

**MINUTES OF MORGAN CITY
COUNCIL MEETING**

AUGUST 22, 2023; 7:02 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

Mayor Steve Gale, Tony London, Eric Turner, Jeffery Richins, Jeff Wardell, and Dave Alexander

STAFF PRESENT IN-PERSON:

Ty Bailey, City Manager; Gary Crane, City Attorney; and Denise Woods, City Recorder

OTHERS PRESENT:

Jake Young, CitiDesign, City Planner

This meeting was held in the Council Conference Room of the Morgan City Offices, 90 West Young Street, Morgan, Utah. The meeting was streamed live on YouTube and available for viewing on the City's website – morgancityut.org.

This meeting was called to order by Mayor Steve Gale.

The pledge of allegiance was led by Councilmember Turner.

The opening ceremony was presented by Councilmember Richins.

APPROVAL OF MEETING AGENDA

MOTION: Councilmember Turner moved to approve the agenda.

SECOND: Councilmember London

The motion passed unanimously to approve the agenda.

MINUTES AND WARRANTS

MOTION: Councilmember London moved to approve the following:
Minutes of the City Council Work Meeting – June 13, 2023;
City Council Meeting Minutes – June 13, 2023;
City Council Work Meeting Minutes – June 27, 2023;
City Council Meeting Minutes – June 27, 2023;
City Council Special Work Meeting Minutes – June 28, 2023;
City Council Work Meeting Minutes – July 11, 2023;
Warrants (07/07/23 – 08/18/23)

SECOND: Councilmember Turner

The motion passed unanimously to approve the minutes as written and one set of warrants.

CITIZEN COMMENTS

No citizen comments.

NEW BUSINESS

INTERLOCAL COOPERATION AGREEMENT BETWEEN MORGAN COUNTY AND MORGAN CITY FOR THE PURPOSE OF ASSISTING THE CITY WITH THE 2023 MUNICIPAL GENERAL ELECTION – RESOLUTION 23-17

Ty Bailey, City Manager, stated the County had been doing the City's Municipal Elections in the past and this was an agreement between the County and the City to continue working together. He mentioned it had always been a budget item.

Denise Woods, City Recorder, explained the City was responsible for all the noticing, collection of the Campaign Financial Statements, approving ballots, and handling the period for the candidates to declare their candidacy. She stated the City worked closely with the County throughout the election and the County had the ballots printed and mailed, kept track of the registered voters, counted ballots as they came in, and provided the final count of the ballots at the conclusion of the election.

MOTION: Councilmember Alexander moved to adopt Resolution 23-17 – A resolution adopting and approving an Interlocal Cooperation Agreement with Morgan County for the Purpose of Assisting the City with the 2023 Municipal General Election Under the Oversight of the City Recorder.

SECOND: Councilmember Richins

Discussion on the Motion: No discussion.

ROLL CALL VOTE: Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye
Dave Alexander – aye

Vote was 5 ayes; Motion passed unanimously to adopt Resolution 23-17 – A resolution adopting and approving an Interlocal Cooperation Agreement with Morgan County for the Purpose of Assisting the City with the 2023 Municipal General Election Under the Oversight of the City Recorder.

AMENDMENT TO TITLE 5, CHAPTER 5.02, SECTION 5.02.080 OF THE MORGAN CITY CODE BY REMOVING RESTRICTIONS BASED ON THE BREED OF AN ANIMAL – ORDINANCE 23-11

Denise explained several years ago the legislature limited local governmental entities' authority in enacting and enforcing animal-related ordinances that contained provisions that imposed restrictions based on the breed of animals. In 2015 the City amended the City Code repealing several sections which were in violation of the new State Code. She said recently the City became aware of another section of the City Code which needed to be amended. This ordinance removes the restrictions based on the breed of an animal in Section 5.02.080 so it complies with the State Code.

Councilmember Alexander said the Code read . . . dogs, which by their hereditary characteristics have a propensity to be vicious. He asked who determined if a dog was vicious.

Gary Crane, City Attorney, said if a dog bit someone it could be determined to be a vicious animal. He said it would also be if the animal had a wild nature.

MOTION: Councilmember Richins moved to adopt Ordinance 23-11 – An ordinance amending Title 5, Chapter 5.02, Section 5.02.080 of the Morgan City Code by removing restrictions based on the breed of an animal; Providing for repealer; Providing for severability; and Providing for an immediate effective date.

SECOND: Councilmember Wardell

Discussion on the Motion: No discussion.

ROLL CALL VOTE: Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye
Dave Alexander - aye

Vote was 5 ayes; Motion passed unanimously to adopt Ordinance 23-11 – An ordinance amending Title 5, Chapter 5.02, Section 5.02.080 of the Morgan City Code by removing restrictions based on the breed of an animal; Providing for repealer; Providing for severability; and Providing for an immediate effective date.

AMENDMENT TO TITLE 10, CHAPTER 10.30, SECTION 10.30.040 OF THE MORGAN CITY CODE BY AMENDING THE TOTAL WIDTH ALLOWED FOR DRIVEWAYS – ORDINANCE 23-12

Ty explained the City adopted new Public Works Standards several months ago and it was discovered it wasn't consistent with the City Code regarding access widths for driveways. He said this section of the Code needed to be amended to follow the new City Standards to reflect the new width of thirty-six feet (36') allowed for driveways.

MOTION: Councilmember Wardell moved to adopt Ordinance 23-12 – An ordinance amending Title 10, Chapter 10.30, Section 10.30.040 of the Morgan City Code by amending the total width allowed for driveways; Providing for repealer; Providing for severability; and Providing for an immediate effective date.

SECOND: Councilmember London

Discussion on the Motion: No discussion.

ROLL CALL VOTE: Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye
Dave Alexander - aye

Vote was 5 ayes; Motion passed unanimously to adopt Ordinance 23-12 – An ordinance amending Title 10, Chapter 10.30, Section 10.30.040 of the Morgan City Code by amending the total width allowed for driveways; Providing for repealer; Providing for severability; and Providing for an immediate effective date.

ENACTMENT OF TITLE 10, CHAPTER 10.15 – MIXED RESIDENTIAL OVERLAY (MRO) ZONE – ORDINANCE 23-04

Jake Young, CitiDesign, City Planner, stated this item had been discussed thoroughly in past work sessions with both the City Council and the Planning Commission. He referred to the memorandum in the packet. He recommended the zones which were compatible with the MRO as base zoning. The MRO was an overlay zone which could be applied over a development. The Planning Commission would make a recommendation, but approving the MRO Zone would be a legislative decision by the City Council if a specific development/property was recommended for the MRO Zone. He mentioned the zones the MRO would be allowed in and clarified that R-1-8 was not a permitted use anymore within the City and this would not change that. (R-1-12, R-1-10, R-1-8, RM-7, RM-15, and General Commercial (G-C) He mentioned the zones the MRO would not be allowed in (Manufacturing and Distribution (M&D), R-1-20, R-R, Highway Commercial (C-H) Agriculture (A), and Central Commercial (C-C). He stated the MRO developments would not have frontage on key commercial corridors such as State Street (600 East to Young Street) and Commercial Street (300 North to 100 North).

Councilmember London said the proposed ordinance stated the MRO development was intended to be infill development located within the community's core and not the City's perimeter. He said at some point someone was going to request for the MRO Zone on the perimeter.

Jake stated it was difficult to decide where the core and the perimeter was so he was okay with having additional language for a contiguous MRO next to another MRO. He stated the base zoning should follow the General Plan and it had the higher densities in the center of the City and as it moves out it becomes lower in density.

Ty stated the properties would apply for a rezone at the same time.

Jake said he recommended language that of the usable open space, 75% must be less than 10% slope. He explained if the City required a pocket park as part of the MRO there had to be a place for the kids to play so of the required open space 75% must be less than 10% slope.

Mayor asked if the City would be responsible for maintenance.

Jake explained if it was a larger project and the park was going to be a City Park (between 2 to 5 acres) the City could enter into an agreement to take over maintenance of the park, however, the default was an HOA. He said the pocket parks were good but not cost effective for maintenance. He proposed additional language for an MRO with larger projects and developments (4 to 10 acres) to provide more substantial community and they would need an HOA which would have some open space requirements and it would increase it from 25 units to a minimum of 40 units. He said this would make the pocket parks one-half acres. He said all the streets would be public streets and any alleys or common space would be the responsibility of the HOA. He recommended as part of a larger subdivision; the MRO may be used for up to 25% of the gross acreage. He gave an example of a 20-acre project and how it could be MRO for the first 10 acres, and the remaining 10 acres could be 75% base zoning (compatible R zone) and 25% MRO. The continuation of MRO after 10 acres should be a 4:1 ratio or less. He said the entire project must be designed at once for streets, trails, utilities, stormwater, parks, and open space and the usable open space requirement only applied to the gross MRO acreage. However, the amenities, trails, park, and open space should be accessible and usable by the whole development and the City. He said with this type of development the homes, the landscape and the trees would come with it in terms of quality.

Discussion regarding building in phases. Jake said building in phases was okay as long as the master plan and street plan for the entire development was provided. He said it was tough to require building the streets

and installing the infrastructure without being able to build and get some of the money back. Ty mentioned his concern about allowing a project to be built in phases and then the project not get completed. Gary said the City shouldn't enter into an MRO without a development agreement in place which described exactly what you were concerned about. The development agreement would run with the land. Jake clarified that the amenities came with the MRO portion of the development.

Gary explained that if a developer wanted to develop a subdivision with an R-1-10 zone the design standards could not be required because State law changed a few years ago. He said with the MRO the City had the ability to have a development agreement and require specific design standards on a development.

Jake said he suggested the following change to the language of the ordinance regarding contiguous MROs:

“Development patterns should provide choices in housing sizes and types, including larger homes and medium size lots. He said careful consideration should be given if new MRO developments are proposed next to existing MRO developments.”

Councilmember London asked if the City could require a rendering of what the development was going to look like.

Jake didn't think the City could ask for renderings which showed the elevations of every single home but could require a rendering showing a sample elevation of the homes. He stated the architecture needed to be approved by Staff as part of the project. He said the developer would provide color plans and the City could ask for a 3D rendering of the community for this type of project and it would include renderings of all the open space and amenities so the City would see the entire project.

Discussion regarding the benefits of this type of development.

- Providing medium-density housing (townhomes) which aren't “cookie-cutter.”
- Create a development which is attractive and blends with the neighborhood feel.
- Better use of open space.
- Accommodate the growth pressures without having to explode our boundaries.
- Create attractive neighborhoods.

Councilmember Turner expressed his appreciation for Jake's work on the ordinance and after listening to the concerns of the Council and Staff implementing those issues into the ordinance. He stated he represented the citizens of the City and as a Council we had the ability to decide how we wanted our community to look. He voiced his mixed feelings regarding this type of development. He asked if the proposed language in the memorandum had been implemented into the ordinance which was in the packet.

Jake said it had not, but if a motion was made for approval tonight it could state that the language in the memorandum to be included in the ordinance.

Gary stated the Council could approve it tonight with the language in the memorandum, but it was best to have the completed ordinance to review and approve prior to adopting it. He said he was comfortable with it either way because the language in the memorandum was specific enough, but it was the Council's decision.

Councilmember Richins stated he liked the concept and the ability it gave the City to be more in control of the type of development which came into the City.

Councilmember London suggested removing the language in Sections 10.12.040 and 10.15.010 that the MRO zone was intended for infill development.

Jake agreed with removing that language after the discussion tonight. With the proposed language in the memorandum and also several other amendments to the ordinance he suggested waiting one more month and bringing the ordinance back in complete form before the Council voted on it.

MOTION: Councilmember Turner moved to table Ordinance 23-04 to a date certain of September 12, 2023.

SECOND: Councilmember Richins

Discussion on the Motion: No discussion.

ROLL CALL VOTE: Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – aye
Dave Alexander - aye

Vote was 5 ayes; Motion passed unanimously to table Ordinance 23-04 to a date certain of September 12, 2023.

Gary Crane and Jake Young left the meeting at 8:25 p.m.

SPECIAL REPORTS

CITY COUNCIL

Councilmember London mentioned the UAMPS conference he and Dave recently attended and the discussions regarding electric vehicles.

Councilmember Alexander mentioned the discussions regarding nuclear power and the size and number of companies which were working on small and large plants.

CITY MANAGER

PROJECT UPDATES

Young Street Bridge & Young Street Improvements – Final Update – Ty mentioned the ribbon cutting ceremony on the bridge and expressed appreciation to the Mayor for his presentation even under short notice.

Parks & Cemetery Manager – Ty said there was a job opening for a parks and cemetery manager and interviews would be done next week. He said this was to recruit more leadership and management to the department. They would help with creating new parks space and trails.

City Hall Natural Gas Generators – Ty said the natural gas project was moving forward and would provide a natural gas generator at the City building and two other sites would be plumbed in for natural gas so we can move the mobile generators.

Records Room – Ty said this project had been completed.

Stage – Ty said Lance had gone to get the stage and it would be here for the concert on Saturday.

Entrance to the City – Concept – Ty provided some preliminary concept designs for the entrance to the City. He suggested a digital sign for the area. He said the sign would also mention the Morgan City Historic District.

City Vehicles – Ty stated the City vehicles were on a five-year rotation so the next vehicles purchased would be utility trucks. He mentioned there would be several items the City would surplus.

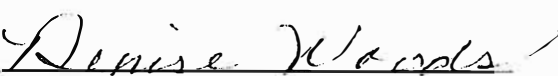
Downtown Area Plan – Ty informed the Council that CitiDesign, Jake's company, had been selected to do the Downtown Area Plan. This would be completed through a grant and Wasatch Front Regional Council (WFRC) would be assisting with the trails and park plans and Jake would be focused on the Downtown Area Plan. He said the new Downtown Master Plan included the area all the way to the City's sewer lagoons.

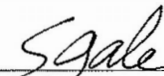
Councilmember London mentioned the validity of making the frontage road a two-lane road. He said it would pull the rock trucks off of 600 East and would alleviate some traffic on the Commercial Street intersection.

UAMPS – Ty mentioned a new contract for the solar project would be brought back to the Council for approval soon. He said it was called Steel SolarB and was a solar farm with an option for battery.

Ty said he had signed a letter of support for the School District for a grant for electric buses. He said the School said they could charge the buses at night and run all their routes during the day.

This meeting was adjourned at 8:50 p.m.


Denise Woods, City Recorder


Steve Gale, Mayor

These minutes were approved at the October 10, 2023 meeting.