

Town of Independence

Town Council Meeting

03/08/2023 7:00 p.m.

In attendance: Mayor Phil Sweat; Councilmembers Rose Heaton, Bill Duke, Gary Ryan, and Tracy Sabey.

Excused: Councilmember Bonnie Wilson.

Staff attendance: Jodi Hoffman and Cathy Bingham.

Others in attendance: Lauren Bolger, Kim Tolbert, and Jim Tolbert.

1. Call to Order. Mayor Sweat called the meeting to order at 7:06 p.m.
2. Pledge of Allegiance. Councilmember Duke offered the Pledge of Allegiance.
3. Review and possible adoption of draft minutes for February 8, 2023.
 - Councilmember Sabey moved to approve the draft minutes for February 8, 2023.
 - Councilmember Heaton seconded the motion.
 - The motion passed unanimously.
4. Roads Update.
 - Brandon Cluff, Wasatch County Public Works Director gave Mayor Sweat an estimate of \$146,000 to chip seal and stripe Center Creek Road from where the pavement of the new road that Signature Development is putting in ends to the gravel pit.
 - Ms. Hoffman asked how the new road that Signature Development is putting in is holding up.
 - Mayor Sweat, Councilmembers Sabey, Ryan, and Heaton commented that the developer is doing a great job maintaining the road.
 - Mayor Sweat reported that Wasatch County Public Works and volunteers are assisting residents concerned about potential flooding. The County will provide sand bags and sand and each resident will be responsible to fill their own bags.
5. Development Update. Ms. Hoffman updated the Council on the development projects she is working on.
 - 2 building applications have been sent out.
 - Chuck Richins with Horrocks Engineering has been in contact with the developers of Center Creek Estates and suggested they coordinate the secondary access road

alignment with the owners of the Suburban Land Reserve (SLR) property, immediately east of their development.

- The potential purchasers of the Kimball property (700+ acres) have presented an idea for the development of the land. They are proposing to place a conservation easement on, and commit to farm the Kimball alfalfa fields with existing water rights, in perpetuity, in exchange for allowing them to build a relatively small number of houses on the hillside.
 - o This property reportedly has 90 prepaid culinary water connections with Twin Creeks Special Service District.
 - o Developers want to utilize a private water company for the Kimball project. Ms. Hoffman let them know that the Town highly discourages private water companies and would like to see a system that could tie into a larger Town system.
 - o Developers are considering if they are willing to dedicate the water rights and water system to the Town no later than five years after the new culinary system is up and running.
 - o Developers have also been in contact with SLR to coordinate the best location for access that would prevent additional traffic from using Center Creek Road.
- The developers of the Town Center property met with Dave Millheim and are continuing to move forward with the development.
 - o Ms. Hoffman urged the Town Center developers to submit plans that answer critical project details regarding proposed access, water and sewer systems, and ratio of resort pillows to permanent residents before moving forward with their request for public meetings.
- Russ Witt asked for an application for a building permit for a gravel pit off of Highway 40. UDOT access from highway 40 has been established.
 - o This property is in the P160 zone. The Conditional Use Permit application will need to be considered by the Planning Commission to establish conditions of approval for a gravel pit.
- Councilmember Heaton asked if renting basements was allowed in the Town. Ms. Hoffman reported that State Law allows in-home "additional dwelling units" if certain conditions are met. The current background County zoning that Independence adopted does not allow basements to be rented out. She explained the Council could change the code when or if an application was received.
- Ms. Hoffman reported that there were numerous bills that were passed at the last legislative session some of which include:
 - o Amendments to the Annexation process.

- Regulating fractional ownership (owning a portion of a house).
- Land Use Authority designations with respect to local subdivision approval processes.

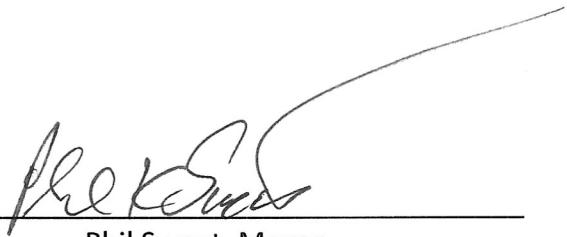
6. Public Comments.

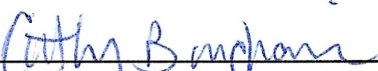
- Mr. Tolbert asked if the Town has affordable housing requirements for the employees that will be required for all of the commercial development in the Town Center.
 - Ms. Hoffman explained that there are no affordable housing requirements in the Independence General Plan. However, a good developer of the type of density that is discussed in the Town's General Plan will plan for housing that the employees of the businesses within the Town can afford.
 - The General Plan depicts the Town Center with thousands of units.
 - An additional affordable housing requirement could be requested.
 - Ms. Hoffman cautioned that the Town's General Plan already requires a great deal from a developer requesting a rezone.
 - While State law does require cities to allow for high density housing that could serve low-income families, Independence is still a town (due to its small population), and the State mandated low-income housing rules do not currently apply.
- Mr. Tolbert encouraged the Town to plan for employee housing to ensure that the businesses in the Town will thrive and to eliminate traffic problems that are common in resort communities.

7. Adjourn.

- Councilmember Duke moved to adjourn at 8:05 p.m.
- Councilmember Sabey seconded the motion.
- The motion was approved unanimously.

Dated this 12th day of April 2023


 Phil Sweat, Mayor


 Cathy Bingham, Town Clerk