

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 25 October 2022

TIME COMMENCED: 6:00 p.m.

LOCATION: South Weber City Office at 1600 East South Weber Drive, South Weber, UT

PRESENT: MAYOR:	Rod Westbroek
COUNCIL MEMBERS:	Hayley Alberts Joel Dills Blair Halverson Angie Petty Quin Soderquist
CITY ATTORNEY:	Jayme Blakesley
CITY ENGINEER:	Brandon Jones
CITY MANAGER:	David Larson
CITY RECORDER:	Lisa Smith
COMMUNITY DIRECTOR:	Trevor Cahoon
PR ASSISTANT:	Shaelee King

Minutes: Michelle Clark

ATTENDEES: Paul Sturm, Michael Grant, Kenny Conners, and Merv Taylor.

Mayor Westbroek called the meeting to order and welcomed those in attendance.

1. Pledge of Allegiance: Councilman Dills

2. Prayer: Councilwoman Petty

3. Public Comment: Please respectfully follow these guidelines:

- Individuals may speak once for 3 minutes or less: Do not remark from the audience.
- State your name & city and direct comments to the entire Council (They will not respond).

Paul Sturm, of South Weber City, believed the numerical value shown in Special Event Permit Fee Schedule #2 should be changed from 250 to 299 to eliminate any confusion.

Merv Taylor, of South Weber City, thanked Mayor Westbrook, City Council, and city staff for the great job they are doing to maintain South Weber City. He recognized South Weber City is a place where individuals come to live and want their children's families to live. He reported a month ago he sat at 475 East and South Weber Drive between 4:15 and 5:30 and counted vehicles. He could not believe the number of vehicles that turn and go to the freeway or to Riverdale. He opined the city needs a road to Layton City. He commended the previous Code Enforcement Officer Chris Tremea for the way he recently handled a vehicle he had for sale on the street.

PRESENTATIONS:

4. Real Estate Market Overview by Kenny Conners

Realtor and resident of South Weber Kenny Conners explained Governor Cox requested information concerning the real estate market be given to cities throughout the state of Utah, so city officials have real numbers. Mr. Conners reported on the statistics collected by Wasatch Front Regional Multiple Listing Service on 24 October 2022 for the state of Utah, Davis County, and South Weber City. There are 10,299 active homes for sale in the state, 912 in Davis County, and 21 in South Weber City. He predicted South Weber City will see homes staying on the market longer. Mr. Conners shared information gathered from UtahRealEstate.com which breaks down residential properties into price ranges. He revealed individuals are having difficulty finding affordable housing. Councilman Dills inquired on the cost of newly constructed homes. Mr. Conners replied he can get that information for Councilman Dills. Finally, Mr. Conners reviewed the market summary report and sales per month report for the last two years.

ACTION ITEMS:

5. Consent Agenda

- **27 September 2022 Minutes**
- **2022 Street Maintenance Crack Fill Awarded to C & B Striping/Asphalt for \$51,225**

City Manager David Larson recently learned of another city awarding contracts in the consent agenda section. He noted if the Council has questions or concerns with a particular item, they are free to pull it out and discuss it further as a separate action item. Councilman Soderquist questioned the large range between bidders for the street maintenance project. City Engineer Brandon Jones replied that C & B is new, and he did contact references which were all positive. He will conduct a preconstruction meeting with them relating city expectations and will continue to monitor them during the project to make sure they fulfill their agreement with the city. There is also a bid bond in place to ensure the one-year warranty period.

Councilwoman Alberts moved to approve the consent agenda as written. Councilman Halverson seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

6. Resolution 22-45: Adding Special Event Fees to the Consolidated Fee Schedule (CFS)

The Consolidated Fee Schedule (CFS) does not include a breakdown of the current charges for the special event permitting process. City Council discussed this resolution previously during City Council Meeting on September 27, 2022 and requested additional information regarding

when a special event permit is needed. The Parks & Recreation Committee met on October 4, 2022 to provide direction on what details the Council needed to make an informed decision. They created the following guidelines.

What events require a special event permit?

- Events with peak attendance above 250 people on public or private property
- Non-resident events
- For-profit events
- Events that desire to close a public street or sidewalk
- Events that set up tents or canopies in public parks
- Events that require additional electrical power in public parks

What events do NOT require a special event permit?

- Family gatherings
- City sponsored events
- Events on private property with peak attendance below 250 people

The Committee also recommended establishing the special event deposit at \$150 (250 people) with an additional \$75 for every 100 people peak attendance and doubling the fees for non-residents.

Councilwoman Petty asked how a city sponsored event is defined. City Manager David Larson replied any event the city is actively sponsoring, hosting, participating, organizing, and putting on for the residents. Councilwoman Petty queried where the Train Club fits because their contract states they can hold one event for the city, but they do have other events throughout the year. Councilman Halverson expressed it depends on what is required for the event. Councilwoman Alberts mentioned the Train Club holds a Halloween event every year in which they usually have 250+ participants. Councilman Halverson queried if the Public Works Department, Davis County Sheriff's Department, and South Weber Fire Department are required to be in attendance. Mr. Larson replied there are specific thresholds where they would be required. He added 250 participants does not necessarily trigger the need for those entities; however, 250 is the number identified by the Parks & Recreation Committee as to when the conversation would take place regarding the need. Councilman Halverson investigated what has been done in the past with the Train Club and if it considered a city sponsored event. Councilwoman Alberts indicated the Train Club was utilized for the city sponsored Easter Egg Hunt. Councilman Halverson added the Train Club needs to get the special event permit, but it does not mean they are charged all the fees. Mr. Larson clarified the city sponsoring the Train Club versus the city hosting the event. City Attorney Jayme Blakesley explained there is liability with this type of event and suggested keeping the Train Club a non-city sponsored event. He proposed the city put together a fee waiver application that can be reviewed and consideration given for a possible fee waiver for these types of events that are run by a non-profit organization.

Councilman Soderquist questioned the procedure for a charity event. Mr. Larson indicated the consolidated fee schedule allows for the city to waive a fee, although it is not practiced by the city. He suggested if there are areas of concern with the Council concerning the procedure, it could be reviewed. Councilman Soderquist wondered how fees could be collected if an event is anticipated to have 250 participants and it actually ends up three times that. Mr. Blakesley stated

the city can stop an event until services are in place to handle a larger crowd or increase the deposit by 10% to 25% for contingencies.

Councilwoman Petty suggested amending item #2 from 250 to 299. She questioned who determines when the extra fire, police, or public works are necessary. Mr. Blakesley replied the threshold is established by the County Department of Health. He explained there is a permit process for a gathering of a certain size and then there is a separate but concurrent process for renting city facilities. The rental of city facilities requires a waiver, and the waiver document is tailored to the specific event.

Councilman Dills voiced concern with the fees and does not think the city should be making money from an event. Councilman Halverson conveyed the Public Safety fees are low. Mr. Larson explained the numbers were to cover costs and not make money. He reported Davis County Sheriff's Department and South Weber Fire Department provided the amounts.

Councilwoman Petty moved to approve Resolution 22:45: Adding Special Event Fees to the Consolidated Fee Schedule (CFS) with the amendment on Chapter 23 item #2 from 250 to 299. Councilman Soderquist seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

Further discussion took place regarding the Train Club. Mr. Larson suggested when the Train Club agreement comes forward, the city should spell out clearly whether it is a city sponsored or a private event. Councilman Soderquist questioned how this resolution will apply to church groups or sporting events happening at schools. Mr. Larson replied that the Parks and Recreation Committee had no intention of charging religious groups in the community. Councilman Dills expressed if there is wear and tear on the field or the need for people to clean up, they still need to pay the same amount. If they are using the entire park, then they should pay the same fee. Mr. Larson suggested having the same type of planning conversation about their needs. Councilman Soderquist queried how this applies to schools and if they have games that pull in 200+ people, because the resolution states public or private property. Mr. Larson expressed a school is not renting a public facility. Mr. Blakesley acknowledged if the Council is interested in looking at those kinds of questions, then the Council needs to look at the ordinance and make sure it addresses those circumstances properly. He suggested the Code Committee review it. He did not think the Council is changing the standards or rules by approving a special event permit fee. Councilman Soderquist favored putting something in place now and supported the flexibility to come back with an amendment. Mr. Larson agreed there are city code parameters that need to be clarified rather than the fee schedule. He added a conversation needs to take place concerning how special events show up in city code.

DISCUSSION ITEMS:

7. City Center Planning Process

Mayor Westbrook explained the City's Vision Statement is "A family-focused community, driven by heritage, safety, and *charm at its heart.*" The City's Mission Statement: "South Weber City's mission is to ensure a safe haven for families, facilitate neighborhood connections, honor our heritage, provide reliable and financially sustainable municipal services, and *develop a community with a heart.*" (emphasis added) The City's mission and vision statements mention

the heart of the community, pointing to both the caring nature of South Weber residents and the importance of physical space that can function as the beating heart of the community. While the individuals within the community prove their personal charming hearts every day through acts of service and caring for each other, there is no established plan to develop a physical heart or city center.

This is a long-range planning activity. Although future decisions regarding the city center will need to be made such as where it should be located, what should be included, how it will become the heart of the community, and when this can be accomplished; the goal at this meeting was for the Mayor and Council to identify the process for establishing a city center plan--not to begin working on the plan itself. In other words, how do we want to go about making decisions regarding a future city center?

Process questions for Council consideration, the answers to which could help establish the decision-making process are:

- Who is the final decision-maker for what is included (and not included) in this plan?
- Whose input is needed to establish the plan?
- What information is needed to make decisions regarding the following aspects of the plan?
 - Where should the city center be located?
 - What characteristics make a physical heart for the community?
 - What structures/facilities/amenities/services/activities/etc. make for a heart of the community?
- How do we gather the above information?
- How much time is needed to establish the plan?
- What is the planning timeline?

Councilman Halverson expressed there are not a lot of options in the center of the city with the limited property available. Councilman Dills presented Central Park as being a good place to start with the Fire Station and Family Activity Center located there. Mayor Westbrook favored involving residents. Councilwoman Alberts suggested updating the General Plan to include this information and involving the Planning Commission. She proposed a community theatre such as Ziegfeld, Terrace Plaza, or Pickleville. Councilman Soderquist advised being careful about publicly identifying locations. Councilwoman Petty agreed with obtaining public feedback. Councilman Halverson emphasized the need to budget money now for future funding.

Mr. Blakesley recommended discussing possible locations in a closed meeting. Mr. Cahoon suggested a feasibility study. Councilman Soderquist added any type of survey should include how much individuals are willing to pay for certain amenities. Councilman Dills enjoined looking for examples from other cities. Councilwoman Petty volunteered to have the Public Relations Committee discuss it further.

8. Title 10 Chapter 5 Article C: Residential Multi-Family Seven Zone (R-7)

During a discussion in Planning Commission on September 15, the Commission gave directions to staff to update the code in the following ways:

- Update the definitions as recommended
- Allow townhouses as a permitted use

- Maintain density at 7 units an acre, but explore adding a future update overlay zone
- Establish a minimum lot area and minimum lot width
- Utilize sections for zero lot lines and setback orientation for share common space as recommended
- Alter front setback lines to 25 feet to accommodate for large vehicles
- Include diagrams to demonstrate setback requirements

Staff made those updates, and the Planning Commission discussed the changes in a public meeting on October 13, 2022. The only exception is including a minimum lot area. Staff recommended that having a minimum lot width would be sufficient to dictate design aesthetic and would allow for more flexibility of design than restricting a minimum lot area. The Planning Commission officially moved to recommend approval of the changes and pursuing adding an overlay zone that could include architectural design standards. The vote was 3-0. Commissioners Boatright and McFadden were not in attendance.

The City Council instructed the Code Committee to consider zoning amendments to allow for a townhome development for individual ownership. As the Code Committee reviewed the R-7 zone, it became clear that the ordinance was written with parameters in a similar fashion to a single-family zone thus making it difficult to plan a multi-family development. The Code Committee discussed various housing types that would be more appealing to future development other than traditional townhome, high-rise, or garden style apartments. Through the conversation the Committee identified the main issue with multi-family housing is the visual appeal and congruence of form with surrounding single-family units already established within the area. To answer these concerns two concepts were discussed, type of housing unit and design standards.

In the case of architectural design standards, the state of Utah has limited the City's ability to impose design standards upon single-family developments. It does not prohibit a city from imposing design standards on multi-family units. Within the state code there is a provision to allow a City to impose a design standard on single family developments if the code allows for a density incentive utilizing an overlay zone. This would mean that if the city were to allow a developer to have more density than a zone would typically allow then the City would be able to impose design standards for the development. With this line of thinking, if the City were to seek for particular multi-family or single-family units by offering more density then we would be able to dictate the form of the units themselves. The Code Committee discussed the possibility of reducing the allowed density within the R-7 zone to 5 units per acre and offering an incentive of up to 7 units per through application of an overlay zone. This process would allow the City to better control the type of development that is found within the R-7 zones of the City.

Councilman Dills questioned if there should be design standards if there will be zero lot lines. Mr. Cahoon replied all currently zoned R-7 properties are entitled. Councilwoman Alberts added the Code Committee discussed design standards at length and whether or not there can be an overlay zone for the R-7 Zone. Mr. Blakesley explained a development agreement can include certain design elements. Councilman Halverson favored options for bonus density. Mr. Larson asked if the Council desires to change to R-5 knowing the overlay zone is not yet in place or do they want to wait and bring it forward all together. The Council agreed the Planning Commission needs to weigh in what the overlay should include at the next Planning Commission meeting.

Councilman Halverson discussed sizing of driveways and suggested 25' verses 20' to allow for larger vehicles to park in a driveway. Councilwoman Petty added she would like the Planning Commission to address architectural design – facing of home, stone, Hardie board, etc. Councilman Soderquist agreed but was concerned requiring a large garage would create smaller living space. He did not favor the Mansion style apartment with a common entrance.

REPORTS:

9. New Business

Canyon Meadows Park Train Club: Councilman Dills declared the north end area has new tracks. He met with John Grubb concerning the creation of a new contract. The club is looking at hiring a professional company to take care of the weeds. He expressed the club is moving in a positive direction. Councilwoman Petty requested a new contract come before the City Council for review.

10. Council & Staff

Mayor Westbrook: attended the Central Weber Sewer District meeting. Their expenditures have increased dramatically for oil and chlorine. The Council of Governments (COG) session covered the expansion planned at the Legacy Center for national sporting events.

Councilman Dills: announced he attended the Mosquito Abatement Conference where they discussed different types of treatments and spreading them with drones. He worked with the Recreation Department assessing the results from the survey. He thanked those who participated with the Halloween Bash. He has been working with Mr. Larson and Davis County School District regarding the agreement for the Family Activity Center.

Councilwoman Alberts: reported the Code Committee met today and decided to move RV and Street Parking and Traffic Study Standards to the Public Safety Committee. They also discussed amending development procedures and directed Mr. Cahoon to put together a zoning matrix.

Councilman Soderquist: conveyed the Admin/Finance Committee met. The city retreat will include a deeper discussion concerning city finances. They also discussed a more visible financial dashboard to review resources. There is still \$560,000 in ARPA funds. Councilman Dills agreed with the dashboard idea.

Councilwoman Petty: thanked all those involved with the Halloween Bash.

Councilman Halverson: disclosed the Public Safety Committee discussed possible changes with county dispatch and the possibility of mailboxes on the north side of South Weber Drive. Mr. Larson will check with post office. Councilman Soderquist reported that issue was previously addressed, and he forward information to Mr. Larson. Councilman Halverson added the committee is working with city staff concerning the application process for signs.

Community Services Director Trevor Cahoon: shared The Gateway Development has completed their preconstruction meeting. The developers are no longer selling the commercial portion of their property. The final inspections have been completed at Sophia's Haven.

City Attorney Jayme Blakesley: clarified a consent agenda can be used to streamline meetings. If any member from the Council wishes to remove an item on the consent agenda, they can do so to discuss it further.

ADJOURN: Councilwoman Petty moved to adjourn at 8:24 p.m. to go into a **CLOSED SESSION** held pursuant to the provision of UCA section 52-4-205 (1)(d) and (e) to discuss the Purchase, Exchange, Lease, or Sale of Real Property. Councilwoman Alberts seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

APPROVED:  Date 11-15-2022
Mayor: Rod Westbrook


Transcriber: Michelle Clark

Attest: 
City Recorder: Lisa Smith



**Comments to South Weber City Council
for 25Oct22 Meeting
by Paul A. Sturm**

Public Comment on Action Item #6 - Reference Packet Pages 10-11 of 23

<u>ACTION ITEMS</u>
6. Resolution 22-45: Adding Special Event Fees to the Consolidated Fee Schedule (CFS)

As Proposed from the Packet - Page 11:

CHAPTER 23: SPECIAL EVENT PERMIT FEES	
1. Application Fee	\$ 50/\$100 non-resident
2. Refundable Damage Deposit	\$150 (Inspection required)
	additional \$75 for each 100 people above 250
3. Public Works	
A. 1-299 participants	\$ 75/\$150 non-resident per hour
B. 300-499 participants	\$100/\$200 non-resident per hour
C. 500 or more participants	\$150/\$300 non-resident per hour
4. Public Safety/Law (Based on size of event)	
A. Minimum of 2 deputies	\$ 30/\$60 non-resident per hour
5. Public Safety/Fire and EMS	
A. 1-299 participants	\$ 75/\$150 non-resident per hour
B. 300-499 participants	\$100/\$200 non-resident per hour
C. 500 or more participants	\$150/\$300 non-resident per hour
(Includes ambulance on site)	
D. Special Hazards	\$500/\$1,000 non-resident per hour
Note: Public property rental application and fees are separate.	

Public Comment:

My only comment is that I believe the numerical value shown in Special Event Permit Fee Schedule #2 (below) should be changed from **250** to **299** so that the other numerical values shown in Special Event Permit Fee Schedules #3 and #5 would match with each other. This should eliminate any confusion where the attendance number is between **251** and **300** and what fees should apply.

2. Refundable Damage Deposit	\$150 (Inspection required)
	additional \$75 for each 100 people above 250

This would also necessitate a change on Packet Page 12 of 23 within Resolution 22-45.