

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 28 November 2023

TIME COMMENCED: 6:00 p.m.

LOCATION: South Weber City Office @ 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 MANAGER: David Larson

COMMUNITY SERVICES DIR: Trevor Cahoon

COMMUNITY SERVICES ASSIST: Shaelee King

DIRECTOR OF FINANCE: Mark McRae

CITY ENGINEER: Brandon Jones

CITY TREASURER: Maryn Peterson

CITY ATTORNEY: Jayme Blakesley

CITY RECORDER: Lisa Smith

Minutes: Michelle Clark

ATTENDEES: Layne Kap, Paul Sturm, and Dana Shuler.

1. Pledge of Allegiance: Councilwoman Alberts

2. Prayer: Councilman Halverson

3. Public Comment: Please respectfully follow these guidelines.

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

Paul Sturm of South Weber City commented on the public works facility project scope of work change. He questioned if the proposed change would invalidate the initial project approval and if the change would be an amount above the City Manager's authority to grant.

ACTION ITEMS**4. Consent Agenda**

- **10 October 2023 Minutes**
- **24 October 2023 Minutes**
- **October Checks**
- **September Budget to Actual**

Councilwoman Petty recommended the city purchase an ice machine for the Fire Department instead of leasing. Councilman Halverson responded the Public Safety Committee will discuss this request.

Councilman Halverson moved to approve the consent agenda as written. 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.

5. Public Hearing for Fiscal Year 2024 Budget Amendment

The current budget was adopted on June 13, 2023. Since the adoption of the budget, additional items have come before the council that were not included in the original budget. These amendments address these unforeseen expenditures. Several of the amendments are for items not completed in the 2023 fiscal year, and the remaining portion of the projected is being re-budgeted. These include the Petersen Memorial, City Hall remodel, Cherry Farms ballfield, and the Fire Department auxiliary building.

The Pickleball program and City Hall Parking lot are new expenditures. The garbage cans and insurance are expenditure increases. The expenditures for the Public Works Director are being moved from the Community Services' budget to the Street's budget and two additional Parks' department employees are included in the amendments. There is also an increased amount for the street light replacement program.

Councilwoman Petty moved to open the public hearing for fiscal year 2024 budget amendment. Councilman Soderquist seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

----- **PUBLIC HEARING** -----

(No Public Comments)

Councilwoman Alberts moved to close the public hearing for fiscal year 2024 budget amendment. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

----- **PUBLIC HEARING CLOSED** -----

6. Resolution 23-53: Fiscal Year 2024 Budget Amendment

Councilman Soderquist moved to approve the fiscal year 2024 budget amendment. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote.

Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

7. Ordinance 2023-15: Rezoning 2.169 acres at approximately 1721 E South Weber Drive, Parcel 130300009, from Agriculture (A) and Residential Low (RL) to Residential Moderate (RM) The city is in the process of relocating the Public Works Facility from its current location on South Weber Drive. The property currently occupied by the Public Works Facility (approximately 2.169 acres) will be put on the market for sale. Prior to any sale, the city would like to rezone the property to conform with the General Plan and make it clear what the future land use would be for the site. The property currently has a split zone between Residential Low Density (R-L) and Agriculture (A). The General Plan anticipates the property to be R-M and the current proposal is to rezone it to R-M.

Councilwoman Alberts expressed she does not think the city should be requesting the rezone for this property at this time and recommended it remain Agriculture (A) and Residential Low (R-L). Councilman Dills agreed. City Manager David Larson reviewed that the City Council requested the rezone in an earlier meeting. City Engineer Brandon Jones understood it was because the residential moderate zone would increase the value of the property and would be easier to sell. Councilwoman Petty agreed.

Councilman Halverson moved to approve Ordinance 2023-15: Rezoning 2.169 acres at approximately 1721 E South Weber Drive, Parcel 130300009, from Agriculture (A) and Residential Low (R-L) to Residential Moderate (R-M). Councilwoman Petty seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Halverson, Petty, and Soderquist voted aye. Council Members Alberts and Dills voted nay. The motion carried 3 to 2.

8. Ordinance 2023-16: Amending Title 1 Chapters 3 City Manager and 4 Officers and Employees

Current Finance Director Mac McRae has announced his retirement as of January 5, 2024. In preparation to appoint a successor, staff researched the Utah State Code and discovered the need to update City Code to specifically designate the Finance Director position as appointed. Staff recommends approval of the ordinance which clearly identifies the Finance Director position as one that requires Mayoral appointment with advice and consent of the City Council, clarifies separation of duties for the Finance Director and City Treasurer, and designates succession of the City Manager duties in case of temporary absence.

Councilman Soderquist moved to approve Ordinance 2023-16: Amending Title 1 Chapters 3 City Manager and 4 Officers and Employees. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

9. Resolution 23-54: US Department of Labor Water Storage Agreement

Back in late 2019, the Division of Drinking Water (DDW) put Weber Basin Job Corps water system under a corrective action order due to failing water samples. Job Corps approached the city for help. Within 12 months, the City and Job Corps negotiated and entered into an agreement whereby Job Corps would pay the city for the design and construction of a new water system, plus the cost of the design of the East Bench Water Transmission Project. By December 31, 2020, Job Corps had a new water system in operation.

Follow-up inspections by the DDW discovered that Weber Basin Job Corps water system had no regulatory water storage. The City and Job Corps once again started negotiating. Based on the Culinary Water Capital Facilities Plan, the city has excess water storage. In the agreement, the city reserves 22,345 gallons of water storage solely for Job Corps in return for a lump sum payment of \$64,480.87, essentially an impact fee. Additionally, Job Corps will begin paying a water utility fee for the maintenance and operation of the storage tanks.

Councilwoman Petty moved to approve Resolution 23-54: US Department of Labor Water Storage Agreement. Councilman Soderquist seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

10. Resolution 23-55: Consolidated Fee Schedule Chapter 13 Family Activity Center Amendment

The Recreation Committee recommended introducing a new tier of membership - the Family Activity Center (FAC) Pass Plus! This enhancement includes adjusted fees for existing annual passes, aimed at elevating the appeal and encouraging more families to invest in the joy of year-long access to our facilities. The Pass Plus will be available for an individual or as a family, but only on an annual basis. By reducing the price of the current annual passes and adding these additional benefits, the Committee hopes to entice additional annual pass sales, either through the reduced price for the current offering or through the added value of the Pass Plus.

The Committee is recommending the creation of a new pass level with the additional membership benefits outlined below.

VALUE	BENEFITS
\$150-\$240	All the Benefits of an FAC pass - open gym, weights, track, pickleball, boot camp
\$30-\$50	1 Free FAC Room Rental* (up to 3 hours) OR 1 Free Youth Sports Program Registration
\$3.50 to \$5	10% Discount on Youth Sports Program Registrations
\$3 to \$5	10% Discount on room rentals
\$1.50 to \$3.50	10% Discount on park rentals
\$44	20% Discount on full FAC facility rental

* Room Rental Options - Dance, Multi-Purpose, Half Gym (not open on holidays)

Additionally, an amendment added Weber Basin impact fees to the consolidated fee schedule. City Engineer Brandon Jones explained how the impact fee was calculated.

Councilman Soderquist moved to approve Resolution 23-55: Consolidated Fee Schedule Chapter 13 Family Activity Center Amendment with the additional amendment for Weber Basin Water impact fees. Councilman Dills seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

11. Resolution 23-56: Kastlecove Phase 1 Development Agreement Addendum

Community Services Assistant Trevor Cahoon explained when the Development Agreement was first discussed there was concern that the city property should not be deeded to the developer unless the Lester Street connection to 7375 South was constructed. Section 8 of the agreement covers the action items that are required before the city will deed the property to the developer. Item 8.5 addresses the construction of all surface improvements. This item specifically mentions that asphalt (pavement) must be installed. The developer is currently in the process of installing all the underground utilities. Due to the time of year, there is concern that the weather conditions will not allow for the road to be paved when everything else is ready. Mr. Cahoon added the Developer, Layne Kap, is requesting an amendment to the Development Agreement which would allow the plat to be recorded after the road base for the street is installed, but prior to asphalt pavement.

Councilwoman Petty moved to approve Resolution 23-56: Kastlecove Phase 1 Development Agreement Addendum. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

12. Public Works Facility Project Scope of Work Change

The City Council awarded the building portion of the Public Works Facility Project to Valley Design & Construction (VDC) on September 12, 2023, with the understanding that the site work for the project would be designed by Jones & Associates then bid out separately. Councilman Halverson explained in a meeting of the Municipal Utilities Committee (MUC) on November 9, 2023, VDC presented the idea of them taking ownership of the bid and construction management. The MUC unanimously agreed that adjusting the scope to have VDC solicit bids for the site work and then perform the construction management would provide the greatest benefit to the city on the project moving forward. He added this will be a cost benefit to the city as well as the MUC and City Council will continue to be involved with the bid process.

Councilman Soderquist moved to approve Public Works Facility Project Scope of Work Change. Councilwoman Petty seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

DISCUSSION

13. Ordinance 2023-17: Adopt City Code Title 2 Chapter 3 Impact Fees, Amend Multiple Sections of Title 10 Zoning Regulations, Replace Title 11 Subdivision Regulations and Amend Development, Design, and Construction Standards

Community Services Assistant Trevor Cahoon explained the Planning Commission unanimously recommended approval of the ordinance in its entirety with the following amendments:

- Section 11.07.04 referencing the minimum required fencing but noting that alternate fencing can be approved by the Planning Commission as provided later in the section.
- Updating word “any” instead of “the” in the standard residential street section.
- Clarify on page CW1 placement on the water meter to be centered on the frontage.
- Modify any inconsistency of the term conference to the word meeting.

Mr. Cahoon acknowledged there are several amendments that were necessary to comply with state code. Councilman Halverson discussed concerns with the Planning Commission and city staff reviewing preliminary plats and no option for City Council review. It was noted the City

Council can designate a committee to review preliminary plats, but the state has clearly taken the final approval away from the legislative body. Mr. Cahoon discussed the difference between legislative process and administrative process. The Council felt the staff is very capable at this time, but employment changes could necessitate another option. They added to 11.01.04 Definitions under Administrative Land Use Authority the language “The City Council reserves the right to change the members of the appointed board at its discretion.” Councilman Halverson queried if secondary water signatures should still be on the plat. Mr. Jones stated it can be required or requested. Councilman Dills thanked Trevor Cahoon and Brandon Jones for all their hard work and effort in putting this together. City Attorney Jayme Blakesley reviewed the ordinance and agreed it complies with the state code.

REPORTS

14. New Business

COG Meeting: Mayor Westbrook announced Hill Air Force Base Air Show will be held June 29 & 30th, 2024.

Point in time count: Mayor Westbrook conveyed Davis County is requesting volunteers from 3:30 am to 7:30 am to count homeless people in the county.

Weber Basin Project along Highway 89: Councilwoman Alberts stated residents have questioned whether Weber Basin will conduct reclamation for the vegetation removed.

Ski and See: Councilman Dills announced the new retail business in South Weber City.

Sasquatch: Shaelee King reported the large Sasquatch statue used for “Spot the Squatch” was taken. She pleaded with whomever has it to return it.

15. Council & Staff

Councilman Dills: reported Cherry Farms Park ball diamond project has been completed. A meeting was held with the South Weber Train Club and there are several ideas for next year. The contract between the city and the Train Club was signed in October and an invoice has been sent for their first lease payment.

Councilwoman Alberts: Breakfast with Santa will be December 16th at 10:00 am.

Councilman Soderquist: The Admin/Finance Committee will discuss ARPA Funds for next year. He questioned Mr. Cahoon on the email received from the state concerning Moderate Income Housing. Mr. Cahoon explained the state rejected the plan submitted by the city.

City Manager David Larson: Announced Trevor Cahoon will be taking employment with another city and Mark McRae is retiring. The staff has taken this time to evaluate departments. It has been decided to consolidate the Administrative Department and Community Services Department to one department. Staff responsibilities will be shuffled. Councilman Dills expressed his concerns with South Weber City being a smaller city and paying higher salaries for directors. Councilman Halverson voiced concerns with losing any city planning. Mr. Larson explained the position of a Community Development Manager. Brandon Jones acknowledged all

the work Trevor Cahoon has completed and recommended that be considered when hiring someone else.

Layne Kap thanked the Mayor, Council, and city staff for their hard work and service.

CLOSED SESSION held pursuant to the provision of UCA section 52-4-205 (1)(c)

17. Discuss Pending or Reasonably Imminent Litigation

Councilman Soderquist moved to go into a Closed Session held pursuant to the provision of UCA section 52-4-205 (1)(c) to discuss pending or reasonably imminent litigation at 7:18 p.m. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Alberts, Dills, Halverson, Petty, and Soderquist voted aye. The motion carried.

18. Adjourn

APPROVED: _____ **Date** _____
Mayor: Rod Westbrook

Transcriber: Michelle Clark

Attest: City Recorder: Lisa Smith

