

MORGAN CITY

Council Meeting

12-14-21

6:00 p.m.



**CITY COUNCIL AGENDA
DECEMBER 14, 2021 – 6:00 P.M.
MORGAN, UTAH**

PUBLIC NOTICE is hereby given that the Morgan City Council will hold a public meeting in the Council Room in the City Office Building, 90 West Young Street, Morgan, Utah, commencing at 6:00 p.m. on December 14, 2021.

WORK MEETING – 6:00 P.M.

1. Discussion regarding General Plan Amendment from Central Business District to Medium Density Residential and Rezone Request from General Commercial (C-G) to Multi-Family Residential (RM-15); Property located at approximately 300 East 400 North
2. Discussion regarding amendment to Title 8, Chapter 8.02, Section 8.02.100 of the Morgan City Code – Water service outside City limits.
3. Transfer station voucher – 2022.
4. Training – Gary Crane, City Attorney

GENERAL MEETING – 7:00 P.M.

5. **CALL TO ORDER, PLEDGE OF ALLEGIANCE, OPENING CEREMONY, RECOGNITION, APPROVAL OF MINUTES AND WARRANTS**
 - A. Welcome - Mayor Ray W. Little
 - B. Pledge of Allegiance and Opening Ceremony
6. **PUBLIC COMMENTS** (Time has been set aside for the public to express their ideas, concerns, and comments. Comments are limited to 3 minutes per person with a total of 30 minutes for this item. Open Comment Cards are available on the City's website, morgancityut.org, and are to be filled out and submitted to the City Recorder before 5:00 p.m. on the day of the meeting.)
7. **CONSENT AGENDA:**
 - A. Minutes of City Council Hybrid Meeting – November 23, 2021
 - B. Warrants
8. **ACTIVE AGENDA:**
 - A. Amendment to Title 8, Chapter 8.02, Section 8.02.100 of the Morgan City Code Regarding Water Service Outside City Limits – Ordinance 21-14
9. **PUBLIC HEARING** – (Continued from November 9, 2021)
 - A. General Plan Amendment From Central Business District to Medium Density Residential; Property Located at Approximately 300 East 400 North – Ordinance 21-11
 - B. Rezone Request From General Commercial (C-G) to Multi-Family Residential (RM-15); Property Located at Approximately 300 East 400 North – Ordinance 21-12
10. **CITY REPORTS AND BUSINESS**
 - A. City Manager
Transfer Station Voucher - 2022

B. Mayor and Council

11. ADJOURN

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- A Work Session will be held prior to the General Meeting to discuss miscellaneous matters.
 - This meeting will also be live streamed via morgancityu.org.
 - The Council at its discretion may rearrange the order of any item(s) on the agenda.
 - In compliance with the American with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify Denise Woods, City Recorder, at (801) 829-3461 at least 48 hours prior to the meeting.
 - This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Morgan Council Conference Room, 90 West Young Street, Morgan, Utah. Elected Officials at remote locations may be connected to the meeting electronically to participate.
 - Notice is hereby given that by motion of the Morgan City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed session for any of the purposes identified in that Chapter.
 - The undersigned, duly appointed City Recorder does hereby certify that the above notice and agenda was posted within the Morgan City limits on this 10th day of December, 2021 at Morgan City Hall, on the Utah State Public Notice Website, at morgancityut.org, and three public places within the City. The 2021 meeting schedule was also published in the Morgan County News on December 18, 2020.

/s/ Denise Woods, City Recorder

**MINUTES OF MORGAN CITY
COUNCIL HYBRID MEETING**

NOVEMBER 23, 2021; 6:05 P.M.

MAYOR AND COUNCILMEMBERS

PRESENT IN-PERSON:

**Mayor Ray W. Little, Tony London, Jeff Wardell,
Jeffery Richins, and Dave Alexander**

STAFF PRESENT IN-PERSON:

**Ty Bailey, City Manager; Gary Crane, City Attorney;
Clark Crook, Power Foreman; and Denise Woods**

EXCUSED:

Eric Turner

OTHERS PRESENT IN- PERSON:

Steve Gale, Karli Orn and Rylie Johnson

This public meeting was held in a ‘hybrid’ in person / electronic format in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020. In-person attendance was allowed in the Morgan City Council Room at 90 West Young Street, Morgan, Utah. In consideration of the COVID-19 pandemic and to accommodate social distancing, attendance was monitored and limited to 12 individuals. Public participation was allowed via ZOOM and the meeting was streamed live on YouTube and available for viewing on the City’s website – morgancityut.org.

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

The pledge of allegiance was led by Steve Gale.

The opening ceremony was presented by Councilmember Alexander.

MINUTES AND WARRANTS

MOTION: Councilmember Alexander moved to approve the following:
Minutes of the City Council Hybrid Meeting Minutes – November 9 2021; and
Warrants.

SECOND: Councilmember London

The vote was unanimous to approve the minutes as written and one set of warrants.

CITIZEN COMMENTS

No citizen comments.

NEW BUSINESS

RESOLUTION 21-08 – PERSONNEL POLICIES HANDBOOK

Mayor explained the update to the Personnel Policies Handbook had been reviewed by Ty Bailey, City Manager, Gary Crane, City Attorney, and multiple members of the staff.

Ty Bailey, City Manager, explained the process of updating the Handbook. He stated a management team was formed and each month, over the course of a year, the team reviewed a chapter in the Handbook and

discussed possible changes. He stated most of the focus was updating the Handbook to reflect the role of the City Manager.

Discussion regarding several items in the Handbook:

- Appeals board – Created as needed.
- Sick leave policy and short and long-term disability available for the employees.
- Random drug testing – New employees were drug tested.
- Permitted and non-permitted weapons.

MOTION: Councilmember Wardell moved to adopt and approve Resolution 21-08 – A resolution adopting and approving the Personnel Policies Handbook for Morgan City Corporation adopted November 23, 2021.

SECOND: Councilmember London

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed to adopt and approve Resolution 21-08 – A resolution adopting and approving the Personnel Policies Handbook for Morgan City Corporation adopted November 23, 2021; Councilmember Turner was absent.

RESOLUTION 21-21 – LETTER OF UNDERSTANDING BETWEEN MORGAN CITY AND PETERSON PIPELINE ASSOCIATION

Mayor explained this item was previously discussed at a Council meeting and the Council had suggested changes to be made before it was approved. He said Gary had made the requested changes, but he suggested the following additional changes be made to the Letter of Understanding:

- Second paragraph – remove the first “is” so it read – This letter is to confirm
- Include the word “overage” so it read – . . . Morgan City overage rate per 1,000

He also suggested the following changes be made to the resolution:

- Second Whereas – change the wording from a secondary water source to an additional water source.
- Third Whereas – include the word “overage” so it read – . . . Morgan City overage rate
- Last Whereas – replace the words – PPA is unable to complete construction of a secondary water source – with PPA has a primary water source failure before the construction of an additional water source.

Mayor explained this Letter of Understanding was to satisfy the State’s requirement of Peterson Pipeline to have a backup water supply until their second well was drilled and in place.

Discussion on the term of the agreement and how many years they could ask for it to be renewed. The City was only agreeing to supply water if the City was able to do so. The second paragraph of the Letter of Understanding stated – This commitment is conditioned upon Morgan City’s determination that the City

has enough water to service its needs and the needs of its citizens before selling water to PPA. The resolution was the adopting tool it didn't carry the weight of the agreement.

Councilmember Alexander suggested adding the words "up to" in the second Whereas and also in the Letter of Understanding so it would read – City agrees to sell up to 12,000 gallons

MOTION: Councilmember London moved to adopt and approving Resolution 21-21 – A resolution adopting and approving the Letter of Understanding between Morgan City and Peterson Pipeline Association with the following changes:

- Second Whereas to read as follows – Whereas, the City agrees to sell up to 12,000 gallons per day of potable water to PPA in the event PPA experiences a water shortage before PPA is able to bring online an additional water source.
- Third Whereas to read as follows – Whereas, the City agrees to sell potable water to PPA at the current Morgan City overage rate per 1,000 gallons.
- Last Whereas to read as follows – Whereas, City Staff has reviewed and evaluated the request from PPA and has found it to be in the best interest of the City and citizens of Morgan City to conditionally supply potable water to PPA in the event PPA has a primary water source failure before the construction of an additional water source.
- The corresponding changes to be made to the Letter of Understanding.

SECOND: Councilmember Richins

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed to adopt and approve Resolution 21-21 – A resolution adopting and approving the Letter of Understanding between Morgan City and Peterson Pipeline Association with changes as outlined by Councilmember London; Councilmember Turner was absent.

RESOLUTION 21-25 – APPOINTMENT OF UAMPS ALTERNATE MEMBER REPRESENTATIVE

Mayor explained Ty was the City's representative of UAMPS, but in order to vote you either needed to be the representative or the alternate representative of UAMPS. This resolution appointed Clark Crook as the alternate member representative to UAMPS.

MOTION: Councilmember Richins moved to adopt and approve Resolution 21-25 – A resolution adopting and approving the appointment of Clark Crook as the UAMPS alternate member representative for Morgan City.

SECOND: Councilmember Alexander

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed to adopt and approve Resolution 21-25 – A resolution adopting and approving the appointment of Clark Crook as the UAMPS alternate member representative for Morgan City; Councilmember Turner was absent.

ORDINANCE 21-13 – AMENDMENT TO TITLE 3, CHAPTER 3.04, SECTIONS 3.04.030 AND 3.04.050 OF THE MORGAN CITY CODE REGARDING ALCOHOL LICENSES

Mayor explained this item had previously been discussed and the current City ordinance limited the number of alcohol licenses to two. During the discussion at the prior meeting, the consensus of the Council was to follow State Code. The State regulated the approval of alcohol licenses and they had stringent requirements.

Discussion regarding Section 3.04.050 paragraph 3 – Section stated a beer retailer could not be established within two hundred feet (200') of any public or private school, church, etc. Gary explained the distance was measured from walking from front door to front door. If the use was there before the code was adopted the use was grandfathered in. It was suggested paragraph 6 of this section regarding the enforcement officer conducting quarterly inspections be deleted. It was also suggested to change the wording at the end of paragraph E to state – as set forth in the current city fee schedule. Also, to remove the wording 2003 Code.

MOTION: Councilmember Alexander moved to adopt Ordinance 21-13 – An ordinance amending Title 3, Chapter 3.04, Sections 3.04.030 and 3.04.050 of the Morgan City Code by changing the number of alcohol licenses permitted within Morgan City; Providing for repealer; Providing for severability; Providing for an effective date and making the following changes:

- Removing paragraph D(6) from section 3.04.050.
- Adding the word “current” to paragraph E in Section 3.04.050 to read – current city fee schedule.
- Deleting the words 2003 Code from the end paragraph E in Section 3.04.050.

SECOND: Councilmember Wardell

Discussion on the Motion: None

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed to adopt Ordinance 21-13 – An ordinance amending Title 3, Chapter 3.04, Sections 3.04.030 and 3.04.050 of the Morgan City Code regarding alcohol licenses permitted within Morgan City with the changes suggested; Councilmember Turner was absent.

SPECIAL REPORTS

CITY MANAGER

Hometown Christmas – Ty reminded Council about Hometown Christmas on December 4th from 2:00 p.m. to 5:30 p.m. This event had been planned by the Chamber and there were 14 vendors, games for the kids, hayrides, Santa Claus was scheduled, and entertainment scheduled throughout the day.

Christmas Party – Ty stated the City office Christmas Party was scheduled for December 17th at the bowling alley and he invited the Council to attend.

Holiday Hours – Ty informed the Council the office would be closed Thursday and Friday. Friday would be a flex day for the employees so they could either take vacation or come into the office and work, but the office would be closed to the public.

Employee Performance Reviews – Ty stated he had been conducting evaluations with each employee for safety and performance. He explained part of the program was for each employee to come up with a way to save the City money and he listed several of the suggestions, i.e., reevaluated where the City's garbage cans were purchased, changed vendors for copy paper, reviewing utility billings, reviewing sales tax revenue, and making sure businesses which collected sales tax were listed, etc. He stated the employees had on-line training to watch and he was impressed with the safety record this year.

Councilmember Alexander discussed the following items with the Council:

- Public hearings for general plan amendments and zoning changes were only required to be held in the Planning Commission meeting and there didn't need to be another public hearing in a Council meeting. Suggestion made for Denise to notify the Council when the Planning Commission held a public hearing so they could attend. Council could also watch the meeting on YouTube. Suggestion to put the item on the Council agenda the next meeting after the Planning Commission meeting.
- Gary to provide 10 minutes of training for the Council at each work meeting if time permitted.
- Holding a work meeting prior to the general meeting. Work meetings would begin at 6:00 p.m. and the general meetings at 7:00 p.m. The time for the work meeting would be adjusted to allow the appropriate time for the number of items on the agenda to be discussed.

This meeting was adjourned at 7:42 p.m.

Denise Woods, City Recorder

These minutes were approved at the December 14, 2021 meeting.

ORDINANCE 21-14

AN ORDINANCE AMENDING TITLE 8, CHAPTER 8.02, SECTION 8.02.100 OF THE MORGAN CITY CODE REGARDING WATER SERVICE OUTSIDE CITY LIMITS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, there is a need to amend the City's Code to clarify the procedure for furnishing water service from the City's system to persons outside City limits; and

WHEREAS, this amendment to Section 8.02.100 of the Morgan City Code has been reviewed by the City's Staff and is recommended to the City Council for its approval; and

WHEREAS, the City Council of Morgan City hereby concurs with the recommendations and find it in the best interest of the City and its Citizens to amend Title 8, Chapter 8.02, Section 8.02.100 of the Morgan City Code regarding water service outside City limits.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MORGAN, UTAH:

SECTION 1 **Repealer.** If any provisions of the Morgan City Code heretofore adopted are inconsistent herewith, they are hereby repealed.

SECTION 2. **Enactment.** Title 8, Chapter 8.02, Section 8.02.100 of the Morgan City Code is hereby amended to read as follows:

8.02.100 SERVICE OUTSIDE CITY

- A. Authority: The city may furnish water service from its water system to persons outside its corporate limits in accordance with the provisions of the following subsections.
- B. Preliminary Application: An application for water services outside of the city limits shall first be approved by the city council upon the following conditions. Such application shall be considered a "Preliminary Application."
1. The property to be served shall only be considered if there is an existing structure, previously serviced by another source of culinary water, but subsequently unable to receive that service due to the unavailability of the source.
 2. No new construction outside of the city boundaries shall receive approval of a Preliminary Application. New construction shall be required to annex to the city before receiving water service.
 3. Property eligible for approval of a Preliminary Application, that is located within the City's Annexation Policy Declaration, shall first make an application for annexation where the property meets the requirements for annexation.
 4. The determination of the city council concerning the grant or denial of a Preliminary Application shall be final.
- BC. Application: Once a Preliminary Application is granted by the city council, aAny person located outside the city limits desiring to be supplied with water services from the city water system and being willing to pay in advance the whole expense of extending the water system to his property, including the cost of extending the water main from its present location to the city limits, may make application to the city council by petition containing:

1. A description of the proposed extension;
2. Accompanied by a map showing the location thereof;
3. An offer to pay the whole expense incurred by the city in providing such extension and to advance such expense as said expense shall be certified by the water supervisor. The city council and the person seeking such extension may enter into an agreement providing in detail the terms under which the extension may be utilized by others in the future and the terms under which all or any portion of the cost of installing such extension may be refunded;
4. An acknowledgment that the city in granting said petition engages to supply only such water to petitioner which from time to time the city council deems beyond the requirements of water users within the city limits; and
5. An acknowledgment that such extension shall be the property of and subject to the control of the city. (1973 Code § 16-1-27)

CD. Extensions May Be Master Metered: When an extension supplying more than one house or user outside the city limits is connected to the city water mains, the water supervisor may require a master meter to be installed near the point where the connection is to be made to the city main. This installation will be at the expense of the persons served by such extension according to the regular rates for meter installation. Responsible parties must agree to pay all bills for water served through said meter at the meter rates hereinafter provided. (1973 Code § 16-1-28)

DE. Cost Determined By Water Supervisor: Upon receipt of such petition and map and before the petition is granted, the city council shall determine what portion, if any, of the extension of the city water mains to the city limits the city shall construct and shall obtain from the water supervisor a certified statement showing the whole costs and expense of making such extensions. Such costs and expenses shall include administrative and supervisory expenditures of the water department, which shall in no event be deemed to be less than ten percent (10%) of the cost of materials and labor. (1973 Code § 16-1-29)

EF. An applicant applying for City water service outside of the city's boundaries shall dedicate to the city, the amount of water required by the City Engineer, in order to supplement the amount of water necessary to service the use to be serviced by city water. The City Engineer shall designate those water shares acceptable for dedication and use by the city.

SECTION 3. Severability. If any section, subsection, sentence, clause or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon posting.

PASSED AND ADOPTED by the City Council of Morgan, Utah, this 14th day of December, 2021.

RAY W. LITTLE, Mayor

ATTEST:

DENISE WOODS, City Recorder

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay	Excused
Councilmember London	_____	_____	_____
Councilmember Wardell	_____	_____	_____
Councilmember Turner	_____	_____	_____
Councilmember Richins	_____	_____	_____
Councilmember Alexander	_____	_____	_____

(In the event of a tie vote of the Council):

Mayor Little	_____	_____
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ORDINANCE 21-11

AN ORDINANCE AMENDING THE GENERAL PLAN FOR MORGAN CITY BY AMENDING THE LAND USE ELEMENT OF THE GENERAL PLAN, FOR THE AREA LOCATED AT APPROXIMATELY 300 EAST 400 NORTH, FROM CENTRAL BUSINESS DISTRICT TO MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Morgan City has received a request for an amendment to the Land Use Element of the General Plan for property located at approximately 300 East 400 North (hereinafter "Subject Property"); and

WHEREAS, the Subject Property, is designated Central Business District in the General Plan, and has the current zoning designation of C-G (General Commercial); and

WHEREAS, the residential uses remain strong on both sides of the Subject Property with zoning designations of both RM-15 (Multi-Family Residential) and C-G (General Commercial); and

WHEREAS, based on the strength of the existing residential properties surrounding the Subject Property, the multiple zoning designations in this area, and the continuity of the transition from commercial to medium density residential, an amendment to the Land Use Element of the City's General Plan from Central Business District to Medium Density Residential is reasonable; and

WHEREAS, the City Council finds that the proposed designation of Medium Density Residential is consistent with the remaining General Plan designations and is consistent with the existing uses and zoning classifications on the neighboring parcels; and,

WHEREAS, the City Council finds, at the conclusion of a public hearing and upon reviewing the recommendation from the Planning Commission, that the proposed amendment to the Land Use Element of the City's General Plan is reasonable and well founded, and is in furtherance of the health, safety, and welfare of the citizenry.

NOW, THEREFORE, BE IT ORDAINED BY THE MORGAN CITY COUNCIL:

SECTION I: REPEALER. If any provisions of the Morgan City Municipal Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: ENACTMENT. The Land Use Element of the General Plan of Morgan City is hereby amended as follows:

The following described property is removed from the Central Business District designation and now included in the Medium Density Residential designation:

(See Attachment "A" – Legal Description)

SECTION III: SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: EFFECTIVE DATE. This ordinance shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the most remote from the date of passage thereof.

PASSED AND ADOPTED by the City Council of Morgan, Utah, this 14th day of December, 2021.

RAY W. LITTLE, Mayor

ATTEST:

DENISE WOODS, City Recorder

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay	Excused
Councilmember London	_____	_____	_____
Councilmember Wardell	_____	_____	_____
Councilmember Turner	_____	_____	_____
Councilmember Richins	_____	_____	_____
Councilmember Alexander	_____	_____	_____

(In the event of a tie vote of the Council):

Mayor Little	_____	_____
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ATTACHMENT "A"

LEGAL DESCRIPTION

BOUNDARY DESCRIPTION – REZONE PORTION

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, CITY OF MORGAN, STATE OF UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT MORGAN CITY SURVEY MONUMENT "B";

THENCE NORTH 56°11'17" WEST 45.00 FEET;

THENCE SOUTH 33°48'43" WEST 241.49 FEET ALONG THE NORTHWESTERLY LINE OF 125 NORTH STREET;

THENCE NORTH 90°00'00" WEST 771.92 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH 27°48'20" WEST 341.86 FEET;

THENCE NORTH 61°56'29" WEST 190.00 FEET;

THENCE NORTH 27°48'20" EAST 341.15 FEET;

THENCE SOUTH 62°09'13" EAST 190.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 1.49 ACRES.

THE BASIS OF BEARING IS THE CENTERLINE OF 125 NORTH STREET CALLED NORTH 33°55'13" EAST.

ORDINANCE 21-12

AN ORDINANCE AMENDING THE ZONING DESIGNATION OF A PORTION OF PROPERTY LOCATED AT APPROXIMATELY 300 EAST 400 NORTH, BY CHANGING THE ZONING DESIGNATION THEREOF FROM GENERAL COMMERCIAL (C-G) TO MULTI-FAMILY RESIDENTIAL (RM-15); PROVIDING FOR THE AMENDMENT TO THE ZONING MAP; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Morgan City has received an application for the rezone of a portion of a parcel of property (Parcel No. 00-0004-9278 and Serial No. 05-229-016 – Containing 4 acres), located at approximately 300 East 400 North (hereinafter "Subject Property"). The application requests that the zoning designation of the Subject Property be changed from General Commercial (C-G) to Multi-Family Residential (RM-15); and

WHEREAS, the Planning Commission reviewed the proposal and held a public hearing on October 19, 2021 and after its review the item was forwarded to the City Council with an unfavorable recommendation; and

WHEREAS, the City Council, upon review of the Planning Commission's recommendations and a public hearing held on November 9, 2021, finds that the zoning designation on the Subject Property as Multi-Family Residential (RM-15) to be reasonable, rationally based, and consistent with the City's General Plan and is in furtherance of the health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MORGAN CITY:

SECTION I: REPEALER. If any ordinance, or provision of any ordinance, adopted heretofore is inconsistent herewith, it is hereby repealed.

SECTION II: ENACTMENT. The zoning designation for the following described property is hereby amended to be Multi-Family Residential (RM-15):

(See Attachment "A" – Legal Description)

SECTION III: SEVERABILITY. If any provision, paragraph, clause, phrase, section, or subsection of this Ordinance is declared, by a court of competent jurisdiction, to be unlawful, illegal, unenforceable, or unconstitutional, said portion hereof shall be severed from the Ordinance and said Ordinance shall remain in full force and effect.

SECTION IV: ZONING MAP AMENDMENT. The Official Zoning Map is hereby amended to reflect this amendment.

SECTION V: EFFECTIVE DATE. This ordinance shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the most remote from the date of passage thereof.

PASSED AND ADOPTED by the City Council of Morgan, Utah, this 14th day of December, 2021.

RAY W. LITTLE, Mayor

ATTEST:

DENISE WOODS, City Recorder

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay	Excused
Councilmember London	_____	_____	_____
Councilmember Wardell	_____	_____	_____
Councilmember Turner	_____	_____	_____
Councilmember Richins	_____	_____	_____
Councilmember Alexander	_____	_____	_____

(In the event of a tie vote of the Council):

Mayor Little	_____	_____
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ATTACHMENT "A"

LEGAL DESCRIPTION

**REZONE BOUNDARY DESCRIPTION
(GENERAL COMMERCIAL (C-G) to MULTI-FAMILY RESIDENTIAL (RM-15))**

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, CITY OF MORGAN, STATE OF UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT MORGAN CITY SURVEY MONUMENT "B";

THENCE NORTH $56^{\circ}11'17''$ WEST 45.00 FEET;

THENCE SOUTH $33^{\circ}48'43''$ WEST 241.49 FEET ALONG THE NORTHWESTERLY LINE OF 125 NORTH STREET;

THENCE NORTH $90^{\circ}00'00''$ WEST 771.92 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH $27^{\circ}48'20''$ WEST 341.86 FEET;

THENCE NORTH $61^{\circ}56'29''$ WEST 190.00 FEET;

THENCE NORTH $27^{\circ}48'20''$ EAST 341.15 FEET;

THENCE SOUTH $62^{\circ}09'13''$ EAST 190.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 1.49 ACRES.

THE BASIS OF BEARING IS THE CENTERLINE OF 125 NORTH STREET CALLED NORTH $33^{\circ}55'13''$ EAST.

MORGAN CITY STAFF MEMO



DATE: October 19, 2021

SUBJECT: General Plan Amendment from Commercial Business to Medium Density Residential
Rezone Petition from C-G Commercial General to RM-15 Multi-Family Residential

LOCATION: Approximately 300 East 400 North

BACKGROUND

The applicant is proposing to subdivide this parcel into several commercial lots. The applicant also proposes to develop several apartment units at the southeast end of the property, which would require the plan and zone changes that are the subject of this application.

REVIEW

This property is entirely zoned C-G Commercial General. In order to do what has been proposed by the applicant, the southeast end of the property would need to be changed to the RM-15 Residential zone. The property adjacent on the southeast side is currently zoned RM-15, so this would essentially be an extension of that zone onto this property.

RECOMMENDATION

General Plan amendments and property rezonings are legislative decisions, giving city officials a great deal of discretion as to whether they are a good idea or not. In the opinion of staff, there does not seem to be much impact in changing the zoning on the portion of the parcel as requested, as it abuts directly to property already so zoned.



90 West Young Street PO Box 1085 Morgan, UT 84050 Tel. 801 829-3461 Fax. 801 829-6684

PETITION TO
AMEND THE GENERAL PLAN

Name of Petitioner: Ryan / Cody Nye
(Please Print)

Address of Property Owner: Parcel 05-229-016

Street

City

State

Zip

Phone: 801-941-9855 Cell: _____

Fax: _____ Email: fairwayglass@msn.com

I/We the undersigned hereby respectfully petition the Morgan City Council to amend the Morgan City General Plan for the purpose of:

Partial rezone commercial to multifamily

☐ Include a Site plan.

From: Commercial business

To: Medium density

(Current Designation)

(Proposed Designation)

By: _____

Petitioner's Signature

Find address or place	Q
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Find address or place



MORGAN CITY PLANNING COMMISSION
PETITION FOR RE-ZONE REQUEST

NO. _____

Applicant Name (s):

Address:

Phone:

- (1) Ryan NYC 253 W 153D St Morgan 801 941-9855
(2) Cody NYC 801 941-9854

Property Owner Name (s)

Address:

Phone:

(If different from Applicant, please submit a "Right to Represent" form.)

- (1) JB Development Company
(2) _____

I/We hereby petition Morgan City to Rezone Property Requested.

Partial Rezone
From Commercial to multi-family & From _____ to _____

On the following property: (Attach additional sheet if necessary)

- a. Address of Property: _____
b. Recorder's Plat/Legal Description: _____
Please attach with property outlined in red.
c. Vicinity Plan (total project) Please Attach

I/We have read and believe the petition to be consistent with the Morgan City General Plan. Further, I/We hereby grant, for the purpose of understanding the nature of the petition, Morgan City Planning Commission and staff reasonable access to the property described herein.

Ryan NYC 9/30/21
Signature Date

Morgan City

Zoning Map Application

Search by parcel or address



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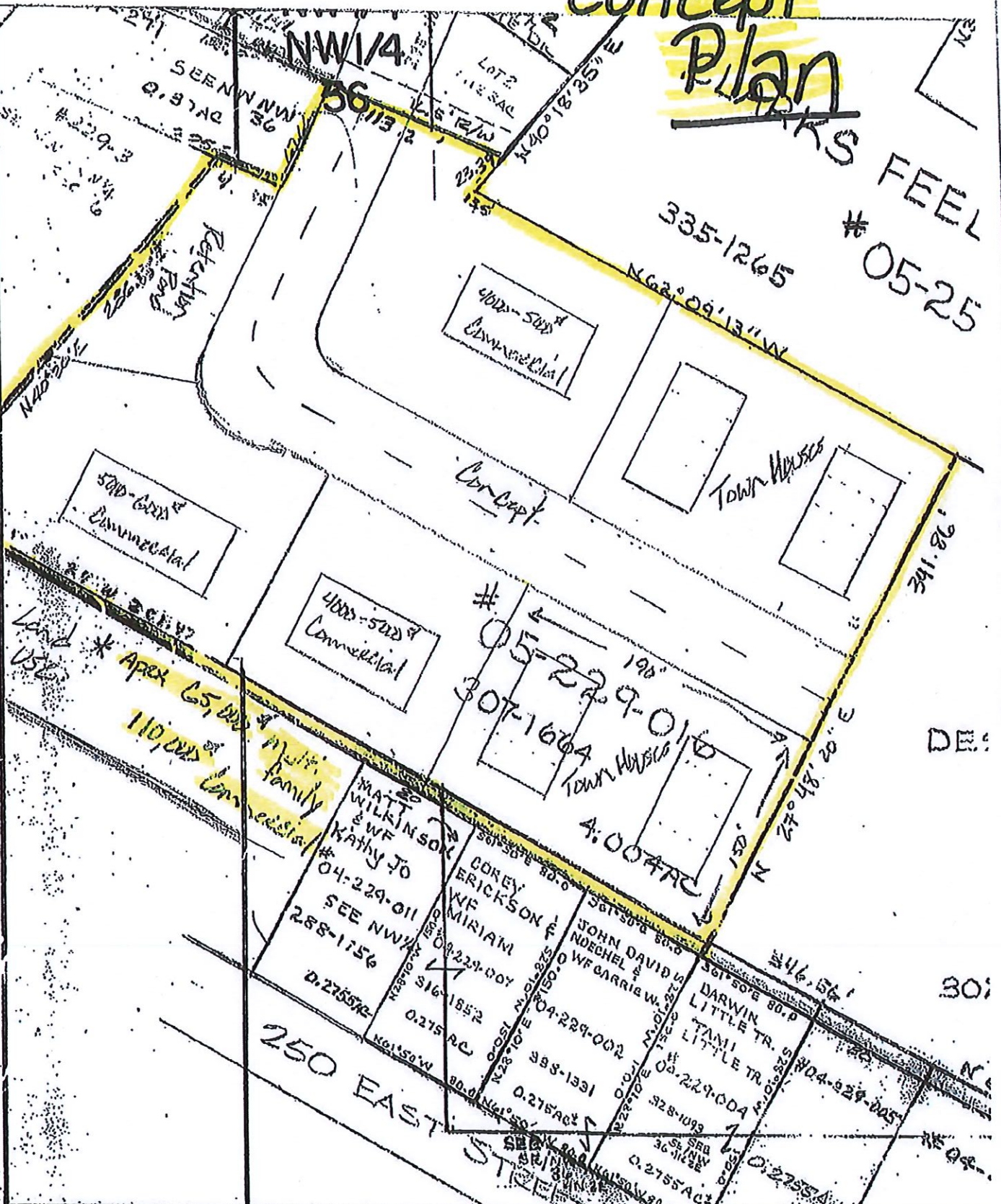


Rezone request

*Commercial
to
Multi-family*

60ft
41°02'34"N 111°40'25"W

Concept Plan



Approved Utah State Tax Comm	REVISIONS - DATE AND INITIAL (In Pencil)
	10/8/86 JTB 12 7-7-92 12/6-87 JTB
	11-85-86 AC 12 7-7-92 12/6-87 JTB
	11-78-87 JTB 1-27-92 9-7-97 JTB
	1-88 JTB 7-9-92 P.C.

TRANSFER STATION VOUCHERS

As of 12/8/2021:

125 purchased from the City

192 free dump passes issued to residents

5 free passes issued to help clean up after the storm in October

HISTORY

2017 – 1,025 free dump passes (2 per customer)

2018 – 994 free dump passes (2 per customer)

2019 – 421 free dump passes (1 per customer)

2020 – 193 free dump passes (1 per customer)

2021 – 192 to date – free dump passes (1 per customer)

