

SOUTH WEBER CITY COUNCIL MEETING

DATE OF MEETING: 9 November 2010

TIME COMMENCED: 6:19 p.m.

PLEDGE OF ALLEGIANCE: Councilmember Woodbury

PRAYER: Councilmember Poff

PRESENT: MAYOR: Jeff Monroe

COUNCILMEMBERS: Sara Lusk
Farrell Poll
Michael Poff
Scott Woodbury

CITY MANAGER: Rodger Worthen

CITY RECORDER: Erika Ahlstrom

EXCUSED: COUNCILMEMBER: Dave Thomas

Transcriber: Minutes transcribed by Michelle Clark

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

VISITORS: Jason Davis, James Ziter, Bailey Ditty, Justin Smith, Brian Rammell, Tucker Fish, Collin Henderson, Michael Peterson, Larry Ison, Art Gorringer, Scott Casas, and Brian Ernz.

Mayor Monroe excused Councilmember Thomas from tonight's meeting. The Mayor welcomed Troop #433.

APPROVAL OF THE AGENDA: Councilmember Poll moved to approve the agenda as written. Councilmember Lusk seconded the motion. Councilmembers Poff, Poll, Lusk, 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 26 OCTOBER 2010 COUNCIL MEETING MINUTES**
- ◆ **APPROVAL OF 2 NOVEMBER 2010 COUNCIL/PLANNING COMMISSION COMBINED SESSION WORK MEETING MINUTES**

Councilmember Woodbury moved to approve the consent agenda as written. Councilmember Poll seconded the motion. Erika called for the vote. Councilmembers Poff, Poll, Lusk, and Woodbury voted yes. The motion carried.

Councilmember Poff moved to open the public hearing for Ordinance 10-09. Councilmember Poll seconded the motion. Councilmembers Poff, Poll, Lusk, and Woodbury voted yes. The motion carried.

******* PUBLIC HEARING *******

ORDINANCE 10-09: AN ORDINANCE AMENDING TITLE 10 ZONING REGULATIONS, CHAPTER 1 GENERAL PROVISIONS, SECTION 10 DEFINITIONS ADDING “OWNER OCCUPIED TWO FAMILY DWELLING” AND AMENDING CHAPTER 7 CONDITIONAL USES ADDING “ARTICLE L. OWNER OCCUPIED TWO FAMILY DWELLINGS”: Mayor Monroe stated this ordinance would amend zoning to define conditions for two family dwellings in the residential moderate, residential low moderate and agricultural zones in South Weber City.

Mayor Monroe asked if there was any public comment.

Art Gorringer 2252 E. 7875 S., asked if this ordinance includes the whole city? Mayor stated, “yes”.

Councilmember Poff moved to close the public hearing for Ordinance 10-09. Councilmember Lusk seconded the motion. Councilmembers Poll, Poff, Lusk, and Woodbury voted yes. The motion carried.

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

Councilmember Poff feels everyone has learned a lot concerning this item. Councilmember Poll stated from the time this began, we also gained more knowledge with state code and what can be done. Councilmember Lusk feels this still needs work with our current code. She feels the council should take a look at this as a separate ordinance. Councilmember Poff suggested discussing this item with Utah League of Cities and Towns. The council agreed.

Councilmember Poff moved to deny Ordinance 10-09 amending Title 10 Zoning Regulations, Chapter 1 General Provisions, Section 10 Definitions, and adding “Owner Occupied Two Family Dwelling” and amending Chapter 7 Conditions Uses Adding “Article L. Owner Occupied Two Family Dwellings”. Councilmember Woodbury seconded the motion. Erika called for the vote. Councilmembers Poll, Poff, Lusk, and Woodbury voted yes. The motion carried.

DISCUSSION WITH UTAH DEPARTMENT OF TRANSPORTATION (UDOT) REGARDING SOUTH WEBER DRIVE (SR-60) – Jason Davis, Region One Director, UDOT: Jason Davis of UDOT approached the City Council to discuss SR-60. He has been in the position of Region One Director for approximately one year. He stated during this time he has seen the conditions of many of the state routes. Mr. Davis drove SR-60 with Mayor Monroe. He stated roads such as SR-60 receive less traffic verses other state roads; therefore, it receives

less funds for maintenance. He stated they will chip seal the majority of SR-60 which works better on the eastern end that has more sidewalks, curb, and gutter. UDOT feels the chip seal will take care of the eastern end as cost effectively as possible. He stated the western end will receive micro-surface. He expects the eastern end will receive some type of treatment by 2012.

Councilmember Woodbury discussed bicyclists not following the rules. He asked about signage for cyclists to remind them to ride single file. Mr. Davis questioned if it is even legal to require that. Councilmember Woodbury stated he has looked into it and it is legal. Mr. Davis stated UDOT has looked at widening the shoulders in the west end but there is concern with the open ditches. The council stated the ditches are not used anymore. Mr. Davis is willing to work with Rodger on looking at filling those ditches.

Councilmember Poff asked about detention pond at the end of the gravel pit. He stated the gravel pit is supposed to extend the berm along the west end of the pit. Parsons is willing to take any of the storm water, but what is the process if the water can be re-channeled and can the city make it into a park? Councilmember Poff stated this would be valuable to the city. Mr. Davis stated he has worked with other cities; however, the State can't give anything of value away. The State would have to surplus the property. Discussion took place regarding a trade of property in which UDOT could show value for value.

Councilmember Poff asked about the detention pond along Highway 89. Mr. Davis stated UDOT would be willing to entertain a landscape agreement with a developer. Councilmember Poll asked about whether the pond would need to be fenced. Mr. Davis stated he would be willing to work with a developer on that.

Mayor Monroe appreciates the city's opportunity to work with UDOT. He stated Councilmember Thomas will be contacting Brad Dee to see if SR-60 can move up on the priority list.

Scott Casas, 1470 Canyon Drive, stated he has been working with UDOT and the city concerning street lights that are out on Highway 89 for three years now. He stated there are currently seven lights that are out. He stated both on-ramps have lights out. He questioned how the community gets those lights working. Mr. Davis stated it is the city's responsibility. He stated the only lights the states owns, maintains, and repairs are those on an interstate ramp. Mr. Casas stated the city's deputy recorder Emily Thomas has been working on trying to find out who is responsible and getting these lights in working order. Mayor Monroe stated the City Manager will look into that.

Councilmember Poff asked about getting a maintenance agreement from UDOT for him to maintain UDOT property on 475 East. Mr. Davis stated he likes to see someone who is willing to help maintain State property.

RESOLUTION 10-41: AUTHORIZING CONTINUED CONDITIONAL USE FOR FORESTDALE INVESTMENTS/ BURBIDGE CONCRETE PUMPING AT 7636 SOUTH CORNIA DRIVE: James Ziter, attorney for Forestdale Investments, stated they have issued a check to Mr. Noel, City's Attorney, for back payment on business license fees. Mr. Ziter thanked the mayor and council for starting this meeting with the pledge of allegiance.

Councilmember Woodbury moved to approve Resolution 10-41 authorizing continued conditional use for Forestdale Investments/Burbidge Concrete Pumping at 7636 South Cornia Drive. Councilmember Lusk seconded the motion. Erika called for the vote. Councilmembers Poll, Poff, Lusk, and Woodbury voted yes. The motion carried.

MAYOR'S ITEMS:

FEMA Training Check: Mayor Monroe reminded the council to turn in their reimbursement amounts to the City.

Work Meeting & Council Meeting: There will be no city council work meetings held in November or December; however, the regular city council meeting will be held on December 14, 2010.

Christmas Party: The City Christmas Party will be held on December 10, 2010 at Weber Basin Job Corps at 5:30 p.m.

2010 Parent/Educator Winner for Resource Students: Mayor Monroe congratulated Jane Woodbury being the winner of the 2010 parent/educator for resource students. Councilmember Woodbury stated Jane will be graduating from college on December 2010.

COUNCIL ITEMS:

Councilmember Poll:

South Ogden Fire Truck: Councilmember Poll stated South Ogden City has a fire truck for sale. Rodger will get with Matt Dixon, City Manager at South Ogden City. The council agreed to look into that.

North Salt Lake City Office: He suggested the mayor and council take a tour of the North Salt Lake City Office.

Councilmember Poff:

Youth Council Food Drive: The Youth Council collected canned food from South Weber Elementary School which was a success.

Senior Citizen Luncheon: This will be held on December 10th at the Family Activity Center.

Councilmember Woodbury:

Veteran's Park: He stated the flags need to be replaced in Veteran's Park. Rodger stated the city has ordered new flags.

Councilmember Lusk:

State Emergency Preparedness Meeting: A major function will be held once a month for 2011. She would like to have it posted in the city newsletter.

CITY MANAGER ITEMS:

City Manager Staff Reports: Councilmember Poff thanked Rodger for the weekly staff report. Rodger feels this is a way to keep the council informed of what is going on.

Gas Cards for City Vehicles: Rodger stated a gas card is a tool to manage the gas consumption. It is a program operated by the State of Utah. The card is attached to the vehicle. Employees are assigned a pin number.

Collection Agency: Looking at hiring a collection agency to collect utility bills from individuals who have left town and delinquent accounts payable. Rodger is working with Jamie on this item. She is collecting information from various collection agencies.

Flag Light at City Office: He is looking at changing the style of spotlight on the flag.

DUED Meeting: He attended this meeting today. Rodger will be getting involved on various committees with the Davis Chamber of Commerce. He feels this is a way to get South Weber City involved.

ADJOURNED: Councilmember Poll moved to adjourn the city council meeting at 7:30 p.m. Councilmember Woodbury seconded the motion. Councilmembers Lusk, Poff, Poll, and Woodbury voted yes. The motion carried.

APPROVED: _____ **Date** 11 Jan 2011
Mayor: Jeff Monroe

Transcriber: Michelle Clark

Attest: _____
City Recorder: Erika Ahlstrom

NOVEMBER 9, 2010
WORK/DISCUSSION MEETING PRIOR TO CITY COUNCIL

Those in attendance to the work session were: Mayor Jeff Monroe, Councilmembers Sara Lusk, Michael Poff, Farrell Poll, Scott Woodbury, City Manager Rodger Worthen, City Recorder Erika Ahlstrom.

Excused: Councilmember Thomas.

Visitors: None

Work meeting commenced at 5:38 p.m.

Consent Agenda: No concerns.

Ordinance 10-09: Councilmember Poll said he wanted to know if the requirement (referenced in this proposed ordinance) to be owner-occupied would apply to anything that is currently a twin home or duplex, that it has to be owner occupied. It was clarified that the two-family dwellings are currently permitted in R-H and conditional use in R-L zones, and the Planning Commission has recommended a definition in all the zones to allow two dwellings and they be owner-occupied. Erika reminded the Council that they had received a recommendation from the Planning Commission to allow two-family dwellings as a conditional use in all zones, and the Council had requested that the Planning Commission set conditions in the zoning ordinance for two-family dwellings. It was clarified that this is not referencing duplexes, but rather a dwelling created in a portion of a single family dwelling. Mayor Monroe said it is already in the ordinance that you can have five unrelated people in the home; State law allows three. Rodger stated the owner-occupied condition will be extremely difficult to enforce, not to mention identify. The question is "What are we trying to accomplish?" Councilmember Poll explained that this issue came about when a resident informed the city he wanted to finish his basement and rent the upper space; however his property is not in a zone that allows two-family dwellings. For the reason, the Planning Commission considered the option of allowing them in all zones, and recommended this change to the City Council. The City Council tabled the ordinance pending consideration of conditions such as owner occupied. Mayor Monroe praised the Planning Commission for doing their due diligence by providing the Council what they requested. Councilmember Woodbury stated for the record that as the City Council looked into the issue further, it was deemed these changes are not needed. Mayor Monroe said the city may want to change it to a permitted use.

Resolution 10-41: The Council deemed it appropriate to go into closed session regarding reasonably imminent litigation.

EXECUTIVE CLOSED SESSION: A motion was made by Councilmember Woodbury at 6:00 p.m. to enter into a closed executive session in accordance with UCA 52-4-205 for discussion of pending or reasonably imminent litigation. Councilmember Poll seconded the motion. Councilmembers Poff, Poll, Lusk and Woodbury voted yes. The motion carried.

The Council moved directly into the regular public meeting immediately after adjourning closed executive session at 6:16 p.m.

Work meeting minutes by Erika Ahlstrom.