

**MINUTES OF MORGAN CITY
COUNCIL WORK MEETING**

APRIL 23, 2019; 6:32 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

**Mayor Ray W. Little, Tony London, Jeff Wardell,
Mike Kendell, and Eric Turner**

STAFF PRESENT:

Denise Woods

EXCUSED:

**Jeffery Richins, Ty Bailey, City Manager, and Gary
Crane, City Attorney**

OTHERS PRESENT:

**Klayton Pentz, Animal Control Officer, Mark
Thayne, Wall Brothers Construction, and Sally Jensen**

This meeting was held in the Council Conference Room of the Morgan City Offices, 90 West Young Street, Morgan, Utah.

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

ITEMS FOR DISCUSSION

PRELIMINARY APPROVAL – MAHOGANY RIDGE PHASES IV AND V

Councilmember London said the concept plan was approved on March 19, 2019 by the Planning Commission and on March 26, 2019 by the City Council. He explained the Council typically didn't approval concept and preliminary plans, but Mahogany Ridge Phases IV and V involved sensitive lands and each plan needed to be approved by both the Commission and the Council. He referred to the Staff Report in the packet and addressed the following items which were discussed during the Planning Commission meeting:

- submitted plans reflected the buildable areas for each of the lots;
- the applicant had also submitted the required vegetation plan and the grading and drainage reports. Those reports satisfied the planning requirements of the code;
- the applicant had also submitted the soils reports;
- question regarding the creation of a homeowner's association (HOA) or whether this property would be included in an existing HOA adjacent to the subject development. The developer had indicated that this project would be included in the existing HOA;
- inquiry as to whether trail and other walking path amenities would be included in these phases. After reviewing the soils report, it had been recommended that the ground in the common areas not be disturbed, therefore there would not be any such amenities;
- applicant also needed to designate the location of a community mailbox. This was verbally presented in the Planning Commission meeting, and needed to be reflected on the plans;
- requirement that the applicant needed to provide a plot plan for each individual lot, prior to the issuance of a building permit, had been addressed. It was also discussed that the requirement of a test hole at each corner of the proposed building can be satisfied by the geo-tech testing beforehand, as well as the presence of a geo-tech on site.
- applicant was aware that the proposed temporary turn-around was to have a 50-foot (50') foot radius instead of the 40-foot (40') radius shown on the submitted drawings;

- discussion in the Commission meeting regarding the drainage. The applicant represented that there would be additional drain lines along the rear of the homes to capture that runoff and direct it into the storm water system; and
- the sensitive lands ordinance required a vinyl coated chain link fence on slopes over 30%. It was determined that if the applicant and the neighboring property owner agreed to a different fencing, that could be reviewed and considered by the Commission. Otherwise, the required fencing needed to be installed.

He stated the Planning Commission voted unanimously to grant preliminary approval of Mahogany Ridge Phases IV and V and recommended the City Council grant preliminary approval. The developer understood that each of the issues needed to be reflected in the drawings to be submitted for review. City Staff joined the Commission in recommending the Council grant preliminary approval.

He referenced the Memorandum from Matt Hartvigsen, City Engineer, listing the status of each of the items to be addressed. The geotechnical report had been received.

Councilmember Kendell mentioned the ordinance which required a vinyl coated chain-link fence on slopes over 30%. He asked what the purpose was of requiring the fence along the property line or at the bottom.

Mayor stated it would be along the exterior property line. He stated it would be in a natural color, so it didn't distract from natural wildlife exterior area.

Councilmember London stated the fence on the east side would be bordering agricultural/grazing property. The current ordinance stated the fence would be chain-link but if the abutting property owners agreed on something different based on need for use, it could be discussed and addressed.

Councilmember Kendell referred to the paragraph in the Staff Report which stated: The applicant represented that there will be additional drain lines along the rear of the homes to capture that runoff and direct it into the storm water system. He spoke with Matt Hartvigsen, City Engineer, regarding this issue and was informed that the roof drains would be tied into the pipe. If they went underground, they would need a cast-in-place box or a knock-out box. This would be an additional cost to the homebuilder. He mentioned a plat note be required or something that would show up on a title report. He had concerns regarding the maintenance of the drains. He gave a sample of what the homeowners would need to install to accomplish getting the runoff to the pipe and ideas for maintenance of the drain.

EMOTIONAL SUPPORT ANIMALS

Mayor stated Klayton Pentz, Animal Control Officer, was here to answer any questions from the Council. He explained the issue began with several complaints regarding a barking dog and an aggressive dog. He stated there were three dogs at a residence and Mrs. Crandall would be addressing the Council in the Council meeting to request she be allowed to keep the third dog. He said a medical professional had written a letter indicating that the dog was an emotional support dog for Mrs. Crandall's daughter. He referenced the City Code sections in the packet. He acknowledged the need for service animals and emotional support animals, but it didn't override the ordinance to allow them to have more than the required two dogs. The City Attorney had said the Council couldn't go against the City ordinance and allow three dogs. He clarified that Mrs. Crandall would be addressing the Council during the time for citizen comments, but the Council would take the matter under advisement and no determination would be made tonight.

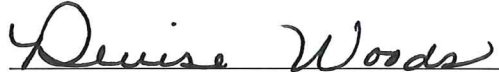
Councilmember London said the biggest issue was the behavior of the animals.

Mayor said service dogs were exempt from being licensed but they still counted toward the number of dogs allowed.

ADMINISTRATIVE UPDATE

Item not discussed.

This meeting was adjourned at 6:59 p.m.


Denise Woods, City Recorder

These minutes were approved at the May 14, 2019 meeting.