

SOUTH WEBER CITY COUNCIL MEETING

DATE OF MEETING: 27 November 2012

TIME COMMENCED: 5:38 p.m.

PLEDGE OF ALLEGIANCE: Mayor Monroe

PRAYER: Councilmember Poll

PRESENT: MAYOR:

Jeff Monroe

COUNCILMEMBERS:

Joseph Gertge
Randy Hilton
Farrell Poll
David Thomas (arrived at 6:21 p.m.)

CITY MANAGER:

Rodger Worthen

CITY RECORDER:

Erika Ahlstrom

EXCUSED: COUNCILMEMBER:

Michael Poff

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: Stephen Fackrell, Layne Kap, Brandon Jones, Leland Martineau, Kent Martineau, LeRoy Kap, Scott Casas, and Cheryl Strong.

APPROVAL OF THE AGENDA: Councilmember Gertge moved to approve the agenda as written. Councilmember Poll seconded the motion. Councilmembers Gertge, Hilton, and Poll voted yes. The motion carried.

Mayor Monroe excused Councilmember Poff from tonight's meeting.

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

Councilmember Poll moved to open the public hearing for Ordinance 12-09. Councilmember Gertge seconded the motion. Councilmembers Gertge, Hilton, and Poll voted yes. The motion carried.

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

ORDINANCE 12-09: Amendment To City's Zoning Map – Change of Zoning Parcels #13-011-0155 and #13-021-0126 from Residential Low Moderate (RLM) to Residential Moderate (RM) Zone, approximate location 1200 E South Weber Drive; Applicant

Stephen Fackrell: Mayor Monroe explained that the property owners of Parcels #13-011-0155 and 13-021-0126 have made application for change of zoning from current Residential Low Moderate (RLM) Zone to Residential Moderate (RM). He then asked if there was any public comment.

LeRoy Kap, 4410 Orchard Ave, stated he owns property west of this subdivision. He is concerned about the storm drain dumping on his property from the Bouchard subdivision. He has met with his attorney and was told he needs to take action. He stated it is draining over the hill onto his farm.

Mayor Monroe stated there is an item later on the agenda that will create a regional storm drain agreement for this property, which should hopefully relieve Mr. Kap’s issue. Rodger stated the storm drain will eliminate Mr. Kap’s problem.

Councilmember Hilton moved to close the public hearing for Ordinance 12-09. Councilmember Gertge seconded the motion. Councilmembers Gertge, Hilton, and Poll voted yes. The motion carried.

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

Mayor Monroe stated part of the property is RLM. This ordinance would create an RM zone for the entire property.

Councilmember Gertge moved to approve Ordinance 12-09 as written. Councilmember Hilton seconded the motion. Erika called for the vote. Councilmembers Gertge, Hilton, and Poll voted yes. The motion carried.

Councilmember Poll moved to open the public hearing for Resolution 12-32. Councilmember Hilton seconded the motion. Councilmembers Gertge, Hilton, and Poll voted yes. The motion carried.

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

RESOLUTION 12-32: Final Plat – Cottonwood Cove Subdivision (55 lots) located at approximately 1200 E South Weber Drive; Applicant Stephen Fackrell

Mayor Monroe asked if there was any public comment.

Scott Casas, 1470 Canyon Drive, asked if Canyon Drive will be extended. Rodger stated eventually it will. Rodger explained that the city is requiring road base at this time, but not a public access.

Councilmember Poll moved to close the public hearing for Resolution 12-32. Councilmember Gertge seconded the motion. Councilmembers Gertge, Hilton, and Poll voted yes. The motion carried.

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

Councilmember Gertge asked if this detention basin can be built to be a pocket park verses a patch of weeds. Brandon Jones, City Engineer, stated it will have sod and sprinklers and could be used for a park; however, the developer isn’t required to put in a playground. He would recommend if something is installed that it shouldn’t float. Councilmember Gertge asked about

Exhibit B with the berm and buffer zone. He would like to know if the city is defining what type of buffer is expected. Rodger stated right now the city staff is going with the Planning Commission's recommendation in that this item is addressed in the CC&R's.

Stephen Fackrell explained that the berm hasn't been designed with the alignment of the power poles. Councilmember Gertge asked if the city has any control over CC&R's. Brandon explained that a landscape easement will be recorded with the plat. Councilmember Gertge asked about Lot 17 and whether or not a certain style of home can fit on that. Mr. Fackrell stated DR Horton is interested in the development and they have reviewed the plat and confirmed that their home styles will fit on these lots. Councilmember Gertge asked about a slope easement on Lot 1, 2, 3 & 4. Brandon stated all of these lots are on the lower ground. The purpose of the easement is to prevent any cuts into the slope.

Councilmember Poll asked who is building the homes. Mr. Fackrell stated DR Horton will be purchasing all of the lots. They will install the infrastructure and then begin building. He stated they are the country's largest homebuilder. Councilmember Poll asked if these are starter homes etc. Mr. Fackrell stated there will probably be a mix. Councilmember Poll asked if all the homes will have basements. Brandon stated the water table is conducive to basements. Mayor Monroe suggested using 30 year shingles. Councilmember Poll suggested the homebuilder use heavy duty materials because of the wind. He is also concerned about the possibility of cheap homes. He is wondering if there will be two car garages. Mr. Fackrell has met with this builder and feels they are top notch. Rodger stated once the Planning Commission and City Council start talking architectural design features of a home, they need to be careful because, technically, they can't get involved with CC&R's.

Brandon stated the proposed ingress/egress that connects Canyon Drive to 1375 East achieves the second access point required by the Fire code. The proposed road would be installed on an existing right of way easement that the city holds over the Harold & LouAnn Ray property. It will be used for emergency access and utility access. He also suggested the city install signs restricting open public access. He stated it will be fenced with livestock fencing with road base from the Ray's property to 1375 East. Rodger stated there have been several discussions concerning this road and they have come to the conclusion that what is proposed meets the necessary requirement and the city doesn't have the ability to require anything else.

Councilmember Hilton stated it seems as though every other subdivision we have approved there is a little puzzle of pieced together roads. Rodger stated public safety is met for this subdivision based on the ordinance. Brandon stated according to the code and rules before us, the road meets the requirement. He feels the second access for subdivisions has been an issue that needs to be addressed and the Planning Commission is currently working on amending the code. Rodger stated the city staff believes a second egress/ingress is important, but we don't have an ordinance right now to require that.

Scott Casas, 1470 Canyon Drive, is concerned about current South Weber City addresses coinciding with Ogden City. He currently travels at times to Ogden to pick up his mail because he has a similar address. Brandon stated he will double check with Ogden City in the future.

Layne Kap, 8085 S. Juniper Court, stated he has mixed feelings about the road base. He stated if asphalt is installed it will be a waste, because if the Rays develop, it will be removed.

Councilmember Gertge asked about snow removal. Brandon stated Public Works can decide how they want to handle that. He stated the easement also restricts that it be limited to road base; therefore, the city doesn't have the option to require asphalt.

Councilmember Gertge moved to approve Resolution 12-32 with a comment that appendix be updated with correct lot numbers with the ones that need the berm. Councilmember Hilton seconded the motion. Erkia called for the vote. Councilmembers Gertge, Hilton, and Poll voted yes. The motion carried. Councilmember Gertge suggested the detention pond be upgraded because it would a selling point for homeowners.

Councilmember Thomas arrived at 6:21 p.m.

RESOLUTION 12-33: Cost Share Agreement for Regional Detention Basin and Waterline Upsizing: Brandon Jones, City Engineer, stated the City and Developer are proposing a cost share agreement for regional storm water detention basin and culinary waterline upsizing.

Brandon explained that the Bouchard Subdivision is one of the developments adjacent to Cottonwood Cove generating un-detained storm water. The City staff would like to route this storm water to a regional detention basin located within the proposed Cottonwood Cove development. In addition, there are future master planned areas that will also contribute to this regional detention basin. As such, each developer would be required by ordinance to install a detention basin for each property or subdivision as the case may be. This would not be conducive to best storm water practices nor cost effective. Therefore, the City has determined that given the proximity of the respective properties of the area Developers, it is not as cost effective to install, maintain and regulate several, separate detention basins and that one larger detention basin sufficient to service the property is more feasible, cost effective and efficient.

By combining detention basin facilities the City's long-term operation and maintenance costs are reduced and creates a better value for the city at large. As part of this effort the developer is required by ordinance to construct utility pipelines of sufficient size to adequately serve the lots within his development. The City also has need for larger utility pipelines through the property for future development than would be required by ordinance for the developer to install. Therefore, the City has determined that given the pipelines that would be required of the Development, it is not as cost effective to install, maintain and regulate several separate pipelines to meet the demand of future development and that upsizing the pipelines is more feasible, cost effective and efficient as identified within the Cost Share Agreement Document for Cottonwood Cove Subdivision.

Brandon has provided the cost estimate of which the developer has reviewed. Rodger stated as communities grow they get smarter, especially when there are deficiencies in the system. Brandon recommends the City Council allow the city staff to work with the developer concerning the cost estimate.

Councilmember Thomas moved to approve Resolution 12-33. Councilmember Gertge seconded the motion. Erika called for the vote. Councilmembers Gertge, Hilton, Poll and Thomas voted yes. The motion carried.

ADJOURNED: Councilmember Thomas moved to adjourn the City Council meeting at 6:29 p.m. Councilmember Hilton seconded the motion. Councilmembers Gertge, Hilton, Poll, and Thomas voted yes. The motion carried.

APPROVED: _____ Date 11 Dec 2012
Mayor: Jeff Monroe

Attest: _____
City Recorder: Erika Ahlstrom