The regular meeting of the Farr West City Council was held on December 1, 2022 at 7:00 p.m. at City Hall. Council members present were Mayor Ken Phippen, Dave Chugg, Katie Williams and Janele Leatham. Boyd Ferrin and Josh Blazzard were excused.

Planning Commission members present were Ted Black, Lyle Earl and Lou Best. Staff present was Lindsay Afuvai, Cody Cardon and Ryan Shaw. Visitors present were: see attached list.

<u>#1 – Call to Order – Assistant Mayor Boyd Ferrin</u>

Mayor Phippen called the meeting order.

<u>#2 - Opening Ceremony</u>

a. <u>Pledge of Allegiance</u>

Mayor Ken Phippen led in the Pledge of Allegiance.

b. <u>Prayer</u>

David Chugg offered a prayer.

<u>#3 – Comments/Reports</u>

a. <u>Public Comments</u>

There were no public comments.

b. <u>Report from Planning Commission</u>

There was no meeting held on November 24, 2022.

<u>#4 – Business Items</u>

a. <u>Approval of business licenses – Up N Over Garage Doors</u>

Flora Green was present seeking approval of a business license for Up N Over Garage Doors. Ms. Green stated this will be a home office for their business and that they will have products come the night before which are then delivered and installed the next day. Katie Williams asked if they have employees with vehicles. Ms. Green stated they do have employees, but they will seldomly need to come to their home.

**KATIE WILLIAMS MOTIONED TO APPROVE A BUSINESS LICENSE FOR UP N OVER GARAGE DOORS. JANELE LEATHAM SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN WITH JANELE LEATHAM, KATIE WILLIAMS AND DAVID CHUGG ALL VOTING AYE. MOTION PASSES UNANIMOUSLY.**

b. Open public hearing to consider a budget amendment and monthly utility rate increase

**DAVID CHUGG MOTIONED TO OPEN A PUBLIC HEARING TO CONSIDER A BUDGET AMENDMENT AND MONTHLY UTILITY RATE INCREASE. KATIE WILLIAMS SECONDED THE MOTION, ALL VOTING AYE. MOTION PASSES UNANIMOUSLY.**

Cody Cardon stated we received a letter from Econo Waste with a requested rate increase and then we are looking to clean up the commercial sewer rates. Cody presented the garbage and recycling rate increases per Econo Waste request, stating the overall increase would be 28.32%. Val Saunders from Econo Waste explained that the cost of fuel has more than doubled in the last couple of years. Val stated that if the cost of fuel goes back, he would be happy to lower the cost of the fuel surcharge accordingly. Val then explained that all of his operating costs have skyrocketed, and he is just trying to stay ahead.

Cody then presented the proposed change to the commercial sewer rates, which would be based on a base rate calculated by their water consumption. Cody proposed a base rate of $29.07 for the first 10,000 gallons and then $2.50 for every 1,000 gallons over the base amount.

c. Close public hearing and proceed with the regular meeting

**DAVID CHUGG MOTIONED TO CLOSE THE PUBLIC HEARING AND PROCEED WITH THE REGULAR MEETING. KATIE WILLIAMS SECONDED THE MOTION, ALL VOTING AYE. MOTION PASSES UNANIMOUSLY.**

d. Approval of budget adjustment and monthly utility rate increase

David Chugg stated he would like to table the rate increase on the commercial sewer rates until they can look at the considerations for Westwood Village and agricultural uses. Katie Williams stated she felt like the CPI increase request from Econo Waste is within the contract but did not feel like the request for a fuel surcharge was in that scope and that is just the cost of doing business. Janele Leatham stated she is sympathetic to their need to cover the increased fuel surcharge but would like to see something in writing that could come down with the cost of fuel. David stated he agreed with both Councilwomen, but that he feels like gas is coming down but does understand the need to address it. David stated he felt like it would be a good idea to table the request and come up with a surcharge schedule to address the needs.

**DAVID CHUGG MOTIONED TO TABLE THE BUDGET ADJUSTMENT AND MONTHLY UTILITY RATE INCREASE FOR ECONO WASTE AND COMMERCIAL SEWER RATES UNTIL THEY HAVE FURTHER INORMATION. KATIE WILLIAMS SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN WITH JANELE LEATHAM, KATIE WILLIAMS AND DAVID CHUGG VOTING AYE. MOTION PASSES UNANIMOUSLY.**

The Council decided to add a work session before their next meeting to further discuss the rate increases.

e. <u>Discussion/Action – Request for a variance on accessory building setbacks for Keith Colvin</u>

Keith Colvin stated he lives on two acres on Higley Road and that they are building a barn to house equipment and storage for his son with special needs. Mr. Colvin acknowledged he did not get a building permit and had started construction of the barn but stopped construction immediately once the building inspector came and talked to him. Keith indicated he was unaware of the change to the ordinance regarding setbacks and thought it was still four feet, rather than the now ten-foot requirement based on the height of his building, and thought he was building per the code. Mr. Colvin presented the council with a letter from his neighbor who does not have an issue with the proposed location of the building. Mr. Colvin again indicated the need for his building was all for his son and if he needed to move it, he would but hoped he could avoid that by requesting the variance. Katie Williams asked about the appeal process and what the possible outcome of that would be. Ryan stated it would go to an appeal authority but that he believed it could be approved that way. Mayor Phippen said that one option would be to consider a change to the new ordinance regarding lot size and not have the new setbacks applicable to larger lots. Ryan Shaw encouraged the City Council to look at this incident and consider it on its own merit. Ryan did not believe a change in ordinance was necessary.

**DAVID CHUGG MOTIONED TO APPROVE A VARIANCE ON ACCESSORY BUILDING SETBACKS FOR KEITH COLVIN. JANELE LEATHAM SECONDED THE MOTION. DAVID CHUGG, KATIE WILLIAMS AND JANELE LEATHAM ALL VOTED AYE. MOTION PASSES UNANIMOUSLY.**

f. <u>Purchase of new half ton truck and liquation of half ton Ford – Nate Carver</u>

Nate Carver stated we are looking to liquidate an older truck that is not on the rotating schedule yet and purchase a new truck that would now be in the rotating schedule, as well as two others for the buy-back program.

**KATIE WILLIAMS MOTIONED TO APPROVE THE PURCHASE OF THREE NEW TRUCKS INCLUDING A NEW HALF TON TRUCK FOR $44,557.00 AND THE LIQUIDATION OF THE HALF TON FORD. JANELE LEATHAM SECONDED THE MOTION, ALL VOTING AYE. MOTION PASSES UNANIMOUSLY.**

g. Discussion/Action – Moderate Income Housing Report, Notice of Non Compliance

Mayor Phippen stated there is some work that needs to be done on the Moderate Income Housing report. Ken stated the report was specific on the corrective actions that need to be done. Katie asked if the corrections could be done concurrently with the Planning Commission, Ken said yes. There was a discussion on holding a work session before the next Planning Commission meeting. Ted Black suggested having a professional prepare the plan if that is possible to provide the state with what they are requesting. Katie stated she felt that would be hard to do and keep to the required timeline and felt the city should attempt to complete the plan.

**KATIE WILLIAMS MOTIONED TO AMEND THE PREVIOUSLY SCHEDULED WORK SESSION WITH THE PLANNING COMMISSION FOR DECEMBER 8, 2022 AT 6 PM TO DISCUSS THE MODERATE INCOME HOUSING PLAN UPDATES. DAVID CHUGG SECONDED THE MOTION, ALL VOTING AYE. MOTION PASSES UNANIMOUSLY.**

#5 – Consent Items

a. Approval of minutes dated November 17, 2022

**DAVID CHUGG MOTIONED TO APPROVE THE MINUTES DATED NOVEMBER 17, 2022. KATIE WILLIAMS SECONDED THE MOTION, ALL VOTING AYE. MOTION PASSES UNANIMOUSLY.**

b. Approval of bills dated November 30, 2022

**JANELE LEATHAM MOTIONED TO APPROVE THE BILLS DATED NOVEMBER 30, 2022. DAVID CHUGG SECONDED THE MOTION, ALL VOTING AYE. MOTION PASSES UNANIMOUSLY.**

#6 – Mayor/Council Follow-up

a. Report on Assignments

David Chugg reported he and the mayor met with developers on potential development on the Randall property.

Katie Williams reported on the park meeting and that she has a meeting scheduled with UDOT to discuss the bridge proposal for 2700 North. Katie then reported on the Senior Center Christmas dinner, inviting the council to come and help serve on December 15.

Janele Leatham reported she is working to get bids on new playgrounds so she can apply for RAMP Grant funding in the next year.

Mayor Phippen reported on the rec center and the trails and active transportation meeting. Ken then reported Ryan Shaw is retiring so we are looking to fill his position as city attorney and prosecutor.

#7 – Adjournment

**AT 8:23 P.M., DAVID CHUGG MOTIONED TO ADJOURN THE MEETING. KATIE WILLIAMS SECONDED THE MOTION. ALL VOTING AYE.**

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Lindsay Afuvai, Recorder

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Ken Phippen, Mayor

Date Approved: ____________________