

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 27 February 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

CITY ATTORNEY: Jayme Blakesley

CITY ENGINEER: Brandon Jones

CITY RECORDER: Lisa Smith

COMMUNITY RELATIONS: Shaelee King

COMMUNITY DEV. MGR: Lance Evans

Minutes: Michelle Clark

ATTENDEES: Paul Sturm, Sally Petty, Bill Petty, Merv Taylor, Lynn Poll, Gary Boatright, Zach Hartmann, Michael Grant, Amy Mitchell, and Mike Poll.

1. Pledge of Allegiance: Councilman Winsor

2. Prayer: Councilman Halverson

Mayor Westbroek acknowledged there are individuals in attendance tonight who are concerned about item #4 (Barlow Property Annexation & Development Concept) on the agenda. He explained this developer has the right to address the council tonight and discuss his ideas for the unincorporated property located in Davis County between the borders of South Weber and Layton City. He noted this is a discussion item and it does not suggest the city is pushing for a road connection from South Weber to Layton City. There are several entities involved before any decisions are made.

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 & city directing comments to the entire Council (They will not respond).

Brent Poll of South Weber City reviewed his position on pollution within the city.

Amy Mitchell of South Weber City thanked Mayor Westbrook for his comments and Councilwoman Petty for help with parked trailers in her neighborhood. She addressed the unincorporated Davis County property up for discussion tonight and suggested this property be a part of Layton City. She opposes a road from Layton City to South Weber City.

Lynn Poll of South Weber City conveyed he owns 40 acres next to the unincorporated Davis County property and relayed the difficulty in getting utilities to service the property. He suggested the city install a gravel path for children using the road west of South Weber Elementary.

Paul Sturm of South Weber City expressed concern for the “Road to Layton” concept and suggested denying any annexation request into South Weber City.

Michael Grant of South Weber City queried when the City’s general plan will be revised. He believes the public needs a six-month lead time so citizens can be actively involved.

Mike Poll of South Weber City disagreed in having South Weber City request a study on the unincorporated property in Davis County as the land is not located in South Weber.

PRESENTATIONS

4. Barlow Property Annexation & Development Concept

The property is a portion of what has been referred to as the “south bench”, which is a large flat area of unincorporated Davis County between the borders of South Weber and Layton City. The property is currently outside the City limits but is within the city’s annexation map. The General Plan shows this property as open space. Developer Zach Hartman of Land Advisors represented the Barlow family. South Weber City and Layton City’s annexation plans overlap. He acknowledged as a planner there are three options (1) a cohesive project connecting South Weber and Layton City, (2) annex property into South Weber City and construct a cul-de-sac, or (3) annex property to Layton City with a cul-de-sac. He is willing to investigate the HAFB pollution. He identified on the map an area for a park and bicycle trails with housing. Councilman Dills asked Mr. Hartman what he plans on developing. Mr. Hartman preferred residential development because of the financial benefits and physical geography of the land.

Fire Chief Derek Tolman expressed city code allows only 30 homes with a single entrance to a development. He voiced safety concerns with limited access to this property and noted the grade of the hill makes for difficult access for emergency service vehicles. City Engineer Brandon Jones added the grade is close to 14%. He explained if the road is used it would need to be re-graded.

Councilman Davis noted citizens are concerned with a road to Layton City and suggested the development be in Layton. He questioned the safety of the hillside. City Engineer Brandon Jones affirmed there would need to be studies completed on the hillside, and noted where the current road is located is stable but also does not have a lot of traffic. He added the developer would be responsible for the construction of the road. Councilman Halverson relayed if the property is annexed into South Weber City, Layton City will be frustrated if there is a cul-de-sac and traffic into their city with no benefits to them. Mr. Hartmann clarified if property is annexed into South Weber City, the cul-de-sac

can be into South Weber and vice versa for Layton City. He added utilities may need to come from South Weber City regardless of which city the property is annexed into.

Mr. Hartmann asked if the City Council would consider a regional park or suggested large estates could create a blockade. Chief Tolman noted any home over 3,600 sq. ft. would need sprinklers installed. Councilman Dills would like to see this property developed but is not sure South Weber City can service this property. Councilman Winsor opposed any type of development as this property was meant to be open space, and the hillside, pollution, utilities, access, are all issues.

Mayor Westbroek expressed that if the city does not consider this development, and it goes into Layton City, it opens the option for them to install a highway coming down into South Weber. If the property is annexed into South Weber, the city will have more control over what is developed on it. He was concerned Layton City will bring industrial development this way. By installing residential, he believed it could help eliminate dust and debris coming from Evergreen. Councilman Davis agreed with Mayor Westbroek and opined the city should explore all possibilities. Mr. Hartmann discussed the option of a three-way agreement between the developer, South Weber City, and Layton City.

ACTION ITEMS

5. Consent Agenda

a. February 3, 2024, Minutes

Councilman Halverson moved to approve the consent agenda as written. 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.

6. Petty Family Property Damage Compensation Request

City Attorney Jayme Blakesley spoke with Councilwoman Petty prior to this meeting, and she will recuse herself from this agenda item.

Dusty Petty reviewed photos of the damaged property from water and debris being washed into the family pond. He explained Toncco was awarded the contract to complete the east bench waterline project. Under the direction of Weber Basin Water (who holds an easement through the property) they changed the grade in the road and that created the problems being discussed tonight. Mr. Petty identified the route of the water drainage, lay of the land, spring to the pond, and washed-out road to the spring. He noted the flooding started with the change of grade at the Job Corp property. There is now a safety concern for the animals drinking this water. He presented a sample of the dirt before and the sand after the damage, and expressed the sand is killing the grass. He explained after a family meeting with city staff and Toncco in November 2023, a temporary solution was implemented but not signed off by the family. The spring is still full and tiny rock dams were installed that provided no water percolation or drainage benefit of any kind. In early February they sent an email to Weber Basin and culverts have been installed with no more issues. The family is requesting over \$10,000 in compensation for damage to their pond and property they believe resulted from the city's East Bench Transmission Line Project.

Councilman Halverson asked if Whitaker reimbursed the Petty's. Mr. Petty replied they negotiated with them and were reimbursed. Bill Petty of South Weber City added they were given funds, but there is still a need to haul all the piled-up debris.

Councilman Halverson moved to go into CLOSED SESSION held pursuant to the provision of UCA section 52-4-205 (1)(c) to discuss pending or reasonably imminent litigation at 7:26 p.m. Councilman Winsor seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, and Winsor voted aye. The motion carried.

CLOSED MEETING WAS HELD IN THE CONFERENCE ROOM

Councilman Halverson moved to go into an open meeting at 8:10 p.m. Councilman Dills seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, and Winsor voted aye. The motion carried.

Councilman Halverson moved to direct City Manager David Larson to work with the Petty family concerning items discussed in the closed session. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, and Winsor voted aye. The motion carried.

7. Ordinance 2023-18: Title 10 Chapter 19 Accessory Dwelling Units Amendment

The Planning Commission recommended approval along with a cap on external accessory dwelling units (EADUs) based on analysis from the City Engineer and effects to the City infrastructure. The Code Committee recommended approval. Councilwoman Petty queried on how the size of the EADU was determined. Councilman Davis replied he researched other cities, and it was determined the primary residence size should be larger than the EADU.

Councilman Dills moved to approve Ordinance 2023-18: Title 10 Chapter 19 Accessory Dwelling Units Amendment. Councilman Davis seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

DISCUSSION ITEMS

8. Legislative Review

City Manager David Larson announced there was an action alert on SB185 (Residential Building Inspections Amendments which the Utah League of Cities and Towns (ULCT) opposes. Mr. Larson suggested the council watch for other action alert items this week. He added the ULCT supports SB168 (Affordable Building Amendments). HB562 (Utah Fairpark Area Investment and Restoration) passed. HB421 (Homelessness and Vulnerable Populations Amendments) passed out of committee. He noted Davis County is looking at options for a year-round homelessness facility.

REPORTS

9. New Business (None)

10. Council & Staff

Councilman Dills: reported the Code Committee will be reviewing land use and zoning issues along with a little bit of development. Also, they discussed keeping the City Council more involved.

Councilwoman Petty: announced the Municipal Utilities Committee will meet tomorrow.



Councilman Halverson: stated the Planning Commission approved the Public Works Facility site plan.

City Manager David Larson: The month of March is for committee meetings. He requested the council respond to his email on scheduling budget committee meetings.

11. Adjourn

Councilman Winsor moved to adjourn the meeting at 8:35 p.m. Councilwoman Petty 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 03-26-2024
Mayor: Rod Westbrook

 
Transcriber: Michelle Clark


City Recorder: Lisa Smith