

# **SOUTH WEBER CITY COUNCIL MEETING**

**DATE OF MEETING:** 27 October 2009

**TIME COMMENCED:** 6:13 p.m.

**PLEDGE OF ALLEGIANCE:** Councilmember Poff

**PRAYER:** Councilmember Thomas

<b>PRESENT:</b>	<b>MAYOR PRO TEM:</b>	Michael Poff
	<b>COUNCILMEMBERS:</b>	Farrell Poll
		Scott Woodbury
		Scott Peterson
		David Thomas
	<b>CITY MANAGER:</b>	Matt Dixon
	<b>CITY RECORDER:</b>	Erika Ahlstrom

**EXCUSED:** **MAYOR** Brent Petersen

**Transcriber:** Minutes transcribed by Michelle Clark

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A public work/discussion meeting was held at 5:00 p.m. to discuss the development agreement with Geneva Gravel Pit.

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**VISITORS:** Joe Cravens, Tom Graydon, Maria Villasenor, Shelby Cox, Kayla Jacobson, Camrie LeBaron, Shantel Falslev, Raquel Quintana, Angela Poll, Jonathan Stephens, Christine Stephens, Kaden Hyde, Brighton Ketts, Brad Floyd, Misty Dygert, Gabriela Flores, Dak Maxfield, Seth Udy, Tyson Banner, Tanner McClune, Carson Banner, and Tylar Crane.

Councilmember Poff, Mayor pro tem, excused Mayor Petersen who is attending a FEMA conference.

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

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

**CONSENT AGENDA:**

- ◆ **APPROVAL OF 29 SEPTEMBER 2009 COUNCIL WORK MEETING MINUTES**
- ◆ **APPROVAL OF 13 OCTOBER 2009 COUNCIL MEETING MINUTES**
- ◆ **WARRANT REGISTER**

**Councilmember Peterson moved to approve the items on the Consent Agenda with clarification on the warrant register. Councilmember Woodbury seconded the motion. Councilmembers Peterson, Poff, Poll, Thomas and Woodbury voted yes. The motion carried.**

**Mayor Pro Tem Poff welcomed the Youth City Council.**

**YOUTH CITY COUNCIL 2009-2010 OATH OF OFFICE – Administered by Erika**

**Ahlstrom, City Recorder:** Erika administered the 2009-2010 Youth City Council oath of office to those in attendance. They were as follows: Shelby Cox, Kayla Jacobson, Camrie LeBaron, Shantel Falslev, Raquel Quintana, Angela Poll, Jonathan Stephens, Christine Stephens, Kaden Hyde, Brighton Ketts, Brad Floyd, Misty Dygert, and Gabriela Flores. The City Council congratulated each individual Youth Council member.

**YOUTH COUNCIL QUARTERLY REPORT:** The Youth Council Mayor was ill and not in attendance. As a result, Youth Council Mayor Pro Tem, Brad Floyd, presented the Youth Council quarterly report. He stated the Youth Council recently helped with Country Fair Days. They also collected canned food from South Weber Elementary School. They will be doing a Thanksgiving dinner for needy family and judging Christmas lights. Breakfast with Santa will be held in December. Councilmember Poff thanked the youth and stated they are a committed and determined group.

**DAVIS COUNTY SHERIFF'S DEPT QUARTERLY REPORT – Detective Jon West:**

Detective Jon West approached the City Council and presented the Davis County Sheriff's Department quarterly report. He stated there were 127 incidents compared to last year's quarter 174 incidents. 303 citations issued this quarter. He talked to patrol division and they have sent an open invitation for a K-9 demonstration. Two months ago the K-9 unit seized 85 lbs. of marijuana. Councilmember Woodbury asked about the types of drugs that are being found in South Weber. Detective West said they haven't seen much in South Weber; however, most of the drug use is methamphetamine and heroine. Detective West has reminded the patrol division of the city's parking on streets during the winter months. Councilmember Thomas asked about the terrorist threat. Detective West will get that information to Erika.

**FIRE DEPARTMENT QUARTERLY REPORT – Fire Chief Tom Graydon:**

Fire Chief Graydon stated there were 57 runs for the quarter, 5 firefighters average per response, 7 minutes average response time, 33 minutes average time on a call, and 198 man hours on calls alone. He said there is a drug problem in South Weber from heroine to prescription drugs. He said Job Corp seems to be the big player in alarm activation. He sent information to them concerning the need for them to upgrade their alarm system. Since then Job Corp has made changes and the number of alarms has decreased.

Fire Chief Graydon stated there are currently 22 firefighters. Concerning vehicle status, engine 1 is in service. Concerns include: number of firefighters available during daytime, experience levels, age of equipment, time commitment required, and NFPA mandates.

Councilmember Poll asked if any firefighters have been to FEMA. Fire Chief Graydon said he doesn't think anyone has been there. He said it is difficult for volunteers to take the time off work. The council thanked Fire Chief Graydon for his attendance.

**PUBLIC WORKS DEPT/CODE ENFORCEMENT QUARTERLY REPORT – Mark**

**Larsen, Public Works Director:** Mark Larsen, Public Works Director, approached the City Council and presented the quarterly report. He stated the city's road projects for 475 East, 1900 East, 2100 East, and city office front parking lot, and Canyon Meadows Park parking are completed. He then discussed the water usage. He feels that this year we should be in good shape. He said measures have been taken to conserve water by lining the tank, fixed SCADA, timely report of leaks, and new water meters. He stated snow time is coming and they are getting the trucks ready. They are getting bids for salt to be trucked. The bid for the park & ride was awarded to Keith Kap & Sons. They are filling pot holes, winterizing park restrooms, etc. Building permits are still low. He said concerning code enforcement, weed violations and nuisance seem to be the highest. Fix it tickets work the best. He said if they don't take care of violations they go straight to the court system. Mark reported that they are currently working on the EOC at the fire station. He stated 2010 projects include: GPS all water meters, manholes, valves and piping, raise and collar all valves and manholes in the streets, add trees to parks per GSBS master plan, and Canyon Meadows Park. Mark stated Emily Thomas makes the Public Works Department run. Councilmember Poll discussed ice skating and stated there is a woman in South Weber who would be willing to help with an ice skating area.

**RECREATION DEPT QUARTERLY REPORT– Joe Cravens, Recreation Director:**

Joe Cravens, Recreation Director, approached the City Council and presented the Recreation Department quarterly report. He stated total revenues for this quarter are down approximately \$3,800. He said membership fees are down. He said expenditures were also down. He stated concerning the first year of football there was one undefeated team, one team went to the playoffs, and overall record for five teams was 16-19-1. He feels that South Weber represented itself well on the football field. Matt asked how many participated. Joe said there were 106 participants. Councilmember Woodbury asked about the scoreboard. Joe said they are working on it. Upcoming events include: Jr. Jazz Basketball and Breakfast with Santa. He said he has been conducting basketball clinics for five year olds and up. Joe stated that a football team held a pizza party in the multi-purpose room and left it a mess. He has made changes and now has a check off sheet for those who are leasing the room. Councilmember Poff stated he has received complaints concerning dates for volleyball. Joe stated when it is in conjunction with other cities, it takes time to coordinate with them. Councilmember Poff asked about working with the school district. Joe said he hasn't had any problems and feels there is good communication with them. The council thanked Joe for his attendance.

**REPORT BY STAKER PARSONS GRAVEL PIT:** Dak Maxfield, representing Staker Parsons Gravel Pit, approached the City Council. He stated in August they had two or three trees die. One has been replaced. They have been moving the wind fences around and have noticed quite a bit of difference. They have reviewed the inspection reports that they have received from the city. He referenced the slopes. He said the agreement addresses the slope requirement at the end of the final phase. Councilmember Poff asked about the map that the council has been requesting from Parsons concerning the pit status. Dak will e-mail the map to Matt.

Dak stated he would like to meet with the city concerning a sign that they have purchased from YESCO Signs. He would like to know if the city is interested in going in on the sign together, and looking at landscaping a nice berm where the sign would be located. The council suggested scheduling a meeting concerning the sign. Dak said as far as commercial development goes, Maverik has met with their company manager, he doesn't think Maverik is pursuing anything

right now. Dak said they have been approached by Weber Convention and Business Bureau concerning a need for a parking area for the Dew Tour for a four day period in January 2010. He said there are areas in the parking lot that will need a temporary patch.

Councilmember Woodbury asked about the stock piling entering the pit. Dak said it is staging for a project in Weber Canyon. Councilmember Poff asked about finishing the berm on the west end. Dak said they can discuss that in a meeting as well. Dak said they can look at continuing the berm right on the west end of the pit. He said UDOT would need to be invited to that meeting as well.

**PURCHASE ORDER #1595: \$2,712.23 IRON GATE GRILL FOR 2009 CITY DINNER**

The City Christmas dinner will be catered at the Family Activity Center on December 4.

**Councilmember Poll moved to approve P.O. #1595 for \$2,712.23 to Iron Gate Grill for the 2009 City dinner. Councilmember Woodbury seconded the motion. Councilmembers Peterson, Poff, Poll, Thomas and Woodbury voted yes. The motion carried.**

**COUNCIL ITEMS:**

**Councilmember Poll:**

**FEMA Training:** Councilmember Poll stated he enjoyed attending the FEMA training. He said there were people from all over the country, including a lot of council members, dispatchers, etc. He said it was very enlightening.

**Tree Violations:** Councilmember Poll received notice from the city concerning his trees. He stated this is a bad time of year to be pruning trees. He suggested looking at sending these notices out in the spring.

**Councilmember Peterson:**

**Citizen Corp Council Meeting:** Councilmember Peterson stated their meeting went really well. There is a table top exercise scheduled for November 19. He congratulated all those who have help with the city's emergency preparedness.

**Councilmember Thomas:**

**Geneva Gravel Pit:** Councilmember Thomas stated it was nice to meet with Geneva today; however, he feels Geneva is using a delay tactic. He said they need to sit down and constructively talk. Councilmember Poll said he isn't sure they have caught the vision of what we are trying to do. Councilmember Thomas feels the city needs to change Geneva's mind set. He doesn't think Geneva understands the history of what has gone on between the city and the gravel pits. He feels it would be nice to actually have the decision makers from Geneva meet with the council.

**CITY MANAGER ITEMS:**

Matt stated the Planning Commission will be working on a mixed use zone and updating the general plan.

He stated there is a change order for Canyon Meadows Park. There is a tremendous amount of rock that needs to be removed according to the contract. GSBS and the city staff met and looked at it. Everyone has agreed that the best thing to do is bring in four inches of topsoil.

**ADJOURNED:** Councilmember Poll moved to adjourn the City Council meeting at 7:53 p.m. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, Poll, Woodbury, and Thomas voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date 10 Nov 2009  
Mayor: Brent V. Petersen

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Transcriber: Michelle Clark

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

**OCTOBER 27, 2009**  
**WORK/DISCUSSION MEETING PRIOR TO CITY COUNCIL**

The work session commenced at 5:15 p.m.

Those in attendance to the work session were: Councilmember Michael Poff (Mayor pro tem), Councilmembers Scott Peterson, Farrell Poll, Dave Thomas, Scott Woodbury, City Manager Matt Dixon, City Recorder Erika Ahlstrom.

Visitors: Maria Villaseñor (Salt Lake Tribune), Mike Edwards.

**DISCUSSION: DEVELOPMENT AGREEMENT WITH GENEVA GRAVEL PIT:** Matt said the city has been working with Geneva for nearly a year on addressing some concerns that city has had with both gravel pits. He said they are trying to ensure that both parties are doing all we can to address the negative affects the pits have on residents. Matt said he recognizes the Geneva pit has been at this site before ordinances existed, and that from their perspective this is a challenging issue. He said we have been discussing working toward a development agreement that protects Geneva's interests and addresses the concerns of the city. Matt said the city primarily wishes to know the future of the pit is, and plan for the development around it. He said the city needs to plan for a zone and what is going to be there. The City Council has asked Geneva to look at the agreement we have with Parsons, specifically amortization, reclamation plans, and phasing plans. Mike Edwards has discussed the development agreement with Al Shellenberg, President of Geneva, and provided a draft for consideration.

The council asked when Geneva thought they may be done with the north side of the operation. Mike Edwards said they anticipate being done by end of the year, although they recently had it surveyed and they have a little more they can take out. He said the finished slope will be 1.5 to 1. He said there is an area where UDOT has some piles of material they have brought in. Mike said they won't leave any piles; they will grade it so it is smooth and seed it. He said they thought they would be giving the property to the city when they were done.

Councilmember Thomas arrived at this time. (5:30 p.m.)

Mike said Geneva processes concrete and virgin materials at this site, and brings in raw materials from other areas. Councilmember Poff asked about point of sale. Mike said the city receives revenue from anything that goes over the scale.

Matt asked Mike what the reluctance is on producing an amortization schedule and phasing plan. Mike said this straight from Al. He said they don't want to be tied to a specific time table on how they operate. Mike said if there is a specific area that is a problem, they are willing to address it. He said generally when they are done they smooth the slope out and may not do all the final grading or treatment until further down the road. He reiterated that if this causes a problem they are willing to address it. Matt asked if they don't have an idea of how they are going to mine. Mike answered they do have a plan, but they don't want to be tied to an agreement so they can change the plan as needed. Matt said the schedule would be based on approximate years, not tied down to a certain year. Mike said a lot of Al's concern is that he feels with this company "our word is our bond," so he doesn't see the need for it. Mike said Al feels they have been good neighbors and they have a good relationship with the city, and if there's a problem they are willing to address it. He doesn't want to set a precedent and make the operation here more expensive.

Matt discussed that the city was looking at rezoning the gravel pit areas, then Geneva asked the city to look at an agreement before going that far. He said something that needs to be addressed is "what have you brought to the table?" Matt said it has been a year and the city hasn't seen a whole lot. Mike said it

has been difficult to even get AI to agree to what is in the draft. Matt said the other gravel pit has done a phenomenal job of coming forward to work through the issues, and although the city has a different relationship with them due to the existing agreement, at the same point they have been here all year with us.

Councilmember Poll asked that Geneva look at this from a different perspective, in that this is a residential community, and he would hope that as a business that is community minded they would have a vision and create short and long term plans on what they are going to do with the property. He said the community has sacrificed and Geneva has made a lot of money, and it would be good if they would come to us and say "here is our plan to make this lemon into lemonade for the city."

Councilmember Poff added that for the purposes of economic development the city needs to start planning, and it is difficult when there is nothing there.

Mike said Geneva does monitoring and they get negligible migration of their material offsite. He said he hasn't been here under extreme wind conditions, but he doesn't feel they're shedding much material out of their pit. Mike said federal standards are clear and tight. Mike said Geneva wants to keep a facility there for a long period of time, such as 40 years, to do at a minimum aggregate prep. He said they thought by giving the city the north piece it would be a considerable concession as it is a substantial amount of land, which might be used for charging for the aquifer.

Councilmember Poll said Geneva is aware there is no ingress or egress to the property, so the city is limited on what they can do with the property due to access.

Councilmember Thomas discussed that the purpose of this exercise is we need to plan for what the area is going to be. He said the residents want to know what it's going to be, adding that the city is becoming an urbanized area. He said he had hoped Geneva would come to the table and have ideas on what the future there is.

Mike said Staker Parsons has other local resources, so they don't need this pit. He said AI's thinking is even if it's rezoned Geneva has a grandfathered use there. They are aware a rezone would make every change more difficult or impossible, but they can still operate on historic use.

Mike said they a rough idea of how low they are going to go on the south pit, and it was intentional that those details were left out because they don't want to be tied to it. He said it is at 4035 or 4235.

Councilmember Thomas said he has written a lot of development agreements, and he read through this draft and was insulted. Mike responded that he was sorry to hear that. Councilmember Thomas said the draft agreement is one sided, giving the city nothing and Geneva everything, and it's apparent Geneva doesn't want a development agreement. Councilmember Thomas added that any attorney would know no city would sign it. He said we went thru a meaningless exercise for the last year hoping that we would have a good discussion on the future of pit, and other mitigation efforts that could be done, and all it says is that Geneva has permits from the state and they're not going to change anything. Councilmember Thomas said Parsons agreement indicates they will do more than what the state requires, as well as try to improve the area through landscaping, etc. He said this was accomplished through negotiation with the city, and he thought we could have that kind of negation with Geneva. Councilmember Poll said even talks of a rock wall didn't surface.

Mike said they have an agreement for slope and trees they have already agreed to. He said he found a map/figure that has some of that information, which possibly predates Jim Golding, maybe even Geneva. Mike said he wasn't anticipating walls and fences to be address in the agreement, but more of what

operation going to be there, and what they would leave the slope at. He said he can go back and talk about terminal floor elevation.

Councilmember Thomas said the residents want to know what's going to happen and have idea how dust from the pit isn't going to negatively impact them and what Geneva is doing to accomplish that, this outside of amortization and future use compatible with community.

Matt said we need something that helps us plan for the future of this area and this doesn't accomplish that. He said if we can't get something like a phasing schedule and amortization, then this exercise isn't worth going any further.

Mike asked if it were approved that he could put in there detail like they anticipate being through with mining activities, for example, on the east third of pit and at that time visual impact would occur in the form of...then it is anticipated to take the floor to final elevation of X, leaving so many acres at bottom, if that is enough detail. Councilmember Thomas said that is moving in the right direction.

Councilmember Poff asked Mike take the council's comments back to Geneva. Mike said Jim Golding will be over gravel and asphalt as of January 1, but Al Shellenberg (President of Geneva Rock Products and WW Clyde) will still have say over Jim.

Mike said he would like to come back two weeks from today, if Al is accepting. Staff will coordinate with Mike to schedule a work meeting.

Matt said the council needs to recognize that Mike has done a great job. Initially, Al said "no" then finally Mayor Petersen and Mike got him to come along. Mike said he really wants to come up with a win/win.

Work meeting adjourned at 6:08 p.m.

Work meeting minutes by Erika Ahlstrom.