

Tremonton City Corporation
Land Use Authority Board
October 24, 2007

Members Present:

Steve Bench, Building Inspector
Chris Breinholt, City Engineer
Alyson Draper, City Attorney
Richard E. Woodworth, City Manager
Elizabeth Miller, Deputy Recorder

Members Excused:

Paul Fulgham, Public Works Director

Steve Bench called the Land Use Authority Board meeting held October 24, 2007, 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, Rich Woodworth, and Elizabeth Miller were in attendance. Paul Fulgham was excused from the meeting.

1. Approval of agenda

Steve Bench stated he would entertain a motion to approve the agenda. **Rich Woodworth moved to approve the agenda.** Steve Bench seconded the motion. The motion was unanimously approved.

2. Approval of minutes - October 10, 2007 and October 17, 2007

Steve Bench stated that he had a question on the minutes for October 17, 2007. On Page 5 paragraph 2 it states "120,000 stress tank." Should it state "120,000 gallon tank." Chris Breinholt stated yes, it should be "120,000 gallon tank."

Chris Breinholt stated that he had a few changes for the minutes of October 10, 2007, and October 17, 2007 .

October 10, 2007: on page 2 section 5.b. third paragraph, it states, in regards to "additional water" it should state "an easement for a pipeline." and in that last part of the paragraph it states, Bill Bigalow about "selling water". It should state "Bear River Water Conservancy District selling water". Also in the last part of that paragraph, he would like to clarify that "they" in the last sentence refers to the developer and it should be changed to states such.

October 17, 2007: on page 4 section 3.a.1) third paragraph down indicates using boosters for all of Country View Estates in lieu of using Bear River Water Conservancy District (BRCDW). It is Tremonton City's water that they would be using if they choose to do so, in lieu of BRCDW. On the next paragraph, it indicates that "it is not an option to use the Christensen's property". It needs to be changed to "It is an option to cross through the Christensen's property." Page 5 section 3.a.2) paragraph 1 take out "12,000 square foot". The next paragraph's last line "will be a six-inch" needs to be "is a 10-inch line" and add that the City is considering allowing them use with some changes to the Storm Drain System.

Chris Breinholt moved to approve the minutes for October 10, 2007, and October 17, 2007, with the above corrections. Rich Woodworth seconded the motion. The motion was unanimously approved.

3. Unfinished Business:

a. UTOPIA

Mark Sienk and Doug Thomas, representing UTOPIA, came to report on their progress. Tremonton Three, the southwest section of Tremonton, will have electricity today. They are pulling cable in the rest of Tremonton. The electrician is scheduled to wire the cabinet at Meadow Park today. The asphalt repair is 90 percent complete. They will not be able to permanently fix the asphalt on the State road because they have missed UDOT's cutoff date. They will come back in the spring to permanently fix the State roads and fix anything they may have missed. They will start to lay concrete today. All of the damage done on 1000 North from 2300 West to the new Subdivision on the South side of the road has been completely fixed. All of the holes in Fridal Estates have been fixed. There are a few holes to be fixed in Holmgren Estates. UTOPIA is working with their engineer to run a conduit to the Public Works building. All of the construction is projected to be completed in three weeks. Rich Woodworth will call the director of UTOPIA to find out when the projected completion date for all of UTOPIA construction is.

b. Consider Spring Acres Phase 5 for Final approval subject to all checklist items being completed - Marc Allred / Ben Johnston

The Board asked Ben Johnston if he had turned in the construction drawings for Spring Acres Phase 5. Ben Johnston stated that he has not done so and asked to table the agenda item until next week. The Board agreed and tabled Spring Acres Phase 5 Subdivision until next week.

c. Consider Lookout Point for Preliminary approval subject to all checklist items being completed - Norm Fukui/ Ben Johnston

Kelley Harris and Ben Johnston presented Lookout Point. They discussed the sewer line with the Board. There will be an eight-inch line. Ben Johnston gave Chris Breinholt the percolation test results from the retention pond. There are 33 lots in the development. The board asked Bruce Baird with Country View Estates and Mike Jensen with Hansen and Associates to come to the table to discuss the second access that is linked through Country View Estates. Bruce Baird will look at Lookout Point's plat to make sure that the road ties into the Country View Estates. There will be a third access to Lookout Point when the development is complete on 10th North. This road will need to be improved as a collector to be able to serve their subdivision. The developers for Lookout Point will only be responsible for the north side right-of-way. **Rich Woodworth moved to approve Lookout Point for Preliminary and recommend them to the Planning Commission subject to the coordination of the subdivision with the Country View Estates.** Chris Breinholt seconded the motion. The motion was unanimously approved.

- d. Consider S & D Stokes Subdivision Phase 2 & 3 for Final approval subject to all checklist items being completed - Stan Stokes

Steve Bench clarified that the Final that they are looking to approve today is not for Phases 2 and 3. It is just Phase 2 for a two lot subdivision. Lot one will be 11.5 acres and lot 2 will be the remainder 6.8 acres with Stan Stokes' home. Stan Stokes will keep the current zoning. **Steve Bench moved to approve S & D Stokes Phase 2 for Final.** Alyson Draper seconded the motion. The motion was unanimously approved. The Board discussed traffic flow for the road that accesses 2300 West. **Alyson Draper moved to amend the motion of approval to include a weight restriction for all roads that access 2300 West.** Steve Bench seconded the motion. The motion was unanimously approved.

4. New Business:

- a. Consider Country View Estates for Concept approval subject to all checklist items being completed - Randy Marriot

Bruce Baird informed the Board that Country View Estates is approximately 850 acres. They intend to develop over time. The amount of time depends on the economy and economic demand. Bruce Baird would like to know the concerns the Board has with the development so that they can be addressed. The Board discussed their concerns. Their number one concern is water. The developers for Country View Estates needs to determine where the tanks, pumps, and lines will go. They also need to work with Lookout Point to make sure that the water can serve both developments. The second issue is the roads. The slopes need to meet City standards, and there needs to be two collector roads. One collector needs to be a main road that runs continuously through the development. The third thing is the children's parks need to be clearly defined and properly landscaped. Bruce Baird informed the Board that he will need to check all of the changes and suggestions made today with the owner Randy Marriott. He does not think that there will be any problems.

The Board informed Bruce Baird that the sewer is not accessible for any part of the development below 10th North. Ben Johnston informed the Board and Bruce Baird that Lookout Point has engineered their 12-inch sewer line so that the sewer is accessible past 10th North.

Bruce Baird discussed the Storm Drain Water with the Board. Bruce Baird plans to do a Storm Drain Water System that lead into a detention pond that he hopes one day to turn into a retention pond. Rich Woodworth informed him that the City is looking into doing a Storm Drain Water System for the entire valley. Bruce Baird suggested to use a SAA rather than an impact fee.

The Board discussed the Joint City Council meeting to be held on October 30, 2007, with Bruce Baird. The Board would like him to explain the benefit of this type of concept plan for development. This is a new type of development and it may take some time to get used to. Bruce Baird will also suggest using Special Assessment Areas (SAA) to subsidize the cost of the collector roads. SAAs take the cost of the improvement and give it to those who will benefit from it. Rich Woodworth will use

Bruce Baird's presentation as a prelude to discuss housing needs and areas of Tremonton that need to be rejuvenated.

Chris Breinholt noticed that the west side of the development has some stubbed roads that go to County property. The Board does not feel that the City will be able to annex any more land west because of water quality.

- b. Consider Archibald Estates Phase H for Concept approval subject to all checklist items being completed - Brian Bott or Representative

The LDS Church is looking at purchasing land in Archibald Estates to build. For the Church to purchase land, it will be done as a new phase of the development. It will be Phase H for a one lot subdivision. The Board discussed the Phase. The zoning allows for a three ward church to be built on the property. They will need to detain the storm water. The Board discussed approving Archibald Estates Phase H for a Preliminary approval so that they can go to the Planning Commission. Rich Woodworth felt that the plat map was very well prepared and could be approved for a Preliminary. Alyson Draper also felt the plat was prepared enough for a Preliminary, and it is a minor subdivision in a development that was already approved for a Final on the entire Concept Plan. **Rich Woodworth moved to approve Archibald Estates Phase H for a Concept/Preliminary approval and forward them to the Planning Commission for Preliminary review.** Alyson Draper seconded the motion. The motion was unanimously approved. Brian Bott will schedule with Sharri Oyler to be on the Planning Commission meeting agenda. The concept approval fees are \$104. Steve Bench will review the site plan prior to construction of the building.

- c. Walk ins - Concept review only

The Board invited Mike Jensen to come up and discuss what he needed. Mike Jensen thought that Holmgren Estates Phase 8 was on the agenda for Final approval. The Board informed him that it was on the agenda last week and it was approved.

Mike Jensen also thought that Garfield Estates Phase 2 was on the agenda. The Board informed him that it was on the agenda last week, and per the City Council the Board will not allow them to proceed until they have asphalted the main access to Main Street for Phase 1. The Board discussed the Storm Water System for Garfield Estates Phase 2 with Mike Jensen. Mike Jensen stated that they plan to increase the fill to have the flow go South.

Mike Jensen asked the Board what occurred with UDOT in regards to Hansen and Associates. Mike Jensen informed them he heard that UDOT believes that Hansen and Associates are being shady in their dealings with them. Rich Woodworth stated that UDOT is the one who stated it to Tremonton City in regards to the Holmgren Estates Phase 8 Subdivision. Chris Breinholt stated that it may have come from the fact that UDOT was only given the Holmgren Estates property and not the additional area that may use the road.

Ben Johnston drew a picture of the Fair View Pond. Ben Johnston stated that Darrin

Michaelis is meeting with Mr. Peterson to discuss and fix the drainage issue of the land. The pond is not functioning how it was intended, due to the fact, the subsurface water is perking the water. The problem is not the surface water. Their pond will continue to drain on to the road and go to the Salt Creek. Chris Breinholt stated that the development will need to function so that all of the subsurface and surface water drains correctly.

Alyson Draper was excused from the meeting at 10:33 a.m.

The City does not have the authority to deal with subsurface water that has been disturbed by an unknown party. The City cannot interfere if it does not affect the homeowners. Steve Bench will talk with the business owners in the location to learn what they have seen. The Board will ask Paul Fulgham when the manholes started filling with water. Rich Woodworth asked Elizabeth Miller to call Byron Wood to see if he would be available for a Land Use Authority Board meeting to discuss the subsurface drainage.

Ben Johnston stated that he would like to know where the pump station for Country View Estates Phase 2 will be and the specification for the pump station. Ben Johnston will talk with Mike Jensen to find out the information.

The Board discussed the pump station for Country View Estates. The Board would like to view the area. They asked Elizabeth Miller to invite Ben Johnston. The Board wanted to make sure that Paul Fulgham would be available next week. The Board took a short break so that Rich Woodworth could find out if Paul Fulgham would be here next week. The Land Use Authority Board took a break from 10:40 to 10:44 a.m. Paul Fulgham will be available.

5. Comments/Reports:

a. Building Inspector - Steve Bench

Steve Bench gave Heritage Estates Phases 3 and 4 to Chris Breinholt to inspect for release of some of their escrow bond.

Steve Bench has the escrow bond for Spring Acres Phase 4. Chris Breinholt needs them to submit their construction drawings so that he can verify the amount for the bond.

Steve Bench also received the escrow bond for Holmgren Estates Phase 8. Chris Breinholt received the construction drawings on Friday, October 19, 2007, and has not had a chance to review them.

Chris Breinholt will send the Zoning map to Steve Bench so that he can print copies as needed.

b. City Engineer - Chris Breinholt

Chris Breinholt had nothing further to discuss.

- c. City Attorney - Alyson Draper

Alyson Draper was excused from the meeting at 10:33 a.m.

- d. Public Works Director - Paul Fulgham

Paul Fulgham was excused from the meeting.

- e. City Manager - Richard E. Woodworth

Chris Breinholt will bring the map for Rich Woodworth with the zoning over the aerial photo to next week's meeting.

Rich Woodworth reported that he met with Garland last night for the sewer study. Garland City likes the proposal. They accepted the influent lines and the expenditures for the plant side and impact fee side. Chris Breinholt stated that he needs their projected growth to be able to complete his portion of the project.

- 1) Appeal Authority Discussion

Rich Woodworth distributed an Appeal Authorities Handbook published by Utah League of Cities and Towns. The Board discussed the definition of an Appeal Authority. An appeal authority is any administrative remedy. It can be a person, board, or commission. Rich Woodworth would like to identify all designated appeal authorities by ordinance. The Land Use Authority Board and Planning Commission need to be able to identify these people. The Board asked that this agenda item be on next weeks agenda. This will give the Board more time to think about the administrative remedy.

- 2) Review Fees

The Board discussed the review fees that the City is currently charging and collecting. The City is not collecting enough to cover the costs. Steve Bench will do an analysis to see where the City stands. Rich Woodworth suggested utilizing Norene Rawlings to assist in the project. The Board wants to make sure that the City nets out even. This item will be on the agenda for next week to discuss further.

- 6. Public comments:

There were no public comments.

- 7. Adjournment

Steve Bench moved to adjourn. Rich Woodworth seconded the motion. The motion was unanimously approved. The meeting adjourned at 11:00 a.m.

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 31 day of October, 2007

Elizabeth Miller, DEPUTY RECORDER