

**The Amended Minutes of
Honeyville City Council
October 12, 2022 Regular Meeting**

Mayor Boyd Bingham called the meeting to order at 7:00 p.m.

Present were Mayor Boyd Bingham, Councilmembers David Hougaard, Kory Wilde and Trevor Gardner. Dale Millsap arrived at 7:01 p.m. Bruce Nelson was excused from this meeting.

Approximately 25 members of the public were present.

Employees present were: Brittany Chlarson, Clerk/Recorder
 Blair Perry, Treasurer
 Dana Shuler, City Engineer
 Troy McNeely, Public Works

Trevor Gardner offered the invocation and led the group in the Pledge of Allegiance.

Conflict of Interest: None noted.

Public Comment Period:

Chris Slocum made a comment in reference to the public hearing that was held in Planning Commission last month regarding a potential rezone. He mentioned the lack of water in that area of town and his concerns about not having the proper water supply for fire protection.

Planning Commission Report – Kenny Funk/Planning Commission Chair:

A. Public Hearing Recommendation for Proposed Rezone from A5 to RR: Parcel #04-024-0053: Kenny reported that during the Public Hearing regarding the potential rezone there wasn't any member of the community that was for the rezone. Everyone that spoke was against it. The concerns mentioned were the road, the water, drainage, police & public safety and they asked whether or not there had been a current water study performed. The citizens questioned whether or not this rezone met the general plan. They brought up worries about potential irrigation & sewer issues, increased speeding on the road and fire protection issues. The Planning Commission was unanimous in their decision to recommend the City Council deny the rezone. **Kenny F** did report that the developer mention he was willing to improve the waterline in that area if a rezone was approved.

B. CUP – William Anderson Recommendation: **Kenny F** reported that the Anderson's have a lot with an existing home on it and he'd like to use the existing home as a mother in-law apartment and then build a new home. **David H** asked where mother in-law

apartment is found in the code. There was discussion about the new state statute regarding accessory dwelling units. It allows for new dwellings that are attached but not detached. **Kenny F** shared that the Planning Commission made the recommendation to approve the Anderson's mother in-law apartment. **David H** asked for further information. He asked to see where this was allowed within the Honeyville City Ordinances. Kenny was invited to do some research and was allowed time later in the meeting to share the information he found.

City Administration – Mayor Boyd Bingham:

Discussion Items:

- A. Fire District Contract:** It was clarified that Honeyville City does not have its own separate Fire Department, rather they are a part of the Central Box Elder Fire District and the contract has expired. **Mayor Bingham** asked that the council review the contract and make suggestions for improvement. He asked that the council email their suggestions to Brittiny.
- B. Complaint Process:** The Mayor has asked Brittiny to come up with a policy document on how to proceed with the complaint process. **David H** will help with creating this document.
- C. Employee Handbook:** **Blair P** will make some edits to the employee handbook that are outdated or contradict each other and make some suggested changes to present to the council. The URS audit is what flagged the need for this edit.
- D. Rich Shaw Road:** Add to next month's agenda – invite Rich to join the meeting.
- E. Reconcile Bank Statement – David Hougaard**

Action Items:

- A. Pinnacle Group/Chlarson Rezone from A5 to RR:** Having received the recommendation from the Planning Commission, **Mayor Bingham** opened this item up for a motion.

DALE MILLSAP motioned to follow the recommendation of the Planning Commission and deny the Pinnacle Group/Chlarson Rezone application from A5 to RR. DAVID HOUGAARD seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

- B. CUP Application – William Anderson:** **Kenny Funk** found that a mother in-law apartment is not defined, however there is a definition for "guest house" in section 10-3-4 in the Honeyville City code. It is an allowed conditional use in all of the R zones. This table can be found in section 10-11-8. There was discussion about how the city would be able to determine if home owners are charging rent or not, because the code states that owners cannot charge rent for a guest house. **David H** shared that the

conditional use permit does not need to be renewed yearly. He asked for clarification on where the current home is on the property and what types of hookups it has.

DAVID HOUGAARD motioned to deny the CUP Application for the William Anderson Guest House. No Second. MOTION DIED.

DALE MILLSAP motioned to approve the CUP Application for the William Anderson Guest House per the Planning Commission Recommendations to meet the proper setbacks. TREVOR GARDNER seconded the motion. MOTION CARRIED 3-1 with David Hougaard against, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

There was further discussion about what is allowed according to code and what is not. **David H** stated that he wants it to be clear that the property owner cannot live in a trailer on the property without filing a CUP application and going through the process associated with that application. He didn't feel that it should be allowed that the property has a guest house and someone living in a trailer. **Trevor G** pointed out that there are already conditions within the code and that any conditions added should be items that are beyond what the code allows. **Dale M** stated that putting conditions on an application that are already required in the code would be redundant.

DAVID HOUGAARD motioned to put additional conditions on the Anderson's CUP. The conditions would be that the Anderson's live in the current home that is on the property or come in and apply for a CUP to live in a trailer while they build. No Second. MOTION DIED.

Mayor Bingham reminded the Anderson's that if they want to live in their trailer while they build their home they will need to apply for a CUP application to do so.

- C. North Well Gas Chlorination Project:** This project is on hold.
- D. Recommendation of Award for Hwy 38 Waterline, 6000 N. – 6300 N.:** **Dana Shuler** reported that the city received 11 bids on this project. The lowest bid was from Newman Construction in the amount of \$486,000.00. This is over budget, as the city had budgeted \$250,000.00 for this project. Dana presented 3 options on how to proceed. 1. Adjust the budget to an amount the council agrees upon and then award the contract with a concurrent change order up to the amount approved. 2. Modify the budget and allocate additional monies. 3. Reject all bids. **Mayor Bingham** explained that the city has to abide by the budget because other funds are already committed. **David H** asked how long the bids are good. **Dana S** shared that they were good for either 30 or 60 days, but would get further clarification. **Trevor G** asked how scaling back the project would help with the current issues the city has. He specifically wondered if the budgeted amount would fix the part of the line that continues to leak. **Mayor Bingham** asked if the city could wait to make a decision until after they get the

bids back for the city hall remodel. This would help the council have a clearer picture of the budget. **Dana S** will see if the contractor is willing to hold the bid until the city receives their bids for the City Hall project. **Blair P** recommended that change orders be approved by the council prior to the work being done. There was further discussion regarding the budget. **Dana S** clarified that the award needs to be made so that the contractor can purchase his materials at the quoted price. The city cannot wait until March and use the same bids because the quotes would be outdated. The council weighed the pros and cons of postponing the bid until spring versus awarding the bid next month.

KORY WILDE motioned to postpone the bid award for the Highway 38 Waterline, 6000 N. – 6300 N. until November after the council receives more information on the city hall remodel. DALE MILLSAP seconded the motion. MOTION CARRIED with David Hougaard against, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

The council continued to discuss whether or not Dana should work on what the change order would look like. **Dana S** felt that it would be best to award the bid with a concurrent change order. She stated that they would either need to award the bid in full or with a concurrent change order so the signed bid is accurate. The council will award the bid next month.

A. City Council Work Meeting Minutes – 09/14/22:

KORY WILDE motioned to approve the City Council Work Meeting Minutes from 09/14/22 as presented. DAVID HOUGAARD seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

B. City Council Regular Meeting Minutes – 09/14/22

DALE MILLSAP motioned to approve the City Council Regular Meeting Minutes from 09/14/22 as presented. KORY WILDE seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

C. Check & Deposit Details – 09/01/22 – 09/30/22

DALE MILLSAP motioned to approve the Check & Deposit Details of 09/01/22 – 09/30/22 as presented. DAVID HOUGAARD seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

Public Health & Safety/Buildings & Equipment – Councilmember David Hougaard:

Nothing to report at this time.

Parks & Cemeteries/Youth City Council – Councilmember Trevor Gardner

- A. **Youth City Council:** They held their first youth council meeting. He would like to have more participation from youth in the community and asked the council to reach out to youth that may be interested. The age requirements are ages 14-18. This group will help with the upcoming Trunk or Treat.

General Community Events/Planning Commission – Councilmember Kory Wilde

- A. **Trick or Treat Around the Park:** Friday, October 28 @ 6:00 p.m.
- B. **Trails Plan:** Kory has met with Zach with BRAG and he shared that the trails plan needs to be put back out for public comment.

Water Systems & Drainage – Councilmember Bruce Nelson

Bruce was not present at this meeting.

Troy will attend the Led and Copper pipe meeting with BRAG

Streets & Roads/Mosquito Abatement/City Communications – Councilmember Dale Millsap

- A. **Mosquito Abatement:** There will be a Public Hearing in November for the Truth in Taxation for the Mosquito Abatement.

DALE MILLSAP motioned to enter a Closed Meeting at 8:15 p.m. to discuss contractual issues. KORY WILDE seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

Re-entered Open Meeting at 8:34 p.m.

DALE MILLSAP motioned to adjourn at 8:34 p.m. KORY WILDE seconded the motion. MOTION CARRIED with David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

Meeting Adjourned at 8:34 p.m.

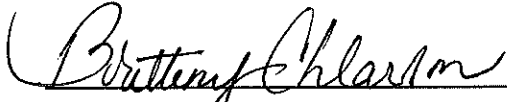
The foregoing minutes were taken and typed by Brittiny Chlarson.

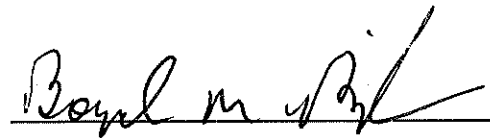
I certify these minutes to be true and accurate to the best of my knowledge.

ATTEST:

DATE APPROVED: 11/9/22




Brittiny Chlarson – Clerk/Recorder


Boyd Bingham - Mayor