

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 10 March 2020

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:

Hayley Alberts
Blair Halverson
Angie Petty
Quin Soderquist
Wayne Winsor

CITY RECORDER:

Lisa Smith -Excused

DEVELOPMENT COORD:

Kimberli Guill

CITY ENGINEER:

Brandon Jones

CITY MANAGER:

David Larson

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Trevor Broughton, Lynn Poll, Nate Harbertson, Carter Randall, Linda Marvel, Paul Sturm, Fran Olson, Jeff Judkins, Michael Grant, Corinne Johnson, Emily Coombs, Nolan Birt, Tani Lynch, and Chad Lynch.

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

PLEDGE OF ALLEGIANCE: Mayor Sjoblom

PRAYER: Councilwoman Alberts

CONFLICT OF INTEREST: None

PUBLIC COMMENT: Please respectfully follow these guidelines:

- a. Individuals may speak once for 3 minutes or less
- b. Do not make remark from the audience
- c. State your name and address
- d. Direct comments to the entire Council
- e. Note City Council will not respond during the public comment period

Nolan Birt, 6925 S. 475 E., recommended the Council represent South Weber City right now and not a developer. He requested the Council look at what is best for the city and if it didn't fit

the city and enhance the quality of life in South Weber, then he didn't want it. He wondered how a hotel would enhance the city and didn't think the city needs a four-story apartment building.

Fran Olson, 9601 S. 675 E., was not in favor of an apartment or hotel in South Weber. She referenced a Facebook page in which individuals made suggestions for the Stephens' property. Those suggestions included: ice cream shop, miniature golf, splash pad, bike pad, fire pit with shops (mini Farmington Station), outdoor living store, bike & kayak rental, and a healthy food store.

Lynn Poll, 826 E. South Weber Drive, was against apartments. He also opposed a road connection to Layton City. He felt developers should mitigate the wetlands at Canyon Meadows Park. He reported the parks have a lot of dog waste and recommended increasing the fine for violating the code. He encouraged better enforcement of the ordinance.

Corinne Johnson, 8020 S. 2500 E., didn't believe mixed-use zone will work in this city. She voiced it is a way to get apartments into the city. She suggested removing mixed use from the general plan options. She recommended retail commercial with a community feel.

Mayor Sjoblom asked if the City Council would like to comment. Councilman Halverson related when he first moved to South Weber, code enforcement told him to get his dog out of the park. Mayor Sjoblom conveyed there is a developer who is going to install a dog park, which will give dog owners a place. Councilwoman Petty acknowledged there is a lot of dog activity going on at Canyon Meadows Park. She reminded everyone of the leash law for dogs. She vowed to investigate what can be done.

PRESENTATIONS:

Development at approximately 475 E 6650 S (17 acres) by Carter Randall

Mayor Sjoblom explained the City has been approached with a concept for a potential mixed-use development on the property north of Old Fort Road near the I-84 Interchange. Knowing this property is being actively discussed as part of the ongoing general plan update, the developer wanted to present his concept to the Council.

Carter Randall, and partner Nate Harbertson with PPC Commercial Real Estate Brokerage, presented concept ideas for the property located at 475 E. 6650 S. Carter conveyed they have been working on this property for approximately ten years. There has been a lot of interest to have the entire 17 acres commercial; however, there hasn't been enough interest from commercial entities. Carter reviewed the slides identifying the location, site plan overlay, site plan with future road plan, retail development, multi-family development, and hospitality development. He conveyed they propose uniform architecture throughout the development. He was open to what the City's thoughts might be for architecture. He discussed the need for residential storage and RV/Boat storage.

Carter reviewed the estimated financial benefits to South Weber City as follows:

Estimated Financial Benefits to South Weber City

Current	Property Taxes	Approx. Property Value	Property Tax Rate	Tax Receipts	South Webers Portion
			0.66%		11.76%
	Green Belt	U/K		\$0.00	\$0.00
Developed	Fuel Station	\$ 2,000,000.00		\$ 13,200.00	\$ 1,552.32
	Strip Center	\$ 1,200,000.00		\$ 7,920.00	\$ 931.39
	Storage Units	\$ 3,000,000.00		\$ 19,800.00	\$ 2,328.48
	Multi Family	\$ 24,000,000.00		\$ 158,400.00	\$ 18,627.84
	Hotel	\$ 5,000,000.00		\$ 33,000.00	\$ 3,880.80
		\$ 35,200,000.00		\$ 232,320.00	\$ 27,320.83
Sales Taxes		Gross Sales	South Weber Sales Tax Rate		
			2.30%		
	Fuel Station	\$ 5,000,000.00		\$ 115,000.00	
	Strip Center	\$ 4,000,000.00		\$ 92,000.00	
	Hotel	\$ 2,000,000.00		\$ 46,000.00	
		\$ 11,000,000.00		\$ 253,000.00	\$ 253,000.00
Total Income					\$ 280,320.83

Carter expressed this development would provide benefits to the current and future citizens of South Weber City by providing hospitality, storage facilities, commercial services, fuel, and groceries. He foresaw the impact on South Weber City infrastructure as minimal. He explained the proximity of this site to I-84 would encourage non-residents to use I-84 as their means of entrance and exit. He professed this development would substantially increase revenues generated by this property and have nearly no negative impact.

Nate related he talked to people in the community about this project. He conveyed the average price for a home in South Weber is unaffordable to young families and this concept would allow for resident’s children to come back and live in the community. He expressed they are willing to do a development agreement with the City.

Councilwoman Alberts asked how many apartments are proposed. Carter answered approximately 200 units. He expressed the difficulty with the power lines in site layout. Councilman Halverson queried if anyone had been contacted for the retail spaces. Carter stated they have had a lot of interest in storage units but not much interest in retail development. He explained the difficulty with getting national retailers interested. Nate reported they have talked to multiple retailers and was confident they could fill the retail in this specific plan.

Councilman Winsor asked if the apartments were the driver for this development. He acknowledged there are many in this community who believe South Weber should not be a starter community. He was not in favor of the apartment complex. Councilwoman Alberts agreed.

Carter asked the Council what they envision to take up all that acreage. Councilman Winsor discussed the statistics of what the residents spend on groceries. He would like to see auto sales,

RV sales, boat dealership, etc. He suggested the R-7 Zone. He had concerns about the hotel. Councilwoman Alberts suggested a community center where the residents could gather. She also advised that this location is a historical site. It is a prime location for commercial and it would be difficult to give up for housing. Nate described some of these ideas could be worked through with a development agreement. He iterated this was only a concept plan.

Carter discussed the hurdles he experienced with soliciting a grocer. Nate accounted there needs to be some component of residential for this plan to work. Councilman Halverson declared he understood this property to be commercial property. He allowed this proposal was better than the truck stop that was presented years ago. He liked the overall plan but was against the high density. Councilwoman Petty echoed her dislike of the apartments, but felt the rest was viable for the City. Carter stated they would be willing to discuss options for multi-family. Nate verified there would be a homeowner's association (HOA).

Mayor Sjoblom asked about Class A storage. Nate clarified that was the type of tenant they were encouraging. Proposal of townhomes was proffered. Nate defined they need approximately 14 units per acre.

The Council appreciated having the dialogue and seeing the artist renderings. The developers planned to do some more figuring in light of the feedback received.

ACTION ITEMS:

Approval of Consent Agenda

- **Minutes 8 February 2020**
- **Minutes 11 February 2020**
- **Minutes 18 February 2020**

Councilman Winsor moved to approve the consent agenda. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

Resolution 2020-04: Interlocal Agreement with Uintah for Cottonwood Waterline

Brandon Jones, City Engineer's, memo of 5 March 2020 is as follows:

Background

The City budgeted \$300,000 this year to go towards waterline replacement projects addressing fire flow deficiencies. The 2016 Culinary Water Capital Facilities Plan (CFP) identifies the existing waterline in Cottonwood Drive as needing to be replaced. The reason for the replacement was to upsize the existing 6" line to the minimum 8" size. In the 2018 Capital Improvements Plan (CIP) the replacement of this line is shown to take place in the year 2026. However, recent information and analysis would suggest that there are important reasons to consider re-prioritizing this project.

DDW Administrative Rules

The following are a list of Division of Drinking Water (DDW) Administrative Rules that this line does not meet:

1. R309-550-5(4) Minimum Water Main Size. *“Minimum water main size, serving a fire hydrant lateral, shall be 8 inches in diameter unless a hydraulic analysis indicates that required flow and pressures can be maintained by 6-inch lines.”* Recent fire flow tests and a hydraulic analysis (computer model) have revealed that this line cannot provide the required flow and pressures. Therefore, it must be a minimum of 8-inch.

2. R309-550-5(5) (a) Fire Protection. *“The design of the distribution system shall be consistent with the fire flow requirements as determined by the local fire code official.”* The Fire Marshal for South Weber has determined that 1,500 gpm is the fire flow for this area. The existing line provides a fire flow between 700 – 750 gpm.

3. R309-550-5(7) Dead Ends. *“To provide increased reliability of service and reduce head loss, dead ends shall be minimized by making appropriate tie-ins whenever practical.”* This is a dead-end line. When Weber Basin has to shut down their line, this line is out of service, which means that not only is there no water service, but there is no fire protection.

4. R309-510-8(3) Fire Flow Storage. *“Unless otherwise approved by the local fire code official, the fire flow and fire flow duration shall not be less than 1,000 gallons per minute for 60 minutes.”* This line is connected to Weber Basin’s transmission line. The only storage provided is whatever is in that line. The required storage cannot be guaranteed as the purpose of the transmission line is to deliver water, not provide storage.

5. R309-510-8(4) Emergency Storage. *“The amount of emergency storage shall be based upon an assessment of risk and the desired degree of system dependability.”* Given the isolated nature of this line, emergency storage would help to reduce risk and increase system dependability.

Project Purpose/Objectives/Benefits

In a memo to the City Council, dated December 5, 2019, we recommended adjusting the priority of the Cottonwood Drive Waterline Replacement and do the project in this fiscal year as a joint use project with Uintah City. The reasons for making this priority adjustment include:

1. The upsized line will meet the minimum line size requirement.
2. Significantly increased fire flow from Uintah City and Weber Basin. According to the water model, the fire flow will exceed 3,000 gpm. This may be reduced slightly based on Weber Basin’s operational limits.
3. Elimination of a dead-end system. The joint-use line will be connected to Uintah City’s water system and Weber Basin’s transmission line. This also provides redundancy in the event of a shut-down on either side and allows the residents to remain in service and fire protection to remain in place.
4. Fire flow storage is being provided by Uintah City’s water system.
5. Emergency storage is being provided by Uintah City’s water system.
6. Cost savings to both cities (construction of the project and on-going maintenance and replacement).
7. Weber Basin has agreed to participate in the Project. They have agreed to move the meter vault up to the road and take complete ownership responsibility of approximately 1,400 feet of the line. They have also agreed to contribute \$50,000 towards the Project

Interlocal Agreement (Updated)

A redlined copy of the updated Interlocal Agreement with Uintah City is attached to this memo, along with an updated version of Exhibit A. These show the changes from the original version presented to the Council back in December. While the Agreement itself spells out the details, the following is a summary of the changes:

1. The Project will build the entire length of waterline (approx. 3,450 feet). Following construction, Weber Basin will take responsibility for approx. 1,400 feet of the waterline, leaving approx. 2,050 feet as the responsibility of both cities.
2. The Scope of the Agreement was updated to more clearly define the purpose of the Project and the ongoing responsibilities of both cities for Ownership, Operation, Maintenance, Repair, and Replacement.
3. South Weber will bid the Project, but the selection of the Contractor must be mutually agreed upon before the contract can be awarded.
4. Section 4, which addresses the ongoing responsibilities of the cities after construction, was completely rewritten to address Ownership, Operation, Maintenance, Repair and Replacement as individual items. This was done to identify the responsibility of each city as it relates to each item of the ongoing care of the Project elements.
5. A Responsibility Table was added to Exhibit A that outlines the entity or entities responsible for specifically identified elements of the Project. The entities included are South Weber, Uintah City and Weber Basin.
6. The ongoing responsibility for Maintenance, Repair and Replacement of the joint-use portion of the line will be shared 50/50 by both cities.
7. After bids are received and the Project cost is known, both cities must agree on the price before awarding the contract for the Project.
8. Any contribution to the Project from Weber Basin will be shared equally by the cities.
9. Other minor adjustments to format and organization of the Agreement were made.

Recommendation

Based on the dramatically improved water service to the area, cost savings due to the collaboration of both cities on the Project and on-going maintenance, and participation from Weber Basin, we recommend approval of the Interlocal Agreement with Uintah City and proceeding forward with the design and bidding of the Project.

Brandon stated meeting the needs for the area has been master planned. David discussed the 12" line being Uintah's need and not South Weber's. Brandon pointed out Uintah will have storage, but South Weber will be able to use it. Councilman Winsor discussed the benefits for the connection including the second source of water storage. David commented it is important to understand that the boundary issues are not going to take place in the near future. Brandon remarked Uintah City has reviewed and approved this agreement. Councilman Winsor suggested amending the agreement to eliminate the reference to the 1,400 ft. Councilman Halverson feels it is important to move forward with this project.

Councilman Winsor moved to approve the Resolution 2020-04: Interlocal Agreement with Uintah for Cottonwood Waterline with amendment to change the agreement reference with Weber Basin to include the water meter and vault. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

Resolution 2020-07: Final Plat for South Weber Drive Commercial 1st Amendment

Mayor Sjoblom explained the plat is being amended so that the owner (Dan Murray) can sell Lot 2 to the individual that is planning to build on it. The Site Plan for Alpha Coffee was approved back in the spring of 2019. Therefore, the plat amendment is the only remaining approval needed. The Site Plan and other documents are only included for reference.

The lot line for Lot 1 is being adjusted and Lot 2 is being created. The remaining portion of the plat is designated as a remainder parcel and cannot be built on as is. The necessary utilities for Lot 2 were approved with the Site Plan for Alpha Coffee and/or installed with Phase 1. The associated easements are already in place.

Councilman Halverson moved to approve Resolution 2020-07: Final Plat for South Weber Drive Commercial 1st Amendment. Councilman Soderquist seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

Resolution 2020-10: Amendment #4 to Interlocal Cooperation Agreement for Animal Services

Mayor Sjoblom stated South Weber City has an interlocal agreement with Animal Care of Davis County to provide animal services. An agreement for animal services was signed July 12, 2016 and expires December 31, 2020. The fees are reviewed annually, and amendments are forwarded to each participating city. Amendment #4 is coming forward now for approval. The City’s annual obligation will change as shown below.

	2019	2020
Service Calls	\$17,111.74	\$18,890.64
Nuisance animals	\$ 1,261.75	\$ 849.75
Capital Projects	\$ 1,007.44	\$ 933.18
Total	\$19,380.93	\$20,673.57

The negotiations for a new contract will be underway this year. A need for substantial capital facilities improvements is expected. The city’s animal control contract rate will increase by \$1,292.64. The monthly bill will be \$1,722.80, an increase of \$107.72.

Councilman Soderquist moved to approve Resolution 2020-10: Amendment #4 to Interlocal Cooperation Agreement for Animal Services. Councilwoman Alberts seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

DISCUSSION ITEMS:

Plans Review Services Provider Pool

David Larson, City Manager, indicated the City has need to hire a third-party development plans reviewer. Staff completed a Request for Qualifications, received and evaluated the responses and would like to suggest creating a Provider Pool instead of selecting one company to work with exclusively. A provider pool would allow the City to have a standing contract with multiple companies that provide the same service and select which provider to use based on the needs of

the City at the time the service is desired, which could include things like cost and turn-around time. He pointed out this agreement can include building inspections as well.

Having a pool also means the City could add or remove companies from the pool in the future. Any addition would need to come before the Council for a services agreement. If the Council agrees with the concept of a provider pool, contracts for each company would come forward as an action item for approval.

Two companies responded to the Plans Review RFQ - Shums Coda and West Coast Code Consultants (WC3). Upon evaluation, both are quality companies and could provide the services needed at the desired level. The City could select one company to work with; however, entering into an agreement with both companies would provide flexibility based on the specific project plans and the workload of the company at the time of submission. All costs associated with the third-party plans' reviews are paid for by the developer as a pass through.

Councilman Winsor suggested agreements not exceed five years. Mayor Sjoblom and the City Council agreed.

2020 Legislative Review

- a. The Legislature punted on the big issues this year and will work on them during the interim.
- b. The property rights ombudsman bill, HB 273, passed the House and with the proposed changes, the ULCT no longer opposes the bill but is neutral and feels the bill will not negatively impact cities.
- c. S.J.R. 9 – Proposal to amend Utah Constitution in the use of tax revenue.
 - i. Right now, the State has too much coming to State in income tax and too little in sales tax.
 1. This bill would allow income tax dollars to be used for children and individuals with disabilities.
- d. HB 357 – Public Education Funding Stabilization
 - i. This bill requires the Legislature to meet a funding floor for education each year tied to enrollment growth and inflation – it creates a reserve account.
 - ii. Takes effect only if constitutional tax reform amendment is approved in November.
- e. SB 39 – Affordable Housing (AH) Amendment – supply funds for development of AH
 - i. Legislature approved \$10 million one-time money for affordable housing.

Transportation Utility Fee: David reported they are removing the language “or tax”. This will be discussed further in the interim.

REPORTS:

New Business: March 24, 2020 is Caucus Night. David will check with the Planning Commission to possibly change the time of the joint meeting.

Councilwoman Alberts suggested having the Planning Commission review the Commercial Recreation Zone.

Councilman Soderquist asked for more clarification for the \$50,000 for the wetlands. David stated wetlands are not eligible for impact fee money.

Councilman Winsor suggested the City be proactive with the dog waste in the parks. Councilwoman Petty suggested getting information out to the public concerning no dogs allowed in city parks and a reminder to clean up dog waste. Mayor Sjoblom would like to make sure the park is cleaned up for the Easter Egg Hunt.

Mayor's Report: Mayor Sjoblom met with the SW Pickleball Community. The pickleball community's proposed raising funds for a covering for the 4 pickleball courts the City has committed to constructing rather than additional courts. Their reasoning was that the courts can be used more frequently in a windy city if there is a wind break and covering. They envision this covering could have large doors that could be open during the summer hours when there is no wind. One member works at Sure Steel and committed to engineering and construction of the building free of charge as well as materials at cost. He was going to measure the existing facility in Ogden for an idea of measurements and provide a rough cost estimate to the Pickleball group. It was confirmed the staff and Council would need to approve any plans.

Governor Herbert declared a state of emergency for Utah to stay ahead of COVID 19 (Corona Virus) and prepare to combat the epidemic. David reported the city staff had conversations and is planning to maintain the level of service as long as possible.

Council Reports:

Councilwoman Alberts: She expressed city staff is looking at costs for live streaming the public meetings and the mixed-use committee will meet this week.

Councilman Soderquist: He attended a meeting with representatives from Parsons and Geneva gravel pits. They discussed ways in which they are mitigating dust issues even during the more difficult winter months. A 12 ft. barrier wall was installed on the west end of Parsons. Mayor Sjoblom questioned a pool of money for residents to apply for repairs and restoration. Councilman Soderquist stated they are still working on putting that together, but they are willing to work with residents. Mayor Sjoblom was especially concerned about the dust coming out of Geneva's pit to the north and requested Councilman Soderquist to follow up with that problem.

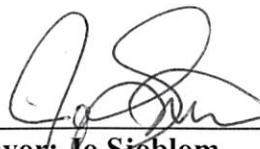
Councilwoman Petty: She attended a meeting with city staff and the Train Club concerning the wetland mitigation plan timeline. She stated the Easter Egg Hunt will be April 6, 2020 at 5:30 p.m. at Canyon Meadows Park. There will be free train rides and possibly food trucks.

Councilman Winsor: He stated April 16, 2020 is the Great Utah Shake Out. He inquired if the city staff is planning on participating. David will examine that possibility.

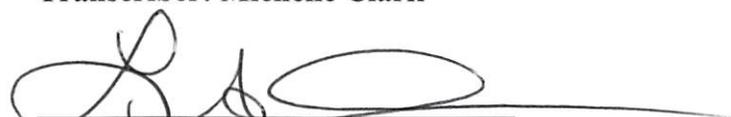
City Manager, David Larson: He met with the contractor on Old Fort Phase 1 and April 15, 2020 is the official date to start paving (weather permitting). There will be activity taking place on that job site. The City will begin charging a penalty beginning April 15th. He announced the

City is participating with the "Just Serve" website. Community projects will be announced online. Mayor Sjoblom received a phone call from Spencer Cox and supporters who would like to do some type of service project in South Weber.

ADJOURNED: Councilman Halverson moved to adjourn the Council Meeting at 8:11 p.m. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

APPROVED:  _____ **Date** 3/31/2020
Mayor: Jo Sjoblom

 _____
Transcriber: Michelle Clark

Attest:  _____
Recorder: Lisa Smith

CC 2020-03-10 Citizen Input #1 Johnson

From: KURT JOHNSON <kurtjohnson84120@msn.com>

Sent: Monday, March 9, 2020 6:48 PM

To: Jo Sjoblom <JSjoblom@southwebercity.com>; Wayne Winsor <wwinsor@southwebercity.com>; Angie Petty <apetty@southwebercity.com>; Quin Soderquist <qSoderquist@southwebercity.com>; Hayley Alberts <hAlberts@southwebercity.com>; Blair Halverson <bhalverson@southwebercity.com>

Subject: Proposed Development

Dear Honorable Mayor and City Council:

Please add the following to the public record:

I am writing in regards to the development proposal by Carter Randall at 475 E. 6650 South.

My wife and I are currently building our "forever" home on Peterson Parkway in South Weber. Although we are not yet residents of South Weber, we are very much looking forward to becoming active members that community. After years of searching, we were thrilled to find the perfect lot to build our home. We immediately fell in love with the community, with its peaceful, rural feel in a beautiful area, unscathed by high rise hotels, apartments, and shopping centers. It makes us very nervous and sad to see the proposed development that includes a hotel and huge apartment complex in a beautiful and serene place surrounded by homes.

Please don't misunderstand my objections. I am very much pro capitalism and believe in a property owners rights to develop his property as he sees fit... as long as that development takes into consideration the lives and homes of the people currently living there. I believe a convenience store along with some small shops or a grocery store would serve the local community very well. But anything along the scale of a hotel or large apartment complex would be an eyesore and bring a heavy traffic and population load that would only hurt the local community.

Please make our strongest objections to the development proposal by Carter Randall at 475 E. 6650 South as public record.

Thank you for your consideration and service.

Sincerely,

Kurt A & Janet B Johnson
(soon to be) South Weber Residents
801-530-9814

CC 2020-03-10 Citizen Input #2 Friddle

From: CARLY <carly.friddle@msn.com>

Sent: Monday, March 9, 2020 10:05 PM

To: Hayley Alberts; Jo Sjoblom; Wayne Winsor; Angie Petty; Quin Soderquist; Blair Halverson

Subject: Public Comment

Mayor Sjoblom and City Council members,

I am writing in regards to the proposal of development at 475 E 6650 S. I would like this email as part of the public record opposed to building a hotel and 4 story apartment complex. I would however be in favor of an aquatic center or outdoor enthusiast opportunities adjacent to the proposed strip mall. Can the city discuss what guidelines are in place so the commercial development does not disrupt the visual component of living in South Weber? Including building height, sign height, etc? What about a noise ordinance for the surrounding homes? I for one have a soccer complex blocking one view from my house, I would not like a hotel or high rise apartment building blocking another.

Thank you for your consideration,

Carly Friddle
South Weber Resident