

**MINUTES OF TOWN COUNCIL MEETING
TOWN OF SNOWFLAKE
HELD 02/01/2022**

- 1. CALL TO ORDER/ROLL CALL 7:00 p.m. Present: Kerry Ballard, Allison Perkins, Bob Flake, Lynn Johnson, Byron Lewis, Cory Johnson, Greg Brimhall; Staff: Brian Richards, Katie Melsner, Joe Jarvis, Ella McAdams, Chief Martin, Officer Whipple**
- 2. PRAYER/PLEDGE** Brimhall/Lewis
- 3. PROCLAMATIONS AND RECOGNITIONS**

K9 OFFICER JEFF WHIPPLE - CHIEF COMMENDATION

Chief Martin presented Jeff Whipple with Letter of Commendation, exemplifying what it means to serve members of the public.

Council expressed appreciation

- 4. CALL TO PUBLIC:** none

- 5. CONSENT AGENDA:**

- A. JANUARY CHECK REGISTER
- B. COUNCIL MINUTES DATED JANUARY 4, 2022
- C. CALL OF ELECTION 2022

Motion by Ballard, 2nd by Johnson C, to approve the Consent Agenda. Motion passed; unanimous

- 6. PUBLIC HEARING**

- A. OPEN PUBLIC HEARING ON THE 2022 GENERAL PLAN

Motion by Ballard, 2nd by Flake, to open the Public Hearing. Motion passed; unanimous
no comments from public

- B. CLOSE PUBLIC HEARING ON THE 2022 GENERAL PLAN

Motion by Flake, 2nd by Johnson L, to close the Public Hearing. Motion passed; unanimous

- C. OPEN PUBLIC HEARING ON CHANGING THE TOWN TAX CODE

Motion by Lewis, 2nd by Johnson C, to open the Public Hearing. Motion passed; unanimous

Mayor Johnson referenced the previous hearing held in January. No further comment from council, staff, or public.

- D. CLOSE PUBLIC HEARING ON CHANGING THE TOWN TAX CODE

Motion by Ballard, 2nd by Flake, to close the Public Hearing. Motion passed; unanimous

- 7. DISCUSSION/ACTION ITEMS**

- A. FY21 FINANCIAL AUDIT REPORT

Motion by Perkins, 2nd by Flake to move item 7A to before the public hearings due to the fact that the presenter has called in from out of state. Motion passed; unanimous

McKay Hall with Hinton Burdick presented the FY2021 financial audit report to the council.

Motion by Johnson C, 2nd by Lewis to approve fiscal year 2021 financial audit report as presented. Motion passed; unanimous

- B. DISCUSSION AND ADOPTION OF THE 2022 GENERAL PLAN THROUGH RESOLUTION 2022-01

Joe Jarvis- staff noticed that some areas of the proposed map need to be amended as noted on the maps provided to the council.

Motion by Perkins, 2nd by Johnson L to amend land use map as presented. Motion passed; unanimous

Motion by Ballard, 2nd by Lewis to approve Resolution 2022-01, 2022 General Plan. Motion passed; unanimous

C. SECOND READING OF ORDINANCE 2022-01: SALES TAX RATE CHANGE AND ADDING A USE TAX

Motion by Johnson C, 2nd by Brimhall to have the 2nd reading and approve Ordinance 2022-01, by title only. Motion passed; unanimous (read by Johnson C)

D. VARIANCE REQUEST: 202-11-385A: NIU & BOWERS: TO MODIFY THE SET BACK REQUIREMENTS

Joe presented the variance request, and noted that if this passes, a Special Use Permit would need to be approved at a future date. The planning and zoning commission recommends approval of the set back requirements.

Joe- residential transitional is higher density, so two residences would potentially fit that

Motion by Lewis, 2nd by Johnson L to table item until additional information is received. Motion passed; unanimous

E. VARIANCE REQUEST: 202-11-072D: FERRELL: TO MODIFY REAR AND SIDE SETBACKS

Joe presented the request from Mr. Ferrell, Planning and Zoning recommends to not approve this request because of the nature of the coverage of the setbacks; Mr. Ferrell may be working on new plans for this, but Joe did not receive that information when he called this morning.

Ballard- we have had these kinds of requests be approved before

Motion by Johnson L, 2nd by Flake to table item until additional information is received. Motion passed; unanimous

F. VARIANCE REQUEST: 202-59-007: FLAKE: TO MODIFY REAR AND SIDE SETBACKS

Joe presented the request from Mr. Flake, and it should be noted that the applicant already had his footing being inspected before it was discovered that the setbacks were not in code. Planning and Zoning was split on this decision, 2-2, and it is here for the consideration of the council.

Johnson L-what is the main purpose of setbacks, we've heard many reasons like drainage and density

Jarvis- the setbacks are established for uniformity, in this particular location

Flake- the neighbors on either side provided letters of support for the variance

Motion by Perkins, 2nd by Ballard to approve Variance request to modify rear and side setbacks. Motion passed; unanimous

G. SPECIAL USE PERMIT: 202-05-031E: HATCH: TO CONTINUE TO OPERATE A CEMENT BATCH PLANT

Joe presented the SUP, applied for after it was discovered that it was not properly permitted;

Perkins- why do they need an SUP; batch plants are permitted in this zone by SUP only

Joe is working on a variety of modifications to the town code at the direction of the council, this could easily be added

Motion by Lewis, 2nd by Johnson C to approve Special Use Permit to be able to operate a cement batch plant. Motion passed; unanimous

H. SPECIAL USE PERMIT: 202-23-101: BELLY BUTTON CENTER, LLC: FOR A MOTOR COACH/ GLAMOR PARK

Cory Johnson recused himself from the item and stepped down from the dais.

Joe presented the SUP for this item,

John Otis addressed the council- reformatted to fit the needs for a glamper park; they chased big box and it didn't work out. They have an interested business that is willing to come because of the promise of the park that will be adjacent. Taken a lot of time to research this to make sure it works; 8-10 million dollars is a lot to invest without making sure it works. RV parks inherently increase tourism, which in turn increases sales tax revenue. Issues with ADOT to get approval, proximity to school provides challenges; not asking for the town to spend money on this project, they know they'll have to upgrade the infrastructure in order to make their project work. No challenge that they're not willing to take on.

Perkins- how would you prevent this from becoming a permanent residence instead of a come and go?

Otis- would be thrilled to have clientele that wants to stay permanently. This clientele is normally accompanied by good behavior

Flake- what if the Class A rigs don't come? You'll want to find a revenue stream, what will stop

you from opening it to regular RV's?

Otis- made the best decisions based on market studies, just have to try; we think this will work, you don't put this kind of money into it just to cut and go in a different direction

Johnson L- the office spaces that are listed?

Otis- those are all conceptual, it will be completely market driven; about 6.6 acres

Ballard- would prefer to have it all retail

Otis- what makes this area functionally obsolete is the residential area right there. It's impossible to not destroy the existing home sites with a big box, but the strip sites can accommodate the existing residential; if the economic value showed that the RV park should be ripped out for economic development it could be revisited.

Perkins- appreciate that you came back with more commercial; don't want to see RV parks in the middle of town; would like to see more given to commercial that we need for sales tax

Otis- there is a lot of fences that will mitigate the view of the RV park; the company that is willing to come because of the proposed RV park, not just for the retail space; had this for 14 years with no big box prospects, it's time to move on from that;

Jarvis- staff is supportive of commercial in the community

Mayor called for a motion to approve, none given

Johnson L- they've been willing to work with the town; any other proposals to entice Belly Button Center to revamp it again with more commercial

Brimhall- people in town that don't want any change; not fair to deny property rights as long as it won't harm another person's property; if there is a little more frontage it might take away some of the scariness for not enough commercial; only hesitation is that the 6 acres is a little bit small, would like to see more commercial;

Johnson L- don't want to throw this away, but if we can make this a win-win, see if we can add more retail that would be more enticing to the council?

Otis- when you drop under 100 spaces it is hard to provide the amenities that are expected from this clientele; this is market driven, if this is successful, there will be a high tempo to keep up with on the other frontage property; adding more space doesn't make sense since it won't be frontage

Motion by Johnson L, 2nd by Brimhall to approve Special Use Permit for motor coach/glamor park. Motion failed; with Johnson L and Brimhall in favor, and Ballard, Perkins, Flake, and Lewis opposed, and Johnson C recused from the item

I. ZONING CHANGE REQUEST: 202-06-005C: FLAKE: REZONE FROM AG TO R-1

Joe presented the item, planning and zoning recommended for approval;

Motion by Ballard, 2nd by Flake to read Ordinance 2022-02 by title only. Motion passed; unanimous (read by Lewis)

Motion by Ballard, 2nd by Flake to approve Ordinance 2022-02, rezone from AG to R-1. Motion passed; unanimous

8. COUNCIL MEMBER REPORTS

Ballard- senior center is back in business; zoom meeting for redistricting; ground hog breakfast Saturday

Lewis- local churches have a common want, a youth center

9. MANAGER'S REPORT

Groundhog Breakfast Saturday, please plan to help serve if you're available; Dave Smith is getting better each day, hopes to make it home soon

10. ADJOURNMENT 8:33