

# Mendon City Council Minutes

*Convened: September 12, 2024 | Meeting location 15 North Main Street, Mendon City Office*

Meeting called by Mayor Ed Buist

Type of meeting City Council

Note taker Holly Gordon

**Attendees:**

Amy Garbe Jim Cannon

Jon Hardman Kirk Taylor

Brian Myers

Bob Jepsen

Ian Nemelka

**TIME: 6:00 PM**

**Call to Order:** There being five members present and five members representing a quorum, Mayor Buist called the meeting to order.

**Others Present:** Blaine Taylor, Greg Taylor, Kirk Taylor, Allie Norris, Aaron Choate, Macie Mickelsen, Sadie Robins, Kaycee Trickler, Michelle Woodbrey, Greg Muir, Harue Kummer, Maria Bingham

**Pledge of Allegiance:** Council Member Garbe

**Invocation:** Council Member Myers

**Welcome:**

## Agenda

Agenda Adoption: A copy of the notice and the agenda for this meeting was posted on the Utah Public Notice Website, Mendon City’s Website, posted at the City Office, the Post Office. It was also provided to each member of the governing body. All provided more than forty-eight hours before meeting time.

**Approval of Minutes:** Minutes for August 8 and 29, 2024 have been reviewed.

**Motion:** Council Member Garbe motions to accept August 8 and 29, 2024 minutes. Council Member Myers seconds the motion.

**Action:** All are in favor and August 2024 minutes are accepted.

**Approval of Bills:** Bills have been reviewed by all council members present.

**Motion:** Council Member Nemelka motions to accept and pay the bills as submitted. Council Member Jepsen seconds the motion.

**Action:** All are in favor and bills are submitted.

## Minutes:

---

**Topic 1- Citizen Participation/Comment (6:05 PM and 6:23 PM)** No comments.

**Topic 2- New Library Board Member- Harue Kummer and Greg Muir: (6:06 PM)** Greg Muir has been on the friends of the library for a few months and was asked by Sharla Walkins if he would be interested in being on the library board. He is interested in helping the community in this capacity. Greg was a schoolteacher. He enjoys reading, libraries and bookstores. Libraries are a nice place to be to relax and spend a little time. Greg thinks he would be a positive serving on the library board.

Council Member Myers motions to approve Greg Muir as a new Library Board member.

Council Member Garbe seconds the motion. All in favor.

Harue Kummer was also asked by Sharla Walkins if she would be interested in being on the library board. Harue moved to Mendon four years ago. She is interested in a lot of cultural activities; not just books and reading, but music, etc. Harue graduated from BYU with a master's degree in international relations. She has worked in multicultural environments for over ten years. Harue is from Japan and has lived in Tokyo, Washington D.C., Jerusalem and Israel before settling in Utah. She has also traveled to countries in Asia and North Africa. Harue has a large range of academic interests and is currently studying astronomy. She has been working on a novel for 15 years.

Council Member Hardman motions to approve Harue Kummer as a new Library Board member.

Council Member Garbe seconds the motion. All in favor.

**Topic 3- Maria Bingham- Mingo's Location Proposal: (6:12 PM)** Maria Bingham and Kirk Taylor have come up with a couple possible locations for Mingo's. The first location would be north of Mendon Station near the power pole. The second location would be north of the church parking lot near the power pole

---

with the reflective sign on it. Both locations seem a good spot to get power and water. There are pros and cons to both locations.

The location near the Station would have shade and is nearer to a water source. However, there is the concern of Mingo's being there when weddings and events are booked in Mendon Station. Parking would become an issue. There would also have to be landing of some sort to support the Mingo's trailer, with the knowledge that the surrounding grass would be trampled down to dirt.

The location north of the church parking lot would allow for plenty of parking and existing asphalt to support the Mingo's trailer. However, there is no shade.

Another suggestion is made of a possible location on the south side of City Hall. Concerns are voiced about neighbors being upset. It is decided that all neighbors involved would be notified and asked their approval.

Mayor Buist revisits the suggestion of the spot just west of Shonee's Shack by the hamburger stand suggested at last month's meeting. It's already set up with power, water and asphalt. Mayor Buist suggests the council take a month to consider the possibilities. He would like to talk to the Larsen's in charge of the food stand and the Mickelsen's in charge of the shave ice shack. It is suggested we have a concrete proposal prepared for the next meeting so this can move forward, trusting that someone will have spoken to the above mentioned and possible neighbors involved.

**Topic 4- Paul Willie- Discussion: (6:26 PM)** Paul Willie approaches the council with an idea that he and Mayor Buist have discussed previously. It is apparent that the city is growing, which in turn affects the library. The library has been used as a multi-purpose space for the last eight years, accommodating meetings and various other city and residential purposes. Paul is proposing the idea of adding on to the north side of the city building to accommodate a new meeting room. He would like this to be added in a way that makes it look seamless, as if it were always a part of the building. Paul had his architect draw up a rough draft. It would be approximately 1,200 square feet. It would have a raised platform and set up similarly to what is in the back of the library. There would be an east entrance from the street into a vestibule; with two storage rooms for tables, chairs, etc. on either side of the vestibule. There would be restrooms on the west side of the room along with drinking fountains. This is an idea only and is to be taken as such.

Paul Willie has a Donor Advised Fund to be used for charitable purposes. He would be willing to build the addition if the city would furnish the addition. Mayor Buist feels this would not be a huge financial burden on the city, just a matter of working out the budget.

Mayor Buist opens questions to the council. There is a question of the playground. Kirk Taylor, who was apprised of the plans previously with the playground and grounds being affected, says the playground will move as there is plenty of space to move it.

---

It is asked if it would be a possibility to make the restrooms available to the public with outside access. There is some concern about vandalism. Paul reminds the council that this is in the very early stages of the drawing and these concerns can be addressed if the plan is accepted and progresses to the next level. There will be codes his architect will have to follow.

It is agreed that the library needs room to grow and the city council needs a place to meet.

Council Member Nemelka motions to approve the creation of an official proposal of an addition to the existing Mendon City Hall.

Council Member Myers seconds the motion. All in favor.

**Topic 5- BANCORP: (6:51 PM)** Not in attendance. It is suggested by Mayor Buist that a separate advertised work meeting be held to meet with BANCORP as soon as possible.

**Topic 6- Ian Nemelka- Light and Sound Ordinance Proposal: (6:53 PM)** It has come to the Planning and Zoning committee's attention that there are no adequate ordinances in place for light or sound. Council Member Nemelka has drafted an ordinance for both. Council Member Nemelka would like to get Seth Tait, the city attorney, to look over them before making them final.

The light ordinance states that for the purposes of safety and for the purposes of continuing the functioning of the city and its activities there, the city is exempt from typical light pollution ordinances that people may or may not know about or may or may not be recognized. Council Member Nemelka points out this is an exemption; it does not talk about the number of lumens allowed in a certain block radius. It doesn't talk about security lights going on and off, etc. It's only an exemption for the city, and it does not go into residential lighting code. He said he would go into more detail with that if it is the councils suggestion.

The noise ordinance is inspired by Logan, Providence and Paradise's noise ordinances, and this one specifically is quite long. It talks about the number of decibels allowed during a certain time during quiet hours, as we've defined them, as a municipality, as well as a process of enforcement. Council Member Nemelka has received quite a few very helpful comments from Planning and Zoning.

Council Member Nemelka asks the council for any suggestions on the light or noise ordinance. Mayor Buist wants Council Member Nemelka to ask Mr. Tait if it is the norm to have an ordinance that is wholly exemption such as the light ordinance draft; that perhaps there will need to be more specific detail for the public hearing. There is some concern about letting businesses have as much security lighting as wanted by the business owner, thinking ahead to potential future businesses. That is something that can be amended at a future date. Right now, there is a need for public buildings to be lit up. Lighting deters break ins and theft.

---

There will be a final read-through with Planning and Zoning at their meeting next week. Mayor Buist asks Jim Cannon to get an Ordinance template prepared for next month's public hearing.

**Topic 7- Mayor Buist- Lighting for Halloween and Christmas on City Square: (7:04 PM)** Mayor Buist would like the council's approval for a Mendon City resident to set up and display decorative lights on Mendon City square. He publicly announces the following dates and times. Halloween decorative lights will be permitted to light up from October 3-31, 2024 from 6:00 PM-10:00 PM. Christmas decorative lights will be permitted to light up from November 29, 2024-January 1, 2025 from 5:30 PM-10:30 PM and 6:00 AM-8:00 AM with a lighting ceremony on November 29<sup>th</sup>. The existing timer that controls the lights tends to reset and turn lights on after the appointed hours when there is an outage. Mayor Buist suggests investing in a timer with a battery backup to eliminate any glitches that might happen during power outages. It is put on record that any persons who do not have permission or authority, who tamper with the lights or power sources controlling the lights will be prosecuted by law.

Council Member Jepsen shares a letter he received from an anonymous citizen. The letter expresses appreciation to the young man who sets up the lights and how they look forward to the lighting on the city square.

Council Member Nemelka motions to approve the decorative lighting of Mendon City square as stated and the violation of the decorative lighting as stated.

Council Member Jepsen seconds the motion. All in favor.

Mayor Buist and the city clerk will draft a notice of the above dates and statements to be shared with the citizens of Mendon prior to October 3.

**Topic 8- Youth Council 2024-25 Oath of Office: (7:14 PM)** Macie Mickelsen is sworn in by Mayor Buist as the Mendon Youth Council Mayor of 2024-25. Youth Council Leaders Allie Norris, Aaron Choate, Sadie Robins and Kaycee Trickler are sworn in as Youth Council Leaders of 2024-25. There are a total of 27 members on the Mendon City Youth Council this year who are all excited to serve their community.

Mayor Mickelsen gives her first report. The theme the Youth Council has selected this year is Powered By Purpose. She explains that this theme was selected because their purpose is to serve the community by building our Legacy Park and any other services they can do. The purpose is driving them forward and they cannot be stopped.

In July, the Youth Council helped with the 24<sup>th</sup> Celebration by setting up the canopies for the kids games. They participated in the parade, had a booth selling pickleball paddles and helped run the dunk tank. They had a great time, even though it was raining. Clean up on Monday morning went well.

---

In August, they had their Youth Council opening social at Little Bear Bottoms. They had a great turnout, strengthening friendships and enjoying the Redneck Waterslides. It was a great activity to start the year off and connect with everyone.

The September potato fundraiser is going great. They sold 215 bags and are now waiting for delivery. The potatoes are expected to deliver the end of September, first of October.

Mayor Buist asks Nicole Norris, the adult advisor for the youth council, if she's heard anything from the Utah Soccer Association. Ms. Norris had an appointment set up and Mayor Mickelsen had a Power Point presentation prepared for the meeting, but it was canceled by the Utah Soccer Association. Ms. Norris has reached out several times since to reschedule with no luck getting a response. Mayor Buist encourages her to keep trying.

Mayor Buist lets Ms. Norris and the Youth Council know that the RAPZ money received was difficult to attain and has a time period to be used. Mr. Nolan Gunnell, the representative on the county council, was able to secure \$100,000 RAPZ money on behalf of Mendon City for Legacy Park. Mayor Buist asks the Youth Council to reach out to Mr. Gunnell in person or by phone and personally thank him for his role in obtaining the money.

#### **Topic 9- Law Enforcement Liaison- Deputy Spence: (7:26 PM) Excused**

**Topic 10: Library Report- Jessie Eiman: (7:27 PM)** In the last two years, the library has grown by 2,000 volumes. The news of a possible separate meeting room and more room for the library to grow is great.

The library summer social was a success. They had hot dogs, swimming pools, wading pools, sprinklers, squirt guns and reusable water balloons. They would like to make this a tradition; it was such a success.

Mary Jean Campbell passed away. Her book group donated some money to the Mendon Library in her honor. The library purchased 15 new books with little plaques on the front of them with her name, as well as 4 movies. The library put together a little Mary Jean Campbell collection at the front of the library in her honor.

There was a grant used for the Utah Education Network. They take care of the Wi-Fi and internet connections in the library, as well as the filters needed for the kids to use the computers. The grant was a little over \$4,000. The Wi-Fi now extends all around the building, to the playground and parking lot. Thanks to the grant, it is free Wi-Fi. The paperwork is intense, but worth it.

Jessie will be applying for another grant worth \$10,000 for new computers in the library. Nearly all the computers in the library are hand-me-downs and are starting to crash. The new computers will come with a four-year addition of software and should be set up within a years' time.

New library card fees are getting closer and will need a public hearing.

---

**Topic 11: City Engineer- Eric Dursteler: (7:31 PM)** The tank bid documents are forthcoming and plan to bid ASAP. Joe Beck has the bid documents, including those for the addition to the fire station. We should have a survey from the surveyor before midnight tonight.

Eric was holding off on getting a survey done on Legacy Park until he heard back from Nicole Norris. Mayor Buist suggests he move forward with the survey of Legacy Park. Eric thinks there could be time for it next week.

Eric asks about the cemetery boundary line adjustment. There are some discrepancies in the boundary lines and the control points of that boundary. The county says you've got to have the complete description that that all adjusts to. Mayor Buist is willing to attend the meeting to address this issue.

Mayor Buist talks about the new public works building. Joe Beck is talking about building in two stages. One is to get the building and apron up. An empty insulated building, which is estimated at \$350,000. Two would be everything else. The bid timing on that would be January.

Mayor Buist discusses Chief Ray Olsen's displeasure on how the bid process is playing out. Chief Olsen claims Hyrum City's engineer stated that their bids don't have to be put out if it's under a certain amount and that Hyrum City's amount is \$150,000. After a call to the mayor of Hyrum, it is clarified that Hyrum City's actual amount is \$5,000. However, each city determines their own monetary threshold on bids. Mendon City's is \$25,000. It is agreed by council that Chief Olsen misunderstood what was said. After proper procedure, the first quotes came in with a variance of \$50,000 with the whole bid being \$74,000. When asked about the discrepancy between the bids, Chief Olsen didn't know why. It is assumed that there was a lack of specs.

**Topic 12: Public Works Director- Kirk Taylor: (7:43 PM)** Water is expected to be in the canal until the end of September. Council Member Hardman comments that all the liners that were put in over the last 20-25 years are all floating.

Winter prep is underway. The truck is at National Equipment getting checked over, including the salter. Tires are getting replaced. Kirk is having the other truck checked if it can be reinforced to possibly hold a plow as a backup. Without the plow, the truck is fine.

The totalizer on the Cobblestone well has not been reading so it's assumed it hasn't been working. Contacted the telemetry man and he shows it's flowing on his end. Kirk needs to find somebody who knows how to run a Toshiba totalizer and see why it's not working. In the meantime, it's shut off and pulled offline. That particular well has to be running as long as the other two so that we can delete those nitrates. The samples sent came back good. Cold water well looking good. Thought it was running high on nitrates, but the history shows it is normal.

Mayor Buist suggests selling the old plow truck. Kirk says there is interest from potential buyers.

---

### **Councilmembers Reports:**

**Brian Myers- (7:49 PM)** It has come to Council Member Myers attention that the school is in need of a crossing guard at the crosswalks on 100 East 125 North. The principle seems to think that the city is responsible for providing a crossing guard. There have been self-appointed volunteer crossing guards in the past. Council Member Garbe was involved with the school at the time crossing guards were discussed and the big issue has to do with the liability the city would have to carry. Council Member Myers says the principle may get on the agenda to discuss the matter with the council. Mayor Buist suggests we find out what the city insurance covers concerning this issue.

**Amy Garbe- (7:52 PM)** Follow up on why the library area is no longer available for use after hours. For liability reasons, the library needed to have an employee present during after-hours activities, which was using up the wages. Piano recitals used to be held, but there's the issue of moving the piano from Mendon Station and back which poses another liability. There have been several situations where children were not supervised, and library property was vandalized or broken. A question is asked if the choosing of the May Queen would still take place. Yes, because the mayor and the girls' mother's would be in attendance. The choosing of the May Queen also only happens once a year, not every week.

Council Member Garbe received some information on codes about signs. We may not have many businesses in Mendon now, but it wouldn't be a bad idea to have codes in place. Once an electric sign is in place, it is hard to regulate a code for them. Council Member Garbe thinks it is beneficial to the city to be proactive in this matter. She has passed this information on to Keilani Ludlow, Planning and Zoning Chair.

**Ian Nemelka- (7:57 PM)** Council Member Nemelka is willing to help out with the sign ordinance mention by Council Member Garbe. Another code he would like to address with Ms. Ludlow is licenses for temporary sales and commissions. This is not just about door-to-door salesmen. Council Member Nemelka asks Keilani Ludlow to explain further. She has had city residents reach out to her about ways to get information about local businesses out. Mendon City does not allow any kind of door-to-door connection, including business flyers placed on doors. She understands that people like their privacy, but if someone were allowed to put an informational flyer on a door, we could have certain limits including the number of times the flyer is placed on doors, size of flyer... a whole list of limits to keep it from being annoying.

There is also interest in seasonal food trucks. A man approached Keilani about the possibility of a pizza truck, looking at Mingo's and wondering why he couldn't do the same type of thing. Ms. Ludlow explained to him that Mingo's has been on personal property that is zoned for commercial purposes. She told him it would be a council issue to decide if he would be allowed to seasonally sell pizza on Mendon City property. He is scheduled to appear before the council next meeting. This proves that there is a need for licenses for temporary sales and commissions. We need an ordinance that allows the city to decide what is best within our area of growth concerning food trucks and businesses. Again, to be proactive and cover these issues now so we can allow for opportunities in the future.



---

Mayor Buist asks if the Zoning and Subdivision codes are ready. Eric Dursteler thinks they will be ready for the October 10 public hearing.

**Jon Hardman- (8:04 PM)** Council Member Hardman attended the meeting concerning the Deep Canyon Trail Head. We have a conditional use permit for the parking lot, lane and sloop along with 22 conditions. Most of the conditions are assumed the county will help with. The current design shows inadequate trash receptacles which will most likely lead to having a dumpster. The county council will further discuss when they will close the road for the winter. They will set the dates on a year-to-year basis. They also approved the variance which allows us to be closer to the edge of the road. It was discovered that the proposal of additional trails are not on city property, but private. Additional trails on city property would have to be a separate act of approval and conditions from Wayne's Loop.

Canal water is anticipated to be in through September.

The following information will impact people who have canal water in town. There is a public hearing on Tuesday, October 1 at 7:00 PM at the Wellsville City Office for a proposal of canal fees. The irrigation company has secured funding from Rio Reclamation and Utah's Water Optimization Program to pipe the little canal which won't add any additional expense. But it is potentially a \$4+ million project to pipe all that which will affect water fees on the canal. As we all know, the Hyrum dam and canals originally went in for agricultural purposes. However, times have changed, and those canal shares are used for more residential, municipal, etc. purposes. Everybody pays \$41 on an annual basis per acre-foot of water. The proposed increase will be \$70 per acre-foot. Agricultural water is proposed to go from \$41 to \$45.

**Bob Jepsen- (8:11 PM)** The next little area of the cemetery has been hydroseeded and seems to be germinating.

Still waiting for the preliminary cost on materials for the old part of the cemetery. Looking to be next spring some time. Council Member Hardman asks Council Member Jepsen if the new section of the cemetery is covering the buried city water lines. They have marked where the water line is and it will be an ordinance that there will be no burials within 10 feet of the water line. Council Member Hardman reminds the council that part of the PL 566 project regarding piping the canal is also creating pressure for the upper part of town so those people coming onto the secondary water system have the same pressure as the lower part of town. Remember that they are proposing a long, rectangular pond further north. Council Member Hardman wants to make sure this is not going to impact or cause any problems with the future expansion of the cemetery. Mayor Buist is confident the design and plans for the cemetery have considered this.

**Mayor Buist- (8:14 PM)** There has been some confusion and upset with our cemetery sexton with recent adjustments made to the cemetery fees during the last public hearing. To possibly defuse the situation, Mayor Buist will meet with the sexton on Monday or Tuesday. There is some concern that the sexton was

---

not included in previous emails concerning the price adjustments prior to the public hearing. A resolution was not made for the cemetery price adjustment which opens the suggestion of a second public hearing. Mayor Buist talks about revisiting the cost of opening and closing the graves as that seems to be where most of the fees need to increase due to inflation. Mayor Buist recognizes the personal struggles on finances during a time of grieving. However, Mendon City is not out to make money off its residents; costs need to be covered. The cemetery needs to expand and that does not come cheap. Mayor Buist suggests \$20,000 of the budget for capital projects go toward the continued expansion of the cemetery. Some of the major concerns are the cemetery is still on culinary water and the road in the new section is not paved. The \$20,000 would go toward continuing the improvements, not finishing them.

Mayor Buist wants to clarify that the sexton has done a wonderful job over the years, and he would like to avoid what could potentially be an explosive situation. The sexton claims to have proof he was not invited to meetings concerning the cemetery fee increase. This may be reference to an email that a few staff members were also accidentally excluded. However, for the record, the city council, specifically the council member over the cemetery, does have the say on decisions made after the public has been heard at a public hearing. There were accusations made in a text directed at city council and staff that these proceedings were made behind closed doors, that the meetings were not advertised. For the record, every public meeting and public hearing is advertised. It is not the fault of the city if residents do not seek out agendas for city council meetings. The meeting agendas are advertised on the city website, state website, physically at the post office and the city building bulletin boards. Mayor Buist would love to see more participation at council meetings, so residents are better informed. If another public hearing regarding cemetery fees is needed to satisfy the sexton, Mayor Buist requests it. It is mentioned that the proposed increase in fees may stay the same. It is also mentioned that we need to show a separate percentage from the fees for the plot and perpetual care. 60% for plot, 40% for perpetual care.

Before a motion is made on the \$20,000 to be used on the cemetery expansion, Mayor Buist does not want the council to feel obligated to use the funds as discussed if they feel there is a more pressing need for the money elsewhere.

Council Member Nemelka motions to approve \$20,000 of funds toward ongoing cemetery projects.

Council Member Myers seconds the motion. All in favor.

A discussion about how expenses start outgrowing the fees in many aspects, including Mendon Station. Unless fees are increased, the city cannot keep up with appropriate maintenance.

Mayor Buist asks Jim Cannon to have the resolution and ordinance templates prepared for the public hearings on October 10.

Mayor Buist entertains a motion to adjourn.

**Council Member Harman motions to close city council meeting.**

**Council Member Nemelka seconds the motion. All in favor.**

**Adjourned (8:45 PM)**