



**TOWN OF MANILA PUBLIC HEARING AND REGULAR MEETING
MANILA MEETING ROOM
145 E HWY 43
JULY 14, 2022, AT 5:30 P.M**

MINUTES

PUBLIC HEARING CALLED TO ORDER: Mayor Coombs called the meeting to order at 5:34 P.M.

PRESENT: Mayor David Coombs, Council Members Randall Browning, William Rylander, Greg Scott, Gretchen Northcott, and Marlena Connor, Town Clerk.

GUESTS: Manila Public Works Director Clint Roundy, Steve Arnovick, Bill Burbidge, Kent Bond, Clark & Nancy Olsen, Kathi Knight, Rexford Carpenter, and Traci Frost.

EXCUSED: All members were present.

STORAGE & HABITATION OF RECREATIONAL VEHICLES ON LOTS WITHOUT A DWELLING

ORDINANCE 22-07-11-A: This ordinance had gone before the Planning and Zoning Commission and was approved to recommend to the Town Council. Mayor Coombs opened the public hearing up to comments.

Bill Burbidge spoke to the council about the RVs that are being parked on the properties located in the Dry Creek Subdivision. Mr. Burbidge said that people are not usually allowed to live in an RV unless they are actively building a home. The people on 5th East take pride in their homes but he is worried about Dry Creek Lane becoming a storage facility and feels that the Planning and Zoning Ordinances need to be enforced.

Clark Olsen told the council that he lives on Main Street, and he has a dwelling, but he has a vacant lot as well, as do many other people in town. Mr. Olsen said that homeowners are the worst offenders, and he opposes this ordinance.

Kent Bond said Every time something is passed, we all lose more freedom. Every time an ordinance is passed it should be regarding a health hazard or a safety hazard. This is a tourist town, a summer vacation, and a resort town. People bring up extra trailers for family and friends. If someone wants to live in an HOA, they should buy in an HOA. Every time something like this is passed (just because you don't like the color of someone's house or an extra trailer on a lot) it takes away freedom.

Steve Arnovick asked what is going on if anything as far as drainage. When it rains his house gets destroyed. He gets 8 to 10 inches of water that comes off 5th East right onto his property. Mr. Arnovick said he understood that 5th East was supposed to be paved back in the day and



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they got away with not doing it & it probably would have included drainage. Also, the canal was piped in without any studies; now every single time it rains he has had to rebuild his property and it's unacceptable.

Mayor Coombs said they are aware, and they are in the process of bringing some road base in and have an individual who will run the road grader to try and get the roads back in order.

Mr. Arnovick said that the whole inside of his house gets full of mud, and he has to fix his garden, yard, and house.

Mayor Coombs explained that the town had an engineering firm create a storm drain master plan back in 2018 and the town does not have the funding to be able to afford the project as a whole. The council is still working on this issue and looking for grants.

Steve Arnovick asked who he needs to send the bill to next time it rains, or if he should withhold his property taxes. Mr. Arnovick then asked if there is any legal action that could be taken against the canal company or any eminent domain that could be exercised; federal money, or anything else that can be done. Mr. Arnovick said this is not what he signed on for when he invested in this community. Mr. Arnovick asked for a list of phone numbers that he could call.

Councilmember Northcott added that Mr. Arnovick could add some berms or some retaining walls to try and do what he can on his side.

Mr. Arnovick said he could do that but it would send the problem down the line, and it needs to be fixed. Mr. Arnovick asked if they are going to cut ditches down the side of the roads. Mayor Coombs said that the grader the town owns does not have that capability, but they will try to put furrows down the side of the road. Mr. Arnovick asked what the time frame is. Mayor Coombs said as soon as they can do it.

Councilmember Browning said that the council understands Mr. Arnovick's concerns. Mr. Arnovick asked if this problem just lives and dies in that room and if the council has gone to the state, the county, or the feds. Mr. Arnovick is not convinced that the council is doing everything it can. Mr. Arnovick said he would chase the money up the ladder.



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Clark Olsen asked why the town couldn't rent a grader that could cut the ditches. Public Works Director, Clint Roundy said it would cost \$30,000.00 to rent a grader for a month.

The recording is inaudible due to too many people talking at once. Mr. Arnovick asked if someone is going to get ahold of him next week. Mayor Coombs said he would get ahold of him.

ACCESSORY DWELLING UNIT ORDINANCE 22-07-11-B: Councilmember Browning explained that the State of Utah made it mandatory to allow internal or attached accessory dwelling units. The town had put a moratorium in place in February 2022 to create an Ordinance to regulate accessory dwelling units. The planning and zoning approved the ordinance and sent a letter of recommendation to the council to adopt the ordinance.

EFFECT OF OFFICIAL FRONT YARD ORDINANCE 22-07-11-C: Mayor Coombs explained that this in regards to the setbacks on all properties and measurements from the closest of either property lines, right of way easements, or existing curb, sidewalk, or gutter.

REVISION TO SUBDIVISION ORDINANCE/REGULATIONS FOR STREET DEVELOPMENT AND IMPROVEMENTS: Mayor Coombs said this ordinance will help resolve some issues that were found during new construction and development. The American Public Works Association standards have been added to the subdivision ordinance.

AMERICAN PUBLIC WORKS ASSOCIATION DESIGN STANDARDS AND SPECIFICATIONS OF ALL NEW CONSTRUCTION AND DEVELOPMENT IN THE TOWN OF MANILA ORDINANCE 22-07-14: Mayor Coombs explained that after talking with the Public Works Director, they had decided that they needed to have a clear ordinance stating the design standards and specifications of all new construction and development in the Town of Manila.

ADJOURNMENT: Councilmember Browning moved to adjourn the public hearing. Councilmember Scott seconded the motion. All were in favor. The motion carried. Mayor Coombs adjourned the public hearing at 6:04 P.M.

REGULAR MEETING CALLED TO ORDER: Mayor Coombs called the regular meeting to order at 6:05 P.M.



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PRESENT: Mayor David Coombs, Council Members Randall Browning, William Rylander, Greg Scott, Gretchen Northcott, and Marlena Connor, Town Clerk.

GUESTS: Manila Public Works Director Clint Roundy, Steve Arnovick, Bill Burbidge, Kent Bond, Clark & Nancy Olsen, Kathi Knight, Rexford Carpenter, and Traci Frost.

EXCUSED: All members were present.

CONSENT CALENDAR: Councilmember Browning moved to approve the consent calendar consisting of payroll hours, budget worksheet, invoice register, transaction register, revenue analysis, and previous minutes. Councilmember Rylander seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS, NORTHCOTT, RYLANDER, SCOTT, AND BROWNING

SUNRISE-JEFF MCCARTY & AARON AVERETT DIVISION OF DRINKING WATER FUNDING

APPLICATION: Rexford Carpenter with Sunrise Engineering came in place of Jeff McCarty & Aaron Averett, to discuss the Division of Drinking Water application, and the sewer funding. The EPA should be reaching out to the town clerk within the next week so we can start moving forward with that project. The town clerk said they had emailed a large packet that she will email to Rexford. The drinking water funding application meeting will be on the 21st and it will all be online. Rexford said that Aaron Averett will be available to attend the meeting with Mayor Coombs. Jeff McCarty revised some of the financials on the application to the Division of Drinking Water because they want the town to have 1.75% of the modified adjusted gross income (MAGI), and the town's MAGI was just below around 1.68% The Division of Drinking Water staff recommended a 100% loan zero grant at 2.8% interest for the water well refurbishment. Rexford brought some updated wall maps for the town. The estimated payment will be around \$22,000 per year.

TRACI FROST KOA LOCAL CONSENT FORM BEER & SELTZER TASTING: Traci Frost explained that they want to have a beer and hard seltzer tasting giving 5, 4 oz samples for a cost. It will last an hour and a half long on September 2nd, 2022, from 5 PM to 6:30 PM. The KOA have to have the approval of the Division of Alcohol and Beverage Control form from the Manila Town Council to be able to follow through with having the tasting.



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ORDINANCE 22-07-11-A: The planning and zoning approved this ordinance with 3 voting members. Councilmember Browning stated that he has the same concerns as Mr. Bond and Mr. Olsen. Councilmember Rylander said his opinion is that people are not going to buy a lot for \$115,000.00 for storage. Councilmember Northcott agreed that it is too much government oversight. While the council agrees that they do not want people living in camp trailers, they do not feel comfortable approving this ordinance currently. Councilmember Northcott said to send it back to planning and zoning. Under “non-permitted uses” B and C is overreaching. This ordinance has been tabled.

ACCESSORY DWELLING UNIT ORDINANCE 22-07-11-B: Councilmember Northcott said that she liked how tight the ordinance is and that the accessory dwelling units are owner-occupied and cannot be used as short-term rentals. Councilmember Northcott moved to approve the accessory dwelling unit ordinance apart from number 4 d. Councilmember Browning seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED
AYES: MAYOR COOMBS, COUNCIL MEMBERS, NORTHCOTT, RYLANDER, SCOTT, AND BROWNING

EFFECT OF OFFICIAL FRONT YARD ORDINANCE 22-07-11-C: Councilmember Browning moved to approve the ordinance. Councilmember Rylander seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED
AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

REVISION TO SUBDIVISION ORDINANCE/REGULATIONS FOR STREET DEVELOPMENT AND IMPROVEMENTS: Councilmember Browning moved to approve the revision adding the APWA design and standards to the subdivision ordinance. Councilmember Rylander seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED
AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

AMERICAN PUBLIC WORKS ASSOCIATION DESIGN STANDARDS AND SPECIFICATIONS OF ALL NEW CONSTRUCTION AND DEVELOPMENT IN THE TOWN OF MANILA ORDINANCE 22-07-14:

Councilmember Scott moved to approve the American Public Works Association design standards and specifications of all new construction and development in the Town of Manila



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Ordinance. Councilmember Northcott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

GARBAGE RESOLUTION: As discussed in the previous council meeting, the garbage resolution had been updated and brought to the council to review. Councilmember Northcott moved to approve the updated garbage resolution along with the increase of fees from \$14.00 to \$16.00 per month for weekly garbage pick-up, up to 5 bags, any overages between 5-10 bags will be charged an additional \$2.00 per bag, and any additional bags over the 10-bag allotment will be charged \$5.00 per bag. Those who do not have a garbage container will be charged \$20.00 per week until they obtain a container. Councilmember Scott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

CONSOLIDATED FEE SCHEDULE (GARBAGE): Councilmember Northcott moved to approve the updates for the garbage on the consolidated fee schedule. Councilmember Rylander seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

CONSOLIDATED FEE SCHEDULE RESOLUTION: Councilmember Northcott moved to approve the consolidated fee schedule resolution for the garbage updates on the fee schedule. Councilmember Scott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

MUNICIPAL WASTEWATER PLANNING PROGRAM REVIEW: The Public Works Director, Clint Roundy, the Direct Responsible Charge, Sean Hughes, and the Town Clerk, Marlina Connor had filled out the annual municipal wastewater planning program report and had it uploaded to the drive for the council to review & approve. Councilmember Browning moved to approve the report. Councilmember Rylander seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER



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SANDERSON WATER LEAK: The town council reviewed the letter from the Sandersons and decided that they would not write-off any of the bills. Once the water goes through the meter it is the customer’s responsibility. Councilmember Scott moved to deny any billing write off. Councilmember Browning seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

DARLENE MORLEY WATER LEAK: The Morleys’ asked to be put on the agenda and were going to attend the council meeting to discuss the water surge that occurred on March 16th, 2022 and again on April 12th, 2022. It was explained that the water surge could have pushed water through the meter causing the large flagged leak that started on April 13, 2022. The council decided that they would want further information on whether the leak was outside or in the house, how it was fixed, etc. This item is tabled until further information is brought forth.

35 MPH LIMIT ON HWY 43 & HWY 44 IN TOWN LIMITS: Mayor Coombs explained that Rob Clayton and Erik Rasband had talked to the mayor and the sheriff about enforcement if the speed limit is reduced to 35 MPH. The mayor and sheriff agreed to the enforcement. UDOT already had signs that will be installed at the town limits. Councilmember Northcott moved to approve the change to 35 MPH. Councilmember Browning seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

PUBLIC WORKS UPDATE: The Public Works Director, Clint Roundy said he had scheduled a grader operator and road base to be spread. Ron Pearce with Rural Water Association of Utah had tested the BOD at the sewer lagoons again earlier in the day. There is a breach of stormwater flowing into the first sewer lagoon that the PWD, Clint Roundy will be fixing. The dozer at the landfill is down. Ty Muir will work on the Caterpillar and trackhoe.

FIRE DEPARTMENT UPDATE: Councilmember/Fire Chief Browning stated that everything is going well. The F450 needs to be rewired and they will need to spend some money to get it fixed up. The lights don’t come on in the 5 ton but it runs great and does a great job. Every firefighter attended the last meeting.

EXECUTIVE SESSION: To hold a strategy session to discuss the purchases, exchange, or lease of real property. Councilmember Northcott moved to go out of the regular meeting and into an



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executive session at 7:20 P.M. Councilmember Browning seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

ROLL CALL: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

RECONVENE REGULAR MEETING: Councilmember Browning moved to go out of the executive session and back into the regular meeting at 7:55 P.M. Councilmember Northcott seconded the motion. All were in favor. The motion carried.

RESULT: APPROVED

AYES: MAYOR COOMBS, COUNCIL MEMBERS NORTHCOTT, BROWNING, SCOTT, AND RYLANDER

ADJOURNMENT: Councilmember Northcott moved to adjourn the meeting. Councilmember Scott seconded the motion. All were in favor. The motion carried. Mayor Coombs adjourned the meeting at 7:56 P.M.

David G. Coombs, Mayor

Marlena Connor, Town Clerk

APPROVED 08-18-2022