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City will waive off administrative fees, but not entire bill, for clean-up work

By Myrna Trauntvein

Times-News Correspondent

Why should it cost so much to clean up five building lots?

That was the question that Calvin and Gayle Wright asked Nephi City Council on Tuesday because they had been charged what they termed a hefty fee to have a private contractor clean up several weedy lots after they did not clean those lots to the city standard. Earlier, the Wrights had been sent a letter asking them to abate the nuisance.

C. Wright said he had recently had 14 additional lots he was responsible for cleaned up in another section of town from where the city had sent in a contractor. The individual Wright hired had charged only \$450.

Wade Gee, council member, stated that meant that Wright paid approximately \$32 per piece of property he had had cleaned.

"I think I am being over-charged by the contractor you had do the work," said Wright.

For the second meeting in a row, (last meeting he was not on the agenda) Wright requested that the council reconsider the bill of approximately \$3,000 that had been accumulated for the cleaning of five weedy properties as part of the city's weed abatement program.

He had talked to White Excavating and found that they charged \$80 an hour for the work they did. So did the contractor he eventually hired who came from the Payson area.

Lisa Brough, council member, said that when the abatement letters were sent out by the police department, as part of the city's determination to abate weed problems, no one realized that all five of the properties were connected to Wright.

The amounts, and names on the accounts, as originally billed are: Calvin and Gayle Wright--\$600 plus \$75 administrative fee; Gayle and Maughn Wright--\$600 plus \$75 administrative fee; Kay Harrell (Dallas, Texas)--\$500 plus \$75 administrative fee; BMK Properties (St. George)--\$600 plus \$75 administrative fee; BMK Properties (St. George)--\$500 plus \$75 administrative fee.

"Sometimes, statements have sounded as if the city billed Calvin personally \$3,000," said Randy McKnight, city administrator. "Each bill was sent to the address to which property tax notices for those parcels are sent (one to Texas and two to St. George)."

"Some of the lots cost more to clean up, because they contained more rocks and piles to be moved," McKnight said.

Following the meeting with Wright, the council responded to Wright's request for financial relief by agreeing to waive the administrative fee, if the clean-up bills are paid by September 10, 2014. In total, for the five lots, that would amount to \$375 off the bill.

The need for abatement of the weeds came as a result of a complaint from a nearby neighbor. The lots are on the south end of Nephi. They are being held as future building lots but

See **Clean Up** on page 6



ENJOYING THE BEAUTIFUL DAY • We have been experiencing so much rain over the last week that it was nice to see the students at Mona Elementary School get outside and enjoy the beautiful weather on Monday. The weatherman is calling for mid to low 80s all week with lots of sunshine heading into Labor Day weekend.

City identifies problem areas related to stormwater drainage

By Myrna Trauntvein

Times-News Correspondent

A 25-year rain storm pelts an area with one-inch of rain in one hour.

If such a storm were to happen tomorrow in Nephi, there would be problems with flooding in certain areas of the community.

The city council has its work cut out for it in determining just what to do. They must plan for the infrastructure needed and also find a way to allow for future development in threatened areas.

"Unless we do something, this is going to shackle us for development," said Mark Jones, mayor. "We need to address the problem of potential flooding sooner than later. If not, we will have to turn development away."

A drainage impact fee may need to be established, said McKnight.

"We may need to establish a monthly user fee," said Randy McKnight, city administrator.

Denton Hatch, city attorney, could do the necessary research and could help the city with the legal documents needed to set up such a program.

Generating sufficient financial resources to cope with water quality issues and stormwater drainage infrastructure is an essential part of a stormwater management program. The needed infrastructure to handle such a storm would cost millions. There is really no way, with the city's budget, to handle needed construction of basins in the canyons.

"One financing option is the stormwater utility which relies on user fees rather than on traditional tax revenues to fund stormwater management," said McKnight.

The map that McKnight showed council members indicated that there were some spots

on the north and on the south of the city that would need structures built. The large maps may be viewed at city hall.

In addition, storm water does not flow well the further west the water runs.

Some problems with stormwater come because there are very few culverts that go under the railroad tracks in the west part of Nephi City.

"The city grades flow away from the Big Hollow and from Salt Creek," said McKnight. "Because the radial contours of the alluvial fan convey water away from Salt Creek and Big Hollow, there are no major natural drainage corridors to collect and convey storm water runoff generated in most areas of the city."

Farmers west of the city have filled in irrigation ditches in favor of piped irrigation systems. That has created problems with drainage and its historical flow on its westward direction lead-

ing away from the city.

"Big Hollow is the only existing drainage channel that can convey runoff between the railroad and West Creek," McKnight said.

"In other areas, runoff that was previously conveyed onto agricultural lands via the open ditch irrigation system now causes flooding on private property because the open ditch system has been abandoned," he said.

The area also has collapsible soils. Collapsible soils are some of the most widely distributed and costly of geologic hazards. These soils are subject to changes in volume and settlement in response to wetting and drying.

Collapsible soils consist of loose, dry, low-density materials that collapse and compact under the addition of water. These soils

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Appeals process ordinance was adopted by Nephi City

By Myrna Trauntvein

Times-News Correspondent

An appeals process ordinance was adopted by Nephi City Council.

"Denton Hatch, city attorney, developed an ordinance for your consideration and adoption," said Randy McKnight, city administrator. "This would, officially, put us in line with an ordinance as required by Utah Code."

The ordinance establishes an appeal process and grievance process for appointive officers and employees who are covered by Utah Code and the city's personnel policies establishing an appeal process.

Utah Code 10-3-1105 requires that all employees of municipalities, other than officers appointed by the Mayor or other person or body exercising executive power, police chief, deputy police chief, the fire chief, deputy

or assistant fire chief, heads of departments, superintendents, probationary employee, part-time employee, or seasonal employee or others exempted will hold their employment without limitation of time, being subject to discharge or dismissal only as provided in Utah Code.

State code, city ordinances and policies require that an appeal board or hearing officer be established to handle appeals from the discharge or transfer to a position with less remuneration of certain employees and requires that the method and manner of choosing the members of the hearing officer be prescribed by the governing body of each municipality by ordinance.

"The ordinance you are considering tonight sets forth the policies and procedures needed to provide for the filing of grievances by certain employees of the city," said McKnight.

In all cases where an em-

ployee, who is not exempt, is discharged, suspended without pay for more than two days, or involuntarily transferred from one position to another one with less remuneration, that employee has the right to appeal.

Those exempted, in accordance with the ordinance are employees at will and have no rights to appeal unless specifically provided for in other city ordinances, an employment contract, or the city's personnel policies.

However, under personnel policies, all employees have the right to file grievances regarding the terms and conditions of employment with the city. Only grievances covered by code will

have a right of appeal to a hearing or appeal officer.

"Those making an appeal must file written notice of the appeal with the city recorder within 10 days after the discharge or transfer or other action," said Hatch.

Upon the filing of the appeal, the city recorder will refer a copy of the appeal to the hearing officer. The hearing officer will then begin the investigation, take and receive evidence and fully hear and determine the matter.

The hearing officer will sustain the discharge, suspension

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Early Deadline

Because next Monday is Labor Day, the deadline for the September 3rd issue is Friday, August 29th at 5 p.m. Please plan accordingly.

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