

Approved

**MINUTES OF THE REGULAR MEETING OF THE GRANTSVILLE CITY COUNCIL,
HELD ON SEPTEMBER 5, 2018 AT THE GRANTSVILLE CITY HALL, 429 EAST
MAIN STREET, GRANTSVILLE, UTAH. THE MEETING BEGAN AT 7:00 P.M.**

Mayor and Council Members Present:

Mayor Brent Marshall

Krista Sparks

Scott Stice

Tom Tripp

Neil Critchlow

Jewel Allen

Appointed Officers and Employees Present:

Jacob Enslin, Police Chief

Brett Coombs, City Attorney

Christine Webb, City Recorder

Kristy Clark, Zoning Administrator

Citizens and Guests Present:

Derek Ellis

Monte Kingston

Rod Engar

Jaime Topham

Van Anderson

Debbie Spilman

Joe Peterson

Faye Hall

Mitch Hall

Joseph Knickerbocker

Barry Bunderson

Mayor Marshall asked Councilman Tripp to lead the Pledge of Allegiance.

AGENDA:

1. Public Comments.

Donna Wilson stated she was opposed to the Sun Sage Meadows Subdivision. She felt the issues discussed previously have not been addressed properly such as children walking to school, drainage, and access into the subdivision. She asked the Council to think very carefully before approving a subdivision of this density.

Van Anderson spoke about water in our area. He stated that he went over on his irrigation water this year by 12,000 gallons and did not even plant a garden. He called the State Water Division and everyone that he could think to call. They all told him that they stay out of it. Mr. Anderson expressed his concerns about the cemetery. He stated it is time for the Council to do something about the water. He suggested making the irrigation water all “A” shares and abolish the “B” shares.

2. Summary Action Items.

- a. Approval of Minutes from the August 15, 2018 City Council Meeting and the August 29, 2018 Special Meeting.
- b. Approval of Bills in the amount of \$302,566.37.

Councilwoman Allen stated she reviewed the bills and saw there were a lot of water and sewer expenditures. She confirmed with Mayor Marshall that they were for the engineering of the Main Street project. She read the minutes from the last meeting and felt they were well done.

Councilman Stice commented on the purchases from Amazon for the library.

Motion: Councilwoman Allen made a motion to approve the summary action items. Councilman Tripp seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

3. Consideration of a Final Plat Amendment for Pegasus Event Center, LLC, Twin Ponds, LLC, and Evan and Jaime Topham to move Lot 2 North and to run east/west for the Pegasus Minor Subdivision at 291 North Race Street in the CD zone.

Jaime Topham pointed out it is “Two Ponds, LLC” not “Twin Ponds”. She explained that they are looking to run Lot 2 to the north to run east and west; they are not changing the size (it will still be two acres). They are moving it to the end of the property rather than in the middle of everything.

Councilman Critchlow stated the Planning Commission did not have any problems with this.

Motion: Councilman Critchlow made a motion to approve the final plat amendment for Pegasus Event Center, LLC, Two Ponds, LLC, and Evan and Jaime Topham to move Lot 2 North and to run east/west for the Pegasus Minor Subdivision at 291 North Race Street in the CD zone. Councilwoman Allen seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

4. Discussion of a Proposed Concept Plan for John Bilton and Josh Cummings, located approximately at 625 South Willow Street in the RR-1 zone.

John Bilton represented this item. He explained there are five parcels under separate ownership currently. They would like to request a zone change to allow eleven (11) lots on a cul-de-sac instead of having a drive access to the back of the homes on Hollywood Court. This will drive the access away from Hollywood Court. He reported if they left the lots as one-acre lots, it would leave overly large side yards. He asked for the feedback of the Council.

Councilman Critchlow asked how large the lots are on Hollywood Acres. They are one-acre lots. Councilwoman Allen clarified this is proposed for half-acre lots. This will be the maximum length of a dead-end road. Councilwoman Allen stated that she would be interested to hear what the surrounding property owners would have to say about the plan. Councilman Stice felt this is more marketable. He added they will have to consider drainage before this comes back for approval. Councilwoman Sparks stated she is not in favor of any zone changes at this time. She would like to complete the General Plan before approving zoning amendments.

5. Consideration of a Minor Subdivision for Joseph and Vanessa Knickerbocker at 123 East Clark Street dividing .97 acres of land from one (1) lot into four (4) lots in the RM-7 zone.

Joseph Knickerbocker thanked the Council for their service and time. Councilman Critchlow asked about the shape of the lots. Mr. Knickerbocker explained they tried to keep the lots more of a square shape to allow for the homes to be positioned in the middle of the lot. The Mayor and Council discussed the dimensions of the lots. Councilman Stice reported the current code states that a lot cannot be three times longer than it is wide. He pointed out that all four of these lots violate that rule.

Mr. Knickerbocker explained the plan is to provide smaller homes in a price range for less than \$200,000.

Motion: Councilman Critchlow made a motion to approve a minor subdivision for Joseph and Vanessa Knickerbocker at 123 East Clark Street dividing .97 acres of land from one (1) lot into four (4) lots in the RM-7 zone. Councilman Tripp seconded the motion.

Councilman Stice stated that we have an ordinance regulating that a lot cannot be more than three times longer than it is wide. He could see that it was being changed but currently it is in effect.

Barry Bunderson commented that there was a simple solution. They would move one of the lines to allow the correct dimensions for the code. He asked if that is what the Council wanted. Mayor Marshall pointed out that if it was denied, then it could not be

brought back for two years. After a discussion, Mr. Knickerbocker requested to withdraw his application.

6. Consideration of a Concept Plan for Reid Dickson with Infinity Consultants and Josh Adams on the Sun Sage Meadows at 619 West Clark Street for the creation of five (5) single family lots plus seventy-four (74) multi-housing development in the RM-15 zone.

Bruce Baird stated that he is counsel for the project. He felt there was a misunderstanding about some of the history and went over it. Mr. Baird stated several years ago this property was zoned RM-15. He reported the City Council approved a C.U.P. for the project. He indicated the Council rejected it based on a misunderstanding of the prior C.U.P. approval and the linkage to the earlier rezone. He commented there were discussions about road widths and other issues. He felt they were presenting a plan they felt was in compliance. They presented the Concept Plan to the Planning Commission. Mr. Baird said the Fire Marshal did not like the roadway width with right of way and parking. He said they updated the plan and apologized for not having them complete earlier. He started to provide a copy of the plan. Mayor Marshall asked if it was the same plan they had in their packets. Mr. Baird answered no. Mayor Marshall refused to let Mr. Baird pass out the plan to the Council on the grounds that it had not been reviewed by staff.

Reid Dickson addressed the Council. He said they only needed one plan to be submitted and that is what they did. He stated the Planning Commission generally liked this plan, but they did not like that the asphalt travel way was not wide enough. Mr. Dickson reported that the plan they were trying to show the Council was only different than the one in the packets because there is wider asphalt and less park strip. He commented that the city does not have a mechanism to respond to the Planning Commission prior to the City Council Meeting because the packets go out with a certain timing. Mr. Baird and Mr. Dickson insisted they were presenting a plan that complied with the Planning Commission's recommendations. Councilman Tripp stated he reviewed the plan that was presented in the packet; not the one brought to the meeting. He felt he would need more time to look at the one brought. Mr. Baird stated that they would like to withdraw the application.

Mr. Dickson explained the Planning Commission approved unanimously the application and he was willing to have the City Council discuss the plan they had reviewed. Councilwoman Allen reported that she attended the Planning Commission Meeting and the vote was not unanimous. Mr. Dickson conceded that Councilwoman Allen was correct. He said he is still looking for approval from the City Council on this plan.

Councilman Critchlow asked what the asphalt width was. Mr. Dickson answered that from back of curb to back of curb was thirty-five feet (35'). He said the Council wanted a total travel way of forty-two feet (42') and they have provided park strips of seven and

a half feet (7 ½'). Mr. Dickson and the Council Members discussed the road width, the park strips, sidewalks, State Code, and parking.

Councilwoman Allen expressed her concerns with the desire to move forward with the number of lots. She felt that by lowering the number of units, it would open up the area. Mr. Dickson suggested moving the sidewalks to the curb, which would allow four additional feet to the driveways.

Attorney Coombs stated that he looked at the plan brought tonight. He explained it had the changes requested by the Planning Commission. Councilman Tripp said if the Planning Commission approves a plan with conditions, those changes must be submitted prior to the packets being sent out to the Council.

Councilman Stice reported that he read the minutes from the Planning Commission Meeting. He clarified with Chairperson Jaime Topham that they recommended approval with the street and the setback of twenty-five feet from the road to the structure.

Mr. Baird stated they would bring the plan back with the suggestions of the Planning Commission and the concerns of the Council addressed.

Motion: Councilman Tripp made a motion to table this until the second meeting in October. Councilwoman Sparks seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

7. Consideration of a P.U.D. (Planned Unit Development) for Reid Dickson with Infinity Consultants and Josh Adams on the Sun Sage Meadows at 619 West Clark Street for the creation of five (5) single family lots plus seventy-four (74) multi-housing development in the RM-15 zone.

This item was not discussed because item 6 was tabled.

8. Consideration of a Preliminary Plan for DRP Management & AW Hardy Family Investments, LTD and Mountain Vista Development on the Wells Crossing Subdivision, located south on Hale Street between Hale Street and the Mormon Trail, for the creation of one hundred and eighty-six (186) lots in the R-1-21 zone.

Derek Ellis and Monte Kingston were present on this item. Mayor Marshall believed that all issues had been resolved in the work meeting. Councilman Stice thanked Mr. Ellis and Mr. Kingston. He commented that it is easier when there is compromise.

Councilman Stice mentioned that the notes are as part of the preliminary plan. He reviewed the items discussed were: the portion per park, Nygreen and Hale Street, and the water line. Mr. Ellis added those were the things they also discussed in the review committee meeting.

Motion: Councilman Stice made a motion to approve the preliminary plan for DRP Management & AW Hardy Family Investments, LTD and Mountain Vista Development on the Wells Crossing Subdivision, located south on Hale Street between Hale Street and the Mormon Trail, for the creation of one hundred and eighty-six (186) lots in the R-1-21 zone. Councilwoman Allen seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

9. Consideration of a Preliminary Plan for Anderson Ranch Subdivision Phase 8C, which contains one (1) lot, for T.P. Development and Rod Engar in the R-1-21 zone.

Rod Engar stated corrections they made to Phase 8A left a half-acre lot between an old phase and Phase 8A. They went through the subdivision process and are here for City Council approval. Attorney Coombs explained that if the Council desires to make any changes to the preliminary plan, then they cannot approve the next agenda item.

Mr. Engar reported this lot is between Phase 6B and Phase 8A. It is one parcel and because of its location, the roadway has been completed. It is complete and ready for a house to be built on it as soon as it is recorded.

Motion: Councilwoman Sparks made a motion to approve the Preliminary Plan for Anderson Ranch Subdivision Phase 8C, which contains one (1) lot, for T.P. Development and Rod Engar in the R-1-21 zone. Councilman Stice seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

10. Consideration of a Final Plat for Anderson Ranch Subdivision Phase 8C, which contains one (1) lot, for T.P. Development and Rod Engar in the R-1-21 zone.

Motion: Councilwoman Allen made a motion to approve the Final Plat for Anderson Ranch Subdivision Phase 8C, which contains one (1) lot, for T.P. Development and Rod Engar in the R-1-21 zone. Councilman Stice seconded the motion. The vote was as follows: Councilman Critchlow, “Aye”, Councilwoman Allen, “Aye”, Councilman Tripp, “Aye”, Councilman Stice, “Aye”, and Councilwoman Sparks, “Aye”. The motion carried.

11. Consideration of Ordinance 2018-16 amending the Grantsville City Land Use Management and Development Code.

Planning Commission Chairperson Jaime Topham and Shay Stark, with Aqua Engineering were present. Councilman Stice commented they had done a lot of work on this. The Council Members felt they would like to spend more time reviewing the amendments. Mayor Marshall suggested putting the document in a Word document so

the Council Members could add their questions or concerns while they are reading it and then give the Council the next two weeks to read the information and approve at the next City Council Meeting.

Councilwoman Allen asked how they resolved the open space question. Ms. Topham answered that they defined open space in Chapter 2. Councilman Stice stated that he appreciated and liked what they did with the open space definition.

Councilman Tripp stated he felt they had taken some of the review that the Council does. Ms. Topham explained the only thing they took out was the public hearings at City Council. She said that was to streamline the process and only have one public hearing. She explained it was very evident in this meeting that people come before the Planning Commission and tell them what they want to say and they take all comments into consideration and make a recommendation. And then the public comes to the City Council and may bring up things completely different than they did at the Planning Commission. Mr. Stark cited Utah Code, Title 10, Chapter 9A, which is the Land Use Code, on public hearings. They discussed the public comments offered at the City Council Meeting and how the item should go back to the Planning Commission so they have the opportunity to take them into consideration. Attorney Coombs pointed out that is a major reason to only allow public comments at the end of the meeting. The role of the Planning Commission and the role of the City Council Members was discussed.

Councilman Tripp stated he would like to commend the Planning Commission for their excellent work.

Motion: Councilman Tripp made a motion to table Ordinance 2018-16 until the next meeting with the document sent to the Council to make comments on, and schedule a work meeting for September 19th at 6:00 p.m. to discuss the amendments. Councilman Stice seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilwoman Allen, "Aye", Councilman Tripp, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

12. Discussion of noise ordinance.

Attorney Coombs provided copies of a few other cities' noise ordinances. Mayor Marshall felt that noise being allowed until 10:30 p.m. in neighborhood areas was too late. Attorney Coombs explained he sent three different documents because they provided different ways to address noise. The Council preferred to have a shorter ordinance that would be easier to understand. They felt violations should have tiered punishment beginning with an infraction. The Council suggested 10:00 p.m. to 6:00 a.m. as quiet time.

13. Mayor and Council Reports.

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Mayor Marshall participated in a conference call with Jones and DeMille. He met with Principal Aagard at the high school about the new sign. He met with Kirk Nord from Comcast. The Mayor attended County Economic Development Meeting and a meeting of the Patriot Guards. He announced that the e-waste collection was a success and thanked Councilwoman Allen for filling in. Mayor Marshall and Sherrie Broadbent met with the engineers from Jones and DeMille to review the timeline for the Main Street Project. There will be a public awareness meeting on October 2nd at 6:00 p.m. at the high school. Those residents in phase 1 will receive a letter notifying them of the meeting. Mayor Marshall announced the fall Lantern Fest is scheduled for September 29th. Fire has the final say on whether the lanterns may be launched. The Mayor reminded those present that the free concert with Ray Smith and the Timpanogos Big Band will be held on September 15th. He commented that at the previous City Council Meeting an individual claimed the water rate was extremely high compared with West Valley's rate. The Mayor provided information on the water rates for West Valley and several other cities and how they compared to our new rates. Misti Boulard will be leaving the city at the end of the month.

Councilman Critchlow had a report that on the street, about where Nygreen is going to be (on Worthington Street going east), that someone has a pipe running under their fence. They are draining stuff out through it. He had no idea what was being drained. He said he's glad we're doing a concert. He appreciated Mr. Anderson's comments.

Councilwoman Allen wondered if we could find out what plan Stansbury has in place for their parks. She felt they have a good park situation. The other Council Members commented that they have good parks, but not very good parking.

Councilman Tripp stated that he is still looking for the ordinance on the recalcitrant construction companies and their blowing garbage. He would also like to add a splash pad to the Capital Facilities Plan.

Councilman Stice asked when the general plan is expected to be completed. Councilwoman Allen answered the steering committee will be meeting to review the bids and make a recommendation to the City Council for approval. Councilman Stice reported the Mosquito Abatement sprayed 10,000 acres and cut the mosquitoes that were catching in traps by half. He liked Van's comments about keeping the cemetery watered. Councilman Stice indicated he is seeing more and more kids out driving ATVs driving up and down our streets. He saw a group of three kids on a four wheeler on the corner of Main and Cooley and he thought they were going to get hit. He expressed his safety concerns and suggested that they review the ordinance.

Councilwoman Sparks thanked the Mayor for getting the hole fixed in Little Reno. She talked with someone about compaction requirements. He is willing to talk to the Council about roads. Councilwoman Sparks asked who posts "private lane" signs. Mayor Marshall explained those roads are private and he thought the HOA put the signs up

Approved

because they are not city roads. Councilwoman Sparks commented on the big discussion they had with Mitch Hall on the road. She reported there is a rear access.

Councilwoman Allen stated the Historic Preservation Commission will need a new member appointed. Eric Johnsen will not be renewing.

14. Public Comments.

Van Anderson commented on the Land Use Management and Development Code. He suggested that the City hire a planner. He also talked about water.

Debbie Spilman stated she likes the idea of one public hearing and felt that it should be held at the Planning Commission Meeting. She felt that the information on that meeting should be posted the same as the City Council Meeting packets. She encouraged the Council not to repeal the ATV ordinance, but felt that it should be enforced.

15. Closed Session (Personnel, Real Estate, Imminent Litigation).

Motion: Councilwoman Allen made a motion to go into a closed session. Councilman Tripp seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilman Tripp, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried and the Council went into a closed session at 9:32 p.m.

Those in attendance were: Mayor Marshall, Councilwoman Sparks, Councilman Stice, Councilman Tripp, Councilwoman Allen, Councilman Critchlow, Brett Coombs, and Christine Webb.

Mayor Marshall was excused at 9:42 p.m.

Motion: Councilman Stice made a motion to go back into an open session. Councilwoman Allen seconded the motion. The vote was as follows: Councilman Critchlow, "Aye", Councilman Tripp, "Aye", Councilman Stice, "Aye", and Councilwoman Sparks, "Aye". The motion carried.

16. Adjourn.

Motion: Councilman Stice made a motion to adjourn. Councilwoman Allen seconded the motion. The meeting was adjourned at 9:48 p.m.