

SOUTH WEBER CITY COUNCIL MEETING

DATE OF MEETING: 13 November 2012

TIME COMMENCED: 6:00 p.m.

PLEDGE OF ALLEGIANCE: Mayor Monroe

PRAYER: Councilmember Hilton

PRESENT: MAYOR: Jeff Monroe

COUNCILMEMBERS: Joseph Gertge
Randy Hilton
David Thomas

CITY MANAGER: Rodger Worthen

CITY RECORDER: Erika Ahlstrom

EXCUSED: COUNCILMEMBERS: Michael Poff
Farrell Poll

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: Brent Poll, Jacob Burchell, Nick Poll, Christopher Curtis, Jarom Christensen, Jonathan Soderquist, Cheryl Strong, Blayne Christensen, Angela Poll, Tavis Fitzgerald, Andrew Barnett, Layne Kap, Calvin Kap, Barbara Kap, and Keith Kap.

Mayor Monroe excused Councilmembers Poff and Poll from tonight's meeting. He welcomed Scout Troop #734.

APPROVAL OF THE AGENDA: Councilmember Gertge moved to approve the agenda as amended with deletion of the quarterly report from the Public Works Department. Councilmember Hilton seconded the motion. Councilmembers Gertge, Hilton, and Thomas voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: The City Council declared no conflict of interest.

CONSENT AGENDA:

- ♦ Approval of 23 October 2012 City Council Meeting Minutes

Councilmember Hilton moved to approve the consent agenda as written. Councilmember Gertge seconded. Councilmembers Gertge, Hilton, and Thomas voted yes. The motion carried.

Councilmember Gertge moved to open the public hearing for Ordinance 12-08. Councilmember Hilton seconded the motion. Councilmembers Gertge, Hilton, and Thomas voted yes. The motion carried.

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

ORDINANCE 12-08: An Ordinance Amending Title 11 Subdivision Regulations, Chapter 2 Administration and Enforcement, Article 2 Fees & Article 5 Application Expiration:

Rodger explained that there have been several developments that have been approved by the City Council and for whatever reason have failed to record their development within the required 120 days. This proposed change strengthens the existing wording and requires the developer to either apply for an extension before the 120 days expire, or begin the development process over and repay all required fees.

Mayor Monroe asked if there was any public comment. There was no public comment.

Councilmember Gertge moved to close the public hearing for Ordinance 12-08. Councilmember Hilton seconded the motion. Councilmembers Gertge, Hilton, and Thomas voted yes. The motion carried.

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

Councilmember Hilton moved to approve Ordinance 12-08 - An Ordinance Amending Title 11 Subdivision Regulations, Chapter 2 Administration and Enforcement, Article 2 Fees & Article 5 Application Expiration. Councilmember Gertge seconded the motion. Erika called for the vote. Councilmembers Gertge, Hilton, and Thomas voted yes. The motion carried.

QUARTERLY REPORT: Davis County Sheriff’s Office – Det. John Olsen: Detective John Olsen approached the City Council and presented the Davis County Sheriff’s Office quarterly report. He stated second quarter citations totaled 188 verses the third quarter citations of 228. Detective Olsen reported that law incidents for the second quarter totaled 160 with 161 for the third quarter. Current trends included: four assaults for the third quarter, nine domestic related incidents, three graffiti incidents, and harassment complaints were up by two. Detective Olsen stated there was one overdose in the second quarter and three is in the third quarter. Suspicious circumstance was up by four and thefts were down by one. Vehicle burglaries were down by seven. He stated the city is doing really well considering 90% of his cases come out of West Point. He commended South Weber’s citizens for being well behaved. Mayor Monroe pointed out that most of the calls come from the east end verses the west end. Councilmember Gertge suggested updating the city if there is anything unusual or disturbing. Mayor Monroe thanked Detective Olsen for his attendance.

QUARTERLY REPORT: Fire Department – Tom Graydon, Fire Chief: Fire Chief Graydon presented the quarterly report for the Fire Department. There were 45 responses with medical being the highest number of calls. Delta response is the highest. Job Corps continues to be the largest alarm group due to several malfunctions with their main system. The private alarms were carbon monoxide alarms. The call trend is trending downward. Average response time is 8:47

with the longest response time being 19:00 in Layton. There average number of responders is 5.84. There are a total of 14 firefighters. Brush 8 is out of service and will be salvaged to the State. There is continued concern with availability of daytime firefighters, experience levels/training, etc. 81.25% fire incidents occur during 7:00 a.m. to 5:00 p.m. The vast majority of calls occur during the daytime. Councilmember Gertge asked if most of the public have a carbon monoxide alarm. Fire Chief Graydon stated if there is a business in the home or a rental unit, they are required to have a carbon monoxide alarm. Councilmember Gertge suggested a reminder going in the city newsletter for citizens to check or install a carbon monoxide alarm.

QUARTERLY REPORT: Recreation Programs – Curtis Brown, Recreation Director:

Curtis Brown presented the quarterly report for the Recreation Department. He stated every program has been under budget. He stated volleyball registration doubled this year. Football was down due to competing with Lacrosse. He stated the mother/son Halloween party was a success. He would like to keep it an annual tradition. He is looking at holiday games for the children during the Christmas break.

UTAH'S YELLOW DOT PROGRAM – Rhonda Parker

Rhonda Parker presented Utah's Yellow Dot Program to those in attendance. She stated the "Yellow Dot" program is a program designed to assist citizens and first responders in the event of an automobile accident or other medical emergency involving the participant's vehicle.

She explained that the "Yellow Dot" program provides detailed medical information that can be crucial following a crash. Participants of the program receive a "Yellow Dot" decal, or "Yellow Dot" Emergency Medical Information form with the participant's name, emergency contacts, personal physicians' information, hospital preference, medical conditions, recent surgeries, allergies and medications being used, and a location for an identifying photo to be attached.

A "Yellow Dot" decal on the driver's side rear window of the vehicle alerts first responders to check in the glove compartment for the corresponding "Yellow Dot" Emergency Medical Information profiles. Having this information following a crash helps first responders positively identify the person, get in touch with family or emergency contacts and ensures that the person's current medications and pre-existing medical conditions are considered when treatment is administered for injuries.

The "Yellow Dot" program is a free service provided to individuals of all ages, with an emphasis on senior citizens. The program is administered by Utah Department of Public Safety, Utah Highway Safety Office. The "Yellow Dot" program is a cooperative effort of State Law Enforcement agencies, Fire & Rescue, Emergency Medical Services, and communities of Utah.

Rhonda stated she is asking the City Council's support. Mayor Monroe stated the council will take the next step and review this request. He thanked Rhonda for her attendance.

RESOLUTION 12-31: Final Plat – Easton Village Subdivision Phase One (Replaces Res. 12-20) Mayor Monroe stated the final plat for the Easton Village Subdivision was approved by the City Council by Resolution 12-20 on August 28, 2012.

The Kap brothers, developers, requested a variance to the subdivision design standards by allowing a 60 foot right of way throughout the development, rather than the 70 foot right of way

as required by the standards. On September 27, the Planning Commissioner considered the request and made recommendation to the City Council that the developer follow the ordinance as written. On October 9 the City Council approved the variance as requested by the developer.

The final plat approved on August 28 reflected the 70 foot right of way. The variance created a major change on the plat, thereby requiring reapproval of the plat.

Brent Poll, 7605 S. 1375 E., stated in the work meeting we discussed this item at length. He is concerned about the notice on the plat concerning the pollution. It states anyone concerned should contact Hill Air Force Base. He doesn't feel individuals should contact the polluters. He feels the city needs to protect the citizens because they are responsible for the health and welfare of the city.

Councilmember Thomas has been in the process of reading the risk assessment reports. He stated the problem is there is a property owner near a plume site and there hasn't been any contamination found. He stated technically, you could say no one can build in South Weber. Councilmember Thomas asked Mr. Poll if it isn't the purpose of the plat note to put people on notice if they want more information. Mr. Poll feels the city is putting individuals at risk. Councilmember Thomas stated there is no evidence that there is contamination on this particular property. He stated Hill Air Force Base claims the plume is shrinking. Mr. Poll disagreed. He stated people are at risk. Mr. Poll suggested the city go back to the base and force them to do something other than natural attenuation. Councilmember Thomas stated the city receives updated reports from Hill Air Force Base and Mr. Poll is telling us to disregard what they have told us.

Councilmember Hilton stated there are warnings on things all of us purchase everyday. The city is stating if an individual is concerned about this then they can go to Hill Air Force Base to get information.

Councilmember Gertge moved to approve Resolution 12-31 Final Plat for Easton Village Subdivision, Phase 1. Councilmember Thomas seconded the motion. Councilmember Thomas did note that he voted against the variance. **Erika called for the vote. Councilmembers Gertge, Hilton, and Thomas voted yes. The motion carried.**

CITY COUNCIL ITEMS:

Councilmember Hilton:

Work Meeting with Planning Commission: He asked about this meeting. Emily stated she is working with the Planning Commission to schedule that meeting.

CITY MANAGER ITEMS:

Audit: He stated the audit is underway and will be forthcoming.

Recognition of Volunteers: He stated Emily is working of recognizing volunteers sometime in December.

Utah League of Cities & Towns: He stated they are trying to resolve conflicts with Truth in Taxation.

Budget Policy and Retreat: Looking at conducting this January 17th or 18th. He would like to discuss policies, goals, etc. for the city.

Christmas Dinner: December 7th at 6:00 p.m. at Job Corps.

ADJOURNED: Councilmember Thomas moved to adjourn the City Council meeting at 7:07 p.m. Councilmember Hilton seconded the motion. Councilmembers Gertge, Hilton, and Thomas voted yes. The motion carried.

APPROVED: _____ Date 11 Dec 2012
Mayor: Jeff Monroe

Attest: _____
City Recorder: Erika Ahlstrom

NOVEMBER 13, 2012
WORK/DISCUSSION MEETING PRIOR TO CITY COUNCIL

Those in attendance to the work session were: Mayor Jeff Monroe, Councilmembers Randy Hilton, Joe Gertge, Michael Poff, Dave Thomas, City Manager Rodger Worthen, City Recorder Erika Ahlstrom.

Visitors: Brent Poll, Brandon Jones

Councilmember Gertge moved and Councilmember Hilton seconded a motion to go into work meeting. Work meeting commenced at 5:38 p.m.

Warrant Register and Consent Agenda: No comments.

ORD 12-08 Title 11: Mayor Monroe asked if the city notifies the developer when the 120 day deadline has expired. Rodger stated “no” as it is the responsibility of the developer to know. Councilmember Thomas pointed out there is a provision which allows the developer to seek extension. Rodger stated the reason for this ordinance change is that we don’t want subdivisions coming in after years wanting to start developing.

Quarterly Reports: Mark Larsen will not be in attendance to provide the public works report.

Utah’s Yellow Dot Program: Rhonda Parker will be here. Gave Emily an estimate of \$500, we have funds in budget for this.

RES 12-31 Final Plat Easton Subdivision: Rodger the variance on the road right of way width was approved but plat wasn’t there for approval, basically reapproving with the narrower width. Mr. Poll will be given time for comments at that time; his comments are regarding the note on the plat. Rodger clarified the plat is coming back due to the variance, the initial approval did include the requirement for the note on the plat.

Brent Poll stated he is concerned about the city council being responsible for the health and safety of people in subdivision, in accordance with Titles 10 and 11. He said the proposed note on the plat says to contact Hill Air Force Base, so the city is saying whatever Hill AFB says it endorses. Mr. Poll said the ordinances are clear that the final jurisdiction is the city council’s. He said the base is in the business of selling monitored natural attenuation. He said this safeguards no one in the city. Mr. Poll explained that natural attenuation means that over time it will dissipate, but that means it is going up the nose of a baby. He said the city is having the base tell people they are safeguarding through natural attenuation. Mr. Poll told the city council to find out how to safeguard people. He asked if the city council is aware of potential liability. He said (the Landfill Coalition) is responsible as landowners because they are a transporter under their property to others. He said the pollution goes under this new subdivision, and to say no pollution is there is ridiculous. Mr. Poll said he doesn’t think the city council should turn people over to the base for answers.

Councilmember Thomas questioned what the city is to the landowner. He said the potential responsible parties are those that caused the pollution, and it is their job to clean it up according to CERCLA law and the EPA. Mr. Poll said the property owner is still responsible, and they are creating a subdivision in middle of property that is threatened. Councilmember Thomas said they aren’t within the operable units according to the EPA. Mr. Poll argued that it is within the operable unit, asking the council if they are saying the map is a boundary.

Councilmember Hilton said he doesn’t think Mr. Poll or the Base have facts, they are opinions only. He said the wells outside of the operable units have picked up no contamination. He added that the school

district did a sample when they did the school addition. Mr. Poll argued that was just one day's soil sample.

Continuation of the stated arguments followed.

Work meeting adjourned at 5:58 p.m. Work meeting minutes by Erika Ahlstrom