

The regular meeting of the Farr West City Council was held on July 21, 2016 at 7:00 p.m. at the City Hall. Council members present were Mayor Lee Dickemore, Boyd Ferrin, David Jay, Tom Burkland, and Matt Gwynn. Ken Phippen was excused. Planning Commission Members present were John Stewart, Becky Brooks, Lou Best, Phil Owen, Joe Markland, Milt Austin, and Bonnie Beal. Staff present was Whitney Black and Ryan Shaw. Visitors present were: see attached list.

Mayor Dickemore called the meeting to order. Tom Burkland led in the Pledge of Allegiance. Boyd Ferrin offered a prayer.

#### #1 – Public Comments

Boyd Ferrin thanked everyone who participated in the Freedom Festival.

Mike Beal commented that many people at the Freedom Festival asked when the newsletter will be delivered.

#### #2 – Report from Planning Commission

John Stewart reported that three public hearings were held to discuss and/or act upon the request of a conditional use permit for Farr West Auto, the Alcohol Beverage Control Ordinance, and the Juvenile Curfews Ordinance. John then reported that site plans were approved for Farr West Auto, FMC – Pleasant View, and New Vision Hotrods. The B&K Fox Contractors site plan progress was tabled. John also reported that the commission recommended approval of a conditional use permit for Farr West Auto, recommended approval of amending Ordinances Chapter 5.12, Alcohol Beverage Control, and Chapter 9.08, Juvenile Curfews. The Commission then recommended appointment of Lou Best from an alternate member to a full member of the Planning Commission. John then reported that the Commission canceled their July 28, 2016 work session meeting.

#### #3 – Follow-up and Approval of Minutes dated June 16, 2016

**BOYD FERRIN MOTIONED TO APPROVE THE MINUTES DATED JUNE 16, 2016.  
MATT GWYNN SECONDED THE MOTION, ALL VOTING AYE.**

#### #4 – Smith Family Park Update and Approval of Bids

Boyd Ferrin reported that curbing has been engineered and staked. Boyd also reported that once restrooms are installed the park will be opened to the public.

#### #5 – Motion – Approval of Home Occupation Business License – Tina McCarty Nail Salon

**MATT GWYNN MOTIONED TO APPROVE A HOME OCCUPATION BUSINESS LICENSE FOR TINA MCCARTY NAIL SALON. DAVID JAY SECONDED THE MOTION, ALL VOTING AYE.**

#6 – Motion – Approval of Business License – Gunworks, LLC – Garrett Wall

Serenity House of Wellness – Sheila Taylor/Donna Russell

Epic Motor Group LLC – Efrain Perez

J&J Excavating & Construction LLC – Jeffery Peterson

Protein Evolution – Aaron Munn & Angie Manning

Garrett Wall was present seeking approval of a business license for Gunworks, LLC. Boyd Ferrin asked how the business would operate if guns will not be on site. Mr. Wall stated that it is a call center. Boyd Ferrin asked how many employees he would have. Mr. Wall stated that right now he has three.

**TOM BURKLAND MOTIONED TO APPROVE A BUSINESS LICENSE FOR GUNWORKS, LLC. BOYD FERRIN SECONDED THE MOTION, ALL VOTING AYE.**

Donna Russell was present seeking approval of a business license for Serenity House of Wellness. Donna Russell explained that the business would consist of mental illness therapy. David Jay asked how the cliental is found. Miss Russell stated that it is mostly done by referrals.

**BOYD FERRIN MOTIONED TO APPROVE A BUSINESS LICENSE FOR SERENITY HOUSE OF WELLNESS. MATT GWYNN SECONDED THE MOTION, ALL VOTING AYE.**

There was no one present on behalf of Epic Motor Group LLC.

**MATT GWYNN MOTIONED TO TABLE APPROVAL OF A BUSINESS LICENSE FOR EPIC MOTOR GROUP LLC. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

There was no one present on behalf of J&J Excavating and Construction LLC.

**BOYD FERRIN MOTIONED TO TABLE APPROVAL OF A BUSINESS LICENSE FOR J&J EXCAVATING AND CONSTRUCTION LLC. MATT GWYNN SECONDED THE MOTION, ALL VOTING AYE.**

Aaron Munn and Angie Manning were present seeking approval of a business license for Protein Evolution. Boyd Ferrin asked if this is the same truck that was present at the Freedom Festival.

**BOYD FERRIN MOTIONED TO APPROVE A BUSINESS LICENSE FOR PROTEIN EVOLUTION. DAVID JAY SECONDED THE MOTION, ALL VOTING AYE.**

#7 – Motion – Approval of Conditional Use Permit for Farr West Auto located at 2010 West 1025 North – Josh Maes

Josh Maes and Alex Leeman was present seeking approval of a conditional use permit for Farr West Auto. Mr. Leeman explained Mr. Maes business. David Jay commented that some of the conditions should consist of the repair process is done inside the building and that the paint booth needs to be approved by the city building official. Boyd Ferrin commented that he is uncomfortable with 40 wrecked cars in the back lot. The paint booth was discussed further. Mr. Leeman stated that the lot will be fenced and Mr. Maes could fix about 5 cars a week with the paint booth. Mr. Leeman also explained that they are comfortable with the 40 car limit because that is typical more than they will have at one time, but will give them the freedom to acquire a few more at any given time. Tom Burkland expressed concerns about the environmental effects of this business. Mr. Leeman suggested that a condition be added to the conditional use permit that all leaks are taken care of before cars are moved on site. Matt Gwynn asked if Mr. Maes would close his Sunset location and move his location to Farr West. Mr. Maes commented that within the next few months after Farr West site is complete he plans to close his Sunset location. Matt asked how many complaints Mr. Maes had in Sunset. Mr. Maes stated that he has not had any. Boyd again expressed concerns he had with having a lot with that many wrecked vehicles right in the gateway of the city. John Stewart commented that the neighbors were notified of the public hearing and no one was present with concerns. Matt Gwynn stated that he doesn't feel this is the right location for this type of business.

**DAVID JAY MOTIONED TO APPROVE A CONDITIONAL USE PERMIT FOR FARR WEST AUTO LOCATED AT 2010 WEST 1025 NORTH WITH THE CONDITIONS PRESENTED BY THE PLANNING COMMISSION AND THAT ALL REPAIRS ARE DONE INSIDE THE BUILDING, EVERYTHING DONE IN COMPLIANCE WITH ALL EPA STANDARDS, NO DISCHARGE OR DRAINAGE AT THIS SITE THAT WILL EFFECT THE SURROUNDING NEIGHBORHOOD AND STORM DRAIN, PRIVACY FENCING BE PUT ALL THE WAY AROUND, AND MAINTAIN THE INTEGRITY OF THE PROPERTY. TOM BURKLAND SECONDED THE MOTION.**

No vote was taken as further discussion was necessary. Tom suggested working with the engineer on creating a berm on the west side of the property to help ensure the storm drain is not compromised. There was more discussion regarding the number of vehicles allowed and the time frame they would be permitted at the site. Mr. Leeman again stated this is not a wrecking yard and Mr. Maes will keep complete records of the vehicles on the lot and of the time frame of

which they are there, commenting that the nature of Mr. Maes's business is to move them out quickly. David Jay stated that he felt the council needed to remember their role is to make sure the business is compliant with the city code and denial cannot be based on personal preference. There was further discussion on the concern with the amount of vehicles allowed.

**DAVID JAY MOTIONED TO APPROVE A CONDITIONAL USE PERMIT FOR FARR WEST AUTO LOCATED AT 2010 WEST 1025 NORTH WITH THE CONDITIONS PRESENTED BY THE PLANNING COMMISSION, INCLUDING THE ADDITION THAT AND ALL REPAIRS INSIDE THE SHOP WITH NONE IN THE YARD; THAT ALL DAMAGED VEHICLES ARE KEPT BEHIND THE PRIVACY FENCE AND ARE KEPT LOGGED AND ORGANIZED; THAT, IF REQUIRED BY THE ENGINEER, THERE BE A BERM ON THE WEST SIDE PROPERTY TO CONTAIN ANY RUNOFF WITH AN OIL SEPARATOR; A MAXIMUM OF 30 CARS IN BACK LOT AT THIS TIME WHICH CAN BE RENEGOTIATED WITH THE CITY COUNCIL AFTER SIX MONTHS OF OPERATION. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

#8 – Motion – Approval of Business License for Farr West Auto – Josh Maes

**BOYD FERRIN MOTIONED TO APPROVE A BUSINESS LICENSE FOR FARR WEST AUTO. DAVID JAY SECONDED THE MOTION, ALL VOTING AYE.**

David Jay stated he wanted to make sure the Cease and Desist order is lifted upon approval of the business license. Ryan Shaw stated it would.

#9 – Motion – Renewal of Econo Waste Contract

Boyd Ferrin stated he would like Econo Waste to provide the City with some recycling cans as part of the contract. There was some discussion about putting recycling cans at the park.

**TOM BURKLAND MOTIONED TO ACCEPT THE RENEWAL OF THE ECONO WASTE CONTRACT AS PRESENTED. MATT GWYNN SECONDED THE MOTION, ALL VOTING AYE.**

#10 – Discussion – Traffic Concerns on 2700 North with Todd Whiteley Building – Jackie Westergard

Jackie Westergard was present to express traffic concerns on 2700 North with the Todd Whiteley building. Mrs. Westergard stated that she was here to request the denial of a business license to the back room of the Todd Whitely Insurance building. Mrs. Westergard expressed that having

two businesses in that one location created a very unsafe traffic situation. Mrs. Westergard read from a letter she had previously prepared, which described several traffic concerns. Mrs. Westergard also expressed concerns about the Todd Whiteley electric sign, and requested that the city not approve those types of signs. Mrs. Westergard commented that these types of electric signs are very bright and can distract drivers. Mrs. Westergard also stated that this sign hurts her eyes and that she feels it is an eyesore. Mrs. Westergard again asked the council to revoke the business license to the business in the back room. Mayor Dickemore stated that because this was a discussion item the council could not vote on it tonight, but the council would discuss it further in their work session. Todd Whitley commented that he has previously denied two other businesses the use of his back room because of traffic concerns. Mr. Whitley also commented that he approved the business that is there now only with a few conditions. One of those conditions being that the business is only open Thursday thru Saturday. Mr. Whitley then commented that Hoagies Corner has similar unsafe traffic situations, and suggested a median be put in. Boyd Ferrin stated that road is a stated road. Mayor Dickemore commented that UDOT has discussed installation of medians on that road. Mrs. Westergard again asked why there are two businesses at this one location, and asked the council if they would deny a business license to the back room. Mayor Dickemore stated that the council would discuss it at their next work session.

#### #11 – Discussion – Nuisance Ordinance – Tim Campbell

Tim Campbell was present to express concerns on a nuisance ordinance. Mayor Dickemore explained the ordinance and the issue of the white trailers to Mr. Campbell. Mayor Dickemore commented that the city deals with nuisances in the front and side yards, but not the backyard, so the trailer would be in compliance if they were moved to the backyard. Mr. Campbell commented that the side yard is two city blocks long. Mr. Campbell also commented that these trailers have no axels, wheels, or hitches, and stated that they are not trailers. It was determined that the objects of concern are storage boxes and not trailers. Because they are structures they are in compliance with city code.

#### #12 – Motion – Approval of Ordinance No. 2016-07, Amending Chapter 5.12, Alcoholic Beverage Control

Tom Burkland expressed concerns about establishments like bars, taverns, and salons coming into the city. Joe Markland stated that those types of businesses need a completely different license from the state.

Boyd Ferrin left the meeting.

**DAVID JAY MOTIONED TO APPROVE ORDINANCE NO. 2016-07, AMENDING CHAPTER 5.12, ALCOHOLIC BEVERAGE CONTROL. MATT GWYNN SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN WITH TOM BURKLAND, MATT GWYNN, AND DAVID JAY ALL VOTING AYE. MOTION PASSED.**

#13 – Motion – Approval of Ordinance No. 2016-08, Amending Chapter 9.08, Juvenile Curfews

**MATT GWYNN MOTIONED TO APPROVE ORDINANCE NO. 2016-08, AMENDING CHAPTER 9.08, JUVENILE CURFEWS. TOM BURKLAND SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN WITH TOM BURKLAND, MATT GWYNN, AND DAVID JAY ALL VOTING AYE. MOTION PASSED.**

#14 – Motion – Recommend appointment of Lou Best as full member of the Planning Commission

**MATT GWYNN MOTIONED TO APPOINT LOU BEST AS A FULL MEMBER OF THE PLANNING COMMISSION. DAVID JAY SECONDED THE MOTION, ALL VOTING AYE.**

#15 – Motion – Approval of 2016 Street Maintenance Contracts

**TOM BURKLAND MOTIONED TO APPROVE THE 2016 STREET MAINTENANCE CONTRACTS. MATT GWYNN SECONDED THE MOTION, ALL VOTING AYE.**

#16 – Motion – Set a work session to discuss Utopia Fiber for August 4, 2016 at 5:30pm

**MATT GWYNN MOTIONED TO SET A WORK SESSION TO DISCUSS UTOPIA FIBER FOR AUGUST 4, 2016 AT 5:30PM. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

#17 – Youth City Council Update

There was no youth city council update.

#18 – Planning Commission Assignments

Mayor Dickemore requested John Stewart bring in the owners of Thoro Clene regarding their business and site plan. The planning commission was asked to look into the sign ordinance for home occupation businesses.

#19 – Report from Council on Assignments

Matt Gwynn reported on the Fire District Board meeting. Matt also reported that there will be a Safety and Emergency Fair on September 24 at 9am at the city offices.

Tom Burkland reported on the Central Weber Sewer Board meeting. Tom also commented that legislation was passed in January that requires boards to have separate directly elected members. Tom then commented that the districts are pushing against this very heavily.

David Jay reported that he is in communication with 26 individuals who are out of compliance with city code. David reported that 13 of those individuals are working to be in compliance.

Mayor Dickemore reported that Maverick is interested in putting a new station in the city. The Rec Center has basketball clients going on. The Mayor commented that the next Senior Dinner will be held on August 10. The Mayor also reported that the WACGO and Bona Vista's meetings were cancelled. Mayor Dickemore then updated the council on the Smith Family Park. Mayor Dickemore asked the council to look into whether or not the city should continue renting out the city tents used at the Freedom Festival.

#20 – Approval of Bills

See Warrant Register dated July 20, 2016.

**TOM BURKLAND MOTIONED TO APPROVE AND PAY THE BILLS DATED JULY 20, 2016. MATT GWYNN SECONDED THE MOTION, ALL VOTING AYE.**

#21 – Adjournment

**AT 9:24 P.M., MATT GWYNN MOTIONED TO ADJOURN THE MEETING. DAVID JAY SECONDED THE MOTION, ALL VOTING AYE.**

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Whittney Black, Secretary

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Lee Dickemore, Mayor

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