

Town of Independence
Town Council Meeting
10/12/2022 7:00 p.m.

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

Staff attendance: Jodi Hoffman. Cathy Bingham was excused
Others in attendance: Will Duke.

1. Call to Order. Mayor Sweat called the meeting to order at 7:05 p.m.
2. Pledge of Allegiance. Mayor Sweat offered the Pledge of Allegiance.
3. Review and possible adoption of draft minutes for September 14, 2022.
 - Councilmember Heaton moved to approve the draft minutes for September 14, 2022.
 - Councilmember Wilson wanted to make sure her comment about not agreeing to have the Developer pay for the improvement of Center Creek Road to be on record.
 - Ms. Hoffman explained the developer had agreed to pay for the improvements so there was no opposition. The residents are paying for a portion of the improvements when they submit payment to the developer to run the sewer line to their property line.
 - Councilmember Wilson seconded the motion.
 - Yea votes: Councilmembers Heaton, Ryan, and Duke.
 - Nay votes: Councilmember Wilson.
 - The motion passed by majority vote.
4. Development Update. Ms. Hoffman reported on development in the Town.
 - Ms. Hoffman updated the Council on the progress of the sewer line and improvement of Center Creek Road for the ¼ mile of road running east on 2400 South from 3600 East.
 - Horrocks Engineers and the engineer for Signature Development have come to an agreement about how to get the work completed correctly.
 - The developer needs to post an infrastructure improvement assurance bond. For small jurisdictions like Independence, a cash bond is usually posted. The developer can draw against the cash bond as the work is completed and passes inspection. When the project is complete, Horrocks Engineers will provide notice to the Town that the one-year warranty period will start. The developer will enter into a separate agreement with the Town stating they will warrant

and guarantee the improvements were built according to the approved plans and specifications and allow the Town to watch the improvements for one year. The developer is only liable for any improvements that were inconsistent to the approved plans. The warranty bond will be 10% of the cost of the improvement and returned to the developer when the one-year warranty period has ended.

- The Town is also requiring an agreement between the developer, Twin Creeks Special Service District (TCSSD), and the Town to ensure residents are financially protected with the fees they pay and that they are all treated fairly.
 - A pioneering agreement isn't needed before the project starts but the Town will give the Developer assurance that it will sign the agreement before any development occurs, if the Developer would like to enter into such an agreement.
 - Ms. Hoffman will send a letter to TCSSD agreeing to let them serve the Bodell/Ryan development.
 - Ms. Hoffman explained that the Town will give the Developer two choices for bonding, a letter of credit (which will need the Town's approval before accepting) or cash.
- AT&T is working on an application for a Cell Tower at Daniels Summit.
 - The Martino house in the Benson Farm Preservation Subdivision is under construction.
 - No new contact with the developers of the Kimball Property. The flat portion of this property is zoned RA-1, the hillside is zoned P-160. Potential buyers have been in contact with Suburban Land Reserve (SLR) and the Bodell/Ryan property owners which border this property to the north.
 - Utah Business Alliance (UBA), who is under contract on the Christensen property (Town Center Project), has presented theories for access to water rights and sewer service. They are looking into the possibility of Heber Valley Special Service District (HVSSD) providing sewer service.
 - UDOT, Millstream, and UBA met with Ms. Hoffman to discuss entry corridor access from Highway 40. It appears the Federal Government has purchased all the accesses to the property along Highway 40 in the area of the proposed Town Center Entrance. UDOT can still grant access with the Town's cooperation. There hasn't been a traffic study in this area or a queuing analysis, which UDOT will require. UDOT is strongly suggesting that they prefer a 90 degree entrance on both sides of Little Sweden Road, instead of the skewed angle access that is currently there. The south side of Little Sweden Road is in Daniel Town and the north side is in Independence.
 - Ms. Hoffman gave a brief overview of the proposed developments and roads located within the Town Center.

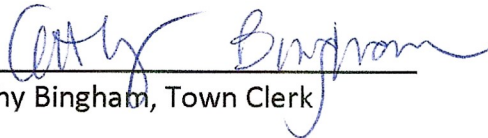
5. Public Comment.

- Councilmember Duke asked about the flooding problem on Eagles Rest Road. Ms. Hoffman reported that the property owner to the East of Duke Lane has agreed to give permission to the Town to have the excess water from this subdivision drain to her property. Councilmember Duke reported there has been excavation work going on and asked if the Town had given approval. Ms. Hoffman reported that Mel McQuarrie, the Engineer for the Eagle Rest Subdivision, was supposed to provide engineered drawings regarding the new storm drain plan to Horrocks Engineers and get approval before work began. Ms. Hoffman will check in to this matter.

6. Adjourn.

- Councilmember Ryan moved to adjourn at 7:48 p.m.
- Councilmember Heaton seconded the motion.
- The motion was approved unanimously.

Dated this 9th day of November, 2022


Cathy Bingham, Town Clerk


Bill Duke, Mayor Pro Tem