

**MINUTES OF A REGULAR MEETING OF THE
BLANDING CITY COUNCIL HELD ON
JANUARY 13, 2009
AT 7:00 P.M. IN THE COUNCIL CHAMBERS**

Present:

Mayor: Toni Turk
City Councilmembers: Erik Grover
Joe Lyman
Charlie Taylor
Kelvin Thacker
Kelly Laws
City Manager: Chris Webb
City Treasurer: Jeremy Redd
City Engineer: Terry Ekker
General Services Director: Jeff Black
Community Development Director: Bret Hosler

Others Present: Terri Laws, Robert Hosler, Hugh Acton, Tim Riffey, Phil Lyman, Jim Bayles, Bryce Redd, Neil Joslin, Phil Palmer, Lynn Laws, Stan Hurst, Will Walker, Dorothy Thacker, Preston Palmer, Rick Meyer, Lyle Bayles, Rich Monson, Sheila Monson, Ferd Johnson, Scott Young, Carl Hunt, Dennis Crane, Richard Guymon.

Prayer/Thought - The prayer/thought was offered by Chris Webb.

1. The Pledge of Allegiance was recited.
2. **Councilmember Lyman moved to approve the minutes and financial disbursements of the November 25, 2008 and December 9, 2008 meetings. Councilmember Grover seconded the motion. Mayor Turk repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:**

Those voting 'AYE'	Councilmember Grover
	Councilmember Lyman
	Councilmember Taylor
	Councilmember Thacker
	Councilmember Laws
Those voting 'NAY'	NONE

Constituting all members thereof, Mayor Turk declared the motion carried.

3. Open Forum – Preston Palmer addressed the Council regarding installing a possible sewer lift station at approximately 625 South. He explained that there is currently a lift station serving four homes in the area that is owned and maintained by those residents. They are looking to upgrade the station to city specifications and were told that the city would be willing to take responsibility for the station if they were to do so. The pump would accommodate 6-8 homes, and he is asking the city if they would be interested in participating in the initial cost of the pump station upgrade.
4. Mr. Black presented the Natural Gas Report and Water Report for December 2008. There were no questions or comments.
5. Chief Bayles presented the Police Report for December 2008. He explained that he has sent out a draft of a new policy and procedure manual and he would appreciate any input from the Council.
6. Mr. Webb presented the Fire Report for December 2008. There were no questions or comments.
7. Mr. Webb explained that Precis would like to sell their cable franchise to Emery Telcom. This transfer requires the approval of the City Council. Mr. Webb recommended that the transfer be approved because Emery Telcom will be in a better position to make improvements to the cable system. **Councilmember Grover moved to approve Resolution 2009-1 Approving the Transfer of the Cable Franchise to Emery Telcom. Councilmember Lyman seconded the motion. Mayor Turk repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:**

Those voting 'AYE'	Councilmember Grover
	Councilmember Laws
	Councilmember Lyman
	Councilmember Thacker
	Councilmember Taylor
Those voting 'NAY'	NONE

Constituting all members thereof, Mayor Turk declared the motion carried.

8. Mr. Redd presented a resolution affirming the employee pickup of retirement contributions. He explained that the resolution is written to continue the contributions for two public safety employees that have been ongoing. Utah Retirement Systems is requiring that it be established by resolution. **Councilmember Laws moved to approve Resolution 2009-2 Affirm Employee Pickup of Retirement Contributions. Councilmember Thacker seconded the motion. Mayor Turk repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:**

Those voting 'AYE'	Councilmember Grover
	Councilmember Laws
	Councilmember Lyman
	Councilmember Thacker
	Councilmember Taylor
Those voting 'NAY'	NONE

Constituting all members thereof, Mayor Turk declared the motion carried.

9. **Councilmember Lyman moved to enter a public hearing regarding establishment of a storm water utility enterprise. Councilmember Taylor seconded the motion. Mayor Turk repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:**

Those voting 'AYE'

Councilmember Grover

Councilmember Laws

Councilmember Lyman

Councilmember Thacker

Councilmember Taylor

Those voting 'NAY'

NONE

Constituting all members thereof, Mayor Turk declared the motion carried.

Mr. Webb introduced the public hearing by explaining that for several years the city has recognized many storm water problems, such as the east side irrigation canal and mid-lot drainage issues that need to be addressed. He further explained that the Council has been debating establishing the utility for over two years and has held a public hearing, an open house, and the issue has been in the last five quarterly newsletters. The city has the option of establishing the utility which has to stand on its own and meet state regulations. In addition, the city secured funding for a storm water master plan and hired an engineering firm to help in the process. A project has just recently been completed which placed the irrigation canal in culvert to minimize dangers and health hazards in the area. \$700,000 worth of projects have been identified as part of the study that need to be addressed, and it was decided that the city will need approximately \$75,000 per year to chip away at the problems. The engineering firm has determined that 2,998 square feet of impervious surface area exists in the average residential property, and commercial properties will be charged based on the actual amount of impervious surface they have. Rates will be set for each Equivalent Residential Unit (ERU) and commercial properties will pay based on the number of ERUs they have.

Mayor Turk reminded those present that the purpose of a public hearing is to hear comments and not to debate with the Council.

Stan Hurst addressed the Council and expressed his opposition to the Storm Water Ordinance. He explained that he feels a utility should have a benefit and he is having a hard time seeing any benefit he would receive from this utility. He asked if there would be a hook-up fee to attach to the system. He was told that there would not be a hook-up fee charged.

Lynn Laws addressed the Council representing San Juan County. He stressed that they are a government entity and not a commercial property, therefore he felt like they should not be charged the fee. He commented that if the county is charged for storm water then the city would have to pay for snow removal.

Bryce Redd commented that he is not sure this is the correct time for the city to be charging extra fees or spending money. He asked about a catch basin that he installed to keep the water from running out too fast.

Phil Lyman commented that he feels the utility would be an extra burden on businesses that really do not have the capacity to pay those fees. He explained that Blanding has the highest tax rate in the state, businesses pay 100% of their property value, and this feels a lot like an additional property tax. He would like to see the projects funded from the General Fund even if it takes longer to finish some of the projects on the list.

Renis Hylton addressed the Council representing Duke's RV Park. He explained that all of his property slopes away from the road and is all gravel and dirt. He commented that it seems as though this is another tax on businesses that are hurting and some will drown.

Phil Palmer asked if the fee will pay for debt on the current projects. He also asked if there were mid-lot drainage projects that were part of the canal project. He was told that there were mid-lot projects done at the same time and the fee would help pay the debt of projects already completed.

Mr. Webb explained that he has a list of the proposed projects and he would be glad to share the list with anyone who is interested. He also offered the services of the City Engineer to review properties to help people understand how the charges were determined.

Richard Guymon asked if the projects are done will the drains be cleaned. He explained that he has cleared drains in front of his motel. He was told that the drains would be cleared as part of the utility.

Robert Hosler explained that he opposed anything that would make businesses struggle especially in light of the current economic struggles of the country. He asked if this would become a permanent utility and if so he would like to see the funding come from the General Fund.

Jim Bayles asked about the definition of impervious. He commented about the retention basin made as part of the canal project next to his house. He explained that there is an erosion problem and could have a standing water problem.

Carl Hunt expressed his agreement with the other property owners, and also agrees that the timing is not good. He expressed concern over the way the letter was written to business owners and would have liked to have seen it worded in a different manner. He commented that businesses contribute a great deal to the city and they would have to pass along these costs to consumers because they are not currently figured into the costs of operation.

Scott Young explained that he is not a business owner but a normal citizen. He also questions the timing in light of the budget struggles at CEU. Citizens may also be hurting and he questioned the timing for additional fees.

Richard Guymon asked if state and school properties will be charged the fees. He was assured that they are currently included.

Councilmember Grover moved to leave the public hearing regarding establishment of a storm water utility enterprise. Councilmember Taylor seconded the motion. Mayor Turk repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:

Those voting 'AYE'

Councilmember Grover

Councilmember Laws

Councilmember Lyman

Councilmember Thacker

Councilmember Taylor

Those voting 'NAY'

NONE

Constituting all members thereof, Mayor Turk declared the motion carried.

10. Councilmember Lyman introduced information obtained at a leadership development seminar regarding a survey of the public perception of their city and government. Twenty items were listed that made for successful communities where citizens feel their needs are being met. He expressed the desire to send the survey to a broader audience to help identify problem areas that need to be addressed.
11. Mr. Webb opened discussion about proposed changes to the plans for the wellness center. The biggest change is moving the indoor pool next to the outdoor pool to reduce the costs of equipment to run both pools. The proposed changes would also possibly lower construction and O&M costs. Mr. Webb also discussed conversations he has had with the architect regarding a salt water pool. This is the type Moab is proposing and these pools have received good reviews while also being safer and reducing costs. Councilmember Lyman expressed the desire to see the O&M costs fit within the money that is being raised by the tax increase. He acknowledged that affordability issues exist and he would like to see the city get creative to solve the issues.
12. Mr. Webb explained that a brief history of Blanding has been compiled and the Council has the opportunity to review the draft. The history will be used at area schools and the Visitor Center. The Council had no suggested changes.
13. Councilmember Laws presented a draft copy of the proposed Master Transportation Plan. He explained that the plan was first proposed in 2003 and open houses and discussion were had at that time. It did not pass then, but changes to the plan to eliminate a possible bypass corridor have met with his support. He is bringing the plan back for discussion and possible adoption.
14. Mr. Webb explained that in the packet are the storm water cost estimates along with a breakdown of the projects.

Mayor Turk commented that he would like to see if there are other funding sources that can be tapped to pay for these projects.

Councilmember Lyman explained that he has concerns over the cart before the horse aspects of the project. He can see what was driving the decision to go ahead with the project, but ideally there should have been a utility in place before the costs were incurred or projects completed. He also commented that the water still goes somewhere and the city has to control it even if it does not go onto a city street.

Councilmember Laws commented that the city is not in financial trouble and can service its debt; it can be taken from the general fund if that is what the public would like to see happen. He also explained that the storm water problems belong to the City of Blanding and that makes it the problem of every citizen, but he does not disagree with much of what was said during the public comment period.

Councilmember Grover explained that all of the water has been diverted from its natural course and we will need to be responsible for taking care of it in a conscientious manner. He also expressed concern about the timing of adding the utility.

Councilmember Taylor expressed concern over adding more fees to businesses, but also acknowledged that there are still costs that have to be addressed.

Councilmember Lyman discussed pushing the completion of the projects out to twenty years to push the costs down. He also discussed the idea of possible credits for businesses who deal with their storm water in another manner.

15. Councilmember Lyman brought up a discussion about possible changes to the proposed annexation boundaries. The state has raised the requirements to provide 40 psi of water pressure instead of the 20 psi that was the past requirement. Discussion centered on whether the boundary should be changed to include only those places where the city is able to provide the necessary 40 pounds of pressure. Mr. Webb commented that a new drinking water master plan will be commissioned and more information will be obtained about this issue.
16. Councilmember Lyman expressed concern about the state legislature slashing the budget for tourism and economic development. He feels like cuts will hurt the area as a whole and cutting the budget will kill the golden goose of tourism. He encouraged everyone to persuade their representatives to continue funding tourism for the state.
17. Dennis Crane addressed the Council representing San Juan School District Current Technical Education. He asked the Council to proclaim February 2009 "Certified Technical Education Month" in the City of Blanding. Mayor Turk agreed and signed the proclamation.
18. Open Forum – Richard Guymon expressed concern over any bypass road around Blanding and cited Green River as an example of what a bypass road can do to harm economic development in a small city.
19. **Councilmember Lyman moved to retire to executive session. Councilmember Laws seconded the motion. Mayor Turk repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:**

Those voting 'AYE'

Councilmember Grover

Councilmember Laws

Councilmember Lyman

Councilmember Thacker

Councilmember Taylor

Those voting 'NAY'

NONE

Constituting all members thereof, Mayor Turk declared the motion carried.

Mayor and Council retired to executive session at 8:54 p.m.

Mayor and Council returned from executive session at approximately 9:24 p.m.

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20. **Councilmember Grover moved to adjourn. Councilmember Taylor seconded the motion. Mayor Turk repeated the motion and asked for discussion. Hearing none, he called for a vote. Voting was as follows:**

Those voting 'AYE'

**Councilmember Grover
Councilmember Lyman
Councilmember Taylor
Councilmember Thacker
Councilmember Laws**

Those voting 'NAY'

NONE

Constituting all members thereof, Mayor Turk declared the motion carried.

Meeting adjourned at 9:25 p.m.

By _____
Jeremy Redd, Deputy Recorder