

Interlaken Town Council Regular Meeting Minutes
Monday, 01 July 2019, 6:32 PM – 8:18 PM
Town Pump House, 236 Luzern Rd., Midway, UT

1. Call to Order.

Council Member Harrigan called the meeting to order at 6:32pm.

2. Roll Call – Members Present:

Greg Harrigan, Mayor
Chuck O’Nan, Council Member
Sue O’Nan, Council Member
Marge Bowen, Council Member
Justin Hibbard, Council Member

Tim Bywater, Town Legal Counsel, attended by phone
Susanna Littel, Planning Commission chair was present
Bart Smith, Town Clerk was present

3. Presentations: None.

4. Public Comment: None.

5. Consent Agenda: None.

6. Approval of Agenda or Changes.

Clerk Smith requested that agenda item 7a be added – Discussion of Road Maintenance Agreement with Zenger Development

Motion: Council Member Sue O’Nan moved to approve the amended agenda.

Second: Council Member Hibbard seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

7. Approval of 06/03/19 FY2020 Budget Hearing and Council Regular Meeting Minutes

Motion: Council Member Sue O’Nan moved to approve the 03/04/19 council meeting minutes.

Second: Council Member Bowen seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

7a) Discussion – Road Maintenance Agreement with Zenger Development

Harrigan left a message with Scott Whitey – the Burgi Hill Ranches representative to the BHR-Interlaken RMA, initiating discussion of a revision to the current RMA to include Zenger. Bywater will begin redrafting the current RMA for that purpose. Harrigan will request BHR pay a portion of our attorney fees for this process. Chuck O’Nan asked if we have addressed the initial construction phase, keeping traffic off Interlaken Drive. Harrigan noted that they will use Canyon View Drive, and that it will be in the agreement.

The road debris on St. Moritz from the Oliver property was discussed. Smith will write a letter to them notifying them of their violation.

8. Interlaken Social Media Plan/Discussion – Justin Hibbard

Justin presented a thorough plan for developing the town's social media presence, including community engagement, Facebook, Instagram, Twitter, and some ideas to get folks more involved. The council was very receptive and encouraged him to pursue his plan (see attachment).

9. Planning Commission – Epic Report and Building Status (see attached report)

- Wilcox, 333 Interlaken Drive. Began cleaning, grubbing but did not have stormwater protection in place. They are on hold until it's in place.
- Frank, 249 Big Matterhorn. Passed final inspection. They have paid Epic's outstanding fees. We need to inspect the damage to the south slope.
- Gladwin, 267 St. Moritz. Ready for final inspection.
- McNaughton, 308 Interlaken, new garage. PC recommends approval.

Motion: Council Member Bowen moved to approve the McNaughton permit for the garage.

Second: Council Member Hibbard seconded the motion.

Discussion: no discussion

Vote: The motion was approved with the Council Members unanimously voting Aye.

- Sheldon, 272 Jungfrau. Still waiting for site plans for Southwick property excavation.
- Daines, 324 Bern. In progress. Stormwater protection has been added – still need a dumpster.
- Howard, 330 Bern Way. Poured their driveway while red tagged. They have met ROW repair criteria, including compaction.
- Osborne, 275 St. Moritz. Received plans, have received town's fees/deposits, waiting for Epic's \$800 plan review fee.
- Penman, 252 Interlaken. Just submitted plans for remodel.
- Ball, 253 Interlaken Drive. The grading permit was conditionally approved. Will not do additional work until Epic clears structural issues.

Harrigan asked if we require liability insurance for owner-builders, or proof of coverage from GCs. Tim will look into what other communities do. We may want to add a requirement to our code.

The PC is working on the following code changes:

- Building permit lifetime issues, expiration-renewal policy
- Maximum garden size limit not requiring a permit
- Pavilion issue – how do we prevent a large unpermitted structure without walls from bypassing the requirement to obtain a building permit? Currently no permit is required to build an accessory structure under 200 sq ft as measured from wall to wall. This means structures which exceed the 200 sq ft limit with overhangs, carports, or extensions without walls would not require a permit. Tim suggested that this may be prohibited by the IBC.

Susanna suggested we put out another call for volunteers for the PC. Clerk Smith will send out another notice.

Upon a preliminary review, Smith brought up a possible ROW infraction on the submitted Ekstrom project, 355 Bern Way. Epic will review the plans and advise.

10. Epic Engineering Bills – Old billings

The town billed two lot owners for Epic charges that the town paid on their behalf in June 2019. These charges, which appeared on an invoice dated 1/31/19 were originally invoiced in August and October of 2016. One of the lot owners refused to reimburse the town, claiming he never received the

bill and he didn't agree with the accounting of charges. The town discussed the issue and decided to ask for reimbursement or credit of the charges, totaling \$492.39. Both lot owners were issued COs and were billed by Epic directly at that time. The town has since taken over invoicing of all Epic charges.

11. Traffic and Fire Safety Issues – Illegal fire pits, Activity on Big Matterhorn

There is concern over potential fireworks and open fires in town. Midway prohibits fireworks north of Burgi Lane. No fireworks or open wood fires are permitted in Interlaken. Harrigan and Hibbard will post signage. Harrigan asked the county sheriff if we could pay for additional patrols in town and was told that wasn't possible. Harrigan suggested we contact the owners who own property where dangerous activity takes place and have them post "No Trespassing" signs. Smith will contact the owners at lot 185 and lot 212 where activity has been sited. Tim mentioned that our best course would be to get license plate numbers from the violators.

12. Utah LTAP Road Reserve Study

Smith will set up an appointment with Chuck and representatives from Utah LTAP (Local Technical Assistance Program) to begin a road reserve study. Chuck suggested we have them examine core samples to determine road base and asphalt depth. We should also consider the condition of our shoulders, especially in sloped areas to determine the correct type and size of stone to be used. Another issue of concern is guardrails.

13. Water Rate Study

Bart presented the Water Rate Study that was completed by Western Architectural in FY2014 for the IMWC. In this study, there is a line item price for future updates - \$770 for a basic update, \$1078 for an update with a site visit. Clerk Smith will contact them and talk about updates.

14. Pump House Generator – State Deficiency Notice

The town received a violation notice from the State DEQ (see attachment):

S033 NO BACKUP POWER FOR COM SYSTEM WITHOUT FREE FLOWING SOURCE

The town is currently working to install a generator to address this violation. One of the holdups has been getting Dominion Energy onsite to determine what type of generator can be used. The water masters are working with Dominion, Epic Engr, and an electrical contractor to move forward.

15. Water System Grant Update

Marge reported that our grant writer is still working on grants for our pump house generator. She will also have him look into getting funding for an upgrade to our metering system – having separate meters for each pump. He will also look into possible road system grants as well.

16. FY2020 Budget and Truth in Taxation Hearing Update

The truth in taxation hearing, required by state law, will be held August 12, 2019 at the pump house. At this meeting the public will be able to comment on the proposed tax increase (see attached announcement). Harrigan suggested we add an additional \$7000 to the FY2020 budget for SuperDave as he will need to acquire new equipment.

17. Financial Matters – Water Billing Update and FY2019 Budget

Clerk Smith presented the latest report for FY2019 water billing. As of 7/1/19, there are only two lot owners with outstanding charges, totaling \$1100.

18. Election 2019 Update

Clerk Smith sent out an email announcing the candidates for the mayor and 2 council seats which will be open January 1, 2020 (see attachment). Unless another candidate declares their candidacy by September 3, 2019, as a write-in, the election will be cancelled as there would be no contested positions.

19. Road Repair Update, Summer Work

Repair to the pothole by 347 Luzern Way has been repaired. Sue mentioned that we need to weed whack the shoulder areas. Clerk Smith will contact Amigo Properties.

20. Previous Action Items. No update.

21. Other Business

Sue O’Nan gave a brief report on the meeting with the water masters and the State Division of Water Rights. For more information see the attachment.

Clerk Smith asked Sue to make sure that the town is not paying sales tax on any invoices, as we are exempt.

Clerk Smith asked the council if the town could spend funds on adding shelving units to the pump house to improve storage. The council agreed, and asked that we check with the water masters to see if we require any special storage for chemicals.

Marge noted that lot owners were parking in the road right of way across from Ed Little’s house at 466 Eiger Point. The town does not allow parking in the ROW for more than 24 hours. She will monitor the situation.

22. Council Comments. None

23. Adjournment

Council Member Bowen moved to adjourn the meeting. Council Member Hibbard seconded the motion. The motion passed unanimously. The meeting was adjourned at 8:18 PM.

The next Town Council meeting will be held on Monday, August 12th, at 7:00pm, at the Town Pump House, 236 Luzern Rd. It will follow the truth in taxation public hearing scheduled on the same day, beginning at 6pm.