

**TREMONTON CITY CORPORATION  
LAND USE AUTHORITY BOARD  
June 3, 2009**

Members present:

Chairman/Building Inspector - Steve Bench  
City Manager - Shawn Warnke  
City Engineer - Chris Breinholt  
City Attorney - Dustin Ericson  
Public Works Director - Paul Fulgham  
Recorder - Darlene Hess

Chairman Bench called the June 03, 2009 Land Use Authority Board Meeting to order at 9:05 a.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Steve Bench, City Manager Shawn Warnke, City Engineer Chris Breinholt, City Attorney Dustin Ericson, Public Works Director Paul Fulgham, and Recorder Darlene Hess were in attendance.

1. Approval of Agenda

Chairman Bench asked if there were any changes or corrections to the June 3, 2009 agenda?

**Motion by Engineer Breinholt to approve the June 3, 2009 agenda. Motion seconded by Director Fulgham.** Vote: Chairman Bench - aye, Manager Warnke - aye, Engineer Breinholt - aye, Attorney Ericson - aye, and Director Fulgham - aye. Motion approved.

2. Approval of minutes - May 20, 2009

Chairman Bench asked if there were any corrections to the minutes of May 20, 2009. No corrections were made.

**Motion by Director Fulgham to approve the minutes of May 20, 2009.** Motion seconded by Attorney Ericson. Vote: Chairman Bench - aye, Manager Warnke - aye, Engineer Breinholt - aye, Attorney Ericson - aye, and Director Fulgham - aye. Motion approved.

3. New Business:

a. Dan Nielson Property Discussion - 3342 West 1000 N

Shelly Nielson informed the Board that she owns 3.182 acres of property at 3342 West 1000 North where they have one home on the front lot and they want to add two more lots to the back of the property. Chairman Bench said other property owners in this area have done essentially

the same type of subdividing and the zoning in this area is R-20. Any subdivision more than two lots require a 24 foot wide access easement with a 12-foot width covered in asphalt.

Manager Warnke asked about Fire Regulations for this type of development, as far as hydrants and a turnaround are concerned? Director Fulgham said the 24-foot width easement will accommodate fire trucks, however, some type of turnaround would need to be shown on the plat, either a circular area or a hammerhead type turnaround to allow emergency vehicle access. A six-inch water line will be needed for a fire hydrant. Potential buyers of these lots would be required to split the costs of the easement, turnaround, and fire hydrant. The cost of the hydrant and water line to the hydrant would cost approximately \$6,000.00 to \$7,000.00. Chairman Bench suggested Ms. Nielson contact the other property owners at this location to ask if they would help split the cost for the hydrant since it would benefit them as well.

The City sewer service is not available at this location. The septic tanks for the new lots will also need to be on the plat. Manager Warnke asked if it would be an advantage to the property owners to dig a sewer line for future access while they are digging for the fire hydrant. Director Fulgham said this would not be a good idea since they do not know when the sewer service will be made available to this location. Engineer Breinholt said it would be a good idea to plan the development with the possibility of sewer service coming into this area in the future.

Ms. Nielson asked what could be done about a City culvert at this location that does not flow because it is too high. Ms. Nielson said there is more standing water on the road than in the culvert. Director Fulgham said the land is very flat at this location which makes it difficult for water to flow into the culvert, even if it was put lower into the ground.

Chairman Bench informed Ms. Nielson that she will need to get on the Land Use Authority Board Agenda when they are ready with their preliminary plans. After approval from the Land Use Authority Board, it goes to the Planning Commission for approval.

**Motion by Engineer Breinholt to approve the concept plan for the Nielson Subdivision at 3342 West 1000 North.** Motion seconded by Director Fulgham. Vote: Chairman Bench - aye, Manager Warnke - aye, Engineer Breinholt - aye, Attorney Ericson - aye, and Director Fulgham - aye. Motion approved.

b. Walk-ins. Concept review only.

No other walk-ins.

4. Monthly review:

Chairman Bench said he would like to skip everything in item 4 except for j. Director Fulgham said the Board could scratch off Item e. since it is finished.

- a. Storm Drain Utility Assets and Projects
- b. 10<sup>th</sup> West and Main Traffic Safety Study
- c. Easements/Vacation and Recording of
- d. Policy and procedures (i.e.: Storm Drain)
- e. Sewer Study
- f. Comprehensive review of utility and roads
- g. Road Bond Review of utility and roads
- h. Ponds
- i. New water source
- j. Task list review

Chairman Bench said the Board last reviewed the Task List in March 2009.

- ▶ #1 - Hooking Public Works into the City Office's network. This item has been completed.
- ▶ #2 - Country View Estates Development has been put on hold due to the economy.
- ▶ #3 - Tremonton Pines Development is also on hold due to the economy. Tremonton Pines Phase One is ready for home building with the exception of curb, gutter and sidewalk installation.
- ▶ #4 - Water and storm drain on the hillside is waiting on Country View Developers. Chairman Bench asked if the Public Works Department would look at the culvert Ms. Nielson talked about earlier? Director Fulgham said he would go look at it, but felt there was not a problem.
- ▶ #5 - Secondary Water. The Canal Company was going to get back with Director Fulgham regarding this issue, however, they have not done so yet. Chairman Bench informed Manager Warnke that the City had looked at doing Secondary Water and found that it would cost millions of dollars to complete. The City has two locations on the west side of the City that currently have Secondary Water. The Canal Company approached the City a year ago wanting to make a joint venture with Secondary Water. The Canal Company has not returned to the City on this matter.
- ▶ #6 - Sewer Master Plan can be taken off of the list since it is taken care of through other City Departments.
- ▶ #7 - Tremonton Place is working on their development.
- ▶ #8 - McFarland Subdivision is also on hold.

- ▶ #9 - Garfield Estates Phase 2. The City has not been updated on any new progress with its development.
- ▶ #10 - Look Out Point is on hold.

Chairman Bench informed Manager Warnke that the City has a checklist which developers are required to follow with the construction of their subdivisions.

- ▶ #11 - Allred Pond is in the hands of the developers.
- ▶ #12 - Appeal Authority Board. If the Planning Commission does not approve of a subdivision, it then comes back to the Land Use Authority Board. Both groups try to come together to approve the subdivision. If the subdivision is not approved, the developer may go to the Appellate Board which consists of the Mayor, one Councilmember, and one City resident.
- ▶ #13 - River Valley Subdivision Phase 6. Engineer Breinholt informed the Board that he had received an email from the River Valley developers showing their plans for a sewer line. The Board reviewed City sewer lines on the City zoning map. The Board also discussed the easements in this development.
- ▶ #14 - Clover Field Phase 2 is on hold waiting to be recorded. Chairman Bench said this item can be removed from the task list.
- ▶ #15 - Fairview Subdivision Phase 2. Chairman Bench said this item could be removed from the list. Director Fulgham said the City should wait until the pond is finished. Engineer Breinholt said the developers have satisfied City requirements regarding the pond.
- ▶ #16 - Chadaz Estates Main Street Access has been delayed by Murdock Chevrolet. The GM Dealership adjacent to this access is going bankrupt and no longer has the funding for the proposed upgrades to their property. Murdock and Jiffy Lube owners were in partnership to help develop this area.
- ▶ #17 Holmgren Estates Phase 3 is waiting to proceed.
- ▶ #18 The new hospital has sent a Land Donation Agreement to Attorney Ericson for the Walking Trail around the hospital. IHC had agreed to finish the curb along 1000 West along with piping a portion of the outlying ditch. Engineer Breinholt said he would contact IHC to obtain the status on this matter.
- ▶ #19 - Comprehensive Zoning Map Changes. This item was deleted from the task

list.

- ▶ #20 - Zoning Code. Chairman Bench said this item could be deleted from the task list since the City's Zoning Code is current.
- ▶ #21 - Flood Plane Map. Chairman Bench said the City is waiting to hear from the State as to when this must be sent into the State. Chairman Bench said to remove this item from the task list.
- ▶ #22 - 3-D Construction/Allied Construction Invoice. The Court date is set for June 22, 2009 at 3:30 p.m. for Small Claims action taken against Allied and 3-D Construction. This item can be taken off from the task list as it is now in the hands of the Court.
- ▶ #23 - Bear River Canal Company Retail Pool Figures. Director Fulgham said this is an annual report and the City allows the Canal Company to manage this account for the City, therefore, this item can be removed from the task list. Chairman Bench said this item is an administrative task.
- ▶ #24 - Water Sources. Director Fulgham said this concerns the new City well.
- ▶ #25 - Attorney as needed for the City Council. Removed.
- ▶ #26 - Attorney as needed for Planning Commission. Removed.
- ▶ #27 - City Engineer as needed for City Council. Removed.
- ▶ #28 - Engineer as needed for Planning Commission. Removed
- ▶ #29 - Main Street Access - Chadaz Estates/Jiffy Lube Road. Removed, duplication.
- ▶ #30 - Indemnification agreement. Attorney Ericson said this was set up to use as needed after developers have dedicated streets to the City, yet have not completed the work. This covers the City should an accident occur as a result of the street not being finished.
- ▶ #31 - Extended warranty on 12<sup>th</sup> South. Removed.
- ▶ #32 - Trail bid. This item is not ready yet.
- ▶ #33 - Write Public Work Standard. Director Fulgham said this is a pressurized sewer standard which is not ready yet.

5. Comments/Reports:

- a. Chairman/Building Inspector Bench said he will be getting with Attorney Ericson to discuss the issue at 400 North.
- b. City Engineer Chris Breinholt handed out copies of the new Cedar Ridge Well and informed the Board that the well ran 1000 gallons of water per minute in six hours. The Board reviewed the drawings of the Well. Engineer Breinholt asked if any of the property owners had been contacted by the City? Director Fulgham said they were waiting until the City finalized the purchase of the Well. Engineer Breinholt asked to have a copy of the proposed bill for the Well emailed to his office.

Engineer Breinholt said he had received Road Classification Letters from UDOT.

- c. City Attorney Ericson - No comments.
- d. Public Works Director Paul Fulgham said the Board needed to be on the same page concerning the Fairview Storm Drain. The storm drain is for draining the road and not the adjacent fields unless an authorized drainage box is installed.
- e. City Manager - No comments.

7. Adjournment

**Motion by Engineer Breinholt to adjourn the meeting.** Seconded by consensus. Vote: Chairman Bench - aye, Manager Warnke - aye, Engineer Breinholt - aye, Attorney Ericson - aye, and Director Fulgham - aye. Motion approved.

The meeting adjourned at 10:10 a.m.

The undersigned duly acting and appointed 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. Minutes compiled by Shirley Colvin.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2009

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Darlene Hess, Recorder