




## COALVILLE CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the Coalville City Council will hold an electronic meeting on **Monday, March 23, 2020.** This meeting will begin at **6:00 P.M.** The agenda will be as follows:

1. Roll Call
2. Pledge Of Allegiance
3. City Council Agenda Items:
  - A. Review And Possible Approval Of Ordinance No. 2020-2 An Ordinance To Adopt And Authorize Electronic Meetings For Coalville City
  - B. Consultant Updates
  - C. Public Works Updates
  - D. Community Development Updates
    - a. Business Licenses
  - E. Legal Updates
  - F. Council Updates
  - G. Mayor Updates
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.*

Dated this 20th day of March, 2020.

  
Nachele D. Sargent, City Recorder

**\*\*In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Hall (435-336-5981) at least three days prior the meeting.**

**Mayor**  
Trever Johnson

**Council**  
Cody Blonquist  
Philip B Geary  
Rodney Robbins  
Tyler Rowser  
Don C Winters

Posted: March 20, 2020 City Hall, Coalville City Website, Utah Public Notice Website

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Coalville City Council  
Electronic Meeting  
HELD ON  
March 23, 2020

Mayor Trever Johnson opened the meeting at 6:15 P.M.

**COUNCIL ELECTRONIC:**

Mayor Trever Johnson  
Council: Cody Blonquist, Tyler Rowser,  
Rodney Robbins, Philip Geary  
Don Winters

**CITY STAFF ELECTRONIC:**

Sheldon Smith, City Attorney  
Don Sargent, Consultant  
Zane DeWeese, Public Works Director  
Nachele Sargent, City Recorder

**PUBLIC ELECTRONIC:**

Linda Vernon, Lynn Wood, Doug Porter

**Item 1 – Roll Call:**

A quorum was present.

**Item 2 – Pledge Of Allegiance:**

There wasn't a Pledge Of Allegiance at this meeting.

**Item A – Review And Possible Approval Of Ordinance No. 2020-2 An Ordinance To Adopt And Authorize Electronic Meetings For Coalville City:**

Mayor Trever Johnson explained due to the evolving Covid-19 issues, the City would be holding electronic meetings for City Council Meeting. Sheldon Smith reviewed the ordinance (Exhibit A) and stated Governor Herbert had issued an Executive Order to allow the City to adopt Ordinance 2020-2 at an electronic meeting and had also relaxed some of the formalities including the posting requirements and providing an anchor location for the public. He stated the Public would be able to listen to the meeting and information would be provided to enable that. He stated that any public body like the Planning Commission, etc. would be able to take advantage of the electronic meeting provision.

**A motion was made by Council Member Cody Blonquist to adopt Ordinance 2020-2 An Ordinance To Adopt And Authorize Electronic Meetings For Coalville City. Council Member Don Winters seconded the motion. All Ayes. Motion Carried.**

**Roll Call:**

**Council Member Blonquist – Aye  
Council Member Geary – Aye  
Council Member Robbins – Aye  
Council Member Rowser – Aye  
Council Member Winters – Aye**

**Item G – Mayor Updates:**

Mayor Trever Johnson stated he wanted to encourage everyone to set an example as Community Leaders regarding Covid-19 and the directions from Governor Herbert and the Summit County Health Department with social distancing etc. when possible. He stated he understood there were a number of essential duties that still needed to be taken care of, but as far as their personal lives, he encouraged them to be responsible and take actions to protect themselves and others from exposure to the Covid-19 virus and set the example. He stated it was hard on everyone and if there was anyone that needed help or resources to reach out and let them know of the avenues available to them through the Summit County Health Department. He stated the Summit County Health Department held a meeting daily and he would do some more research to see what help was available.

**Item B – Consultant Updates:**

Don Sargent stated the second Wohali Permitted Use Application was in review and they had held one Work Session in February with the Planning Commission. He stated the main topic for discussion was the number of Nightly Rentals allowed, but nothing had been determined. He stated it made sense to allow some Nightly Rentals as part of the Resort support facilities with the permitted use of the Golf course. He stated they would continue that discussion hopefully with a Planning work session in April. Don stated the Wohali Partners had submitted an additional application for the Golf course grading only. He stated it was an excavation application for grading and contouring for the permitted use of a Golf course. He stated this was a Staff administered application under the Code with the option of being heard by the Planning Commission or City Council. He stated at this point he and Shane McFarland had completed an initial review and provided some feedback to the Applicant for additional information. Don stated he had informed the Applicant if the grading application was approved, it wouldn't have any ties or vesting rights for any additional development on the land. Don stated the Applicant was requesting 303 Nightly

Rentals with the new application and the previous application had 130. Council Member Cody Blonquist questioned what liability the City had to agree to the new request. Sheldon Smith stated he felt the City had some responsibility or legal entitlement to allow Nightly Rentals since the first application was approved with some. He stated they had requested for the Applicant to provide a basis for the number they requested. He stated they had discussed several ideas on how what the baseline should be, but without more information for review it was a difficult decision. The Mayor and Council continued to discuss the options including that Nightly Rentals were considered an accessory use, being able to defend the approval or denial for the number of units, reviewing like uses from other projects, determining the number by the need for success of the project, the previous ratio was 23% of the initial residential units, the Applicant had determined they needed 303 Nightly Rentals to have enough memberships to make the Golf course viable, it was the Applicant's obligation to propose a project that would be viable on its own merits, the need for additional information from the Applicant to justify the number requested, if the City could limit the number of holes for the Golf course, the Applicant was currently requesting only 18 holes and not the 27 from the previous application, the Code didn't have any guidelines for the number allowed, the City didn't have to make the decision based on the economic viability of the project, and the need to recognize and take into consideration the entire previous project of 570 residential units with 130 Nightly Rentals that had already been approved as they didn't need as many Nightly Rentals with the number of residential units proposed to support the Golf course use. Sheldon Smith stated he felt this discussion needed to be curtailed until the Applicant provided more information for review. Mayor Trevor Johnson stated the City needed to be ready to back the decisions made for the number allowed. Sheldon Smith stated under the Code, the Developer had the right to do something with their property under the current Zoning. Mayor Johnson questioned if the City could negotiate the number of Nightly Rentals allowed in return for some type of benefit to the City and suggested working on a compromise that would benefit both parties. Sheldon Smith stated that usually made the best sense for both the City and the Developer. Don Sargent stated he agreed and felt that was where the Planning Commission was headed also by looking at the total package with a scaled down project.

Don Sargent stated he was continuing the work on Phase III of the Code Revisions and was currently working on Parks, Trails, and Open Space, the Hearing Officer and Enforcement. Mayor Trevor Johnson informed the new Council that Don Sargent had been updating the current Code with Phase I and Phase II already approved. Don Sargent stated he was available to answer any questions about the updates.

**Item C – Public Works Updates:**

Zane DeWeese informed the Mayor and Council the City had hired Kyle Clark back to the Public Works Department. He stated he was happy Kyle was back and was looking forward to working with him again. He stated they had been doing a lot of City clean-up and fixing meters. Mayor Trevor Johnson stated he was glad Kyle was back and informed the Council they had been short handed since Drew Robinson left. He questioned what the City was looking at for Spring help. Zane stated he had a few applications in and was just waiting for the weather to break before starting interviews.

Council Member Rodney Robbins questioned if the PSI could be reduced at his home. He stated his pressure was around 100 psi. Zane stated it wasn't possible for the City to put in anything to reduce the pressure there because of the gravity feed from Icy Springs. He stated they couldn't put in a pressure reducer valve for that location without a lot of major changes and substantial money. Zane stated Council Member Robbins could hire a plumber to put something in at his individual home.

**Item D – Community Development Updates:**

Niki Sargent stated there was one business license for approval for Juniper Sage Floral Company, Ashlyn Judd. She stated this was a minor home business at her parent's home at 371 E Border Station Road. She stated there wouldn't be any clientele at this location. It would just be a home office and Shane had recommended approval. Sheldon Smith stated he was working on a business license for Teri Siddoway, but it wasn't ready yet.

**A motion was made by Council Member Tyler Rowser to approve the business license for Juniper Sage Floral Company, Ashlyn Judd. Council Member Rodney Robbins seconded the motion. All Ayes. Motion Carried.**

**Item E – Legal Updates:**

Sheldon Smith stated the Burton/Neena's building had been repaired and it looked really good.

Sheldon Smith stated he had been working on an enforcement action on Antonio Carreno. He stated Mr. Carreno had built a building that didn't meet the setbacks and had several cars parked on the property and was working on them. He stated he had been sent a letter about the violations and he had arranged to meet him, but he didn't show up. Mayor Trevor Johnson stated he had received some noise complaints about him revving the cars up and working on them, etc. Sheldon stated he was ready to start some type of court proceeding and wondered if anyone had any objections to him taking that action. There were no objections. Sheldon stated he would try again to meet with him before taking legal action.

Sheldon Smith stated he was working on a water issue for the Spriggs' family. He stated the City had entered into an agreement to supply some families water when the Brown Well went in. He stated there were some filing issues to take care of the water rights and he was working with Alan Spriggs to get this taken care of.

Sheldon Smith stated Shane McFarland had referred a lighting issue on a new building that was being built. He stated the permit was taken out by Donald Greenhood and the lighting installed on the building was shining outward into other people's homes. He stated he would get in touch with Mr. Greenhood to get the issue resolved.

Sheldon Smith questioned where the NS School District was with their lighting issues. Zane DeWeese stated the School had requested some direction and guidance from the City. He stated he would get with Don Sargent about the Code requirements and get some information for them. Don Sargent stated he would be happy to help with that project. Sheldon Smith stated he would also be happy to help.

**Item F – Council Updates:**

Mayor Trever Johnson stated he was still looking for help with the Memorial Day program. Council Member Tyler Rowser stated he would take on that project. Mayor Johnson asked for Council Member Rowser to reach out to Albert Richins and take the lead on the program. He stated he had someone that could sing the National Anthem. Council Member Phil Geary stated the last couple of years they had focused on someone buried at the Cemetery. He stated he was sure Albert Richins would be able to help with that information. Mayor Johnson stated it was his understanding that Albert Richins would help with the program, but he didn't want to be over it anymore.

Council Member Phil Geary stated they were still working on the Veteran's Memorial Project. He stated Chris Boyer had made arrangements to remove a couple of the trees and start some grading in the Cemetery. Zane DeWeese stated he had met with Chris Boyer in the Cemetery to discuss the tree removal. He stated a couple of the trees were dead and he was okay for what they wanted to remove. He stated they had also discussed removing part of the old fence and they had agreed to preserve that section to be placed somewhere else in the Cemetery. Council Member Phil Geary stated the Granite hadn't arrive yet, but Bott Monument Company would still be able to have it ready in time if it was here a month before Memorial Day. He stated they had also reached out to Big D Construction, Rob Moore, for some help with the concrete. Council Member Geary stated they would also be putting in some sprinkler lines to water away from the Monument and the City wouldn't need to worry about that. He encouraged everyone to reach out to all their contacts to try and get some donations going for the Monument. He stated they

would like enough money to be able to continue the maintenance of this Monument and maybe do something at the other cemeteries and any help would be appreciated.

**Item 4 – Review And Possible Approval Of Accounts Payable:**

The Mayor and Council reviewed the Accounts Payable for March 2020.

**A motion was made by Council Member Phil Geary to approve the Accounts Payable for March 2020. Council Member Tyler Rowser seconded the motion. All Ayes. Motion Carried.**

**Item 5 – Review And Possible Approval Of Minutes:**

The Mayor and Council reviewed the minutes of the February 24, 2020 meeting.

**A motion was made by Council Member Rodney Robbins to approve the minutes of February 24, 2020 as amended. Council Member Tyler Rowser seconded the motion. All Ayes. Motion Carried.**

**Item 6 – Adjournment:**

**A motion was made by Council Member Cody Blonquist to adjourn the meeting. Council Member Tyler Rowser seconded the motion. All ayes. Motion Carried.**

The meeting adjourned at 7:13 P.M.

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Mayor Trever Johnson

Attest:

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Nachele D. Sargent, City Recorder

"Exhibit A"  
Council  
3/23/2020

**ORDINANCE NO. 2020-2**

**AN ORDINANCE TO ADOPT AND AUTHORIZE ELECTRONIC MEETINGS  
FOR COALVILLE CITY**

BE IT ORDAINED AND ENACTED by the City Council of Coalville, Summit County, State of Utah, as follows:

**WHEREAS**, on March 18, 2020 Utah Governor Gary Herbert issued an executive order ("Executive Order") relaxing some of the requirements of Title 52, Chapter 4, Open and Public Meeting Act ("OPMA") to allow for more electronic public meetings; and

**WHEREAS**, Governor Herbert's Executive Order came as a result of federal and state laws and guidelines relating to social distancing and other COVID-19 virus precautions; and

**WHEREAS**, OPMA currently allows public bodies to hold electronic meetings but requires that the public body still have an "anchor location" where the public may physically attend. Under the Executive Order of Governor Herbert, a public body may hold an electronic meeting in accordance with the OPMA but the Executive Order waives the following statutory requirements: 1) Posting written notice at the building where the meeting is to be held, 2) Posting notice at an anchor location, 3) Establishing one or more anchor locations for an electronic meeting; and 4) Providing space and facilities for the public at an anchor location; and

**WHEREAS**, under the Executive Order of Governor Herbert, a public body holding an electronic meeting shall comply with the following: 1) Permit members of the public to monitor (as defined in UCA Section 52-4-103(7)) open portions of the meeting, 2) If public comment is accepted during the electronic meeting, ensure that the public may participate by electronic means, 3) If a public body has not already adopted a resolution, rule or ordinance governing electronic meetings, as required by UCA Section 52-4-207, that the public body adopt that resolution, rule, or ordinance as soon as possible and may do so at an electronic meeting; and

**WHEREAS**, the Coalville City Council desires to adopt an ordinance governing electronic meetings as governed by UCA Section 52-4-207; and

**WHEREAS**, the Executive Order allows Coalville City Council to adopt an ordinance governing electronic meetings at an electronic meeting; and

**WHEREAS**, the Coalville City Council desires to adopt Ordinance No. 2020-2 (the "Ordinance") and recognize, for the duration of the Executive Order, that the Executive Order shall be the governing law and shall supersede the law for those statutory provisions identified in the Executive Order; and

**WHEREAS**, it is contemplated by City Ordinances that the same be reviewed from time to time and improved upon to stay viable and useful to the City; and

**WHEREAS**, the City Council, at a regularly scheduled City Council Meeting, approved the following provisions regarding electronic meetings.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COALVILLE, UTAH ORDAINS AS FOLLOWS:**

## **. Section I**

### **COALVILLE CITY ADOPTION OF ELECTRONIC MEETINGS**

A Coalville City public body may hold an electronic meeting in accordance with the OPMA and incorporates the waiver provisions set forth in the Executive Order, including the following statutory requirements: 1) Posting written notice at the building where the meeting is to be held, 2) Posting notice at an anchor location, 3) Establishing one or more anchor locations for an electronic meeting; and 4) Providing space and facilities for the public at an anchor location.

As set forth in the Executive Order of Governor Herbert, Coalville City will comply with and hereby adopt the enumerated provisions of the Executive Order as follows: 1) Permit members of the public to monitor (as defined in UCA Section 52-4-103(7)) the open portion of the meeting, 2) If public comment is accepted during the electronic meeting, ensure that the public may participate by electronic means.

Coalville City hereby adopts this Ordinance to allow and provide for electronic meetings to be conducted by the Coalville City Council or other Coalville City public bodies and incorporates the requirements set forth in UCA Section 52-4-207 and the Executive Order.

## **Section II**

### **Findings**

The City Council makes the following findings in connection with the approval of this Ordinance: 1) The Ordinance is consistent with the goals, objectives and policies of Coalville City, 2) The Ordinance is consistent with the requirements of Utah law and the open meetings requirements and policies, and 3) The Ordinance will not be detrimental to public health, safety and welfare of Coalville City residents, but will allow Coalville City to provide safety measures and be consistent with laws, policies and guidelines relating to COVID-19 virus precautions.

**Section III**  
**Effective Date**

This Ordinance shall take effect on March 23, 2020.

**PASSED, APPROVED AND ADOPTED** by the City Council of Coalville City, Utah  
this 23rd day of March 2020.

Councilmember Blonquist	Voted:
Councilmember Rowser	Voted:
Councilmember Robbins	Voted:
Councilmember Winters	Voted:
Councilmember Geary	Voted:

ATTEST:

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
Mayor Johnson