

**MINUTES OF MORGAN CITY
COUNCIL WORK MEETING**

December 9, 2025

**MAYOR AND COUNCIL MEMBERS
PRESENT:**

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

STAFF PRESENT:

**Ty Bailey, City Manager; Gary Crane, City Attorney;
Jake Young, City Planner; and Janet Pace, City
Recorder, Teresa Shope, Planning and Zoning**

EXCUSED:

Dave Alexander

PLANNING COMMISSION STAFF:

**Erin Bott, Becky Hendershot, David Griffith, Ray
Litte, Mark Francis**

OTHER:

Laurann McGuire

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 – <https://www.morganutah.gov/meetings>

This meeting was called to order by Mayor Steve Gale.

Training by Gary Crane

Gary Crane trained the City Council and Planning Commission on core land use law concepts, emphasizing that Utah requires four hours for Planning Commission members of annual training and that this session would count for three hours. He recommended the updated "Ground Rules" handbook as a plain-English guide and said his goal was to provide a clear "roadmap" for decision-making rather than overwhelm the group with technical detail.

Key themes Gary emphasized

1) Decisions must be timely—and tabling must have a reason.

Using the Heber City temple litigation as an example, Gary explained how land use lawsuits can cost hundreds of thousands of dollars and how delays can be extremely expensive (he referenced a claimed cost of roughly \$11 million for a year delay). He taught that tabling is appropriate when the body needs specific additional information, but delaying "just to delay" is risky. If a matter is tabled, the reasons should be stated clearly so staff know what to gather.

2) Federal protections can override local preferences.

Tony asked about a past "group home" public hearing, and Gary reiterated that federal law protects group homes, meaning a city generally cannot deny them simply due to public opposition. He explained that religious land use is also strongly protected under RLUIPA, noting that religious institutions are often treated as community uses and permitted broadly across zones—one reason temple disputes may hinge on *how* a project is approved rather than *whether* religious use is allowed.

3) Know the difference: legislative acts vs. administrative acts.

Gary stressed that this distinction controls both who decides and what legal standard applies:

- **Legislative acts:** general plan changes, annexation, zoning ordinances/maps, overlays, and some development agreements. Council has broad discretion as long as the decision is rational and not illegal/arbitrary, and Ray Little, commissioner emphasized that rezones can be approved or denied.
- **Administrative acts:** subdivisions, conditional uses, site approvals, building permits, and nonconforming use determinations. These must be supported by substantial evidence in the record and must strictly follow the ordinance.

He further explained that, under recent legal changes, subdivision approvals no longer go to the Council; staff issues final approvals, often relying on the Planning Commission's preliminary findings. This can create confusion when residents speak in public comment expecting Council to "fix" an administrative outcome.

4) Build a strong record—state reasons on the motion.

Gary cautioned that many bodies discuss issues at length but fail to clearly state why they are approving/denying at the moment of the motion. He advised members to put reasons into the record during motion discussion, so the city doesn't have to "hunt" through minutes later to defend the decision.

5) Ordinance language matters: "should" vs. "shall," mitigation, and enforceability.

Gary suggested the temple dispute likely isn't about a legislative rezone (which would be harder to sustain in court if properly supported), but about an administrative issue such as lighting and whether negative impacts can be mitigated. He noted that voluntary mitigation (e.g., agreeing to turn off lights) can affect whether an approval is defensible, and that enforceable requirements come from the "shall" language in ordinances—not aspirational "should" statements.

6) Vested rights and timing can lock in the rules.

Gary explained that in Utah, once a complete application is filed, many rules can "freeze" (similar to being "grandfathered"). He also discussed timelines: subdivision approvals can expire if not acted on, while denied rezones may have waiting periods before reapplying. He described limited tools to pause projects while fixing ordinance gaps, including emergency action for compelling public reasons and a temporary moratorium (often up to about 180 days) when properly initiated.

7) Public clamor is not evidence for administrative decisions.

Gary explained that public input is important—especially for legislative decisions—but in administrative decisions, generalized concerns (traffic, safety, property values) do not carry legal weight unless supported by credible evidence (experts, engineering, police data, etc.). The takeaway: administrative decisions must be grounded in the ordinance and the evidentiary record.

8) Be careful what you require from developers (exactions).

Gary warned that asking for upgrades beyond a project's proportional impact (parks, oversized improvements, premium materials) can be an excessive exaction/illegal taking. He and Jake discussed that negotiated "exchanges" can work but should be documented—preferably in a development agreement, the plat, or recorded construction documents—so expectations are clear and enforceable.

9) Practical governance reminders.

Gary encouraged officials to table items for a month when genuinely uncertain—but do the research between meetings—and reminded members that split votes are acceptable when based on logical and lawful reasons. He previewed future training on conflicts of interest and bias, emphasizing applicants are entitled to an unbiased decision-making body.

Gary's training focused on helping Council and Planning Commission members make legally defensible land use decisions by understanding the legislative/administrative divide, creating a clear record, avoiding unnecessary delays, respecting federal protections, keeping ordinances current, and staying within legal limits when negotiating development conditions.

Training on the General Plan by Jake Young

Jake Young reviewed Morgan City's General Plan adopted March 2024, emphasizing it represents a 15–20-year community vision and serves as a guiding document for long-term goals, conservation, and infrastructure planning—not a promise that every project will happen immediately.

Parks, Recreation, and the "Emerald Necklace"

Jake explained that the central theme of the plan is leveraging the Weber River as the community's defining asset. A major concept from the public workshops was the "Emerald Necklace"—connecting parks, trails, and river access throughout the city. He highlighted recreation partners that support the overall system, including the high school recreation complex, county fairgrounds, and other shared facilities.

Future park priorities include development of the city-owned Fish Park (already receiving grant funding), planning for a park in the southwest growth area, and identifying land for a much-needed park in North Morgan. Jake emphasized that in park planning, securing land comes first, and funding typically follows later.

The public also expressed strong interest in a recreation center (including pools and courts). Jake noted it is included as an aspirational goal, but it would require a funding plan and community support, and the school district did not support a shared facility partnership at the time it was discussed.

Trail System and Pedestrian Safety

Jake presented the trail plan as a long-range network with multiple trail types: paved separated pathways, widened separated sidewalk-style connections, and soft surface trails in foothill areas. He stressed the plan is ambitious because it spans two decades; even partial completion would significantly improve connectivity. He noted that having an adopted trail plan improves eligibility for state trail grant funding.

Pedestrian safety was identified as a priority, including potential HAWK crossing signals (push-button flashing crossings) at key locations such as State Street and Industrial Road, subject to UDOT coordination. Jake also discussed the ongoing concern of pedestrian access across I-15, noting the current options have safety and connectivity limitations.

Transportation and Connectivity

Jake reviewed the Transportation element showing existing major collectors, local roads, and future road corridors (dashed lines). He clarified these routes do not require immediate construction or property acquisition, but they help preserve options and give the City leverage to require future connections when areas develop. He cited examples where adopted transportation planning has helped ensure subdivisions aligned with planned connections.

Jake and Council discussed Island Road, noting traffic and safety concerns and the need for additional access routes/bridges, especially for emergency response. Council members recognized that some concepts are long-term and dependent on many factors but emphasized the importance of having a plan in place to guide future infrastructure and development decisions.

Downtown Vision

Jake summarized the Downtown plan goal as a walkable, connected, mixed-use core, with housing integrated above/behind commercial uses to build consistent activity. He explained the City's intent is to preserve a traditional "Main Street" character—maintaining historic feel while allowing practical reinvestment and progress.


Key downtown priorities include better street connections from Industrial Road to Commercial Street, improved pedestrian crossings, and leveraging investments like the nearly completed plaza project and the upgraded alley space to support events and daily activity. Jake also mentioned long-term ideas such as improved river-oriented commercial development, expanded trails near Commercial Street, and possible pedestrian connections/bridges as future opportunities.

Future Land Use

Jake concluded with the Future Land Use update, noting the largest change relates to medium-density residential, emphasizing smaller lots and medium-sized single-family housing rather than attached housing, while maintaining continuity in low-density residential areas. He said he would send renderings and supporting materials to the group.

This meeting was adjourned at 6:47 p.m.


Janet Pace, City Recorder


Steve Gale, Mayor

These minutes were approved at the January 13, 2026 meeting.