

# **SOUTH WEBER CITY COUNCIL MEETING**

**DATE OF MEETING:** 12 October 2010

**TIME COMMENCED:** 6:00 p.m.

**PLEDGE OF ALLEGIANCE:** Councilmember Lusk

**PRAYER:** Councilmember Woodbury

**PRESENT: MAYOR:**

Jeff Monroe

**COUNCILMEMBERS:**

Sara Lusk  
Michael Poff  
David Thomas  
Scott Woodbury (excused at 6:42 p.m.)

**DEPUTY CITY RECORDER:**

Emily Thomas

**EXCUSED: COUNCILMEMBER:**

Farrell Poll

**CITY RECORDER:**

Erika Ahlstrom

**Transcriber:** Minutes transcribed by Michelle Clark

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**5:30 p.m. PUBLIC WORK MEETING: REVIEW WARRANT REGISTERS and  
REVIEW AND DISCUSS AGENDA ITEMS**

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**VISITORS:** Scott Stowell, John Grubb, Claude & Dotti Stowell, Frank Patrick, Connie Worthen, Ruth Malan, LuAnn Peterson, Scott Turville, Ron & Karen Anderson, James Williams, and Kraig Brown.

**Mayor Monroe excused Councilmember Poll and Erika Ahlstrom from tonight's meeting.**

**APPROVAL OF THE AGENDA:** Councilmember Thomas moved to approve the agenda as written. Councilmember Lusk seconded the motion. Councilmembers Lusk, Poff, Thomas, and Woodbury voted yes. The motion carried.

**DECLARATION OF CONFLICT OF INTEREST:** There was no conflict of interest declared by any council member.

**CONSENT AGENDA:**

- “ APPROVAL OF 14 SEPTEMBER 2010 COUNCIL MEETING MINUTES**
- “ APPROVAL OF 21 SEPTEMBER 2010 COUNCIL WORK MEETING MINUTES**
- “ APPROVAL OF 27 SEPTEMBER 2010 SPECIAL MEETING MINUTES**
- “ APPROVAL OF 05 OCTOBER 2010 COUNCIL WORK MEETING MINUTES**
- “ PURCHASE ORDER #1678 LN CURTIS \$4,123 for 2 SETS TURNOUTS (Fire Dept.)**

**Councilmember Thomas moved to approve the consent agenda as written. Councilmember Woodbury seconded the motion. Councilmembers Lusk, Poff, Thomas, and Woodbury voted yes. The motion carried.**

**2010 COUNTRY FAIR DAYS REPORT – Tracy & Toni Harper, Chairs**

**RECOGNITION OF CFD CHAIRS by Mayor Monroe:** Toni Harper presented the 2010 Country Fair Days report. She stated the date was changed this year, which she felt was a good idea because it didn't conflict with the Davis County Fair. She said there were issues with the on-line registration. She suggested having an employee of the Family Activity Center help as a chairperson. She stated Farmington City is trying to mirror our Country Fair Days which is a nice compliment. She said most of the same banners were used from last year. The mailers had some misinformation with wrong dates, pricing, etc. The individuals who pay on-line don't get a mailer. Toni would suggest considering making a change with that for next year. She stated pre-registration with on-line registration was difficult. She gave the city a registration form for each event that should be incorporated in the on-line registration. The city marquee and newsletter was very helpful for advertisement.

Toni reported the baby contest was held at the Family Activity Center with the Little Miss Pageant at Central Park. The golf tournament was scheduled to be held at Riverside Golf Course; however, they thought we didn't have enough to participate and ended up canceling the city's reservation. The golf tournament was moved to Mount Ogden Golf Course. The Family Night Dinner is always very successful with great participation and prizes. Daren Gardner did a great job getting donations. Toni stated the 3 on 3 basketball tournament ran a little late but was a success. The Kid K Fun Run had 200 participants and all involved enjoyed the t-shirts and prizes. The Old Timer Softball Game is always such a treat to watch, with the west end winning. This year they tried a new event with a sidewalk chalk event. There were eight teams who participated. The movie in the park needs to have a license to show it. The buckaroo rodeo is always popular. There was great participation. The Adult Anything Goes had 20 teams who participated. Groups were split into 30 and over and 30 and younger.

The Richard Bouchard Memorial Run was chaired by Carl and Kathy Bastian. The Bastians are the only chairs that have ever run this event. They have done it for 23 years. The city needs to look at hiring someone to run this event next year and maybe look at purchasing a clock for next year's race. The parade was chaired by Steve Bybee. There were 40 participants. Toni said there were issues with Parsons concerning using their parking lot. The booths at the park were chaired by Tawni Lynch. The Youth Anything Goes is always such a big success. It keeps the kids at the park and allows them to have a lot of fun. They use the same supplies as the Adult Anything Goes. Toni suggested moving the emergency preparedness booths closer to the park.

Toni suggested looking at putting someone over the eating contest which was not held this year. John Auger donated his time and equipment for the sound system. The Coke Wagon was chaired by Mike and Debbie Poll. Youth Stomp was changed to Friday night and was well attended.

Toni thanked the city staff who helped out. Councilmember Poff stated this was the first year that there was a Car Show and he heard great comments. Mayor Monroe thanked Tracy and Toni for all their efforts to make everything a success. He then presented them with a gift certificate.

**RESOLUTION 10-36: APPOINTMENT OF CITY MANAGER:** Mayor Monroe recommended appointing Rodger S. Worthen as the City Manager. Rodger Worthen introduced himself and his wife, Connie. He currently lives in Syracuse. Rodger stated after listening to the Country Fair Days report, he looks forward to being of help and assistance with it. Councilmember Woodbury stated the city is pleased to have Rodger Worthen as the new City Manager. Rodger stated his goal is to make life simpler for the residents.

**Councilmember Thomas moved to approve Resolution 10-36 to appoint Rodger S. Worthen as City Manager effective October 18, 2010. Councilmember Woodbury seconded the motion. Emily called for the vote. Councilmembers Lusk, Poff, Thomas, and Woodbury voted yes. The motion carried.**

***Oath of Office – Administered by Emily Thomas, Deputy Recorder:*** Emily administered the oath of office to Rodger.

**RESOLUTION 10-33: FINAL ACCEPTANCE CANYON MEADOWS PUD (*Davis County Plat 13-220*):** Canyon Meadows PUD is ready for final acceptance. The seal coat will be done by the city. The city will withdraw money from the escrow account in the amount approved by city engineer to complete this. Mr. Turville is in agreement with this option. Councilmember Thomas stated Mr. Turville did receive a bid for the seal coat for \$21,613 from Post Asphalt Paving and Construction for power washing and two seal coats on the subdivision streets.

**Councilmember Thomas moved to approve Resolution 10-33 subject to the following conditions:**

- 1. The seal coat has not been completed on the roads within the subdivision; the city will withdraw funds from the escrow account in an amount approved by the city engineer for the completion of this improvement;**
- 2. All remaining escrow funds for Canyon Meadows PUD, with the exception of the funds necessary to complete the seal coat, shall be released to the developer upon payment in full of any fees that may be due to the city.**
- 3. Upon final release of escrow funds, the City will assume full responsibility for ownership and maintenance of improvements.**

**Councilmember Woodbury seconded the motion. Emily called for the vote. Councilmembers Lusk, Thomas, and Woodbury voted yes. Councilmember Poff voted no. The motion carried 3 to 1.**

**Councilmember Woodbury was excused at 6:42 p.m.**

**RESOLUTION 10-34: APPROVAL OF PARTICIPATION IN DAVIS COUNTY FIRE DEPARTMENT REGIONAL (FEMA) GRANT:** Fire Chief Graydon stated that in May 2009, the Davis County Fire Chiefs Association agreed to participate in a FEMA grant process (AFG) that if awarded would enable all fire stations and emergency dispatch centers throughout Davis County be equipped with station notifications systems meeting NFPA 1221 compliance.

The intent of pursuing this grant is based upon the absolute need for all fire stations and dispatch centers to be equipped with a notification system that meets a measurable standard of performance. Over the last few years, the reliability of our existing paging system has come into question due to old technology and no redundant / back-up system in place. This station alerting system will not replace the existing paging system as a whole, however, will allow each dispatch center to activate all stations a throughout the county regardless of the paging system working. This system will also allow each station to be activated from a mobile command post in the event dispatch centers are evacuated or placed out of service. The technology involved includes a redundant system and a monitoring feature to alert dispatching centers and fire stations of any system failures as it happens.

Health and safety of personnel is also greatly enhanced as this system incorporates circuits within each station to alert personnel over PA systems with incorporated heart saver tones, turns lights on, shuts off utilities such as stoves etc. This system may facilitate other safety features such as panic hardware and other communication features.

**Scope of program:**

This project is intended to cover all 16 Fire Stations, 4 Dispatch Centers, and 1 Mobile Command Center located within Davis County.

**Cost:**

Total Project Budget \$437,188.

Federal Share \$349,437

Local Share \$87,437

Note: The burden of \$87,437 matching funds will be divided between each agency based on equipment and modifications needed within each facility. Obviously, each station and dispatch center requires different levels of work to bring up to standard.

Estimated participation funding could be as low as \$4,500 or as high as \$10,000 per facility. March 15, 2010, the Clinton City Fire Department was awarded the regional grant. At this time, several working groups have been implemented that will identify specific costs associated with each agency.

All applicable cities and districts within Davis County have agreed to participate in this program with the exception one city that is in the evaluation process.

On April 27, 2010, Chief Graydon was given approval to move forward in the grant bidding process. The bids have come back and the current cost for South Weber to participate is \$6,875.00. This amount is based on specific needs of South Weber's Station. In discussions with Matt Dixon, the proposal was to utilize the impact fees collected for public safety building to pay for the system.

An amount of \$8,000 was budgeted for this item for this fiscal year to be funded by the impact fee fund.

**Councilmember Thomas moved to approve Resolution 10-34 in that South Weber City shall participate in the Davis County Fire Department Regional Grant for Station Notification Systems by providing its "local share" in an amount not to exceed \$8,010.00. Councilmember Lusk seconded the motion. Emily called for the vote. Councilmembers Lusk, Poff, and Thomas voted yes. The motion carried.**

**RESOLUTION 10-35: SUPPORT OF LAND & WATER CONSERVATION FUND MATCHING GRANT APPLICATION FOR CEDAR LOOP PARK:** South Weber City is seeking a matching grant for the creation of a tot lot and picnic area at the Cedar Loop Detention Basin located at approximately 7800 South and Cedar Loop Drive. The city has the resources to finance 50% of the project cost.

**Councilmember Thomas moved to approve Resolution 10-35 to proceed with the grant application. Councilmember Lusk seconded the motion. Emily called for the vote. Councilmembers Lusk, Poff, and Thomas voted yes. The motion carried.**

**DISCUSSION: CONCERNS REGARDING CITY'S FIRE PROTECTION**

**REQUIREMENT – Bruce Nilson, Nilson Homes:** Bruce Nilson, of Nilson Homes, approached the City Council. He stated he has developed for many years and never has he talked about what he is addressing tonight. He has family members that live in South Weber and he has been very guarded to not come before the council; however, he feels it is his responsibility to come tonight. Mr. Nilson identified four areas that he would like to discuss with the council. They are as follows:

1. Nilson Homes' perspective on how the fire sprinkler program came about.
2. Costs and time delays related to the sprinklers and loss of business.
3. Gain an understanding from the city on why this was implemented.
4. Gain an understanding from the city on why the policy was changed.

Mr. Nilson stated when the fire sprinkler requirement was enacted, a developer had no option but to do a sprinkler system when a house reached a certain square footage. He stated they ended up installing such a system in six homes with a tremendous amount of time and cost of engineering. He stated no one wanted the sprinklers in their home. He presented pictures identifying what was required with the sprinkling system. He stated there is no question that this created a loss of sales. He has developed multiple subdivisions in South Weber and his personality and way of doing things is not to be combative. He stated he sold a lot in Silverleaf Estates to Terry Foote. Mr. Foote proceeded to sue the city and fire chief etc. Mr. Nilson stated through this entire process, all of the sudden, a developer doesn't have to install sprinklers. He stated based on the

fire flow in this subdivision, any home he built never needed to have sprinkling systems. Mr. Nilson discussed when the fire hydrants were tested, it was determined that the valves were not opened all the way. Mr. Nilson stated he set up a meeting with the city staff and he was told at that meeting that he didn't ever need to install the sprinklers. He is feeling personally abused on this issue because of the way he was treated by the staff and what he was told by Fire Chief Graydon and Mark Larsen. He would like to know why it changed. Mayor Monroe stated after reading the minutes and code, he isn't sure that anything has changed. Mayor Monroe stated there are items they can't discuss because of the litigation. He stated there is a new water tank that will help (with fire flow). Mr. Nilson stated he doesn't need more water pressure for this subdivision. Mayor Monroe stated he will take this information into consideration.

**SOUTH WEBER MODEL RAILROAD CLUB:** Scott Stowell, representing the South Weber Model Railroad Club, approached the City Council. Mr. Stowell addressed concerns the club has regarding present and future support from South Weber City. He stated the club has a very successful grand opening with an estimated crowd of 1000 plus were in attendance on Saturday the 18<sup>th</sup> of September with another 300 plus attending on Sunday. He stated no donations were asked for but were taken if offered.

Mr. Stowell asked if the city will allow the club to proceed with laying track in the park. He stated they would like to work with the Public Works Director. Councilmember Thomas didn't have a problem with that. Mr. Stowell stated the club would like to continue to expand the track (per outlined design of the park and as funds are available) into phase III and IV of the park. He stated it is the club's intention to solicit for such donations to be made payable to the Canyon Meadows Park track fund, presently in position in city funding. Mayor Monroe stated this is acceptable as long as the club stays within what was originally planned. Councilmember Poff suggested getting it surveyed to make sure it is in the right place.

Mr. Stowell then asked if the city will support the club in obtaining donations to fund a restroom/concession structure near the 300' ball diamond. He stated they have an opportunity to get a passenger car and convert it. Mayor Monroe suggested the club sit down with everyone and review the footprint plan. Mr. Stowell asked if the city would be opposed to a structure such as a dining car or a restorable structure such as a depot, in the event grant money could be found for such restorations. Mayor Monroe stated he doesn't have a problem getting grants; in fact, he would encourage it. Councilmember Thomas suggested looking at planning and where everything will fit.

Mr. Stowell stated as per the agreement between the city and the club, a (\$1.00) donation to ride the train will be asked of the public. He stated donations are not mandatory to ride the train, but will provide the club with funds to pay for insurance, buy equipment (engines and riding cars), and maintain such items, as well as buy more track. Councilmember Thomas thinks it is fine to have a voluntary \$1.00 donation. Mr. Stowell stated they want people to ride the train and won't turn away anyone who can't pay.

Mr. Stowell asked if the club has permission to request a government grant to restore the Petersen barn for use as a railroad/farm historical museum and office space for the club. He stated in the future the club will fall under the mantle of "historical" so as to obtain a 501(c)3 tax status. Mayor Monroe stated any resource for money or grants is encouraged. Mr. Stowell

stated he is still working on the 501(c)3. He stated they are in the process of changing their name.

Mr. Stowell stated funds to provide a portable toilet for the club's grand opening were denied. He stated the club went ahead and rented a portable toilet at the last minute at a cost of \$175.00, and it could have been \$90.00. Mr. Stowell asked if the city would be willing to reimburse the club for this expense and that funds are not taken from the track fund. Councilmember Thomas stated he doesn't have a problem with reimbursing because there is a need for that. Councilmember Poff suggested looking into garbage cans and picnic tables as well. Emily stated she will get with the Public Works Department.

Mr. Stowell stated the hours of operation are the third Saturday and Sunday of each month. Saturday from 9:00 a.m. to 5:00 p.m. and Sunday from 11:00 a.m. to 5:00 p.m.

Mayor Monroe has heard from several individuals that the grand opening was a success and was enjoyed by those who attended. Mr. Stowell stated they would like to be involved with Country Fair Days as well as look at the possibility of a Halloween Train and Christmas Train.

**Ron Anderson, 1785 E. 2825 Layton,** stated he is looking at building a home on lot #75 and he is currently looking into building a larger shed to help store some cars. Mayor Monroe stated he doesn't know yet what future plans are but it sounds like a great idea.

The council discussed who would be the point of contact. Councilmember Thomas suggested the club work with Rodger. Mayor Monroe suggested Rodger decide whether or not he wants to delegate that to Mark Larsen.

### **NON-SCHEDULED DELEGATION:**

**Fire Chief Graydon addressed Mr. Nilson's concerns:** He stated he would like to address Mr. Nilson's concerns tonight. Chief Graydon read from the minutes of 28 August 2007 in which the International Fire Code was adopted by the city. Chief Graydon stated he didn't require sprinkling systems, but he did approve the sprinkler systems plans that were put before him. He stated the company hired by Mr. Nilson installed more sprinkler heads than they needed to. He stated concerning the pump being on or off, the issue is that it doesn't come on all the time when it is supposed to. Chief Graydon said he took an oath of office three years ago and he is not willing to put the city, citizens, or firefighters at risk by not enforcing the fire code.

**James Williams, 799 Maple Street South Ogden, Utah:** He is serving on the South Weber Model RR Club. He stated on the opening day of the railroad there were many excited people who enjoyed riding the train. He thanked the city for all their help. He stated this is a beautiful community.

### **COUNCIL ITEMS:**

#### **Councilmember Poff:**

**Parsons:** Councilmember Poff suggested asking Parsons about parking lot use for Country Fair Days.

**Councilmember Lusk:**

**Citizen Corps Council Meeting:** This will be held on October 21<sup>st</sup> at 5:00 p.m. at the Fire Station.

**Councilmember Thomas:**

**Legislation:** He suggested looking at bills that may affect the city. He also suggested talking to Brad Dee about South Weber Drive and the need for an overlay by UDOT. Councilmember Poff suggested meeting with UDOT to discuss other concerns as well.

**CITY ITEMS:**

**Emergency Training with Kimberly Giles:** Emily stated the council needs to meet with Kimberly Giles concerning emergency training.

**Work Meeting with Planning Commission for General Plan Discussion:** The council suggested meeting on the first work meeting in November.

**ADJOURNED:** Councilmember Thomas moved to adjourn the city council meeting at 7:39 p.m. Councilmember Lusk seconded the motion. Councilmembers Lusk, Poff, and Thomas voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date 26 Oct 2010  
Mayor: Jeff Monroe

\_\_\_\_\_  
Transcriber: Michelle Clark

Attest: \_\_\_\_\_  
City Recorder: Erika Ahlstrom

**October 12, 2010**  
**Work/Discussion Meeting Prior to City Council**

The work meeting commenced at 5:34 pm.

Those in attendance to the work session were: Mayor Monroe, Councilmembers Thomas, Poff, Woodbury, Lusk, and Deputy City Recorder Emily Thomas.

Mayor Monroe conducted the meeting.

*Council Agenda:* The Mayor stated he will be moving Resolution 10-36, Appointment of City Manager, to 6:20 pm.

*2010 Country Fair Days Repot:* No discussion was held on this item.

*Resolution 10-33 Final Acceptance Canyon Meadows PUD:* Councilmember Thomas asked if anything has occurred with this development. Mayor Monroe stated that everything has been reviewed and completed as outlined in the agreement. A bid was provided for the completion of the seal coat. Clarification on who will be responsible for the seal coat is needed. Mayor Monroe proposed the money to be kept from the escrow account and the City will see that this is completed. Mr. Turville obtained a bid from Post for just over \$21,000.

Councilmember Woodbury stated he is unaware of the history of this subdivision. Mayor Monroe gave a brief overview of the development through the years.

*Resolution 10-34 Approval of Participation in Davis County Fire Dept Regional Grant:* Mayor Monroe stated the city's match for the grant is \$8,010.00. This will provide a second line throughout the region for communication during a disaster. Councilmember Woodbury asked if the system is operational if cell towers are down. Mayor Monroe recalled that it is.

Councilmember Lusk arrived at this time (5:43 pm)

*Resolution 10-35 Support of Land & Water Conservation Fund Matching Grant Application for Cedar Loop Park:* Councilmember Poff asked if the project will still go forward if the grant is not awarded. Mayor Monroe stated yes. Councilmember Poff suggested getting scouts to help with the park.

*Discussion Concerns Regarding City's Fire Protection Requirement:* Mayor Monroe stated that if the discussion begins to be a platform for bashing staff, then he will ask Mr. Nilson to attend a closed meeting where the discussion can continue in the proper setting. Councilmember Poff stated that the item requires no action tonight. Mayor Monroe stated Mr. Nilson has an issue with the Fire Chief and is upset that they have homes with ugly sprinkler heads. Councilmember Thomas stated that now fire walls are being implemented, Mr. Nilson is complaining about the past. Councilmember Woodbury added that the new water tank will help with any pressure issues.

*South Weber Model Railroad Club:* Mayor Monroe asked everyone if they received the comments sent out by the club this morning. Councilmember Woodbury expressed his concern regarding the club taking over the park and turning it into a railroad themed park. He inquired what the original adopted master plan showed and cautioned the Mayor and Council to make sure the plan is being followed.

Councilmember Thomas stated the club is looking to get a caboose to turn into a restroom. Councilmember Lusk recalled the master plan shows the building to be a combined announcer, snack, and restroom facility. Councilmember Thomas asked if they should be allowed to put in track in areas not

currently developed. The club has stated they do not have a problem removing track as long as they have notice before hand.

Councilmember Poff stated the club is a good driving force for the completion of the park. The Council discussed funding of the railroad and the park. Councilmember Lusk stated that it should be made very clear that funds are not coming from the city right now. Councilmember Poff stated that the types of recreation need to be specified for the park – will we allow bikes, pets, etc?

The meeting adjourned at 6:00 pm. Work meeting minutes transcribed by Deputy City Recorder, Emily Thomas.