

PAYSON CITY
CITY COUNCIL MEETING
Payson City Center, 439 W Utah Avenue, Payson UT 84651
Wednesday, November 2, 2016 6:00 p.m.

CONDUCTING Mayor Richard Moore

ELECTED OFFICIALS Linda Carter, Mike Hardy, Brian Hulet, Doug Welton

ABSENT OFFICIALS Scott Phillips

STAFF
Dave Tuckett, City Manager
Sara Hubbs, Finance Director/Recorder
Travis Jockumsen, Dev. Serv. Director/City Engineer, PW Director
Jill Spencer, City Planner
Mark Sorenson, City Attorney
Kim Holindrake, Deputy Recorder
Karl Teemant, Recreation Director
Tracy Zobell, Golf Pro
Brad Bishop, Police Chief
Kyle Deans, Planning/Zoning Specialist
Scott Spencer, Fire Chief

OTHERS
Burtis Bills, Jessie Sorenson, Wade Haskell, Nancy Trotter, Matt Stewart, Brandon Smith, Darce Trotter, Lori Jones, Kevin Stinson, Dane Kimber, Randy Walton, Jenny Stinson, Heather Wallentine, Steve Wallentine, James Presson, Brent Knapp, Lauren Cowan, Lou Balamis – Chamber, Jim Moshier

This meeting of the City Council of Payson City, Utah, having been properly noticed, was called to order at 6:00 p.m.

A. PRAYER & PLEDGE OF ALLEGIANCE

Prayer offered by Councilmember Weldon

Pledge of Allegiance led by Councilmember Hardy

B. CONSENT AGENDA

1. Approval of October 19, 2016 Payson City Council Meeting Minutes

MOTION: Councilmember Hardy - To approve the consent agenda. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Doug Welton. The motion carried.

C. PETITIONS, REMONSTRANCES & COMMUNICATIONS

1. Public Forum

49 No public comment.

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51 2. Council and Staff Reports

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53 Staff Reports

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55 POLICE – Chief Bishop reported the trunker treat was held last week at Payson Market. He thanked
56 the local businesses and Payson Market for the event. He handed out a new trading card for the new
57 city K-9.

58
59 COMMUNITIES THAT CARE – Kim Lefler reported that the prescription drug take back event
60 collected 44.4 pounds of drugs. The box at the city offices was filled to the brim. The event did a
61 great service for the city.

62
63 FIRE AND AMBULANCE– Chief Spencer stated calls are keeping them busy for medical and fire.
64 There have been a number of accidental structural fires in the last couple weeks. No one has been
65 injured, but there has been quite a bit of loss for individuals in personal and family items. There was
66 an issue with the ambulance with an emergency transport from Mountain View Hospital to Utah
67 Valley Hospital where the ambulance died just before I-15 in Provo. It looked like something came
68 apart in the engine. Fortunately, the ambulance only had 90,000 miles and was still under warranty.
69 A new engine is being installed. The city's new ambulance has been ordered as well.

70
71 Council Reports

72
73 Councilmember Hulet stated the Peteetneet will be closed on Tuesday for election day. He thanked
74 Jill Spencer for the tour of Rocky Mountain ATV, which is a great place. The election on Tuesday
75 includes a PARC tax, which stands for parks, arts, recreation, and culture. There are some
76 misconceptions regarding the PARC tax in that the funds will be spent on only on some big items.
77 The funds will be spread out over many items. The committee that has been working to get the
78 PARC tax passed is not an official committee of the city council and will not be addressing how the
79 funds will be used.

80
81 Mayor Moore stated his condolences to the Blair Andreason family who lost their grandson
82 yesterday.

83
84 3. Scout Attendance Certificates

85
86 No scouts in attendance.

87
88 4. CTC – Mayor's Youth Recognition Award

89
90 James Presson is with Payson Junior High. He has volunteered to work concessions at BYU football games
91 to help his cousins swim team earn money. He is always kind and helpful in class. He cares about others and
92 shows it. He works diligently on his assignments.

93
94 Brent Knapp is with Payson High School. His GPA is a 3.6. He participates in football and wrestling. His
95 future goals are to graduate from high school, go on a mission, and attend college. Coach Chatman says he is
96 a motivated student who sets goals and works to achieve them.

Lauren Cowan is with Mount Nebo Junior High. She is one of the most beautiful people inside and out. Her smile lights up a room. She is spot on as the type of student the school wants to exemplify at Mount Nebo. She is so kind and always on tack.

5. Chamber Business of the Month

Lou Balamis stated the business of the month is White Feather Rocks in Santaquin, which began in their garage. They are a great business who also works with the community in educating children on rocks and fossils.

Jim and Loretta Moshier are the owners of White Feather Rocks. Jim thanked the city for the honor.

D. PUBLIC HEARINGS/ACTION ITEMS

1. Public Hearing/Resolution to consider the disposition of certain real property located in Payson Canyon in the area commonly referred to as Four Bay and surrounding areas (6:15 p.m.)

MOTION: Councilmember Carter – To go into the public hearing. Motion seconded by Councilmember Hardy. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Doug Welton. The motion carried.

Staff Presentation:

Dave Tuckett reviewed the properties in the Four-Bay area. There are six parcels in total with five being owned by the city, which were acquired in 2001. There was a donor that was going to purchase the property and donate it to the city as a charitable donation. It was a great thought and opportunity, but there were many documents to make it happen. Unfortunately, the charitable donation didn't come to fruition. Payson City purchased the property with a bond for 6 million dollars and has been paying the bond for the last 12 -13 years. This has put a cramp on the city's ability to run the city. It has been quite expense. The council has previously discussed selling the property to get out of debt. There are challenges for development. A conservation report and study was done on the area. The city was looking at trails and camp areas but no housing. At this time staff was asked what could be done to put it on the market. The first step is to declare the property as surplus. Any property over two acres has to be declared surplus and have a public hearing. The long parcel on the west side was not part of the original purchase, which was purchased from the Elmer family. One of the Elmer children would like to purchase the property back from the city.

Public Comment:

Burtis Bills stated he was involved in the project from the beginning. Previously a developer wanted to build homes with septic tanks and cement the ponds and pipe the canal. It was purchased by the city to protect the spring water and water shed. He felt it was a good investment to protect the property. Many people have spent their youth years there with camping and hiking. It is a very fragile environment. The turkeys use it to roost and deer and elk bear calves there also. He worked with a developer who tried his very best to come up with a development. If the city needs to rest this bond, he's okay with it. But the city needs to preserve this property. He suggested selling it to a corporation that will maintain and preserve the property. He is willing to be part of a committee to find corporate sponsorships to rest the bond.

Jessie Sorenson stated that along with the impact Mayor Bills spoke of, there is thriving activity with humans on the property. There is a mountain bike culture, and many families who enjoy the area. There is a beautiful space with trails. As a father he uses the area with his children. As an administrator at the high school, there are PE classes and cycling classes who use the area. The space is a gem. Other cities have developed spaces for trail runners, hikers, bikes, and other activities. This is why he lives on the Wasatch front for the mountains. He understands the financial implications. Once it is gone, it will be gone forever. There are different ways to monitor the usage. Many travel far to use the space and then contribute to the community economically.

Wade Haskell stated he is a recreator in the area. Many run the trails and mountain bike the area. He echoed Mayor Bills in that there was a vision when the deal was made that the ecosystem would be kept in mind. The current council and mayor should have a vision for the city and a vision of the future for the kids besides economic development. He encouraged the council to take Mayor Bills' offer to form a committee to find a proper buyer for the property so that the burden can be taken from the city. This way the area can be preserved. It is a gem and a jewel for the city. The area pushes exercise and healthy living. It would be nice to be proud of the area.

Nancy Trotter stated she is a trail rider and rides with her kids and grandkids. It is one of the few place in Payson you can go without worrying about cars hitting you on your bike. She maintains the trails and block the areas where people try to go off the trail because they want to preserve the area. She hopes the city can come up with a solution so the area can be kept for future generations. It is a wonderful family area and a gem.

Matt Stewart stated he has lived in Payson for 42 years. When he heard this, his heart sank. It truly is a gem. He has spent a lot of time there with his family and children. He hopes the city can do as Mayor Bills has stated to find a way to preserve the area. As a kid, his father served on the city council, who spoke of the Four-Bay area, and how it was a critical part of the city because of the water. It is a recreational place accessible easily. Families use the area to grow family relationships. If it goes to a private company that has no other use than making money, it's lost. He is willing to serve on a committee as well.

Brandon Smith stated he is not a resident but recreates on the property with friends two to three times per week. In real estate, cities are receiving more value for the homes because of recreation and open space properties in the area. It is a value to have the open space that people can access because it creates more value to the city and those coming to visit and use the property.

Darce Trotter stated he is a long-time resident. He and his family have been recreating in this area for quite some time. It is interesting to him that on the election cycle is a proposal by the city to take tax money to use on arts, parks, recreation, and culture. This property has remained pristine. There are always concerns when development begins on a hillside. He worked for many years at Sundance and developed the mountain bike program there. This area is for hiking, mountain biking, horse riding, trail running, and all those other similar type of sports. This terrain fits that bill very well. The existing trail system is well thought out and avoids many inherent problems such as erosion and runoff. He agrees this is a gem of land and fragile environment. He would volunteer to serve on a committee as well.

MOTION: Councilmember Hardy – To close the public hearing. Motion seconded by Councilmember Hulet. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Doug Welton. The motion carried.

Council Discussion:

Councilmember Welton stated he has not been in favor of selling the property for development. He agrees once it's gone, it's gone; and the city can't get it back. This is an area that makes Payson, Payson. That being said, \$600,000 per year is an expensive price tag. That is the reality. The city needs to divest itself of the expense. He would like to see a committee formed to ensure the area is useable for the residents. He asked the City Manager to look at Corner Canyon and how that was done. What he hoped would work out didn't work out. He encouraged the council to make this area pristine and an open recreation area available for everyone. With development there is a tax income and the city is divested of a debt; but it's not useable by Payson residents.

Councilmember Carter stated she understands the feeling of the Four-Bay area. She has lived here all her life. She loves to look at the mountains. She also loves to live in a city where we can afford to fix the roads, make improvements, and enjoy family life without that debt hanging over us. Something a previous mayor and council has saddled Payson with that debt. If the city wants to have every citizen pay, it's fine with her. Mayor Bills could donate a couple million and maybe the city could find a couple others to donate. She knows the residents like it for us and she would like it for us. But the trouble the residents don't see is what is happening to Payson because of that debt. The money that is going out every year could be used to repair roads. She has been to Four Bay once and looked at it from the golf course. She loves Payson. It doesn't take Four Bay to make her lose her love for Payson City. But Payson City needs the money. If it can be sold to someone to preserve, good luck. Maybe someone would like to let everyone go up and enjoy it. A city can't function with a debt like that.

Councilmember Hulet stated he understands there are people who use this area. It is a beautiful area. If you took the number of users divided by the debt, it would be staggering how much each person would have to pay to use the area. It is a lot of debt. Many residents talk to him about the roads, infrastructure, and paying taxes. Taxes are being used to pay for this property. He would like to preserve it if possible. The city doesn't have the funds to fix up the property if kept. It will be at least 10 years before the debt is paid off. He feels the property should be declared surplus and go from there.

Councilmember Hardy stated that many comment about electrical rates in the city. Electrical rates increased a few years ago, and now the city is higher than the neighboring communities. Because of these types of debts, the city can't get rid of these situations where the rates are higher. This council has been saddled with this debt. He agrees if there is a way to preserve the area and take the weight off the debt off the city, it would be the way to go. But when you consider the number of people actually using the property and the amount of debt, it is incredible the amount of debt to preserve the ability to use the property. The council needs to look at all the opportunities and angles.

MOTION: Councilmember Hulet – To approve the resolution as presented. Motion seconded by Councilmember Carter. A roll call vote was taken as follows and the motion carried.

Yes	-	Linda Carter
Yes	-	Mike Hardy

239 Yes - Brian Hulet
240 Yes - Doug Welton
241

242 Councilmember Welton encouraged the council to look at the alternatives.
243

- 244 2. Public Hearing to consider a Conditional Use Permit for a Drive Thru for Farr's Ice Cream
245 located at approximately 1025 West 800 South
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247 **MOTION: Councilmember Hulet – To go into the public hearing.** Motion seconded by
248 Councilmember Carter. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Doug Welton.
249 The motion carried.
250

251 Staff Presentation:

252 Kyle Deans reported this was discussed previously last month. The council had two major concerns
253 regarding the conditional use permit, i.e. stacking of the drive through and an agreement with the
254 neighboring Blackhawk Condominium complex as far as parking and access to the site. As a
255 refresher Payson Fruit Growers is to the west and Blackhawk Condominiums is at the northwest
256 corner. The issue before the council tonight is the conditional use permit for the drive through. The
257 ingress and egress issues will be addressed through the site plan process and will not come before
258 the city council. In discussions with the applicants, they will not move forward with the site plan
259 until they have a conditional use permit. He understands the access concerns to the site. UDOT
260 must approve both ingress and egress and the proximity of the road to the east. The final agreement
261 between Blackhawk still needs to be finalized. If an agreement is not made, the conditional use is
262 useless. He reviewed the original site plan as compared to the updated site plan. The new proposed
263 site plan moves the ingress/egress in line with 1040 West. The stacking and drive through are
264 approached differently allowing multiple cars in the stacking lane without interfering with any
265 ingress/egress or parking. The east side ingress/egress has been moved slightly because of a power
266 box. The use of the drive-through facility in the S-1 Zone adjacent to a residential zone is what the
267 conditional use is for. Restaurants without a drive-through facility adjacent to residential are
268 allowed by right in the S-1 Zone. Again all other items will be addressed through the site plan
269 application process. There are 12 factors in order to approve a conditional use permit.
270

- 271 • Harmony of the request with the general objectives of the General Plan, Zoning Ordinance,
272 Subdivision Ordinance, any other City ordinance and the particular zone in which the
273 request is located.
- 274 • Harmony of the request with existing uses in the neighborhood.
- 275 • Development or lack of development adjacent to the site.
- 276 • Whether or not the request may be injurious to potential development in the vicinity.
- 277 • Present and future requirements for transportation, traffic, water, sewer, and other utilities.
- 278 • Suitability of the specific property for the proposed use.
- 279 • Number of other similar conditional uses in the area and the public need for the conditional
280 use.
- 281 • Economic impact on the neighborhood.
- 282 • Aesthetic impact on the neighborhood.
- 283 • Safeguards to prevent noxious or offensive omissions such as noise, glare, dust, pollutants
284 and odor.

- Attempts by the applicant to minimize other adverse effects on people and property in the area.
- Impact of the proposed use on the health, safety and welfare of the City, the area, and persons owning or leasing property in the area.

Several concerns were brought up during the first public hearing, which have been addressed. Based on the new proposed plans, staff feels the 12 conditions have been met. Section 19.6.14.14 states as follows:

In order to promote compatibility between the S-1 and any other zoning district, the city staff or City Council, as the case may be, may require special conditions including but not limited to the following:

- *Limited Business hours, or hours of operation.*
- *Restrictions on lighting, emissions, noise and other potential impacts.*
- *Design and placement of structures and improvements on the development site.*
- *Appropriate screening through fencing, landscaping or building design.*

Staff feels these items have been met either in the proposed site plan or the conditional use permit except for the first item, no hours of operation have been addressed. The council could set limitations in order to make it a more compatible use with neighboring and residential properties. The council has the following options.

- Remand the application for the proposed conditional use permit back to staff for further review.
- Recommend approval of the conditional use permit as proposed.
- Recommend approval of the conditional use permit with conditions proposed by City Council.
- Recommend denial the proposed conditional use permit.

Public Comment:

Burtis Bills stated Farris Ice Cream is one of his favorite memories from Ogden at the original ice cream factory. He would like to see the project go through. He sees the concerns addressed. Lighting can be addressed with vegetation or temporary privacy screening. He recommends that if concerns have not been addressed to put a condition on the motion when passed.

Lori Jones stated she represents her mother Anna Jones. She is for having a business here, but there are some environmental concerns. The care center on 930 West turned into a drug rehab. Wasatch Mental Health patients walk the streets. Kneaders opened and then left. A drive through will open the possibility for other businesses she would hate to see. The quality of the neighborhood would change. She would like a sit-down ice cream place. There are concerns about entrances, and the parking needs to be enforced. There are difficulties entering the road because of vision issues. She is worried about public safety. She is not in favor of where the garbage is located. There are tight spaces on the site plan.

Kevin Stinson stated he met with all the neighbors and will act as a spokesman. He has a presentation he would like to give. He spent many hours going over UDOT and Payson codes. He thanked Farris Ice Cream for making some changes; however, there are some concerns they would

like to address. The drive through is what the business hinges on. There were several points that weren't brought up at the last meeting that they felt were slipped under the rug. The point of the regulations is for the safety of residents.

Mayor Moore reminded Mr. Stinson that the site plan has to go back through staff. That is why we have staff. Also 800 South is a state road that is regulated by UDOT. The city has no jurisdiction.

Kevin Stinson stated the state has information on exactly what is being presented. The state recommends using existing accesses. The access location shall serve as many properties and interests as possible to reduce the need for additional direct access to the state highway. They have come together as a community and have come up with options. He has listed every single item they feel is a code violation.

- According to Payson City zoning ordinance 19.8.5.2-3, development will be designed to avoid the creation of nuisances, hazards and other potential impacts on adjoining properties, particularly residential properties.
- Regarding noise, the speaker box for the drive through points directly at the neighbors and will be a problem.
- The trash needs to be placed as far from residential areas as possible. Cement pads are required, which are not there.
- The wall needs to be installed all around the property and needs to be a masonry wall. Cement slabs does not meet the definition.
- The parking lot needs to have access of 20 feet from an entrance, and there is only 15 feet. Blackhawk needs 25 feet from the access to the first stall, and there is only 20 feet. Cars backing out will cause backup on the street. The design needs to meet fire trucks access. Scott Spencer stated a turnaround is not required unless over 150 feet. Mr. Stinson continued stating the ordinance requires 45 feet of clearance not above 36 feet when entering the street.
- Additional questions are listed such as trees size and a use transition plan including noise, traffic, and odors.
- There are inconsistencies and concerns where things were granted in one place and then denied in another. They would like the rules followed.
- Seven Solutions:
 - Remove the drive through
 - Remove proposed access on east side.
 - Open parking lot for safety vehicle and less congestion.
 - Move garbage to west side and surround it with required wall. Also 10 feet of landscaping is required.
 - Add required 10' landscape between residential and commercial.
 - Mason (not cement slab) wall between residential and commercial.
 - Traffic flow out through fruit grower's lot as suggested by UDOT code.

Dane Kimber stated he is one of six partners on this project. The issue to be addressed tonight is the drive through and its feasibility. The other issues will be handled in the site planning process. The fence will be installed as each phase is developed. He is not opposed to a temporary solution, but a masonry fence of that length is a large expense for the entire property. He is willing to look at temporary solutions until the fence is installed. There is black screening that can be used, but he has not researched the viability or quality.

Dave Tuckett stated he viewed the property and there is a wooden fence along the southern end.

Councilmember Carter asked about the distance from 800 South to the back of the lot and how big is a city block. Travis Jockumsen stated a city block is around 600 to 660 feet depending on the block. Kyle Deans stated the property is 804 feet long. Councilmember Carter stated she should be complaining about her neighbor entering their driveway and shining lights into her house. The city has a chance to have a nice business in the community. Lights come from every direction, and she just doesn't understand.

Councilmember Welton stated whatever is developed there will be a fence and light issues. Those issues are separate from the drive through. Whether it is a sit down restaurant or not. The big question is the spacing of the drive through. The trash can be moved easily. He questioned the possibility of putting the road behind the condos.

Councilmember Hulet talked with Kyle Deans and Jill Spencer and the Payson Fruit Growers were interested in having a discussion.

Randy Walton stated he is the homeowner on south end of the property. He doesn't believe the drive through and lighting are separate issues. He questioned how many customers will be using the drive through. He questioned the difference between a neighbor pulling into his driveway compared to the number of people using the drive through. It's probably not 25 time in an hour. Staff alleviated and accounted for the factors in making the decision for a conditional use permit. The first two address harmony. There isn't any harmony with the homeowners adjacent to this property. No one has asked him any questions or contacted him. Harmony is to get rid of the drive through and build the ice cream shop.

Heather Wallentine stated she is from Elk Ridge. She has children and wants to support her family. She wants to bring something fun for the kids after attending the temple or a dance. Payson needs this. She can't lose her home over it. There are six people doing their best to bring this business to Payson. They can make it the least obtrusive as possible. They could even have a kid with an iPad to take orders.

Jenny Stinson stated she is excited about the ice cream. Another idea would be to find some land elsewhere.

Steve Wallentine stated this is a piece of property that has been undeveloped for a long time. They are trying to bring something of value to Payson. They are putting a lot of their selves out there so finding another piece of property or building other peoples fences isn't an option. They are not trying to pinch or rip anyone off. It is unreasonable to direct them in so many ways when there are laws and principles guiding this process. We are going to rely on that to happen.

MOTION: Councilmember Hardy – To close the public hearing. Motion seconded by Councilmember Hulet. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Doug Welton. The motion carried.

MOTION: Councilmember Welton – To grant a conditional use with the following conditions and request. One condition that the area between the proposed ingress/egress next to the property is signed as no on-street parking. Second condition that they work with Blackhawk.

Third condition that this conditional use runs with the business; and if sold or becomes another restaurant, it would have to come before the city. And request that the applicant talk to Payson Fruit Growers about possibly going that route and moving the trash. No second.
Motion dies.

Councilmember Hulet stated he is concerned about the glare. There is a wooden fence on the south end, but there is one resident without a fence. The applicant stated he would be happy to put something up there to prevent the glare. He would like this included in the motion.

MOTION: Councilmember Hulet – To grant a conditional use with the following conditions and request. One condition that the area between the proposed ingress/egress next to the property is signed as no on-street parking. Second condition that they work with Blackhawk. Third condition that this conditional use runs with the business; and if sold or becomes another restaurant, it would have to come before the city. And request that the applicant talk to Payson Fruit Growers about possibly going that route. Also that the applicant addresses the issue of glare on the south. Motion seconded by Councilmember Hardy.

Dave Tuckett stated that the street parking is controlled by UDOT. The city can only request it be painted.

MOTION AMENDED: Councilmember Hulet – To strike the first condition addressing that the ingress/egress be signed as no on-street parking. Motion amendment accepted and seconded by Councilmember Hardy.

Kyle Deans clarified a conditional use permit is recorded on the property. If the property is sold but remains a Farris Ice Cream, the conditional use remains. If another business comes in, the conditional use permit is no longer valid. He can have the business license staff flag the location.

A roll call vote was taken as follows and the motion carried.

Yes	-	Linda Carter
Yes	-	Mike Hardy
Yes	-	Brian Hulet
Yes	-	Doug Welton

E. RESOLUTIONS, ORDINANCES, AGREEMENTS

1. **Resolution - Request for a temporary use on parcel number 30:030:0042 commonly referred to as the Wignall Agricultural Building (7:43 p.m.)**

Staff Presentation:

Dave Tuckett stated the Wignall building was annexed not long ago. The Salem Hills baseball team would like to use the building this winter for practice as a temporary business. Scott Spencer, Fire Chief, has talked to the coach about any fire issues, and it's okay. There may be some building permit issues to be met.

MOTION: Councilmember Hardy – To approve the resolution authorizing Salem Hills to use the parcel as outlined. Motion seconded by Councilmember Carter. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Doug Welton. The motion carried.

475
476 F. OTHER

- 477 1. Request to modify the land use transition requirements in the Hidden Grove Estates
478 Subdivision (7:44 p.m.)

479
480 Staff Presentation:

481 Jill Spencer stated some of the property owners in the Hidden Grove Estates development are
482 requesting to modify the land use transition requirements in the zone. The subdivision is located at
483 the mouth of Payson Canyon and was developed by Arrive Homes. All the improvements have been
484 installed. Whenever two zoning districts come together where there may be potential negative
485 impacts, a land use transition area is required. Every situation is addressed on a case by case basis.
486 There is residential on one side and industrial on the other with Gary's Meats. The original
487 development showed RV parking and storage units in this area. Arrive Homes changed the site to
488 make the project work by removing the RV parking and storage units. Transition requirements
489 included a six-foot masonry wall along the common property line and installation of the landscaped
490 planter. The planter was to be improved by the applicant and maintained by the HOA, which it was,
491 as well as providing adequate access and a turnaround for public safety vehicles and equipment.
492 The current owners are responsible for this area. They are also working to separate from the current
493 HOA and reorganize as a separate HOA. The plan is to have the area graveled and used as
494 additional parking.

495
496 Dave Tuckett stated the development agreement is addressed by the city. The property owners will
497 have to work with the HOA.

498
499 Jill Spencer stated staff will bring back an amended development agreement for approval.

500
501 **MOTION: Councilmember Welton – To approve the modified land use transition agreement**
502 **for the Hidden Grove Estates and direct staff to prepare the agreement for approval.** Motion
503 seconded by Councilmember Hardy. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet,
504 Doug Welton. The motion carried.

505
506 G. ADJOURNMENT TO CLOSED SESSION (8:52 p.m.)

- 507 1. Discussion Regarding Property Sale and/or Purchase

508
509 **MOTION: Councilmember Hardy – To go into closed session.** Motion seconded by
510 Councilmember Hulet. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Doug Welton.
511 The motion carried.

512
513 **MOTION: Councilmember Hardy - To adjourn the closed session.** Motion seconded by
514 Councilmember Carter. Those voting yes: Linda Carter, Mike Hardy, Brian Hulet, Doug Welton.
515 The motion carried.

516
517 H. ADJOURNMENT

518
519 **MOTION: Councilmember Carter – To adjourn the meeting.** Motion seconded by
520 Councilmember Hulet. Those voting yes: Linda Carter, Mike Hulet, Brian Hulet, Doug Welton. The
521 motion carried.

523 The meeting adjourned at 8:05 p.m.
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528

Kim E. Holindrake, Deputy City Recorder

DRAFT