

SOUTH WEBER CITY COUNCIL WORK MEETING

DATE OF MEETING: 8 December 2015

TIME COMMENCED: 5:30 p.m.

PRESENT: MAYOR:

Tammy Long

COUNCILMEMBERS:

**Scott Casas
Randy Hilton
Michael Poff
Marlene Poore
David Thomas**

CITY MANAGER:

Duncan Murray

CITY RECORDER:

Tom Smith

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: Mark McRae, Paul Laprevote, John Reeve, and Doug Ahlstrom.

CONSENT AGENDA:

- **Approval of November 24, 2015 City Council Work Meeting Minutes**
- **Approval of November 24, 2015 City Council Meeting Minutes**
- **Resolution 15-40: Appointment to the Administrative Control Board of the Wasatch Integrated Waste**
- **Management District Resolution 15-41: Appointment to the Central Weber Sewer Improvement District Board of Trustees**
- **November 2015 Check Register**

Mayor Long asked if anyone has questions on the consent agenda. Council Member Casas questioned the purchase from Les Schwab. Duncan said that was for new tires and farm tractor. Tom said that is not covered under the lease. Mayor Long asked about the repair on 2700 East. Mark McRae will check into that. Council Member Poore asked about the water meters. Duncan said there are two costs one is to purchase and one is to have them placed. Mayor Long asked about the snow plow blade. Mark said there is a strip across the bottom that wears out that needs to be replaced. Mark stated the patch work took place on 8100 South and 2700 East by the LDS Church.

REPORTS:

Fiscal Year 2014-2015 Audit Report by Tim Rees

Duncan said Tim Rees with Karen, Hendriks, Stag, and Allen (KHSA) will be presenting an audit report for the 2014-2015 South Weber City Financial Audit. The finance committee has meet and assisted in the preparation of this document on two different occasions so that it is presentable to the council.

Report by City Manager on pending bids and RFP's

Duncan gave a brief update on the status of pending RFP's and contracts (that are not listed on City Projects). He said the court security remodel project is currently underway. Duncan reported the projects this spring will include: fertilizer and weed killer, annual curb, gutter, and sidewalk replacement.

APPROVALS:

Public Hearing and action on: a. Application for Off-Premise Class "A" Liquor License to be issued to Maverik Inc. Action on: Duncan explained that Maverik Inc. has submitted an application for an "Off-Premises, Class A" Liquor license. Maverik Inc. will be issued a license to sell alcoholic beverages, in their original container, at their store; but the consumption of those beverages is to take place off the premises. Two representatives from Maverik Inc. will be present: 1) Business and Beer Licensing Specialist; and 2) the Project Manager. The store will have a grand opening on 12 January 2016. This will be advertised in the City newsletter. Duncan said this business license does require City Council approval. Council Member Poff questioned what the City will have to do with the beer tax. Duncan said every year a report is submitted concerning ways the City uses tax monies in preventing miss use of alcohol.

Resolution 15-39: Final Acceptance: Cottonwood Cove Estates Subdivision: The City Engineer has conducted an inspection of the Cottonwood Cove Estates Subdivision and it has been determined that the improvements in the subdivision have been completed satisfactorily to meet minimum requirements according to the City standards and specifications. All remaining escrow funds for the Cottonwood Cove Estates Subdivision, including the 10% contingency warranty fund, shall be released upon payment in full of any fees due to the city. In addition, the amount of \$58,450.00 will be withheld and issued to South Weber City for an Asphalt Chip & Seal Coat. Council Member Poff asked if there have been any complaints with surrounding neighbors. Duncan said he met with LeRoy Poll concerning the fencing.

Revisit (from 7-28-15 CC Mtg.) Release of Sidewalk Funds to Sure Steel (financial application by Jim Burwell): Tom explained at the 28 July 2015 City Council meeting a request to be on the agenda was submitted by Jim Burwell, owner of Sure Steel. At that time he had requested that the money (\$8,839.63) that was set aside for improvements, namely curb, gutter, and sidewalk, be returned to him as those improvements have not taken place (as of lately). It is important to note that the basis for the money in question is for the future development of sidewalk. In the 28 July 2015 meeting it was agreed by both parties (the council and Mr. Burwell) agreed that this item be tabled until the 8 December 2015 council meeting with hopes that a development will go in and the money set aside can be used for its intended purpose; otherwise Mr. Burwell has asked the council to return the money to him. Since the 28 July 2015 meeting, any plans for development have not been expressed. Tom said the City staff does not recommend that the amount of \$8,839.63 be returned to Jim Burwell. He also explained that this money is a bond. Tom said if a return is granted and a development does go in at the referenced area in the future, the City will then have to pay for the improvements instead of the developer. Not only does an action of this kind set an incredibly dangerous precedent for future developers, but it also communicates an indirect message that South Weber City is willing to pay for the developer's responsibility of developmental infrastructure improvements at an unnecessary tax payer expense. Duncan explained there was discussion about putting in sidewalk across the

street for a future trail. Council Member Poff said the frustration is the money is sitting there and the City is not receiving any benefit from it. Council Member Casas said there is land adjacent to this property that is currently up for sell.

Motion to award a bid for Fire Hydrant Replacement: No discussion on this item

Motion to approve right of way cross sections for 6650 S/Old Fort Road (from 475 E. to Cottonwood Cove Sub.) Tom explained that one of the projects for fiscal year 2015-2016 is to upgrade the sewer line from the right of way (ROW) cross sections of 6650 South (Old Fort Road) from 475 East to the Cottonwood Cove Subdivision. The City engineer is currently getting ready to prepare plans for the upgrade, which is scheduled for the end of March 2016. As part of preparation several steps need to take place:

1. A 70' – 78' ROW cross section is needed to accommodate for sidewalks, bike lane, 12' traveling lanes for both directions (east and west), a 12' center lane to accommodate for growth, and a concrete trail;
2. Currently there is not a City standard that specifically covers any requirements, such as cross sections (utilities underneath) for this road. The concern for staff is that a developer might come to the City with his own recommendations for development improvements (as part of his development plan because the City doesn't not have any), instead of the adhering to the guidelines that the City has established;
3. As part of long range planning Old Fort Road is anticipated to be a major collector. A 70' - 78' ROW provides for potentially three lanes of traffic (expansion); and
4. Planning for a future infrastructural plan (widening the road 70' – 78') for this area will save the City a lot of money in the future.

Once approved, the ROW cross section standard would be added to the City standards for developers to follow. City staff recommends that the council approve of the ROW cross section(s), and is expressing a little urgency as there is a developer who is currently looking to develop the Spaulding property.

Motion to approve negotiations for public access trail easement for 6650 S/Old Fort Road (from the Posse Grounds to Cottonwood Cove Subdivision): Tom said as part of the ROW cross sections for 6650 S/Old Fort Road (from 475 E. to Cottonwood Cove Subdivision), as it is designed with the ROW cross section(s), a public access pathway easement from the Posse Grounds to Cottonwood Cove would need to be achieved in order to hold true to the City's Parks & Trails plan. Currently, the City does not have such an easement (acquisition for public access from property owners) to build a pathway. City staff recommends that the council direct staff to speak with the property owners to acquire a public access trail easement for 6650 South (Old Fort Road) from the Posse Grounds to the Cottonwood Cove Subdivision.

Resolution 15-38: Approve contract and fee agreement for City Attorney Services: Duncan explained that the interviewing panel met Wednesday, Nov. 18th and interviewed 3 applicants for the position of City Attorney. In accordance with the interviewing panel's decision for employment, staff recommended that an offer be extended to Douglas J, Ahlstrom at the council

meeting held last week (24 November 2015). After some discussion it was agreed that the council direct staff to negotiate with Mr. Ahlstrom the following terms of employment:

1. That he be designated by contract as the "City Attorney";
2. The City will not pay for travel time;
3. Attendance to City Council and/or Planning Commission meetings as needed
4. Compensation rate of \$150.00 per hour;
5. The City agrees to pay for 4 hours (\$600.00 a month), whether time is used or not, including any and all communication charges not to exceed more than 4 hours of communication time;
6. A trial period of 120 days (4 months);
7. After the 120 day trial, a long term contract agreement be established;
8. Legal counsel be provided to all City business matters;
9. A 30 day termination clause be written into the contract; and
10. A substitute or alternate attorney is provided in his absence (using the City's substitute attorney service law firm).

City staff is pleased to report that Mr. Ahlstrom has accepted the terms stated above.

Resolution 15-33: A Preliminary and Final Plan Application: Bowman Old Farm Estates Subdivision located at approx. 400 to 600 E. Old Post Office Road (Parcel #13-018-0070), 4.57 acres; and approval of an agreement for a fee in lieu of detention storm water services from Agent: Jeff Monroe: Tom explained in their meeting held on 27 August 2015, the Planning Commission recommended preliminary and final approval of the subdivision. At the 22 September 2015 City Council meeting, the council approved of the subdivision with the understanding that specific conditions would be addressed. It was also understood that if the off-site drainage plan was to change, then the developer would have to come before the council for approval of the newly proposed change. As it turns out, the offsite drainage plan has changed. Tom said Mr. John Reeve is in attendance to answer any questions.

- **The original solution:** to plug and abandon the existing 18" CMP pipe which currently drains across South Weber Drive and into the existing canal (which canal, in turn crosses the property). This solution would abandon the canal. The drainage coming to this existing crossing was to be redirected to a new crossing across South Weber Drive. The developer has determined that this proposed solution does not work. The developer has therefore re-evaluated and is proposing a different solution.
- **The newly proposed solution:** to leave the existing 18" CMP in place, connect to it and pipe through the subdivision back into the canal on the north end of the subdivision. No additional storm water flows will be introduced into the proposed storm drain system. The flows would remain separate; the canal flows being passed through.

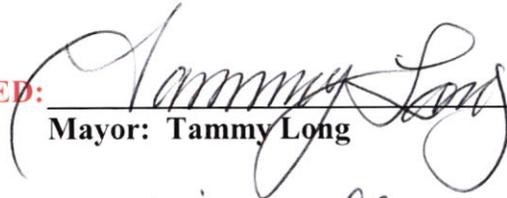
Mr. Reeve explained the changes to the offsite drainage. He said they will be leaving the existing 18" CMP pipe in place and then connect to it and the pipe through the subdivision back

into the canal on the north end of the subdivision. He said there shouldn't be any concern with the water ponding. He said the City Engineer is okay with it.

Resolution 15-37: Adoption of the amended personnel policy: No discussion on this item

Adjourned at 6:00 p.m.

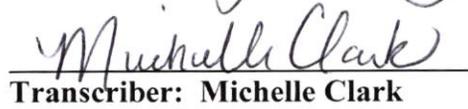
APPROVED:



Mayor: Tammy Long

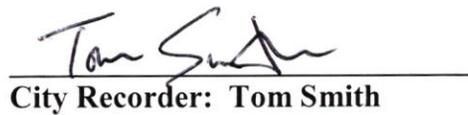
Date

Jan. 5, 2016



Transcriber: Michelle Clark

Attest:



City Recorder: Tom Smith