

SOUTH WEBER CITY COUNCIL MEETING

DATE OF MEETING: 28 October 2014

TIME COMMENCED: 6:04 p.m.

PLEDGE OF ALLEGIANCE: Mayor Long

PRAYER: Council Member Thomas

PRESENT: MAYOR: Tammy Long

COUNCILMEMBERS: Scott Casas
Randy Hilton
Michael Poff
Marlene Poore
David Thomas

CITY RECORDER: Tom Smith

CITY MANAGER: Duncan Murray

Transcriber: Minutes transcribed by Michelle Clark

*A PUBLIC WORK MEETING was held at
5:30 p.m. to
REVIEW AGENDA ITEMS*

VISITORS: Bryon Saxton, Geoff Ellis, Jared Bryson, Karen Kendell, Jared Kendell, Louise Cooper, Cheryl Bambrough, LaRae Harper, Annette Gardner, Delene Hyde, Geoff Ellis, and Tom Graydon.

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

APPROVAL OF THE AGENDA: Council Member Thomas moved to approve the agenda with the addition of the Quarterly Fire Department Report. Council Member Hilton seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

CONFLICT OF INTEREST: Council Member Poff declared a conflict of interest with Ordinance 13-18B/14-06.

CONSENT AGENDA:

- Approval of the October 14 City Council Work Meeting Minutes
- Approval of the October 14 City Council Meeting Minutes

- **Approval of the October 14 City Council Closed Executive Meeting Minutes**
- **Approval of the October 21 City Council Work Meeting Minutes**

Council Member Thomas moved to approve the consent agenda. Council Member Poore seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poore, and Thomas voted yes. Council Member Poff voted no. The motion carried 4 to 1.

Quarterly Fire Department Report: Fire Chief Graydon: Chief Graydon said he will be presenting the 2nd & 3rd quarter report for tonight. He said 2nd Quarter average response time was 9:06 minutes, shortest response time 3 minutes, and longest 23 minutes. He reported the 3rd quarter average response time was 8:54 minutes, shortest response time was 3 minutes, and longest 25 minutes. He explained that there were two hazardous situations with telephone pole fires. He then reviewed the 2014 call volume trend for the 2nd & 3rd quarter. He said over time it is relatively consistent. He said alarms by day of the week include Thursdays and Fridays being the bigger days. He said there are currently 18 fire fighters. He said Truck 4 is out of service, Aux 2 is in reserve (discussed possible surplus), Brush 3 is removed from service, Brush 1 in service, and Squad 5 in service. He said they took the Brush truck up to Job Corp and stripped it down and did the paint. He said his concerns include: the age of emergency response vehicles and no funded plan, need to recruit more fire fighters and increase the availability of daytime fire fighters, experience levels, and is the response time “good enough”.

Council Member Casas asked about the cost to Job Corp to paint the Brush truck. Chief Graydon said they didn't charge anything for labor. The City paid for the paint and supplies. Council Member Casas asked about the possibility of having Job Corp work on the City dump truck. Council Member Poore asked about past history reports. Chief Graydon said he can get her the last five year reports.

APPROVALS:

October 1-16, 2014 Check Register: Duncan said this check register is for the time frame of October 1-16, 2014. He said the fuel charge invoice dates have been added to the report. Council Member Poore asked about iWorq. Duncan said those are annual fees for the City software.

Council Member Casas moved to approve the check register for October 1-16, 2014. Council Member Poore seconded the motion. Tom called for a roll call vote. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried.

ORDINANCE 13-18B/14-06: Amendment to City's Zoning Map – Change of Zoning Parcel #13-023-0022, 13-006-0031, & 13-006-0025; approximately 30 acres from Agricultural (A) to Residential Moderate (RM)); located at approx. 6650 South & 475 East; Applicants: Uinta Land Company; including a possible development agreement

Duncan said Uinta Land Company, agent for the property owners, has made application for change of zoning of parcels #13-023-0022, 13-006-0031, & 13-006-0025; approximately 30 acres from Agricultural (A) to Residential Moderate (RM)); located at approx. 6650 South & 475 East. He said Ordinance 12-18A that has already been approved includes the apartment portion of the property.

On 14 November, 2013, the Planning Commission held a public hearing to consider the application for change of zoning and recommended approval of the change of zoning. On 10 December, 2013, the City Council held a public hearing to consider the application for change of zoning.

Duncan said in the work meeting the Council discussed an amendment to Ordinance 13-18B/14-06 Section 3 concerning the addition of the developer being responsible to construct Old Fort Trail. The updated Ordinance would read as follows:

Section III. As conditions of approval of this Ordinance: (1) the Owner of the property shall build, at its expense, the portions of the Old Fort Trail identified in the General Plan that are within the boundaries of the legal description of this Ordinance and of Ordinance 13-18A; and (2) the Final Subdivision Plat for the area described in the legal description of this Ordinance shall not be substantially or materially different from the Preliminary Plat approved by the Planning Commission.

Council Member Thomas said at the time this was tabled, this request wasn't consistent with the General Plan. He said the Planning Commission approved the preliminary plat and made recommendation on the rezone because, at the time, they were going to update the general plan. Since then, the general plan has been updated and approved. This request is now consistent with the general plan.

Duncan said the preliminary plan has been reviewed by City staff. The City Engineer has reviewed the storm water plan, which fits all the City's requirements.

Council Member Thomas moved to approve Ordinance 13-18B/14-06 with conditions that are set forth in the ordinance. Council Member Hilton seconded the motion. Tom called for a roll call vote. Council Members Hilton, and Thomas voted yes. Councilmember Poore & Casas voted no. Mayor Long voted no. Councilmember Poff abstained. The motion died.

Resolution 14-27: Inter-local Cooperation Agreement between Davis County and the City of South Weber for Animal Control Services: Duncan explained that South Weber City has contracted animal control services from Davis County Animal Control. Davis County Animal Control is requesting the City adopt the "Trap Neuter Return Pilot Program" for "community cats" in the South Weber City limits at no additional cost to the City.

Council Member Poff moved to deny Resolution 14-27. Council Member Thomas seconded the motion. Further discussion took place on the motion. Council Member Poff doesn't feel that neutering the cat population is a solution to the problem. He lives in an area where individuals drop their animals off at the posse grounds. He feels they need to look at the nuisance animals verses the one cat they picked up last year. Council Member Hilton said it is a free service so what is it going to hurt. Council Member Casas feels it is a service for urban areas verses country. Council Member Poore is interested in keeping the feral population down. Council Member Poff feels there are more important issues they should be spending their time on. **Tom called for a roll call vote. Council Members Poff and Thomas voted yes. Council Member Poore, Hilton Poff, voted no. The motion died 2 to 3.**

Council Member Poore moved to approve Resolution 14-27. Motion died due to the lack of a second.

DISCUSSION ITEMS:

Capital Projects Fund

Duncan suggested looking at capital projects that the Council would like to complete this year. He understands there is interest in completing the second ball diamond at Canyon Meadows Park. Council Member Thomas suggested an entry way feature into the City from Highway 89 near the park and ride. Council Member Casas agreed. He would like to know what type of sign. He is interested in looking at more of a commitment for the fire truck. Council Member Poore would like to see communication improved and look at a digital sign for announcements, events, emergency notifications, advertising, etc. She would also like to acquire the additional lot for Canyon Meadows Park. Council Member Hilton is interested in getting started on the second ball diamond at Canyon Meadows Park and moving towards finishing that park. Council Member Poff feels it would be beneficial as a Council to wait until January because we are getting into winter. He has looked at resolutions and he feels there should be more than \$150,000 in the fire truck fund. Duncan said Paul Laprevote, City Treasurer, is researching that information. Council Member Casas is in favor of an entry way feature whether it is an electric sign or not. He said we need to look at replacing a water tank.

Public Comment:

Delene Hyde, from the Planning Commission, said the Planning Commission spent nine months reviewing and updating the City's general plan. She said is wondering why the rezone didn't pass tonight. She is also wondering why the Council doesn't have to state reasons why they denied it. She feels the Council has now denied the landowner from developing his property. Council Member Casas was voting on the proposal that Council Member Thomas made. He explained that he would like to see more detail. Commissioner Hyde said the development agreement drafted months ago was for a regional detention pond. She said that shouldn't have anything to do with the rezone request. She is wondering why the Council makes the Planning Commission go through the process of updating a plan and then denies a developer. Council Member Hilton appreciates the work from the Planning Commission and stated that is why he voted yes. Council Member Poore said she thought the Council was going to get more of these things in place before approving it. Council Member Casas said the City Council hasn't discussed widening 6650 South at all and he feels that needs to be done in order to improve this subdivision. Commissioner Hyde said she agrees with Council Member Casas but she feels that should have been said. She said it is not right to tell a property owner that they can't develop their property. Council Member Thomas said he is frustrated because we did vote to change the general plan to R-M and there was no reason to deny this. Council Member Thomas said at this point the Council has the opportunity to vote to reconsider.

Commissioner Hyde said the widening of 6650 South has been an ongoing issue. She said most of the individuals living on that street will lose most of their front yard. Council Member Casas said he is talking about widening a portion (approximately 200 ft) of that street by the Kendell's property. Council Member Thomas said there is a traffic study that states that 6650 South can handle the increased traffic. Council Member Casas said we were changing items at the last

minute that he didn't feel comfortable with. Council Member Poff thanked Commissioner Hyde for all her hard work.

Council Member Thomas said the motion included two items which were as follows:

1. To build a trail at their expense
2. To be subject to the preliminary plat that was approved by the Planning Commission and that there wouldn't be any major changes to the plat.

Council Member Thomas said when you act to put conditions on a development you should do that with a rezone request. He said the plat can't be recorded until the entire infrastructure is installed. He said the developer has to bond for all infrastructure. Council Member Poff said in the past the City has entered into development agreements. Council Member Casas asked if the development agreement has anything to do with the proposed apartments. Duncan said the two amendments added to the ordinance deals with the trail for both areas (single family dwelling area and apartment area). He said the second condition dealt with just the single family dwelling.

Council Member Casas moved to reconsider Ordinance 13-18B/14-06. Council Member Poore seconded the motion. Council Member Thomas, Poore, Hilton, and Casas voted yes. Council Member Poff abstained. The motion carried.

Council Member Thomas moved to table Ordinance 13-18B14-06 until November 11, 2014 and include in the Ordinance new conditions, include most recent preliminary plat in packet, and include updated retention basin. Council Member Casas seconded. Council Member Thomas, Poore, Hilton, and Casas voted yes. Council Member Poff abstained. The motion carried.

Weber Pathways Project:

Geoff Ellis, of Weber Pathways, stated if the Council has any questions for him, he would be glad to answer them. Council Member Thomas asked about the Weber River Parkway Trail ending on the other side of Highway 84. He is wondering how much has been done to acquire land east of Highway 89. Geoff said several years ago they met with the gravel pit but nothing has been done with that recently. He said they are trying to complete from Cottonwood Trail Head to Fisherman's Trail Head. He discussed the area from the bridge in Riverdale to Cottonwood Trail Head not being asphalted. He said it will be a road base surface.

Council Member Casas discussed his concerns with drainage from the 30 acre proposed subdivision on the agenda tonight. He is concerned about water washing out the trail. Geoff asked if it would be possible to get a map of this. Duncan will get the information for him. Council Member Casas discussed the need to overlay Cottonwood Drive. Geoff explained the plan for bike lanes on Cottonwood Drive. He asked when an overlay will take place on Cottonwood Drive. The Council agreed a cost study needs to take place for that street. Council Member Poff discussed a possible resolution of support to UDOT for the easement along the Frisbey property.

MAYOR'S ITEMS:

Hill Air Force Base – The Roy gate will be completed next week.

COUNCIL MEMBER ITEMS:

Council Member Poff:

Youth Council Oath of Office and Quarterly Report: He suggested scheduling the Youth Council for their Oath of Office and Quarterly Report on November 11, 2014. Council Member Poff will get Tom a list of Youth Council names.

Council Member Poore:

Not Making a Motion until it is Called For: She discussed the importance of not making a motion until it is called for. She would like the opportunity to make a comment before the motion. Tom explained that a motion can be discussed after a second is made. Council Member Poff stated there isn't anything that excludes the Council from making a motion. Council Member Thomas said you can always amend the motion. Tom said the Mayor is to conduct the meetings. The Mayor can call for the motion. The Council discussed the possibility of drafting their own rules for meetings.

ADJOURNED: Council Member Poff moved to adjourn the City Council Meeting at 8:14 p.m. Council Member Casas seconded the motion. Council Members Casas, Hilton, Poff, Poore, and Thomas voted yes. The motion carried

APPROVED: _____ Date
Mayor: Tammy Long

Transcriber: Michelle Clark

Attest: _____
City Recorder: Tom Smith