaun Mickelsen and Jason Vernon. Councilmembers voting “nay”: none.

The Mayor then directed that discussion turn to the possible expansion of the commercial zone. Mayor Soper commented that there had been past thoughts among the council regarding expanding the commercial zone north of 300 North along Main Street. He asked the Council if there were any thoughts to share.

Darren Dyreng recognized the need for a larger commercial zone but cautioned “we need to consider all property owners and also remember that area is the gateway to our community”.

Jason Maylett said he doesn't think we should expand the zone across the board through a residential area – without additional restrictions.

The Mayor invited Scott Olsen, Chair of the Planning Commission to share any progress the commission has made in its discussion with regard to the issue. Olsen came forward and reported on the commission's progress. He said that there have been many discussions but that the commission is not yet ready to make a recommendation. He stated that the commission feels that the needs of all property owners need to be considered and that the commission feels that any commercial development allowed in a current residential zone should have additional restrictions so as to minimize impact on residential property owners in the area. Kent Barton City Administrator said that one option would be an overlay zone where restricted commercial could take place but that issues such as setbacks, lighting, parking, advertising, design and hours of operation could be as restrictive as the city directs. Barton suggested a work meeting between the Council and Planning Commission to explore options in an effort to come to resolution. The Mayor and Scott Olsen agreed that a work meeting would be helpful. Darren Dyreng suggested that the Economic Development Committee be invited as well being that one of their charges is to invigorate Main Street. After discussion it was determined to tentatively schedule a work meeting for Wednesday, October 1st at 5:30 pm. The Mayor thanked Scott Olsen for attending council meeting and for his report.

Jason Maylett recommended that unresolved issues on which the council is working be left on the agenda under the 'continuing business' section until they are resolved. After brief discussion it was agreed to keep an ongoing schedule of such issues placed in each council meeting packet for possible reference and discussion.

Mayor Soper stated that he had one item for discussion in closed session dealing with property negotiation and then asked the Council if there were any corrections noted for the draft version of the minutes from the September 3rd council meeting. Two typographical changes were noted, after which the Mayor called for a motion to accept said minutes as corrected. Vaun Mickelsen made that motion, which was seconded by Jason Maylett. Councilmembers voting "aye": Darren Dyreng, Jason Maylett, Vaun Mickelsen and Jason Vernon. Councilmembers voting "nay": none.

Administrator Kent Barton reported on the following:

- Improvements at city park almost completed – sprinklers have been installed and grass seeding is expected next week
- Progress with Old City Hall improvements
- Progress with Highway 89 widening
- Water sales to UDOT for dust control and compaction with Highway 89 widening project
- Kenny Keller has received a doctors release and returned to work on August 15th
- Former employee Tony Montoya laid to rest on Tuesday after a valiant fight with cancer
- Stated that he has items concerning property negotiation for discussion in closed session

Mayor Soper called for a motion to move into closed session to discuss two items dealing with property negotiation. Darren Dyreng made that motion, which was seconded by Vaun Mickelsen. Councilmembers voting “aye”: Darren Dyreng, Jason Maylett, Vaun Mickelsen and Jason Vernon. Councilmembers voting “nay”: none.

RETURNED TO REGULAR SESSION FOLLWOING CLOSED SESSION

The bills were presented for payment. Following review by the Mayor and Council, Jason Maylett made the motion to pay the bills and adjourn. Vaun Mickelsen seconded. Councilmembers voting “aye”: Darren Dyreng, Jason Maylett, Vaun Mickelsen and Jason Vernon. Councilmembers voting “nay”: none.

The meeting adjourned at 8:45 pm

General Account

Stephen Johnson	\$1,110.00
Steve Roberts	87.54
Justin Aagard	40.00
Ed Heiberger	29.98
Cory Hatch	124.30
Utah State Treasurer	390.93
Kent Barton	1,201.21
Justin Aagard	40.00
Jennifer Anderson	45.00
Manti Post Office	492.24

Korry L. Soper, Mayor

Kent Barton, Recorder/Administrator