

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD
SEPTEMBER 3, 2003**

Mayor and Council Present: Mayor Byron Anderson, Council Members: Craig Anderson, James Christensen, Kevin Hall (7:55 p.m.), and Paul Rupp.

Appointed Officers and Employees Present: City Recorder Wendy Palmer, Attorney Ronald Elton.

Citizens and Guests: Richard and Penney Anderson, Delaun Blake, Joe Cange.

PUBLIC HEARINGS:

- 1. Considerations of zone change from A-10 to R1-21 at 378 W. Clark Street.**
Mayor opened the public hearing at 7:15 p.m. Mayor asked for comment on the proposed zone change. No comments being offered, the Mayor closed the public hearing at 7:16 p.m.
- 2. Consideration of amendment to section 21 of the Land Use Management code and Chapter 30 of the Grantsville City Ordinances as it relates to water source requirements.** Mayor opened the Public Hearing at 7:16 p.m. Mayor asked for comment on the proposed change to the water source requirements. No comment being offered, the Mayor closed the public hearing at 7:17 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS: Craig made the motion to approve the minutes of the previous City Council meetings held 8-20-03 and special meeting held 8-27-03. Paul seconded the motion. All voted in favor, motion carried.

Mayor explained that Council Member Hall had requested that item #3 be postponed until he could arrive. Councilman Hall is expected to attend by 7:45 p.m.

CONSIDERATION OF CONTRACT WITH CRAIG SMITH, ATTORNEY: Craig Anderson stated that he would like to see a not to exceed price in this contract. It was suggested that when the city outlined a specific project that we would require a not to exceed price quote. This contract is just for miscellaneous services as the city came across an unplanned issue. Craig made the motion to authorize the mayor to sign this contract and come up with a scope of work for the outdoor water source issue that the Council has requested Mr. Smith to make recommendations. James seconded the motion. Craig stated that he is against the city taking ownership of the irrigation shares. All voted in favor, motion carried.

WATER LINE CONSIDERATION FOR DELAUN BLAKE MINOR SUBDIVISION: Craig Anderson explained that he made the motion to approve Mr. Blake's Minor Subdivision with the stipulation that he bond or install the water line. Since that time the LDS Church has let a contract for the installation of the waterline and the construction of a new Church. Mr. Blake is here tonight to ask that he be allowed to take possession of the deeds to his minor subdivision since the city is assured that the waterline will be installed by the LDS Church. Craig made the motion that if Mr. Blake brought in a copy of the contract that was awarded by the LDS Church showing the waterline installation on South Hale Street was apart of the bid then the city would release the deeds to MR. Blake. If a home is constructed on Mr. Blake's property and the water is required prior to the church installing the waterline then Mr. Blake would be required to install the waterline prior to the home received final occupancy. James seconded the motion. All voted in favor, motion carried.

APPROVAL OF THE BILLS: James made the motion to approve the bills. Paul seconded the motion. All voted in favor, motion carried.

OTHER BUSINESS: Mayor stated that he had talked with Craig Neeley and they are still working on the surveying and environmental issues for the sewer line. Tom Bergeren and John Hay stated that if the city needed to get started on the sewer line prior to the ground breaking in March for WalMart. Walmart would be willing to provide a letter guaranteeing the project. Mayor stated that he was meeting with Darrel Nielson

and his finance people concerning funding the sewer line on Friday. Mayor stated that he talked with Dave Groen of Groen Aircraft Manufacturing. He met with Scott Muir, and State trust land representative Kay Burton concerning Groen Aircraft locating a new plant on State Trust land.

Mayor also stated that he received a compliment from Fred Hale, Hale Construction Company. Mr. Hale stated that he had never worked with a better City Crew than Grantsville's. Mr. Hale has been installing the North Cooley Water Line.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Consideration of zone change from A-10 to R1-21 at 378 W. Clark Street:** Craig stated that he was concerned that the minor subdivision drawing that he saw for this property would require some of the out buildings to be torn down. Mr. Cange stated that he intention was to be able to separate the 3-acre piece of property in order to accommodate the city purchasing the J. Rueben Clark Property with the home and outbuildings. Craig made the motion to approve the zone change from A-10 to R1-21. James seconded the motion. All voted in favor, motion carried.

- b. Consideration of amendment to section 21 of the Land Use Management Code and Chapter 30 of the Grantsville City ordinances as it relates to water source requirements:** James began with the concern of paying the impact fee at time of development approval or at the time of building permit. Craig stated that he had a problem with voting for this issue because he did not vote in favor of the original ordinance. James stated that this new ordinance only helps the small developments it does not address the amount of water required. That has already been determined.

Kevin arrived at 7:55 p.m.

Discussion concerning paying the impact fees at the time of development approval or at time a building permit is applied for. Attorney Elton stated that the reason to require the impact fees to be paid at the time of the development approval was to make it consistent with developments providing the water right up front. Craig and Kevin suggested that we need to restrict what type of developments can use the option to pay the impact fee we don't want our community to develop is minor subdivisions that are not providing for water and infrastructure. The concern was that developers would try to only add 4 lots at a time in order to avoid providing the water up front. James made the motion to change the water source impact fee requirements for amendments to existing platted subdivision that require only up to a total of two acre feet of additional indoor water and only up to a total of eight acre feet of additional outdoor water for full development, may at the option of the owner or developer and in lieu of providing actual water rights to the city, pay at the time each building permit is issued for each lot, the applicable indoor and outdoor water rights acquisition impact fees. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF AMENDMENT TO ANDERSON RANCH SUBDIVISION (1) LOT INTO (4): James made the motion to approve the amendment to the Anderson Ranch Subdivision. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF AMENDMENT TO THE M.C. DURFEE SUBDIVISION: Craig made the motion to approve the amendment to the M.C. Durfee Subdivision. Kevin seconded the motion. All voted in favor, motion carried.

CONSIDERATION OF AMENDMENT TO THE FAWSON SUBDIVISION: Craig made the motion to approve the amendment to the Fawson Subdivision. Paul seconded the motion. All voted in favor, motion carried.

OTHER BUSINESS: Kevin asked if any of the Council asked about how the lots on the J. Rueben Clark property were going to be hooked to the sewer. I am afraid we have opened a can of worms with this zone change. Kevin was concerned if Mr. Cange divides the property it will drive the price up even higher.

Paul asked when the State posted the no parking signs on Main Street. This may have a negative effect on the businesses. Paul asked who would enforce these no parking signs? It was determined to be Grantsville Police.

ADJOURN: Craig made the motion to adjourn this City Council meeting at 8:45 p.m. Paul seconded the motion. All voted in favor, motion carried.

Wendy Palmer, City Recorder

Byron Anderson, Mayor