



Mayor Lawrence Flitton

UINTAH CITY COUNCIL MEETING

Planning – Tim Petty

Council Members:

TUESDAY, April 5th, 2016

Building Inspector-Jeff Monroe

Michelle Roberts

Gordon Cutler

Treasurer – Mike Ulrich

Jerry Smith

Greg Johnson

**7:00 PM
MINUTES**

Sheriff – Lt. Talbot

Fire Chief – William Pope

Attendees: Mayor Flitton, Gordon Cutler, Greg Johnson, Jerry Smith, Michelle Roberts, William Pope, Nate Hadley, Gary Worthen, Millie Tesch, Dave Tesch, Sue Bybee, Andrea Hoyle, Daniel Hoyle, Blake Parrish, Lynn Rindlisbacher, Tim Petty, Patti Sawyer, Julie Brown, Matt Jensen, Kim Rindlisbacher and Darinda Wardell.

MEETING MINUTES:

1. MEETING CALL TO ORDER: Mayor Flitton

PLEDGE OF ALLEGIANCE: Led by Mayor Flitton

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 Flitton asked the Council if they had any conflicts of interest with tonight's agenda; there was none.

2. PUBLIC COMMENT (2 minutes per person): (00:00:49)

- None

3. APPROVAL OF CITY COUNCIL MEETING MINUTES HELD MARCH 15TH, 2016: (00:01:23)

Presenter: Mayor Flitton

- Mayor Flitton asked if there were any questions on the minutes.
- Michelle Roberts motioned to approve the City Council meeting minutes from March 15th, 2016.
- Seconded by Gordon Cutler
- All in favor; the motion passed.

4. PLANNING COMMISSION REPORT TO COUNCIL FROM MARCH 22ND, 2016 MEETING: (00:01:44)

Presenter: Tim Petty

- Tim Petty reported on the work session and regular meeting held March 22nd.
- Work Session: Discussion on Uintah City Ordinance No. 231-16; an ordinance amending Title 9 Chapter 17 Section 3 of the Uintah City code, relating to Classification of Signs.
- The sign ordinance was discussed
- Meeting: PUBLIC HEARING: Discussion on a preliminary plat application on a subdivision for Timberlake Investment LLC (Jeffrey Holden) & DVJRJ LLC (David Bierer); DJ Estates located at approximately 6650 S. 2275 E.
- Michelle Loveland wanted to know how many lots were being developed.
- PUBLIC HEARING: Discussion on a preliminary plat application on a subdivision for Elaine & George Penrod; Elaine Dye Penrod Property located at 6574 S. 2275 E.
- Brett Kendell inquired about what the plans were.
- PUBLIC HEARING: Discussion on a preliminary plat application on a subdivision for Charles Rawlins located at 6465 S. Combe Rd.
- Lewis and Judith Vreeland were concerned about their access to secondary water.
- Discussion/Action on a preliminary plat application on a subdivision for Timberlake Investment LLC (Jeffrey Holden) & DVJRJ LLC (David Bierer) ; DJ Estates located at approximately 6650 S. 2275 E.
- After discussing this application the Commission decided to table this agenda item pending the following changes that need to be made on the plat:
 - 80 foot frontage offset from 2275 E.
 - Flag portion needs to be 20,000 square feet not including the staff.
 - 80 foot frontage needs to be reached within 170 feet from 2275 E.
- Discussion/Action on a preliminary plat application on a subdivision for Elaine & George Penrod; Elaine Dye Penrod Property located at 6574 S. 2275 E.
- After discussing this application the Commission decided to table this agenda item pending the following changes that need to be made on the plat:
 - The secondary easements need to be marked on the plat.
 - We need the approval letter from the Health Department for the drain field.
 - The Fire Department needs to do more research on the grids and fire hydrants.
- Discussion/Action on a preliminary plat application on a subdivision for Charles Rawlins located at 6465 S. Combe Rd. This item was tabled until clarification is received from the Health Department on the drain field.
- Discussion/Action on Conditional Use Application #2016-0196 for John Svitak; Industrial Equipment Leasing located at 1731 E. 6750 S., Uintah. CUP was approved with a five year review date. Applicant must get a fire inspection and business license.
- Discussion/Action on preliminary plat application for a flag lot for Doug Crofts; Teena Crofts Trust located at approximately 6778 S. 2125 E., Uintah. This item was tabled until April 26th, per applicant's request.
- Discussion/Action on Uintah City Ordinance No. 229-16: Chapter 1 of the Uintah City code, relating to Business License Provisions. A motion was made to recommend changes the Commission had made to the ordinance to the City Council.
- Discussion/Action on Uintah City Ordinance No. 230-16: An ordinance amending Title 9; Chapter 9 Article A; Commercial C1 District; Title 9; Chapter 9 Article B; Commercial C2 District; and Title 9 Chapter 13 Section 2

Conditional Use Permit Required of the Uintah City Code. A motion was made to recommend the revised version as proposed by Tim Petty to the City Council.

- Discussion/Action on Uintah City Ordinance No. 231-16; An ordinance amending Title 9 Chapter 17 Section 3 of the Uintah City code, relating to Classification of Signs. A motion was made to recommend to the City Council a class 6 sign with a height limitation of 35 feet from the center line of the access road, with a maximum square footage of 250 feet.
- Commissioner's Responsibility reports and follow-up from previous meeting.
- CUP's- Robert Guiller- Tim and Robert met with the Thurgood's who were approved for a two month kennel license during the last meeting, the Commission wanted the Thurgood's to know the kennel license is not necessarily going to be approved for an extended period of time. The Commission needs to evaluate the requirements.
- Nuisance- Todd Burton- The situation on the west side of the City is not being resolved, Michelle Roberts plans on doing a letter and the City Council is looking into options. There has been discussion on doing a survey of the city for nuisance violations and sending letters. Since the City handles nuisance by complaints, it results in out of control residents that have neighbors that don't want to complain. Glen Woolsey suggested studying the ordinance and doing a checklist for every property. Glen believes cars are the worst offense.
- Tim Petty reported he is trying to build a committee to work on the general plan; the current committee is from too localized area of town. Tim would like to do a kick off meeting in two weeks. Please let him know if you know anyone that would be interested. He wants biased individuals to share their opinion.
- Greg Johnson commented that Tim did a great job with the busy meeting especially with the person on the plat design on a flag lot. The resident appreciated his feedback.

*****PUBLIC HEARING*****

- Greg Johnson motioned to close the regular City Council meeting and open the Public Hearing to discuss amending Title 3 Chapter 1 of the Uintah City Code; relating to business license provisions.
- Seconded by Gordon Cutler
- All in favor the motion passed.

5. DISCUSSION ON AMENDING TITLE 3 CHAPTER 1 OF THE UINTAH CITY CODE; RELATING TO BUSINESS LICENSE PROVISIONS: (00:05:24)

Presenter: Mayor Flitton

- Kim Rindlisbacher from Scenic Development stated that he had not seen a draft copy of the ordinance and after the last Planning Commission meeting he felt like we were on an unwind. They want to be good neighbors; they have concerns about the level of control and always being in the mercy of someone else. We are the only commercial development left in the City. When we started this we wanted multi-family dwellings and had to back away from those. We need to have a clear path with conditional uses so we know how to market the lots. We need to get going with this and pipe the stream by June 1st because of a protected bird; we don't want to lose our momentum. We appreciate the time and efforts with this; we feel it is a great location and revenue generator. We do need to have seventy five feet to the top of the sign from the base to compete with others in the area.
- Lynn Rindlisbacher from Scenic Development stated that he had two to three things to add to what Kim had said. They are working with Weber County on the septic systems; they have completed the perc tests and are finishing up with their requirements. We do need to have an engineer who knows the rules conduct a traffic study because we want the intersection to function properly. The gas station will need to have a drive through; this is a must. We are building a six unit building for light industrial manufacturing, offices in the front warehouse in the rear. The last thing we are committed to working with pathways and UTA.
- Joe Florence – stated that he is the agent marketing for Scenic Development and he asked if he could say something about the sign restrictions. Mayor Flitton granted him a minute. Joe Florence recommended a reader board sign. He also stated that they needed the 78 feet sign to be able to compete with the Maverick.

*****CLOSE PUBLIC HEARING*****

- Greg Johnson motioned to close the public hearing and reopen the regular City Council meeting.
- Seconded by Gordon Cutler
- All in favor; the motion passed.

6. DISCUSSION/APPROVAL ON ORDINANCE NO. 229-16 ; AN ORDINANCE AMENDING TITLE 3; CHAPTER 1 OF THE UINTAH CITY CODE; RELATING TO BUSINESS LICENSE PROVISIONS: (00:20:20)

Presenter: Mayor Flitton

- Mayor Flitton asked Tim Petty if the Planning Commission had any other recommendations for this ordinance relating to business license provisions.
- Tim Petty stated that they were fine with this ordinance; they had no other recommendations.
- Mayor Flitton asked the Council if they had any comments or suggestions.
- Greg Johnson stated that we need to change 3-1-3(c) to Conditional Use Permit Required as per: Ord #230-16 Title 9-9A-4; and remove the rest of C number 1-4.
- Michelle Roberts motioned to approve ordinance No. 229-16; an ordinance amending Title 3; Chapter 1 of the Uintah City Code; relating to business license provisions with the proposed amendment.
- Greg Johnson seconded the motion.
- All in favor; roll call; Jerry – yes; Michelle –yes; Mayor – yes; Greg – yes; Gordon – yes.
- The motion passed.

7. DISCUSSION/APPROVAL ON ORDINANCE NO. 231-16 ; AN ORDINANCE AMENDING TITLE 9; CHAPTER 17; SECTION 3 OF THE UINTAH CITY CODE; RELATING TO CLASSIFICATION OF SIGNS: (00:28:00)

Presenter: Greg Johnson

- Tim Petty reviewed the recommendation from the Planning Commission for class 6 signage. They recommend 35 feet from the centerline of the adjacent roadway and one sign with a maximum area of 250 square feet.
- Tim Petty reviewed with the Council the photos of the signage in the surrounding area with measurements showing that 35 feet was common and adequate.
- Greg Johnson reviewed with Tim and the Council the photo of the sign Scenic Development gave him asking for 75 feet from the elevation of Hwy 89.
- Greg then reviewed with the Council Weber County Code for C-1, C-2 and C-3 signs. He reviewed the exceptions for a freeway orientated sign that allows for 65 feet. He felt like we should go along with Weber County only pertaining to property adjacent to the highway.
- Tim stated Weber County's code was for the freeway; 35 feet would be fine for along Hwy 89. The blue signs on the freeway direct them to where to exit for services. The Planning Commission agrees we need the revenue and we want to see Scenic Development be successful; we just feel that 35 feet along Hwy 89 is adequate.
- Michelle Roberts thanked Tim and the Planning Commission for all their time and research they put into this sign issue; she really appreciated their efforts.
- Mayor Flitton stated that the core business keeps the lights on and the traffic from the freeway is the profit. The large sign needs to be closer to the freeway; while further north a 35 foot sign might work.
- Greg Johnson stated regardless of what we decide we appreciate the Planning Commission's point of view.
- Tim Petty replied we make the recommendations you guys have to make the law and we realize you are not always going to do just exactly what we recommend.
- It was then discussed rewriting the ordinance to allow a 65 foot sign be allowed no more than 800 feet from the centerline of I-84 and at least 200 feet east of any RE20 zone.
- Greg Johnson motioned to table this until the next meeting to allow time to rewrite the ordinance with the discussed changes.
- Jerry Smith seconded the motion.
- All in favor; the motion passed. This agenda item will be on the April 19th agenda.

8. DISCUSSION/APPROVAL ON ORDINANCE NO. 230-16; AN ORDINANCE AMENDING TITLE 9; ARTICLE A AND ARTICLE B OF THE UINTAH CITY CODE; RELATING TO COMMERCIAL USES: (01:06:05)

Presenter: Greg Johnson

- Greg Johnson reviewed with Tim Petty the recommendations from the Planning Commission for Title 9 with the Council; after considerable discussion the following amendments were made to the ordinance:
 - Remove 9-9A-2 Commercial Development over one acre. (Renumbering the rest of the sections).
 - On permitted uses; remove the reference to without drive through on banks, credit unions, financial institutions and dining establishments.
 - Remove all except the following from conditional uses to permitted uses:
 - Christmas tree sales which may not be opened prior to November 15 and may not operate after December 31st
 - Entertainment, amusement and recreational activities
 - Solicitors (Before beginning work within the city, all solicitors must register with the city recorder and receive a registration certificate)
 - Temporary uses as approved by the planning commission that do not exceed ninety (90) days in length.
 - Tents for assembly occupancies for special events as approved by the planning commission that do not exceed thirty (30) days in length. (Ord. 199-07, 12-18-2007)
 - Remove 9-9B-2 Commercial Development over one acre. (Renumbering the rest of the sections).
 - 9-13-2(A) – Conditional use required: Remove for all commercial site development.
- Mayor Flitton commended Tim Petty and the Planning Commission for everything they have accomplished since Tim was appointed.
- Greg Johnson motioned to approve ordinance No. 230-16; an ordinance amending Title 9; Article A and Article B of the Uintah City Code; Relating to Commercial Uses as identified and amended.
- Michelle Roberts seconded the motion.
- All in favor; the motion passed.

9. DISCUSSION/APPROVAL ON ORDINANCE NO. 232-16; AN ORDINANCE AMENDING TITLE 9; CHAPTER 2 SECTION 1 AND TITLE 9; CHAPTER 10 SECTION 11; RELATING TO CUL-DE-SACS: (01:28:00)

Presenter: Greg Johnson

- Greg Johnson motioned to approve ordinance No. 232-16; an ordinance amending Title 9; Chapter 2 Section 1 and Title 9; Chapter 10 Section 11; relating to cul-de-sacs.
- Gordon Cutler seconded the motion.
- All in favor; roll call; Jerry – yes; Michelle –yes; Mayor – yes; Greg – yes; Gordon – yes.
- The motion passed.

10. DISCUSSION/APPROVAL ON RESOLUTION NO. 16-0405-CEM; A RESOLUTION OF THE UINTAH CITY COUNCIL AMENDING, ADOPTING, AND SETTING FEES FOR THE UINTAH CITY CEMETERY: (01:29:12)

Presenter: Jerry Smith

- Jerry stated that we want to be able to plant memorial trees along the east fence from the north to the south; we have room for maybe twenty trees.
- We just need to amend the resolution to include the cost of the tree and memorial stone; we will order both and install both at the cost of \$350.
- Jerry Smith motioned to approve resolution no. 16-0405-CEM; a resolution of the Uintah City Council amending,

- adopting and setting fees for the Uintah City Cemetery.
- Gordon Cutler seconded the motion.
- All in favor; roll call; Jerry – yes; Michelle –yes; Mayor – yes; Greg – yes; Gordon – yes.
- The motion passed.

11. DISCUSSION/APPROVAL ON UINTAH CITY MISSION STATEMENT REQUIRED FOR RAMP GRANT APPLICATIONS:
(01:31:09)

Presenter: Mayor Flitton

- Mayor Flitton stated that every business needs a mission statement; we need to adopt one to apply for RAMP funds.
- The Council reviewed the submitted examples of mission statements and concluded that the following; submitted by the Mayor was the best suited for us.
- We are a family orientated community, founded upon principles of accountability and integrity, while preserving the quality of life for future generations.
- Jerry Smith commented that he thought we should get the citizens comments and U-Day might be the best time to have a contest of sorts to involve the community.
- Greg Johnson motioned to approve the mission statement submitted by the Mayor.
- Jerry Smith seconded the motion.
- All in favor; the motion passed.

12. COUNCIL COMMENTS: (01:42:00)

- None

13. CITY COUNCIL DEPARTMENT REPORTS: (01:42:29)

PARKS & RECREATION; BUILDINGS; ROADS – GORDON CUTLER

- Gordon reported that he wanted to let the Council know that Nate has requested we put a gate at the City Shop to secure the lot. Funds will be used from the water, cemetery and streets funds.
- **WATER; GARBAGE; EMERGENCY PREPAREDNESS; PLANNING COMMISSION – GREG JOHNSON**
- **ANIMAL CONTROL; CTC; NUISANCES; WEBER COUNTY TRAILS – MICHELLE ROBERTS**
- **CEMETERY; EAGLE PROJECTS; U-DAY; RAILROAD RELATIONS – JERRY SMITH**
- **STORM WATER & FLOODPLAIN; GRANTS; FIRE DEPARTMENT– MAYOR FLITTON**

14. MEETING ADJOURNMENT: (01:43:54)

Greg Johnson motioned to adjourn the meeting.

Seconded by Gordon Cutler

All in favor; the motion passed. The meeting was adjourned.

APPROVED by City Council this 19TH day of April, 2016.



DARINDA K. WARDELL, City Recorder