

**MINUTES OF TOWN COUNCIL MEETING
TOWN OF SNOWFLAKE
HELD 09/07/2021**

1. **CALL TO ORDER/ROLL CALL** Present: Kerry Ballard, Allison Perkins, Bob Flake, Lynn Johnson, Byron Lewis, Greg Brimhall; Excused: Cory Johnson; Staff: Brian Richards, Katie Melser, Joe Jarvis, Ella McAdams, Scott Allen, Fire Chief Nelson
2. **PRAYER/PLEDGE** Flake/Perkins
3. **PROCLAMATIONS AND RECOGNITIONS**
4. **CALL TO PUBLIC:** none
5. **CONSENT AGENDA:**
 - A. COUNCIL MINUTES DATED AUGUST 3, 2021
 - B. AUGUST CHECK REGISTER
 - C. RESOLUTION 2021-06 DESIGNATING THE CFO FOR FY20
 - D. RESOLUTION 2021-07 DESIGNATING THE CFO FOR FY21
 - E. AGREEMENT WITH APS FOR LINE EXTENSION ON 19TH S
 - F. DEPARTMENT REPORTS

Motion by Ballard, 2nd by Flake, to approve the Consent Agenda. Motion passed; unanimous with Johnson C absent
6. **PUBLIC HEARING**
 - A. OPEN PUBLIC HEARING ON PROPOSED FEE SCHEDULE UPDATES
Motion by Lewis, 2nd by Perkins, to open Public Hearing. Motion passed; unanimous with Johnson C absent
 - B. CLOSE PUBLIC HEARING ON PROPOSED FEE SCHEDULE UPDATES
Motion by Lewis, 2nd by Perkins, to close Public Hearing. Motion passed; unanimous with Johnson C absent
7. **DISCUSSION/ACTION ITEMS**
 - A. UPDATE FROM NPC ON FALL OPERATIONS AND NEW SCHOLARSHIPS

Chato Hazelbaker started in July as the new President at NPC; he regrets to say that BetsyAnn is unable to attend tonight. He spoke on goals, programs, operations of NPC that they are addressing in their strategic planning. He is really interested in Economic Development in the region and how they can help with that.

Lewis- can you put the issue to bed that the Silver Creek Campus will close? Yes, that can be put to rest

Lewis- do you have any relationships with what is going on with broadband? It is a big area they are looking in to since it is one of the biggest issues facing students

Ballard- happy with NPC and glad to have NPC to help attract economic development.
 - B. RESOLUTION 2021-08 COMPREHENSIVE FEE SCHEDULE

Perkins- is this all or nothing? if we have an issue with any of the fees can we vote separately on each section? no, it is all or nothing

Ballard- have a problem with the fee schedule, there should be a warning.

Johnson L- in favor of the fees for trails, it is a real problem

Motion by Johnson L, 2nd by Flake, to approve Resolution 2021-08. Motion passed; 4-2 with Flake, Johnson L, Lewis, Brimhall in favor, Ballard and Perkins opposed and with Johnson C absent
 - C. SPECIAL USE PERMIT REQUEST FOR 202-23-101 FOR THE CONSTRUCTION OF A MOBILE HOME PARK AND COMMERCIAL SITES

Joe Jarvis presented the item. The P&Z recommended it for approval with the stipulation that the potential water is retained.

Johnson L- would there be a sewage problem in that area? They have incorporated into their plans how they plan to manage that and are willing to make improvements to help with it.

Johnson L- anything in code concerning proximity to schools or residential? none we are aware of

Johnson L- what is the feedback from residents in the area? one said they have no reservation with the proposed plan; Our Lady of the Snow expressed concern and opposition; a neighbor expressed concern because of proximity to his property.

Brimhall- concerned about lack of commercial property on main street, there is still opportunity for Snowflake to have commercial and to attract retail. Joe- it is a good point that we get revenue from sales tax, so if commercial property is limited, we are limiting the amount of sales tax available

Lewis- wondering what kind of message this would send, this is a premium commercial lot.

Flake- similar feelings, our commercial ground is very valuable, but our town is in a boom we haven't previously seen, if the people are coming the commercial will be coming; we already approved another RV park recently and would honestly hate to see another RV park in the heart of everything.

Johnson L- want to be sure to recognize that they do have commercial site planned into their development

Perkins- we have the lowest sales tax that comes in, we can't afford to give our commercial frontage property up for rental space like this; we're focusing on the general plan, and this wouldn't match that interest

Ballard- agree with what's been said, when it was changed to commercial, we talked about big box or a grocery store. That's always been a spot where a lot of commercial could go in there and help Snowflake and Taylor.

Johnson L- someone has invested a lot to this point and there have been many opportunities to get a big store or other commercial and it still hasn't happened. We need to look at our general plan and see what's best for the town at this town and consider that these individuals have done.

Lewis- Was the full P&Z commission present? There were only 4 members present. The main split when the vote was 2-2 is that the water retention would be met.

Jeff Greer (P&Z) - he was opposed initially; his biggest issue is with flooding. He asked that the developer present at the council meeting their plan to remediate storm waters.

Staff recommendation- the council has touched on all the things staff has looked at, we don't recommend it mainly because of sales tax. That size of space allotted at the front of the property usually attracts office space which wouldn't bring sales revenue.

Johnson L- as we look at this town plan maybe we can address proximity to schools for future zoning

Motion by Lewis, 2nd by Perkins, to deny Special Use Permit. Motion passed; unanimous with Johnson C absent

D. SPECIAL USE PERMIT REQUEST FOR 202-13-084E INSTALLING A SINGLE WIDE ON THE AG PARCEL

Joe Jarvis presented the item.

Perkins- in the code doesn't it have to be a double wide? is that why it's a SUP?

Mike and Monica Olsen- reason for a single wide is because that is what they could afford; there are several single wide trailers in the area already. They would ground set it so it wouldn't necessarily look like a manufactured home.

Ballard- how soon are you starting on the home? they have already started

Lewis- so it is really to take care of your mother? yes

Lewis- how long do you anticipate the build to take? trying to be financially responsible so they are building it as they go

Lewis- this is tough because we have people ask for things like this

Lewis- would you ever turn it into a rental? no, it would be too close to the main house

Perkins- I hate breaking the rules for some people and not for others, I believe in property rights, but we do have set rules for a reason.

Dustin Wood- neighbor that is opposed and wishes to uphold the code

Johnson- I don't know that I can see a single wide manufactured home from the road. The way that this I'm not even going to notice that there is a single wide in the area.

Lewis- would you be willing to move it after you built your home?

Richards- there should be no single wide homes allowed in home

Motion by Lewis, 2nd by Flake, to open table the item. Motion passed; 5-1 with Ballard, Flake, Johnson L, Lewis, Brimhall in favor and Perkins opposed and with Johnson C absent

E. ORDINANCE 2021-09 ZONING CHANGE REQUEST FOR 202-56-998 FROM GENERAL COMMERCIAL TO RESIDENTIAL TRANSITIONAL

Joe Jarvis presented the item, he also suggested that some citizens would like to speak on this.

Mike Lackey wished to express his approval of this. This is great, even though he was apprehensive because Tom is involved.

Neighbor Lady- Concerned because of access for emergency vehicles. Is there appropriate ingress and egress for emergency vehicles?

Jarvis- we will be ensuring that the criteria is met for ingress/egress.

Chief Nelson- ingress/egress for emergency vehicles and water supply is critical, but for this item the concerns have been discussed.

Lewis- what kind of homes are these? it is the applicant's intention that these are not title 8 housing

Jeff Greer- he will be purchasing this property from Tom; he is only asking for the rezone for them. The goal throughout construction is

Ballard- is it going to be all houses or all duplexes?

Greer and Jarvis showed the plans that were proposed during the P&Z meeting.

Richards- even if this development didn't happen, the zoning will still be changed, that is what this item is in regard to.

Perkins- we need to look at traffic

Lackey- he is already looking at outlets and ingress/egress for emergency

Motion by Johnson L, 2nd by Brimhall, to read Ord. 2021-09 by title only. Motion passed; unanimous with Johnson C absent

F. ORDINANCE 2021-07 TO CONSIDER CHANGING THE REQUIRED NUMBER OF READINGS OF AN ORDINANCE

Motion by Ballard, 2nd by Brimhall, for 2nd reading of Ord. 2021-07 by title only. Motion passed; unanimous with Johnson C absent

Motion by Johnson L, 2nd by Lewis, to approve Ord. 2021-07. Motion passed; unanimous with Johnson C absent

G. ORDINANCE 2021-08 FOR THE CONSIDERATION OF THE ADOPTION OF THE 2018 BUILDING CODES

Joe Jarvis and Scott Allen recommend approving this; we will be closer in line with other communities and as building materials improve, so should the codes that require how to use them. The whole objective is to make buildings safer and preserve people's lives.

Lewis- if we pass this will it make our community safer? Yes

Perkins- will it make contractors madder? The fee schedule will be increasing so yes, they will probably not like it. Joe would suspect that some of our local builders will have to learn this new code, but contractors from outside the area usually expect a more current building code and should take it in stride.

Motion by Ballard, 2nd by Johnson L, for 2nd reading of Ord. 2021-08 by title only. Motion passed; unanimous with Johnson C absent

Motion by Lewis, 2nd by Johnson L, to approve Ord. 2021-08. Motion passed; unanimous with Johnson C absent

H. RESOLUTION 2021-04 FOR THE CONSIDERATION OF THE ADOPTION OF THE 2018 BUILDING CODES

Motion by Lewis, 2nd by Ballard, to approve Resolution 2021-04. Motion passed; unanimous with Johnson C absent

8. COUNCIL MEMBER REPORTS -

Lewis- been working with Calvary Chapel on a project

Johnson L- given the weather conditions and flooding in the community it has been impressive to see the work that community members have provided to help others

9. MANAGER'S REPORT- pool is ongoing, construction is delayed in almost every aspect. We've been waiting on the architect for almost 2 months. There is not an expected schedule for completion.

10. ADJOURNMENT