

April 8, 2009

Victor City Hall

CITY COUNCIL MEETING MINUTES

Council President David Kearsley called the meeting to order. Councilmen present were Richard Naef, David Bergart and Johnny Ziem.

The amended minutes of the March 11th council meeting were motioned and seconded for approval. The ayes were unanimous.

Carol Landsman- Transportation Plan & Parking Regs

Carol Landsman updated to the Council on status of the transportation plan. The plan is required to have two open houses and the second one was held on the 7th of April. Ms. Landsman will have the first rough draft for Council to review by the end of May. Ms. Landsman has been looking at parking in the City; currently there are three spaces per 1,000 square feet of building space. Ms. Landsman feels that two spaces per 1,000 square feet would be sufficient for the City. With regards to future development Ms Landsman suggested to Council the city might need to consider parking lots downtown to equal out the parking. (Council asked to have her recommendations reflected in the final plan). Ms. Landsman recommends Council to lower the speed limit on Main Street to 25 now that the sheriff's department has the ability to enforce the lower speed limit. Council asked Ms. Landsman to keep the Public Works Director Scott Golden and the City Engineer Rob Heuseveldt informed and to get their input with the transportation plan.

River Meadows HOA- George Bleffert

George Bleffert, the president of the Homeowners Association for River Meadows, asked the Council to not charge them penalties until the HOA gets most of the homes paying on time and collects from the delinquent accounts that are under foreclosure. After much discussion Council agreed to allow the penalties on the delinquent accounts to be waived for six months. Council asked the HOA to keep the staff informed of the status of every lot. Mr. Bleffert agreed to give city staff a monthly update on a per lot status and to revisit with the Council in six Months. Council asked staff to create a letter to the HOA with the agreement of overriding the penalties and requesting the monthly updates from them.

A motion was made and seconded to override the penalties on the delinquent accounts for six months while the HOA gets liens and procedures in place to collect from delinquent accounts. The ayes were unanimous.

Center Street Condos- Continuation of Public Hearing

Darrell Johnson, Jorgenson Engineering, represented the developer of the Center Street Condos and gave the Council a short summary of the project. The project was tabled during the February 25th meeting until the developer came up with a solution for the access issue. The project doesn't meet the ordinances regarding the access, dead-end alleys are not allowed and the access is not wide enough for a city street. Mr. Johnson asked the Council to allow the project to continue under the definition of

a parking access lane in the ordinances. Developer agrees to give a right-of-way for connectivity through their lot for future development of surrounding lots. Planning and Zoning Administrator Cari Golden was asked to give the staff report on the project. Mrs. Golden doesn't feel the project meets the requirements to be passed under the Parking Access Lane Ordinance. After a lengthy discussion Council agreed to allow the access as an alley with the dedication of the right-of-way through the property for future connectivity. Council asked developer to put gravel to the property line where the easement will be.

A motion was made and seconded to allow a designated alleyway to the Center Street Condos with a MOU in place with the following conditions:

- Project needs to meet the Fire Marshal's requirements.
- Proper changes to the plat to reflect the dedication of the alley to the city for public use.
- HOA will maintain the alleyway.
- Gravel is to be installed to the property line to indicate the future roadway through property.

The ayes were unanimous.

A motion was made and seconded to approve the final plat for the Center Street Condos with the dedication of the alley to City for public use being amended on the plat. The ayes were unanimous.

Victor Velo- Demonstration

Volunteers from Victor Velo gave a demonstration for the Council of a pump track (for pedal bikes) they would like permission to build in Pioneer Park. The track will be built and maintained by the Victor Velo's volunteers. The group asked the Council to be involved in the future planning for Pioneer Park. Council asked the group to attend the Pioneer Charrette planning meeting April 20th and meet with the Envision Victor Committee to get their recommendations. After the group meets with the two groups Council would like Victor Velo to come back before the Council with a proposal.

Quarterly Financial Report

City Administrator Craig Sherman gave Council the quarterly financial report.

P&Z-South Mountain- Extension Application- Continued

Attorney Chad Marlowe representing the developer for South Mountain, asked the Council to grant an extension for the subdivision. Mr. Marlowe stated the sewer lines to the development are to be connected through Black Hawk Subdivision. Due to the economy the Black Hawk Subdivision is unsure of their future. The extension could be put in the developer's agreement if they have it done by the expiration date of April 30th. Council asked South Mountain to follow the proper procedures to have a public hearing for the extension request.

P&Z- The Ponds- Proposal to Amend Developer's Agreement

Josh Thulin, developer of The Ponds, asked Council to rescind the letter that was created to stop the sale of Unit 105. The ordinance at the time the subdivision was approved only allows up to 14 units in the zone the development was in. A letter

recorded at the County Court House created by the Council dated March 4th, 2005 restricts the sale of the 15th Unit 105. After some discussion, Council agreed Unit 105 was platted as the 15th unit and due to recent ordinance and zone changes the unit will be allowed to be sold. Council asked P&Z Administrator Cari Golden to create a document to rescind the letter to allow the unit to be sold by the developer.

A motion was made and seconded to rescind the letter that stops the sale of the Unit 105. The ayes were unanimous.

P&Z- Impact Area Update

City Planner Bill Knight gave the Council an update to the Impact Area Application with the County. Council asked Mr. Knight to get all the documents related to the County ordinances that would apply to the Eastern foothills of the impact area that protects the wildlife corridor for the Council to review.

P&Z

Planning and Zoning Administrator Cari Golden informed the Council that Wranglers Ridge would be applying for a subdivision extension in the near future.

Maintenance

Rob Heuseveldt from Sunrise Engineering updated Council regarding a letter from Teton Springs requesting documents in regards to the sewer fee. Mr. Heuseveldt has been filling the requests.

Mr. Heuseveldt updated the Council with recent conversations with DEQ regarding the city's water source compliance. Currently DEQ says the City is out of compliance with the redundancy of water supply according to the state regulations. Council asked Mr. Heuseveldt to get the cost estimates to them for review for the well house.

Mr. Heuseveldt informed the Council of a meeting with Travis Thompson regarding the engineering of the construction of the well. Due to the economy Mr. Thompson is unable to fulfill his portion of the contract and has asked the City to take it over. Mr. Heuseveldt gave Mr. Thompson's agreement with Forsgren Engineering to the Council for review. Council asked Mr. Heuseveldt to get the following documents for review: any unpaid bills pertaining to the well, a copy of the designs, what the capacity is of the well, a cost from the well driller to finish the project, and a copy of the water rights.

Mr. Heuseveldt gave the Council a map and a cost estimate of all the pipes downtown that need to be repaired. Sunrise Engineering offered to do the engineering and design for the repairs not to exceed \$80,000.00 on a time and materials basis. Mr. Heuseveldt informed the Council that if the cost goes over that amount Sunrise would come before the Council for an approval before continuing the project.

Public Works Director Scott Golden gave the Council bids for needed repairs to the pump stations. After a lengthy discussion Council agreed to continue with the repairs to pump station one and two.

A motion was made and seconded to rebuild pump station one and two per the bids from Pump Tech. The ayes were unanimous.

Administrative

City Administrator Craig Sherman informed the Council of the upcoming retreat on May 8th and 9th.

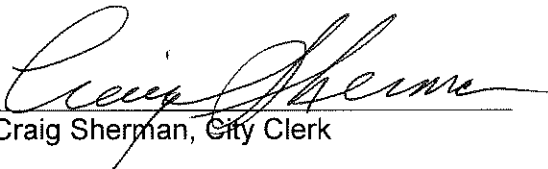
Mr. Sherman informed the Council that staff has asked the public for in put on a Community Garden. Mr. Sherman will keep the Council informed.


Mr. Sherman updated the Council regarding the Roy Barillaro easement has been signed and recorded.

Bills

Motion was made, seconded and the ayes were unanimous to pay the bills.

A motion was made and seconded to adjourn the meeting. The ayes were unanimous.


Craig Sherman, City Clerk


Scott Fitzgerald, Mayor