

**MAPLETON CITY  
CITY COUNCIL MINUTES  
AUGUST 7, 2019**

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| <b>PRESIDING AND CONDUCTING:</b> | Mayor Dallas Hakes                                                                                                                                                                                                      |
| <b>Members in Attendance:</b>    | Reid Carlson<br>Scott Hansen<br>Jim Lundberg<br>Mike Nelson                                                                                                                                                             |
| <b>Staff in Attendance:</b>      | Cory Branch, City Administrator<br>Camille Brown, City Recorder<br>Sean Conroy, Community Development Director<br>John Jackson, Public Safety Director/Police Chief<br>Steven Lord, Public Works Director/City Engineer |
| <b>Minutes Taken by:</b>         | Camille Brown, City Recorder                                                                                                                                                                                            |

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*The items may not have been heard in the order below.*

Mayor Hakes called the meeting to order at 7:00 p.m. Cl. Hansen gave the invocation and Ivan Moulton, scout, led the Pledge of Allegiance.

**OPEN FORUM:**

**Charlie Hanna** voiced her concerns about having so much contention in the city. She thanked the Mayor and City Council for their time serving our city.

**Sue Roper** also thanked the Mayor and Council for keeping the country feel of the community. She enjoys all the fun things that are done in the city.

**Mayor Hakes** stated that he had the opportunity to attend a neighborhood meeting last week and he urged the citizens if something is bothering them to come in and talk to him.

**Reece DeMille** with Republic Services presented a \$500.00 check as a good will gesture from their business to go towards the city's Pioneer Day celebration.

**Mayor Hakes** thanked staff for their hard work and efforts for the Pioneer Day celebration.

**CONSENT AGENDA**

**Item 1.** Approval of June 19, 2019 City Council minutes.

**Item 2.** Approval of a Resolution approving an amendment to the Maple Vale Plat "B" subdivision, now known as the Magnolia Lane subdivision, consisting of four lots located at approximately 200 E and 2000 S **Resolution No. 2019-37**

**Item 3.** Approval of a Resolution authorizing the purchase of a Public Works vehicle. **Resolution No. 2019-38**

**Item 4.** Approval of a Resolution authorizing the Mayor to sign an Interlocal Cooperation Agreement with Springville City for the purposes of agreeing to the terms for Judge Fenstermaker to be the judge for each cities respective Justice Court. **Resolution 2019-39**

**Motion:** Cl. Nelson moved to approve the consent agenda.

**Second:** Cl. Lundberg seconded the motion.

Cl. Hansen     Aye  
Cl. Carlson    Aye  
Cl. Nelson     Aye  
Cl. Lundberg   Aye  
Vote:           Passed 4:0

**PUBLIC HEARING ITEMS:**

**Item 5.            Consideration of an Ordinance rezoning approximately 5.7 acres of land from the Agricultural-Residential (A-2) zone to the Residential-Agricultural (RA-2) zone located at 1325 East 1200 North, and review of a conceptual development plan for the property. The western 4 acres of this parcel is already zoned RA-2.**

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. The concept plan was reviewed. The existing dwelling would remain on the 5 acres. The current boundary does not extend to the neighbor's property line. The General Plan would not support the rezone of the entire property. Staff supports the general plan and zoning amendment to the northern neighbor's east property line.

Public hearing was opened at 7:23 pm, no comments were made.

Brian Lambert, the applicant stated that the city had previously told him that there was a boundary line on his west property, if this boundary is not approved, he would like this to move forward with asking to do a 60-foot boundary line up to the property to the north.

Cl. Lundberg stated that the zone boundary line should be lined up with the property line.

**Motion:**           Cl. Lundberg moved to approve an Ordinance rezoning approximately 5.7 acres of land from the Agricultural-Residential (A-2) zone to the Residential-Agricultural (RA-2) zone located at 1325 East 1200 North, and review of a conceptual development plan for the property. The western 4 acres of this parcel is already zoned RA-2.

**Second:**           Cl. Nelson seconded the motion.

Cl. Carlson     Aye  
Cl. Nelson     Aye  
Cl. Lundberg   Aye  
Cl. Hansen     Aye  
Vote:           Passed 4:0  
Ordinance No. 2019-08

**Item 6.            Consideration of an Ordinance rezoning approximately 5 acres located at approximately 730 South Main Street from Agricultural-Residential (A-2) to Residential Agricultural (RA-1) with the TDR-Receiving Overlay and approving the Preliminary Plat for the Thatchill Estates Subdivision Plat "A" consisting of seven lots.**

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. They will need 4 TDRs.

Public hearing opened at 7:32pm, no comments were made.

**Motion:**           Cl. Lundberg moved to approve an Ordinance rezoning approximately 5 acres located at approximately 730 South Main Street from Agricultural-Residential (A-2) to Residential Agricultural (RA-1) with the TDR-Receiving Overlay and approving the Preliminary Plat for the Thatchill Estates Subdivision Plat "A" consisting of seven lots including the outstanding DRC comments.

**Second:**           Cl. Hansen seconded the motion.  
Cl. Nelson       Aye

Cl. Lundberg Aye  
Cl. Hansen Aye  
Cl. Carlson Aye  
Vote: Passed 4:0  
Ordinance No. 2019-09

**Item 7. Consideration of an Ordinance rezoning approximately 4.06 acres from Agricultural-Residential (A-2) to Residential-Minor Agricultural (RA-2) located at approximately 440 West 1400 North and approving the Preliminary Plat for the Hidden Lane Estates Subdivision Plat “A” consisting of eight lots.**

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance. Public hearing opened at 7:38, no comments were made.

**Motion:** Cl. Hansen moved to approve an Ordinance rezoning approximately 4.06 acres from Agricultural-Residential (A-2) to Residential-Minor Agricultural (RA-2) located at approximately 440 West 1400 North and approving the Preliminary Plat for the Hidden Lane Estates Subdivision Plat “A” consisting of eight lots and include all outstanding DRC comments.

**Second:** Cl. Nelson seconded the motion.

Cl. Lundberg Aye  
Cl. Hansen Aye  
Cl. Carlson Aye  
Cl. Nelson Aye  
Vote: Passed 4:0  
Ordinance No. 2019-10

**ACTION ITEM:**

**Item 8. Consideration of a Resolution approving the Preliminary Plat for the Northridge Estates subdivision located at approximately 875 East 1600 North consisting of 19 lots in the RA-2 and A-2 zones.**

Sean Conroy, Community Development Director, reviewed the staff report for those in attendance.

Cl. Hansen asked about parking and overflow parking on the eastside of the barn. The Planning Commission was concerned about adequate parking for the Conditional Use Permit.

He was also concerned how the A2 zone was going to be maintained. It was stated that the 6 acres cannot be divided into more than 3 lots. Mayor Hakes stated that there is an additional notation on the plat that there is a reception center on the property, and it could be recorded on each individual lot.

Cl. Lundberg asked if there is anything that shows the zone boundaries.

Cl. Hansen stated that there are some guidelines as what we are to do on zoning guidelines in section 16.02.040 of the City Code. Cl. Hansen read that section of the code.

Cl. Hansen asked why this project didn't come to the council as a master plan project with a development agreement. He asked the council if they would we want to consider continuing this item and ask Mr. Lake to bring back both of these items. He stated that If we would have known the full plan, he thinks the plat should have the full concept of the entire project. Cl. Carlson stated that he agrees with Cl. Hansen.

Cl. Hansen stated he is trying to be fair, these are realistic concerns. Mayor Hakes stated that the concerns should be listed out so that the applicant can address each individual concern.

Sean stated that the this is the only plat they have seen.

Cl. Lundberg inquired if there was an element that there could be no parking on the street.

Steven Lord stated that the traffic study would allow for 67-84 vehicles, but with overflow there would be an additional 65.

Jake Lake, applicant, stated if these concerns have to do with the buffer. He looked at this in multiple options and gave an overview of the project. Jessica Lake stated that there are two separate owners.

Cl. Hansen stated that he is not accusing anyone and is not asking for the protection area to be removed.

Cl. Lundberg stated that with the 18 lots in the RA2 zone meets the code, 1 lot in the A2 zone is consistent with the code. Based on the conditions in the rezone, this plat will maintain the A2 zone. If we needed to come back and attempt to rezone the parcel it can't be done. Once this is recorded the A2 will remain A2. This will preserve, and lot 19 will include the entire A2 zone.

Cl. Hansen stated that he just wants what's best for the community.

Jessica Lake stated that they cannot open the doors of the reception facility until the infrastructure is done.

Mayor Hakes stated that this has been reviewed on multiple occasions.

Cl. Lundberg stated that we do not have the conditional use conditions in front of us. It's been touched on that as a condition of the CUP you must maintain that Parcel A as overflow parking and as such time that they ever decide to propose development of that parcel that they would have to come before the Planning Commission and provide additional alternative overflow parking in order to maintain your CUP. He asked if that was the applicant's understanding.

Jake Lake stated that Yes, and as Sean stated that with 6.5 acres, we have plenty of room to locate some additional parking.

Cl. Lundberg stated that he is ready to make a motion. An explained the foundation for the motion. The preliminary plat is consistent with both zones and consistent with the law and regulations and ordinances of the city. With respect with the proposed development, as a condition of that rezone however the condition included a recording on the plat and you indicated and we discussed a possibility on the recording on each of the respective the titles of each respective lots in my mind the affect is no different legally but may give notice to each of those buyers of the respective buyers of that parcel that as restriction and approval of this preliminary plat in this A2 Zone cannot be further subdivided.

Jake Lake stated that he wants to point out that the restriction that has been put on the plat at the time of the rezone was a big restriction. They accepted this strict restriction to keep open space. He doesn't believe this has been put on any other development.

Cl. Lundberg stated that he has seen this restriction put on other rezones in the past and would agree that is a significant concession by the applicant.

Mayor Hakes stated that as he remembers that at the time, he thinks the reason this came up was the intent was to never subdivide it.

Jake Lake stated that if one of his children would like to build next to Grandma and Grandpa they could.

Cl. Lundberg stated that he hopes that parcel A is preserved for that.

Jake Lake stated yes.

Cl. Lundberg stated you could only put 3 lots on that parcel.

Jake Lake stated yes. He indicated that he has been working with the City Engineer with regards to the Carnesecca Well. And the reason that this is left off of this is so that they can continue to talk about how to protect the well.

Cl. Lundberg stated that basically what is presented here is based on not only the Conditional Use Permit, but to his understanding this is consistent with city ordinance, the rezone that was approved and you agreed to conditions of that rezone and the preliminary plat the 19 lots on this respective parcel is absolutely consistent with city code.

**Motion:** Cl. Lundberg moved to approve a Resolution approving the Preliminary Plat for the Northridge Estates subdivision located at approximately 875 East 1600 North consisting of 19 lots in the RA-2 and A-2 zones as they have been presented to us and based on all the conditions and discussions that we have had here and the DRC comments as it has been presented to the us.

**Second:** Cl. Nelson seconded the motion.

Cl. Hansen      Aye  
Cl. Carlson     Aye  
Cl. Nelson       Aye  
Cl. Lundberg    Aye  
Vote:            Passed 4:0  
Resolution No. 2019-34

**MAYOR, COUNCIL AND ADMINISTRATIVE REPORTS:**

**John Jackson** stated that there will be a Public Safety Night Out on August 20<sup>th</sup> from 6-8pm in the City Park. The Fire Department has new patches and they look great. Phil Bringhurst was promoted to Lieutenant. A crossing guard has been hired for the DR Horton area.

**Cl. Carlson** reported that the Solid Waste District is progressing.

**Mayor Hakes** stated that there have been some comments about the water quality. The city has addressed the concern.

**Cory Branch** stated that Nebo School District has purchased the land along Hwy 89 which was owned by the City. It has closed and the money will pay off the bond that was in place for this property. As part of this purchase we have an interlocal agreement with the school district to hire an additional officer which will allow for an officer to be assigned to the schools. Chief Jackson is excited about this. They will start moving forward on hiring an officer.

**Motion:**        Cl. Nelson moved to close the open session and open a closed meeting pursuant to U.C.A. §52-4-205 for the collective bargaining.

**Second:**       Cl. Lundberg seconded the motion.

**Vote:**           Passed unanimously at 8:54 pm

**Motion:**        Cl. Nelson moved to adjourn the meeting.

**Second:**       Cl. Lundberg seconded the motion.

**Vote:**           Passed unanimously at 9:30 pm

**APPROVED: September 4, 2019**

  
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Camille Brown, City Recorder