

**EPHRAIM CITY COUNCIL MEETING
EPHRAIM CITY BUILDING
5 S. MAIN
WEDNESDAY, JANUARY 7, 2005
6:30 AM**

MEMBERS PRESENT

Morris Casperson, Mayor
Don Olson, Mayor Pro Tem
Jannette Anderson
Kim Cragun
Penny Kittelsrud
Garth Sorenson

OTHERS PRESENT

Richard Anderson, City Mgr/Recorder
Bryan Kimball, City Planner
John Hales, Sanpete Messenger

Mayor Casperson called the meeting to order at 6:30 AM.

PUBLIC SESSION

DANISH FIELDS SUBDIVISION

The Council met to discuss the offsite roads between the City and the Danish Fields Subdivision. There was much discussion by the Council on the position and sizes of the proposed roads both inside and outside of the subdivision. It was felt that the existing road from 300 North along 400 East to the subdivision is not adequate.

Councilmember Anderson stated that it is important to obtain infrastructure concessions from a subdivider before the subdivision goes in or improvements will become the City's responsibility. Comments and complaints from home buyers will then be directed to the City instead of the builder. The City needs to set standards as to what is acceptable, and that road is not.

Mayor Casperson reported that the Planning Commission has recommended approval for the design stage of the subdivision with the following stipulations:

1. Road development on 400 E will be paved to the greater of the center line or to the West edge of existing improved road.
2. A right-of-way agreement with Charles Pieper be secured.
3. All other concerns with respect to the interior of the subdivision be settled.

The Planning Commission does not grant the final design approval. The concern is that the subdivider, Kris Jorgensen, is taking the Planning Commission's approval as a green light to move forward and the Council's urgency in setting this meeting was to determine the Council's stand on the issue in order to avoid a situation in which Mr. Jorgensen has spent excessive amounts of money and the design is not approved. It also helps dispel pressure to grant approval because of the amount of money already spent by Mr. Jorgensen.

Councilmember Cragun suggested writing into the subdivision ordinance that a developer is responsible for the offsite improvements to access their subdivision. Without that, developers are unclear as to what their responsibilities are.

City Manager, Richard Anderson will get a written legal opinion from Craig Hall, a city attorney.

Additional wording is needed in the ordinance to clarify responsibility for road development between and around subdivisions.

The City is willing to provide aid in construction in getting the sewer to the development. Installing a system that is over and above what is needed for this development in order to accommodate what might come up in the future will be paid for by the City.

It was mentioned that Mr. Jorgensen has proposed ending 500 N at the entrance to the subdivision, but it really needs to be extended east to the end of his property.

It was felt that Mr. Jorgensen should understand that the City is also incurring a large portion of the cost in this project, and that any further development is at his own risk.

Some expectations for Mr. Jorgensen were discussed, including the following:

- A required road base and pavement for the width of the traveled lanes

- Parking and curb and gutter along his subdivision.

- Sewer, phone and gas lines could possibly be installed all at once.

- Bonding is required.

- The City will help facilitate Aid in Construction on the streets.

- Curb and gutter along the East side of 400 East would be the responsibility of the developer.

- Important we get road base, continuing his current road 24' all the way out to 300 N.

Councilmember Sorenson moved to draft a letter to Mr. Jorgensen specifying the City's expectations, including the provision that 400 East be a finished road without curb and gutter, with 24 feet paved, as a minimum, from 300 North to his Southbound boundary to include fronting the other landowners property. From there northbound, it would be developed as per Planning Commission requirements. 500 North must be done onsite similar to 400 East. The letter will also state that the City is planning to extend the sewer to the subdivision, and will help negotiate an extended time frame in allowing him to put that road in as long as there is a financial guarantee. Mr. Jorgensen will proceed at his own risk, and that this is not a final approval. These are the City's expectations and there will still be a vote by the Council for final approval. Addressing this issue today instead of in two weeks, is being done as a courtesy to him. Seconded by Councilmember Cragun. The vote was unanimous. The motion passed.

Richard Anderson will draft the letter to Mr. Jorgensen and Councilmember Sorenson will proof it.

ADJOURN

Councilmember Olson moved to adjourn. Seconded by Councilmember Kittelsrud. The vote was unanimous. The motion passed.

MINUTES APPROVED:

Mayor

Date

ATTEST:

City Recorder

Date