

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 12 November 2024

TIME COMMENCED: 6:00 p.m.

LOCATION: South Weber City Office @ 1600 East South Weber Drive, South Weber, UT

PRESENT: MAYOR:

Rod Westbroek

COUNCIL MEMBERS:

**Jeremy Davis
Joel Dills
Blair Halverson
Angie Petty
Wayne Winsor**

CITY MANAGER:

David Larson

CITY ATTORNEY:

Jayme Blakesley

COMMUNITY DEV MGR:

Lance Evans

FINANCE DIRECTOR:

Brett Baltazar

CITY ENGINEER:

Brandon Jones

CITY RECORDER:

Lisa Smith

Minutes: Michelle Clark

ATTENDEES: Ryan Jones, Eric Rice, Ashton Chilcote, Kelli McDonough, Shelly Oda, Carson Cosby, Tess Cosby, Kelsie Christensen, Tavie Cella, Tyson Butterfield, Michael Grant, Gary Boatright, Tanner Taggart, Julie Losee, Paul Sturm, Shane Turner, Terea Schlegal, Sinnee Barver, Ryan Beland, Hollie Dance, Elizabeth Pinto, Matt Carl, and Michale Christensen.

Mayor Westbroek called the meeting to order and welcomed those in attendance.

1. Pledge of Allegiance: Mayor Westbroek

2. Prayer: Councilmember Davis

3. Public Comment: Please respectfully follow these guidelines.

- Individuals may speak once for 3 minutes or less: Do not remark from the audience. State your name, city, and direct comments to the entire City Council (Council will not respond).

Paul Sturm of South Weber City noted the date needs to be amended on the 8 October 2024 meeting minutes from 10 October to 8 October 2024.

PRESENTATIONS

4. Davis County Sheriff's Office

Elizabeth Pinto, of the Davis County Sheriff's Department, reviewed the patrol hours for the quarter and discussed how they are currently tracking the hours differently. Sergeant Gary explained that the officers are required to track every hour they are in South Weber City. Ms. Pinto reviewed the citations, speeding, person crimes, property crimes, and society crimes. There was a total of 171 citations in the last quarter. There were 476 non-criminal incidents. 28.75 service hours for victims' services. Sergeant Gary reported on recent investigations that have been completed.

ACTION ITEMS

5. Consent Agenda

- a. October 8 Minutes**
- b. October Checks**
- c. September Budget to Actual**

Councilman Dills moved to approve the consent agenda. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

Councilwoman Petty moved to open the public hearing for General Plan Projected Land Use Map Amendment, Cooper's Landing Development Agreement and Cooper's Landing Zone Change. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

PUBLIC HEARING

6. Public Hearing for General Plan Projected Land Use Map Amendment, Cooper's Landing Development Agreement and Cooper's Landing Zone Change

City Manager David Larson relayed the Planning Commission met on October 10, 2024, to review the three applications. They recommended denial to the City Council for the General Plan Amendment from Residential Moderate Density to Highway Commercial and the Rezone requests from Agricultural to Highway Commercial due to incompatibility and traffic impacts to the surrounding area. The Planning Commission felt that they needed additional information on the proposed Development Agreement and voted to table it so that more information could be provided by the applicant.

Mayor Westbrook asked if there was any public comment.

Shane Turner of Westpoint City stated he is the owner and developer of this property and announced he has attended meetings through zoom and is willing to answer and provide feedback.

Ashton Chilcote of South Weber City referenced the email he sent to the city. He understands the need for commercial in the city, but is concerned about some types of

businesses not providing the tax base the city will need. He suggested the property remain residential. If it does fall into commercial, he would suggest a development agreement, buildings not higher than adjacent townhomes, and limit deliveries to business hours.

Eric Rice of South Weber City is confused as to why the city would sway from the general plan. He does not see the proposed use being a real tax benefit property. He suggested R-M Zone is appropriate use for that area.

Shelly Oda of South Weber City respectfully opposed this development and is concerned about the lack of parking, height of buildings, noise, and traffic.

Jeffrey Hicks of South Weber City mentioned it would be nice to have a synopsis of this project as some individuals do not really know what is being proposed. He is concerned about this development adding more noise.

Holly Dance of South Weber City is a realtor and expressed how this development can change the quality of life and property value of those in the area.

Ryan Bernard of South Weber City expressed safety concerns for his children with traffic, noise, and light pollution.

Leann Maycock of South Weber City strongly contested what is being done to the city and her home. She does not understand how it is okay to surround a residential area with commercial.

Tyson Butterfield, of South Weber City voiced concern with this impacting his property value and noted there is a walking path in the area that can be affected by commercial.

Kelsey Christensen of South Weber City is concerned about people from this development being able to see into her townhome.

Ryan Jones of South Weber City discussed the possibility of box trucks parking in the neighborhoods.

Kelly McDunn of South Weber City suggested keeping the trees and opposed second access onto Old Maple Road.

Paul Sturm of South Weber City voiced concern with so many items being pushed through during one meeting. He discussed the development agreement and the short notice received by the Planning Commission. He conveyed there is no flex zone in South Weber City and is concerned about the possible height limit of 35' within 10' of the townhome's property. He added citizens within 300' were not notified of this and was told it is not required.

Gary Boatright of South Weber City and Planning Commission member expressed he participated in the last amendment to the general plan. He thinks there is something better that can be done on this property and the general plan represents our best thinking.

Sunny Barber of South Weber City relayed the traffic will increase with General RV.

Councilman Winsor moved to close the public hearing for General Plan Projected Land Use Map Amendment, Cooper's Landing Development Agreement and Cooper's Landing Zone Change. Councilwoman Petty seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

----- **PUBLIC HEARING CLOSED** -----

Councilman Dills voiced concern with the application process with a development requiring a change to zoning, general plan, and a development agreement. He discussed these items today with City Attorney Jayme Blakesley. Councilman Halverson added he does not recall there has not been a change to projected land use maps. City Manager David Larson discussed the land use laws for the city and the administrative process according to the law starting with the general plan, land use map, then zoning. If there is a development agreement, it is related to zoning. Those three legislative decisions are up to the City Council. State law allows zoning decisions that do not follow the general plan. The City Council's first legislative action is to review the possibility of amending the general plan. City Attorney Jayme Blakesley discussed state law in Utah concerning private property rights and explained the landowner has the right to petition a change to the property to the Planning Commission and City Council.

Councilman Halverson discussed during the general plan process this property was discussed and was going back and forth between R7 and Commercial Highway. It ended up R-M on the general plan. Councilwoman Petty stated if the zone change is approved for this property, she does not feel there is enough parking, and she does not agree with setbacks or number of units proposed. Councilman Winsor conveyed he was a part of amending the general plan process and wrestling with commercial highway. He agreed with leaving the general plan as it stands. Councilman Dills was part of a citizen's action group at the time of the general plan amendment process. He knows it was a lengthy process and that is why he is on the City Council today. He does not see the value of any storage sheds or commercial retail as working. He agreed with keeping to the general plan. Councilman Davis does not feel the proposal is good enough to make a change currently and does not address the concerns of the citizens.

Shane Turner started this project over three years ago. He conveyed the original plan for this property was townhomes and was told he needed two acres, and he had 1.96 acres. He then purchased property from UDOT and came back to the city and was told there is only an R-5 Zone. He put together a plan for mixed use which was shot down. He put together a plan for flex space because he thought this is what the city wanted. He is now losing time and money. He is here because of what he has been told to do by the council. Councilman Halverson announced when Mr. Turner purchased the property it was identified in the general plan for the R-M Zone. City Engineer Brandon Jones explained the R-M Zone with private roads would allow for 4 lots. Mayor Westbrook conveyed he does not favor a flex zone but does see this area as a neighborhood commercial zone.

7. Ordinance 2024-11: General Plan Projected Land Use Map Amendment

Councilman Dills moved to deny Ordinance 2024-11: General Plan Projected Land Use Map Amendment. Councilman Winsor seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

8. Resolution 24-32: Development Agreement for Coopers Landing Subdivision at Approximately 6525 S. 475 E. by Applicant Shane Turner

9. Ordinance 2024-09: Zone Change for 2.216 Acres of Coopers Landing Subdivision at Approximately 6525 S 475 E from Agriculture (A) and Multi-Family (R-7) to Highway Commercial (C-H) by Applicant Shane Turner

Councilwoman Petty moved to deny Resolution 24-32: Development Agreement for Coopers Landing Subdivision at Approximately 6525 S. 475 E. by Applicant Shane Turner and Ordinance 2024-09: Zone Change for 2.216 Acres of Coopers Landing Subdivision at Approximately 6525 S 475 E from Agriculture (A) and Multi-Family (R-7) to Highway Commercial (C-H) by Applicant Shane Turner. Councilman Winsor seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

10. Resolution 24-33: Fourth Amendment to South Weber Gateway Development Agreement

The South Weber Gateway Development Agreement requires City Council approval to assign the ownership of the South Weber Gateway Development Agreement from Wasatch Bridge Primary Investments LLC to Stillwater Construction Group, LLC.

Councilwoman Petty moved to approve Resolution 24-33: Fourth Amendment to South Weber Gateway Development Agreement with an amendment to change the County of David to Davis. Councilman Halverson seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

REPORTS

11. New Business

Family Activity Center Scoreboard: City Manager David Larson announced the Family Activity Center scoreboard is broken. It is estimated the cost to replace it is approximately \$5,000. This is not budgeted for and would require an official budget amendment. The options to fund this include RAP tax, ARPA funds, or recreation funds. The council agreed to take it from the RAP tax.

Wasatch Integrated Waste: Mayor Westbroek announced the 40th year anniversary. On November 14th, the City Council and city staff are invited to lunch at noon and tour the new facility. The recycling program has increased with this new program.

Councilwoman Petty was recognized as the greatest contributor in 2024.

12. Council & Staff

Councilman Winsor: queried as to when the audit will be ready. Mr. Baltazar replied the city staff are currently working with Gilbert & Stuart, and he will let the committee know when they can meet.

Councilman Davis: reported the Safety Committee met and discussed data collection from the speed limit trailers. They agreed to move it around every two weeks to see if there is enough data for the city retreat to discuss whether to purchase more speed signs. There is a need to complete the emergency preparedness plan for the city and discuss it further at the city retreat. Councilman Winsor added the city did complete a risk assessment plan which can be used to apply for grants. Mr. Larson did discuss this matter with the city’s grant writer and the decision needs to be made about setting aside match money for those projects.

Councilwoman Petty: relayed the Halloween Bash was a success with approximately 603 who attended. She thanked Shaleigh King and all the city staff for their efforts.

Councilman Halverson: attended the Hill Air Force Base Restoration Advisory meeting. Citizens are receiving the indoor sampling packets and should not throw them away. He announced there are footings and foundation completed for the Public Works Facility. The material storage building will start first.

13. Adjourn: Councilman Winsor moved to go into a CLOSED SESSION held pursuant to the provision of UCA section 52-4-205 (1) (d) to discuss the purchase, exchange, or lease of real property at 7:54 p.m. Councilman Davis seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

APPROVED: _____ **Date** _____

Mayor: Rod Westbrook

Transcriber: Michelle Clark

Attest: _____
City Recorder: Lisa Smith