



## 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, the 13th day of March, 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 Discussion and Possible Approval of New Planning Commission and Board Of Adjustment Members
  - B. Public Works Updates – Zane DeWeese
  - C. Community Development Updates – Shane McFarland
    1. Business Licenses
    2. Discussion of Development Code Changes
  - D. Legal Updates – Sheldon Smith
  - E. Council Updates
  - F. Mayor's Updates
    1. Utah League Of Cities Conference
  - 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.

**Mayor**  
Trever Johnson

Posted: March 10, 2017 City Hall, Utah State Website

**Council**  
Adrienne Anson  
Cody Blonquist  
Arlin Judd  
Rodney Robbins  
Tyler Rowser

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Coalville City Council  
Regular Meeting  
HELD ON  
March 13, 2017  
IN THE  
CITY HALL

Mayor Trever Johnson called the meeting to order at 6:03 P.M.

**MAYOR AND COUNCILMEMBERS PRESENT:** Mayor Trever Johnson  
Councilmembers: Cody Blonquist,  
Adrianne Anson, Tyler Rowser, Arlin Judd,  
Rodney Robbins

**CITY STAFF PRESENT:**

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

**PUBLIC IN ATTENDANCE:**

Stephen Dalby, Janna Dalby

**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 A – Continued Discussion And Possible Approval Of New Planning Commission And Board Of Adjustment Members:**

Mayor Trever Johnson stated with the passing of Mike Peterson there were three seats open on the Planning Commission. He stated they had received two letters of interest for Planning. The Council submitted the names of the people they had spoken with that were also willing to serve. The Council voted on the following: Albert Clark, Joan Judd, Nathanael Davenport, Tim Bristow, Jason Moore, and Brice Lucas.

**A motion was made by Councilmember Adrianne Anson to appoint Nathanael Davenport, Jason Moore, and Brice Lucas to the Planning Commission. Councilmember Tyler Rowser seconded the motion. All Ayes. Motion Carried.**

Mayor Johnson stated the new members would be replacing Mike Peterson, Albert Clark, and Walter Brock and would join Dusty France, Linda Vernon, and Walter Yates to make up the Planning Commission.

Mayor Trever Johnson stated he wasn't ready to appoint anyone to the Board of Adjustments at this time.

**A motion was made by Councilmember Arlin Judd to table the appointment of the Board Of Adjustment members to a later date. Councilmember Cody Blonquist seconded the motion. All Ayes. Motion Carried.**

**Item B – Public Works Updates – Zane DeWeese:**

Zane DeWeese stated they had started to clean up around town and had been cleaning the curbs and gutters. He stated in general everything was moving along good.

Zane DeWeese stated in April, the City would be starting the pilot program for the Water Treatment Plant. He stated they had to do this study to satisfy the Division of Drinking Water requirements. The City would be working with WesTech for this pilot program. Zane stated the program would mirror a lot of the design for the Treatment Plant and would run four weeks.

Mayor Trever Johnson thanked Zane and his crew for a job well done. He stated morale was high even after a demanding Winter. Mayor Johnson stated he would be looking at budgeting for some performance raises for the Public Works Department.

Councilmember Arlin Judd questioned if there was any news about the Force Main and South Lift Station. Zane DeWeese stated Jim Goodley had informed him the project would be going out to bid in ten days.

**Item C – Community Development Updates – Shane McFarland:**

Shane McFarland stated there was one business license for approval for DC Winters Guide Service, Don Winters. He stated this would be for a home office for his business.

**A motion was made by Councilmember Tyler Rowser to approve the business license for DC Winters Guide Service, Don Winters. Councilmember Rodney Robbins seconded the motion. All Ayes. Motion Carried.**

Shane McFarland stated there was a proposal to build an automatic car wash on the property owned by Arlin Judd at 90 South Main. He stated an automatic car wash was permitted in the Commercial Zone, but there was a provision in the Code that it was not allowed adjacent to a residential property line. Shane stated the applicant went to the BOA to try to get a variance from the Code to allow the car wash, but the application was

denied as they couldn't meet the requirements for a variance. He stated at the BOA meeting it was suggested for the City to change the Code and remove the sentence that prohibited the car wash being next to a residential line. Shane stated he had spoken with Mayor Johnson and the Mayor wanted to bring this to the Council to see if they were interested in pursuing the Code change. Mayor Trevor Johnson stated he felt the BOA made the right decision as per the Code. He stated the applicant was under the impression there wouldn't be any problems with getting the approvals needed. He stated from what he was told, it was noted at the BOA meeting that no one could decide why the specific line was in the Code and whether or not it was needed. Sheldon Smith stated it was discussed that it may have come from when the existing car wash was put in next to Lafe Bowen's property. He stated the property owners were upset at the time and it may have been put in because of that. Councilmember Cody Blonquist stated it was a big deal when the existing car wash was put in. He stated they had to meet a lot of requirements to have the car wash there and it caused a lot of problems. Mayor Johnson stated he was asked by the Seller to see if the City would strike that provision from the ordinance. He stated he wanted to make sure everything was handled correctly. He didn't want to make a recommendation to make the change without the Council being in agreeance. He stated there was some conflict with Councilmember Arlin Judd being the property owner and he wanted to make sure everything was done right. Sheldon Smith stated in reality the recommendation really didn't need to come from the Council. He stated the applicant could apply directly to the Planning Commission and request the change. He stated the Mayor just wanted to make sure it was above board and also to maybe be able to give an opinion to the applicant to help them make the decision of whether or not they wanted to go before the Planning Commission. Stephen Dalby stated he appreciated the opportunity to let the Council know about their proposed project. Janna Dalby stated they owned a cabin up Chalk Creek and had driven through Coalville many times and loved the town. She stated last fall they decided to pursue owning a car wash and thought this lot on the corner of Main Street was a great place to put one. She stated they had put a lot of time and resources into setting up this project. Stephen Dalby stated they were considering three architectural designs. One was a store front, one used the historic bell with a school house look, and one was glass that showed the cars going through the car wash. He stated with this car wash, they would be able to host fund raisers for the community. The fund raiser would have a special code so when the code was used, a portion of the fee would go to the group. Mr. Dalby stated they would really like to be part of this community and felt an automated car wash would be a great addition. Janna Dalby stated they would be able to use a water reclaim system which would reuse 88% of the water. She stated they realized water was a special commodity and this would be a big reduction on the amount of water used for their system. They estimated it would take 6 gallons of water per car. Mayor Johnson stated he appreciated that consideration as the City didn't have an abundance of water. Stephen Dalby stated they wouldn't have any employees operating the car wash, but there would be someone maintaining the property. He stated they would also offer a free vacuum system with a car wash or it could be coin operated if used separately. There would be two ways to access the property and they would have a car stacking area

on-site so no cars would be waiting on the street. This would make it so there wouldn't be any traffic issues. Janna Dalby stated they had checked and there were no other commercial lots available in the City that wasn't located next to a residential use. She stated they had placed the car wash on the property to be the best for the residents adjacent to the property. Stephen Dalby stated they had adjusted the site plan from the original proposal when they learned of the challenge of the location issue. Mayor Johnson stated tonight was about the Code issue and not really the project plan. He questioned if the Council was interested in pursuing a Code change for this property. Councilmember Cody Blonquist stated he felt the ordinance was listed the way it was for a good reason. He stated he didn't know the exact reason, but felt it was put in place after the construction of the previous car wash. Councilmember Tyler Rowser questioned if the City changed the Code for this, would they be setting a precedence to have to change the Code every time it didn't fit an individual's plan that may not conform to the Code. Mayor Trevor Johnson stated he felt the question should be if the ordinance could be defended and the reason for it. There were other issues that have had to be defended in the past and the City was able to do that. He stated there may be things that were appropriate to change in the Code. Councilmember Rodney Robbins stated he agreed with the Mayor. It was a Commercial Zone and should be allowed for Commercial uses. He stated if it was a permitted use, he felt the City had to allow it. He stated from the Land Use training he had attended, he felt it had to be allowed if it was permitted. Sheldon Smith stated it was permitted, but it still had to comply with what was in the permitted use. He stated any permitted use could list the requirements that allowed it to be permitted. He stated it wasn't a condition for the use; it was a permitted use with requirements. Sheldon Smith stated he felt it was reasonable to request a Code change. He referred to Councilmember Rowser's question and stated it could make it so someone else could come in to request a change for something they wanted to do too, but any change would still have to go through the process. Councilmember Arlin Judd questioned if he could make a statement. Sheldon Smith stated no one was voting so he could. Councilmember Judd stated the Council knew what he wanted to have happen with his interest in selling the property. He stated if they looked at the whole Commercial District, there wasn't any property available without residential use mixed in, as previously mentioned. He stated he felt in this case, the residential property was owned by someone that didn't live in the community, but was renting it out and that could technically be considered a business. He stated he realized it was still a residential use, but it could be viewed differently than if it was a member of the community living there that needed to be protected from having a business next to them. Councilmember Judd stated he felt the car wash would be a benefit to the community as we needed some growth in the tax base and sales tax base. He stated he would rather see something there other than a vacant lot. Councilmember Tyler Rowser questioned if there was anyone against the project when the public hearing for the BOA was held. Sheldon Smith stated there was one property owner that had some concerns about the traffic that would be generated there and how the project would affect his kids living there. Janna Dalby stated the car wash would have a very minimal impact on the people that lived around there. She stated they wouldn't be opposed to putting something else there in the future



like a McDonald's or something, but right now a project like that didn't fit the City. She stated another type of business could be placed there right now, just not a car wash. Councilmember Adrienne Anson stated she felt the Code being written this way could have been a personal issue at the time. She stated it could have come from someone that had to live next to the previous project and maybe the Council should consider that. Mayor Johnson stated he didn't feel it could be considered like that. He stated he felt it needed to be considered as why it should stay and not be changed. Councilmember Cody Blonquist stated he realized the residential home was being used as a rental home, but it could be sold at any time to be used by a private owner and they needed to be protected too. Stephen Dalby questioned what they needed to be protected from. He stated it was his opinion that the car wash would be less invasive than any other business put there. He stated it was a Commercial district and they had to realize that something Commercial could go there. Mayor Trever Johnson stated that sound or noise couldn't be a reason for not changing the Code. Councilmember Cody Blonquist stated he didn't know the reason for the ordinance, but there usually was a good reason for creating one. Sheldon Smith stated he felt the question tonight should be if this went to the Planning Commission and they recommended changing the Code, would any of the Council be against that. He stated if not, then it should be sent to the Planning Commission for consideration. Stephen Dalby stated he wanted to know if anyone did have issues with changing the Code. He stated he didn't know if they would consider going forward if they wouldn't receive the support they needed. Mayor Johnson stated he understood their concerns, but there was more than just their project to consider with a recommendation like this. He stated he didn't want to give the appearance of preferential treatment. He stated whatever the check list of pros was for having the project, it did not satisfy the Code and there was a correct process to go through. Councilmember Cody Blonquist stated for the very reason that the Mayor just mentioned, preferential treatment and going through the process, he had some concerns. He stated due diligence was difficult to go through, but he felt it was still what needed to happen. He stated they all wanted to encourage business and his reservations didn't have anything to do with them or their project. Mayor Trever Johnson stated from what he was hearing, he felt it would be worth the Dalby's time to allow the process to continue. The Council questioned when the change or addition to this item was made in the Code. Shane McFarland stated no one had researched it to see when it was changed. Mayor Trever Johnson stated he would make a recommendation to the Planning Commission to review this line in the Code.

Shane McFarland questioned for future growth and development if the Council preferred having curb, gutter, and sidewalk for a residential feel or would they prefer a more rural feel without them. Mayor Trever Johnson stated he liked a rolled curb so it didn't have to be cut each time a new home was built. Councilmember Adrienne Anson questioned which would be better for flood control. Shane stated having a high back curb and gutter would be better and it would also help if there was a sidewalk in place. It would help protect a car from going over the curb onto the sidewalk. Shane stated he was wondering because the school property behind Deer View Subdivision had been purchased and would be coming in for a subdivision project. Shane stated he told the

Developer that curb, gutter, and sidewalk were the standard. Councilmember Cody Blonquist stated in Lake View Estates they had a wider street with a painted walk way instead of a sidewalk. The Council discussed it and decided they would prefer to go in the direction of the curb, gutter, and sidewalk. Shane McFarland stated they would be coming to Planning with a re-zone application to change from R-1 to R-2 to be able to have 40 single family homes. He stated there was an error made with the Deer View Subdivision and it was already allowed to be subdivided as if it was R-2 eventhough it was R-1. He stated with the project discussion so far, he had told them they would be required to put in the 8 inch infrastructure and the water line would need to be looped. Shane stated he had also informed them eventually 50 North would have to be extended depending on the number of homes and they would have to work with the County when they reached that property. Sheldon Smith stated they should be made aware that two accesses would be required for the subdivision. Shane stated he would make them aware of that. Councilmember Cody Blonquist stated there was already an access platted through the Deer View Subdivision. Mayor Trever Johnson stated he thought there was a road that would connect to Border Station Road. Shane stated there wasn't one yet to connect to Border Station Road. He stated they still needed to go through the process with the Corridor Preservation Grant and there were four options that were being considered, but they hadn't fully agreed where it needed to go. He stated he told them they would have to have everything planned for future development and phased so it was a complete project. He stated they would like to move on this as soon as possible.

Shane McFarland stated he wanted the Mayor and Council to be aware the City could not meet the advertising timeline needed for the Dalby's project to be on the Planning Commission meeting agenda this month. He stated a public hearing notice would need to be published and there wasn't enough time to get it on this agenda. Mayor Trever Johnson stated he had some ideas that also needed to be brought to the Planning Commission and would like to present more than just the Dalby project. He stated if the Council had anything they were interested in looking at to let him know so they could bring a package of ideas for review to the Planning Commission.

**Item D – Legal Updates – Sheldon Smith:**

Sheldon Smith stated he met with the tenant today concerning the yellow shed at 179 South Main Street. He stated they had moved some of the items and had agreed to move three more of the items, trailers and boats, off of the property, so they were making some progress. Sheldon stated the owner would like to put up a fence to hide some of the junk items and help the property look better. He stated he was reviewing the Code with Shane to see what was allowed at that location.

Sheldon Smith stated he met with Bill Olderman about the parking issues at his location. He explained to Mr. Olderman that he could not cover up the stop sign. Sheldon stated Mr. Olderman would still need to be able to have cars parked there for his business so all

of the cars wouldn't disappear, but he did do what was asked of him and had the cars moved away from the stop sign.

Sheldon Smith stated he was working on a permit to be able to clean out the ditches along the Rails-To-Trails. He stated he just had some paperwork to complete to be able to move ahead with that project.

Sheldon Smith stated he had only received one response back on the ditch ordinance and questioned if the Council wanted to move ahead with a public hearing. The Council discussed it and decided to move ahead with the public hearing at the next meeting. Councilmember Rodney Robbins questioned if the penalties could be put together instead of having them both listed. Sheldon stated he would review it and check for any inconsistencies on the penalties.

Councilmember Arlin Judd questioned if Sheldon Smith had looked at the barriers over at Bell's Holiday Hills. Sheldon stated he had looked at them and it was hard to tell whose property they were located on so he had contacted Paul Ferry with High Mountain Surveying with a request to have the property staked. He stated he would follow up with them to see if it had been taken care of.

Councilmember Arlin Judd questioned if Sheldon Smith had checked to see if a lien could be filed against Camperworld. Sheldon stated the City could file a lien and he would get it taken care of.

**Item E – Council Updates:**

Councilmember Tyler Rowser questioned where Zane was at with the cross walk sign project. Zane stated he had spoken with the NS School District and they were willing to go in with the City on the signs and he had ordered them.

Councilmember Rodney Robbins questioned if there were any other complaints about the cross walk on the intersection by the NS Elementary School. Zane stated he hadn't received any complaints. Councilmember Tyler Rowser stated they had been pulling over more cars in the area so most people had slowed down.

Councilmember Adrienne Anson questioned if the City would like to try to get a grant to plant some trees for Arbor Day. She stated up to \$5,000 was available in grant money and she thought the South side of Brave Way could use some new trees. She stated the grant money could even be used to prune and remove some of the trees that weren't looking so great along there. Mayor Trevor Johnson stated he thought it was a great idea, but it would need to be handled under Councilmember Anson's lead. He stated if she had time to pursue the grant money then to go ahead. Councilmember Anson stated the only thing that would be needed from the City would be watering any new trees. She questioned if the Public Works Dept. could add that into their water schedule. Mayor



Johnson stated he felt the City could provide the support on the maintenance side of the project.

Councilmember Adrienne Anson stated the NS Track season was starting and questioned if anything could be done about the parking issues on 50 East. Sheldon Smith agreed and stated it was very dangerous with how the cars parked on the street. He stated he felt something needed to be done about it. Mayor Trever Johnson questioned if the City could issue citations to people that parked illegally. Councilmember Rodney Robbins suggested putting in boulders to prohibit cars from parking on the side of the road. Councilmember Tyler Rowser stated they would just park out into the street even more. Councilmember Cody Blonquist suggested for it to be signed as tow away zone. Zane DeWeese stated it had already been signed for no parking and tow away zone. The Council discussed the options to help with the parking issues including closing the road, contacting the Sheriff Dept. for enforcement, having a parking attendant, having the cars towed, and contacting the School District for help. Mayor Trever Johnson stated he would contact Sheriff Martinez and Superintendent Holmes to see if they could help with some solutions.

Councilmember Rodney Robbins stated his daughter requested for him to ask if the City sidewalks could be painted black with white stripes to look like a road. He stated at Bear Lake they had made their Rail Trail look like a little road and she really liked it.

#### **Item F – Mayor's Updates:**

Mayor Trever Johnson stated on the South side of Brave Way there was a portion of the bank that was eroding away and starting to undermine the curb located at the Blonquist Motel. He asked Zane to look into it to see what needed to be done. Mayor Johnson stated he didn't know what would be involved in correcting it, maybe bringing in some material to pack in there, but he wanted it to be reviewed before it became a bigger problem. Zane stated he would check on it.

Mayor Trever Johnson questioned if anyone was interested in attending the Utah League of Cities and Towns conference on April 5-7. Councilmember Arlin Judd and Sheldon Smith stated they would like to attend. The rest of the Council stated they would let Niki know so she could get them registered.

#### **Item G – Executive Session:**

There was not an Executive Session.

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

The Council reviewed the Accounts Payable for March 2017.

**A motion was made by Councilmember Adrienne Anson to approve the Accounts Payable for March 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 February 13, 2017 meeting.

**A motion was made by Councilmember Cody Blonquist to approve the minutes of February 13, 2017 as written. Councilmember Arlin Judd seconded the motion. All Ayes. Motion Carried.**

**Item # 6 – Adjournment:**

**A motion was made by Councilmember Adrienne Anson to adjourn the meeting. Councilmember Cody Blonquist seconded the motion. All ayes. Motion Carried.**

The meeting adjourned at 7:42 P.M.

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

Attest:

  
\_\_\_\_\_  
Nachele D. Sargent, City Recorder