

Coalville City Council
Regular Meeting
HELD ON
September 13, 2021
IN THE
Coalville City Council Chambers

Mayor Trever Johnson opened the meeting at 6:00 P.M.

MAYOR And COUNCIL PRESENT:

Mayor Trever Johnson
Council: Don Winters, Tyler Rowser
Rodney Robbins, Cody Blonquist
Phil Geary (excused)

CITY STAFF PRESENT:

Don Sargent, Consultant
Sheldon Smith, City Attorney
Chris Thomsen, City Engineer
Zane DeWeese, Public Works Director
Nachele Sargent, City Recorder

PUBLIC IN ATTENDANCE:

Don Greenhood and Son, Jay Stratton, Stefanie
Bowen, Margarita Richins

Item 1 – Roll Call:

A quorum was present.

Item 2 – Pledge Of Allegiance:

Mayor Trever Johnson led the Council, Staff, and Public in the Pledge of Allegiance.

**Item A – Continued Review And Discussion And Possible Approval Of The Proposed Ordinance
No. 2021-3 Parks, Trails, And Open space Development Code And Master Plan Update
Amendments:**

Don Sargent referred to the Staff report (Exhibit A) and stated he had taken all of the items the Council had directed from the last meeting and updated the language and the map for the Parks, Trails, And Open Space And Master Plan. He stated anywhere that was specified as "City" in the document was changed to "City Council". He stated it would still require the review from the Planning Commission, but the City Council was the Land Use Authority for the provisions in the document. Don stated as directed by the Council the requirement for sidewalks and trails would be "determined at the time the project was reviewed". He read the redlined clarification from the Staff report. He stated the next clarification was that all trails and sidewalks required were for "public use". Don referred to the map and stated three trails had been removed from the Master Plan: the "Y" section from the David Rees property, the "ridgeline" trail from the David Rees property, and the one through the middle of the NS School District property to 200 East. Council Member Rodney Robbins questioned if the City would be taking over the maintenance of a

1 retention pond if it was considered a park. He stated it could become a burden and cost a lot of
2 money to keep them cleaned out. Don Sargent stated a retention pond could be listed as a park
3 depending on the layout of the development if it was determined by the Council. He stated
4 generally the HOA would be required to maintain those and they weren't dedicated to the City.
5 Don stated storm drainage was a public utility, but gave the example of the one at Black Willow and
6 stated that was not dedicated to the City. Council Member Don Winters questioned if a developer
7 could keep their trails as private even though it stated they would be for public use. Don Sargent
8 stated if it was on the Master Plan and determined it was required as part of the development, they
9 would be public sidewalks and trails, but a developer could do additional trails throughout their
10 development that would be private for the development only. Council Member Cody Blonquist
11 gave the example of the trail on the Master Plan that went through the Parley Brown property and
12 stated if that project was approved, the developer would be required to put in that trail or an
13 equivalent. Don Sargent stated that was correct. Council Member Rodney Robbins questioned if
14 the City could be sued because it stated that parks could be private and the developer wanted their
15 trails private too. Council Member Cody Blonquist stated sidewalks and trails on the map were
16 listed for public use. Sheldon Smith stated parks and trails were two different things. He clarified
17 that the trails were diminished from what was originally proposed. Mayor Trever Johnson stated
18 they were for the Rees property. Council Member Rodney Robbins stated he had a hang up with
19 the trails being through private property. He had noticed with all his driving and in all the places he
20 had seen, the trails were running along a road or not too far from it. Council Member Don Winters
21 stated he really didn't like the Weber River trail. Council Member Cody Blonquist stated the biggest
22 reason for the Rees property trail being removed was because a trail probable wouldn't be going in
23 unless a road was going in and if a road was going in, there would probably be a sidewalk. He
24 stated he actually used public trails in private areas and most of the trail wasn't in view. He stated
25 you could see the trail along the public right-of-way, but it would continue through the private
26 property. He stated they generally tried to follow the landowner's boundaries or a utility easement
27 so it wasn't through the middle of the property. He stated the actual location of the trail was
28 conceptual and could be adjusted and negotiated as to where it would fall on the property at the
29 time of the development review. Council Member Blonquist stated the trail along the river would
30 be in the 100-foot flood area and no one would be able to build there anyway. He stated the trails
31 would only be put in if it the property was developed. Council Member Don Winters stated he
32 understood that, but he didn't like the trails following the natural features like the Weber River,
33 Chalk Creek, Echo Reservoir, Ridgelines, cliffs, etc. He stated he didn't like putting them out there
34 any where they could. Don Sargent stated those features were typically where trails were desired.
35 He stated there had been a big shift in what people wanted especially since Covid-19 because
36 people wanted to be able to get outside and walk along the trails. Council Member Cody Blonquist
37 stated he felt like it was important to have the trail along the Chalk Creek corridor because it
38 connected to the park area and the public had requested for a trail to be in that area initially.
39 Council Member Tyler Rowser stated there would have to be negotiations to put a trail in on the
40 BOR property, but as other property developed around the Weber River it would be a nice location
41 for a trail. Council Member Rodney Robbins stated he thought it should be the developer's choice
42 and they shouldn't be forced to put one in. Council Member Tyler Rowser stated then they should
43 do away with the parks and trail plan. Council Member Robbins stated the developer already had
44 to put in a sidewalk and questioned why they would have to put in a trail too or give the land to the
45 City. Council Member Don Winters stated that would drive up the cost of a building lot and force a
46 lot of people not to be able to live here. Council Member Cody Blonquist stated if they didn't want
47 any trails period, then they should just nix the trails completely. Council Member Rodney Robbins

1 stated they should just leave it the way it was and not put any teeth into it and leave the City
2 working with whoever develops the land to put in a trail. Mayor Trevor Johnson stated this
3 ordinance didn't change that and it made it easier and gave more freedom to the landowner. Don
4 Sargent stated the Planning Commission had spent over a year and half on where to put the trails
5 so they would connect throughout the City and then they would have the ability have a discussion
6 with the developer. They didn't just add a bunch of lines to the map. Niki Sargent stated when it
7 started being discussed it was because of complaints from not having a sidewalk or a trail. She gave
8 the example of the Deer View subdivision that didn't put in a sidewalk, but all of the homeowners
9 wished they had one and the Chalk Creek subdivision connecting to the park area so the kids could
10 walk to school. She stated she wasn't aware of any complaints because there were sidewalks and
11 trails. She stated a developer wouldn't necessarily have to a sidewalk and a trail. That was part of
12 the review process when an application was made. Sheldon Smith stated the Council before this
13 wanted trails and the amenity for the citizens. Council Member Rodney Robbins expressed his
14 concern that they wouldn't know who would be on the Council in twenty years to negotiate that
15 with the developer. Sheldon Smith gave the example of the Law Against Perpetuity and stated this
16 law began because they needed to be able to make decisions based on the needs of the City at the
17 time of the decision instead of being stuck with a decision that would no longer apply. Mayor
18 Trevor Johnson stated he would like to have the Council put it to a vote.

19
20 **A motion was made by Council Member Cody Blonquist to approve Ordinance No. 2021-3 Parks,**
21 **Trails, and Open Space and Master Plan Updates. Council Member Tyler Rowser seconded the**
22 **vote. The Ayes won the vote. Motion Carried.**

23
24 **Roll Call:**

25
26 **Council Member Blonquist – Aye**
27 **Council Member Robbins – Nay**
28 **Council Member Rowser – Aye**
29 **Council Member Winters – Nay**
30 **Mayor Johnson – Aye**

31
32 **Item E – 1. Business Licenses:**

33
34 Don Sargent stated there was a business license for approval for A Helping Hand Handyman, Zeke
35 Ewing, for a home office for a handyman and minor home repair business. He stated it was located
36 in the Valley View Mobile Home Park and the property owner had given approval for the home
37 business.

38
39 **A motion was made by Council Member Tyler Rowser to approve the business license for A**
40 **Helping Hand Handyman, Zeke Ewing. Council Member Rodney Robbins seconded the motion.**
41 **All Ayes. Motion Carried.**

42
43 Chris Thomsen stated there was a business license for approval for 4G Construction, Don
44 Greenhood, for a construction business to be run out of his shop at 363 S Main. He stated this item
45 was discussed at the last meeting and tabled to get input from the City Attorney, Sheldon Smith.
46 He stated this business wasn't compatible in the residential neighborhood. Donald Greenhood
47 stated the reason he had applied for a business license there was because the State required them

1 to have an address here. He stated most of his work was in other places. Mr. Greenhood stated he
2 didn't plan to get any bigger and his equipment fit in his shop. He stated he kept it very clean and
3 anyone could drive by and see that he took a lot of pride in his place. Council Member Don Winters
4 stated his application stated stockpiling materials and a construction yard. Don Greenhood stated
5 he wouldn't want to see that either and he didn't have anything stocked there. He stated when his
6 equipment was here, it was in his shop. Chris Thomsen stated if Mr. Greenhood wanted to change
7 his application to a home office for his construction business, then it would comply with the Code
8 and they would be able to issue the business license. Don Sargent stated the Council would need
9 to include as a condition of approval that all equipment be enclosed within the building and it
10 would just be a home occupation for the office. Council Member Tyler Rowser stated the
11 Greenhoods had proven they were amenable to fixing any issues when the City requested for them
12 to fix the shop lighting and they had complied. Council Member Cody Blonquist stated the only
13 way to run a construction business at this location would be to change the zoning which would be
14 difficult to do. Jay Stratton stated he was his neighbor to the South and Mr. Greenhood already
15 had equipment in the shop and you wouldn't even know it. He stated he kept everything cleaned
16 up and taken care of. Sheldon Smith stated to be consistent with what the Council had tried to do
17 in the past would be to not allow construction in residential zones. He stated the other issue was
18 noise and questioned if they would be having equipment starting up and left running that would
19 have an affect on the neighborhood. Don Greenhood stated he wouldn't be doing that, and he
20 would redo his application for a home office for approval at the next meeting.

21
22 **Item B – Review, Discussion, And Possible Approval Of The 2022 Capital Improvement Plan:**

23
24 Mayor Trever Johnson reviewed the 2022 CIP list (Exhibit B) and stated this needed to be reviewed
25 and submitted by September 15, 2021. Chris Thomsen stated there were certain funding agencies
26 that wanted to see that the City had a plan and had discussed the projects on the list. He stated
27 typically you would want to see a project from every department on the list and they could
28 consider adding a sewer project to be covered for any potential project. Council Member Tyler
29 Rowser stated the 250 East Street needed to be changed to 225 East Street as the extension of Park
30 Road. He suggested adding the pedestrian bridge over the freeway and the street
31 extension/connection for the NS Recreation District road on Pioneer Drive to the 5 – 10-year term
32 list.

33
34 **A motion was made by Council Member Tyler Rowser to approve the 2022 Capital Improvement**
35 **Plan list and to add to the 5 – 10-year term the pedestrian bridge over I-80, the Pioneer Drive**
36 **street extension, and changing 250 East Street to 225 East Street. Council Member Cody**
37 **Blonquist seconded the motion. All Ayes. Motion Carried.**

38
39 **Item C – Consultant Updates:**

40
41 Don Sargent stated he and Chris Thomsen had met with the Red Hills developers on their concept
42 plan. They would be presenting the information to the Planning Commission at their next meeting.
43 He stated this property was annexed into the City in 2001 with an annex agreement that allowed
44 284 lots/units and they were applying for 349 with the density bonus calculations with an MPD
45 application. He stated they would need to show and verify their eligibility for the increased density.
46 Sheldon Smith stated their agreement was an annexation/development agreement. Don Sargent
47 stated the agreement was very consistent with the current Code and the City would still be doing a

1 Development Agreement with them for the project. Mayor Trevor Johnson stated this had the
2 potential to double the size of the City which would be a significant daily impact compared to a
3 secondary home community. He stated he didn't mind the balance and thought it was good to be
4 diverse with the community, but he wanted to make sure the Staff was vigilant with the project
5 review and wanted the community to understand this was where the City really needed to be
6 careful because of the higher impact. Don Sargent stated he agreed and stated this was a
7 permitted use application with some exceptions with the MPD application that the City would have
8 some discretion with. Council Member Cody Blonquist questioned if existing properties would be
9 required to connect to the sewer line when it was extended to this project. Sheldon Smith stated
10 the ordinance required them to connect to the system. Niki Sargent stated the new homeowners
11 that had built septic systems were given ten years after the extension before they had to connect.
12 Mayor Trevor Johnson asked Zane DeWeese what this would do to the current City sewer system.
13 Zane stated he didn't have the answer right now, but he had questioned if the current line size
14 coming into town would be adequate. He stated that was one of his main concerns. Don Sargent
15 stated Phase I for the Red Hills development was 50 lots. He stated the Developer would work on
16 an infrastructure impact analysis with their preliminary application. Chris Thomsen stated they had
17 discussed maybe going down the Rail Trail to avoid doing a lift station. Council Member Cody
18 Blonquist questioned if the City had the discretion to say what they wanted to have happen with
19 the line extension. He stated a lift station would be a much bigger burden to the City. Sheldon
20 Smith stated yes, the City could negotiate for what they wanted to have happen. Don Sargent
21 stated they would be doing a Development Agreement that would cover a lot of that information.

22
23 Don Sargent stated Wohali had submitted an application for Phase II of their project. He stated this
24 was a preliminary plan as the concept plan had been satisfied with the whole MPD project. He
25 stated this plan consisted of 181 resort units, 32 golf house units, the lodge, the amenities, and the
26 11-hole short golf course. Don stated this was the village core area. He stated it was phased in four
27 different projects, but they were coming in for approval of the entire project. He stated it would be
28 presented to the Planning Commission at their next meeting.

29
30 Don Sargent stated he and Chris Thomsen had a pre-construction meeting with Wohali on the
31 water in-take structure and they would be starting that project. Sheldon Smith stated they had
32 provided a cash bond for this project. Don Sargent stated they had also signed a Development
33 Improvement Agreement that specified the details for the project.

34
35 Don Sargent stated the Planning Commission had completed their review of the Residential Zone
36 portion of the use list and definitions and would be continuing the review at their next meeting. He
37 stated there were several duplicate items that had been identified and the list was coming
38 together.

39
40 Mayor Trevor Johnson stated Council Member Phil Geary had stated his daughter had complained
41 about Wohali working behind her house all hours of the day and night. He stated Kilgore had been
42 dumping some Roto-Mill from a project they were working on and they were dumping it on the
43 Wohali property that was in the County and not the City. He stated he had spoken with Jim Boyden
44 who had stated they were still within the City noise ordinance conditions. Mayor Johnson stated he
45 had called and talked to Council Member Geary and let him know. Don Sargent stated he had gone
46 up and taken pictures of the area. Mayor Johnson stated he didn't know what if anything the City
47 could do about the complaint. Don Sargent stated the City did have provisions in the noise

1 ordinance for construction activity with a timeframe for when work was allowed. Zane DeWeese
2 stated he had received some complaints about construction noise with the homes being built in
3 Chalk Creek Estates. He stated most people were okay for work on Saturdays, but they had a
4 problem with the noise on Sundays. Mayor Trevor Johnson stated the Contractors needed to be
5 reminded of the ordinance and work timelines.

6
7 **Item D – Public Works Updates:**
8

9 Zane DeWeese stated the secondary water line connecting to Browns Well was completed. Mayor
10 Trevor Johnson and the Council commended Zane on the idea of using this site and getting the
11 project taken care of. Mayor Johnson stated Zane had started meeting with him back in February
12 with the drought predicted for this year. He stated this Well couldn't be used for culinary water
13 and would be a great addition to the City secondary water system. Mayor Trevor Johnson thanked
14 Zane for all of his work and effort for the City. Zane DeWeese stated they would be testing out the
15 line before the end of the season. He stated they would be shutting down the secondary water
16 system on October 1st. Mayor Trevor Johnson stated the City had been able to make it through the
17 season in one of the worst water years and it was great to know that they had a good system in
18 place.

19
20 **Item E – Community Development Updates:**
21

22 Chris Thomsen added his comments and stated there wasn't many Public Works Directors that
23 would have been able to take on all of the tasks that Zane DeWeese did and the City was very
24 fortunate to have him on staff. He stated he had saved the City a lot of time and money with the
25 efforts he put in on the secondary water line project and they were lucky to have him working for
26 them.

27
28 Chris Thomsen stated they would be having a preconstruction meeting on the Force Main project
29 soon. He stated they had already started hauling in the pipe and equipment for the project. Chris
30 stated JUB Engineers had completed and submitted the grant application for funding to finish the
31 project and hopefully they would be able to complete the entire project.

32
33 Chris Thomsen stated the Water Treatment Plant was moving forward and the footings were
34 completed. He stated the building shell was coming early, but there were other things that had to
35 be changed because of items not being available because of Covid-19 and wanted the City to know
36 there could be requests for change orders with some things having to be redesigned.

37
38 Chris Thomsen stated there were some new projects that had been submitted for review. He
39 stated one was for a boat repair facility on the Boyden property by the Sewer plant, a subdivision
40 for the Boyden property by the Black Willow subdivision, and a subdivision concept plan from
41 Courtney Richins for the Doug Wilde property at 300 South Main.

42
43 **Item F – Legal Updates:**
44

45 Sheldon Smith stated he was working again on the 1998 Brown Well water agreement with the
46 property owners. He stated there were some issues that needed to be taken care of that involved
47 quite a few people and it had been difficult meeting with everyone.

1
2 Sheldon Smith stated in the past the City had allowed people that were not in the City limits to
3 connect to the water system and he had heard there were going to be some applications coming in
4 for the same consideration. He stated they may want to consider making it a requirement that
5 they would need to annex into the City if someone wanted to hook on to the water system, so the
6 City would get the full revenue and benefits from the property. He stated there were several
7 places that already had that as a requirement. Zane DeWeese stated one of the pros to having that
8 requirement would be for the State water reporting process. He stated the City had to take into
9 account and expand the boundary map for anything connected to the system outside the City limits
10 and it made sense to require them to just be part of the City. Sheldon Smith agreed and stated it
11 was something the City needed to think about and decide on because he felt there was the
12 possibility of applications coming in. Zane DeWeese stated the City had updated the policy for
13 someone outside of the City limits to connect to the water system and it would be good to review it
14 again. Sheldon Smith agreed and stated he would look at it again.

15
16 **Item G – Mayor Updates:**

17
18 Mayor Trevor Johnson stated the North Summit Recreation District was looking for an answer on if
19 the City would be contributing to their project to expand the multi-use fields at the Beacon Hill
20 Park. The Mayor and Council discussed using some of the funds from the concert which was in the
21 Parks & Rec budget or the transient room tax. The Council agreed to look at donating some funds
22 to the project. Mayor Trevor Johnson stated he would add it to the agenda for consideration at the
23 next meeting.

24
25 Mayor Trevor Johnson stated he had requested for Zane DeWeese to look into finding a back up
26 building inspector. Council Member Cody Blonquist questioned at what point the City would need
27 to hire a full-time inspector or an additional inspector. He gave the example of Hideout Town and
28 stated they hired Epic Engineering to provide the service. Mayor Trevor Johnson stated he was
29 working on getting some options for consideration.

30
31 **Item H – Council Updates:**

32
33 Council Member Rodney Robbins questioned if it would be possible to look at the MPD language
34 again especially with all of the development coming. He stated the one sentence pretty much
35 allowed a developer to build accessory structures without limit versus following how much land
36 they had. Don Sargent stated accessory structures and buildings were allowed in any zone district
37 and so all the zones would need to be changed as well. Mayor Trevor Johnson stated he had
38 specifically requested for Don to look at the use list in the agricultural zone and requested for him
39 to remove golf courses. He stated he felt like the reviewing the use list would solve some of the
40 concerns. Don Sargent stated the Planning Commission was working on that very thing right now
41 and it would be coming to the Council for review. He stated he thought the resort unit use was the
42 term that allowed the nightly rentals. Council Member Rodney Robbins stated he would find the
43 information he was questioning and bring it to the next meeting. Sheldon Smith requested for him
44 to forward him a copy so he could review it.

45
46 **Item I – Executive Session:**

47

There wasn't an executive session tonight.

Item 4 – Review And Possible Approval Of Accounts Payable:

The Mayor and Council reviewed the accounts payable for September 2021.

A motion was made by Council Member Cody Blonquist to approve the accounts payable for September 2021. Council Member Don Winters seconded the motion. All Ayes. Motion Carried.

Item 5 – Review And Possible Approval Of Minutes:

The Mayor and Council requested for the minutes of the August 23, 2021 meeting to be tabled until the next meeting.

A motion was made by Council Member Cody Blonquist to table the minutes until the next meeting. Council Member Rodney Robbins seconded the motion. All Ayes. Motion Carried.

Item 6 – Adjournment:

A motion was made by Council Member Tyler Rowser to adjourn the meeting. Council Member Rodney Robbins seconded the motion. All ayes. Motion Carried.

The meeting adjourned at 7:52 P.M.

Mayor Trevor Johnson

Attest:

Nachele D. Sargent, City Recorder