

**MINUTES OF MORGAN CITY
COUNCIL MEETING**

DECEMBER 12, 2023; 7:08 P.M.

**MAYOR AND COUNCILMEMBERS
PRESENT:**

Mayor Steve Gale, Tony London, Jeff Wardell, Jeffery Richins, and Dave Alexander

STAFF PRESENT IN-PERSON:

Ty Bailey, City Manager; Gary Crane, City Attorney; Denise Woods, City Recorder; Jake Young, CitiDesign, City Planner; and Cyler Preece, Water/Wastewater Operator;

EXCUSED:

Eric Turner

OTHERS PRESENT:

Ed Schultz, Wasatch Peaks Ranch; Rachel Preece and Kerry Preece

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 Steve Gale.

The pledge of allegiance was led by Councilmember Richins.

The opening ceremony was presented by Councilmember Wardell.

APPROVAL OF MEETING AGENDA

MOTION: Councilmember London moved to approve the agenda.

SECOND: Councilmember Richins

Vote was 4 ayes; Motion passed unanimously to approve the agenda; Councilmember Turner was absent.

MINUTES AND WARRANTS

MOTION: Councilmember Alexander moved to approve the following:
Minutes of the City Council Work Meeting – November 14, 2023;
Minutes of the City Council Meeting – November 14, 2023;
Minutes of the Special City Council Meeting – December 5, 2023; and
Warrants (11/09/2023 – 12/08/2023).

SECOND: Councilmember London

Vote was 4 ayes; Motion passed to approve the minutes with corrections made by Councilmember Alexander and one set of warrants; Councilmember Turner was absent.

CITIZEN COMMENTS

Ed Schultz, Wasatch Peaks Ranch – 4175 North Morgan Valley Drive, Morgan, Utah – Mr. Schultz addressed some recent changes in the community. He stated their company, Wasatch Peaks Ranch, had been an active member of this community for almost five years. A recent ruling had led to the transition from a temporary restraining order, due to ongoing litigation, to a preliminary injunction. He shared information about the impacts of these changes, as they have had a significant effect on us as a company and as members of the community.

Ed stated Wasatch Peaks Ranch employed over 190 individuals, 40 of whom are residents of Morgan. He said they had obtained 140 approvals from Morgan County, the State, and the US Army Corps of Engineers, all of which are now under question. The repercussions now extend to all members and citizens of the County, affecting taxpayers and school children. Last year, residents on the 50 home sites we platted and created in 2022 contributed \$2.2 million in tax payments to Morgan County. Although this discussion pertains to Morgan City, it's crucial to note that these Morgan County taxes also support the School District, benefiting many City residents and school children, with around 70% of the funding going to the School District. He said looking ahead to 2023, we have planned an additional 50-55 home sites, the tax implications of which are now uncertain. These new home sites, based on assessed values in 2022, could have potentially created up to another \$4.5 million in taxes for the County and the School District. We are actively working to understand the implications of these developments.

Ed emphasized that these impacts now extend community-wide, affecting all citizens, taxpayers, and school children. Furthermore, the ramifications reach beyond our immediate valley. He said Wasatch Peaks Ranch employed over 300 contract employees and subcontractors, whose work had been halted except for protective maintenance. The financial impact on these individuals, especially during the holiday season, is significant. Employees were based in various counties, including Morgan, Weber, Davis, Summit, Salt Lake, Tooele, and even parts further south.

Ed presented a dozen impact letters shared in a recent court hearing, representing companies of various sizes, such as Hunt Electric, Integrity Golf, Langan Engineering, Magleby Construction, and Whitaker Construction. Secondary, tertiary, and even quaternary impacts are starting to surface, affecting businesses and individuals in unforeseen ways. I have personally read each one and spoken with the individuals involved. It is anticipated that this will be a challenging Christmas for many people.

He stated while we firmly believe in constitutional rights, we acknowledge the need for a responsible exercise of those rights. My primary aim is to raise awareness about the wide-ranging impacts on friends, neighbors, fellow citizens, and their children and grandchildren.

Ed expressed his thanks to the Mayor and Council for their time and service.

VERBAL PRESENTATIONS

Cyler T. Preece – Cross Connection Control Program Administrator Certificate – Mayor presented Cyler his certificate and expressed appreciation on behalf of the City for his hard work and dedication to completing the program. He complimented Cyler on his work with the City.

ACTIVE AGENDA

AN ORDINANCE ENACTING TITLE 10, CHAPTER 10.16, SECTION 10.16.180 ENTITLED ACCESSORY DWELLING UNITS OF THE MORGAN CITY CODE; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE – ORDINANCE 23-16

Mayor stated City Staff, the Planning Commission, and the City Council had spent a great deal of time discussing and drafting this ordinance regarding accessory dwelling units. He turned the time over to Jake to present the ordinance to the City Council for adoption.

Jake Young, City Planner, CitiDesign, provided background information for future viewers, explaining that an accessory dwelling unit (ADU) was a second residential unit on a property, which can be internal, attached, or detached. He highlighted the secondary nature of ADUs in residential living and their significance for the community.

Jake stated a year ago, there was a joint session with the Planning Commission and the City Council where various topics, including ADUs, were discussed. At that time the City Council approved the pursuit of ADUs, and over the next six to seven months, the Planning Commission worked on crafting an ordinance. Last month, the Planning Commission recommended the ordinance to the City Council for approval. He stated the proposed ordinance allowed Morgan City residents to apply for internal, attached, or detached ADUs. He emphasized the foundation requirement for detached ADUs, ensuring they are not mobile homes, that utilities would not have additional metering, and arrangements for utility payments would need to be made between homeowners and ADU residents.

Jake touched upon the affordability aspect of ADUs, noting their potential to offer housing options and generate income for homeowners. The discussion also included potential changes to the ordinance, specifically in sections related to appeal authority and standards for detached ADUs. The proposed changes involved referencing the City Code on appeal authority and adding a requirement that detached ADUs be built after or simultaneously with the primary dwelling. Jake mentioned the building height regulations and suggested that the existing maximum height of 25 feet for accessory buildings might be applied to ADUs.

Discussion ensued regarding potential changes to the ordinance. The consensus leaned towards passing the ordinance as is.

MOTION: Councilmember Alexander moved to adopt Ordinance 23-16 – An Ordinance enacting Title 10, Chapter 10.16, Section 10.16.180 entitled Accessory Dwelling Units of the Morgan City Code; Providing for repealer; Providing for severability; and Providing for an immediate effective date; with the proposed changes in Section 10.16.180.07(D)(1)(d) to read, “A denied approval application may be appealed through the appeal authority pursuant to Title 10, Chapter 10.10 of the Morgan City Code; and Section 10.16.180.10 to be changed with the addition of Section 10.16.180.10(G) to read, “A detached ADU shall be built after or simultaneously to the primary structure.

SECOND: Councilmember London

Discussion on the Motion: The Council discussed and confirmed that these modifications would be incorporated into Section 10.16.180, providing clear guidelines for the construction timing of detached ADUs and clarification of appeal authority.

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed unanimously to adopt Ordinance 23-16 – An Ordinance enacting Title 10, Chapter 10.16, Section 10.16.180 entitled Accessory Dwelling Units of the Morgan City Code; Providing for repealer; Providing for severability; and Providing for an immediate effective date; with the proposed changes in Section 10.16.180.07(D)(1)(d) to read, “A denied approval application may be appealed through the appeal authority pursuant to Title 10, Chapter 10.10 of the Morgan City Code; and Section 10.16.180.10 to be changed with the addition of Section 10.16.180.10(G) to read, “A detached ADU shall be built after or simultaneously to the primary structure; Councilmember Turner was absent.

BID AWARD – STATE STREET WATERLINE 2023 PROJECT – RESOLUTION 23-34

Ty Bailey, City Manager, provided information regarding the State Street Waterline 2023 Project. He explained that a leak had been discovered, specifically a lateral service leading to a far property, was found to be in poor condition. The project aimed to replace this section with a mainline, allowing for potential future connections if services were extended or property annexed. Competitive bids were received, and Ty expressed satisfaction with both the number of bids and their proximity in value. He stated the project, expected to commence in the spring. He emphasized that the work along State Street was essential and would likely be required regardless of annexation or other developments.

Ty mentioned that the engineer was comfortable with the company and the bid estimate was \$225,000.00.

Gary clarified that the standard practice was not to specify a bid amount but rather to authorize change orders as needed. The bid document contained all the necessary line-item pricing, and any changes would be handled within the established bid prices.

MOTION: Councilmember London moved to approve Resolution 23-34 – A Resolution authorizing an agreement with Allied Underground Technology for the State Street Waterline 2023 Project; Authorizing further negotiations and change orders necessary for the completion of the State Street Waterline 2023 Project.

SECOND: Councilmember Richins

Discussion on the Motion: No discussion.

ROLL CALL VOTE: Dave Alexander – aye
Jeffery Richins – aye
Jeff Wardell – aye
Tony London – aye
Eric Turner – absent

Vote was 4 ayes; Motion passed unanimously to approve Resolution 23-34 – A Resolution authorizing an agreement with Allied Underground Technology for the State Street Waterline 2023 Project; Authorizing further negotiations and change orders necessary for the completion of the State Street Waterline 2023 Project; Councilmember Turner was absent.

CITY REPORTS AND BUSINESS

COUNCIL REPORTS

Councilmember London provided feedback from citizens regarding a need for a crosswalk at the end of the sidewalk leading into Island Road. The concern was that while the new sidewalk was beneficial for children walking across, a significant number crossed 300 West to reach the adjacent subdivisions. He said the citizens had proposed the idea of a crosswalk to enhance safety.

In response, the suggestion was acknowledged, and it was mentioned that the current focus had been on sidewalks directly associated with schools. The possibility of a crosswalk at the specified location was considered, taking into account the need for additional striping. The responsibility for the road was clarified, and it was mentioned that, as of now, only school-related crosswalks had been implemented. The need to assess the pedestrian traffic volume before making a decision was highlighted. The discussion also touched upon studying the traffic flow in the area, considering that Island Road had traffic coming from different directions. It was agreed that further investigation would be conducted to evaluate the feasibility of implementing a crosswalk at the suggested location.

Councilmember Richins mentioned he had received complaints about the uncleared sidewalk along the vacant lot at the end of Riverside Park and suggested Code Enforcement get in contact with the owner and clear it, so it was safe for pedestrians.

Appreciation was expressed for City staff's efforts, especially in keeping walkways clear during the winter months.

CITY MANAGER UPDATES

Snowstorm – Ty informed the Council about the challenges with snow plowing during the last snowstorm. The new snowplow had broken and went back for repairs, and the old one also broke during use, causing delays in snow removal.

UAMPS Award – Clark Crook - Ty updated the Council regarding the UAMPS annual meeting and the upcoming recognition of Clark Crook – UAMPS Employee of the Year.

CMT Technical Services Agreement – Commercial Street Roadway Investigation – Ty updated the Council regarding the CMT Technical Service Agreement the City had entered into which would assess the road conditions before starting the Commercial Street improvements project in the spring. The need for improvements on Commercial Street was explained, specifically mentioning the rough road and concerns about the existing infrastructure.

Preece Annexation – Certificate Received from Lt. Governor's Office – Ty informed the Council that Preece annexation had been reviewed by the Lieutenant Governor's office and had been approved.

Train Depot – Ty updated the Council on the progress that had been made on the Train Depot project. He said the Historic Society expected to move in by the first of the year. He mentioned there would be a new sign for the Depot.

Union Pacific Easement – Ty stated he had been in contact with Union Pacific regarding an easement for the train viewing park.

Historic District Plaques – Ty stated the plaques for building along Commercial Street in the Historic District had been completed. The Mayor had made efforts to discuss placing plaques on buildings with owners. He stated the Historic District was a third-party non-profit group consisting of business owners on Commercial Street, Cheryl Gross and a couple others in an effort to help out with the Downtown Historic District and they had been great to work with. The Mayor and/or Ty attend their meetings.


Hometown Christmas – Discussed earlier in Council Report.

Downtown Area Plan – Ty said progress had been made on the Downtown Area Plan, involving background research, economic surveys, and stakeholder committee invitations had been sent out. Collaboration with CitiDesign had occurred, and meetings were scheduled on Wednesdays at 2 o'clock. Wasatch Front Regional Council was doing research regarding parks and trails. Emphasis was placed on the importance of having a plan for trails to be eligible for state trail grants. Jake mentioned this was a long-term vision and in order to be awarded a grant the City needed to have a plan and land in place.

Vehicles – Ty stated two new trucks had been acquired, and two old trucks (2019 models) would be put up for sale. Details about the trucks, including make, model, and year, were provided.

Ty also stated that everything which was posted on the public website sold and the other items went to the Council as surplus.

This meeting was adjourned at 8:08 p.m.


Denise Woods, City Recorder


Steve Gale, Mayor

These minutes were approved at the February 13, 2024 meeting.