

BIG WATER TOWN COUNCIL MEETING

Monday January 25th, 2021

6:30 PM (Utah Time) WORK SESSION

1. CALL TO ORDER 6:30pm

Vince Here

Sheath Here

Michelle Here

David Here

Judah Here-6:39

2. REPUBLIC SERVICES PRESENTATION - We met today with republic services, our contract with them has not been visited since 2014. We received a price increase. The normal way is a 3% yearly. We received a bill with a large increase. We met with Reece with republic services and we will be starting a new contract with republic services. 3% a year increase starting with the new contract. They have not figured out details yet on what price we will be starting whether it be \$20 or \$23 which is what we saw on the bill.

Reece Demille handles the contracts for Utah and Page. He came in and met with Mayor Michelle and Amber. The current contract is with Monument. The initial term expired but had a term for renewing every year in Aug. Reece was just made aware of this contract. He thought this fell with everything else with Page. He wants to propose a new contract with Republic Services. Put a long-term contract in place with council approval. So we aren't working in a one year clause.

Vince asked how much it is per can. Currently it's \$20.00 with the increase it is \$23.00. With a new contract we would make sure \$23.00 is a good starting point with an escalating increase yearly. Reece is here to request to have a legal contact with us Big Water Municipal and Republic service. We would still have the clause of Clean up as before. They agreed to have Reece write up the contract.

3. DISCUSSION ON MEETING AGENDA ITEMS- Application for short term rentals- which has been past to us by Planning and Zoning. They made changes and passed it onto us for approval. They simplified the process. Once application per business with multiple homes. Took off the inspection process. Ashley is here. Page and Kanab don't have these inspections. In Sedona there was a law suite and sued the Municipality and won because they did the inspection and now the town was held Liable

Land Use Attorney. Michelle Amber and Eli went to Cedar to meet with the Attorney about land use. We have letters from another attorney stating we are not following correct orders. We will continue to need him to get everything in order.

Conflict of Interest needs to be filled out.

South Revolution Road- we have letter from Engineering and SILTA

We don't have a road standard. We really need to get one in place going forward. We can adopt the country standards.

Item F- On general plan amendment application

Item G- RE2- R2- No decision to be made tonight

Item F-I will not make any motions or votes.

K- Changing zoning prior to Match of 2020

Item K-P Vince Olsen brought these items forth and we will let him lead that.

Quite while they look over minutes from last Month Meeting on Dec 21st 2020.

1. The effect of the proposed amendment on the character of the surrounding area.
2. Compatibility of the proposed uses with nearby and adjoining properties.
3. The suitability of the properties for the uses requested.
4. The effect of the proposed amendment on the existing goals, objectives, and policies of the General Plan, and listing any revisions to this Ordinance, the Subdivision Ordinance, and any other Ordinances required to implement the amendment.
5. The community benefit of the proposed amendment.

4. ADJOURN 7:00pm

7:00 PM PUBLIC HEARING ON GENERAL PLAN AMENDMENT APPLICATION

Everyone will have 2 Minutes.

Stacy Wadleigh. Glad to hear they are going back to planning and zone. It was said that this isn't spot zoning when she looks up the definition and it is considered. She is all for it in the right part of town. No DEQ or water quality.

Yermo Welsh- Why are we amending a general plan for just one project. Ask if there is a fee for these types of applications. There is no fee for these types of applications.

Patty Jensen: Just wanted to make sure we received the lawyer letter from Scott Garrett and read it. He makes the comment on the general plan amendment. Yes it was received.

Todd Barton: Wants to know why he has started on his road. Mayor says He can move forward with the road-They are building the same size as the start HWY exactly. Their engineer worked with SILTA. Mike Crowther is paying for all of this.

Vince Olsen: Easement Silta Page 4of11 number 18. We had to do this before when we put in the water line. Sunrise engineer. Vince would like to see a copy. Jennifer Guevarra tells Vince he needs to be more prepared and ask questions once he receive packet instead of waiting until meeting. He wants to see it done right if at all. David gave Vince a book and he is going to look for the Survey.

Wendy Jensen: Want to ask to know if RE2 -R2 is for everyone for just mike. I can hire a lawyer to do whatever we want them to do. She is all for Mike's Crowther development.

Kristi Watkins: Sent a couple of question via email- Sunrise engineer report. Stated that no report or study had been done to determine design criteria for culvert size. Engineer has indicated to us that simply matched culvert size Highway crossing from a few hundred yards away. Why would not we require the study or report.

David we had a question on cultural study. When we put in the water line, we had the study done correct? Dustyn said we did and will send it over. It was done by Big Horn Environment did the study. Ask Dustyn why there was not a study done because UDOT has already done one and we do not have to do another. It's going to be the exact same size as the UDOT one. It will be one big Culvert instead of 3. 84" culvert will be going in, With concrete wing walls. David told her because this isn't a comment on public hearing, then we need to stop comment and move on.

Ron Harbut- Thank you for talking about this. Ron reads letter from Scott Garrett's office: See attachment.

Closed:7:31

Open 7:31

7:05 PM PUBLIC HEARING ON ZONING CHANGE APPLICATION FROM RE-2 TO R-2

Stacy- Repeats her comments from prior. Applications are inadequate and incomplete and looks like the attorney told you that and you will be sending them back. We do not even have high density in our zone in our regulations.

Patty Jensen- Questions if Comments that are made during public hearings or citizen comments are those part of recorded for the meeting? Michelle says yes they are. Zone change application Fails to provide a development plan Fails to provide information on

covenants or deed restrictions; · Fails to provide a legal description of the property certified by a licensed surveyor in Utah; and · Fails to identify that the General Plan has been amended prior to submitting this application.

Closed 7:34

7:10 PM PUBLIC HEARING ON LOT CONSOLIDATION APPLICATION

Open: 7:34

Stacy Wadleigh: Said you Cannot subdivide lots that are in a subdivision.

Patty Jensen: There are a lot of things missing. I know planning and zoning will take care of this when we send it back to them.

Closed: 7:37

7:15 PM PUBLIC HEARING ON PLANNED DEVELOPMENT APPLICATION

Open 7:37

Patty Jensen: This a brand-new application, there needed to have a concept meeting and a preliminary hearing and then it should have gone to P&Z. He failed to provide a preliminary plat by a license surveyor. Failed to subdivision site information, failed to provide a title report, failed to provide address and property owners within 300 feet, failed evidence on necessary service.

Stacy Wadleigh: Patty Jensen made her comments Stacy was wanting to say.

Closed 7:39

7:20 PM MEETING

AGENDA-

1. CALL TO ORDER 7:39.
2. ROLL CALL Vince Here, Judah here, Sheath Here, David and Michelle . All present.
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES - 11.16.20 sheath Motions to approve Judah Seconds all in favor
5. MAYOR, COUNCIL AND DEPARTMENT REPORTS:
Mayor – All the citizens know we are working really hard and we are trying to make sure we are doing all this in a proper way. We all received a letter and we sent it on to ours. He is helping us with our project to make sure we are going through proper channels. We have a lot of things going on in our little town of big water. Developers looking at our area. People moving in and houses being built. We are not professional; we are just trying to do our best.
Fire Chief – Nothing to report
P & Z Administrator – present time we have on going and 2 in the finishing and a bunch in the wing
6. CITIZEN COMMENTS
Stacy W. Thank you for the mayor for meeting with them and Silta. Questions about road plan. Will we have to relocate the water line? Engineer asked some question. The water line wont be bury under 17 feet. Dustyn is on pipeline and will be relocated by the developer. The roadway cross sections, it is done to county specifications. Will be chipped sealed once we do a chip seal project. It will just be gravel for now.
Kristi Watkins: Road situation: Construction has not been started; sand fence has been put in.
Russ: Everyone to know the sheriff called and are having people call in for Covid 435-644-4994. There are about 50 available. What he is needing to know if any senior does not have a ride contact us. Easy to do. Open during regular business hours.
Patty Jensen: Wanted it on the record 24 on this zoom meeting. Very grateful we are offering zoom. She knows it's a tough job being on P&Z and TC. Laws are on the books and if we just

follow them, we will not have any problems.

7. OLD BUSINESS- pass over old business for tonight.

- a) Discussion on Annexation-
- b) Discussion on Allowing the Fire Department to do Random Business Inspections
- c) Discussion and Possible Action on whether the Fire Dept should provide service to the communities of Clark Bench, Church Wells and Paria
- d) Discussion on Future Sewer System

8. NEW BUSINESS-

- a) Discussion and Possible Action on Amended STR Application Procedures-Planning and zoning worked it over and corrected by them. If you have any questions- if there isn't any question, someone can make a motion. Fire inspection and building inspections. They added in the acknowledgement. They went through and cleaned it up. 3 yr of having this application. Have P&Z admin to check the requirements on application. Need to add a box for transient tax numbers. Sheath Motions- Vince 2nds- All in favor with change
- b) Discussion and Possible Action on Approval of Paying for a Land Use Attorney- mayor feels like this is justifiable right now with everything going on. We need professional help. Justin charges \$130.00 an hour for town. Our attorney does not know land use. No retainer needed. He was recommended to use it highly. Vince Motion Sheath 2nds all in favor
- c) Discussion and Possible Action on Conflict-of-Interest Statements- Just needed it on record we did it. We picked the one from the Utah State Auditor. Vince Questions if he can still vote. He can still vote as long as he recognizes the if there is a potential conflict.
- d) Discussion and Possible Action on Approval of South Revolution Road Development- Yermo asked if the developer is paying for this road. Yes, he is paying for it all.

The Developer sent town plans for roads from his engineer, we then sent it to our engineer to look over. A lot of times we will get a drainage but because they used Udots design they don't need it. Had questions about road profile- they addressed the road base issue- 6inch of pit run and 6 inch of road base. When chip seal is planned this road will also be chipped sealed. They will move the water line and make sure it isn't going to get damaged. Relocate it above the culvert. .

Sheath Motions Judah Seconds 4 Ayes and Vince abstained.

- e) Discussion and Possible Action on Approval of Establishing a Road Standard for Big Water- We could have sunrise do this- we then can bring it over to P&Z for approval and then passed to TC. Find out how much its going cost-Vince Motions Michelle 2nd all in favor.
- f) Discussion and Possible Action on General Plan Amendment Application- Vince why aren't we charging him a fee. Michelle- we cannot charge him a fee because he already submitted application.

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5. The community benefit of the proposed amendment.

- g) Discussion and Possible Action on Zoning Change Application from RE-2 to R-2
- h) Discussion and Possible Action on Lot Consolidation Application-
- i) Discussion and Possible Action on Planned Development Application
Send back to P&Z F through I
- j) Financial Reports- Sheath Wanted to know if Cares act money was spent. Vince says nothing out of the ordinary. Vince Motions Michelle 2nds all in Favor
- k) Discussion and Possible Action on Changing Zoning Map to Reflect Zoning Designations Prior to March 2020 Changes. From what happened in March he looks at his notes March 23rd 2020.04 made the change excluding the area of 9 lots. Planning and Zoning is currently working on this right now. Vince motions to be re-visited. Sheath 2nd all in favor. K, L, M, N, no recording available.

- l) Discussion and Possible Action on 3 Year Moratorium on Steel Buildings in Big Water- He thinks when you drive through town and all it looks like is steel buildings. It doesn't look good on Big Water- We can legally do it no more steel builds for 3 yrs. We have plenty of boat storages. Why would we want Big Water to look like all we do is store boats. 5-10 years from the next big downturn a lot of the big steel builds will be empty. Mayor asked where he would like this discussion to go. Vince Motions- No one Seconds.
- m) Discussion and Possible Action on Creating and Architectural Review Board to Guide New Construction Toward Block, Brick, and Frame Construction. We are at the fork in the road- can we give them a tax break for a block and brick framed house. He doesn't think we need to allow manufactured homes. He would like only real houses only.
- n) Discussion and Possible Action on Establishing a Big Water Office of Tourism- Needs to make a website.
- o) Discussion and Possible Action on Establishing an Old Spanish Historical Trail Chapter with Big Water as a Recognized Thruway. Money through BLM for trails maintenance and signage for this if we are on the Map for this. We would like to know more about the process and how this works. Yermo will look into this.
- p) Discussion and Possible Action on Requiring Any and All Investors or Developers to Make Initial Contact with Town Council and Planning and Zoning. Vince doesn't like to have something sprung on them. Thinks it would be good for the developer or contractor to a P&Z and TC meeting before approving anything. Do a presentation or plans in front of everyone. He proposed that they come to TC and have them tell us what they are wanting to do here in Big Water. He would like us to send this to P&Z to be put into our Ordinance. He wants everything but a house bought before TC. Everything has to go through P&Z already no matter what. Vince Motions to send this to P&Z
- q) ADJOURN

Big Water Clerk is inviting you to a scheduled Zoom meeting.

Topic: Town Council

Time: September 21, 2020 06:30 PM Arizona

Join Zoom Meeting

<https://us02web.zoom.us/j/860173983?pwd=L2E3RWdOR2JGcVNiUXFjMFZOUFdRdz09>

Meeting ID: 860 173 983

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