



Mayor Lawrence Flitton

UINTAH CITY COUNCIL MEETING

Planning – Tim Petty

Council Members:

TUESDAY, September 6<sup>th</sup>, 2016

Building Inspector-Jeff Monroe

Michelle Roberts

Gordon Cutler

7:00 PM

Treasurer – Mike Ulrich

Jerry Smith

Greg Johnson

MINUTES

Sheriff – Lt. Talbot

Fire Chief – William Pope

**Attendees:** Mayor Flitton, Gordon Cutler, Greg Johnson, Jerry Smith, Michelle Roberts, Tim Petty, Nate Hadley, William Pope, Jordan Denos, Camille Tesch, Josh Falslev, Matthew Bell, Pam Kramer, Eric & Annette Hayes, Jana Lee Hatch, Chuck Gee, Don & Marilyn Pearson, Greg Giles, Jack Durga, Jeff Hancock, Richard Hendrickson, Brandon Minster, Blake Cutler, Greg Giles, Ty & Tammy Youngman, Terry Millgate, Deputy Weise, Michelle Heward, Craig Covey and Darinda Wardell.

**MEETING MINUTES:**

1. **MEETING CALL TO ORDER:** Mayor Flitton

**PLEDGE OF ALLEGIANCE:** Led by Gordon Cutler

**CONFLICT OF INTEREST:** Council members are required by law to file a public disclosure statement with the City Recorder listing business interests and investments that could create a conflict of interest with the duties of the Council Member. When a matter in which a Council member has a business or investment interest appears on the Council agenda, the Council member must publicly disclose that interest.

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

2. **PUBLIC COMMENT (2 minutes per person):** (00:01:10)

- None

3. **APPROVAL OF CITY COUNCIL MEETING MINUTES HELD August 16, 2016:** (00:01:26)

Presenter: Mayor Flitton

- Mayor Flitton asked if there were any questions on the minutes.
- Michelle Roberts motioned to approve the City Council meeting minutes from August 16<sup>th</sup>, 2016 as written.
- Seconded by Jerry Smith
- Mayor Flitton asked if there was any discussion on the motion; there was none.
- All in favor; the motion passed.

4. **DISCUSSION ON PACK MEDIA SYSTEM FOR UINTAH SPRINGS BUSINESS PARK:** (00:02:00)

Presenter: Kim Rindlisbacher

- Michelle Roberts motioned to table this agenda item.
- Seconded by Gordon Cutler
- All in favor the motion passed.

5. **PLANNING COMMISSION REPORT TO COUNCIL FROM August 23<sup>rd</sup>, 2016 MEETING:** (00:02:31)

Presenter: Tim Petty

- Review of Conditional Use Permit for Joshua Chapman. The Chapman's explained they felt their last camp went well and they said they don't have any other camps scheduled for the rest of this year. Tim explained that the liability question from the City Council had been resolved. The Commission expressed concerns about their previous decision to allow overnight camping, and there was much discussion about alternative options to backyard camping. It was decided that no overnight camps will be allowed between now and 3/28/07, then at that time this CUP will need to be reviewed. Review set for 03/28/17 PC Meeting
  - Outside operating hours must be within the parameters of 7:30am-9:00pm on weekdays, and 7:30am-10:00pm on Fridays
  - A student orientation is required in which students must be informed of the location of provided restrooms
  - No on street parking will be allowed
  - The number of students per camp will be restricted to a maximum of 18 students, with the ratio of 5 kids:1 adult, this includes the Chapman's own children
  - A food handler's permit will be maintained
  - No camp activities will take place in the street
  - Storage areas will be kept off-limits to students
  - Clutter will be cleaned up, in compliance with the orders of the Fire Marshall
  - All students are required to stay on-site at applicant's property while attending the camp
- The motion to re-approve CUP #2016-0199 for one-day camps only, with previously approved conditions with removal of overnight camping was passed.
- Preliminary and Final Plat Application for Jordan & Erin Denos; located at approximately 2160 E. 6550 S., Uintah.
- Jordan Denos provided final plans for the commission to review.
- The commission required these additions/corrections upon approval:
  - Utility easement needs to be labeled clearly on the plat

- The road dedication should be clearly defined as being dedicated to Uintah City
- The City Attorney will need to review and approve the Title Report
- The motion to tentatively approve the combined Preliminary and Final Application with above listed qualifications, for Jordan & Erin Denos passed.
- Mayor Flitton asked Tim if he had put together the site plan application; Tim responded that he had, he compiled a checklist from the ordinance.
- Tim Petty stated that they he would address the Council during the Public Hearing regarding the General Plan.

**6. DISCUSSION/ APPROVAL ON FINAL PLAT MAP FOR JORDAN & ERIN DENOS; 2160 E 6550 S IN UINTAH, UTAH:**

Presenter: Tim Petty (00:06:31)

- Tim Petty addressed the conditions of the Planning Commission and stated that they had no concerns with the plat changes and recommended Council approval.
- Greg Johnson motioned to approve the final plat map for Jordan & Erin Denos; 2160 E 6550 S in Uintah.
- Jerry Smith seconded the motion.
- All in favor the motion passed.
- Darinda Wardell asked that they have the mylar printed and brought to her attention at City Hall.
  
- Michelle Roberts motioned to close the regular City Council meeting and open the public hearing.
- Greg Johnson seconded the motion.
- All in favor the motion passed.

**7. \*\*\*\*\*OPEN PUBLIC HEARING\*\*\*\*\***

**Discussion on the pro's and con's and possible uses if the City acquires the vacant property at the end of 6850 S; currently owned by UDOT and DWR: (00:08:26)**

- Mayor Flitton stated that he has noticed the things happening on the property at the end of 6850 S; the access, fires, parties and camping. The City wants to take the proper steps to do what is right with this piece of ground. Mayor Flitton stated that we are not talking about what we are going to do with this piece of ground; but do we want to take ownership of this ground. Pam Kramer with DWR has stated that there are stipulations if we take ownership; first we have to allow anglers access; second we can't sell off any of the land, it has to stay for public use and third we allow pathways. Mayor Flitton opened the meeting for public comment.
- Jon Gladwell – 6839 S 1600 E – stated that he would like to see a community of houses on stilts along the river for a long term purpose. For now he would like us to leave it in limbo for as long as we can.
- Josh Falslev – 1630 E 6850 S – stated pathways bring increased traffic and increased policing which means increased taxes. We want to keep the riff raft out; his opinion no park.
- Jeff Hancock – this is tough for us if we don't know what options the City is going to do. He and Richard help police and keep the kegers out; it is a dead end street; we don't want drugs and dead bodies. He doesn't like the thought of increased traffic the pathways would bring with all the small children playing in the neighborhood.
- Tim Petty – Stated that the General Plan is in the process of being updated and the general consensus from the public is in favor of pathways. There are concerns that the pathways bridge will bring the traffic right into the neighborhood. The General Plan has to recommend if the City obtains the land or not. He invited the public to participate in the upcoming public hearings regarding the General Plan.
- Richard Hendrickson – 1565 E 6850 S – First, appreciates this group and the opportunity to be heard. Second, stated that Pam Kramer has passionate interests and feelings about the land but he fears that turnarounds are not reality. He fears with angler's access and parking the increased traffic on our narrow roads. We have no sidewalks and with the increased car traffic it will be dangerous and bad for our community. He feels like if we add pathways the foot traffic will increase as well. Pathways along the river is different it's harder to police and not a good thing. This land has other owners and is not a simple task to obtain. He has asked UDOT and DWR to sell to him so that he can maintain a safe and happy place. Let's have pathways closer to 6600 S where it is lighted and not along the river. He is not interested in the City taking over the land,
- Don Pearson – stated that he doesn't live in that area and appreciates the concerns; we have has a taste of what happens if we don't have control. It is only reasonable that the City take control; we have no control if we don't take ownership. If we don't take control someone else will, the land is not going away. The city is the governing body for land in the city the only option in his thought is take control and then talk about it. Parking lots can be put on the other end of the property; we have no options if we don't take it. All we have to do if we are interested is write a letter to UDOT; we had no options before.
- Jerry Ellis – 6790 S 1540 E – Stated that Don Pearson talked him into coming tonight. He feels the higher level of government the worst off we are, if the City owns this land we would be better off. We can deal with traffic; if a larger entity than Uintah City has control we will have more than traffic problems. He suggests that the City take control and listen to the citizens; we can control things better as a City.
- Jack Durga – 6854 S 1600 E – what are the restrictions? Are there restrictions regarding the shooting, fires and camping. He has been going down and cleaning up the campsites and it's a big mess; who's patrolling it now?
- Richard Hendrickson – Understanding if the City takes ownership; pathways and anglers access; these come along with this. It is important the community recognizes this.
- Pam Kramer – DWR – works in South Ogden. UDOT is a big agency and has been working for 8 to 10 years to sell this property for \$10 for public benefit and they can't sell it. We have met with the Uintah City Council as well as the South Weber City Council and asked them to think about taking ownership and keeping it for public benefit. We want anglers access and parking. Easements have been put in place and we will work with the City to develop so that we

can protect the river and stream restoration in the future. We have no agreement with Pathways; they have interests and nothing is set in stone. A past Mayor of Uintah presented this before as a park with bowery and ballparks and the citizens did not want any part of that.

- Josh Falslev – stated that he appreciates the comments and it wasn't that long ago that the City annexed that land. Uintah does have a say on what happens. He fears increased taxes to maintain the property.
- Greg Giles – 6772 S 1540 E – The fires are okay, he feels we should leave it alone; not in favor of trails they can travel a little further to the toll road and take the trail there. He doesn't want people in his neighborhood; he doesn't want to worry about the stranger in the bush.
- Matt Bell – 1540 E 6640 S – stated he grew up down here, let's keep it in its natural state. He agrees with everyone else that pathways traits bring rift raft. He has kids and our roads are not wide enough if we increase the traffic. No parks, no trails; we can take care of this ourselves.
- Jana Lee Hatch – 1625 E 6850 S – has horses and four wheelers and they enjoy a place to ride both. The anglers go back behind her house to the river and she doesn't like that. She is not in favor of adding more traffic to our quite small town.
- Tammy Youngman – stated she loves pathways, but doesn't want it in her backyard. They bring dogs, with owners who don't clean up after them, homeless people as well as a different element our town doesn't want. There will be a cost to the city; that cost might be increased traffic, angler's access and who pays for the widening of the streets when that happens. She doesn't want it in her backyard!
- Terry Millgate – stated that he has been here in this rural community for twenty years. We have no curb and gutters; when cars are parked on both sides of the street; no traffic can get through. He is against any increase of traffic; keep it as it is and no pathways!
- Pam Kramer - shared a map with the Council to clarify the easements. There is an easement in the upper north east corner of the property that runs along the east side of the property to the river and then along the river. UDOT purchased the property when they put in the interstate. DWR regulates hunting and the city has an ordinance that prohibits discharge of firearms within the City. She can't speak for pathways; she does know that a pathway brings the public and the rift raft doesn't like the public.
- Michelle Roberts motioned to close the public hearing and reopen the regular City Council meeting.
- Greg Johnson seconded the motion.
- All in favor the motion passed.

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

#### 8. DISCUSSION/ACTION ON THE PROPERTY OWNED BY UDOT AND DWR AT THE END OF 6850 S: (00:59:00)

Presenter: Mayor Flitton

- Mayor Flitton stated that he was thankful for these conversations; he was impressed that the comments were open and honest. What he heard from the citizens were:
  - Keep it open for us
  - If we don't take control we will lose the control
  - Don't want pathways
  - We want access to this land; yet legally we don't have access
  - DWR needs to shut this down; we don't want anyone else outside of Uintah to have access
  - We can solve these problems if we take control of the land
  - NO to pathways, rift raft, drugs and increased traffic
- Mayor Flitton invited the citizens to stay after the meeting so that he could visit with them more.
- Gordon Cutler stated that there currently are no proposals on the books for curb and gutters; however our ordinance states that we need the swells in front of our yards to collect the storm water. Many of the citizens have paved or cemented out to the street and this creates storm water issues. Why if DWR has access and easements don't they have to do what the State wants? Why do we have to do what the State hasn't? We have a jeep whisper campaign and want to keep it. Pathways will not be coming in until they have easements or access to surrounding lands. He thought it was a good idea to take control of the land, now he isn't sure. He would like to see the City Attorney review the stipulations; anglers access, what does that mean, one parking space, twenty parking spaces? And how will these stipulations affect the people in that area.
- Greg Johnson stated that he is not conflicted anymore; his conflict ended when he heard the conflict the citizens have. They have no problem shoeing people away; they don't want us to take it over; they want us to leave it the way it is for now. The citizens this affects are not interested or in favor of the City taking control.
- Michelle Roberts appreciated the comments; she too grew up in this community and wants to keep it small. She joined the Council because she wants to keep the feel of how Uintah is. She wants her children to grow up knowing this feeling. She runs down there and understands the concerns and the increased concerns with pathways. We visited with Lt. Talbot about signs posted for recourse; she didn't think it was a concern.
- Jerry Smith stated that if we look at a topographical map of Uintah we would see that it is changing daily. Owners of undeveloped property are selling; Uintah will not stay this way for long; what happens if it falls into the hands of others that don't feel the same way we do about Uintah. He was impressed with what Don Pearson said about if we don't take control someone else will. It can take years to develop Weber Pathways and we don't have to have the pathway by the river; we could have it along 6600 south. Valuable things can happen with this property if we think it through; we all have input as to what is best for the City.
- Greg Johnson stated that we should listen to how this affects the citizens next door.
- Jerry Smith stated it is already happening; we just approved the vacant lot across the street that has been vacant for

over 200 years. Anybody on that land today is trespassing.

- Mayor Flitton stated that that was a valid comment; we are trespassing and who knows what could happen, we could lose the opportunity to control this land, there is more discussions that need to happen.
- Tim Petty stated that the General Plan is the document to recommend what the City does and there are more opportunities to participate with the public hearings in updating the plan.
- Mayor Flitton stated that our Planning Commission is our land use authority and they are currently working on this project and the citizens are invited and encouraged to participate.

**9. DISCUSSION/APPROVAL ON THE GENERAL SERVICE CONTRACT FOR ADDITIONAL CAPACITY BETWEEN ROCKY MOUNTAIN POWER AND UINTAH CITY FOR SERVICE TO THE FIRE STATION AND ASSOCIATED FEES: (01:28:39)**

Presenter: Mayor Flitton

- Mayor Flitton reported that the power capacity and remodel of the Fire Station has made it mandatory that we do a service upgrade and the cost associated with this is \$5,200.
- Gordon Cutler asked where in the budget the funds are coming from.
- Mayor Flitton advised that we have savings that we could use.
- Gordon stated that he wanted to voice his concern about the fact that every time they have been asked to vote it has been mandatory and we have had our backs against the wall. We have spent \$400,000 from the State, all the funds from the Friends of the Fire Department, we have furnished the entire inside including washer and dryer, range, big screen televisions without checking to see if we have enough juice to run the appliances. He doesn't know where the money is coming from; he has been backed into the corner one too many times.
- Gordon stated that the majority of the power will now be used by the newly remodeled Fire Station; down the road sometime we will have to remodel the public works side; we didn't agree on the work done on the public work side of this or how it has been handled. Somehow the City Council and the Fire Department has managed to alienate the Friends who have tried to help with the remodel. Sure you have great training aids; you should have been sure that there was going to be power to manage them. The Project Manager should have made sure that everything was taken care of.
- Jerry Smith asked is this one of the game changers? I asked two months ago if we were getting it done and I was told yes.
- Greg Johnson stated that somebody should have known that this was needed; this is unacceptable and this is not the first time this has happened.
- Michelle Roberts stated that she was not happy that the city is going to have to pay for this. She felt that that the percentages are off, it's not 50 – 50; the public works portion does not use 50% of the power.
- Chief Pope was asked to comment. Chief Pope stated look at the date on the contract; he wasn't made aware of the cost or the need for a service upgrade until after all the funds were invoiced.
- Darinda Wardell stated that with every solar permit in the City the homeowner has had to apply for a permit for a service upgrade to run their upgraded solar; they are unaware until they go to hookup.
- Gordon Cutler stated that the General Contractor should be aware of that.
- Gordon Cutler asked who instructed the heater be installed on the public works side; who authorized that.
- Mayor Flitton stated that we need to determine an equitable cost split. We have \$2,600 in Fire Department impact fees that we can use and the Friends are out of funds. That leaves \$2,600 dollars to fund.
- Michelle Roberts stated that using savings is not financially responsible and not good business.
- Jerry Smith asked what are our options:
  1. The Fire Department pays the entire \$5,200
  2. The Fire Department pays \$2,600 with impact fees and the City pays \$2,600
  3. The City pays – some recovery – zero opportunity
- Mayor Flitton commented that there is plenty of money in the other departments that share the use of the building and the funds can come out of savings.
- Greg Johnson remarked that every time we turn around they want to use funds from the water department.
- Greg Johnson asked how much the water department uses that building.
- Chief Pope asked how often the City uses the Fire Department.
- Gordon Cutler replied that when you are on this side you can ask the questions.
- Greg Johnson motioned to table agenda item #9 until the September 20<sup>th</sup> City council meeting to allow time to calculate the percentage of power used by each of the various departments utilizing the power.
- Michelle Roberts seconded the motion.
- Gordon Cutler went on record that he was not in favor of this; the motion passed.
- Chief Pope asked for consideration of recouping the costs to the Fire Department for the roof and siding on the Public Works portion of the building.

**10. COMMUNITIES THAT CARE (CTC) ANNUAL REPORT TO COUNCIL: (01:54:30)**

Presenter: Michelle Heward and Craig Covey

- Michelle Heward stated that it was a pleasure to see our government in action and promised that her presentation was not controversial or going to cost the City any money.
- Michelle stated that they are partnered with Parents Empowered and they have some funds available for the prevention of alcohol and drug abuse for our youth.
- Parents Empowered is an award winning organization that have come up with some award winning slogans to put on wraps for our City vehicles. They can be put on the doors, tailgates and sides of

vehicles to advertise these prevention slogans.

- They would like to unite the Cities within the Bonneville cone of schools with this project.
  - We can come up with our own slogan or use a different combination of slogans provided by Parents Empowered.
  - Michelle stated that they are working on a time frame; there are no costs associated with this they just need our approval to participate.
  - Michelle Roberts stated that they will be working directly with her and that she would get them our City logo so that they could proceed.
  - The Council thanked Michelle and Craig for their presentation and apologized to them for the long wait.
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- Mayor Flitton tabled the rest of the agenda items due to the time and asked for a motion to adjourn.

11. **CITY COUNCIL DEPARTMENT REPORTS:** (02:05:57)

**PARKS & RECREATION; BUILDINGS; ROADS – GORDON CUTLER**

**WATER; GARBAGE; EMERGENCY PREPAREDNESS; PLANNING COMMISSION – GREG JOHNSON**

**ANIMAL CONTROL; CTC; NUISANCES; WEBER COUNTY TRAILS – MICHELLE ROBERTS**

**CEMETERY; EAGLE PROJECTS; U-DAY; RAILROAD RELATIONS – JERRY SMITH**

**STORM WATER & FLOODPLAIN; GRANTS; FIRE DEPARTMENT– MAYOR FLITTON**

12. **MEETING ADJOURNMENT:** (002:06:15)

Greg Johnson motioned to adjourn the meeting.

Seconded by Jerry Smith

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

APPROVED by City Council this 20<sup>th</sup> day of September, 2016.



DARINDA K. WARDELL, City Recorder