

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 30 June 2020

TIME COMMENCED: 6:02 p.m.

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

PRESENT: MAYOR:

Jo Sjoblom

COUNCIL MEMBERS:

Hayley Alberts
Blair Halverson
Angie Petty
Quin Soderquist
Wayne Winsor

CITY RECORDER:

Lisa Smith

FINANCE DIRECTOR:

Mark McRae

CITY ENGINEER:

Brandon Jones

CITY MANAGER:

David Larson

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Paul Sturm, Darrell Byram, and Ryker Alvey.

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

1. PLEDGE OF ALLEGIANCE: Councilman Soderquist

2. PRAYER: Councilman Halverson

3. CORONA VIRUS UPDATE: Mayor Sjoblom reported the COVID -19 infection rate continues to rise. Hospitalization was at 65% and still stable. Hospitals are currently doing aggressive therapies (primarily steroid treatments) that have reduced the number of intensive care unit (ICU) patients on ventilators (ventilators described by some as a death sentence). Davis County estimated identifying one positive case out of every three tested. Health & Economic Recovery Outreach (HERO) Project determined that 1% of the population has antibodies (based on sampling of more than 6,500 households in Summit, Salt Lake, Davis, and Utah Counties). Face coverings are now required in all state facilities including state college campuses and liquor stores through July 10 by executive order of Governor Herbert. Face masks are also required by public health order in Salt Lake and Summit counties. Davis County is not ready to make masks mandatory and pleads with cities to really push masks, distance, and handwashing and set an example to avoid sending the economy and risk levels backwards. David specified South Weber City is doing a really good job as far as numbers with only three active cases.

- 4. PUBLIC COMMENT: Please respectfully follow these guidelines:**
- a. Individuals may speak once for 3 minutes or less**
 - b. Do not make remark from the audience**
 - c. State your name and address**
 - d. Direct comments to the entire Council**
 - e. Note City Council will not respond during the public comment period**

There was no public comment.

ACTION ITEMS:

5. Resolution 2020-28: 2020 Street Maintenance Project:

Mayor Sjoblom explained on June 23, 2020 at 2:00 pm bids were opened for the 2020 Street Maintenance Projects. Five bids were received.

The project contains 4 sections.

Section A (reconstruction). This section includes reconstructing the east portion of 8150 South and spot repairs in the Sun Rays and Bowman Old Farm Estates Subdivisions. The money for these spot repairs was taken out of the escrow accounts set up for these developments. The reconstruction work on Cottonwood Drive will be bid next spring following completion of the waterline project.

Section B (chip & seal). This section includes several developments and a section on 1900 East that was not done previously.

Section C (concrete work). This section includes various locations where mainly sidewalk and a few ADA ramps will be replaced. Based on the bids received, the quantity of work will need to be reduced in order to stay under budget.

Section D (crack fill). This section includes various streets where crack fill will be installed.

The locations and treatment types for these streets were recommended by the staff based upon their condition, treatment type needed, prior treatments, and location of future capital projects. A high priority was placed on crack fill this year. The staff's goal is to get this done on all streets throughout the city over the next several years (depending on prices and funding), while balancing the needs of other areas with different treatment needs. In evaluating the bids received, there was not a clear recommendation. The following options were presented to council. Brandon expressed a higher level of confidence with Option #2, but the city council must decide. Option #2 is approximately \$20,000 more than Option #3.

Option #1 – Award Bid to Overall Low Bidder (All Sections)

This option would award the bid to Post Construction Company for a total of **\$371,980.64**.

- Pros: Only having the administration costs for one contractor (paperwork, meetings, pay requests, etc.). Elimination of the need to coordinate work and schedules between different contractors. Contractor that has great references with a proven history of quality work.
- Cons: Higher cost than Options #2 and #3.

Option #2 – Award Bid to Overall Low Bidder, but award Section B directly to subcontractor (hybrid of Option #1) This option would award the bid to Post Construction Company for Sections A, C, and D. Since Post’s subcontractor for Section B is Staker Parson, and Staker Parson is the low bidder on Section B, award Section B directly to Staker Parson. This results in an approximate savings of \$15,000 for a total bid of **\$356,777.06**.

- **Pros:** Same benefits as Option #1, but with a lower cost. Both contractor’s proven history of quality work.
- **Cons:** Slightly more time and cost to administer two contracts. Higher cost than Option #3.

Option #3 – Award Bid to Low Bidder for each Section This option would award Section A to Advanced Paving, Section B to Staker Parson, Section C to Consolidated Paving and Section D to Post Construction for a total of **\$336,491.38**.

- **Pros:** Lowest cost option. History of quality work with Staker Parson and Post Construction.
- **Cons:** More time and cost to administer four contracts. Need for coordination of work and schedules between contractors. Unknown work history with Advanced Paving (under new management since the last project completed in the city) and Consolidated Paving (did the concrete work for the city last year but used a subcontractor, where this year they are proposing to do the work themselves). Contractors’ references report both good and poor.

Conversation took place regarding Option #3. Brandon Jones, city engineer, explained Option #3 will require some overlap; however, the four contractors won’t necessarily be on top of each other because of the type of work they will be doing. He reported the city is getting a better deal because of the quantity of work. Concerns were addressed concerning 8150 South and the compaction for the street because of the “sugar sand” in the dirt. Council wondered if this work would have to be repeated and why the issue wasn’t noticed during construction by the developer. Brandon explained the city standards are higher now and inspections are better than they were back when this subdivision was developed. Mayor Sjoblom asked about the chip and seal process given the recent complaints surrounding the Interstate 89 chip and seal project. Brandon specified the city uses a different product which is specifically designed to minimize problems. Councilman Alberts was contacted by a resident concerning a sinking sidewalk on Canyon Drive. The city was aware of the issue and the sidewalk repair project includes this resident’s concern.

Councilman Winsor moved to approve Resolution 2020-28: 2020 Street Maintenance Project Option #3 and award the bid to:

- **SECTION A (reconstruction) to Advanced Paving and Construction for \$107,463.00, completed by September 30th**
- **SECTION B (chip & seal) to Staker Parson Materials & Construction for \$104,087.06, completed by August 31st**
- **SECTION C (concrete work) to Consolidated Paving & Concrete for \$63,741.32, completed by September 30th**

• **SECTION D (crack fill) to Post Construction Company for \$61,200.00, started after October 1st and completed by November 30th**

Total of \$336,491.38

Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

6. Fraud Assessment Report:

Mayor Sjoblom explained the state auditor issued a new requirement that each local government entity needs to complete an annual fraud risk assessment before the end of each fiscal year starting with the current fiscal year. On June 16, the city council assigned the finance director to complete the assessment. The results of that assessment were presented to the city council. The audit committee will be meeting over the next few months to review the assessment and work with staff to improve those areas lacking as identified by the assessment. Many of the areas referenced have procedures and practices already implemented to prevent fraud but these practices are not documented in a written policy.

Mark McRae, finance director, stated the government has templates for these policies and the city needs to get them into written policy. He will be meeting with the finance committee to begin working to solve this issue.

Councilman Soderquist moved to approve the fraud assessment report. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

DISCUSSION ITEMS

7. Ordinance 2020-02: City Code Title 4 Public Health and Safety:

Lisa Smith, city recorder, explained the state legislature passed House Bill 202 which limited the council's authority regarding certain code violations. Violations pertaining to an individual's pet (defined as cat/dog) or an individual's use of residence cannot be greater than an infraction. Municipalities may also not issue more than one citation within a 14-day time period. To be in line with state code, the city code needed to be amended. State law also does not allow code officers to issue citations so the appropriate wording would be "notices". Chris Tremea, representing code enforcement and Lisa Smith, representing the court reviewed the city codes that would fall under the state's new guidelines. They found 4-2-3 nuisances on property, 4-2-7 weed ordinance, and 4-3-2 abandoned vehicle (if at a residence) would be tied to use of an individual's residence and should be reclassified as infractions.

They also discovered the fine amounts were inconsistent. The state fine schedule recommends:

| <u>LOCAL ORDINANCES</u> | Recommended/Maximum | |
|-------------------------|---------------------|-----------------------|
| • Class B | \$350/1000 | *Mandatory Appearance |
| • Class C | \$180/750 | |
| • Infractions | \$110/750 | |

City staff recommended assigning fees by code title rather than classification as follows:

- Title 3: business and license regulations \$200
- Title 4: public health and safety \$250
- Title 5: police regulations \$250
- Title 6: motor vehicles and traffic \$50
- Title 7: public ways and property \$100
- Title 8: water, sewer, storm water and drainage \$350
- Title 9: building regulations \$300
- Title 10: zoning regulations \$150

Lisa suggested as the code is reviewed in the upcoming year, looking at the fine amounts. It would also be a good time to look at the requirements of reporting to BCI and requiring a court appearance. An exchange took place regarding the code enforcer issuing a minimum of (2) warnings before an issue goes to the prosecutor at which time, the prosecutor decides whether or not to issue a citation. Lisa described the typical court process for code violations and the likelihood that even if cited, most would be dismissed. Some questioned if this is too lenient.

8. CARES Act Funding:

Mayor Sjoblom stated the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by congress on March 27th, 2020. The state of Utah is distributing \$62,370,768 of their CARES allotment to cities and counties based on population. This will be done in three distributions of one-third each as money becomes available. South Weber received the first tranche of \$222,593. The total may be as high as \$667,780 based on a population of 7,612, however, the other two distributions are not guaranteed.

The Act established eligible expense guidelines and left the final decision on how the money will be used up to the local jurisdictions. The funds are to cover corona virus related expenditures incurred from March 1, 2020 through November 30, 2020. Any unused funds must be returned to the state of Utah.

Staff reviewed these guidelines as well as additional information distributed by Davis County and the Utah League of Cities and Towns. Possible uses of the CARES funds by South Weber City include miscellaneous items like personal protection equipment, sanitizing supplies, work from home equipment and costs, unemployment costs, etc. Touchless fixtures such as faucets, toilets, soap, and towel dispensers may be installed in all city buildings as an eligible expense. Other areas are live streaming equipment and services; utility customer grants for those severely affected by COVID19; public safety- first responder payroll costs; and participation with Davis County in their grant program to assist business impacted by state restrictions during this time period.

Davis County described their program. “We believe a unified approach to the Small Business Grant program with all 15 cities and the County will reduce confusion, be well received by the

business community and be the most efficient approach to disbursing these funds to businesses. As discussed in council of governments (COG), if every city is willing to participate with 50% of their first tranche funding, we will have \$10 million to push out to our small business community. The key to success will be getting the program information out to the business community by July 6 (estimated application opening date). To do this, it would be helpful to have everything ready for a press release and our marketing material by Friday, June 26th. As County staff, we expect to present the final recommendations for the program to our policy committee on Tuesday, June 23. After our conversation at COG and with commitments from all cities, we are proposing increasing the grant awards to: sole proprietors \$3k, 1-9 employees \$10k, and 10-49 employees \$20k. With this distribution formula, we would be able to award approximately 900 grants to Davis County businesses during the first round of funding.”

Staff presented the following eligible expenditures with estimated costs:

| | |
|---|-----------|
| audio/ video upgrade | \$ 35,000 |
| touchless fixtures | \$ 20,000 |
| miscellaneous | \$ 15,000 |
| fire salaries and benefits (up to 8 months) | \$290,000 |
| utility assistance grants (100 customers {5%} x 3 months x \$100) | \$ 30,000 |
| participation in Davis County small business grant program | \$? |

Questions the council may wish to consider when discussing the use of these funds.

- How can these funds most effectively benefit South Weber residents?
- What areas of the city and community are experiencing the greatest need?
- What is the best use of the CARES Act funds?

Councilwoman Petty was not in favor of giving the county 50% because of the size of South Weber City’s budget and expenses. David Larson, city manager, reported the \$290,000 estimate for fire salaries is an eligible expense. He discussed every call has to be treated as a possible COVID case. Mark advised the city has estimated eligible expenses covered by the first two tranches, but the third tranche could be eligible to go to the county. David reported one item suggested would be to use this money to purchase a gurney for the fire department. Mark clarified the CARES Act money is budgeted and anything extra stays in the general fund.

Councilman Winsor suggested the following priorities:

1. audio/video upgrade,
2. utility assistance grants
3. touchless fixtures
4. miscellaneous
5. fire salaries and benefits

Councilman Halverson verified Davis County is still providing the grant program for small businesses regardless of the city’s contribution. The city council agreed with Councilman Winsor and directed staff to make the purchases.

REPORTS

9. New Business: Council meeting will not be held on July 14, 2020 due to the town hall meeting on July 7, 2020.

Mayor Sjoblom requested revisiting the family activity center (FAC) contract with Davis school district.

10. Council & Staff:

Councilman Halverson: The public safety committee met on Wednesday and received a report from Chief Tolman. He addressed public comment from a citizen concerning the fire department budget. He identified the difficulty with comparing South Weber City to other cities fire departments. He requested a paramedic discussion on the next agenda. David is working to put together a community leader to head up a Community Emergency Response Team (CERT) team.

Councilwoman Alberts: She met with the country fair days committee and the schedule will be coming forward. It is scheduled August 1st- August 8th. Mayor Sjoblom discussed the parade with Tani Lynch who told her the parade may be for first responders only. Councilman Winsor suggested spreading out the length of the parade to help with physical distancing.

Councilman Soderquist: He met with Staker Parson and will be bringing information forward.

Councilman Winsor: The town hall meeting will be July 7, 2020 at 7:00 p.m. at the city office.

Mayor Sjoblom: She and David Larson met with a resident on View Drive to discuss the possibility of easement acquisition for a future trail that will extend from View Drive down to the charter school and Maverik. This resident was willing to entertain the idea and will be involved in further discussions with the city.

Mayor Sjoblom toured the materials recovery facility at the landfill. This is a state-of-the-art facility where they sort cardboard, paper, plastic, metal, aluminum, and green waste. They are still working out kinks as they run at half their capacity. They encourage patrons to continue with residential recycle bins until operating at full capacity next year.

Mayor Sjoblom reported the open houses on the general plan last week went well. Lots of good questions were asked. She suggested turning the feedback from the city survey and open houses over to the planning commission to deliberate and bring recommendation to the city council.

On July 6, 2020 Councilman Winsor and Councilwoman Alberts will be attending a meeting with the city attorney and the neighbors surrounding Cobblestone Manor.

City Manager, David Larson: He reported a four-man crew from South Weber City fire department responded to the Saratoga Springs fire. He specified there is no additional cost to our city. The survey results for the general plan will be put together in a packet for the planning commission to review on July 9, 2020. The planning commission will then give their recommendation to the city council. A public hearing will be held at the city council level. Councilwoman Petty requested the planning commission expedite their recommendations as she

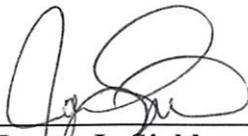
was under the understanding that a deadline was previously set. David replied the deadline is the end of August. He indicated the first line of the city survey asked for a name and address which will not be published.

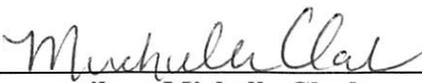
City Recorder, Lisa Smith: She reported there are fifty-three (53) hard copies of the survey to be entered. The Utah Supreme Court posted new orders identifying the courts are still in red. She expected to continue with Webex hearings.

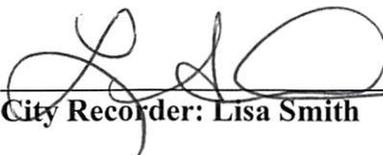
CLOSED SESSION: Councilman Winsor moved to adjourn the council meeting at 7:48 p.m. and go into a closed session held pursuant to the provision of UCA section 52-4-205(1)(c) and (d). discussion of pending or reasonably imminent litigation and discussion of the purchase, exchange, or lease of real property. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

RECONVENE: Councilman Winsor moved to reconvene the council meeting at 9:01 p.m. Councilman Soderquist seconded the motion. Mayor Sjoblom called for the vote. Council members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

ADJOURN: Councilman Winsor moved to adjourn the council meeting at 9:03 p.m. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

APPROVED:  _____ **Date** 07-21-2020
Mayor: Jo Sjoblom

 _____
Transcriber: Michelle Clark

Attest:  _____
City Recorder: Lisa Smith