



**WEST HAVEN CITY
COUNCIL MEETING MINUTES**

**May 15, 2024 6:00 PM
City Council Chambers
4150 South 3900 West, West Haven, UT 84401**

PRESENT

Councilmember - Carrie Call
Councilmember - Ryan Saunders
Councilmember - Nina Morse
Councilmember - Kim Dixon
Councilmember - Ryan Swapp

EXCUSED

Mayor - Rob Vanderwood

5:00 Council Workshop – In City Council Chambers

*NO ACTION CAN OR WILL BE TAKEN ON ANY CITY COUNCIL MEETING AGENDA ITEMS DISCUSSED DURING
PRE-COUNCIL WORKSHOP - DISCUSSION OF SUCH ITEMS IS FOR CLARIFICATION OF AGENDA ITEMS.*

MEETING TO ORDER: PRO TEM MORSE

REPORTS AND DISCUSSION AS FOLLOWS:

1. DISCUSSION-COUNCIL UPDATES

Councilmember Dixon said the cemetery flags are ripping and should probably be replaced before Memorial Day. She said the survey on our website is not active.

Shawn Warnke said that we have purchased new flags for Memorial Day and that he would fix the link on our website.

Councilmember Saunders asked if the yard of the month has been put on our Facebook page. He said the Communities that Care are putting up signs with a positivity campaign.

Shawn Warnke said he would check into adding that to the Facebook page.

Pro Tem Morse suggested looking into sending the newsletter out to every resident.

Councilmember Call suggested not sending out paper bills to utility customers that have asked for only the digital version.

2. DISCUSSION-RENTAL POLICY FOR COMMUNITY CENTER AND PREVEDEL PARK

Shawn Warnke said that the Parks Department would oversee and manage the rentals for the community center and Prevedel Park campsites because they are more mobile.

Councilmember Saunders asked if renters could do a walk through before the rental.

Shawn Warnke confirmed they would.

Pro Tem Morse asked about the fee for resident and non-resident because they are the same.

Brock Randall said that is not reflected correctly and suggested raising the non-resident fee to about \$15-\$20 more.

Councilmember Dixon suggested changing the policy to not use a check for the deposit.

Shawn Warnke said he could look into changing that on the policy for all rentals.

Councilmember Call asked how the name is being decided of the community center.

Shawn Warnke suggested naming it West Haven Community Center and having a sign to show its owned by the City.

Councilmember Call said Nilson Homes has requested that Green Farm residents get a few days to use it for free a month.

Councilmember Swapp said he is not in favor of that.

Amy Hugie suggested a contest allowing residents to name it.

Councilmember Call asked why number 6 in the guidelines for renting at Prevedel Park does not allow you to burn deadfall.

Brock Randall suggested removing that portion.

Councilmember Dixon asked what the signer omission means.

Shawn Warnke said an example could be trash left behind, and that omission may not be the best term for it.

3. DISCUSSION-REVIEW OF POSSIBLE RAMP GRANT PROJECTS

Sheri Bingham suggested applying for more money for Windsor Park upgrades, she suggested a new playground for the R. Kenneth Baldwin Country Park, or a new pavilion for Prevedel Park. She said it may be best to try and get the grant from the Utah Outdoor Recreation when getting the pavilion for Prevedel Park

Council agreed they liked applying for Windsor Park upgrades for restroom and playground equipment. They agreed to do a pavilion for Prevedel Park with the Utah Outdoor Recreation grant.

4. DISCUSSION-PROPOSED WEST WEBER PROJECT AREA WITH WEBER COUNTY AND UTAH INLAND PORT AUTHORITY

Shawn Warnke summarized the project.

Stephanie Russell went over what the port authority is. She said companies cannot build on wetlands and must abide by the Weber County zoning code. She said it is just a financial vehicle and the forecasted growth is 14,000.

Councilmember Dixon asked how many acres are in the project.

Stephanie Russell said about 9,000 acres. She said that with wetlands any developer would need to work with the Army Corp. of Engineers.

Pro Tem Morse asked if there are plans to expand 12th street.

Stephanie Russell confirmed they have plans to expand at the beginning of next year.

Shawn Warnke asked when the public hearings were held.

Stephanie Russell says they were held in Salt Lake a few months ago.

5. DISCUSSION-COMMUNITY COMMITTEES

6. DISCUSSION-INFORMATION FROM UTAH LEAGUE OF CITIES AND TOWNS TRAINING

7. DISCUSSION-CANCELLING THE JUNE 5, 2024 CITY COUNCIL MEETING

6:00 PM REGULAR CITY COUNCIL MEETING

1. MEETING CALLED TO ORDER-PRO TEM MORSE

The council met at their regularly scheduled meeting held in the council chambers.
Pro Tem Morse called the meeting to order at 6:01 pm. and welcomed those in attendance.

2. **OPENING CEREMONIES**

A. **PLEDGE OF ALLEGIANCE-COUNCILMEMBER DIXON**

B. **PRAYER/MOMENT OF SILENCE-COUNCILMEMBER MORSE**

3. **PUBLIC PRESENTATION:** Resident(s) attending this meeting will be allotted 2 minutes to express a concern or ask a question about any issue that **IS NOT ON THE AGENDA** No action can or will be taken on any issue(s) presented.

Sharon Bolos asked the City Council to support RAMP because it is on the upcoming ballot. She said that in the newsletter the Mayor said that the city is focusing on many safety needs despite not receiving RAMP grants and she wanted to clarify that safety needs are not RAMP grant eligible.

4. **UPCOMING EVENTS**

Prevedel Park Ribbon Cutting Ceremony-May 17, 2024-6:00 PM
Possible City Council Meeting Cancelled-June 5, 2024
Queen Contest-June 11, 2024-4:00 PM
Special City Council Meeting-June 13, 2024-4:00 PM
West Haven Days-June 17-22, 2024
City Council Meeting Cancelled-June 19, 2024
Art Festival-September 21, 2024

Shawn Warnke suggested cancelling the June 5, 2024, meeting.

City Council agreed to cancel.

Councilmember Call said the Arts Festival will be from 5-8 PM.

5. **COUNCIL UPDATES**

There were no updates at this time.

*****AGENDA ACTION ITEMS*****

6. **ACTION ON CONSENT AGENDA**

A. **SPECIAL BUDGET WORK SESSION MINUTES-MEETING HELD-APRIL 23, 2024**

B. **CITY COUNCIL MINUTES-MEETING HELD-MAY 1, 2024**

Carrie Call made a motion to approve. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
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NAYS:	
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RECUSED:	
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7. **PUBLIC HEARING-FOR THE PURPOSE OF RECEIVING PUBLIC INPUT ON AN ORDINANCE AMENDING CITY CODE REGARDING TELECOMMUNICATION FACILITY FRANCHISE REQUIREMENTS**

Kim Dixon made a motion Enter into Public Hearing. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

Pro Tem Morse invited the public up for comment.

No one came up at this time.

Kim Dixon made a motion Leave Public Hearing. **Carrie Call** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

8. **ACTION ON PUBLIC HEARING-ACTION ON ORDINANCE 13-2024-AN ORDINANCE AMENDING CITY CODE REGARDING TELECOMMUNICATIONS FACILITY FRANCHISE REQUIREMENTS**

Kim Dixon made a motion to adopt ordinance 13-2024. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

9. **PUBLIC HEARING-FOR THE PURPOSE OF RECEIVING PUBLIC INPUT ON AN ORDINANCE REGARDING COMMUNITY COMMITTEES**

Amy Hugie said this amendment should allow people who are not residents to be a part of the committees. She also explained that these committees are classified as public bodies currently and need to be noticed with agendas, minutes, and recordings to meet the Open and Public Meetings Act.

Ryan Swapp made a motion Enter into Public Hearing. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

Pro Tem Morse invited the public up for comment.

Sharon Bolos suggested modifying the ordinance to not have appointed members. She said that she doesn't think the ordinance was as effected as intended. She suggested rescinding the ordinance.

Ryan Saunders made a motion Leave Public Hearing. **Ryan Swapp** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

10. **ACTION ON PUBLIC HEARING-ACTION ON ORDINANCE 14-2024-AN ORDINANCE REGARDING COMMUNITY COMMITTEES**

Councilmember Saunders asked if we could reach out to someone in the legislature to ask for guidance. He said other cities do not operate this way and he does not want another expense.

Councilmember Dixon asked if the advice and consent is the portion that is creating this problem.

Amy Hugie said it is all of the criteria that are creating the problem.

Councilmember Saunders said that the money for the committees is outlined in the budgeting process and asked if that would cover the noticing portion.

Councilmember Dixon asked how other cities manage this.

Councilmember Call pointed out that it has an and in the legislation when addressing the criteria. She suggested repealing the ordinance to rectify the issue.

Pro Tem Morse said she would rather research before repealing the ordinance.

Councilmember Dixon suggested tabling this item for more research.

Councilmember Swapp said he would like to hear from the Mayor on this topic and suggested tabling.

Councilmember Call suggested keeping the June 5, 2024, meeting, and discussing this ordinance.

Ryan Swapp made a motion to adopt ordinance 14-2024. **Carrie Call** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

11. **ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)**

A. **ACTION ON ORDINANCE 18-2024-VACATING HBH SUBDIVISION-SOUTHWEST CORNER OF 2100 S 1900 W**

Geneva Blanchard said that Maverik does not want the front site from the original site plan and RDO would like a larger subdivision and that is the reason they want to vacate the plat.

Kim Dixon made a motion to adopt ordinance 18-2024. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

B. **ACTION ON ORDINANCE 19-2024-VACATE A PRIVATE ACCESS AND UTILITY EASEMENT WITHIN HBH DEVELOPMENT-SOUTHWEST CORNER OF 2100 S 1900 W**

Carrie Call made a motion to adopt ordinance 19-2024. **Ryan Swapp** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

C. ACTION ON ORDINANCE 15-2024-AMEND THE ACCESSORY BUILDING ORDINANCE

Alika Murphy said they modified this ordinance to allow more flexibility with residents for their own property and changed the setbacks to 3 feet if they have a one hour fire rated wall.

Councilmember Swapp said he is not in favor of this change, and would like to strike D under 157.605.

Pro Tem Morse asked if it is 3 feet and a pitched roof is it possible for snow to fall on a fence.

Alika Murphy said that the resident would be required to make sure that the accessory building is in their property.

Councilmember Saunders said there is language in there that addresses water collection.

Daniel Tanner said he has had some issues with run off, but the code requires some kind of capture.

Councilmember Saunders asked if that would be handled at the building level.

Daniel Tanner confirmed it would be.

Shawn Warnke expressed concern over encroaching on the public utility easement with consent from the utility companies. He said the public utility easement is not necessarily owned by the utility companies and another utility company may not realize the benefit of it when their rights are waived by another company. He said there is a really specific provision in Utah code that addresses public utility easements.

Councilmember Saunders suggested striking that portion.

Amy Hugie said that in section 157.605 to keep the first section in section A and add a sentence saying that the letters are required to vacate the easement.

Councilmember Swapp asked if that is already a requirement when vacating.

Amy Hugie confirmed it is, but suggested having it in the ordinance as well because we are changing the setbacks all to 5 feet. She suggested changing the ordinance to address buildings that don't require a building permit.

Alika Murphy said that if its 200 square feet or below they are not required to have a building permit. She said she has been working on a list of all buildings in easements not required to get a building permit to make sure they are in compliance.

Councilmember Call said on 157.601 section B the last sentence should say "Pools and sport courts are required to have a barrier surrounding it that is at least 48 inches in height and at least 3' from the edge of the pool or sport court." She said in 157.605 section A the second sentence should mirror the previous section and say "An accessory structure is defined as anything that is constructed or erected which requires location on the ground or attached to something having a location on the ground that is located at the same lot as a main building."

Councilmember Dixon asked why we should change from 5 feet to 3 feet.

Alika Murphy said that it has to do with the thickness of the gypsum board.

Daniel Tanner said the IFC standards allow any fire rated material to have that setback because it gives an extra hour of opportunity.

Pro Tem Morse said she is not opposed to removing that from the ordinance.

Councilmember Saunders asked if they wanted 5 feet setbacks all the way through.

Pro Tem Morse confirmed.

Amy Hugie suggested removing section D from 157.605.

City Council agreed.

Ryan Swapp made a motion Table. **Carrie Call** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

D. ACTION ON ORDINANCE 16-2024-AMENDMENT TO THE MIXED USE ZONING ORDINANCE

Alike Murphy went over the changes made on the Mixed Use ordinance for moderate income housing.

Carrie Call made a motion to adopt ordinance 16-2024. **Kim Dixon** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

E. ACTION ON ORDINANCE 17-2024-AMENDMENT TO THE SIGN ORDINANCE

Pro Tem Morse expressed concern that if they are restricting signs on public property for safety concerns that the city should not be allowed to put signs there either.

Daniel Tanner said that having political signs on city property looks like an endorsement from the city.

Pro Tem Morse said that does not really apply to those in the right of way that is in front of private property and suggested going back to what was previously in the ordinance.

Councilmember Swapp said he thought it would be better to not allow it.

Daniel Tanner said that currently there are issues with those kind of signs on the weekends. He said that you would just need to define in the ordinance the difference between right city property and city property.

Councilmember Call said that the second primary needs to be removed from section M.

Carrie Call made a motion to adopt ordinance 17-2024 and remove the word primary the second time it appears in section M. **Kim Dixon** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

F. ACTION ON ORDINANCE 15-2024-AMEND THE ACCESSORY BUILDING ORDINANCE

Amy Hugie suggested changing 157.605 section A the second paragraph to remove the first sentence and add If there is a greater than 5 foot public utility easement in place then letters from all utility companies are required upon submittal of the land use permit or building permit along with a request by the land owner to vacate a portion of the easement to accommodate a 5 foot setback. She said in 157.601 section B the last sentence should say "Pools and sport courts are required to have a barrier surrounding it that is at least 48 inches in height and at least 3' from the edge of the pool or sport court." She said in 157.605 section A the second sentence should mirror the previous section and say "An accessory structure is defined as anything that is constructed or erected which requires location on the ground or attached to something having a

location on the ground that is located at the same lot as a main building.” She also said to strike D under 157.605.

Ryan Saunders made a motion to adopt ordinance 15-2024 with the changes as stated. **Ryan Swapp** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

12. **ACTION ON RESOLUTION 17-2024-AMENDING THE CONSOLIDATED FEE SCHEDULE**

Shawn Warnke suggested changing the non-resident fee for the community center rental to \$15-\$25 more than on the ordinance and waiving it for other entities.

Pro Tem Morse suggested changing the non-resident fee for the community center to \$75.

Councilmember Swapp suggested changing it to \$100.

Councilmember Call said she would like to see it at \$75.

Councilmember Dixon agreed.

Councilmember Saunders agreed.

Councilmember Swapp suggested adding language to allow the city manager to waive fees for other governmental entities.

Amy Hugie said the new GRAMA fees needed to be added from the previously passed ordinance.

Councilmember Dixon suggested adding the City manager has the discretion to waive fees for other governmental entities.

Kim Dixon made a motion to adopt ordinance 17-2024 including the GRAMA fees on the list and increasing the community center fees and giving the city manager the ability to waive fees. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

13. **DISCUSSION AND POSSIBLE ACTION-HEALTH INSURANCE FOR ELECTED OFFICIALS**

Pro Tem Morse said that sometimes people want to serve but cannot because of the insurance, she said she is in favor of it and thinks this could help.

Councilmember Swapp agreed.

Councilmember Dixon said she would only consider this if it was offered to all other part time employees.

Councilmember Call said she feels this is an abuse of their position.

Carrie Call made a motion to not take any action on health insurance for elected officials. **Kim Dixon** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Dixon
NAYS:	Councilmember Morse, Councilmember Swapp
RECUSED:	

14. **ACTION ON RESOLUTION 19-2024-ADOPTION OF THE CONTRACT FOR THE UTAH RECREATION GRANT FOR AN AMPHITHEATER FOR PREVEDEL PARK AND ACCEPTANCE OF THE AWARDED GRANT MONEY**

Councilmember Dixon said she thinks this is the perfect place for an amphitheater.

Pro Tem Morse agreed.

Councilmember Saunders said he likes this project.

Kim Dixon made a motion to adopt resolution 19-2024. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

15. **ACTION ON RESOLUTION 18-2024-DECLARING CERTAIN CITY PROPERTY AS SURPLUS TO ALLOW TO AUCTION OR SELL-PROPERTY AS FOLLOWS: 1999 DODGE 3500 WITH 9FT PLOW AND DUMP BED**

Ryan Saunders made a motion to adopt resolution 18-2024. **Carrie Call** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

16. **AWARD CONTRACT-ACTION ON RESOLUTION 20-2024-AGREEMENT BETWEEN WEST HAVEN CITY AND URBAN & MAIN CONSULTING-FOR THE CREATION OF AN ECONOMIC DEVELOPMENT PLAN AND CONSULTING**

Kim Dixon made a motion to adopt resolution 20-2024. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

17. **BID AWARD-2024 TRAIL MAINTENANCE PROJECT**

Ryan Swapp made a motion to award the bid to Andersen Asphalt in the amount of \$43,005.25. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

18. **ACTION ON RESOLUTION 21-2024-AMENDING THE PERSONNEL POLICY HANDBOOK REGARDING COMPENSATION PHILOSOPHY AND METHODOLOGY**

Councilmember Dixon asked how this will be presented to employees.

Shawn Warnke said we would do a staff meeting.

Councilmember Call said she is concerned about COLA adjustments being listed for elected officials because they should be excluded.

Ryan Swapp made a motion to adopt ordinance 21-2024. **Kim Dixon** seconded the motion.

AYES:	Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	Councilmember Call
RECUSED:	

19. **ACTION ON RESOLUTION 22-2024-AMENDING THE PERSONNEL POLICY HANDBOOK REGARDING SERVICE AWARDS**

Pro Tem Morse asked if co-workings being invited to the dinner for retirement was just for their department.

Shawn Warnke said mostly but there would be some flexibility.

Pro Tem Morse suggested giving the award in Council Meetings.

Councilmember Call said this is fantastic but it includes elected officials in years of service.

Councilmember Saunders suggested removing that part.

Councilmember Dixon agreed.

Pro Tem Morse agreed.

Ryan Saunders made a motion to adopt resolution 22-2024 removing elected officials under years of service. **Kim Dixon** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

20. **DISCUSSION-CONTINUATION OF ANY AGENDA ITEM NOT PREVIOUSLY DISCUSSED OR OTHERWISE COMPLETED ON THE 5:00 WORK SESSION**

Councilmember Swapp said that he learned at the Utah League of Cities and Towns conference that public comment must be related to the city's ability to effect change. He said you can put in policy that there is no cursing in public comment and that if you do not own land or reside in the city you may not comment. He said you can give a cap of 30 minutes on public meetings and that people on zoom must turn their camera on to provide public comment.

Councilmember Call said she also learned in the conference that a timer could be used in public hearings and that participants can give their name and address to the recorder in advance instead of saying it in the meeting.

Councilmember Swapp said that Eagle Mountain was able to build a program that showed percentages for each task and department in their city. He suggested we have a zooming meeting with Eagle Mountain to see if we could do the same.

Councilmember Call said that they learned more about transportation grants and resolving conflict.

21. **ADJOURNMENT**

Carrie Call made a motion to adjourn at 8:57 PM. **Ryan Saunders** seconded the motion.

AYES:	Councilmember Call, Councilmember Saunders, Councilmember Morse, Councilmember Dixon, Councilmember Swapp
NAYS:	
RECUSED:	

Emily Green

City Recorder

Date Approve: 6/5/24