

**EPHRAIM CITY COUNCIL MEETING
EPHRAIM CITY BUILDING
5 S. MAIN
WEDNESDAY, MAY 17, 2006
7:00 PM**

MEMBERS PRESENT

Cliff Birrell, Mayor
Garth Sorenson, Mayor Pro Tem
Kim Cragun
Penny Kittelsrud
Elaine Reid

OTHERS PRESENT

Richard Anderson, City Mgr/Recorder
Absent
Bryan Kimball, City Planner
Leigh Ann Warnock

PUBLIC HEARING

Councilmember Cragun called the Public Hearing to order at 6:32 PM. This hearing is for the purpose of discussing a land trade between the City and Durke Gordon. Two appraisers were contacted to appraise the properties, with \$4,500 and \$7,000 quoted for that service. Either of these amounts is probably more than the property is worth. Theresa Alder, a local real estate agent, was consulted and it is her feeling that the two properties are comparable in worth. The trade does appear to benefit both parties, allowing the City Power Plant to comply with OSHA regulations.

Councilmember Anderson arrived at 6:50 PM.

Public Hearing closed at 6:58 PM.

COUNCIL MEETING

Mayor Birrell called the meeting to order at 7:00 PM. The prayer was offered by the Mayor, and Bryan Kimball led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

The Council reviewed the minutes of the May 3, 2006 City Council meeting.

Councilmember Sorenson moved to approve the minutes of the May 3, 2006 City Council meeting with corrections. Seconded by Councilmember Reid. The vote was unanimous. The motion passed.

APPROVAL OF WARRANT REGISTER

The Council reviewed the Warrant Register of May 15, 2006.

Councilmember Cragun moved to approve the warrant register of May 15, 2006. Seconded by Councilmember Kittelsrud. The vote was unanimous. The motion passed.

Councilmember Cragun thanked staff members for getting Council Meeting packets delivered in advance.

CANYON RIDGE SUBDIVISION – PRELIMINARY APPROVAL

Councilmember Cragun declared a conflict of interest in that he and Charlie Stevens are friends.

The recommendation of the Planning Commission is to accept preliminary approval based on conditions including property line adjustments, all Eastpointe projects completed, and the recording of all required easements. The City has been receiving regular, favorable reports from engineers. Sewer and water lines have been relocated, storm drainage improvements have been added, and inspections seem to be adequate. There are still six items needing attention as opposed to the 13 previously listed. The remaining items include repair of concrete man hole collars, repair of settled spots in the road, repair to sections of curb and gutter, sumps cleaned and tested, acquisition of easement for drainage, and review of improvements to the water line on Bald Mountain Road.

Councilmember Sorenson reminded the Council of a previous discussion whereby it was decided to avoid approvals with conditions. The Council would like to see that become standard practice; however in this case both the City Planner and the Council feel that the conditions are not controversial. Based on what has been done and the little still left to do, Councilmember Sorenson agrees and is comfortable with the subdivision.

Councilmember Anderson moved to approve the preliminary plans for Canyon Ridge Subdivision, with conditions as listed by the Planning Commission. Seconded by Councilmember Reid. The vote was unanimous. The motion passed.

SILVER CREEK COMPUTER PROPOSAL – SETBACKS

Wayne Johnson would like to purchase June Crane's home on Main Street, and remodel the front of the building to meet the sidewalk, in order to house a computer sales and service/Copy Qwest center.

The main issue according to Planner Kimball, is the zero setback. His understanding is that the intent when the ordinance was revised was to provide an exception for the standard setback which is 20'. If the property on either side does not meet setback requirements, the nonconforming neighbor can be matched. This home is situated between two homes that are 20' from the sidewalk, excluding the "match your neighbor" clause, found in the codified version of the ordinance. The electronic copy of that ordinance allows for zero setback regardless of neighboring properties. The question becomes, which version is correct?

Councilmember Anderson supports business in Ephraim, but does not want to lose another of the historical homes on Main Street. Mayor Birrell pointed out that the home has been changed quite a bit over the years and really doesn't qualify as a historical home and is not on the historical register.

Much discussion ensued regarding revitalization being a priority of the City vs. preserving small town family atmosphere and historic heritage as are both stated in the Master Plan. Many options were presented including leaving the structure as it is as per City Ordinance, or allowing zero setback if architecture met a predetermined design or historical theme.

There should be some continuity with the theme concept. Even with Zion's Bank in the Bishop's Storehouse, it has not changed the outside appearance.

The Council would like to pursue adopting and updating ordinances as suggested in the general plan. This is an opportunity to clarify what the ordinance means regarding zero setbacks vs. match your neighbor. Independent of what might have been intended, we have the opportunity and the right to say what we want it to mean.

One possibility is to simply state that any proposed remodeling in the C1 zone must apply and receive a conditional use permit, allowing other issues to be addressed besides the historical theme. Another option would be for the City to purchase the property. The original asking price for the property was over \$200,000, and has since dropped to \$120,000.

Councilmember Cragun suggested that Bryan Kimball call Dave Church or Sydney Foncesbeck and ask about the conflict with electronic version vs. codified. The desire of the Council is to try and maintain historical perspective if that is possible.

AIRPORT BOARD CHARTER

Councilmember Cragun moved to approve the By Laws of the Airport Advisory Board. Seconded by Councilmember Kittelsrud. The vote was unanimous. The motion passed.

FIRE CONTRACT

Councilmember Sorenson moved to adopt the Memorandum of Understanding Between the Utah Division of Forestry, Fire, and State Lands and the Ephraim Fire Department. Seconded by Councilmember Cragun. The vote was unanimous. The motion passed.

COMMERCIAL SUBDIVISION FENCE

Darin Cummings has stated that he would be willing to pay \$6,000 to \$8,000 towards upgrading the fence. The total cost to the City on the upgraded fence would be approximately \$80,000 as opposed to \$40,000.

Councilmember Cragun moved to go with the upgraded fence. Seconded by Councilmember Sorenson. Councilmember Anderson opposed. Councilmember Reid abstained. The motion passed 3-2.

REPORTS AND UNFINISHED BUSINESS

Mayor Birrell - Bryce Jensen would like to sell his property at the Industrial Park to an individual interested in providing a place for semi drivers to park their trucks, possibly including an RV dump or a small repair shop for the trucks.

A group is being organized to seek out investors for the library. Names have been identified of those we would like to invite to a meeting.

Mayor Birrell went over the task list. He asked that a fee structure to come before the Planning Commission and a possible rate increase on zoning applications be put on the next agenda.

Councilmember Cragun was asked to obtain a plaque for Sharyl Morgado showing the City's appreciation for her services.

Councilmember Kittelsrud – The library will be hosting a book sale during the Scandinavian Festival as well as a quilt raffle, T-shirt and cookbook sales. Building plans from the architect will be on display to help solicit donations to the library. If there is no opposition, the library will donate an unused receipt printer to the bookmobile.

Councilmember Sorenson – The Park Committee will have a booth at the festival to sell bricks. For donations to the park, a brick will be laid in the park walkway with the donors' names on them.

Concern was expressed regarding when water lines will be put in at the park as Chad is so busy until after the festival. Sewer, water and electricity need to be put down, then sprinklers and grass and playground equipment. A decision has yet to be made on a ground cover under the playground equipment.

Councilmember Cragun – A 4-wheeler has been ordered for the Parks and Recreation Department at a 5% discount. It will be brand new with service available in town. A loaner has been offered until it arrives in order to get the ball fields ready.

Although there has been a lot of interest in having booths for the festival, there are only 5 old world booths. 79,000 hits have been recorded to date on the Scandinavian Festival website.

Councilmember Anderson – Richard Anderson and Councilmember Anderson went with Jason Johnson to look at the trees on Main Street. Mr. Johnson will come back and do a health check on the big willows sometime this summer, and make a recommendation on their soundness.

Councilmember Reid – The Cemetery Board met to discuss grave opening and closing rates in relation to other cities and how much Chad Parry thinks it is costing the City to do this. Minor changes are being made to the ordinance that will be coming to the Council soon.

The Gazebo is about done. The cemetery looks nicer than it has in a long time, and the Pioneer Cemetery is looking wonderful.

Bryan Kimball - Progress is being made on the Water Master Plan. The experience with Nolte has been a good one overall; however with traveling to their offices two days a month, it makes it hard to put in the consecutive time necessary to get into a project. Mr. Kimball asked that the Council be thinking about names for the Planning Commission.

ADJOURN

Councilmember Sorenson moved to adjourn. Seconded by Councilmember Cragun. The vote was unanimous. The motion passed.

MINUTES APPROVED:

Mayor

Date

ATTEST:

City Recorder

Date