



COALVILLE CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the Coalville City Council will hold its regularly scheduled City Council Meeting on **Monday, August 14, 2017**, at the Coalville City Hall located at 10 North Main Street. The meeting will start at **6:00 P.M.** The agenda will be as follows:

1. Roll Call
2. Pledge Of Allegiance
3. City Council Agenda Items:
 - A. Continued Consideration Of Petition Of Annexation
 - B. Public Works Updates – Zane DeWeese
 - C. Community Development Updates – Shane McFarland
 1. Business Licenses
 - D. Legal Updates – Sheldon Smith
 - E. Mayor's Updates
 - F. Council Updates
 - G. Executive Session
4. Review And Possible Approval Of Accounts Payable
5. Review And Possible Approval Of Minutes
6. Adjournment

Coalville City reserves the right to change the order of the meeting agenda as needed.


Nachele D. Sargent, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during these hearings should notify the City Hall at least three days prior to the hearing to be attended.

Posted: August 11, 2017 City Hall, Utah State Website

Mayor
Trever Johnson

Council
Adrienne Anson
Cody Blonquist
Arlin Judd
Rodney Robbins
Tyler Rowser

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Coalville City Council
Regular Meeting
HELD ON
August 14, 2017
IN THE
CITY HALL

Mayor Trevor Johnson called the meeting to order at 6:05 P.M.

MAYOR AND COUNCILMEMBERS PRESENT: Mayor Trevor Johnson
Councilmembers: Cody Blonquist,
Adrienne Anson, Tyler Rowser, Arlin Judd,
Rodney Robbins

CITY STAFF PRESENT:

Sheldon Smith, City Attorney (Excused)
Derek Moss, Planner
Zane DeWeese, Public Works Director
Nachele Sargent, City Recorder

PUBLIC IN ATTENDANCE:

Mike Crittenden, David Wilde, Michael
Brown, Camellia Robbins, Kent Garfield,
Linda Vernon, Mel Brown, Dusty France,
Mike Judd, Jim Blonquist, Kathy Milliner,
Ken Brown

Item 1 – Roll Call:

A quorum was present.

Item 2 – Pledge of Allegiance:

Mayor Trevor Johnson led the Council, Staff, and Public in the Pledge of Allegiance.

Item A – Continued Consideration Of Petition Of Annexation:

Derek Moss stated JUB Engineers Inc. took on the task to evaluate the initial petition and the properties involved and included the other parcels of interest based on the discussion from the Council at the last meeting. He presented a map (Exhibit A) that showed both areas. He stated he and Shane McFarland had worked with the petition sponsors to capture all the parcels which were outlined in orange and the properties outlined in green were the proposed additional properties to be included in the petition. Derek stated the black line was the proposed annexation boundary to include entire parcels and the red line was the current annexation boundary. He stated in the entire area, both orange and green, the majority of the land would be 77% which was a requirement. The other requirement was 1/3 of the market value. He stated they were still determining if that

meant the taxable value or market value. If it was market value, they would have 37%. If it was taxable value, they had 23% and were within \$300,000 of the requirement. Derek stated the process would be to accept the petition for further consideration or deny the petition. He stated if it was accepted, then it kicked off the process to determine whether it met all the requirements for annexation. That process had to be completed within 30 days. If it met the requirements, the City would do one notice each week for three weeks for public comment. The notice would be published and also sent out to the property owners within the annexation area and property owners within 300 feet of the proposed properties. During that time, the annexation map would go to the Planning Commission for review to determine the appropriate Zoning areas for recommendation to the Council. A final public hearing would be held to accept the petition. Councilmember Tyler Rowser questioned if they would be jumping the gun if they accepted the petition tonight as they needed to adjust the Annexation Declaration area. Derek stated that could be done at the same time. Mike Crittenden stated their group met and decided their petition was all they were willing to do. He stated he had been contacted by several large land owners to be included and some homeowners. Mayor Trever Johnson stated this wasn't a public hearing, but he would like to discuss some issues and receive input from the people in attendance. He stated when the idea came up originally, he was for it and excited about giving people more opportunity to grow as Coalville needed the growth. He also agreed with their desire to have more control and be out from under Summit County. Mayor Johnson questioned what the benefit was for Coalville City when there may be a big demand on the infrastructure. He stated with his research he had found that a commercial zone or tax base was needed and that was the biggest hiccup for him and that concern needed to be addressed. He stated the annexation needed to be an asset and not a burden on the City.

Kathy Milliner – Proposed Annexation Property Owner

Kathy Milliner stated she was surprised by the Mayor's comment of needing something Commercial over Residential. She stated she had done development in many other States and areas and typically Residential property was preferred by a smaller City because of the increase in the tax base. She questioned why he would prefer Commercial over Residential. Mayor Trever Johnson stated from his research straight Residential property did not sustain itself. He stated the tax base generated from Residential property didn't meet all the needs and demands required like snow removal, road maintenance, infrastructure, etc. He stated there would be sales tax generated from Commercial use. He wasn't saying the whole thing needed to be Commercial, but there needed to be a comprehensive plan to make sure this was a success. Mayor Johnson stated he felt he had an obligation to provide that for the people that lived here. Kathy Milliner stated she respectfully disagreed with the findings from his research. She stated she had seen that Commercial typically didn't pull its weight as the sales tax received wasn't great enough to offset the property tax received from Residential property. Councilmember Tyler Rowser stated in Utah a primary Residence was taxed less than a Commercial business.

Kathy Milliner stated it would depend upon the size of the Commercial venture. A small little business would be taxed less than a Residential property. Jim Blonquist stated Commercial real estate had a higher tax value plus it brought in sales tax. Kathy Milliner agreed and stated it could even out if it brought in enough sales tax.

Kent Garfield – City Resident

Kent Garfield stated he worked as an appraiser for the County for 12 years and Residential properties were tax at .60% where a business was at 1.00% so there was a difference. He agreed Residential didn't carry and pay for itself. He stated it never had.

Mike Brown – Proposed Annexation Property Owner

Mike Brown stated they were drawn in and a boundary was made around their property when the City did their Annexation Declaration map. He stated they did not petition or ask to be drawn within that boundary. He stated they made application to come in based on the City annexation boundary and wanted that to be clear. Mike Brown stated they were not proposing to come in with any preconceived development plan, Commercial or Residential, but was planning on coming in as currently Zoned in the annexation boundary. He stated he wasn't sure why Residential or Commercial was an issue as they were bringing property into Coalville City which would go through a process where the City would master plan for what would be appropriate in those areas. Mr. Brown stated they had made application to come in as currently Zoned and the City residents needed to be aware of that. If they were brought in, there would be a process to determine anything for the future. Mike Brown stated he wasn't coming in because of Zoning and Planning, but was coming in because of representation. He stated Zoning and Planning was a fluid concept and would be discussed and debated no matter what entity they were part of. He personally believed they didn't have any representation on this side of the valley and believed this gave Coalville the opportunity to expand and have a better form of representation. Mr. Brown stated everyone wanted to have more Commercial, but no one would be willing to invest in a Commercial venture without a current local community to support it. He stated that would have to happen simultaneously in a master plan with the goals of the City. He didn't think they could be separated. Mayor Trever Johnson acknowledged the fact the load and demand on the City would happen in the future as there wasn't a lot of houses waiting to be connected to the infrastructure. He stated it sounded like the avenue to satisfy his concerns would be managed as the property went through the process of a Master Plan and Zoning. Mike Brown stated he was looking at it as a long term process. The footprint for Coalville was very small and the borders of Coalville City would be changing whether or not the City did. As the County grew and changed, the City could find they were landlocked from the opportunity to grow. He stated if you took the faces off of the applicants and looked at how the City could benefit by expanding their footprint with no real guarantees up front on anything, it would give them the ability to control what would be happening on the borders of the

City instead for reacting to what was coming with the philosophy of Snyderville Basin. He stated whether it changed by coming in to Coalville City or by some other way, it would be changing and they could either change with the philosophy of Snyderville Basin and have to drive and be represented by Park City or with Coalville City and be right here as part of a community in determining what this valley would look like. He stated he felt they were bringing a great opportunity to take control and become what they wanted to be.

Kent Garfield – Second Comment

Kent Garfield questioned what the annexation was bringing to the table besides acreage. He questioned if there was water or any other infrastructure. Mayor Trever Johnson stated they had their own water system and would assume it would be on the table for discussion. Kent Garfield questioned if this group controlled the water. Mike Crittenden stated the group was the largest shareholders in the water company. Mike Brown stated they had their own culinary and secondary water. He stated if any major development took place it would be a negotiation and discussion at that time and the Developer would pay for the infrastructure. He stated sewer was the only thing not provided at this time.

Councilmember Cody Blonquist questioned what the proposed Zoning would be for the annexation property. Derek Moss stated it was based on the County and there was an opportunity for the City to propose a Zone change during the annexation process. Mayor Trever Johnson stated it was his understanding that it adopted the same Zoning as the property it attached to which in this case would be the Parley Brown property. Derek Moss stated the Planning Commission would review what was there now and what made sense for current Zoning and future land use and that was their role. Councilmember Blonquist questioned if the applicants were okay to maintain the current Zoning or would they prefer a higher density. Mike Crittenden stated they were okay with the current Zoning.

Kathy Milliner – Second Comment

Kathy Milliner stated she wanted to respond to the concern of the burden placed on the City infrastructure. She stated she was currently working on an annexation process in an area for 78 acres. She stated with the annexation, they had to pay to bring the water to them including the main line and all the laterals and this was not an unusual process. She stated all the roads needed would have to be paid for by them. She stated it was the Developer and not the City that had the responsibility to provide those services. Mayor Trever Johnson stated he agreed it was the Developer's responsibility to pay, but his issue with burden was the maintenance after all of that was turned over to the City. Kathy Milliner stated there was still the benefit of all of it being new infrastructure.

Mike Crittenden – Applicant Representative

Mike Crittenden stated he wanted to respond to the question of what were they bringing to the table. He stated Coalville City was in the same boat as they were as this side of the valley really had nothing in common with the west side. He stated Coalville was a small City that bordered and was being controlled by people they had nothing in common with. He stated they were bringing the opportunity to grow and work with people that they did have something in common with to shape the future. He stated long term it was in the best interest of the City to expand their border and work with someone that cared about what happened here. He stated whether they thought it was in the best interest of the City or not was the Council's decision to make.

Dusty France – City Resident, Planning Commission Member

Dusty France questioned if the petition was not rejected after the 30 day period, what the process would be going forward. Derek Moss stated a certificate would be issued announcing that it did comply and that would start the three week public notice process with a date for a public hearing. He stated during that time the Planning Commission would be considering the Zoning for the property. He stated at that point the City would decide and make a decision regarding the annexation. Dusty France questioned if this was accepted tonight, was the City setting themselves up for a path of acceptance. He stated unless they had a legal reason to decline the annexation they would have to approve it. He stated he would urge the Council to use caution at this point.

Linda Vernon – City Resident, Planning Commission Member

Linda Vernon questioned what was being proposed as they hadn't seen a copy of the map. She stated she had seen the original proposal and questioned if they were leaving all of the homes along the road out or were they drawing a line to include them. Mayor Trever Johnson stated they had asked for JUB Engineers Inc. to look at what that would include and they had cleaned up the lines to include the homes and that was the map being discussed tonight.

Mike Judd – City Resident

Mike Judd questioned if Hoytsville Road was included in the annexation and if the City would be taking it over for maintenance, etc. Mayor Trever Johnson stated it was included in the annexation map.

Mayor Trever Johnson questioned if the Council wanted to continue with the map proposed tonight. Derek Moss stated they had cleaned up the lines and included the additional parcels based on Council request and the desire to close gaps and the City had the right to do that. He stated the City responded to the original application by including the other parcels in order to avoid any islands or separations or other issues. Derek

stated the City could do that if it met the amount and value of property required. He stated tonight they were considering all parcels to be included in the petition and to amend the Annexation Declaration map. The Mayor and Council continued to discuss the approval process and the options for consideration.

A motion was made by Councilmember Arlin Judd to accept the revised petition and move ahead with the next step for further consideration which would allow for more fact finding and feeling out the application and possibilities there and move on to the process for public comment and input and further opportunities for review.

Councilmember Arlin Judd stated he agreed there was nothing in the petition application that required the City to provide any additional services. He stated they were already on Hoytsville Pipe water and approved septic systems through the County. He stated the City was not obligated to hook them on to the sewer just because they were annexed. Councilmember Judd stated they had annexed the Parley Brown property many years ago and nothing had changed except they were paying taxes to the City. He stated if someone chose to develop a piece of property there would be a lot of requirements for them to meet in order for the City to accept anything. He stated that would be where the City would have the opportunity to determine what would be accepted and what would be required. Mayor Johnson stated the Council was voting whether or not to send this forward to see if it met the criteria. Councilmember Cody Blonquist clarified it was for the new map with the entire block and not the original application map. Everyone agreed.

Councilmember Adrienne Anson seconded the motion. All Ayes. Motion Carried.

Roll Call:

**Councilmember Judd – Aye
Councilmember Anson – Aye
Councilmember Robbins – Aye
Councilmember Rowser – Aye
Councilmember Blonquist – Aye**

Mayor Trevor Johnson questioned who was responsible for the next step. Derek Moss stated it would now go to the City Attorney and the Planning Commission for consideration. Mayor Johnson stated he would make a commitment to make sure all voices would be heard and an intelligent plan would be laid out to benefit Coalville City.

Item B – Public Works Updates – Zane DeWeese:

Zane DeWeese stated the bid had been awarded for the 50 West water project and they expected to start staging sometime this week and would be moving the project along to

be completed as soon as possible. He stated they were trying to arrange the process so there wouldn't be any open trenches left during construction.

Zane DeWeese stated the Contractor for the Force Main should be coming in to start the project by the first of September.

Zane DeWeese stated they were continuing with the road patching and would also be painting the crosswalks.

Councilmember Tyler Rowser stated he thought the buttons on the flashing crosswalk signs may be on the wrong side. Zane stated he would check them out. He stated he had ordered signs to say push button to cross.

Item C – Community Development Updates – Shane McFarland:

Shane McFarland wasn't in attendance tonight. Derek Moss stated he would be doing the updates.

Derek Moss stated there were three business licenses for approval for Kara's Salon, Kara Smith, for a hair salon in her basement which would be a minor home business, Cheerful Cleaning, Shawna Williams, for a minor home business for cleaning at other properties, and AJ's All Seasons Lawn Care, Martin Rodriguez, for a minor home business license for yard maintenance. Derek stated AJ's All Seasons Lawn Care was outside of the City limits and couldn't be approved for a home business. The Council discussed the options and decided to accept the application and stipulate it would be a commercial business.

A motion was made by Councilmember Tyler Rowser to approve the business license for Kara's Salon, Kara Smith; Cheerful Cleaning, Shawna Williams; and AJ's All Seasons Lawn Care, Martin Rodriguez. Councilmember Rodney Robbins seconded the motion. All Ayes. Motion Carried.

Derek Moss stated the City needed to determine if Sheldon Smith would be available to follow through on the annexation process as the City would need legal counsel. Mayor Trevor Johnson stated he would meet with Sheldon and would map out his involvement and agreed the City would need legal counsel. Councilmember Cody Blonquist stated Sheldon had said the Council was the legislative body that made the annexation decision and questioned if they decided to vote against the final approval would a reason need to be provided. Derek Moss stated it was his opinion that they had to show what the justification was in the vote. He stated he didn't know if public opposition was enough. He read from the Code that a reason for rejection must be provided.

Derek Moss suggested as they continued the annexation process to coordinate the meetings or open house with the Planning Commission and so they could be involved.

Item D – Legal Updates – Sheldon Smith:

Sheldon Smith was excused from the meeting tonight.

Item E – Mayor’s Updates:

Mayor Trever Johnson stated the first Phase of the Fairgrounds project did not have the park area. He stated he had met with the NS Rec. Dist., Tom Fisher, and Courtney Richins to try and have a park part of the first Phase even if it was temporary. He stated the County Manager was on board and agreed we needed something and the NS Rec. Dist. was on board to fund it. He stated Courtney Richins agreed to have something in his subdivision to help the project. Mayor Johnson stated if the County didn’t want to give any property for it to happen, Courtney Richins would be willing to contribute some land with is subdivision project to have some playground equipment. He stated he didn’t think there needed to be two big playground areas.

Item F – Council Updates:

Councilmember Adrienne Anson stated she had been thinking about the park area and ways to contribute to get one and she had met someone that had just went through a community fund raiser for a park for their area. She stated they did a “friends of the park” program and had sent out mailers for contributions, did t-shirts for contributors, and a lot of outreach to the public for support and donations. Councilmember Anson stated both she and Councilmember Rowser were on the NS Rec. Dist. board and that money had been promised and unpromised and felt they really didn’t know if it could be used for this project. She stated if it could be used, it would be great, but didn’t know if it would go here because the last plan was to use the money for a field. Mayor Trever Johnson stated he had just been discussing it with the NS Rec. Dist. and they hadn’t brought it to the board yet. Councilmember Adrienne Anson stated she wanted to present this idea for consideration as it would be something doable and special if the City decided to pursue the park option. Mayor Trever Johnson stated the NS Rec. Dist. had received a letter stating they had to use their money or they would lose it. He stated the NS Rec. Dist. had suggested using the funds to put a basketball court in the new multi-use building and they were denied. He stated the Phasing project didn’t have space for a new field and they thought they may be able to use it for the playground area. He stated he had approached Tom Fisher and he was in favor of doing that.

Councilmember Cody Blonquist questioned if the new property owners that would be included in the annexation project had been contacted. Derek Moss stated the City had not contacted them. Councilmember Tyler Rowser stated he would like the Applicants to continue getting signatures if they were being approached by people that wanted to be

included. Derek Moss stated they had been collecting the signatures when contacted and the new people had been included on the annexation map.

Item G – Executive Session:

There was no executive session.

Item #4 – Review and Possible Approval Of Accounts Payable:

The Council reviewed the Accounts Payable for August 2017.

A motion was made by Councilmember Tyler Rowser to approve the Accounts Payable for August 2017. Councilmember Rodney Robbins seconded the motion. All Ayes. Motion Carried.

Item #5 – Review, Discussion, and Possible Approval of Minutes:

The Council reviewed the minutes of the July 25, 2017 meeting.

A motion was made by Councilmember Arlin Judd to approve the minutes of July 25, 2017 as written. Councilmember Rodney Robbins seconded the motion. All Ayes. Motion Carried.

Item # 6 – Adjournment:

A motion was made by Councilmember Adrienne Anson to adjourn the meeting. Councilmember Tyler Rowser seconded the motion. All ayes. Motion Carried.

The meeting adjourned at 7:38 P.M.

Mayor Trever Johnson

Attest:

Nachele D. Sargent, City Recorder

1 inch = 1,000 feet

