

SOUTH WEBER CITY COUNCIL AGENDA

PUBLIC NOTICE is hereby given that the City Council of SOUTH WEBER CITY, Utah, will meet in a regular public meeting on Tuesday, September 17, 2019 in the Council Chambers, 1600 E. South Weber Dr., commencing at 6:00 p.m.

COUNCIL MEETING (Agenda items may be moved in order or sequence to meet the needs of the Council.)

1. **Consider Councilman Hyer joining the meeting electronically via phone**
2. **Pledge of Allegiance:** Councilman Winsor
3. **Prayer:** Councilwoman Petty
4. **Recognition:** 2019 Country Fair Days Committee
5. **Public Comment:**
 - a. State your name and address
 - b. Each person may speak one time
 - c. Keep public comments to 3 minutes or less per person
 - d. Address the entire City Council
 - e. City Council will not respond during the public comment period
 - f. No comments allowed from the audience
6. **Approval of Consent Agenda**
 - a. Minutes 2019-08-13
 - b. Minutes 2019-08-20
 - c. Minutes 2019-08-27
7. **Discussion** Parking restriction on 2700 E by Hayley Alberts
8. **New Business**
9. **Reports:**
 - a. Mayor
 - b. Council Members
 - c. City Manager
10. **CLOSED EXECUTIVE SESSION (UTAH CODE 52-4-205(1)) THE COUNCIL MAY CONSIDER A MOTION TO ENTER INTO CLOSED SESSION FOR APPROVED PURPOSES**
11. **Adjourn**

In compliance with the Americans With Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder, 1600 East South Weber Drive, South Weber, Utah 84405 (801-479-3177) at least two days prior to the meeting.

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, OR POSTED TO: 1. CITY OFFICE BUILDING 2. FAMILY ACTIVITY CENTER 3. CITY WEBSITE www.southwebercity.com 4. UTAH PUBLIC NOTICE WEBSITE www.pmn.utah.gov 5. THE GOVERNING BODY MEMBERS 6. OTHERS ON THE AGENDA

09-13-19

DATE:

CITY RECORDER: Lisa Smith

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 13 August 2019

TIME COMMENCED: 6:07 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT

PRESENT: MAYOR:

Jo Sjoblom

COUNCIL MEMBERS:

Blair Halverson

Kent Hyer

Angie Petty

Merv Taylor

Wayne Winsor

CITY RECORDER:

Lisa Smith

CITY MANAGER:

David Larson

FINANCE DIRECTOR:

Mark McRae

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Landy Ukena, Kathy Devino, Julianne Higgs, Don Higgs, Joan & Bill Turner, Ivan Ray, Michael Poff, Lyle Jorgensen, Judy Orton, Lynett Ledbetter, Chris Pope, Paul Sturm, Ann Bitton, Haley Albert, Quin Soderquist, Sherry Wooten, Tony Mackintosh, Cory Mackintosh, Elizabeth Olden, Jay McDougal, Dusty Petty, John & Tracy Hart, Debbie Hansen, Steven Hansen, Jessica Maryano, Michael Grant, Lynn Poll, Craig Ecton, Louise Heppe, Lacey Westbroek Loveless, Cole Fessler, Marilyn Runoffson, Ember Davis, Mike Sampson, Aaron Adams, Linc & Chris Adams, Blaine & Leah Land, Tammy Long, Elizabeth Rice, John R. Grubb, Ross McKinson, Greg Robinson, Ted lander, Doris Rice, Stephen Ormond, Myrna Fernandez, Laura Chabries, Corinne Johnson, Elaine Tesch, Rob Tesch, Jean Jenkins, Linda Marvel, Mike Record, Barbara Shupe, Chad Schilleman, Jonathan Englad, Karee Yates, Stephen Tucker, Joel & Becky Dills, Julie Smith, and a few names which were not printed legibly.

Mayor Sjoblom called the meeting to order and welcomed those in attendance. She reminded the audience that this meeting was solely to speak on property tax increase. She invited those who wish to comment on other items to attend the next City Council Meeting on 20 August 2019.

PLEDGE OF ALLEGIANCE: Mayor Sjoblom

PRAYER: Councilwoman Petty

CONFLICT OF INTEREST: None

Councilman Hyer moved to open the public hearing. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, Taylor and Winsor voted aye. The motion carried.

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

Proposed Tax Increase: Mayor Sjoblom requested those who wish to make public comment to come to the podium, state his/her name and address for the record, keep public comments to three minutes or less per person, address the entire City Council, and understand the City Council will not respond during the public comment period.

Mayor Sjoblom invited those who wish to make public comment to sign up with Lisa Smith, City Recorder.

Landy Ukena, 7918 S. 2175 E., thanked the City Council and Mayor Sjoblom for their service on behalf of the City. He then related that the citizens of South Weber City are concerned, confused, and desperately seeking engagement from City Leadership regarding the growth, development, and fiscal state of this city. He acknowledged Councilman Hyer's recent post on Facebook concerning the property tax increase and felt people in this city are looking for that type of engagement. He attended the property tax open house at the City Office held on 16 July 2019. At that time, he spoke to City Staff and City Council Members and tried to see their perspective of the City's fiscal challenges. He also read the 2019-2020 Tentative Budget. He expressed a 100% property tax increase is unwarranted. He revealed the Tentative Budget was put together anticipating a 100% property tax increase. He opined other anticipated revenue sources (sales tax, Class C road funds) are too conservative and noted one recent building permit that he reviewed would account for 13% of the budgeted revenue in building permits alone. He expressed a fiscally responsible budget can be achieved without a property tax increase. He referred to the June 2019 city newsletter and the city website stating the money from the increased tax will be used for three main things: (1) progress on unfinished parks and trails (2) construction of new roads and (3) recent increased cost in law enforcement and emergency medical services. He acknowledged the City's desire to shift more of the sales tax revenue to the capital projects budget but proclaimed the sales tax portion of the capital projects in the tentative budget only totals 14% of the 2.5 million of the budgeted capital project revenues. He questioned why South Weber City must spend \$800,000 on land for a new public works facility. He related developers are anticipated to pay \$827,000 of the 1.3 million in costs for South Bench Drive; yet the tentative budget is showing only \$571,000 leaving the balance to be paid by the City. He implored the City to help the public understand how the City has gone from a capital projects budget of \$476,000 in 2016 to \$501,000 in 2017 to \$2.5 million in 2020. He referred to the Canyon Meadows Park phase 2 completion and suggested it be removed from the budget for two reasons: First, the City should evaluate expenses. Second, the Army Corp of Engineers is requiring the City to restore the wetlands at Canyon Meadows Park and restoration costs are currently unknown. He stated most of the increase to the budget came from an increase in contracted services from Utah Highway Patrol. He was proud of the South Weber Fire Department, but in the last few years there has been a 1000% increase in the wages budgeted for the Fire Department Staff. He conveyed if revenue from EMS Services can't support the infrastructure than adjustments should be made. He concluded that a small property tax increase

may be necessary to help pay for the increased cost in safety services or to adjust the ratio of sales tax revenue to property tax revenue, but it is imperative that expenses be lowered.

Kathy Devino, 2480 E. 8300 S., asked if the pits are paying taxes. She queried if the machinery that they are using is being taxed. She contacted Riverdale City and was told the machinery should be taxed. She noted she is in attendance to learn.

Michael Poff, 154 E. Harper Way, suggested amending the rules to allow longer public comment. He felt the time limit is intimidating and thought more time would allow individuals to fully express their views. He wanted public comment submissions for this hearing continued through 20 August 2019 to accommodate those who were unable to attend. He expressed the City shouldn't hold the Fire Department and public safety hostage to the property tax increase as it is a disservice to them and the role they play in the community. He posed the question to the City Council, "What will the City get in three years for the tax increase?" and received inconsistent answers from Council, city staff, and candidates. He pointed out when new Council Members were elected in 2016, they decided they would not be spending the money as allotted. He surmised upcoming elected officials may act the same way. He inquired how much the City has spent on engineering for a road that isn't in the General Plan. He referred to the Transportation Utility Fund (TUF) increase. He believed Cottonwood Drive was slated to be repaired with that money and he noted instead of replacing Cottonwood Drive it was patched. He petitioned Council to review previous budgets 2010-2014 which disprove comments implying previous Councils did not address the City's financial issues. He recalled the previous City Council set aside funds for a new fire truck and established by resolution a vehicle replacement fund. He was concerned the increase in fees and taxes limit those who can afford to live in South Weber.

Ivan Ray, 7268 S. 1600 E., disclosed his property taxes have gone up 35% since 2015. He divulged Social Security doesn't increase proportionately which makes increases difficult for someone who is retired and on a fixed income. He commented there are 83 new homes being built off 475 East. Mr. Ray mentioned last month he paid \$150 in City utilities, and the average over the last year has been \$120 a month. He calculated revenue in utilities for those units would be between \$119,520 and \$149,400. He hoped the City Council will consider needs of older residents on a fixed income. He queried why the increase must be so much. He related there are some states that freeze taxes for those on a fixed income who have lived in an area for a certain number of years. He voiced South Weber has more parks per capita than any place in Utah.

Jessica Maryano, 1852 E. 7775 S., accounted South Weber City has made the news for the wrong reason: The proposed property tax increase of 100%. She understood there hasn't been a property tax increase since 1971 but opposed the amount of increase. She reported the Standard Examiner stated the city with the next highest increase is Layton City at 24%. She agreed with need for safety but addressed park completion. She reported the completion of Canyon Meadows Park was estimated to cost \$3.1 million in 2013. She wondered what the current construction cost would be. She then questioned the construction of new roads and she noted TUF should cover that cost. She declared her utility bill has increased dramatically. She expressed her opposition to purchasing new accounting software. She puzzled how retired citizens will pay for a 100% property tax increase and feared that younger families would bear that burden. She proposed staggering the increase.

Haley Alberts, 7560 S. 1740 E., questioned why the sales tax revenue fluctuates dramatically. She inquired where the new public works facility will be. She recommended the City Council receive resident response on a proposed splash pad at Canyon Meadows Park. She announced building costs have increased so the cost for park completion will be much higher. She suggested waiting until the General Plan is adopted before increasing the property tax rate.

Michael Grant, 2622 Deer Run Drive, called for tabling the tax increase until the General Plan is completed. He believed the City's vision has changed or will be expressed better. He urged the City to canvas citizens by submitting questions on the water bills in clear layman's terms relating costs to services for each household. He complained that he cannot find information on the website. He requested a meeting with the City Manager to discuss city expenses.

Kenneth Hick, 2580 E. 8300 S., thanked the Mayor and City Council for their work. He pronounced opposition to the property tax increase as excessive. He conveyed South Weber is not a big city and should make reductions in spending. He favored public safety as necessary. He thought some projects may need to be put on hold or bonded. He proposed salaries be cut back. He hoped Council listens to the people and does not pass this increase. He petitioned reduction in expenses and a moderate property tax increase to account for inflation.

Lynn Poll, 826 E. South Weber Drive, expressed how much he loves South Weber City. He complimented all those who have given public comment. He discussed his property tax increase. He suggested the city parks can be paid for by government grants. He challenged the city has a spending problem and not an income problem. He vocalized the city has put a lot of money into constructing the water tank road and road down by the posse grounds.

Barbara Shupe, 933 E. South Weber Drive, appreciated all that had been said. She was against the 100% property tax hike.

Marilyn Runolfson, 2568 Deer Run Drive, accepted there hasn't been an increase since 1971. She would like to know why it wasn't done incrementally. She requested more openness concerning the decision-making process. She questioned if the city has used the data from the questionnaire that was sent out a couple of years ago. She would also like to know how to access that information. She would have liked the time or place of this meeting changed to alleviate problems with access due to construction.

Councilwoman Petty, read **Brent Poll's letter, 7605 S. 1375 E.**, in its entirety:

"An informative recent article, in the local Standard Examiner, directly related to the subject hearing. It stressed that the City of South Weber was currently proposing the largest property tax increase in the State of Utah. This wasn't a close call. It cited an almost 100% increase for us with the next largest increase being in the 46% range. A strong inference followed in the article that the increase was needed largely to help finance over thirty new/proposed city projects.

Such notoriety is not a complement to our city or its residents. Such tax-and-spend liberalism is common now at the National level as championed by Elizabeth Warren and Bernie Sanders, but I seriously doubt whether anything close to a simple majority of voters in our city would ever vote for their agendas or to increase our property taxes by 100%.

Three of our city council members' terms expire in 2020. The proposed tax increase is so significant that it deserves to be a major factor in the selection processes for those vacancies (representing a majority voting-block). In fact, it seems unethical to proceed to a tax-related vote now before voters can consider the taxing rational of the potential candidates for those vacancies. Speaking as one resident with over 50 years' experience voting in our own/city-wide elections, promises NOT to unduly raise taxes have always been an essential part of a winning formula here.

Moreover, the viability of the 30-plus-suggested city projects is far from settled. The future of some of those proposals is clearly outside the city's jurisdiction (the canal trail, for example), so such issues warrant resolution BEFORE the city starts taxing its residents to fund those uncertainties.

Please add this letter to the input for this evening's public hearing. Let me know if you have any questions concerning the conclusions and observations provided".

Tammy Long, 2728 E. Deer Run Drive, announced she has many reasons why there shouldn't be a property tax increase. She referenced documents showing revenue of \$5,810,383 and now it has gone up to this year being \$13,118,000 which is an increase of double what it was five years ago. She questioned why all this money is being spent. She recalled a property tax proposal in 2016 starting at 66% and amended to 20% but did not pass. She cautioned you can't collect money for one purpose and then spend it for another. While reviewing past check registers she noticed there are a lot of fees being charged to taxpayers for upsizing the sewer lines for one development. She believed those fees should be paid through impact fees. She warned the City should watch ERU's for the sewer line. She expressed concern about the water shares for culinary water. She felt the money being spent in Public Works Department is appalling and feared a new public works facility won't be maintained. She thought \$33,000 for a used mower was excessive. She questioned why public works bought a used truck rather than buy out a lease of an equipped truck. She is against the City building new roads. She is not in favor of the 100% property tax increase.

Elizabeth Rice, 7875 S. 2310 E., voiced we all try to live within our means. She inquired what gravel pit pays. She expressed a 100% property tax increase is way too much. She claimed the parks don't need upgrade. She agreed with what had been said.

Joel Dill, 7749 S. 2100 E., was concerned about the numbers. As a small business owner, the tax increase may necessitate closing his business. Many people live from paycheck to paycheck. He articulated the City Council has an incredible amount of power and cautioned them to consider the effect their decisions have on others.

Corrinne Johnson, 8020 S. 2800 E., challenged the time allotted to review all the comments and concerns from the citizens and then be ready to vote. She requested the City Council take more time to allow more public input.

Cole Fessler, 7233 S. 1700 E., spoke about a proposed tax increase years ago. He believed the City needs to look at the big picture. He was concerned about pet projects. He asked the Council to consider what the city really needs to survive. He revealed the increase is no more than a

couple of lunches out each month. He expressed citizens are all on fixed incomes. He urged the tax should go to needs and not upgrades. He encouraged the Council to use the money responsibly.

Councilman Taylor moved to close the public hearing. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Taylor and Winsor voted aye. The motion carried.

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

Councilman Hyer expressed we all love the small town feel of South Weber City. He explained project evaluation criteria the Council uses to assess priorities. They are (1) Public Safety and Health (2) Basic Services (3) Cost/Efficiency (4) Growth Oriented and (5) Time Sensitive. He articulated there are some comments tonight that have been true and some that have not been quite so true. He pronounced the Council has looked responsibly at projects and what will impact the City in the next fifteen years. He wished the taxes and TUF would cover all the city's needs. He assured the Council is trying to make the best use of city money. He declared Davis County School District receives the biggest amount of property tax. He hoped future Councils will keep pace with inflation so that the city is not facing this challenge again. He explained equipment must be bought because of State or Federal mandates. One example is the Public Works Facility which was fined because the salt wasn't stored properly. He referenced the questionnaire which hasn't been addressed because of the conditions of the city's streets. He noted spending money to keep roads up is a fraction of the cost to replace the same roads later. He recalled five years ago wondering why the City does what it does which prompted him to run for office. He reiterated that he has the City's best interests in mind. He revealed this is a Council of unity and is trying to do the right things for the city and each citizen. The Council has spent a great deal of time and effort trying to cut expenses. The lives saved with the increased public safety services are worth the increased cost. He voiced a tax increase has been studied for many years.

Councilman Winsor disclosed there have been a lot of items discussed tonight, but he is not taking time to correct misinformation. He addressed the shock of the percent of increase and explained that percentages don't translate to dollars. He believed residents want to know money is spent appropriately. As an example of the decisions that face the Council, he discussed the streetlights and what it will take to replace all the streetlights to LED versus continuing with lights that cost more to operate. Capital expenditures upfront can translate to cost savings long term. He explained the process of property tax distribution. He reported either you plan now for the future or you pay more in the future. He empathized with the effect the increase will have on citizens. He articulated the power that the Council has does not go unnoticed. He communicated he will give deep thought to those comments expressed before voting.

Councilman Halverson recalled when he became a Council Member he sat down with Mark McRae, Finance Director, to understand city finance. He reiterated the city has not received an increased amount although taxes have increased over the years. As an experienced business owner, he was surprised the city hadn't increased taxes since 1971 since he understands the costs associated with construction. He expressed the city does not pay for developers to develop. He reported the Parsons gravel pit pays the point of sale and is the largest contributor to the City.

He voiced he cares, and he will take this matter seriously. The increase affects each Council Member as fellow citizens of South Weber. He thanked everyone for coming.

Councilwoman Petty appreciated the attendance tonight and wished people would come to each meeting. Her eyes had been opened to what goes into running a city since her election to the Council. She expressed the emotional turmoil the decisions cause her. She discussed the budget process and the committees involved with every line item. She attested there has been no misappropriation or illegal movement of funds. She related the city has passed all audits. She emphasized the importance of passing this tax increase for the future of the city. She discussed the Public Works Department and reported the current building is lacking. She invited everyone to tour the shop to see for themselves. She disclosed she reviews the hundreds of pages including the check registers each week and she feels the responsibility entrusted to her.

Councilman Taylor gave thanks to all those in attendance. He revealed the Council does have the citizen’s best interests at heart. He reviewed the process of choosing a law enforcement contractor. He stated the roads must be maintained. He communicated that developers pay for the costs to hook into the city infrastructure when they apply for building permits. He reiterated the audits evaluate appropriate spending. He explained his process of weighing matters. He hoped the Council can leave this city better than when they found it.

Mayor Sjoblom recalled her journey to run for office after being in their role. Her perspective had changed. She quit her job so that she can dedicate more time to serving. She expressed the responses affect her entire family. She articulated she has done everything in her power to help this city. She declared she loves the people that live here. She assured everyone that committees made up of Council and staff scrutinize every part of the budget. She hoped everyone understands that Council’s interest is in serving this community.

ADJOURNED: Councilman Hyer moved to adjourn the Council Meeting at 7:33 p.m. Councilman Taylor seconded the motion. Council Members Halverson, Hyer, Taylor and Winsor voted aye. The motion carried.

APPROVED: _____ Date 09-17-2019

Mayor Pro Tempore: Wayne Winsor

Transcriber: Michelle Clark

Attest: _____
City Recorder: Lisa Smith

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 20 August 2019

TIME COMMENCED: 6:00 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT

PRESENT: MAYOR:

Jo Sjoblom

COUNCIL MEMBERS:

Blair Halverson
Kent Hyer (via phone)
Angie Petty
Merv Taylor
Wayne Winsor

FINANCE DIRECTOR:

Mark McRae

CITY ENGINEER:

Brandon Jones

CITY RECORDER:

Lisa Smith

CITY MANAGER:

David Larson

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Tammy Long, Linda Marvel, Julie Losee, Elizabeth Rice, Michael Grant, Marlene Poore, Sharon & Larry Cervantes, Tony Mackintosh, Cory Mackintosh, Haley Alberts, Mindi Smith, Lacey Westbroek, Bruce & Tammy Higginson, Quin Soderquist, Paul Sturm, Jeramy Hunt Loveless, Laura Chabrios, Dale Torene, Mitch Johnson, Stacey Eddings, Steven Hansen, Debbie Hansen, Sally Roberto, Jacyi Layton, Craig Layton, Brandyn Bodily, Mark West, Sherry Wootton, Jean Jenkins, Corinne Johnson, Mark Wiggins, Natalie Browning, Ross McKinnon, Sandra Layland, Landy Ukena, Amy Hayes, Sergeant Baxter, Rob Osborne, Burke Johnson, Melanie Schenck, Crystal Hansen, Farrell Poll, and Aaron Soderquist.

Mayor Sjoblom called the meeting to order and welcomed those in attendance. She apologized for the construction currently taking place on South Weber Drive.

Approval for Councilman Hyer to join the meeting electronically via phone

Councilman Halverson moved to approve Councilman Hyer joining tonight's meeting electronically via phone. Councilman Taylor seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Petty, Taylor, and Winsor voted aye. The motion carried.

PLEDGE OF ALLEGIANCE: Councilman Taylor

PRAYER: Councilman Winsor

CONFLICT OF INTEREST: None

PUBLIC COMMENT:

Mindi Smith, 2440 E. 8300 S., discussed the Lofts at Deer Run located at approximately 7870 S. 2700 E. She urged the elected officials to stop this development. She suggested a building moratorium until the General Plan is complete and citizens express the type of city they want. She expressed the commercial overlay zone is not right for South Weber City and didn't feel citizens would support businesses with ease of access to neighboring communities. She was concerned for the effect this type of development will have on the city's infrastructure, school system, etc. She questioned how individuals living in apartments will feel about not having big city amenities. She asked if 10' setbacks and 10% green space fits this city. She heard the city needs more people to attract more commercial to provide more money but challenged if that is true. She pointed out since the city has adopted this philosophy, the capital projects have increased from \$320,000 in 2015 to 2.6 million. She announced water rates have increased by 1.4 million and the sewer has increased by 1.2 million. She disclosed that part of the capital projects increase is due to the 1.4 million for the South Bench Drive road project, which at this point is only going to a development. She asked what money has come in with all these projects if building permits only equal \$80,000 and sales tax is inconsistent. She questioned if the city is spending more getting people here than they will ever get back with commercial income. She believed South Weber City is still a desirable place to live. She accused the Council of favoring developers over citizens. She expressed many in the community would like to help the city in finding the right kinds of development. She related the Planning Committee and staff are making decisions that the citizens don't want. She understood the city can't control people selling their property, but the city doesn't have to help them with rezones. If a property owner isn't having any luck selling their property, they can lower their price. She vocalized that is what people will have to do in her neighborhood after the high-rise apartments are developed down the street. South Weber was meant to be different and she moved here for what the City wasn't. (SEE ADENDUM #1)

Tammy Long, 2178 E. Deer Run Drive, announced she will be addressing the property tax increase and the Transportation Utility Fund (TUF). She explained households are now paying \$180 a year for the TUF. If that would have been a property tax increase every year, it would have been 150% and now the City wants to increase the property tax by 100%. In her opinion, that is intolerable. The TUF is more than enough. She suggested the City Council look at the numbers and look at how much revenue was budgeted compared to three years ago.

Michael Grant, 2622 Deer Run Drive, mentioned that last Tuesday he met with Councilman Winsor who expressed concern with Mr. Grant wanting to audit the City. Mr. Grant explained he is frugal and wants to assure everyone else is as well. It is important to be tight on the budget and make sure only the necessary things are being done. He opposed the purchase of OpenGov software. He related until 2012 that company didn't even exist, and the city is proposing spending \$5,000 for the software and the maintenance fee is \$15,000 per year. He questioned if it is needed at this time. He recently had a two-hour long visit with Commissioner Tim Grubb. He felt Mr. Grubb was aggressive but honest and loyal to his own reasoning and cause. He opined Commissioner Grubb believes differently than most of the citizens in South Weber. He

wanted to know the process for removing Commissioner Grubb. He was concerned Commissioner Grubb's position at the Davis County level may influence his decisions in South Weber City.

Hayley Alberts, 7560 S. 1740 E., thanked the Council and Mayor for their service. She focused on the upcoming General Plan. She urged each Council Member to research Senate Bill 34 which addresses moderate-income housing. She clarified there are 23 options available and the city must choose three. Barry Burton, City Planner, is proposing that to meet these standards the city needs to add more zoning to commercial overlay and high-density. She listed Hooper, Farr West, Pleasant View and others as communities near us that don't have high density housing because their city leaders worked to keep the community the way their city wanted. She referred to three options not mentioned by Planner Barry Burton during the August 8, 2019 Commission Meeting. (B) (E) and (U) are available choices that have limited impact on our city and zoning. She communicated she would like these options added to the record and proclaimed there are other low impact options as well. She recounted the City Council and the Planning Commission have asked for public comment and she is responding to ask for a stop to high-density housing and commercial overlay. She reported high-density housing does not equal moderate-income housing. She used State Ombudsman Brent Bateman's description of the Council's responsibility to consider property owners, neighbors, and residents equally when it comes to developing land. While property owners have a right to sell, they don't have the right to sell it fast or for what they want. There is proof that adding more to our population increases the cost of safety and road maintenance. She solicited the City Council to eliminate mixed-use and consider a moratorium on any high-density building until the city can better see how the current and proposed high density developments currently underway will affect our city. She questioned if anyone has contacted Kent's Market as a potential grocer. She then thanked the Council for their time and hard work. (SEE ATTACHED ADDENDUM #2)

Stacey Eddings, 2645 E. 7800 S., requested making the whole frontage road a non-parking area. She said there is a blind spot on that road whether the Lofts at Deer Run is there or not. She was apprehensive about the safety hazard created by impatient drivers on the South Weber exit.

Teri George, 7825 S. 2000 E., expressed he is a big advocate of small government. He announced he doesn't oppose tax increase, but 100% property tax increase is grossly excessive. He related how Granger transformed into West Valley as it developed and compared it to South Weber. He reminded everyone the Council has a tough job and the citizens have gotten lackadaisical. He quoted President Lincoln, "Government of the People, by the People, for the People" and petitioned the Council to listen to the People.

Elizabeth Rice, 7875 S. 2310 E., said her father bought a forty-acre farm next to the gravel pit. She recalled the process of losing pieces of that property for various reasons. She stressed that their farm was in South Weber long before homes were built for the others in the audience. The problem with development on the east side was it was not properly planned but built piece by piece by builders. She explained the problem with the Lofts on Deer Run is that Highway 89 was moved, and the frontage road is not suited for commercial development. She said South Weber Drive is suitable. It has 10 acres identified for commercial property which are sprawled out. She disclosed the attempts her family has made to attract commercial development and stressed they want to leave a legacy and do it the right way.

Corinne Johnson, 8020 S. 2500 E., thanked the Mayor and Council for their service. She disliked the commercial overlay zone and was opposed to the Lofts development. She noticed in the proposed General Plan update the C-O Zone does not exist. She questioned the purpose and requirements for mixed-use overlay which would be adopted. (SEE ATTACHED ADDENDUM #3)

Landy Ukena, 7918 S. 2175 E., recommended tabling the property tax increase if Councilman Hyer will be unable to vote. He was against purchasing the OpenGov Software. He desired removal of the Commercial Overlay Zone.

Farrell Poll, 2316 E. 7800 S., quoted Stephen Covey, "Seek first to understand and then to be understood". He asked individuals to keep an open mind and consider both sides. He communicated the population of the state has increased and needs to be addressed. He commented every development has been opposed including those the audience live within. He emphasized property owners have a right to develop their property. He reminded people they may purchase open fields if they want to control growth. There are 6,000 different opinions in South Weber City. His family has tried to entice a grocery store for three years. There has been commercial space available for years, but developers require a residential component with the commercial for it to be viable.

Julie Losee, 2541 E. 8200 S., petitioned placement of school zones and speed limit signs on South Weber Drive for Highmark School. She worried about growth affecting the school population increasing bus stops, class size and traffic. She articulated opposition to the Lofts at Deer Run stating parking concerns. She pled for no parking on the frontage road to be implemented now. She suggested an environmental impact study done and publicly released.

Paul Sturm, 2527 Deer Run Drive, was concerned about the Lofts because the developer has had issues in other cities. He pointed out Utah State Code Title 76 Chapter 8 concerning lying to government bodies (SEE ATTACHED ADDENDUM #4)

Mark West, 8025 Peachwood Drive, suggested the sand pit could be turned into commercial developments. If planned correctly to preserve the character of the city, it could draw people and income as well as serving our needs. He thanked the Council and Mayor for their hard work.

Rob Osborne, 2317 View Drive, agreed the commercial overlay zone should be eliminated which would close loopholes. Other zones are available that address both residential and commercial needs.

Councilwoman Petty iterated the Council has reviewed the potential property tax increase for the past several months. She gave some personal background relating to the issues at hand and empathized with the audience. She expressed how difficult it is to rezone property as the Council must be fair to property owners and developers. She hoped some of the growth we are experiencing is due to the citizen's families wanting to remain here. She announced she does not love high-density, but realized growth is inevitable. She had mixed feelings on the commercial overlay zone and had been studying the issue. She proclaimed TUF funds and property taxes go to different things and urged others to research that.

Councilman Halverson related the full budget is online for anyone's review. He repeated the TUF funds can't be used for items paid with property taxes. He requested a "No-U Turn sign" on South Weber exit. He addressed the proposed mixed-use overlay and stated it is under consideration and hasn't been determined yet. It is part of the General Plan review.

CONSENT AGENDA:

- **City Council Minutes of 23 July 2019**

Councilman Halverson moved to approve the consent agenda as presented. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Taylor, and Winsor voted aye. Councilwoman Petty abstained as she was excused from the meeting. The motion carried.

Resolution 19-36 Adopt Certified Tax Rate of 0.001441

Mayor Sjoblom explained each year Davis County determines the assessed value of all properties in South Weber City. The county works with the state to determine the certified tax rate by taking the dollar amount levied last year divided by the current assessed value and then adding an additional amount for new growth. The city must adopt this certified tax rate allowing Davis County to collect and distribute property taxes in the city's behalf.

Last year's rate was .000769 and is .001441 for 2019. Because this is higher than the rate initially determined by Davis County, a Truth-in-Taxation hearing was publicized and held on August 13, 2019. The city also held an open house to inform citizens on the need for this property tax increase. This rate should generate \$701,000 in property taxes, an increase of about \$369,000.

Councilman Halverson expressed how difficult this decision has been and disclosed he is aware 100% is a lot. He noted the average service cost per household is \$631, but the average collected is \$123 per household. Costs are for police, fire, plowing the roads, taking care of the lights, etc. He wasn't in favor of going back to a part-time fire department. The city negotiated lowered cost for police services. He believed changing to 50% would be a short-term fix which would not put anything aside for a rainy-day fund. It would be irresponsible to not increase the taxes. He is not in favor of increasing taxes, but the options are limited. He clarified that the decision affects him personally. He pointed out the amount collected through sales tax is very minimal compared to what the city needs to operate. He stated the city needs more than 100% if we want to keep the city rural. He stated he has not taken this item lightly.

Councilman Winsor assured the audience that public comments have been heard. He communicated that it is easy to make campaign promises. He explained budget page 32 has an \$85,000 new expense for renewing the contract with Davis County Sheriff's Office. He described the decision-making process which led to that expense. Budget page 36 has \$216,000 fire expense related to a 2017 budget decision to go from part-time/volunteer fire department to a fully staffed fire department without adding revenue. Funds had to be shifted to cover costs instead of funding potential capital projects. He clarified the city does not pay benefits to these professional fire fighters working full-time elsewhere and part-time here. He described the benefits of the fire services. The city had only received \$32,000 for new growth over the last five years. He declared a previous Council approved a resolution to set aside \$85,000 per year for a fleet replacement project without new revenue. If the tax increase isn't passed, services will not

be covered. He articulated this decision has nothing to do with high density or pet projects, but basic services the community needs. He explained he could vote no to please the citizens, but it is not the right thing to do.

Councilwoman Petty agreed with Councilmen Halverson and Winsor.

Mayor Sjoblom asked those in attendance to ask why a Council would desire a property tax increase. It is not to be more popular with the public, increase chances for re-election, increase contention or get beat up in social media, on the street, and at public hearings. The Council is not exempt from the tax increase.

She recalled the attempt to raise taxes three years ago which was voted down by the Council. City needs are simply greater than the revenue stream. She reviewed the list of priorities in determining how funds are utilized emphasizing safety as the top priority. She reported 56 cities in Utah are raising taxes and their reasons are mainly for public safety. If there is anything left over then the Council can consider capital project funding from a long, prioritized list.

Mayor Sjoblom described the massive increase to water bills years ago explaining it came from bonding to pay for a new tank and other failing infrastructure. By the time it has matured, citizens will have spent twice the amount of the initial cost. This Council is planning for future needs to avoid a similar situation. Capital facilities plans are in place on all infrastructure but there are no funds to fill those needs.

She noted three years ago there was a crisis with the Fire Department. The choices were to contract with another city or the county, or to fix and improve it. The next summer South Weber City experienced three major wildfires, but the department was professionally trained and ready to combat those fires. She was convinced those fires would have been absolutely devastating to our city and its residents without Council forethought. Response time has gone from 10 minutes to 4 and other communities request help from our city. What is the price tag for safety?

Mayor Sjoblom proclaimed these measures are necessary and crucial to the health of our City. This Council has taken a beating for this proposal, but they do it because they have crunched the numbers, studied the budget, and love South Weber City. She expressed not increasing taxes is the only thing worse than a 100% increase.

Councilman Hyer stated his opinion last week. He heard people say they trusted the Council to make decisions. City Council has been a learning experience and they have seen what has happened to the City finances over the years. There were many things stated tonight which are not true. He disclosed the Council has spent a great deal of time and energy studying this issue and asked individuals to trust they are doing the city the best service possible for the long term. He conveyed if they don't do this now, the city will be in a worse situation requiring more money as time goes on. Morally it is the right thing to do.

Councilwoman Petty moved to approve Resolution 19-36 Adopt Certified Tax Rate of .001441. Councilman Taylor seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, Taylor, and Winsor voted aye. The motion carried.

Resolution 19-37 Adopt Fiscal Year 2020 Final Budget with Consolidated Fee Schedule

Mayor Sjoblom described cities are required to adopt a city budget outlining expected revenues and expenditures for the next fiscal year. Staff and the City Council have worked together over the past several months to put together a balanced budget which is fiscally responsible and meets the needs of South Weber City. A public hearing was held on June 11, 2019 for public comment on the Tentative Budget. A Truth-in-Taxation hearing was held on August 13, 2019 for the property tax increase. Included as part of the budget is the Consolidated Fee Schedule which will also become effective August 20, 2019.

Three changes have been made since the adoption of the Tentative Budget. They are as follows:

1. In the Capital Projects Fund the Restriction for Future Fire Vehicle Replacement was added in the amount of \$85,000. The yearly amount of \$85,000 to be set aside for future fire vehicles was adopted three years ago by resolution of the City Council.
2. In the Capital Projects Fund the replacement of a Park Department's truck in the amount of \$100,000 was added. The purchase was approved in 2018 and the truck ordered. The truck has not yet been delivered so the amount is carried over to the 2020 budget.
3. Chapter 2 of the Consolidated Fee Schedule has been amended. The title has been changed from Animal Control to Public Safety adding Ambulance Rates and Fees as regulated by State Code.

City Manager David Larson explained the transition from Word to PDF document caused some format errors, but all numbers were correct.

Councilman Taylor moved to approve Resolution 19-37 Adopt Fiscal Year 2020 Final Budget with Consolidated Fee Schedule. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, Taylor, and Winsor voted aye. The motion carried.

Resolution 19-38 Award Westside Reservoir exterior improvement contract to Ormond Construction

Mayor Sjoblom reported on August 8, 2019 at 2:00 p.m., bids were opened for the Westside Reservoir Improvements Project. Four (4) bids were received were received from the following contractors:

1. Claude H. Nix Construction
2. J.R. Burton Contractors
3. L&M Farm Industries
4. Ormond Construction

In addition to the Base Bid, costs were requested for two (2) additive alternate items which were items were 1) demolition of the existing 100,000-gallon water tank, and 2) addition of a safety net to the large hatch. From lowest to highest, the order and bids are:

1. Ormond Construction – \$106,569.74
2. J.R. Burton Contractors – \$114,639.88
3. Claude H. Nix Construction – \$126,690.00
4. L&M Farm Industries – \$141,376.17

Councilman Winsor related the previous Council decision to spend \$475,000 to get another ten to twenty years in service life rather than replace the westside reservoir at a cost of \$3.5 million.

Councilman Winsor moved to approve Resolution 19-38 Award Westside Reservoir exterior improvement contract to Ormond Construction including additive alternates 1 and 2 to the contract amount. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, Taylor, and Winsor voted aye. The motion carried.

Resolution 19-39 Agreement between South Weber City and Davis Weber Counties Canal Company for new bridge crossing

Mayor Sjoblom disclosed the bridge currently in place over the Davis Weber Counties' canal at 7150 South is no longer serviceable. Replacing the existing bridge will require encroachment upon Davis Weber Counties Canal Company's property. This agreement formalizes the encroachment permit, and defines ownership, users, and maintenance of the new bridge.

Brandon Jones, City Engineer, clarified it is formalizing the agreement stating the city is the owner of the bridge.

Councilman Taylor moved to approve Resolution 19-39 Agreement between South Weber City and Davis Weber Counties Canal Company for new bridge crossing. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, Taylor, and Winsor voted aye. The motion carried.

Approve buyout of lease contract for Public Works 2017 Dodge Ram

Mayor Sjoblom conveyed the city has had a two-year lease on two 2017 Dodge ½ ton trucks. The lease had ended and one of the trucks had been turned back in. The Public Works Department budgeted \$45,000 for a new truck in the 2020 budget. The price for the lease buy-out is \$19,750.00. The Public Works Department recently hired Jody and Karl and are short pickup trucks that can pull the parks' trailers.

Councilman Hyer questioned how many total trucks the Public Works Department has and why this truck is needed. David Larson, City Manager, answered the current number is not available, but can be researched. He clarified a new employee needs a vehicle either through purchase or a new lease. The used vehicle is already equipped making it cost effective. Councilman Hyer recalled years ago Council decided purchasing was the best option.

Councilman Halverson moved to approve the buyout of lease contract for Public Works 2017 Dodge Ram for \$19,750.00. Councilman Taylor seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, Taylor, and Winsor voted aye. The motion carried.

Approve purchase of OpenGov software package

Mayor Sjoblom recited the city staff has recognized a need in presenting financial information to citizens and Council in a more graphical and storytelling format. Mark McRae, Finance Director, had researched software that interfaces with the current financial software and found only two

options. End users would be able to customize the financial data to meet their preferences. The modules requested cost \$5,500 annually and will be reviewed after a year for effectiveness.

Councilman Winsor commented this is not the time to spend this type of money especially for an item that is not in the current budget. Councilman Hyer expressed gratitude for the staff, but he was not in favor of the expenditure.

Councilman Taylor moved to deny the purchase of OpenGov software package. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, Taylor, and Winsor voted aye. The motion carried.

Discussion: Fire Station driveway options

David Larson, City Manager, reviewed the discussion the Council had previously regarding the city civic building and reported staff conducted research and received a quote from a contractor for creating a driveway. He recommended taking this item to committee. Councilman Hyer discussed previous project research found the cost was prohibitive. Backing into the fire station is a safety concern, but with proper caution the current situation is workable.

Discussion: Commercial Overlay zone

David Larson, City Manager, reported City Code includes a zone titled Commercial Overlay which allows for a mixed-use of residential and commercial on the same property. The current zoning map has 2 properties zoned Commercial Overlay – the proposed Lofts at Deer Run property and the property west of the storage units along South Weber Drive next to 2100 East. He inferred the vision at creation in 2014 was to give property owners some flexibility by allowing stacked units with commercial base and residential overhead. He recalled in May 2018 the Council conducted a field trip in Davis and Weber Counties to assess the viability of this type of development. They found it was successful in walkable communities and historical areas, but not in other configurations. The current General Plan allows all commercial property to rezone to Commercial overlay. In practice this zone has proven problematic.

David referenced Senate Bill 34 requiring three options from a menu which must be included in the General Plan. If the City does not abide by the law, the state withholds transportation funds. He discussed options 1) keep current zone 2) remove mixed-use completely 3) create a well-defined mixed-use overlay which could allow for stacking or side by side development giving the Council more control.

Barry Burton, City Planner, expounded Senate Bill 34. This year the State Legislature thoroughly outlined what is required in a moderate-income housing plan. Cities are now required to use the median income of the County--not the City. Davis County is \$75,961 making moderate-income defined at \$60,768. The formula used to purchase a home at 3.1 times that annual salary equals a home purchase price of \$188,380. The formula for rent is .27 x monthly income equaling \$1,367. Due to the housing crisis, South Weber has no homes and only one apartment complex that meet the qualifications. Those 87 rental units comprise 5% of housing in the city. The state does not currently have a required target number but is trending that way. At build out (population 13,000) South Weber would need 755 apartment units to meet the 24% of residents considered to have moderate-income. He proclaimed the city needs to provide space for the opportunity to build rentals units in this community. He said currently, the only option besides high-density residential is the commercial overlay zone. He explained without replacing commercial overlay

with another form of mixed-use, the city will need to plan many more high-density zones. He said one of the gravel pits might provide options.

Councilman Halverson explained the city can't dictate how someone develops their property but must provide options that allow moderate-income housing. He clarified the city is not going to rezone everything to apartments. He cautioned the plan shouldn't be changed to accommodate what may happen but is still unknown. Councilman Winsor charge the city could accept the penalty of restricted transportation funds realizing those funds would need to be found elsewhere.

Councilman Taylor queried if the Lofts development can be stopped. David communicated when the property was rezoned in 2017 it established the rules for development. He suggested conversing with the developer to create a design that is more palatable. The mixed-use can't be changed on that property, but there are many things that can be done to assure code is met. This development is still in the early stages. Councilman Taylor requested getting the city attorney, Doug Ahlstrom involved. David Larson reminded everyone the overlay zone began before the Lofts at Deer Run. He clarified Council can deny all future requests to rezone to commercial overlay.

Councilwoman Petty questioned the disparity in number of units between high density and commercial overlay. Councilman Halverson recommended removing the commercial overlay zone. He believed an overlay with defined guidelines would allow more options. He doesn't want 100% commercial highway either.

Barry Burton explained the mixed-use overlay approval process and the Council's power. It would require a public hearing through the Planning Commission, and they would make recommendation to the Council. He expressed the commercial overlay zone lacks detail.

Councilman Winsor suggested the city should do away with commercial overlay. He felt it has become a loophole to maximize high density. The citizens don't want it. He discussed the capital cost associated with high density. Councilman Taylor didn't want to set a precedent.

David related the General Plan update process has a goal to finish by December 2019. Barry announced this discussion is critical to the moderate-income housing plan. David divulged the Planning Commission will be reviewing the General Plan draft this Thursday prior to presentation to the public for comment.

Mayor Sjoblom sought more information on positive or negatives of a mixed-use overlay. She conveyed the option to keep the commercial overlay zone is off the table. Several people were confused with what the proposed mixed-use overlay would be. Councilwoman Petty proposed directing the Planning Commission to first define the overlay zone for Council review. David stated the General Plan is a planning document and suggested using language that the city envisions a possible mix of commercial and residential units on one property. Creating a mixed-use overlay allows for options but doesn't bind them. Barry clarified that a general idea is all that is needed for the General Plan. The exact zoning details are a separate issue which can be discussed in the future.

Brandon Jones, City Engineer, explained for a mixed-use overlay to be considered it would need to be reviewed by the city staff, Planning Commission, and City Council and the details would be defined in that process. David stated an overlay can be used as a tool to promote dialogue allowing flexibility. Council would have full discretion. Mayor Sjoblom saw that mixed-use might benefit the community.

Councilman Hyer followed the discussion but he was concerned about possible conflicts. He said if the current zone is allowing things that are unreasonable, then dramatic changes need to be made. He vocalized the city needs to strictly enforce the zoning code. David made known meeting code doesn't necessarily equal quality development. Councilman Hyer agreed the commercial overlay zone is not the vision of the community.

Mayor Sjoblom summarized the Council direction for Planning Commission to remove commercial overlay zone and draft a mixed-use overlay.

Reports:

Mayor Sjoblom: She communicated Country Fair Days was a huge success and thanked Holly Williams, Vicki Christensen, and Tani Lynch for their hard work. She was able to participate nearly every day and was reminded why she loves this city so much. She participated in the ribbon cutting and open house for the beautiful, new assisted living center on July 31, 2019. She attended the Central Weber Sewer Improvement District (CWSID) meeting yesterday and spoke with Lance Wood (General Manager of CWSID). He informed her that increased capacity on the east side of South Weber is not a concern. She asked for detailed information and she will send the council the material when she receives it. She reached out to Cameron Diehl and Rachel Otto with Utah League of Cities and Towns to ask the temperature of the legislature regarding incentives or requirements in the future for cities to accommodate moderate-income families and the population increase. They are working toward formulating an answer to her inquiry.

Councilman Winsor: He reminded individuals to contact the Mosquito Abatement District with concerns and they will come out and spray. He suggested those who are not in favor of the Flats at Deer Run shouldn't look at the Council as their enemy but as a partner. He expressed in the future he will not sign any development agreement without adequate review time. He questioned the sewer capacity and legality of the Lofts agreement. David defined sewer capacity elaborating on technical versus actual sewer capacity. He declared staff would not recommend approval of a development if capacity could not be provided. He reminded Council the city conducted a sewer study to identify the technical capacity. He promised to provide the numbers that show what the state required regulatory flow is and how we meet it. Mayor Sjoblom restated Lance Wood, of Central Weber Sewer District, has confirmed South Weber City is in full compliance.

Councilwoman Petty: She reviewed the emotional aspects of the meeting. She thanked everyone for coming and being involved with what is going on in South Weber City.

Councilman Halverson: He reported the Planning Commission did approve three short term rental conditional use permits. David Larson divulged the city staff has been reviewing the building code for short term rentals and found there are more layers on short term rentals that need to be addressed by the committee.

Councilman Hyer: He appreciated being able to be involved electronically. He also appreciated the community interest in some of these agenda items. He thanked the Country Fair Days Committee for a successful celebration. He desired more volunteers to help share the load with the families that carry the burden each year.

City Engineer, Brandon Jones: He reported he met with the contractor who will be milling and overlaying the 8150 South project and found an area deficient beyond the scope budgeted. He explained 2570 South up to 2700 South will not be milled and overlaid but will be fully reconstructed next year.

ADJOURNED: Councilman Winsor moved to adjourn the Council Meeting at 9:20 p.m. Councilman Taylor seconded the motion. Council Members Halverson, Hyer, Petty, Taylor and Winsor voted yes. The motion carried.

APPROVED: _____ Date 09-17-2019
Mayor Pro Tempore: Wayne Winsor

Transcriber: Michelle Clark

Attest: _____
City Recorder: Lisa Smith



I, like many others here today have never gotten involved or cared much about city planning until hearing about the Lofts at Deer Run.

You say we are too late we should have been here earlier to voice our opinions, but After researching through city minutes, Im realizing that doesn't seem to matter. The west side spoke out about their eyesore non-profit soccer complex that pays no property tax, uses a ton of water, and causes wear and tear on our roads. They also spoke out about the duplex city going in off of 475, The middle of town has the Rays subdivision that wasn't denied when a huge crowd of residents came to speak out against it in June, but instead it was tabled, because one planning commissioner and one city planner and one developer were still in favor of it.

Despite what anyone has said YOU do have the power to stop the lofts development and others like it and as our elected officials I feel it is your moral obligation to represent the people of South Weber and not let your individual interests stop you. At the very least we would like to see a building moratorium put in place.

Then our city can take some time to figure out the kind of general plan that our citizens want to have, let the dust settle, see how all these other high density units across town are going to effect our schools, infrastructure and resources.

This Commercial-Overlay zone seems like something that would only be successful in downtown Ogden, or downtown Salt Lake, not on a frontage road of South Weber.

How will they be able to ever fill that commercial space, With Uintah having so many more commercial spots available that are visible, with ample parking and no limiting hours. You say a daycare, but a daycare that has zero green space doesn't make any sense either. Also, Since it's such a unique development in a unique town How would anyone really know if people like to live in a small city type apartment without any of the big city amenities near them, they can't ride a bike to school or work from here.

I have heard the city's motives for allowing so many high density units is because we need more people to attract more commercial and we need more commercial for more money? But is that all really true?

Since our city has adopted this philosophy our capital projects budget has shot through the roof from \$320,000 in 2015 to 2.6 million. Our water has increased by 1.4 million and our sewer has increased by 1.2 million Part of that capital Projects increase is due to 1.4 million going towards the South Bench Rd project, which at this point is going to nowhere but a development.

What money has come in from all of these projects in recent years?

Sales and use tax has been so up and down that I wouldn't count that as revenue.

Building permits have only added \$80,000. The whole general Fund Revenue has only seen an increase of \$278,000 total since 2015.

Could we very well be spending more on getting the people here than we will ever get back from the Commercial, and that's if the right Commercial Businesses ever do come.

While we still have a desirable city that people want to live in, you should be using that to your advantage to get developers to pay for something awesome that you wanted like walking trails, splash pads, pickle ball courts, or baseball field. Instead, It seems that the city has bent over backwards for the Lofts developer, he doesn't even have to pay for or wait for sewer upgrades for building permits, because we the tax payers are paying for that.

You don't want to run the risk of your only legacy being a 100% tax hike, overcrowded neighborhoods, roads and schools, without anything desirable left behind.

Many of us would much rather be putting our efforts into helping you find the right kind of developments and businesses, instead of fighting the wrong ones. I guarantee if we knew what was about to happen with "The Lofts" property, we would have rather used our energy and resources to find a way to buy it, get grants and donations and fill it with pickleball courts with a plaque with the Mayor's name on it, Instead of letting Laurie Gale get her rezoned and skip out of town with hundreds of thousands of dollars in her pocket, and also providing a developer a way to make millions.

The planning committee you appointed and employ seem to be making decision after decision that don't align with what the majority of your citizens want. This has been going on for years but back in the day they got away with a measly train but now it's grown into a million dollar soccer complex and a million dollar city high rise.

Yes, we realize you can't control people selling their property, but you certainly don't have to help them with rezones. If they are having no luck selling their property, they can lower their price. It's exactly what everyone in my neighborhood will have to do after the high rise building down the street goes in. You have the power to control the quality and quantity that goes into each acre of this city, we gave you that power because we believed you would represent us well.

South Weber was meant to be different. We moved here for the things it wasn't, we didn't pay more to live here in hopes it would end up being just like Ogden or Riverdale, we were willing to pay more because it wasn't anything like those places.

Mindi Smith
2440 E. 8300 S

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The east end of South Weber is currently nearing capacity of the sewer system. The bulk of the properties slated for rezoning for high density residential or mixed-use development is in the east end of the City. South Weber is currently in Phase One of a multi-year project that will upgrade the sewer system to handle potential future multi-family and mixed-use developments in this area.

(E) create or allow for, and reduce regulations related to, accessory dwelling units in residential zones;

It is recommended that the City consider allowing accessory dwelling units in single-family dwelling zones. The circumstances and provisions under which this type of housing could be allowed need to be thoroughly researched and a determination as to how best to move this initiative forward.

(F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers;

South Weber has the Commercial Overlay Zone that allows mixed-use development. The City currently has the first proposal of this type under consideration. As previously stated, there are an additional 231.8 acres where mixed-use development is a potential. The Commercial Overlay Zone allows the highest dwelling density in all zones at 25 units per acre.

(U) apply for or partner with an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provides technical planning assistance;

South Weber has applied for a planning assistance grant from the Wasatch Front Regional Council. We should know prior to the adoption of this Plan if we have been successful in procuring the grant.

MODERATE INCOME HOUSING NEEDS: The exact number of moderate income housing units recommended for any community by the Utah Affordable Housing Manual depends on a number of variables. An analysis the existing housing and income situation using available information and come to some reasonable conclusions as to need.

Number of Dwelling Units 2017	1724
201 Population	7310
Persons Per Household 2017	4.24
2017 Median Davis County Annual Household Income	\$ 75,961

Development Agreement for The Lofts at Deer Run in South Weber City

2. **City Laws and Purpose.** City determines that the provisions of this Agreement relating to establishment of Developer's rights and obligations are consistent with City laws, including the City's land use ordinances, the purposes set forth in the zoning district, and the City's General Plan. This Agreement is adopted by a City ordinance as a legislative act and hereby amends the City laws only to the extent within the authority of City and only to the extent necessary to give Developer the effect of the rights and obligations of this Agreement where such City laws may be inconsistent with this Agreement's intent.
3. **Subdivision Approval.** This Agreement does not remove the Developer from their obligation to adhere to the City's established Subdivision approval process. The Developer shall comply with all applicable time frames as specified in City Code. Approval will be based on substantial compliance with Exhibit B.
4. **Geotechnical.** The Development is located within the area identified in the General Plan as Sensitive Lands. As such, the Developer must comply with all provision of City Code, Title 10 Zoning Regulations, Chapter 14 Sensitive Lands Development Regulations.
5. **Sewer Capacity.** The Sewer Capital Facilities Plan, dated August 2017, identifies the Property as requiring 4.0 Equivalent Residential Units (ERU's) based on an assumed commercial-only land use. The City acknowledges that the Development exceeds the anticipated demand and the needed capacity will be addressed through future Capital Facilities Plans and future capital improvement projects. The Development's proportional share of the future capital improvement projects which will provide the desired capacity will be paid through the impact fees assessed when the Building Permits are issued. Building permit approval and occupancy will not be contingent upon sewer capacity.
6. **Density.** The Development will be limited to not more than seventy-four (74) new residential units. There shall be a minimum of 27,000 square feet of commercial space.
7. **Parking.** In order to accommodate the parking needs of both the residential and commercial users within the Development, there shall be at least one hundred and sixty-four (164) parking spaces. Of these spaces, there shall be one (1) space dedicated solely for each residential unit with the remaining spaces being shared by both commercial and residential occupants. In order to ensure parking requirements are followed, Developer agrees that future residents and commercial tenants/operators are made aware in writing of the dedicated and shared parking requirement. Signage and pavement marking must be provided designating a specific parking stall to each residential unit. Signage is not required for any remaining parking spaces.
8. **Hours of Operation.** Commercial buildings shall limit the hours of operation of all businesses within the Development to the hours between 5:00 am to 6:00 pm.
9. **Detention Basin.** A detention basin is required in order to control the flow of storm water leaving the site. The basin is the sole responsibility of the Development and will be privately owned and maintained. However, the sizing, design, location and construction of the basin must comply with City Code and City Standards.

Thank you to the mayor and the city council for all your hard work and dedication to south weber. I also throw my support behind eliminating commercial overlay zones from our code.

My comments tonight focus on the upcoming general plan that is being worked on as we speak. I urge each city council member to research and study Senate bill #34. This is the bill that includes the mandates in regards to moderate income housing. There are 23 options available, and we must choose three. Barry Burton is proposing that in order to meet these standards, we need to add more zoning to commercial overlay and high density housing, to the number of over 250 acres. That is simply not the case.

Hooper, Farr West, Plain City, Pleasant View, Marriott-Slaterville, Morgan, Mountain Green and Uintah are just a few communities near us that do not have high density housing. Why is this the case? It is because their city leaders have decided what kind of community they want to have and have worked to keep it that way.

In Barry's notes included in the packet on the August 8th meeting, he mentions 3 other options he did not speak about verbally at the commission meeting. Options B, E and potentially U are available choices that will have limited impact on our city and our zoning. Option B is to expansion of infrastructure – the planned updates to our sewer system on the east side will apply to that option. Option E is to make changes in our city code to accommodate for accessory housing and option U is to apply for a planning assistance grant South Weber has already applied for and should hear back from soon. I will add those to the record for your convenience. These are options we can have that do not include changing any zones, and certainly not to the tune of 250 acres. There are other low impact options we can choose from as well.

Between the council and the planning commission it has been mentioned repeatedly that they desire public comment so here we are...we don't want anymore high density housing or commercial overlay in South Weber, and we certainly don't have to legally have it. Furthermore, the High Density Housing we currently have doesn't even apply to moderate income housing. While it is in your power to add zoning for high density housing, we have no control over the rent or listed sale price a developer chooses. In short, high density housing does not equal moderate income housing.

Brent Bateman, state ombudsman for small cities and towns explained your roles as a council this way. It is part of your responsibility to ensure that you are considering property owners, neighbors and residents equally when it comes to developing land. Think of it like a 3 legged stool. When a developer approaches a property owner and would like to rezone that property into a high density zone, all 3 legs of that stool needs to be considered. While property owners do have the right to sell, they don't have the right to sell it fast or for what they want. None of us have that right when it comes to selling anything we own. When there is public outcry against that zoning, you have an obligation to take the concerns of the residents and neighbors, as well as the property owner, into consideration before making your final decision. Neighbors and residents have spoken out repeatedly of their concerns that comes with high density housing and mixed use zoning and what they want to have their community to look like. In addition to many other concerns, there is the proof that adding more to our population increases the costs in public safety and road maintenance. In effect, while we may be bringing in more money through building permits and property taxes, we are immediately handing over those funds over to pay for increased public safety protection and road maintenance. For this reason, I urge the council to consider a moratorium on any high density housing and eliminate mixed use in the upcoming general plan until we can better see how the current and proposed high density developments currently underway will effect our city. Let's take this time pause and reassess, so that we can better plan for the future community we would like to have.

There has been much talk of bringing in a grocery store. Some developers have mentioned it will never happen, and I am proud of the council for disregarding that type of commentary. I wondered if anyone has approached Kents Market? As a family owned business, Kents market has proven it thrives on small communities. Starting in Tremonton and then Ephraim, Kents has grown to include other small towns like Brigham city, Roy, Clearfield and most recently Plain City. Plain City has approximately 6,000 residents and is not a thoroughway city – meaning you don't go pass Plain City to get somewhere else. We have the advantage of I84 and 89 corridor and if we bring more rec to our city with the river and parkway upgrades, a grocery store would do very well. And you can take note that wherever a Kents market pops up, several other retail businesses soon come with it. If there has not been an outreach to Kents, I hope that you will take that into consideration. We may be a small community - and we want to STAY that way - but there are 7,000 residents who would no doubt support a family owned grocery store, especially as high quality as Kents has

proven itself to be. And Kents has been serving smaller communities than ours for over 30 years. By the way, I don't have any affiliation to Kents, I just feel it would be a good fit for South Weber.

I hope to see action on your part to these thoughts and that we can continue to have an open dialogue as a community between our council and our residents. Thank you.

-Hayley Alberts. 7560 S 1740 E South Weber

2005 Moderate Annual Household Income \$60,768

Once again by extrapolating from information contained in the Utah Affordable Housing Manual, we find that a household with this income level could afford a mortgage of approximately 3.1 times the annual income or could afford to spend 27% of their monthly income on rent.

Maximum Purchase Price $\$60,768 \times 3.1 = \$188,380$
Maximum Monthly Rent $\$60,768/12 = \$5,064 \times .27 = \$1,367$

Statistically, there are a no residences within the City that would fall under the maximum purchase price of a moderate income family. The maximum monthly rent, however, points to rental units as the most attainable type of moderate income housing likely to be established in South Weber. There are currently 87 rental units in the City, 60 being in one apartment complex and the rest are basement type apartments. It is believed that all rental units do, or will, qualify as moderate income housing. The existing rental units comprise 5% of the housing stock in the City.

Recommendations: It is apparent that to meet demands for moderate income housing, as well as meet the recommendations of this Plan for open space and agricultural character of the community, multi-family rental residences will continue to be the primary type of housing in this price range. According to the U.S. Census Bureau 36% of Davis County households have an income below \$60,000 per year while 24% of South Weber households fall into that range.

It is apparent that South Weber needs a lot more moderate-income housing stock to meet the demand. The proposed 19.5 acres of high density residential property could potentially produce another 253 multi-family dwelling units. The 231 acres of potential mixed-use zoning could produce many more, but given the nature of mixed-use development, it is difficult to predict how much. If the City is to reach a goal of providing housing for the 24% of households that are considered median income, that would be a total of 755 units at build-out. With an existing 87 moderate income dwelling units, we have a long way to go. Of course, in the past, individually owned multi-family dwelling units (condominiums, townhomes, etc.) qualified as moderate income housing. In the current housing market, that is no longer the case; individually owned unit prices exceed the maximum purchase price to be considered moderate income housing. Future market changes could bring those units back into play as moderate income units. South Weber currently has 197 townhomes built or under construction.

It is recommended that South Weber continue to support the development of multifamily housing in the areas designated in this Plan.

INDUSTRIAL:

In order to determine how many homes fall into the moderate income housing category, it would be necessary to determine the actual gross income of every household in South Weber. This information; however, would not be of a great significance in the ability to provide moderate income housing as the information would not provide an adequate picture of the housing which can be purchased or rented today.

According to the U.S. Census Bureau, the 2017 median household income for Davis County is \$75,961. Eighty percent of that median income is then \$60,768. Information extrapolated from the Utah Affordable Housing Manual indicates that a household with this income level could afford to purchase a dwelling which has a maximum purchase price of 3.1 times the annual income. In the case of South Weber that translates **to a maximum purchase price of \$188,380**. The same manual indicates that 27% of the monthly income could be spent on rent which would mean a **maximum monthly rent of \$1,367**.

There are no new housing units of any type being constructed in South Weber that would have a maximum purchase price of \$188,380. In the current housing market, it would be inadvisable to assume this will change in the near future (the life of this General Plan Version.) Therefore, we must conclude that the only new moderate income housing that might be reasonably expected to be constructed would be high density multi-family rental units.

PRESERVING AND ENCOURAGING MODERATE INCOME HOUSING: There are many factors that affect the cost of housing. It is the duty and responsibility of the City to take necessary steps to encourage moderate income housing and to meet the housing needs of people of various the people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life.

Utah Code Annotated 10-9a-403 (2) (b) (iii) requires the City to choose at least three from a list of 23 ways, A through W, in which it can and will pursue the encouragement of moderate income housing in the five years. South Weber chooses the following:

(A) rezone for densities necessary to assure the production of moderate income housing;

This General Plan update is recommending an additional 19.5 acres of land be rezoned for high density housing. It is also recommending an additional 31.8 acres be rezoned for mixed use development. An additional 200 acres are being recommended for Commercial Highway zoning with the potential for some of that to be zoned for mixed use development.

(B) facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing;

The east end of South Weber is currently nearing capacity of the sewer system. The bulk of the properties slated for rezoning for high density residential or mixed-use development is in the east end of the City. South Weber is currently in Phase One of a multi-year project that will upgrade the sewer system to handle potential future multi-family and mixed-use developments in this area.

(E) create or allow for, and reduce regulations related to, accessory dwelling units in residential zones;

It is recommended that the City consider allowing accessory dwelling units in single-family dwelling zones. The circumstances and provisions under which this type of housing could be allowed need to be thoroughly researched and a determination as to how best to move this initiative forward.

(F) allow for higher density or moderate income residential development in commercial and mixed-use zones, commercial centers, or employment centers;

South Weber has the Commercial Overlay Zone that allows mixed-use development. The City currently has the first proposal of this type under consideration. As previously stated, there are an additional 231.8 acres where mixed-use development is a potential. The Commercial Overlay Zone allows the highest dwelling density in all zones at 25 units per acre.

(U) apply for or partner with an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provides technical planning assistance;

South Weber has applied for a planning assistance grant from the Wasatch Front Regional Council. We should know prior to the adoption of this Plan if we have been successful in procuring the grant.

MODERATE INCOME HOUSING NEEDS: The exact number of moderate income housing units recommended for any community by the Utah Affordable Housing Manual depends on a number of variables. An analysis the existing housing and income situation using available information and come to some reasonable conclusions as to need.

Number of Dwelling Units 2017	1724
201 Population	7310
Persons Per Household 2017	4.24
2017 Median Davis County Annual Household Income	\$75,961

1206 strategies:

1207 (A) rezone for densities necessary to assure the production of moderate income
1208 housing;

1209 (B) facilitate the rehabilitation or expansion of infrastructure that will encourage the
1210 construction of moderate income housing;

1211 (C) [~~encourage~~] facilitate the rehabilitation of existing uninhabitable housing stock into
1212 moderate income housing;

1213 (D) consider county general fund subsidies or other sources of revenue to waive
1214 construction related fees that are otherwise generally imposed by the county;

1215 (E) create or allow for, and reduce regulations related to, accessory dwelling units in
1216 residential zones;

1217 (F) allow for higher density or moderate income residential development in
1218 commercial and mixed-use zones, commercial centers, or employment centers;

1219 (G) encourage higher density or moderate income residential development near major
1220 transit investment corridors;

1221 (H) eliminate or reduce parking requirements for residential development where a
1222 resident is less likely to rely on the resident's own vehicle, such as residential development near
1223 major transit investment corridors or senior living facilities;

1224 (I) allow for single room occupancy developments;

1225 (J) implement zoning incentives for low to moderate income units in new
1226 developments;

1227 (K) utilize strategies that preserve subsidized low to moderate income units on a
1228 long-term basis;

1229 (L) preserve existing moderate income housing;

1230 (M) reduce impact fees, as defined in Section 11-36a-102, related to low and moderate
1231 income housing;

1232 (N) participate in a community land trust program for low or moderate income
1233 housing;

- 1234 (O) implement a mortgage assistance program for employees of the county or of an
1235 employer that provides contracted services for the county;
- 1236 ~~[(E) consider utilization of]~~ (P) apply for or partner with an entity that applies for state
1237 or federal funds or tax incentives to promote the construction of moderate income housing;
- 1238 ~~[(F) consider utilization of]~~ (Q) apply for or partner with an entity that applies for
1239 programs offered by the Utah Housing Corporation within that agency's funding capacity; [and]
- 1240 ~~[(G) consider utilization of]~~ (R) apply for or partner with an entity that applies for
1241 affordable housing programs administered by the Department of Workforce Services[-];
- 1242 (S) apply for or partner with an entity that applies for services provided by a public
1243 housing authority to preserve and create moderate income housing;
- 1244 (T) apply for or partner with an entity that applies for programs administered by a
1245 metropolitan planning organization or other transportation agency that provides technical
1246 planning assistance;
- 1247 (U) utilize a moderate income housing set aside from a community reinvestment
1248 agency, redevelopment agency, or community development and renewal agency; and
- 1249 (V) consider any other program or strategy implemented by the county to address the
1250 housing needs of residents of the county who earn less than 80% of the area median income.
- 1251 (c) In drafting the land use element, the planning commission shall:
- 1252 (i) identify and consider each agriculture protection area within the unincorporated area
1253 of the county or mountainous planning district; and
- 1254 (ii) avoid proposing a use of land within an agriculture protection area that is
1255 inconsistent with or detrimental to the use of the land for agriculture.
- 1256 (d) In drafting the transportation and traffic circulation element, the planning
1257 commission shall:
- 1258 (i) consider the regional transportation plan developed by its region's metropolitan
1259 planning organization, if the relevant areas of the county are within the boundaries of a
1260 metropolitan planning organization; or
- 1261 (ii) consider the long-range transportation plan developed by the Department of

1178 ~~and extent of existing and proposed freeways, arterial and collector streets, mass transit, and~~
1179 ~~any other modes of transportation that the planning commission considers appropriate, all~~
1180 ~~correlated with the population projections and the proposed land use element of the general~~
1181 ~~plan;] that:~~

1182 (A) provides the general location and extent of existing and proposed freeways, arterial
1183 and collector streets, public transit, active transportation facilities, and other modes of
1184 transportation that the planning commission considers appropriate;

1185 (B) addresses the county's plan for residential and commercial development around
1186 major transit investment corridors to maintain and improve the connections between housing,
1187 employment, education, recreation, and commerce; and

1188 (C) correlates with the population projections, the employment projections, and the
1189 proposed land use element of the general plan;

1190 (iii) a plan for the development of additional moderate income housing within the
1191 unincorporated area of the county or the mountainous planning district, and a plan to provide a
1192 realistic opportunity to meet the need for additional moderate income housing; and

1193 (iv) before May 1, 2017, a resource management plan detailing the findings, objectives,
1194 and policies required by Subsection 17-27a-401(3).

1195 (b) In drafting the moderate income housing element, the planning commission:

1196 (i) shall consider the Legislature's determination that counties should facilitate a
1197 reasonable opportunity for a variety of housing, including moderate income housing:

1198 (A) to meet the needs of people ~~[desiring to live there]~~ of various income levels living,
1199 working, or desiring to live or work in the community; and

1200 (B) to allow ~~[persons with moderate]~~ people with various incomes to benefit from and
1201 fully participate in all aspects of neighborhood and community life; and

1202 (ii) shall include an analysis of ~~[why the recommended means, techniques, or~~
1203 ~~combination of means and techniques]~~ how the county will provide a realistic opportunity for
1204 the development of moderate income housing within the planning horizon, which ~~[means or~~
1205 ~~techniques]~~ may include a recommendation to implement three or more of the following

Corinne Johnson 8020 S 2500 E South Weber Ut 84405

Thank you to the mayor and the city council for all your hard work and dedication to south weber. South Weber has been my home for 5 years and I share a story in common with so many citizens who have made this city their home, I knew the moment I entered south weber it was special and it was where we wanted to have our forever home. When I heard about the Lofts Development, I was shocked, and like so many others who have stated their opposition to the Lofts Development, deeply saddened that our city allowed this to happen. I strongly oppose the Lofts Development and wholeheartedly support the removal of the C-O zone from the City Code. My list of concerns for the lofts has been shared through e-mail with the mayor and I have added them here and ask that they be included in the public record.

Regarding the C-O zone. I have a few questions that start with the General Plan Map posted on the city website. I noticed that in this plan the C-O zone does not exist? There is no listing, color designation, or mention of C-O code anywhere on the proposed map. This is a change from the 2014 map. Instead every commercial property in the entire city is marked with a yellow grid pattern denoting Mixed Use Overlay. David Larsen The General Plan shows a cross hatch on all commercial property that would allow for a rezone to mixed-use. Is the C-O code being replaced with this Mixed-Use designation? Is it the same thing? Will removing the C-O code remove Mixed Overlay? Or is it the intent of our City Planner to replace one with the other? Prior to the General Plan Update there were TWO properties zoned as C-O the Lofts property and the property West of the Storage Units on South Weber Drive neither of these are marked as C-O code but as mixed-use overlay. If they are different things how can the zoning be changed? I have searched along with others for any information of this Mixed-Use Overlay and there is nothing.

I believe that the inclusion of the C-O zone in our city code has created the problem we are facing with the lofts. Several council members expressed to me that the C-O code is too vague, the 25 units per acre is too dense for our city and it gives developers too much leeway. I agree. This code must be removed in order to protect the integrity of our quiet bedroom community. If the Mixed-Use Overlay and C-O code are different things then I also ask the City Council to look into the Mixed-Use Overlay and remove it as well.

Dear Mayor Sjöblom,

I am writing to express my opposition and extreme concern over the development "The Lofts at Deer Run Dr". In fact, I am so concerned about the negative impacts this development will have on our neighborhood I created a facebook group to create public awareness. You can find it at <https://www.facebook.com/groups/487728305320218>

You can read posts regarding my concerns but I will list them here as well:

Increased Taxes:

We currently do not have legal sewer capacity per State Regulations for the development. The current 4 sewer connections will expand to over 80! Our sewer system is already operating at max capacity. The needed sewer capacity for "The Lofts at Deer Run" would have to be provided through Capital Facilities Plans Improvement Projects. The Developer will only share a *proportional* share of these costs. I am concerned my taxes will go up.

Negative Impact on our neighborhood long term:

The property "Lofts at Deer Run" are being built on are designated as "Sensitive Lands" in the General Plan. It is a small 3-acre parcel and I feel the overdevelopment of these lands are irresponsible and can negatively affect our water quality. Not to mention the additional pollution, noise and transient element it brings to our neighborhood.

The Commercial business occupying the approximately 27,000 square ft of commercial space will only be allowed to operate between 5am and 6pm and have shared parking? We can't get the commercial we have on South Weber Dr. leased. I am concerned these will be black.

Plans for daycare as a business? With no green space for a playground for the daycare, I don't see that as a viable business plan leaving a vacant business

20-foot sound wall and 33-foot tall buildings! It will be like driving through an urban tunnel. The beauty of South Weber is why people move here. This will ruin it.

Transient housing and black commercial businesses with no buffer from the neighborhood is a horrible plan! This just does not make sense. If we need commercial space build commercial. This plan is catering to the condos and will be an eyesore in our community.

Safety:

The exits from the "The Lofts at Deer Run" will be up a hill making them nearly blind to pedestrian traffic. My children who are walking to and from the charter school, as well as kids walking to Maverick, will be at increased risk of pedestrian accidents.

The Lofts at Deer Run will have only one dedicated space will be reserved per condo and the remaining spaces are shared between the residents and commercial businesses. I am concerned that all the overflow of parking will go on the Frontage Rd and down Deer Run Dr.

There will be 164 parking spaces for the "Lofts at Deer Run" That is a minimum of 164 cars coming and going several times a day equaling several hundred cars crossing the sidewalk daily. The exits are also on a blind corner up a hill increasing the chance of pedestrian and vehicular accidents.

There is no room for designated turn lanes into the "Lofts at deer Run" thus traffic will be stopping on the frontage to turn into the complex posing increasing the risk of accidents. The same can be said for exiting the complex. With the sound wall, there will be no way to expand the road safely for proper turn lanes.

There is concern for access for EMT, Fire and other first responders to be able to turn around and get ladders tall enough to access the full height of the building.

I do not understand why you would approve such a plan? It doesn't make sense to build this high density and commercial complex in a neighborhood! Is the city receiving some type of Federal Funding that is influencing the building of this complex in our community? Are you willing to trade the safety of our kids and the legacy of South Weber for a kick-back? I only say this because I don't understand why else you would approve this horrible project.

I am asking you to put pressure on the developer to address these concerns and change the plans!

Reduce the number of units to provide more parking.

Demand a farther set-back and more open space for the safety of pedestrians and drivers.

Demand a 3rd party inspections of sewer needs to truly asses the costs and poetical risks to the city with the needed sewer expansion.

Demand a 3rd party study on traffic impact and access for first responders.

Thank You

Dear Mayor Sjblom,

I'm sure you've been keeping tabs on things but wanted to I communicate with you. The Facebook group is growing. We're almost to 400 members and we have a petition that will be at South Weber Days.

A few of us started a nonprofit organization as SWPCA South Weber Preservation and Conservation Advocates. This was done before we had any idea that you once had a citizens committee. The idea is that our group functions like a type of citizens committee where we can take the concerns from the Facebook group bring them to a counsel present them to the city etc.

Aaron Stone posted about the Citizens committee and that you are open to restarting it. I would like to be on the citizens committee. If you could let me know what I need to do fir application that is appreciate it.

There are so many questions flooding into our Facebook group and I was hoping maybe you could address some of them. These are things people are asking over and over again.

What studies were done prior to the approval of this development? Why didn't the city Council and planning commission ask more questions and ask for more studies and more information before they approved this?

How do we get the lofts on the agenda for the planning commission or City Council meeting? Can we have a special session for citizens so they can ask questions and get answers?

The questions on the sewer issues are coming in right and left! What does "proportional share" mean? Do we know how much it will cost? How will the city pay for their share? (also to just to clarify I never gave a number. I don't know where the 2 million came from. I shared the exact wording from the development agreement and then stated that "capital improvement projects" could cost the city millions of dollars. Maybe I should've said hundreds of thousands of dollars? The point is that we really don't know how much this could cost. I'm trying really hard to be very accurate on Facebook. I'm using information directly from the development agreement as a representative of the SWPCA.)

We posted a link to the development agreement and a lot of people are reading it and asking why the city would approve the development and issue building permits without legal sewer capacity or knowing how much that will cost?

A lot of people are asking if the reason the city approved this development is because we are in massive debt to the point where we approve any type of commercial development or high-density housing to bring in tax revenue? Citizens are posting tax revenue information on Facebook and asking why since the Maverick and other commercial business went in revenues dropped? I'm hoping you'll answer these tax questions on the 13th as I keep telling people to go to that meeting to get those answers.

The other big question and big concern is first responder access. People are looking at these plans, the number of units, the height of the buildings, the tight parking and they can't figure out how on earth a firetruck is supposed to turn in around in there let alone get a ladder up to a third story apartment?

Any answers I can directly quote from you and share would be great.

Thanks

Corinne Johnson

QUESTIONS FOR SOUTH WEBER CITY - CITY COUNCIL

CITY COUNCIL MEETING DATE: 20AUG19

- 1) Is the SWC City Council aware that "The Lofts" developer, Joseph Cook, has also had significant issues with the Sunset City Council regarding a development in Sunset City. The developer started work before the City Council approved, Councilman Noyes stated that "this has become a habit on this project". Mr. Cook apologized and claimed ignorance. (Please see Exhibit #1 - Excerpt from Sunset City Council Meeting minutes of 15May18 - Attached)
[NOTE: Please ensure that this developer's past lack of cooperation with, and starting work without approval of, Sunset City (Just about a year ago) **does not repeat itself** here in SWC with his next development - "The Lofts at Deer Run"!!)

- 2) Also, just to make the SWC City Council aware, there is a Utah State Code, under Title 76, Utah Criminal Code; Chapter 8, Offenses Against the Administration of Government; Part 5, Falsification in Official Matters; that may be applicable to various activities that have happened within SWC in the past several years! (Please see Exhibit #2 Utah Code 76-8-501 **Falsification in Official Matters** - Attached)

EXHIBIT #1

<http://www.sunset-ut.com/pdf/051518cm.pdf>

**Sunset City Corporation
City Council Minutes
May 15, 2018
Page 2 of 5**

placed on commercial lots. The ordinance has also been reviewed by Administration. He believes the ordinance was simplified and is easier to follow.

Council Member Bangerter made a motion to adopt Ordinance 2018-02 amending Title 10, Chapter 5, Article D: Commercial Zone C-2 of the Sunset City Code. Council Member Carlson seconded the motion. The motion passed unanimously with a roll call vote: Council Member Noyes – yes, Council Member Wiggill – yes, Council Member Carlson – yes, Council Member Bangerter – yes.

- 2. Discuss allowing a sanitary sewer lift station to be installed to service the final 16 townhomes of the Sunset Place Townhouses PUD:** Joseph Cook advised they have already installed the vault for the lift station and one of the uninhabited buildings is already tied into it. Roy City will only allow 60 of his units to dump sanitary sewer into their lines, so they redesigned the remaining 16 units to flow into the lift station, which will then dump into the Sunset City sewer line. The lift station is a 2-pump system with an emergency third pump and he also has a contract with a company to service it and repair it if it fails. It holds up to 8 hours of sewage if it malfunctions. He reiterated that it is already installed and he hopes it passes. Scott Nelson of CEC Engineering has approved their plan. He said those 16 units would be assessed HOA fees for the maintenance of the lift station and sewer lines. The other 60 units are being assessed HOA fees for the maintenance of the lines going into Roy City.

Council Member Noyes is concerned that some of the work has been done prior to obtaining Council approval and believes this has become a habit on this project. That concerns him for what may or may not happen with future projects. Mr. Cook apologized and said he was not aware they needed Council approval on this. Council Member Noyes said when the project was approved Mr. Cook knew about the sanitary sewer issue and it should have been resolved with Roy City before even one building was built in 2015. He is concerned that this is only being brought before them just now. He does not like lift stations because they require constant maintenance; not just when they malfunction. He feels it is not in the best interest of 16 residences to pay for that because Sunset City is not going to do it. He is also concerned that when the station fails, the residents will be calling Sunset City. Council Member Noyes believes that a lift station is just not in the best interest of the residents.

Council Member Bangerter stated the project needs to be completed, but feels an amendment needs to be added to the development agreement that states Sunset City has no liability for the lift station at all and, if the City eventually has to step in, all costs will be paid by the HOA. As Council Member Bangerter reviewed the agreement he wondered about the sections stating Mr. Cook is supposed to install an entry monument, playground equipment, fencing, gates, etc. Mr. Cook stated they are still moving forward with those items, but there may be a problem with planting trees along the back of the west side because a major gas pipeline runs through there and in the front there are some really tight spaces. However, he plans to plant trees in the playground area. The vinyl fencing has been put in along the east side and has been started along the north side. Council Member Bangerter agreed with

Council Member Noyes that all these issues should have been addressed prior to now and they need to amend the agreement absolving Sunset of any liability.

The Council does not want to see one more building started or anything else done on this project until the Council has reviewed and approved the agreement amendment. The agreement needs to protect the City from any potential liability or any added cost to the City forever and it will also need to be reviewed by the City Attorney.

Public Works Director Monroe clarified he told Darrell, the Project Manager, several times over the past six months to stop working on the lift station until they had Council approval.

Mr. Cook explained another issue he won't be able to comply with is the privacy fencing along the train tracks. The berm from the ground of the the Sunset Place Development to the top of the train tracks is about 15 to 20 feet tall. There is no way for them to block the train from the residences or to put a fence on top of the UTA wall due to wind and no place to anchor it. He'll have a vinyl fence along the north side of the property and he's looking at maybe putting slats in the existing chain link fence along the tracks on the west side. Council Member Bangerter asked why that was even in the agreement then and suggested trying to grow tall shrubbery along there.

Mr. Cook will begin work on the agreement amendment.

- 3. Mayor, Council and Department Head Reports:** Council Member Bangerter reported the Bark in the Park car and dog show took place Saturday, but it was raining so there was not a good turn-out. There were a lot of dogs, but only about 20 cars. There were 19 vendors, so he believed if it had been sunny it would have been a great success. He would like to bring it back next year. He has also been wondering if the City should do an RFP for the City's attorneys.

Council Member Carlson reported on his attendance at the North Davis Sewer District Board meeting. The Board has moved a lot of pipes in Layton and released the easements to those residents affected.

Council Member Wiggill said he also attended the Bark in the Park event and thought it was well attended considering the rain.

Council Member Noyes noticed a business has built a nice fence around part of their property and wondered about the ordinance stating the fence has to be opaque where it abuts residential property. It needs to be followed up on to see why it wasn't done. The Council received an invitation to take a Weber Basin Water tour on June 6th and said it was really nice when he has attended it in the past. He will be out of town the first week of June.

Police Chief Eborn reported he had officers at the Bark in the Park event and there were no issues.

Exhibit #2**Part 5****Falsification in Official Matters**

Index Utah Code

Title 76 Utah Criminal Code

Chapter 8 Offenses Against the Administration of Government

Part 5 Falsification in Official Matters

76-8-501 Definitions.

As used in this part:

- (1) "False statement" includes a false unsworn declaration, with "unsworn declaration" being defined in Section 78B-18a-102.
- (2) "Material" means capable of affecting the course or outcome of an official proceeding, unless the person who made the statement or provided the information retracts the statement or information before the earlier of:
 - (a) the end of the official proceeding in which the statement was made or the information was provided;
 - (b) when it becomes manifest that the false or misleading nature of the statement or information has been or will be exposed; or
 - (c) when the statement or information substantially affects the proceeding.
- (3) "Official proceeding" means:
 - (a) any proceeding before:
 - (i) a legislative, judicial, administrative, or other governmental body or official authorized by law to take evidence under oath or affirmation;
 - (ii) a notary; or
 - (iii) a person that takes evidence in connection with a proceeding described in Subsection (3)(a)(i);
 - (b) any civil or administrative action, trial, examination under oath, administrative proceeding, or other civil or administrative adjudicative process; or
 - (c) an investigation or audit conducted by:
 - (i) the Legislature, or a house, committee, subcommittee, or task force of the Legislature; or
 - (ii) an employee or independent contractor of an entity described in Subsection (3)(c)(i), at or under the direction of an entity described in Subsection (3)(c)(i).

Amended by Chapter 298, 2018 General Session

76-8-502 False or inconsistent material statements.

A person is guilty of a felony of the second degree if in any official proceeding:

- (1) He makes a false material statement under oath or affirmation or swears or affirms the truth of a material statement previously made and he does not believe the statement to be true; or
- (2) He makes inconsistent material statements under oath or affirmation, both within the period of limitations, one of which is false and not believed by him to be true.

Amended by Chapter 324, 1997 General Session

76-8-503 False or inconsistent statements.

- (1) Except as provided in Subsection (2), a person is guilty of a class B misdemeanor if:
 - (a) the person makes a false statement under oath or affirmation or swears or affirms the truth of the statement previously made and the person does not believe the statement to be true if:
 - (i) the falsification occurs in an official proceeding, or is made with a purpose to mislead a public servant in performing the public servant's official functions; or

- (ii) the statement is one that is authorized by law to be sworn or affirmed before a notary or other person authorized to administer oaths; or
- (b) the person makes inconsistent statements under oath or affirmation, both within the period of limitations, one of which is false and not believed by the person to be true.
- (2) Subsection (1) does not include obstructing a legislative proceeding, as described in Section 36-12-9.5.
- (3) A person is not guilty under this section if the person retracts the falsification before it becomes manifest that the falsification has been or will be exposed.

Amended by Chapter 167, 2014 General Session

76-8-504 Written false statement.

A person is guilty of a class B misdemeanor if:

- (1) He makes a written false statement which he does not believe to be true on or pursuant to a form bearing a notification authorized by law to the effect that false statements made therein are punishable; or
- (2) With intent to deceive a public servant in the performance of his official function, he:
 - (a) Makes any written false statement which he does not believe to be true; or
 - (b) Knowingly creates a false impression in a written application for any pecuniary or other benefit by omitting information necessary to prevent statements therein from being misleading; or
 - (c) Submits or invites reliance on any writing which he knows to be lacking in authenticity; or
 - (d) Submits or invites reliance on any sample, specimen, map, boundary mark, or other object which he knows to be false.
- (3) No person shall be guilty under this section if he retracts the falsification before it becomes manifest that the falsification was or would be exposed.

Enacted by Chapter 196, 1973 General Session

76-8-504.5 False statements -- Preliminary hearing.

- (1) A person is guilty of a class A misdemeanor if the person makes a false statement:
 - (a) which the person does not believe to be true;
 - (b) that the person has reason to believe will be used in a preliminary hearing; and
 - (c) after having been notified either verbally or in writing that:
 - (i) the statement may be used in a preliminary hearing before a magistrate or a judge; and
 - (ii) if the person makes a false statement after having received this notification, he is subject to a criminal penalty.
- (2) Notification under Subsection (1) is sufficient if it is verbal or written and is in substantially the following form: "You are notified that statements you are about to make may be presented to a magistrate or a judge in lieu of your sworn testimony at a preliminary examination. Any false statement you make and that you do not believe to be true may subject you to criminal punishment as a class A misdemeanor."

Enacted by Chapter 215, 1999 General Session

76-8-504.6 False or misleading information.

- (1) A person is guilty of a class B misdemeanor if the person, not under oath or affirmation, intentionally or knowingly provides false or misleading material information to:

- (a) an officer of the court for the purpose of influencing a criminal proceeding; or
 - (b) the Bureau of Criminal Identification for the purpose of obtaining a certificate of eligibility for:
 - (i) expungement; or
 - (ii) removal of the person's name from the White Collar Crime Registry created in Title 77, Chapter 42, Utah White Collar Crime Offender Registry.
- (2) For the purposes of this section "officer of the court" means:
- (a) prosecutor;
 - (b) judge;
 - (c) court clerk;
 - (d) interpreter;
 - (e) presentence investigator;
 - (f) probation officer;
 - (g) parole officer; and
 - (h) any other person reasonably believed to be gathering information for a criminal proceeding.
- (3) This section does not apply under circumstances amounting to Section 76-8-306 or any other provision of this code carrying a greater penalty.

Amended by Chapter 131, 2015 General Session

76-8-505 False or inconsistent statements -- Proof of falsity of statements -- Irregularities no defense.

- (1) On any prosecution for a violation of Subsection 76-8-502(1) or 76-8-503(1)(a), falsity of a statement may not be established solely through contradiction by the testimony of a single witness.
- (2) In prosecutions for violation of Subsection 76-8-502(2) or 76-8-503(1)(b), it need not be alleged or proved which of the statements are false but only that one or the other is false and not believed by the defendant to be true.
- (3) It is not a defense to a charge under this part that the oath or affirmation was administered or taken in an irregular manner.

Amended by Chapter 324, 1997 General Session

76-8-506 Providing false information to law enforcement officers, government agencies, or specified professionals.

A person is guilty of a class B misdemeanor if he:

- (1) knowingly gives or causes to be given false information to any peace officer or any state or local government agency or personnel with a purpose of inducing the recipient of the information to believe that another has committed an offense;
- (2) knowingly gives or causes to be given to any peace officer, any state or local government agency or personnel, or to any person licensed in this state to practice social work, psychology, or marriage and family therapy, information concerning the commission of an offense, knowing that the offense did not occur or knowing that he has no information relating to the offense or danger; or
- (3) knowingly gives or causes to be given false information to any state or local government agency or personnel with a purpose of inducing a change in the person's licensing or certification status or the licensing or certification status of another.

Amended by Chapter 92, 2005 General Session

76-8-507 False personal information to peace officer.

- (1) A person commits a class C misdemeanor if, with intent of misleading a peace officer as to the person's identity, birth date, or place of residence, the person knowingly gives a false name, birth date, or address to a peace officer in the lawful discharge of the peace officer's official duties.
- (2) A person commits a class A misdemeanor if, with the intent of leading a peace officer to believe that the person is another actual person, he gives the name, birth date, or address of another person to a peace officer acting in the lawful discharge of the peace officer's official duties.

Amended by Chapter 42, 2002 General Session

76-8-508 Tampering with witness -- Receiving or soliciting a bribe.

- (1) A person is guilty of the third degree felony of tampering with a witness if, believing that an official proceeding or investigation is pending or about to be instituted, or with the intent to prevent an official proceeding or investigation, he attempts to induce or otherwise cause another person to:
 - (a) testify or inform falsely;
 - (b) withhold any testimony, information, document, or item;
 - (c) elude legal process summoning him to provide evidence; or
 - (d) absent himself from any proceeding or investigation to which he has been summoned.
- (2) A person is guilty of the third degree felony of soliciting or receiving a bribe as a witness if he solicits, accepts, or agrees to accept any benefit in consideration of his doing any of the acts specified under Subsection (1).
- (3) The offense of tampering with a witness or soliciting or receiving a bribe under this section does not merge with any other substantive offense committed in the course of committing any offense under this section.

Amended by Chapter 140, 2004 General Session

76-8-508.3 Retaliation against a witness, victim, or informant.

- (1) As used in this section:
 - (a) A person is "closely associated" with a witness, victim, or informant if the person is a member of the witness', victim's, or informant's family, has a close personal or business relationship with the witness or victim, or resides in the same household with the witness, victim, or informant.
 - (b) "Harm" means physical, emotional, or economic injury or damage to a person or to his property, reputation, or business interests.
- (2) A person is guilty of the third degree felony of retaliation against a witness, victim, or informant if, believing that an official proceeding or investigation is pending, is about to be instituted, or has been concluded, he:
 - (a)
 - (i) makes a threat of harm; or
 - (ii) causes harm; and
 - (b) directs the threat or action:
 - (i) against a witness or an informant regarding any official proceeding, a victim of any crime, or any person closely associated with a witness, victim, or informant; and
 - (ii) as retaliation or retribution against the witness, victim, or informant.

- (3) This section does not prohibit any person from seeking any legal redress to which the person is otherwise entitled.
- (4) The offense of retaliation against a witness, victim, or informant under this section does not merge with any other substantive offense committed in the course of committing any offense under this section.

Enacted by Chapter 140, 2004 General Session

76-8-508.5 Tampering with juror -- Retaliation against juror -- Penalty.

- (1) As used in this section "juror" means a person:
 - (a) summoned for jury duty; or
 - (b) serving as or having served as a juror or alternate juror in any court or as a juror on any grand jury of the state.
- (2) A person is guilty of tampering with a juror if he attempts to or actually influences a juror in the discharge of the juror's service by:
 - (a) communicating with the juror by any means, directly or indirectly, except for attorneys in lawful discharge of their duties in open court;
 - (b) offering, conferring, or agreeing to confer any benefit upon the juror; or
 - (c) communicating to the juror a threat that a reasonable person would believe to be a threat to injure:
 - (i) the juror's person or property; or
 - (ii) the person or property of any other person in whose welfare the juror is interested.
- (3) A person is guilty of tampering with a juror if he commits any unlawful act in retaliation for anything done by the juror in the discharge of the juror's service:
 - (a) to the juror's person or property; or
 - (b) to the person or property of any other person in whose welfare the juror is interested.
- (4) Tampering with a juror is a third degree felony.

Amended by Chapter 219, 1992 General Session

76-8-509 Extortion or bribery to dismiss criminal proceeding.

- (1) A person is guilty of a felony of the second degree if by the use of force or by any threat which would constitute a means of committing the crime of theft by extortion under this code, if the threat were employed to obtain property, or by promise of any reward or pecuniary benefits, he attempts to induce an alleged victim of a crime to secure the dismissal of or to prevent the filing of a criminal complaint, indictment, or information.
- (2) "Victim," as used in this section, includes a child or other person under the care or custody of a parent or guardian.

Enacted by Chapter 196, 1973 General Session

76-8-510.5 Tampering with evidence -- Definitions -- Elements -- Penalties.

- (1) As used in this section, "thing or item" includes any document, record book, paper, file, electronic compilation, or other evidence.
- (2) A person is guilty of tampering with evidence if, believing that an official proceeding or investigation is pending or about to be instituted, or with the intent to prevent an official proceeding or investigation or to prevent the production of any thing or item which reasonably

would be anticipated to be evidence in the official proceeding or investigation, the person knowingly or intentionally:

- (a) alters, destroys, conceals, or removes any thing or item with the purpose of impairing the veracity or availability of the thing or item in the proceeding or investigation; or
 - (b) makes, presents, or uses any thing or item which the person knows to be false with the purpose of deceiving a public servant or any other party who is or may be engaged in the proceeding or investigation.
- (3) Subsection (2) does not apply to any offense that amounts to a violation of Section 76-8-306.
- (4)
- (a) Tampering with evidence is a third degree felony if the offense is committed in conjunction with an official proceeding.
 - (b) Any violation of this section except under Subsection (4)(a) is a class A misdemeanor.

Amended by Chapter 167, 2014 General Session

76-8-511 Falsification or alteration of government record -- Penalty.

A person is guilty of a class B misdemeanor if under circumstances not amounting to an offense subject to a greater penalty under Title 76, Chapter 6, Part 5, Fraud, the person:

- (1) knowingly makes a false entry in or false alteration of anything belonging to, received, or kept by the government for information or record, or required by law to be kept for information of the government;
- (2) presents or uses anything knowing it to be false and with a purpose that it be taken as a genuine part of information or records referred to in Subsection (1); or
- (3) intentionally destroys, conceals, or otherwise impairs the verity or availability of the information or records, knowing that the destruction, concealment, or impairment is unlawful.

Amended by Chapter 238, 2003 General Session

76-8-512 Impersonation of officer.

A person is guilty of a class B misdemeanor who:

- (1) impersonates a public servant or a peace officer with intent to deceive another or with intent to induce another to submit to his pretended official authority or to rely upon his pretended official act;
- (2) falsely states he is a public servant or a peace officer with intent to deceive another or to induce another to submit to his pretended official authority or to rely upon his pretended official act; or
- (3) displays or possesses without authority any badge, identification card, other form of identification, any restraint device, or the uniform of any state or local governmental entity, or a reasonable facsimile of any of these items, with the intent to deceive another or with the intent to induce another to submit to his pretended official authority or to rely upon his pretended official act.

Amended by Chapter 4, 2013 Special Session 1

Amended by Chapter 4, 2013 Special Session 1

76-8-513 False judicial or official notice.

A person is guilty of a class B misdemeanor who, with a purpose to procure the compliance of another with a request made by the person, knowingly sends, mails, or delivers to the person a notice or other writing which has no judicial or other sanction but which in its format or appearance

simulates a summons, complaint, court order, or process, or an insignia, seal, or printed form of a federal, state, or local government or an instrumentality thereof, or is otherwise calculated to induce a belief that it does have a judicial or other official sanction.

Enacted by Chapter 196, 1973 General Session

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 27 August 2019

TIME COMMENCED: 6:00 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT

PRESENT: MAYOR:

Jo Sjoblom

COUNCIL MEMBERS:

Blair Halverson
Kent Hyer (electronically)
Angie Petty
Merv Taylor
Wayne Winsor (excused)

FINANCE DIRECTOR:

Mark McRae

CITY ENGINEER:

Brandon Jones

CITY RECORDER:

Lisa Smith

CITY MANAGER:

David Larson

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Mindi Smith, Brandyn Bodily, Craig Layton, Jacqui Layton, Trent Nelson, Mike Skousen, Natalie Browning, Todd Rimmosch, Shawn Magelby, Candace Magelby, Mike Sampson, Ember Davis, Lacey Westbroek, Paul Sturm, Michael Grant, Linda Marvel, Sherrie West, Haley Alberts, Captain West, Chris Pope, Sheriff Sparks, Tonya Mackintosh, Cory Mackintosh, Kathy Devro, Randy Elliott, Lorene Kamalu, and Corinne Johnson.

Mayor Sjoblom called the meeting to order and welcomed those in attendance recognizing Captain West, Sergeant Pope, Sheriff Sparks and the County Commissioners. She apologized for the construction. She excused Councilman Winsor from tonight's meeting.

Councilman Halverson moved to approve Councilman Hyer joining tonight's meeting electronically via phone. Councilman Taylor seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Petty, and Taylor voted aye. The motion carried.

PLEDGE OF ALLEGIANCE: Councilwoman Petty

PRAYER: Councilman Taylor

Introduction of County Commissioners:

Mayor Sjoblom introduced Davis County Commissioners, Randy Elliott and Lorene Kamalu. She excused Commissioner Stevenson who is out of town. Commissioner Elliott described a new facility involved in the missile defense program will be built by the HAFB museum and is hiring over 2500 people with a possible additional 2500 employed later. Commissioner Kamalu recognized the great active citizenry in South Weber City demonstrated by the high attendance. She joked that Davis County includes North Salt Lake and South Weber. She explained this city is a reminder there are still open spaces, wind, and people who enjoy a rural feel in their community. She thanked the City Council and city staff who are currently serving.

Commissioner Elliott announced he recently met with a Maverik planner who relayed to him that South Weber has blown away their expectations. Commissioner Kamalu agreed Maverik is always busy. She held a meeting there during elections. She reported Mayor Sjoblom serves on multiple county committees and is very active with Wasatch Front Regional Council. She conveyed the Mayor has a creative way of making presentations.

Mayor Sjoblom related Prop 1 money is being utilized with the South Bench Drive Phase 1 project, the box culvert will be installed next summer and the Transportation and Land Use Connection (TLC) grant will be used for Weber River Trail and Bonneville Shoreline Trail. She thanked the Commissioners for their support, and they pledged to continue. Commissioner Elliott gave an update on trails. There will be a parking area for Adams Canyon Trail in Layton when the Highway 89 expansion is implemented.

Mayor Sjoblom solicited questions for the Commissioners.

Michael Grant, 2622 Deer Run Drive, asked about the timeline for expansion of Highway 89. Commissioner Kamalu reported the project should begin in 2021 and last a couple of years. Commissioner Elliott elucidated Davis County will be the center of major construction on all fronts and encouraged citizens to be patient. The bottleneck area will not be part of this construction, but the state is aware and studying possibilities currently. The river, train and sand make it a difficult situation. Commissioner Kamalu stated it is great that South Weber has leadership that is speaking up about their concerns regarding the reconstruction of Highway 89.

Councilman Taylor questioned the rumor about a sound wall on Highway 89. David Larson, City Manager, spoke with the project manager for UDOT this morning and there are currently no sound walls planned for South Weber. If the sound wall is needed later, there is a process set in place which requires a percentage of affected neighbors voting in favor.

PUBLIC COMMENT:

- a. Please state your name and address**
- b. Please keep public comments to 3 minutes or less per person**
- c. Please address the entire City Council**
- d. City Council will not respond during the public comment period**
- e. Don't address the Council from your seat**

Jackie Layton, 8017 S. Cedar Court, thanked those who serve in public office. She was in support of tax increase if the money is spent wisely. She was concerned about the Lofts at Deer Run. She spoke of Farmington Station and that a walkable community is not a good fit for this community. She discussed the connection to Layton City and her concern about chemicals being released if the hillside is disturbed. She felt a road up the hill would create safety issues. She

presented studies she found doing Google searches. She would like to see more testing done. (SEE ATTACHED Addendum #1)

Craig Layton, 8017 Cedar Court, voiced concern over the proposed connection to Layton City on 1900 East. He understood the necessity but didn't think it could be implemented practically. He expressed there will be a lot of people flying down. He referred to mudslides and felt the hill is unstable.

Michael Grant, 2622 Deer Run Drive, voiced his concerns with the public comment format and felt there is a lack of dialogue. He was frustrated with the delay getting answers posed during the comment period. He feared the General Plan will be stamped without regard to public input. He demanded remote connection to the meetings so people could interact if they are not present.

Mike Skousen, 7932 S. 2530 E., related when emotions are high, IQs are low. He trusted his elected officials but claimed he shouldn't have trusted them or their decisions. He felt the current Council is defensive by which he infers they are hiding something. He agreed the citizens are not receiving answers to their questions or the answers are to deflect or protect which doesn't present a clear picture of what is going on. He proclaimed the City Council's job is to work for the citizens: The citizens don't work for the council. He evaluated the Council is not doing a good job. He emphasized the citizens want the Council to do what they want, not what the developer or a master planner that doesn't live in the city want. He was dismayed that the Council would remain neutral. He admonished the Council to review the past and if something was done incorrectly determine how to fix it. He was frustrated that he was told nothing could be done. He opined there hasn't been checks and balances. He commented people aren't getting involved because their concerns have no effect and they don't think they can make a difference. He stated his citizen group plans to take legal action. He expressed the cycle of training new Mayors and Council upon election doesn't utilize the experience of those who previously served so the errors continue. He proposed paying Mayor Sjoblom more and eliminating the City Planner and City Manager positions. He recommended contracting for those services. He expressed disbelief that those who live outside of the city can have the best interests of the city in mind. He accused the Council to have been bullied and pushed in the direction staff wanted. He wanted to see development slow down. He thanked the Council for their time and service.

Corinne Johnson, 8020 S. 2500 E., asked if the work completed on the General Plan by the Planning Commission last Thursday had been reviewed by the City Council. She declared there was no new information presented about the mixed-use guidelines. She suggested it should not go out to the public on September 1st until the mixed-use overlay is defined.

Mindi Smith, 2440 E. 8300 S., voiced her concerns with the Lofts at Deer Run. She was distressed the Mayor and Council did not have full disclosure when the Lofts was presented. She wanted to know who should have relayed information and didn't. She expressed displeasure that the citizens didn't know about the development agreement until it had been signed. She wondered why the Council didn't find it odd that no one was present to oppose it. She inquired who changed the general plan in 2016. She sought understanding on why the Citizens weren't given a vote regarding South Bench Road. She communicated the City Planner stated in two different meetings that the City must have a moderate-income housing plan and made it sound

like a fact. She referenced Hayley's research which found of the 25 options the city must pick three. She claimed some of the options have nothing to do with high density.

Todd Rimmosch, 7879 S. 1800 E., expressed his apprehension of increased traffic if 1900 East connects to Layton City. He suggested a toll road to help regulate traffic.

Natalie Browning, 926 E. 7240 S., disclosed she has been sitting by naively thinking things were going along the way she wanted until this outcry. She examined the General Plan and disagrees that it follows most citizen's wants. She defined a planning commission is in charge of providing orderly development of the city including making provisions for land uses in the best interest of its citizens. She related that Planning Commission agenda for 08-22-19 scheduled public comment for 6:30 pm but was not held for 3.5 hours. She challenged if that was illegal or just rude. She disclosed the City Manager, the City Planner, and one Planning Commission Member were the primary speakers in the meeting and other people's input didn't seem to be valued. She accounted there was an incident where a citizen was verbally attacked by the leader of the Planning Commission. She petitioned to remove Tim Grubb because he pushed through his own interests. She was frightened her family farm is in danger as it is designated moderate density housing in the General Plan. She articulated the city doesn't need both a City Manager and City Planner. She urged more input from citizens.

Kathy Devino, 2480 E. 8300 S., announced concern about the South Bench connection to Layton City. She was apprehensive about disturbing the soil and chemicals.

Haley Alberts, 7550 S. 1450 E., proclaimed the focus of the recent Planning Commission meeting seemed to be a walkable community. She opposed that idea. She discussed high density housing for the Ray property. She noted there is already an access road which would eliminate the need to exit onto South Weber Drive. She reported Brent Poll has been challenging HAFB soil pollution for a long time and it concerns many residents. She asked about the status of the wetlands at Canyon Meadows Park.

Mayor Sjoblom invited comments from the Council. Noting not all questions could be answered in this meeting, she articulated David Larson is willing to answer questions on the city website so that it available for the whole community. She defended the public comment format as necessary to avoid problems demonstrated by the previous planning meeting. She offered to stay after meetings to answer questions. She also voiced emails or calls are welcome. She expressed appreciation for the service of the Planning Commission.

Councilwoman Petty thanked the public for their attendance. She clarified that only South Bench Drive Phase 1 is currently in process. The other phases are not imminent. She understood the concerns with soil contamination and grade and pronounced if it isn't feasible it will not happen. She appreciated the solution of a toll road. She addressed the political education process. She vowed to be transparent but explained she doesn't want to open herself to personal attacks.

Mayor Sjoblom addressed the definition of mixed-use overlay and explained they will take their time to make sure it is clearly defined so that everyone knows.

Councilman Halverson vocalized Planning Commission Thursday night was exhausting for everyone. He will try to answer any questions. He reminded those in attendance that the General

Plan is just a concept, and the city wants feedback and public input. He expressed there are a lot of different opinions even within the same meetings and same groups and sometimes the best outcome is a happy medium. He explained the concept of a walkable community has not been adopted as the city vision. He related the zoning change that took place in his backyard and discussed how he ignored the public notices. He divulged nothing underhanded happened.

Councilman Taylor explained before the South Bench Drive is connected the Army Corp of Engineers will need to test the soil, elevation and stability. He declared the City Council is governed by laws which must be followed. No one serves with a personal agenda to get something done. He proclaimed the city needs another exit out of the city in case of emergency.

Councilman Halverson pointed out the city cannot offer more answers about the Lofts until presented with a plan. The only thing available is a concept. He stated the Council wants to know what the developer intends as much as the citizens.

Councilman Taylor reported the gravel pit pays over \$100,000 to the community every year. He believed without their support the city would go belly up.

David Larson, City Manager, gave an update on the wetland situation. The map had been sent to the Army Corp for approval. The city will then create a restoration plan removing the fill. He didn't anticipate the wetlands will last forever based on natural hydrology. He revealed the park is on hold. Mayor Sjoblom added there will be no improvements made until the wetlands are restored.

Councilman Hyer echoed thanks to those in attendance. He related four years ago he was in their position and decided to run for office. He expressed there are a lot of things residents have heard that may or may not be right. He disclosed there are sampling of individuals tonight who have one opinion and if there were a sampling of other individuals, they may have the opposite opinion. He disclosed the Council makes the best decision they can with the information available always looking toward the future. He understood the frustration with the Lofts at Deer Run. He wasn't present at that meeting but has since reviewed the information. He recounted there was no indication that the development being proposed was a possibility. He defended City Manager David Larson and announced David is doing great things for our city and leading in a terrific way. He said the current City Council is united and in tune with the city. He pointed out the City Council has the same concerns as the citizens. He clarified there are certain things, legally, by which the Council must abide. The Council will use all resources at their disposal to limit developers. He assured individuals that the City Council is open to ideas. He explained the City Council has been looking at some of these items for years, not weeks. He revealed the City Council is trying their best to serve the citizens. He encouraged individuals to contact him with their questions and concerns. He echoed the City Manager is trying his best to answer questions on the city website.

Councilman Halverson spelled out that the City Planner and City Engineer are on contract with the city. Mayor Sjoblom said the General Plan will be open for opinions and suggestions. She warned there will be varying opinions and requested residents respect opposing views.

Approval of Consent Agenda
a. July Check Register

Councilwoman Petty moved to approve the consent agenda as presented. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, and Taylor voted aye. The motion carried.

Davis County Sheriff's Report by Captain West

Sergeant Pope from the Davis County Sheriff's Office presented the quarterly report. He introduced Captain West and Sheriff Sparks who were in attendance. He reviewed weekly staffing performance hours for dayshift and nightshift. He noted the weekly average is 98 hours in South Weber. He disclosed there have been 27 arrests, 53 offenses, 33 citations, 47 violations, and 343 incidents (average 3 calls per day) in the last 90-120 days. He reported they enjoyed hanging out with the kids at Country Fair Days. He updated everyone on the U-turn situation off the South Weber exit. He verified it is a legal turn. UDOT said a study will need to be completed before they will put up signs. (The full presentation is attached as Addendum #2)

RESOLUTION 19-40: Adopt International Wildland-Urban Interface Code

Mayor Sjoblom noted as urban development reaches into wildland areas the risk of fire is substantially increased. South Weber City has wildland areas with development potential. For the purpose of prescribing regulations governing conditions hazardous to life and property from impacts related to development in wildlands, it is necessary for South Weber City to adopt the International Wildland-Urban Interface Code. Captain Cole Fessler explained that this code implements building construction more resistant to fire.

Councilman Taylor moved to approve Resolution 19-40 Adopt International Wildland-Urban Interface Code. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, and Taylor voted aye. The motion carried.

New Business

Mayor Sjoblom directed David to include recent citizen's questions with new answers above older posts on the city website.

Reports:

Councilman Halverson: He encouraged everyone to make public comments for the General Plan. He recounted that Barry Burton, City Planner, and the Planning Commission have been working on the General Plan since February 2019. He voiced the commercial overlay zone has been removed.

Captain Fessler: He articulated the South Weber Fire Department also responded to most of the calls reported by the Davis County Sheriff's Office.

Councilman Halverson moved to adjourn to a Closed Executive Session - UCA § Section 52-4-205(1) (d): to discuss the purchase, exchange or lease of real property. Councilman Taylor seconded the motion. Mayor Sjoblom called for the vote. Council Members Halverson, Hyer, Petty, and Taylor voted yes. The motion carried.

Closed Executive Session - UCA § Section 52-4-205(1) (d): to discuss the purchase, exchange or lease of real property.

Closed Session Commenced at 7:58 p.m.

In Attendance: Mayor Sjoblom, David Larson (City Manager), Lisa Smith (City Recorder), Michelle Clark (Transcriber), Council Members Halverson, Hyer, Petty, and Taylor.

Councilman Halverson moved to adjourn the closed session at 8:21 p.m. Councilwoman Petty seconded the motion. Council Members Halverson, Petty, Hyer, and Taylor voted aye. The motion carried.

Councilman Halverson moved to open the public session at 8:25 p.m. Councilman Taylor seconded the motion. Council Members Halverson, Hyer, Petty, and Taylor voted aye. The motion carried.

ADJOURNED: Councilman Taylor moved to adjourn the Council Meeting at 8:25 p.m. Councilman Hyer seconded the motion. Council Members Halverson, Hyer, Petty, and Taylor voted yes. The motion carried.

APPROVED: _____ Date 09-17-2019

Mayor Pro Tempore: Wayne Winsor

Transcriber: Michelle Clark

Attest: _____
City Recorder: Lisa Smith



Final
Operable Unit 15
Site ZZ113
Hill Air Force Base, Utah
Proposed Plan



Public Comment Period: June 12 through July 11, 2017

Public Meetings: June 21, 2017, 6 to 8 p.m.
June 22, 2017, 5 to 7 p.m.

Submitted:
June 2017

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Introduction

The U.S. Air Force (USAF) is requesting public comment on its **Proposed Plan** for **vapor intrusion** mitigation measures associated with **Operable Unit (OU) 15** associated with Hill Air Force Base (AFB). OU 15 is one of 15 OUs at Hill AFB. The other 14 OUs were defined based on the presence of contamination in soil or groundwater. OU 15 addresses off- and on-Base areas managed under the **Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)** where vapor intrusion into residences and other structures is known to occur. An important distinction for OU 15 is that the single affected environmental medium is indoor air. The purpose of the proposed actions in this plan is to control or prevent human exposures to **volatile organic compounds (VOCs)** in indoor air during the period while remedies for the other OUs are used to permanently reduce VOC concentrations in groundwater and **source areas**. OU 15 is also referred to as Site ZZ113 by the USAF Environmental Restoration Program.

The focus at OU 15 is on indoor air impacted by VOCs moving from the contaminated groundwater or soil into the air, potentially exposing building occupants to VOCs by inhalation. Hill AFB groundwater contaminated with VOCs has migrated from on-Base sources to off-Base areas beneath parts of seven residential communities surrounding the Base, including Riverdale, Roy, Sunset, Clinton, Clearfield, South Weber, and Layton, in Weber and Davis Counties.

This Proposed Plan is a document that the USAF issues to seek public participation regarding actions it proposes to perform under CERCLA and the **National Oil and Hazardous Substances Pollution Contingency Plan (NCP)**. Public participation requirements are discussed in CERCLA Sections 113(k) and 117(a) and Part 300.430(f)(2) of Title 40, Chapter I, Subchapter J of the Code of Federal Regulations (CFR).

This Proposed Plan is based on findings summarized in the OU 15 **Remedial Investigation Report** (EA Engineering, Science, and Technology, Inc., PBC [EA] 2016) and the OU 15 **Feasibility Study Report** (EA 2017). The Remedial Investigation Report documents the investigative work done to learn about underground conditions leading to vapor intrusion in residences and other structures, and details potential risk to human health from this vapor intrusion. The Feasibility Study Report evaluates potential remedies or response actions to address vapor intrusion in residences or other structures with VOC concentrations above site-specific, **risk-based action levels (RBALs)**. The Remedial Investigation and Feasibility Study were conducted according to CERCLA, applicable CERCLA guidance, and the NCP.

This Proposed Plan summarizes the Remedial Investigation and Feasibility Study reports. The public is encouraged to reference these documents for specific details that may not be included in this Proposed Plan. These documents are included in the **Administrative Record** at locations listed at the end of this document.

This document is issued by the USAF, which is the lead agency for response actions at OU 15, and by the **U.S. Environmental Protection Agency (EPA)**, which is the lead regulatory agency for CERCLA response actions at Hill AFB. **Utah Department of Environmental Quality (UDEQ)** is a support agency providing regulatory oversight. The public comment period begins June 12, 2017, and ends July 11, 2017. The USAF will consider the public's verbal and written comments and prepare responses following the public comment period. The USAF and EPA will jointly approve the remedy after consulting with UDEQ. A summary of the comments and responses will accompany the **Record of Decision** for OU 15. The Record of Decision is a legally binding decision document signed by the USAF, EPA, and UDEQ that states what response actions will be taken at the site and includes the rationale for making the selection. The **preferred alternative**, or recommended action, may be modified or different alternatives other than those presented in this Proposed Plan may be selected on the basis of new information or public comment. Written comments should be sent to Mr. Mark Roginske (refer to contact information on Page 18).

To assist the reader, when a key technical or administrative term is first introduced in this Proposed Plan, it appears in **bold type**. A glossary of these specialized terms, as well as a list of the acronyms and abbreviations used in this document, is included at the end of this Proposed Plan.



Site Background

Hill AFB is located in northern Utah, approximately 30 miles north of Salt Lake City and 7 miles south of Ogden. Hill AFB occupies approximately 6,700 acres within portions of Davis and Weber counties. Hill AFB has been the site of military activities since 1920, including distribution of military equipment, aircraft rehabilitation and maintenance, and missile assembly. A variety of ongoing industrial operations support the missions of Hill AFB, including metal plating, degreasing, paint stripping, painting, sanding, and other operations associated with aircraft, missile, and vehicle repair and maintenance. These industrial operations have generated numerous spent chemicals and wastes, including chlorinated and non-chlorinated solvents and degreasers, petroleum hydrocarbons, acids, bases, metals, and other chemicals.

For many years, chemicals and associated waste products were disposed in chemical disposal pits and landfills or released from storage or process areas. Since the 1970s, the USAF has (1) changed its procedures to reduce or eliminate its use of numerous chemicals, and (2) developed and practiced regulated waste management, storage, and disposal procedures in compliance with regulations developed since that time.

Historical chemical handling practices resulted in soil (on-Base) and groundwater (on- and off-Base) becoming contaminated with VOCs. Vapor intrusion is a process where VOCs in the soil or groundwater volatilize, or evaporate, and move through soil or utility lines (e.g., sewers and drain lines) into nearby, occupied buildings.

Figure 1 illustrates key vapor intrusion concepts including the following:

- **Subsurface vapor sources:** Soil or groundwater contaminated with VOCs. For off-Base areas, the vapor sources consist of the groundwater VOC plumes. In on-Base areas, the vapor sources consist of the (1) groundwater VOC plumes, and (2) areas where soil is contaminated with VOCs.
- **Receptors:** Residents or workers occupying homes or buildings near the vapor source.
- **Vapor migration:** The path that vapors travel between source and receptors. Typically, this involves VOCs moving upward through soil, through a building slab, and into indoor air. Vapors may also move from a vapor source to a building through preferential pathways such as utility lines (e.g., sewers and drain lines). In areas with very shallow groundwater, contaminated groundwater may enter a building directly through a sump and VOCs may volatilize from the groundwater.

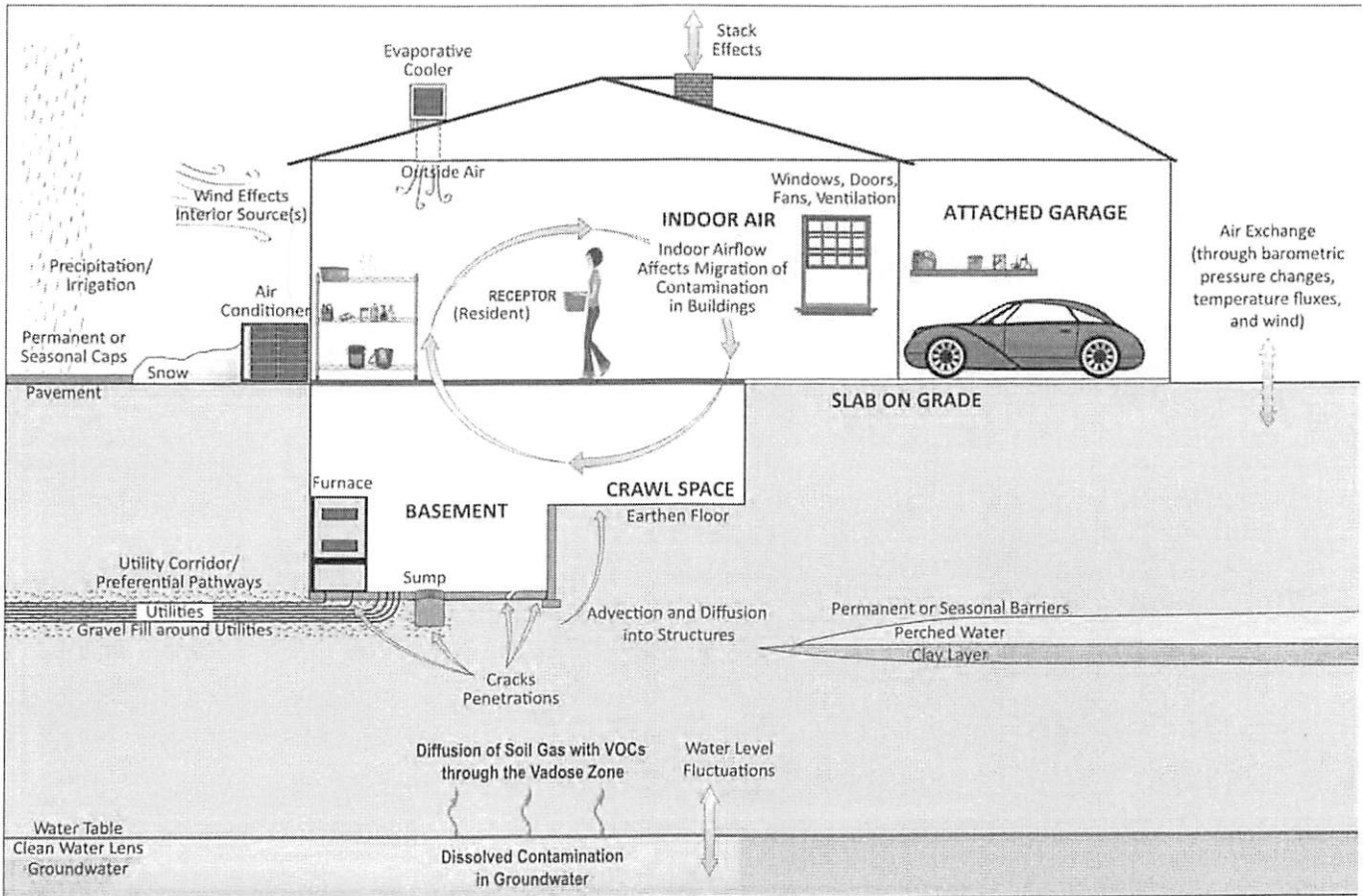
Hill AFB has a long history of investigating and **mitigating** vapor intrusion in the surrounding communities and on-Base, including:

- As early as 1992, indoor air samples were collected in off-Base residences as part of groundwater investigations for some OUs.
- In May 2000, Hill AFB standardized the procedures for collecting and analyzing air samples and began more widespread indoor air sampling of off-Base residences.
- Hill AFB initiated a CERCLA regulatory mechanism known as a **Time Critical Removal Action (TCRA)** that included installing vapor intrusion mitigation systems in residences with elevated indoor air concentrations of possible site-related VOCs (MWH 2003).
- In 2003, Hill AFB established the Indoor Air Program with the Basewide Air Sampling and Analysis Plan, Indoor Residential Air Sampling (MWH 2004) as the primary governing document for indoor air sampling and mitigation activities.
- Between January 2000 and April 2013, Hill AFB has collected more than 8,500 indoor air samples from nearly 2,000 off-Base residences and installed 120 vapor intrusion mitigation systems.



- From 2008 through 2009, Hill AFB performed a vapor intrusion investigation of on-Base industrial and office buildings at OU 10. This investigation found no buildings requiring mitigation.
- Starting in 2014, Hill AFB investigated vapor intrusion at industrial buildings in other areas of the Base. This investigation also found no buildings requiring mitigation. However, further monitoring was recommended at one building to address uncertainties identified while analyzing the results.

FIGURE 1
Key Vapor Intrusion Concepts
Operable Unit 15 – Site ZZ113 Proposed Plan, Hill Air Force Base, Utah





Site Characteristics

Current occupied buildings and future off- and on-Base buildings located in portions of certain OUs are considered to be within the scope of OU 15 until remedies for those OUs permanently reduce VOC vapor sources. A summary of the OUs included in OU 15 is provided in **Table 1**. These OUs were determined as a result of investigations discussed in the Site Background section and the risk assessment discussed in the Summary of Site Risks section of this Proposed Plan. **Figure 2** shows the areas within those OUs with the potential for vapor intrusion. These areas are within approximately 100 feet of the VOC soil and groundwater contamination associated with OUs 1, 2, 4, 5, 6, 8, 10, and 12, combined with areas containing known or suspected preferential vapor pathways.

Table 1 also lists the preliminary **chemicals of concern (COCs)** and/or **chemicals of potential concern (COPCs)** associated with each OU. For OU 15, preliminary COCs are chemicals detected in indoor air at concentrations above RBALs due to vapor intrusion. COPCs are chemicals identified in soil or groundwater during a remedial investigation at concentrations with the potential to volatilize to indoor air, but have not been detected in indoor air above RBALs.

TABLE 1
Scope of Operable Unit 15
Operable Unit 15 – Site ZZ113 Proposed Plan, Hill Air Force Base, Utah

Scenario	Operable Unit(s)	Preliminary COC(s)	COPCs
Off-Base – Current and Future	OUs 1 and 2 (sewer gas intrusion only)	TCE	Benzene, chlorobenzene, 1,1-DCA, 1,2-DCA, 1,2-DCB, 1,3-DCB, 1,4-DCB, ethylbenzene, toluene, trans-1,2-DCE, VC
	OUs 5, 6, and 12	TCE	NA
	OU 8	1,2-DCA and TCE	NA
On-Base – Current	OU 8 (Building 265 only)	TCE	NA
On-Base – Future ⁽¹⁾	OU 1 and 2	NA	TCE, benzene, chlorobenzene, 1,1-DCA, 1,2-DCA, 1,2-DCB, 1,3-DCB, 1,4-DCB, ethylbenzene, toluene, cis-1,2-DCE, trans-1,2-DCE, 1,1,1-TCA, VC
	OUs 4, 5, 6, and 10	NA	TCE, 1,1-DCA, 1,2-DCA, 1,1-DCE, cis-1,2-DCE, trans-1,2-DCE, PCE, and VC
	OU 8 and 12	NA	TCE, carbon tetrachloride, 1,1-DCA, 1,2-DCA, 1,1-DCE, cis-1,2-DCE, trans-1,2-DCE, PCE, 1,1,1-TCA, and VC

NOTES:

⁽¹⁾ The identified list of future on-Base preliminary COCs may be revised at a later time to account for additional information or updated site understanding.

- COC = Chemical of concern.
- COPC = Chemical of potential concern.
- DCA = Dichloroethane.
- DCB = Dichlorobenzene.
- DCE = Dichloroethene.
- NA = Not applicable.
- OU = Operable Unit.
- PCE = Tetrachloroethene.
- TCA = Trichloroethane.
- TCE = Trichloroethene.
- VC = Vinyl chloride.



The OU 15 Remedial Investigation Report (EA 2016) documents the investigative work done to learn about underground conditions leading to vapor intrusion in residences and other structures and details potential risk to human health from this vapor intrusion. In 2003, the USAF initiated mitigation measures that included installing vapor intrusion mitigation systems in off-Base residences with concentrations of potential site-related VOCs in indoor air. **Table 2** summarizes key information associated with the investigations and mitigation activities.

TABLE 2
Investigation and Mitigation Summary
Operable Unit 15 – Site ZZ113 Proposed Plan, Hill Air Force Base, Utah

Groundwater Operable Unit	Off-Base		On-Base		Notes
	Residences Investigated	Residences Mitigated	Buildings Investigated ⁽¹⁾	Buildings Mitigated	
1	37	2	0	0	Off-Base vapor intrusion occurs from contaminated water in sewer pipes.
2	23	3	3	0	Off-Base vapor intrusion occurs from contaminated water in sewer pipes.
4	3	0	0	0	
5	611	19	0	0	
6	84	9	2	0	
8	646	63	8	0 ⁽²⁾	
10	201	1	7	0	
12	356	23	0	0	
Total	1,961	120	20	0	

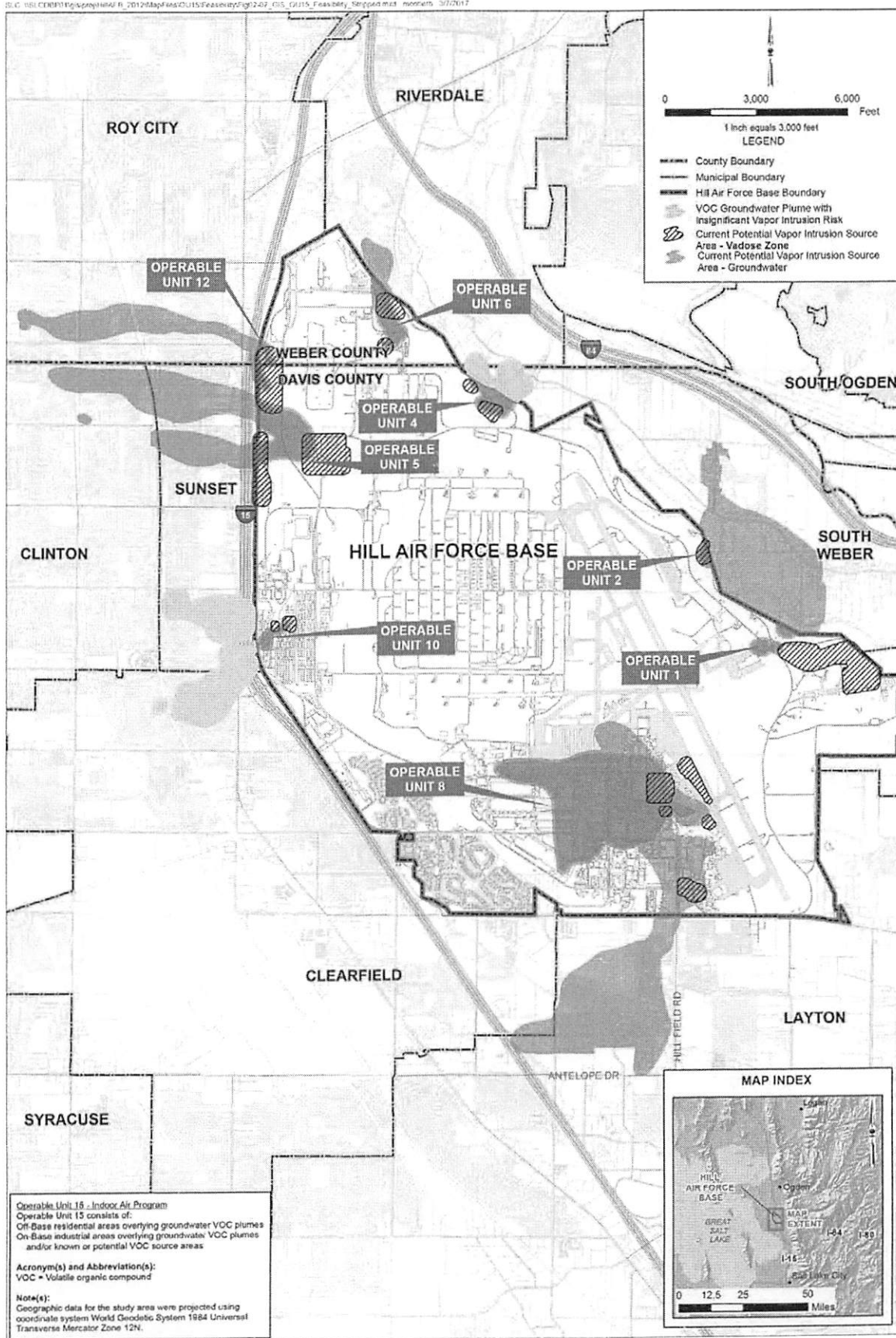
NOTES:

- ⁽¹⁾ The occupied on-Base buildings overlying these OUs (except OU 10) were ranked with respect to potential for vapor intrusion. High-priority buildings were targeted for investigation. At OU 10, investigation included subslab soil gas and indoor air sampling at seven buildings.
- ⁽²⁾ Additional monitoring will be conducted for one building (Building 265) to address remedial investigation uncertainties.

OU = Operable Unit.



FIGURE 2
Operable Unit 15 Location Map
Operable Unit 15 – Site ZZ113 Proposed Plan, Hill Air Force Base, Utah





Scope and Role of Response Action

OU 15 was designated in 2013 as a media-specific OU under the CERCLA statute to address indoor air where occupied buildings or residences overlie or are near VOC-contaminated soil or groundwater, or where vapors can migrate from VOC-contaminated soil or groundwater to occupied buildings through preferential pathways like sewers and drain lines. These source areas and groundwater plumes are managed under eight other Hill AFB OUs. Managing vapor intrusion-related indoor air across the Hill AFB CERCLA program under a single OU has simplified management and improved consistency of the Indoor Air Program.

This Proposed Plan includes assessment of vapor intrusion mitigation alternatives for off-Base OUs 1, 2, 5, 6, 8, and 12 and on-Base OUs 1, 2, 4, 5, 6, 8, 10, and 12. The off-Base areas of OUs 4 and 10 are not included as part of OU 15 because significant vapor intrusion is not occurring in those areas (i.e., measured indoor air concentrations of VOCs that originated at Hill AFB were below RBALs). The remaining OUs are not included as part of OU 15 for the following reasons:

- OUs 3 and 7 are investigated as part of OU 8.
- At OU 9, there are no unacceptable current or hypothetical future risks associated with vapor intrusion. Off-Base, no groundwater plumes associated with OU 9 extend beneath off-Base residences. On-Base, a soil gas investigation completed during the OU 9 specific RI process determined that there is no unacceptable vapor intrusion risk for current or future receptors (Hill AFB 2015a).
- At OU 11, there is not a groundwater plume that extends off-Base. On-Base, a soil gas investigation determined that while there are no current vapor intrusion risks, there are hypothetical risks associated with potential future buildings at the site. Institutional controls were established in the OU 11 Record of Decision that restrict potential future construction at the site (Hill AFB 2015b).
- OUs 13 and 14 address non-VOC contaminants.

The cleanup of contaminated groundwater/soil that may be a source for vapor intrusion is being performed as part of individual Operable Unit (i.e., OUs 1, 2, 4, 5, 6, 8, 10, and 12) cleanup remedies. Therefore, remedial alternatives considered in this Proposed Plan for OU 15 are focused on actions associated with preventing exposure to contaminant vapors, not treating the vapor source (contaminated groundwater/soil). At OUs with ongoing **remedial actions** that have the potential to increase vapor intrusion, measures to mitigate potential vapor intrusion may be incorporated into remedies for those OUs. At OU 10, for example, operation of a soil vapor extraction system may be implemented as part of the OU 10 groundwater bioremediation remedy if soil gas concentrations exceed screening levels (EA 2015).

The Remedial Investigation focused on existing buildings and did not identify on-Base buildings where mitigation was warranted. It is possible that new buildings could be constructed in on-Base areas with VOC contaminated soil and/or groundwater. Hill AFB has controls in place to evaluate vapor intrusion in such cases. If such an evaluation shows a potential for significant vapor intrusion, then the Feasibility Study Report may be consulted for appropriate pre-emptive vapor intrusion mitigation technologies that could be designed and constructed for the purpose of mitigating the potential vapor intrusion pathway during building construction. However, the costs of implementing any building pre-emptive vapor intrusion mitigation technologies would be funded as part of the construction project, not as part of OU 15.

Similarly, for new residential construction in off-Base areas with the potential for vapor intrusion, the Feasibility Study Report will be available as a reference for relevant pre-emptive vapor intrusion mitigation technologies, but the costs of implementing any building preemptive vapor intrusion mitigation technologies would be funded as part of the off-Base construction project, not as part of OU 15. Once constructed, new residential structures in off-Base areas may be incorporated into the OU 15 indoor air monitoring program. As part of the current Indoor



Air Program, the USAF works closely with the communities potentially affected by vapor intrusion. The USAF presents at city council meetings, provides city leaders with regular updates on changes to areas in their communities with a potential for vapor intrusion, and works directly with cities to notify residents of the sampling program in their city newsletters. In turn, cities have used the information provided by the USAF for their planning purposes.

A statutory review will be conducted every five years to ensure that OU 15 response actions are protective of human health and the environment. These Five-Year Reviews will continue until conditions are attained that allow for unlimited use and unrestricted exposure, as required pursuant to CERCLA §121(c) and NCP §300.430(f)(5)(iii)(C).



Summary of Site Risks

A **Human Health Risk Assessment** was completed as part of the Remedial Investigation Report. The risk assessment applied standard EPA methodology to derive conservative estimates of potential risks to building or residence occupants exposed to VOCs coming from vapor intrusion. There are no ecological risks associated with OU 15 because vapor intrusion is the only potential exposure pathway applicable to OU 15. The words “complete” and “significant” are used in the discussion of the OU 15 results below. In the context of OU 15, those words are defined as follows:

- Complete means that the VOCs detected in a building or residence came from soil or groundwater contaminated with VOCs that originated at Hill AFB.
- Significant means that detected indoor air concentrations were above established RBALs.

The risks associated with OU 15 were evaluated in the OU 15 Remedial Investigation Report (EA 2016) and are summarized below.

- Complete and significant vapor intrusion was found off-Base at OUs 1 and 2 (sewer gas intrusion only), and in OUs 5, 6, 8, and 12.
- Vapor intrusion was incomplete and/or insignificant off-Base at OUs 4, 9, and 10.
- No on-Base buildings were found to have complete and significant vapor intrusion. However, due to the uncertainties in the results of investigation performed at Building 265, further indoor air monitoring at that building is warranted.

The main outputs of the risk assessment were non-cancer hazard quotients (HQs), hazard indexes (HIs), and excess lifetime cancer risks (ELCRs). An HQ is the ratio of the potential exposure to the substance and the level at which no adverse effects are expected; the HI is the sum of HQs for substances that affect the same target organ or organ system. An ELCR is the risk of developing cancer due to a chemical exposure beyond the normal risk of an individual developing cancer in a lifetime. These results were compared to criteria presented in the NCP and EPA CERCLA guidance, specifically, an HI of 1 (an HI less than or equal to 1 indicates that adverse non-cancer effects are not likely to occur) or an ELCR range of 1×10^{-6} to 1×10^{-4} (i.e., 1 in 1 million to 1 in 10,000).

Table 3 provides counts of the residences that fall within various ranges of cancer risks and non-cancer hazards and the applicable risk drivers. Indoor risks and hazards associated with the on-Base buildings evaluated are summarized in **Table 4**. No cancer risk or non-cancer HI drivers were identified for vapor intrusion on-Base.

The risk assessment results were based on indoor air samples collected before vapor intrusion mitigation systems were installed. Based on the results of indoor air monitoring, the USAF has installed, operated, and maintained 120 vapor intrusion migration systems since 2000 for vapor intrusion thought to be associated with Hill AFB. Structures with vapor intrusion mitigation systems are regularly monitored to ensure indoor air concentrations remain below action levels.



TABLE 3
Summary of Carcinogenic Risk and Non-Cancer Hazard Estimates, Off-Base
Operable Unit 15 – Site ZZ113 Proposed Plan, Hill Air Force Base, Utah

OU	Total Locations	Cancer (ELCR)					Risk Drivers
		Not Calculated	≤ 10 ⁻⁶	10 ⁻⁶ to 10 ⁻⁵	10 ⁻⁵ to 10 ⁻⁴	> 10 ⁻⁴	
1	11	6	1	4	0	0	--
2	12	2	4	6	0	0	--
5	149	4	83	52	8	2	TCE
6	34	10	1	18	3	2	TCE
8	260	28	5	116	102	9	TCE, 1,2-DCA
9	1	0	1	0	0	0	--
10	47	2	31	14	0	0	--
12	55	1	6	37	10	1	TCE

OU	Total Locations	Non-Cancer (HI)			Risk Drivers
		Not-Calculated	≤ 1	> 1	
1	11	3	7	1	TCE
2	12	0	12	0	--
5	149	1	128	20	TCE
6	34	1	24	9	TCE
8	260	2	184	74	TCE
9	1	0	1	0	--
10	47	0	46	1	See Note
12	55	1	36	18	TCE

NOTES:

- AFB = Air Force Base.
- COPC = Chemical of potential concern.
- HI = Hazard index.
- DCA = Dichloroethane.
- ELCR = Excess lifetime cancer risk.
- OU = Operable Unit.
- PCE = Tetrachloroethene.
- TCE = Trichloroethene.
- VI = Vapor intrusion.

OU 1: The single TCE detection corresponding to HI > 1 is due to sewer gas intrusion, not the typical subsurface to indoor air VI pathway.

OU 5: PCE was identified as a risk driver at one location, but PCE in groundwater near that residence is not related to Hill AFB releases.

OU 9: No residences had a cancer risk exceeding 10⁻⁶ or a non-cancer HI of 1.

OU 10: PCE was the primary risk driver at OU 10. However, multiple lines of evidence suggest VI from Hill AFB contamination is not the source of PCE in the indoor air at this location (EA 2017). As a result, PCE was not identified as a risk driver at OU 10.

OU 12: PCE was identified as a risk driver at one location, but PCE in groundwater near that residence is not related to Hill AFB releases.

Not Calculated: Risks or hazards may not be calculated for a particular residence due to lack of detections or lack of toxicity values for the specific detected analytes and health endpoints (cancer or non-cancer).

The number of total locations includes only those residences with detections of at least one COPC. The majority of the Hill AFB indoor air dataset consists of non-detect analytical results. More than 2,000 residences have been sampled in total.



TABLE 4
Summary of Carcinogenic Risk and Non-Cancer Hazard Estimates, On-Base
Operable Unit 15 – Site ZZ113 Proposed Plan, Hill Air Force Base, Utah

OU ⁽¹⁾	Building	Cancer (ELCR)	Non-Cancer (HI)
OU 6	2013	2×10^{-7}	0.02
OU 6	2014	3×10^{-7}	0.05
OU 8	225	4×10^{-7}	0.08
OU 8	227	1×10^{-7}	0.01
OU 8	265	$2 \times 10^{-6(2)}$	0.4 ⁽²⁾
OU 8	505	3×10^{-7}	0.06
OU 8	507	9×10^{-7}	0.1
OU 8	510	3×10^{-7}	0.04
OU 8	576	4×10^{-7}	0.01
OU 8	592S	3×10^{-7}	0.03
OU 10	1243	5×10^{-8}	0.01
OU 10	1244	4×10^{-7}	0.1
OU 10	1254	2×10^{-7}	0.07
OU 10	1284	1×10^{-8}	0.002
OU 10	1285	2×10^{-8}	0.005

NOTES:

- ⁽¹⁾ Data from OUs 6 and 8 were collected using a pressure cycling approach.
- ⁽²⁾ The highest TCE concentrations used for the ELCR and HI estimates at Building 265 were collected under non-baseline conditions due to the implementation of temporary mitigation measures.

ELCR = Excess lifetime cancer risk.
HI = Hazard index.
OU = Operable Unit.
TCE = Trichloroethene.



Remedial Action Objective

Remedial action objectives (RAOs) are specific goals for protecting human health and the environment. Based on the Remedial Investigation and risk assessment results, one RAO was developed for OU 15 indoor air. **Applicable or Relevant and Appropriate Requirements (ARARs)** were considered in developing the RAO.

Applicable or Relevant and Appropriate Requirements (ARARs):

A state and/or federal environmental regulation that is applicable to, or relevant and appropriate for, a particular site. ARARs must be considered when selecting remedial actions.

The OU 15 RAO is defined as follows:

Prevent human exposure to indoor air chemical of concern concentrations that are present due to vapor intrusion and are above their respective residential (in the case of homes) and industrial (in the case of industrial/commercial buildings) risk-based action levels.

This RAO applies to the following scenarios:

- Current off-Base buildings or residences at OUs 1 and 2 (sewer gas intrusion only), 5, 6, 8, and 12.
- Future new, off-Base buildings or residences overlying OUs 1 and 2 (sewer gas intrusion only), 5, 6, 8, and 12 or existing buildings in those same OUs that undergo renovations or other changes that could increase vapor intrusion.
- Current on-Base Building 265.
- Future new, on-Base buildings overlying OUs 1, 2, 4, 5, 6, 8, 10, and 12 or existing buildings in those same OUs that undergo renovations or other changes that could increase vapor intrusion.

Preliminary remediation goals are defined as the respective residential (in the case of homes) and industrial (in the case of industrial/commercial buildings) indoor air RBALs developed in the Remedial Investigation Report (EA 2016). The following sections summarize an evaluation of potential remedies. Part of the evaluation is whether the potential remedies can achieve the RAO.



Summary of Alternatives

Remedy Components

The potential **remedy components** considered in the Feasibility Study Report included no action, monitoring, and mitigation. Remediation of any vapor sources (i.e., soil or groundwater contamination) at Hill AFB is being done under the OU in which the soil/groundwater contamination is associated, thus alternative development for OU 15 focused on actions associated with preventing exposure, not treating the vapor sources.

The USAF's preferred remedy components for OU 15 are monitoring and mitigation.

A general description of each potential remedy component follows.

No Action

The No Action Response would require no action to be implemented to address indoor air RBAL exceedances in current or future occupied buildings. The No Action Response serves as a baseline with which other alternatives are compared.

Notification

An annual mailing would be sent to residence areas with the potential for vapor intrusion to solicit indoor air sampling participation. Mailings would be sent using Certified Mail and Signature Confirmation services to document that mailing packets were delivered and received. Residents who refuse sampling for that year or residents who do not respond to the mailing will still receive the annual mailings in the following years in the event that either they decide they would like to participate or a new resident has moved into the home.

Monitoring

Indoor air monitoring would be performed to (1) assess the effectiveness of mitigation systems and (2) determine if vapor intrusion is complete and significant at buildings or residences where mitigation systems have not been installed.

Mitigation

Mitigation systems would be installed where the vapor intrusion is complete and significant (in the case of off-Base residences, mitigation systems would be recommended to residents). The USAF would install, operate, and maintain new mitigation systems along with existing mitigation systems. Because a wide variety of building or residence types and site conditions exist at OU 15, there is no single vapor intrusion mitigation technology that can be effectively applied in every location. Therefore, this alternative would allow flexibility in selecting an appropriate mitigation technology for a specific building or residence while controlling cost to the extent practical. The following paragraphs describe the type of technologies that may be applied individually or in various combinations to mitigate indoor air VOC concentrations above RBALs due to vapor intrusion.

Remedy Components are individual technologies or other remediation actions that might be implemented at a site.

Remedial Alternatives consist of (1) a single remedy component or (2) combination of remedy components.

Remedial Action. A single remedial alternative will be selected as the Remedial Action in the Record of Decision and will be implemented according to the Remedial Design/Remedial Action Work Plan.



Building and Residence Vapor Intrusion Mitigation

Building and residence vapor intrusion mitigation systems are designed to break the pathway that vapors follow into a building or residence, thereby reducing the potential for human exposure to site-related VOCs above RBALs. There are generally three basic technology types of vapor intrusion mitigation systems – sealing, venting, and building environmental system controls. Some components of each of those mitigation technology types are often implemented together to provide redundancy and protectiveness when designing a mitigation system.

Sealing

Sealing floors or installing a vapor barrier system impedes the entry of vapor phase contaminants into a structure.

Venting

A venting system prevents subsurface vapors from entering a building or residence by providing a preferential pathway that directs vapors from beneath a building or residence to a discharge point, rather than allowing them to migrate into the structure's interior.

Building or Residence Environmental System Controls

The existing heating, ventilation, and air conditioning (HVAC) system within the building or residence may be used or modified to maintain indoor air quality at or below RBALs. For example, a building's or residence's HVAC system could be used to maintain positive pressure in the structure, relative to the pressure below the foundation, to minimize vapor intrusion. Alternatively, an indoor air purifier could be installed within a building's or residence's HVAC system, or a smaller air purifier system could be installed in a particular area of the building or residence, to treat indoor air quality to acceptable levels.

Sewer/Drain Vapor Intrusion Mitigation

In areas of shallow soil and groundwater contamination or where drain systems convey contaminated groundwater (whether from intentional discharges or from intrusion of contaminated water), drain systems may be potential preferential pathways for vapor intrusion. VOC vapors may travel through these conduits to soils beneath or near occupied buildings/residences and result in potential vapor intrusion. VOC vapors also may travel through sewer/drain pipes into these structures via lateral connections. Sewer/drain vapor intrusion mitigation may be considered for portions of the conduit that are confirmed as a source of site-related VOCs causing indoor air concentrations above RBALs.

Venting

Sewer/drain ventilation is designed to evacuate the headspace within these conduits to mitigate vapor conveyance and reduce the potential for site-related vapor intrusion. Active or passive venting can be utilized.

Drain Removal/Modification

Field drain systems exist in some parts of OU 15 where groundwater is very shallow. In some cases, the field drain piping is no longer needed to manage the shallow groundwater but may convey vapors into buildings or residences. To break the vapor intrusion pathway associated with field drains, these drains can be abandoned or check valves can be installed on the drains to restrict water and vapor flow. For abandonment, field drain piping would be backfilled with either a bentonite slurry or cement grout. Check-valve(s) installation focuses on breaking the vapor intrusion pathway by installing valves at strategic location(s) of a field drain network identified as a known potential preferential pathway for vapor intrusion into a building or residence.



Dewatering Measures

Dewatering measures are designed to prevent or remove contaminated groundwater from basements within a structure and mitigate evaporation of VOCs from groundwater into a building or residence. Dewatering may be employed alone or in conjunction with vapor intrusion mitigation actions described above. Options include foundation crack repairs and installation of French drains, sumps, check valves, waterproof membranes, or floor drain traps.

Remedial Alternatives

The retained remedy components were assembled into two remedial alternatives, which are defined below.

Alternative 1 – No Action

Alternative 1 consists of taking no further action. This alternative serves as a baseline for evaluating alternatives and is required by the NCP. The USAF would cease operation, maintenance, and monitoring of existing mitigations systems under the no action alternative and there would be no monitoring or administrative review of site conditions. Furthermore, existing mitigation systems are USAF property and would need to be removed and homes restored under a no action alternative.

Alternative 2 – Notification, Monitoring, and Mitigation

Alternative 2 consists of notification, monitoring, and mitigation. Residents would be directly contacted to participate in indoor air sampling through annual mailings. Indoor air monitoring would be performed to determine if vapor intrusion is complete and significant at occupied buildings. Mitigation would be undertaken for occupied buildings or residences with indoor air concentrations (attributable to vapor intrusion) that exceed RBALs to reduce those concentrations to below the RBALs. One or more of the technologies described above would be implemented and maintained at each building or residence to break the vapor intrusion pathway. At buildings or residences where vapor intrusion mitigation systems are installed, monitoring would occur to assess system performance. The USAF would work with EPA and UDEQ to determine the type and frequency of indoor air monitoring and when monitoring/mitigation would no longer be required. Those details would be provided in the **Remedial Design/Remedial Action Work Plan** following the signing of the Record of Decision.



Evaluation of Alternatives

Evaluation Criteria

Federal regulations (40 CFR 300; EPA 1990) require that remedial alternatives be evaluated against the nine criteria presented in **Table 5**.

TABLE 5

National Oil and Hazardous Substances Pollution Contingency Plan Evaluation Criteria (40 CFR 300)

Operable Unit 15 – Site ZZ113 Proposed Plan, Hill Air Force Base, Utah

1	Overall Protection of Human Health and the Environment. Will the alternative adequately protect human health and the environment against unacceptable risk?
2	Compliance with ARARs. Does the alternative attain all federal and state laws and regulations that are either applicable or relevant and appropriate to the circumstances found at a particular site or provide grounds to invoke a waiver?
3	Long-term Effectiveness and Permanence. How certain is it that an alternative will provide a successful, permanent, long-term solution to the problem with minimal residual risk?
4	Reduction of Toxicity, Mobility, or Volume through Treatment. Will the alternative use treatment to reduce the toxicity, reduce the volume of the contaminants, or reduce their ability to migrate?
5	Short-Term Effectiveness (Impact on Community). What risks would implementing the alternative have on the community, workers, and environment? How long until RAOs are achieved?
6	Implementability. Can the alternative be practically and successfully implemented, considering any technical and administrative issues that may need to be addressed?
7	Cost. What is the cost to design, build, and operate the remedy?
8	Regulatory Acceptance (State and/or Support Agency Acceptance). Do EPA and UDEQ accept, oppose, or have comments on the alternative?
9	Community Acceptance. Evaluates the community's preferences for, or concerns about, the alternative (this stage occurs upon receiving public comment).

NOTES:

ARAR = Applicable or Relevant and Appropriate Requirement.

CFR = Code of Federal Regulations.

EPA = U.S. Environmental Protection Agency.

RAO = Remedial action objective.

UDEQ = Utah Department of Environmental Quality.

The nine criteria are divided into the following three categories: threshold, balancing, and modifying. Threshold criteria include (1) overall protection, and (2) compliance with ARARs, and must be met by a particular alternative for it to be eligible for selection as a remedial action.

The balancing criteria are (3) long-term effectiveness and permanence, (4) reduction of toxicity, mobility, or volume through treatment, (5) short-term effectiveness, (6) implementability, and (7) cost. The five balancing criteria weigh the tradeoffs between alternatives, allowing low ratings on one balancing criterion to be compensated by a high rating on another.

The two modifying criteria are (8) EPA and state acceptance, and (9) community acceptance. As remedial alternatives are reviewed, a preferred alternative will be selected with concurrence from EPA and UDEQ. Community acceptance will be considered following public comment.

Comparison of Alternatives

The two remedial alternatives for OU 15 were compared against the evaluation criteria presented in **Table 5**. A summary of the evaluation is described as follows and is shown in **Table 6**. The evaluation of remedial alternatives and relative rankings presented in this Proposed Plan are based on the information provided in the Remedial Investigation and Feasibility Study Reports (EA 2016; EA 2017). Please refer to those documents for additional details.



TABLE 6
Comparative Analysis of Alternatives
Operable Unit 15 – Site ZZ113 Proposed Plan, Hill Air Force Base, Utah

Operable Unit 15 Remedial Alternative Evaluation		Alternatives	
		1	2
		No Action	Notification, Monitoring, and Mitigation
NCP Alternative Evaluation Criteria	Threshold		
	Overall Protection of Human Health and the Environment	Not Protective	Protective
	Compliance with ARARs	Compliant	Compliant
	Balancing		
	Long-Term Effectiveness and Permanence	Poor	Fair
	Reduce Toxicity, Mobility, or Volume	Poor	Fair
	Short-Term Effectiveness	Good	Good
	Implementability	Good	Good
	Present Value Cost (millions of dollars)	\$0	\$8.11
	Modifying		
	Regulatory Acceptance	Not Acceptable	Acceptable
	Community Acceptance ⁽¹⁾	-	-

NOTES:

⁽¹⁾ This criterion will be evaluated through the public comment and response period for the Proposed Plan.

ARAR = Applicable or Relevant and Appropriate Requirement.

NCP = National Oil and Hazardous Substances Pollution Contingency Plan.

Overall Protection of Human Health and the Environment

With Alternative 1, no monitoring would occur to determine risk to building occupants and no new remedial actions would be implemented at locations where vapor-intrusion-related VOC concentrations exceed RBALs. Accordingly, Alternative 1 would not identify or prevent vapor-intrusion-related exposures above RBALs so Alternative 1 does not meet the threshold criteria of protection of human health and environment.

Implementation of Alternative 2 would involve notifying residents of the Indoor Air Program, monitoring, and implementing mitigation systems in vapor-intrusion-impacted, occupied structures. An annual mailing would be sent to residences within areas with the potential for vapor intrusion to solicit indoor air sampling participation. Mailings would be sent using Certified Mail and Signature Confirmation services to document that mailing packets were delivered and received. Indoor air monitoring would be performed to determine if vapor intrusion is complete and significant at occupied buildings. In buildings with indoor air concentrations (attributable to vapor intrusion) that exceed RBALs, installation of a vapor intrusion mitigation system would break the vapor intrusion pathway; thus, mitigating the human receptor exposure risk. Indoor air sampling would occur once vapor intrusion mitigation system installation is complete to verify system performance and achievement of the RAO. This alternative is protective of human health and the environment.

Compliance with Applicable or Relevant and Appropriate Requirements

The ARARs identified in the Feasibility Study Report include the following:

1. Hazardous waste regulations that would be applicable if air purifiers were used to reduce indoor-air VOC concentrations. These regulations require (a) evaluation to determine whether spent filters should be classified as non-hazardous or hazardous waste, and (b) proper waste management in accordance with that determination.
2. Regulations regarding pre-treatment of waters discharged to public sewers. These regulations would be applicable if a dewatering system was installed and the water was discharged to a sewer.



These ARARS are associated with specific mitigation actions and therefore do not apply to Alternative 1 (No Action). Therefore, Alternative 1 achieves compliance with ARAR criterion (because there are no applicable ARARs).

Alternative 2 can be implemented in a way that complies with the hazardous waste and wastewater ARARs. Therefore, Alternative 2 meets this threshold criteria.

Long-Term Effectiveness and Permanence

Under Alternative 1, no remedial action(s) would be conducted. Therefore, the alternative would have poor long-term effectiveness and permanence.

Mitigation measures implemented under Alternative 2 would be effective in the long term as long as maintenance of the mitigation systems and continued indoor air monitoring are in effect. However, the mitigation systems installed under Alternative 2 would not be permanent as the remedies for the groundwater and soil contamination OUs at Hill AFB would reduce and ultimately eliminate the underlying vapor sources, and thus eliminate the need for the mitigation systems.

Reduction of Toxicity, Mobility, or Volume through Treatment

Under Alternative 1, no remedial action(s) would be conducted. Therefore, the alternative would not be effective at reducing the toxicity, mobility, or volume of indoor air contamination.

In some circumstances (e.g., when indoor air purifiers are used), Alternative 2 would provide good reduction of toxicity, mobility, or volume of indoor air contamination through treatment. In other instances (e.g., when sealing or venting are used), although Alternative 2 does not involve treatment to reduce vapors, it would reduce the amount of vapors entering a structure, thus reducing or eliminating indoor air contamination.

Short-Term Effectiveness

Under Alternative 1, no remedial action(s) would be conducted. Therefore, the alternative would not be effective at preventing building occupants' exposure to VOCs in the short term.

Short-term effectiveness evaluates worker and community protection during remedial actions. Under Alternative 2, exposure of workers to contaminated indoor air during monitoring would be minimal. Based on Hill AFB's experience, indoor air VOC concentrations typically diminish rapidly after mitigation measures are put in place. No new adverse risks to the community would result from Alternative 2 implementation.

Implementability

Alternative 1 would be easily implementable since this alternative would not involve any construction or operation and maintenance activities. The USAF would cease operation, maintenance, and monitoring of existing mitigations systems under the no action alternative and there would be no monitoring or administrative review of site conditions. Furthermore, existing mitigation systems are USAF property and would need to be removed and homes restored under a no action alternative.

Implementation of Alternative 2 would include a notification and monitoring program to solicit participation in the Indoor Air Program, identify residences where vapor intrusion is occurring, and monitor the performance of mitigation systems. Details of the monitoring program will be specified in the Remedial Design/Remedial Action Work Plan.



Suitable mitigation technologies for structures within OU 15 are available and implementable, assuming access is granted for off-Base structures, as demonstrated by the 120 mitigation systems that have already been installed in off-Base residences at OU 15. Various mitigation technologies are available to accommodate structure types and implementation limitations and may be altered to improve performance, if necessary. Appropriate materials and qualified subcontractors for vapor intrusion mitigation system installations are readily available and easily obtained.

Cost

For comparison purposes, the estimated capital and operation and maintenance costs for Alternative 1, No Action, are \$0. It should be noted, however, that mitigation systems are USAF property and would need to be removed and homes restored under a no action alternative, which would result in tangible costs to the USAF.

The cost for Alternative 2 is broken into two components: (1) Capital Costs (i.e., vapor intrusion mitigation system [VIMS] installations), and (2) Periodic Costs (i.e., operation and maintenance [O&M] and Five-Year Reviews). A 30-year period was used for costing purposes as required by EPA guidance. It is likely that some of the off-Base groundwater plumes will be remediated to below groundwater RBALs in that 30-year period, while the remediation timeframe for other source areas/groundwater plumes will extend beyond 30 years in some areas. Alternative 2 would continue indefinitely and would be discontinued when the source areas/groundwater sources are remediated to concentrations that no longer present a vapor intrusion risk. Actual costs will depend on the cleanup time of the vapor intrusion sources in each OU.

The VIMS installation component of Alternative 2 is flexible, allowing different VIMS technologies to be used contingent on the particular building-specific conditions. However, for preparing a cost estimate for this alternative, a number of assumptions were made based on experience during the Indoor Air Program. Key assumptions used to develop a cost estimate for the Capital Costs component of Alternative 2 include:

- Number of VIMSs installed per year:
 - Two VIMS installations per year
 - VIMS installations will stay constant over the 30 years, so approximately 60 new VIMSs will be installed at OU 15.
- Typical building type: Existing residential construction
- VIMS installation costs include labor associated with site walks and oversight; travel; subcontractor costs; miscellaneous material costs; initial indoor air performance sampling; management; and reporting.

Indoor air sampling will be performed annually at residences where a determination has not been made if significant vapor intrusion is occurring (i.e., residences that have not been sampled or adequate indoor air data have not been collected). During the same sampling event, O&M of existing VIMS will also occur. Key assumptions used to develop a cost estimate for the Periodic Cost component of Alternative 2 include the following:

- Number of VIMSs decommissioned per year:
 - Two existing VIMSs will be decommissioned per year as groundwater plumes are remediated and the vapor intrusion pathway becomes incomplete in some areas
 - Combined with the two VIMS installations per year, the assumed total number of VIMSs in OU 15 will remain constant over the 30-year period.



- Annual indoor air monitoring of residences to determine if significant VI is occurring:
 - 300 residences sampled in first year and a 10 percent annual decrease in residences sampled thereafter
 - Annual indoor monitoring costs include labor, travel, miscellaneous supplies and materials, laboratory costs, and reporting
 - Annual monitoring costs include the possibility of indoor air sampling in an on-Base building in a vapor intrusion source area.
- O&M inspection of new and existing VIMSs:
 - Annual O&M required at all existing and new VIMSs
 - O&M costs include labor, travel, indoor air performance sampling, miscellaneous repair costs, management/oversight, and reporting.
- Five-Year Reviews: Periodic administrative costs include those associated with preparing Five-Year Reviews for OU 15.

The total present value cost of Alternative 2 is \$8.11 million. The total cost includes \$1.16 million for capital costs and \$6.95 million for periodic costs. These estimates were prepared primarily based on experience with the current monitoring program. Present worth costs were calculated using a discount rate of 1.5 percent (Office of Management and Budget 2015). This cost estimate is intended for comparison purposes only and may not represent the actual cost that is expended at the time of implementation.

Regulatory Acceptance

EPA and UDEQ have tentatively agreed with the preferred alternative. However, this is subject to change after considering public comments received on this Proposed Plan and until the final Record of Decision is signed for OU 15.



Preferred Alternative

The preferred remedial alternative for OU 15 Site ZZ113 is Alternative 2 (Notification, Monitoring, and Mitigation). The components of this alternative are described above.

Alternative 2 is protective of human health and the environment, is compliant with ARARs, would create no new adverse risks to the community, is easily implementable, and its associated costs are not prohibitive. Alternative 2 mirrors the current interim remedy established by the 2003 TCRA. The interim remedy has been successful at identifying locations where vapor intrusion is occurring and mitigating vapor intrusion at those locations.

Based on the information currently available, the USAF (the lead agency) believes the preferred alternative meets the threshold criteria and provides the best balance of tradeoffs with respect to the balancing and modifying criteria. The USAF expects the preferred alternative to satisfy the following applicable statutory requirements of CERCLA §121(b): (1) be protective of human health and the environment, (2) comply with ARARs (or justify a waiver), (3) be cost effective, and (4) use long-term solutions and alternative treatment technologies to the maximum extent practicable. Although some components of this remedy (e.g., sealing and venting) do not attain the statutory preference for treatment, the remedy would reduce the amount of vapors entering a structure, thus reducing or eliminating indoor air contamination. The USAF, EPA, and UDEQ agree on the selection of the preferred alternative. However, the preferred alternative can change after consideration of public comments or new information.



Community Participation

Community Acceptance

A public meeting and 30-day public comment period will be provided for this Proposed Plan. The public meeting will be planned for 1 to 2 weeks into the 30-day public comment period. Hill AFB will publish a notice in the local newspaper(s) advertising the start and end date of the public comment period, date and location of the public meeting, and contact information for the public. Public comments on this document will be evaluated to assess the community's acceptance of the preferred alternative and will be documented in the responsiveness summary included in the Record of Decision for OU 15. The preferred alternative may be modified or different alternatives other than those presented in this Proposed Plan may be selected on the basis of public comment.

Providing Public Comment

The public comment period begins June 12, 2017, and ends July 11, 2017. Two open-house-style public meetings will be held regarding the Proposed Plan for OU 15. Attendees can come anytime during the 2-hour window of each meeting. Meetings will include poster stations with information about the Proposed Plan and staff to assist with questions and concerns. Attendees may choose the meeting most convenient to their schedule and location:

- (1) **Layton:** Wednesday, June 21, 2017, 6:00 p.m. to 8:00 p.m. at Lincoln Elementary School, 591 W Antelope Dr., Layton, Utah.
- (2) **Riverdale:** Thursday, June 22, 2017, 5:00 p.m. to 7:00 p.m. at Riverdale Community Center, 4360 South Parker Drive, Riverdale, Utah.

Public comments may be made at the public meetings or sent to Mr. Mark Roginske (see below for contact and mailing information). A responsiveness summary of the comments and responses will accompany the Record of Decision for OU 15.

Hill Air Force Base

Attn: Mr. Mark Roginske
Department of the Air Force
Air Force Civil Engineer Center/Environmental Restoration
c/o 75th CEG/CEIE
7290 Weiner Street, Building 383
Hill Air Force Base, UT 84056-5003

Telephone: (801) 775-3651
Email: Mark.Roginske@us.af.mil



References

- EA Engineering, Science, and Technology, Inc., PBC (EA). 2015. *Operable Unit 10 – Site SS109 (Zone 1200) Remedial Design/Remedial Action Work Plan*, Hill Air Force Base, Utah. Final. September.
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- Hill Air Force Base (AFB). 2015a. *Operable Unit 9 Record of Decision*, Hill Air Force Base, Utah. Final. September.
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- Office of Management and Budget. 2015. *Budget Assumptions Nominal Treasury Interest Rates for Different Maturities*. Available from <https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/a94/dischist-2016.pdf>. November.



Glossary of Terms

Administrative Record: The Administrative Record consists of the documents (including studies, plans, and reports) used in the decision-making process and to document the remedial process.

Applicable or Relevant and Appropriate Requirements (ARARs): State and/or federal environmental regulations that are applicable to, or relevant and appropriate for, a particular site. ARARs must be considered when selecting remedial actions. Chemical-specific ARARs are health- or risk-based numeric values or methodologies that establish the acceptable amount or concentration of a chemical that may be found in, or discharged to, the ambient environment. Location-specific ARARs are restrictions placed on the concentration of hazardous substances or activities based solely because they occur in special locations, such as wetlands or historical sites. Action-specific ARARs are technology- or activity-based requirements or limitations on actions involving the management of hazardous wastes.

Chemical of concern (COC): For OU 15, COCs are chemicals that have been detected in indoor air due to vapor intrusion at concentrations above RBALS.

Chemical of potential concern (COPC): For OU 15, COPCs are chemicals identified in soil or groundwater during a remedial investigation at concentrations that have the potential to volatilize to indoor air, but have not been detected in indoor air above RBALS.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA): A federal law (42 U.S. Code Sec 9601) passed in 1980 that established programs to identify hazardous waste sites, ensure cleanup when necessary, evaluate damages to natural resources, and create claims procedures for parties who clean up the sites. Commonly known as Superfund, CERCLA was amended in 1986 by the Superfund Amendments and Reauthorization Act.

Feasibility Study: The process of developing and evaluating remedial action alternatives.

Human Health Risk Assessment: Qualitative or quantitative evaluation of the risk posed to human health by the actual or potential presence or release of hazardous substances, pollutants or contaminants.

Mitigating: Removing or reducing concentrations of contaminants (in this case, VOCs in indoor air) to levels below Risk-Based Action Levels.

National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR 300): These federal regulations define the implementation requirements of CERCLA. It provides the organizational structure and procedures for addressing federal Superfund sites.

Operable Unit (OU): A distinct part of an entire cleanup action. An OU may be established based on a particular type of contamination, contaminated media (for example, air, soil, or groundwater), source of contamination, or geographical location.

Preferred alternative: The alternative proposed by the lead agency (in this case, the USAF) that best meets the cleanup objectives.

Preliminary remediation goals: Target concentrations for contaminants in the affected environmental media (indoor air for OU 15) that are estimated to result in protection of human health. The goals are preliminary until the Record of Decision is signed.



Proposed Plan: A document prepared by the lead agency (in this case, the USAF) and made available to the public to inform the public about alternatives considered to remediate a contaminated site. This document also describes the preferred alternative(s) for site remediation.

Record of Decision: A public document that explains the selected remedy for a Superfund site. This document also includes the lead agency's rationale for making the selection.

Remedial action: Actions taken to eliminate, reduce, or control the hazards posed by a site.

Remedial action objectives (RAOs): Goals associated with the remedial actions for protecting human health and the environment, including preliminary cleanup goals, areas of attainment, and estimated restoration timeframes.

Remedial alternative: A single remedy component or combination of remedy components considered for implementation at a site.

Remedial Design/Remedial Action Work Plan: Document that outlines activities planned to implement the remedy as described in the applicable Record of Decision.

Remedial Investigation: Investigation to characterize the nature and extent of contamination and to assess the current and future risks to human health and the environment.

Remedy components: Individual technologies or other remediation actions that might be implemented at a site.

Risk-based action levels (RBALs): Concentrations that are used at OU 15 to evaluate the need for mitigation as a CERCLA time-critical removal action.

Source area: The location of the primary contaminant release (for example, leaking pipeline, old landfill, or chemical spill) that caused soil, soil gas, and/or groundwater contamination.

Time Critical Removal Action (TCRA): A type of cleanup action used at a Superfund Site when contamination poses an immediate threat to human health and the environment. A TCRA is documented in a memorandum that determines the need, provides the rationale, and authorizes the cleanup action.

U.S. Environmental Protection Agency (EPA): The federal agency responsible for overseeing the cleanup efforts at Hill AFB.

Utah Department of Environmental Quality (UDEQ): The lead state agency responsible for overseeing the cleanup efforts at Hill AFB.

Vadose Zone: The unsaturated portion of the subsurface between the land surface and the water table.

Vapor intrusion: The migration of volatile chemicals from contaminated groundwater or soil into an overlying building or residence.

Volatile organic compound (VOC): Organic compound that evaporates readily at room temperature.



List of Acronyms

AFB	Air Force Base
ARAR	Applicable or Relevant and Appropriate Requirement
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
COC	Chemical of concern
COPC	Chemical of potential concern
EA	EA Engineering, Science, and Technology, Inc. (prior to 12 December 2014) or EA Engineering, Science, and Technology, Inc., PBC (12 December 2014 and thereafter)
ELCR	Excess lifetime cancer risk
EPA	U.S. Environmental Protection Agency
HI	Hazard index
HQ	Hazard quotient
HVAC	Heating, ventilation, and air conditioning
NCP	National Oil and Hazardous Substances Pollution Contingency Plan
O&M	operation and maintenance
OU	Operable Unit
RAO	Remedial action objective
RBAL	Risk-based action level
TCRA	Time Critical Removal Action
UDEQ	Utah Department of Environmental Quality
USAF	U.S. Air Force
VIMS	vapor intrusion mitigation system
VOC	Volatile organic compound



Additional information on the Proposed Plan or any of the supporting documentation is available at:

Hill AFB Administrative Records

All items contained within the Administrative Record file for OU 15 are available online at the U.S. Air Force Civil Engineer Center, Air Force Administrative Record, <http://afcec.publicadmin-record.us.af.mil/> or by contacting:

Air Force Civil Engineer Center/Environmental Restoration
c/o 75th CEG/CEIE
7290 Weiner Street, Building 383
Hill Air Force Base, UT 84056-5003

Hours:

Mon – Fri: 7:30 a.m. – 4:30 p.m.

By Appointment: (801) 775-6913

U.S. Environmental Protection Agency

Attn: Ms. Sandra Bourgeois
USEPA Region VIII (EPR-FF)
1595 Wynkoop Street
Denver, CO 80202-1129

Telephone: (303) 312-6666

Email: Bourgeois.Sandra@epa.gov

Utah Department of Environmental Quality

Attn: Mr. Mo Slam
Utah Dept. of Environmental Quality
P.O. Box 144840
Salt Lake City, UT 84114-4840

Telephone: (801) 536-4178

Email: mclam@utah.gov

Public Comment may be addressed to the following:

Hill Air Force Base

Attn: Mr. Mark Roginske
Department of the Air Force
Air Force Civil Engineer Center/Environmental Restoration
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https://www.standard.net/south-weber-gets-warning-from-ecologist-on-possible-hill-pollution/article_79ea8850-32f2-5af0-a663-6c61e7d8cf85.html

South Weber gets warning from ecologist on possible Hill pollution

By Cheryl Strong Jun 28, 2012

SOUTH WEBER — Dr. John Carter, technical adviser to the South Weber Coalition, addressed the city council Tuesday about possible Hill Air Force Base contamination in the city.

Carter, who holds a doctorate in ecology from Utah State University, said the contamination, which likely started during World War II or earlier with the dumping of chemical warfare products, flares, bullets, herbicides and other materials, is being monitored by Hill.

The base is using the Monitored Natural Attenuation Program, Carter said, which means that any ground pollution will be contained by natural sources, such as using water in trenches to dilute chemicals and a clay/slurry wall around part of the base to prevent leakage.

However, Carter said, the slurry walls leak somewhat, reducing effectiveness.

Arsenic contamination caused by previous chemical dumping resulted in the base being deemed a Superfund site. Superfund is an environmental program established to address abandoned hazardous waste sites.

Carter said there is a possibility that South Weber residents could be suffering from chemical effects, such as neurological damage, cancers and skin disorders, among others, through inhaling, absorption, or digestion of chemicals.

Carter brought in charts to show that the contamination could descend because of gravity and then seep into aquifers in the city.

He said both the east and west ends of the city could be affected, and even though the base burns up chemical disposal, “a lot would soak into the ground.”

According to Carter, at one time Hill Air Force Base had extraction wells to keep the groundwater table depressed; however, the wells were decommissioned. Today, the base is using trenches with permeable materials that capture as much contaminant as possible. However, he said, “Trenches ... are not 100 percent effective,” because of possible gaps in the trench and water moving beneath the trench.

Carter suggested caps over the landfill to prevent rain or snow from going into contaminated areas and draining over the hill.

In addition to chemicals, there are also dangerous gases — such as benzene — that can leak, Carter said.

“If my property was (in South Weber), I would be very concerned,” he said.

Carter also claimed there had not been a comprehensive study made to determine the contamination level in all parts of the city. Hill studies have been restricted to a limited area, he said.

Carter recommended several steps to help solve the contamination problem:

- To fill gaps in the study on the east end.
- To address the pathways or slope of contamination.
- To have active remediation with wells.
- To address epidemiological concerns — health, immune system, nervous, cancer, and liver.

Carter also recommended a “remedial investigation” to prevent problems that could come up in the next 10 years.

Brent Poll, a South Weber resident, said the council may know health and welfare are priorities; yet it has not aggressively acted upon those concerns, especially with new subdivisions that are under way. Poll, along with other residents, hired Carter and have advocated for better cleanup of the contamination in the city for the last 20 years.

Councilman Randy Hilton, who had attended a Restoration Advisory Board meeting that included communities around HAFB that are concerned about the pollution — said the contamination plumes have been getting smaller.

Mayor Jeff Monroe said some of the charts Carter presented date back to 1992 and 1994. Monroe questioned the validity of those charts and said he is going to look into Carter's recommended "next steps."

https://www.standard.net/news/environment/south-weber-group-wants-contaminated-soil-identified/article_26bdb1c0-cf7b-5dfd-86e6-ccec7c85a81a.html

South Weber group wants contaminated soil identified

By BRYON SAXTON, Standard-Examiner staff Feb 15, 2015



City Recorder Tom Smith says the city cannot restrict homes being built near a Superfund site without scientific evidence stating it is unsafe.

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SOUTH WEBER — Identifying which building lots sit on top of contaminated soils is information that needs to be included in the building permits South Weber city issues, says a leader of a citizens group.

Lynn Poll, member of the South Weber Coalition, contacted the Standard-Examiner, claiming South Weber city officials were not doing enough to let future homebuyers know they could be building over a contaminated soil site.

The site in question is a recent rezone of nearly five acres at 400 E. Old Post Road. The council on Tuesday unanimously agreed to rezone the property from agricultural to low to moderate residential.

According to officials, the property is about 2,000 feet from an Environmental Protection Agency Superfund site, groundwater contamination, which the U.S. Air Force for the past 28 years has been in the process of cleaning up.

Under the threat of litigation, Poll said, the city was at one time issuing building permits in the area of Canyon Meadows Park that contained a warning if the lot rested on contaminated soils.

The city council on Tuesday discussed the possibility of placing a warning on the subdivision plat maps once they are submitted, but did not address placing warnings on future building permits to be issued for home building on that site.

Placing warnings on building permits implying the possibility the lot may sit on contaminated soils is something that could be legally challenged by the land owner where there is no conclusive scientific evidence that the lots are situated on contaminated soil sites, City Recorder Tom Smith said.

There is one subdivision in South Weber that was claimed to have carried such warnings on its building permits, but other subdivisions that have been developed in that area carry no such warning, and without conclusive evidence the city cannot deny someone the right to build on their land as long as its meets all land use requirements, Smith said.

"We can't do anything," Smith said. "There is all kinds of stuff built on that soil."

But some concerned residents say the city leaders' first priority should be the residents.

The city's land use ordinance contains as part of its "paramount starting block" that it is the city's job to protect the health and welfare of its residents, South Weber resident Brent Poll said.

“There has got to be some way to warn the landowner,” said Brent Poll, also a member of the coalition group.

The city should not be trusting the federal government in this particular situation, Lynn Poll said. “The government is not honest with us.” But he is concerned South Weber doesn’t really want to know what the problems are with the property, he said.

Contaminated groundwater plumes linked to Hill Air Force Base’s improper disposal of cleaning chemicals have also been identified in Layton, Clearfield, Sunset, Clinton, Roy and Riverdale.

Contact reporter Bryon Saxton at 801-625-4244 or bsaxton@standard.net. Follow him on Twitter at @BryonSaxton.

Utah Geological Survey

Project: Reconnaissance of the April 9, 2006, 1650 East landslide, South Weber, Utah		
By: Richard E. Giraud, P.G. and Greg N. McDonald, P.G.	Date: 07-26-06	County: Davis
USGS Quadrangles: Ogden (1345)	Section/Township/Range: SW $\frac{1}{4}$ NE $\frac{1}{4}$ section 34, T. 5 N., R. 1 W., SLBLM	
Requested by: Ron Chandler, South Weber City Manager		Job number: 06-10

INTRODUCTION

At the request of Ron Chandler, the Utah Geological Survey (UGS) conducted a reconnaissance of the 1650 East landslide in the Highland View Estates subdivision, South Weber, Davis County, Utah (figures 1 and 2) on April 10, 2006. Rick Chesnut (Terracon) and Lee Cammack (JUB Engineers) were also conducting a field study of the landslide and damage to the Davis-Weber Canal for the Davis-Weber Canal Company at the time of our visit. On April 11, 2006, Richard Giraud discussed the landslide hazard with city officials and homeowners in a public meeting and on April 14, 2006, provided a letter (Giraud, 2006) to South Weber City outlining recommendations for managing the landslide hazard.

The landslide occurred around 9:30 p.m. on the evening of April 9, 2006. It flowed over and damaged the Davis-Weber Canal at the base of the slope, and impacted the back of the house at 1650 East 7687 South below the canal (figures 3 and 4). The landslide caused significant damage to the house, injured a child inside the house, and prompted evacuation of nearby houses. The purpose of our investigation was to determine the cause of the landslide, document physical characteristics of the landslide, and evaluate the remaining landslide hazard to aid South Weber City in determining when to allow evacuated residents to return and in assessing the long-term risk to development at the base of the bluff.

For this study, we reviewed relevant geologic maps and reports of geology, geologic-hazard, and landslide investigations in the area. We also reviewed 1:20,000-scale (1937), 1:10,000-scale (1958), and 1:24,000-scale (1985) stereo aerial photographs; U.S. Geological Survey 1997 and 2003 orthophotos at various scales (TerraServer USA, 2006); and National Agriculture Imagery Program orthophotos at various scales (Utah Automated Geographic Reference Center, 2006).

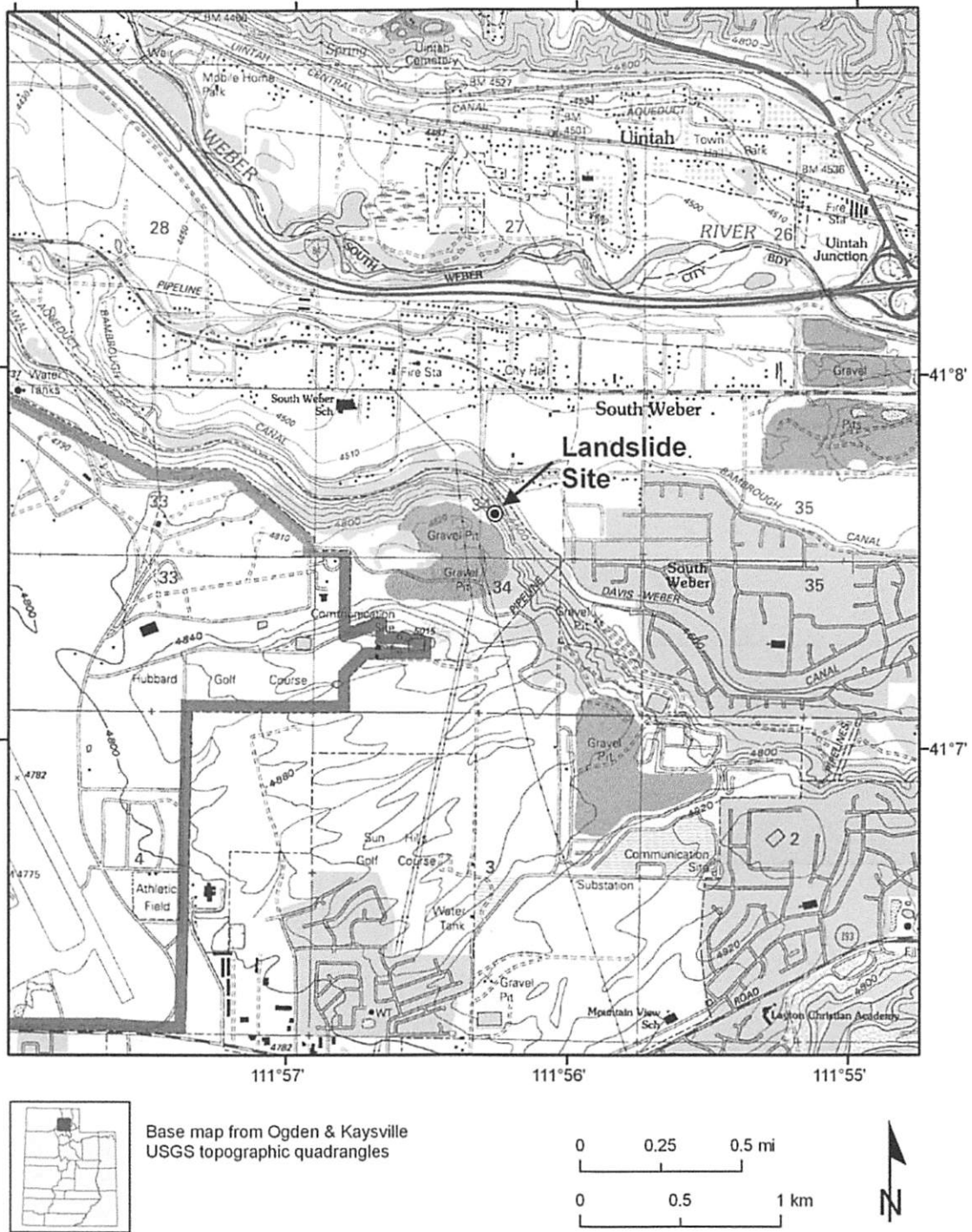


Figure 1. Location of the 1650 East landslide in South Weber, Utah.



Base map from USGS high-resolution September 21, 2003; orthoimagery.

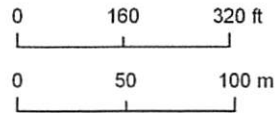


Figure 2. Image showing landslide flow direction, Highland View Estates subdivision, gravel pit pond, and the Davis-Weber Canal. The pond boundary is approximate and is based on oblique aerial photographs taken by Davis County Sheriff’s Office personnel on the morning of April 10, 2006.



Figure 3. Landslide damage to the house at 1650 East 7687 South.



Figure 4. Damage to the house and garage at 1650 East 7687 South.

CONCLUSIONS AND RECOMMENDATIONS

Based on this geologic investigation and hazard assessment of the 1650 East landslide, the UGS concludes the following:

- The 1650 East landslide was a rapid earth flow that damaged the Davis-Weber Canal and the house at 1650 East 7687 South, and injured a child inside the house.
- Piping holes near the head of the landslide below the slope crest indicate a pond and shallow ground water in the gravel pit atop the bluff saturated a zone in material along the slope crest and triggered the landslide. The steep slope, runoff of snowmelt into the pond, shallow ground water in the gravel pit, weight of embankment fill at the slope crest, and weak underlying geologic materials probably all contributed to the landslide.
- The houses along the base of the slope are in a runout zone for shallow rapidly moving landslides and may also be at risk from deep-seated rotational landslides.
- For potential deeper seated rotational landslides in the slope above the subdivision, Terracon's (2005) slope-stability investigation estimated a static factor of safety of 1.2, which is well below the normally accepted 1.5 factor of safety. Terracon's analysis indicates the slope will likely fail during an earthquake.
- Deep-seated landslides can impact the canal, and if the canal is conveying water and a landslide caused a canal breach, widespread flooding and sedimentation could occur at the base of the slope.

To reduce the potential impacts of landslide movement and manage the landslide hazard in this area, the UGS recommends the following:

- Implement surface- and ground-water control measures to ensure conditions at the slope crest that caused the 1650 East landslide do not reoccur.
- Because houses already exist along the base of the slope and are potentially impacted by both shallow and deep-seated landslides, a study should evaluate the landslide hazard, potential impacts to houses, and possible risk-reduction measures.
- Monitoring should continue of slope movement and ground-water levels in inclinometers and piezometers, respectively, installed by Terracon for the Davis-Weber, to assess potential movement of deep-seated landslides.
- South Weber City should consider both shallow and deep landslide hazards and hazards related to a possible canal breach when evaluating existing or future development and setbacks at the base of the slope along the city's entire south side.

- Disclose the existence of hazards reports and information to existing and future homeowners.

GEOLOGIC SETTING

The 1650 East landslide is in a steep northeast-facing slope forming the south side of the Weber River Valley (figure 1). The slope formed as the Weber River cut down into its former delta as Lake Bonneville receded from the Provo shoreline after 14,500 years ago to the present level of Great Salt Lake. The slope is approximately 220 feet high and has an average gradient of 45% (24°). The Davis-Weber Canal is in the lower slope just above houses built along the slope base.

Geologic evidence and historical records indicate relatively frequent landsliding in slopes in the area. Yonkee and Lowe (2004) mapped the northeast-facing slope as “older Holocene landslide deposits” that include widespread landslides developed within generally fine-grained lacustrine and deltaic sediments. The older Holocene landslide deposits are mainly slumps and earth flows. Lowe (1988) shows historically active landslides (LSa 331-334) near the 1650 East landslide and along the entire northeast-facing bluff, which he mapped as an older landslide complex (LS 335). Yonkee and Lowe (2004) mapped these historically active landslides as younger Holocene landslide deposits. Earthtec (2002) completed a geotechnical study for Highland View Estates subdivision and identified a landslide near the subdivision but did not show the landslide relative to the subdivision on a map. Other authors have documented numerous historical landslides in the slope east and west of the 1650 East landslide (Pashley and Wiggins, 1972; Lund, 1984; Black, 1999; Solomon, 1999). These landslide deposits are also derived from Lake Bonneville fine-grained lacustrine and deltaic deposits.

The 1650 East landslide is similar to the February 20, 2005, 425 East South Weber Drive landslide (Giraud, 2005). The 425 East South Weber Drive landslide threatened the Davis-Weber Canal, demolished a barn, blocked State Route 60 (South Weber Drive), and had a 150 foot runout beyond the slope toe onto flat ground. The Davis-Weber Canal Company installed drains and buttressed the slope to reduce the risk of future landslides.

LANDSLIDE DESCRIPTION

The 1650 East landslide was a rapid earth flow that started as a slide at the slope crest adjacent to a pond in a gravel pit (figures 2 and 5). The landslide main scarp extends a short distance back from the slope crest onto flat ground toward the pond in the gravel pit. The landslide is mostly a failure of fill pushed out of the gravel pit onto the upper slope to form a berm along the slope crest (figure 6). The landslide also involved native materials underlying and downslope of the fill. The slide at the crest mobilized into a flow that accelerated rapidly downslope, removing trees and crossing dirt roads, the canal, and a rock wall at the back of the lot before impacting the house at 7687 South 1650 East (figures 2 and 7). The landslide impact



Figure 5. View looking northwest at the pond in the gravel pit and the landslide head (arrow). A berm was placed between the pond and the landslide to prevent water from flowing onto the landslide. Photo taken on the morning of April 10, 2005, by Davis County Sheriff's Office personnel.



Figure 6. View to the southeast showing landslide main scarp and fill placed on the upper slope. Near the left edge of the photo, black top soil at the base of the scarp (arrow) underlying the brown fill is evident and indicates the original slope surface.



Figure 7. View looking down the landslide flow path at the damaged house at 1650 East 7687 South. The culvert in the lower slide path above the house was originally in the gravel pit. Subsequent water flow eroded the right side of the landslide.

broke through the house and garage walls and a small volume of sediment and tree debris was deposited in the house. A child inside the house was injured and the landslide impacted with sufficient force to break part of the house foundation wall (figure 8). The impact to the back of the garage pushed a car and pickup out through the garage doors. The landslide broke windows at the adjacent house to the southwest at 1650 East 7701 South. The landslide also damaged the Davis-Weber Canal which had recently been enclosed in a concrete box culvert but was not yet covered with backfill (Ray, 2006) (figure 9). Water had not yet been turned into the canal for the irrigation season so obstruction to flow in the canal by the landslide was not an issue.

The landslide likely moved initially as a shallow translational landslide but quickly transformed downslope into a rapidly moving earth flow. The landslide was about 80 feet wide and 600 feet long (figure 2). It initiated in the upper slope on gradients of as much as 60% (31°). The average gradient from the landslide main scarp to the impacted house is 45% (24°). The steep slopes accelerated the landslide downslope toward the subdivision. Some landslide material was deposited on the canal and canal access road (figure 9) and on dirt roads above the canal (figure 10), which reduced the landslide volume before impacting the house and likely reduced damage to the house. Following the landslide, water draining from the landslide crown and head eroded the right side of the landslide and flowed into the canal (figures 7 and 9).

The pond in the gravel pit collects surface-water runoff and also reflects the local shallow water table. Test pits excavated by the Davis County Public Works Department on April 10, 2006, near the landslide crown in the gravel pit showed shallow ground water perched at depths of 4 to 6 feet on clay beds. Cottonwood trees in the gravel pit and wetland vegetation in and near



Figure 8. Basement at 1650 East 7687 South showing upper foundation wall (right side of photo) broken by landslide impact.



Figure 9. View looking northwest of Davis-Weber Canal showing landslide material deposited on the box culvert and canal access road. Following the landslide water and sediment flowed into the canal left of the box culvert.



Figure 10. Landslide material deposited on a dirt road midslope above the Davis-Weber Canal.

the pond (figure 5) also indicate the presence of perennial shallow ground water since surface-water runoff alone would not sustain this vegetation. Cottonwood trees growing along the slope crest also indicate shallow ground water (figure 6). Following the landslide, a soil berm was placed between the pond and the landslide to prevent pond water from flowing onto the landslide head (figure 5).

CANAL SLOPE-STABILITY INVESTIGATION

Prior to construction of the Highland View Estates subdivision, Terracon (2000) completed an initial geotechnical-engineering investigation along the bluff to identify areas along the Davis-Weber Canal that are prone to landsliding. This investigation indicated that the slope above the Highland View Estates subdivision and the canal is marginally stable. To address the landslide hazard, Terracon (2005) completed a follow-up slope-stability investigation, which included installation of piezometers and inclinometers and a subsequent slope-stability analysis. The boreholes encountered interbedded clay, sand, silty sand, sandy silt, and gravel. For the slope above the canal and subdivision, Terracon (2005) estimated a factor of safety of 1.2 under static conditions for deep rotational landsliding. For earthquake ground-shaking conditions, Terracon (2005) estimated the factor of safety to be well below 1.0, meaning the slope would fail during an earthquake. Terracon (2005) states that lot grading for the subdivision cut the slope toe and canal embankment which may decrease the stability of the slope. Terracon (2005) provides recommendations to reduce the landslide hazard and potential impacts to the canal but did not address the potential for shallow landsliding and rapid earth-flow landslides.

PROBABLE CAUSES OF MOVEMENT

Several factors likely contributed to landslide movement. The fill placed along the slope crest added weight, loading the underlying weak native slope materials and promoting slope failure. The elevated pond level and related shallow ground water saturated part of the fill and native material in the upper part of the slope and triggered the April 9, 2006, landslide. Piping holes along the landslide flanks (figure 11) near the landslide head indicate active subsurface flow through the fill on the slope crest prior to the landslide. A major spring storm on April 4 through 6, 2006, resulted in 10 inches of snow (2.12 inches water) in South Ogden and 8 inches of snow (1.95 inches water) in Layton (National Weather Service, 2006). The subsequent snowmelt and runoff likely increased the pond-water level and ground-water level and saturated part of the fill along the slope crest. The steep slope, runoff of snowmelt water into the pond, shallow ground water, weight of embankment fill, and weak underlying materials probably all contributed to the landslide.



(a)



(b)

Figure 11. Piping holes in the upper slope near the landslide flanks. (a) Small piping hole near the landslide right flank. (b) Large piping hole adjacent to the landslide left flank.

FUTURE LANDSLIDE HAZARD POTENTIAL

The April 9, 2006, and February 20, 2005, landslides clearly demonstrate the potential for shallow, rapidly moving, earth-flow-type landslides with significant runout distances on similar slopes in South Weber. Flow-type landslides are destructive and a threat to life safety due to their velocity and impact. When such landslides occur above subdivisions built within the landslide runout zone, the potential exists for loss of life in addition to property damage. Both the April 9, 2006, and February 20, 2005, landslides demonstrate the distance small earth flows can travel beyond the base of a slope.

Both shallow- and deep-seated landslides have potential to damage the Highland View Estates subdivision. Controlling the pond- and ground-water levels in the gravel pit, as discussed in the April 11, 2006, meeting and April 14, 2006, letter (Giraud, 2006), manages one landslide triggering mechanism but does not eliminate all risk from shallow landslides. Shallow landslides can be triggered by rapid snowmelt, prolonged rainfall, or periods of above-normal precipitation. The February 20, 2005, 425 East South Weber landslide (Giraud, 2005) was triggered in a year that had above-normal precipitation. For deep-seated landslides, Terracon (2005) estimated a static factor of safety of 1.2 for the slope and emphasized that 1.2 is below the normally accepted 1.5 factor of safety. Deep-seated landslides have the potential to damage both the subdivision and the canal. Earthquakes could trigger both shallow and deep landslides.

Because houses have been constructed along the base of the slope and can potentially be impacted by both shallow and deep-seated landslides, a study should evaluate the landslide hazard, potential impacts to houses and lots, and possible risk-reduction measures. The study should include an assessment of drainage and ground-water conditions in the gravel pit at the top of the slope, the extent of fill placed at the slope crest, and thickness and nature of shallow colluvial deposits on the face of the slope as they relate to shallow landslides and the potential to transform into rapid earth flows. The study should evaluate rapid snowmelt, prolonged rainfall, and periods of above-normal precipitation as potential landslide triggers. The landslide study should also evaluate global stability of the slope with respect to deep-seated rotational landslides and the stability effects of undercutting the base of the slope to enlarge back-yard areas in lots below the canal.

Because the canal is now buried in a concrete box culvert, rapid earth flows may travel over the canal but deep-seated landslides may still damage the canal. If deep-seated landslides impact the Davis-Weber Canal when the canal is conveying water, the potential exists for the canal to breach and cause widespread flooding and sediment deposition. The Davis-Weber Canal Company has studied the deep-seated landslide hazard relative to their canal and Terracon (2005) provided recommendations to reduce the potential impacts to the canal.

SUMMARY

The 1650 East landslide was a rapid earth flow that damaged the Davis-Weber Canal and a house at 1650 East 7687 South. The landslide also injured a child inside the house. Piping holes in the upper slope adjacent to the landslide head indicate saturation of part of the fill along the slope crest from a pond and shallow ground water and triggered the landslide. The steep slope, runoff of snowmelt into the pond, shallow ground water, weight of embankment fill, and weak underlying geologic materials probably all contributed to the landslide.

The Terracon study of deep-seated landsliding indicated the slope has a static factor of safety of 1.2, which is below the normally accepted factor of safety of 1.5. Both shallow and deep-seated landslides have the potential to damage houses constructed along the base of the slope. Deep-seated landslides may also damage the canal and cause widespread flooding and sediment deposition. We recommend a landslide study to evaluate shallow and deep-seated landslide hazards, potential impacts to houses, and possible risk-reduction measures. For

existing and future development in South Weber near the base of the slope along the city's south side, South Weber should consider the potential impacts of shallow and deep-seated landslides and the possibility of a breach of the Davis-Weber Canal.

LIMITATIONS

Although this product represents the work of professional scientists, the Utah Department of Natural Resources, Utah Geological Survey, makes no warranty, expressed or implied, regarding its suitability for a particular use. The Utah Department of Natural Resources, Utah Geological Survey, shall not be liable under any circumstances for any direct, indirect, special, incidental, or consequential damages with respect to claims by users of this product.

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South Weber

May 1, 2019 to Aug 27, 2019

Introduction

- ▶ Captain West
- ▶ Sgt. Pope
- ▶ Why are we presenting?
- ▶ What are we presenting?

Staffing Hours and Performance

South Weber May-August 2019

Weekly Contract Hours

Week	Dayshift	Nightshift	Weekly Total
4/31/19 - 5/6/19	40	50	90
5/7/19 - 5/13/19	33	54	87
5/14/19 - 5/20/19	43	41	84
5/21/19 - 5/27/19	47	36	83
5/28/19 - 6/3/19	29	36	65
6/4/19 - 6/10/19	22	37	59
6/11/19 - 6/17/19	19	33	52
6/18/19 - 6/24/19	36	32	68
6/25/19 - 7/1/19	27	28	55
7/2/19 - 7/8/19	32	24	56
7/9/19 - 7/15/19	38	43	81
7/16/19 - 7/22/19	54	36	90
7/23/19 - 7/29/19	38	36	74
7/30/19 - 8/6/19	58	27	85
8/6/19 - 8/13/19	73	57	130
8/20/19 - 8/27/19	71	45	116
Total hours	660	615	1275
	Weekly Avg. Dayshift	Weekly Avg. Nightshift	Weekly Avg. Total
	50.77	47.31	98.08

Work Performance

Arrests	Offenses	Citations	Violations	Incidents	DUI
27	53	33	47	343	2

Significant Events

Significant Events

- ▶ May 20, 2019
- ▶ Theft / 475 E Petersen Parkway / D19-04728
- ▶ Superintendent of new construction townhomes at approximately 6550 S 390 E in South Weber called to report a theft in progress. Superintendent followed suspect to area of 536 E Green Springs Way in South Weber. 2 suspects found and identified. One was supervisor of sheetrock job at 342 E 6775 S in South Weber. Sheetrock crew ran out of materials and supervisor told them to take materials from construction at 6550 S 390 E. The supervisor ultimately agreed to making the decision and that the other did not know about this being a theft. The supervisor was cited for theft. The victim superintendent recovered stolen sheetrock mud.

Significant Events

- ▶ May 16, 2019
- ▶ 1231 hours / Threats / D19-04218
- ▶ Female soccer coach called stating that a male soccer coach had threatened her. According to the victim, the male suspect approached an 11 year old referee and began yelling at him. They have had problems with this male coach in the past and the victim approached the suspect to tell him his actions were inappropriate. After telling him this, he took his team off the field while yelling profanity and making a scene. While the victim was speaking with her 9 year old soccer team after the game had ended, the male suspect came over to the team and began calling them retards and being aggressive. He eventually left and went back to his side of the field. He had taken the victim's soccer ball to which she approached him and asked him for it. The male suspect again began yelling at the victim stating he would show her how a man fights and threatened physical harm. He began to approach the victim to where she ran to her car and locked herself inside. Several parents had to intervene and were able to get him to back away. The league coordinator was contacted by several parents and the victim to report the incident. A second league coordinator also received several complaints. Witness statements gathered from parents found that the female complainant was just as aggressive as the male. The incident did not rise to the level of criminal charges. The soccer league administrators stated they would address the situation.

Significant Events

- ▶ June 8, 2019
- ▶ 1603 hours / Lewdness / D19-05337
- ▶ Report of females with no tops in the swimming pool. Dpt. Wennergren responded and found that the females had left the area. Dpt. Wennergren spoke with Chris Tremea, one of the complainants, who informed her that the residence was recently approved as an Air BnB and that they have already had several issues at the residence

Significant Events

- ▶ June 11, 2019
- ▶ 1713 hours / Rape / D19-05446
- ▶ SW citizen entered the Sheriff's Office with her 12 year old daughter requesting to report a juvenile rape. The citizen had already reported the incident that had occurred on November 24, 2018 to DCFS and a CANR report had been started. Sgt Marley and Lt West were contacted and had already received the report. A CJC interview has been scheduled for an interview of the child. The citizen was given information regarding a child protective order and for victim advocate contact for assistance. The children have since moved in with their mother. Several Keep the Peace incidents have been responded to since. None of them have had any issues.

Significant Events

- ▶ June 15, 2019
- ▶ JOB CORPS, South weber / Sex offense / D19-05571
- ▶ Two juveniles found outside dorms. Female juvenile reported what started as a consensual encounter became non-consensual and she was assaulted/Raped. Detectives responded and female was transported for a NUSANE examination.

Significant Events

- ▶ June 25, 2019
- ▶ 0845 hours / SW Elementary, South Weber / Criminal Mischief / D19-05822
- ▶ Deputy Swenson took report of two windows being broken out. After making contact with a school representative, they advised that there had been a video uploaded to Instagram by a 14 year old male living in the area of him and a friend shooting out the window with a CO2 delivered pellet gun. The video showed the 14 year old recording the video and a second male, 18 years old, shooting the gun at the ground, then at the windows. The school had the 14 year olds information and Deputy Swenson made contact with him to which he admitted to uploading the video. Both the 14 year old and 18 year old have had charges filed with the attorney's office.

Significant Events

- ▶ July 5, 2019
- ▶ 0005 hours / Criminal Mischief / D19-06128
- ▶ During the morning hours three mailboxes (all standing next to each other) were damaged by a vehicle. The original complainant did not want to pursue anything further than notification to the Sheriff's Office. The two other victims stated they heard a noise in the night, but thought it was fireworks. The mailboxes were replaced quickly. No suspect information or video was able to be located.

Significant Events

- ▶ July 6, 2019
- ▶ 2122 hours / Drug Offense / D19-06175
- ▶ Deputies were dispatched to people doing drugs in a car parked at a residence. Upon deputies arrival, male ran out of the car and into the adjacent home. Male was identified and lives at the residence with his mother. All suspects were uncooperative with deputies and the male suspect stayed inside his mother's home. Other occupants in the car who did not run, stayed in the car with the drugs. They were cited and released.

Significant Events

- ▶ July 6, 2019
- ▶ 0957 hrs / Information / D19-06160
- ▶ Contacted by Officer Larson with SLCPD. SLCPD received information about a male soliciting for models for photographing through social media. Complainants in SLC felt the females in the photos appeared to be juvenile aged. Suspect was identified as the homeowner attempting to turn the home into an air b&b. He advertised on facebook under 5 Star Boudoir, and Cobblestone Resorts Dustin. The SLCPD Officer and I did not think the models in the photos appeared to be juveniles. The homeowner has local file at the above address for lewdess (topless females) and suspicious when his pool was damaged from a water slide being left on.

Significant Events

- ▶ July 28, 2019
- ▶ 1618 hours / 1375 E South Weber Dr / ATL-DUI / D19-06866
- ▶ A 911 call was made for a reckless driver driving all over the road into oncoming traffic near 1375 E South Weber Drive. The responding deputy caught up to the vehicle as it entered into Riverdale. The deputy attempted a traffic stop which the driver continued for a ½ mile in the oncoming lane before hitting a mailbox as he stopped. Upon contact, the male had a green powder around his nose and lips (later identified as crushed up xanax). The driver failed field sobriety tests and was arrested.

Significant Events

- August 2, 2019
- 0851 hours / Threats / D19-07024
- Construction crews with the assisted living next to a residence were doing work on the residential driveway with permission of the homeowner. The homeowner's son made an overt threat towards construction workers and was generally obnoxious. He is on paper with AP&P and construction workers provided statements that he was seen placing a shotgun in his vehicle. The shotgun was not used in the threat or in a threatening manner, but he is a restricted person. He is known to be defiant of law enforcement, and when contact was attempted, he refused to talk to us. AP&P was notified, and the vehicle that he was seen placing the shotgun in was not listed with AP&P, therefore a search of the vehicle could not be completed.

Significant Events

- August 9, 2019
- 1731 hours / Attended Death / D19-07243
- 76 year old male cardiac arrest. EMS CPR attempt was made. Medical Control concurred with termination of efforts on scene. Pts physician will sign the death certificate. Family notified and on scene to be with victims spouse.

Significant Events

- August 9, 2019
- 0200 hrs / South Weber Maverick/ Suspicious DUI / D19-07255
- Received a report of suspicious person/vehicle at Maverick. The vehicle was located parked in a stall. Signs of alcohol use were noted by Deputy A Gossels and the driver was found to be revoked alcohol, ignition interlock restricted, and alcohol restricted. The driver was arrested for the violations along with DUI. He had three prior convictions in the last 10 years.

Significant Events

- August 10, 2019
- 0300 hours / Maverick / Theft-Joyriding / D19-07279
- A theft was called in by the clerk from Maverick advising that several teenage males came into the store and stole packages of cigarettes. The males then returned the cigarettes, asked the clerk not to call the police and left in a vehicle. The clerk was able to provide a license plate. After further investigation, it was found that a juvenile male_residing in South Weber had taken the vehicle without his parents permission and had returned home. He had several friends in the vehicle who he picked up in Morgan and their identities and involvement are pending further follow up and investigation after receiving video footage from Maverick. The juvenile was referred to juvenile court for unauthorized control of a vehicle, curfew and learners permit violation.

Significant Events

- August 17, 2019
- 1810 hrs / SW Drive NB onramp to Hwy 89, SW / DUI / D19-07485
- Deputy Gary ran the license plate of a vehicle in the Maverik and found the owner to have a suspended driver license. He confirmed the identity of the driver who exited and drove away. A traffic stop was completed where an odor of alcohol was noticed. The driver was put through field sobriety tests and failed. He was subsequently arrested and booked into the jail on the offense.

Significant Events

- August 17, 2019
- 0040 hrs / Noise Comp / D19-07489
- Deputy Gall responded to a noise complaint for a loud party at the listed address. He discovered that a MC club member was having a party. The identity of the MC club was not recognized, however it was noticed that their support/affiliation was to a criminal enterprise MC club group. Night shift conducted several coordinated traffic stops on MC club members to identify the riders, and deter any likely related criminal activity.

Significant Events

- August 24, 2019
- 1640 hrs / Cornia Drive, SW / Warrant, Fleeing, CS violation, Parole violation /D19-07719
- Suspect fled from Deputy Turley when he identified him as having several warrants. He ran across the Weber river and containment was set up with the aid of Weber county officers. Canines were deployed and the suspect was apprehended with a successful Canine deployment. He was taken into custody for several Outstanding no bail warrants. F2 possession with intent, Theft, possession of financial cards and his parole officer responded who had been searching for him for an extended period.

News Worthy Events

Man arrested after fleeing on foot, falling in river, caught by K-9

POSTED 9:15 PM, AUGUST 25, 2019, BY [SPENCER BURT](#), UPDATED AT 10:11PM, AUGUST 25, 2019

 FACEBOOK

 TWITTER

 REDDIT

 PINTEREST

 LINKEDIN



DAVIS COUNTY, Utah – A man was arrested Saturday after fleeing from an officer, swimming across a river and ultimately being apprehended by K-9 units, police say.

According to an arrest report, 27-year-old Anthony Wayne Draper was working on his motorcycle when a Davis County Sheriff's deputy saw him and asked if he needed help.



Double the magic
with a *Disneyland*
Resort Park Hopper
Ticket.

 [Get Details](#)

News Worthy Events

South Weber Community Watch

Joel Dills
August 15 at 12:02 PM

After the "Truth in Taxation" meeting, I talked to the Sheriff who was there, Officer Pope, about how 2100 has become a racing zone for minivans and tardy students constantly flying down the street even with kids at the bus stops. I asked if we could get an actual officer to patrol it and try to slow things back down. Not only was he genuinely interested in what I was saying, the very next day he was sitting on our road making drivers hit their brakes. I just wanted to give a sincere Thank You to the Davis County Sheriff's for doing a great job!



Jessica Dills Bench, Teri Clark Hatch and 75 others · 13 Comments

Like Comment

Scott Woodbury Great job, Joell
Like · Reply · 3d

Mindi McCloy Smith Yay!!
Like · Reply · 3d

Carol Linda Behunin James That's just great!
Like · Reply · 3d

Dave N Laurie Boren Thanks Joel. 2100 is a drag racing strip. Someone is going to get hurt.
Like · Reply · 3d

Brad Michael Pitts Sgt Pope is an amazing guy! He is defiantly one of the most proactive policing guys around Davis.
Like · Reply · 3d

Natalie Peek Browning South Weber drive is a raceway itself! People need to drive slower, it's scary to pull out!
Like · Reply · 3d

Chad J. Burchell It was awesome! He pulled over three cars that I saw... I have been asking for this for years. Thanks Joell! Unfortunately is going to take someone getting hit by a car for something to happen. Thanks Officer Pope!
Like · Reply · 3d

Tracie Tolman Turner I saw him with 2 pulled over today as well!
Like · Reply · 3d

Lacee Westbrook Loveless Love this! Great job Joel! I agree with Brad Sgt Pope is great guy!
Like · Reply · 3d

Jeff Kendell This is great! It seems all roads in our town have become a raceway to all people. 1900 East is the same way. I've called and asked for help and they come patrol. I hope this continues and hope it gets under control. The people texting and driving sure... See More
Like · Reply · 3d

Joel Dills I completely agree. I understand people are in a hurry or running late or whatever - I've been there. But I wish the spouses and the parents of the teens could see how much they are doing it and how dangerous they are being to themselves and others. ... See More
Like · Reply · 3d

Jessica Schanke I'll admit I've found myself driving fast on accident and slow down immediately because I it ticks me off to no end when people go speeding through the neighborhood. I tend to run late at 5:30 in the morning but I refuse to speed through the neighborho... See More
Like · Reply · 2d

Joylyn Slager Judkins Deer run is also a problem. My parents live there and i don't feel safe letting my kids play in the front yard/ ride bikes etc. No hour of the day is safe either

South Weber Country Fair Days



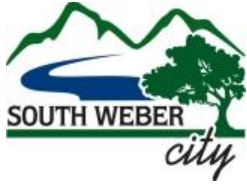
Questions or Concerns?

Captain Taylor West

801-451-4104

Sergeant Chris Pope

801-451-4150



Council Meeting Date: September 17, 2019

Name: David Larson

Agenda Item: Discussion Regarding Parking Restriction on 2700 East

Objective: Discuss suggestion and options regarding potential parking restrictions along 2700 East

Background: The Lofts at Deer Run development proposal has generated questions around traffic and parking on 2700 East.

Summary: The City Council received a formal Council Meeting Agenda Request from resident Hayley Alberts requesting the City Council discuss the possibility of restricting parking on 2700 East.

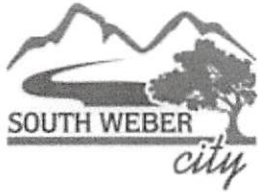
Committee Recommendation: NA

Planning Commission Recommendation: NA

Staff Recommendation: NA

Attachments: Hayley Alberts Request to be on an Agenda

Budget Amendment: NA



South Weber City

City Council Agenda Application

1600 East South Weber Drive • South Weber, Utah 84405 • Phone: (801) 479-3177 • Fax: (801) 479-0066

City Council meetings are held the second, third and fourth Tuesdays of each month beginning at 6:00 p.m. This application must be submitted by 5:00 p.m. eight (8) days prior to the meeting.

Name:

Hayley Alberts

Address:

7560 So. 1740 E.

Phone:

801-814-9595

E-mail:

hayleyalberts@yahoo.com

Date of City Council Meeting you request to be placed on:

9-17-19

PURPOSE/REASON TO BE ON CITY COUNCIL AGENDA:

• add no parking / red zone on 2700 E

WHAT IS YOUR RECOMMENDATION?

• Due to ~~the~~ the demonstration of the ill. effects of parking on 2700 E, we feel it should be considered a no parking zone from So. Weber Drive to Deer Run.

CITY DEPARTMENT INPUT:

SIGNATURE:

Hayley Alberts

DATE:

9.3.19

This application allows you to be placed on the City Council agenda for items of discussion only, no official action will be taken.