

Coalville City Planning Commission
Regular Meeting
Held On
April 19, 2021
Virtual

Chair Linda Vernon called the meeting to order at 6:05 P.M. This was a virtual meeting.

PLANNING COMMISSION MEMBERS PRESENT:

Chair: Linda Vernon

Commissioners:

Tim Bristow, Jeff White, Ashley Lewis

Tonja Hanson (excused)

CITY STAFF PRESENT:

Don Sargent, Consultant

Paul Taylor, Engineer/Community Development

Sheldon Smith, City Attorney

Trever Johnson, Mayor

Zane DeWeese, Public Works Director

Nachele Sargent, City Recorder

PUBLIC IN ATTENDANCE:

Tom Rees, Sheryl Rees, Brenda Rees,
Margarita Richins, Margarita Richins #2,
Jim Boyden, Chris Boyer, Sheryl Godfrey,
Danica Wilde, Chris Horne, Camellia
Robbins, Eric Langvardt, Rick Brough
KPCW, Louise Willoughby, Jack
Walkenhorst, Chad Staley, Daniel Richins,
Mark Marsh, Drew Robinson, Alan
Simister, Kelly Ovard, Christy Rees,
J Anson, Adrianne Anson, Kim Bowen

Item 1 – Roll Call:

A quorum was present.

Item 2 – Pledge of Allegiance:

Chair Linda Vernon led the Commissioners, Staff, and Public in the Pledge of Allegiance.

Item 9 – Planning Commission Updates:

Chair Linda Vernon stated she wanted to thank Dusty France and recognize all of the years of public service he had dedicated to the Planning Commission. She stated Dusty had volunteered and served for almost 12 years. She stated he had been invaluable and hoped he would be involved again someday. She stated the Planning Commission Bylaws only allowed someone to serve for three consecutive terms. Chair Linda Vernon stated Jeff White had been reappointed to the Planning Commission and thanked him for continuing

1 to serve and welcomed and thanked Ashley Lewis for his willingness to be appointed to the
2 Planning Commission.

3
4 **Item 3 – Work Session: Continued Review And Discussion Of The Update Amendments To**
5 **The Parks, Trails, And Open Space Development Code Provisions And Master Plan:**

6
7 Don Sargent referred to the Staff report (Exhibit A) and gave an overview for the public and
8 Commissioners. The Staff and Commissioners discussed the Staff report and mapping
9 including:

- 10 • 8-4-080, A – Suggestion to add language to clarify all development and not just
11 property touching a designated area or removing the wording of “in locations
12 identified”. The second paragraph does list payment of a fee in lieu for reserving
13 land. Adding the language “locations within the City Limits including the areas”.
14 This was not just for the development area; it was for everything throughout the
15 City.
- 16 • A sidewalk trail would be included if a roadway were developed from the Beacon
17 Hills Subdivision to Walker View Subdivision.
- 18 • The trail classifications were determined by the type of use with single, double, and
19 triple lanes and materials.

20 Don Sargent stated in the last year with the pandemic, a demand for parks, trails and open
21 space increased significantly. They were also in great demand in terms of real estate
22 development. Studies have shown trail systems in communities substantially increased
23 property values and concerns about lower property values and increased crime were
24 unfounded. He stated parks, trails, and open space had a very positive influence on the
25 quality of life and desires for communities.

26
27 **Item 4 – Public Hearing: Review, Discuss, Receive Comment, And Possible Approval**
28 **Recommendation For Ordinance No. 2021-3 Update Amendments To The Parks, Trails,**
29 **And Open Space Development Code Provisions And Master Plan:**

30
31 Chair Linda Vernon opened the public hearing at 6:49 for the Parks, Trails, and Open Space
32 Amendments and explained the rules for making comments in a virtual format.

33
34 Brenda Rees – property co-owner 650 North Main

35
36 Brenda Rees stated Dad and I are part owners of the property along Echo Reservoir with
37 Aunt Joanne Rees and the girls. And so, we have some concerns, obviously. One is what
38 constitutes a development? Is it one house? Is it more than one house? We'd like to
39 know that. Secondly, who pays for the liability when someone is injured on the trails?
40 There are rattlesnakes in this area, and we have sighted some cougar in this area. So, I just
41 wanted to know who stands in liability if someone gets hurt by a critter or accident or
42 injury. And also, I disagree with your everybody's respectful and everybody's nice concepts

1 since we have been victimized, when the County told everybody that the Coal Hollow road
2 was open to the public. We've had vandalism, we've had destruction of property and
3 we've had a lot of littering since this happened. And so just thought I'd put those three
4 concepts out there and I'd like to know the answer to that.

5
6 Cheryl Godfrey – daughter of property owner 670 North Main

7
8 I'm Cheryl Rees Godfrey. I'm David Rees' daughter. This land has been in my family for
9 generations. My dad worked his entire life on our farm. He wanted to preserve it for
10 future generations and this proposal goes against everything he worked for. We shouldn't
11 have to have restrictions on us being able to develop our land in the way that we choose.
12 It's like having a lien on our property for something we never asked for. We, a million
13 percent, do not want these trails on our properties now, or in the future. It may not affect
14 our property immediately, but it does limit our ability to develop or sell in the future and
15 therefore very much affects our property rights. And like Brenda Rees said, the liabilities,
16 we also lease out the property for deer hunting. So, who's responsible if someone gets
17 shot or any injuries that way? Thank you.

18
19 Daniel Richins – leases Rees property

20
21 Daniel Richins stated I actually live in Henefer. I don't have any... Well, I do have property
22 in Coalville, but I'm referring to the trails on the Rees property. I'm actually the lessee from
23 a hunting standpoint, but these trails that you're proposing, class one and class two, does
24 that only apply if that certain landowner that the trail goes across is proposing a
25 subdivision or a development? And if so, what if they're not proposing anything above and
26 beyond the density they're already approved for? So, if they're not asking for anything
27 above and beyond what they're approved for currently, why do they have to put a trail
28 system in? And my second part of the question is, we do actively hunt this property. And
29 again, from a liability standpoint, if they ever decide to develop or they don't decide to
30 develop, or if they decide to just do what they're already zoned for, who assumes liability
31 while I'm up there shooting rifles on this property? That would be my question.

32
33 Louise Willoughby – 151 South 50 West

34
35 Louise Willoughby stated okay, I was finding where I was going to start. Okay, I'm just
36 going to start with this quote, "All required land shall be provided by the developer and all
37 required improvements shall be constructed and paid for by the developer." So, I'd like,
38 again, the word developer clarified, how much land is involved, what triggers fees in lieu of
39 those kinds of things. What is Coalville City's role in providing trails to the citizens of
40 Coalville? How do you propose to make the cost fair for all developers? Regarding trails, if
41 someone were given the 20-foot-wide easement as a trail bordering their property, they
42 would have many more square feet to pay for and they would be responsible for asphalt as
43 well as gravel or woodchips. I did do a little bit of research with Park City... Oh no, let's see

1 that's not there. The number of acres to reserve using level services standard, five acres
2 for a thousand residents, you did have that there for parks right down to a single dwelling
3 family unit 871 square feet would need to be reserved. So, I think clarification on the
4 responsibilities of people, with sizes that they're going to be building. Who pays for trail
5 heads, parking, signage, lawsuits, maintenance? How will trails be maintained? Who will
6 be responsible to monitor, repair, troubleshoot problems on a trail system? How will they
7 be paid? I was researching Park City's document and come up with just a four-mile section
8 of asphalted trail, eight feet wide, it costs \$13,712 to maintain per year and that is not with
9 snow removal. What fee will Wohali have to pay in lieu of since no public trails are part of
10 their development and no development agreement has been given the go ahead by the
11 Council yet? How do you propose to ensure that we don't end up with bits and pieces of
12 expensive trails or parks completed, but no finished product or trail connectivity because of
13 lack of sales development in certain trail areas? What other plans have you looked at in
14 Utah or throughout the United States to get trails and parks in place without holding
15 landowners responsible, build the trails? What contributions will citizens that are not
16 landowners make to the trails? I was looking at a couple of things here, Park City, in June
17 of 2020, did a guest editorial saying it's time for non-residents who use the trails to pay for
18 the privilege. So, you make an extensive trail system here and we're going to be bringing in
19 a lot of people. I've read a lot of articles about how they really don't pay their way. They
20 bring their food; they use your trails and they leave. I did read one about Mike Winder,
21 where he was trying to use eminent domain to acquire trails, this kind of feels a little bit
22 like eminent domain to me, only worse. You're taking the trails, but you're also making
23 them pay for everything to get those trails built. Well, those are my comments and
24 questions that I have. Thank you.

25
26 Chair Linda Vernon and Don Sargent asked Louise Willoughby to email her comments to
27 Niki at the City Hall so they could make sure she received answers to all her questions.
28 Chair Linda Vernon stated anything that we don't address to your satisfaction, you're
29 certainly welcome to attend the Council meeting because there will be another public
30 hearing about this either way. You can bring up concerns there and like I said, if you have
31 that many concerns, I would really suggest you write them down so that people can have
32 some time to research those and find the answers for you at that time. We'll do our very
33 best to answer those at the end of this public hearing. So, thank you very much for your
34 comments.

35
36 Sheldon Smith stated he could respond to a couple of the questions. Coalville City doesn't
37 allow any hunting within the City limits. So, for somebody to get shot while they're on a
38 trail, somebody else would be involved in some illegal activity. If somebody is shooting
39 down from the County down toward Coalville City, that's equally a problem. So, I don't see
40 that. I haven't really heard of people shooting near or in the City, but if that is the case,
41 inaudible.....the trail system. As far as any liability is concerned, if they get some
42 potential liability, it could fall to Coalville City. If somebody is doing something and the
43 trails are so dangerous that caused somebody to be injured, then there could be some

1 liability that way, but it wouldn't be the property owner it would be Coalville City. Chair
2 Linda Vernon stated there were rattle snakes and cougars in the area. But, by the time a
3 subdivision is developed, you've got your streets and sidewalks and lawns and houses and
4 there's still a chance there's going to be a rattlesnake, but we don't expect you to go out
5 hiking in the wild, that's your decision. If you're going to walk in the wild, then you're
6 taking that risk. We are looking for the future, we're looking to the future of our kids and
7 our kids' kids for generations. Most of these trails have been in the master plan for a very
8 long time, since 2009. This isn't anything new and it's not going to be forced upon
9 anybody. You still have rights as property owners to do what you want to do on those
10 properties. We're just looking for the future for someone creating a subdivision or a
11 master plan development or something where they're going to be required to meet the
12 rest of the City Codes. They would be required to look at this as part of it. What has
13 happened in the past is that it's been so disparate in the Code and the Master Plan, it has
14 not been in one place and we're just trying to consolidate it all into one spot so that it's
15 considered more, every time something's built, instead of just a side thought for people.
16 That is a big part of the master plan, to make this a wonderful place for people to live and
17 to use those amenities.

18
19 Margarita Richins – City property owner

20
21 Margarita Richins stated as I look over the plan, there's a lot of trails that go along the road
22 and that kind of makes sense because the Master Plan says that you want to try to connect
23 residential to the downtown and to businesses so that everything connects. But then I
24 think that you should think about when you're putting trails through the middle of
25 someone's private property, that makes... that's a big difference between going along the
26 road. And, we have the Rail Trail that connects a lot of the town on the south and north
27 side to the main street. And so, maybe you could think about taking some of the trails out
28 that are going through the middle of private property.

29
30 Chris Boyer – Developer

31
32 Chris Boyer stated what does the other landowners of us, what do we need to do to get the
33 Wohali private designation on our properties? And how do you come up... what's the
34 formula for the fee in lieu of, for those that are not within the trail system? I guess there's
35 so much that's out there. We've got trails running right through the middle of some of our
36 properties and I just don't see any consistency on how this is being handed out. Because I
37 think we'd be interested in the private part.

38
39 Chair Linda Vernon closed the public hearing at 7:09 P.M.

40
41 Chair Linda Vernon stated they would try to answer as many questions that came up as
42 they could. She questioned how many lots made a subdivision. Don Sargent stated a
43 subdivision was two lots and a trail/park review would be made with that application and

1 would be allotted a cost just like anyone else. Chair Linda Vernon stated it was important
2 for the future of trails to have someone not develop right in the middle of a proposed trail
3 area and stop the connectivity of the trail system. She stated in the past, the City required
4 an easement to be given so a trail could be built in the future, but the City didn't have
5 funds to put toward building trails right now. She stated it had been questioned as to who
6 would pay for a trail system and it was the hope that everyone in the City would pay for it
7 based on the taxes, fees in lieu, etc. to have money in the future to develop some of the
8 trails. Chair Vernon stated this was a Master Plan to help make sure that trails were
9 considered when property was developed in the City. Don Sargent stated the trail
10 requirement wouldn't come into play until the property was considered for development.
11 The lines marked on the map didn't mean anything other than a long-term plan to help
12 provide a comprehensive trail system for the City. Don Sargent referred to the question
13 about the private Wohali trail system and stated the City had worked with the Wohali
14 project to develop a trail system all the way down to the Icy Springs Road so the
15 community could access the trail, but that went away with the Referendum. They now
16 have a private trail system because there weren't any proposed trails listed on the Master
17 Plan. Mayor Trever Johnson stated he wanted to talk about the valuing of property. He
18 stated he would encourage the Planning Commission and City Council not to make a
19 recommendation based on what it may or may not do to property values. He stated he
20 personally didn't use trails, but recognized the value of others doing that. He stated he
21 didn't think property values should be considered. He stated he was also concerned about
22 landowner's rights and recommended for the Planning Commission to look deep at that
23 issue. He stated other developments had requested rezoning and with that trails had been
24 added and agreed to for the rezone approval. He stated he wasn't trying to torpedo trails,
25 but if the City championed landowner's rights in one area, they needed to do it across the
26 board and wanted to make sure that was taken into consideration. Don Sargent stated it
27 was definitely a balancing act of property rights and having a trail network that created a
28 quality community overall without the citizens paying for all of the improvements
29 especially if a trail link would benefit a developer or landowner. He explained the lines and
30 map were conceptual and a lot of them followed existing dirt roads or existing pathways. If
31 a development came in and the line on the map didn't make sense for how the
32 development wanted to be laid out, then the trail line would be moved and inserted for
33 the best design of the development. Chair Linda Vernon referred to the question about
34 trail maintenance and stated if the trail were deeded to the City, the City would provide
35 the maintenance. She stated it would be the same for littering and maybe the City could
36 do an "Adopt A Trail" program to help with maintenance if the trail wasn't part of the
37 sidewalk system. Zane DeWeese stated trails and parks would become part of the Public
38 Works responsibilities as the City adopted each area. He stated as far as snow removal,
39 there may come a time when they would want the trails to be groomed for snow shoeing,
40 cross country skiing, etc. Commissioner Ashley Lewis stated he appreciated all of the
41 comments that had been made. He stated he did use the trails often. He stated the Allen
42 Hollow area was an area that he liked to run and it was an unimproved area. He stated it
43 seemed when it was an unimproved area, there was more littering, and when it was an

1 improved trail, people usually took pride in what they were using. Commissioner Lewis
2 stated he felt a lot of the issues would self-resolve over time as people became more
3 aware and educated on how to use trails. He stated it would be nice to have something
4 here in our community. I've seen all sorts of different people using the Rail Trail and it
5 gave people the opportunity to get outside and enjoy the area we live in. He stated this
6 was a concept plan that would be updated and discussed as time went on. Chair Linda
7 Vernon stated a Developer had pointed out when he put in his subdivision he still had to
8 put in a sidewalk for future use to connect to even though it didn't connect to anything
9 right now. Chair Linda Vernon referred to the question about the different costs for
10 different types of trails and agreed that was something that needed to be discussed. She
11 stated the Code listed a 20-foot right-of-way and it could be based on that for everyone.
12 Don Sargent stated the 20 feet referred to the right-of-way and the widest path was eight
13 feet. Commissioner Ashley Lewis stated there was more that went into a trail than just
14 clearing a path and throwing down wood chips, but he wasn't sure how to determine what
15 the fee would be. He questioned if the City, North Summit Recreation, or others could
16 participate in funding the trails. Sheldon Smith stated this would be determined at the
17 time the development was reviewed. He stated it would be very difficult to have
18 something in black and white because it would vary. He stated there may be other funding
19 sources. Don Sargent stated the concept here was to show some potential and conceptual
20 layout to help guide the City as property developed. Chair Linda Vernon questioned if
21 there were any other questions that needed to be answered. Don Sargent referred to the
22 question on how to have a private trail and stated any landowner could construct a private
23 trail on their property. Mayor Trever Johnson stated he understood the Commissioner's
24 had spent a lot of time on this and requested for them to be specific with direction for the
25 City Council with reasons why and insight for making it equitable for landowners and public
26 amenities if they made a recommendation tonight.

27
28 Chair Linda Vernon stated this information had been discussed for months and questioned
29 if anyone was interested in making a motion to move the Master Plan forward.
30 Commissioner Jeff White stated he had concerns with someone that had property they
31 wanted to keep in the family and wanted to put a house on it, they shouldn't be required
32 to put a trail in. If it was an all-out development, then that would be different. He stated
33 he wasn't opposed to this and if it were a sidewalk with a development that would be okay,
34 but putting it through the middle of a farm wouldn't be right. Chair Linda Vernon stated
35 she disagreed and gave the example of major landscape features like the cliffs and the
36 Chalk Creek corridor that it was the dream to be able to walk that area if it was developed.
37 If the Commissioners wanted to exclude some property, then that was a bigger decision of
38 who would be included and who would be excluded and how you decided that.
39 Commissioner Ashley Lewis stated he felt everyone saw the vision of how important this
40 would be for the community, but maybe someone building just one house wouldn't be
41 feasible or doable money wise to have to build a trail. He questioned if there was a
42 provision that could be added based on the type of development and the amount of
43 proposed homes or if the City could help with the cost burden if it was a smaller number of

1 homes. Chair Linda Vernon stated the City had allowed an easement to just be dedicated,
2 but the City didn't have funding to install the trails at this time and so there was never
3 going to be a trail system if they didn't start somewhere. She stated she understood it
4 didn't seem fair to family developments, but if it was property that was just a development
5 there needed to be some provisions to have the trails installed. Don Sargent stated there
6 was the threshold of six or more lots or something that was tied to an MPD that could be
7 considered, but Chair Vernon was right that in order to maintain any kind of trail corridor,
8 at least a dedicated easement to the City should be provided with any development or the
9 trail system would never happen.

10
11 Kelly Ovard – 199 E Bench Way
12

13 Kelly Ovard typed in a statement saying he agreed with Commissioner Jeff White and his
14 concern about property owners. If a landowner sells to a developer, then make them put in
15 a trail. If a landowner builds six homes, for kids or grandkids over 20 years, then no trails
16 and no easements. Sheldon Smith stated that would be a lawsuit waiting to happen. The
17 City needed to treat everybody equally. You couldn't do one thing for one person and then
18 something else for someone else.

19
20 Sheldon Smith stated the intended application wasn't to expect a farmer that was farming
21 their ground to have to put in a costly trail. It was to create and connect a trail system
22 when property was developed. Chair Linda Vernon stated she didn't necessarily agree with
23 the concept that if the trail wasn't connecting to anything then only an easement was
24 necessary. She stated the developer would be able to defray the costs for putting in a trail
25 with their project and relieve the burden from the public. It shouldn't fall on the taxpayers
26 to pay for trails in a development. The only way to get the trail system was to start putting
27 them in, even if they currently went nowhere. Sheldon Smith stated an easement was an
28 option for just the minimum. Don Sargent stated an MPD was different because then it
29 would move into a negotiation opportunity with the City, which is what happened with
30 Wohali to get that improved trail agreement. Chair Linda Vernon stated she was okay with
31 the listing if it were a major subdivision or MPD over six lots then a trail would be required
32 to be put in and if it were under that then an easement would be required. Commissioner
33 Tim Bristow stated he was struggling with the landowner concerns and referred to the Rees
34 property and them wanting to keep the property for the family and not have the
35 responsibility of putting in a trail. He stated he could see one or two of the kids or
36 grandkids wanting to build a house and keep the farm agricultural, but the problem would
37 be if one kid built a house and was not asked to designate an easement and then up the
38 road a little further another child or grandchild built a house, and then 10 years down the
39 road, they decided to sell the property farther down the road to a developer, now there
40 would be a section that, would be kind of blocking any chance of having this trail system.
41 Commissioner Bristow stated the public didn't want to be forced to give their land up and
42 he was still trying to think through that and how to make a motion that would address their
43 concerns and cover the City at the same time.

The Commissioner's continued to discuss the options including:

- They didn't want a bunch of bridges to nowhere and funding was needed to get the trail system started.
- Adding a provision that if the property being developed didn't connect to a trail only a dedicated easement would be required. If it connected to a developed trail, then the developer would be required to continue and install the trail.
- Requiring the developer to put in the trail as part of the development to defray costs from the taxpayer even if the trail went nowhere.
- Adding language to require an MPD or Major Subdivision to be required to put in a trail and a Minor Subdivision to be required to provide an easement only.
- Making a motion with conditions and direction that the Mayor requested.
- Meeting again on this issue with additional direction from Staff to address the concerns mentioned tonight.

The Commissioner's decided to meet again on the issue and to send Don notes on what the language needed to say for discussion at the next meeting. Don Sargent stated he would compile the notes and suggestions for review.

The Commissioners took a short break and reconvened at 8:06 P.M.

Item 5 – Work Session: Continued Review And Discussion Of The Proposed Wohali Phase I Final Subdivision Plat And MPD Development Agreement:

Don Sargent reviewed the Staff report (Exhibit B) with the Commissioners. He stated the overall MPD and Phase I of the Wohali plan was approved in December 2020 and this was a continued review of the Final plan for Phase I. The Staff and Commissioners discussed the project including:

- The Developer was required to include a tracking summary on the plat to keep track of the project.
- Building pads would not be recorded on the plat, but they would be identified so a buyer would know where they could build based on the sensitive lands and slopes. The building pad would be determined by the Wohali Design Review Committee when the property owner was ready to build.
- A temporary turn around would be built at the end of the improved road, Village View Drive.
- 4.4.2 – This was removed, and it would default to the Agriculture Zone setbacks.
- The Preliminary Plan was approved for 102 lots and only 26 lots would be developed as part of Phase IA. The other phases would follow as part of Phase I, with Phase IB, IC, etc. until they reached the 102 lots.
- 5.1 – The development would have to comply with the Code in effect on January 21, 2019, but any processing fees, impact fees, and other provisions that apply to future laws would have to be met at the time of application for each phase.

- 1 • The developer was agreeing to build and maintain all private streets within the
- 2 development. The infrastructure running under the street would be the City's
- 3 responsibility. If the City needed to dig in the roadway, they would be responsible
- 4 to repair the area.
- 5 • All water, sewer, irrigation, storm water facilities within both the public and private
- 6 rights-of-way or public and private easement will become part of the City's system
- 7 and the City's responsibility to maintain.
- 8 • The developer would be required to construct all infrastructure needed to serve
- 9 their development to the City standards.
- 10 • 7.2.2 – The developer was proposing an agreement to use the water that the City
- 11 leased from Weber Basin Water. They would construct a diversion structure, pump
- 12 house, pump, infrastructure and pay all fees associated with the contracted water.
- 13 Sheldon Smith: Coalville City reserved 300-acre feet of water with Weber Basin.
- 14 About two years ago, we contracted for 110 feet, which left 190 that still was under
- 15 the reservation. We have some deadlines coming up, which is August of this year
- 16 that we either have to do the contract, which the Council agreed to last week, or
- 17 we'd have to pay double for the water, or in 2025 the reservation just went away
- 18 completely. Wohali would like to use the contract water and pay for the expense of
- 19 that water until Coalville City needs it which is just under \$100,000 a year. They will
- 20 pay the lease payment to Weber Basin. They will use the water until Coalville City is
- 21 ready to use it. We currently have no way of actually utilizing the water. The
- 22 question is do we want Wohali to pay for \$100,000 in lease payments every year, or
- 23 do we just want to pay it ourselves without being able to use the water. The
- 24 agreement allows for a provision of a 12-month written notice at which time the
- 25 City could take back the water to use as needed.
- 26 • 7.2.3 - The developer would receive impact fee credit for any infrastructure that
- 27 served the City residents.
- 28 • 7.3.1 – Future sewer capacity would be evaluated with each phase application.
- 29 • 9.2 – Part of the trail language was removed because it didn't pertain to this
- 30 application.
- 31 • The roadway couldn't be a 30% slope for a long segment, 500 feet within 1,000-foot
- 32 segment, but you could cross over a 30% slope.
- 33 • The developer could move forward with a Phase II application process at any time.

34
35 Jim Boyden and Eric Langvardt stated they were here and available for any questions.

36
37 Chair Linda Vernon reviewed the rules and opened the public hearing at 8:56 P.M.

38
39 Louise Willoughby – 151 South 50 West

40
41 Louise Willoughby stated I'm just going to ask my questions based on page number and
42 number in the document. So, page 22, 4.1 number 1G. I'm just wondering what the other

recreational uses and facilities might be. Page 24, 4.6.2 accessory dwelling units. It's limited to 125. What are those? Are those the mother-in-law apartments? Page 35. What are regional facilities in the pioneering agreement might be. A lot of this is just vocabulary understanding. Page 38, 7.3.3. Connection to City sewer, wondering what the impact fees are that they're required to pay, how they're figured. Will it pay their own way or will other Coalville citizens be picking up and sharing in that cost at some point? Page 38, 7.2.5. It's regional water facilities. It mentions a master developer may seek alternate means of achieving water service to and within the project through the utility permit application. What is an example of what this might be? Is this wells? Water, page 37. 7.2.1. Well, actually, 7.2.2. It's secondary water. How many and what kinds of new irrigation water source is appropriate for inclusion in the secondary water system, or the golf course, will the master development locate and contribute to the City? Louise Willoughby repeated the following for the Commissioners; 7.2.2, secondary water. How many and what kinds of new irrigation water source is appropriate for inclusion in the secondary water system, or the golf course, will the master development locate and contribute to the city? Wondering if wells fall within that as well. Then a couple places throughout, I know it talked about leasing water or them paying the lease or something like that. I just wanted to clarify if that is different, because when I talked to Kendall and Eric at Weber Basin, I was told that Coalville City can't lease or sell water legally. So, I'm wondering about the differences there. In a couple places throughout the document, it mentions specifically that Wohali will provide all secondary water for the golf courses. What about secondary water for other amenities, outside watering for homes, nightly rentals, ski resort? If that could end up being up there under the additional amenities, could be ponds, lakes. Water amenities that may be included in other recreational uses and facilities, who will provide all that additional water? How much would that be above and beyond golf course water? And then who would be paying for that? I think that's it for my questions for tonight.

Adrianne Anson – 146 South 50 East

Adrianne Anson stated I just kind of want to echo what Sheldon said and let you know that I think that if they can help acquire this water and pay the lease on it and take care of that obligation that we've had and just help us out with acquiring this added resource, it would be great. It would help us all out. It would help them and us. It's just a mutual decision. I appreciate you guys being so careful and thorough and making sure things are safe and fair for everybody. I don't think we need to shoot ourselves in the foot to try and just make it harder for them. That's all I have to say.

Chair Linda Vernon stated Mayor Duane Schmidt had the foresight to acquire the additional rights to water. She thanked him and agreed it would be beneficial for everyone.

Kelly Ovard – 199 E Bench Way

1 Kelly Ovard typed in a question. If 110 plus 190-acre feet go to Wohali, how much will be
2 left to develop other projects?

3
4 Sheldon Smith stated actually it's 300-acre feet, the way the deal's put together. Whenever
5 Coalville City needs the water, they can use it for whatever they want. So, by allowing
6 Wohali to pay for the contract on the 300-acre feet, it doesn't take anything away from
7 Coalville City's ability to use the water down the road. I think it's important to note at the
8 last meeting that the City Council voted on the agreement with Weber Basin. It was a
9 unanimous vote, which is a little bit unusual in today's world. But it was a unanimous vote
10 to move forward with the contract. Thank you, Mayor Schmidt for thinking about the
11 future of Coalville. I think that finally the Council last week understood that it was their
12 turn to step up to the plate and follow through on what we had.

13
14 Chris Horne – 171 South 50 East

15
16 This is Chris Horne and I actually echo those sentiments as well. I think it's speaking from...
17 my position, with a lot of this over the past few years, has really been trying to think about
18 what the future is for my family. You can just see what good decisions like the previous
19 Mayors and have Planning have done to really benefit Coalville City, not just right now or
20 what's happening in 2022, or 2023, but in 10, 20, 30 years down the road. That goes for the
21 trail discussions we had earlier and this now. So, I think this is a great thing. It seems like a
22 really big benefit to both parties. I think that's a very exciting thing to have, especially with
23 similar discussions that have happened surrounding this entire project over the past few
24 years. I think that finding really great benefits for both sides is a wonderful thing. So that's
25 all.

26
27 Chair Linda Vernon closed the public hearing at 9:09 P.M.

28
29 Chair Linda Vernon stated they would try and answer the questions that came up at the
30 public hearing. Sheldon Smith stated a lot of the questions that came up have already
31 been discussed and answered. He stated we certainly want to help the public, but a lot of
32 this has been questioned and answered. Chair Linda Vernon stated anything related to
33 recreation use would be allowed for the development. Don Sargent stated it's the support
34 uses to the primary use of the golf resort and other recreational uses that are, as you said,
35 permitted by right in the Agricultural zone as defined, not tomorrow, but when this
36 application was filed and determined complete and approved. Chair Linda Vernon stated
37 the 125 ADU was for mother-in-law apartments under 1,000 square feet and this was
38 allowed anywhere in the City. Chair Linda Vernon stated the total number of dwelling units
39 was 125 single family residential units and each one was entitled to an ADU. Chair Linda
40 Vernon stated the regional facilities in a pioneering agreement meant if they put in
41 infrastructure for their development and someone came in later and was able to use the
42 same infrastructure for their project, they would have to pay back some the costs to
43 Wohali. They would be able to access and use the same infrastructure instead of

1 duplicating or running a second line. Chair Linda Vernon stated the Developer would pay
2 their own way for the sewer system. Don Sargent stated they would also be subject to
3 impact fees at the time of a building permit application. Don Sargent stated the MPD
4 required the Developer to supply all secondary irrigation water that was required for the
5 golf course. The City would be obligated to provide the secondary water to all other uses,
6 but the MPD required the Developer to secure the sources, pay for water, and any means
7 that was available to supply irrigation to the golf course. The Developer would still be
8 responsible to provide all infrastructure, pay all the fees, and all the water rates associated
9 with service. It would be up to the Developer to decide what they would do when the City
10 took the water. They could drill wells or source other water. They have talked about
11 exploring some wells as a potential source. They want to figure this out sooner than later,
12 because if the City needs the water, they don't want to be left in a lurch and not have
13 irrigation for the golf course obviously, so they're already in the process of investigating
14 possible sources to provide that secondary water. Sheldon Smith stated under State law, a
15 city, municipality cannot sell or lease water outside of its city. So, a citizen can't all of a
16 sudden decide that they want to sell water to another development. But that doesn't
17 preclude Coalville City from letting someone within Coalville City utilize the water that is
18 Coalville City's water. That's the case here. If they were outside the City limits, then that
19 would be a different story. That would be something that would require a different
20 analysis. But because the development is within Coalville City, Coalville City can allow the
21 use of the water without being liable under State law for illegally or selling water.
22 Commissioner Tim Bristow stated he just wanted to comment on probably verbiage-wise of
23 why people think that we're leasing water. My understanding is right now we have it in
24 reserve. We have the opportunity to start leasing that water, which we could do and just
25 let it flow down the river, but at this time they're willing to pay that lease for us and we're
26 allowing them to use the water until at said time we will take it back for whatever use that
27 we intend at that time. Don Sargent stated when we looked at the waters rights that were
28 just in reservation, there was discussion, that the Development initiated actually, to see if
29 there could be something that worked out where they could pay for that so the citizens of
30 Coalville didn't have to, at least for a timeframe of when the City didn't use that water. As
31 part of those discussions, it was determined that it might have some merit if the
32 Developers were willing to pay for the infrastructure as well to divert that water from the
33 river and use it. And so coupled with the payment and the estimated cost on it, as I
34 indicated, it was very close to half a million dollars for that diversion structure and
35 infrastructure. It was felt that it was a good agreement and a good situation that would be
36 a win-win for both the City and the Developer being on a lease to have that water source to
37 start the irrigation of the golf course until such time the City needed the water. Chair Linda
38 Vernon thanked Don Sargent and Sheldon Smith for all of the time and effort put into the
39 Development Agreement on behalf of the City. She stated that another public hearing
40 would be held with the Council so you can address your questions there. She suggested if
41 they had a lot of questions or a lot to say or points to make or material to provide insight to
42 us or Council Members, we ask you to submit that in writing, preferably before the
43 meeting so that we can have a chance to address those.

1
2 **A motion was made by Commissioner Jeff White to give a positive recommendation of**
3 **approval for the Wohali Phase IA Final Subdivision Plat and MPD Development**
4 **Agreement, and associated Construction Drawings with the condition for the Staff to**
5 **verify that the construction drawings and any other materials, final plat or otherwise,**
6 **meet all the standards of the Code, the Development Agreement now as recommended**
7 **and any other applicable ordinance of the City. Commissioner Ashley Lewis seconded the**
8 **motion. All Ayes. Motion Carried.**

9
10 **Roll Call:**

11
12 **Commissioner Vernon – Aye**
13 **Commissioner White – Aye**
14 **Commissioner Bristow – Aye**
15 **Commissioner Lewis - Aye**

16
17 **Item 7 – Election Of Chair And Vice Chair:**

18
19 Chair Linda Vernon nominated Tonja Hanson to be Chair and Jeff White to be Vice Chair.
20 The other Commissioners agreed.

21
22 **A motion was made by Commissioner Linda Vernon to elect Tonja Hanson as Planning**
23 **Commission Chair and Jeff White as Planning Commission Vice Chair for 2021.**
24 **Commissioner Tim Bristow seconded the motion. All Ayes. Motion Carried.**

25
26 **Item 8 – Consultant Updates:**

27
28 Don Sargent stated the City Council had made an adjustment to the current budget to
29 allocate \$100 each per month for the Planning Commissioner's. He stated they were very
30 willing to offer that stipend as appreciation for the hard work and time the Commissioner's
31 put in. He stated that would become effective next month.

32
33 **Item 9 – Planning Commission Updates:**

34
35 There were no Planning Commission updates tonight.

36
37 **Item 10 – Review And Possible Approval Of Minutes:**

38
39 The Commissioners reviewed the minutes of the March 15, 2021 meeting.

40
41 **A motion was made by Commissioner Tim Bristow to approve the minutes of March 15,**
42 **2021 as written. Commissioner Jeff White seconded the motion. All Ayes. Motion**
43 **Carried.**

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Item 11 – Adjournment:

A motion was made by Commissioner Jeff White to adjourn the meeting. Commissioner Ashley Lewis seconded the motion. All ayes. Motion Carried.

The meeting adjourned at 9:36 P.M.

Chair Linda Vernon

Attest:

Nachele D. Sargent, City Recorder