

Tremonton City Corporation  
Land Use Authority Board  
September 17, 2008

Member's Present:

Chris Breinholt, City Engineer  
Dustin Ericson, City Attorney  
Paul Fulgham, Public Works Director  
Rich Woodworth, City Manager  
Dottie Garn, Deputy Recorder

Rich Woodworth called the Land Use Authority Board Meeting to order at 9:07 a.m. The meeting was held September 17, 2008, in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chris Breinholt, Dustin Ericson, Paul Fulgham, Rich Woodworth, and Dottie Garn were in attendance. Steve Bench was excused from this meeting.

1. Approval of agenda:

**Paul Fulgham moved to approve the agenda.** Chris Breinholt seconded the motion. Chris Breinholt - aye, Dustin Ericson - aye, Paul Fulgham - aye, and Rich Woodworth - aye. Motion approved.

2. Approval of Minutes: August 20, 2008

**Chris Breinholt moved to approve the minutes.** Paul Fulgham seconded the motion. Chris Breinholt - aye, Dustin Ericson - aye, Paul Fulgham - aye, and Rich Woodworth - aye. Motion approved.

3. New Business:

a. Disposition of property north of 587 West 225 South - Blaine Williams

Paul Fulgham said he would like to declare a possible conflict of interest because of personal ties with this issue, but would still like to give his opinion as a City employee. The Board discussed the property at 587 West, 225 South which is a stub-end road with improvements. Paul Fulgham, as Public Works Director, would like to get rid of all streets that have a stub-end because of snow plowing issues. Rich Woodworth has some concerns about the road having or not having the appearance of a drive rather than a street. Chris Breinholt said it is of no benefit to the City, so if the two property owners don't care if the City vacates the property, then there should be no problem. Dustin Ericson stated there needs to be a policy or procedure in place for the issue of vacating stub-end roads. Rich Woodworth suggested the Board think about this issue further.

b. Home occupation, Preschool - Ginger Rose

Ginger Rose was present to discuss a possible home occupation that will be located at 690 North 980 West. She would like to have a preschool, teaching about 12

students. Rich Woodworth asked Mrs. Rose if she has met with Steve Bench and she said she had not. Mr. Bench will have to come to her home, inspect it and then she may get the Conditional Use Permit. **Paul Fulgham moved to approve the home occupation.** Dustin Ericson seconded the motion. Chris Breinholt - aye, Dustin Ericson - aye, Paul Fulgham - aye, and Rich Woodworth - aye. Motion approved.

c. UDOT/Maverick Subdivision Amendment

The Board discussed a boundary change with an approximate 12-foot by 12-foot area of property located near Maverick at 1035 South Main. The Board wants to make it a matter of public record that they acknowledge the change in the boundary, to accommodate the new traffic light. UDOT acquired the property from Maverick. **Rich Woodworth moved that the Board allow Steve Bench to make the boundary change on the subdivision plat for Maverick/UDOT.** Chris Breinholt seconded the motion. Chris Breinholt - aye, Dustin Ericson - aye, Paul Fulgham - aye, and Rich Woodworth - aye. Motion approved.

d. Walk ins - Concept review only

Marty Bytheway, with Hansen & Associates, was present to speak with the Board concerning the development at 1760 East Main and the access location approved by UDOT. Paul Fulgham stated he would prefer the developer use a single water service line and meter, similar to a PUD association for the water. But the developer does have the option of having single service meters. Rich Woodworth said the problem with single meter is the PUD association would have to divide the bill. Mrs. Bytheway asked if there needs to be an extension of the main line of the sewer. Paul Fulgham said if they want the line to be a 6" lateral, the City will not maintain it. The other option is there can be an 8" line with a man-hole at each end and the City would be able to maintain it. If the line is a lateral one, only service tap connection, the line cannot tap into the manhole. Mr. Fulgham said whatever will work best for Mr. Hulce is the best option.

Darlene Hess, City Recorder, was present to discuss a class she attended on Impact Fees. The Board discussed issues concerning certification, notification and the rules according to State Law. Dustin Ericson will research what the law states about notification. All noticing should go through the Recorder's Office. Mrs. Hess said when the City adopts the Impact Fees, the City should also have the fee schedule or formula in place. Rich Woodworth would like a procedure in place on anything that needs noticing from Dustin Ericson. Rich Woodworth would like to add Impact Fee Process Review Study as an item to the regular agenda. Mr. Woodworth would like to review the fees every April.

4. Utilities

There were no topics to discuss at this time.

5. Comments/Reports:

a. Building Inspector - Steve Bench

Steve Bench was not present for the meeting.

b. City Engineer - Chris Breinholt

Chris Breinholt presented to the Board a copy of the letter to give to Staker-Parsons about the road at 1200 South. The intent is to warranty problems that are associated with Staker-Parson's asphalt job. Mr. Breinholt would like Dustin Ericson to assist with the wording of the letter. The City would like Staker-Parsons to warranty all of the asphalt paving against failure due to thin asphalt. Chris Breinholt would like Dustin to draw up the warranty agreement. The City needs to be protected against possible paving problems.

c. Public Works Director - Paul Fulgham

(1). Box Elder County annexation concerns

Paul Fulgham stated the County has some concerns about the density of homes being built that have access in and out of County roads. The County roads should be built to handle as many homes as are constructed. Rich Woodworth said the County Commissioner spoke with him about the Brough Annexation and the Commissioner will not allow the City to annex that property unless the City will acquire the road. Dustin Ericson stated the Commissioner cannot require the city to acquire the road.

d. City Manager – Rich Woodworth

Mr. Woodworth said there is a proposal for property on Main Street, next to Jiffy Lube, at 480 West. There needs to be a Quit-Claim for 15 feet of property at the Coldwell Banker site on the east side of the property. The City's is not going to purchase the property. The City will not make any improvements on the property. Paul Fulgham said Steve Bench had him draw up three pictures of the property - one as it is now, one as if there is a building, one of what the finished property could look like. Rich Woodworth asked Chris Breinholt if there is a simple way to know the boundary. Paul Fulgham said he has went out to the property and marked where the 15 feet is.

Rich Woodworth said the City needs a description of 12 feet of property of the dog-leg at North Park, approximately 148 feet in depth, by Grant Nish's property. Rich Woodworth has to advertise it as surplus property and advertise for a bid on the property.

The plat for Archibald Estates Plat H, was lost and needed to be resigned by all appropriate Board members. The plat was signed.

e. City Attorney - Dustin Ericson

Mr. Ericson presented the Board members with a copy of letter that was sent to Roger Nelson concerning his business property improvements at 75 South 1600 East.

Mr Ericson also presented a copy of an agreement providing for a grant of utility easement.

6. Public comments:

Melvin Wysong was present to discuss his concerns about Ginger Rose's preschool being opened. Mr. Wysong lives two houses north from Ginger Rose. Rich Woodworth stated a preschool is an allowable home occupation. Mr. Wysong is concerned about the amount of traffic and parking at Mrs. Rose's home. Rich Woodworth said the parking problem will be taken care of and she will be advised of traffic concerns. Mr. Wysong is also concerned that the value of his home will be driven down. Dustin Ericson said it is important to note that there will not be "businesses" in residential areas, but as long as Mrs. Rose follows the guidelines, the home business will be accepted. Rich Woodworth stated the City will emphasize the rules with her.

7. Adjournment

**Chris Breinholt moved to adjourn the meeting at 10:45 a.m.** Rich Woodworth seconded the motion. Chris Breinholt - aye , Dustin Ericson - aye, Paul Fulgham - aye, and Rich Woodworth - aye. Motion approved.

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 8<sup>th</sup> day of October, 2008.

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Dottie Garn, Deputy Recorder