

# SOUTH WEBER CITY CITY COUNCIL MEETING

**DATE OF MEETING:** 27 August 2024

**TIME COMMENCED:** 6:00 p.m.

**LOCATION:** South Weber City Office @ 1600 East South Weber Drive, South Weber, UT

**PRESENT: MAYOR:** Rod Westbroek

**COUNCIL MEMBERS:** Jeremy Davis  
Joel Dills  
Blair Halverson  
Angie Petty  
Wayne Winsor

**CITY MANAGER:** David Larson

**COMMUNITY DEVEL MGR:** Lance Evans

**COMMUNITY RELATIONS:** Shaelee King

**CITY ATTORNEY:** Jayme Blakesley

**FINANCE DIRECTOR:** Brett Baltazar

**DEPUTY RECORDER:** Raelyn Boman

**CITY RECORDER:** Lisa Smith

**Minutes:** Michelle Clark

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**ATTENDEES:** Paul Sturm, Tani Lynch, Lynn Poll, Kathy Poll, Chay Olson, Ben Hansen, Robbie Thomson, Traci Wiese, Mike & Natalie Clydesdale, Keith & Victoria Christensen.

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

**1. Pledge of Allegiance:** Councilman Winsor

**2. Prayer:** Mayor Westbroek

**3. Public Comment:**

**Paul Sturm of South Weber City** identified areas of discrepancy in the city packet concerning the certified tax rate.

**Lynn Poll of South Weber City** thanked the city staff for the gravel installed on the path leading to the elementary school.

## PRESENTATIONS

### **4. Country Fair Days Committee Recognition**

Mayor Westbroek expressed appreciation for those who played key roles in making this year's Country Fair Days. He thanked **Jo and Darrin Sjoblom** for their incredible organization of the pickleball competitions, **Daren Gardner, Toni Harper, and Tracy Harper** for the Golf Tournament, **Michael and Amy Poff** for the Family Dinner in Central Park, **Greg Anderson** for hosting the Family Game Night, **Alex Keetch** for the Little Buckaroo Rodeo, **Natalie Browning** for the Kid K Race, **Jenni Poll** for the Old Timers Baseball Game, **Angie Petty** for the Movie in the Park, **Chris Buckway** for the 3 on 3 Basketball Tournament, **Traci Wiese** for the Chalk Art event, **Skyler Becraft** for the 5k, 10k, and 2-mile walk, **Lacey Loveless** for the Parade, **Josh and Heidi Nilson** for the Classic Car Show, **Dusty Petty** for the Dutch Oven Contest, and the many sponsors and donors who contributed to the success of the Country Fair Days. Mayor Westbroek praised **Tani Lynch, Traci Wiese, Keith & Victoria Christensen** for their countless hours, days, weeks, and months of planning, coordinating, and organizing this event for South Weber City. He noted their commitment to making the Country Fair Days a success is deeply appreciated by the entire community.

### **5. Employee Recognition of City Transcriber Michelle Clark**

Mayor Westbroek thanked transcriber Michelle Clark for her 30 years of service.

## ACTION ITEMS

### **6. Consent Agenda**

- a. July 9 Minutes**
- b. July 23 Minutes**
- c. July Checks**

**Councilman Winsor moved to approve the consent agenda as written. Councilman Halverson seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **7. Resolution 24-25: Tax Year 2024 Certified Property Tax Rate of 0.001441**

Each year the city must adopt the certified tax rate to allow the county to collect and distribute property taxes on behalf of the city. The proposed tax rate presented by Davis County was 0.001287. After reviewing five possible tax rates, the City Council proposed a rate of 0.001441. A truth in taxation hearing occurred on August 13, 2024.

**Councilman Winsor moved to approve Resolution 24-25: Tax Year 2024 Certified Property Tax Rate of 0.001441. Councilman Halverson seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Halverson, Petty, and Winsor voted aye. Councilman Dills voted nay. The motion carried 4 to 1.**

### **8. Resolution 24-26: Adopt Fiscal Year 2025 Final Budget**

All cities in Utah are required to adopt a city budget outlining expected revenues and expenditures for the next fiscal year. Staff and the City Council have worked together over the past several months to put together a balanced budget for all funds which meets the needs of the city for the fiscal year ending June 30, 2025.

**Councilman Winsor moved to approve Resolution 24-26: Adopt Fiscal Year 2025 Final Budget. Councilwoman Petty seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

**Councilman Halverson moved to open the public hearing for South Weber Gateway Development Agreement Third Amendment. Councilman Davis seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **9. Public Hearing on South Weber Gateway Development Agreement Third Amendment**

On April 9th and June 11, 2024, the Council held work sessions to discuss and review proposed changes to the Amended South Gateway Development Agreement. Since the two work sessions, Wasatch Bridge has taken steps toward developing the commercial phases of the project and constructing a commercial building including hiring a civil engineer, a commercial land planner/architect, and a local developer/builder. They have spent a significant amount of money and time to make this project work within the parameters of the development agreement and to meet the Council's requirements.

The proposed Third amendment to the Development Agreement has the ownership corrected to Wasatch Bride Primary Investments, clarification on the garage size to 20 feet x 20 feet and leaving the driveway length at 25'.

Section 4 of the third amendment also clarifies the timing of each project phase.

1. Section 2(c) of the Amended DA is modified as follows: "c. A building permit in accordance with the schedule outlined in Section 2(a) and (b) above for the commercial buildings must be issued prior to occupancy of any townhomes in the same phase. Notwithstanding anything to the contrary set forth herein, in no event shall a developer of townhomes be denied certificates of occupancy for constructed townhomes, provided that a building permit or permits, as applicable, for the commercial buildings has been issued and vertical construction of such commercial buildings has commenced."

The clarification on the process for the phases, permitting and construction will ensure that the residential and commercial elements will be constructed in an orderly manner that is beneficial for the project and the city.

### **----- PUBLIC HEARING OPENED -----**

Mayor Westbroek asked if there was any public comment.

**Paul Sturm of South Weber City** noted Exhibit C was omitted and opined this development project has greatly eroded the overall concept from the SWC General Plan.

**Councilman Halverson moved to close the public hearing for South Weber Gateway Development Agreement Third Amendment. Councilman Dills seconded the motion.**

**Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

----- PUBLIC HEARING CLOSED -----

### **10. Resolution 24-27: South Weber Gateway Development Agreement Third Amendment**

Lance Evans expressed he neglected to include Exhibit C in this city packet, and further explained it is the same exhibit used by Tripointe Homes. He noted during phase 1 commercial building permits will be issued prior to any townhome in same phase, and vertical construction commenced. Robbie Thompson conveyed there will be 57 townhomes and not 60. Councilman Winsor questioned the definition of “vertical construction.” Robbie replied vertical construction is foundation. City Attorney Jayme Blakesley suggested the following amendment defining vertical construction:

*4. Section 2(c) of the Amended DA is modified as follows: "c. A building permit in accordance with the schedule outlined in Section 2(a) and (b) above for the commercial buildings must be issued prior to occupancy of any townhomes in the same phase. Notwithstanding anything to the contrary set forth herein, in no event shall a developer of townhomes be denied certificates of occupancy for constructed townhomes, provided that a building permit or permits, as applicable, for the commercial buildings has been issued and vertical construction of such commercial buildings has commenced. For purposes of this section, "vertical construction" shall mean the construction of portions of the structure that are above-grade (e.g., framing)."*

Discussion took place regarding the phasing of this project. Councilman Dills asked if the Council is okay with the decreased garage size of 20' x 20'. The Council agreed. Councilwoman Petty expressed she would appreciate reviewing a completed packet that includes all the amendments before voting.

**Councilman Davis moved to continue Resolution 24-27: South Weber Gateway Development Agreement Third Amendment to include definitions and update documents. Councilwoman Petty seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

**Councilman Davis moved to open the public hearing to declare playground equipment as surplus. Councilman Halverson seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **11. Public Hearing to Declare Playground Equipment as Surplus**

Trust representative and park manager Chay Olson conducted a risk assessment of all the parks in December 2023. Several high-risk problems were found in Cedar Cove Park. Mrs. Olson took the findings to the parks committee, and it was assessed to be a high priority. Parks staff will remove the equipment to save on costs.

----- PUBLIC HEARING OPENED -----

No comments were made

**Councilman Winsor moved to close the public hearing to declare playground equipment as surplus. Councilwoman Petty seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

----- PUBLIC HEARING CLOSED -----

### **12. Resolution 24-28: Declaring Playground Equipment as Surplus**

**Councilwoman Petty moved to approve Resolution 24-28: Declaring Playground Equipment as Surplus. Councilman Winsor seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

### **13. Playground Equipment Purchase for Cedar Cove Park**

The current playground set is over 20 years old. Trust representative Jason Watterson and Parks Manager Chay Olson did an assessment in 2023 and found multiple safety concerns. The need went before the parks committee and a request for supplemental funds for the current budget was presented at the Council retreat in February. The 2025 tentative budget has been approved with this project included.

**Councilman Dills moved to approve playground equipment purchase for Cedar Cove Park for \$34,910.76. Councilman Winsor seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

Councilwoman Petty thanked Mrs. Olson and city staff for their help.

### **14. Real Estate Purchase Contract from South Weber, LLC (General RV) Amendment #2**

South Weber City and General RV entered into a purchase agreement on September 26, 2023, and amended that agreement on May 28, 2024. The closing deadline is August 23, 2027. There are a few outstanding items to finalize prior to officially closing on the property. Recognizing the closing deadline per contract (August 23) and the timeline for City Council meetings recently (last business meeting was July 23), along with the desire to not let the deadline pass, City Attorney Jayme Blakesley recommended City Manager David Larson sign an amendment for extension then bring that forward to the City Council for ratification. General RV's legal counsel agreed with the process. Amendment #2 extends the deadline for closing to October 31, 2024. In the meantime, City staff will continue to work to complete the few remaining items necessary to finalize the purchase and prepare for closing.

**Councilman Winsor moved to ratify Real Estate Purchase Contract from South Weber, LLC (General RV) Amendment #2. Councilman Halverson seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

**15. Resolution 24-29: Appoint David Larson as Emergency Manager**

The Public Safety Committee was tasked with looking into options for emergency operations moving forward, including the role of emergency manager. Rather than wait until that time when the research and vetting of options has been completed, not knowing the exact timeline for completion of the project, staff recommended designating City Manager David Larson as the emergency manager now to comply with state law.

**Councilman Halverson moved to approve Resolution 24-29: Appoint David Larson as Emergency Manager. Councilwoman Petty seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

**REPORTS****16. New Business**

**Street Cleaning:** Councilman Davis announced he received complaints from neighbors concerning the street sweeper going through their neighborhood on trash day. City Manager David Larson will follow up.

**Cherry Farms Park Playground Equipment:** Chay Olson presented a brief update on Cherry Farms Parks playground which has approximately three years left on the equipment at this park.

**Sound Ordinance Sign for Highway 89:** Councilwoman Petty requested a sound ordinance sign for Highway 89 regarding engine brakes.

**Corner of 8100 S. 2250 E. Park Strip Site Line:** Transcriber Michelle Clark mentioned it is difficult to see oncoming traffic at the corner of 8100 S 2250 E due to the overgrown park strip.

**National Day of Service Day September 11, 2024:** Councilman Winsor stated the city website has a list of service projects for individuals who would like to help.

**17. Council & Staff**


**Councilman Dills:** announced he is currently working on city code changes for commercial areas not taking care of sidewalks. He has received complaints concerning mosquitos in South Weber City. Mosquito abatement has found multiple pools with mosquitos carrying West Nile virus. The city will be sprayed again with attention given to specific areas. He urged residents to remove any standing water.


**Councilman Halverson:** Public Works Facility is moving forward but struggling with the transformer from Rocky Mountain Power.

**Community Relations Shaelee King:** announced the last concert in the park will be this Thursday with one food truck. A Mother and Son Picnic in the Park will be held September 14<sup>th</sup> at 6:00 pm. \$10 per mom. Bring your own picnic. Halloween Bash will be in October.

**CLOSED SESSION** held pursuant to the provision of UCA section 52-4-205 (1)(e) to discuss the sale of real property.

**Councilman Halverson moved to adjourn the meeting and go into a closed session at 7:02 p.m. Councilman Winsor seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.**

APPROVED:  Date 09-24-2024  
Mayor: Rod Westbrook

  
Transcriber: Michelle Clark

Attest:   
City Recorder: Lisa Smith