

**EPHRAIM CITY COUNCIL MEETING  
EPHRAIM CITY BUILDING  
5 S. MAIN  
WEDNESDAY, July 6, 2005  
7:00 PM**

**MEMBERS PRESENT**

Don Olson, Mayor Pro Tem  
Penny Kittelsrud  
Jannette Anderson  
Kim Cragun  
Garth Sorenson

**OTHERS PRESENT**

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

Councilmember Olson called the meeting to order at 7 03 PM.

**PUBLIC SESSION**

**APPROVAL OF MINUTES**

The Council reviewed the minutes of the June 8, 2005 Joint Council Meeting with Manti Regarding the Airport.

**Councilmember Sorenson moved to approve the minutes of the June 8, 2005 Joint Council Meeting with Manti Regarding the Airport. Seconded by Councilmember Kittelsrud. The vote was unanimous. The motion passed.**

The Council reviewed the minutes of the June 15, 2005 City Council Minutes.

**Councilmember Cragun moved to approve the minutes of the June 15, 2005 City Council Minutes as corrected. Seconded by Councilmember Anderson. The vote was unanimous. The motion passed.**

**APPROVAL OF WARRANT REGISTER**

The Council reviewed the Warrant Register of July 6, 2005.

**Councilmember Sorenson moved to approve the warrant register of July 6, 2005. Seconded by Councilmember Kittelsrud. The vote was unanimous. The motion passed.**

**JOHN SCOTT – REQUEST FOR SEWER SERVICE**

John Scott was present to express his concerns regarding sewer service to his house on 550 E 356 N. He and neighbors would like to request sewer service as they are within the City limits and feel it should be provided to them. It was explained that the slope in that area presents

major problems. Councilmember Olson suggested Mr. Scott take the matter to the Utility Board. Public Works Director, Chad Parry will be notified in order to prepare a report to submit to the Utility Board. City Manager, Richard Anderson will make sure Mr. Scott is on the Utility Board Agenda the second Thursday in August.

**KYLE PARRY – COMMERCIAL TRUCK PARKING ON CITY STREET**

Mr. Parry asked the Council to change the City ordinance regarding parking for large trucks to include obtaining written permission from property owners before parking a truck in front of their property. The current ordinance states that a large truck may park on City streets up to six hours, or longer with written permission from the Chief of Police. The truck in question has been parked in front of his home for extended periods, blocking the view of the road as well as a fire hydrant.

City Planner, Bryan Kimball was asked to contact other cities and get copies of their ordinances in order to make comparisons. The ordinances will be brought to the next Council Meeting.

**MATT THEOBOLD – CONDITIONAL USE PERMIT**

Mr. Theobold is requesting a conditional use permit for his home in order to install an office for his used car dealership in the garage located on the property. The State of Utah requires certain things in order to establish a place of business in the state, including an office, a place to hang a sign, and a place to park a minimum of three cars. Mr. Theobold stated that although the office would technically be located at his home, the car lot is located elsewhere and he would never park cars at his home that are for sale. The Council is concerned that even though that may be the case now, the permit allows it. The Planning and Zoning recommendation is to include some provisions such as a trial period of one year with no cars parked on the property, at which time it could be made permanent. Mr. Anderson suggests checking with an attorney beforehand to make sure the City is on firm ground and acting legally.

**Councilmember Cragun moved to accept the conditional use as recommended by the Planning Commission, with the condition that it is approved by an attorney. Seconded by Councilmember Sorenson. The vote was unanimous. The motion passed.**

**JOSEPHINE (JOE) NEWTON – ZONE CHANGE R2 TO RA**

Mrs. Newton expressed her need to the Council to have a zone change from R2 residential zoning to RA rural agricultural zoning, affecting Block 2B of Ephraim City, located between 300 East and 400 East and between 400 South and 500 South. Mrs. Newton currently keeps horses to use as therapy for her handicapped son. There are no other facilities available with this type of therapy closer than Springville. Mrs. Newton originally

requested a variance be granted on the property. That request was denied with a recommendation go to Planning Commission to request rezoning the entire block. All neighbors on the block have willingly signed a petition in favor of rezoning. The Planning Commission held a public hearing on this matter on June 29<sup>th</sup> at 6:00 PM. Their Recommendation was to change the zoning. In order to do that the zoning on the whole block would have to be changed.

**Councilmember Cragun moved to approve zone change from R2 to RA for lot 2 plat B, with the stipulation that the guidelines outlined in the agricultural ordinance for fences and keeping of animals be followed. Seconded by Councilmember Kittelsrud. The vote was unanimous. The motion passed.**

#### **JOE BREINHOLT – SUBDIVISION**

Mr. Breinholt reported to the Council that the guarantee has been taken care of. All things asked for from the Council at the last meeting have been complied with and is present to request approval for the Jorgensen Family Trust Subdivision.

**Councilmember Sorenson moved to approve the Jorgensen Family Trust Subdivision. Seconded by Councilmember Anderson. The vote was unanimous. The motion passed.**

#### **TED OLSEN - UAMPS**

Ted Olsen went over plans for 3<sup>rd</sup> unit with intermountain power project going on. UAMPS is holder of about 55%-60% of capacity of which at this point in time, Ephraim City something for 5 megawatts. Recommending reduce subscription to 3 megawatts through development phase. Get engineering plans done, sales agreement, all financing in order to go forward with construction. Projected price \$35 per megawatt hour making it second cheapest resource. Participation will be reimbursed through development committee. Projected cost 15 million, our share 100,000. Already paid out 50,000 of that. Looking for 50,000 commitment at the 6 megawatt thing. Half that if dropped to 3. Simpra made verbal agreement anything extra they would negotiate a contract to buy. He suggests going with just three.

Monday, July 11<sup>th</sup> at noon when the Mayor is back, to hold a meeting to discuss this issue. Contracts are here and can get copies to the council.

#### **OPENING OF REALTOR BIDS FOR COMMERCIAL SUBDIVISION**

Ephraim City received two bids from local realtors to sell lots in the Commercial Subdivision; Coldwell bankers and Sanpete Realtors. Both bids were read aloud. Coldwell Banker will work for 5% commission,

whereas Sanpete Realtors stipulate 6%. The letters sent to the realtors stated that 60% of the decision would be based on cost. The Council favored Coldwell Banker based on their proposal and commission rate.

**Councilmember Anderson moved to accept Coldwell Banker's request for selling commercial subdivision lots. Seconded by Councilmember Sorenson. The vote was unanimous. The motion passed.**

#### **UNFINISHED BUSINESS**

**Councilmember Sorenson moved to appoint Dixie Nielson to another term on the Planning Commission and to appoint Justin Cherry from 2005 to 2008. Seconded by Councilmember Cragun. The vote was unanimous. The motion passed.**

The City is ready to move forward on the Canyon View Park. Councilmember Sorenson will meet with Dean Cox, Bryan Kimball and Richard Anderson in order to get under way. Mr. Cox will set a meeting of the Park Committee.

Councilmember Cragun reported that tournaments are almost over. There is one more next week, the Utah Girl's State Tournament for the 5<sup>th</sup> and 6<sup>th</sup> graders. Complaints have been received about the park lights being on too late. On that occasion, the field was being prepped.

Lion's Tournament food sales were way up due to games going later.

Several good ideas have been compiled for the Scandinavian Festival for next year.

**Councilmember Olson moved to appoint Phyllis Thompson to the Library board. Seconded by Councilmember Kittelsrud. The vote was unanimous. The motion passed.**

Councilmember Olson stated that Ephraim is on the priority list for jurisdictional transfer for roads. The College loop is on that priority list.

Richard Anderson reported on the Airport Board Meeting. The Board showed much enthusiasm and concern for the airport. The meeting centered on the topic of trading land in order to have the fences meet in the same place. The City offered to trade 2.3 acres for the 1.2 acres needed for the fence. The land owner counter offered a trade of 1.2 acres for the whole 7 acre piece owned by the City, and he would grant the avigation easement needed. The Board felt this was a good trade. The only critical issue would be relocating the cement ditch.

A tree which was rooted next to and within the right of way of the irrigation company, was blown over by the wind into the yard of a City resident. The irrigation company will not assume liability and the resident would like this taken care of either by the irrigation company or the City. If a City crew removes the tree, it sets a precedent that says the City will take responsibility for trees not owned by the City. Richard Anderson will contact the irrigation company and offer to split the cost of removal. Councilmember Olson will also speak with his father about the matter as he works for the company.

There will be no regularly scheduled Council meeting on July 20<sup>th</sup> unless a pressing issue presents itself.

There will be a meeting with the Library board at 5:30 PM on August 3<sup>rd</sup> as well as a budget hearing at 6:30. The Utility Board has given permission to use some power fund money to fund other things.

The question was asked what decision was made on the City helping with the cost of the Mayor's airfare to Denmark.

**Councilmember Cragun moved that we contribute half the cost of Mayor Casperson's airfare to Denmark. Seconded by Garth. The vote was unanimous. The motion passed.**

**ADJOURN**

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

**MINUTES APPROVED:**

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

**ATTEST:**

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Date