

SOUTH WEBER CITY COUNCIL MEETING

DATE OF MEETING: 28 October 2008

TIME COMMENCED: 6:03 p.m.

PLEDGE OF ALLEGIANCE: Mayor Petersen

PRAYER: Councilmember Poll

PRESENT: MAYOR Brent Petersen

COUNCILMEMBERS: Scott Peterson
Michael Poff
Farrell Poll
Scott Woodbury

CITY MANAGER: Matt Dixon

CITY RECORDER: Erika Ahlstrom

EXCUSED: COUNCILMEMBER: David Thomas

Transcriber: Minutes transcribed by Michelle Clark

A public work/discussion meeting was held at 5:30 p.m. to discuss and review agenda items.

VISITORS: Bruce Dickamore, Sam Stanger, Ruth Malan, Monte Byram, Greg MClume, Todd Goddard, Brett Olsen, Scott Light, Shane Byram, Scott Petersen, Ivan Ray, Suzanne Mitchell, Chad Stokes, De Wood, Ja Eggett, Cliff Jones, Pam Jones, Larry Birt, Jeremy Allen, Chris Poll, Jenette Poll, Lynn Poll, Jason Poll, Jeni Poll, Gary Perkins, Scott Hayes, Brent Poll, Bruce Browning, Doug Bitton, Kory Sweatfield, J. Ross Lobato, Gregg Belnap, Aton Rooks, Erik Thompson, Mike Edwards, Liz Rice, Dak Maxfield, Stacie King, and Mary Ann Stauffer.

Mayor Petersen excused Councilmember Thomas from tonight's meeting.

APPROVAL OF THE AGENDA: Councilmember Woodbury moved to approve tonight's agenda as written. Councilmember Poff seconded the motion. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

DECLARATION OF CONFLICT OF INTEREST: None

CONSENT AGENDA:

- **APPROVAL OF 14 OCTOBER 2008 COUNCIL MEETING MINUTES**
- **APPROVAL OF 22OCTOBER 2008 WORK MEETING MINUTES**
- **WARRANT REGISTER**
- **BUDGET REPORT/FINANCIAL STATEMENT**

Councilmember Woodbury moved to approve the items on the Consent Agenda. Councilmember Poff seconded the motion. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

RESOLUTION 08-44: CONDITONAL ACCEPTANCE OF S&S ESTATES

SUBDIVISION (1750 E. 7600 S.): Matt Dixon, City Manager, stated that S&S Estates Subdivision has completed all improvements and is ready to enter into the one-year guarantee period. The escrow amount will be released except for 10%, and escrow for two signs and seal coat will also be retained. Ben Slater of Jones and Associates has completed an inspection and provided a letter recommending conditional acceptance.

Matt explained that the city has traditionally not brought conditional acceptance to the City Council for approval; however, subdivision conditional acceptances will now be brought to the City Council for approval by resolution. He stated when reviewing the Subdivision Requirements, the city staff felt it would be beneficial to formalize the conditional acceptance process. The newly adopted Subdivision Requirement added this requirement.

Councilmember Peterson moved to approve Resolution 08-44 - Conditional Acceptance of S&S Estates Subdivision located at 1750 E. 7600 S. Councilmember Woodbury seconded the motion. Erika called for the vote. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

ORDINANCE 08-15: AN ORDINANCE AMENDING TITLE 11 SUBDIVISION REGULATIONS, CHAPTER 4 IMPROVEMENT REQUIREMENTS, SECTION 10 CURB, GUTTER, SIDEWALKS AND ASPHALT PAVING, ARTICLE B. EXCEPTION TO REQUIREMENT (PUBLIC HEARING HELD 14 OCTOBER 2008):

Matt Dixon, City Manager, explained that the Planning Commission, as a result of a proposed subdivision, felt it would be a good idea for the city to provide an option for developments that might look and feel better if they were allowed to construct something other than the standard curb, gutter, and sidewalks. The current city ordinance does allow for variances from the standard, but only in development with frontages of no less than 200' and a gross density of not less than one house per two acres.

Matt stated the Planning Commission is recommending the ordinance be amended to allow for exceptions to the standards in smaller developments. He said proposed amendments were discussed at a work meeting. The amendments to the ordinance seem to meet both the concerns of the City Council and the requirements/recommendations of the City Engineer.

Councilmember Peterson stated there has been considerable discussion on this item with some give and take. The last time it was discussed input was given by several council members.

Councilmember Poff is not sure how the council has progressed to what is before us. He is unsure as to what we are trying to accomplish.

Councilmember Poll said he has problems with the 20 acre specification. He thinks the whole thing needs to be denied and would oppose what the Planning Commission has brought before the City Council. He is afraid this will set up a second standard. He is all for a rural feel, but to him density accomplishes the rural feel not taking out curb, gutter, and sidewalk. He is not in

favor of no pathway on one side of the street with an asphalt pathway on the other side. He is concerned about the long term ongoing maintenance for the city.

Councilmember Woodbury feels both systems work equally well. He doesn't like sidewalks as he grew up on a farm. He hates to shovel them. He thinks the cement strip can work. He feels strongly both ways.

Mayor Petersen said this may be the city's last chance to do something rural, since there are not many 20 acre parcels left to develop.

Matt suggested the council look at why the exception exists in the first place, and does it need to be changed? If it does need to be changed, then the council needs to decide how to change it.

Councilmember Poff moved to table Ordinance 08-15 until after Resolution 08-47 is discussed. Councilmember Peterson seconded the motion. Councilmembers Poff, Poll, Peterson, and Woodbury voted yes. The motion carried.

QUARTERLY REPORT: PUBLIC WORKS DEPT/CODE ENFORCEMENT – Public Works Director, Mark Larsen: Mark was unable to attend the meeting.

QUARTERLY REPORT: RECREATION DEPT – Recreation Director Edd Bridge: Edd Bridge, Recreation Director, approached the City Council and presented the quarterly report for the Recreation Department. Recreation opportunities include a super league basketball or competition basketball league. It will cost \$350 to \$400 per team. This will start in January. Spring volleyball will be added. Participation in flag football was up from last year as well as soccer. Breakfast with Santa will take place in December. The Mayor and City Council thanked Edd for his report.

RESOLUTION 08-49: IN SUPPORT OF CITY TACKLE FOOTBALL PROGRAM: Edd Bridge, Recreation Director, stated South Weber City has been dependent on South Ogden and other cities' tackle football programs. A survey was conducted. Numbers were taken for participants in each league. Edd then reviewed start up costs including equipment and cost (Total \$22,811.30) based off of 120 participants.

Scott Petersen, 7890 S. 2450 E., discussed community involvement and stated a group of parents have expressed a desire to start a youth tackle football program in South Weber City. Several meetings have been held with those interested. He said those involved are willing to conduct fundraisers and are willing to raise money to help begin the program if the city will agree to start the tackle football program.

Mayor Petersen asked if the city subsidizes other sports programs in the city. Matt said for the most part, registration fees cover costs; however, that doesn't take into account staff hours. Councilmember Woodbury brought up the fact that some kids, when they reach a certain age, have to play in Clinton. Edd said this is a difficult time because kids then move to a team that they don't have any experience with or don't have the same play time. They also don't play with the same kids that they go to high school with.

Councilmember Woodbury asked if South Weber City has fields. Edd said there is room at Central Park and Cherry Farms Park.

Councilmember Peterson asked about parent organizations verses city sponsored organizations. Edd said if it is city sponsored there isn't a problem with joining the WFL, but parent organizations create cost and liability. Councilmember Peterson asked if the city will carry the insurance for tackle football, asking Matt what would happen to the city insurance. Matt said the insurance can go up, depending on the number of claims.

Scott Petersen said we will need items such as a paint striper. He said there may be a few things along the way, but they are mainly looking for the support of the city.

Councilmember Peterson said this is a much more high dollar program to run verses volleyball etc. He is concerned about five years down the road and the city has to step in and pay for additional costs. Councilmember Peterson asked who is going to head the program, and if there is an assurance that other programs aren't going to be slighted because of tackle football.

Matt and Edd had discussed various scenarios. Matt said he would like to see annual fundraisers. He said budgets going through 2015 with registration between \$85 and \$100, it operates in the black. He said of course they have made a lot of assumptions. Matt said this is before the city council in the form of resolution because of the sizable program and the parents need to get donations.

Councilmember Woodbury moved to approve Resolution 08-49 that upon receipt of \$25,000 to South Weber City for the creation of a tackle football program the City Council will agree to create and maintain a tackle football program so long as the city determines it to be in the best interest of the city. Also, the city will match the first \$1900. Councilmember Poff seconded the motion.

Councilmember Petersen is not in favor of the city jumping on the band wagon and throwing money into this program.

Erika called for the vote. Councilmembers Poff, Poll, and Woodbury voted yes. Councilmember Peterson voted no. The motion carried 3 to 1.

Councilmember Poff moved to open the public hearing for Ordinance 08-16. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

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

ORDINANCE 08-16: AN ORDINANCE AMENDING THE SOUTH WEBER CITY GENERAL PLAN ADDING TRAILS PLAN TO TRANSPORTATION SECTION AND AMENDING TRANSPORTATION RECOMMENDATIONS MAP (MAP #6):

Matt Dixon, City Manager, explained that for several months the Trails Committee consisting of members of the City Staff, City Council, Planning Commission, Division of Wildlife Resources, Weber Pathways, Staker Parsons, and various engineering firms, have met to create the trails master plan for the city. This committee has been working to coordinate with various entities to

create trail heads, fishermans access, and connectivity of all the trails. Barry Burton, City Planner, has prepared a summary of each trail to be added to the General Plan and added the trail map to the current transportation plan.

Councilmember Peterson stated there has been discussion from Davis/Weber Canal companies as well as private property owners. Councilmember Peterson suggested deleting the Davis/Weber Canal property from this plan.

Ivan Ray, General Manager of Davis/Weber Canal companies, said he did attend the Planning Commission meeting on August 14, 2008. He stated his concern with the conclusion from the Planning Commission is that new developments within the trails area will include the trail system with their development. He feels this has a significant impact on the canal. He said this area along the canal is a sensitive area and there are times when there is heavy machinery being used for maintenance. They are concerned about liability, property ownership with livestock etc. He said the Board of Directors hasn't voted on the conclusions from the Planning Commission. He stated there are also property owner disputes along the canal.

Councilmember Woodbury asked if the whole canal is fenced. Mr. Ray stated, "no". He said there are areas in South Weber that are not fenced.

Councilmember Poll said Clearfield City was able to incorporate a portion along the canal into their trail system. Mr. Ray identified those areas and said that happened approximately ten years ago.

Brent Poll, 7605 S. 1375 E., stated they own .5 miles of the trail. He said the city has a copy of the letter stating their ownership. He said the South Weber Landfill Coalition advises to keep people away from this area because of the pollution. He said for over 35 years there have been three different law firms advise them to keep people off of the property. He said until the pollution problem is resolved, they can never allow anyone to walk through the area. He feels this should not be a "wish list" so that the city can get grant money.

Mr. Ray presented a copy of the letter from Davis/Weber Canal Company dated 8 September 2008 that he would like attached to the minutes.

Monte Byram, 1353 Lester, is concerned about the livestock they have in the area. He encouraged the City Council to remove that area from the plan.

Lynn Poll, 826 E. South Weber Dr., feels his property should be removed from the plan.

Councilmember Poll said ten or twelve years ago a trail system was voted down and as a result, South Weber City missed out on a t-grant for the trail. He said he can understand where everyone is coming from, but wishes we can have a long term vision of what we do. He said the Planning Commission's job is to make a "wish list" for the city and plan for the future. He would like to see more long term thinking.

Brent Poll said his family has been involved with condemnation by the city, but you can't condemn trails.

Ja Eggett, Park Planner for Layton City, applauded South Weber City for putting together a trails master plan. He said the master plan is a tool to allow you to pursue those trails. He said he can't count the number of times developers have been involved with trails in Layton City. He said the master plan is the guidelines and identifies the general location for trail plan. He would hesitate taking anything out of this plan as he has seen it.

Councilmember Poff moved to close the public hearing Ordinance 08-16. Councilmember Poll seconded the motion. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

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

Matt said the city staff would recommend the City Council approve Ordinance 08-16 as written and for reasons stated by Mr. Eggett. He stated this is strictly for master plan purposes.

Councilmember Woodbury is not in favor of including the Davis/Weber canal in the trail plan.

Councilmember Poll stated it is too bad we can't learn from others because there are a lot of other cities around the world that have dealt with these issues. He feels it is too bad we can't catch the vision.

Councilmember Peterson moved to approve Ordinance 08-16 an ordinance amending the South Weber City General Plan adding a Trails Plan to the Transportation Section and amending the Transportation Recommendations Map (Map #6) and remove the Davis/Weber canal from the trail plan. Councilmember Woodbury seconded. Erika called for the vote. Councilmember Woodbury, Peterson, and Poff voted yes. Councilmember Poll voted no. The motion carried 3 to 1.

Councilmember Peterson moved to open the public hearing for Ordinance 08-17. Councilmember Woodbury seconded the motion. Councilmembers Peterson, Poff, Poll, Thomas, and Woodbury voted yes. The motion carried.

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

ORDINANCE 08-17 AMENDMENT TO CITY'S ZONING MAP – CHANGE OF ZONING FROM Natural Resources (N-R) TO Commercial Recreation (C-R)

Parcels #13-008-0011, 13-008-0014, 13-010-0009, 13-010-0010, 13-010-0012, 13-010-0013, 13-010-0014, 13-033-0094, 13-033-0098, 13-034-0004, 13-034-0005, 13-034-0030, 13-034-0033, 13-034-0035, 13-034-0044, 13-034-0047, 13-034-0051, 13-034-0052, 13-034-0053, 13-034-0054, 13-039-0046, and 13-039-0050: Matt Dixon, City Manager, stated as part of South Weber's continued quest to encourage commercial development in and around the gravel pits, the City Council request that the Planning Commission create a zone that captures the future vision of the gravel pits and the land uses the city would like to see developed there.

Matt explained that the Planning Commission recommended and the City Council recently adopted the new CR Zone with the following permitted and conditional uses: **1-5M-4 Permitted Uses:** Accessory buildings and uses, Agriculture, Child day care facilities, Eating establishments

and drive-ins, Recreational vehicle parks, Recreational and sporting activities, Rental of recreational and sports equipment, Retail sales and general merchandise, Transient lodging **10-5M-5 Conditional Uses:** All permitted uses allowed in this Article requiring more than one acre in site area, Electronic communication facilities, Gasoline and diesel service stations, Public buildings and uses, Public and private utility buildings and uses, and Temporary business not to exceed ninety (90) days in length.

Matt stated the Planning Commission held a public hearing on 25 September 2008 with no public comments being made. He said this is one of the proactive moves the city is taking to attract commercial development in the city.

Mayor Petersen asked for public comment.

Mike Edwards, representing Geneva Rock, said there have been several discussions with the previous Mayor concerning the plans for the south and north side of the gravel pits. He said they were not aware of the public hearing held on 25 September 2008. He said they would like the opportunity to discuss these matters prior to a decision being made tonight.

Dak Maxfield, representing Staker/Parson Companies, said we have entered into a development agreement. He pointed out 4.4 of the development agreement. He said he feels the city hasn't acted in good faith with them. He stated it isn't fair that they should receive something in the mail stating their property is scheduled for rezone. They feel there is a hidden agenda on the city's part.

Mayor Petersen said there is something in the development agreement about getting together once a year with the city. Mr. Maxfield stated they have met with Mayor Gertge. He stated there is a chance Staker/Parson Companies would be interested in the commercial development.

Matt said this is the second time rezone has been advertised. He said in defense of the city, Staker/Parson has had time to come to us, if not eight months ago when this was first discussed.

Mr. Maxfield feels it is too early to rezone their property.

Mayor Petersen said he hasn't had any contact from Staker/Parsons since he has been Mayor. Mr. Maxfield proposed a citizen committee to discuss the future of the gravel pits and look at the development agreement. Mr. Edwards said Geneva would like that opportunity as well.

Councilmember Poff moved to close the public hearing Ordinance 08-17. Councilmember Woodbury seconded the motion. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

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

Councilmember Peterson moved to table the approval of Ordinance 08-17 with the stipulation of sitting down with Geneva and Staker/Parsons to discuss future development by 14 November 2008. Councilmember Woodbury seconded the motion. Erika called for the vote. Councilmembers Peterson, Poll, and Woodbury voted yes. Councilmember Poff voted no. The motion carried voted 3 to 1.

Councilmember Poll moved to take a five minute recess. Councilmember Woodbury seconded. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

Councilmember Peterson moved to reconvene. Councilmember Woodbury seconded. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

Councilmember Peterson moved to open the public hearing for Resolution 08-47. Councilmember Woodbury seconded the motion. Erika called for the vote. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

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

RESOLUTION 08-47: FINAL PLAT – RIVER BEND ESTATES SUBDIVISION (35 LOTS); 545 E. 6650 S. (Brent Stauffer, Developer/Betty Jean Spaulding, Property Owner):

Matt Dixon, City Manager, gave a brief history of this project and stated on 25 September 2008 the Planning Commission recommended final approval of this subdivision upon the developer meeting the set conditions in the minutes of that meeting; however, this recommendation is based on Ordinance 11-4-10B being changed. If this ordinance is not changed, then the Planning Commission recommends it be remanded back to them for further review. A public hearing was held before the Planning Commission on 14 February 2008 for preliminary plat.

Mayor Petersen asked for public comment.

Brent Stauffer, 7361 S. 1200 E., stated he is not sure where they are going with this because Ordinance 08-15 hasn't been approved. He said there are many areas in the city that are still rural. He said in the beginning they wanted to make the lots one acre, but it didn't work. They looked at some rural feel for people who may not want a horse. He said they also looked at swales, which after further review it was decided this wouldn't work. They then looked at the roll curb and gutter exception.

Mayor Petersen asked if they would be willing to look at two sidewalks verses the one asphalt pathway. Bruce Dickamore (developer) stated by going with the 8 ft. asphalt trail or path it encourages people to mingle and walk together. He said in his other developments the people love the asphalt pathway.

The City Council reviewed the plat map.

Councilmember Poff moved to close the public hearing Resolution 08-47. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

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

Discussion took place concerning why this isn't a Planned Unit Development. Mr. Stauffer said it is his understanding that the city isn't in favor of a PUD and he isn't either. Councilmember Poll commended the developer on his vision of this development, but he doesn't necessarily

think that just because the curb is rolled there is a rural feel. He feels the density is what will make the project look rural. Mr. Stauffer stated financially they would be a whole lot better off to put sixty lots on this property. He said it would have been simpler; however, they don't want to create another subdivision that sits (vacant). Mayor Petersen feels this development is not a regular subdivision and he supports the Planning Commission's recommendation.

The City Council reviewed pictures from Herfordshire Subdivision in Roy City. Councilmember Poff said the pictures are not reflective of the rolled curb. The City Council then reviewed pictures of subdivisions with rolled curb.

Councilmember Poff moved to table Resolution 08-47 – Final Plat for River Bend Estates Subdivision (35 lots) located at 545 E. 6650 S. for Brent Stauffer. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

REVIEW ORDINANCE 08-15: AN ORDINANCE AMENDING TITLE 11 SUBDIVISION REGULATIONS, CHAPTER 4 IMPROVEMENT REQUIREMENTS, SECTION 10 CURB, GUTTER, SIDEWALKS AND ASPHALT PAVING, ARTICLE B. EXCEPTION TO REQUIREMENT (PUBLIC HEARING HELD 14 OCTOBER 2008):

Councilmember Poll is concerned about the requirement that a subdivision must meet no less than twenty acres.

Councilmember Peterson moved to table Ordinance 08-15. Councilmember Poll seconded the motion. Erika called for the vote. Councilmembers Poff and Woodbury voted no. Councilmember Poll and Peterson voted yes. Mayor Petersen voted no to break the tie. The motion was denied 3 to 2.

Councilmember Poll moved to deny Ordinance 08-15. The motion died due to lack of a second.

Councilmember Woodbury moved to approve Ordinance 08-15. The motion died due to lack of a second.

Councilmember Poff moved to approve Ordinance 08-15 changing the twenty (20 acres) requirement to five (5) acres. Councilmember Woodbury seconded the motion. Councilmembers Poff, Woodbury, and Mayor Petersen voted yes. Councilmembers Peterson and Poll voted no. The motion carried 3 to 2.

Matt stated the City Engineer's notes that the rolled curb that you are approving is probably less friendly to people driving over it. Mr. Dickamore said they are proposing the modified UDOT Type M1 curb and gutter.

Councilmember Poff moved to amend approval of Ordinance 08-15 by adding an exception that in certain circumstances park strip and sidewalk widths may be exceeded. Councilmember Woodbury seconded the motion. Erika called for the vote. Councilmember Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

Councilmember Poff suggested having the Planning Commission review the possibility of amending the standard.

RESOLUTION 08-47: FINAL PLAT – RIVER BEND ESTATES SUBDIVISION (35 LOTS); 545 E. 6650 S. (Brent Stauffer, Developer/Betty Jean Spaulding, Property Owner):

Matt stated the vicinity map still has Wind River Estates on it and needs to be changed to River Bend Estates. Also, before it can be recorded the developer needs to pay for all professional fees. Discussion took place regarding the Fire Chief's concerns. It was decided that a street light standard will be reviewed.

Mr. Dickamore voiced his concern with item #6 of the conditions concerning the 120 day requirements. The City Council stated they would be willing to look at an extension if necessary.

Discussion took place regarding the sidewalk. Councilmember Poff suggested an 8' park strip on the one side.

Councilmember Poff moved to approve Resolution 08-47 with the addition to allow River Bend Estates to exceed the minimum standard for park strip and sidewalk on the west side of the road to the proposed 8 ft. park strip and 8 ft. path. The motion died due to lack of a second.

Councilmember Poll moved to approve Resolution 08-47 subject to the following items to be completed before the Subdivision Plat or the Street Dedication Plat are recorded:

- 1. 6650 South Street Dedication Plat: A legal description of the Stephens property to be dedicated as a part of this new ROW needs to be provided and a deed prepared so that the property can be deeded to the City prior to the recording of the plat.**
- 2. River Bend Estates Subdivision Plat: A note needs to be added to the plat about access to the posse grounds. The Planning Commission recommended that "one access be allowed into the parking area of the Posse Grounds and that no other access to the Posse Grounds is allowed." The plat should specify exactly where this access will be allowed.**

Additional conditions:

- 3. Storm Drain: The City will allow roll curb be allowed instead of the standard curb and gutter for this subdivision in accordance with Ordinance 08-15, SWC code 11-4-10(B).**
- 4. Streets: 6650 South: Construction of the road and all associated utilities is the full responsibility of the developer (as shown on the plans). Any shared costs between the developer and the Stephens (future developer of the commercial property on the North side of 6650 South) is between these two parties.**
- 5. Prior to recordation of the final plat, the subdivider will be required to enter into an escrow agreement with the City to ensure completion of all public improvements to**

be installed as required by subdivision approval. The escrow amount shall be equal to the City Engineer's approved estimated cost of all required public improvements plus 15% of the total cost of all required improvements for contingencies, plus an additional 10% of the total cost of all required improvements as a guarantee fee, for a total of 125% of the City Engineer's approved estimated cost of all required improvements. [SWC Code 11-5-1]

6. The Developer shall submit the plat, escrow and developers agreement to the City within 120 days from the date of approval, along with a check for recording fees [SWC Code Code 11-2-2(C)]. Plats not recorded within 120 days of final approval by the City Council shall be null and void and must be resubmitted to the City Council.
7. The Developer shall submit electronic copies (both dwg and pdf formats) of the plat and construction drawings following final approval. Electronic data should be compatible with AutoCAD2008 or earlier.
8. Prior to construction, the Developer and construction contractor must hold a preconstruction conference with the City Engineer and City staff to review construction requirements.
9. Prior to the preconstruction meeting, two sets of mylar drawings must be submitted to the City Engineer to serve as official construction drawings;
10. Commencement Of Work: No work on improvements shall be commenced until finalized construction drawings have been approved by the City, final approval of the subdivision plan has been issued by the City Council, the plat has been recorded with the county, Escrow funds secured and proof provided to the City, and a Preconstruction Meeting held with the City Engineer and other applicable entities. [SWC Code 11-4-2(D)];
11. The size of buildings shall be compared to the available fire flows in the area in order to establish whether or not fire sprinklers will be required, as determined by the Fire Chief;
12. Vicinity map must be changed to reflect the name "River Ben Estates";
13. Prior to recordation of the final plat, the subdivider will be required to pay all professional fees in full;
14. Sidewalks: Sidewalk shall be required on both sides of the street of the development. The City will allow the width of the park strips and sidewalks to be enlarged for this subdivision in accordance with Ordinance 08-15, SWC code 11-4-10(B).

Councilmember Poff seconded the motion. Erika called for the vote. Councilmember Woodbury, Poff, Poll, and Peterson voted yes. The motion carried.

RESOLUTION 08-50: STANDARD FOR ROLL CURB EXCEPTION: Matt Dixon, City Manager, explained that South Weber City has explained and adopted Public Works Standards as the official guidelines for subdivision improvements as required in Title 11 Subdivision Regulations. It is decided that the modified UDOT Type M1 Curb & Gutter will be accepted as the standard for roll curb and gutter for South Weber City.

Councilmember Peterson moved to table Resolution 08-50 – standard for roll curb exception until further research on UDOT Type M1 Curb & Gutter. The motion died due to lack of a second.

Councilmember Peterson moved to approve Resolution 08-50 – standard for roll curb exception. Councilmember Woodbury seconded the motion. Erika called for the vote. Councilmembers Peterson, Poff, Poll, Thomas, and Woodbury voted yes. The motion carried.

RESOLUTION 08-51: CITY LOGO: Councilmember Poff moved to table Resolution 08-51. Councilmember Woodbury seconded the motion. Erika called for the vote. Councilmembers Peterson, Poff, Poll, Thomas, and Woodbury voted yes. The motion carried.

ADJOURN: Councilmember Woodbury moved to adjourn the City Council meeting at 10:30 p.m. Councilmember Peterson seconded the motion. Councilmembers Peterson, Poff, Poll, and Woodbury voted yes. The motion carried.

APPROVED: _____ **Date** 12 Nov 2008
Mayor: Brent Petersen

Transcriber: Michelle Clark

Attest: _____ **City Recorder: Erika J. Ahlstrom**

OCTOBER 28, 2008
WORK/DISCUSSION MEETING PRIOR TO CITY COUNCIL

The work session commenced at 5:32 p.m.

Those in attendance to the work session were: Mayor Brent Petersen, Councilmembers Scott Peterson, Michael Poff, Farrell Poll, Scott Woodbury, City Manager Matt Dixon, City Recorder Erika Ahlstrom.

Visitors: Brent Stauffer, Bruce Dickamore, Brandon Jones.

Consent Agenda: No concerns.

RES 08-44 Conditional Acceptance of S & S Estates Subdivision: Matt stated this subdivision will come back to the Council after the one-year guaranty period for final acceptance. Escrow funds will be retained for two signs and the slurry seal. Councilmember Poff asked if there have been any comments from anyone on the subdivision; there have not.

ORD 08-15 Exception to Curb and Gutter Requirement: Matt and the staff went through the ordinance and red-lined it, attempting to incorporate the changes after it was discussed with the Council at last week's work meeting.

Mayor Petersen said he drover through Erickson Meadows, and although he realizes this is a PUD, he likes the look of no sidewalks. Matt stated that a PUD is all private with the roads being maintained by the PUD HOA.

Councilmember Peterson wanted to clarify that by adopting this ordinance, we will be deleting the existing Article B; this was confirmed.

Matt provided a copy of the proposed ordinance to Brent Stauffer.

Brandon Jones and Councilmember Farrell Poll arrived at this time (5:40 p.m.).

Matt indicated the modified version will not allow for exception of sidewalks, so standard sidewalks will be required in all residential. No asphalt sidewalks would be permitted.

Councilmember Poll said he took photos of Herefordshire subdivision in Roy, which has swales and asphalt up to grass. The photos will show why we would not want this. Residents in that area have told him they have drainage problems and ice. The asphalt crumbles and breaks. People also put boulders along edges to keep people from driving on their lawns. Councilmember Poll doesn't believe the ordinance we have before us helps the subdivision that is coming before the Council because we are not going to allow exception for the sidewalk. Councilmember Poll stated he is not against the idea of rural development, but he does not feel the way to do it is through not having curb, he believes it can be accomplished through lower density. He feels the exception creates problems for the city.

Mayor Petersen asked Brent Stauffer and Bruce Dickamore if they are to install an asphalt sidewalk, if it would be the city's problem to maintain? Bruce and Brent responded "yes."

Mayor Petersen said if they want no sidewalk they have the option to do a PUD. Brandon said that's not a bad way to approach it. Brandon feels the city has some responsibility to provide a place for people to walk on a public right-of-way and there may be some liability. Mayor Petersen discussed that those one the other side of the street may wonder why there is not a trail on their side of the street.

Brandon said if the city code is left the way it is, there is still the option of providing exception for the 200 foot frontage and one house per two acres. Mayor Petersen said there is also still the other option of PUD.

City Logo: Councilmember Woodbury does not feel the city is ready to adopt a new logo yet.

The work meeting adjourned at 5:59 p.m. Work meeting minutes by Erika Ahlstrom.