

WILLARD CITY CORPORATION SLUA050917

DATE: May 9, 2017
TIME: 6:30 p.m.
PLACE: Willard City Hall
ATTENDANCE: Bryce Wheelwright – Willard City Planner, Doug Thompson – Willard City Maintenance – Chris Breinholt – Willard City Engineer, Kevin McGaha – Willard City Attorney, Van Mund – Willard Fire Chief, Gaylene Nebeker – SLUA Secretary, Jim Flint – Engineer Hansen and Associates, Caleb Mumford – Developer, Kent Wilson
EXCUSED: Teri Fellenz – Willard City Recorder, Jean Loveland – Willard Police Chief

1. Call to Order – City Planner Bryce Wheelwright

2. Business

a. Preliminary plan meeting for a proposed Subdivision for Parcels #02-051-0089, 0106, 0090, 0091 and 0092 submitted by Nathan Braegger to be located at approximately 400 South 200 West

City Planner Wheelwright asked for comments. Fire Chief Van Mund stated there are fire hydrants located in the development and an existing one at the intersection.

Chris Brienholt asked what the City Council decided on 100 West to put it in escrow or improve it. City Planner Wheelwright said they had discussed but nothing has been done at this time. Chris said the plans show the cul de sac has a permanent turnaround at 100 West. He felt it was the best way to leave this subdivision but questions the future of 100 West. City Planner Wheelwright stated they were to leave open for a possible future access to Hwy 89.

Jim Flint with Hansen and Associates felt the curb, gutter and sidewalks memorialize the cul de sac and stated there was no decisions made on the 3 proposals at previous meetings. Chris said all options had to do with the completion of 100 West. Jim Flint stated they would look at the direction they wanted him to go. City Planner Wheelwright stated they want Nathan to give up the land. Jim stated he would be doing a fee simple granting. City Planner Wheelwright stated the turnaround was to be temporary even with the curb and gutter. He should also give up have the lane on 100 West. He also stated it would not be feasible to improve 100 West at this time. There was discussion held on putting money into an escrow account but was stated after a while escrow accounts go way. It was asked if they could do a deferral agreement. It was stated that was one of the options. Chris stated unless the road is going to be built in the next 10 years the city may need to look at accepting the right of way or building the road. The city can also build the road and take money in lieu of it. He would also like to see the cul de sac remain temporary so there is nothing to correct later on or have the cost of putting it in. Jim Flint asked what needs to be done to make it temporary. Fire Chief Van Mund said SLUA asked for curb, gutter and sidewalk and then came in with a plan without curb and gutter and are now back to requesting curb and gutter. He felt the temporary turnaround can be there for 10 years or longer. City Planner Wheelwright said they would only be required to put curb, gutter and sidewalk up to the turnaround. Jim Flint said he would like to get rid of the curb, gutter and sidewalk but felt it needed to remain on the south side for the water and if they could cut it back they would be willing to do what the city wants. City Planner Wheelwright said this waiver would need to go before the City Council. Chris Breinholt felt this was a good solution at this time but stated in the future there would be some cost to tie it into the future 100 West. There was discussion held on the requirements for putting in a hammerhead turnaround on lot #13 and onto 100 West.

He also asked what Flood Control is going to require for the finishing on the pond. Doug Thompson said Flood Control will require fencing and access but not sure on grass. Jim Flint said the pond is only 2 ft deep. Doug said they will require fencing but to contact Mike Braegger who is over the Flood Control. Jim Flint talked with Travis Mote on the pond and was told the only outlet is the irrigation line that is about 3 ft. deep. He has done the soil engineering and was contacted prior to this meeting with the results that state ground water is about 4-6 ft. deep. He thought the water would be shallower and so he built the pond about 1 ft. above the ground. There are 2 ft. to the weir ½ ft. to the grade and one more ½ ft. to the top and comes in above the pipe coming in and above the outfall. Chris asked what the pipe belongs to. It was stated an irrigation line. Chris asked if this is one they could tie into. Jim said he had talked with the ditch master Travis Mote and he was ok with it. Doug Thompson said it belongs to the Willard Irrigation Company and would need to have an approval letter from them. Jim Flint stated he would get with them. He also said that everything from 370 South will be going into the pond and will have an inlet box on the south end to catch the curb and gutter water. City Planner Wheelwright asked if the water would be going back to the pond. Jim said it would not that they had sized the pond to accommodate. Chris asked if they were trying to pass the water through the pond. Jim stated no the original plan did not work. Chris was not sure how it would work to dump swell water into the curb and suggested piping the water through to a box on the corner made more sense. Jim said where they are the first ones putting in curb and gutter and are handling the water better than anyone else has and are looking at putting the right of way water into a closed system. Chris voiced concerns about the amount of water passing through the pond and would like to see it be separate.

Chris said the plan shows them only paving the widened part and not the existing graveled road and he would need to pave the whole width. Jim felt this was the biggest issue they have. He showed on the plan the 3 cross sections of the road. He stated Nathan Braegger would be building his full and complete half section on a 66 ft. right of way with 5 ft. sidewalks and a 5 ft. planter strip and 2 ½ ft. curb and gutter, 20 ½ of asphalt and stated there is a 6 ft. overlap. He showed on the map what the improvement would look like as you drive down 200 West. He asked how much does a developer have to put in when he is already doing so much. Chris stated he is a developer and has to put in the road and at this time does not matter what other developments have done. It makes no sense to have a section of paved road then a section of gravel then back to a paved road. Doug Thompson said it makes it real hard to snow plow roads. It was stated he would need to pave 41 ft. on a 66 ft. road. City Planner Wheelwright stated 200 West is considered a main collector road and the according to our Street Ordinance a single road that has 10 or more houses is required to have a second access. He said from his development south is no developed enough to be a second access, so if 200 West is not made a main collector road there would be issues. Jim Flint asked how 200 West could be a collector when everything north on 200 West is only has 24 ft. wide. Doug Thompson stated all of 200 West has 66 ft. right of ways. Chris Brienholt said 200 West is designated a collector street and has to be built as a collector. There was discussion held on how to make the curb and gutter fit into the existing road. Attorney Kevin McGaha stated each new developer coming in to Willard will have to put in curb and gutter and felt it would enhance the value of the properties. Doug asked if they would need to put the curb and gutter in on the west side. It was stated no they would just have to pave it wider and put curb and gutter on their side and match the existing straight line of the road.

Jim Flint asked about a Pioneering Agreement. It was stated he would need to appear before the City Council with the request. Attorney McGaha suggested talking with the property owners along the west side to see if they would be willing to help with the cost of putting in the road. It was stated that growth and development will be coming north and they will be required to have curb, gutters and sidewalks. Chris suggested Nathan talk with the City Council about an allowance on 100 West for putting in 200 West. Jim Flint stated the plan shows high back curb and gutter along 200 West and stated he would get with Flood Control about the approach to the pond. Doug stated

they would probably request a driveway be cut into the right of way and possibly fenced and would need to contact Mike Braegger. Doug Thompson asked if they would be putting an 8 inch line on 370. Jim Flint said yes, there is a 6 in line on 200 West and would be doing a 6x6x8 inch tee. There was a discussion held on utility easements. Jim asked where they go from here. They will need to go to City Council for the waiver on 100 West. It was also suggest another SLUA meeting be held to finalize.

A motion was made by Kevin McGaha to send this item to the City Council. The motion was seconded by Doug Thompson. The motion carried with a unanimous vote.

b. Pre-Sketch Plan meeting for a proposed Subdivision for Parcel #02-046-0072 submitted by Caleb Mumford to be located at 24 W 400 N

City Planner Wheelwright stated Caleb Mumford is requesting a Subdivision request for the property 24 West 400 North Parcel #02-046-0072 and will be subdivided to 3 lots. In 2008 there was a re-zone request from A-5 to R ½ but there the property was never subdivided. Jim Flint showed a plan the shows the curb, gutter and sidewalk removed to match the existing street. Fire Chief Van Mund said with the addition of the 2 additional lots asked if there was a fire hydrant and where it was located. It was shown on the northwest corner. He has taken the fire trucks down there and has not had any issues. Doug Thompson said he was not sure where the water connections were on the property. Caleb Mumford stated when is father built the house he ran the unconnected water line under the pavement by the fire hydrant. He also stated it is not stubbed at the other properties. Chris Breinholt asked if it was a 6 inch line. Caleb stated yes. Jim Flint asked if the line went to the end of the cul de sac. It was stated they were not sure. Chris said he would need to extend the water line to get the services to the other properties. Doug stated he would like to see the connection moved from next to the fire hydrant. He stated it would be up to the developer to connect the lines. There was discussion held on the map on locations of proposed sewer lines and the depth of those lines. Chris Brienholt stated they may need to look at putting restrictions on Lot #4 on possibly not putting in a basement or may need to install pumps because of the elevation and it would be up the developer to tie into the system. Caleb asked for clarification that he would need to have the sewer and water stubbed to the property in order to develop. It was stated yes. Because of Lot #2 being downhill there would not be any problems. Doug stated he would check the maps to see where the mainline is located and would contact Jim with the information. Caleb Mumford asked if this would need to be shown on the plat map. Chris recommended with the restrictions on Lot #4 it should be included on the plat map. Doug ask if it met the frontage requirements. City Planner Wheelwright said yes and is currently zoned ½ acre. Doug's concerns are the water line and how it will be tied into. Jim Flint asked if he would be allowed to tap into it. Doug said no he would need to extend the line out so it was in line with the mainline. City Planner Wheelwright felt they may need to address the possibility of a future right of way for 100 West and would go across the back of Lot #3 and showed on the map where it would be proposed. A discussion was held on location of 100 West. Caleb asked if right of way was recorded at the county. City Planner Wheelwright stated no it would be for a future right of way. Caleb said because the right of way is not currently there the city would like a right of way given and recorded to match the Master Road Plan. City Planner Wheelwright stated yes. Caleb felt it would not affect the property in anyway. Fire Chief Van Mund said unless the area is developed it may never happen. Jim Flint suggested they could grant an easement to the city for a drainage easement and would still own the land. If given to the city they would only loose about 2/10ths of an acre. Chris felt the city would not want an isolated gap and suggested another solution. Caleb said they would do whatever and if the city wanted the land they could have the liability of the huge widow making trees that are in need of being cut down. Attorney McGaha suggested a dedicated easement be given to the city. Chris did not feel the city wanted a right of way dedication but could dedicate the property to the city and would then be a city

owned parcel. Caleb asked what if they did not want to do anything at this time. City Attorney McGaha stated it is a requirement when they put in the subdivision. He talked about his father putting the house in the middle of the road and having to tell potential buyers there may be a future road going in along the back of their property. Chris felt if could go either way someone might like the possibility of a road going in. Doug asked if curb and gutter is going to be required stating this development is no different than Nathan Braegger's. He also asked about storm drains. Chris was concerned about having curb and gutter is how it would affect the discharge of water to the drain ditch and would like to see if left the way it is. It is an existing road that is not going to be extended. It was stated once you start collecting the water it could become a bigger issue. Chris felt with only 2 new houses does not change the way it has been but would have to get the waiver from the City Council. Attorney McGaha said the public utility easements around the perimeter are missing.

A motion was made by Chris Brienholt to approve with the right of way shown on the back of Lot #3 as a right of way easement and recommend the curb, gutter and sidewalk be waive from the requirements of this development. The motion was seconded by Van Mund. The motion carried with a unanimous vote. This will be forwarded to the Planning Commission and City Council for the waiver. Item will need to be submitted 2 weeks prior to the Planning Commission meeting.

3. Approval of Minutes

The minutes of the February 14, 2017 SLUA (Subdivision Land Use Authority) meeting were reviewed. A motion was made by Kevin McGaha to approve the above minutes as written. The motion was seconded by Chris Breinholt. The motion carried.

4. Adjourn

The SLUA meeting adjourned at 12:15 p.m.

Minutes were read individually and approved on July 11, 2017

City Planner
Bryce Wheelwright

SLUA Secretary
Gaylene Nebeker