

Two public hearings and the regular meeting of the Farr West City Council was held on Thursday, June 20, 2013 at 7:00 p.m. at the City Hall. Council members present were Mayor Lee Dickemore, Boyd Ferrin, Tom Burkland, Tim Shupe, Ava Painter and Paul Dinsdale. Planning Commission members present were John Stewart, Bonnie Beal, Ken Phippen, Joe Markland and Matt Gwynn. Staff present were Andrea Ortgiesen, John Cardon and Ryan Shaw. Visitors present were: see attached list.

Mayor Lee Dickemore called the meeting to order. Ava Painter led in the Pledge of Allegiance. Tim Shupe offered a prayer.

#### First Public Hearing as Advertised – Discuss and/or act upon the intent of the legislative body to adjust the 2012-2013 Budget

John Cardon stated we are almost done with the 2012-13 year and need to make a few adjustments. John stated in the general fund under administrative, the benefits need to be adjusted by \$26,000. He stated Mayor Papageorge was due some retirement money we were not aware of. He stated this was a one time payment. John stated the engineering budget needs to be raised \$60,000 for engineering work done throughout the year including the 2700 N project, the Plaza Park complex, the Public Works Standards update and also other miscellaneous other things. John stated the miscellaneous line item needs to be adjusted \$4,000. John stated Legal Services need to be adjusted \$2,000 just to make sure we stay in budget. John stated the General Government account will be adjusted \$22,000 to cover the repair on the City Marquee. He stated Highways will be adjusted \$10,000 for the work in the parking lot and the trails in the City. John stated the total increase in expenses will be \$124,000. John stated revenue in the building department was better than expected and those line items are adjusted as well to keep the budget in balance. John stated the Sewer fund will also need some adjustments. He stated engineering will need to be adjusted \$16,000 for the impact fee study, depreciation will be adjusted \$12,000, which is a non cash item. He stated the total increase to the Sewer fund will be \$28,000. John stated increased revenue in impact fees and sewer service fees will balance this budget.

#### Second Public Hearing as Advertised – Discuss and/or act upon the intent of the legislative body to approve the Tentative 2013-2014 Budget

John Cardon presented the Tentative budget for FY 2013-14. John stated the Council has held 3 work sessions regarding the budget. John stated the total budget is 2,422,000 which is the largest budget the city has ever approved. John stated this budget will not include any additional employees. He stated the new merit pay scale was approved so there will be some employees who will receive an increase this year. John stated the State Retirement increased 7% and the medical insurance increased 3.5%. John stated there will be an estimated \$242,000 in property tax revenue. He stated the City is looking at a property tax increase. He stated most of that money will go towards the law enforcement contract and a couple of large projects to be completed this budget year. John stated the City will be going through the truth in taxation process which will include another public hearing and will be approved at the August 15<sup>th</sup> City Council meeting. John stated building permit revenue is expected to increase. He stated the storm sewer maintenance fees will increase due to the restructuring of fees charged to commercial businesses. John stated he is projecting \$100,000 from other agencies to offset the cost of the 2700 North project. John stated that in expenditures the administrative budget is pretty close to last year. He stated this year will include an election expense. John stated the Court expenses are also the same as a year ago. John stated under General Governmental the budget is \$520,000 this year. He stated the big difference is the storm sewer expansion, the new Junior High, safety sidewalk, piping the existing ditch, widening the road and installing the bridge. John stated the Public Safety budget is up for the Law Enforcement contract which is up

\$49,000 and will increase another \$100,000 next year. John stated Highway and Improvements are up quite a bit. He stated there is an increase in Class C road funds and also the 2700 North project. John stated the Parks and Recreation budget increased for park development for a potential park on the north end of the City. John stated the Capital Projects Fund increased \$150,000 for a potential property purchase. John then addressed the Sewer fund. He stated revenues are up \$785,000 due to the increased commercial sewer service fee. John stated expenditures will increase \$20,000 for sewer expansion which would cover any projects the city would do and added a little bit to sewer processing fees which would cover any increase in fees we might received from Central Weber Sewer.

#1 – Motion – Close Public Hearings and Proceed with Regular Meeting

**BOYD FERRIN MOTIONED TO CLOSE THE PUBLIC HEARINGS AND PROCEED WITH THE REGULAR MEETING. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

#2 – Public Comments

Ken Phippen commented that at a recent trip to Smith & Edwards he noticed a lot of license plates from Idaho. He stated perhaps the City Council should take into consideration visiting consumers instead of just rooftops for future commercial development. Paul Dinsdale stated it is actually included in the study.

Bonnie Beal asked about the speed limit on 2000 West. Lee Dickemore stated UDOT was completing a study and will get back with him once it is completed.

#3 – Follow-up and Approval of Minutes dated June 6, 2013

**AVA PAINTER MOTIONED TO APPROVE THE MINUTES DATED JUNE 6, 2013. PAUL DINSDALE SECONDED THE MOTION, ALL VOTING AYE.**

#4 – Report from Planning Commission

John Stewart was present to report the Planning Commission held two public hearings, one to consider the request for a conditional use permit for WISCO, Inc, the other to discuss the proposed amendment to the subdivision ordinance to address half cul-de-sacs and knuckles. John reported the Planning Commission recommended approval of a conditional use permit for WISCO, Inc with the conditions that there will be dust control on site. John reported the Commission then granted site plan approval of WISCO, Inc., final approval of Edgewood Estates Phase 1 and Farr West Meadows Phase 4 with the condition that the knuckle be removed. The Commission also denied a request for variance on a non-conforming lot in Farr West Meadows and recommended approval of the amendment to the subdivision standard ordinance prohibiting the use of half cul-de-sacs and knuckles.

#5 – Motion – Approval of Business Licenses – Winco Fireworks Utah

Olympus Fireworks  
Capitol Auto

No one was present for Winco Fireworks Utah.

**BOYD FERRIN MOTIONED TO TABLE APPROVAL OF A TEMPORARY BUSINESS LICENSE FOR WINCO FIREWORKS UTAH. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

Lauren Collard arrived late for the meeting.

**TIM SHUPE MOTIONED TO RE-OPEN CONSIDERATION OF A LICENSE FOR WINCO FIREWORKS. PAUL SECONDED THE MOTION, ALL VOTING AYE.**

Ms. Collard stated the fireworks stand will be located at 1797 West 2700 North. She also asked for approval of an inflatable gorilla to be placed on the property

**AVA PAINTER MOTIONED TO APPROVE A TEMPORARY BUSINESS LICENSE FOR WINCO FIREWORKS UTAH. BOYD FERRING SECONDED THE MOTION, ALL VOTING AYE.**

Monica Romney was present seeking approval of two temporary business licenses for Olympus Fireworks. Ms. Romney stated they will be open for the 4<sup>th</sup> and the 24<sup>th</sup> of July holidays. Tim Shupe stated he is concerned about parking at the Kennedy location. Ms. Romney stated the land owners are going to take a post out of their vinyl fence to allow easier and more parking. Ms. Romney stated they can have the parking closer to the East end of the property and the tent closer to the West. Tim Shupe asked when the busy hours are. Ms. Romney stated they are busy on the 4<sup>th</sup> and most of the 3<sup>rd</sup>. She stated other than that they are busy from about 3 p.m. to 8 p.m. Bill Malone stated he is concerned about people parking across the street and suggested putting no parking signs up on the North side of the street.

**AVA PAINTER MOTIONED TO APPROVE A TEMPORARY BUSINESS LICENSE FOR OLYMPUS FIREWORKS AT 1800 NORTH 2000 WEST. BOYD FERRIN SECONDED THE MOTION, ALL VOTING AYE.**

**BOYD FERRIN MOTIONED TO TABLE APPROVAL OF A TEMPORARY BUSINESS LICENSES FOR OLYMPUS FIREWORKS AT 2151 W 2700 N. TIM SHUPE SECONDED THE MOTION, ALL VOTING AYE.**

Benjamin Emmertson was present seeking approval of a business license for Capitol Auto. Mr. Emmertson stated he will be located at the old Doug Say Auto location. Tim Shupe asked if Mr. Emmertson is planning on changing the building at all. Mr. Emmertson stated no, but they may be adding tires to the mix.

**TIM SHUPE MOTIONED TO APPROVE A BUSINESS LICENSE FOR CAPITOL AUTO. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

#6 – Motion – Request for Conditional Use Permit, Site Plan and Business License Approval of WISCO, Inc. located at 2214 North 2000 West – Cory Wilkes

Jim Flint was present on behalf of WISCO, Inc. seeking approval of a conditional use permit, site plan and business license. Paul Dinsdale asked what day the paving will be completed. Mr. Flint stated a year or sooner but there will be gravel in the meantime and possibly a sprinkling system to keep the dust down. Boyd Ferrin stated the Planning Commission recommended a paved entrance be installed post-haste. He stated he feels it needs to be in much sooner than a year. John Stewart stated they didn't put a date on it, but they intended it be installed quickly. Boyd Ferrin stated any storage and anything used for the property needs to be on this property, not adjoining properties. Tim Shupe stated he did not see any indication on where a new fire hydrant will be located. Mr. Flint stated it will be on the north end of the property. Tom Burkland asked where the semi trucks will be unloading. Mr. Wilkes stated they will be inside the site, not on the roadway. Tim Shupe asked if the material on the property to the north will be moved once the fence goes in. Mr. Wilkes stated he would like to have the asphalt in as soon as possible but he needs cash flow. He stated he would like to have it in by the end of the season. Mr. Wilkes stated most of his business is done off-site and there will not be a lot of traffic. He stated

this is just a retail sales location. Mr. Wilkes explained why he feels the Council should not make him install a fence on the North side of the property. He stated it will hurt the landowner to the north as well as him as a business owner. Paul Dinsdale stated the land owner, Kent Malan, has chosen to make this a commercial use and the City Council needs to be consistent in enforcing the ordinance. He stated if Mr. Malan wants to change his property to commercial and move out of his home, it may be a different situation. John Stewart stated he would like to remind Mr. Wilkes that the Site Plan has been approved as is. Mr. Wilkes wanted to confirm he has a year to develop the Site Plan. John Stewart stated only the paving is allowed the year time period and the other site development should be completed before business is conducted. Paul Dinsdale stated he is willing to work with people when he is confident that improvements will be completed. Paul stated he feels unsure these items will be completed due to the arguments from Mr. Wilkes. Tim Shupe clarified that the “pond” required on the property is actually a detention basin that is required by the City. Tim stated once ordinances are in place it is the City Council’s duty to enforce those ordinances and they don’t have the authority to grant variances from those ordinances. Tim stated Mr. Malan was given the option a year ago to re-zone both properties to commercial and he chose not to. He stated right now the site plan calls for the fence and that will be enforced. Mr. Wilkes asked how long he has to install the fence. John Stewart stated normally the Site Plan should be developed before the business starts. He stated if we need to put a time-table on completing those improvements that might be a good option. Tim Shupe stated he feels like the City can be reasonable in working with businesses. Mr. Flint asked if the Council would be okay with a 4 month time frame to install the fence and the detention basin. Tom Burkland asked if Mr. Wilkes will be using pavers for his hard surface. Mr. Wilkes stated he doesn’t know at this point. Tim confirmed the driveway will be asphalt. Mr. Wilkes stated yes, it is to UDOT specifications.

**PAUL DINSDALE MOTIONED TO GRANT APPROVAL OF A CONDITIONAL USE PERMIT, SITE PLAN AND BUSINESS LICENSE FOR WISCO, INC. LOCATED AT 2214 NORTH 2000 WEST CONTINGENT UPON THE DRIVEWAY BEING COMPLETED BY NOVEMBER 1<sup>ST</sup>, 2013 AND THE REST OF THE IMPROVEMENTS TO BE COMPLETED IN ONE YEAR, WITH CONTINUAL PROGRESS BEING MADE AND ALL CONDITIONS THE PLANNING COMMISSION PUT IN PLACE BEING ADHERED TO AND ALL BUSINESS BEING CONDUCTED ON THIS PROPERTY. TIM SHUPE SECONDED THE MOTION, ALL VOTING AYE.**

#7 – Motion – Final Approval of Edgewood Estates Phase 1 located at approximately 2225 North 2700 West – Valeo Management

Cecil Satterthwaite was present seeking final approval of Edgewood Estates Phase 1. Mr. Satterthwaite stated the biggest issue was the detention basin and they have come up with the solution of a regional detention basin. He stated in the meantime they have a temporary basin and if all else fails they can make it permanent. Paul Dinsdale pointed out a lot that is under 15,000 square feet. Mr. Satterthwaite stated they have corrected that.

**TOM BURKLAND MOTIONED TO GRANT FINAL APPROVAL OF EDGEWOOD ESTATES PHASE 1 LOCATED AT APPROXIMATELY 2225 NORTH 2700 WEST, WITH AN EMPHASIS ON CONTINUING A REGIONAL DETENTION BASIN. TIM SHUPE SECONDED THE MOTION, ALL VOTING AYE.**

#8 – Motion – Final Approval of Farr West Meadows Phase 4 located at approximately 2825 North 2350 West – Lakeview Homes & Development

Eric Stevenson was present seeking final approval of Farr West Meadows Phase 4. Boyd Ferrin clarified this had been approved previously. Mr. Stevenson stated it was approved in 2006 and he was waiting for the economy to be better. Mr. Stevenson distributed a copy of a revised plan. Tim Shupe stated he appreciates Mr. Stevenson’s willingness to work with the City on the removal of the knuckle.

**BOYD FERRIN MOTIONED TO GRANT FINAL APPROVAL OF FARR WEST MEADOWS PHASE 4 LOCATED AT APPROXIMATELY 2825 NORTH 2350 WEST. TIM SHUPE SECONDED THE MOTION, ALL VOTING AYE.**

#9 – Discussion/Action – Request for Variance on Non-Conforming Lot located at 2753 North 2600 West – Richard Curtis

City Attorney Ryan Shaw explained he spoke with Mr. Curtis about the appeal process. Mr. Curtis stated there was no reason for him to attend until that process has been revamped.

**TIM SHUPE MOTIONED TO TABLE THE REQUEST FOR VARIANCE ON A NON-CONFORMING LOT LOCATED AT 2753 NORTH 2600 WEST. PAUL DINSDALE SECONDED THE MOTION, ALL VOTING AYE.**

#10 – Motion – Approval of Ordinance No. 2013-05, Amending the Subdivision Standard Ordinance to prohibit the use of Half cul-de-sacs and Knuckles in Subdivisions

**TIM SHUPE MOTIONED TO APPROVE ORDINANCE NO. 2013-05, AMENDING THE SUBDIVISION STANDARD ORDINANCE TO PROHIBIT THE USE OF HALF CUL-DE-SACS AND KNUCKLES IN SUBDIVISIONS. AVA PAINTER SECONDED THE MOTION, ALL VOTING AYE.**

#11 – Motion – Adjust the 2012-2013 Budget

**BOYD FERRIN MOTIONED TO ADJUST THE 2012-2013 BUDGET AS PRESENTED BY JOHN CARDON. PAUL DINSDALE SECONDED THE MOTION, ALL VOTING AYE.**

#12 – Motion – Approve the Tentative 2013-2014 Budget

**PAUL DINSDALE MOTIONED TO APPROVE THE TENTATIVE 2013-2014 BUDGET AS PRESENTED BY JOHN CARDON. BOYD FERRIN SECONDED THE MOTION. ROLL CALL VOTE WAS TAKEN, PAUL DINSDALE VOTE AYE, AVA PAINTER VOTED AYE, TIM SHUPE VOTED AYE, TOM BURKALND VOTED AYE AND BOYD FERRING VOTED AYE. MOTION PASSES.**

#13 – Motion – Set a Public Hearing for August 15, 2013 to Consider a Property Tax Increase and Approve the Final 2013-2014 Budget

**TOM BURKLAND MOTIONED TO SET A PUBLIC HEARING FOR AUGUST 15, 2013 TO CONSIDER A PROPERTY TAX INCREASE AND APPROVE THE FINAL 2013-2014 BUDGET. BOYD FERRIN SECONDED THE MOTION, ALL VOTING AYE.**

#14 – Discussion/Action – 2700 North Pedestrian Bridge Bids

Mayor Lee Dickemore stated all the Council Members had the opportunity to review the bids. He stated 5 bids were received. He stated Jones and Associated presented him with 2 bids that met the criteria the Council wanted. The two bids were: Petersen Incorporated at \$76,830 and COP Construction at \$96,500 plus an additional \$4,500 if they painted it. Mayor Dickemore stated he spoke with Rob Despain from Petersen Inc about possibly changing to a 4 foot bridge. Mr. Despain told Mayor Dickemore the cost for the 4 foot bridge would be between \$37,000-\$42,000. Mayor Dickemore stated if the City went with this option we would virtually have no cost.

**BOYD FERRIN MOTIONED TO AWARD THE 2700 NORTH PEDESTRIAN BRIDGE PROJECT TO PETERSEN INC WHO PRESENTED THE LOW BID AND BEGIN NEGOTIATIONS WITH THEM ON BRIDGE MODIFICATIONS AND SPECIFICATIONS. AVA PAINTER SECONDED THE MOTION.**

Paul Dinsdale stated he is skeptical of the \$37,000 price. Paul asked if the City can we use the wet-stamp engineering and will this support the 24” pipe. Tom Burkland stated yes. Paul asked if legally the process needs to be started over again if the bridge were scaled back to 4 feet. Paul stated he feels we should accept the bid from Petersen’s but the City Council since they are the low bid, but advises the City Council to be careful. Boyd stated he agrees. Ava Painter asked City Attorney Ryan Shaw if there is a change does it need to be sent out for new RFP’s. Ryan stated it sounds like a change order, but feels it is up to the consensus of the City Council. Paul Dinsdale stated on the bid there are a couple options for construction of the bridge and it is not clear which option is the option included in the bid. Paul asked if there is some flexibility in design. Mayor Dickemore stated Tom Burkland has been out of this process completely. Tom Burkland stated he checked the numbers on calculations from the engineer at Petersen, Inc. He stated the RFP created by the Council requested 3 past performance examples. Tom stated 3 examples were included; one is a duplicate bridge being used in Farr West, one is a bridge built for the Petersen Cabin and the third is the Adams Avenue Expressway. Paul stated in the Petersen bid it mentions pricing but it is not clear which option is included for that price. Paul stated the City Engineer couldn’t determine which example was option #1. Paul stated he has no problem awarding this to Petersen’s, but he think the Council is not ready to just let someone start building. Tim Shupe asked how long it will take Petersen’s to build the bridge. Tom stated it will take 7 weeks. Tim stated he is not opposed to approving this, but as far as the final go ahead on building, he feels we are not ready for this.

**ALL MEMBERS VOTED AYE, MOTION PASSES.**

#15 – Motion – Cancel the July 4, 2013 City Council Meeting

**BOYD FERRIN MOTIONED TO CANCEL THE JULY 4, 2013 CITY COUNCIL MEETING. PAUL DINSDALE SECONDED THE MOTION, ALL VOTING AYE.**

#16 – Planning Commission Assignments

Boyd Ferrin stated he would really like to have the Planning Commission work on cleaning up the ordinance from Smith and Edwards to C-A-L Ranch as far as what the City wants along that corridor. John Stewart accepted the assignment for the Planning Commission. John Stewart asked if it would be okay to put the Good Landlord program on the backburner in order to get caught up on everything else. Boyd asked if the council is okay with that. The Council members agreed that would be okay.

#17 – Report from Council on Assignments

Boyd Ferrin reported on the Mosquito Abatement meeting. Boyd stated they are constructing a building on their property that will house ponds to grow fish that eat mosquitoes. Boyd reported the 4<sup>th</sup> of July planning is going well. He stated that donations are up \$1500-\$1800 over last year’s donations. Boyd stated there are only 15 booths rented and stated we need more booths. Boyd asked Ken Phippen to put information for booths online. He stated it would be ideal to get some games for kids to encourage families to attend. Boyd stated the parade is going crazy and Heidi is doing a great job. Boyd reported the Movie is set for Monday night with food vendors available. He stated he is working with businesses to get donations for a raffle to be held during the day on the 4<sup>th</sup>.

Tom Burkland reported on the Central Weber Sewer Board meeting. He stated they approved their budget. He reported it is 1.6% down. Tom reported there is an insurance claim regarding the shoring that failed during construction process that is in the process of being settled. Tom reported that of the 11 mayors on the Sewer

Board, 4 are not running for re-election. Those mayors are from Riverdale, West Haven, Harrisville and North Ogden. He stated there will be a significant change in the Board with the upcoming election. Tom reported that he is working on the Impact Fee study with Dean Ayala from Jones & Associates.

Tim Shupe reported on the Weber Fire District meeting. He stated they are having some problems hiring a new Fire Marshal. He stated the Battalion Chief who was originally interested in the job may not want to do that job after all. He stated they may need to open the position to an outside individual. Tim stated they have had lots of interest from around the state. Tim reported that resident Mike Windley has offered to produce an updated recycling schedule as well as an acceptable recyclables list.

Paul Dinsdale reported he spoke with Brent DeYoung from UDOT. He stated they will be contributing \$56,000 to the 2700 North project to offset the cost of asphalt. He also said that of the \$45,000 of flatwork, they will fund 75 percent of that. Mayor Dickemore stated he has received that contract. City Attorney Ryan Shaw stated the contract indicated they will pay 75% upfront and 25% after the work has been complete. He also indicated the work would need to be done within 2 years. Paul reported on the quote for the Senior Center to close in an area for additional room.

Mayor Dickemore stated he spoke with Shauna Jensen and she has asked the City Council to cook again for the Seniors on August 21<sup>st</sup>. Mayor Dickemore also reported he has spoken with Doug Larsen from Weber County who has found three resources that will hopefully help come up with some money for the 2700 North project.

#18 – Approval of Bills

See Warrant Register dated June 20, 2013.

**TIM SHUPE MOTIONED TO APPROVE AND PAY THE BILLS DATED JUNE 20, 2013. BOYD FERRIN SECONDED THE MOTION, ALL VOTING AYE.**

#19 – Adjournment

**AT 9:08 P.M., PAUL DINSDALE MOTIONED TO ADJOURN THE MEETING. AVA PAINTER SECONDED THE MOTION, ALL VOTING AYE.**

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Andrea Ortgiesen, Clerk

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Z. Lee Dickemore, Mayor

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