

**MINUTES OF MORGAN CITY
COUNCIL WORK MEETING**

DECEMBER 14, 2021; 6:06 P.M.

MAYOR AND COUNCILMEMBERS

PRESENT:

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

STAFF PRESENT:

Ty Bailey, City Manager; and Denise Woods

STAFF PRESENT ELECTRONICALLY:

Gary Crane, City Attorney

OTHERS PRESENT:

Ryan Nye and Cody Nye

This meeting was held in the Council Conference Room of the Morgan City Offices, 90 West Young Street, Morgan, Utah. 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.

ITEMS FOR DISCUSSION

**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**

Mayor stated this item was discussed at the meeting on November 9, 2021, and it was the decision of the Council to table the item until this meeting. He gave an introduction to the proposed General Plan amendment and rezone request. He explained the location of the property and the current zoning on the parcel. The applicant was proposing to subdivide the parcel into several commercial lots and to develop several apartment units at the southeast end of the property. He stated the parcel to the east of this property was currently zoned RM-15. The applicant requested the zoning designation on the property be changed from General Commercial (C-G) to Multi-Family Residential (RM-15). He asked what commercial would look like and how much property would the City need to reserve for commercial for the future. He explained the first decision of the Council would be whether or not to amend the General Plan. If the General Plan was not changed the rezone request wouldn't need to be done.

Councilmember London stated the Planning Commission's recommendation was to leave the property as commercial. The Planning Commission felt very strongly in protecting commercial property.

Councilmember Alexander stated the City Planner mentioned the issue regarding storm water.

Ryan Nye explained the current configuration of the storm drains in the area.

Mayor stated the issue regarding the storm drains shouldn't play a part in the decision to rezone the property.

Councilmember Turner stated there needed to be commercial businesses in the area to support the residents and there needed to be a good mixture of residential and commercial. He said he had spoken with citizens and they expressed their opinion that the City needed to keep commercial.

Ty mentioned in the RDA area there were 46 developed acres and 21 undeveloped/available acres. This parcel of property was located in the RDA.

AMENDMENT TO TITLE 8, CHAPTER 8.02, SECTION 8.02.100 OF THE MORGAN CITY CODE – WATER SERVICE OUTSIDE CITY LIMITS

Mayor explained the ordinance which outlined the criteria for providing water service outside City limits:

- Existing structure which had lost their ability to receive water from their previous source.
- New construction needed to be annexed into the City before receiving water service.
- If property was within the City's Annexation Declaration Policy, they needed to make an application to the City for annexation.
- The Council's determination to either grant or deny the application was final.

He stated if one of the above criteria was met the applicant could proceed with the process of getting the engineering studies done.

Councilmember Turner stated this ordinance dealt with water services, but what about other City utility services, i.e., electricity and sewer.

Mayor explained with electricity there would need to be an agreement with Rocky Mountain Power because it was their territory. Rocky Mountain Power needed to state they wouldn't service a particular area before the City could step in and provide power. He stated before the City would be able to provide sewer service, the City needed to determine whether it was feasible or not to provide sewer to the location.

Councilmember Turner asked if City Code should also be amended to clarify criteria for providing sewer and electricity outside City limits.

Councilmember Alexander asked if a sewer service to a home failed was the City obligated to remedy the issue.

Ty stated if it was multiple services the property needed to be annexed into the City. He stated if a home was within 300 feet of the sewer line the owner was required to connect to the sewer system.

Gary Crane, City Attorney, stated a separate ordinance needed to be done for sewer service. He stated water controlled where the sewer was going to be located anyway. The ordinance applied to new construction and only left the possibility of providing water to existing construction which fell into hard times for some reason and needed to connect to City water. He stated it was difficult for the City to regulate the quality of the improvements installed if it is outside the City limits.

Ty suggested adding language to this ordinance stating if any other utility was being requested annexation into the City was required, but also have a separate ordinance for sewer.

Discussion regarding tabling this item to a later date to allow time for the drafting of new language regarding sewer and/or to create a new ordinance for sewer.

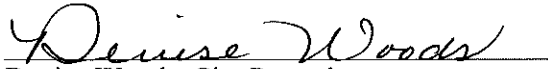
TRANSFER STATION VOUCHER – 2022

This item was not discussed but would be addressed at the end of the agenda for the general session.

TRAINING – GARY R. CRANE, CITY ATTORNEY

This item was not discussed but would be addressed at the end of the agenda for the general session.

This meeting was adjourned at 7:02 p.m.


Denise Woods, City Recorder

These minutes were approved at the January 25, 2022 meeting.