

Town of Independence
Town Council Meeting
08/10/2022 7:00 p.m.

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

Staff attendance: Cathy Bingham, Lauren Bolger, and Jodi Hoffman.
Others in attendance: Chuck Richins (Horrocks Engineering) and Kay Ryan.

1. Call to Order. Mayor Sweat called the meeting to order at 7:05 p.m.
2. Pledge of Allegiance. Councilmember Ryan offered the Pledge of Allegiance.
3. Review and possible adoption of draft minutes for June 8th, 2022.
 - Councilmember Heaton moved to approve the draft minutes for June 8, 2022.
 - Councilmember Duke seconded the motion.
 - The motion passed unanimously.
4. Public Hearing for Ordinance 2022-04 Flood damage Prevention Ordinance.
 - Mayor Sweat opened the public hearing at 7:10 p.m.
 - Ms. Bolger explained this Ordinance is needed to update Ordinance 2011-4 to include language required by the Federal Emergency Management Agency (FEMA) for residents to be eligible for FEMA National Flood Insurance Program (NFIP) insurance.
 - Councilmember Duke asked if this Ordinance would help the flooding issues that happened this spring on Duke Lane.
 - Ms. Bolger explained that the flooding on Duke Lane was most likely from run off on private property and not caused from water currently located in the Flood Zone as shown on the current FEMA Flood Zone Map.
 - Councilmember Heaton asked if this Ordinance would help the flooding issues that occur in the winter months at approximately 2400 South and 2400 East.
 - Ms. Bolger reported that this Ordinance was designed to provide home owners whose structures are located within the Flood Zone the opportunity to purchase flood insurance from FEMA. It is also designed to prevent the construction of obstacles in the Flood Zone from exacerbating damage to people and homes caused by flood waters. Ms. Bolger will bring the 2400 South 2400 East flooding issue to the attention of the State Flood Plane Coordinator and FEMA at the next meeting.

- Ms. Bolger suggested the Council table a vote on Ordinance 2022-04 and Resolution 2022-03 until the State Floodplain Coordinator and FEMA reviews and approves the proposed ordinance.
 - No comments from the public.
 - Mayor Sweat closed the public hearing at 7:22 p.m.
5. Discussion and possible adoption of Ordinance 2022-04, Flood Damage Prevention Ordinance.
 - This item was continued until the State Floodplain Coordinator and FEMA review and approves the proposed ordinance.
 6. Discussion and possible adoption of Resolution 2022-03, Flood Damage Prevention Ordinance.
 - This item was continued until the State Floodplain Coordinator and FEMA review and approves the proposed ordinance.
 7. Public Hearing on Permanent Community Impact Board (PCIB) grant for Center Creek Road Improvements.
 - Mayor Sweat opened the Public Hearing at 7:22 p.m.
 - Chuck Richins explained the project and the grant process to the Council.
 - Independence would like to improve approximately 7 miles of Center Creek Road from the Gravel Pit to the Forest Boundary. The General Plan designates the road as a minor collector with 34 feet of asphalt. Currently, the road is a narrow, un-engineered, gravel road that is heavily used by individuals who are not residents of Independence. The road needs attention and is costly to maintain in its current condition. This grant proposal includes 30 feet of asphalt for the first 3 ½ miles and 20 feet of new asphalt for the next 3 ½ miles to the forest boundary. Some parts of the road will need to be realigned and some culverts and earthwork (structural fill import) will be required in the steep dugway area. The project cost is estimated at \$6.8 million. Independence submitted an application to CIB requesting a grant for the total project cost.
 - The CIB Board may not grant the Town the entire or any of the project cost. This means that the Town may be responsible for all or part of the \$6.8 million dollars, potentially through the use of an interest bearing loan. If the CIB Board does not grant the Town the full amount, it would be very difficult for the Town, with its limited revenue, to afford a big enough loan to service the proposed \$6.8 million project.
 - Ms. Hoffman reported the Town has approximately \$400,000 or about 5% of the project cost in available funds at this time. She stated the Town could possibly solicit an additional 10-15% from property owners adjacent to the project.

- No comments from the public.
- Mayor Sweat closed the Public Hearing at 7:31 p.m.

8. Development Update. Ms. Hoffman reported on developments that she is working on.

- UBA investors are actively moving forward with the Town Center project.
 - They claim to have secured approximately 1,500 AF of water.
 - They are continuing to work on access issues with surrounding property owners.
 - Sewer services are being negotiated with Twin Creeks Special Service District.
 - They are in contact with Utah State Tax Commission on how Airbnb rentals will be valued in the “pillow count.” The Town will also need to get agreements in place to protect the rentals from becoming single-family homes.
 - Ms. Hoffman reminded UBA investors that the entire project will need to have at least 80% open space in each phase.
- A building permit packet was given to owners in the Benson Farm Preservation Subdivision who want to move an existing barn to another location on the same lot.
- The Martino house located in the Benson Farm Preservation Subdivision is currently under construction.
- Ms. Hoffman has received inquiries about a possible annexation of a large parcel of property located south of the Town.
- Ms. Hoffman was contacted by the National Ability Center about a bike race they are holding in September that will go through Independence. Ms. Hoffman will send permit instructions and an application.

9. Public Comment.

- Kay Ryan asked the Council if they were aware of a development in the County that would improve 4800 East from the Lake Creek Farms Subdivision to Center Creek Road. He pointed out to the Council that the road in the proposed Bodell development coming off of Center Creek Road and going south into the Bodell Development might not line up with the County’s proposed 4800 East Road.
 - Ms. Hoffman replied that when the Bodell developers submit revised plans Chuck Richins will compare the plans to the County’s proposed alignment of 4800 East.

10. Adjourn.

- Councilmember Ryan moved to adjourn at 7:56 p.m.
- Councilmember Heaton seconded the motion.
- The motion was approved unanimously.

Dated this 14th day of September, 2022

Phil Sweat, Mayor

Cathy Bingham, Town Clerk