

**TREMONTON CITY CORPORATION**  
**LAND USE AUTHORITY BOARD**  
**May 28, 2014**

Members Present:

Shawn Warnke, City Manager/Acting Chairman  
Chris Breinholt, City Engineer  
Marc Christensen, Recreation Director  
Linsey Nessen, Deputy Recorder

Acting Chairman Warnke called the Land Use Authority Board Meeting to order at 9:05 a.m. The meeting was held May 28, 2014 in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Acting Chairman Shawn Warnke, Engineer Chris Breinholt, Director Marc Christensen, and Deputy Recorder Linsey Nessen were in attendance. Chairman Steve Bench and Director Paul Fulgham were excused.

1. Approval of agenda:

**Motion by Director Christensen to approve the May 28, 2014 agenda.** Motion seconded by Engineer Breinholt. Vote: Acting Chairman Warnke – aye, Engineer Breinholt – aye, and Director Christensen – aye. Motion approved.

2. Approval of minutes: May 14, 2014

**Motion by Director Christensen to approve the minutes of May 14, 2014.** Motion seconded by Engineer Breinholt. Vote: Acting Chairman Warnke – aye, Engineer Breinholt – aye, and Director Christensen – aye. Motion approved.

3. New Business:

a. Subdivide property – Brad Garfield.

Acting Chairman Warnke asked about the sewer lateral easement. Mr. Brad Garfield stated that the sewer line will tie into the sewer line that is already there. Engineer Breinholt stated that it is a shared sewer lateral.

Engineer Breinholt stated that an item Director Fulgham mentioned was that the water service must be individual all the way to the main water line. Mr. Garfield stated they can do that.

Engineer Breinholt stated that when an entire development is done, an escrow is taken, but it might not be worth doing that in this case. A cash escrow could be done but it would be easier to just have the improvements installed before the plat is recorded. Mr. Garfield stated that he would like to have the plat recorded because he wants to make sure everything will go through before he spends much money and suggested doing an

escrow. Engineer Breinholt stated that if it got to the point where the City approved the plat and the improvements just needed to be installed, there wouldn't be any hang up with it going through. Engineer Breinholt stated that the contractor who is going to do the work will give a bid, which Mr. Garfield will pay to the City in an escrow. There will also be a 10% contingency fee, which will be returned to Mr. Garfield if there are no problems.

Engineer Breinholt asked if the private lane and other items meet the City Code. Acting Chairman Warnke stated there was a punch list given to Mr. Garfield at the last meeting stating what items needed to be completed. Mr. Garfield stated that the punch list items included: making sure the easements are showing on the plat, which they are; that a water meter will need to be put in; whether the existing fire hydrant is close enough, which it is; and stated that the impact fees have been paid, and that he gathered signatures of all the property owners in Garfield Estates.

Acting Chairman Warnke stated that the fee-in-lieu is also outstanding for a portion of the right-of-way improvements. The City will collect a fee-in-lieu from Mr. Garfield to hold onto until the City has a bigger improvements project to do. Mr. Garfield asked how much the fee-in-lieu would be. Engineer Breinholt stated that it includes curb and gutter, sidewalk, and whatever the roadway needs in order to be widened to 66 feet. The curb and gutter will be around \$1,000. The sidewalk will probably cost around the same as the curb and gutter and the road will depend on what the width of the road currently is and how much it will take to get the road from where it is and where the curb and gutter will be. Mr. Garfield asked if he needs to get a cost estimate for the improvements and the water meter. Engineer Breinholt stated that Mr. Garfield could get the cost estimate for the improvements from Mr. Ben Johnston and the cost estimate for the water meter can come from the contractor that will be doing the work.

Acting Chairman Warnke asked to have it added to the plat that the road access easement is granted to Lot 1B. Engineer Breinholt agreed that should be added. Mr. Garfield stated that he will have Mr. Johnston add that. Engineer Breinholt asked that Mr. Garfield have Mr. Johnston make the changes to the plat and then send it PDF to him.

**Motion by Acting Chairman Warnke to approve the Garfield Subdivision Phase 1 Plat Amendment subject to the following conditions: PUE's be added around the newly established lot lines, that the City Engineer verify that there are easements for water and sewer laterals across the property, that there is clarification added to the private road access easement that it is granted in favor of Lot B, that there is a fee-in-lieu collected for right-of-way improvements on 950 East, and that there is a waiver from damage or note put on the plat regarding emergency vehicle access.** Motion seconded by Engineer Breinholt. Vote: Acting Chairman Warnke – aye, Engineer Breinholt – aye, and Director Christensen – aye. Motion approved.

- b. Walk ins\*

No walk ins.

4. Comments/Reports:

a. Chairman/Zoning Administrator – Steve Bench

Chairman Steve Bench was excused from the meeting.

b. City Engineer – Chris Breinholt

Engineer Chris Breinholt stated that he has the protection strip removal plat ready to go.

c. Recreation Director – Marc Christensen

No comments.

d. Public Works Director – Paul Fulgham

Director Paul Fulgham was excused from the meeting.

e. City Manager – Shawn Warnke

No comments.

5. Public comments: Comments limited to five minutes.

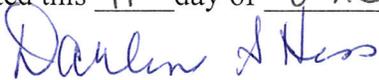
No public comments.

6. Adjournment:

**Motion by Engineer Breinholt to adjourn the meeting.** Motion seconded by consensus of the Board. The meeting adjourned at 9:26 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 Land Use Authority Board Meeting held on the above referenced date. Minutes prepared by Linsey Nessen.

Dated this 11<sup>th</sup> day of June, 2014



Darlene S. Hess, 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.