

A public hearing and the regular meeting of the Farr West City Council was held on Thursday, October 18, 2012 at 7:00 p.m. at the city hall. Council Members present were Tim Shupe, Lee Dickemore, Tom Burkland and Ava Painter. Mayor Jimmie Papageorge and Paul Dinsdale were excused. Andrea Zweifel, John Cardon, Josh Blazzard, Mohammed Ammar, Cecil Satterthwaite, Debbie Larsen, John Stewart, Dan Miller, Merlin Ward, Michael Windley, Keaton Berger, Ben Haws, Tommy Fields, Jake Vause, Clayton Shaw, Parker Robinson, Mark Francom, Phil Owen, Mike Beal and Bonnie Beal were also present.

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

Public Hearing as Advertised - Discuss and/or act upon the intent of the legislative body to approve a Temporary Land Use Ordinance: Development Moratorium to include the 2700 North corridor east of I-15, the Jim Randall Property, and the strip between 2000 West (SR 126) and I-15 from 2700 North to 4000 North

Tim Shupe opened the public hearing as advertised. Bonnie Beal stated she has read State code and stated it does not leave the door open to re-establish moratoriums every 6 months. Tim Shupe stated the City Attorney addressed this and has the same concern. He stated there needs to be a compelling interest pertaining to the best interest of the City and it's citizens. He stated that because there are two cities joining together to decide what can possibly done with that area, the moratorium has been adjusted to just include the smaller area. Tim stated if the City cannot resolve the issue by the end of the second moratorium, they will not seek a third. Ava Painter read the moratorium. Tim Shupe stated we have accomplished a lot in regards to the sensitive lands ordinance and this is now the only area of concern we haven't been able to fully address. Ava stated the only land owner she can see this bothering at this time is Dolph and Becky Woods and neither of them are here tonight to oppose it. She also stated that once the plans are in place, it will make it that much easier to sell their property. Ken Phippen stated he doesn't really see a big concern about the properties involved and hopes the City doesn't discourage someone from purchasing a property they can't develop for six months. Tim Shupe stated that the City is not trying to force anyone to do anything, they are simply trying to make more and better options for them. Ava stated by creating the zones and ordinances, the City is trying to help the landowners be successful. Lou Best said state law requires 10 days notice for public hearings, he requested the public be given the full amount before a public hearing be held. He also requested the citizens be given access to the documentation the City Council will be addressing. Tim Shupe asked if anyone owns property in the area effected or adjacent to the effected area. There was no one who replied in the positive. Tim Shupe stated the real people who are being affected by this aren't here and are obviously not concerned about it. John Stewart stated that citizens are looking at the mixed zone uses and there could be a lot of impact to citizens and they have a vested interest in it. Tim Shupe encouraged as much citizen attendance and input in the meetings with John Janson as possible.

#1 - Motion - Close Public Hearing and Proceed with Regular Meeting

**LEE DICKEMORE MOTIONED TO CLOSE THE PUBLIC HEARING AND PROCEED WITH THE REGULAR MEETING. TOM BURKLAND SECONDED THE MOTION,**

**ALL VOTING AYE.**

#2 - Public Comments

John Stewart stated he is happy to see public hearings being set for the Block Grants.

#3 - Follow-up and Approval of Minutes dated October 4, 2012 and October 8, 2012

**LEE DICKEMORE MOTIONED TO APPROVE THE MINUTES DATED OCTOBER 4, 2012 AND OCTOBER 8, 2012. AVA PAINTER SECONDED THE MOTION, ALL VOTING AYE.**

#4 - Report from Planning Commission

John Stewart was present to report the Planning Commission held a public hearing on the M&S Holdings property Re-zone from the A-1 Zone to the R-1-15 Zone. The Commission then recommended the re-zone of the M&S Holdings property, set a public hearing to consider the re-zone request of the Ray Ward Construction property from the R-1-15 Zone to the C-2 Commercial zone, recommended preliminary and final approval of the Debbie Larsen 2-lot Subdivision, set a public hearing to consider the site plan and conditional use request from Rocky Mountain Truck Parts, and set a public hearing for approval of the sensitive lands ordinance.

#5 - Motion - Approval of Temporary Business License - Rocky Mountain Aluminum Art - Mohammed Ammar

Mohammed Ammar was present seeking approval of a temporary business license for Rocky Mountain Aluminum Art. Mr. Ammar stated he will be selling aluminum sculptures for 10-15 days across from Maverik. Tim Shupe asked if it will be set up each day. Mr. Ammar stated they have a security company that watches it at night. Tom asked how far away from the street their product will be. Mr. Ammar stated 20 feet.

**LEE DICKEMORE MOTIONED TO APPROVE A TEMPORARY BUSINESS LICENSE FOR ROCKY MOUNTAIN ALUMINUM ART. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

#6 - Motion - Approval of a Re-zone of the Valeo Management Property located at approximately 2200 North 2600 West, parcel numbers 19-039-0143, 19-039-0056 and 19-039-0052, from the A-1 Zone to the R-1-15 Zone - Valeo Management

Cecil Satterthwaite was present seeking approval of a re-zone of the M&S Holdings located at approximately 2200 North 2600 West. Lee Dickemore asked what the plan is on the Plain City ditch. John Stewart stated they are giving an easement on both sides of the canal for maintenance purposes. Tom asked what the resolution was for the deed on that property. Mr. Satterthwaite stated the canal company is not a non-profit, so they didn't want the deed, but they have granted them full access to the north and south sides for maintenance. Tom asked what the

total acreage is. Mr. Satterthwaite stated 29.1 acres. Tom stated this is just a re-zone but they will need plans of what they propose for development. Mr. Satterthwaite stated they do have a plan with 1/3 acre lots and a stubbed street to the Hales property. Tom asked about a stubbed street out the east side. Mr. Satterthwaite stated yes, there isn't a set plan, but they will comply with the ordinances.

**LEE DICKEMORE MOTIONED TO APPROVE THE RE-ZONE OF THE M&S HOLDINGS PROPERTY LOCATED AT APPROXIMATELY 2200 NORTH 2600 WEST, PARCEL NUMBERS 19-039-0143, 19-039-0056 AND 19-039-0052, FROM THE A-1 ZONE TO THE R-1-15 ZONE. AVE PAINTER SECONDED THE MOTION, ALL VOTING AYE.**

#7 - Motion - Preliminary and Final Approval of the Debbie Larsen 2-lot Subdivision located at 1864 North 2500 West - Debbie Larsen

Debbie Larsen was present seeking preliminary and final approval of a 2-lot subdivision. Tom Burkland asked about the barn on the property. Ms. Larsen stated it will stay there and she will build a new one on her lot. Lee asked if she is keeping the horse property she purchased from Dee Knight. She stated yes.

**LEE DICKEMORE MOTIONED TO GRANT PRELIMINARY AND FINAL APPROVAL OF THE DEBBIE LARSEN 2-LOT SUBDIVISION LOCATED AT 1864 NORTH 2500 WEST. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

#8 - Report - September Financial Review - John Cardon

John Cardon stated we are now 1/4 through the financial year. John reported on the liquor money, he stated that money will eventually go to the elementary, junior high and high school for their drug and alcohol prevention programs. John reported on the Freedom Festival amount and stated the amount listed will cover the City for 2-3 years. John then addressed the revenues. The City has received 20% of the projected tax revenue. He stated the property taxes come in to the City in December so that number will go up. John stated licenses and permits are around 31% and is doing better than estimated. He also said Class C road fund is at 32.7%. He stated this is money we get back from State of Utah in order to maintain our roads. He then reported on revenues and stated the Rec Center is at 21.9% which is a bit low, but the weather has been good. He stated Court Fines are at 33.9% which is up a little bit for this year. John stated the Misc. Revenue is at 29.3%. He stated that overall total revenues are at 23.5%, which is a little bit under 25% but nothing to be concerned about. John then reported on expenses. He stated that expenses overall are at 20.1%. He reported that the Capital Project Fund currently has \$249,000 and money will be moved over if there is extra at the end of the fiscal year. John stated there is \$125,000 budgeted for purchase of property, but as of yet, the city has not done anything with that. John stated the city has fixed assets worth \$12,697,000. John stated the City is right on budget in all the funds and looks like he would expect it to.

**TOM BURKLAND MOTIONED TO ACCEPT THE FINANCIAL REPORT. LEE DICKEMORE SECONDED THE MOTION, ALL VOTING AYE.**

#9 - Discussion/Action - Temporary Land Use Ordinance in effect from April 5, 2012 through October 5, 2012

**TOM BURKLAND MOTIONED TO RESCIND THE TEMPORARY LAND USE ORDINANCE IN EFFECT FROM APRIL 5, 2012 THROUGH OCTOBER 5, 2012. LEE DICKEMORE SECONDED THE MOTION, ALL VOTING AYE.**

#10 - Discussion/Action - Approval of the Temporary Land Use Ordinance: Development Moratorium to include the 2700 North corridor east of I-15, the Jim Randall property, and the strip between 2000 West (SR 126) and I-15 from 2700 North to 4000 North

Tom stated he was not aware of the second version that was brought up by Lou Best. Tom stated he agrees with Lou's comments that it does not address all the properties.

**TOM BURKLAND MOTIONED TO APPROVE AN ORDINANCE ESTABLISHING TEMPORARY REGULATION PERTAINING TO RESIDENTIAL, SUBDIVISION AND AND COMMERCIAL DEVELOPMENT WITHIN THE MUNICIPALITY OF FARR WEST CITY AS INCLUDED IN THE CITY COUNCIL PACKET. LEE DICKEMORE SECONDED THE MOTION, ALL VOTING AYE.**

#11 - Discussion/Action - Set Public Hearing dates for Block Grant Application(s)

Ava Painter recommended the City Council set the Public hearing for December 6, 2012 due to the specific wording that will be required for advertisement they will obtain at the workshop on November 14<sup>th</sup>.

**AVA PAINTER MOTIONED TO SET A PUBLIC HEARING FOR DECEMBER 6, 2012 TO DISCUSS THE CDBG GRANT PROJECT AND APPLICATION. TOM BURKLAND SECONDED THE MOTION, ALL VOTING AYE.**

#12 - Report from Council on Assignments

Lee Dickemore reported that Animal Control was in the City today investigating . Lee stated the trees planted at Mountain View park look good and he told Dave to purchase 2 more. Lee stated he has received a few calls on a backyard ordinance regarding garbage and broken down vehicles. Tim Shupe stated we need to find out what the state regulations are. Lou Best stated he believes the nuisance ordinance has a section targeting health hazards, not just beautification. Lee reported Sean is mowing some weedy vacant lots and is about halfway through. He reported we have the inmates coming 5 more times to clean along the freeway and trails in Mountain View Park as well as the access road at Associated Foods. Lee stated in January he is going to schedule inmates for the new year and try to have them in the city twice a month. Lee reported he has been working to try and condemn Ricky Hatch's home, but has been striking out so far. Lee addressed the Burton property and stated the City will be giving him until Tuesday to replace the sidewalk or the City will then install the sidewalk and send Mr. Burton the bill. Lee stated there are several trees in Randall Acres in the park strip that need to be cut back. He stated he

will be sending letters and if they don't get trimmed, he will have the inmates do it. Lee reported on the Mosquito Abatement meeting and stated there were still no deaths in Weber County, but there has been one in Brigham City. Lee stated the tenant at the old city hall has been locking the gate the the playground. He stated they have been told to stop locking it.

Tom Burkland reported on the Central Weber Sewer Board meeting. He stated the landscaping is all finished in front of facility. He reported he is getting quotes right now for rock installation for the walls of the Western Drain by the Remuda Subdivision.

Ava Painter thanked those individuals that got the information out regarding the fraudulent letters. Ava stated she appreciates all the help, support and encouragement regarding the CDBG grants.

Tim Shupe reported the Weber Fire District is in really good shape. He stated he would recommend not purchasing reconditioned firetrucks from Firetrucks Plus in California. He stated they are thrilled with them now that they have the titles to the trucks, but it took over a year to get them. Tim stated everything else is going good and that this month the Fire District supports breast cancer awareness month and all the fireman wear pink. Tim reported the Weber County Animal Shelter had a meeting on Wednesday but he was unable to attend. He stated he will get a copy of the minutes and report on that meeting at a later date.

#### #13 - Approval of Bills

See Warrant Register dated October 17, 2012.

**TOM BURKLAND MOTIONED TO APPROVE AND PAY THE BILLS DATED OCTOBER 17, 2012. LEE DICKEMORE SECONDED THE MOTION, ALL VOTING AYE.**

#### #14 - Adjournment

**AT 8:34 P.M., LEE DICKEMORE MOTIONED TO ADJOURN THE MEETING. AVA PAINTER SECONDED THE MOTION, ALL VOTING AYE.**

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Andrea Zweifel, Clerk

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Jimmie Papageorge, Mayor

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