



Council Meeting

10-10-23

7:00 p.m.



MORGAN CITY COUNCIL AGENDA
OCTOBER 10, 2023 – 7:00 P.M.
MORGAN, UTAH

PUBLIC NOTICE is hereby given that the Morgan City Council will hold a public meeting in the Council Room in the City Office Building, 90 West Young Street, Morgan, Utah, commencing at 7:00 p.m. on October 10, 2023.

GENERAL MEETING – 7:00 P.M.

1. A. Welcome - Mayor Steve Gale
B. Pledge of Allegiance and Opening Ceremony
C. Approval of Meeting's Agenda
2. **CONSENT AGENDA:**
 - A. City Council and Planning Commission JOINT Work Meeting Minutes – August 22, 2023; and
 - B. City Council Meeting Minutes – August 22, 2023.
 - C. Warrants – (09/08/23 – 10/06/23)
3. **CITIZEN COMMENTS** (Time has been set aside for the public to express their ideas, concerns, and comments. Comments are limited to 3 minutes per person with a total of 30 minutes for this item. Open Comment Cards are available on the City's website, morgancityut.org, and are to be filled out and submitted to the City Recorder before 5:00 p.m. on the day of the meeting.)
4. **ACTIVE AGENDA**
 - A. Certification of Annexation Petition for 54.36 Acres of Property Located at Approximately 555 West Old Highway Road, 936 North 700 East, 1075 North 700 East, and 1050 North 600 West, Morgan, Utah 84050, as Requested by Lisa C. Preece (Ty)
5. **CITY REPORTS AND BUSINESS**
 - A. City Council
 - B. City Manager
 - Project Updates
 - Turner Ditch Piping Project – Settlement Agreement
 - Personnel Updates
 - Morgan Business Trick or Treat – October 31st 4:00 – 6:00 p.m.
6. **ADJOURN**

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- A Work Session will be held prior to the General Meeting at 6:00 p.m. to discuss miscellaneous matters if needed.
 - This meeting will also be live streamed via morgancityut.org.
 - The Council at its discretion may rearrange the order of any item(s) on the agenda.
 - In compliance with the American with Disabilities Act, individuals needing special accommodation (including auxiliary communicative aids and service) during the meeting should notify Denise Woods, City Recorder, at (801) 829-3461 at least 48 hours prior to the meeting.
 - This meeting may involve the use of electronic communications for some of the members of this public body. The anchor location for the meeting shall be the Morgan Council Conference Room, 90 West Young Street, Morgan, Utah. Elected Officials at remote locations may be connected to the meeting electronically to participate.
 - Notice is hereby given that by motion of the Morgan City Council, pursuant to Title 52, Chapter 4 of the Utah Code, the City Council may vote to hold a closed session for any of the purposes identified in that Chapter.
 - The undersigned, duly appointed City Recorder does hereby certify that the above notice and agenda was posted within the Morgan City limits on this **9th day of October, 2023** at Morgan City Hall, on the Utah State Public Notice Website, at morgancityut.org, and three public places within the City.
 - The 2023 meeting schedule was posted on the City's Website and Public Notice Website on December 19, 2022.
- /s/ Denise Woods, City Recorder

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MINUTES OF MORGAN CITY COUNCIL AND PLANNING COMMISSION JOINT WORK MEETING

AUGUST 22, 2023; 5:30 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

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

PLANNING COMMISSION MEMBERS PRESENT:

Nate McClellan, Chair, Erin Bott, Justin Rees, Ray Little, and Mark Francis

PLANNING COMMISSION MEMBERS PRESENT ELECTRONICALLY:

Lance Prescott

STAFF PRESENT:

Ty Bailey, City Manager; Gary Crane, City Attorney; Jake Young, CitiDesign, City Planner; Denise Woods, City Recorder; Teresa Shope, Planning Secretary; and Stephanie and Row Howard

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.

ITEMS FOR DISCUSSION

Jake Young, CitiDesign, City Planner, gave a presentation regarding short term rentals. He stated there were basically three options for short-term rentals within the City:

Option A was to continue as the City currently was by not doing anything to regulate short term rentals;

Option B could be an ordinance which regulated short term rentals and allowed them; and

Option C could be an ordinance which regulated short-term rentals by not allowing them within the City.

Jake said the definition in State Code for short term rentals meant a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days. (U.C.A. § 17-50-338)

Row Howard asked what the difference was between a short-term rental and a boarding house according to State Code. He said he thought a boarding house would be a home which were renting rooms or space within the house.

Jake explained a boarding house would be a short-term rental if it was less than 30 consecutive days. He said Utah State law didn't allow cities to prohibit advertising of short-term rentals. Current State law

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allowed cities to permit, not permit, or regulate short-term rentals. He clarified if a complaint was received then the City could address the issue, but the City couldn't regulate them because they were advertised through Vrbo or Airbnb.

Gary Crane, City Attorney, mentioned Option A, which was pointed out earlier and said that a lot of cities weren't doing anything about short-term rentals right now since they weren't a big enough problem. He said the City could regulate them through the nuisance/noise ordinance, i.e., parking in front of mailboxes, parking on street during the winter months, noise from a party, etc.

Councilmember Wardell arrived at 6:05 p.m.

A poll was taken and the negatives and positives for short-term rentals were listed on the screen.

Jake said one negative not listed was short-term rentals took housing stock out of long-term housing for rental and purchase. He mentioned the City could collect Transient Room Tax (TRT) from the short-term rentals through Airbnb, Vrbo, etc.

Gary asked if there was a reason to regulate short-term rentals. He mentioned the cost of regulating and enforcing the ordinance.

Discussion regarding Garden City's ordinance, the cost of enforcing the ordinance, and the business licensing costs collected from the owner of the short-term rental.

Ty mentioned the City was currently collecting TRT from the hotel, Airbnb, Vrbo, and several others.

Justin Rees, Planning Commission Member, explained he owned an Airbnb (not in Morgan) and there was self-regulation through Airbnb because it was required that the property be maintained so neighbors didn't complain, and a lot of work went into the rental so the owner could keep a good rating. He explained if a neighbor called Airbnb with a complaint Airbnb called the owner and informed them. He said to attract people to stay at your short-term rental required substantial work on the part of the owner. He suggested the City be careful in adding complexity to regulating the rental when it wasn't necessary.

Ty Bailey, City Manager, stated he viewed everything the City did as a service. He explained the City could recognize the issue and by permitting it the City gave the owner the path forward to be able to do it appropriately. It also allowed the City to know how many were within the City and the information of who to call if there was a complaint.

Jake said that approach gave the City the opportunity to educate those who were choosing to do it through the business license process as a permitted service.

Gary stated short-term rentals were not exempt from having a business license.

Jake provided a list of policies Staff recommended if short-term rentals were recommended by the Council.

- Allow short-term rentals wherever residential use is permitted, not by zone. Permitted use not a conditional use.
- Require inspection of the rental unit by the Building Inspector and Fire Marshal for safety – Yearly, biannually, but initially once.
- Property management or owner 15-20 minutes away from the property and available 24/7.
- Occupancy – 2 per room plus an extra 2-4 in unit – Maximum occupancy 14-16 people.
- Parking – 1 car per 4 people – No on-street parking allowed or 1 car per bedroom.

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- Noise/Nuisance ordinance.
- Garbage/Sanitary conditions – Possibly require two cans at a rental?
- Require site plan for unit layout and parking.
- State use: Short-term, long-term, ADU, Bed & Breakfast, Room Rentals/Boarding Rooms.
- Also define each of the above.
- Business License – Request a copy of the rental agreement. Show no subletting, time frames for rentals, following City ordinances.
- Rentals will be regulated through code enforcement – Noncompliance or nonpayment of fines will result in revocation of a rental license.

Row Howard stated the City Code currently didn't allow boarding or rooming houses in any of the zones except for A (Agriculture) and RM-15 (Multi-family residential) and it was a conditional use in both zones.

Gary said the definition of a boarding house was the renting out of rooms.

Discussion regarding enforcement of the short-term rentals. Each complaint wouldn't result in a notice being sent out. It would take several complaints before a notice of violation would be sent and a fine imposed. The notices of violation could be sent by certified mail to the property owner. Row stated he didn't foresee an issue with the short-term rentals through Airbnb and Vrbo, but it was the short-term rentals on KSL, Craig's List, etc., which were an issue and he currently had one which he had received numerous complaints. Discussed amending the City's nuisance and business license ordinances and make them more stringent to allow for effective code enforcement. Gary said identifying the problem was the first step and then the City's ordinances could be amended to allow for enforcement regarding short-term rentals.

Ty mentioned the benefit of requiring a business license for short-term rentals because then the City could provide the information to the County Assessor and the property tax on that home would be adjusted to 100%. If it was a long-term rental (over 6 months) the owner would qualify for the residential property tax exemption and only pay 55% property taxes on the property. He said there would always be a few who would cause issues regardless of any regulations the City imposed.

Justin said a lot of positive things could come from permitting short-term rentals. He said there would be the outliers and things the City would have to deal with but overall, it was a good thing for the City. He said when he vacationed, he looked to stay in an Airbnb. He said they promoted the type of visitors to come and stay in the City

Discussion regarding the current situation within the City and the need to tighten up the City's nuisance and parking ordinance. Ty mentioned he would work with Row and bring back a proposal to the Council of amendments to the City Code. Row stated changing the timeframe on code enforcement issues would be very helpful.

Consensus of the Council was to work on amending the nuisance and business license ordinances to regulate the short-term rentals and provide for effective code enforcement. Suggestion was made to mirror the County's process regarding a business license.

DISCUSSION – MIXED RESIDENTIAL OVERLAY (MRO) ZONE

This item was not discussed. It will be discussed during the general meeting.

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TRAINING – GARY CRANE, CITY ATTORNEY

No training provided.

This meeting was adjourned at 6:53 p.m.

Denise Woods, City Recorder

Steve Gale, Mayor

These minutes were approved at the October 10, 2023 meeting.

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MINUTES OF MORGAN CITY COUNCIL MEETING

AUGUST 22, 2023; 7:02 P.M.

MAYOR AND COUNCILMEMBERS PRESENT:

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

STAFF PRESENT IN-PERSON:

Ty Bailey, City Manager; Gary Crane, City Attorney; and Denise Woods, City Recorder

OTHERS PRESENT:

Jake Young, CitiDesign, City Planner

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 Turner.

The opening ceremony was presented by Councilmember Richins.

APPROVAL OF MEETING AGENDA

MOTION: Councilmember Turner moved to approve the agenda.

SECOND: Councilmember London

The motion passed unanimously to approve the agenda.

MINUTES AND WARRANTS

MOTION: Councilmember London moved to approve the following:
Minutes of the City Council Work Meeting – June 13, 2023;
City Council Meeting Minutes – June 13, 2023;
City Council Work Meeting Minutes – June 27, 2023;
City Council Meeting Minutes – June 27, 2023;
City Council Special Work Meeting Minutes – June 28, 2023;
City Council Work Meeting Minutes – July 11, 2023;
Warrants (07/07/23 – 08/18/23)

SECOND: Councilmember Turner

The motion passed unanimously to approve the minutes as written and one set of warrants.

CITIZEN COMMENTS

No citizen comments.

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NEW BUSINESS

INTERLOCAL COOPERATION AGREEMENT BETWEEN MORGAN COUNTY AND MORGAN CITY FOR THE PURPOSE OF ASSISTING THE CITY WITH THE 2023 MUNICIPAL GENERAL ELECTION – RESOLUTION 23-17

Ty Bailey, City Manager, stated the County had been doing the City's Municipal Elections in the past and this was an agreement between the County and the City to continue working together. He mentioned it had always been a budget item.

Denise Woods, City Recorder, explained the City was responsible for all the noticing, collection of the Campaign Financial Statements, approving ballots, and handling the period for the candidates to declare their candidacy. She stated the City worked closely with the County throughout the election and the County had the ballots printed and mailed, kept track of the registered voters, counted ballots as they came in, and provided the final count of the ballots at the conclusion of the election.

MOTION: Councilmember Alexander moved to adopt Resolution 23-17 – A resolution adopting and approving an Interlocal Cooperation Agreement with Morgan County for the Purpose of Assisting the City with the 2023 Municipal General Election Under the Oversight of the City Recorder.

SECOND: Councilmember Richins

Discussion on the Motion: No discussion.

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

Vote was 5 ayes; Motion passed unanimously to adopt Resolution 23-17 – A resolution adopting and approving an Interlocal Cooperation Agreement with Morgan County for the Purpose of Assisting the City with the 2023 Municipal General Election Under the Oversight of the City Recorder.

AMENDMENT TO TITLE 5, CHAPTER 5.02, SECTION 5.02.080 OF THE MORGAN CITY CODE BY REMOVING RESTRICTIONS BASED ON THE BREED OF AN ANIMAL – ORDINANCE 23-11

Denise explained several years ago the legislature limited local governmental entities' authority in enacting and enforcing animal-related ordinances that contained provisions that imposed restrictions based on the breed of animals. In 2015 the City amended the City Code repealing several sections which were in violation of the new State Code. She said recently the City became aware of another section of the City Code which needed to be amended. This ordinance removes the restrictions based on the breed of an animal in Section 5.02.080 so it complies with the State Code.

Councilmember Alexander said the Code read . . . dogs, which by their hereditary characteristics have a propensity to be vicious. He asked who determined if a dog was vicious.

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Gary Crane, City Attorney, said if a dog bit someone it could be determined to be a vicious animal. He said it would also be if the animal had a wild nature.

MOTION: Councilmember Richins moved to adopt Ordinance 23-11 – An ordinance amending Title 5, Chapter 5.02, Section 5.02.080 of the Morgan City Code by removing restrictions based on the breed of an animal; Providing for repealer; Providing for severability; and Providing for an immediate effective date.

SECOND: Councilmember Wardell

Discussion on the Motion: No discussion.

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

Vote was 5 ayes; Motion passed unanimously to adopt Ordinance 23-11 – An ordinance amending Title 5, Chapter 5.02, Section 5.02.080 of the Morgan City Code by removing restrictions based on the breed of an animal; Providing for repealer; Providing for severability; and Providing for an immediate effective date.

AMENDMENT TO TITLE 10, CHAPTER 10.30, SECTION 10.30.040 OF THE MORGAN CITY CODE BY AMENDING THE TOTAL WIDTH ALLOWED FOR DRIVEWAYS – ORDINANCE 23-12

Ty explained the City adopted new Public Works Standards several months ago and it was discovered it wasn't consistent with the City Code regarding access widths for driveways. He said this section of the Code needed to be amended to follow the new City Standards to reflect the new width of thirty-six feet (36') allowed for driveways.

MOTION: Councilmember Wardell moved to adopt Ordinance 23-12 – An ordinance amending Title 10, Chapter 10.30, Section 10.30.040 of the Morgan City Code by amending the total width allowed for driveways; Providing for repealer; Providing for severability; and Providing for an immediate effective date.

SECOND: Councilmember London

Discussion on the Motion: No discussion.

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

Vote was 5 ayes; Motion passed unanimously to adopt Ordinance 23-12 – An ordinance amending Title 10, Chapter 10.30, Section 10.30.040 of the Morgan City Code by amending the total width allowed for driveways; Providing for repealer; Providing for severability; and Providing for an immediate effective date.

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ENACTMENT OF TITLE 10, CHAPTER 10.15 – MIXED RESIDENTIAL OVERLAY (MRO) ZONE – ORDINANCE 23-04

Jake Young, CitiDesign, City Planner, stated this item had been discussed thoroughly in past work sessions with both the City Council and the Planning Commission. He referred to the memorandum in the packet. He recommended the zones which were compatible with the MRO as base zoning. The MRO was an overlay zone which could be applied over a development. The Planning Commission would make a recommendation, but approving the MRO Zone would be a legislative decision by the City Council if a specific development/property was recommended for the MRO Zone. He mentioned the zones the MRO would be allowed in and clarified that R-1-8 was not a permitted use anymore within the City and this would not change that. (R-1-12, R-1-10, R-1-8, RM-7, RM-15, and General Commercial (G-C) He mentioned the zones the MRO would not be allowed in (Manufacturing and Distribution (M&D), R-1-20, R-R, Highway Commercial (C-H) Agriculture (A), and Central Commercial (C-C). He stated the MRO developments would not have frontage on key commercial corridors such as State Street (600 East to Young Street) and Commercial Street (300 North to 100 North).

Councilmember London said the proposed ordinance stated the MRO development was intended to be infill development located within the community's core and not the City's perimeter. He said at some point someone was going to request for the MRO Zone on the perimeter.

Jake stated it was difficult to decide where the core and the perimeter was so he was okay with having additional language for a contiguous MRO next to another MRO. He stated the base zoning should follow the General Plan and it had the higher densities in the center of the City and as it moves out it becomes lower in density.

Ty stated the properties would apply for a rezone at the same time.

Jake said he recommended language that of the usable open space, 75% must be less than 10% slope. He explained if the City required a pocket park as part of the MRO there had to be a place for the kids to play so of the required open space 75% must be less than 10% slope.

Mayor asked if the City would be responsible for maintenance.

Jake explained if it was a larger project and the park was going to be a City Park (between 2 to 5 acres) the City could enter into an agreement to take over maintenance of the park, however, the default was an HOA. He said the pocket parks were good but not cost effective for maintenance. He proposed additional language for an MRO with larger projects and developments (4 to 10 acres) to provide more substantial community and they would need an HOA which would have some open space requirements and it would increase it from 25 units to a minimum of 40 units. He said this would make the pocket parks one-half acres. He said all the streets would be public streets and any alleys or common space would be the responsibility of the HOA. He recommended as part of a larger subdivision; the MRO may be used for up to 25% of the gross acreage. He gave an example of a 20-acre project and how it could be MRO for the first 10 acres, and the remaining 10 acres could be 75% base zoning (compatible R zone) and 25% MRO. The continuation of MRO after 10 acres should be a 4:1 ratio or less. He said the entire project must be designed at once for streets, trails, utilities, stormwater, parks, and open space and the usable open space requirement only applied to the gross MRO acreage. However, the amenities, trails, park, and open space should be accessible and usable by the whole development and the City. He said with this type of development the homes, the landscape and the trees would come with it in terms of quality.

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Discussion regarding building in phases. Jake said building in phases was okay as long as the master plan and street plan for the entire development was provided. He said it was tough to require building the streets and installing the infrastructure without being able to build and get some of the money back. Ty mentioned his concern about allowing a project to be built in phases and then the project not get completed. Gary said the City shouldn't enter into an MRO without a development agreement in place which described exactly what you were concerned about. The development agreement would run with the land. Jake clarified that the amenities came with the MRO portion of the development.

Gary explained that if a developer wanted to develop a subdivision with an R-1-10 zone the design standards could not be required because State law changed a few years ago. He said with the MRO the City had the ability to have a development agreement and require specific design standards on a development.

Jake said he suggested the following change to the language of the ordinance regarding contiguous MROs:

“Development patterns should provide choices in housing sizes and types, including larger homes and medium size lots. He said careful consideration should be given if new MRO developments are proposed next to existing MRO developments.”

Councilmember London asked if the City could require a rendering of what the development was going to look like.

Jake didn't think the City could ask for renderings which showed the elevations of every single home but could require a rendering showing a sample elevation of the homes. He stated the architecture needed to be approved by Staff as part of the project. He said the developer would provide color plans and the City could ask for a 3D rendering of the community for this type of project and it would include renderings of all the open space and amenities so the City would see the entire project.

Discussion regarding the benefits of this type of development.

- Providing medium-density housing (townhomes) which aren't “cookie-cutter.”
- Create a development which is attractive and blends with the neighborhood feel.
- Better use of open space.
- Accommodate the growth pressures without having to explode our boundaries.
- Create attractive neighborhoods.

Councilmember Turner expressed his appreciation for Jake's work on the ordinance and after listening to the concerns of the Council and Staff implementing those issues into the ordinance. He stated he represented the citizens of the City and as a Council we had the ability to decide how we wanted our community to look. He voiced his mixed feelings regarding this type of development. He asked if the proposed language in the memorandum had been implemented into the ordinance which was in the packet.

Jake said it had not, but if a motion was made for approval tonight it could state that the language in the memorandum to be included in the ordinance.

Gary stated the Council could approve it tonight with the language in the memorandum, but it was best to have the completed ordinance to review and approve prior to adopting it. He said he was comfortable with it either way because the language in the memorandum was specific enough, but it was the Council's decision.

Councilmember Richins stated he liked the concept and the ability it gave the City to be more in control of the type of development which came into the City.

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Councilmember London suggested removing the language in Sections 10.12.040 and 10.15.010 that the MRO zone was intended for infill development.

Jake agreed with removing that language after the discussion tonight. With the proposed language in the memorandum and also several other amendments to the ordinance he suggested waiting one more month and bringing the ordinance back in complete form before the Council voted on it.

MOTION: Councilmember Turner moved to table Ordinance 23-12 to a date certain of September 12, 2023.

SECOND: Councilmember Richins

Discussion on the Motion: No discussion.

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

Vote was 5 ayes; Motion passed unanimously to table Ordinance 23-12 to a date certain of September 12, 2023.

Gary Crane and Jake Young left the meeting at 8:25 p.m.

SPECIAL REPORTS

CITY COUNCIL

Councilmember London mentioned the UAMPS conference he and Dave recently attended and the discussions regarding electric vehicles.

Councilmember Alexander mentioned the discussions regarding nuclear power and the size and number of companies which were working on small and large plants.

CITY MANAGER

PROJECT UPDATES

Young Street Bridge & Young Street Improvements – Final Update – Ty mentioned the ribbon cutting ceremony on the bridge and expressed appreciation to the Mayor for his presentation even under short notice.

Parks & Cemetery Manager – Ty said there was a job opening for a parks and cemetery manager and interviews would be done next week. He said this was to recruit more leadership and management to the department. They would help with creating new parks space and trails.

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City Hall Natural Gas Generators – Ty said the natural gas project was moving forward and would provide a natural gas generator at the City building and two other sites would be plumbed in for natural gas so we can move the mobile generators.

Records Room – Ty said this project had been completed.

Stage – Ty said Lance had gone to get the stage and it would be here for the concert on Saturday.

Entrance to the City – Concept – Ty provided some preliminary concept designs for the entrance to the City. He suggested a digital sign for the area. He said the sign would also mention the Morgan City Historic District.

City Vehicles – Ty stated the City vehicles were on a five-year rotation so the next vehicles purchased would be utility trucks. He mentioned there would be several items the City would surplus.

Downtown Area Plan – Ty informed the Council that CitiDesign, Jake's company, had been selected to do the Downtown Area Plan. This would be completed through a grant and Wasatch Front Regional Council (WFRC) would be assisting with the trails and park plans and Jake would be focused on the Downtown Area Plan. He said the new Downtown Master Plan included the area all the way to the City's sewer lagoons.

Councilmember London mentioned the validity of making the frontage road a two-lane road. He said it would pull the rock trucks off of 600 East and would alleviate some traffic on the Commercial Street intersection.

UAMPS – Ty mentioned a new contract for the solar project would be brought back to the Council for approval soon. He said it was called Steel SolarB and was a solar farm with an option for battery.

Ty said he had signed a letter of support for the School District for a grant for electric buses. He said the School said they could charge the buses at night and run all their routes during the day.

This meeting was adjourned at 8:50 p.m.

Denise Woods, City Recorder

Steve Gale, Mayor

These minutes were approved at the October 10, 2023 meeting.



ANNEXATION PETITION CERTIFICATION

WHEREAS, the City of Morgan has adopted an Annexation Policy Plan by ordinance defining those areas that the City will consider for annexation and the process for consideration of annexation petitions; and

WHEREAS, the attached petition for annexation has been delivered to the City Recorder of Morgan City; and

WHEREAS, the County Surveyor has found no conditions that would not allow for annexation, and meets the requirements of Utah law for further consideration; and

WHEREAS, the City Recorder has received comments back from the City Planner, City Engineer, Building Official, Water and Wastewater Superintendent, Morgan County Surveyor, and Morgan County Fire Department and has determined that the attached petition meets the conditions of Utah law for further consideration by Morgan City.

NOW THEREFORE, the City Recorder hereby submits this Certification to the City Council of Morgan City of the Annexation Petition provided by Lisa C. Preece, on behalf of herself as well as Shaun D. Preece, Waylon S. and Michaela Preece, Eugenia H. and Blake E. Rowser, Arlene S. Christensen, Trustee, and Deanne C. Johnson, Trustee, owners of the property located at approximately 555 West old Highway Road, 936 North 700 East, 1075 North 700 East, and 1050 North 600 West, containing 54.36 acres for further consideration consistent with the Annexation Policy Plan and Utah law.

CERTIFIED this 10th day of October, 2023.

Signed: _____
Denise Woods, MMC
Morgan City Recorder

Date: _____

Date of Delivery to Mayor and City Council: October 10, 2023

Filed 8/31/23

ANNEXATION PETITION

(Submit to City Recorder's Office)

PETITION TITLE: Preece Annexation
555 W. old Hwy Rd., 936 N. 700 E.
PROPERTY LOCATION: 1075 N. 700 E., 1050 N. 600 W. **ACREAGE:** 54.17

AFFECTED PROPERTY OWNER NAMES:

PROPERTY ADDRESS:

PARCEL ID#:

(within Annexation Area):

<u>Lisa C. Preece</u>	<u>555 W. old Hwy Rd.</u>	<u>00-0001-9479</u>
<u>Shaun D. Preece</u>	<u>555 W. old Hwy Rd.</u>	<u>00-0001-9479</u>
<u>Waylon S. Preece</u>	<u>936 N. 700 E.</u>	<u>00-0001-9461</u>
<u>Blake Rousler</u>	<u>1075 N. 700 E.</u>	<u>00-0001-9453</u>
<u>Agnes D. Christensen (Trustee)</u>	<u>1050 N. 600 W.</u>	<u>00-0001-9487</u>
<u>Heanne C. Hanson (Trustee)</u>	<u>1050 North 600 West</u>	<u>00-0001-9487</u>

Attach additional sheet as needed

MAIN CONTACT PERSON:

(It is the Main Contact's responsibility to notify/inform other property owners of any notifications or information received regarding this Annexation Petition)

Name: Lisa C. Preece Phone: 801-391-9368
Mailing Address: 1050 N. 600 W. City: Morgan
State: Utah Zip: 84050 Email: lpreece80@gmail.com

INCLUDE WITH THIS PETITION (in accordance with UCA §10-2-403):

1. A copy of the Notice of Intent to File an Annexation Petition sent to affected entities as required, the date the notice was sent, and a list of the affected entities to which notice was sent.
2. Signature page(s) (must include the required statement) of property owners that are within the proposed annexation area.
3. One 24" x 36" accurate and recordable (mylar) map, prepared by a licensed surveyor, of the area proposed for annexation. Mylar copy must be stamped by the surveyor and meet the requirements of UCA§ 17-23-20(4).
4. Four 11" x 17" paper copies of the map prepared by the licensed surveyor.
5. Electronic copy of prepared map sent to dwoods@morgancityut.org
6. A legal property description in word format sent to: dwoods@morgancityut.org
7. On the date of filing with the City Recorder, deliver or mail a copy of petition (including paper copy of map) To Morgan County Recorder

Signature of Applicant: Lisa C. Preece 8/31/2023
Date Submitted

Applicant Information (If different than Main Contact):

Name: _____ Phone: _____
Mailing Address: _____ City: _____
State: _____ Zip: _____ Email: _____

(IF NEEDED)

PARCEL ID#:

00-0001-9453

PETITION MAIN CONTACT PERSON: Lisa C. Preece PHONE: 801-391-9368

OFFICIAL PROPERTY OWNER(S) SIGNATURE PAGE
OF ANNEXATION PETITION

(This Official Signature Page may be duplicated as needed for circulation when obtaining signatures)

NOTICE TO PROPERTY OWNERS:

There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.

If you sign this petition in favor of this proposed annexation and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the Morgan City Recorder.

If you choose to withdraw your signature, you shall do so no later than 30 days after Morgan City receives notice that the petition has been certified.

PLEASE INDICATE YOUR POSITION ON THIS ANNEXATION REQUEST & PROVIDE SIGNATURE VERIFICATION.

IN FAVOR	<input checked="" type="checkbox"/>	<u>Lisa C. Preece</u>	<u>Lisa C. Preece</u>	<u>555 W. old Hwy Rd.</u>	Property Address or Parcel ID
	<input type="checkbox"/>	<u>Shawn D. Preece</u>	<u>Shawn D. Preece</u>	<u>936 N 700 E</u>	Property Address or Parcel ID
IN FAVOR	<input checked="" type="checkbox"/>	<u>Waylon S. Preece</u>	<u>Waylon S. Preece</u>	<u>00-0001-9461</u>	Property Address or Parcel ID
	<input type="checkbox"/>	<u>Eugenia H. Rowser</u>	<u>Eugenia H. Rowser</u>	<u>1075 N. 700 E.</u>	Property Address or Parcel ID
IN FAVOR	<input checked="" type="checkbox"/>	<u>Arlene S. Christensen</u>	<u>Arlene S. Christensen</u>	<u>00-0001-9487</u>	Property Address or Parcel ID
	<input type="checkbox"/>	<u>Deanne C. Johnson</u>	<u>Deanne C. Johnson</u>	<u>00-0001-9487</u>	Property Address or Parcel ID

PETITION MAIN CONTACT PERSON: _____

PHONE: _____

OFFICIAL PROPERTY OWNER(S) SIGNATURE PAGE OF ANNEXATION PETITION

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IN FAVOR NOT IN FAVOR



Deanne C. Johnson
Signature (Trustee)

Signature

Deanne C. Johnson
Name (Trustee)

00-0001-9438
Property Address or Parcel ID

IN FAVOR NOT IN FAVOR



Arlene S. Christensen
Signature (Trustee)

Signature

ARLENE S. CHRISTENSEN
Name (Trustee)

00-0001-9438
Property Address or Parcel ID

IN FAVOR NOT IN FAVOR



Deanne C. Johnson
Signature (Trustee)

Signature

Deanne C. Johnson
Name (Trustee)

00-0001-9495
Property Address or Parcel ID

IN FAVOR NOT IN FAVOR



Arlene S. Christensen
Signature (Trustee)

Signature

ARLENE S. CHRISTENSEN
Name (Trustee)

00-0001-9495
Property Address or Parcel ID

IN FAVOR NOT IN FAVOR



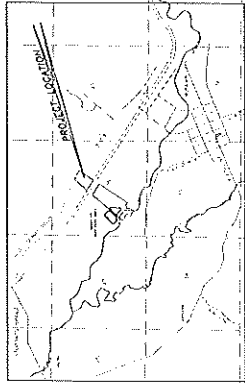
Signature

Name

Property Address or Parcel ID

ANNEXATION PLAT

A PART OF THE SW QUARTER OF SEC 25, T4N, R2E
AND THE SE QUARTER OF SECTION 26, T4N, R2E
U. S. SURVEY, SALT LAKE BASE AND MERIDIAN
CITY OF MORGAN, MORGAN COUNTY, UTAH



ACCEPTANCE BY LEGISLATIVE BODY
THIS IS TO CERTIFY THAT THE MORGAN CITY COUNCIL HAS REVIEWED AND APPROVED THE ANNEXATION PLAT AND THE LEGISLATIVE BODY HAS RESOLVED THAT THE ANNEXATION PLAT BE RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF MORGAN, UTAH.

ANNEXATION PLAT
OF CHRISTENSEN, PREECE AND ROWSER PARCELS

BY COMMISSIONER, ENGINEER AND ASSOCIATE ENGINEER

SIGNED THIS _____ DAY OF _____, 2023.

STEELE CALL, Mayor
MORGAN CITY CORPORATION

ACKNOWLEDGEMENT
STATE OF UTAH)
COUNTY OF MORGAN) SS

ON THIS _____ DAY OF _____, 2023, I, _____, PERSONALLY APPEARED BEFORE ME, _____, A NOTARIAL PUBLIC, and acknowledged to me that he is the owner of the above described land and that he executed the foregoing instrument for the purposes and consideration therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of my office at _____, Utah, this _____ day of _____, 2023.

A NOTARIAL PUBLIC COMMISSIONED IN UTAH
HAVING COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

A NOTARIAL PUBLIC COMMISSIONED IN UTAH
HAVING COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

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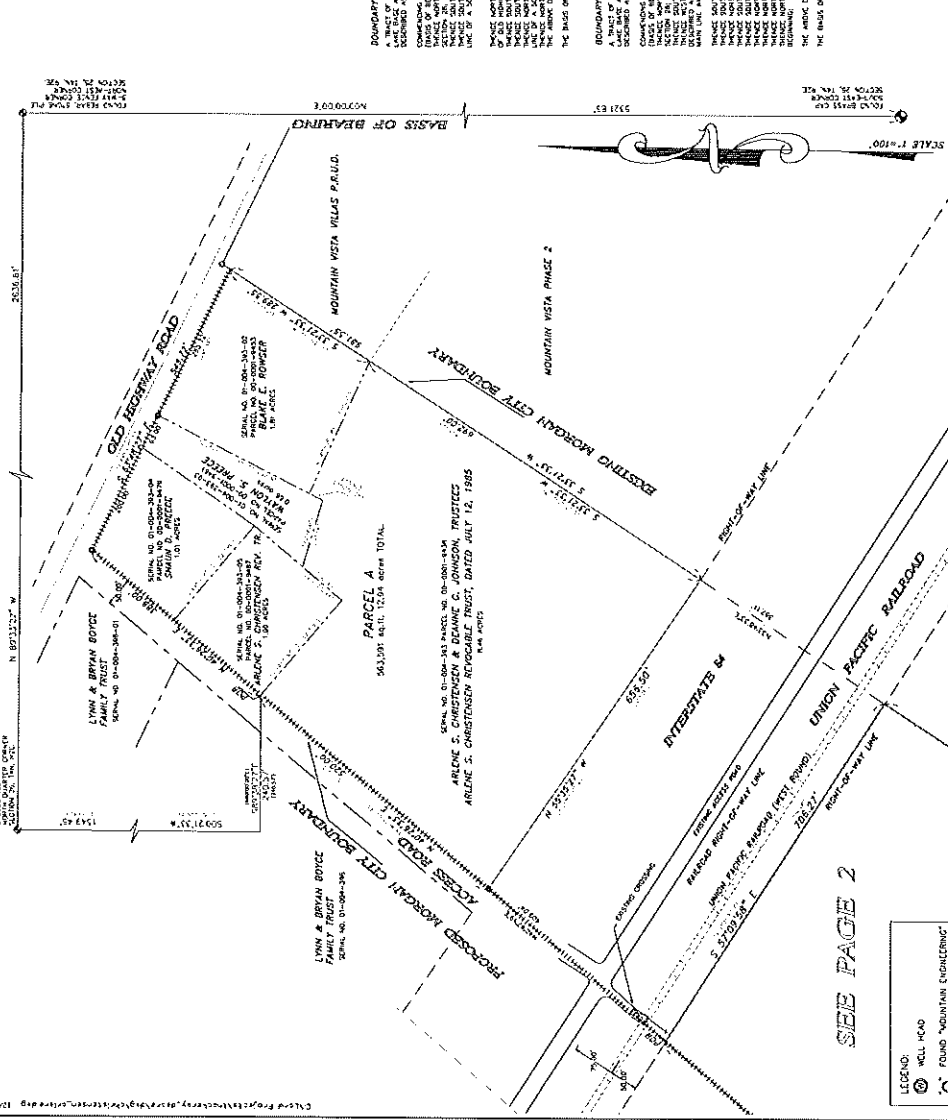
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HAVING COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

ANNEXATION PLAT

A PART OF THE SW QUARTER OF SEC 25, T4N, R2E
AND THE SE QUARTER OF SECTION 26, T4N, R2E
U. S. SURVEY, SALT LAKE BASE AND MERIDIAN
CITY OF MORGAN, MORGAN COUNTY, UTAH



SEE PAGE 2

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A PART OF THE SW QUARTER OF SEC 25, T4N, R2E
AND THE SE QUARTER OF SECTION 26, T4N, R2E
U. S. SURVEY, SALT LAKE BASE AND MERIDIAN
CITY OF MORGAN, MORGAN COUNTY, UTAH

ANNEXATION PLAT
OF CHRISTENSEN, PREECE AND ROWSER PARCELS

A PART OF THE SW QUARTER OF SEC 25, T4N, R2E
AND THE SE QUARTER OF SECTION 26, T4N, R2E
U. S. SURVEY, SALT LAKE BASE AND MERIDIAN
CITY OF MORGAN, MORGAN COUNTY, UTAH

SEE PAC

INTERSTATE 84

UNION PACIFIC RAILROAD

MORGAN CITY

WEEBER RIVER

PACEL B

PACEL C

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PAGE 2

MORRIS COUNTY RECORDS

COUNTY RECORDS
 INDEXED
 FILED
 FOR RECORD AND RECORDS
 BOOK
 OF THE
 RECORDED FOR:
 COUNTY RECORDS

LEGEND:

①	WELL HEAD
○	FOUND "MOUNTAIN ENGINEERING" REBAR AND CAP
●	FOUND OF OTHER AS INDICATED
●	SET S/A REBAR W/CAP AS AS INDICATED
②	SET BY OTHERS AS INDICATED
③	SET NAIL AND WASHER
④	SECTION CONTROL OF U.B.O.T. RIGHT OF WAY MONUMENT AS INDICATED
()	RECORDED DATA
P.E.	PUBLIC UTILITY CEMENT
P.O.B.	POINT OF BEGINNING

QUINCY EXALATION PLAT
 OF CHRISTENSEN, PREECE AND ROWSER PARCELS
 PART OF THE SW QUARTER OF SEC 25, T4N, R2E
 THE SE QUARTER OF SECTION 26, T4N, R2E
 SOUTHERN CITY, WYOMING COUNTY, UTAH
 UTAH PRECECE, 1000 N 200 W, WYOMING, UTAH
 CO. 30
 43-27-23

MOUNTAIN ENGINEERING

TEL (801) 878-5218 ext. 4001 FAX (801) 878-5218

02/27/2015 10:45 AM

DE SIGNED IN.
J. W. H.
D. W. H. H.
J. W. H.
On 11.
GEORGE, 2013

65-68

zoning Request

September 30, 2023

Attention: Teresa Shope, Jake Young and Morgan City Counsel

We would like to respectfully request rezoning the following properties to R-1-10.

Shaun and Lisa Preece, parcel # 00-0001-9479

Arlene Christensen, Parcel # 00-0001-9487

Waylon and Michaela Preece, Parcel # 00-0001-9461

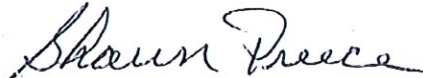
Blake and Eugenia Rowser, Parcel # 00-0001-9453

We are requesting rezoning to R-1-10 as this will allow us to make the best use of our properties. We feel that because this is our property, we should be allowed to use it for what best suit our needs within reason. Our properties are also on the west edge of the city limits. Shaun and Lisa Preece would like to put their existing house on .25 of the acre, the remainder of the property will be used to build 1 home and a shop.

The subdivision to the east of our properties are all on small lots, so we feel we should be allowed to rezone to smaller lots as well.

Thanks,

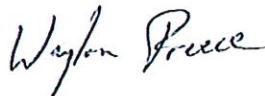
Shaun Preece



Blake Rowser



Waylon Preece



Arlene Christensen





CONSULTING ENGINEERS

MEMORANDUM

To: Ty Bailey, City Manager
Teresa Shope, Morgan City Planning Commission Secretary
Denise Woods, City Recorder
Jake Young, City Planner

From: Matthew Hartvigsen, P.E. – City Engineer *Matthew E. Hartvigsen*

RE: City Engineer's Review of the Proposed Preece Annexation

Date: September 27, 2023

Please consider the information below when deciding on annexation of the proposed properties.

Reasons in support of annexation:

- The properties are in the city's annexation policy.
- The existing dwellings have access to state or county roads.
- The city has capacity in the water and sewer utilities to serve the property under typical residential service demands. Estimated fire flow is 1600 gpm with 20 psi residual pressure at 700 East and 1100 North. Please verify electrical service capacity with the power department.
- In general, the properties do not appear to have significant detrimental conditions or hazards.

Concerns:

- There is not a storm water utility line to serve the property. However, the Weber River runs through the southern portion of the proposed annexation area. Future development would likely need to provide a storm water outfall to the Weber River.
- Development of the area adjacent to the Weber River will be subject to the city's floodplain ordinance. However, the floodplain and floodway only affect a small portion of the proposed annexation property.
- Part of the annexation property is between the railroad tracks and the Weber River. This does not have public access. Development of the property would need to extend new roadways to provide access. The existing private farm-use access at the railroad tracks may have limited use depending on railroad policy.
- The County may want the city to annex the road east of I-84 (1100 North). This road needs significant repairs. It may need complete reconstruction. That could be a burden if owned by the city.
- Future home/property improvements of annexed property may initiate a connection to city water and sewer utilities. For example, a connection to the sewer or water main may be necessary for a building permit for new construction or substantial renovation. Homeowners may hesitate to pay the impact and connection fees associated with these services.

Please let us know if you have further questions.

