

# **SOUTH WEBER CITY COUNCIL MEETING**

**DATE OF MEETING:** 12 February 2008

**TIME COMMENCED:** 6:10 p.m.

**PLEDGE OF ALLEGIANCE:** Councilmember Poff

**PRAYER:** Councilmember Poll

**PRESENT: MAYOR:** Joseph Gertge  
**COUNCILMEMBERS:** Scott Peterson  
Michael Poff  
Farrell Poll

**CITY MANAGER:** Matt Dixon  
**CITY RECORDER:** Erika Ahlstrom

**EXCUSED: COUNCILMEMBERS:** David Thomas  
Scott Woodbury

**Transcriber:** Minutes transcribed by Michelle Clark

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A public work/discussion meeting was held at 5:30 p.m. to discuss and review agenda items.

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Mayor Gertge excused Councilmembers Woodbury and Thomas from tonight's meeting. He also welcomed those in attendance.

**VISITORS:** Brent Andrews, Ruth Malan, Jace Colby, Cindee Colby, Mark Perkins, Frank Patrick, Chris Wootton, Rorie Stott, John Kirkland, Clint Byram, Clark Stanger, Barry Burton.

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

**APPROVAL OF 22 JANUARY 2008 MINUTES:** Councilmember Peterson moved to approve the minutes of 22 January 2008 as amended. Councilmember Poff seconded the motion. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.

**DECLARATION OF CONFLICT OF INTEREST:** There was none.

**RESOLUTION 08-08: COUNCIL ASSIGNMENTS FOR 2008:** Councilmember Poff moved to approve Resolution 08-08. Councilmember Poll seconded the motion. Mayor Gertge called for the vote. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.

**SOUTH WEBER CITY**  
**Mayor and Council Assignments – 2008**

**Mayor Joe Gertge**

CDBG Committee  
 Central Weber Sewer District Board  
 Council of Governments (COG)  
 COG Business Development Fund  
 DARE Program  
 Davis County Board of Health  
 Davis County Handicap Services  
 Davis County Library  
 HAFB Liaison  
 Military Advisory Board  
 Military & Veterans Affairs  
 Northern Utah Landfill Board  
 Parks & Trails Annex to General Plan  
 Regional Growth Council  
 Safe Home School Committee  
 UTA and Mass Transit  
 Wasatch Front Regional Council  
 Wasatch Integrated District Board  
 Backup – History & Museums  
 Backup – Trails/Weber Pathways Committee

**Councilmember Scott Peterson**

Anti-Gang/Graffiti  
 Citizens Corps Council  
 County/State Emergency Agencies Liaison  
 Domestic Health and Welfare  
 Emergency Preparedness  
 Environmental Concerns  
 Gravel Pit Operations  
 HAFB Environmental  
 Job Corps – City Liaison  
 Public Safety, Police and Fire  
 Secondary Water Systems  
 Sensitive Land Issues and Ordinance  
 Streets, Walks and Traffic Signs  
 Water Rights  
 Weber Basin Water

**Councilmember Michael Poff****Mayor Pro Tem**

Board of Adjustment  
 Building Permits and Inspections  
 Business Licenses  
 Community Organizations Liaison  
 Country Fair Days  
 Monuments, Flags and Memorials  
 Posse Grounds and Riding Clubs  
 PTA & CARP Liaison  
 Senior Citizens/Council on Aging  
 South Weber Elementary Liaison  
 Youth City Council  
 Backup – Cemetery  
 Backup – Eagle Scout Projects  
 Backup – Justice Court

**Councilmember Farrell Poll**

Budgeting and Finance/Audit  
 Cable T.V. and Internet  
 COG Economic Alliance  
 Commercial Development  
 Employee Policies and Review  
 Envision Utah  
 Financial Planning/Project Funding  
 Garbage Collection  
 Grants  
 Gravel Pit Reclamation Committee  
 Legislative Committee  
 Sketch Plan Committee  
 Storm and Waste Water Systems  
 Backup – Chamber of Commerce  
 Backup – Commercial Inventory  
 Backup – Parks and Recreation

**Councilmember Dave Thomas**

Chamber of Commerce  
 Commercial Zoning Inventory  
 Community Development  
 General Plan  
 Justice Court  
 Land-Use Updates  
 Natural Resources  
 Parks & Recreation  
 Planning Commission  
 Regional Transportation  
 Trails/Weber Pathways Committee  
 Backup – Envision Utah  
 Backup – Gravel Pit Reclamation Committee  
 Backup – Regional Growth Council  
 Backup – Sketch Plan Committee

**Councilmember Scott Woodbury**

Animal Control  
 Beautification Committee  
 Bicycle Plan  
 Cemetery  
 City Donations  
 Code Enforcement  
 Eagle Scout Projects  
 Fees – Impact Fees & City Fee Schedule  
 History & Museums  
 Mosquito Abatement  
 Neighborhood Watch Liaison  
 Public Buildings  
 Public Relations  
 Tree City USA  
 Youth Service Projects  
 Backup – Employee Policies and Review  
 Backup – Domestic Health and Welfare  
 Backup – Commercial Development

**AMENDED SCHEDULE FOR MEETINGS:** Matt Dixon, City Manager, explained that the City Council has decided to hold a work meeting on the 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the month. The schedule also identifies meetings to be held for the City Council, Planning Commission Board of Adjustment, and South Weber Justice Court sessions for the 2008 calendar year.

**Councilmember Poll moved to approve the amended schedule for meetings. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**RESOLUTION 08-09: APPOINTMENT TO PLANNING COMMISSION – Mark Perkins:** Mark Perkins was appointed to the Planning Commission on April 10, 2007 to complete Tom Graydon's term, as Tom Graydon resigned due to appointment as Fire Chief. Resolution 08-09 provides for reappointment of Mark Perkins to the Planning Commission for the term of 1 February 2008 through 31 January 2013.

**Councilmember Peterson moved to approve Resolution 08-09 appointing Mark Perkins to the Planning Commission for the term of 1 February 2008 through 31 January 2013. Councilmember Poll seconded the motion. Erika Ahlstrom, City Recorder, called for the vote. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**RESOLUTION 08-10: APPOINTMENT TO BOARD OF ADJUSTMENT – John Kirkland & Chris Wootton:** It has become necessary to make reappointments of two members of the Board of Adjustment. Chris Wootton was an alternate member but has expressed a desire to be a regular member of the Board of Adjustment. The term of office for Board of Adjustment is five (5) years (SWC Code 10-4-2). Resolution 08-10 provides for reappointment of John Kirkland and Chris Wootton to the Board of Adjustment for the term of 1 February 2008 through 31 June 2013.

**Councilmember Poll moved to approve Resolution 08-10 appointing John Kirkland and Chris Wootton to the Board of Adjustment for the term of 1 February 2008 through 31 June 2013. Councilmember Peterson seconded the motion. Mayor Gertge called for the vote. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**RESOLUTION 08-07: APPOINTMENT OF CITY RECORDER – Erika Ahlstrom:** Matt Dixon, City Manager, stated that South Weber City requires appointment of the City Recorder in February following a city election. Resolution 08-07 provides for the reappointment of Erika Ahlstrom as City Recorder for the term of 2008 through 2010. Matt recommended the City Council approve this appointment.

**Councilmember Poll moved to approve Resolution 08-07 appointing Erika Ahlstrom as City Recorder for the term of 2008 through 2010. Councilmember Poff seconded the motion. Mayor Gertge called for the vote. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**QUARTERLY & YEAR-END REPORT: FIRE DEPARTMENT – Fire Chief Tom Graydon:** Tom Graydon, Fire Chief, presented the quarterly and year end report to the City Council. The quarterly report included the Run report which identified the average response time being seven minutes. There were 47 total responses for the quarter. Alarm activation analysis included 5 malfunctions at Job Corp and 3 malfunctions at homes for the quarter. Tom displayed pictures of an automobile accident on South Weber Drive. He also displayed a picture of a vehicle that hit a skateboarder. Tom stated there was a recent fire at L&J Auto in which a tractor caught fire. Pictures of this were also included. Tom stated there was a total of 195 responses for 2007. Current manpower includes 20 firefighters. All fire department vehicles are in service. Upcoming events include live fire structure training and an air management class. Tom stated concerns are as follows: response time, buried fire hydrants, experience levels, NFPA mandates, age of equipment, and time commitment required.

Councilmember Peterson asked what the minimum age is for a firefighter. Tom stated, “eighteen.” Councilmember Peterson said his son is sixteen years old and would be interested. Tom said there are some liability issues there but they can work out some type of training.

**RECOGNITION OF CLARK STANGER – SOUTH WEBER FIREFIGHTER OF THE YEAR:** The officers voted Clark Stanger as South Weber Firefighter of the Year. Tom stated Clark is very busy with his schooling but finds time to help on the fire department.

**RECOGNITION OF CLINT BYRAM – SOUTH WEBER FIRE DEPARTMENT OFFICER OF THE YEAR FOR 2007:** Tom stated he is a company officer with eight years of experience in South Weber. He helps with training. Tom stated he appreciates all he has done for the fire department.

Clark Stanger and Clint Byram were presented with Certificates of Recognition from the City Council and received congratulations from the Mayor and Council.

Tom then presented a slide presentation for the year. Councilmember Peterson stated the more one gets to know these firefighters, the more one realizes what a treasure they are to the city. He commended Chief Graydon for his leadership. He commended the fire fighters for their amount of dedication and service to South Weber City. Mayor Gertge thanked the fire department. Matt asked if the slide presentation can be put on the city web-site. Tom said that would be okay.

**Councilmember Poff moved to open the public hearing for Ordinance 08-03. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

\*\*\*\*\* PUBLIC HEARING \*\*\*\*\*

**ORDINANCE 08-03: AN ORDINANCE AMENDING TITLE 10 ZONING REGULATIONS, CHAPTER 5 ZONING DISTRICTS, ADDING ARTICLE L. LIGHT**

**INDUSTRIAL ZONE:** Mayor Gertge asked if there was any public comment. There was none.

**Councilmember Poll moved to close the public hearing for Ordinance 08-03. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**\* \* \* \* \* PUBLIC HEARING CLOSED \* \* \* \* \***

The Planning Commission determined that allowing construction yards as conditional uses in the Highway Commercial (C-H) Zone is not consistent with the purpose set forth in the Highway Commercial Zone. However, the Planning Commission deemed it necessary to provide a zone in which such uses are allowed.

On May 10, 2007, the Planning Commission held a public hearing and recommended that construction yards would be appropriate as conditional use in the Transitional Light Industrial (T-1) and the Natural Resource (N-R) Zones, and should be removed as a conditional use in the C-H Zone, and forwarded this recommendation on to the City Council. The City Council reviewed this recommendation on June 12 and August 14, 2007, tabling the issue at both meetings. The City Council determined a new zone should be established for construction yards and directed the Planning Commission to make a recommendation for a new zone.

At a public hearing held on December 13, 2007, the Planning Commission recommended the addition of a Light Industrial (L-1) Zone with the purpose “to provide a zone where some low impact industrial uses are appropriate and to provide a review procedure to ensure compatibility of uses internal to this Zone and adjacent zones,” which includes construction yards as conditional use.

Barry Burton, City Planner, stated concerning Title 10, Chapter 13 Industrial Parks; Special Regulations, the Planning Commission met on 23 August 2007 in which discussion took place regarding an application made by Layne Kap for an industrial park. This revealed the city code, regarding industrial park regulations, had some unreasonable standards, such as requiring a minimum of 20 acres, with minimum lots sizes of one acre. Following that meeting Barry worked on revising the city codes relating to industrial parks and brought them before the Planning Commission on 27 September 2007.

The Council pointed out that although the Planning Commission intended this zone to include construction and contracting yards and buildings, that use was somehow omitted from the version they received. Barry indicated this was an oversight, and construction and contracting yards and buildings should definitely be included under permitted uses, as this was the whole purpose of establishing the new zone.

Councilmember Poff discussed (Section 10-5L-4) concerning the differences in storage units. Barry said it was felt that we need to allow for storage in some places of the city and this zone seemed like a natural fit.

**Councilmember Peterson moved to approve Ordinance 08-03 amending Title 10, Zoning Regulations, Chapter 5 Zoning Districts, adding Article L. Light Industrial Zone (L-1) with the amendment to Section 10-5L-4 under permitted uses to include construction and contracting yards and buildings. Councilmember Poll seconded the motion.**

Further discussion took place on the motion in which Councilmember Poff discussed removing storage units from Section 10-5L-4. He feels the City does not want any more commercial storage units.

**Councilmembers Peterson, and Poll voted yes. Councilmember Poff voted no. The motion failed 2 to 1.**

**Councilmember Poff moved to approve Ordinance 08-03 amending Title 10, Zoning Regulations, Chapter 5 Zoning Districts, adding Article L. Light Industrial Zone (L-1) with the amendment to Section 10-5L-4 to delete “commercial storage” and “recycling and collection center operated within an enclosed building”. The motion died due to lack of a second.**

**Councilmember Poll moved to open the public hearing for Ordinance 08-04. Councilmember Poff seconded the motion. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**\* \* \* \* \* PUBLIC HEARING \* \* \* \* \***

**ORDINANCE 08-04: AN ORDINANCE AMENDING TITLE 11 SUBDIVISION REQUIREMENTS, CHAPTER 3 PLATS AND PLANS:** Mayor Gertge asked if there was any public comment. There was none.

**Councilmember Peterson moved to close the public hearing for Ordinance 08-04. Councilmember Poff seconded the motion. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**\* \* \* \* \* PUBLIC HEARING CLOSED \* \* \* \* \***

A public hearing was held on December 13, 2007, the Planning Commission recommended the addition of Section 3, Special Provisions for Commercial/Industrial Subdivisions to Title 11 Subdivision Requirements, Chapter 3 Plats and Plans.

Section 3 allows for a commercial/industrial subdivision to prepare and record a dedication plat instead of a plat with formally approved lots. Once a preliminary plat is approved, showing where all of the infrastructure (i.e. streets, storm drain lines, etc.) will go as well as how potential lots will lay out, the developer will prepare a dedication plat that will dedicate the infrastructure and the boundary description of the subdivision. Once the dedication plat has been recorded lots can then be sold and established by metes and bounds and sized according to needs of each lot owner. Prior to recording the metes and bounds lots the lots must: 1) conform to the approved preliminary plat, 2) conform to Title 10, and 3) the deed must contain the stamp or mark indication the division has been approved by City staff.

**Councilmember Poll moved to approve Ordinance 08-04 amending Title 11, Subdivision Requirements Chapter 3 Plats and Plans, adding Section 3 Special Provisions for Commercial/Industrial Subdivisions. Councilmember Peterson seconded the motion. Mayor Gertge called for the vote. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**WARRANT REGISTER: Councilmember Poff moved to approve the amended warrant register. Councilmember Poll seconded the motion. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

#### **CITY COUNCIL ITEMS:**

##### **Councilmember Poff:**

**475 East:** Councilmember Poff asked when the public meeting for the residents along 475 East will be held regarding reconstruction of 475 East. Matt reported it will be held on February 27, 2008 at 6:00 p.m.

**Easter Egg Hunt:** This will be held on March 17, 2008.

**Senior Luncheon:** This will be held on March 14, 2008. He is looking at forming a committee to decide on entertainment etc.

##### **Councilmember Poll:**

**Cemetery:** Councilmember Poll contacted a relative who runs Lindquist Cemetery. He was told cemeteries are not profitable. He said the intent is not to be a money maker for the city and would take quite a bit of time for this whole idea to kick in. He said to be sure to check the drainage. He said Lindquist would not be interested. Councilmember Poll said his relative would be willing to come and talk to us. Discussion took place regarding the city staff's investigation and collection of information from other cities. Public comment will take place concerning this item.

##### **Councilmember Peterson:**

**Citizen Corps Council Meeting:** This will be held on February 19, 2008.

#### **MAYOR'S ITEMS:**

**Davis County Health Department:** Bird flu on its way. Also, new requirements for public swimming pools concerning how the water is to be treated.

**Meeting with Staker/Parson Companies:** There needs to be more discussion and negotiation concerning excavation.

**CITY MANAGER ITEMS:**

**City Treasurer:** Jami Jones will start Thursday. She will be appointed at the next City Council meeting.

**City Staff Meeting:** The Staff will be discussing flood control issues and areas that need to be focused on. We will map out portion of the city that will be of concern.

**Detention Basin at South Weber Drive and 1900 East:** Those involved will be contacting the Ombudsman Office.

**Davis County School District Meeting to discuss the Kindergarten through 3<sup>rd</sup> grade building:** Matt met with the school district and discussed storm drain, street improvements, etc. There are still many things that need to be completed.

**ADJOURN: Councilmember Poll moved to adjourn the meeting at 8:32 p.m. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, and Poll voted yes. The motion carried.**

**APPROVED:** \_\_\_\_\_ **Date** 26 Feb 2008  
**Mayor: Joseph E. Gertge**

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

**Attest:** \_\_\_\_\_  
**City Recorder: Erika J. Ahlstrom**

**FEBRUARY 12, 2008**  
**WORK/DISCUSSION MEETING PRIOR TO CITY COUNCIL**

The work session commenced at 5:30 p.m.

Those in attendance to the work session were: Mayor Joseph Gertge, Councilmembers Scott Peterson, Michael Poff, Farrell Poll, City Manager Matt Dixon, City Recorder Erika Ahlstrom.

Visitors: Brent Andrews.

Minutes of 22 January 2008: Two typos were noted.

Amended Meeting Schedule: Discussed in 29 January work meeting holding a work meeting every week. However, not on fifth Tuesday. Work meetings will be held on first and third Tuesday at 5:00 pm lasting until about 6:30 pm. Council will have work meeting prior to regular Council meetings at 5:30 pm. Begin this schedule in March.

Councilmember Poll commented that he will be out of town March 6 through 18.

Ordinances: Matt indicated the intent initially was to take construction yards out of the commercial zone. The Planning Commission recommended deleting construction yards as conditional use from commercial highway zone, and adding to T-1 and N-R zones. However, City Council directed creating a new zone. Councilmember Poff pointed out construction yards is not included in the ordinance included in the packet. This will need to be added in the meeting, as this was clearly the intent of the zone.

Matt explained the amended to Title 11 is regarding plats for industrial parks.

Councilmember Poff expressed concern that commercial storage is included in the proposed new zone. Matt said the Planning Commission did discuss this, but did include it.

Matt and the Council discussed some current legislative activity.

Work meeting adjourned at 6:02 p.m. Minutes taken by Erika Ahlstrom, City Recorder.