

Council Meeting
06-23-15

MINUTES OF MEETING HELD BY MORGAN CITY COUNCIL IN REGULAR SCHEDULED OPEN PUBLIC SESSION ON TUESDAY, JUNE 23, 2015 AT 7:00 P.M., IN THE COUNCIL ROOM OF THE CITY OFFICE LOCATED AT 90 WEST YOUNG STREET

Present: Mayor, Ray W. Little.

Council Members: Tony London, Jeff Wardell, and Mike Kendell.

Excused: Council Members: Fran Hopkin and Shelly Betz.

City Staff: none

Others present: Jennifer Vesper, Morgan County News; Scott Jensen; Cheri Jensen; Aaron Wingle; Matt Mecham; Joseph Mecham; Gina Shelley; Tallin Shelley; Trevon Shelley; Tarren Shelley; Ron Hales; Pam Francis; Kent Francis; Keving Turner and Ryan Nye.

This meeting was called to order by Mayor, Ray W. Little.

The opening ceremony was presented by Tallin Shelley.

The pledge of allegiance was led by Tony London.

Minutes and Warrants

Mayor Little stated for those present the changes that are being made to the agenda. The presentation by Terry Turner has been removed and will be put on the next agenda.

Also, the public hearing and ordinance in regards to the zone change request has been removed from the agenda by request of the developer. This item will not be discussed.

He stated if the audience were attending for either of those two items, he apologizes. However, all those present are welcome to stay for the meeting.

MOTION: Tony London moved to approve the minutes of the June 9, 2015 meeting and one set of warrants.

SECOND: Jeff Wardell. Vote: 3 ayes, Fran and Shelly not present.

Presentations

**Terry Turner, Emergency Management
Flood Control and Emergency Power to Senior Center**

Terry has asked for this item to be placed on the next agenda.

Public Hearings

- a. for the purpose of a zone change request from R-1-8 to RM-15, and RM-15 to R-1-8 located at approximately 700 East Great View drive and 800 East 650 North.**

This item was removed at the request of the developer.

- b. for the purpose of opening and adjusting 2014-2015 fiscal year budgets**

MOTION: Tony London moved to open the public hearing.

SECOND: Jeff Wardell. Vote: 3 ayes, Fran and Shelly not present.

Mayor Little stated for those present that the upcoming fiscal year budget was adopted at the last meeting. These adjustments being made tonight are to the current fiscal year budget that ends June 30th. He explained there are only two adjustments being made – one to the perpetual care account and one for RDA tax increment monies received. The State has adopted new accounting guidelines for RDA tax increment funds; these will now have to be received by the general fund and transferred into the RDA.

There were no comments made by the public present.

MOTION: Tony London moved to close the public hearing.

SECOND: Jeff Wardell. Vote: 3 ayes, Fran and Shelly not present.

Resolution #15-24
Adjusting 2014-2015 budgets

MOTION: Jeff Wardell moved to adopt Resolution #15-24, a resolution adjusting the 2014-2015 fiscal year budgets.

SECOND: Tony London.

ROLL CALL VOTE: Shelly Betz – not present
Mike Kendell – aye
Jeff Wardell – aye
Tony London – aye
Fran Hopkin – not present

- c. For the purpose of amending section 10-10-8 of the Morgan City code – screening, fence requirements, clear view**

MOTION: Jeff Wardell moved to open the public hearing.

SECOND: Tony London. Vote: 3 ayes, Fran and Tony not present.

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The public present at the meeting were provided copies of the proposed ordinances. Tony stated the fence ordinances have been discussed for several months. The first draft that was recommended by the Planning Commission was not adopted and was sent back for further review. Mark Schmid, Building Official was included in the discussion since he would be the one enforcing the ordinance.

This draft before the members tonight is the final draft that has been recommended by the Planning Commission.

Scott Jensen asked if this applies to all properties within the City. It was stated it does not affect existing fences. It is also contingent upon someone coming to the City to see what is allowed before installing a fence. There has also been a schematic and an application that will be provided for those who wish to install a fence.

Jennifer Vesper asked for clarification on corner lots and the 3' fence – how far could this fence be installed in this area. Tony clarified this setback requirement for the audience.

No further comments were made by those present.

MOTION: Tony London moved to close the public hearing.

SECOND: Jeff Wardell. Vote: 3 ayes, Fran and Shelly not present.

Ordinance #15-08
Amending 10-10-8 of the Morgan City Code

MOTION: Tony London moved to adopt Ordinance #15-08, an ordinance amending 10-10-8 of the Morgan City Code.

SECOND: Jeff Wardell.

ROLL CALL VOTE: Shelly Betz – not present
Mike Kendell – aye
Jeff Wardell – aye
Tony London – aye
Fran Hopkin – not present

New Business

Resolution #15-23
Jon Cannon – Exchange Agreement

This development was approved at the last meeting, pending approval of this exchange agreement. Jeff reviewed this document for those present. He stated Jon Cannon is developing a subdivision that is close to the old Carrigan Motors car dealership. As part of this development he has agreed to give the City 8' additional property to widen this road. This road is very narrow and this will be a great improvement. This will also straighten out the intersection so it will align better with the proposed roadway that will go through to State Street.

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Tony used the whiteboard to draw what this agreement will accomplish. This will widen the road and also curb and gutter will be installed. Pam Francis asked about how many homes will be installed in this subdivision. The subdivision has an existing home, two lots and one flag lot.

MOTION: Jeff Wardell moved to adopt Resolution #15-23, a resolution approving the exchange agreement between Morgan City and Jon Cannon for the Rocky Mountain Builders, LLC. subdivision.

SECOND: Tony London.

ROLL CALL VOTE: Shelly Betz – not present
Mike Kendell – aye
Jeff Wardell – aye
Tony London – aye
Fran Hopkin – not present

Resolution #15-25
Rynell Business Park – Delay Agreements

Mayor Little asked Tony London to review the resolution and delay agreements for those present. He stated the resolution will approve two delay agreements for improvements that are not being installed at this time, but will be required at a later date. Tony stated these types of delay agreements are done when a development is being proposed that does not have the improvements on adjacent lots. This delays certain improvements until those properties are developed and the improvements are installed. Mayor Little reviewed for those present where this property is located and stated this is in a manufacturing/industrial zone. There are no improvements, such as curb, gutter and sidewalk on Industrial Road at this time. These will not be done until sometime in the future.

Tony reviewed with the developers present, Ron Hales and Ryan Nye, the statement in the resolution that identifies this as the Rynell Commercial Subdivision. Ron Hales stated the members are correct, it should state Rynell Business Park, not Rynell Commercial Subdivision.

Mike asked if they actually own the property. Ron stated they are leasing to own, but will be purchasing as soon as the present owners can meet certain conditions. Mike questioned if there would be any reason this purchase may not transpire. Ron stated he cannot foresee any reason and feels confident the sale will go through and the project will be started.

Tony stated there are two agreements, one for along Industrial Road, and the other for improvements for the cul-de-sac in the development. Tony asked about the 2' area that is to be non-buildable and stated the members have discussed adding a statement about this item in the delay agreement. Ron stated this is on the plat, but he is fine if they want to make this change.

MOTION: Tony London moved to adopt Resolution #15-25, a resolution approving the two delay agreements between Morgan City and Rynell Business Park, with the following changes – in agreement #2, under item #6 to add “, of which the 2' closest to the sidewalk will be non-buildable” after the word easement, and to

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change "Rynell Commercial Subdivision" to "Rynell Business Park in the four places it is mentioned in the resolution.

SECOND: Jeff Wardell.

Discussion on motion: Mayor Little re-stated the changes being recommended to these documents.

ROLL CALL VOTE: Shelly Betz – not present
Mike Kendell – aye
Jeff Wardell – aye
Tony London – aye
Fran Hopkin – not present

Young Chrysler
Conditional Acceptance/Escrow Release

Jeff reviewed for those present what this item entailed. This is giving conditional acceptance to the development, which starts the 1 year guarantee. It also releases all the funds that can be released from the escrow account except the \$33,654.23 that is required keeping the required to be kept in the account as per the items listed by the City Engineer.

MOTION: Jeff Wardell moved to approve granting conditional acceptance for Young Chrysler development, and approve the escrow release in the amount, leaving \$33,654.23 as outlined by the City Engineer.

SECOND: Tony London. Vote: 3 ayes, Fran and Shelly not present.

Jeff explained the inspections for developments are done by the City Engineer and Building Official. They are the one making the recommendations.

Special Reports

Mayor Little stated the first movie in the park will be this Friday, June 26th. There will be an ice cream social at 7:30 along with the dedication of the new restroom/storage building. The movie will follow at dusk and is "The Lego Movie".

Mayor Little also stated to those present the July 4th celebration will be next weekend. He asked all members who can assist to please contact staff.

Citizen Comments

Cheri Jensen stated she lives on 700 East. She has asked if she can still make a comment on the zone change request and was told she could, however since it is not on the agenda the Mayor and Council cannot comment. She stated at last week's Planning Commission meeting – Steve Garside, City Planner stated apartments pay a higher rate of property taxes than residential. She has checked into this and the County Assessor stated they pay the same rate as a single family

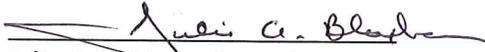
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She feels the City would collect more property tax if this was single residential. She feels this is a reason to not change the zone.

Kevin Turner asked if there have been any other meetings scheduled on this matter. Mayor Little stated not at this time. If the developer wants to proceed with the public hearing and zone change request it will be advertised and written notice will again be sent.

Tony stated there has been a lot of input from public on the splash pad. There concern is the use of culinary water. The hours of operation have been cut back to help conserve water.

This meeting was adjourned at 7:50 p.m.


Julie A. Bloxham, Recorder

These minutes were approved at the _____ meeting.