

# SOUTH WEBER CITY CITY COUNCIL MEETING

**DATE OF MEETING:** 24 January 2017

**TIME COMMENCED:** 6:05 p.m.

**PRESENT: MAYOR:**

Tammy Long

**COUNCILMEMBERS:**

Scott Casas  
Kent Hyer  
Merv Taylor  
Jo Sjoblom

**CITY RECORDER:**

Elyse Greiner

**CITY MANAGER:**

Tom Smith

**CITY ATTORNEY:**

Doug Ahlstrom

**Transcriber:** Minutes transcribed by Michelle Clark

**VISITORS:** Michael Poff, Robert Milne, Casey Watts, Cole Fessler, Kory Anderson, Lynn Poll, Cooper family, Diane & Mike Ford, Lisa Miller, Hunter Banks, Randy Elliott, Bret Millburn, Chris Tremea, Derek Tolman, Jake Judkins, Noah Marvel, Roney Ketts, Bryan Ellertson, Daniel Ellertson, Nate Reeve, Cole Rowser, Stephen Ormond, Jeff Goss, Don Higgs, Stuart Fessler, Raelene Miller, and Tim Grubb.

Mayor Long called the meeting to order and welcomed those in attendance.

**PLEDGE OF ALLEGIANCE:** Mayor Long

**PRAYER:** Council Member Taylor

**AGENDA:** Council Member Sjoblom moved to approve the agenda as written. Council Member Taylor seconded the motion. Elyse called for the vote. Council Members Casas, Taylor, and, Sjoblom voted yes. The motion carried.

**CONFLICT OF INTEREST:** None

## **CONSENT AGENDA:**

- Approval of January 10, 2017 Meeting Minutes
- Approval of January 10, 2017 Work Meeting Minutes
- Approval of January 14, 2017 Summit Meeting Minutes
- Approval of **RES 17-02** Appointment of Planning Commission Member
- Approval of Davis County Election Services approx. \$7,000

**Council Member Sjoblom moved to approve the consent agenda. Council Member Casas seconded the motion. Elyse called for a roll call vote. Council Members Casas, Taylor, and Sjoblom voted yes. The motion carried.**

***Davis County Commissioners Q & A for Council and Citizens***

Bret Millburn and Randy Elliott of the Davis County Commission approached the Mayor, Council, and those in attendance.

**Council Member Hyer arrived at 6:09 p.m.**

He said this is an opportunity for anyone to ask questions. Randy Elliott introduced himself. Mayor Long asked if anyone has any questions. Bret said it was fascinating to attend the work meeting prior to this meeting. Council Member Sjoblom said South Weber City is located in Davis County with high household income, which makes it difficult to get grants. She asked what the City can do. Bret said they don't deal a whole lot in grants but are happy to engage and help wherever they can. He said their office can help steer the City in the right direction. Council Member Hyer said one of our key concerns is roads. Bret said Davis County did pass proposition 1 which is additional funding for transportation. Council Member Casas asked Randy Elliott about the possibility of upgrading the City road going up the hill to the water tank. He said South Weber only has two entrances in and out. He said this City can see a huge benefit to upgrade this road. He feels the extension of Church Street can be a regional benefit. Brett said that is a great example of something that can be discussed.

Michael Poff, 939 E. South Weber Drive, thanked the County. He asked about the voting process and said the public didn't have any input on voting by mail. Bret said the election voting was driven by the clerk auditor. He said the election equipment is dying. He said there is opportunities and there will continue to be opportunities to make comments. Randy Elliott said the turn-out has increased with people voting by mail. He said there are still voting booths. Bret discussed at the county level the commissioners acting as the executive. He said there is currently no discussion to add an executive. Council Member Casas asked what the biggest challenge for Davis County is. Randy said growth continues to be a concern. Bret said infrastructure as a whole is a concern with growth.

Mayor Long and the City Council thanked Bret and Randy for their attendance.

**ACTION ITEMS:**

***a. RES 17-03 Old Maple Farms Cost Share Agreement***

Brandon said the developers of Old Maple Farms are required by ordinance to install a regional detention basin for the subdivision. The City has a desire to participate in the construction of a regional detention basin to serve as the primary detention for certain properties upstream from the regional detention basin because it is more feasible, cost effective and efficient, and creates a better value for the City than installing, maintaining and regulating several separate detention basins. The City's portion owed to the Developer being **\$322,348.19**.

Council Member Hyer asked about using the detention basin for a possible football field. Brandon said the field would be a similar size to the field at Central Park. He said it depends on how the sides are graded in the detention basin.

Brandon said the City agrees to allow the storm drain impact fees to be paid for the entire development up front with this Agreement. These impact fees show as a credit in Exhibit E, and total \$88,445.00. Any building permit issued in this development will not have to pay the storm water impact fee, because it will already have been paid.

Brandon explained that the City agrees to pay the Developer the entire amount owed within one year of the date of the Agreement (no interest assessed during this period). If the total amount owed is not paid within the first year, then interest of 2.0% above prime will be assessed for the following year. The full amount plus the interest assessed will be due at the end of two years following the date of the Agreement.

Brandon said the City agrees to “exercise reasonable efforts” to acquire the Ray property by donation. If successful, this property will be used for a portion of the detention basin, utilities and the future trail. Tom said he did talk to the Lynn Wood, the Ray’s accountant, who said the Ray’s may be interested in deeding the property to the City.

**Council Member Hyer moved to approve Resolution 17-03: Old Maple Farms Cost Share Agreement. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**b. RES 17-04 Final Plats Old Maple Farms Subdivision Phases 1 & 2**

The South Weber City Planning Commission held a public hearing on the Old Maple Farms Subdivision April 14, 2016, and at public meeting(s) subsequent on, August 11, 2016 and September 8, 2016, and has reviewed the final plats for the Old Maple Farms Subdivision Phases I & II, which is located near off of 475 East and 6650 South, and have given a favorable recommendation for approval.

After a review of the Old Maple Farms Subdivision Phases I & II final plats and plans, City staff has determined that the conditions set by the Planning Commission have been met.

Brandon Jones, City Engineer’s memo of January 19, 2017 is as follows:

Our office has completed a review of the Final Plats and Improvement Plans received on January 17, 2017 for the Old Maple Farms Subdivision Phases 1 & 2. We recommend approval subject to all of the following items being addressed prior to the scheduling of a preconstruction meeting.

**GENERAL COMMENTS**

1. Water Source. The Impact Fee Analysis (IFA) for Culinary Water is being completed by Zions Bank Public Finance. It is nearly complete and ready for adoption. Once it is adopted, the provision for collecting Weber Basin’s impact fee with each building permit can be put into place. The collection of this impact fee will automatically contract the City for the additional culinary water needed for each new resident. Thus ensuring that

the City always maintains sufficient water supply. Due to noticing and implementation requirements, we anticipate the impact fees being in place by late spring 2017.

Brandon said he is recommending that no building permits be issued until these impact fees are in place in order to ensure the acquisition of sufficient water source for the new homes added.

2. Wetlands. The wetlands impacting this total development are along the Riverdale Bench Canal; which does not lie within Phases 1 or 2. The detention basin is being constructed in phases such that there is enough capacity to serve these first two phases, but does not affect the wetlands or the canal. In order to serve the master planned volume, the wetlands will need to be removed and mitigated for, but this can be done in subsequent phases.

3. Geotechnical Report. A geotechnical study was performed by GSH and a report dated March 22, 2016 was submitted. We recommend that all provisions of this report be complied with.

4. Regional Detention Basin and the Riverdale Bench Canal. The plans propose to build the Regional Detention Basin in two phases. This first phase being proposed leaves the Riverdale Bench Canal in its current location. The second phase will relocate the Canal so that the basin can be built to its full capacity. The volume provided and the functionality of this first phase is sufficient for Phases 1 and 2, as well as for additional offsite drainage.

5. Cost Share Agreement. The Final version of the Cost Share Agreement (including the associated exhibits) has been provided. Please read it. The following is a summary of the major provisions of the Agreement:

- a. The Developer is required to, and is providing, detention for their development.
- b. In order to consolidate the maintenance of multiple basins, the City is upsizing this detention basin and piping in order to provide a regional facility that addresses existing deficiencies and future development in the entire drainage area.
- c. The City agrees that the cost of upsizing the detention basin and piping owed to the Developer is \$322,348.19. This includes the City's portion of property acquisition and construction costs. This cost should be paid for in two parts: 75% attributable to growth and 25% attributable to existing deficiency.
- d. The City agrees to allow the storm drain impact fees to be paid for the entire development up front with this Agreement. These impact fees show as a credit in Exhibit E, and total \$88,445.00. Any building permit issued in this development will not have to pay the storm water impact fee, because it will already have been paid.
- e. The Developer agrees to construct a final detention basin that holds a minimum volume of 6.4 AF as shown in the Preliminary Plan (Exhibit B), and complete the construction by December 31, 2018. However, the basin may be built in phases.
- f. The City agrees to pay the Developer the entire amount owed within one year of the date of the Agreement (no interest assessed during this period). If the total amount owed is not paid within the first year, then interest of 2.0% above prime will be assessed for the following year. The full amount plus the interest assessed will be due at the end of two years following the date of the Agreement.
- g. The City agrees to "exercise reasonable efforts" to acquire the Ray property by donation. If successful, this property will be used for a portion of the detention basin, utilities and the future trail.

**PHASE 1 & 2 PLATS**

## 6. Addressing:

- a. The coordinate streets on both Phase 1 and Phase 2 plats need to be shown in parenthesis so that the street name is primary and the coordinate is for reference.
- b. Lot 101-R is missing the address (429 East).
- c. Lot 109-R on Old Maple Road needs to be 334 East.
- d. Lot 206-R on Old Maple Road needs to be 267 East.
- e. Lot 207-R on Old Maple Road needs to be 270 East.

7. There is a storm drain easement across the old Poff property that is not shown on the Phase 1 plat (update Note 3). This needs to be shown and noted the same as Note 4.

**IMPROVEMENT PLANS**

8. Fencing. According to Title 11.04.130 in the City Code, a 6' high fence is required along agricultural property and canals.

- a. The purpose of the fencing along agricultural property is to *“provide a reasonable barrier so that residents of, or visitors to, the subdivision are not inadvertently exposed to the dangers of the farm or livestock.”*
- b. The purpose of the fencing along a canal is to *“provide a reasonable barrier to humans so residents of, or visitors to, the subdivision are not inadvertently exposed to the dangers of the canal.”* The code goes on to say, *“In order for the barrier to be effective, fencing of other subdivision borders may be required by the city council.”*

There is currently no fencing called out in the plans. We recommend that 6' high fencing be provided along the west property line from 6650 South down to the canal, along the south side of the canal to the east property, along the east and north property lines back to 475 East. This would provide a continuous barrier between the subdivision and the canal and agricultural property; thus being compliant with City Code. The developer would need to coordinate with the Riverdale Bench Canal Company to locate gates in the fencing at locations where they may continue to access and maintain the canal.

9. The culinary water valves should be placed on all legs of every intersection. They are shown in the wrong locations on multiple sheets.

10. There are too many waterline loops underneath the storm drain. The waterline should be added to the profile on all P&P sheets in order to verify conflicts. Wherever possible the water should be deepened in order to avoid looping. However, it must still remain 18" vertically above the top of the sewer line.

11. The water services with meters and sewer laterals need to be shown. The sewer should be shown on the downstream side.

12. There is no sewer main in front of Lots 107 and 108. The main shown needs to either be extended to the west from the Kingston Drive intersection or to the east from phase 2.

13. It is not very clear on the plans where the outlet control structure is to be located.

14. The detail for the outlet control structure needs to be revised as follows:

- a. The lid of the box needs to be concrete with a 4'x4' hole cut in the top, covered by a grate.
- b. The hole in the spill wall should be 24" diameter.
- c. The slide gate should be a 24" Waterman, with a non-rising stem and an operating nut on top. A valve box lid should be installed in the box lid, centered over the operating nut.
- d. The slide gate should be installed on the upstream side of the spill wall.

#### **FOLLOWING APPROVAL**

15. Coordination with other affected entities.

- a. Plans have been submitted to the South Weber Irrigation Company, Central Weber Sewer District and the Riverdale Bench Canal Company for their review.

Letters from each entity approving the proposed connections, improvements, crossings, changes, etc. are needed prior to the scheduling of a preconstruction meeting.

- b. Weber Basin Water Conservancy District also has a culinary transmission line that crosses the north end of the property. The developer must obtain a license agreement to cross this line. This is needed for the storm drain crossing of the outfall line from the regional detention basin.

- c. We received a letter from UDOT, dated October 29, 2014, granting approval for storm water discharge into the culvert under I-84 from the previous developer.

This approval needs to be updated to reflect the current developer and improvements.

- d. An Encroachment Permit from UDOT will be needed in order to make the connection to the culvert under I-84. This will require that final plans be submitted showing the details of the connection and how the flows will be restricted in order to not exceed the approved maximum flow rate.

16. The final approved plans need to be stamped and signed by a Licensed Professional Engineer. Our office will approve the official construction set to be used and referenced by all associated parties.

17. A preconstruction meeting will need to be held with the developer's contractor, other utility provider personnel and City Staff prior to the commencement of any construction.

18. A cash escrow account will need to be set up in a federally insured institution as a guarantee for all improvements not yet constructed (the cost estimate must be approved by the City Engineer). This will need to be done prior to the plat being recorded. This amount includes a 15% Contingency on all improvements remaining at the time it is established and a 10% Guarantee on all improvements.

Council Member Casas asked about street lights. Brandon said the street lights are the cobra head style. He said they will be identified on the improvement plans. Mayor Long asked when this development is under construction, will construction vehicles be using 6650 South? Brandon anticipated everything will come off of 475 East; however, he said that hasn't been specifically covered. Mayor Long is concerned about safety.

**Council Member Casas moved to approve Resolution 17-04: Final Plats Old Maple Farms Subdivision Phases 1 & 2. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**c. Fire Engine down payment approx. \$200,000:** Tom said an amendment needs to be made to the agenda because the down payment is not for \$200,000. Chief Tolman has received bids from other companies, but feels Rosenbauer is the company he would recommend going with. He discussed the warranties available. He said a delivery date would be July 2018. Council Member Casas thanked Chief Tolman for getting the other bids. Chief Tolman asked for the Council to approve the down payment and then as the engine is built, he will bring options to the Council for approval. Council Member Hyer wants to make sure the Fire Department is outfitted with what they need to take care of the City.

**Council Member Casas moved to approve \$10,000 from the Fire Truck Replacement Fund for the down payment of a Rosenbauer fire truck. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**d. Motion to approve a realtor for the solicitation of City real property for parcels 13-033-0096, 13-033-0077, & 13-033-0078:** Tom said a public hearing needs to be held on parcel 13-033-0096. Tom reviewed the following realtor proposals:

1. Cushman and Wakefield Commerce (April Hartzell): 6% (3% buyer and 3% seller if representing both sides) commission for all deals based on the final sales price. If the City were able to get a total of \$1,330,000 for the city's land their fee would be \$79,800. That number would obviously change based on the final sales price. They would prepare a marketing brochure, property specification sheet, information package, and signage. They use the MLS database, Co-Star, LoopNet, and Property Line as their marketing channels (attachment 1, pg. 7). If Cushman and Wakefield Commerce represented the city and another brokerage brought the buyer Cushman and Wakefield Commerce would split that fee with them 50/50. Cushman and Wakefield Commerce have experience selling property in South Weber City and bring with them a familiarity of the area. A copy of a proposed contract is attached (attachment 3);
2. Home Smart Advantage (Stewart Dearden): Did not specify a price in his proposal, but on the phone he expressed 6% (3% buyer and 3% seller if representing both sides). They use MLS, LoopNet and many other sources (attachment 4, pg. 10) for marketing. Their selling process flow chart is explained in attachment 4, pg. 13;
3. KW Commercial (Larry Beddome): 5% commission split equally between buyer and seller. He will use the normal large 4X4 signs (one on either side of South Weber Drive), list in the Keller Williams National website, Co-Star and LoopNet (commercial specific listing sites) and list in the commercial section of the local MLS; develop specific websites geared to highlight the properties. He will set up each site to feature high quality pictures, drawings and attachments "to make it easy for a developer to understand the value proposition of acquiring one of more of the parcels" (e-mail conversation with me), and he will contact multiple developers directly to gauge and encourage their interest and any of their offers. A copy of a proposed contract is attached (attachment 6). He is a member of the Certified Commercial Investment Institute (CCIM);
4. Berkshire Hathaway HomeServices (Bill Spangler): 5% brokerage fee with a listing term of 18 months. Develop custom signage for site location, exposure to all major Real Estate websites. A proposed contract agreement can be found in attachment 7.

**Council Member Hyer moved to approve Keller Williams as the realtor for the solicitation of City real property for parcels 13-033-0096, 13-033-0077, & 13-033-0078. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Taylor, and Sjoblom voted yes. The motion carried.**

**DISCUSSION ITEMS:****a. ORD 17-01 Adopting SWC Code Title 1, Administration**

Doug Ahlstrom, City Attorney, said he discussed the need to make changes to the City's Code §1.0, Administration. He then discussed some of the amendments to the code. He said this will bring the City into conformance with the State law. He did clarify the Council being bonded. He also included the City seal etc. Council Member Hyer asked about the signing of contracts. He is wondering if it makes more sense to have the Mayor sign them or Tom.

Council Member Casas asked about civil liability 1-06-060. Doug explained that he left the language the same but changed the code number. Council Member Sjoblom thanked Doug for all his help. This item will be on the agenda as an action item for February 21<sup>st</sup>.

**COUNCIL ITEMS:**

**Council Member Casas:** He said this is the Fire Departments 50 years Celebration. He has been so proud of this department. He would suggest coming up with some ideas to help with a 50 year celebration.

**Council Member Hyer:** He appreciates all the hard work by the Public Works Department with snow removal. He said there has been a lot of snow all at once. He is concerned about piling up snow into a blind spot (approx. 1550 in Sandalwood PUD). Keith Christensen said it is the snow removers for the PUD that have done that.

**Council Member Sjoblom:** The Citizen Committee Meeting will be on March 7<sup>th</sup>. She also thanked Public Works for the snow removal. She has met with some citizens in cul-de-sacs who have been appreciative.

**Council Member Taylor:** He thanked the code enforcer, Chris Tremea, for all his work on code enforcement. He is currently enforcing residents who are blowing snow in the road. He also thanked the Public Works Department for snow removal.

**MAYOR'S ITEMS:** She attended the Mosquito Abatement Meeting. She discussed heart worm increasing in dogs and cats. Check Sycamores, Elms, and Box Elder trees.

**CITY MANAGER ITEMS:** He said Monday, April 10<sup>th</sup>, UDOT will be meeting at the County Building. He asked if the Council is still expecting itemization for everything over \$1,000 for next year's budget. Council Member Casas suggested going to \$5,000. Tom said he is mainly talking about operations and maintenance.

**PUBLIC COMMENTS:**

**Michael Poff, 939 E. South Weber Drive,** thanked Public Works for the snow removal. He discussed the history of the road going up the hill to the water tank. He said that road was never intended to go through for traffic.

Lynn Poll, 826 E. South Weber Drive, discussed snow removal. He said the road going up to the hill to the water tank was never every intended to go through. He attended the meetings. He thanked the Fire Department for their presentation.

Bryan Leesburg, 7984 S. 2250 E., he is concerned about the snow removal on 2250 East and where it turns. He said it is very icy and needs to be salted. Christ Tremea said he will look into it tomorrow.

**ADJOURNED:** Council Member Sjoblom moved to adjourn the meeting at 7:51 p.m. Council Member Taylor seconded. Elyse called for the vote. Council Members Casas, Hyer, Sjoblom, and Taylor voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date  
Mayor: Tammy Long

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

Attest: \_\_\_\_\_  
City Recorder: Elyse Greiner

# SOUTH WEBER CITY COUNCIL WORK MEETING

**DATE OF MEETING:** 24 January 2017

**TIME COMMENCED:** 5:01 p.m.

**PRESENT: MAYOR:**

Tammy Long

**COUNCILMEMBERS:**

Scott Casas  
Kent Hyer (arrived at 5:04 pm)  
Jo Sjoblom  
Merv Taylor

**CITY MANAGER:**

Tom Smith

**CITY RECORDER:**

Elyse Greiner

**Transcriber:** Minutes transcribed by Michelle Clark

**VISITORS:** Randy Elliott, Chris Tremea, Derek Tolman, Jake Judkins, Michael Poff, Bret Millburn.

## **CONSENT AGENDA:**

- Approval of January 10, 2017 Meeting Minutes
- Approval of January 10, 2017 Work Meeting Minutes
- Approval of January 14, 2017 Summit Meeting Minutes
- Approval of **RES 17-02** Appointment of Planning Commission Member
- Approval of Davis County Election Services approx. \$7,000

Mayor Long asked if there were any concerns with the minutes. There was none.

***Davis County Commissioners Q & A for Council and Citizens:*** Bret Millburn, of the Davis County Commission, said they like to get out and meet the citizens and conduct open communication with the public.

## **ACTION ITEMS:**

### ***a. RES 17-03 Old Maple Farms Cost Share Agreement:***

The Developers of Old Maple Farms are required by ordinance to install a regional detention basin for the subdivision. The City has a desire to participate in the construction of a regional detention basin to serve as the primary detention for certain properties upstream from the regional detention basin because it is more feasible, cost effective and efficient, and creates a better value for the City than installing, maintaining and regulating several separate detention basins.

The City Council has reviewed the Cost Share Agreement that addresses the participation in the construction of the consolidated regional detention basin.

The City's portion owed to the Developer being **\$322,348.19**.

**b. RES 17-04 Final Plats Old Maple Farms Subdivision Phases 1 & 2**

The South Weber City Planning Commission held a public hearing on the Old Maple Farms Subdivision April 14, 2016, and at public meeting(s) subsequent on, August 11, 2016 and September 8, 2016, and has reviewed the final plats for the Old Maple Farms Subdivision Phases I & II, which is located near off of 475 East and 6650 South, and have given a favorable recommendation for approval.

After a review of the Old Maple Farms Subdivision Phases I & II final plats and plans, City staff has determined that the conditions set by the Planning Commission have been met.

**c. Fire Engine down payment approx. \$200,000: (no discussion on this item)**

**d. Motion to approve a realtor for the solicitation of City real property for parcels 13-033-0096, 13-033-0077, & 13-033-0078:**

Tom discussed the inconsistency of parcel 13-033-0096. He said a public hearing was held for two parcels instead of three; therefore, another public hearing needs to be held. He proposed continuing with process of getting a realtor and solicit the properties. He said a public hearing can be held on parcel 13-033-0096 on 21 February 2017. Tom apologized because the parcels were bunched together.

**DISCUSSION ITEMS:**

**a. ORD 17-01 Adopting SWC Code Title 1, Administration**

At the retreat, Doug Ahlstrom explained the needed changes to the City's Code §1.0, Administration. He sent the discussed proposed changes out in an e-mail dated 1-18-17 to the Council for review. Mayor Long had asked that these changes be placed on the agenda as a discussion item.

**Council Vacancy:** Tom Smith, City Manager, asked the Council to give the City staff some guidance as to how to conduct the filling of the Council vacancy. Council Member Hyer suggested allowing them three minutes to state their qualifications and why they want to serve on the Council. Council Member Casas and Taylor agreed. Elyse said each applicant did include a letter of intent as well as a resume. She asked about giving them questions ahead of time. She then gave out a copy of questions that Doug Ahlstrom drafted. Elyse said she will send out a list of questions to all the applicants giving them a week to respond, their answers will be included in the Council packet. Council Member Casas asked if the Council could discuss the selection in private. Mayor Long said no closed sessions. Council Member Taylor said it was previously done in private. Mayor Long said doing that violates state code. Doug said the final vote must be done in the open; the public has a right to know how the Council voted.

Applicants: Wayne Winsor, Jan Ukena, Jacob Smith, Bradley Johnson, Keith Christensen, Dustin Petty, and Timothy Grubb.

**6650 South:** Tom asked Doug at what time does a subdivision become vested. Doug said when the application is submitted. Brandon said the developer of Bambrough property will upsize

6650 South. Tom asked if the City can hold up a development because discussions are taking place concerning issues with 6650 South. Doug said the Council has discussed it but there is no consensus. Tom said the developer has made application and the developer is scheduled to go before the Planning Commission on February 9th. Brandon said there are two meetings at Planning Commission for this development before it goes to the City Council. Tom would like the Council to come to a conclusion of what should happen to 6650 South on February 7<sup>th</sup>. The Council discussed the possibility of not installing curb and gutter. Brandon said there are some drainage issues on 6650. Brandon said he will bring a cost estimate to the next meeting concerning widening the street, installation of curb and gutter, and dead ending the street. It was stated the Planning Commission and City Council will need to hold a public hearing.

Bob Milne, 5900 South Weber Drive, representing Riverdale Bench Canal, said he has met with Mr. Ford, developer of Old Maple Farms, and said there are some concerns. They are trying to get the ditch piped. They are concerned about the safety hazard of the ditch. He said the County law states it is either fenced or piped. He said Mr. Ford doesn't want the expense of piping the ditch. Mr. Milne feels Mr. Ford should fence the ditch if he doesn't pipe it. He said the ditch is an attractive nuisance with kids playing in it and putting up swings. He said they need the City's help. He said they have asked Mr. Ford for a 40' easement to help maintain it. Doug Ahlstrom said none of us want to put children in danger. Brandon said as per Title 11.04.130 the City would require a minimum of a 6ft. chain link fence. He said it is addressed in his memo. Doug said the Council can't ask for anything else that isn't included in the code. Brandon said the fence would need to be installed before any occupancy.

Adjourned at 6:00 p.m.

**APPROVED:** \_\_\_\_\_ **Date**  
**Mayor: Tammy Long**

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

**Attest:** \_\_\_\_\_ **City Recorder: Elyse Greiner**

