

**TREMONTON CITY CORPORATION
DEVELOPMENT REVIEW COMMITTEE
SEPTEMBER 20, 2023**

Members Present:

Shawn Warnke, Chairman & City Manager
Chris Breinholt, City Engineer
Zach LeFevre, Parks and Recreation Director—excused
Paul Fulgham, Public Works Director
Connie Archibald, City Councilmember
Cynthia Nelson, Deputy Recorder

Chairman Warnke called the Development Review Committee Meeting to order at 9:32 a.m. The meeting was held September 20, 2023 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Warnke, Engineer Breinholt, Director Fulgham, and Deputy Recorder Nelson were in attendance. Director LeFevre was excused.

1. Approval of agenda:

Motion by Director Fulgham to approve the September 20, 2023 agenda. Motion seconded by Engineer Breinholt. Vote: Chairman Warnke – aye, Engineer Breinholt – aye, Director Fulgham – aye, Councilmember Archibald – aye, Director LeFevre – absent. Motion approved.

2. Approval of minutes—No minutes to approve at this time.

The following items were discussed out of order.

3. New Business:

- a. Discussion and consideration of approving parking lot expansion for Miller Medical – Todd Miller

Chairman Warnke said the construction drawings look like there is no curb. I think they need some kind of curb for landscaping and the integrity of the pavement. Engineer Breinholt said they are bordering it with a curb along the south side of the parking lot—not a curb and gutter just a ribbon curb. Chairman Warnke said is 14 feet wide enough for the access? Director Fulgham said since it is a parking lot you can get by with that. Engineer Breinholt said it is wide enough for one car in and out. They are calling out a curb cut here. That is fine if they maintain that. It is a private curb. Chairman Warnke said there needs to be some landscaping. Some of this looks way too tight for that. I think they need to push out a little bit. They will need to turn over water shares, too. It sounded like they are not going to do a single-family home behind it at this time. They do have a higher occupancy as they utilize this building for medical, which is generating more parking from patients and employees. Mr. Miller told me he was trying to get it done ahead of winter to alleviate parking issues.

- b. Discussion and consideration of approving construction drawings for Rivers Edge, Phase 1A Nic Porter with Triio and Spencer Davies

Chairman Warnke said the City Council has approved a zoning amendment. The developers have sent those construction drawings. Previously to that the construction drawings for all of Phase 1 were pretty much approved. This phase is pretty independent. It relies on a lot of off-sites, but they do not need to construct those yet. Engineer Breinholt said that is pretty straightforward with 14 lots. Lots 1 and 14 need the homes to face this street or you will have to do a turnaround. You need a note on the plat stating that. You will have to pave the turnaround (a hammerhead or turnaround). Director Fulgham said there has to be a hydrant at the end.

Mr. Davies asked about streetlights. Director Fulgham said they are just a standard fiberglass pole with a reflective LED light at the top. Chairman Warnke said you pay a fee in lieu to the City for the streetlight, which is \$3,500 per light. Director Fulgham said Rocky Mountain Power will not contract with the developer to put them in. It has to be with the City. We collect the money up front and when they are ready to go in, we do the work order through Rocky Mountain Power. All you will do is run the conduit for that light. Usually, the power company will give you a power plan telling you where those go.

Mr. Davies said our contractors were under the impression they could do a 3-4-12 instead of a 3-8-8? Director Fulgham said that is fine. Chairman Warnke made a clarification on secondary water. This system is not hooked and live yet. Some of the infrastructure is in from when the previous developer started, but I am not sure on secondary water. Director Fulgham said I would have to look at the drawing. If it is not there, you will have to plumb it and cap it on all the ends and at the end of the cul-de-sac. Engineer Breinholt said the plans show it on the north end. Director Fulgham said this line is not yet charged but is coming with your phase. It is just dry pipe for now. It would be Tremonton's system. Engineer Breinholt said it is just another utility just like water and sewer. Director Fulgham said it was required with the full phase, but since we are chopping that phase in half, we are not going to require the line all the way from the east canal where our pump station will be, at this time. Chairman Warnke said the primary element of the zoning amendment was not to require you to build the pump station and offsites at this time.

Engineer Breinholt said I need your construction estimate for escrow. Director Fulgham said they can start constructing, they just have to make sure it is built to our standards. Mr. Davies said we would love to record as soon as possible, but we also want to start construction. Engineer Breinholt said we need to have a pre-construction meeting. That will happen after I give you my approval stamp on the construction documents. Get me a plan that shows that turnaround and we can schedule it. I have reviewed these plans a hundred times. This is just about phasing and showing that. All water lines have to be terminated with a fire hydrant. That does not have to be permanent and can be moved when the project moves on. Sewer has to be terminated with a manhole.

Chairman Warnke said I wondered about the structure of the road. Can it get contaminated, as far as the engineer fill or sub-base? Engineer Breinholt said it has already been constructed and will clean up easy. They put in the borrow that was required for a full road section. Director Fulgham said they just did not put in the road

base at the top. They will come back and remove that to get their road base depth before they put the curb in. It might even be better because it has been sitting and settled.

c. Walk-ins:

Chairman Warnke said I had a conversation with Max Mills. He is not on the agenda, but I anticipate him being a walk-in. There is a punch list we can review. Engineer Breinholt said he may have never requested an escrow release. I do not have a record of it. I will release what has been done. He did not attend so they will discuss it at a future meeting.

4. Comments/Reports: None.

Engineer Breinholt said the State code is changing the way we do approvals. Have you read through that yet? That is going to hit us in January. We are closer to compliance than most communities, but there is a process. We have to have a checklist of things they have to submit, and we get four chances to review it. The checklist says they have to provide the full package to count as a review. Director Fulgham said the developers come after us, but it is their engineers not getting the work done. Engineer Breinholt said we need to carefully step through those come, January. Chairman Warnke said I was not too worried because I felt like we are doing it right. We do pretty thorough reviews, especially when we have complete submittals. Engineer Breinholt said the back and forth that we do works really well, but if someone is counting those steps, the back and forth cannot happen. We need to consider when does it count. If the submittal is incomplete, then we can say we are not going to provide any feedback until you give us something complete. We would have to keep track of submittal number one and so forth. If they do not complete everything from our first review, we just sent it back and say this is incomplete and you have not addressed all our comments. If we are just talking, they cannot count that as an official review. The back and forth is good, but we also need to have a process where it is written. We also have to quote every review comment and back it by a reference to the code or standard. Director Fulgham said some of it should be their responsibility to look at our standards. Chairman Warnke said those issues only become important when it is contentious. I feel like we treat people respectfully and work through things. I just do not see it on the practical level becoming an issue. Engineer Breinholt said if we have a new zoning administrator, we will have to talk about it and have them be a gatekeeper so that our reviews go to them as a review. Chairman Warnke said hopefully we will get someone here to help sure up the process. Engineer Breinholt said the deadline is about 15 business days to turn a review around. Chairman Warnke said I do not think we are far off from hitting all those benchmarks or standards.

The Committee then discussed road width standards. Engineer Breinholt said this still allows us to require the wider road section if we allow on-street parking. I think we only have to do it if we do not have on-street parking. Chairman Warnke said I will read through that, too and become more familiar with it.

Engineer Breinholt said the code about escrow or fees—typically it has been the policy to change that. We have updated the cost of a chip seal to the most recent costs. When we bid this out the number you had in there was really high because at the time that was the cost. Chairman Warnke said you can use the most recent numbers. The fee schedule says as much. That is the

current number I am using.

Chairman Warnke said I am writing an agreement for Blake Christensen's property on 1200 South. Take a quick look at the fees we are charging compared to the expenses. We did a quick analysis by having Deputy Recorder Nelson look at all the fees you had over a period of time that was attributed to a specific project. Then Assistant City Manager Marc Christensen went through the development agreements and pulled out the fees they paid. We started formalizing the fees back in 2021 and before that we did not have a good record in our development agreements. Part of the fee should be for who prepared the plan. Sometimes the City made money and others the City lost money, which is to be expected. This really does not include any of our time in doing reviews. It seems we need to charge more for fees. It is better to collect those fees toward the end of the process. We do not get as much resistance at that point. They have more things nearing completion and it matches closer with the timeline of cash flows for the developer. State code requires developers pay their application fees. We could change our ordinance and make it clear that we charge it toward the end of the process. I think we should increase that. Engineer Breinholt said I have always thought Tremonton has been cheap on fees. Director Fulgham said how much would the fees have to be to recoup that? Chairman Warnke said it almost feels like 1% would be right if we want to recoup all the fees. Director Fulgham said that is a round number and is easy for the developers to figure. Chairman Warnke said I could put together an estimate on my hours and then apply my rate to truth check it. Right now, we are charging half of a percent of the engineer's estimate for public improvements. Every couple of years we should check in and do something like this to see how costs are looking. I will do a little bit more work on this. Procedurally, one of the most time-intensive things is coordinating with people, calling and talking to them, and answering their questions. It all adds up. It can be pretty time-consuming. I will draft something up and we will discuss it more.

5. Public comments: No public comments.

6. Adjournment:

Motion by Director Fulgham to adjourn the meeting. Motion seconded by consensus of the Committee. The meeting adjourned at 10:59 a.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Development Review Committee Meeting held on the above referenced date. Minutes prepared by Jessica Tanner.

Dated this 3rd day of January, 2024

Linsey Nessen, City Recorder

*Utah Code 52-4-202, (6) allows for a topic to be raised by the public and discussed by the public body even though it was not included in the agenda or advance public notice given; however, no final action will be taken.