

SOUTH WEBER CITY COUNCIL WORK MEETING AGENDA

PUBLIC NOTICE is hereby given that the City Council of **SOUTH WEBER,**
Davis County, Utah will meet in a **PUBLIC WORK MEETING** on
TUESDAY, 19 NOVEMBER 2013
in the **City Planning Room, 1600 E South Weber Dr, South Weber, UT**

PUBLIC MEETING

5:30 p.m. SIDEWALK SNOW REMOVAL

5:45 p.m. CITY MISSION, VISION AND VALUES

CLOSED EXECUTIVE SESSION

CLOSED EXECUTIVE SESSION – UTAH CODE 52-4-204 & 52-4-205:
THE COUNCIL WILL CONSIDER A MOTION TO ENTER INTO CLOSED SESSION
FOR THE PURPOSE OF DISCUSSION OF CHARACTER, PROFESSIONAL
COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF INDIVIDUAL(S)

THE UNDERSIGNED DULY APPOINTED CITY RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY
CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED, FAXED OR POSTED TO:

CITY OFFICE BUILDING
CITY WEBSITE www.southwebercity.com
UT PUBLIC NOTICE WEBSITE www.pmn.utah.gov
EACH MEMBER OF GOVERNING BODY

SOUTH WEBER FAMILY ACTIVITY CENTER
SOUTH WEBER ELEMENTARY
THOSE LISTED ON THE AGENDA

DAVIS COUNTY CLIPPER
STANDARD-EXAMINER
SALT LAKE TRIBUNE
DESERET NEWS

DATE: 15 November 2013

CITY RECORDER: Erika J. Ahlstrom

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, INDIVIDUALS NEEDING SPECIAL ACCOMMODATIONS
DURING THIS MEETING SHOULD NOTIFY ERIKA AHLSTROM, 1600 EAST SOUTH WEBER DRIVE, SOUTH WEBER, UTAH 84405
(479-3177).

Agenda times are approximate and may be moved in order, sequence and time to meet the needs of the Council.

SOUTH WEBER CITY – STAFF REPORT

Date: 19 November 2013 (work meeting)
To: City Council Members
From: Rodger Worthen, City Manager
Subj: Sidewalk Snow Removal Ordinance

Recently, the City Council requested additional contact be made to the Utah Department of Transportation, the Utah Local Government Trust (City's insurance provider) and the Charter School regarding snow removal along SR-60's newly installed sidewalk.

The City manager contacted UDOT to request information on snow removal. Region one representative Todd Finlinson was contacted and indicated that UDOT does not engage in snow removal on side- walks adjacent to state routes.

The Utah Trust was also contacted regarding the liability issues of not removing the snow on the walk and posting applicable signage indicating to "use at your own risk" or some other similar language. Suzie Pope from the Trust indicated that the City would remain liable for snow removal efforts and maintaining the sidewalk accordingly. The sign would not reduce the City's potential liability to use of the walk-way.

City Staff has also attempted to contact the school snow removal company with unsuccessful results. In addition, the School has not responded favorably to consider the removal of snow. As such, it is the recommendation the City adopts the ordinance exception as previously discussed in city code 7-1-2 that allows the City to remove the snow. Staff further recommends the City Council contract with a private company to remove the snow from the new walk-way as other communities have undertaken similar action.

Moreover, the side-walk is a very unique asset to those that use it and a unique burden to adjoining landowners not of their choosing. I would recommend the City adopt the ordinance and issue a request for proposal to contract the snow removal. The City staff will implement whatever policy direction is provided.

7-1-2: REMOVAL OF SNOW:

A. Failure To Remove Unlawful: It shall be unlawful for the owner, occupant, lessor or agent of any property, abutting on a paved sidewalk, to fail to remove or have removed from such paved sidewalk, all hail, snow or sleet thereon within a reasonable time after such snow, hail or sleet has fallen. In the case of a storm between the hours of five o'clock (5:00) P.M. and six o'clock (6:00) A.M., such sidewalks shall be cleaned before nine o'clock (9:00) A.M. of the same day.

Exception: In circumstances where the property has over 200 feet of street frontage, is vacant of use with no structures, and is within one-quarter mile of a school, the city will be responsible for removal of snow from the sidewalk within a reasonable time.

B. Depositing In Gutter Unlawful: It shall be unlawful for any person removing snow from the sidewalk or driveway or other areas, to deposit or blow snow, dirt, leaves or any other material in the street, nor should any of these materials be deposited in the gutter so as to clog or prevent the free flow of water therein. (1989 Code § 11-361)

SOUTH WEBER CITY CITY COUNCIL WORK MEETING

DATE OF MEETING: 15 October 2013

TIME COMMENCED: 5:32 p.m.

PRESENT: MAYOR:

Jeff Monroe

COUNCILMEMBERS:

Joe Gertge

Randy Hilton

Michael Poff

Farrell Poll

Dave Thomas

CITY MANAGER:

Rodger Worthen

CITY RECORDER:

Erika Ahlstrom

Visitors: Elizabeth Rice, Brian Poll.

Councilmember Gertge moved to convene the work meeting. Councilmember Hilton seconded. Work meeting commenced at 5:32 p.m.

SIDEWALK SNOW REMOVAL: Rodger explained that in response to the City Council's concern over snow removal for the sidewalk leading to the Charter School, staff has provided a draft to insert the exception to 7-1-2. He said the sidewalk was installed on South Weber Drive near the Charter School to address safety concerns. He said the sidewalk is adjacent to unique pieces of property that are in agricultural use and where it would be difficult for the owner to maintain that amount of sidewalk. Rodger stated there are other communities that take responsibility of snow removal on these types of properties, such as West Point, Nibley, Saratoga Springs. No ordinances were found that cover this, however. Rodger said the city needs to look at an ordinance and a means of doing it.

Rodger stated that the sidewalk is quite a distance, and we could contract out for snow removal or look at purchasing equipment and adding manpower to use the equipment. He said the city contacted Staker Parson about doing the snow removal as they clear the sidewalk on the north side, but they do not want to do it for liability reasons. Councilmember Poll said he talked to Jeff Clifford, who owns the property at the corner of 2100 East and South Weber Drive, who said if he has to clear the snow it will cost him at least \$1,000 per season.

Regarding the ordinance, Councilmember Hilton asked if there are any other pieces that would fit the criteria; Rodger said he couldn't see any that would. It was discussed possibly the Polls by South Weber Elementary would fit. Councilmember Poff said it is like a trail, and the intent is to provide a safe access to the school. He said he is in favor of doing it, but we need to understand expectations and make sure it meets ordinance. Councilmember Poll discussed adding signage that discourages use of the sidewalk in inclement weather, and having the school provide parents with a warning. He said it is hard to expect the landowners to do the snow removal. Councilmember Gertge brought up concerns about damage to the fence during snow removal, and where will the snow be put when it is removed. He said the issue here is the safety of children.

Rodger said we have asked the school to find out from their contractor how much it would cost for the snow removal; we have not had an answer. Rodger said the city could purchase a skid steer for \$20-40K and an auger to push the snow up and over is about \$6K. Right now we just have push blades on a truck.

Councilmember Thomas suggested getting the school to pitch in some funds. Rodger recommended having a seasonal employee work on an on-call basis if we get the equipment.

It was discussed that most cities push snow off their trails.

Mayor Monroe said that the charter school should have some buy in on this, because once it is in ordinance then the responsibility is ours. Councilmember Thomas said there is an administrative rule that requires schools to have emergency response plans, that would include snow storms; they have to have a plan in place to get the kids to the school safely.

Councilmember Poll asked about Park City or other municipalities that take care of sidewalks. Councilmember Thomas said that the residents of Summit County pay a higher tax rate so the government plows their roads in a shorter amount of time, and they take care of the sidewalk in for historic district, trails, etc.

Councilmember Poff asked if the city is going to enforce the current code. Mayor Monroe said a citation would be sent if we get a complaint. He said according to the ordinance at this time they are not in compliance if they don't remove the snow.

Councilmember Thomas said we need to have a conversation with the school. Mayor Monroe suggested contacting Utah Local Government's Trust regarding the hazard and the possibility of signage. Councilmember Poff said to check with UDOT as to what they have done in the past, and find some solutions. Mayor Monroe said the other cities probably left their ordinance as is and just went ahead and did the snow removal. Councilmember Gertge said his feeling is to leave the ordinance along and have the city step up if we can. Councilmember Poll agreed. Rodger said the issue could be added to the city's snow plowing policy and we could have a letter of understanding with the land owner.

SIDEWALK REPAIR AND CONSTRUCTION FUNDING: Rodger said that each year the city puts \$10-15K in the budget for sidewalk repair and replacement. We are currently undertaking the program, but we are getting more requests for repair than we have money to take care of. We are behind in repairs and to do all of the repairs would cost \$60K+. Rodger said an idea that staff tossed around was relative to a matching program, the council was provided with samples of other cities' policies. He said staff could craft a proposal if this is something the council is interested in. He said staff is not 100% in favor of it due to equitability and fairness.

Rodger said another idea is that we could do the \$60K in repairs over two years by taking \$15K from each fiscal year and doing the project in the summer straddling the budget years.

Rodger asked if there is any interest in matching program. Councilmember Thomas said his opinion is not to do the matching program, and to try to knock out the projects over two years. Councilmember Gertge agreed. Mayor Monroe said the council needs to remember this issue when it looks at the budget.

ANNEXATION PROPOSED BY UINTAH: Mayor Monroe said Mr. Frisbee is desiring to annex his property into Uintah. Councilmember Gertge said unless they can guarantee a trail through the property, we won't ever get one. Mayor Monroe reported that Mayor Bybee told him Mr. Frisbee would have a trailhead and trail through it as part of the development. Councilmember Poff asked why Mr. Frisbee has not applied for development through South Weber. Rodger said we wouldn't allow them to do the development due to the flood plain. Mayor Monroe said Uintah will let them build anything there. Councilmember Poff said he would be against an annexation, and would recommend denying unless it

were to serve the city an advantage. He said we have legitimate concerns regarding flood, access to Cottonwood Drive, and a trail on our side of the river. Mayor Monroe agreed that the road is an issue. Councilmember Gertge suggested looking at it if they will making concessions for a trail along the south side of river. Rodger asked what good the property is to the community, stating we provide services and it is a drain. If stays in our city nothing will be built on it. Rodger propose negotiating and having an interlocal agreement that there will be a trail head and a trail will move to the east.

CITY MISSION, VISION AND VALUES: Rodger stated staff provided a draft. The council and staff had drafted a vision at its retreat meeting in January: “A family-oriented community that provides sufficient amenities & infrastructure for residents while maintaining a ‘country’ feel.”

Councilmember Thomas said in our values we need to add the concept of “team,” everybody pulling toward a centralized goal.

Councilmember Poll suggested adding “collaborative.”

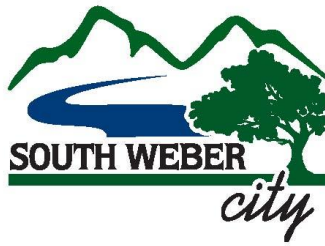
Mayor Monroe suggested “cooperative.”

The council would like more time for this item so it will be brought back.

OTHER ITEM: Rodger reported he met with the Bateman Estates and Sandalwood HOA’s, attempting to mediate their issues. He said there is one significant issue: Sandalwood is growing, and their already is not enough parking. There is also a minor issue of lighting on the street that wasn’t put in. Rodger said that Sandalwood is pointing the finger that the city didn’t do its due diligence through the amendment of sandalwood plat, which created the parking issue. He said he doesn’t know if the city looked at the parking requirements when the plat was amended. Rodger said the road is owned by Bateman Estates, and Sandalwood fronts it. He said that Bateman Estates wants the city to take over the road. There could be additional parking added on some of the open spaces. Councilmember Poll suggested relaxing the open space requirements and allow them to put in new parking. Councilmember Thomas said the city has governmental immunity, but it is a problem we should try to resolve. Councilmember Poll said if the city were to take over the road, they would have to bring the road up to standards or turn over funds to city to bring up to standards. Councilmember Thomas said we could do a special assessment district.

Councilmember Gertge moved to adjourn to a closed executive session at 7:16 p.m. as per Utah Code 53-4-204 & 52-4-25 for the purpose of discussion of character, professional competence, or physical or mental health of individual(s). Councilmember Poll seconded the motion. Councilmembers Poll, Poff, Gertge, Hilton and Thomas voted yes. The motion carried.

Minutes by _____
Erika Ahlstrom, City Recorder



Vision

A family-oriented community that provides sufficient amenities & infrastructure for residents while maintaining a “country” feel.

Mission

To enhance the quality of life by providing municipal services, protecting life & property with fiscal responsibility, while preserving our heritage for the citizens of South Weber City.

Values

- Honest & Integrity
- Visionary Leadership
- Dedicated & Responsive Service
- Dependable & Highly Skilled Work Force
- Simplicity

Focus Areas

1. Responsive Government
2. Public Safety
3. Quality of Life / Heritage / Cultural
4. Proactivity