

**MINUTES
WEBER COUNTY COMMISSION**

Tuesday, July 6, 2021 – 10:02 a.m.

Via Zoom meeting + at Weber Center, 2380 Washington Blvd., Ogden, UT

In accordance with the requirements of Utah Code Section 52-4-203, the County Clerk records in the minutes the names of all persons who speak at a County Commission meeting and the substance "in brief" of their comments. Such statements may include opinion or purported facts. The county does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.

WEBER COUNTY COMMISSIONERS: James "Jim" H. Harvey, Gage Froerer, and Scott K. Jenkins.

STAFF PRESENT: Ricky D. Hatch, County Clerk/Auditor; Christopher Crockett, Deputy County Attorney; and Lynn Taylor, of the Clerk/Auditor's Office, who took minutes.

- A. **WELCOME** - Chair Harvey
- B. **PLEDGE OF ALLEGIANCE** – Gary Myers
- C. **INVOCATION** – Courtlan Erickson
- D. **THOUGHT OF THE DAY** - Commissioner Harvey

STALL OF FAME ANNOUNCEMENT: Assessor Office – Aaron Miles

E. **AGENDA RELATED PUBLIC COMMENTS:** None

F. **CONSENT ITEMS:**

- 1. Warrants #4050-4073 and #459954-460091 and #103-104 in the amount of \$799656.80.
- 2. Purchase orders in the amount of \$107,572.62.
- 3. Minutes for the meeting held on June 29, 2021. Held until future Commission Meeting
- 4. May ACH payment to USBank in the amount of \$169,865.85.
- 5. New business licenses.
- 6. New beer licenses.

Commissioner Jenkins moved to approve the consent items; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

G. **ACTION ITEMS:**

- 1. **FINAL READING OF AN ORDINANCE OF THE COUNTY COMMISSIONERS OF WEBER COUNTY AMENDING FEES FOR THE OGDEN ECCLES CONFERENCE CENTER AND PEERY'S EGYPTIAN THEATER.**

Jennifer Graham, OECC, presented this final ordinance reading. All A/V fees added; replace sliding scale with more consistent discounts based on catering of food and beverage.

Commissioner Froerer moved to approve the final reading of Ordinance 2021-22, amending fees for the Ogden Eccles Conference Center and Peery's Egyptian Theater; Commissioner Jenkins seconded.

Roll Call Vote: Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

- 2. **APPROVAL OF RESOLUTION 27-2021 AUTHORIZING THE FILING OF CROSS APPEALS FOR 2021 CENTRALLY ASSESSED PROPERTIES**

Courtlan Erickson, County Attorney Office, explained property assessment appeal process.

Commissioner Froerer requested explanation of cross appeal benefit.

Mr Erickson explained cross appeal grants the county opportunity to uphold properly assessed values.

Commissioner Jenkins: What is Mr. Erickson's opinion of the cross appeal.

Mr. Erickson: It makes sense to pay our fair share in defending assessed values. Shows solidarity/unity with involved counties. Could be perception we are getting a free ride on backs of other counties if we do not pay our share.

Commissioner Jenkins moved to approve the Resolution 27-2021; Commissioner Froerer seconded.

Roll Call Vote: Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

- 3. **APPROVAL OF A CONTRACT WITH BLAINE BURNETT TO GUARANTEE IMPROVEMENTS WITHIN THE MAPLE MEADOW SUBDIVISION.**

Steve Burton, of the Weber County Planning Division, presented the contract.

Improvements in the Maple Meadows Subdivision in the amount of \$70,184.24 for shared private drive.

Commissioner Jenkins moved to approve with Blaine Burnett to guarantee improvements within the Maple Meadow subdivision; Commissioner Froerer seconded.
Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

4. **APPROVAL OF CONTRACTS WITH THE FOLLOWING PROPERTY OWNERS FOR THE ACQUISITION OF PROPERTY ON 3600 WEST:**

**Kenneth Hipwell
Gary and Tahna Hipwell Family Trust
Garilyn H. Nelson and Janica K. Nelson
Kim D. Nelson**

Gary Myers, Weber County Engineering, presented these contracts. 3600 West on master plan to be arterial road, hence need to acquire full right of way on the land from named above. Acquisition agent used leading for appraisals on purchases larger than \$10k.

Commissioner Froerer: Last of land needed for that portion of the road?

Mr Myers: yes.

Chairman Harvey: Mr Myers explain process to acquire property going forward.

Mr Myers: Right of way dedicated as part of property improvements at the beginning instead of having to go through a larger effort years later when the land is needed.

Commissioner Froerer moved to approve the contracts with the above-mentioned property owners for the acquisition of property on 3600 West; Commissioner Jenkins seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

H. PUBLIC HEARING:

1. Request for a motion to adjourn public meeting and convene a public hearing at 10:30am.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

2. Public hearing to discuss, and/or take action on a county initiated ordinance to amend various sections of the Weber County subdivision ordinance to encourage public street connectivity, to provide related amendments regarding the provision of street and lot development standards, to streamline the approval process, and to include general administrative and clerical amendments to create a more efficient ordinance.

Charlie Ewert, Weber County Planning, presented the proposed ordinance changes to allow developers to use base density calculation, using slightly smaller lot sizes to get a few more lots out of an area that would have had more homes if cul de sac implemented in lieu of connected streets.

Commissioner Jenkins: Curb and gutter allotted in example case?

Mr Ewert: Not in this case; will be covered later. Hillside development review can be rolled into this process. Land use authority for small subdivisions is planning director. Preliminary subdivision land use authority is planning division; final is planning and commission. Proposed changes to reduce time spent on process.

Commissioner Jenkins: Understand the desire to reduce time spent but prefer to be involved, responsibility to be involved.

Commissioner Froerer: Prefers to address preliminary plats in work session for Commissioners to decide what comes to Commission meeting.

3. Public Comments:

1. Gary Haas, 5226 E Piners Dr, Eden, UT; road from Elkridge Trail to Hwy 138 needs completed; it was originally put on hold due in 2007 to economic downturn at the time; exemption was given.
2. Bonnie Haas, Gary's wife, struggles with traffic on Elkhorn, constant speeding 50-60 in 35 zone. She proposed 20-25 and removable speed bumps.

4. Request for a motion to adjourn public hearing and reconvene public meeting.

Commissioner Froerer moved to adjourn public hearing and reconvene public meeting; Commissioner Jenkins seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

5. Action on public hearing:

H2: Request for approval of an ordinance to amend various sections of the Weber County subdivision ordinance to encourage public street connectivity, to provide related amendments regarding the provision of street and lot development standards, to streamline the approval process, and to include general administrative and clerical amendments to create a more efficient ordinance.

Charlie Ewert, answered two public comments, though not directly related to public hearing issue.

1. Road from Elkridge Trail to Hwy 138 was granted a ten year extension 3-4 years ago; reasons for current lack of progress unknown at this time. Waiting for land owner at this point.
2. Speed Warrant study needs conducted before changes in speed limit.

Commissioner Jenkins: Questions and discussion as to why other developments prevented from proceeding with single access (7500 West as example) while the one in question has arrangements for future resolution of additional access.

Mr. Ewert: No good answer; decisions made in the past impacting today.

Commissioner Jenkins moved to approve H2 (Ordinance 2021-23) as presented; Commissioner Froerer seconded with comment: This is example of learning from past decisions for better future planning. 10 year agreements not ideal. The traffic study (mentioned by Mrs. Haas during public comment) is warranted. Additional egress/ingress needed in the (Elkridge Trail/Elkhorn Way) area. Ordinance needs to have teeth to prevent this situation from happening again

Roll Call Vote: Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Commissioner Jenkins: I did not make a motion to approve the entire package. I made a motion to approve first half of the package covering only street connectivity and cul de sacs. The second part of that is separate.

Chairman Harvey: I did not understand that to be the motion; that is not what I voted for. Chris (Crockett) how do we do this now?

Chris Crockett, Attorney: We are in the same meeting so we can do a motion for reconsideration.

Commissioner Jenkins moved for reconsideration; Commissioner Froerer seconded.

Vote: Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Commissioner Jenkins proposed approving first half of package as it relates to street connectivity and cul de sacs.

Mr. Crockett asked if Planning has enough to determine which portions need (addressed)

Mr. Ewert: Yes

Commissioner Froerer: before voting I need to know which portions are excluded.

Mr. Ewert: The proposed would approve Sec 106-2-4.30 only.

Commissioner Jenkins moved to split the package in Ordinance 2021-23 and approve the first half of it as it relates to street connectivity and cul de sacs (Sec 106-2-4.30); Commissioner Froerer seconded.

Roll Call Vote: Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye

Commissioner Jenkins: (Mr. Ewert) Can you physically show me in the ordinance what was added for other half of the package?

Mr. Ewert: Yes. (Shows 'before' and 'after') Difference being removal of (b)1 and (b)2.

Courtlan Erickson, Attorney, asked clarifying question: is this a motion to approve the rest of the 90 page Ordinance with that change (removing proposed codes B1 and B2) in addition to what Commissioner Jenkins already moved to approve?

Commissioner Froerer: Yes it is.

Commissioner Froerer moved to approve Ordinance as presented with elimination of proposed code B1 and B2, with the intent being small lots approved by staff and anything larger than small lots coming to Commission for approval; Commissioner Jenkins seconded.

Roll Call Vote: No vote took place.

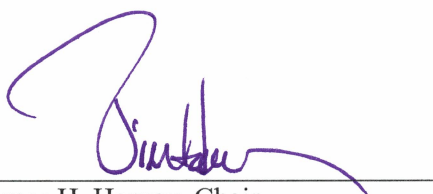
I. COMMISSIONER COMMENTS:

Commissioner Jenkins: Appreciative of how the Commissioners take time to talk about issues to work them out.

J. ADJOURN

Commissioner Froerer moved to adjourn at 11:31a.m.; Commissioner Jenkins seconded.

Commissioner Froerer – aye; Commissioner Jenkins – aye; Chair Harvey – aye



James H. Harvey, Chair
Weber County Commission

Attest:



Ricky D. Hatch, CPA
Weber County Clerk/Auditor