

## 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, 2 January 2018** at the **City Council Chambers, 1600 E. South Weber Dr.**, commencing at **6:00 p.m.**

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### COUNCIL MEETING:

**6:00 p.m.** PLEDGE OF ALLEGIANCE – Mayor Long  
PRAYER - Council Member Casas  
APPROVAL OF AGENDA  
DECLARATION OF CONFLICT OF INTEREST

**6.05 p.m.**

1. Consent Agenda
  - a. Approval of 12 December 2017 Work Meeting and Meeting Minutes
  - b. Approval of 27 December 2017 Meeting Minutes

**6:06 p.m.**

2. Parting Comments

**6:25 p.m.**

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

**7:00 p.m.**

4. ACTIVE AGENDA:
  - a. Oath of Office: Mayor Elect-Jo Sjoblom  
Oath of Office: Council Members Elect-Wayne Winsor  
Oath of Office: Council Members Elect-Angie Petty
  - b. **Res 18-1** Appointment of Mayor Pro Tempore
  - c. Interview City Council Vacancy Applicants  
  
Hafen, Melissa, R.  
Halverson, Blair, T.  
Jackson, Michael, S.  
Schenk, Trevor  
Westbroek, Rod
  - d. **RES 18-02** Appointment of City Council Member  
Oath of Office: Appointee to City Council

5. **PUBLIC COMMENT:** Please keep public comments to 3 minutes or less per person (no action to be taken)

**8:10 p.m.**

6. REPORTS:
  - e. Mayor – on designated committee responsibilities
  - f. City Council – on designated committee responsibilities
  - g. City Manager – on current events and future agenda items
  - h. Planning Commission Liaison – meeting and current development update

**8:300 p.m.**

6. ADJOURN

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:

CITY OFFICE BUILDING

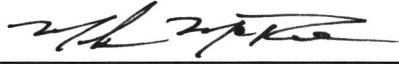
EACH MEMBER OF THE GOVERNING BODY

UTAH PUBLIC NOTICE WEBSITE

CITY WEBSITE [www.southwebercity.com](http://www.southwebercity.com)

THOSE LISTED ON THE AGENDA

[www.pmn.utah.gov](http://www.pmn.utah.gov)



**DATE: December 28, 2017**

**CITY RECORDER: Mark McRae**

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.

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

# SOUTH WEBER CITY CITY COUNCIL MEETING

**DATE OF MEETING:** 12 December 2017

**TIME COMMENCED:** 6:04 p.m.

**PRESENT: MAYOR:** Tammy Long

**COUNCILMEMBERS:** Scott Casas  
Kent Hyer  
Merv Taylor  
Jo Sjoblom  
Wayne Winsor

**CITY RECORDER:** Mark McRae

**CITY MANAGER:** Tom Smith

**CITY PLANNER:** Barry Burton

**Transcriber:** Minutes transcribed by Michelle Clark

**ATTENDEES:** Doug Ahlstrom, Angie Petty, and Steve Rowley.

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

**PLEDGE OF ALLEGIANCE:** Council Member Casas

**PRAYER:** Council Member Winsor

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

**CONFLICT OF INTEREST:** None

## **CONSENT AGENDA:**

- Approval of 21 November 2017 Meeting Minutes
- Approval of 28 November 2017 Work Meeting and Meeting Minutes
- Approval of October 2017 Budget to Actual

Council Member Taylor moved to approve the consent agenda as written. Council Member Hyer seconded the motion. Mark called for the vote. Council Members Casas, Hyer, Taylor, Winsor, and Sjoblom voted yes. The motion carried.

## **ACTIVE AGENDA:**

**Ordinance 17-17 Adopting Code Section 10.5QV Visual Buffer Overlay Zone (V-B Zone):****10.5Q.1 Purpose**

The purpose of this overlay zone is to promote and provide for the preservation of open space and natural vegetation important to reducing the visual and noise impacts of Interstate 84 on adjacent residential development. This overlay zone provides incentives to property owners to develop in a way that will accomplish these objectives. This overlay zone establishes special provisions that apply only to those properties that receive this overlay designation and which override the applicable provisions of the underlying zone.

**10.5Q.2 Description of Area to Be Preserved**

The open spaces to be preserved under the provisions of this article are those areas immediately adjacent to and on the south side of the Interstate 84 Right of Way from The Rocky Mountain Power Substation to 1100 East. This area will be between the I-84 Right of Way and the right of way for Old Fort Rd. as it is proposed and primarily land that contains native vegetation.

**10.5Q.3 Description of Area Overlay Zone Allowed**

With the Planning Commission recommendation and City Council approval, this overlay zone may be applied to land that lies adjacent to the south side of Interstate 84 between The Rocky Mountain Power substation and 1100 East and that is at least ten (10) acres in area.

**10.5Q.4 Special Provisions**

Density Increase and Transference: The density of the development that would be allowed by the underlying zone within the area being preserved may be increased by 100% and all of the density thereby generated may be transferred to that part of the same property that is not being preserved, and to no other property.

Lot Width adjustment: The minimum lot width required by the underlying zone shall be reduced by five feet (5').

Minimum Side Yard Adjustment: The minimum side yard required by the underlying zone shall be reduced by two feet (2'), but in no case, shall the minimum side yard be less than five feet (5').

Land preserved by this Overlay Zone shall not count toward the total allowable area of any underlying zone that has area limits.

**10.5Q.5 Requirements of Underlying Zone**

All other provisions of the underlying zone not modified by this overlay zone remain in full force and effect.

**Council Member Taylor moved to table Ordinance 17-17 Adopting Code Section 10.5QV Visual Buffer Overlay Zone (V-B Zone) to amend the language “may” to “shall”. Council Member Winsor seconded the motion. Mark called for the vote. Council Members Hyer, Taylor, Winsor, and Sjoblom voted yes. Council Member Casas voted no. The motion carried 4 to 1.**

**2017 Financial Audit Report – Keddington and Christensen, LLC:** Steve Rowley, of Keddington and Christensen, LLC approached the Council and Mayor and presented the 2017

Financial Audit Report. He said he has participated in this audit as well as Gary Keddington. Steve said the audit went very smoothly. He appreciates all the hard work by Mark McRae and Paul Laprevote. He said the financial statements have been audited. He said in their opinion the financial statements referred to present fairly, in all material respects, the respective financial position of the governmental activities, the business type-activities, each major fund, and the aggregate remaining fund information of South Weber City as of June 30, 2017, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in conformity with accounting principles generally accepted in the United States of America. He suggested the Council read the management discussion on page 3. He said the notes to the financial statements are very helpful as well. He then reviewed page 48 and discussed the internal control over financial reporting. He said they didn't find any deficiencies or potential weaknesses with those. He said they didn't find anything deficiencies regarding government standards either. He reviewed the Compliance Requirements that were tested. He reviewed the first finding being the City Council Meeting Minutes not being uploaded to the Utah Public Notice website within three days after approval. He also discussed the fact that there wasn't a public hearing for the FY2016-2017 budget. He said this seems to be a small oversight. He said none of these findings impacted the financial statements. Council Member Casas questioned page 12 concerning the fire fighting vehicle fund. He said for three years in a row the Council has adopted a \$85,000 to fire department vehicle fund. He said the total is \$181,228. It was stated some of that fund has been used for a down payment on the fire truck.

**Council Member Hyer moved to accept 2017 Financial Audit Report – Keddington and Christensen, LLC. Council Member Winsor seconded the motion. Mark called for the vote. Council Members Casas, Hyer, Taylor, Winsor, and Sjoblom voted yes. The motion carried.**

Council Member Hyer thanked Mark McRae and his team for the work that has been accomplished over the last couple of years.

**PUBLIC COMMENTS:** (None)

**REPORTS:**

**Mayor Long:** She thanked the city staff for the Christmas Party. She reported the refinancing of the bond is going well.

**Council Member Taylor:**

**Council Member Hyer:** He stated the Youth Council held the annual Breakfast with Santa. They also conducted the Christmas Light award and went to dinner at ABC Mandarin.

**Council Member Sjoblom:** She and Brandon Jones met with Mike Romero to talk about concerns with the bridge on Highway 89 and the possibility of widening to include a trail verses the trail going under the bridge. She attended the Utah League of Cities and Towns meeting yesterday. She said there are a number of bills that can impact local control. She will be attending multiple meetings during the Legislature. She said the ULCT is in favor of a

transportation fee. She said the Finance and City Management Orientation will be held on December 21, 2017 at 5:00 p.m.

**Council Member Casas:** He reported that the State is still analyzing the dust data. He said it has been a pleasure and privilege to serve with each one of you.

**Council Member Winsor:** He thanked the city staff for their performance with the audit. He also thanked Mayor Long and Council Member Casas for their service to the community. Council Member Taylor agreed.

**City Recorder, Mark McRae:** He said there have been two applicants for the Council vacancy.

**City Manager, Tom Smith:** He said Rocky Mountain Power is performing a geographical Targeted Program. He reported the Planning Commission will review the Clifford property rezone request as well as a rezone request on Cornia Drive this Thursday.

**ADJOURNED:** Council Member Sjoblom moved to adjourn the City Council meeting at 7:15 p.m. and go into a Closed Executive Session – as per UCA § Section 52-4-205(1)(D) to discuss the purchase, exchange or lease of real property, including any form of water right or water share. Council Member Hyer seconded the motion. All were in favor.

The closed session started at 7:23 pm. Present were: Mayor Long, Council Members Taylor, Hyer, Sjoblom, Casas, and Winsor. Tom Smith, City Manager, Mark McRae, City Recorder, and Dough Ahlstrom, City Attorney.

Council Member Hyer moved to end the closed session at 7:25 p.m. Council Member Taylor seconded the motion. Council Members Casas, Hyer, Sjoblom, Taylor, and Winsor voted yes. The motion carried.

The City Council reconvened the meeting at 7:26 p.m.

Council Member Taylor moved to adjourn the meeting at 7:26 p.m. Council Member Hyer seconded the motion. Council Members Casas, Hyer, Sjoblom, Taylor, and Winsor voted yes. The motion carried.

**APPROVED:** \_\_\_\_\_ Date

Mayor: Tammy Long

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

Attest: \_\_\_\_\_  
City Recorder: Mark McRae

# SOUTH WEBER CITY SPECIAL CITY COUNCIL MEETING

**DATE OF MEETING:** 27 December 2017

**TIME COMMENCED:** 8:08 a.m.

**PRESENT: MAYOR:** Tammy Long

**COUNCILMEMBERS:** Scott Casas  
Merv Taylor  
Jo Sjoblom  
Wayne Winsor

**CITY RECORDER:** Mark McRae

**CITY MANAGER:** Tom Smith

**ABSENT: COUNCILMEMBER:** Kent Hyer

**Transcriber:** Minutes transcribed by Mark McRae

**ATTENDEES:** Doug Ahlstrom, Natalie Dayton, Rich Jones, Penny Stark.

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

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

**CONFLICT OF INTEREST:** None

## **ACTIVE AGENDA:**

**Purchase of Real Property Located at Approximately 1080 Lester Dr., Parcel#13-021-0054**

Mayor Long asked if there was any discussion on the item.

Councilmember Taylor asked what the options were if the purchase was not approved. City Attorney Doug Ahlstrom stated there are three options: Option 1 is the seller can sue the city for specific performance. Then the city would go to court. If the city loses, the city would pay all costs which generally would be between \$10,000 to \$100,000. Mr. Ahlstrom does not feel South Weber would win in court. Option 2 is the seller can take the earnest money and go home. Option 3 the seller can walk away and sue for damages. Councilmember Winsor asked Mr. Ahlstrom if he reviewed the agreement prior to it being signed. Mr. Ahlstrom confirmed he had. Mayor Long went on record as being against this purchase from the beginning.

**Council Member Casas moved to approve the purchase of real property located at approximately 1080 Lester Dr., Parcel #13-021-0054. Council Member Taylor seconded the motion.**

After the motion, Council Member Sjoblom stated there has been a lot of discussion on this item and mistakes made. It is her hope that the city has learned from this and will avoid these types of situations in the future. She added the State Ombudsman agrees with the city attorney's recommendation.

**Mark called for the vote. Council Members Taylor, Sjoblom, and Casas votes yes. Council Member Winsor voted no. The motion carried.**

**ADJOURNED:** Council Member Sjoblom moved to adjourn the meeting at 8:16 a.m. Council Member Taylor seconded the motion. Council Members Casas, Sjoblom, Taylor, and Winsor voted yes. The motion carried.

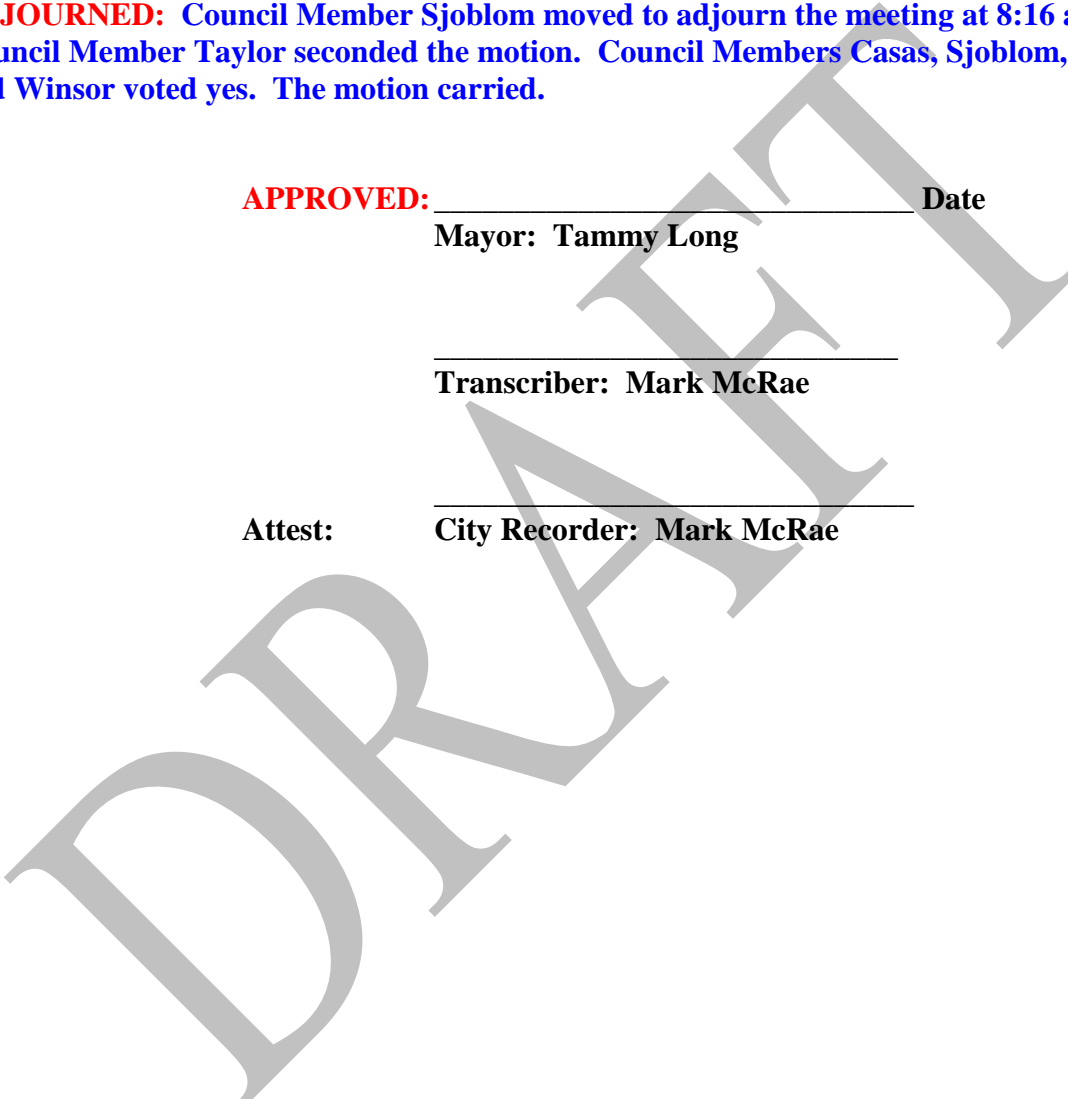
**APPROVED:** \_\_\_\_\_ **Date**

**Mayor: Tammy Long**

\_\_\_\_\_  
**Transcriber: Mark McRae**

**Attest:**

\_\_\_\_\_  
**City Recorder: Mark McRae**





**SOUTH WEBER CITY**

**RESOLUTION 18-01**

**APPOINTMENT OF MAYOR PRO-TEMPORE**

**Whereas**, in the possible absence of Mayor Jo Sjoblom, the City Council of South Weber City desires to appoint a Mayor Pro-Tempore; and

**Whereas**, The Mayor Pro-Tempore will act in the official capacity of Mayor in the Mayor's absence;

**NOW THEREFORE**, be it ordained by the Council of South Weber City, in the State of Utah, as follows:

Council Member Kent Hyer shall be appointed to serve as Mayor Pro-Tempore for a period of one year from January 2018 to December 2018.

**REPEALER CLAUSE:** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED BY THE SOUTH WEBER COUNCIL 01/02/2018.

	<b>AYE</b>	<b>NAY</b>
Kent Hyer	_____	_____
Angie Petty	_____	_____
Merv Taylor	_____	_____
Wayne Winsor	_____	_____

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
**Jo Sjoblom, Mayor**

\_\_\_\_\_  
**Mark McRae, Recorder**

**SOUTH WEBER CITY**

**RESOLUTION 18-02**

**APPOINTMENT OF COUNCIL MEMBER TO FILL THE MID-TERM VACANCY**

**Whereas**, City Council member Jo Sjoblom was elected to serve as Mayor of South Weber City; and

**Whereas**, the remainder of the now vacant council term is from January 2018 to December 2019; and

**Whereas**, the City Council has interviewed all applicants in an open and public meeting and has made a selection for appointment;

**NOW THEREFORE**, be it ordained by the Council of South Weber City, in the State of Utah, as follows:

\_\_\_\_\_ will fill the remainder of the mid-term vacancy for the position of South Weber City Council for the term of January 2018 to December 2020.

**REPEALER CLAUSE:** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED BY THE SOUTH WEBER COUNCIL 01/02/2018.

	AYE	NAY
Kent Hyer	_____	_____
Angie Petty	_____	_____
Merv Taylor	_____	_____
Wayne Winsor	_____	_____

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
**Jo Sjoblom, Mayor**

\_\_\_\_\_  
**Mark McRae, Recorder**