

Town of Independence
Town Council Meeting
08/10/2021 7:00 p.m.

In attendance: Mayor: Phil Sweat, Councilmembers: Gary Ryan, Rose Heaton, Bonnie Wilson, Bill Duke, and Tracy Sabey.

Staff attendance: Cathy Bingham, Jodi Hoffman, and Lauren Bolger.

Others in attendance: Gentry Martino, Landon Owens, Ryan Schill, Jim Mortensen, Kirt Kimball, and Sharise Smith.

1. Call to Order. Mayor Sweat called the meeting to order at 7:05 p.m.
2. Opening Prayer. Councilmember Heaton offered the opening prayer.
3. Pledge of Allegiance. Councilmember Duke offered the Pledge of Allegiance.
4. Review and possible adoption of draft minutes for June 8, 2021 and June 30, 2021.
 - Councilmember Heaton moved to approve the draft minutes for June 8th, 2021, and June 30th, 2021.
 - Councilmember Duke seconded the motion. The motion passed unanimously.
5. Discussion of Night Sky and Building Height Ordinances. Ms. Hoffman presented a Draft Dark Sky Ordinance and Draft Building Height Ordinance for the council to review.
 - Ms. Hoffman explained the procedure for such land use ordinances, first the Planning Commission would review the ordinance and then make a recommendation to the Town Council. Ms. Hoffman presented the Council with the Draft ordinances today to give the Councilmembers time to review and add comments before a formal presentation to the Council for adoption.
 - Ms. Hoffman explained that on any land use ordinance, the Council could declare a pending ordinance of the code sections at issue and be protected for 180 days until the Town enacted an ordinance address the issue.
 - In both draft ordinances, currently constructed homes and installed lighting would not be subject to the proposed changes.
 - Ms. Hoffman also briefly discussed the current maximum height for residential housing in Independence, under the background County zoning. Ms. Hoffman proposed a change to the way maximum height is measured from natural grade to finished grade. This way of measuring maximum height has become the norm in other jurisdictions and produces a smaller structure, especially when building on a slope, than relying on natural grade.
 - Council declared a pending ordinance for both issues.
6. Roads Update. Mayor Sweat presented a roads update.

- Mayor Sweat reported the road work completed by Troy Wilde looked good. The contractor will hold off on grading the dug way until the weather cools down and more moisture has been received.
 - Councilmember Duke reported there are still a few potholes on Duke Lane that need to be repaired. The Mayor will look into these areas and let the contractor know if additional repairs need made.
 - Councilmember Heaton asked about the progress on getting a grant writer to seek funds for improving roads within the Town. Mayor Sweat reported seeking a grant writer will be put on hold. An individual has expressed interest in helping the Town obtain funds from the Federal Government to improve Center Creek Road to the Forest Service Line. A traffic study could possibly help with obtaining that funding.
 - Ms. Hoffman reported there is roughly \$23,000 in Cares Act money available to the Town that could potentially be used for road improvements.
7. Development Update. Ms. Hoffman presented a development update.
- Ms. Hoffman has a potential individual that could possibly help the Town in a managerial type roll for specific large development projects. Ms. Hoffman would like to set up a meeting with the individual and the Mayor and then introduce them to the Council before getting a contract in place.
 - The developers purchasing the Bodell property, a 26-acre parcel on Center Creek Road, have a commitment from Twin Creeks Special Service District (TCSSD) to provide sewer for this development. Ms. Hoffman expressed her concerns about TCSSD's overlapping service area with the potential future Town Sewer District. Ms. Hoffman will meet with TCSSD representatives to discuss an inter-local agreement to avoid overlapping service areas. Councilmember Ryan brought to the Council's attention that this property is lower in elevation compared to the rest of the Town so it may make more sense to have TCSSD provide sewer to this particular area. TCSSD's master plan shows they can serve an additional 200 homes. This development could also consider an alternative sewer system as allowed in the Town.
 - Ms. Hoffman has again spoke to property owners adjacent to the Town that are interested in a potential annexation. The proposed development plan fits into the Town's General Plan and would work well in the resort city sales tax system.
 - Ms. Hoffman explained to the public in attendance the Town's General Plan and reliance on "resort city sales tax." A "resort" classification allows the Town to collect an additional 1.2 cents per dollar spent in the Town as long as the transient room capacity is greater than or equal to 66% of the municipality's permanent census population. This classification allows the Town to support itself without raising property taxes on the existing residents. The last Census reported the Town having 185 people. With the current resort/residential ratio, the Town could increase population by approximately 100 residents and still be within the guidelines to qualify for the Resort tax.

- Ms. Hoffman reported complaints about possible illegal digging and installation of “speed ditches” in the road that accesses the Benson Farm Preservation. The Sheriff’s Department was also contacted regarding this issue. Ms. Hoffman stated she had spoken to the aggrieved resident, the adjacent property owner, and the renter who allegedly dug the “speed ditches,” about restoring the road to the approved construction standards when the subdivision was approved.
- Councilmember Heaton inquired about the Millstream project off Highway 40. Ms. Hoffman reported there has been no correspondence with the property owners in the last month.

8. Public Comments.

- Ryan Schill expressed approval of the management consultant Ms. Hoffman is seeking to use for specific projects in Town. Mayor Sweat also expressed favorability toward the idea if the position could be funded with the out-of-pocket funds but would like to meet with the individual first.
- Jim Mortensen stated he was favorable to the proposed draft Dark Sky Ordinance. In a recent survey, Mr. Mortensen reported Dark Sky and Sound Ordinances were in the top three concerns for potential purchasers and existing residents.
- Gentry Martino reported the “speed ditch” issues in the Benson Farm Preservation Subdivision were still unresolved. He also reported that he had installed speed limit signs as requested. Ms. Hoffman will notify the owners of the inadequate resolution and follow up with Mr. Martino.
- Landon Owens, representing the Bodell property reported they have purchased an additional 33 acres (part of the Ryan Ranch) to the south of the existing 26-acres. Mr. Owen stated that the TCSSD Master Plan boundary includes this property up to the base of the hill. Mr. Owens reported it would make sense for this development to use TCSSD for sewer service so they wouldn’t have to pump sewage up to the potential Town facility.
- Ryan Schill suggested the Council take a tour to see their vision for development of the Town Center and the proposed infrastructure.
- Kirt Kimball commented on the proposed height ordinance. He asked if the ordinance would pertain to underground parking. Ms. Hoffman explained that anything below ground would not be affected by the height ordinance.

9. Adjourn.

- Councilmember Duke moved to adjourn at 7:57 p.m.
- Councilmember Ryan seconded the motion.
- The motion was approved unanimously.

Dated this 14th day of September 2021

Phil Sweat, Mayor

Cathy Bingham, Town Clerk

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