

Town of Independence

Town Council Meeting

09/09/2025 7:00 p.m.

In attendance: Mayor Wayne Heaton, **Councilmembers** Gary Ryan, Bonnie Wilson, Tracy Sabey, Rose Heaton and Jim Tolbert.

Staff attendance: Jodi Hoffman and Cathy Bingham

Others in attendance: Lauren Bolger, Phil Sweat, Jim Franc, Will Duke, Sonya Duke, Randy Stocks, Matthew Gillett, Amy Gillett, Greg Cronin, Kim Tolbert and Debra Sorensen.

1. Mayor Heaton called the meeting to order at 7:06 p.m.
2. Prayer. Councilmember Heaton offered the prayer.
3. Pledge of Allegiance. Councilmember Tolbert offered the Pledge of Allegiance.
4. Discussion and possible adoption of draft minutes for August 12, 2025.
 - Councilmember Heaton moved to approve the draft minutes for August 12, 2025.
 - Councilmember Ryan seconded the motion.
 - The motion passed unanimously.
5. Discussion and possible adoption of Resolution 2025-05, Cancellation of the Municipal 2025 Election.
 - Ms. Hoffman explained that Wayne Heaton had withdrawn his candidacy for Mayor and Rose Heaton had withdrawn her candidacy for Councilperson. The Town has 2 open seats for Councilmembers. The Town received declaration of Candidacy from Will Duke and Jim Tolbert to fill the 2 open seats. Since there are no other candidates, and the deadline to declare candidacy was June 6 and the deadline for write in Candidates was August 29, these candidates are unopposed and therefore an election is not necessary.
 - Councilmember Tolbert moved to adopt Resolution 2025-05 Cancellation of the Municipal 2025 Election.
 - Councilmember Sabey seconded the motion.
 - The Motion passed unanimously.
6. Discussion and possible adoption of Amended Zions Bank letter re: Councilmember Check Signature Authorization.
 - Ms. Hoffman explained that due to pending changes in the Council and Mayor Seats, she proposed that all Councilmembers be authorized signatures on the Zions Bank Account since the account requires two signatures and signers cannot sign their own check. Ms. Hoffman can sign the letter but seeks the Council approval to do so.

- Councilmember Sabey moved to authorize Ms. Hoffman to sign the Zions Bank Letter allowing all Councilmembers to be signers on the Account.
 - Councilmember Tolbert seconded the authorization.
 - Council unanimously agreed.
7. Consideration of Town Policy regarding the use of Artificial Intelligence (AI) as directed by the Utah State Auditor's Office.
- Ms. Hoffman explained the State Auditors Office warned Government Agencies that if AI is loaded on your computer, access to municipal files should not be allowed. Municipal files contain protected information under the State's Government Records Access Management Act.
 - Councilmember Heaton who is also the Town Treasurer received a copy of the letter and stated the State suggested AI should not be used by Government Entities.
 - Ms. Hoffman asked Councilmembers to not install AI.
8. Update postcard mailings and Town contact list.
- Councilmember Heaton and Lauren Bolger have a list of property owners and residents addresses in the Town. This list will be used for a one time mailing which will include the website for the Town, the website for Utah Public Notices (with convenience of RSS feed), date, time, and place for regular scheduled meetings.
 - Kim Tolbert will work with Ms. Bolger to get the postcards mailed out.
9. Update on Town email addresses for Mayor, Councilmembers, and Planning Commission.
- Ms. Bolger reported the cost for the email addresses will be approximately \$12 a month for each account (approximately \$1,300 a year). Town officials will need google email accounts. The State will convert the google email accounts to Independence.gov email accounts.
 - Ms. Hoffman warned the Council that .gov email addresses will be listed on the Town's website, and the contents of which are public records, which must be divulged to anyone who submits a GRAMA request for them.
 - Ms. Bolger will work with Town Officials to get these accounts set up and converted.
 - Phil Sweat commented that probably 95% of people don't know how to access information regarding meetings. He asked if the postcards will include information on how to access the Town's Website and The Utah Public Notice Website.
 - Ms. Bolger replied that all of that information will be included.
10. Report from Jim Tolbert on meeting with the Town's accountant, Dave Sanderson.

- Councilmember Tolbert reported that Mr. Sanderson explained the accounting system and how it complies with State Code.
 - Revenues and expenses are reported automatically.
 - Quarterly reports are sent to Council to review.
 - Councilmembers can review the reports to make sure items are categorized correctly.
 - Sub ledgers will be created to make the report easier to read.
 - Ms. Hoffman stated that all the financial information from each political subdivision of the State is uploaded to the State Auditor’s Office for the public to review.

11. Update about Mayor, City Council, and City Staff all having access to the same software.

- Councilmember Heaton commented this is a carry-over discussion from prior meetings. In the past, some Town officials reported that they could not receive or open certain emails. It was discussed that the Town should look into ways to insure that all officials are receiving emails and the attachments.
- Ms. Hoffman explained that most emails are sent using a universal . PDF format. If corrections are needed, they can be done by the creator of the document.
- Providing a wide variety of software to all Town officials could be expensive.
- Ms. Bolger said that once all email addresses are converted, the Town will make sure everyone can receive and open attachments which will possibly avoid the need to purchase of new software suites for everyone.

12. Roads Update.

- Ms. Hoffman is waiting for the revised contract from LiDAR. This contract has been approved by the Council and can be signed by the Mayor Pro Tempore.

13. Development Update.

- The Gardner Group is under contract to purchase the Ryan Ranch property. They would like to incorporate this property with the Kimball Ranch Property Design that they have already purchased.
 - They haven’t presented any plans on how they will provide and serve water to this development. They are considering converting irrigation shares to culinary use having Twin Creeks Special Service District wheel water to them. The Town’s water engineer consultants have concerns about the value of the water to be dedicated and will work closely with the State Water Rights Engineer before approving the water requirement.

- The next meeting with the Gardner Group will most likely be about eliminating the density from the alfalfa fields and allowing a portion of that density on the hillside. A re-zone will need to be approved if any changes are proposed.
 - Mayor Heaton is concerned about this development because of the many different ideas/changes they have presented. He encouraged the Council to be extremely careful when approving developments like this.
 - When staff is satisfied that the development has met all requirements for a petition to rezone, and the terms of a proposed zone and development agreement have been negotiated, the project parameters, a proposed General Plan Amendment, proposed zoning text, map amendment, and draft development agreement will be presented to the Planning Commission who will consider the proposal, will offer their advice as to whether the proposed project is good for the Town, and will offer a recommendation to the Town Council for project approval, revision, or denial.
 - Councilmember Wilson likes the Town's General Plan which gives the Council the final say on these types of projects.
 - The Town received notice from the State Division of Oil, Gas and Mining that Staker Paving has applied for a large-scale mining permit. This is an active pit located off of Highway 40. The Town does not have jurisdiction over this type of land use approval.
 - Ms. Hoffman has received calls regarding improving the cell towers at the Daniels Summit Lodge. She is waiting for consent from the land owner before accepting any applications.
14. Ratification of resignation of Rose Heaton as City Council member and Independence City Treasurer.
- Ms. Hoffman thanked Councilmember Heaton for her 17 years of service and dedication to the Town.
 - Councilmember Heaton thanked the Town and said it was a pleasure to serve.
 - Councilmember Tolbert, with reluctance, moved to accept the resignation of Rose Heaton as a Councilmember.
 - Councilmember Sabey thanked Councilmember Heaton for her service, and with reluctance, seconded the motion.
 - Council Vote: Wilson - abstained, Ryan – yay, Sabey – yay, Tolbert – yay. Motion passed.
15. Ratification of resignation of Wayne Heaton as Independence City Mayor.
- Ms. Hoffman thanked Mayor Heaton for serving and for stepping up when the Town needed a Mayor.
 - Mayor Heaton said his choice to resign was not to avoid an election, but feels he needs to take care of family matters.

- Councilmember Ryan, with reluctance, moved to accept the resignation of Wayne Heaton as Mayor of Independence.
- Councilmember Sabey seconded the motion.
- Council Vote: Wilson - abstained, Ryan – yay, Sabey – yay, Tolbert – yay. Motion passed.

16. Mayor Pro Tem Wilson opened the meeting for Public Comments.

- Phil Sweat – Resident (Center Creek) stated:
 - Based on the number of people that attended last month’s meeting, he believed that the Town of Independence has caused division in the community. Mr. Sweat presented to the attendees, the Mayor and Council a handout entitled “The Council needs to Unite the Community instead of divide it”.
- Randy Stocks - Resident (Center Creek) stated:
 - Area residents keep asking the Council to revise the General Plan; he asked the Council their opinion about the current General Plan.
 - Mayor Pro Tem Wilson replied the Council discussed the General Plan at the last few Town Council Meetings. The Council unanimously voted to keep the General Plan.
 - Who originated the General Plan?
 - Mayor Pro Tem Wilson named the original Planning Commission members.
- Jim Franc – Resident (Daniel Summit Estates)
 - Wanted a Yes or No from each Councilmember if they agree with the General Plan.
 - Councilmember Wilson – yes, Ryan – yes, Tolbert – yes, Sabey – yes.
 - Did the Town adopt the County General Plan when it was incorporated?
 - Ms. Hoffman replied the Town adopted the County background zoning to address immediate development rights and created a new General Plan to address its vision for future development.
- Sonya Duke – Resident (Duke Lane) stated:
 - Regardless of what the Town has done in the past, citizens want the General Plan reviewed now with public input allowed.
- Amy Gillett - Nonresident.
 - Interested in purchasing 80+ acres from the Strawberry Water Users Association. After looking into development options with the County, and finding those options very restricted and expensive, she would like to possibly explore the option to annex the property into the Town of Independence. She noted this meeting has been very informative and understands the controversy. She likes the Town’s idea

of nightly rentals. She also appreciates the public input about not wanting nonresidents.

- Greg Cronan – Nonresident.
 - Enjoyed the observation of tonight’s meeting. He asked the Council and the attendees - How will you prepare to have fellow Utahns join the community? He urged both sides to work together as a community.

17. Adjourn.

- Councilmember Sabey moved to adjourn at 8:52 p.m.
- Councilmember Tolbert seconded the motion.
- The motion was approved unanimously.

Dated this 14th day of October 2025.

Bonnie Wilson, Mayor Pro Tem

Cathy Bingham, Town Clerk