

Tremonton City Corporation
Land Use Authority Board
March 5, 2008

Members Present:

Steve Bench, Building Inspector
Chris Breinholt, City Engineer
Alyson Draper, City Attorney
Paul Fulgham, Public Works Director
Rich Woodworth, City Manager
Elizabeth Miller, Deputy Recorder

Steve Bench called the Land Use Authority Board Meeting held March 5, 2008, in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah, to order at 9:00 a.m. Steve Bench, Chris Breinholt, Alyson Draper, Paul Fulgham, Richard Woodworth, and Elizabeth Miller were in attendance..

1. Approval of agenda

Alyson Draper moved to adopt the agenda. Rich Woodworth seconded the motion. Steve Bench, Chris Breinholt, Alyson Draper, Paul Fulgham, and Rich Woodworth approved the motion.

2. Approval of minutes: January 23, 2008; January 31, 2008; February 6, 2008; and February 13, 2008

Steve Bench and Alyson Draper gave their corrections to Elizabeth Miller prior to the meeting. Chris Breinholt and Richard Woodworth did not have a chance to review the minutes and asked to table them. **Alyson Draper moved to table the minutes until next week.** Chris Breinholt seconded the motion. Steve Bench, Chris Breinholt, Alyson Draper, Paul Fulgham, and Richard Woodworth approved the motion.

3. Unfinished Business:

a. UTOPIA

There were no UTOPIA representatives present. This agenda item was tabled until next week .

b. Consider Preschool at 1718 East Main, Tremonton for Approval - Robin Merrill

Robin Merrill withdrew from approval of the preschool facility because it did not pass inspection. There is not an exterior entrance. Robin Merrill asked how many children she could care for and not have to conform to the International Building Code (IBC). She could have 5 children or less above the age of 2.5 years. Robin Merrill stated that there are multiple preschools that she is aware of that do not comply with the IBC. The Board stated that they are operating illegally. If she would give them the information of the locations they would send the officer or business licensing officials. Robin Merrill declined to give the information. She will keep in

mind the regulations as she looks for another building. If she has any question, she will contact Steve Bench.

4. New Business:

- a. Consider Day Care at 259 North Tremont Street, Tremonton for Approval - Rhonda Beecher

Rhonda Beecher informed the Board that she would care for 8 kids at a time. The location of the children will be on the main level of the home with accessibility to a restroom and the play area is fenced. She is licensed with the State. Rhonda Beecher has notified her neighbors of the day care. There will be one employee and the code allows for one employee within a home occupation. **Rich Woodworth moved to approve Rhonda Beecher at 259 North Tremont Street for approval.** Paul Fulgham seconded the motion. Steve Bench, Chris Breinholt, Alyson Draper, Paul Fulgham, and Richard Woodworth approved the motion. Rhonda Beecher will contact the Business License Department to obtain a City License.

- a. Walk-ins - Concept Review Only

Lowell Neil and Micah Capener informed the Board that they would like to do townhomes on Jay Sandall's property on 400 West to the side of Bingham Trucking. There will be 16 to 20 units. The townhome will be 3 bedrooms, 2.5 bathroom, and 1250 square feet. They will ask between \$99,000 to \$109,000. Micah Capener and Lowell Neil discussed with the Board the water and sewer location near the property. Paul Fulgham will look at the line sizes and location near the property. If the development connects to the water line used for Jay Sandall's home, there will need to be an utility easement to service the line. All developers are required to run the utilities to the end of their development. A fire hydrant would, also, be required in the development. There is sewer behind and in front of the property. Each townhome will need to have an individual meter. The Board discussed with Lowell Neil and Micah Capener parking lot and driveway requirements. The driveway is required at 9 X 20 feet. The parking lot will be designed as a one-way with angular parking. The driveway will be cemented to help define the area. The parking lot width is 25-feet. The setback from the street needs to consider the bumper of the vehicles as to not obstruct the sidewalk. The Board discussed the storm water of the property. Lowell Neil and Micah Capener will decided between running the storm water to Main Street's line or retain it on sight. The townhomes can go to the property line in a Commercial Zone, but it will increase the fire hazard. To decrease the fire hazard the buildings need to be further than 5-feet on the sides and 10-feet in the back. Paul Fulgham informed Lowell Neil and Micah Capener that there is an easement on the property that will need to be maintained. Lowell Neil will view where the easement is before they place a fence. **Rich Woodworth moved to approve Imperial Townhomes for concept approval.** Paul Fulgham seconded the motion. Steve Bench, Chris Breinholt, Alyson Draper, Paul Fulgham, and Richard Woodworth approved the motion.

Dan Davidson with Bear River Water Canal Company discussed with the Board leasing Tremonton City's excess canal water. Paul Fulgham will discuss the benefit

of allowing the Canal Company Lease out the excess water with the City Council. Rich Woodworth stated that as a City we cannot lease directly to just one person. It would need to go out for bid. Paul Fulgham pointed out that the water is not surplus, it is just not being used during the year. Dan Davidson stated that there is really only one person who will benefit from the water in the designated location. The Board and Dan Davidson agreed that it would be in the City's and Canal Company's best interest to lease the water to the Canal Company under an agreement that the unused water will be placed to beneficial use in a rental pool.

5. Monthly review

a. Storm Drain Utility Assets and Projects

The hillside landowners will meet today to discuss the Storm Drain System.

b. 10th West and Main Traffic Safety Study

UDOT is surveying the road.

c. Easements/Vacation and recording of

Allred/Christensen pond is the only one easement outstanding.

d. Policy and procedures (i.e.: Storm Drain)

The City Council passed the Storm Drain Policy.

e. Sewer Study

Chris Breinholt is working on the Sewer Study.

f. Comprehensive review of utility and roads

The City needs a projection for the roads that will be taken care of by the City.

g. Road Bond Review/Dig Permits

Paul Fulgham and Chris Breinholt will review all areas of the Road Bond.

h. Ponds

The only pond that the City is waiting to be fixed is the Allred/Christensen pond.

i. New water source

Chris Breinholt is working on the new water source.

j. Task list review

The task list is up-to-date. It was reviewed in a prior meeting. The Board tabled the task list.

6. Comments/Reports:

a. Building Inspector - Steve Bench

Steve Bench gave the Preschool/Daycare Zoning Code requirements to the Board to review and obtain a better understanding of the requirements.

Steve Bench stated that a representative from Clover Field Phase 2 informed him that they are planning on coming in March 6, to see him. Mark Higley has turned the project over to another party. Steve Bench will call to confirm the meeting and notify Paul Fulgham and Chris Breinholt.

b. City Engineer - Chris Breinholt

Chris Breinholt stated that the County would not charge the City's account to record the address change for Holmgren Estates East Phase 7. He will give it to Darlene Hess to record.

Chris Breinholt gave Steve Bench the laminated Zoning Map for the Planning Commission to write on.

The unofficial proposed zone change by Chip Ritter that was presented to the Planning Commission February 26 was given to Alyson Draper.

Chris Breinholt stated that the bid from the hillside storm drain out fall project can be accepted by the participants or they can work out something else.

c. City Attorney - Alyson Draper

Alyson Draper had nothing further to discuss.

d. Public Works Director - Paul Fulgham

Paul Fulgham had nothing further to discuss.

e. City Manager - Richard E. Woodworth

Rich Woodworth stated that our City Attorney has had a lot of time consumed by meetings. She attends the Planning Commission Meeting, City Council Meeting, and the Land Use Authority Board Meeting. He would like the Council, Planning Commission, and Land Use Authority Board to consider calling on her as needed. Alyson Draper stated that she would like to go to the Planning Commission once a month for a few more months to do the monthly training. Steve Bench will discuss the matter with the Planning Commission. Rich Woodworth is going to work with the City Council until they feel comfortable calling as needed. The Board felt that calling for legal advise as needed would be fine.

Rich Woodworth stated that he would like to be able to scan in the information that is presented to the Board and project it so that all in the meeting will be able to view it. He would like to create different files that are readily accessible for viewing in the meeting. Some of the different types of files Rich Woodworth would like to have are daycare, change of occupancy, and International Building Codes (IBCs). This will help to show the public that we are only obeying the laws and ordinances that govern the body.

6. Public comments:

There were no public comments.

7. Adjournment

Steve Bench moved to adjourn. Rich Woodworth and Paul Fulgham seconded the motion. The meeting adjourned at 10:40 a.m. Steve Bench, Chris Breinholt, Alyson Draper, Paul Fulgham, and Richard Woodworth approved the motion.

The undersigned duly acting and appointed Deputy Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Land Use Authority Board Meeting held on the above referenced date.

Dated this 30th day of April, 2008

Elizabeth Miller, DEPUTY RECORDER