

**CITY COUNCIL
& PLANNING COMMISSION
Retreat**

DATE OF MEETING: 8 February 2020

TIME COMMENCED: 9:07 a.m.

LOCATION: Davis County Library Meeting Room at 61 S Main Street, Farmington UT

PRESENT: **MAYOR:** Jo Sjoblom

COUNCIL MEMBERS: Hayley Alberts
Blair Halverson
Angie Petty
Quin Soderquist
Wayne Winsor

PLANNING COMMISSION: Gary Boatright Jr.
Tim Grubb
Wes Johnson
Rob Osborne
Taylor Walton

CITY PLANNER: Barry Burton

CITY ENGINEER: Brandon Jones

CITY RECORDER: Lisa Smith

DEVELOPMENT COOR: Kimberli Guill

CITY MANAGER: David Larson

CODE ENFORCER: Chris Tremea

CITY ATTORNEY: Doug Ahlstrom

FIRE CHIEF: Derek Tolman

PUBLIC WORKS DIR: Mark Larsen

RECREATION DIR: Curtis Brown

CITY TREASURER: Paul Laprevote

FINANCE DIRECTOR: Mark McRae

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES:

Mayor Sjoblom called the meeting to order and welcomed those in attendance including new Council Member Quin Soderquist, Planning Commissioner Gary Boatright Jr., and City Attorney Doug Ahlstrom & his wife.

Quin Soderquist related a tale vehicle issues and rescue by Mark Larsen. He thanked Mark for his service to him, and the city of South Weber.

Oath of Office: Planning Commissioner Gary Boatright Jr.

Lisa Smith, City Recorder, administered the oath of office to Gary Boatright Jr.

Presentations**a. Open Public Meetings: Doug Ahlstrom**

City Attorney, Doug Ahlstrom explained 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. Every meeting is open to the public unless closed under Sections 52-4-204, 52-4-205, and 52-4-206. A **“Meeting”** is defined as 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. Meeting includes a workshop or executive session of a public body but does not mean a chance or social meeting.

A **“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.

“Quorum” means a simple majority (greater than half) of the membership of a public body, unless otherwise defined by applicable law. The Mayor and two councilmembers are not a quorum because the Mayor is not a voting member. Discussion took place regarding committee meetings requirements. Doug proposed the committee chairs decide whether to invite the public.

Notice Requirements include:

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. Provide notice to at least one newspaper of general circulation or to a local media correspondent. South Weber City uses the Standard Examiner for public notices.

Agenda Requirements: 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: 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.

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.

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. 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 retention schedule and need to be stored in/converted to a format that will allow long-term preservation.

Closing a Meeting:

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.

The following must be publicly announced and entered on the minutes of 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.

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;
 - 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.

Record of Closed Meetings: Except where a sworn statement is required, an audio recording of the closed meeting is required, and detailed written minutes may be kept. Recordings must be a complete and unedited from commencement through adjournment of the closed meeting.

The recording and any minutes of a closed meeting must contain: 1. the date, time, and place of the meeting; 2. the names of members present and absent; and 3. 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 Statement: 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: 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: A public body may not hold an electronic meeting (convened or conducted by means of a conference using electronic communications) unless it has adopted a resolution, rule, or ordinance governing the use of electronic meetings. Commerce R151-1-2 provides: 1. Such meetings are permitted but may be limited based on budget, public policy, or logistical considerations, 2. 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, 3. A quorum of a public body is not required to be present at a single anchor location (the physical location from which an electronic meeting originates), 4. Any number of separate connections are permitted unless limited based upon available equipment, etc.

A public body convening or conducting an electronic meeting must: 1. give public notice under Section 52-4-202; – post written notice at the anchor location(s); 2. provide at least 24-hour notice to the public body, including how members will be connected, so members may participate (the ability to communicate with all of the members of a public body) in and be counted as present for all purposes; 3. 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; and 4. provide space and facilities at the anchor location so interested persons and the public can attend, monitor and participate.

Disruptive behavior at a meeting: 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: 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: 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: 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: 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: 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.”

Mr. Ahlstrom encouraged review City Code 1-2-4: B. Special Meetings.

b. Conditional Use Permits: Doug Ahlstrom

Doug recounted an example of conditional use permit regarding Riverton City and Reeves Riverton Ranch, LLC. Reeves owned 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 was zoned A-5, Agricultural. The A-5 Zone allowed for agricultural uses and other related and compatible uses. The minimum lot size in the zoning district was 5 acres so the lot could 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” was a conditionally permitted use in the A-5 Zone. The Planning Commission imposed 13 conditions. Reeves argued that several of the conditions were “illegal, punitive, facially insupportable, [and] factually and legally unsupportable.” Reeves further asserted that the imposition of the conditions was “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 affect 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.

Doug recommended combining the city code standards into the same section.

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)

City Review: 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.

SUMMARY:

- Identify Reasonably Anticipated Detrimental Impacts (RADI), such as:
Noise, Lighting, Traffic, Parking, Aesthetics, Pollutants, Public Utility Infrastructure
- Develop Substantial Evidence in the record of the RADI and need for conditions
- 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.

Doug stated the City Council and Planning Commission have the right to bring up detrimental impacts; however, there is still the need for evidential proof. David discussed bringing up a concern does not provide the substantial evidence (i.e. when someone says this development will bring additional noise, additional traffic, or additional crime). That is not evidence. Doug clarified if someone states there would be too much traffic, the city would need evidence to back that declaration such as a traffic study. David conveyed how hard it is to anticipate everything that can happen in the city code. Doug proposed including the specific city code to a conditional use permit condition in the motion. i.e. Noise restrictions of _____, based on City Standard 10-7-10. He expressed this type of information lets the State ombudsman know that this city is paying attention and they know their standard and detrimental impact, and they have substantial evidence to back it up.

There was question whether a conditional use permit could be amended or changed. Doug replied once a conditional use permit is approved, you can't go back and amend it, unless the use of the land changes. Mark Larsen charged you can amend a conditional use permit. Chris Tremea read from state ombudsman website concerning conditional use permits. He stated a conditional use permit can be amended or changed by the local government when needed to reflect changes in the use or to address problems that have been identified. The same general rules and processes apply to amendments. Any conditional use conditions must be reasonable and aimed at mitigating detrimental impacts.

Mark described the RV Park going in next to the city property line and asked if the city must apply its standards to the individuals in the next city. Doug remarked if you find a detrimental impact that is going to affect the abutting property owner then you do. Brandon asked if a developer recognizes there is going to be noise and suggests installing an 8 ft. fence. He asked would that go on the conditional use permit. Doug stated not if the developer is proposing it, but they do have to comply with the city standard.

Councilman Boatright solicited whether conditional use permits must be by unanimous vote. He conveyed each member must use his/her best judgment because everyone has different opinions and it is okay to voice those opinions. He reminded them if a motion is made with a list of conditions, and you don't agree with a certain condition, then the motion can be amended. He also reiterated how important it is to document everything.

BREAK

Development Process & Roles: David Larson: David acknowledged the growing pains of the city and the development process now includes commercial development. He recognized the development process needs to evolve and be refined around new lessons learned. He mentioned

there are capacity issues when it comes to the city staff workloads. He pointed out there is limited staff, limited time, and limited resources. He then reviewed the development process in general.

City Council:

General Plan: The development process really begins with the adoption of the General Plan. This document provides the general firework for all development. Though there are many that have input along the way, the final approval and adoption lies squarely with the City Council.

Rezoning: The next area of control the City Council has over development lies in rezoning. Though rezones are normally started by application from the property owner and the Planning Commission renders an opinion, the power to rezone is solely by the Council. By approving a rezone, the Council is indicating it is willing to accept any type of development allowed by that zone.

City Planner, Barry Burton, explained the city has the most control with the development process at the general plan stage. He pointed out the city doesn't have to rezone a property.

Staff:

The city staff that generally deals with development proposal are the following: City Manager, City Planner, City Engineer, Public Works Director and Fire Marshal or Fire Chief. These staff members are charged with understanding the various codes, standards and service capabilities of the City as they affect proposed development.

These individuals provide a broad brush first assessment of a development proposal. They are part of the Concept Plan Committee, the Sketch Plan Committee along with a member of the Planning Commission and City Council. These individuals provide council and advises all through the development process. Nothing they say or do is binding upon the City.

Commissioner Johnson challenged why a planning commission member no longer attends the Sketch Plan Meeting. When reviewing the development process, David and Mayor Sjoblom made the decision to eliminate the Commission from that stage.

Deliberation took place regarding the typical procedure for an application and changing the time frame to allow city staff more time to review and allowing more time for a developer to complete requirements prior to going before the Planning Commission. David expressed from initial submission it should be at least 15 business days and then 5 to 10 days on subsequent reviews, and then when items are completed it can move forward to the Planning Commission. David identified there should be a systematic process outlined that will allow everyone to function in the appropriate capacity. Brandon suggested the city code include the time frame.

Planning Commission:

The Planning Commission's role in development is to be a bridge between what takes place at the staff level and the City Council. They are not expected to have in-depth knowledge of development codes but should be familiar with them. They are to review and make recommendations concerning the details of a development, particularly those that are not specified in code. They are to provide a check that staff has been thorough in their review.

The Planning Commission has authority to approve proposals that do not require legislative authority, unless otherwise specified in code.

City Council requested receiving a copy of the Planning Commission packet. Councilman Winsor investigated who is responsible from city staff to make sure city code is being followed. David pointed out he is ultimately responsible, but there needs to be a second set of eyes. It was recommended the City Attorney needs to be more involved with making sure city code is followed. Commissioner Osborne remarked he doesn't want to see a Preliminary Plat Approval and Final Approval on the same meeting agenda.

It was voiced the city needs to review the permitted uses in zones to make sure they are detailed enough. David emphasized the importance of the process beginning with the general plan. Brandon recommended reviewing and revising sensitive zones so there are no commercial and R-7 zones in those areas. Councilman Soderquist elucidated rezoning with no plan versus rezoning with a plan and inquired if there should be a different process for each. Councilman Halverson suggested rezoned property, if it is not used for the original concept, should revert to the original zone. Commissioner Grubb proposed attaching a development agreement that is fixed with the property, and if the developer chooses to do something different, then a new development agreement would be required.

In summary, David suggested giving each body enough time to adequately review plans. He recommended creating a standard operating procedure that follows city code. It was decided when there is a specific planned project, tie the rezone to property, but if there isn't a plan for the rezone, then permitted uses should be thoroughly reviewed.

Further debate took place regarding the decision to omit a member of the Planning Commission from the Sketch Plan Committee. David remarked there are pros and cons either way. A report update on projects will be sent to the Planning Commission and City Council in some format so they can follow the progress.

2019 Year in Review:

City Manager, David Larson, reported in 2019 there were 32 City Council Meetings, 3 Open Houses, and 17 Planning Commission Meetings. The City Council was involved with the following:

- 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

Finance Director, Mark McRae reported for the Administration and Finance Department the following: The budget was approved with a major tax increase. A new VoIP phone system (voice over internet protocol) was installed. The city migrated to online invoice approval. Mark explained the Administration and Finance Department was reorganized with Lisa Smith, as City Recorder, Kim Guill, as full-time Development Coordinator, Shaelee King changed to part-time and had a baby girl, and Friday Whaley was hired as a part-time employee to replace Shelbie Cook. The Utility billing statistics included: 98 total new accounts, 222 account final billed, and 311 new customer signups. Mark McRae relayed he is very happy with the administrative staff and noted they work hard and are competent.

City Treasurer, Paul Laprevote reported on accounts payable, human resources and risk management: 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: In 2019, 13 new employees were hired with 15 employees resigned. The turnover rate was approximately 24% with a higher turnover rate of 40% in Recreation due to hiring of high school and college age students. The Fire Department reported a turnover of 40% because of the part-time/second job employees. The average non-education state and local government turnover rate is around 20%.

Risk Management: Paul reported 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’s 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; however, risk is higher.

Lisa Smith, City Recorder, reported on City Court and recorder functions: She reported the city received a \$1,500 grant from the Board of Justice Court Judges. There were 852 citations filed. The city purchased a new color printer/scanner. She pointed out Kim Guill is the back-up court clerk. The new Justice Court Judge is Jude Memmott. In 2019, the city’s municipal elections reported 50.9% voter turnout. Visitors attending city council meeting included: Beth Holbrook (UTA Trustee), Randy Elliott (Davis County Commissioner Chair), Lorene Kamalu (Davis County Commission Vice Chair), and members of the Davis County Sheriff’s Department.

Kim Guill, Development Coordinator, reported on Building and Development and Business Licensing: She announced there were 235 permits issued with 73 of those being single family dwellings. She reported the valuation of single-family dwellings at \$26,387,773 and \$11,738,141 for multi-family. In 2019, the city approved Harvest Park 1 & 2 Subdivision, Freedom Landing 3 Subdivision, and La Pintana Subdivision totaling 70 new building lots. The city stopped tracking home occupations without patrons or employees on site. There were 128 business license renewals by mail. The city hired 1 new permanent crossing guard, 1 new substitute crossing guard, installed two new crossing lights on South Weber Drive, and one new crossing light on 1250 East and Lester Drive.

Chris Tremea, Code Enforcer, reported on Code Enforcement: He announced in 2019, there were 201 Incidents, 128 nuisance complaints with 91 solved using simple contact resolution. There were 24 nuisance violation citations which were all remedied out of court (weeds, roadway hazards, nuisance vehicles, etc.) He reported there were 32 incidents involving short term rentals and 16 noise complaints with 9 at one location. There were 313 parking violation notices left on vehicles that were parked illegally and forwarded to Davis County Sheriff’s Office. When on-duty deputies see the bright orange notice they cite the owner.

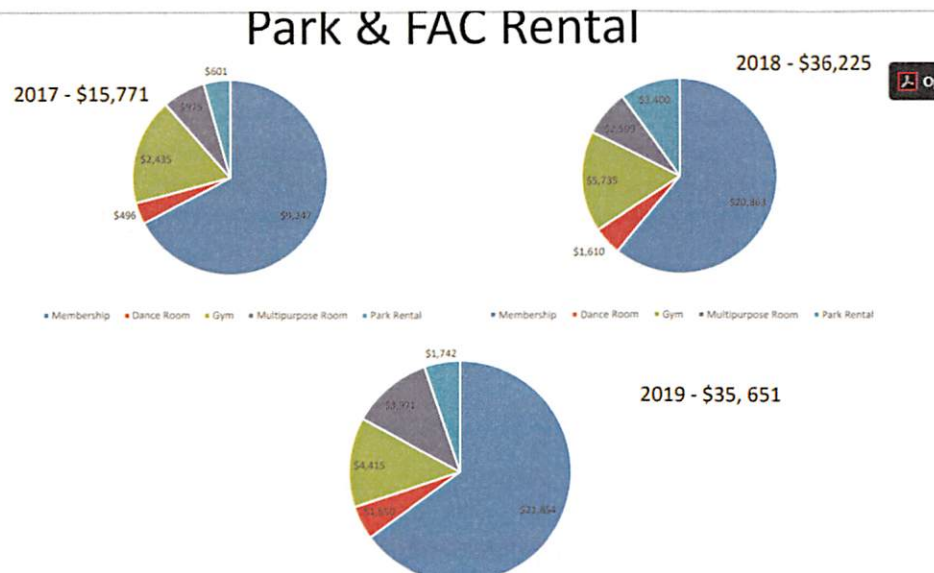
Chris received training and certifications for the following: Certified Utah State Code Enforcement Officer, Utah State Code Enforcement Coalition Trainer, CPR Instructor, and Concealed Firearms Instructor.

Chris addressed the current 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. (Chris reported upon contact the gravel pit is out to clean the streets within 24 hours.)

Curtis Brown, Recreation Director, reported the on recreation and activities:

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



Curtis reported 2019 activities included: Bees Games, Swim Party at Roy Aquatic Center, Breakfast with Santa, Moms and Sons Halloween, and Senior Luncheons.

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	Total number of players	Recreation revenue	Total number of players	Recreation revenue	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
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	

Curtis commented he is currently renting Canyon Meadows Park for competitive baseball practice and leagues. AYSO leases Central Park. The gym rents out for club volleyball, indoor soccer, lacrosse, and wrestling. The Family Activity Center weight equipment is 16 years old and he would like to look into a rental program.

Brandon Jones, City Engineer reported Jones & Associates has been involved with the General Plan Update (Staff Collaboration, Meetings, Mapping, etc.), New Public Works Facility (Property Evaluations), Street light Policy Implementation (Provider Selected (SSCO) (Installer and Maintenance (TBD), City Code Revisions, Project Review Meetings / Staff Meeting, and Certificate of Occupancy – Site Inspections. Brandon explained the city adopted a Transportation Impact Fee (CFP, IFFP, and IFA). The city applied for Safety Sidewalks Grant Application for 1900 East to 2050 East. This has not been awarded yet.

He reported on the completion of South Weber Drive (SR-60) Sidewalk Projects (475 East Connection & 1200 East to Skyhaven Cove). In 2019 Street Maintenance Projects included Mill & Overlay, Chip & Seal, and Concrete Replacement. Updates on South Bench Drive / Old Fort Road include: Bid, Award, Construction – Added Secondary Waterline Replacement – Streetlights –Overhead power to underground – Completion of project in spring 2020

Brandon related eventually all streetlights will be converted over to the new streetlight style. The new lights are LED and are controlled remotely by the city staff. There were several UDOT projects with the I-84 rehabilitation, 475 East/Adams Ave overpass mill and overlay, SR-60 mill and overlay, and US-89 expansion from Farmington to I-84.

Water projects included: 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). 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, and Inter local Agreement. Brandon remarked the Division of Drinking Water (Minimum Sizing Rule) includes the following: Coordination with DDW, Customer and System Meters, and SCADA Upgrades. He described the Storm Drain Capital Facilities Plan includes mapping of all storm drain infrastructure and setting up the Storm Water Computer Model as well as making sure the city is compliant with the Clean Water Act.

Brandon reported the Canyon Meadows Park wetlands have been delineated and a Wetland Restoration Plan has been approved. They are ready to bid and start construction. The city is currently working on Parks Projects CIP with the Parks & Trails Committee and View Drive Trail Concept Plan and 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 • 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.

Derek Tolman, Fire Chief reported: In 2019, South Weber Fire Department had the highest call volume in department history. He announced calls doubled in volume since 2013. 2019 marked the first year of 100% compliance with national response time limits (under 4 minutes). He proclaimed people are being saved that would have been too far gone in years past. The Fire Department now has two handed staffing, 24-hour shifts, 24/7/365 coverage, A-EMT license, and hired 10 paramedics. They have worked with Morgan County, two alarms in Riverdale City, I-84, mutual aid for residential structure fire in Kaysville, three alarms in Layton City including the Snoqualmie Fire, rescue of kayakers on the Great Salt Lake, Bountiful Gun Range Fire, and many more calls that can't be discussed. Derek stated as of November the department billed \$121,000 in ambulance service. He pointed out the Fire Department received a letter from the State stating the department is 98% compliant with State records.

Mark Larsen, Public Works Director, presented pictures of the Public Works Department 2019 new equipment. He stated the city added a new bridge over the canal to get to the west end water tank. The inside rehab work for the tank is completed and is now back online. He remarked they are collecting data to help with sizing for the sewer. There were several concrete repairs completed throughout the city. Mark introduced his staff by displaying their photos. Karl is currently getting certified in playground equipment safety. Jason Tubbs is the Residential Building Inspector. Zach McFarland is a Utility Services Worker in the parks. Mark Johnson is a Utility Services Worker in sewer, water, and storm drain. Bryan Wageman is the lead on the

water system. Jody Nielsen is a Utility Services Worker and helps in water and parks. Karl Willson is a Utility Services Worker and lead in parks.

2020 Strategic Plan

David Larson, City Manager, explained the City's Strategic Plan is a bridge document that translates the City's vision into action plans and tasks through establishing areas of strategic emphasis (strategic directives) and identifying goals within each area.

During the 2019 Annual Planning Retreat, the City Council, Planning Commission, and staff discussed the City's vision of being a well-planned, family-friendly community that provides a high quality of life through efficient, sustainable municipal service delivery and access to recreation opportunities. The group then proceeded to identify a list of potential projects that could accomplish that vision and prioritized which projects to pursue in 2019.

Last year's work generated a list of projects (action plans) that connected to the larger city vision. The goal of this year's discussion was to build off last year's work in establishing the strategic directives, then identifying the goals and action plan for each goal. In other words, begin to form a more detailed Strategic Plan.

City Staff drafted a Strategic Plan as a starting point for discussion. It identifies 5 strategic directives: (1) Public Safety, (2) Infrastructure & Municipal Services, (3) Fiscal Sustainability & Planning, (4) Community Engagement, and (5) Employees. Goals and action plans were identified within each directive, a member of staff who will be responsible for the goal and a target date to accomplish the goal.

Talk proceeded on a high-level planning activity to establish both long and short-term goals and action plans, which staff and Council Committees can then use to identify specific tasks for the year that will focus on and execute those goals, rather than to begin working on any specific goal or action plan during the retreat.

1. PUBLIC SAFETY

1.1 Provide Effective Emergency Services Response

1.1.1 Complete Financial Analysis of Three-handed Staffing, (Need, Equipment, Personnel, Etc.)

1.1.2 Research Options for Paramedic Service

1.2 Protect People & Property through Effective Law & Code Enforcement

1.2.1 Ensure DCSO Contracted Level of Service is being Received

1.2.2 Maintain an Active & Effective Code Enforcement Program

1.3 Maintain City Equipment to Required Standards

1.3.1 Establish Fleet Management and Replacement Program for all Departments

1.3.2 Research Funding Options for Fleet Management and Replacement Program

1.4 Be Prepared for a Major Emergency

1.4.1 Review & Update the Emergency Operations Plan

1.4.2 Provide Annual Training & Practice Emergency Options Plan

1.4.3 NIMS Certification

1.5 Mitigate Potential Hazards

1.5.1 Establish on Street Parking Restriction Standards (red curb areas)

1.5.2 Education, Preparation & Mitigation through Community Wildland Protection Program (CWPP)

1.5.3 Review & Update Hazards Mitigation Plan

It was suggested to move 1.3 to 2

2. INFRASTRUCTURE & MUNICIPAL SERVICES

2.1 Maintain a Quality, Compliant, High Functioning Culinary Water System

2.1.1 Maintain State Compliance (i.e. regular testing, equipment, records, reporting)

2.1.2 Test Fire Hydrants

2.1.3 Budget for and Complete Infrastructure Projects According to the CIP

2.1.4 Update our SCADA System

2.2 Maintain a Quality, Compliant, High-Functioning Sewer System

2.2.1 Maintain and Implement Sewer Management Plan

2.2.2 Budget for and Complete Infrastructure Projects According to the CIP

2.3 Maintain a Quality, Compliant, High-Functioning Storm Drain System

2.3.1 Update Development Standards to Meet New State Regulations

2.3.2 Budget for and Complete Infrastructure Project According to the CIP

2.4 Maintain a Quality Streets System

2.4.1 Complete 5 Year Street Maintenance

2.4.2 Budget for and Complete Infrastructure Projects According to the 5 yr. Street Maintenance

2.4.3 Repair Potholes as they are reported

2.4.4 Improve Pothole Reporting System (Staff & Citizens)

2.5 Maintain a Quality Parks & Trails System

2.5.1 Effectively Maintain Current Parks Space

2.5.2 Complete Priority Parks Projects

2.5.3 Complete Initial Design of Weber Parkway Trail Extension (TLC Grant Project)

2.5.4 Identify & Apply for Parks & Trails Grants

2.6 Maintain a Quality Recreation Program

2.6.1 Coordinate Maintenance of Recreation Fields and Facilities with Parks Department

2.6.2 Increase Community Awareness of Recreation Programs & Events

2.7 Maintain a Quality Justice Court

2.8 Transition all Streetlights to City-owned

2.8.1 Install City-owned Streetlights in Recent Developments

2.8.2 Complete a Replacement Plan for all Current Rocky Mountain Power-owned Lights

2.9 Determine the City's Future with Fiber

2.9.1 Research Fiber Service Model Options

Changes recommended: move 2.8 under 2.4 and add compliant to other 2 sections

3. FISCAL SUSTAINABILITY & PLANNING

3.1 Adopt a Balanced Budget Annually

3.1.1 Complete Tasks Identified on the Proposed Budget Calendar

3.2 Review & Update the General Plan (every 5 years) (as needed)

3.2.1 Complete General Plan Update

3.2.2 Define Mixed-Use Overlay

3.3 Review & Update All Capital Facilities Plans (every 5 years)

3.3.1 Establish an Order and Schedule for CFP Updates as soon as General Plan is adopted

3.3.2 Complete Storm Drain CFP/IFFP/IFA Update

3.4 Maintain the Family-friendly Culture of the Community through the Development Review Process

3.4.1 Review & Update Zoning Codes

3.4.2 Update City Codes Regarding Development Process

3.4.3 Establish a Development Review

3.5 Maintain a Sustainable Tax Structure

3.5.1 Establish an Ongoing Property Tax Rate Philosophy

3.6 Maintain a Sustainable Utility Fee Structure

3.6.1 Review Utility Rates

3.6.2 Annual Report on TUF Money Collected & Projects Completed

3.7 Maintain a Sustainable Infrastructure Replacement Program

3.7.1 Create a Reserve Funding Plan

3.8 Identify Northern City Boundary Line

Changes recommended: Add 3.5.2 Economic Development & Recreational Activities
Add 3.4.4 Environmental Review

4. COMMUNITY ENGAGEMENT

4.1 Provide Excellent Customer Service, e.g. Timely Response to Citizens Questions/Concerns

4.1.1 Respond to Citizen Calls/Emails within 48 Hours

4.2 Share Information of Day to Day Operations of the City through All Available Methods

4.2.1 Establish Standard Communication Processes for all Departments

4.2.2 Establish a Livestream of City Council Meetings

4.3 Provide Easy Access to City Information on a Quality Website

4.3.1 Complete Website Upgrade & Redesign
4.4 Improve the Marketing of City Events (CFD, Easter Egg Hunt, Daddy/Daughter, Santa, Swim, Halloween Bash, Senior Luncheons, and Fire Prevention)

4.4.1 Include Event Information in New Resident Packet

4.4.2 Evaluate Full Event Calendar on City Website

4.5 Increase Followers on all Communication Platforms (Constant Contact, Facebook, Twitter, and You Tube)

4.5.1 Improve Quality and Quantity of Communication

Changes recommended: Copy 4.5.1 to 4.4.3 and 4.4 Train (Community Events not just City events)

5. EMPLOYEES

5.1 Hire Quality Employees

5.1.1 Establish Succession & Advertising Plan

5.2 Retain High-Performing Employees

5.2.1 Encourage a Quality Culture & Work Environment

5.2.2 Provide Competitive Wages & Benefits

5.2.3 Provide Ongoing Training Opportunities

5.2.4 Encourage Employees to Participate in their Applicable State Association, Including Annual Conference Attendance

5.3 House Employees in Facilities that Enhance High-Performance

5.3.1 Establish a Facilities Replacement Plan

5.3.2 Establish a Facilities Maintenance Plan


5.3.3 Obtain Property for New Public Works Facility**5.4 Update Policies & Procedures Manual**

Change recommended: add Legislative Advocacy.

Commissioner Walton suggested the possibility of the city having a land use analysis or Economic Impact Study completed by Wasatch Regional Front Council (WFRC). Commissioner Grubb petitioned information concerning how much commercial property the city needs financially. David was directed to pursue Economic Impact Study through Wasatch Regional Front Council. Commissioner Boatright discussed the need to make sure the commercial development is right for South Weber City. Mark McRae suggested pursuing economic development in conjunction with Davis/Weber Counties. An action item under Economic Development could be to tie into Regional Economic organization.

ADJOURNED: Councilwoman Petty moved to adjourn the meeting at 2:56 p.m. Councilwoman Alberts seconded the motion. Council Members Alberts, Halverson, Petty, Soderquist and Winsor voted aye. The motion carried.

APPROVED:



Mayor: Jo Sjoblom

Date Mar 10, 2020



Transcriber: Michelle Clark

Attest:


City Recorder: Lisa Smith