

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 28 June 2022

TIME COMMENCED: 6:00 p.m.

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

PRESENT: MAYOR: Rod Westbrook

COUNCIL MEMBERS: Hayley Alberts
Joel Dills
Blair Halverson
Angie Petty (excused)
Quin Soderquist

CITY MANAGER: David Larson

CITY ATTORNEY: Jayme Blakesley

CITY RECORDER: Lisa Smith

Minutes: Michelle Clark

ATTENDEES: Paul Sturm, Sergeant Boucher, A. Fisher, and M. Bateman.

Mayor Westbrook called the meeting to order, excused Councilwoman Petty, and welcomed those in attendance.

1. Pledge of Allegiance: Mayor Westbrook

2. Prayer: Councilman Dills

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 & address and direct comments to the entire Council (They will not respond).

Paul Sturm, 2527 Deer Run Drive, opined Davis County Sheriff's Department should cover only residential areas because all other roads within South Weber City boundaries are either state or federal roadways. He also expressed concerns with document formatting.

PRESENTATIONS

4. New Employee Introduction – Erin White

Mayor Westbrook reported Erin White was unable to attend tonight's meeting because she is ill.

ACTION ITEMS

Councilman Halverson moved to open the public hearing to amend 2021-22 Budget. Councilman Soderquist seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

***** PUBLIC HEARING *****

5. Public Hearing to Amend 2021-22 Budget

The current city budget for 2021-2022 was adopted on August 24, 2021. Since the adoption of the budget, several additional items have come before the Council that were not included in the original budget. These amendments address the following unforeseen expenditures:

ANALYSIS

10-36-900 Sundry Revenue	\$ 10,000
10-57-250 Fire – Equipment: Maint. & Supplies 2018 Rosenbauer damaged by deer	\$ 10,000
10-31-100 Prior Yr. Property Tax	\$ 20,000
10-31-300 Sales Tax	\$ 47,000
10-33-550 Wildland Fire Fighting	\$ 3,000
10-39-800 Fire Agreement/ County	\$ 10,000
10-57-120 Fire – Salaries and Benefits	\$ 65,000
10-70-110 Park – Salaries and Benefits	\$ 15,000
20-34-757 Recreation – Soccer	\$ 4,000
20-71-210 Recreation – Subscriptions & Memberships	\$ 4,000

Mayor Westbroek asked if there was any public comment. There was none.

Councilwoman Alberts moved to close the public hearing to amend 2021-22 Budget. Councilman Halverson seconded the motion. Mayor Westbroek called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

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

6. Resolution 22-30: 2021-2022 Budget Amendment #2

Councilman Soderquist moved to approve Resolution 22-30: 2021-2022 Budget Amendment #2. Councilman Halverson seconded the motion. Mayor Westbroek called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

7. Resolution 22-31: Davis County Sheriff’s Office Contract for Law Enforcement Services

South Weber City entered into the current law enforcement contract with Davis County Sheriff’s Office (DCSO) in 2019 with a one-year term that was extended two more years. The current contract is set to expire June 30, 2022. The Public Safety Committee analyzed options for the Council’s consideration and has been working on that since fall of 2021, meeting with the sheriff and other representatives from Davis County, inquiring neighboring jurisdictions whether they would “bid” on our services, and researching the operational and cost considerations of setting up our own police department. Of the many options analyzed, remaining with DCSO is the least expensive, contracting with Layton City is more expensive, and establishing the City’s own police force is the most expensive.

New Contract Terms

The contract includes Davis County’s recent adjustment to the method for calculating the cost of providing law enforcement from a per hour to a per patrol unit rate which is defined as one patrol officer

for their allotted 40-hour work week. The proposed contract has two patrol units and expires after one year.

Councilwoman Alberts recommended patrols not have predictable patterns. City Manager David Larson reported there have been conversations with DCSO about that concern and the assigned hours would not be discussed in open public meetings.

Councilman Dills referencing Paul Sturm's public comments concerning patrolling state roads questioned whether DCSO would focus only on neighborhoods. DCSO replied priorities are up to each city, however by patrolling South Weber Drive, it provides visibility of deputies in hopes of discouraging any criminal activity. Councilman Dills voiced he prefers more patrolling in neighborhoods and tickets rather than warnings. Councilman Soderquist pointed out it does not make sense to eliminate the state roads.

Councilman Halverson moved to approve Resolution 22-31: Davis County Sheriff's Office Contract for Law Enforcement Services. Councilwoman Alberts seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

8. Resolution 22-32: Amending Policies & Procedures Manual 7.110 (j) Vehicle Take-Home Use

City Manager David Larson reported this is an updated policy. Currently, the city does not allow employees to drive city vehicles home. Various departments have requested taking a vehicle home if they are on call so they can respond more quickly. Public Works is the most regular department that will be affected by this policy change. There is one employee on call each week which means the anticipated impact during non-snow months would be just one employee. In the case of winter storm warnings, it could potentially be all public works employees if deemed necessary. The time that they get called out varies from month to month but on average it is 1-3 times a week. Staff is compensated \$22 per day for on-call status. When they are called out, they receive a minimum of two hours pay.

All departments would have the option if so needed and approved by the City Manager and Department Head. It is anticipated the cost to be minimal with the price of fuel. In essence, it is a tangible benefit the city can offer its staff. The mileage and gas consumption was a concern expressed early on when staff was considering this change. Overall, the budget is built to handle this request.

Councilman Dills shared his concern about the potential for abuse using the city vehicle as a person's main vehicle. Councilman Soderquist iterated the city manager and department head have the discretion to rescind this if need be. He encouraged Mark McRae to track it for a few months and report on any impact.

Councilwoman Alberts moved to approve Resolution 22-32: Amending Policies & Procedures Manual 7.110 (j) Vehicle Take-Home Use. Councilman Dills seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

9. Resolution 22-33: Annual Policies & Procedure Update

City Manager David Larson explained the Administration/Finance Committee was tasked to recommend an annual "cleanup" of the policies & procedures manual each year after the legislative session to ensure state code compliance and to address any potential issues confronted during the year. The update is not a comprehensive review of the entire manual. The recommended amendments are items that the staff presented to the committee for clarification and standardization reasons. Below is a brief description of the proposed changes:

PAGE #	DESCRIPTION
1	Update to adoption date and resolution number
2	Correct spelling error. Add flag display section # to chapter list
11	Update on-call amount
13	Clarify amount paid per holiday to 8 or 10 hours depending on regular work schedule
13	Add Juneteenth to annual holiday list
21	Clarify that bereavement leave includes miscarriage per SB63
35	Add flag display section # to section heading list
58	Add policy regarding medical cannabis according to new state law
75	Put into documented policy the practice of only displaying flags of the City, state, and country on city-owned property

Councilman Halverson expressed it may be time to look at which holidays should be paid holidays as the current 13 is getting excessive. Mayor Westbrook agreed. Councilman Halverson suggested capping at 13 days. Councilwoman Alberts agreed. Councilman Dills acknowledged the need to update the formatting of the policies and procedures manual.

Councilman Soderquist moved to approve Resolution 22-33: Annual Policies & Procedure Update with amendments to move Juneteenth into its chronological order and cap paid holidays to 13 with any future state and federal holiday additions being discussed by management. Councilman Dills seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

10. Resolution 22-34: Award Source Meter Project

New state and Division of Drinking Water rules (Utah Code 19-4-14 and Admin Rule R309-510, respectively) require the establishment of system-specific source and storage sizing requirements for public water systems. The system-specific sizing requirements will be based on water use data that water systems are required to collect and report to the Division of Water Rights. To collect and provide this data requires the installation of system meters at key locations in the water system. This project was designed to meet the requirements. The project was publicly advertised, and bids were opened on June 14, 2022 at City Hall. Five (5) bids were received and tabulated. The city staff is recommending Ormond which was the second lowest bidder because they are familiar with this project. It was declared this project could be funded by ARPA funds.

Councilman Soderquist moved to approve Resolution 22-34: Award Source Meter Project to Ormond Construction Inc. in the amount of \$99,609.59. Councilman Halverson seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

11. Resolution 22-35: Final Acceptance Ray Creek

On July 30, 2020, Ray Creek Estates was granted conditional acceptance. This started the 1-yr guarantee period. City Manager David Larson announced in accordance with Section 11-4-2K of City Code, the developer of any subdivision or development where public improvements have been built must request in writing that the subdivision receive final acceptance by the City Council. As required, the public improvements have been inspected and found to be in good working order and meeting the adopted city standards, except for a small, settled trench that requires some asphalt repair. The estimated cost of this repair is \$10,866. The option of the city removing this amount from the current escrow and making the

repair as part of the city's annual street maintenance projects was presented to the developer. This option gives city more control over ensuring the repair is done properly. Final acceptance may be granted with the amount referenced above taken from the escrow account and releasing all remaining escrow funds. Councilman Halverson queried if the estimate will be accurate for completing the work. Mr. Larson replied he discussed that concern with City Engineer Brandon Jones and Mr. Jones was comfortable with the amount.

Councilman Soderquist moved to approve Resolution 22-35: Final Acceptance Ray Creek. Councilwoman Alberts seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

12. Resolution 22-36: Hill Air Force Base (HAFB) License Agreement

City Manager David Larson reported Hill Air Force Base (HAFB) is required to monitor potential groundwater pollutants in certain areas of the city. They already have monitoring wells on private and city-owned property. They are requesting a new licensing agreement with the city to continue the current monitoring wells and add additional locations in the future if needed. Mr. Larson stated HAFB staff has been tasked with making sure all their monitoring well license agreements are up to date and in place properly. City staff met and discussed with HAFB staff on June 15 the need for current and additional wells on city property or within public rights-of-way and an updated agreement. The licensing agreement is a general license for HAFB to place up to 20 monitoring wells on city property. The agreement was back dated to show a continuation of coverage with previous monitoring agreements with the city. Specific location requests will be reviewed and evaluated by staff if/when they are requested. Councilman Soderquist inquired what other cities are being paid to have the HAFB monitoring wells on their property and the amount was unknown.

Councilman Halverson moved to approve Resolution 22-36: HAFB License Agreement. Councilman Soderquist seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

REPORTS

13. New Business

Parks: Councilman Dills reported there have been a number of improvements made at the new dog park. New picnic tables have been added. The city is requesting individuals remove any dog toys so that the mower does not hit them. Councilman Dills announced some vandalism took place at some of the city parks. The parks are closed at 10:00 p.m. If anyone sees someone in the park after 10:00 p.m., please contact Davis County Sheriff's Department. Pickleball courts are open. Councilwoman Alberts asked if signs can be posted for no skateboarding or roller blading. Mr. Larson reported the signs have been ordered and include that rule.

Long-term Rental Code: Mayor Westbrook suggested reviewing city code for long-term rentals. City Attorney Jayme Blakesley reported the city code states no more than four unrelated people can live in a residence. He recommended the city try to enforce this law by getting statements from neighbors. Business licenses are currently not required for long term rentals which may be something that should be reviewed. Mr. Blakesley expressed cities do not usually require them because it is difficult to administer. He suggested the city look at room by room rental legislation. He will research other cities multi-contract rental laws.

14. Council & Staff


Councilwoman Alberts: reported Code Committee reviewed R-7 code. City staff will bring it before the City Council in two weeks.

Councilman Soderquist: stated there are no new developments for the gravel pits. The city is still monitoring the dust collection boxes. Staker Parson Company is looking into other options to mitigate dust besides watering.

Councilman Halverson: shared HAFB Restoration Advisory Board Meeting will be held Thursday at Sunset City Office at 6:30 pm. Public is welcome to attend and comment. He will not attend the Country Fair Days Parade.

City Manager David Larson: announced the ribbon cutting for Canyon Meadows West Park will take place on July 2nd at 9:00 a.m. There will be a pickleball clinic and food trucks. He reported the moving of the city digital sign has been discussed with UDOT and the city is waiting to hear back.

ADJOURN: Councilman Soderquist moved to adjourn the council meeting at 7:18 p.m. Councilman Halverson seconded the motion. Mayor Westbrook called for the vote. Council Members Alberts, Dills, Halverson, and Soderquist voted aye. The motion carried.

APPROVED:  **Date** 07-26-22
Mayor: Rod Westbrook


Transcriber: Michelle Clark

Attest: 
City Recorder: Lisa Smith

**Comments to South Weber City Council
for 28Jun22Meeting
by Paul A. Sturm**

**1) Public Comment on Action Item #7 - DCSO Contract for Law Enforcement Services
Reference Packet Page 5 to 28 of 287**

7. Resolution 22-31: Davis County Sheriff's Office Contract for Law Enforcement Services

During the last City Council meeting, during discussions on DCSO services, comments were made regarding providing additional coverage in residential areas. I believe that the SWC contract with DCSO should cover ONLY residential areas! All other roads within SWC boundaries are either State or Federal roadways, and that coverage cost should be attributed to those entities and not SWC!

2) Public Comment on Action Item #8- Vehicle Take Home Use

Reference Packet Page 29 of 287 - Staff Summary - Sample Motion Language

8. Resolution 22-32: Amending Policies & Procedures Manual 7.110 (j) Vehicle Take-Home Use

A) The Sample Motion Language shown is not consistent with other presentations. I believe that the Sample Motion Language shown on Page 35 of 287 for the Policies & Procedures Manual better represents the options that are available to the City Council for their consideration.

B) The text of 7.110(j) shown on Pages 32 to 33 of 287 is not formatted for approval, and as a result, was not properly inserted into the official SWC document for approval.

3) Public Comment on Action Item #9- Annual Policies & Procedures Update

Reference Packet Pages 34 to 274 of 287

9. Resolution 22-33: Annual Policies & Procedure Update

PAGE #	DESCRIPTION
1	Update to adoption date and resolution number

A) The paragraph on Page 34 of 287 does not mention the major addition of the Vehicle Take Home Policy to the P&P Manual.

B) The Sample Motion Language is not consistent with other presentations. I believe that the Sample Motion Language shown on Page 35 of 287 for the Policies & Procedures Manual better represents options available to the CC and provides the CC with more options.

C) This revised P&P Manual, being an official SWC document, lacks substantial consistency in formatting. It is more likely a simple cut and paste without reformatting.. This is important because order of precedence is achieved with standardized formatting, including indentures. Examples: 4.080-Holiday Pay - Juneteenth was not inserted in "date" order (P. 169 of 287). 7.110 (j) (P. 207 of 287) is not formatted (See 7.110 (l) as an example). Blank spaces (P. 215 of 287, and many others examples. This is what the City Council is signing off as an official SWC document!!

4) Public Comment on Action Item #10- Award Source Meter Project

Reference Packet Pages 275 to 277 of 287

10. Resolution 22-34: Award Source Meter Project

Reading AI #10 was very confusing at first. Who is Dana Shuler (sp Schuyler)? That question is not answered, even partially, until Resolution 22-34 text awaiting CC signature. Mr. Shuler/Schuyler should have been initially identified as an Jones & Associates engineer. It is also impossible to correlate the "Budget" numbers with the vendor bids shown.