

**The Minutes of
Honeyville City Council
March 8, 2023 Regular Meeting**

Mayor Bruce Nelson called the meeting to order at 7:00 p.m.

Present were Mayor Bruce Nelson, Councilmembers Ryan Adams, David Hougaard, Kory Wilde, Trevor Gardner and Dale Millsap.

Approximately 12 members of the public were present.

Employees present were: Wendy Lindauer, Deputy Clerk
Codey Illum, Zoning Administrator
Blair Perry, Treasurer
Troy McNeely, Public Works

Kory Wilde offered the invocation and led the group in the Pledge of Allegiance.

Conflict of Interest: None Noted

Public Comment Period:

- **Vickie Chidester** asked if Honeyville City has a plan of action if a train derailed that had harmful chemicals. **Mayor Nelson** stated that the Fire District has trainings and felt confident in their ability to handle a crisis of this nature.

**Planning & Zoning Administrator/ Planning Commission Report –
Zoning Administrator Codey Illum & Planning Commission Chair Kenny Funk:**

A. Planning & Zoning Admin Report: Codey I

Board of Appeals Application: The City has received an application for the Board of Appeals. The applicant wants to do an addition that does not meet the setbacks. Currently the home is an older home that already does not meet the setbacks.

ADU's: There have been changes in legislation regarding ADU's. Once Codey gets the information, he will email it to the council.

B. Planning Commission Report: Kenny F

Public Hearing for Agricultural Zone: A public hearing was held regarding the A-5-A zone with a few text amendments to the Agricultural Zones. There were no major objections to the proposed changes. The Planning Commission voted to recommend approval of the A-5-A and the text amendments.

Shy CUP Application: The Planning Commission reviewed a CUP for a guest house and recommended approval with the following conditions: There must be two off-street parking spots and the applicant must obtain approval from the Bear River Health Department for their septic system.

City Administration – Mayor Bruce Nelson

DISCUSSION ITEMS:

- A. ROW for Property Owners – Old Road to BR Bridge:** Dale M is working with Chad Montgomery from the county to find specific boundaries on the proposed parcel. They are looking for clarification on the right of way and what the land owners currently use as access to their property.

Mike Ravenberg a landowner along this road stated that he has paid to have the area surveyed and the surveyor has placed survey markers down there. He also stated that the three landowners in that area are the Munns', Ravenberg's and Shaw's.

Kelly Shaw created packets for the council which included a colored map showing boundary lines. She also contacted Chad Montgomery and has had licensed escrow agents and searchers including herself researching this issue for the last five years. The landowners would like to lock a gate preventing the public from going down that road. They have had several issues with vandalism, garbage dumping, illegal activities, etc. The landowners had been informed that they cannot prosecute these issues unless they have a closed gate with proper postings. She continued providing history about the property and stated that it was originally deeded to the county but somehow Honeyville City got put on a plot map without any documentation. The county has now issued a quit claim deed to the city and the landowners would like to come to some type of resolution with the city. They had previously put gates up that somehow got locked and the gates were then removed by the city. After discussion the city put the gates back up. They are not locked so it has not stopped the problems from occurring down that road. The main concern is the drug operations that are occurring down there. Kelly provided examples of vacation plat maps within Box Elder County. Per State code you must vacate by ordinance or a plat map. She could not find a vacation request form from Honeyville City. She has created a form stating State Code, if the city has a form, they would like the landowners to fill out they are happy to provide that as well.

Mayor Nelson would like Dale to do his due diligence and come back next month with a recommendation on how the city should proceed along with information regarding the vacating process.

Mike Ravenberg wanted to clarify that this is not complicated and is standard procedure. The landowners provided a copy of how the Hampton Ford area went about vacating a road. The landowners are willing to take on the responsibility of maintaining

that portion of road, take the liability off of Honeyville and in exchange they get to close and lock the gate.

- B. Employee Handbook:** Mayor Nelson wants to present a final proposal next month.
- C. Spring Clean-Up:** The Mayor really wants to put an effort into cleaning up the city. **Boyd Bingham** stated that the county is an enterprise fund and stated that they have some plans in place. He recommended the Mayor get ahold of Gina. Trevor, Boyd and Ryan volunteered to provide trucks to haul trash for a day if needed.
- D. Compliance for Ordinances:** There are a lot of places in town that are not compliant with code such as not attaining a building permit for buildings, not meeting proper setbacks, trashy yards, etc. The Mayor would like to see some action taken on these issues. **David H** stated that he feels the city should enforce the ordinances or get them off of the books. Specific concerns he expressed were people living in trailers and tough sheds, garbage and buildings without permits. **Mayor Nelson** had a letter regarding the dog ordinance sent out in the water bill because of issues within the city. He wondered if a letter should be sent out regarding building permit requirements, yard cleanliness, etc. He also asked that Dave come up with a recommendation for April's meeting on how to "add teeth" to the ordinance.
- E. Ethics:** Mayor Nelson would like to hold an ethics training meeting with the City Council, Planning Commission and Employees. A few examples the Mayor would like to discuss are items such as social media and conflict of interest. This meeting will take place Wednesday, March 29 at 7:00 p.m.
- F. 4th of July Committee Status:** **David H** will be out of town, but will get food arranged with Trevor's help. **Kory W** would like rodeo participants to pre-register. He has someone currently looking into how this is done. **Trevor G** mentioned that Zach may be interested in helping with the rodeo.
- G. Letter Regarding Landscape Rebate:** The State issued a letter stating that if landowners turned a certain portion of their land into zero-scape they could receive a rebate. In order for citizens to do this Honeyville City would need to create an ordinance for this.

ACTION ITEMS:

- A. Shy CUP Application:** **Kenny F** stated that Terry Shy would like to build a guest house in the "L" shape of his lot. As stated previously the Planning Commission did recommend approval as long as the off-street parking and septic concerns were addressed. **Terry Shy** stated that he would access the guest house from the existing drive and that he would be putting another driveway on the other side of the property that runs down the property line. The guesthouse meets all of the setback requirements. **David H** asked if the city would like to require a curb and gutter in front of the home as a condition on the conditional use permit. **Kory W** suggested discussing this as possibility moving forward. **Trevor G** stated that he would be open to requiring a curb and gutter if it abutted a current curb and gutter, which this property does not. **Terry S** reported

that he would be using the same water & power meter as the main home, but have a separate septic tank for the guest house. **Kenny F** also stated that these concerns are issues the Planning Commission is looking into moving forward.

TREVOR GARDNER motioned to accept the Shy Conditional Use Permit for a Guest House. DALE MILLSAP seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

B. Amend Land Use Code Chapter 10: Agricultural Zones – Ordinance 2023-01:

Kenny F explained that this would put the A-5-A on the books along with removing the verbiage “the foreseeable future” from the A-20 zone. **Dana S** explained that the A-5-A would allow for lots to go anywhere from 2.5 acres up to less than 10 acres, therefore the lot could not be further subdivided. There was a deed restriction made to the A-20 zone and a restriction on remainder parcels. **Dale M** stated that there is only one A-20 zone in town and if the city adopts the changes presented then the subdivision becomes legal non-conforming. **Dana S** clarified that it still falls under the ordinance for which it was adopted. **Kenny F** clarified that the city is not changing anything to the existing A-20 zone, but they could request a rezone. **David H** expressed concern about spot zoning. **Kenny F** stated that the intent of the A-5-A zone is to create a buffer for agricultural properties so they don’t abut half acre lots. He also clarified that anyone who would like to be zoned A-5-A would have to apply for a rezone. **Mayor Nelson** wondered how this would affect the number of animals. It was clarified that this falls under the current animal ordinance. **Dana S** stated that currently the agricultural zone does not allow single family dwellings so that was added to the proposed updates. **Dale M** stated that he felt there was a lot of collaborative effort put into the creation of this zone and felt good about the changes. However, he does own a piece of land in the A-20 zone so he will abstain from the vote.

TREVOR GARDNER motioned to approve the proposed Amendment to Land Use Code Chapter 10: Agricultural Zones – Ordinance 2023 -01. DAVID HOUGAARD seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde abstained, Trevor Gardner for and Dale Millsap abstained.

C. City Hall Remodel: **David H** reported that the architect provided three different designs. The one presented provides a restroom accessible from the private sector side and the public side. A shower will be accessible only from the Fire Department. The office space will allow for three desks and a partition for privacy. **Boyd Bingham** asked for clarification on a few of the items. **David H** stated that in the office there is also a storage closet and that there is a work counter with bullet proof glass separating the public from the clerk’s office. **Boyd B** also asked if there was a second exit from the office. **Mayor Nelson** stated that there is only one entrance point, but they could exit

through a window in case of an emergency. However, he liked the idea of having another door in the office. **Trevor G** asked how often the Fire Department uses the shower. **Jordan Anderson** with the Fire District stated that it doesn't get used a lot, but it is needed if they are ever exposed to something dangerous. There was further discussion about how they could address the shower placement. **David H** will have Seth add an outside entrance from the Mayor's office. **Mayor Nelson** also suggested that the city have separate utility meters for the City side of the building and the Fire District portion. **David H** felt that the city could come up with an equitable percentage rather than spending the money to divide utilities.

KORY WILDE motioned to accept the presented City Hall Remodel Plans with the provisions discussed and to put it out for bid with the expense of splitting the utilities and without. DALE MILLSAP seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

D. City Owned Rental Home: **David H** presented 5 options.

1. Destroy the Building
 2. Sell the House and ½ acre
 3. Sell the House and Keep the Property
 4. Rent as-is and have renters make improvements
 5. Make improvements and pay a rental company to act as the landlord
- Mayor Nelson** felt that if the city pays to improve the home, then the city has a valuable asset. He did not feel comfortable destroying the home. **Dale M** did not feel that keeping the home was in the best interest of the city for the future. The intent was to keep the property and use it for something for the community. **Kory W** stated that it will be expensive to tear down the home and haul it off. **Mayor Nelson** stated that the majority wants to keep that property. **David H** would like to look into the market for selling and moving the home.

E. Award General Plan Update: **Kory W** recommended that the City use Mike Hansen with Rural Community Consultants to update the General Plan.

DALE MILLSAP motioned to award the General Plan Update to Rural Community Consultants. DAVID HOUGAARD seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

F. Fire District Contract: **Jordan Anderson** the current chief of the Fire District, presented values on current equipment they are leasing from the city. The District would like to turn the Tender truck back over to the city. He suggested a contract allowing the District to do a lease to own program. The payment would be based off the 2004 Kenworth being valued at \$60,000.00 and the 1984 F-900 at \$5,000.00. He proposed

that the Fire District would pay \$2,000.00 a month starting April 1, 2023 until December 31, 2025 (33 months) after which the City would relinquish ownership of the equipment to the Fire District. This would be a \$66,000.00 income for the City. Jordan stated that if they figured in the lease payments that have already been paid in 2023 then the total income would be \$75,000.00.

The City and the Fire District still need to work out an agreement on leasing the building, but Jordan was hoping that if they can get the equipment squared away they will at least have a starting point to work from.

DALE MILLSAP motioned to accept the Fire Districts Proposal regarding the fire equipment. RYAN ADAMS seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard, Kory Wilde for, Trevor Gardner for an Dale Millsap for.

Ray Mora a member of the fire district asked why the city is charging the Fire District to use the facilities if it is the law to provide the city with fire protection. Mayor Nelson stated that the building is Honeyville City's building. The Fire District is made up of several cities or municipalities that get to house equipment there, not just Honeyville. Honeyville City has chosen to contract with the Fire District and is required to pay a rooftop fee to have them service the city with fire protection.

G. City Council Regular Meeting Minutes – 02/08/23:

DALE MILLSAP motioned to approve the Regular Meeting Minutes of 02/08/23 as presented. KORY WILDE seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

H. City Council Special Meeting Minutes – 02/15/23:

DALE MILLSAP motioned to approve the Special Meeting Minutes of 02/15/23 as presented. RYAN ADAMS seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde abstain (he was absent from that meeting), Trevor Gardner for and Dale Millsap for.

I. Check & Deposit Detail – 02/01/23 – 02/28/23:

RYAN ADAMS motioned to approve the Check & Deposit Detail of 02/01/23 – 02/28/23 as presented. TREVOR GARDNER seconded the motion. MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner for and Dale Millsap for.

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

- A. List of Follow-Up Items for the City Hall Remodel:**
 - 1. Check on two separate meters for gas & electricity for the City Building.
 - 2. Adding an emergency exit door to the office area.
 - 3. Having the office storage door swing out into the office rather than into the closet.
- B. Clean Up Fire Station:** Jordan had previously stated the Fire District could have items listed as excess sometime in April to be cleaned out of the bays. **David H** suggested getting a dumpster for a day and recruiting the youth city council or other youth organizations to help clean this up.
- C. Digging Own Waterline:** **David H** wanted to know why the city was not digging the waterline improvement trench or utilizing others in the community. It was explained that it is not as simple as it sounds and there are a lot of regulations they have to follow as well as a huge liability risk.

Parks & Cemeteries/Youth City Council – Councilmember Trevor Gardner:

- A. Youth City Council:** **Trevor G** will coordinate with Kory and get the youth involved in the upcoming Easter activity.

General Community Events/Planning Commission – Councilmember Kory Wilde:

- A. Easter Activity:** **Kory W** will meet with Trevor to coordinate as well as provide information to Brittiny so she can get information out to the citizens.
- B. 4th of July Rodeo:** Nothing new to report, but is still working on getting the rodeo organized.
- C. Trails Proposal:** A Public Hearing needs to be held regarding the proposed Community Trails Initiative.

Water Systems & Drainage – Councilmember Ryan Adams:

- A. Flooding:** **Ryan A** was concerned about flooding and asked that sand and sandbags be available to the public. **Troy M** stated he had a few sandbags on hand but would order more and make sure the sand and bags are available at the shop. The **Mayor** requested that Brittiny put this information on the website so that the public can be informed.
- B. Water Project for Highway 38:** **Dana S** reported that this project has been on hold because of UDOT, but she anticipates they will be requesting a preconstruction meeting.
- C. Drainage Project:** **Dale M** asked about the grant received for the drainage project on 3600. **Dana S** reported that it is in FEMA's hands right now. The city applied for an HMGE non-compete grant. This grant has been approved and that has been forwarded on to FEMA.
- D. Water Conservation Plan:** **Ryan A** stated that the City needs a Water Conservation Plan adopted by December 31, 2023 and that a draft is requested by July 15, 2023.

Streets & Roads/Mosquito Abatement/City Communications – Councilmember Dale Millsap:
Nothing to report at this time.

ACTIONS FROM MARCH 8, 2023:

1. Bruce – Meet with Brittiny to see if the City has a form regarding vacating a road.
2. Dale – Description of the ground that residents would like vacated.
3. Dale – Vacating process.
4. Dave – Recommend on how to comply with Ordinances.
5. Dave – Meet with Seth regarding the City Hall Remodel.
6. Dave – Look into the cost of moving the renal home.
7. Jordon – Will work on a contract for the Fire District regarding the equipment.
8. Troy – Have sand and sandbags available at shop for residents.
9. Brittiny – Put sandbag info on the website.
10. Bruce & Ryan – Work on Water Conservation Plan

DALE MILLSAP motioned to adjourn at 9:42 p.m. KORY WILDE seconded the motion.
MOTION CARRIED with Ryan Adams for, David Hougaard for, Kory Wilde for, Trevor Gardner
for and Dale Millsap for.

Meeting Adjourned at 9:42 p.m.

The foregoing minutes were taken by Wendy Lindauer and typed by Brittiny Chlarson.

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

ATTEST:

DATE APPROVED: 4/12/23




Brittiny Chlarson – Clerk/Recorder


Bruce Nelson - Mayor