

Mayor Sue Bybee

UINTAH CITY COUNCIL MEETING

Planning – Gordon Cutler

Council Members:

TUESDAY, March 12<sup>th</sup>, 2013

Building Inspector-Brent Stuart

Don Pearson

Heidi Flitton

7:00 PM

Treasurer – Mike Ulrich

David Boothe

MINUTES

Sheriff – Lt. Burns

Fire Chief – Mike Marz

Attendees: Dave Boothe, Don Pearson via-teleconference, Heidi Flitton, Mayor Bybee, John Allen, Glen & Lori Woolsey, Millie Tesch, Gordon Cutler, Crystal Western, Carolyn Laird, Scott Dixon, Dane Larsen, Dean Larsen, Sara Dye, Scott Kendell, Brent Stuart, Josh Falslev, S. Reinfort, Patti Sawyer, Jerry Smith and Darinda Wardell.

## MEETING MINUTES:

1. **MEETING CALL TO ORDER:** By Mayor Bybee; Don Pearson is joining via telephone.

**PLEDGE OF ALLEGIANCE:** Lead by Lori Woolsey

**CONFLICT OF INTEREST:** Council members are required by law to file a public disclosure statement with the City Recorder listing business interests and investments that could create a conflict of interest with the duties of the Council Member. When a matter in which a Council member has a business or investment interest appears on the Council agenda, the Council member must publicly disclose that interest. Mayor Bybee asked the Council if they had any conflicts of interest; there were no conflicts.

2. **APPROVAL OF CITY COUNCIL MEETING MINUTES HELD MARCH 5<sup>TH</sup>, 2013:** (00:01:08)

Presenter: Mayor Bybee

- Dave Boothe motioned to approve the minutes for March 5<sup>th</sup>, 2013.
- Seconded by Heidi Flitton
- Mayor Bybee asked if there was any discussion on the motion; there was none.
- All in favor; the motion passed.

3. **DISCUSSION/ACTION ON CITY COUNCIL VACANCY AND NOTICE:** (00:01:24)

Presenter: Mayor Bybee

- Mayor Bybee stated she was officially accepting the resignation of Councilmember Lee Wohlgemuth; this does not require a vote.
- Lee resigned for personal reasons.
- The notice will go out with the utility bills and closes April 15<sup>th</sup>, 2013.

4. **DISCUSSION/ACTION ON ZONING:** (00:02:40)

Presenter: Mayor Bybee

- This was going to be a work session; with the resignation we changed the meeting to a regular Council meeting. We have asked the Planning Commission to be here tonight to review and to advise on zoning.
- The Council and Planning Commission reviewed and discussed the different zoning districts for residential uses, agricultural uses, commercial uses, signs and civic uses.
- Mayor Bybee wanted to get the input from the Council and the Planning Commission as to what they wanted to allow or not allow within the different zoning districts to help clarify and update our zoning ordinance.
- A public hearing will be held to get the public's input and clarifications prior to approval of the zoning ordinance revision.

5. **OTHER BUSINESS:** (01:40:03)

- None

6. **PUBLIC COMMENT (2 minutes per person):** (01:40:15)

- John Allen – “The only thing I wanted to say is I want to take a moment and thank Lee Wohlgemuth for his service to the City. Lee was in retirement and came out of retirement to help with the City, and I commend him for that. I know he is not here, but possibly he will read these minutes. I want to thank him personally for staying after Council meetings answering questions I had. I would also like to say that just interfacing with him and the rest of the council started me to become more involved in the community. That is part of the reason I did the volunteer project. I just wanted to wish him the best in retirement I know many people may not have agreed with his opinions but that is part of the job and I felt that Lee did a fairly good job in what he did”.
- Dane Larsen – “thank you all for your work here, just observing, not knowing really much about how zoning works and stuff, but I see questions arising, that I won't ask but want council to think about. I feel

like it is encroachment on my private property. One of my dreams is to build a detached garage so I can take care of my parents, as you call it, a mother in law home, times are getting tough maybe I need to turn my barn into a place I can take care of my family. I grew up in a family with nine kids, to be limiting the size of families we can have, I caution, lets error on the side of private property that's what it is so we are not hurting our neighbors or anything like that. I'd like to see a little bit more freedom in that. I work hard for my land and property. It is your job to help me keep it that way. I appreciate all you do. Thank you".

- Dean Larsen- "What I have to say in philosophical is nature, there's no way I could read what you are reading, it is like Obama Care to me, that's a pretty big stack, there is no way to get into the details. It seems like there is more government with this today, if we pass what has happened here, the government got bigger today. I heard the word more regulations, more enforcement, more rules, I heard that a lot today and that's a little discomfoting to me. We already have a ton of rules we are inundated with so many laws and we just got more today. So I would caution you on that as well, we don't need more, we need less laws. I think we go back to what our principles of freedom are, let people decide for themselves what their property should do, what we can and cannot do I cannot believe how stringent these rules are, you can have three kids but not four, you can have a yellow house but not a pink house. I know, it's not that crazy but that is what it is coming to. Just because you like the color blue and I don't, it doesn't mean that I should have any right to tell you what color your house should be. I know that is not what it is now, but that is what it is coming to. So please, please I beg you to let the individuals have their freedom, let them decide what they want to do with their property as long as they are not hurting somebody else. I think it's not really up to the government to decide if you have an RV, and somebody doesn't like it. We already have really strict nuisance ordinances, we already have them, and so if somebody were to do something against that you already have that rule. You don't have to cite every little thing that a private citizen should do. I think instead of this trend of more government, it is my opinion that we need to start cutting back a little bit. That is what I am suggesting, I know you have worked hard and I cannot even begin to tell you what some of these zones mean. I don't think you know all of them either, so how can we possible know every single regulation, but it seems like we are way more regulated than we really need to be. People in this town are good people and can decide themselves if it hurts the neighbors then that is when the police come, that's philosophical in nature. Please listen to us when the community comes I hope you will. Thanks".
- Brent Stuart- "My concern was you are trying to mention every specific thing I don't think that is the way zoning ordinance is supposed to be read, I think, for example RE-20 when you read what is included in the zoning, it gives you examples of things that should be included, it isn't a specific long list of what can be in there, it gives examples of what can be in there, same thing is true with the exclusions its examples of samples of things that need to be in there. So we don't need to make it into a 14 page, long list of what can and cannot be, it is trying to convey the idea. First off, when you try to get the whole list in there you are going to miss something and then the question is going to come up what do we do, so then you look at some similar other things. A lot of effort is being spent on specific things when we should be looking at a general idea. When you do look at those general ideas you get how the land is being used now. There are a lot of farms in RE-20 in Uintah. People grow hay to sell, my uncle sold apples for years, you know that is all RE-20. The cemetery exists in RE-20, well the cemetery was in there before RE-20, this building is in a RE-20 don't make another zone just allow civic uses in RE-20 zones. It is a lot easier, don't make it more complicated. Let your nuisance ordinance, let your conditional use permits work for some of the finer details, let the zoning be more general".

**7. MEETING ADJOURNMENT:** (01:47:10)

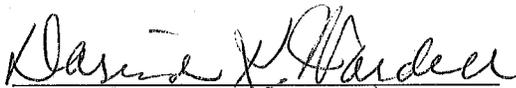
Mayor Bybee motioned to adjourn the meeting.

Seconded by Dave Boothe

All in favor; the motion passed.

The meeting was adjourned.

APPROVED by City Council this 19<sup>th</sup> day of February, 2013.



DARINDA K. WARDELL, City Recorder