

SOUTH WEBER CITY COUNCIL WORK MEETING

DATE OF MEETING: 18 July 2017

TIME COMMENCED: 5:01 p.m.

PRESENT: MAYOR:

Tammy Long

COUNCIL MEMBERS:

Scott Casas
Kent Hyer (excused)
Jo Sjoblom
Merv Taylor (excused)
Wayne Winsor

CITY MANAGER:

Tom Smith

CITY RECORDER:

Elyse Greiner

CITY ATTORNEY:

Doug Ahlstrom

CITY ENGINEER:

Brandon Jones

Transcriber: Minutes transcribed by Elyse Greiner

VISITORS: David Eller, Cody Eller, Penny Stark, Mark and Natalie Dayton, Mike and Diane Ford, John Grubb, Keith Christensen, and Commissioner Wes Johnson.

APPROVAL OF THE AGENDA: Council Member Sjoblom moved to approve the agenda as written. Council Member Winsor seconded the motion. Council Members Casas, Sjoblom, and Winsor voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: None

ACTIVE AGENDA:

Request from Mark & Natalie Dayton: Waiver to 30 lot ingress/egress requirement of SWC Code §11.04.040(a)(3)

Tom Smith said that he was approached by Penny Stark, representing the Dayton's property at approx. 1083 Lester Dr. Staff met with the Daytons and Ms. Stark last week about Code 11.04.040 affecting the developability of the Dayton's property. The Dayton's feel their property is landlocked due to this ordinance and is seeking a waiver to this requirement. The Weaver Estates Subdivision was raised as an example of a waiver to this code. The Dayton's are looking to sell their property. The property is currently zoned agricultural. The County is also assessing taxes higher on the property than what the Daytons feel it should be because it is not a residential lot. Staff does not want to see the oversight of this requirement through Weaver Estates be repeated. Tom said if the Daytons are allowed to develop without Lester Dr. connecting to the west, it is likely the road will never go through.

Council Member Casas inquired about the surrounding parcels of the Dayton property being residential and if Weaver Estates property was rezoned for their subdivision. Weaver Estates was already zoned residential. He asked if the referenced ordinance affected the possibility of the property to be rezoned. Tom said no, it can be rezoned.

Penny Stark met with a Council Member who suggested to her that she meet with City staff to look for a solution to this issue. The Dayton's and Ms. Stark came to meet with staff at City Hall to see if the Dayton's could use a private lane to access the Dayton's property. There is a deeded right-of-way that touches the Dayton's property but Mark Larsen found in the code that only 2 homes can be accessed via a private lane.

Ms. Stark asked that the Council table this item until she is able to fully prepare for the meeting. Council Member Casas would like to see more information about the land and is willing to walk it with Ms. Stark. Council Member Winsor would like to give the Dayton's an expectation of what to bring to the next meeting. Doug Ahlstrom recommended the Council table the item because only 3 council members were in attendance.

Council Member Casas moved to table the ingress/egress requirements discussion with the Dayton's property until the August 8th meeting. Council Member Winsor seconded the motion. Council Members Casas, Sjoblom, and Winsor voted yes. The motion carried.

Transportation Utility Fund Policy Discussion

Tom said that when the Transportation Utility Fund was established, there was some concern about how the funds would be expensed so he has provided a policy for the Council to review. He structured it by saying what the fund intent is, what the fund and fee is, how the fee is assessed, how the fund will be collected, expended, and enforced. He would like to add a clause in the Transportation Utility Fund section, third paragraph, second sentence after "...how roads are being paid for..." adding "as set forth and outlined in the Streets Capital Facilities Plan. That way the fees are going towards the plan as has been identified as being needed. Council Member Casas doesn't want the fund to be for widening the road and property acquisition (same section paragraph 2). He feels road widening is typically needed for new development and not the maintenance of existing roads and shouldn't be part of the fund. Council Member Winsor said more detail is needed with clarifying language in that section. Council Member Casas said an example of road widening would be 6650 S. The Mayor doesn't want to widen 6650 S. on the City's budget. Council Member Winsor said a clarification would be to say the fund is to maintain existing road infrastructure, not new infrastructure. He suggested not having a list of items as to what the fund shall not be used for, but instead adding language that says, "including but not limited to" leaf blowing and street sweeping, etc.; not maintenance items. Council Member Casas inquired if using the word "asset" for transportation would be the best way to phrase what the fund is used for.

Brandon Jones brought up an example, hypothetically, if the residences on 1250 E. were set back farther and there was opportunity where the road could be widened; property would need to be acquired for the right-of-way. Council Member Winsor said the money for property acquisition would be taken from the General Fund and wants wording clarification on that section of the policy. Brandon said road striping should be included in this fund because if a road is chip sealed, it will need to be repainted. He said dividing the invoice up will be hard to track to remove striping and it might be easy, though unintentional, to violate the policy. Council Member Winsor said the City got pushback from the public for using this money for anything that did not improve the life of the road, which does not include striping. Council Member Casas said a lot of the roads in South Weber don't have striping. Council Member Winsor said adding language for the re-establishment of improvements such as striping could be covered. Council Member Winsor would like the City to revisit the Capital Facilities Plan every year to see what changes need to be made instead of waiting ten years to fully update it. Council Member Winsor wonders what form the policy should be to enforce the policy. The present council members said they would like to see the policy put in City Code.

Council Member Winsor would like to see the breakdown of fees charged in conjunction with this policy. Brandon does have the fee breakdown based on entities referenced from the national ITE manual, but each entity is based on their end-trip analysis. Council Member Winsor thinks the fee schedule should be in the policy. The policy can reference the manual in the policy and staff can assess what a fee will be for incoming businesses will be based on the manual. Council Member Winsor would like Tom to contact other cities that have a transportation utility fund to see how their fees are broken down. Brandon mentioned that Pleasant View has entity uses broken down into categories, but he doesn't recommend it because it isn't fair for the different entities within the category. Fruit Heights has a similar fee as South Weber but they don't have the fees spelled out in a policy. Tom said most cities don't have a policy. Council Member Casas is worried about how the City's image will be portrayed to businesses. Council Member Winsor is worried about institutional complaints and how to enforce them to pay. Council Member Sjoblom said she talked to Fruit Heights about this and they did get a few complaints at the initiation of the fee but not since. Brandon thinks nonresidential entities should be able to appeal assessments. Council Member Sjoblom thinks that each utility needs a policy and that the phrase "proportionately pay" be more specific. Council Member Winsor would like these utility policies to go to the Municipal Utilities Committee first for discussion and changes will then come back to the City Council. The committee consists of Council Member Winsor and Council Member Sjoblom and they decided they will meet on Friday, July 28th at 11:30 a.m. and the Finance and Administration Committee will meet after then at 12:30 p.m. at City Hall.

ORDINANCE 17-10 Amendments to City Code; 3.01.090 Inspections; Right of Entry and 3.09 Mobile Businesses

Tom said the State legislature passed food truck legislation, so the City needs to update code to reflect those changes. The first code change allows for fire inspections of food trucks. Fire inspections from other cities can be used here. Council Member Winsor asked if the City is liable if another city's fire inspection was conducted incorrectly. Doug said there is no City liability with other city's fire inspections. Tom went over the mobile ordinance changes, including food truck vendor and event definitions and how to regulate food trucks. Council Member Casas said he would vote no for passing the ordinance because he worries that the ordinance is business restrictive. He feels the mobile business definitions encompasses unintended businesses such as plumbers and lawn care services, and he doesn't want to impede on small businesses. Council Member Winsor suggested the definitions of a mobile business change to remedy the loophole. Doug said staff could figure something out to change definitions. He also said the City has little business, so the City should be business-friendly. Council Member Winsor would like to see the tracked changes showing the amendments.

Council Member Winsor moved to table ORDINANCE 17-10 Amendments to City Code; 3.01.090 Inspections; Right of Entry and 3.09 Mobile Businesses. Council Member Sjoblom seconded the motion. Council Members Casas, Sjoblom, and Winsor voted yes. The motion carried.

RESOLUTION 17-32 Amendment to Consolidated Fee Schedule; Mobile Businesses

Tom said the Resolution went with Ordinance 17-10 and recommends tabling it as well so as not to interfere with the upcoming Country Fair Days.

Council Member Winsor moved to table RESOLUTION 17-32 Amendment to Consolidated Fee Schedule; Mobile Businesses. Council Member Casas seconded the motion. Council Members Casas, Sjoblom, and Winsor voted yes. The motion carried.

Change Order to Central Park Project: Replace Teeter-Totter for an Additional Supernova

Keith Christensen said the change order is a non-issue at this point because the supernova fall zone wouldn't comply with the space available. He went ahead and ordered the teeter-totter parts. Keith put together rough figures for the bowery from Sure Steel; about \$11,000 without restrooms. Council Member Casas inquired about restrooms at Central Park. Keith said there are bathrooms at the back of the fire station that the public has access to. Council Member Winsor asked if Keith would put together a project definition of what he describes and then to bring it to the Parks Committee for consideration in next years' budget. Keith brought up the 40' clear view across corner of property with the fence in ordinance (10.11.050 C.) being an issue as he is receiving complaints from neighbors that they weren't allowed to violate that code. Council Member Winsor said the fence they approved had three rungs, the installed one has four. Keith said there would have been a big gap if they used only three rungs. Keith thanks the Council for being allowed to do the Central Park project.

Public Comment:

John Grubb, 6966 S. 475 E. inquired about the Transportation Utility Fee on businesses. Tom said the businesses are assessed on how many "trips" each business makes. John wants to see the figures assessed for each business, Tom said he could provide estimates but would not provide the exact amount charged.

Reports:

Mayor: attended a Mosquito Abatement Board meeting last week and there are at least two West Nile Virus cases in Salt Lake. Next month they will have test drones spraying areas that are not accessible for trucks. If people would like their property to not be sprayed because of beehives, they can request to be a no-spray zone. She attended the Central Weber Sewer meeting last night, which involved: 30th St. pump station, and upsizing of the Burch Creek truck line from 18" to 24". The Mayor questioned why Riverdale City didn't have to pay for the upsize. She has had the public ask her why there is an attendance requirement for the Planning Commission but not the City Council. She asked Tom how the 1250 E. project is going. Tom said they are on-schedule.

Council Member Sjoblom: Nate Reeve sent her a site plan for the Maverik's corner sign in compliance with the intersection visibility range. Rod Westbroek wants to go out with her to view the space with particle board. There is a Citizens Committee meeting on August 2nd to talk about trees in the park.

She requested that the west side of marquee welcomes the Tour of Utah.

Council Member Casas: asked who was buying candy for the parade; Tom will. Casas sent out an email about the Tour of Utah and the possibility of street sweeping on South Weber Drive. The issue should be coordinated with UDOT. The Tour of Utah is on August 4th. He complimented city staff on the appearance of the east end of South Weber Dr. looking better than it ever has. He inquired about the orange trash bags on South Weber Dr. and 2100 E. bags. He also mentioned a trash can at the park and ride is no longer secure.

Council Member Winsor: the Finance & Administration Committee and Municipal Utilities Committee is meeting on July 28th. He inquired on the logistics of the Council's role in the Country Fair Days Parade; it will be discussed next week. He wondered if the safe sidewalk construction on South Weber Dr. will affect the Tour of Utah and the parade. Tom said he has arranged for the contractors to not be on South Weber Dr. during the race. He asked if there was a report from the fire at the top of Koziars Hill, Tom will follow up on it and include information in his memo.

City Manager: the lease agreement for the sign is with Maverik. He said on the July 25th meeting, the posse grounds will be a topic of discussion. He brought up the January retreat and would like feedback on what the Council would like to discuss. The Gravel Pit Committee meeting is tomorrow. He said that Chris Tremea, Code Enforcement Officer, has reported having problems with getting people motivated to clean up their yard. Chris brought up an idea about having a dumpster in the City and moving it once it was full. The dumpster would visit 3 areas of the City and it would cost \$500 (lease 3 dumpsters and disposals) total with Robinson Waste. Council Member Casas is in favor of the idea.

Commissioner Wes Johnson: reported on the Old Fort Road Committee meeting. The committee narrowed 5 options to 2 for the intersection on 475 E. and 6650 S. He brought up the visual buffer requirement in the General Plan along I-84. He said the intent along that area is to keep the trail natural and not put up a sound barrier. He mentioned the cottonwood trees near there are unique to South Weber. He also mentioned the possibility of relocating the posse grounds. He is meeting with County Commissioner Brett Milburn on July 27th to look at trails.

City Recorder: She said she brought up the fence code (10.11.050 C.) posing an issue for the Central Park project in a prior meeting before the fence was approved and the issue was raised again by Keith tonight now that it has been installed. She asked what the Council wanted to do about violating City Code. The Council would like to look at re-writing the City Code to bring the Central Park fence into compliance.

CLOSED MEETING - as per UCA § Section 52-4-205(1)(c): to discuss pending or reasonably imminent litigation No meeting

Council Member Winsor moved to adjourn the meeting. Council Member Casas seconded the motion. Council Members Casas, Sjoblom, and Winsor voted yes. The motion carried.

Adjourned at 7:08 p.m.

APPROVED: _____ **Date**
Mayor: Tammy Long

Attest: _____ **City Recorder: Elyse Greiner**