

**TREMONTON CITY CORPORATION
LAND USE AUTHORITY BOARD
December 12, 2012**

Members Present:

Steve Bench, Chairman/Zoning Administrator
Chris Breinholt, City Engineer
Shawn Warnke, City Manager
Paul Fulgham, Public Works Director
Linsey Nessen, Deputy Recorder

Chairman Bench called the Land Use Authority Board Meeting to order at 9:03 a.m. The meeting was held December 12, 2012, in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Steve Bench, Engineer Chris Breinholt, Manager Shawn Warnke, and Director Paul Fulgham were in attendance. Director Marc Christensen was excused.

1. Approval of agenda:

Motion by Director Fulgham to approve the December 12, 2012 agenda. Motion seconded by Engineer Breinholt. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye, and Director Fulgham – aye. Motion approved.

2. Approval of minutes: December 5, 2012

Director Fulgham was not in attendance at the December 5, 2012 meeting but stated that all utilities on the Sadler's property are their responsibility to maintain. The City will only be responsible for the water meters themselves. Motion by Engineer Breinholt to approve the minutes of December 5, 2012. Motion seconded by Manager Warnke. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye, and Director Fulgham – aye. Motion approved.

3. New Business:

a. Discussion of possible land purchase from the City at 945 North 2000 West – West Liberty Foods

Manager Warnke stated that the City's current ordinance requires that when the City Council considers the disposal of real property that it first comes to the Land Use Authority Board for a recommendation and a classification of whether the property is significant or insignificant real property. If the property is deemed to be significant real property, the City Council must hold a public hearing. If the property is deemed insignificant real property, no public hearing is required. The criteria for significant real property states that "other factors in which the real property serves or likely serves a public purpose or a purpose protected by public

policy.” The public purpose for this property has always been the future location of the City’s Fire Department and as such, Manager Warnke recommended it be classified as significant real property.

Manager Warnke stated that West Liberty Foods is proposing to acquire two acres from the City for employee parking and that he has spoke with Fire Chief Steve Batis, who believes that the remaining 2.65 acres is more than enough land for the City’s Fire Department. Mr. Brandt King from King Farms Trucking inquired originally about purchasing this land from the City to build a warehouse that would be interconnected to West Liberty Foods, rather than having to cross the public right of way. When Mr. King inquired about it, he spoke with the City Council, who were not inclined to consider the disposal of the property at that time.

Manager Warnke stated that the City is working on new ordinances so if the City Council decided to dispose of this property, the new ordinances would come into play for the parking, which would require landscaping. Manager Warnke asked if the Board was in agreement with the landscaping requirements. Engineer Breinholt asked if there are any provisions in the landscaping code for manufacturing areas. Manager Warnke stated that he will review the landscape ordinance.

Motion by Manager Warnke to recommend to the City Council that they consider the disposal of the two acres, of the existing 4.65 acres of property, that the City owns and classify the property as significant real property for the purpose of the City Council conducting a public hearing. As part of the recommendations of disposal, a future site plan will be required to evaluate and address such issues as drainage, buffering, and landscaping requirements which will need approval from the Land Use Authority Board, and that the final configuration of the property that would be disposed of will be regular in shape, extending down to the Christensen’s property and straight across so as not to create any gaps. Motion seconded by Director Fulgham. Vote: Chairman Bench – aye, Engineer Breinholt – aye, Manager Warnke – aye, and Director Fulgham – aye. Motion approved.

b. Discussion of incomplete subdivisions

Manager Warnke stated that the Board discussed in a previous meeting about going to the City Council at some point to discuss what to do about these incomplete subdivisions and that the meeting on January 15, 2013 would be a good time to update the Council and get some direction and recommendations from them.

Chairman Bench stated that Archibald Estates Phase E and F still need chip seal and Phase G still needs the pond completed. Chairman Bench stated that he has

spoken with Mr. Greg Rose and he has stated that he will be completing it. Director Fulgham stated that it hasn't been completed yet. Garfield Subdivision still needs chip seal. Cloverfield Subdivision Phase 2 is being purchased by Mr. Jay Stocking. Heritage Estates got the sewer and collars all in but Phase 3, 4, and 5 still need chip seal. Holmgren Estates East Phase 1, 2, 3, 7, and 8 need chip seal. Director Fulgham stated that they have laid asphalt in Phase 3 of Holmgren Estates East. Pheasant Run did chip seal and the sidewalks in front of the homes should be put in next summer. Engineer Breinholt will send the final review to Chairman Bench. River Valley Estates Phase 5 needs collars and Mr. Jay Stocking has spoke with Chairman Bench about coming in and talking to the Board concerning it. The Board has not heard anything from Sorensen Subdivision. Spring Acres has done chip seal, but they need to do the control box. Tremonton Place still needs to complete chip seal and the pond.

Manager Warnke asked if the Board should send letters out again to the developers of the incomplete subdivisions. Engineer Breinholt stated that the letters aren't working but that another letter can be sent out advising the developers that the City Council is going to discuss their incomplete subdivision and how to proceed at the City Council meeting on January 15, 2013 and invite them to attend. Manager Warnke asked if the incomplete list can also be updated to show which subdivisions have bonds. Engineer Breinholt stated that Chairman Bench will need to get the information to him and then he will update the list. Engineer Breinholt will also send the letters out to the developers inviting them to the City Council meeting. Manager Warnke asked Engineer Breinholt to be in attendance at the City Council meeting and stated that he will also invite City Attorney Dustin Ericson to attend.

- c. Walk ins*

No walk ins.

4. Comments/Reports:

- a. Chairman/Zoning Administrator – Steve Bench

No comments.

- b. City Engineer – Chris Breinholt

No comments.

- c. City Manager – Shawn Warnke

No comments.

d. Public Works Director – Paul Fulgham

No comments.

5. Public comments: Comments limited to five minutes.

No public comments.

6. Adjournment:

Motion by Engineer Breinholt to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 9:48 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 prepared by Linsey Nessen.

Dated this 9 day of January, 2013



Darlene S. Hess, RECORDER

*Utah Code 52-4-202, (6) allows for a topic to be raised by the public and discussed by the public body even though it was not included in the agenda or advance public notice given; however, no final action will be taken.