

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 13 April 2021 **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 ATTORNEY: Jayme Blakesley

CITY ENGINEER: Brandon Jones

CITY PLANNER: Shari Phippen

CITY RECORDER: Lisa Smith

CITY MANAGER: David Larson

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Corinne Johnson, Terry George, Paul Sturm, Elizabeth Rice, Farrell Poll, Nate Reeve, Sky Hazlehurst, and Brad Brown.

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

1.Pledge of Allegiance: Councilwoman Alberts

2.Prayer: Rajan Zed, President, Universal Society of Hinduism

3. Public Comment: Please respectfully follow these guidelines.

- a. Individuals may speak once for 3 minutes or less: Do not remark from the audience.
- b. State your name & address and direct comments to the entire Council (Council will not respond).

Public Comments were submitted from the following:

Michael Poll, 1076 Skyhaven Cove CC 2021-04-13 #1 Poll
Terry George, 7825 S. 2000 E. CC 2021-04-13 CI #2 George
Julie Losee, CC 2021-04-13 CI #3 Losee
Amy Mitchell, 1923 Deer Run Dr CC2-21-04-13 CI #4 Mitchell
Paul A. Sturm, 2527 Deer Run Drive CC 2021-04-13 CI #5 Sturm

Terry George, 7825 S. 2000 E., referred to principles of the United States Constitution namely, the source of government power is the people. He opined humans are meant to govern themselves with as little governmental oversight as possible. He reminded everyone the people of South Weber gathered and gave input for amending the General Plan. He charged the Council to review all the data from the General Plan meetings including the surveys before approaching the Poll Gateway Development and hashed overlay. He averred the people of South Weber want the Poll property to be commercial highway with no residential. He requested the removal of the hashtag overlay until there are more clearly defined codes. He insisted the city's face mask policy should be changed to only require them if a public gathering exceeds 50 people and social distancing cannot be maintained.

Corinne Johnson, 8020 S. 2500 E., noticed over the last two years of being involved with city government that everyone has a lane and if individuals stay in their lane, things go better. Public comment is an opportunity for individuals to give their input. She stated the crosshatching leads everyone out of their lane. She suggested removing the crosshatching and defining everything through city code. Her recommendations included 1) making sure residential zones are only applied to residential areas, 2) having a clear recommendation process for Planning Commission, 3) defining public hearing, 4) not discussing development agreements in private meetings with the developer and staff, 5) requiring 2/3 majority vote on development agreements, and 6) requiring more than three council members are present. She voiced the General Plan should include a detailed definition regarding the crosshatch.

Paul Sturm, 2527 Deer Run Drive, voiced concern with the late release of the meeting packet. He requested the City Council reread the public comments from the meetings of 9 March 2021 and 23 March 2021. He delineated his concerns with the draft development agreement.

Liz Rice, 7875 S. 2310 E., reviewed the recent process of amending the General Plan. She estimated the Poll property was identified on the General Plan since 2000. The Poll family has been going through the development process as it is outlined. She pronounced the hillside should be included in the acreage. She discussed having a vision for the city. She also feared commercial going blight. She recommended a community bakery. She voiced adding residential would allow affordable housing for the younger generation who want to live in South Weber.

ACTION ITEMS:

4. Consent Agenda

- **9 March 2021 Minutes**
- **23 March 2021 Minutes**

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

5. Ordinance 2021-02: City Code Title 7 Chapter 4-3 Park Regulations: Mayor Sjoblom reported the construction of the dog park prompted a look at park regulations. Staff found some necessary updates. The Parks Committee reviewed the changes and recommended the code change which will allow the park rules to be amended in the future without an additional code rewrite.

Councilman Halverson requested the reasoning behind the change in allowing dogs in all city parks on a leash. Councilwoman Petty replied the Parks Committee discussed allowing dogs in city parks if they are on a leash and individuals clean up after them. Councilman Winsor asked how violating the regulations will be enforced. He was not in favor of allowing dogs in all the city's parks. Councilwoman Alberts appreciated the time the Parks Committee spent on this item but echoed if the city allows dogs into all the parks, it will be difficult to enforce. She questioned the park hours of 5:00 a.m. to 11:00 p.m. A redline version of City Code Title 7 Chapter 4-3: Park Regulations was displayed. Councilman Winsor vocalized item #4 concerning the speed limit of 15 mph for motor vehicles was too high. Councilmen Soderquist and Halverson agreed with changing the speed limit to 10 mph. City Manager David Larson responded to concerns with enforcement. He related typically citations are not given out when there is a violation. It is an opportunity to educate the dog owner. He clarified all animal related issues go through Davis County Animal Control and not through the City's Code Enforcement Officer. However, the Code Enforcement Officer, Davis County Sheriff's Department, and City Staff will educate those who are not following city code if they see a violation. Councilwoman Alberts suggested the city provide doggy bags if dogs are going to be allowed in the city parks.

Councilwoman Petty volunteered to take the changes back to committee and reiterated those as:

- Remove dog on leash as a permitted use in parks.
- Section B item #1 – change speed limit from (15) mph to (10) mph.
- Section M to no person.
- Section P amend hours from 6:00 a.m. to 10:00 p.m.

Councilwoman Petty moved to table Ordinance 2021-2: City Code Title 7 Chapter 4-3 Park Regulations until next City Council meeting. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

6. Resolution 21-20: Dog Park Rules: Mayor Sjoblom explained with the change to Title 7 Chapter 4, park rules can be updated through resolution. The Parks Committee reviewed the rules and recommending specific regulations for the dog park. City Manager David Larson suggested continuing this item based on tabling Ordinance 2021-02. Councilman Winsor thanked the Parks Committee but expressed concern about the liability aspect. He conveyed installing a sign with the liability at each entrance. He asked if there should be limited occupancy. Councilman Soderquist indicated some cities suggest the number of small dogs and large dogs. Mayor Sjoblom recommended monitoring whether overcrowding becomes an issue because it is difficult to enforce the occupancy. David will contact Davis County Animal Control and ask them if they have any input concerning the occupancy. Discussion took place regarding hours of operation. It was decided the Parks Committee will discuss amending it from 6:00 a.m. to 7:00 a.m.

Councilman Halverson moved to table Resolution 21-20: Dog Park Rules until next City Council meeting. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

7. Resolution 21-21: Sewer Management Annual Report: The Utah Department of Environmental Quality has created a Municipal Wastewater Planning Program (MWPP). The MWPP issues a mandatory annual survey to assist municipalities in evaluating and summarizing the technical, operational, and financial conditions of these facilities. Sewer Manager Mark Johnson completed and filed the report which requires adoption by the Council.

Councilman Winsor, who chairs the Municipal Utilities Committee, uttered we need to improve the capital improvement funds and assets. Councilwoman Alberts referred to page 62 emergency response and safety response for the sewer system and having the Public Safety Committee work on this policy. She discussed the need for a plan of operations. Mark revealed he inspects every manhole every year and has a five-year cleaning schedule. Mark communicated he needs to put it together on paper. David commented the sewer system is running really well, but if there are answers on this report that need to change, they are red flagged for committees to review.

Councilman Winsor moved to approve Resolution 21-21: Sewer Management Annual Report. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

8. Resolution 21-22: Cottonwood Drive Paving Project: Mayor Sjoblom reported on March 25, 2021 at 2:00 pm., bids were opened for the Cottonwood Drive Paving Project. Seven bids were received. The project entails removing the remaining existing asphalt on Cottonwood Drive (following the waterline replacement project), repairing any soft spots, grading, and paving with new asphalt. The bid included an alternate item to allow an anti-stripping agent other than the city mix design standard of 1% lime slurry. City Engineer recounted it was done to potentially reduce costs. The performance of other anti-strip agents vs. the lime slurry is debatable. Some feel that lime is better, and others feel that there are other products that perform just as well but are not as difficult to work with as lime. After having discussed the matter at length with Mark Larsen and others, it was decided the savings were not enough to justify doing something different. After reviewing all bids, it was recommended the City Council award the project to Post Construction Company with their low bid of \$221,040.00. This recommendation was also based upon the contractor's experience and a proven history of quality work for the City.

Councilman Soderquist moved to approve Resolution 21-22: Cottonwood Drive Paving Project to award the bid to Post Construction Company for \$221,040.00. Councilwoman Alberts seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

9. Resolution 21-23: First Amendment to the Development Agreement for Riverside RV Park: Mayor Sjoblom reported on March 9, 2021 Riverside requested two amendments to the development agreement recorded on 11-05-2020 1) a landscaping variation and 2) a fencing change. The Council agreed on the change of fencing to a sound wall but requested changes to the proposed landscaping. The developer brought back the modified plan for approval.

McKay Winkel, developer of Riverside RV Park, noted it was suggested at the last meeting to go with a drought tolerant grass. After meeting with experts, they decided on a fine fescue grass. Instead of Kentucky blue grass on the first landscape plan, they will replace it with the fine fescue grass. He discussed wood chips in the tent sites. The number of shrubs on the river side

were reduced. Along I-84 there will be tall grass to allow for privacy surrounded by rock. McKay presented pictures of the tall grass. He reported they may have a lead for secondary water which would allow the Kentucky blue grass if Council preferred. The grey chat was replaced with Nephi cobble chat.

Councilwoman Alberts lamented the difficulty in comparing the originally proposed landscape plan versus the amended landscape plan. She reported the amended landscape plan shows the removal of 182 shrubs, 500 annuals and perennials, and 164 decorative grasses. The developer added 10,000 sq. ft. of mulch, 15,000 sq. ft. of rock, and removed 8,000 sq. ft. of grasses. In total the developer removed approximately 850 plants and flowers. She was unhappy Mr. Winkel did not identify those changes. She voiced frustration because Mr. Winkel purchased the property knowing there was only culinary water available. The plan approved in June 2020 was planned with culinary water and now he dramatically changed the plan by removing a lot of vegetation. McKay commented he never looked at the shrub count and voiced his surprise the difference was that high. He apologized and explained he did not have much time to review the landscape plan before sending it to the city.

Councilwoman Petty averred if McKay did not have time to review his landscape plan, then the Council should take more time reviewing it. Councilman Halverson echoed the difficulty of getting a feel for the counts and whether or not they are accurate. He suggested going with a drought tolerant grass in the areas identified as grass on the original landscape plan. Councilman Winsor pronounced McKay should take some time to review this plan, spend time with the counts, and then bring it back to the Council. Councilwoman Alberts recommended mulch instead of gravel. McKay agreed mulch made sense. She declared the original landscape plan should be shown alongside the proposed amended plan with a summary of the changes.

Councilman Soderquist moved to table Resolution 21-23: First Amendment to the Development Agreement for Riverside RV Park until such time it is brought back with the proposed changes. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

10. Resolution 21-24: Davis County Pre-Disaster Mitigation Plan: Mayor Sjoblom announced Davis County is in the process of updating their Pre-Disaster Mitigation Plan having obtained a grant from FEMA. Davis County needs a formal statement of support and agreement to participate from the stakeholder agencies, including South Weber City. David reported there were questions posed that he was unable to get answers for. Councilman Winsor discussed having a county plan creates competition with city plans as there are limited resources available.

Councilman Winsor moved to table Resolution 21-24: Davis County Pre-Disaster Mitigation Plan until additional information is received. 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

11. Development Approach for General Plan Crosshatch: David Larson reviewed that when updating the General Plan recently the City Council determined to approach the development of certain larger commercial properties by requiring a development “master plan” and development agreement rather than letting the property subdivide and develop a piece at a time over an undetermined period. The General Plan is a guide and aspirational document. Specific zoning decisions will refer to that Plan but are made by the City Council in its legislative capacity considering all relevant factors, following the process required by LUDMA and City Code, and at the time a rezone and project application come forward together. David expressed the conversation was not about zoning, but a more general conversation about how to approach zoning and development considerations on the General Plan crosshatch properties. As development plan concepts for these areas have been presented and discussed, the additional need to discuss the pros & cons or tradeoffs of these two approaches has become necessary. At the March 23, 2021 City Council meeting the Council expressed a desire to discuss these approaches in more depth.

David displayed a brief comparison of the two approaches as a starting point for discussion and was not intended to be all inclusive.

Master Plan	Subdivision (Administrative)
Single developer/project	Multiple developers/projects
Single point in time	Built out over time
Bound to current economic conditions	Adaptable to economic conditions over time
Planned compatibility of design/uses/traffic flow	Limited compatibility of design/uses/traffic flow
Quicker construction timeline	Unknown construction timeline
Potential for empty buildings (speculation)	Built out as tenants ready (build to suit)
All components viable at the same time	One end user at a time
Additional public spaces/benefits	Allowed uses
Additional legislative input	Simply administer code

Councilman Halverson mentioned if the Polls want to sell off acreage, they have that right as the property owner. City Attorney Jayme Blakesley indicated the property is currently agricultural, but the General Plan labels the property as an underlying zone for commercial highway. The proposed development plan is for a combination of commercial highway and R-7 Zone. David clarified a rezone application has not been approved yet. Jayme reiterated the development agreement states a development plan and development agreement are required.

Councilwoman Petty expressed it makes sense to have a cohesive development with traffic flow etc. in the long-term outlook. Councilman Winsor commented the intent of the crosshatch was to have an entire vision for the property as a whole. It has taken on a different life that included other aspects which created potential compromise. He felt the master plan is not working and suggested going back to the subdivision process and leaving the property as potential commercial highway. Councilwoman Alberts communicated it would be better to subdivide the

property given the recent information received regarding the grocery store study. She suggested if the city decides to move forward with the master planning, it should be codified. She agreed with removing the crosshatching from the General Plan. Councilman Soderquist acknowledged he was leaning towards the subdivision plan as well with the goal of the development being consistent and cohesive. Councilman Halverson expressed there will still be development agreements even if it is parceled. He expressed there is no reason to go through the public hearing process with the crosshatching when the Council can just say no to any proposals. He supported leaving it as commercial highway. He was okay with the process the way it is. He thought the development agreement could add restrictions. He added the committees are a proper way to review the development agreements.

City Planner Shari Phippen explained even if the Council decides to go with the subdivision route certain aspects can be required that will allow the city to get a cohesive design such as design elements. David explained the current process is not out of alignment with procedure. A property owner has a right to come before the city to make a request. If this did not have a crosshatch on it and a concept plan was presented, staff would have told the developer that it does not match the General Plan. The crosshatch allows thinking about a project holistically, but the process is still the same. The parameters of the development proposal all go hand in hand. Councilman Halverson stated the crosshatch can remain and the City Council can still approve or deny a development agreement and development plan for an underlying commercial highway zone.

Councilman Winsor expressed concern the Council is combining administrative and legislative steps in this whole process. David specified all the pieces will still go through the public process. A rezone application, development application, public hearing at the Planning Commission level, etc. will be required. Councilman Soderquist reviewed by trying this approach it was hoped to provide more guidance to the developer. Councilman Halverson apprehended rezoning before a plan is decided on. Mayor Sjoblom agreed with keeping the crosshatching. Councilwoman Petty concurred with keeping the master plan approach. Jayme reminded Council this item was for discussion so there was need to take formal action. The City Council or Planning Commission could opt to amend the General Plan. David noted if a rezone is requested without a plan, the City Council has the right to deny it. Councilwoman Petty relayed if the project is master planned there will likely be more of a community space. Councilman Winsor acknowledged for him to make a legislative decision he needs a recommendation from the Planning Commission. David submitted when a developer wants to do something outside of the zoning the process is to submit a rezone application with a concept plan. The Planning Commission then reviews it and makes a recommendation to the City Council. Councilman Halverson acknowledged the Poll property concept plan did go before the Planning Commission and a recommendation was made.

David reported the Code Committee reviewed the uses and definitions allowed in a zone and it will be going before the Planning Commission for review. Councilwoman Petty favored clear parameters in the development process but recognized it will take time, and it may be too little too late. Councilman Winsor was uneasy about amending code if the current code fulfills the requirement. He encouraged examining other cities' codes to see what Councilwoman Alberts referenced.

12. Poll Gateway Development Agreement: City Manager David Larson explained the City Council previously discussed a development concept plan presented by Colliers International on

the Poll property west of the charter school. The General Plan requires a development plan and development agreement as part of a complete project proposal. Elements of the agreement must inform the developer how to proceed with the creation of the development plan. At times in the past, a working committee has drafted agreements before being presented to the full City Council. However, during the City Council meeting on March 9, 2021, staff was tasked with drafting an initial development agreement for full Council discussion prior to negotiating further with the project developer. The Council was tasked with giving input on the agreement.

Councilman Halverson revealed the minutes stated the amended development agreement would go back to the Development Agreement Committee. Councilman Winsor agreed it should go back to committee.

Councilwoman Alberts requested her comments go on public record to be clear to everyone her position. She reviewed her involvement with the General Plan as a citizen. As a Council Member now she has spent the last several days reviewing the city surveys from that process. She found a few key themes: concerns about high density housing, bringing in too much commercial, traffic, and protecting our small-town feel. She vocalized the importance of a balance of power. She agreed property owners have rights to develop their land. She also acknowledged citizens have the right to shape the future of the city. The Council must weigh those positions and determine the best course of action. As an elected official she represents the people, which does not allow her personal opinion to rule. She would not support any residential above the R 7 zone and would not calculate the density beyond the residential portion.

Mayor Sjoblom announced this agreement will be taken back to the committee and returned to the City Council for further review. Councilman Soderquist stated he prefers commercial but if it will not support the project, then he has an opinion on how much residential to allow. Councilman Winsor wanted to maximize the commercial but if the project will not work, then he would consider smaller density of residential. Councilwoman Petty presented opinions are different and may not be popular. If the entire parcel were commercial, it would not be profitable, it would be empty, and it would not work for this city. She recognized business owners have no reason to invest in South Weber when could go elsewhere with higher traffic counts. Councilman Halverson shared a master plan allows Council to see traffic patterns, egress/ingress, etc. Councilwoman Alberts submitted the best decisions are made when there are opposing views and related none of her comments were directed personally. Councilwoman Petty voiced the record needs to reflect the Council just got this packet on Friday.

Councilman Soderquist was excused at 9:14 p.m.

REPORTS:

13. New Business:

Power for New Street Lights: City Engineer Brandon Jones reported he is working with Rocky Mountain Power to get electricity connected.

Public Comment Online: Mayor Sjoblom asked the Council's opinion on discontinuing online public comment by 4 July 2021. The City Council agreed to go until the end of May 2021.

Microphones: Mayor Sjoblom recognized the microphones were going in and out and requested staff contact the company.

Road Striping: Mayor Sjoblom received requested for road striping at 475 East, 2100 East, and 2700 East. Brandon reported 475 East is schedule for asphaltting and will be striped. He will add the other locations.

14. Council & Staff:

Mayor Sjoblom: met with Wasatch Integrated Waste and they will be completing the final covering in July. She celebrated donations of \$65,000 have been received for the additional four pickle ball courts at Canyon Meadows Park. She thanked the Youth Council and advisors for the Easter Egg Hunt. She noted City Council and spouses will be attending the Utah League of Cities and Towns (ULCT) conference next week.

Councilman Halverson: advised the HAFB Restoration Advisory Board meeting will be held on 9 May 2021. He sought questions or concerns to relay.

Councilwoman Petty: recounted the Parks and Recreation Committee met and discussed the budget. She applauded the Youth City Council and Councilwoman Alberts for the work on the Easter Egg Hunt.

Councilman Winsor: announced the Municipal Utilities Committee received a request that the streetlights on the north bound off ramp need to be repaired. He apologized to the Planning Commission for the recent communication from the Code Committee. He revealed the zone uses, definitions, current, and projected zoning maps will be reviewed one more time and then given to the Planning Commission for review and recommendation.

City Manager, David Larson: divulged documents were signed today on the closing for the Public Works property. The city received a response from UDOT denying the request to lower the speed limit on South Weber Drive. Streetlights are being numbered which will help moving forward with identifying the correct light that is malfunctioning. He shared he will be in St. George the whole week for ULCT and Utah City Manager Association Conferences.

ADJOURN: Councilman Winsor moved to adjourn the Council Meeting at 9:37 p.m. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, and Winsor voted aye. The motion carried.

APPROVED:



Date 05-11-2021

Mayor **Jo Sjoblom**

Michelle Clark

Michelle Clark (May 11, 2021 19:44 MDT)

Transcriber: Michelle Clark

Lisa Smith

Attest:

City Recorder: Lisa Smith






Minutes

Final Audit Report

2021-05-12

Created:	2021-05-12
By:	Lisa Smith (lsmith@southwebercity.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAmE3xmjq14tiJ5XejQSHmO_y_IMPR8C1g

"Minutes" History

-  Document created by Lisa Smith (lsmith@southwebercity.com)
2021-05-12 - 1:37:39 AM GMT- IP address: 74.92.245.241
-  Document emailed to Michelle Clark (mclark.1166@gmail.com) for signature
2021-05-12 - 1:38:04 AM GMT
-  Email viewed by Michelle Clark (mclark.1166@gmail.com)
2021-05-12 - 1:38:09 AM GMT- IP address: 66.249.84.65
-  Document e-signed by Michelle Clark (mclark.1166@gmail.com)
Signature Date: 2021-05-12 - 1:44:18 AM GMT - Time Source: server- IP address: 67.177.3.150
-  Agreement completed.
2021-05-12 - 1:44:18 AM GMT

CC 2021-04-13 CI #1 Poll

From: [Michael Poll](#)
To: [Public Comment](#); [Angie Petty](#); [Jo Sjoblom](#); [Blair Halverson](#); [Quin Soderquist](#); [Hayley Alberts](#); [Wayne Winsor](#); [Michael Poll](#)
Subject: Another Opinion
Date: Friday, March 26, 2021 12:19:11 AM

To the South Weber City Mayor and City Council:

I seldom take the time to personally attend a Planning Commission or City Council Meeting, but most of the time, I try and listen/watch the meetings. I find them entertaining to a point and they often help me fall asleep.

I wanted to express another opinion, on what I see as an important issue..

The issue is the way meetings are conducted, the way each of you handle yourself and how you interact with each other. While I know some of you better than others, I see you all behaving professionally, treating each other, city staff, citizens, developers and others with respect. I'm certain that there are times when you'd like to tell us (me included), that I don't know what I'm talking about, that I don't understand the issue, that my suggestions are crazy. However, you are all good at holding your emotions and keep discussions civil and generally on-point. I see criticism come your way from many directions and lots of us are "arm chair mayors and council members." We can sit at home, do a little reading or listening to our crazy neighbor, engage in some Facebook research and then make a conclusion on what you should and should not do.

I would think generally, the comments you get from citizens are critical of what you have done or what we think you might do.

However, I don't think I'm alone in believing that you are all doing good work, trying hard to make things better in South Weber. You have tough issues, where you will not make everyone happy and probably many issues where not all of you will be happy with each other. Thank you for the way the meetings are conducted, for the way you interact with respect to each other and the way you publicly treat us common folk.

If I was sent a ballot today, that had all of your names, and a box to check for "Keep in Office" or "Kick Out", I would be a 100% voter for "Keep in Office". Please keep up the good work of agreeing sometimes, disagreeing other times, debating, joking, expressing opinions, changing opinions as you get more information, apologizing when appropriate..

Thank you all for working so hard on my behalf. Keep listening to your constituents, keep listening to each other, keep trying to represent us well.

Again, thank you for all you do in fulfilling your very difficult responsibilities.

--Mike Poll
1076 Skyhaven Cove
South Weber, UT 84405
801-540-8897

CC 2021-04-13 CI #2 George

From: [Terry George](#)
To: [Public Comment](#)
Cc: [Hayley Alberts](#); [Wayne Winsor](#); [QUIN SODERQUIST](#); [Blair Halverson](#); [Angie Petty](#); [Jo Sioblom](#)
Subject: Poll Gateway Development/Hashed overlay etc. Terry George, 7825 S. 2000 E. South Weber Utah
Date: Monday, April 12, 2021 4:52:48 PM

Dearly elected;

Quote: “I believe the United States Constitution contains at least five divinely inspired principles. First is the principle that the source of government power is the people.” - President Dallin H. Oaks, from *Defending our Divinely Inspired Constitution*.

We as humans are meant to govern ourselves to the maximum extent possible and with as little governmental law as possible. “We the people” is one of my favorite sayings. You wonderful people were elected by “We the People” to do what is best for “We the people.” Not me, the TG. Not you, the individual. And especially not they, the developers.

We the people gathered in South Weber and gave much detailed input to the General Plan. As you get ready to discuss the Poll Gateway Development and Hashed Overlay of that property and other, I ask you all to take the time to go back over all the General plan data. Review both survey’s results and read every comment made by the people of South Weber. Their collective voice is what you should honor as you make the decisions moving forward. Not your own desires. Not the desires of the developers, or any individuals, but the collective desire of “We, the people” of South Weber. My memory of those general plan inputs brings to mind two major points: 1. The people of South Weber want the Poll Gateway development to be Commercial Highway. 2. The people of South Weber don’t want any residential on that development. Therefore those two things should be respected and met as you discuss this development.

The Hashed Overlay was a good intention, and had it been executed with the two points above, it might have held merit. However, we quickly saw how a single desire to make something “Cohesive” also led to a “Starting point” to staff and developer that included 75 residential units along with commercial. I request that the hashed overlay go away until we can get more clearly defined codes, zoning, etc. that are truly iron clad versus open ended. Because when it comes to codes and zoning being open ended the city and citizens always lose.

Lastly, I ask that our city's agenda, and stance regarding masks, social distancing etc. be changed to one simple thing: “In accordance with the current state Covid-19 Mandate, masks will only be required if a public gathering exceeds 50 people AND social distancing cannot be maintained. We respect the rights and freedoms of all people. We ask that you all respect each others rights and honor those who choose to wear a mask as well as those who choose not to wear a mask.” That represents Americans much better than the virtue signaling of **“Attendees are encouraged to wear a mask.”** You are not a private business, and you are not my mom. Quote: “God has given his children moral agency— the power to decide and to act. The most desirable condition for the exercise of that agency is maximum freedom for men and women to act according to their individual choices.” - President Dallin H. Oaks, from *Defending our Divinely Inspired Constitution*.

Respectfully,

TG

Terry George 7825 S. 2000 E. South Weber, Utah

CC 2021-04-13 CI #3 Losee

From: [Julie Losee](#)
To: [Public Comment](#)
Subject: City Council Mtg - 4/13/2021 - public Comments
Date: Tuesday, April 13, 2021 4:49:05 PM

My 2 cents:

Regarding the development agreement proposal for cross hatched properties (page 92 of 103 - paragraph 12) it needs to have 2.5 parking spaces as the minimum for space calculations with an additional space for every 3rd unit. That's what was decided for The Lofts (I believe) and should be consistent.

Regarding the Poll Property development sketch on page 103 of the packet - Who wants the back of their homes facing parking lots and or back sides of commercial Buildings? Take that whole inner section of townhomes out and only have them along the back side - more open space and what is with the area on the far west end for a small park? what's the fencing along SW drive going to look like and the Commercial with drive around access on east side is WAY TOO CLOSE to the retention play area for highmark!! How are 2 additional access points being approved with UDOT to match the renderings? Currently there is only one small driveway on the east end and then an even smaller one on the far west end of the property, close to the end of the storage units that is not a sufficient driveway for access.

Regarding the RV Park landscaping changes - I'm wondering what are the various changes being asked for that are on this new proposal that were not on the original and it would be really nice to have a side by side comparison of what we are expecting and what was promised previously versus what he's now trying to sneak in.

Wild flowers and natural grasses that die and dry out and look like weeds are no better than gray Chad material.

It's not the city's fault that the developer did not do a sufficient due diligence regarding the available water resources before he bought this property and realized after the city gave approval, based on plans presented, that he wouldn't have the water necessary to deliver on the plans that he committed to the community on. The community was promised NICE ... stick with Grass or River rock, smooth round ones, with areas of flowers and/or grasses that won't dry out!

Thank you for listening!

Julie Losee
C: 801.699.3474

CC 2021-04-13 CI #4 Mitchell

From: [Amy Mitchell](#)
To: [Public Comment](#)
Subject: City Council Meeting 4_13_2021
Date: Tuesday, April 13, 2021 4:51:51 PM

Amy Mitchell
1923 Deer Run Dr

Dear Mayor and City Council-

First can I just say... can you please go back to the weekly meeting schedule? These packets are huge! It seems like things will start getting overlooked or missed because by the time they finally come up, everyone is ready to be finished. I would hope that seeing the size of some of the recent packets would encourage you all to meet weekly. If there isn't much that needs to be done on any particular week, you can all go home early. But, let's try to give time and attention to every detail.

I would also like to address the suggested update to the RV Park. Could we please try to make this look as nice as possible? Wasn't that plan and what we were sold... that it would be a really nice looking RV park? So now, it is being proposed to go from grass to gray chip and now to natural grasses and wildflowers? Everywhere in Utah that tries to do that, without using water, ends up with dirt and weeds. This is not the look we want for our city! If he can't get enough water for grass or anything else that looks nice, why should we allow him to put in a ton of pads with RV's that use a ton of water every day? Hold that development to the same standard that the rest of us are held to!

Next is my concern over the cross-hatches that were left on the GP. We all worked very hard to get a plan that is a good reflection and representation of the citizens desires. It was absolutely insane to watch the CC meeting, where 2 of our City Council members went directly against the desires of the city and the General Plan, and pushed for what "they would like to see there" and "their personal opinion is..." Our GP was sold to the citizens as a guideline for developers to have to use as they plan developments in the city. Our City Council adopted the plan. So why aren't ALL OF THEM referring to it for every decision being made. Citizens do not want HDH in this city. We know we need commercial, but we also are very much aware of how little of that commercial stays here to benefit our city. The drain of some businesses far outweigh the benefits. As we look to allow developments and especially when there is a development agreement being proposed, all ideas proposed should be compared to the GP to see how they measure up. If it's not in line with the GP, then change it until it is. I propose getting rid of the crosshatches all together. It's obvious that unless you have a CC committed to following the GP, things can go sideways very quickly. Let's not leave anything up to chance!

Please stand up for the citizens. I look forward to tonight's meeting.
Thank you each for your time and service.
Amy Mitchell

**Comments to South Weber City - City Council
for 13Apr21 Meeting
by Paul A. Sturm**

General Comment - Timeliness of Meeting Packet

The meeting packet was not posted on the SWC website until after an E-Mail was sent to the public at 0903 on 12Apr21! As best as I can tell it was not posted until nearly two hours after that notification. This is not right! Meeting Packets are normally posted at least by the Friday night before the CC meeting to permit citizens time to review the packet over a weekend. In this case a citizen would not have had the opportunity to look at the **103** page packet until about 24 hours before the CC meeting. If a portion of the packet was not ready on Friday, that topic should have been postponed until the next CC meeting.

Agenda Item 12 - Public Comment on South Weber Gateway Concept Design

Discussion

- 1) Public Comment from 9Mar21 and 23Mar21 CC Meeting: Please reread my Public Comments from these meetings. Only a few of these concerns have been addressed in the current packet, especially those made by City Council members. Please reconsider the statements made during the City Council Meeting of 9Mar21 and 23 Mar21 These are included after tonight's presentation.
- 2) During a review of the DRAFT Development Agreement for the South Weber Gateway project I encountered several items of concern. These are:
 - a) Page 89 of 103, Paragraph D. - Where in the General Plan does the option to "establish a zoning designation other than A or C-H" stated?
 - b) Page 89 of 103, Paragraph E. - "Developer has filed two applications with the City- a re-zone application seeking to establish a portion of the Property as C-H and the remaining portion as Residential Multi-Family (R-7), and an application to develop a project on the Property composed of commercial and residential components (the "Project")." These statements DO NOT AGREE with other portions of this proposed agreement wherein the developer is proposing 75 units (Please see Page 92 of 103, Para. 8). Once the C-H zone proposed is removed from the entire "Property", it cannot be included in the available area for R-7 development, as stated by both CC members and the public many times!
 - c) Page 90 of 103, Paragraph I. - How many times has SWC stated "Developer acknowledges that the City is relying on the faithful performance" and then been "Hoodwinked". As stated in previous presentations, what civil or monetary penalties can be levied against a developer for not complying with a development agreement to protect SWC!

d) Page 92 of 103, Paragraph 8 - This is the paragraph where the developer is pushing for a "Maximum" of 75 units, and that clearly exceeds the R-7 designation.

e) Page 92 of 103, Paragraph 10 - Height Restrictions. I believe that this would be a detriment to the residents of View Drive directly South and West of this proposed development. By following the topography and the elevations shown in Exhibit "A" I calculate that this would permit a structure 44 feet tall. This is calculated from a base elevation of the eastern structures of 4540, with the lowest elevation of View Drive residents at 4578, plus the "Eyeline view" of six feet. $(4578-4540+6 = 44)$. I thought the height restrictions for R-7 was 34 feet. As proposed this agreement would permit a variance of ten (10) feet!

3) This then brings to mind comments made during the CC meeting of both 09Mar21 and 23Mar21 which is repeated below and is presented as an overall comment regarding potential legal ramifications concerning the issues addressed above, namely:

From prior meeting comments:

- a) Allowing all acreage in a development to be counted towards number of housing units permitted would open "Pandora's Box" with developers.
- b) By permitting one developer to count all acreage, and not another, such as on the Stevens Property, would, as Jayme Blakesley stated during training, create a position where SWC was being "Arbitrary and Capricious" and could open SWC to a lawsuit!

Additional comment:

Once again SWC would be on a slippery slope if it were to waive height restrictions on this R-7 property and then potentially not do so for another developer. A suggestion would be to not permit such a waiver.

The following two pages were extracted from prior presentations so one does not have do research on what was said previously.

**Comments to South Weber City - City Council
for 09Mar21 Meeting
by Paul A. Sturm**

Agenda Item 4 - Comments on South Weber Gateway Concept Design

- 1) Suggest the Developers / Designers of the SW Gateway Project thoroughly review the YouTube video from the 17Nov20 City Council meeting. Several of the City Council's comments/concerns still have not been addressed in this sketch.
- 2) The next item that I would like to address is somewhat a repeat of what I presented on 17Nov20. For the original townhome area of the proposed development shown during that meeting I addressed "parking" as a concern. The issue of, "Parking" for the homeowners and their visitors was a major issue for the Lofts Townhome development that had to be addressed before any approval was considered. The same needs to be done for this development now that it is proposed as all Townhomes. Please review my Public Comments made during that 17Nov20 meeting that mentioned inadequate Townhome parking. Please note that the number agreed upon by both the City and the Lofts Developer was 2.5 parking slots per Townhome unit, on average. This should be the "Standard" for the City.
- 3) A major concern that I have has to do with the developer counting the uses within the project area two or more times. With an R-7 designation, that is the City's present maximum density for housing units, how can one propose a "Not-To-Exceed" of 100 Townhomes on the ~ 11 acres when the northern portion is being proposed as Commercial. That amount of land needs to be deducted from the overall acreage when computing the land area available for townhomes. The current sketch shows 74 townhomes so why state an "Not-To-Exceed" of 100? How is "Unbuildable" area considered in this calculation?
- 4) ~~Hopefully the Developers will address their anticipated development phases plan during their presentation tonight since that will have a large impact on project considerations. This has not been accomplished so far as previously requested!~~

**Comments to South Weber City - City Council
for 23Mar21 Meeting
by Paul A. Sturm**

General Comment- Public Comment on South Weber Gateway Concept Design

- 1) Please reconsider the statement I made during the City Council Meeting of 9Mar21.
"A major concern that I have has to do with the developer counting the uses within the project area two or more times. With an R-7 designation, that is the City's present maximum density for housing units, how can one propose a "Not-To-Exceed" of 100 Townhomes on the ~ 11 acres when the northern portion is being proposed as Commercial. That amount of land needs to be deducted from the overall acreage when computing the land area available for townhomes. The current sketch shows 74 townhomes so why state an "Not-To-Exceed" of 100? How is "Unbuildable" area considered in this calculation?"
- 2) Also please remember statements and concerns expressed by City Council members during that 9Mar21 meeting.
 - a) Councilman Winsor had the same concerns that I expressed. He stated that, with the available "buildable" land, that is the property area minus the "unbuildable" area and the commercial area, which leaves approximately six acres for the townhomes. This equates to approximately a maximum of 42 townhomes.
 - b) Councilman Halverson expressed his concerns, as he has several other times, that this is one of the few properties remaining in SWC for commercial and commercial needs to be developed first, [(sic.) and not as an afterthought].
 - c) Councilwoman Alberts discussed her conversations with the developers regarding the number of townhomes proposed for this area, and that the developer Colliers International / Skye Hazelhurst ignored these concerns as expressed in his lower left-hand Notes.
- 3) Regarding the Skye Hazelhurst's presentation, it totally ignored the City Councilperson's concerns. He proposed 50 townhomes during his "Phase 1" with only about one third of the Commercial developed. "Phase 2" was a repeat of the Phase 1" verbiage, and Phase 3" was the final third of the commercial development. First of all 100 town homes is tremendously excessive (It should only be 42). Secondly, we need to have the Commercial developed more rapidly than the proposed 1/3, 1/3, 1/3. Once the townhomes are built, there is no penalty for not building the remaining commercial.
- 4) The final concern that I have has more legal ramifications regarding the other issues addressed above, namely:
 - a) Allowing all acreage in a development to be counted towards number of housing units permitted would open "Pandora's Box" with developers.
 - b) By permitting one developer to count all acreage, and not another, such as on the Stevens Property, would, as Jayme Blakesley stated during training, create a position where SWC was being "Arbitrary and Capricious" and could open SWC to a lawsuit!