

Town Council Regular meeting
July 16, 2024
FINAL Minutes

Council

Jean Krause-mayor
Paul Luwe
Mistie Baird
April McKeon-Zoom
Marci Holm

Attendance

Krystal Percival-Clerk
Kim Kietzman-Permit Clerk
Heath Snow-Attorney
Tyler Eams
Darlene Pope
Kent Peterson
Jonathan Zundel
Dayton Hall

Online

Monica Bowcutt
Lori Rose, Gene Garate
Charlotte Downard
Diane Peterson
Bronwyn Wallace
Chris Schofield
Dr. Bates, Val, Cheri,
Niles Ritter
iPhone 435-229-8685
Stauffer

REGULAR MEETING: 6:08pm

A. CALL TO ORDER/PLEDGE OF ALLEGIANCE Jean Krause

B. DECLARATION OF CONFLICTS OF INTEREST – NONE

C. CONSENT AGENDA

1. Approval of Minutes from June 25, 2024, July 2, 2024, July 11, 2024, Town Council Meeting

2. Approval of Checks and Invoices for May and April 2024

Jean Krause made a motion to table the minutes to next month / April McKeon seconded / All Aye / No Nae

Jean Made a motion to approve checks and invoices from May and April 2024 / April McKeon Seconded / All Aye / Marci Holm Abstained

D. OPEN FORUM

Limit 2 minutes per speaker, may talk about anything NOT on the agenda.

NONE

E. COUNCIL COMMENTS

Paul Luwe asked Tyler Eams to talk from the Hurricane Valley Fire District:

Tyler Eams stated that we have had 11 instances that have had fires a little over 6 acres by Sky Ranch and most were firework related. We finished up active shooter training today with the Hurricane police department. We are at 28% with our call volume and 24% with the corridor.

Paul Luwe stated that he would add that the fire call numbers are in the SharePoint for May and June so you can compare. Thanks to Krystal for pushing the firework ordinance band.

Marci Holm wanted the public to be aware that a public body has been ordered called the approved resolutions and ordinance's and to look for that.

Jean Krause stated that everyone in town knows about the water issue we had starting Sunday. I wanted to thank everyone who helped passing out flyers: Darcey Spendlove, Darlene Pope, Kabob Spendlove, Chari McRae, Valerie Wenz, And the Amodt Family.

Jean explained why Virgin was affected the way it was and how LaVerkin was not.

At her lunch they talked about some rules and laws that might change with municipal law on the interim session with the state.

ACTION ITEMS:

A. MOTION AND VOTE FOR ITEMS 1 - 3

1. Ordinance 2024-13 amending Virgins official zoning map by rezoning V-2149 currently, Rural Residential zone (RR) to Highway Resort Zone (HRZ). (Planning and Zonings recommendation was for approval)

Jean Krause stated that I did not have this on the work meeting agenda. Heath Snow stated that during the planning meeting the recommended approval on this, I want to clarify 109A509, about the land use applications and I want to make it clear that I think it might be that they might have to act on it. That is only on land use decisions. If the council approves this, you are adopting this and are making law. Tonight, you are making a land use regulation and are creating law.

Paul Luwe stated maybe we need to have planning commission relook at this and I would like to delay this a month. I also was recommended by a planning commission member to walk the property, I have yet to do so. I would like to delay this for 30 days.

Heath Snow I wonder about site visits. Your only approving uses and density.

Jean Krause stated I don't think it needs to go back to planning commission, Heath gave a great explanation to them. And regards walking the property I don't see why walking the property would do anything as it is zoned rural residential and they have already uses.

Marci Holm stated I see that this property has issues with drainage and such, also on the whereas two needs to be finished.

Kent Peterson stated that 10 years ago that a map was where a map that highway resort zone was and that was on the east side of town. This property is not where an Auto Camp or motel/Hotel should go for a walk in this area. We don't want another hotel motel.

The Clerk sent over the letter that the peeks sent to the planning commission and the mayor read that into the record.

Darlene Pope stated that did Heaths Snow narrative your vote.

Mistie Baird stated that I make a motion to table to send it back to re-vote and send it back to planning commission / Marci Holm Seconded / All AYE / No NAE

2. Final Plat for V-2-1-21-314 & V-2-1-21-315 (Labrie Project) (Planning and Zoning Recommendation was approval)

April McKeon stated that the CUP is only for the gas station, and it has both of the parcels listed. One of the conditions has not been met and if they were to sell do, they amend the CUP. Heath Snow stated they cannot sell until they have a certificate of occupancy, and the CUP is met.

Heath Snow stated that we don't normally review CCRs that's not our job, I look at a couple of things such as the use and some of the things that might conflict with the Town's Ordinances and I'm the one that normally revives the CCRs.

Paul Luwe stated that I'm concerned about shared parking spots.

Heath Snow stated that there is a cross-parking easement.

Johnathan Zundell stated that Ash Creek is going to be our body politic.

Marci Asked do we have a map with the signatures?

Heath Snow stated that we have a process that everything goes through with a signed set of CCRs and approved the warranty bond.

Darlene Pope sent in a letter (See attached to the Minuets) She also stated:
2.22 of VULU just because things are done incorrectly by staff doesn't make it legal. We also have new members who are committed to upholding our oath and laws and code. I want things done right. For the town and for our residents.

Marci Holm wanted to know how the CUP would get done and how she would know if they got complete Heath Snow stated that they do not get the Certificate of Occupancy unless the CUP is met. That is what certifies they do the completion.

Mistie Baird makes a motion to approve the final plat with conditions: 7/10/2024 primary plat to be set to that date. The engineer to review the final plat the bonding is acceptable to the attorney; the signatures require 18.10 D3 added to this with the town attorney verifying this document. / Jean Krause seconded

Roll Call

April McKeon - NAE

Marci Holm – NAE

Mistie Baird AYE

Jean Krause – AYE

Paul Luwe – AYE

Pass 3/2

3. Award bid for Fire Hydrant Replacement

Jean Krause stated that we have two fire hydrants in town that need replacement in town.

Mistie Baird made a motion to allow mayor to approve mayor to grant a bid that they have a proper licensing, and they are a bonded not to exceed \$25,000 / Marci Holm Seconded

Roll Call

April McKeon - AYE

Marci Holm – AYE

Mistie Baird AYE

Jean Krause – AYE

Paul Luwe – AYE

DISCUSSION ITEMS:

A. Discussion items only no action

1. Ordinance 2024-XX, Amendment to Chapter 20 Requiring Public Notice for Public Meetings of the DRC
2. Ordinance 2024-XX, Repeal and Replace for Chapter 18, Subdivision Ordinance
No discussion
3. Ordinance 2024-XX, Amendment to Chapter 4.02, Planning and Zoning Commission
Paul Luwe makes a motion to have both the planner, and the planning commission look at A1 and A3. (No Second / No Vote)
4. Status of Shirlene Hall Zone Change Request
Jean Krause stated that this was given 6 months, and nothing had been done.
Darlene Pope stated that we were under the understanding that Paul and Mistie were going to work on this.

Mistie Baird stated that this is not something that can be done in 6 months.

Dayton Hall stated that we are ok with waiting another 6 months but after that we want a vote. He asked if this is possible to just put the top three parcels on for a zone change. Paul Luwe stated that he wants to see if zoning code changes first to include light commercial. Mistie Baird stated that this should be at the next meeting. Dayton stated that he would take out the four parcels and wave that application fee.

Mistie Baird stated what about the small parcels, what would happen with them are they even buildable?

Dayton asked if we do a lot line adjustment and combine the lots then we can apply for them to be commercial. He is ok with going making them just two lots.

Paul Luwe stated that he is alright with waiving future fees and next month grant him a 6-month extension so we can work on a neighborhood commercial. That is his preference.

Mistie Baird stated the ordinances are written the way they are. And the three parcels do not comply with the ordinances.

Jean Krause stated that we will put this on for a vote next month to decide what to do.

5. Creation of Workforce Housing Task Force
No discussion

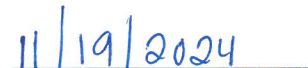
CLOSE PUBLIC MEETING AND OPEN CLOSED MEETING (IF NEEDED)

ADJOURN MEETING 9:07pm

Motion to adjourn public meeting

Jean Krause Motion to adjourn Mistie Baird seconded / all AYE / No NAE


Krystal Perdival Clerk/Recorder


Approved Date