

**February 5, 2009
Public Hearing
2009-001 Water Ordinance Amendments**

Attending: Shad Hardy, Ty Hardy, Doug Durfey, Emily Sanderson [Messenger], Marie Bertelson, Noel Bertelson, Don Hunt, Lawny Hunt, Shane Allred, Kimberley Sorensen, Neil Sorensen, Erin Anderson [Pyramid], David Allred, Benjamin Everitt, Dennis Watson, 3 unknown.

Public Comments

Mayor Barnes stated that all council was present for the hearing. Mayor Barnes stated that the reason for the Amendment to the current Water Ordinance was for the city to be allowed to put in a Master Water Meter at multiple resident homes legally. Mayor Barnes stated that the individual would be paying the minimum amount and any overage would be directed to the owner as an overage.

Lawny Hunt inquired about the cost of installation. Mayor Barnes stated that the city would put in the meter at their cost, but in the future developers would be required to pay the cost, due the current existing issue and fairness to the owner.

Lawny Hunt stated that each trailer had been paying the minimum and all bills were left to the trailer court owner if they skipped out on their utility bills. Mayor Barnes stated that this was correct but some of the trailers did not have water meters and their water use was not being monitored. Mayor Barnes stated that it was unfair to meter and charge the rest of the city for their water use, but not the residents in the trailer court.

Neil Sorensen stated that this was a good thing and all water should be metered and have the same responsibility as all other citizens.

Lawny Hunt stated that two-thirds of the trailers had water meters and it didn't cost much to put in meters. Mayor Barnes stated that previous owners of the trailer court had been asked to install meters but had not installed meters. Mayor Barnes stated that this was a good way to get all citizens to pay for water usage.

David Allred inquired about the cost. Mayor Barnes stated the meter would cost approximately \$5,000.00. David Allred inquired if this was being allotted to each resident in the trailer court. Neil Sorensen stated that it was the tax payers who would be paying for the meter.

Mayor Barnes stated that the proposal concerning the cost of meter installation had been placed in front of council and had been approved in a previous council meeting.

Neil Sorensen other than the trailer park would the city have other master meters. Boyd Mickel stated that with guesthouses this could involve a multiple unit meter.

Noel Bertelson stated that guesthouses water use would go through the owners meter and be considered a master meter.

Shane Allred inquired that every residence would have the minimum as well as every trailer.

Council member Mickel stated that if there were a rental unit it should have the minimum as well as the main residence and the main residence would be responsible for the usage. Council member Sorensen stated that one hook up would be allowed on a lot for a guest house, but the main home would be responsible for the water usage.

There were no further comments. The public hearing ended.

Regular Council Meeting February 5, 2009

Attending: Shad Hardy, Ty Hardy, Doug Durfey, Emily Sanderson [Messenger], Marie Bertelson, Noel Bertelson, Don Hunt, Lawny Hunt, Shane Allred, Kimberley Sorensen, Neil Sorensen, Erin Anderson [Pyramid], David Allred, Benjamin Everitt, Dennis Watson, Chris Hansen, 3 unknown.

Expression of Choice: There was no expression of choice.

Roll Call: Mayor Eldon Barnes, Council members Bryan Sorensen, Michael Workman, Pamela Anderson, Boyd Mickel and Thomas Allred. All members were present.

Public Comments

Shane Allred stated that he had turned on his water meter last month but had been billed for the minimum for the previous six months. Mr. Allred stated that he turned on the water on the 10th of December. Mayor Barnes inquired if there was a lock on the meter. Mr. Allred stated that there was no lock on the meter when he turned it on. Council member Mickel stated that once a meter was hooked on to the culinary water system there was a minimum charge. Council discussed the current water fees and how minimums were charged.

Council member Workman inquired who turned on the water in December. Shane Allred stated that he had not turned on the water because of possible water leaks in his home. Shane Allred stated that he did not think it was fair he pay the minimum for months the water had not been turned on. Mayor Barnes stated that he would check with the city treasurer and make adjustments to the bill as to when the meter was hooked up and usage. Mayor Barnes stated the treasurer would be contacting him with his balance.

Approval of Minutes

Council member Boyd Mickel motioned to approve the January 8, 2009 minutes as amended. Council member Thomas Allred seconded the motion. There was no further discussion. Council member Workman abstained since he was not present at the meeting; all other council members were in favor.

Council member Boyd Mickel motioned to approve the January 15, 2009 minutes as amended. Council member Thomas Allred seconded the motion.

There was no further discussion. Council member Workman abstained since he was not present at the meeting; all other council members were in favor.

Ordinance 2009-01, Amendment to Water Ordinance

Council member Michael Workman motioned to accept the water amendment to the current water ordinance. Council member Pamela Anderson seconded the motion. Discussion was as follows:

Council member Mickel wanted to ensure that any exterior structure that was a rental, guesthouse or cottage was charged as two connections. Council member Thomas Allred stated that any 30 day rental should be charged for two minimums even though it was one connection and the meter installed would be considered the master meter for both residences.

Mayor Barnes called for a vote. The vote was as follows:

| | FOR | AGAINST |
|--------------------------------|-----|---------|
| Council member Michael Workman | X | |
| Council member Thomas Allred | X | |
| Council member Boyd Mickel | X | |
| Council member Pamela Anderson | X | |
| Council member Bryan Sorensen | X | |

David Allred, City Recreation Director

David Allred stated that the city should step up to the plate and assist with youth sports groups. Mr. Allred stated that most of the Spring City kids had to go to Mt. Pleasant to sign up for Sports. Mr. Allred stated that other towns had recreation directors that took care of responsibilities such as sign ups, uniforms, equipment, etc. for a price.

Council member Anderson stated that the recreation director could work in conjunction with Mt. Pleasant to coordinate the teams. Mayor Barnes stated that they would look for volunteers for coaches and be in charge of getting the teams organized. Council member Anderson stated that they would be responsible for working with Mt. Pleasants director, Stephanie Blain. Mayor Barnes stated that the city would post notice for the position.

Council member Thomas Allred motioned to go with the proposal to obtain a paid athletic director. Council member Boyd Mickel seconded the motion. Discussion was as follows:

Council member Workman stated that he didn't believe that a recreation director for Spring City would not be a good idea Spring City would still have to deal with Mt. Pleasant for teams. Council member Anderson stated that it would be good to have our facilities used. Chris Hansen stated that the kids in Spring City could be combined, if needed, with Mt. Pleasant for teams. Council member Sorensen stated that there were usually not enough kids from Spring City to make a team.

Mayor Barnes called for a vote. All council members were in favor. The vote was unanimous.

Building Rental and Policy Changes

Mayor Barnes stated that council look at the current costs and review the policy during the next council meeting.

Resolution 2009-01, Planning and Zoning member Michael Black

Mayor Barnes stated that the Planning Commission needed a new member. Council member Boyd Mickel motioned to accept Michael Black as a member of the Planning and Zoning Commission. Council member Bryan Sorensen seconded the motion. There was no further discussion. All present were in favor.

Resolution 2009-02, Planning and Zoning alternate member, Lonnie Brewer

Council member Boyd Mickel motioned to accept Lonnie Brewer as a alternate member of the Planning and Zoning Commission. Council member Thomas Allred seconded the motion. There was no further discussion. All present were in favor.

Street Light Policy

Mayor Barnes stated that city employee James Bennett wanted council to review the policy. James Bennett was not present and this issue would be discussed during the next council meeting.

Utility Write Off's

Mayor Barnes stated that there were some accounts that needed to be wrote off of non payment of utility bills due to foreclosures. Mayor Barnes stated that Mel Griffiths had left and that there was a problem with the shut off date for Zach Barnes. Mayor Barnes stated that there was a problem with the previous treasurer and the day his son requested his services to be turned off.

Council member Mickel motioned that the city write off these amounts and that documentation for Zach Barnes be obtained to clear up his account. Council member Pamela Anderson seconded the motion. Discussion was as follows:

Council member Sorensen stated that these accounts should be researched and then charged for Theft of Services if they met the qualifications. Council member Mickel stated that Zach Barnes account should have documentation but Melvin Griffiths would not be able to be contacted due to health problems and that he had moved to Missouri.

Mayor Barnes called for a vote. There was no further discussion. The vote was as follows:

| | FOR | AGAINST |
|--------------------------------|-----|---------|
| Council member Michael Workman | X | |
| Council member Thomas Allred | X | |
| Council member Boyd Mickel | X | |
| Council member Pamela Anderson | X | |
| Council member Bryan Sorensen | | X |

Canopy Bids

Council member Anderson presented bids for canopies for the 24th of July celebration. Council member Anderson recommended that the city buy the lower priced canopies. Council member Workman inquired about the quality and grade of the cloth and steel. Council member Anderson stated that she had not looked into the quality but would look into it before accepting the lower priced bid.

Zoning Permit Approval/Denial, Brandon Vincent

Mayor Barnes presented Brandon Vincent's zoning permit. Noel Bertelson stated that Mr. Vincent did not meet the current requirements and he voted no to approve the build.

Discussion continued about grandfathering and the requirements needed for the build. Mayor Barnes stated that he thought that the permit should be sent to the Board of Adjustments. Council discussed setbacks, building size, etc. Council member Bryan Sorensen motioned to deny the zoning permit. Council member Pamela Anderson seconded the motion. There was no further discussion. All present were in favor. A letter of the right to appeal will be sent to Mr. Vincent.

Council Reports

Mayor Eldon Barnes reported that the city was still waiting to hear from the State Engineer concerning the issue concerning the Spring on mainstreet. Mayor Barnes reported that it might take a while, that there was a new State Engineer reviewing cases. Mayor Barnes stated that the hearing was to be informal as to his understanding and that no attorneys would be present.

Joan Durfey inquired if she be allowed to say something. Mayor Barnes invited her to address council. Mrs. Durfey stated that she was disappointed about the spring issue. Mrs. Durfey inquired why the city was contesting her rights. Mrs. Durfey stated that things that have been stated by the mayor that were not honest or truthful. Mrs. Durfey stated that the issue needed to be resolved and filing a claim on the spring by the city was not honest. Mayor Barnes stated that he begged to differ and that he had not said things as Mrs. Durfey had accused him. Mrs. Durfey stated that the newspapers had said things that the Mayor had said. The Mayor stated that the newspapers were wrong. Mayor Barnes stated that he did not appreciate the fact that Mrs. Durfey was accusing him of being a liar.

Council member Boyd Mickel motioned to take a recess. Council member Workman seconded the motion. There was no discussion. The vote was unanimous. Council took a five minute recess.

Council reconvened. Joan Durfey stated that the spring issue had been very hard on her. Mayor Barnes stated that he knew it had been hard on everyone. Council member Workman stated that this was a private issue not a public issue and statements did not need to be made in council meeting. Mrs. Durfey stated that it was a personal issue and that public quotations have caused

grief and excitement and that all citizens have been deeply effected by the issue. Mayor Barnes stated that he would protect the city during the entire process.

Council member Thomas Allred had nothing report.

Council member Michael Workman had nothing to report.

Council member Boyd Mickel had nothing to report.

Council member Bryan Sorensen had nothing to report.

Council member Pamela Anderson reported that she had questions concerning the animal and dog ordinances. A work meeting was set for February 12th, 2009 at 6: 30 p.m.

Noel Bertelson reported that the Fire Department needed larger clothing for one of the members, with the approximate cost of \$2,500.00. Mayor Barnes stated that until July there would not be many purchases. Noel Bertelson reported that he was in the process of trying to obtain a grant to expand the fire station but needed to have an existing plan for the grant and inquired if this was an idea the council would support.

Council member Anderson inquired about the drive through access and that there would not be any horseshoes. Mayor Barnes inquired about the historical aspect of the extension. Noel stated that it would be similar to the existing building and inquired if he could have a motion to pursue the project. Mayor Barnes stated that if it was cash matching the city did not want to proceed.

Council member Boyd Mickel motioned to accept the proposal. Council member Thomas Allred seconded the motion. Discussion was as follows:

Council member Workman inquired about the costs and how the city was willing to spend money on the fire department but not on the rest of the city. Council discussed heating a larger space and the costs. Council member Mickel stated that the Fire Department was way behind at being up to grade and that the citizens' home insurance would go down if the Fire Department was in good standing. Council member Anderson stated that the upgrades were due by grants.

Mayor Barnes called for a vote. All present were in favor. The vote was unanimous.

Suspension Items

Mayor Barnes stated that these would be discussed in the scheduled work meeting.

Payment of Bills

Council member Boyd Mickel motioned to pay the bills as presented. Council member Pamela Anderson seconded the motion. There was no further discussion. All present were in favor.

Adjournment

Council member Boyd Mickel motioned to adjourn. All were in favor.