



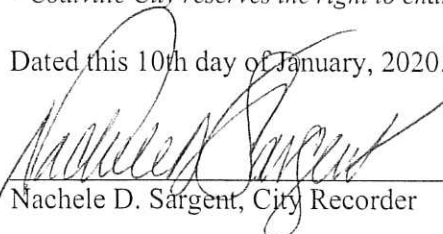
## COALVILLE CITY COUNCIL MEETING NOTICE AND AGENDA

Notice is hereby given that the Coalville City Council will hold its regular meeting on **Monday, January 13, 2020** at the Coalville City Hall, 10 North Main, Coalville, Utah. 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. Recognition Of The Previous City Council
  - B. Oath Of Office For New Council
  - C. Review And Discussion Of The Final Acceptance Of The Black Willow Subdivision Improvements
  - D. Discussion And Appointment Of Planning Commission Members
  - E. Planning Consultant Updates
  - F. Public Works Updates
  - G. Community Development Updates
    - a. Business Licenses
  - H. Legal Updates
  - I. Council Updates
  - J. Mayor Updates
  - K. 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.*

Dated this 10<sup>th</sup> day of January, 2020.

  
Nachele D. Sargent, City Recorder

**Mayor**  
Trever Johnson

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

**\*\*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.**

Posted: January 10, 2020 City Hall, Coalville City Website, Utah Public Notice Website

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Coalville City Council  
Regular Meeting  
HELD ON  
January 13, 2020  
IN THE  
CITY HALL

Mayor Trever Johnson opened the meeting at 6:00 P.M.

**COUNCIL PRESENT:** Mayor Trever Johnson  
Council: Cody Blonquist, Tyler Rowser,  
Rodney Robbins, Philip Geary  
Don Winters  
Arlin Judd, Adrienne Anson

**CITY STAFF PRESENT:**

Sheldon Smith, City Attorney  
Shane McFarland, Engineer  
Zane DeWeese, Public Works Director  
Nachele Sargent, City Recorder

**PUBLIC IN ATTENDANCE:**

David Boyden, Jim Boyden, Albert Richins,  
Jay Wood, Margarita Richins, Lori Winters,  
Camellia Robbins, Paula McGee, Lynn  
Wood, Louise Willoughby, Gretchen Klein,  
Celeste Gates, John Gates, Steve Hirzel,  
Laurie Hirzel, J Douglas Porter, Jericho  
Robbins

**Item 1 – Roll Call:**

A quorum was present.

**Item 2 – Pledge Of Allegiance:**

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

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

The Mayor and Council reviewed the minutes of the December 2, 2019 and December 16, 2019 meeting.

A motion was made by Council Member Arlin Judd to approve the minutes of December 2, 2019 and December 16, 2019 as amended. Council Member Cody Blonquist seconded the motion. All Ayes. Motion Carried.

**Item A – Recognition Of The Previous City Council:**

Mayor Trevor Johnson stated with the 2019 election year there were some changes for the City Council. He stated Arlin Judd had been a valuable City Council Member for eight years and had also served on the Planning Commission for six years. Arlin was the Fire Board representative for Coalville City, on the committee for the Fairgrounds remodel, served 12 years on the Board Of Education, an additional eight years on the City Council many years ago, and the local Lions Club for 40 years. Mayor Johnson thanked Arlin for all of his years of service to Coalville City in his various positions and stated he had learned a lot from working with him. He stated Adrienne Anson had been a member of the City Council for five years. He stated she started when a previous member moved away and was then elected for another term. He stated she had served on the North Summit Recreation District Board, the Tree City USA representative for Coalville City and was involved with the Historical Society, development of trails, and beautifying Coalville City. Mayor Johnson thanked Adrienne for her service and stated he really appreciated how she had reached out to engage the community and the courage it took to express her opinions. Mayor Johnson gave each of them gift of appreciation.

**Item B – Oath Of Office For New Council:**

Mayor Trevor Johnson administered the Oath Of Office to the new Council Members: Tyler J. Rowser, Don C. Winters, and Philip B. Geary. He thanked them for running for office and stated he looked forward to working with all of them.

**Item C – Review And Discussion Of The Final Acceptance Of The Black Willow Subdivision Improvements:**

Shane McFarland referred to the Staff report (Exhibit A) stated the Black Willow Subdivision was ready for final acceptance from the City. He explained the project had bonded for the improvements required and as they moved along and completed the project, the City had inspected and identified any issues that needed to be fixed. He stated the bond was held for a one-year warranty period and all of the items had been cleared. Sheldon Smith questioned if the water shares had been transferred. Niki Sargent stated they had transferred the water shares, but she wasn't sure if that was all that was required with the water agreement. Sheldon suggested for any action be subject to making sure the water agreement requirements had been met. Council Member Rodney Robbins stated the road had settled across Main Street and questioned if that had been repaired. Shane McFarland stated Black Willow had hired a company to come in and re-patch the roads to alleviate the issues with the trench areas and that road would be milled and paved in 2020. The Mayor and Council discussed accepting the project even though one of the trenches was still a little low, releasing the bond except the portion of the cost to repair the trench, approving the final acceptance with conditions, approving the final acceptance as is knowing the UDOT project would happen in 2020, approving the final acceptance as an

excavation permit had also been paid for, and accepting the final approval of the Engineer and Public Works Director.

**A motion was made by Council Member Rodney Robbins to approve the Final Acceptance of the Black Willow Subdivision and release the bond, \$94,331.60, pending the verification that the Water Agreement requirements had been met. Council Member Cody Blonquist 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 D – Discussion And Appointment Of Planning Commission Members:**

Mayor Trevor Johnson stated the Planning Commission term for Tim Bristow and Shoat Roath was up and Shoat Roath had decided not to return. He stated the current by-laws for the Planning Commission were for a six-member Commission and questioned if the by-laws could be changed back to a five-member Commission as that was what the City had started with originally. He stated it had taken several months and a lot of pleading to find replacements for members that had moved or decided not to return. Sheldon Smith stated the by-laws could be amended for that change and stated he thought that was a good idea. The Mayor and Council discussed the options of changing the by-laws to have the Chair as a non-voting member, allowing all of the members to vote as their role was different than the Mayor and Council form of government, changing to five because unfortunately with the current climate of the City there wouldn't be a lot that would be willing to serve, the by-laws needed to be updated anyway, and Tim Bristow would need to be re-appointed. Mayor Johnson requested for Don Sargent to review and update the Planning by-laws for approval.

**A motion was made by Council Member Cody Blonquist to re-appoint Tim Bristow to the Planning Commission. Council Member Tyler Rowser seconded the motion. All Ayes. Motion Carried.**

**Item E – Consultant Updates:**

Don Sargent stated he was working on the Code revisions for Parks, Trails, and Open Space. He would be holding a work session with the Planning Commission to review the current Code.

Don Sargent stated the Applicants with the Wohali Project would like to proceed with a new application under the current zoning for their property. He stated it would be an MPD and they were eligible for 76 lots plus any additional density allowed under the Code. He stated the new application would be reviewed under the permitted standards provided by the Code and they would be required to pay their proportionate share of any infrastructure improvements. Don stated the difference now would be the City would be obligated to provide service to them. Sheldon Smith stated all of the approvals would still come before the Council as a new application. Don Sargent stated the big difference was it was no longer discretionary and it would be allowed under what was permitted. He stated they would be applying for a golf course with supporting facilities including a restaurant, club house, and nightly rentals as a recreational project. He stated they wouldn't have to drill water wells. They would be able to pay the "fee in lieu" or provide water shares, but they would not have to supply the source. He stated there wouldn't be any negotiation like before regarding primary or secondary housing, etc. Council Member Phil Geary stated he would like to know exactly what could and couldn't be done or exactly what was going to happen so the public could be informed. He stated he didn't think the public understood what had been approved. Mayor Trever Johnson stated he shared his frustration and couldn't understand why the public didn't know or understand what was happening. He stated the City was now facing two different scenarios with one being as a permitted use and the City was obligated to provide services with no negotiation and the other being the application that had already been approved. The Mayor, Council, and Staff continued to discuss the options including septic systems being allowed for the project, septic systems not allowed if service was within 300 feet, septic systems would not be allowed in the source protection plan area, homes could be built within the source protection plan if connected to the sewer, making the source protection zone more restricted to not allow homes, golf courses, etc., being able to enforce an action tonight to not allow building in the source protection zone, putting in a moratorium so nothing could happen with the property to help protect the City water supply, the Development Agreement for the first application had to be in place to receive final approval, the current Water Source Protection Plan had just been updated based on the State requirements, the Applicant would like to continue with a Development Agreement, why would the City approve the resources to continue on the approved plan since it was stalled with the Referendum, and the Applicant pays for the Consultant services. Mayor Trever Johnson instructed Don Sargent to continue working with the Applicant.

**Item F – Public Works Updates:**

Zane DeWeese informed the Mayor and Council the Water Treatment well by the Sewer Plant had been completed and it had test pumped around 230 gallons a minute/24 hour with minimal draw down. Shane McFarland stated it looked like good water and samples had been sent in for analysis. Zane stated they would be moving forward with the building design and bid for the structure.

Mayor Trever Johnson thanked Zane for the snow removal efforts and stated they had done a great job keeping up with the storms.

**Item G – Community Development Updates:**

Shane McFarland stated he had two business licenses for approval. The first was for Nails By Ari, Arianna Allen, which was a permitted use for a minor home business located at 30 East 480 North. He stated she was licensed by the State of Utah for a nail salon and met the City requirements and he would recommend approval. Shane stated the second one was for Apex Recreational Rentals, Nicholas Rees and Dixon Richins, for recreation rentals. The office would be located at 135 North Main, Apt. #12, which would run all business matters and the rentals, four snowmobiles and two snow bikes, would be stored and picked up at an enclosed garage located at 33 North 100 East. A rental shop was a permitted use in the Commercial Zone. He stated the business office would require approval from the Landlord which had been given. Sheldon Smith questioned if they would be doing repairs on the equipment and if there would be any noise or disturbance with pick-up/drop-off at the location. Shane McFarland stated they hadn't provided any information regarding repairs with their application. He stated they had submitted as a Rental shop and not a Repair shop. The Mayor and Council requested for Shane to further review the intentions of the business for Apex Recreational Rentals.

**A motion was made by Council Member Rodney Robbins to approve the business license for Nails By Ari, Arianna Allen. Council Member Tyler Rowser seconded the motion. All Ayes. Motion Carried.**

Shane McFarland stated Courtney Richins had some questions concerning his Fair View Subdivision. He reminded the Council that Courtney had received a re-zone for this property and part of the re-zone approval was he would provide a bridge across Chalk Creek and connect to Chalk Creek Estates which would provide the second egress for both projects. Shane stated Courtney Richins was now interested in changing the projects to allow the second egress for the Chalk Creek Estates Subdivision to be a U-shape and come out on Chalk Creek Road and eliminate the bridge entirely. He stated Courtney would still put in a pedestrian bridge for foot traffic. Council Member Cody Blonquist stated the original intent for the second egress for Chalk Creek Estates was to have the second egress connect to 50 North and questioned why this wasn't being pursued. Shane McFarland stated 50 North could be extended through the County property as it was part of the plat, but they couldn't force a private land owner to have the road built on their property until they were ready for it. He stated a connection would be stubbed in the Chalk Creek Estates Subdivision for a future connection to 50 North. Shane stated if Courtney Richins had to come back for Preliminary approval for the Fair View Subdivision, the project would fall under the new Code which would require a second egress. He was only allowed to build 24 units and then the bridge had to go in as part of the rezone approval. The Mayor and



Council decided the project would still be required to put in the bridge or come back for approval with a new design under the updated Code.

**Item H – Legal Updates:**

Sheldon Smith stated the City had received some complaints about the Neena's Market building. It looked like the front could fall down. He stated the Building Inspector had recommended for a Structural Engineer to look at the building and he would keep them informed.

Sheldon Smith stated a lawsuit had been filed but not served against the City by the Coalville For Responsible Growth group. He stated they were using it to fall back on if the Referendum didn't proceed. Sheldon stated the basis was that there were deficiencies with some of the things that happened with the approval of Ordinance 2019-7. He stated he didn't think there was a lot of merit with the arguments in the lawsuit, but it would be dealt with when it was served.

Sheldon Smith stated two Referendums had been filed against Ordinance 2019-7 and Ordinance 2019-8. He stated he had requested for them to be combined, but both packets had been sent out. The date for signatures would be 45 days from January 11<sup>th</sup>, 2020.

**Item J – Council Updates:**

Council Member Tyler Rowser stated he had spoken with Jeff Jones about the 2020 Census. He stated they would like to set up a computer station at the City Hall for people to come in and use and would also like to set something up at the City Summer Event to help get exposure for the Census.

Council Member Rodney Robbins stated he would like to have the Planning Commission look at strengthening the Source Protection Plan. He stated he would like to keep it natural and not allow anything to be built there. Mayor Trever Johnson stated there would have to be a proposal of some kind for the Planning Commission to review and the City would have to commission JUB Engineering to put something together. Council Member Don Winters stated he was against having septic systems on the water shed area. Council Member Cody Blonquist stated there were areas that had ordinances in place to protect their water sheds, but they were able to enforce them because they actually owned the property. Sheldon Smith stated Craig Smith had suggested reviewing the Source Protection Plan and could look at it for the City. Zane DeWeese stated Summit County was looking at updating the County wide source protection. He stated he would meet with them to see what they were proposing.

Council Member Phil Geary stated there were some comments on Facebook that a person was going around saying they represented Coalville City and Wohali and was doing some type of survey. Mayor Trevor Johnson stated he would address this in his update.

**Item K – Mayor Updates:**

Mayor Trevor Johnson stated in any service industry there would always be someone upset and disrespectful and it had been his policy for the City Staff and Employees to take whatever was thrown at them and not to engage. He stated there was a big gap between the reality of what was happening with the Wohali project and the public perception and in the past, he had felt the City would be able to navigate through whatever was happening as the truth came out. Mayor Johnson stated he wanted to express his true opinion about what was happening with the Wohali Project which was he didn't care if it happened or not. He stated there had been accusations from day one that he had his hand in the cookie jar, the City Council was taking bribes, that Niki Sargent was doing things on her own without any approval. He stated this was extremely hard to hear with such a tight community. Mayor Johnson stated none of that was true. He stated his job was to protect the City from being another Allen Hollow project. He stated the moratorium that was put in place was to protect the City to give time for the Code to be updated and strengthened, but it was being said that it was so we could collude with the Developer to customize procedures and ordinances to suit them and to allow them to do whatever they wanted and this was coming from people that hadn't attended any of the meetings. Mayor Johnson stated that was not true either, but those were examples of the accusations being leveled at the City. He stated he was disappointed in the lawsuit that was filed, but not served, and didn't understand the motivation for it. Mayor Johnson stated Council Member Tyler Rowser had informed him about the claim that Coalville City had commissioned a survey to find out what the opinion of the people was which was the same thing that Council Member Geary had just brought up. He stated he was surprised to hear about that and the City hadn't commissioned for that to be done. Jim Boyden stated the Wohali Partners had hired a company to go door to door with a scripted dialog to try and find out what the main issues were with their project and to find out if people knew what their project would be. He stated they had been specifically instructed that it was not in connection with Coalville City and if they led people to believe that, then it was a big mistake. They were contracted by them, the Developer, to solicit public feedback. Jim Boyden stated he had been contacted by a resident that had been told Coalville City had contracted the survey and he again contacted the company and told them specifically that they were not to refer to Coalville City and that it was Wohali that was doing the survey. Mayor Trevor Johnson stated it was unfortunate that it was represented that the City was involved because the accusations started all over again that the City was paying and partnering with Wohali for this survey. He stated he hadn't had anyone denounce the idea that the City had taken bribes, etc. Mayor Johnson stated it was hard for him to be told by the CFRG group's Attorney that they wanted to work with the Developer to make a better project, but when asked what was wanted, there were no ideas offered and no efforts



made to do this. He stated the Wohali Partners were now looking at another application under the current zoning which would be a permitted use and could include the golf course and any associated accessory buildings. He stated when it was all said and done, the new application would be gated/exclusive, wouldn't bring wet water, wouldn't allow access to trails or amenities, could possibly allow septic systems, but the density would be lower which would be a loss of revenue for the City. He stated there wasn't much of a culture change between the two applications. Mayor Johnson stated the accusations really bothered him because the City had gone through hours and hours of work to meet the obligations of whether the project could work or not. He stated the Planning Commission did a great job going through the process as they picked on detail after detail and yet was accused of railroading it through. He stated they volunteered and didn't get paid to be here and yet they faced accusation after accusation from people that attended two meetings. Mayor Johnson stated he was defending the City's ability to execute and handle whatever ended up being approved. He stated he would take responsibility for not engaging earlier and it was intimidating to see how Adrienne Anson had been crucified on Facebook, but he could have held some Town Hall meetings or sent out a newsletter and could have been more proactive. He stated it was difficult to defend the City's ability and process without sounding like he was completely endorsing the project. Mayor Johnson stated he hoped there would be more involvement in the meetings. The Developer had been very open minded and had taken comments from the public and implemented them in their plan. They were willing to talk and negotiate with their project. Mayor Johnson invited for anyone to call him to discuss and talk about this issue. He invited them to contact Sheldon Smith and Don Sargent to discuss their concerns. He encouraged the public to seek out what the reality was and to be skeptical of what was reported on Facebook. He reminded them once again that he was not defending or endorsing the project one way or the other, but he was definitely defending Coalville City's abilities and process for the project. Council Member Phil Geary stated he thought there were still misconceptions out there and people weren't aware of what was happening. He stated the City needed to let people know what was happening. Council Member Cody Blonquist agreed, but stated it was also the public's job to stay informed. He stated it wasn't the City's job to go door to door to make sure they knew what was happening. He stated the public had to take some responsibility in being educated about what was going on in the City. He stated you couldn't force someone to listen or be involved. They had to want to be educated. Mayor Trever Johnson stated he hoped people would continue to try and stay updated. Don Sargent stated he had attended some Town Hall type meetings and had begged for people to call him if they had any questions, but he had only had two people ask him questions. He stated there was so much information put out on social media that was half-truth or completely untrue and it was very frustrating and disappointing to see that and it was his opinion that they didn't care about the truth. He stated the City had made every effort and had been very careful to make sure the application had gone through a very detailed process to make sure it complied with the City's Code and Ordinances. Council Member Cody Blonquist questioned what else could be done to inform the public and suggested for Wohali Partners to have a Facebook page for people to

ask questions and get a response back. Mayor Trever Johnson stated he would try to schedule a Town Hall meeting on January 27<sup>th</sup> to address any questions face to face. Lynn Wood stated her group was planning a meeting on January 20<sup>th</sup> and invited him to participate. She stated they would like some of the tension to be taken out of issues. Don Sargent stated he felt the couple of Town Hall meetings he had been involved in had been very helpful and productive. Mayor Johnson stated Bill Battersby was interested in informing the Council about a proposal he had seen from other communities where the City would be able to have a tax that would pay into Coalville City for something like affordable housing, etc. and he would like that to be researched to see if it would be possible. He stated he would like Don Sargent to research more about what would be allowed for nightly rentals.

**Item L – Executive Session:**

There wasn't an executive session tonight.

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

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

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

**Council Member Cody Blonquist Abstained.**

**Item 5 – Adjournment:**

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

The meeting adjourned at 8:40 P.M.

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Mayor Trever Johnson

Attest:

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Nachele D. Sargent, City Recorder



J-U-B ENGINEERS, INC.

"Exhibit A"  
Council  
1/13/2020

J-U-B COMPANIES



THE  
LANGDON  
GROUP



GATEWAY  
MAPPING  
INC.

January 9, 2020

Mayor Trevor Johnson  
10 N. Main Street  
Coalville, Utah 84017

**Re: Black Willow Subdivision Final Acceptance**

Dear Mayor,

Staff has conducted final walkthrough and inspection of the improvements for the Black Willow Subdivision. All punch list items identified have been satisfactorily completed by the developer. A bond has been held in the amount of \$94,331.60 (20%) for the 1-year warranty period. We recommend city council accept the dedication of the required improvements for the Black Willow Subdivision.

Sincerely,

Shane McFarland  
Coalville City Community Development Director

CC: Zane Deweese, Public Work Director  
JT Adkins, Black Willow Capital Group, LLC  
File

