

Open and Public Meetings Act Training



Training Outline

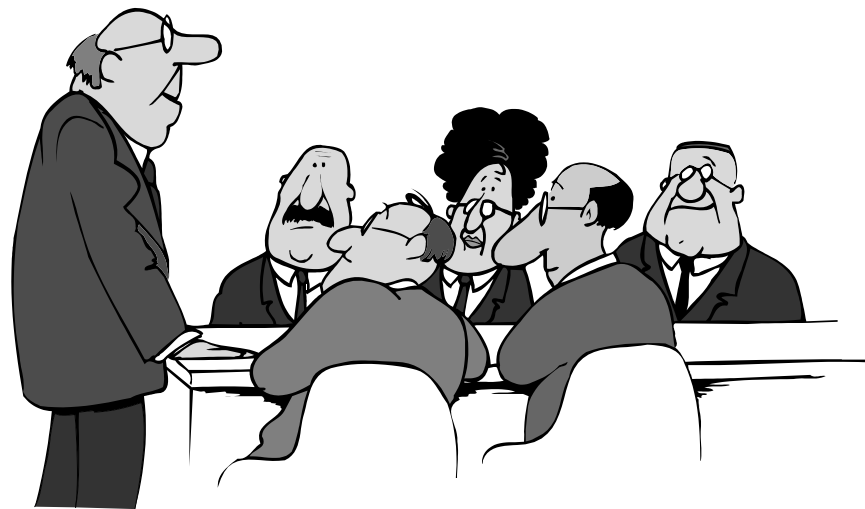
1. Training Requirement
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Training Requirement

§52-4-104

The presiding officer of each public body is responsible to ensure that all members of the public body are provided with annual training on the Open and Public Meetings Act.



Public Policy

§52-4-102

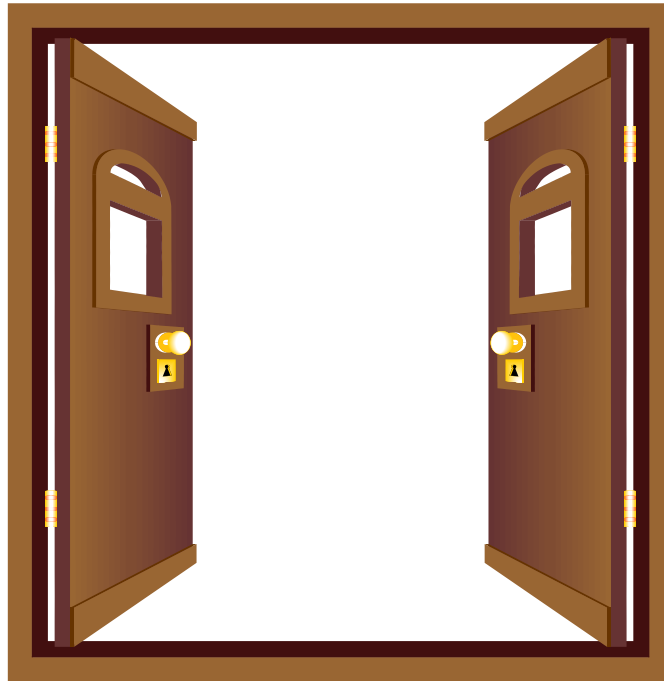
- Public bodies exist to aid in the conduct of the people's business.
- Their actions and deliberations should be taken and conducted openly.



General Rule

§52-4-201(1)

Every meeting is open to the public unless closed under Sections 52-4-204, 52-4-205, and 52-4-206.



Definitions

§52-4-103(4)

- “Meeting” means the convening of a *public body*, with a *quorum* present, whether in person or by means of electronic communications, for the purpose of discussing, receiving comments from the public concerning, or acting upon a matter over which the public body has jurisdiction or advisory power.
- Includes a workshop or executive session of a public body.
- Does not mean a chance or social meeting.



Definitions

§52-4-103(7)

“Public body” means any administrative, advisory, executive, or legislative body of the state or its political subdivisions that:

1. is created by the Utah Constitution, a statute, rule, ordinance, or resolution;
2. consists of two or more persons;
3. expends, disburses or is supported in whole or part by tax revenue; and
4. is vested with the authority to make decisions regarding the public’s business.

Definitions

§52-4-103(9)

“Quorum” means a simple majority (greater than half) of the membership of a public body, unless otherwise defined by applicable law.



Notice Requirements

§52-4-202(1)-(3)

- Annual public notice of the date, time, and place of regularly scheduled board meetings.
- At least 24 hour public notice of the agenda, date, time and place of each of its meetings.
- The 24 hour public notice is satisfied by:

1. posting a notice at the principal office;
2. online at the Utah Public Notice Website (§ 63F-1-701); and
3. by providing notice to at least one newspaper of general circulation or to a local media correspondent.



Agenda Requirements

§52-4-202(6)

- A public notice that is required to include an agenda must be specific enough to notify the public as to the topics to be considered at a meeting.
- Except for emergency meetings, a public body may not raise and consider a topic that is not listed under a properly noticed agenda.
- However, a topic not included on an agenda *that is raised by the public* during an open meeting may be discussed but no final action may be taken at that meeting.

Minutes & Recordings of Open Meetings - §52-4-203

- Except for site visits and field tours in which no vote or action is taken, written minutes and recordings must be kept of all open meetings.
- The minutes and recordings are public records, but minutes are the official record of action taken.
- Anyone in attendance can make their own recording unless it interferes with the conduct of the meeting.



Minutes and Recordings of Open Meetings - §52-4-203(2)

Written minutes and recordings must include:

- a. the date, time and place of the meeting;
- b. the names of members present and absent;
- c. the substance of all matters proposed, discussed, or decided;
- d. a record, by individual member, of votes taken;
- e. the name of each person who is not a member who provided testimony;
- f. the substance of any testimony or comments by the public; and
- g. any other information any member requests to be entered.

Minutes and Recordings of Open Meetings - §52-4-203(4)

Written minutes and recordings of an open and public meeting are public records as follows:

- a. Written minutes that have been prepared in a form awaiting only formal approval by the public body are a public record.
- b. Written minutes shall be made available to the public within a reasonable time after the end of the meeting.
- c. Written minutes made available to the public before they have been adopted by the public body shall be marked “awaiting formal approval” or “unapproved” or some similar notice that they have not been formally approved.

Minutes and Recordings of Open Meetings - §52-4-203(4)

Written minutes and recordings of an open and public meeting are public records as follows (continued):

- d. Public bodies are required to establish and implement procedures for the public body's approval of the written minutes of each meeting.
- e. Written minutes are the official record of action taken at the meeting.
- f. A recording of an open meeting shall be available to the public for listening **within three business days** after the end of the meeting.
- g. Written minutes or recordings of an open meeting have a permanent retention schedule and need to be stored in/converted to a format that will allow long-term preservation.

Closing a Meeting

§52-4-204

Closed meetings are never required, but may be held provided:

- a. a quorum is present;
- b. two-thirds of the members in a properly noticed open meeting vote to close the meeting;
- c. the only matters discussed in the closed meeting are those permitted in Section 52-4-205; and
- d. no ordinance, resolution, rule regulation, contract or appointment is approved in the closed meeting.



NO ADMITTANCE

Closing a Meeting

§52-4-204(4)

The following must be publicly announced and entered on the minutes the open meeting:

- the reason or reasons for holding a closed meeting;
- the location where the closed meeting will be held; and
- the vote by name, of each member of the public body, either for or against the motion to hold a closed meeting.



NO ADMITTANCE

Closing a Meeting

§52-4-205

The purposes for closing a meeting are limited to:

- discussion of the character, professional competence, or physical or mental health of an individual (excepting a person submitted for consideration to fill a midterm vacancy or temporary absence of an elected office);
- strategy sessions discussing:
 - pending or reasonably imminent litigation;
 - collective bargaining;
 - the purchase, exchange, or lease of real property if discussion would disclose property value or prevent the best possible transaction for the public body;...



NO ADMITTANCE

Closing a Meeting

§52-4-205

Allowed closed meeting purposes (cont'd):

- strategy sessions discussing:
 - the sale of real property if;
 - discussion would disclose property value or prevent the best possible transaction for the public body;
 - previous notice that such property will be offered for sale has already been given; and
 - the terms of the sale are publicly disclosed before sale approval;
- deployment of security personnel, devices, or systems; and
- investigative proceedings regarding allegations of criminal misconduct.



NO ADMITTANCE

Record of Closed Meetings

§52-4-206(1) & (2)

- Except where a sworn statement is required, a recording of the closed meeting is required and detailed written minutes may be kept.
- Recordings must be a complete and unedited record from commencement through adjournment of the closed meeting.



Record of Closed Meetings

§52-4-206(3)

The recording and any minutes of a closed meeting must contain:

- the date, time, and place of the meeting;
- the names of members present and absent; and
- the names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.

Record of Closed Meetings

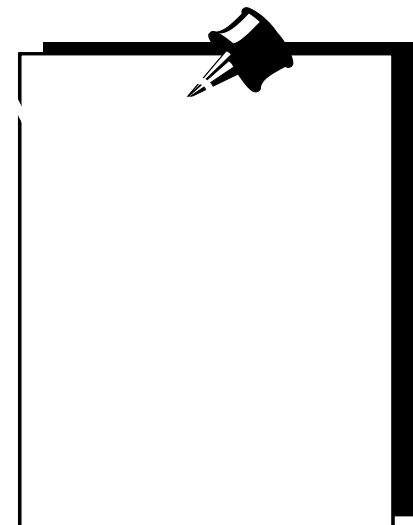
Sworn Statements - §52-4-206(6)

- Instead of a recording, a sworn statement is required from the person presiding at a meeting if a public body closes a meeting exclusively for the purpose of:
 - discussing character, professional competence, or physical or mental health of an individual; or
 - discussing the deployment of security personnel, devices, or systems.

Emergency Meetings

§52-4-202(5)

- When, due to unforeseen circumstances, it is necessary for a public body to hold an emergency meeting to discuss matters of an emergency or urgent nature, the notice requirements may be disregarded and the best notice practicable given (to include time, place, and topics to be considered).
- Before such a meeting is held an attempt must be made to notify all of its members and a majority must vote in favor of holding such a meeting.



Electronic Meetings

§52-4-207(2)

A public body may not hold an electronic meeting unless it has adopted a resolution, rule, or ordinance governing the use of electronic meetings. Commerce R151-1-2 provides:



- Such meetings are permitted but may be limited based on budget, public policy, or logistical considerations.
- A director or designee may establish such meetings on his or her own initiative or acting upon a timely request (at least 3 business days prior) from a board member.
- A quorum of a public body is not required to be present at a single anchor location.
- Any number of separate connections are permitted unless limited based upon available equipment, etc..

Electronic Meetings

§52-4-207(3)

A public body convening or conducting an electronic meeting must:

- give public notice under Section 52-4-202;
- post written notice at the anchor location(s);
- provide at least 24-hour notice to the public body, including how members will be connected, so members may participate in and be counted as present for all purposes;
- establish one or more anchor locations, at least one of which must be in the normal meeting location, and provide space and facilities so that interested persons and the public can attend, monitor, and participate; and
- provide space and facilities at the anchor location so interested persons and the public can attend, monitor and participate.

Definitions

§52-4-103

- “Electronic meeting” means a public meeting convened or conducted by means of a conference using electronic communications.
- “Anchor location” means the physical location from which an electronic meeting originates or the participants are connected.
- “Participate” means the ability to communicate with all of the members of a public body, either verbally or electronically, so that each member of the public body can hear or observe the communication.

Disruptive Behavior at a Meeting

§52-4-301



- A public body may remove any person who willfully disrupts a meeting to the extent that orderly conduct is seriously compromised.
- Such a removal does not constitute closing the meeting.

Voiding a Public Meeting

§52-4-302

- Final action in a meeting held in violation of the requirements for open, emergency, and electronic meetings is voidable in court.
- Lawsuits to void issuance of bonds, notes or other debt evidences must be filed within 30 days after the date of the action. All other suits to void action must be filed within 90 days.



Criminal Penalty for Improperly Maintaining Records - §63A-12-105

Intentionally mutilating, destroying, or otherwise damaging or disposing of the record-copy of a record knowing it is in violation of the laws governing retention of the record is a class B misdemeanor, and the employee involved may be suspended or discharged from employment.



Enforcement of Open and Public Meetings Act - §52-4-303

- The attorney general and county attorneys are responsible for enforcement of the Open and Public Meetings Act.
- The attorney general is required on a least a yearly basis to provide notice to all public bodies of any material changes to the Open and Public Meetings Act.
- A person denied any right under the Act may bring suit to compel compliance with or enjoin violations or determine the applicability of the Act, and may be awarded attorney fees and court costs if successful.

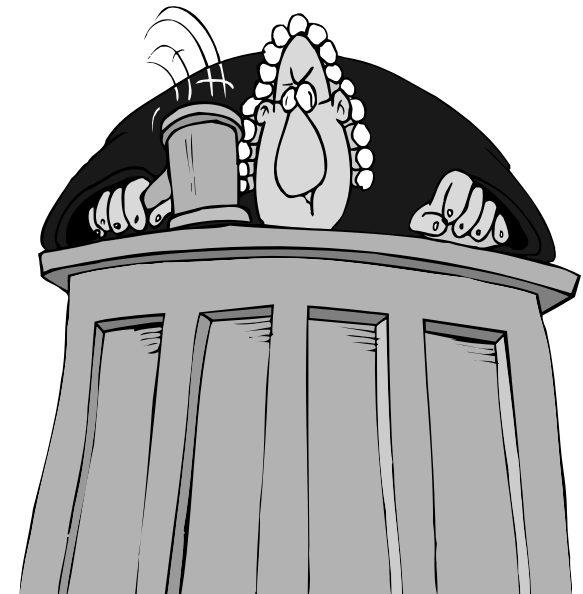
Action Challenging Closed Meeting

§52-4-304

- In a lawsuit brought to challenge the legality of a closed meeting a court is required to review the recording or written minutes of the closed meeting in camera, and decide the legality of the closed meeting.
- If the court determines that the public body did not violate the Act regarding closed meetings, it must dismiss the case without disclosing or revealing the information from the recording or minutes of the closed meeting.
- If the court determines the public body did violate the Act regarding closed meetings, it must publicly disclose or reveal from the recording or minutes all information about the portion of the meeting that was illegally closed.

Criminal Penalty for Closed Meeting Violation - §52-4-305

A knowing or intentional violation or aiding or advising in the violation of the closed meeting provisions of the Open and Public Meetings Act is a class B misdemeanor.



Reasonable Accommodations

- Although not addressed in the Open & Public Meetings Act, the Americans with Disabilities Act 42 U.S.C. 12101 et seq., provides persons with a disability the right to request a reasonable accommodation
- Be sensitive in dealing with reasonable accommodation requests – this may require such things as providing TTY service for a person who is deaf or hard of hearing when conducting an electronic meeting when proper notice of the reasonable accommodation request has been given in order to allow him/her to “participate.”

Questions?

**OPEN AND PUBLIC MEETINGS ACT TRAINING
FOR THE SOUTH WEBER CITY COUNCIL**

February 8, 2020

By Douglas J. Ahlstrom, City Attorney

Statutory Obligation to Train (Utah Code Ann. § 52-4-104)

“The presiding officer of the public body shall ensure that the members of the public body are provided with annual training on the requirements” of the Open and Public Meetings Act (the “Act”). The training shall be presented or made available in an online web-based format, unless no required attendee will travel more than 50 miles from the attendee’s primary residence. (§ 63G-22-103)

A. Basic Principle (§ 52-4-201(1))

A “meeting” of a public body must be open to the public, unless an exception is available under the Act allowing the meeting to be closed, “to aid in the conduct of the people’s business ... [that the body] take their actions openly and conduct their deliberations openly.” (§ 52-4-102)

B. Definitions (§ 52-4-103)

1. “Public Body”: Any administrative, advisory, executive or legislative body of the City that consists of two or more persons, is supported by tax revenue, and is vested with authority to make decisions regarding the public’s business.

The City Council (the “Council”) is a public body for purposes of the Act.

2. “Meeting”

A meeting is the convening of at least a quorum of a public body for the purpose of (a) discussing, (b) receiving comments from the public about, or (c) acting upon a matter over which the body has jurisdiction or advisory power.

Chance gatherings or social gatherings are not subject to the open meeting law. However, they may not be used to circumvent the Act. (§ 52-4-208)

Electronic meetings may be held subject to the Act and as described below.

3. “Convening” The calling together of a public body by a person authorized to do so for the express purpose of discussing or acting upon a subject over which that public body has jurisdiction or advisory power.

Because a gathering of Council members is not a “meeting” unless it is “convened,” and “convening” requires an authorized person to “call together” the Council for the express purposes of discussing or acting upon a matter of business, gatherings such as group photos or ceremonial appearances are not meetings subject to the Act.

C. Notice of Meetings (§ 52-4-202)

The Council must give not less than 24 hours public notice of each meeting. The notice must include:

1. agenda;
2. date;
3. time; and
4. place.

The notice must be:

1. posted:
 - (a) at the principal office of the Council and
 - (b) on the Utah Public Notice Website created under Utah Code § 63F-1-701; and
2. provided either:
 - (a) to a newspaper of general circulation in the City, or
 - (b) to a local media correspondent.

In addition, the Council must give annual notice of its annual meeting schedule, specifying the date, time, and place of its scheduled meetings. The Council is encouraged to develop and use additional electronic means of providing notice of its meetings.

The notice requirement does not apply to emergency meetings, as long as the Council gives the best notice practicable of the time and place of the emergency meeting and the topics to be considered at the emergency meeting. However, an emergency meeting may not be held unless the Council attempts to notify all Council members and a majority of the Council members approve holding the meeting.

D. Agendas (§ 52-4-202)

1. Degree of Specificity

A meeting notice that is required to include an agenda must provide reasonable specificity to notify the public as to the topics to be considered at the meeting. Each topic must be listed under an agenda item on the agenda. (§ 52-4-202(6)(a))

2. Consideration of Matters Not On the Agenda

Generally, the Council may not take final action on a topic in an open meeting unless the topic is

- (a) listed under an agenda item and
- (b) included in the advance public notice.

(Note: This limitation does not apply to emergency meetings. (§ 52-4-202(6)(c))

3. Topic Raised by Public

Except with respect to emergency meetings, and at the discretion of the presiding member of the Council, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting, but final action on the topic may not be taken by the Council at that time. (§ 54-2-202(6)(b))

E. Open Meetings (§ 52-4-201)

1. A meeting is open to the public unless closed pursuant to the Act.
2. (a) An open meeting includes a workshop or an executive session in which a quorum is present, unless closed in accordance with the Act.

(b) A workshop or an executive session in which a quorum is present that is held on the same day as a regularly scheduled public meeting may only be held at the location where the Council is holding the regularly scheduled public meeting unless:

- (i) the workshop or executive session is held at the location where the Council usually holds its regularly scheduled public meetings but, for that day, the regularly scheduled public meeting is being held at different location;
- (ii) any of the meetings held on the same day is a site visit or a traveling tour and proper public notice is given;
- (iii) the workshop or executive session is a properly conducted electronic meeting; or
- (iv) it is not practicable to conduct the workshop or executive session at the regular location of the Council's open meetings due to an emergency or extraordinary circumstance.

F. Closed Meetings (§ 52-4-204, 205)

Note the distinction between "executive session" and "closed session": The Act uses the term "executive session" to refer to a type of open meeting. See the definition of "meeting" in 52-4-103 and the statement in 52-4-201 that "[a] meeting that is open to the public includes a workshop or an executive session" The latter reference explicitly includes an executive session as a kind of open meeting (without saying what it means by "executive session"). Therefore, it is recommended that the Council refer to its closed meetings as "closed sessions" or "closed meetings."

1. Purposes of Closed Meetings (§ 52-4-205)

- a. Discussion of the character, professional competence, or physical or mental health of an individual;
- b. Strategy sessions to discuss collective bargaining;

- c. Strategy sessions to discuss pending or reasonably imminent litigation;
- d. Strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of water right or water shares, if public discussion of the transaction would:
 - (i) disclose the appraisal or estimated value of the property under consideration; or
 - (ii) prevent the City from completing the transaction on the best possible terms;
- e. Strategy sessions to discuss the sale of real property, including any form of water right or water shares, if:
 - (i) public discussion of the transaction would:
 - (A) disclose the appraisal or estimated value of the property under consideration; or
 - (B) prevent the City from completing the transaction on the best possible terms;
 - (ii) the City previously gave public notice that the property would be offered for sale; and
 - (iii) the terms of the sale are publicly disclosed before the City approves the sale;
- f. Discussion regarding deployment of security personnel, devices, or systems; and
- g. Investigative proceedings regarding allegations of criminal misconduct.

Closed meetings are also authorized for the Council to receive the advice of its legal counsel. See Utah Code § 78B-1-137(2) (attorney-client privilege).

2. Procedure for Closing Meetings (§ 52-4-204)

- a. An open meeting must be in session with a quorum present.
- b. Two-thirds of the Council members present must vote to approve closing the meeting.
- c. The meeting may be closed only to discuss a matter listed in § 52-4-205.
- d. The following information must be publicly announced and entered on the minutes:
 - (i) the reason or reasons for closing the meeting;
 - (ii) the location of the closed meeting;
 - (iii) the vote, by name, of each Council member, either for or against the motion to close the meeting.

G. Record of Meetings (§ 52-4-203, 206)

1. Open Meetings (§ 52-4-203)

Both written minutes and a recording (i.e., an audio or an audio and video record) must be kept of all open meetings. However, either written minutes or a recording is adequate if the meeting is a site visit or a traveling tour, if no vote or action is taken. Therefore, unless the Council is keeping both written minutes and a recording during a site visit or traveling tour, it should not take a vote or official action during that site visit or traveling tour.

The recording and minutes must include:

- (a) the date, time, and place of the meeting;
- (b) the names of the Council members present and absent;
- (c) the substance of all matters proposed, discussed, or decided by the Council which may include a summary of comments made by members of the Council;
- (d) a record, by individual Council member, of each vote taken by the Council;
- (e) the name of each person who is not a member of the Council and who, upon recognition by the presiding member of the Council, provided testimony or comments to the Council;
- (f) the substance, in brief, of the testimony or comments provided by the public under (e); and
- (g) any other information that any Council member requests be entered in the minutes or recording.

The recording must be a complete and unedited record of all open portions of the entire meeting and be properly labeled or identified with the date, time, and place of the meeting.

The Council must require an individual who publicly presents or provides electronic information relating to an item on the agenda, to provide to the Council, at the time of the meeting, an electronic or hard copy of the electronic information for inclusion in the public record. "Electronic information" means information presented or provided in an electronic format. (This was added by the 2014 Legislature.)

Approved written minutes (not the recording) are the official record of the meeting.

2. Approval of Minutes

The Council must make pending minutes (i.e., draft minutes that haven't yet been approved by the Council) available to the public within 30 days after holding the open meeting.

Within three business days after approving written minutes of an open meeting, the Council must post to the Utah Public Notice Website (created under Utah Code § 63F-1-701) and make available at the

Council's primary office a copy of the approved minutes and any public materials distributed at the meeting.

Within three business days after holding an open meeting, the Council must make an audio recording of the open meeting available to the public for listening. The Council must establish and implement procedures for the approval of the written minutes of each meeting. The written minutes or the recording of an open meeting that are required to be retained permanently must be maintained in or converted to a format that meets long-term records storage requirements.

3. Closed Meetings (§ 52-4-206)

Except when a meeting is closed to discuss (a) the character, professional competence, or physical or mental health of an individual or (b) the deployment of security personnel, devices, or systems, the Council must make a recording of the closed meeting and may keep detailed written minutes that disclose the content of the closed meeting.

The recording and any minutes must include:

- a. the date, time, and place of the meeting;
- b. the names of the Council members present and absent; and
- c. the names of all others present unless disclosure would infringe on the confidentiality necessary to fulfill the original purpose of closing the meeting.

The recording and the written minutes are protected records under GRAMA. No recording or written minutes are required for a closed meeting to discuss (a) the character, professional competence, or physical or mental health of an individual or (b) the deployment of security personnel, devices, or systems.

The person presiding at such a meeting must sign a sworn statement affirming that the sole purpose for closing the meeting was to discuss those matters.

H. Electronic Meetings (§ 52-4-207)

1. Resolution, Rule, or Ordinance

The Council may not hold an electronic meeting unless it has adopted a resolution, rule, or ordinance governing the use of electronic meetings. In South Weber City, this has been completed by Resolution 12-11, adopted May 8, 2012, adopting Council Rules of Order & Procedure, Rule II.4.] The resolution, rule, or ordinance may:

- a. prohibit or limit electronic meetings based on budget, public policy, or logistical considerations;
- b. require a quorum of the Council to:

- (i) be present at a single anchor location for the meeting; and
 - (ii) vote to approve establishment of an electronic meeting in order to include other Council members through an electronic connection;
- c. require a request for an electronic meeting to be made by a Council member up to three days before the meeting to allow for arrangements to be made for the electronic meeting;
- d. restrict the number of separate connections for Council members that are allowed for an electronic meeting based on available equipment capability; or
- e. establish other procedures, limitations, or conditions governing electronic meetings not in conflict with § 52-4-207.

2. Notice

The Council must:

- a. give public notice of the meeting in the usual way; and
- b. post written notice at the anchor location;
- c. in addition to giving such public notice, provide:
 - (i) notice of the electronic meeting to the Council members at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
 - (ii) a description of how the Council members will be connected to the electronic meeting.

3. Anchor Locations

The Council must establish one or more anchor locations for the meeting (i.e., the building in which the Council normally meets). The Council must provide space and facilities at the anchor locations so that interested persons and the public may attend and monitor the open portions of the meeting. If comments from the public will be accepted during the meeting, the Council must provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

4. Electronic Messages

The Act does not restrict a Council member from transmitting an electronic message (such as email, instant messaging, or a text message) to other Council members at a time when the Council is not convened in an open meeting. (§ 52-4-210)

I. Disruption of Meetings (§ 52-4-301)

The Act does not prohibit the removal of any person from a meeting if the person willfully disrupts the meeting to the extent that orderly conduct is seriously compromised.

J. Consequences of Violating Open Meeting Law (§§ 52-4-302 to 52-4-305)

Any final action taken in violation of certain provisions of the Act is voidable by a court. The suit must be commenced within 90 days after the date of the action (or 30 days in the case of the issuance of bonds, notes, or other evidence of indebtedness). A court may not void final action for failure to post notice on the Utah Public Notice Website if the failure was the result of unforeseen Internet hosting or communication technology failure and the Council otherwise complied with the public notice requirements.

The Attorney General and county attorneys enforce the Act. At least annually, the Attorney General's Office must give notice to the Council of any material changes to the requirements for the conduct of meetings.

A person denied a right under the Act may sue to compel compliance with or to enjoin violation of the Act, or to determine the Act's applicability to discussions or decisions of the Council.

A Council member who knowingly and intentionally violates or who knowingly or intentionally abets or advises a violation of the closed meeting provisions of the Act is guilty of a class B misdemeanor.

CONDITONAL USE PERMITS

SOUTH WEBER CITY

February 8, 2020

Created and Presented by Douglas J. Ahlstrom, City Attorney

Advisory Opinion #191

Parties: Reeves' Riverton Ranch, LLC; Riverton City

Issued: September 19, 2017

TOPIC CATEGORIES:

Conditional Use Applications

Entitlement to Application Approval

By law, conditions imposed upon a conditional use permit must accord with **applicable** standards adopted by ordinance. Riverton's only valid standard vaguely references preserving the health, safety, and general welfare. Accordingly, the City may only impose reasonable conditions on the Applicant's development proposal to the extent that the conditions mitigate the use's reasonably anticipated detrimental effects on health, safety, or general welfare. To the extent that the City's conditions do not accord with this or other applicable ordinance standards, they are invalid.

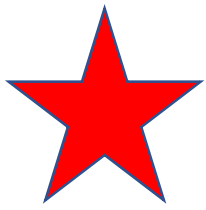
Reeves Riverton Ranch, LLC (“Reeves”) owns approximately 7.6 acres of land (the “property”) **adjacent to the Jordan River Parkway** along the west bank of the Jordan River in Riverton City (the “City”). The western border of the property **abuts several existing single-family residences.**

The property is presently **zoned A-5, Agricultural.** The A-5 Zone allows for agricultural uses and a number of other related and compatible uses. The minimum lot size in the zoning district is 5 acres, so, under the current zoning, the lot may not be further subdivided for residential development. On May 9, 2016, after failed attempts to petition the Riverton City Council to rezone the property to allow a residential subdivision, Reeves submitted a **conditional use permit application to construct a privately-owned park consisting of two sports fields, a sand volleyball pit, and a tot-lot playground.** The use category “Parks and open space, public” is a **conditionally permitted use the A-5 Zone.**

The Planning Commission imposed 13 conditions.

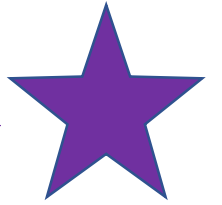
Reeves argued that several of these conditions are “illegal, punitive, facially insupportable, [and] factually and legally unsupportable.” Reeves further asserted that the imposition of the conditions is “tantamount to a denial of the CUP.”

A conditional use is “a land use that, because of its unique characteristics or potential impact on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.” UTAH CODE § 10-9a-103(5).



Consequently, in addition to **ensuring that the proposed conditional use complies with all general, relevant, non-discretionary requirements in the local code that any other *permitted* use must comply with** in the same zoning district, a municipality must review and permit conditional uses in accordance with the following:

(1) A land use ordinance may include conditional uses and provisions for conditional uses that **require compliance with standards set forth in an applicable ordinance.**



(2) (a) A conditional use **shall be approved** if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.

(b) If the reasonably anticipated detrimental effects of a proposed conditional use **cannot be substantially mitigated** by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.



UTAH CODE § 10-9a-507. In accordance with state law, a municipality **must adopt applicable standards** for conditional uses. **These standards guide and limit the municipality's discretion** in imposing specific conditions in addition to generally applicable code requirements.

SOUTH WEBER MUNICIPAL CODE 10-7-3: BASIS FOR ISSUANCE:

The planning commission or city council shall not approve a conditional use permit unless evidence is presented by means of a site plan, if applicable, to establish:

A. Compliance With Regulations And Conditions: That the proposed use will **comply with regulations and conditions specified in this title** for such use; and

B. Conformance To General Plan: That the proposed use will **conform to the intent of the general plan**; and

C. Use Not Detrimental: **That such use will not**, under the circumstances of the particular case and the conditions imposed, **be detrimental to the health, safety and welfare of persons or injurious to property and improvements in the community**, and will be compatible with and complementary to the existing surroundings uses, buildings and structures.

D. Standards For Approval: No approval shall be granted unless the planning commission is satisfied that the applicant will meet all the conditions as set forth in this chapter and as stated below:

1. The proposed use shall not generate enough traffic to be detrimental to the immediate neighborhood.
2. The proposed development shall not overload the carrying capacity for which local streets were designed.
3. Internal traffic circulation shall not adversely affect adjacent residential properties.
4. Parking facilities location shall not adversely affect adjacent residential properties.
5. Parking facilities shall be effectively screened from adjacent residential properties.
6. The relationship of structures and parking shall be complementary to the aesthetics of the general area.
7. The proposed sign(s) shall not adversely effect the development itself or the overall aesthetics of the general area.
8. The proposed landscaping shall be sufficient to enhance the aesthetic acceptability of the development.
9. The project shall be landscaped and maintained with a sprinkler system.

10-7-10: SPECIAL REQUIREMENTS AND CONDITIONS:

The planning commission may establish conditions to meet the concerns of safety for persons and property, health and sanitation, environment, general plan proposals and neighborhood needs, performance and administration. More specifically the planning commission may require conditions relating to:

A. Safety For Persons And Property:

1. Building elevations and grading plans which will prevent or minimize floodwater damage where property may be subject to flooding.
2. The relocation, covering or fencing of irrigation ditches, drainage channels and other potential attractive nuisances existing on or adjacent to the property.
3. Increased setback distances from lot lines where the planning commission determines it to be necessary to ensure the public safety and to ensure compatibility with the intended characteristics of the district as outlined in this title.
4. Appropriate design, construction and location of structures, buildings and facilities in relation to property and limitations on the use due to special site conditions.
5. Limitations and control of the number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and appearance and harmony with adjacent development.
6. The location, arrangement and dimension of truck loading and unloading facilities.
7. Construction of curbs, gutters, drainage culverts, sidewalks, streets, fire hydrants and street lighting.

B. Health And Sanitation:

1. A guarantee of sufficient water to serve the intended land use and a water delivery system meeting standards adopted by the city.
2. A wastewater disposal system and a solid waste disposal system meeting standards adopted by the city council.
3. Construction of water mains, sewer mains and drainage facilities serving the proposed uses, in sizes necessary to protect existing utility users in the district and to provide for an orderly development of land in the city.
4. Other requirements ensuring the health, safety and welfare of residents within the city.

C. Environmental Concerns:

1. Limitations on the use in sensitive areas due to soil capabilities, wildlife and plant life.
2. Processes for the control, elimination or prevention of land, water or air pollution; the prevention of soil erosion; and the control of objectionable odors and noise.
3. The planting of ground cover or other surfacing to prevent dust and erosion.
4. Restructuring of the land and planting of the same as directed by the planning commission when the conditional use involves cutting and/or filling the land where such land would be adversely affected if not restructured.

D. General Plan Intent; Characteristics Of Vicinity:

1. The removal of structures, debris or plant materials, incompatible with the intended characteristics of the district as outlined in this title.
2. The screening of yards or other areas as protection from obnoxious land uses and activities.
3. Landscaping to ensure compatibility with the intended characteristics of the district as outlined in this title.
4. Limitations or controls on the location, height and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations or other unsightly development.
5. The relocation of proposed or existing structures as necessary to provide for future streets on the master street plan, adequate sight distances for general safety, groundwater control or similar problems.
6. Provision or construction of recreational facilities necessary to satisfy needs of the conditional use.
7. Population density and intensity of land use limitations where land capability and/or vicinity relationships make it appropriate to do so to protect health, safety and welfare.
8. Other improvements which serve the property in question and which may compensate in part or in whole for the possible adverse impacts to the district from the proposed conditional use.

E. Performance Bond: A bond or other valuable assurance in favor of the city may be required in an amount calculated by the developer's engineer and approved by the city engineer as necessary to assure compliance with all conditions. (Ord. 10-03, 3-23-2010)

PROPERTY RIGHTS OMBUDSMAN:

When the municipality receives a conditional use permit application, it must first ensure the proposal complies with relevant and generally applicable code requirements.

The city must then review the local code's standards applicable to conditional uses and determine whether, in light of the standards, the proposed use will produce any "detrimental impacts" on the municipality generally, or on the surrounding uses and property owners specifically.

If the decision makers are unable to identify any reasonably anticipated detrimental effects, additional conditions are unnecessary, and should not be imposed.

If detrimental impacts are identified, the municipality possesses discretion to impose reasonable conditions specifically to mitigate the anticipated impacts and achieve compliance with applicable standards.

The conditions must be related to the purposes and goals of the applicable standards,

and must address the impacts in a reasonable manner.

Finally, the conditions must be supported by substantial evidence in the record.

Wadsworth v. West Jordan City, 2000 UT App 49, ¶ 9.

Thurston v. Cache County, 626 P.2d 440 (Utah 1981):

The decision maker is required ensure that “the proposed use will not be detrimental to the health, safety, or general welfare of persons residing in the vicinity, or injurious to the property in the vicinity.”

Condition No. 1: The parking area include a minimum of 220 parking stalls, with stall dimensions and landscaped islands compliant with Riverton City standards and ordinances, with all parking areas accessible from the north access point.

Riverton City Code Chapter 18.145 establishes general standards and requirements for all parking lots. Accordingly, Reeves' proposed parking lot must comply with any applicable standards or requirements in that Chapter. Consequently, the City needs to gather the necessary information and make an evidence-based determination regarding the maximum anticipated capacity of all facilities within Reeves' proposal to calculate a minimum parking requirement according to the 1-to-3 ratio. This will provide a baseline for the Planning Commission to work from that may be higher or lower than the 220 spaces the Commission has required as a condition of approval.

Since the park is a conditional use, the Commission may require more parking than the minimum, but *only if* the Commission finds, supported by substantial evidence, that any on-street parking is a detrimental effect in light of clear health, safety, or welfare considerations. The record provides no evidence that *some* on-street parking is detrimental to health, safety, or welfare. On-street parking is not generally or inherently unsafe, unhealthy, or contrary to the general welfare in residential neighborhoods.

The record provides no evidence that the standard parking limitation is detrimental to health, safety, or general welfare. Consequently, the imposed parking requirement is unsupported by the evidence presented, and the City has overstepped its authority in imposing the condition.

Condition No. 2: The parking area be paved with an asphalt or concrete surface.

This condition is unnecessary since Riverton City Code § 18.145.020 already requires parking areas within the City to be paved with asphalt or concrete. Reeves must comply with this requirement.

Condition No. 3: Drive aisle widths and turn radiuses comply with the requirements of the International Fire Code.

This condition is also not necessary since all development in Utah must comply with International Fire Code requirements. *See* UTAH CODE §§ 15A-1-403(1), 15A-5-103(1).

Condition No. 4: No gates on drive accesses are allowed.

This condition was not recommended by staff, but was imposed by the Commission during the August 25, 2016 Planning Commission meeting. **The Commission considered the matter only briefly, and the record does not provide any evidence to support imposing the condition.** It appears to be related to preferences for open and easy access to the park. The staff report alludes to a need for emergency vehicle access, but does so in the context of a condition requiring access keys for gates, as opposed to no gates at all. **Since there is no clear evidence that a gated access will produce detrimental effects to health, safety, or welfare, the condition is inappropriate and should be rescinded.**

Condition No. 5: Permanent plumbed restroom facilities be provided compliant with the International Building Code and Americans with Disabilities Act.

Reeves initially proposed temporary, portable restroom facilities on its concept site plan in its conditional use permit application. In response, the Commission imposed the requirement that restroom facilities be “permanent” and “plumbed.” We can find no evidence in the record that adequate temporary facilities would constitute a detrimental impact to health, safety, or welfare that permanent facilities would alternatively mitigate. Consequently, the condition is inappropriate.

Condition No. 7: Eight (8) foot solid masonry fencing be installed on the west and south property lines, with fencing be extended adjacent to the existing sand volleyball pit.

Since the park in this case is a conditional use, the City may impose a condition to increase the height requirement if it finds by substantial evidence a detrimental effect of the proposed use directly relates to health, safety, or welfare, and the height increase will substantially mitigate the effect. The record provides no evidence in this regard.

Consequently, Reeves' project will comply if it includes a six foot masonry fence along the boundary of noncompatible zones, in compliance with City Code requirements.

Condition No. 12: The trash container/dumpster be enclosed, with enclosure and solid gating approved with site plan application.

In the record, the City indicates that city ordinance requires trash receptacles to be enclosed. Reeves points out that the referenced section—Riverton City Code § 18.215.030—applies only to commercial buildings. Regardless, the City’s nuisance section does not allow “trash, rubbish or debris” to “remain on any lot outside of approved containers.” RIVERTON CITY CODE § 18.135.080(4). Reeves must comply with this provision. Unless the City can show by substantial evidence that failing to enclose such containers will produce a detrimental effect on health, safety, or welfare, the City may not impose additional conditions related to enclosures and gating.

SUMMARY

1. Identify Reasonably Anticipated Detrimental Impacts (RADI), such as:

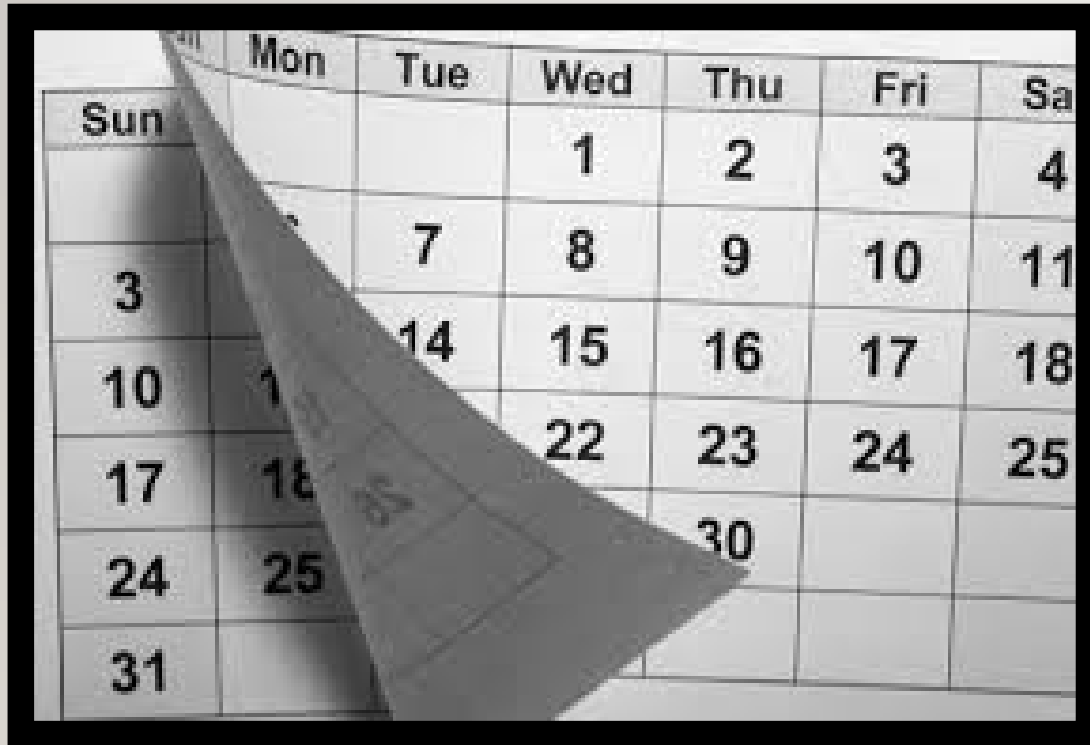
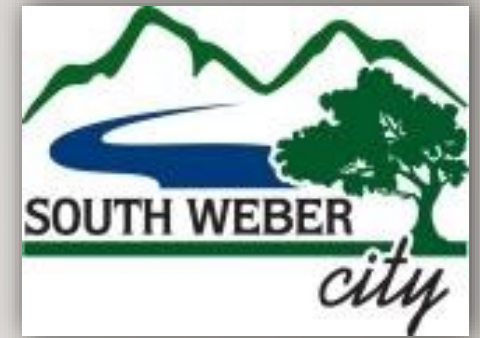


Noise
Lighting
Traffic
Parking
Aesthetics
Pollutants
Public Utility Infrastructure

2. Develop Substantial Evidence in the record of the RADI and need for conditions

3. Add Reasonable Conditions to mitigate RADI, tied to Applicable Standards

- Yard Screening in the form of _____, based on City Standard 10-7-10.D.2.
- Noise Restrictions of _____, based on City Standard 10-7-10.C.2.



2019 YEAR IN REVIEW

SOUTH WEBER CITY PLANNING RETREAT

FEBRUARY 9, 2020



CITY COUNCIL & PLANNING COMMISSION

Council

32 Public Meetings + 3 Open Houses

Planning Commission

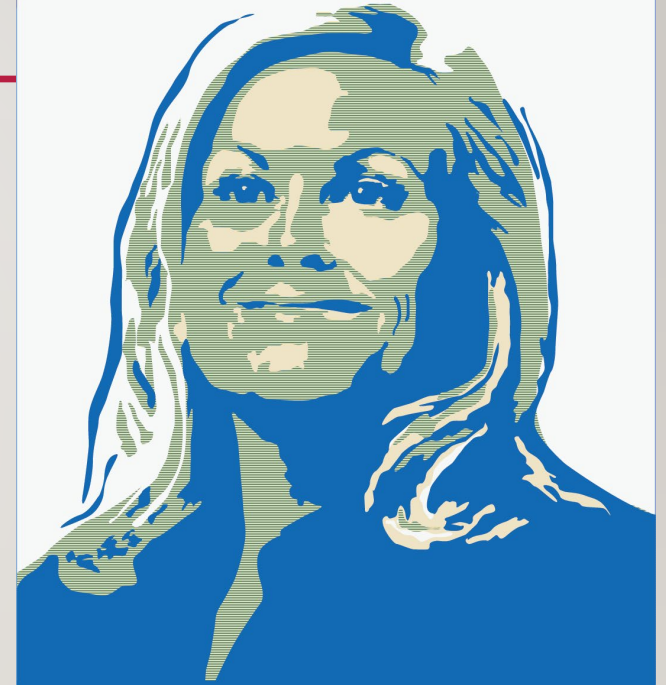
17 Public Meetings

WELCOME TO CITY COUNCIL

There's nothing we can't do if we work hard, never sleep, and shirk all other responsibilities in our lives.

-Leslie Knope

HAYLEY & QUIN



LITERALLY THE BEST
FOR PAWNEE CITY COUNCIL

*South
Weber*

CITY COUNCIL



- Implemented Transient Room Tax
- Harvest Park
- Updated Development, Design & Construction Standards
- Spaulding Drive Street Vacation
- Updated Officials' Bonds & Insurance Policy
- City Code Cleanup
- Decision to demolish Civic Building
- South Bench Drive Phase I
- SW Irrigation Company Agreement
- SR-60 Sidewalk Projects
- Business License for Home-based Businesses
- Updated Transportation CFP & Impact Fees
- Decision to Own Streetlights
- Updated Agreement with DCSO

CITY COUNCIL



- Street Maintenance Projects
- Lofts at Deer Run
- Broadband Survey
- Westside Reservoir Tank Rehabilitation
- New Bridge Across Canal
- Property Tax Increase
- Mountain Green Mutual Aid Agreement
- Removed Commercial Overlay Zone
- Adopt Wildland-Urban Interface Code
- General Plan Update
- Appointment of Judge Memmott
- Riverside RV Park
- Adopt Moderate Income Housing Plan
- Short Term Rental Ordinance
- Wetlands Restoration Plan
- Cottonwood Drive Waterline

ADMINISTRATION & FINANCE

- Budget approved with Major tax increase
 - New VoIP phone system (Voice over Internet Protocol)
 - Online invoice approval
 - Department Reorganization
 - Lisa Smith became City Recorder
 - Kim Guill went Full-time and became Development Coordinator
 - Shaelee King changed to part-time and had a baby girl
 - Friday Whaley hired part-time and replaced Shelbie Cook
-

UTILITY BILLING
STATISTICS

98 total new accounts

222 accounts final billed

311 new customer signups

City Treasurer

2019 Highlights

Positive Pay

Zions Bank offered verification service

- ▶ In 2019, Positive Pay banking service was instituted.
- ▶ Positive Pay is an automated fraud detection tool that matches the account number, check number and dollar amount of each check presented for payment against a list of checks uploaded by the City

Human Resources

- ▶ 13 new employees hired in 2019
- ▶ 15 employees resigned in 2019
- ▶ Turnover rate around 24%
- ▶ Higher turnover (40%) in Recreation, because high school and college students are the main source
- ▶ Also higher turnover (40%) in Fire Department because all are part-time/second job employees
- ▶ Non-Recreation non-Fire turnover: 5%
- ▶ Average non-education state and local government turnover rate is around 20%

Risk Management

- ▶ Workers Compensation “Experience Modifier” recently increased to 1.53 from 0.77
- ▶ Our Workers Compensation salaries and operations are audited every year, either by desk audit or more formal process by Local Governments Trust audit vendor
- ▶ Our Unemployment is with the Utah Department of Workforce Services “Reimbursable Employer” program (as against the more common insurance premium program)
- ▶ Savings are significant: from \$2,000 to \$4,000 per year to around \$30 to \$40 per month.
- ▶ Risk is higher however



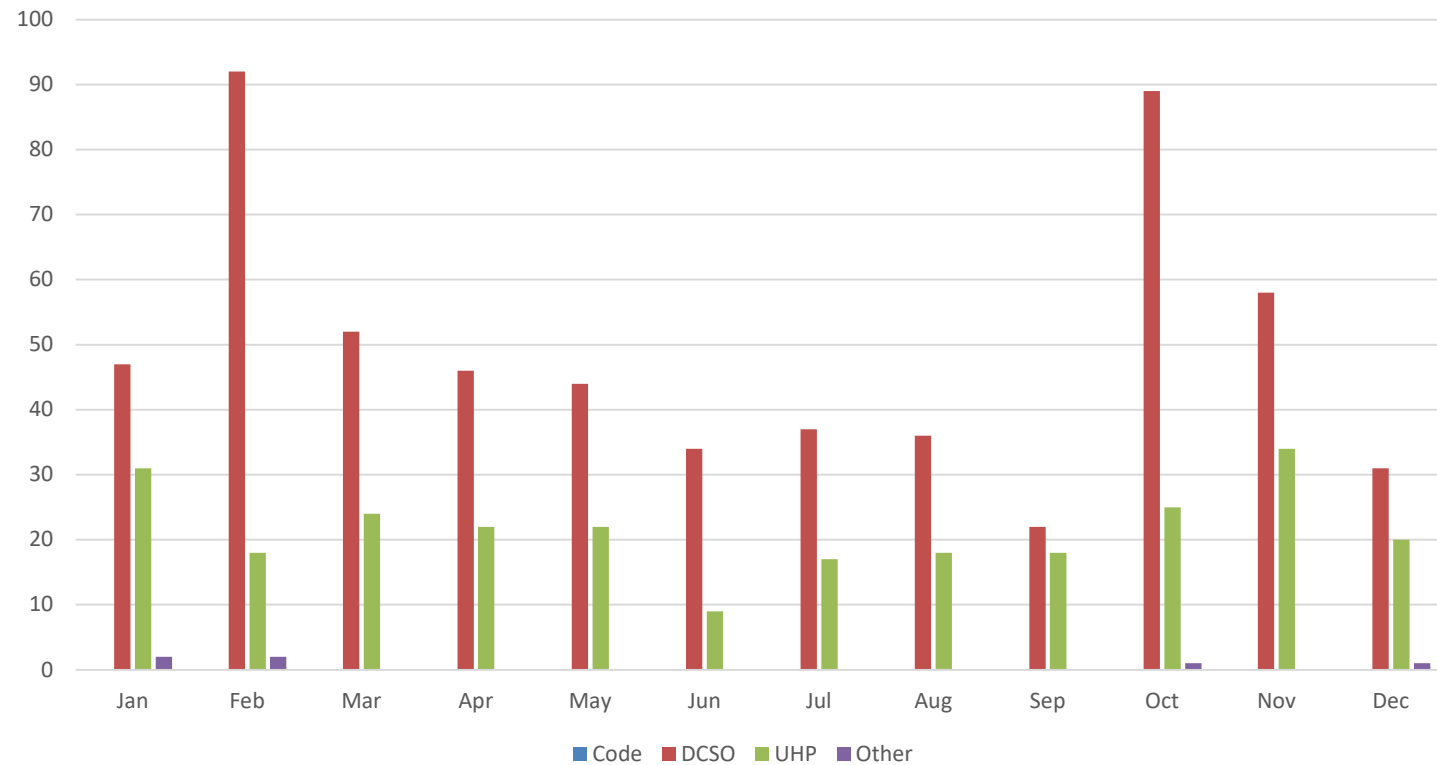
2019 Court Updates



\$1,500 Security Grant from the Board of Justice Court Judges

852 Citations Filed

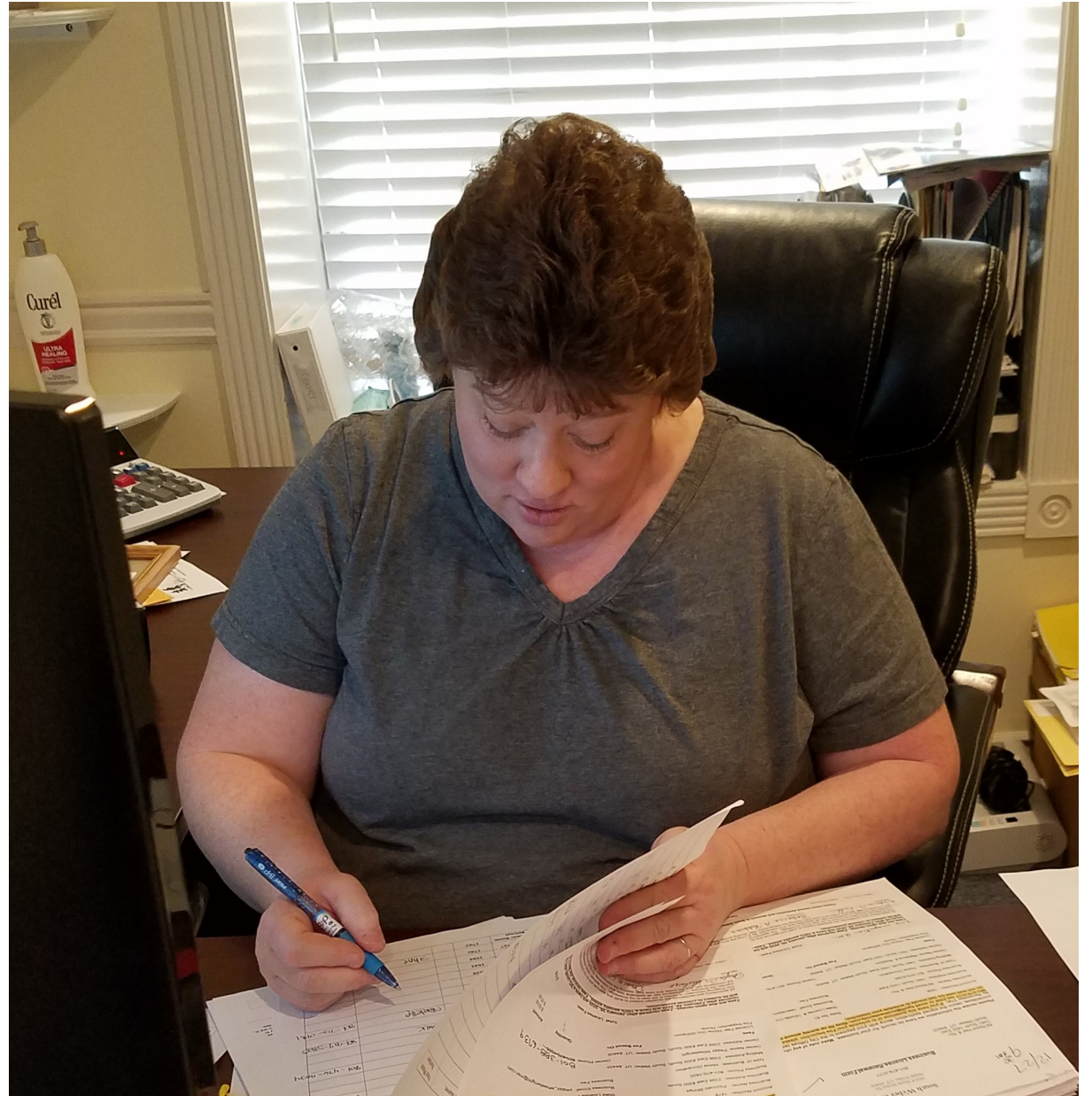
Citations 2019





New Color Printer/Scanner

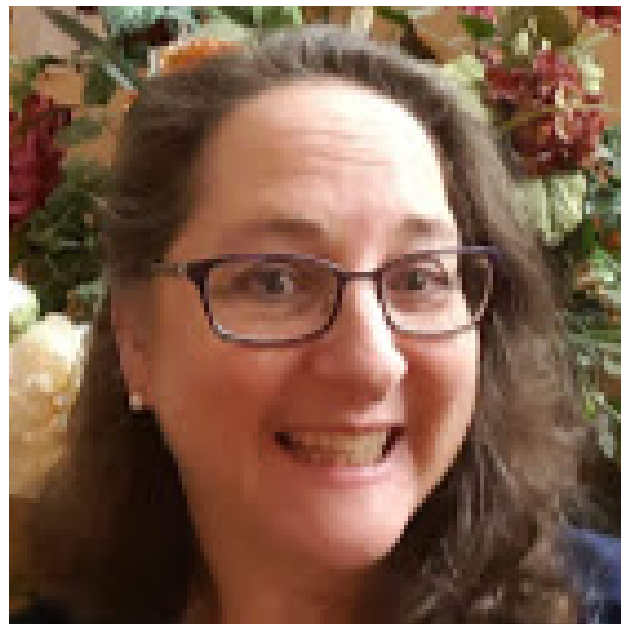
New Court Clerk





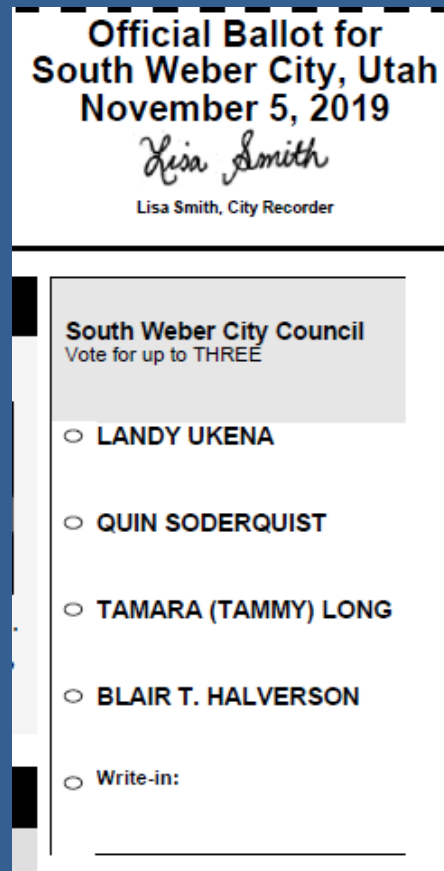
New Justice Court Judge





2019
Recorder

Municipal Elections



50.49 %
VOTER
TURNOUT

6650 South



South Bench Drive
South Bench Highway
6650 South
Old Fort Road

Fun
with
Roads





UTA Trustee, Beth Holbrook

Davis County Commission
Chair, Randy Elliott



Davis County Commission
Vice Chair, Lorene Kamalu



V
I
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Burly Burger, the Mr. T



10/7/2019

South Weber residents hold 'part

https://www.standard.net/news/government/south-development/article_d4efcb9e-b637-5e9b-92ed-3a

South Weber residents hold 'part development

By TIM VANDENACK Standard-Examiner Sep 3,



Participants in a demonstration on Tuesday, Sept. 3, 2019, in South Weber walk to the gathering area. Foes of the proposed mix of 74 housing units and more commercial space doesn't fit in the area. They paraded down the frontage road, to demonstrate the sort of vehicle congestion they expect would result.
By TIM VANDENACK, Standard-Examiner

In my estimation, Burly Burger prides itself



STANDARD-EXAMINER

SUNDAY, JUNE 23, 2019

Bloodhound puppy donated to Davis Sheriff's Office

BY MARK SHENEFELT
Standard-Examiner

FARMINGTON — A bloodhound tracker is coming to Davis County. A breeder in Iowa has donated a puppy that will be trained along with its handler as a new K-9 unit for the Sheriff's Office, Sheriff Kelly Sparks said. "It's a little bit of a change for us," Sparks said. "It's not a dog to do typical patrol work. It will be great at tracking fugitives and it will have some application in search and rescue."

The county is contracting with Hound 'Em Tracking of Bountiful to train the pup and its handler. Under the deal, trainer Mike Serio will be paid \$40 per hour, up to \$10,000, to get the team to operational status.

Lori Hansen, of Hansen Hounds in Blockton, Iowa, said she has a litter of bloodhounds born Oct. 20. Serio and the handler from the Sheriff's Office are scheduled to go to her location to test the litter.

"They get first pick," she said. "They're driving 16 hours to get here to pick it up." Hansen said Serio knew about her operation because the Salt Lake City Police Department has one of her bloodhounds.

"We have pups all over the United States and all over the world," Hansen said. "We try to breed the best dog that we can for law enforcement and search and rescue, and they also make great companions."



Bloodhound puppies nap Nov. 9 at Hansen Hounds in Blockton, Iowa. The breeder has donated a puppy to the Davis County Sheriff's Office.

Davis County's new effort fits that purpose.

"We're really excited about this opportunity because they're just getting their program off the ground," she said.

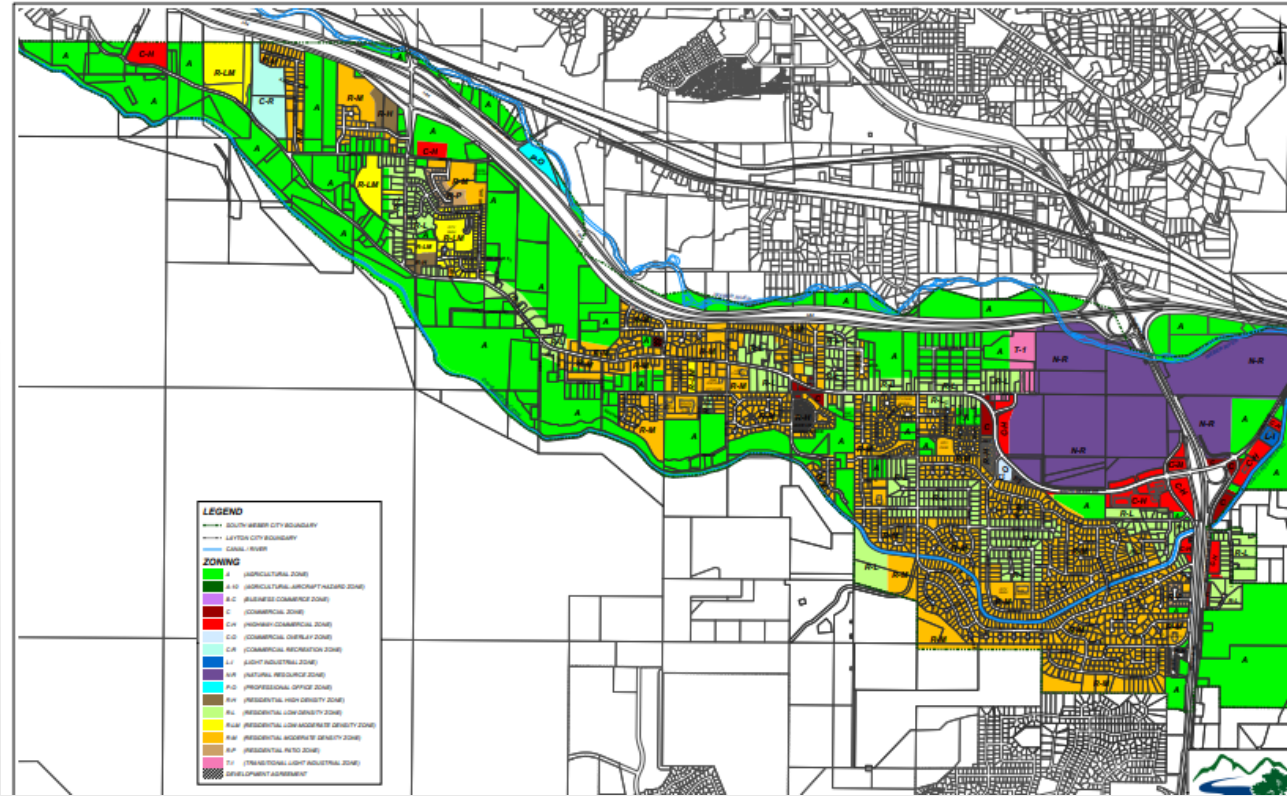
Hansen added, "We're not breeding them to make a lot of money. I get satisfaction out

of the dogs doing what they're bred to do." Sparks said his office has been working on the bloodhound project most of the year. It has nothing to do with the recent loss of Chopper, a Davis patrol K-9 who was hit by a car and killed Nov. 20, he said.

West Haven and South Weber



Mother and daughter Kim Dixon, left, and Hayley Alberts pose for a portrait on Wednesday in the backyard of Dixon's West Haven home. BEND DORGER, STANDARD-EXAMINER




2019 PLANNING UPDATES

Saving the City time



Electronic
Building Permit
Submission

 **Building Permit Application**
1600 E South Weber Drive 801-479-3177

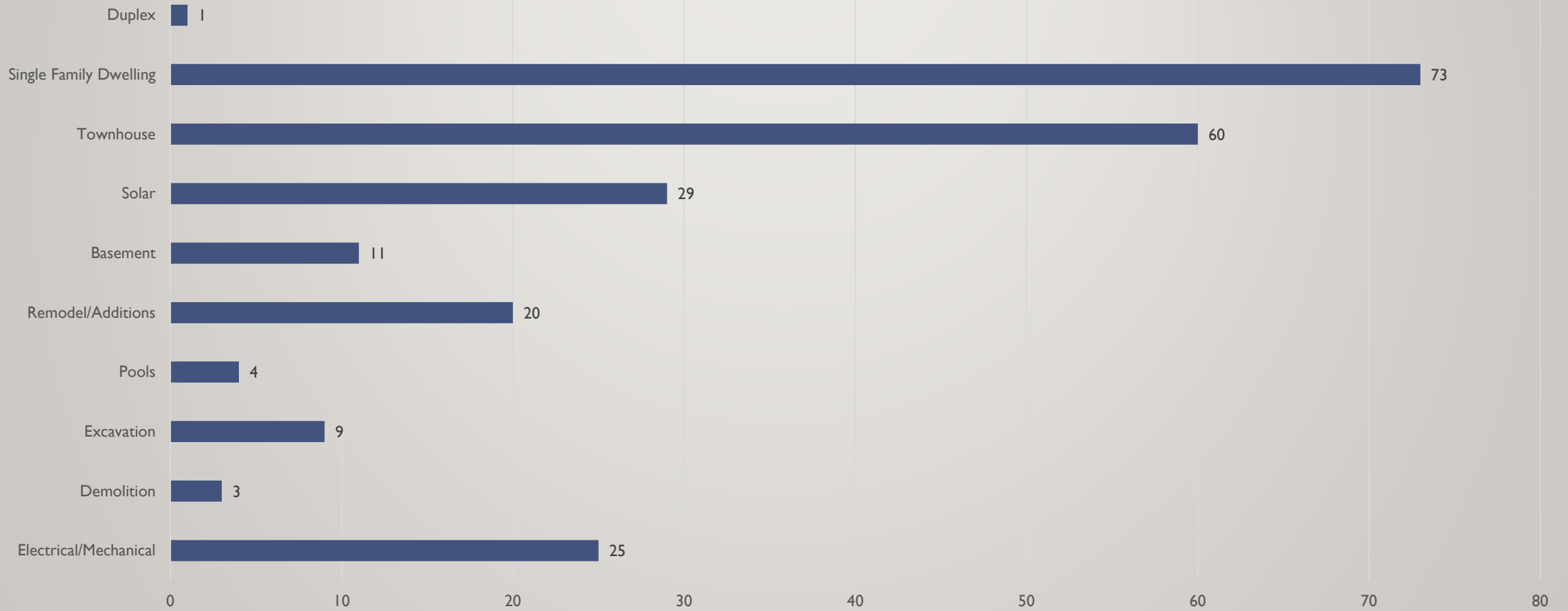
THIS FORM BECOMES A PERMIT WHEN SIGNED BY CITY OFFICIALS

THIS COLUMN COMPLETED BY APPLICANT		THIS COLUMN COMPLETED BY CITY	
Proposed Work is for			
Property Address		Plan check receipt	\$47.00
Lot #		Issue receipt	
Property Owner	Phone	Parcel #	
Full Mailing Address			
		Valuation \$	
Applicant		801 Building Permit Fee	150.00
Contact		802 Plan Check Balance	-
Email		808 State Fee	\$ 1.50
Full Mailing Address		811 Completion Bond (refundable)	\$ 0.00
		Total Owning	\$ 150.00
General Contractor	Phone	City Official	Date
State License #		City Official	Date
Electrical Contractor	Phone		
State License #			
Mechanical Contractor	Phone		
State License #			
Plumbing Contractor	Phone		
State License #			
I hereby certify that the information contained in this application is true and correct and I agree to abide by all City Codes.			
Applicant's Signature	Date		
Notes:			
ALL INSPECTIONS ARE SCHEDULED MONDAY THROUGH FRIDAY FROM 8:00 AM TO 4:00 PM. FOR AFTERNOON, CALL ONE DAY PRIOR. *RESULTS WILL BE EMAILED TO CONTACT ABOVE.			

and money

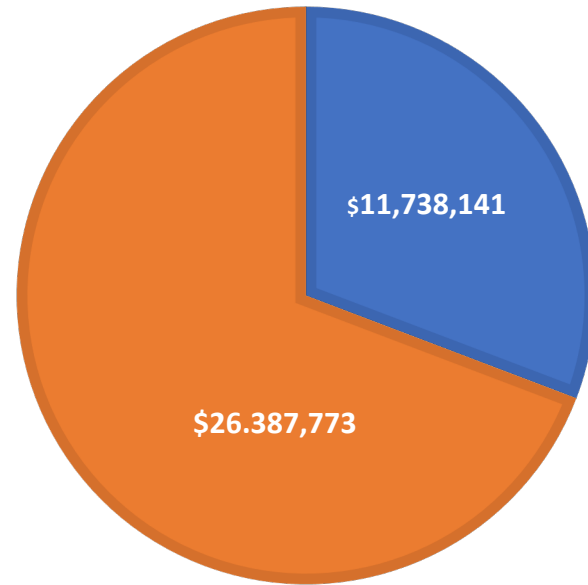


235 Permits Issued

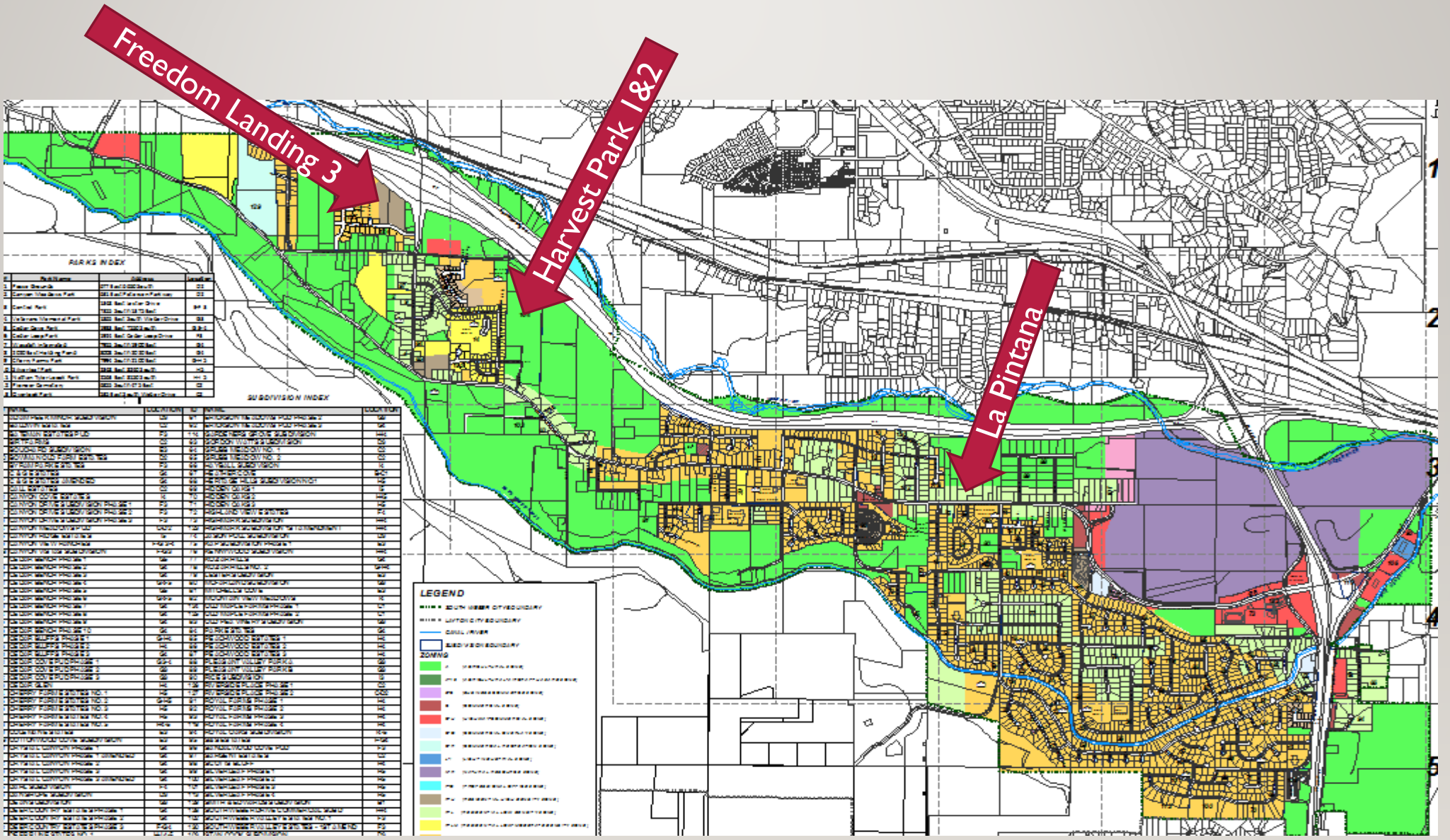


VALUATION FOR DWELLINGS

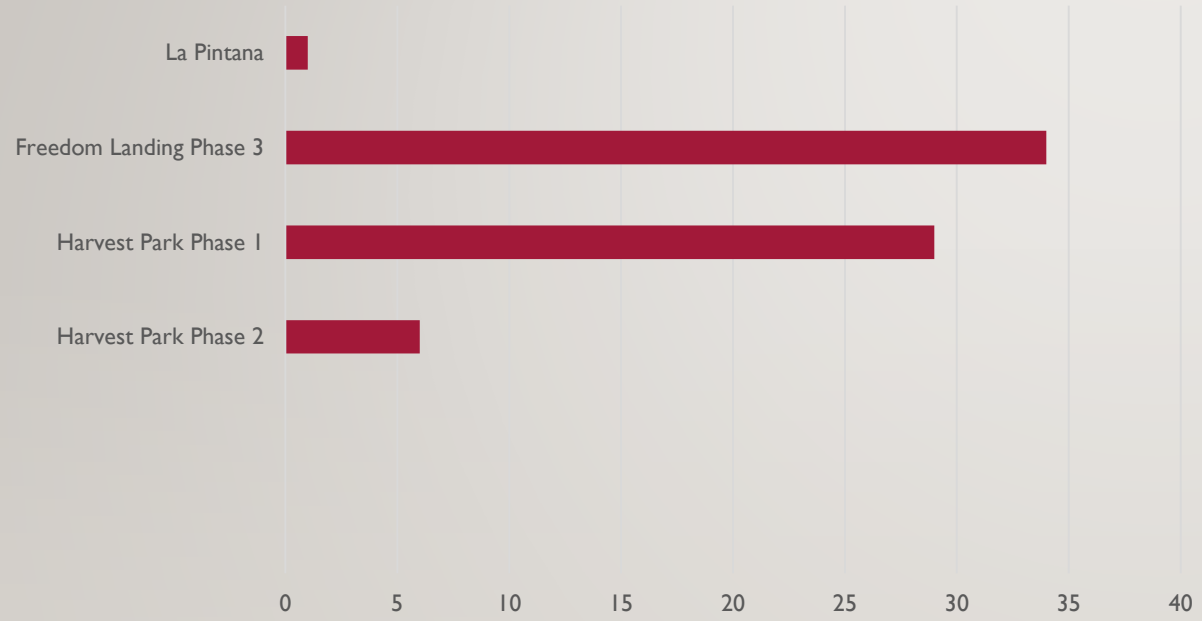
■ Multi-Family ■ Single Family Dwelling



2019 Approved Subdivisions



70 New Building Lots



2019 BUSINESS LICENSE



NO MORE TRACKING OF
HOME OCCUPATIONS
WITHOUT PATRONS



128 RENEWALS MAILED

SCHOOL

1 NEW FULL TIME
CROSSING
GUARD

1 NEW
SUBSTITUTE
CROSSING
GUARD

2 NEW CROSSING
LIGHTS ON
SOUTH WEBER
DRIVE

1 NEW CROSSING
LIGHT ON 1250
EAST

1 NEW CROSSING
LIGHT ON LESTER
DRIVE



This Photo by Unknown Author is licensed under [CC BY-NC-ND](https://creativecommons.org/licenses/by-nc-nd/4.0/)



CODE ENFORCEMENT

2019 Highlights

201 Incidents

- ▶ 128 nuisance complaints with 91 solved using simple contact resolution
- ▶ 24 nuisance violation citations. All remedied out of courts. Weeds, Roadway Hazards, Nuisance Vehicles
- ▶ 32 incidents involving STRs
- ▶ 16 noise complaints with 9 at one location

313 parking violation notice pamphlets left on vehicles that were parked illegally and forwarded to DCSO. On-duty deputies see the bright orange pamphlet on the vehicle and cite the owner

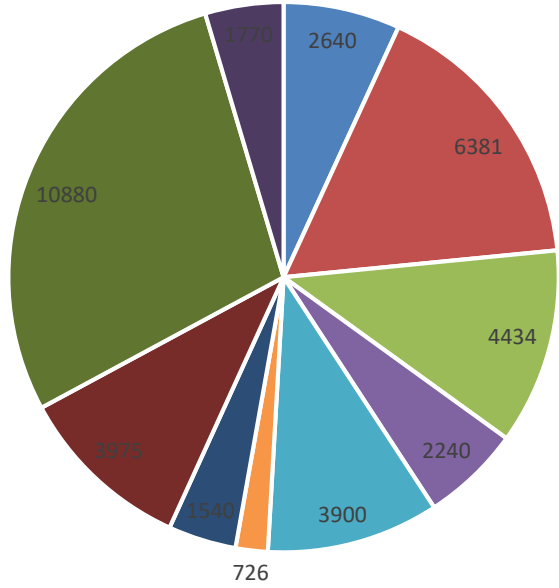
Training and Certifications obtained for position

- ▶ Certified Utah State Code Enforcement Officer
- ▶ Utah State Code Enforcement Coalition Trainer
- ▶ CPR Instructor
- ▶ Concealed Firearms Instructor

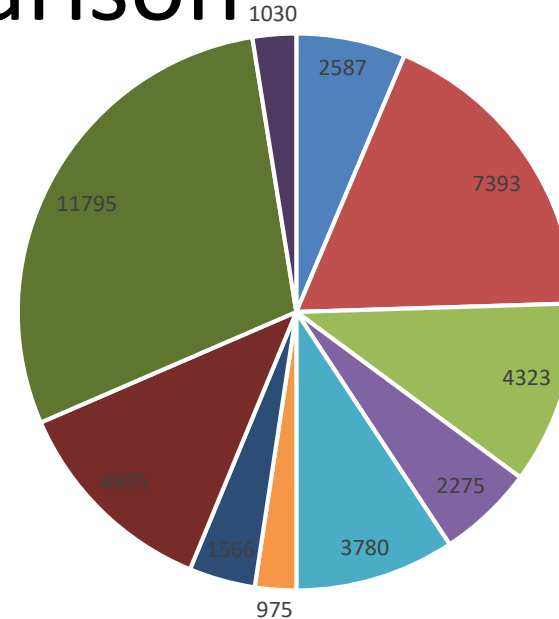
Current Involved Incidents

- ▶ STR Hearing this month
- ▶ 9 properties with nuisance vehicles on property, which all expire for allowed time for completion on April 1st.
- ▶ Hazardous Building documentation on the former Grocery Store across from city Hall.
- ▶ Park and Ride Enforcement- Goals are to team up with UDOT to properly sign and mark the lot to enforce more efficiently. Currently all Semi vehicles are required to have a Bi-Weekly parking permit obtained from City Hall.
- ▶ Soccer Training Facility monitoring - weekly monitoring is being completed for a proper investigation into recent complaints
- ▶ Gravel Pit weekly contacts for weed, sidewalk obstruction, street sweeping and discussion of any complaints

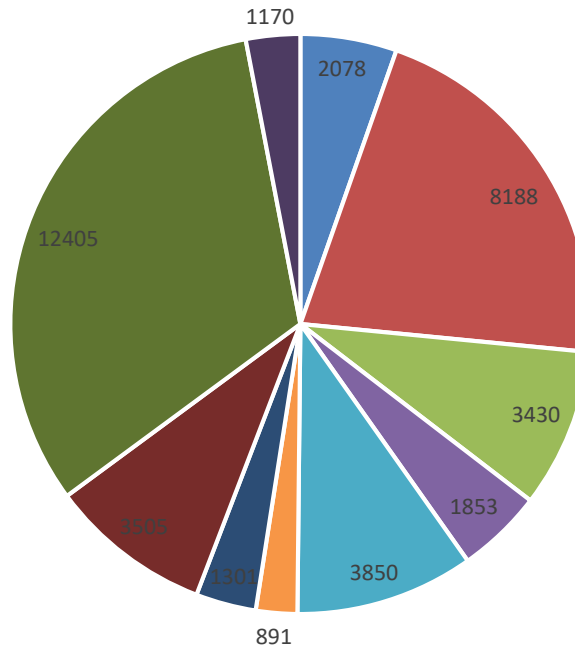
Revenue Comparison



Recreation Program – 2017
 \$38,486
 Number of Players – 993



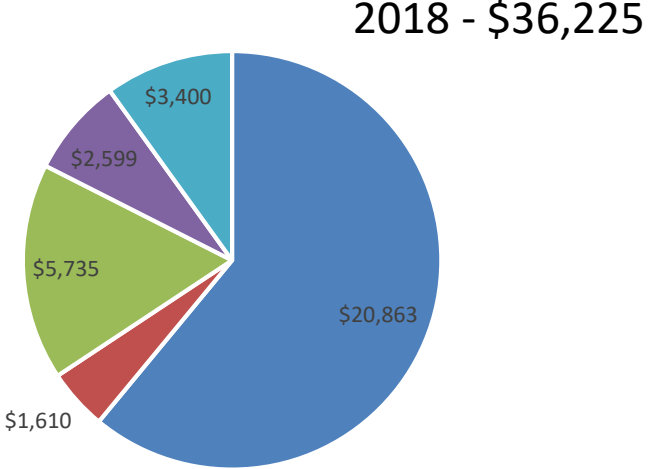
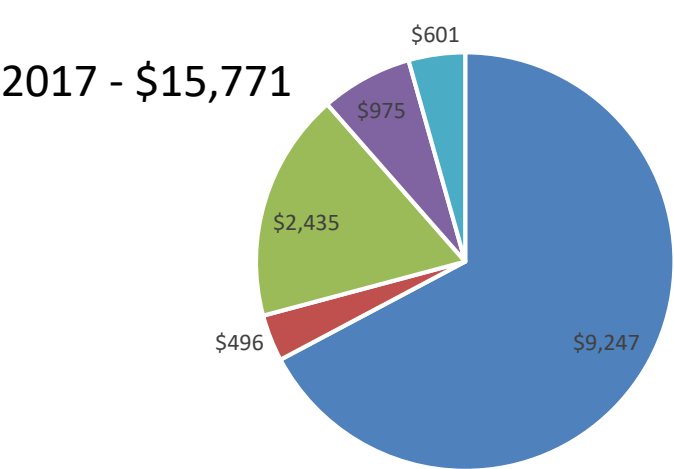
Recreation Program – 2018
 \$40,719
 Number of Players – 1080



Recreation Program – 2019
 \$38,671
 Number of Players – 1021

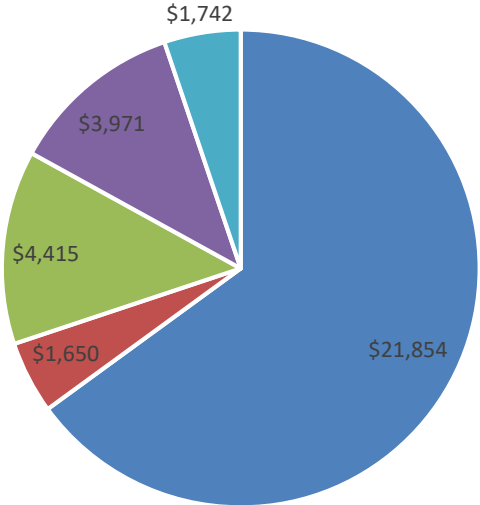
- Baseball
- Boys Basketball
- Coed Basketball
- Girls Basketball
- Flag Football
- Machine Pitch
- Softball
- Coach Pitch/T-Ball
- Soccer
- Volleyball

Park & FAC Rental



■ Membership ■ Dance Room ■ Gym ■ Multipurpose Room ■ Park Rental

■ Membership ■ Dance Room ■ Gym ■ Multipurpose Room ■ Park Rental



2019 - \$35,651

Bees Game & Sports



Swim Party



Breakfast with Santa & Senior Luncheons



Moms & Sons Halloween



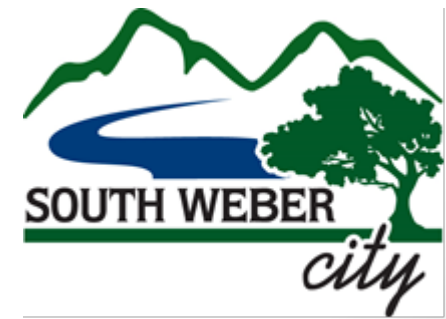
Recreation Revenue, Players per sport yearly breakdown

1-1-2017 to 12-31-2017			1-1-2018 to 12-31-2018		1-1-2019 to 12-31-2019	
SW Recreation Programs	Recreation revenue \$38,486	Total number of players	Recreation revenue \$40,719	Total number of players	Recreation revenue \$38,671	Total number of players
Baseball	\$2640	60	\$2587	63	\$2078	48
Boys Basketball	\$6381	155	\$7393	166	\$8188	192
Co-ed Basketball	\$4434	101	\$4323	101	\$3430	77
Girls Basketball	\$2240	32	\$2275	36	\$1853	34
Flag Football	\$3900	100	\$3780	95	\$3850	95
Machine Pitch	\$726	25	\$975	25	\$891	29
Softball	\$1540	32	\$1566	36	\$1301	34
Coach Pitch/ T-Ball	\$3975	118	\$4995	155	\$3505	111
Soccer	10,880	318	11,795	375	12,405	368
Volleyball	\$1770	52	\$1030	28	\$1170	33
Total Participate		993		1080		1021
FAC Membership	\$9247		\$20,863		\$21,854	
FAC rentals	\$3906		\$9944		\$10,036	
Dance Room	\$496		\$1610		\$1650	
Gym	\$2435		\$5735		\$4415	
Multipurpose room	\$975		\$2599		\$3971	
Park rental	\$601		\$3400		\$1742	

2019 Year in Review

-- *Engineering* --

Presented to the
South Weber City Council
February 8, 2020



GENERAL

- General Plan Update
 - Staff Collaboration, Meetings, Mapping, etc.
- New Public Works Facility
 - Property Evaluations
- Streetlight Policy Implementation
 - Provider Selected (SSCO)
 - Installer and Maintenance (TBD)

GENERAL

- City Code Revisions
- Project Review Meetings / Staff Meeting
- Certificate of Occupancy – Site Inspections

STREETS

(STUDIES & PLANNING)

- Adoption of Transportation Impact Fee
 - CFP, IFFP, and IFA
- Safety Sidewalks Grant Application
 - 1900 East to 2050 East (not awarded)
- Spaulding Drive Street Vacation

STREETS

(PROJECTS)

- South Weber Drive (SR-60) Sidewalk Projects
 - 475 East Connection
 - 1200 East to Skyhaven Cove
- 2019 Street Maintenance Projects
 - Mill & Overlay, and Chip & Seal
 - Concrete Replacement

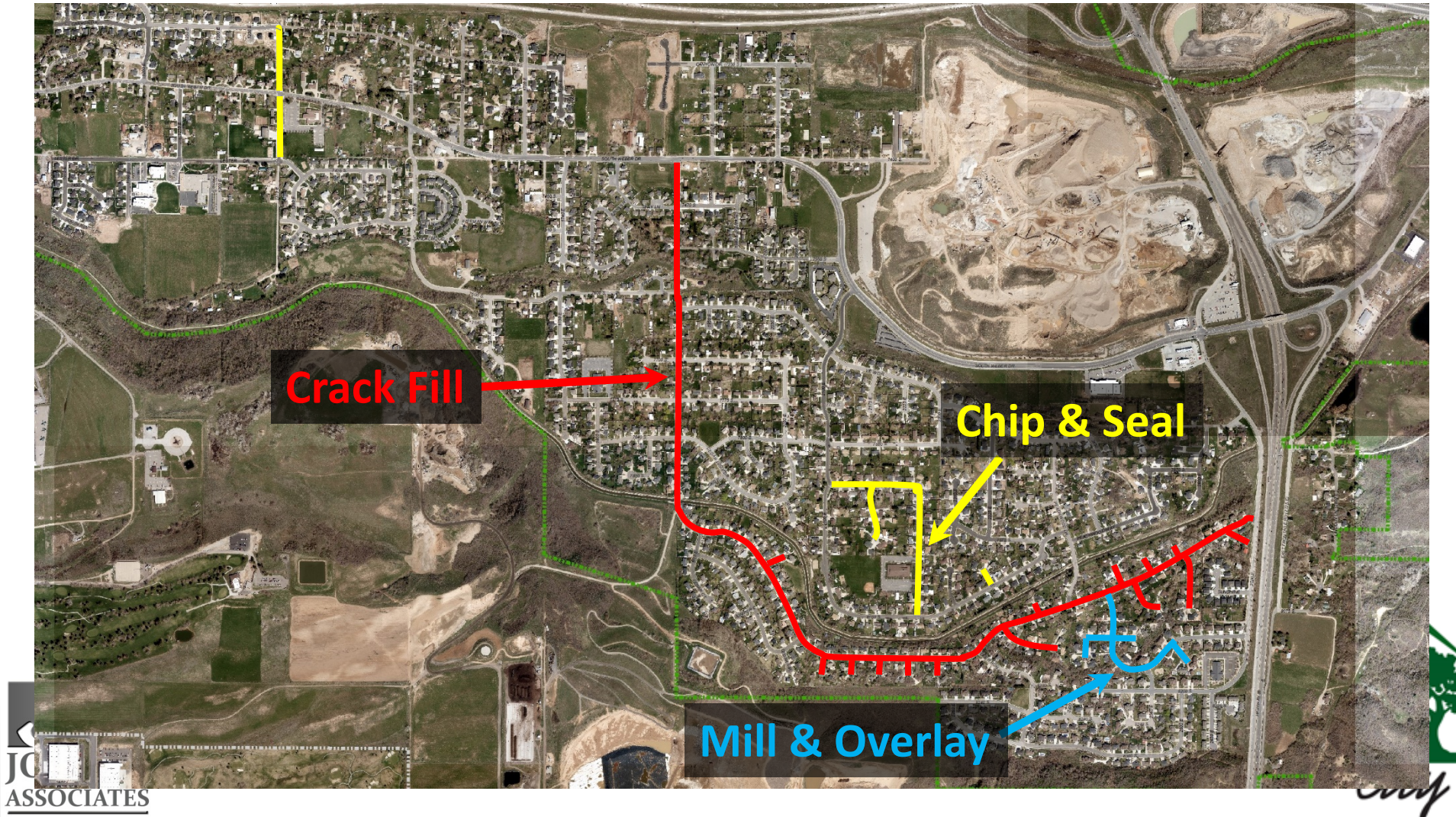
STREETS

(SR-60 SIDEWALK PROJECTS)



STREETS

(2019 STREET MAINTENANCE)



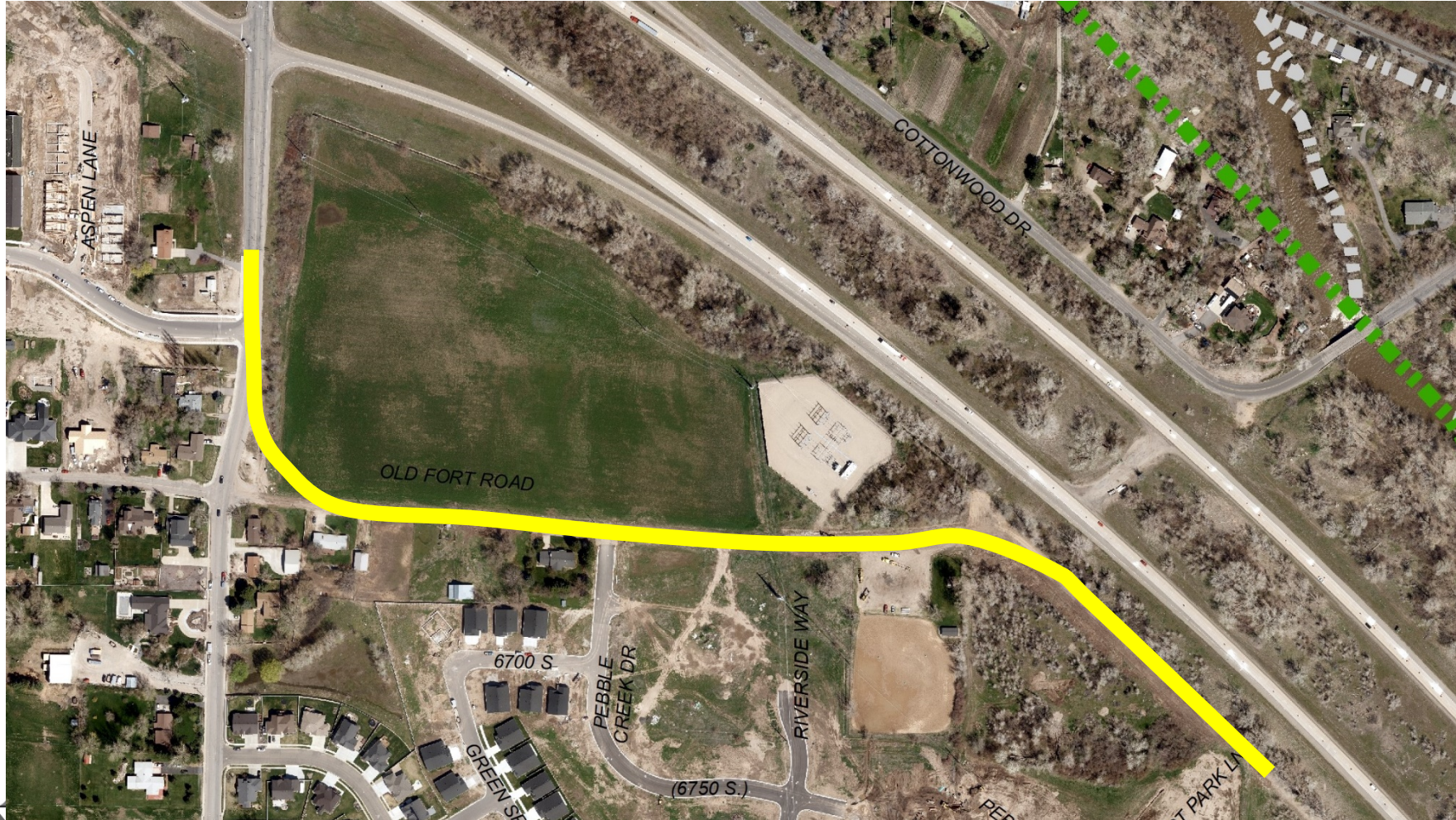
STREETS

(PROJECTS)

- South Bench Drive / Old Fort Road
 - Bid, Award, Construction
 - Added Secondary Waterline Replacement
 - Streetlights
 - Overhead power to underground
 - Completion of project in Spring 2020

STREETS

(SOUTH BENCH DR / OLD FORT RD)



STREETS

(PROJECTS)

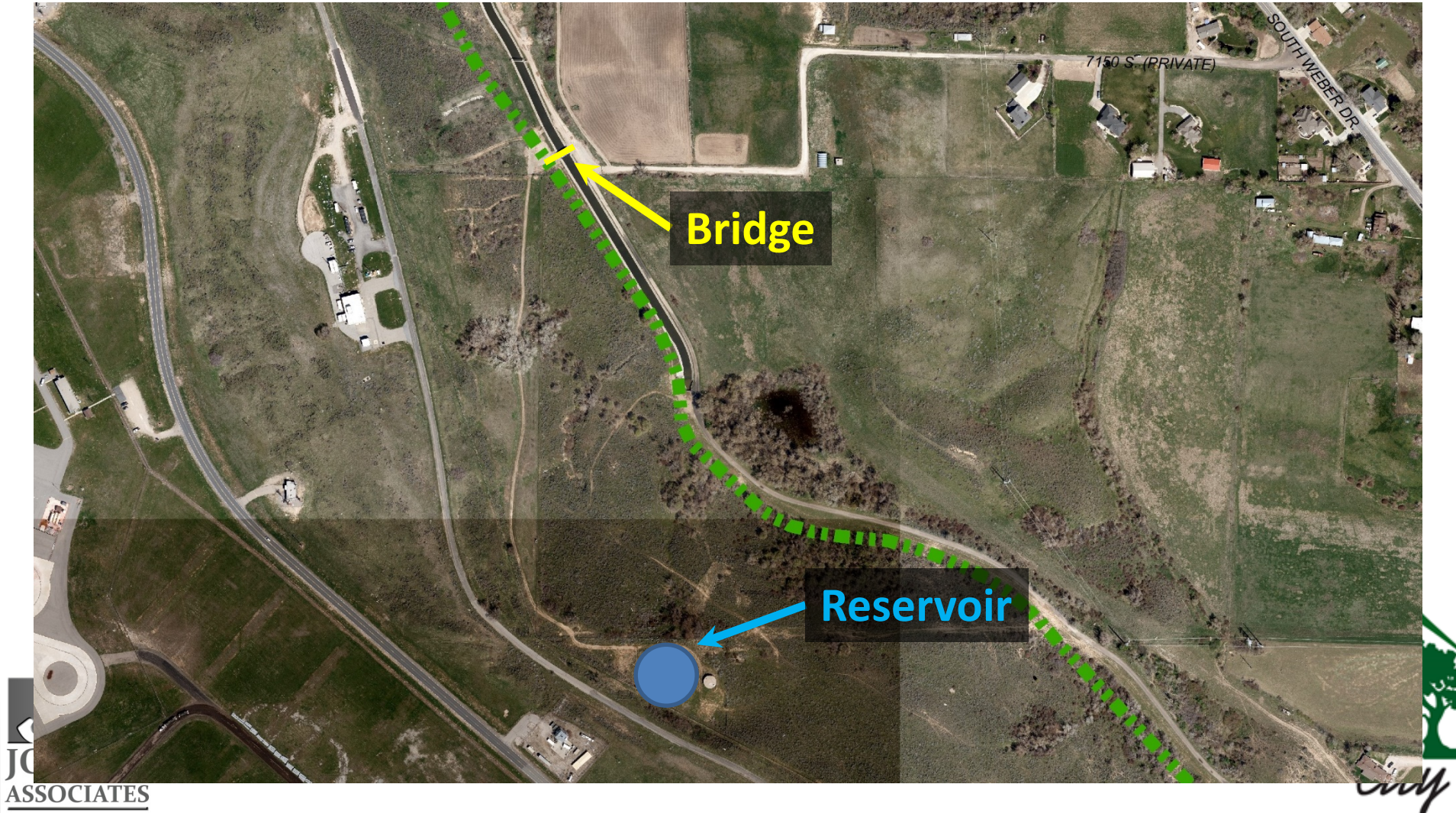
- UDOT PROJECTS (Coordination)
 - I-84 Rehabilitation
 - 475 East / Adams Ave Overpass Mill & Overlay
 - SR-60 Mill & Overlay
 - US-89 Expansion (Farmington to I-84)

WATER

- Westside Reservoir Rehabilitation Projects
 - New Bridge over the D&W Canal
 - Easements
 - Rehab of interior (grout void under floor and install liner on floor and walls)
 - Rehab of exterior (chimney drain on uphill side, piping consolidation, air gap structure, removal of old tank, new hatch opening)

WATER

(WESTSIDE RESERVOIR REHAB)



WATER

- East Bench Reservoir Waterline Replacement
 - Coordination with Job Corps (draft Agreement)
 - Environmental started
- Cottonwood Drive Waterline Replacement
 - Water Model and Design
 - Coordination w/ Weber Basin and Uintah City
 - Interlocal Agreement

WATER

- Division of Drinking Water
(Minimum Sizing Rule)
 - Coordination with DDW
 - Customer and System Meters
 - SCADA Upgrades

STORM DRAIN

- Capital Facilities Plan
 - Mapping of all storm drain infrastructure
 - Storm Water Computer Model setup
- Clean Water Act Compliance

SEWER

- System Capacity Analysis
 - East end development requests
 - Sewer Computer Modeling

PARKS

- Canyon Meadows Park Wetlands
 - Delineation
 - Wetland Restoration Plan
 - Approved
 - Bid and start construction

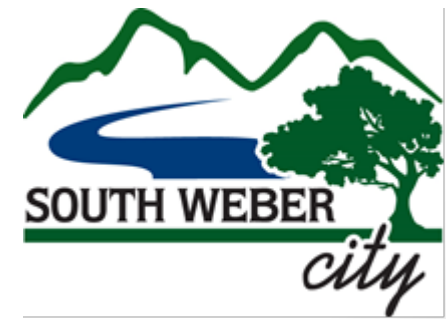
PARKS

- Parks Projects CIP
 - Parks & Trails Committee

- View Drive Trail
 - Concept Plan
 - Property Evaluations

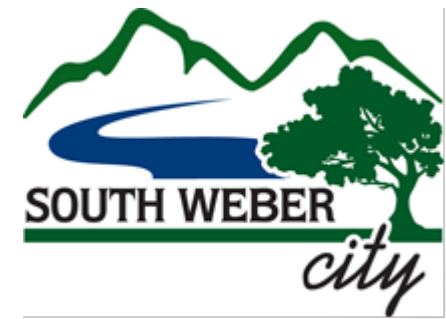
DEVELOPMENTS

- Old Maple Farms – 1, 2, & 3
- Riverside Place – 1, 2, & 3
- Hidden Valley Meadows – 1, 2, & 3
- Freedom Landing – 1, 2, & 3
- Harvest Park – 1 and 2
- Ray Creek Estates
- Sun Rays
- La Pintana

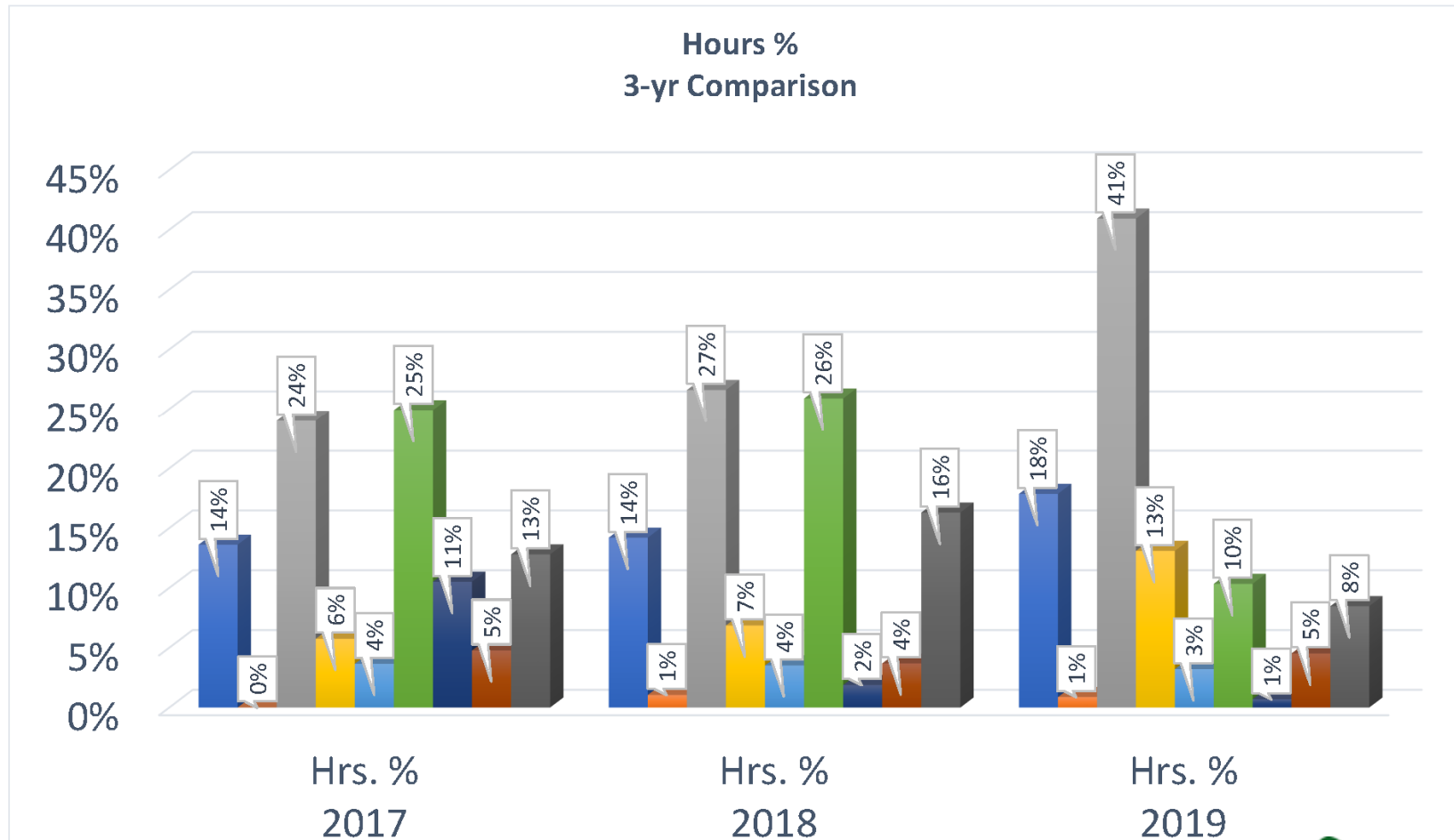


DEVELOPMENTS

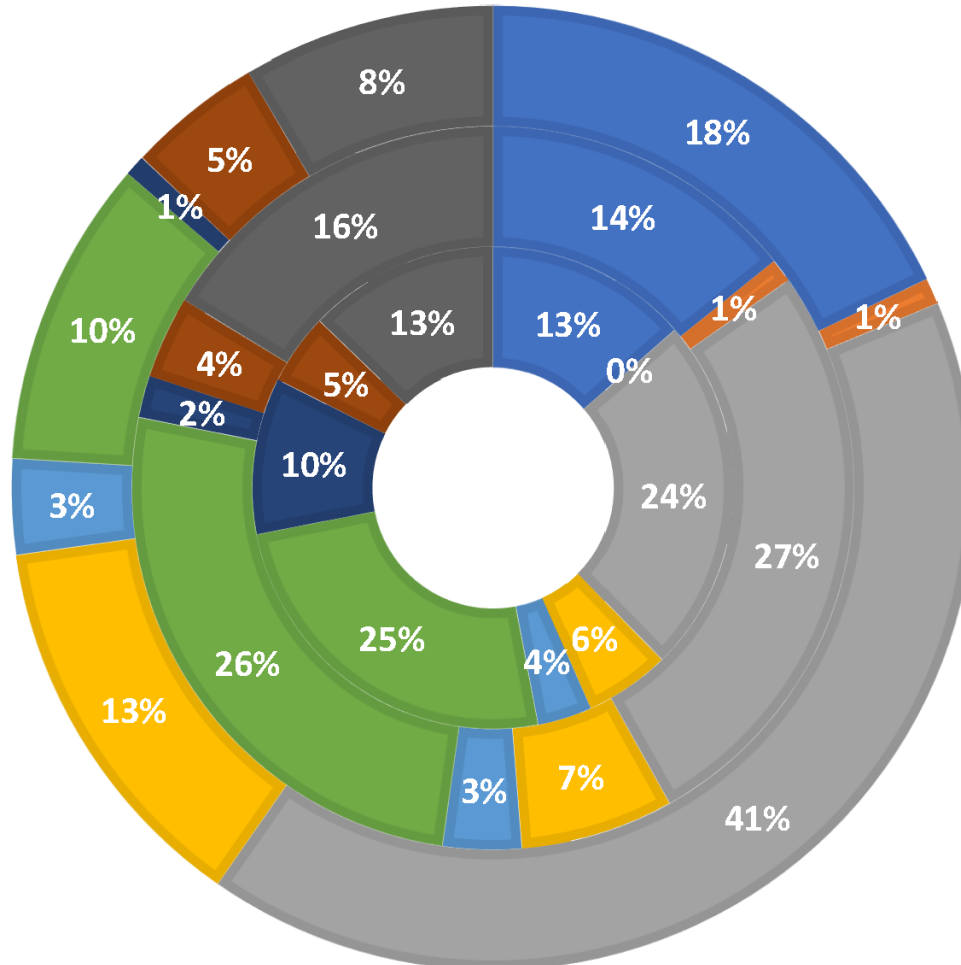
- The Lofts at Deer Run
- Country Lane Assisted Living
- Riverside RV Park
- Gundersen property
- Alpha Coffee
- Ray's Village
- The Knoll's at Valley View



WORKLOAD DISTRIBUTION



WORKLOAD DISTRIBUTION



HOURS %
3-YR COMPARISON

- Miscellaneous
- CofO Insp.
- Streets
- Water
- Storm Drain
- Developments
- Sewer
- Parks
- Mapping



SOUTH WEBER FIRE

2019 YEAR IN REVIEW

RESPONSE

- Highest call volume in SWFD history
- We have doubled in volume since 2013
- 2019 marked the first year where we were 100% compliant with national response time limits (under 4 minutes)
- We are saving people that would have been too far gone in years past

DUTIES

- Fire suppression
- Rescue
- Emergency medical services
- Specialized roles
- Fire prevention



COVERAGE

- Two handed staffing
- 24-hour shifts
- 24/7/365 coverage
- A-EMT license
- Hired 10 paramedics

HELPING HAND MORGAN COUNTY



Mountain Green Fire Protection District

January 16 at 6:14 PM · 🌐

👍 Like Page

Mountain Green, Morgan and South Weber firefighters responded to a significant fire at a residence in Peterson at 10:50pm last evening. Passers-by on I-84 initially reported trees on fire, but multiple callers reported fire from the roof and attic of a home on 4500N. Thankfully the residents were able to safely evacuate with their dogs.

RIVERDALE 2 ALARMS



I-84

<https://fox13now.com/.../deadly-semi-crash-on-i-84-in-morgan.../>



KAYSVILLE

Our crew's were dispatched for mutual aid to a residential structure fire in Kaysville tonight.

What an amazing show of support by neighboring fire, police and public service agencies to get this incident under control.

[Kaysville Fire Department](#)@[farmington fire department](#)@[davis county sheriff's office](#) @[south davis metro fire department](#).



LAYTON 3 ALARM AND SNOQUALMIE

23 Families Displaced In 3-Alarm Layton Fire

BY JED BOAL, KSL TV
JULY 23, 2019 AT 8:24 PM

Share



UP TO 30% OFF
USE CODE: EASTON



EPIC SPORTS

SHOP NOW

Snoqualmie Fire near Layton 76 percent

POSTED 1:16 PM, SEPTEMBER 6, 2019, BY DAVID WELLS

FACEBOOK

TWITTER

REDDIT

PINTEREST

KSL 5 TV LIVE



DAVIS COUNTY, Utah — A wildfire that forced evacuations in Layton earlier this week is now 76 percent contained, according to an update from Utah Wildfire Info.

The 128-acre “Snoqualmie Fire” forced more than 100 homes to be evacuated Monday. Those evacuations were lifted Tuesday morning.



“Mop up is taking longer on the fire because firefighters are finding more pockets of heat

GREAT SALT LAKE RESCUE OF KAYAKERS



BOUNTIFUL GUN RANGE FIRE



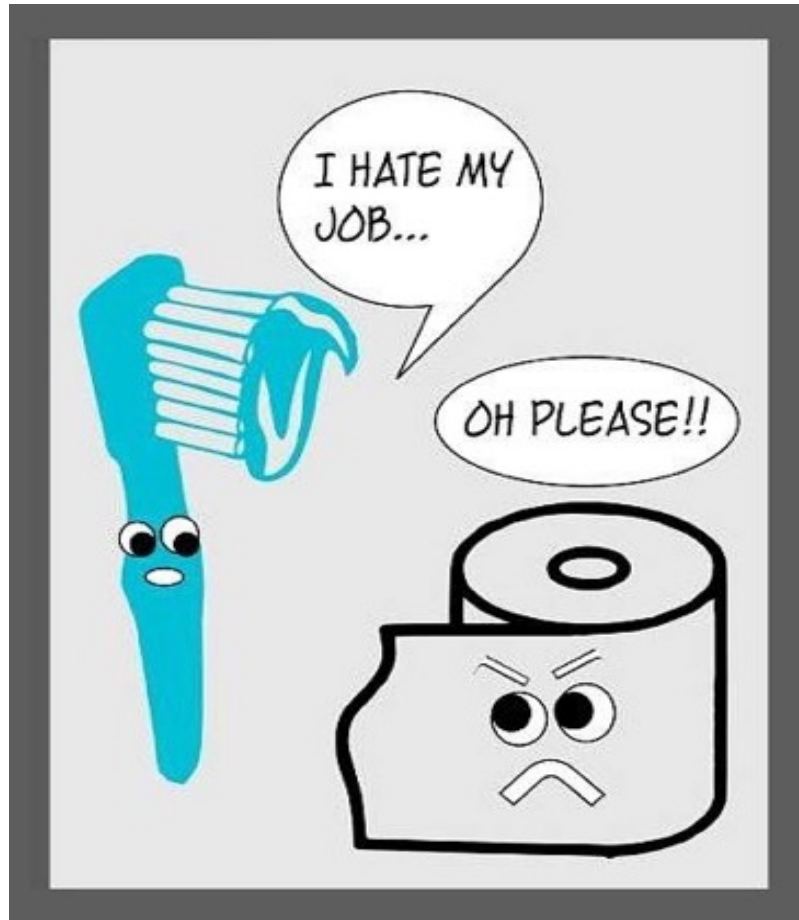
FEATURED IN STRAIGHT TIP MAGAZINE



MANY MORE CALLS WE CAN'T TALK ABOUT



PUBLIC WORKS



2019 NEW EQUIPMENT



2019 NEW EQUIPMENT



WE ADDED A NEW BRIDGE OVER THE CANAL
TO GET TO THE WEST END WATER TANK.



THE INSIDE REHAB WORK ON THE WEST TANK IS COMPLETE AND WE HAVE IT BACK ONLINE



SEWER METER

COLLECTING DATA TO HELP WITH SIZING SEWER

SEWER METER SETUP



THE SEWER



DATA FROM METER

Module to display its measurements	
Area Velocity	
a data label to set its properties...	
Module Name:	2150 Area Velocity
Level	3.925 in
Velocity	4.077 ft/s
Flow Rate	456.254 gpm
Total Flow	848.076 gal
Input Voltage	12.003 volts
Velocity Signal	50.000 %
Velocity Spectrum	78.000 %
Vel Spectrum Ratio	29.848 %

Disconnect (F2) Retrieve Data (F8) DEFAULT Grid



CONCRETE REPAIR PROJECTS WE DID MORE IN 2019 THAN WE HAVE IN PAST YEARS



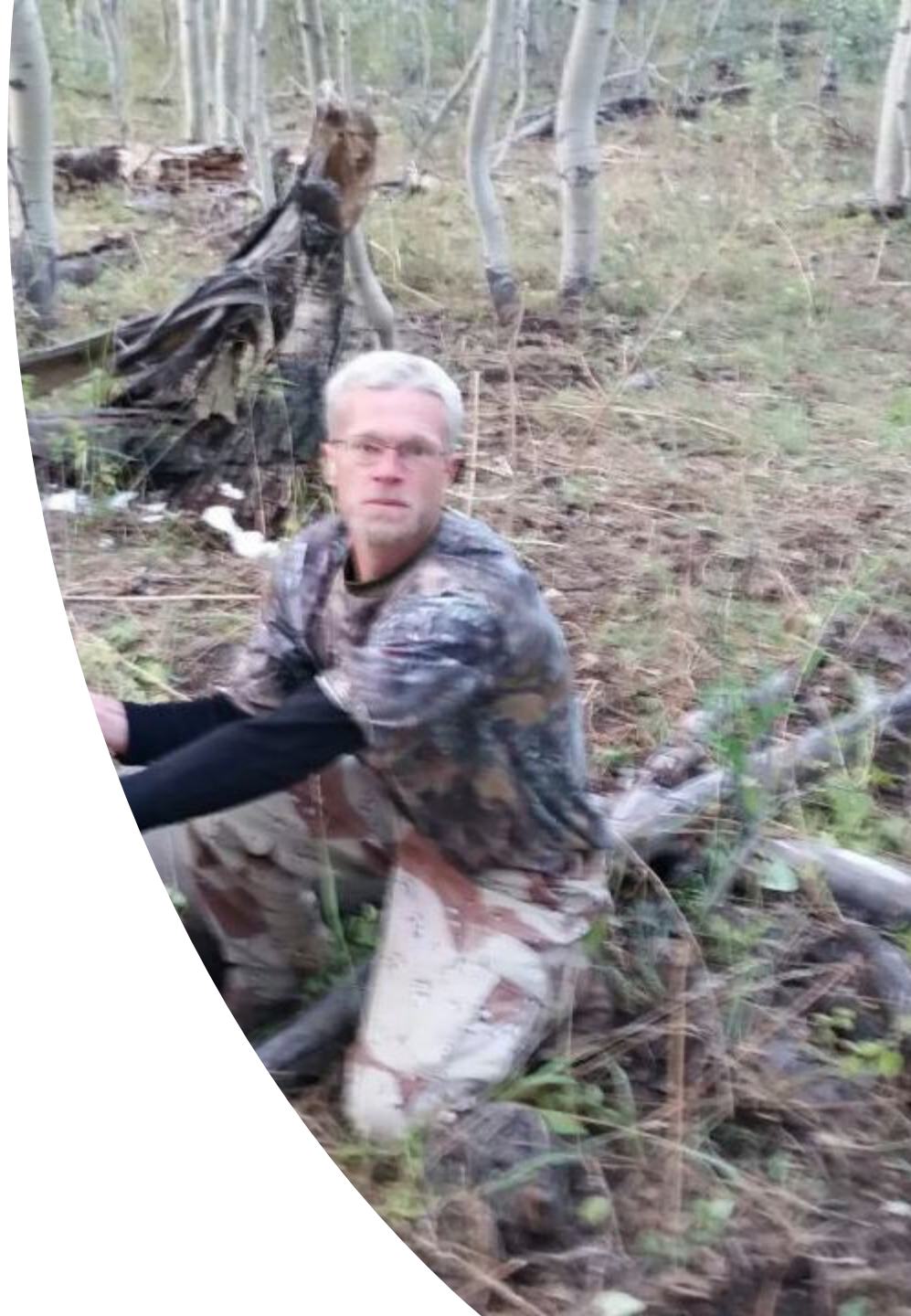
**WE TAKE PARK SAFETY SERIOUSLY
KARL IS GOING TO CLASS TO GET HIS PLAYGROUND
SAFETY CERTIFICATION.**



**JASON TUBBS.
JASON IS THE RESIDENTIAL
BUILDING INSPECTOR FOR THE
CITY.**



**ZACH MCFARLAND.
ZACH IS A UTILITY SERVICES WORKER IN
PARKS.**



**MARK JOHNSON.
MARK IS A UTILITY SERVICES
WORKER IN SEWER, WATER
AND STORM DRAIN.**



**BRYAN WAGEMAN.
BRYAN IS LEAD ON OUR WATER
SYSTEM.**



**JODY NIELSEN.
JODY IS A UTILITY SERVICES
WORKER AND HELPS IN WATER
AND PARKS.**



**KARL WILLSON.
KARL IS A UTILITY SERVICES
WORKER AND LEAD IN PARKS.**



**MARK LARSEN.
MARK IS THE PUBLIC WORKS DIRECTOR HE IS
OVER PUBLIC WORKS AND HELPS WITH PLANNING.**



**MINI ME.
MINI ME WE WERE GOING TO HIRE HIM, BUT WE
THOUGHT THERE WAS SOMETHING FISHY WITH
HIS BEARD.**

