

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 26 July 2016

TIME COMMENCED: 6:01 p.m.

PRESENT: MAYOR:

Tammy Long

COUNCILMEMBERS:

Scott Casas
Kent Hyer
Marlene Poore
Merv Taylor
Jo Sjoblom

CITY RECORDER:

Elyse Greiner

CITY MANAGER:

Tom Smith

Transcriber: Minutes transcribed by Michelle Clark

VISITORS: Lynn Poll, Traci Wiese, Marci Poll Christensen, Elaine Tadehara, Kathy Poll, Michael Spens, Ryker Alvey, Kaila Alvey, Cymbre Rowser, Tani Lynch, Jessica Schanke, Bill Petty, Bill & Joan L. Turner, and Joel Dills.

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

PLEDGE OF ALLEGIANCE: Council Member Casas

PRAYER: Council Member Taylor

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

CONFLICT OF INTEREST: None

CONSENT AGENDA:

- Approval of July 12, 2016 Meeting Minutes
- Approval of July 12, 2016 Work Meeting Minutes
- Approval of July 19, 2016 Work Meeting Minutes

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

ACTION ITEMS:

Council Member Hyer moved to open the public hearing. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

a. Public Hearing on ORD 16-10: Rezone request from Lynn Poll for approx. 3 acres located at approx. 925 E. 7375 S. (Parcel 13-021- 0103) be changed from an Agricultural Zone (A) to a Residential Moderate Zone (R-M): Tom said Lynn Poll, developer for the property, has made application for change of zoning of Parcel 13-021-0103 from the current Agriculture (A) Zone to Residential Moderate (R-M) Zone.

Tom said on 14th of July, 2016, the Planning Commission held a public hearing to consider the application for change of zoning and recommended approval of the change of zoning. The rezoning of the property described in this ordinance is consistent with the City’s General Plan, and is consistent with the current zoning and use of surrounding properties. Tom said any remaining fees will need to be paid.

Mayor Long asked if there is any public comment.

Lynn Poll, 826 E. South Weber Drive, he thanked Council Member Taylor for his prayer concerning the law enforcement and those serving our country. Mr. Poll said he has family members who are looking to move to South Weber City. He said the road will be widened to tie into the master plan. It was stated there is no Hill Air Force Base testing wells on this property.

Council Member Taylor moved to close the public hearing. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

Council Member Hyer moved to approve ORD 16-10: Rezone request from Lynn Poll for approx. 3 acres located at approx. 925 E. 7375 S. (Parcel 13-021- 0103) be changed from an Agricultural Zone (A) to a Residential Moderate Zone (R-M).. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

Council Member Sjoblom moved to open the public hearing. Council Member Poore seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

b. Public Hearing on ORD 16-11: Adopting 2014 General Plan Update and Amendments to Projected Land Use Map: Tom said the Planning Commission held a public hearing on the amendments to the projected land use map on the 14th day of July, 2016 as is recommending the City Council approve the following amendments to the Projected Land Use Map:

Section 1. Rezones. City owned property be rezoned accordingly:

- Parcel 13-033-0077, approx. 3.9 acres, be rezoned from a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C); and
- Parcel 13-033-0078, approx. .58 acres, be rezoned from a Residential Low (R-L) and a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C).

Council Member Hyer asked about apartments. Tom said this is strictly commercial.

Mayor Long asked if there were any public comments.

Lynn Poll, 826 E. South Weber Drive, asked if there is any other property being sold by the City. Tom identified the location of the properties on the map. He suggested if the City does decide to sell the property, he would suggest selling them as two separate parcels.

Elaine Tadehara, 2045 E. South Weber Drive, is concerned about what type of businesses and if the City has a sense of what they want to bring in. She would like to know what the Council’s vision for this area. Council Member Hyer discussed looking at the feasibility of selling the property or having more flexibility. Council Member Casas said he would be in favor of a general office area with dental office, medical office, etc. He said the City has owned that property for approximately 15 years and nothing has happened to it. Council Member Taylor would like something environmentally friendly there. Doug Ahlstrom read the City code concerning what could be developed in the commercial zone.

Council Member Hyer moved to close the public hearing. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

Council Member Hyer moved to approve ORD 16-11: Adopting 2014 General Plan Update and Amendments to Projected Land Use Map. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

Council Member Sjoblom moved to open the public hearing. Council Member Poore seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

c. Public Hearing on ORD 16-12: Rezone request for approx. 3.9 acres located at approx. 2071 E. South Weber Dr. (Parcel 13-033- 0077) be changed from a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C): Tom said the City has made application for change of zoning of said parcel from the current Transitional Light Industrial (T-1) Zone to Commercial (C) Zone. On 14th of July, 2016, the Planning Commission held a public hearing to consider the application for change of zoning and recommended approval of the change of

zoning. Council Member Hyer discussed ways in which the City can request buffers between commercial and residential areas. Tom said those are matters that would be addressed at the subdivision process.

Mayor Long asked if there was any public comment.

Cymbre Rowser, 985 E. 7375 S., said as a long time resident. She said Mr. Poll was wrong. She said there is a contamination well near the three acres. She then addressed Elaine’s concerns and said how many of you would like to look out your window at commercial development.

Council Member Hyer moved to close the public hearing. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

Doug Ahlstrom read the City code 10.5G.5 concerning the T-1 Zone and stated this zone allows accessory buildings, professional buildings, single family dwellings, laboratories, etc. Council Member Hyer said if it were him, he would rather have commercial verses T-1 based on the zoning.

Council Member Casa moved to approve ORD 16-12: Rezone request for approx. 3.9 acres located at approx. 2071 E. South Weber Dr. (Parcel 13-033- 0077) be changed from a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C). Council Member Poore seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, and Sjoblom voted yes. Council Member Taylor abstained. The motion carried.

Council Member Sjoblom moved to open the public hearing. Council Member Poore seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

d. Public Hearing on ORD 16-13: Rezone request for approx. .58 acres located at approx. 2068 E. South Weber Dr. (Parcel 13-033- 0078) be changed from a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C): Tom said the City has made application for change of zoning of said parcel from the current Transitional Light Industrial (T-1) Zone and Residential Low (RL) to Commercial (C) Zone. He said on 14th of July, 2016, the Planning Commission held a public hearing to consider the application for change of zoning and recommended approval of the change of zoning. Mayor Long said any access would need to be approved by UDOT.

Mayor Long asked if there was any public comment.

Bill Petty, 7898 S. 2800 E., clarified access there is access that would not be required by UDOT.

Council Member Sjoblom moved to close the public hearing. Council Member Poore seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

Council Member Hyer moved to approve ORD 16-13: Rezone request for approx. .58 acres located at approx. 2068 E. South Weber Dr. (Parcel 13-033- 0078) be changed from a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C). Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

Council Member Hyer moved to open the public hearing. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

e. Public Hearing on Rezone Application: Request for approx. 2.5 acres located at approx. 67 E. 6650 S. (Parcel 13-018-0018) be changed from an Agricultural Zone (A) to a Commercial Zone (C) or Commercial Highway Zone (C-H): Tom said this property is the Posse Grounds. He said the Planning Commission did not recommend approving this change in the General Plan map and therefore recommend disapproval of the actual rezone of the property. He said the Planning Commission and public expressed concerns about the current use of the property being lost, if the property sold. He said the Planning Commission would entertain the rezone at a later date if the City Council were to secure an alternate location for the Posse Grounds. He said some of those projections were further west and east.

Tom explained that without knowing how the Council would vote on this property with amending the projected land use map and the rezone ordinance, it has been excluded from action via ordinance. A public hearing may still be held on the property because it has already been published, however, there will not be any action taken on it until the Council expresses their opinion on the matter moving forward.

Mayor Long asked if there was any public comment.

Bill Petty, 7890 S. 2800 E., asked if there is a need to have this changed to commercial right now. He said the posse ground property is used for Country Fair Days. He asked if the City sells this property, will there be public notice?

Ryker Alvey, 853 E. South Weber Drive, said he and his family use the posse grounds. He would recommend another place before they change it.

Cymbre Rowser, 985 E. 7375 S., said she was sixteen when the posse grounds were moved to its current location. She uses the posse grounds weekly. She said there are a lot of people in town and out of town that use the posse grounds. She said there are ways to make it a money maker. She is concerned about what will happen to City’s parks as well.

Kaila Alvey, 853 E. South Weber Drive, said it was denied at the Planning Commission and it was brought up that the City has set a precedent for supporting one man’s hobby i.e. train park. She would ask the Council to deny this.

Bill Petty asked if this will be put in as a line item so that the money is in the budget, if it is moved.

Council Member Taylor moved to close the public hearing. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

Council Member Casas said it is smart for the City to zone it as commercial because the property will receive a higher appraisal. He said the City is looking at options.

Council Member Taylor moved to open the meeting for public comment. Council Member Hyer seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

Cymbre Rowser, 985 E. 7375 S. said there is property in this area that has been zoned commercial and the developer wanted to put a gas station in that area and residents were upset.

Bill Petty, 7898 S. 2800 E., feels it would be a miss justice to rezone.

Council Member Hyer moved to close the meeting for public comment. Council Member Taylor seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

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

Council Member Hyer said there is an opportunity for additional income for the City if this property is zoned commercial. He discussed infrastructure needed in the City. Council Member Taylor said sometimes it is hard to know exactly what to do and he understands the need for the posse grounds. He also understands the needs for the residents as a whole.

f. ORD. 16-09 City Code Amendments – 8.01.020(C) Applications for Connection, Service; 8.01.020(D) Applications for Connection, Service; 8.01.030(A) Fees, 8.01.040(B) Statement of Charges; Delinquency; 8.01.040(C) Statement of Charges; Delinquency; and 8.01.070(A) Use Without Authority; Restrictions: Tom said when he first started working in the City, Council Member Poore came to him asking him about utility billing. Tom said as he has researched, they have recognized ways in which the City can improve. He is requesting a \$25 fee for water connection. He said in the work meeting the Council discussed removing the lessee

from being required to secure water service. It would be the responsibility of the property owner. He then discussed the invoice for service being sent to the property owner and not the lessee. It was concluded that the invoice will be sent to the property owner. He said the City staff is recommending a \$75 fee to turn services back on after being shut off. He then reviewed the amendments to charges; delinquency. He then discussed not allowing any extensions of payment once the water service has been shut-off for non-payment. He said City will no longer allow payments by check. He said the tampering fee will be \$200.

Council Member Casas moved to approve ORD. 16-09 City Code Amendments – 8.01.020(C) Applications for Connection, Service; 8.01.020(D) Applications for Connection, Service; 8.01.030(A) Fees, 8.01.040(B) Statement of Charges; Delinquency; 8.01.040(C) Statement of Charges; Delinquency; and 8.01.070(A) Use Without Authority; Restrictions as read by Tom. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

g. RES 16-26 Amendments to Consolidated Fee Schedule: Water Fees and Building Permit Fees: Tom stated as discussed in the work meeting, it was decided to charge \$25 fee for water service sign-up fee, \$75 fee to turn water back on after shut off, and a \$200 for tampering. He also discussed turning water on after hours for \$50 plus \$25 for water connection for a total of \$75.

Council Member Casas moved to approve RES 16-26 Amendments to Consolidated Fee Schedule: Water Fees and Building Permit Fees. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

h. RES 16-25 Interlocal Cooperation Agreement for Law Enforcement Services 2016-2017

Tom said the City has contracted services with the Davis County Sheriff's Office for law enforcement. The current contracted period, 2013-2018, is being cancelled at the request of the Sheriff's Office in favor of a new contract. The new contract is for 2016-2017 with a slightly increased annual amount and increased hours per day than the original contract. The agreement is changing from 7 hours of service per day to 12 hours. The existing contract was to extend through June 30, 2018 at \$126,187.38/yr (about \$50/day). The new contract costs about \$31/day which is much less per service hour, although the annual amount will increase to \$133,164 because of more hours worked. Tom discussed asking the County for information that justifies the increase. He stated the County has tried to accommodate the City, any time we have requested service.

Deputy Ryan Truce, said there are events that happen in the City where there are several officers in attendance throughout the day and into the night i.e. Country Fair Days. Council Member Hyer said your presence is noted. Council Member Taylor said increased patrol really helps. He said we don't know how many crimes they prevent just by being here. Mayor Long said when there was a water break on 2100 East, they helped for hours.

Council Member Hyer moved to approve RES 16-25 Interlocal Cooperation Agreement for Law Enforcement Services 2016-2017. Council Member Sjoblom seconded the motion. Elyse called for a roll call vote. Council Members Casas, Hyer, Poore, Taylor, and Sjoblom voted yes. The motion carried.

DISCUSSION ITEMS (possible action):

a. Proposed 66% Property Tax Increase

Tom explained the City's financial situation and recommendation to increase property tax. He said South Weber City tax on a \$272,000 residence would increase from \$131.80 to \$158.13, which is \$26.33 per year. The South Weber City tax on a \$272,000 business would increase from \$239.63 to \$287.50, which is \$47.87 per year. He said the increased property tax proposal is on the agenda to inform the public of the Council's intent to raise the tax from 20% to 66% as expressed in the July 19th work meeting. He said it has been suggested to propose an \$8.00 per month increase instead of \$2.30 per month increase.

Council Member Sjoblom said a few weeks ago a resident contacted her and told her if this is approved don't plan on being re-elected. She said she took offense to that because that is not why she ran for City Council. She has researched and read notes concerning the City. She said the City can't keep up with inflation and we don't have commercial business. She doesn't see another option. She was concerned about those on a fixed income so she did research and found a Utah property tax abatement deferral and exemption for property tax. She feels if there is an increase of 20% there would be another increase every other year.

Council Member Taylor said Davis County just increased property tax. He is against this increase and so are his constituents. Council Member Casas said the proposed 20% increase is still half of what Layton City charges. He doesn't see any other option but to raise taxes. Council Member Hyer asked Elyse to bring up the property tax and general fund expenses chart that was put on the City's web-site. He then discussed roads in the City that need repair. He said when infrastructure has been neglected over time, you get a mounting cost. He said for 45 years there hasn't been a tax increase. He said there isn't a person in the City that wants to increase taxes, but the reality is the City has real needs. He is in favor of gradually raising taxes every other year. Council Member Poore feels the City hasn't cut all the places it can. She feels there are more places that can be cut and be more efficient. Tom said the Board of Equalization has assessed the 20%. Council Member Casas said property tax value increased throughout the City and that will also bring the City additional revenue. Tom said the average value of a home in South Weber City is \$173,000. Mayor Long would like to know how much other cities get percentage wise from property tax. Council Member Hyer said he is not in favor of bonding for the City. Tom said if the increase of \$8 is approved, it would cover the deficit of inflation from last year to this year.

CITY COUNCIL ITEMS:

Council Member Sjoblom:

Residents concerns with speeding on 7500 South: She has been in contact with Courtney Brown concerning 7500 South. She has contacted the City Engineer to see if traffic signs can be installed.

Council Member Hyer:

Country Fair Days: He discussed the Council riding in dealership cars. It was decided he will get four vehicles.

Status of Street Light in front of Maverik: He said UDOT has completed engineering studies. It is most likely that construction will begin in two months.

Council Member Poore:

Budget Highlights: She has some items that she would like to see included. She is concerned about the \$54,000 allocated for over time. She feels it is something that needs to be looked at.

CITY MANAGER'S ITEMS:

7500 South: He discussed with Davis County Sheriff's Department the installation of tape that can be put on the street. He did discuss with Barry Burton installing stop signs on the T-intersections.

Gravel Committee Meeting: This meeting will be held August 1, 2016 at 6:00 p.m. Council Member Casas, Council Member Hyer, Tom Smith, and Mark Larsen will be serving on the committee.

He will be out of office tomorrow and Thursday.

PUBLIC COMMENTS:

Bill Petty, 7898 S. 2800 E., said he is concerned about the tax increase and feels a 66% is a little heavy. He is concerned for fixed income residents. He suggested looking at what was spent in overtime in comparison. He is also concerned about no stop sign coming north off of Highway 89.

Joel Dills, 7749 S. 2100 E., asked about the property tax and general fund expenses chart. He doesn't think a burden should be put upon citizens to plan for the future. He said taxes are permanent and the spending will be permanent as well. He doesn't understand what it is being spent for.

Jessica Schanke, 2374 E. 8100 S., said she is concerned about the increased speed 8100 South. She said there are more kids in our neighborhood and it has become a safety issue. Deputy Truce suggested installing the LED stop signs that show the speed being traveled. He said it will help slow individuals down.

ADJOURNED: Council Member Taylor moved to adjourn the meeting at 8:12 p.m. Council Member Poore seconded the motion. Council Members Casas, Hyer, Poore, 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: 26 July 2016

TIME COMMENCED: 4:33 p.m.

PRESENT: MAYOR:

Tammy Long

COUNCILMEMBERS:

Scott Casas
Kent Hyer
Marlene Poore
Merv Taylor
Jo Sjoblom

CITY RECORDER:

Elyse Greiner

CITY MANAGER:

Tom Smith

FINANCE DIRECTOR:

Mark McRae

CITY ATTORNEY:

Doug Ahlstrom

Transcriber: Minutes transcribed by Michelle Clark

VISITORS:

CONSENT AGENDA:

- **Approval of July 12, 2016 Meeting Minutes**
- **Approval of July 12, 2016 Work Meeting Minutes**
- **Approval of July 19, 2016 Work Meeting Minutes**

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

ACTION ITEMS:

a. Public Hearing on ORD 16-10: Rezone request from Lynn Poll for approx. 3 acres located at approx. 925 E. 7375 S. (Parcel 13-021- 0103) be changed from an Agricultural Zone (A) to a Residential Moderate Zone (R-M): Elyse stated Lynn Poll, developer for the property, has made application for change of zoning of Parcel 13-021-0103 from the current Agriculture (A) Zone to Residential Moderate (R-M) Zone.

On 14th of July, 2016, the Planning Commission held a public hearing to consider the application for change of zoning and recommended approval of the change of zoning. The rezoning of the property described in this ordinance is consistent with the City's General Plan, and is consistent with the current zoning and use of surrounding properties.

b. Public Hearing on ORD 16-11: Adopting 2014 General Plan Update and Amendments to Projected Land Use Map: The Planning Commission held a public hearing on the amendments to the projected land use map on the 14th day of July, 2016 as is recommending the City Council approve the following amendments to the Projected Land Use Map:

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- Parcel 13-033-0078, approx. .58 acres, be rezoned from a Residential Low (R-L) and a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C).

c. Public Hearing on ORD 16-12: Rezone request for approx. 3.9 acres located at approx. 2071 E. South Weber Dr. (Parcel 13-033- 0077) be changed from a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C): The City has made application for change of zoning of said parcel from the current Transitional Light Industrial (T-1) Zone to Commercial (C) Zone. On 14th of July, 2016, the Planning Commission held a public hearing to consider the application for change of zoning and recommended approval of the change of zoning.

Mayor Long asked if there were any questions or concerns with this rezone request. Council Member Casas asked about Parsons property located to the east of this parcel. He said the weeds are high in the retention pond. He also pointed out the sidewalk has three to four feet high weeds and it is the City's responsibility, as confirmed by UDOT.

d. Public Hearing on ORD 16-13: Rezone request for approx. .58 acres located at approx. 2068 E. South Weber Dr. (Parcel 13-033- 0078) be changed from a Transitional Light Industrial Zone (T-1) to a Commercial Zone (C): The City has made application for change of zoning of said parcel from the current Transitional Light Industrial (T-1) Zone and Residential Low (RL) to Commercial (C) Zone. On 14th of July, 2016, the Planning Commission held a public hearing to consider the application for change of zoning and recommended approval of the change of zoning.

e. Public Hearing on Rezone Application: Request for approx. 2.5 acres located at approx. 67 E. 6650 S. (Parcel 13-018-0018) be changed from an Agricultural Zone (A) to a Commercial Zone (C) or Commercial Highway Zone (C-H): The property is the Posse Grounds. The Planning Commission did not recommend approving this change in the General Plan map and therefore recommend disapproval of the actual rezone of the property. Tom said the Planning Commission and public expressed concerns about the current use of the property being lost, if the property sold. The Commission would entertain the rezone at a later date if the City Council were to secure an alternate location for the Posse Grounds.

Without knowing how the Council would vote on this property with amending the projected land use map and the rezone ordinance, it has been excluded from action via ordinance. Tom said a public hearing may still be held on the property because it has already been published, however, there will not be any action taken on it until the Council expresses their opinion on the matter moving forward.

Discussion took place regarding the need for weeds to be cleaned up at the posse grounds. Tom said there are citizens concerned about finding another location for the posse grounds before rezoning. He said a citizen discussed a possible location west of Raymond Drive for a posse grounds. Council Member Casas said this property is in the noise zone. Elyse said an application has been submitted to the Planning Commission for an indoor and outdoor soccer field. She said they are not planning to develop the northern portion of the property at this time. She said Smith & Edwards owns the property. Council Member Casas suggested the City staff look into that property. Council Member Hyer said he has talked to so many people who are concerned about all the small parks in the City. Tom said the Planning Commission has expressed a desire to meet with the Council on a bi-annual basis. The Council agreed. Council Member Casas doesn't want to miss an opportunity to meet with Smith & Edwards concerning the property. Tom suggested looking at a first right of refusal. Elyse said Smith & Edwards will be in attendance at the Planning Commission meeting on August 11, 2016 and the Council is welcome to attend to receive more information on this property. Tom said the Council does need to understand that there can not be more than two council members in attendance and they must remain neutral without influencing the Planning Commission.

Discussion took place regarding the posse grounds not being used by many residents. Tom said it is used for Country Fair Days.

f. ORD. 16-09 City Code Amendments – 8.01.020(C) Applications for Connection, Service; 8.01.020(D) Applications for Connection, Service; 8.01.030(A) Fees, 8.01.040(B) Statement of Charges; Delinquency; 8.01.040(C) Statement of Charges; Delinquency; and 8.01.070(A) Use Without Authority; Restrictions: Tom said these code changes are a means of clarification, to update the code with the current practices, and to make sure City incurred costs are covered by the appropriate fee by the appropriate person. Tom discussed the need to charge a service fee per connections. He is also proposing the charge for service on a holiday and weekends. He discussed a recent situation with a renter and landlord. Council Member Casas feels the landlord should be responsible for the water, sewer, and garbage and should be in the landlord's name. Mark McRae said the current ordinance says we have to bill the address. Discussion took place because there are landlords who don't have a business license. Council Member Casas is in favor of billing the landlord. Mark said there are cities that do that. Doug Ahlstrom said it is his opinion that it is cleaner and better to bill the landlord. Tom read 8.01.020 item D concerning applications for connection service. Council Member Casas recommended amending section C deleting "lessee". Concerning section D, it was recommended to send the invoice to the property owner. Elyse voiced her concern with the difficulty in regulating business licensing with rental properties. Tom discussed a new homeowner sign up fee being \$25. Council Member Hyer feels the people driving the cost need to pay a fee. Council Member Casas recommend charging a landlord \$50 to turn water back on. Council Member Hyer suggested charging \$100. The Council agreed charging a water turn on fee of \$75 after shut off. Tom discussed adding language for delinquency. He also discussed the amendments made concerning extensions. He discussed charging a tampering fee of \$100. The Council discussed charging \$200 for tampering.

g. RES 16-26 Amendments to Consolidated Fee Schedule: Water Fees and Building Permit Fees: If the Council decides to approve of the code changes in Ordinance 16-09, the fee schedule will be amended to reflect those changes with the water fees. The building permit fee

penalty change is a minor wording difference to clarify that a penalty will be charged regardless of whether an application was made for a building permit if it has not been approved and issued.

h. RES 16-25 Interlocal Cooperation Agreement for Law Enforcement Services 2016-2017

Tom said the City has contracted services with the Davis County Sheriff’s Office for law enforcement. The current contracted period, 2013-2018, is being cancelled at the request of the Sheriff’s Office in favor of a new contract. The new contract is for 2016-2017 with a slightly increased annual amount and increased hours per day than the original contract. The agreement is changing from 7 hours of service per day to 12 hours. The existing contract was to extend through June 30, 2018 at \$126,187.38/yr (about \$50/day). The new contract costs about \$31/day which is much less per service hour, although the annual amount will increase to \$133,164 because of more hours worked. Tom said this will provide more police presence in the City. Doug said this is totally driven by the County and the City really has no bargaining ability with them. Council Member Casas is concerned because there is no way to track their presence or measuring it. Doug said you can request documentation of the 12 hour service in the City.

DISCUSSION ITEMS (possible action):

a. Proposed 66% Property Tax Increase

Tom said the increased property tax proposal is on the agenda to inform the public of the Council’s intent to raise the tax from 20% to 66% as expressed in the July 19th work meeting.

Adjourned at 6:00 p.m.

APPROVED: _____ **Date**

Mayor: Tammy Long

Transcriber: Michelle Clark

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