

**Town of Independence**

Town Council Meeting

11/12/2024 7:00 p.m.

**In attendance:** Mayor Phil Sweat; Councilmembers Gary Ryan, Rose Heaton, Tracy Sabey and Bonnie Wilson. Councilmember Bill Duke was excused.

**Staff attendance:** Jodi Hoffman and Cathy Bingham.

Others in attendance: Lauren Bolger, Kim Tolbert, Jim Tolbert and Allen Sweat.

1. Mayor Sweat called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance. Councilmember Wilson offered the Pledge of Allegiance.
3. Review and possible adoption of draft minutes for October 8, 2024.
  - Councilmember Heaton moved to approve the minutes for October, 2024.
  - Councilmember Ryan seconded the motion.
  - The motion passed unanimously.
4. Consideration and possible adoption of AOKA Engineering Agreement.
  - Ms. Hoffman reported that the building plan review/building inspector that the Town had previously used retired. AOKA submitted a proposal to provide these services.
    - The contract is for “needs only” services. It does not involve a monthly, or annual obligation.
    - The Town would need to provide a 45-day notice to terminate the contract.
    - AOKA will invoice the Town directly. A fee will be collected from the home owner at the time a building permit is issued. Additional fees will be requested if needed. The state law allows a town to only charge a building permit fee that is enough to cover the actual permit application review and building inspection fees.
    - A price list for fees will be included when a building permit is issued.
  - Councilmember Sabey moved to approve the AOKA Engineering Agreement.
  - Councilmember Heaton seconded the motion.
  - The motion passed unanimously.
5. Consideration and possible adoption of Larson & Company, PC Engagement Agreement.
  - Ms. Hoffman explained the contract to the Council. Since the Towns’ budget exceeded \$350,000 (due to out of pocket income and privately funded expenses for development reviews) state law requires an independent auditor to review the budget of the Town and report its findings.
  - The expense for this service was not itemized in the current budget but can be paid out of the administration budget.

- The only “adverse findings” Larson & Company discovered after reviewing the budget was that the Town did not classify funds in the out of pocket account when the budget was amended, and the budget should have been amended earlier than the final month of the fiscal year.
- Councilmember Sabey moved to approve the Larson & Company, PC Engagement Agreement.
- Councilmember Heaton seconded the motion.
- The motion passed unanimously.

6. Consideration and possible adoption of 2024-2025 Interlocal Agreement for Snow Plowing with Wasatch County.

- Ms. Hoffman went over the agreement with the Council. Snow plowing is a needed service.
- The current agreement increased the hourly rate from \$160.30 to \$175.00 and the cost of salt increased from \$42.36 to \$44.50 per ton.
- In meetings with the Mayor, the County explained that last year’s increased cost per snow-plowing pass had resulted from County staff’s determination that the actual time that County crews actually spent on Independence roads had been undercharged in prior years.
- Councilmember Sabey moved to approve the 2024-2025 Interlocal Agreement for Snow Plowing with Wasatch County.
- Councilmember Wilson seconded the motion.
- The motion passed unanimously.

7. Roads Update.

- Mayor Sweat reported that Center Creek Road, up to the gravel, pit will not likely handle an increase in traffic caused by new development.
  - Ms. Hoffman explained that the current code requires new developments to improve the roads up to the Town’s standard along their frontage.
  - Mayor Sweat would like developers to improve Center Creek Road from the Signature development to the Gardner/Kimball development.
  - Ms. Hoffman explained that proposed developments that request a rezone will be required to connect to the proposed Town Center Road, which will connect directly to Highway 40 and will most likely channel traffic from new development from be Center Creek Road, with Center Creek Road serving only as the secondary egress for rezoned development.

- Developers of the Gardner/Kimball development will be required to present a traffic plan showing how large construction vehicles traffic will be kept off of Center Creek Road.
- Developers of the Gardner/Kimball development will also need to provide a traffic study and an engineer's review that addresses a safe solution for the rise and curve at the top of Center Creek Road as it transitions from a west to east orientation to a north to south alignment. It must also address whether/how Center Creek Road will hold up with increased traffic from new development.
- Councilmember Wilson spoke with Undersheriff Josh Probst regarding the speed trailer that was placed on Center Creek Road and Duke Lane. Mr. Probst said the data is being compiled into a report and will be provided to the Town.
  - Councilmember Sabey reported he has noticed an increase in the presence of Sheriff Officers in the area.
  - Councilmember Wilson will follow up with the Sheriff's Office and get the report.
- Mayor Sweat asked how flood control would be handled with all the new development.
  - Ms. Hoffman replied that all new developments are required to provide plans to handle and retain all run off water resulting from their proposed development.

8. Development Update. Ms. Hoffman reported on current development applications/inquiries:

- Roselyn Estates is continuing to work on their 2-lot subdivision on Center Creek Road. Part of their conditions of subdivision approval will include an obligation to improve their frontage along Center Creek Road up to the Town's Center Creek Road standards, which include a right of way width to allow a corridor for public utilities, snow storage, and a future trail.
- A meeting with Daniel Town, the Millstream developers, and the Town is scheduled to discuss the Towns' entry corridor off of Highway 40.
  - After an agreement is made with the two towns and the developer, Independence will submit a consensus-based proposal to UDOT for approval.
  - After UDOT approval, Millstream will move forward with plans for the RV Resort Park.
- The developers for the Town Center (UBA) have hired a new planner. Some of the new ideas include scaling down the architecture along the main road having one and a half

or two story buildings on the main commercial corridor, two resort pods for hotel and nightly rental development.

- Trails and road planning are being discussed with adjoining property owners before they submit a petition for a rezone.
- Councilmember Wilson asked about the re-alignment of Center Creek Road at the top of the hill.
  - Ms. Hoffman explained that Center Creek Road would need to be re-aligned and constructed on the Suburban Land Reserve property, which would result in most of the traffic flowing below the hill.
- Councilmember Heaton asked if the road from the Signature Development will align with the County's road that connects the Sohale development with Center Creek Road.
  - Ms. Hoffman explained that the roads will not be aligned because the master plans shows the main access for the Signature Development property will be a new road constructed at the toe of the slope that will connect to the Town Center Road and direct access to US 40. When the Town Center Road eventually gets built, Center Creek Road will serve as the secondary access for the Signature Development.

#### 9. Public Comments.

- Allen Sweat, representing Center Creek Culinary and Center Creek Irrigation Companies, addressed the council. He described the companies' requirements and approval process.
  - An application needs to be filled out and approved by both companies.
  - Culinary water can consist of changing CUP water to M&I to meet the indoor water requirement. The Culinary Water Company's culinary water requirement is the same as the County's culinary Water requirement.
  - Paul Berg, the companies' engineer, will review plans to insure that all water lines meet the companies standards.
  - After the companies' approve the plans, the application is then ready for approval from the County Water Board.
  - A will serve letter will be issued after both companies' and the County Water Board approve the application.
    - The Town's code only requires a will serve letter for culinary water.

#### 10. Adjourn.

- Councilmember Sabey moved to adjourn at 8:16 p.m.
- Councilmember Wilson seconded the motion.

- The motion was approved unanimously.

Dated this 14th day January, 2025

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Phil Sweat, Mayor

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Cathy Bingham, Town Clerk

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