



WEST HAVEN CITY COUNCIL AGENDA

AMENDED

July 1, 2020 6:00 P.M.
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

NOTICE IS HEREBY GIVEN THAT ON **July 1, 2020** THE COUNCIL OF WEST HAVEN CITY WILL HOLD THE FOLLOWING PUBLIC MEETINGS: **5:30 PM:** COUNCIL WORKSHOP **6:00 PM:** REGULAR WEDNESDAY CITY COUNCIL MEETING. DUE TO EMERGENCY PROTOCOLS RECENTLY ENACTED BY MAYOR BOLOS AND EXECUTIVE ORDER 2020-26 ISSUED BY THE LT. GOVERNOR PUBLIC ATTENDANCE IS ALLOWED WITH A MAXIMUM OF 50 PEOPLE. JOIN US DIGITALLY FOR THE WORK SESSION [HTTPS://US02WEB.ZOOM.US/J/88624393696](https://us02web.zoom.us/j/88624393696) AND COUNCIL MEETING [HTTPS://US02WEB.ZOOM.US/J/86742540403](https://us02web.zoom.us/j/86742540403).

1. MEETING CALLED TO ORDER: Mayor Bolos
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.

AGENDA ACTION ITEMS

4. ACTION ON PLANNING COMMISSION MEETING RECOMMENDATION(S)
 - A. FINAL SUBDIVISION APPROVAL-RIVERWALK TOWNHOMES-1750 W 1700 S-RICK SCADDEN
 - B. FINAL SUBDIVISION APPROVAL-WASATCH MEADOWS PHASE 2 AND 3-APPROX. 4150 S 3500 W-KEVIN GLASMANN
 - C. ACTION ON ORDINANCE 28-2020-R-4 ZONE
5. ACTION ON ORDINANCE 29-2020-CITY WIDE GENERAL PLAN MAP
6. ACTION ON RESOLUTION 13-2020-AUDIT COMMITTEE POLICY
7. ACTION ON RESOLUTION 14-2020-CASH RECEIPTING AND DEPOSIT POLICY
8. ACTION ON RESOLUTION 15-2020-CREDIT CARD POLICY
9. ACTION ON RESOLUTION 16-2020-FRAUD HOTLINE POLICY
10. ACTION ON RESOLUTION 17-2020-IT AND COMPUTER SECURITY POLICY
11. ACTION ON RESOLUTION 18-2020-TRAVEL POLICY
12. ACTION ON RESOLUTION 19-2020-ETHICAL BEHAVIOR POLICY
13. ACTION ON RESOLUTION 20-2020-CONFLICT OF INTEREST POLICY
14. ACTION ON RESOLUTION 21-2020-INTERLOCAL AGREEMENT BETWEEN WEST HAVEN CITY AND WEBER COUNTY FOR PARKING ENFORCEMENT
15. ACTION ON RESOLUTION 22-2020-INTERLOCAL AGREEMENT BETWEEN WEST HAVEN CITY AND WEBER COUNTY FOR REFUNDING CARES ACT FUNDING
16. ACTION ON ORDINANCE 27-2020-EXTENDING PROHIBITED PARKING ON 4000 S TO MIDLAND DRIVE
17. ACTION ON ORDINANCE 26-2020-PLANNING COMMISSION
18. DISCUSSION-PUBLIC PRESENTATION
19. ACTION ON CONSENT AGENDA

A. CITY COUNCIL MINUTES	MEETING HELD	June 17, 2020
B. GRANITE	\$444,416.94	Inv. #1816338
C. WEBER COUNTY SHERIFF	\$199,503.25	Inv. #24933
E. GARDNER ENGINEERING	\$34,554.75	Inv. #0520116-0520122
20. ADJOURNMENT

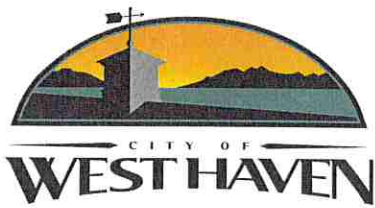
Emily Green

Emily Green, City Recorder

In compliance with the Americans with Disabilities Act, persons needing special accommodations, including auxiliary communicative aids and services, for this meeting should notify the city recorder at 731-4519 or by email: emilyg@westhavencity.com at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed city recorder, does hereby certify that the above notice and agenda has been posted in the West Haven City Recorder's office; at the West Haven City Complex on the Notice Board and at westhavencity.com; emailed to the Standard-Examiner with a request that it be posted in their Wednesday night meeting section; mailed and emailed to the West Haven City Mayor and each West Haven City Council Member who has email capacity and to the city attorney



**WEST HAVEN CITY
PRE-COUNCIL WORKSHOP AGENDA
HELD PRIOR TO CITY COUNCIL MEETING
WEDNESDAY JULY 1, 2020**

@

5:30 PM – 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:

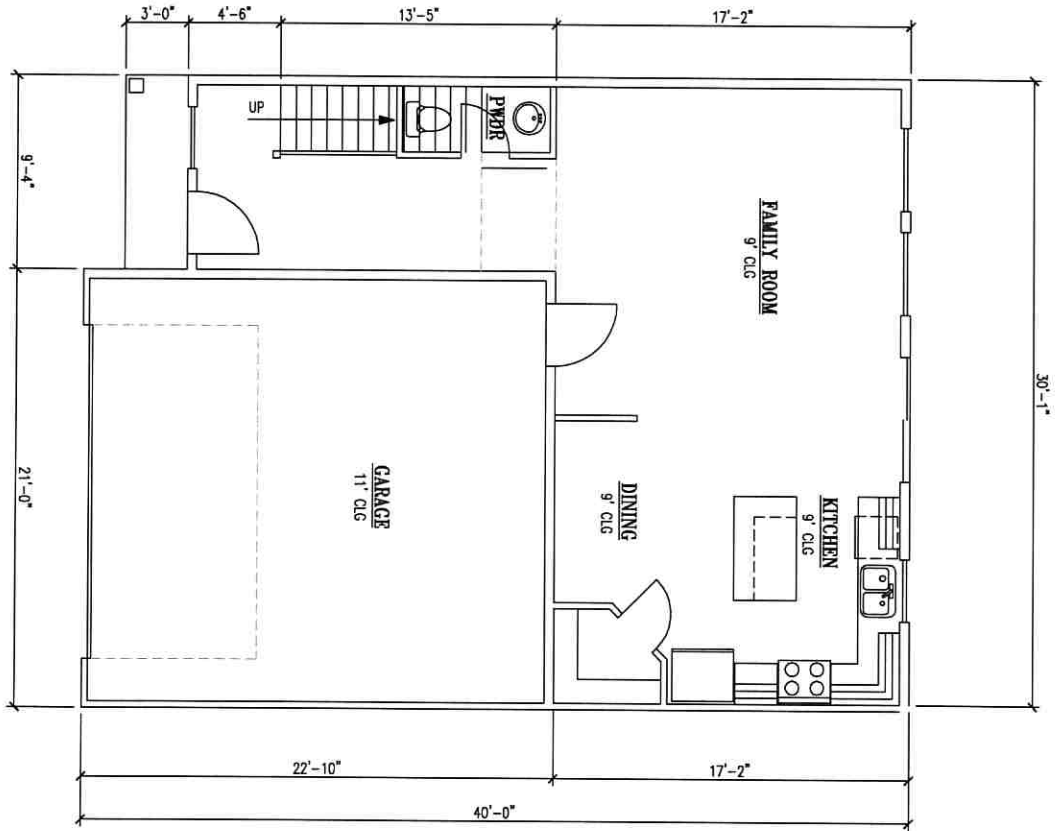
MAYOR BOLOS

REPORTS AND DISCUSSION AS FOLLOWS:

1. Staff Updates- Mayor Bolos
2. Assignment Updates
3. Other Business-Mayor Bolos
4. Planning Commission/City Council Agenda Items- Steve Anderson

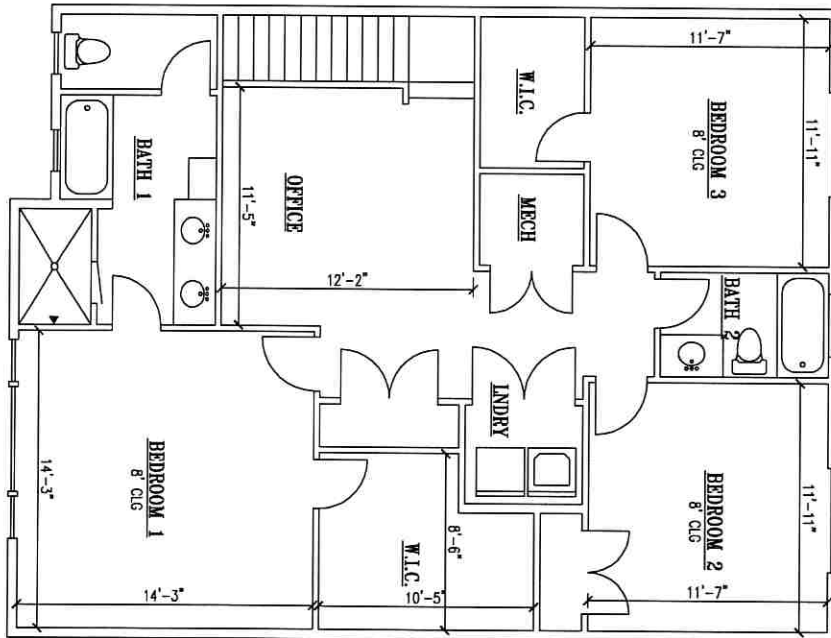
MAIN LEVEL FLOOR PLAN

705 SQ. FT. PER UNIT



UPPER LEVEL FLOOR PLAN

1150 SQ. FT. PER UNIT







RIVERWALK TOWNHOMES No.2

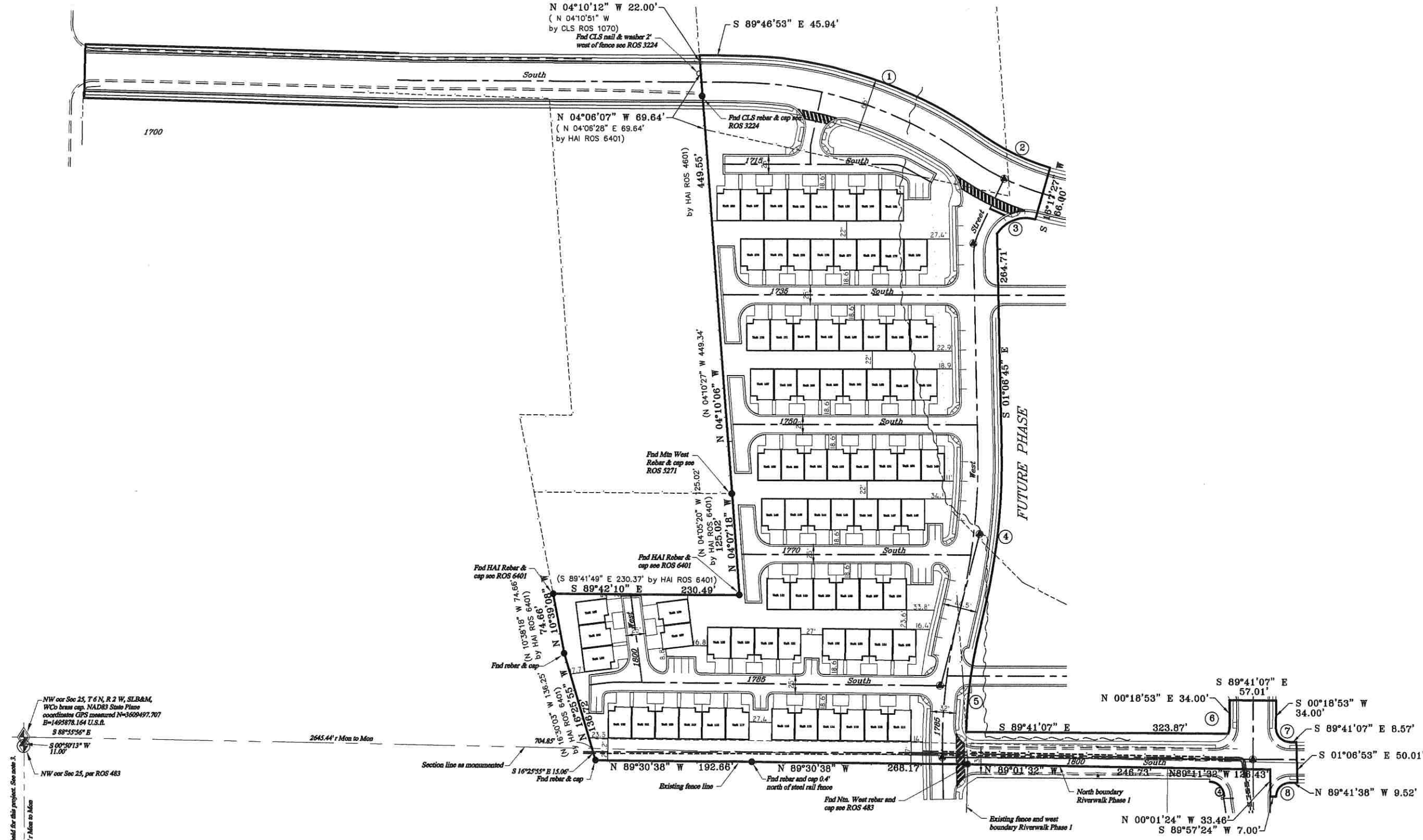
PART OF THE S 1/2 of the SW 1/4 OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
WEST HAVEN CITY, WEBER COUNTY, UTAH



Scale ~ 1" = 60'
0 60 120

General Legend

- SECTION LINE
- SUBDIVISION BOUNDARY
- EXISTING FENCE
- EASEMENTS (as labeled or granted)
- STREET CENTERLINE
- LIMITED COMMON
- FND SECTION CORNER
- CALC SECTION CORNER
- FND STREET MONUMENT
- FND CURB NAIL
- FND REBAR AND CAP
- SET #5x24" REBAR AND CAP STAMPED LANDMARK
- ELEVATION BENCHMARK
- RIGHT OF WAY MONUMENT
- RECORD DATA
- MEASURED DATA
- ROAD/STREET DEDICATION
- Unit X
- PRIVATE UNITS
- COMMON AREA
- PRIVATE DRIVEWAY DEDICATION
- LIMITED COMMON AREA



NW cor Sec 25, T 6 N, R 2 W, SLB&M,
WCo brass cap, NAD83 State Plane
coordinates GPS measured N=3609497.707
E=1495878.164 U.S.B.
S 89°53'56" E
S 00°50'13" W
11.00'

NW cor Sec 25, per ROS 483

2633.50' r Mon to Mon

W 1/4 cor Sec 25, T 6 N, R 2 W,
SLB&M, WCo brass cap, NAD83 State
Plane Coordinates GPS measured
N=3606845.154 E=1495839.416 U.S.B.

Landmark Surveying, Inc. A Complete Land Surveying Service www.LandmarkSurveyUtah.com		4645 South 3500 West - #A-3 West Haven, UT 84401 801-731-4075	
DEVELOPER: Psion Homes Address: 377 N Marshall Way, Layton, UT 84041 Phone: 801-923-2055		1 of X	
S 1/2 of the SW 1/4 of Section 24, Township 6 North, Range 2 West, Salt Lake Base and Meridian.		Subdivision	
Revisions	DRAWN BY: EDR	By Deputy: _____	
	CHECKED BY: ...	Fee paid: _____	
	DATE: June 19, 2020		
	PROJ: 3218		
This plot and associated documents are "PRELIMINARY NOT FINAL" and subject to change without a valid signature and date across the Professional Land Surveyor's seal in accordance with R156-22-601 of the Utah Administrative Code of the Utah Department of Commerce, Division of Occupational and Professional Licensing. If this document is unsigned it is a Preliminary document(s) and is not intended for and shall not be used in Construction, nor to be Recorded or Filed, nor Implemented or used as a Final Product.			

SUBDIVISION APPLICATION

Additional phases



SUBDIVISION NAME Wasatch Meadows Phase 2 & 3

LOCATION 4150 S. 3500 W. PARCEL # _____

NO. OF LOTS 18 39 ZONING CODE Mixed Use

Applicants Name Kevin Glasmann Phone 801-500-0142 Fax _____

Address 5925 S. 2450 E. City Cody State UT Zip 84403

Surveyor/Engineer Landmark Surveying Phone 801-731-4075 Fax _____

Address 4646 S 3500 W #3 City West Haven State UT Zip 84401

OFFICE USE

Scheduled for Planning Commission Agenda June 24, 2020

PLANNING COMMISSION ACTION:

Preliminary - Approved ☒ Date 12-12-18 Denied _____ Date _____

Final - Approved _____ Date _____ Denied _____ Date _____

Conditions: _____

CITY COUNCIL ACTION:

Preliminary - Approved ☒ Date 12-19-18 Denied _____ Date _____

Final - Approved _____ Date _____ Denied _____ Date _____

Final for Phase 2 and 3

Amount 4385.00 Paid Date 6/17/20

N/A	Received	N/A	Received	Letters of acknowledgment/approval/conditions from
	☒		☒	18-11"x17" copies of final subdivision plat
	☐		☒	2-11"x17" copies of subdivision plan and profile drawings
	☒		☐	Digital copies
			☐	Secondary Water Company
			☒	Culinary Water Company
			☐	Canal Company (if a canal runs across property)
			☒	Fire District
			☐	Affidavit of Understanding and Acceptance of Fees
			☒	Gas Company
			☒	Power Company
			☐	Phone Company
			☒	UDOT
			☐	U.S. Army Corps of Engineers
			☐	All other items required by City Planner

ALL APPLICABLE ITEMS MUST BE RECEIVED BEFORE BEING ADDED TO THE AGENDA.

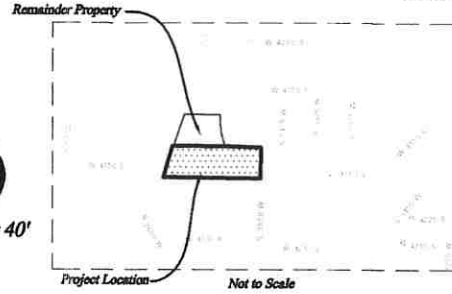
WASATCH MEADOWS SUBDIVISION PHASE 2

PART OF THE NE 1/4 OF SECTION 9 TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
WEST HAVEN CITY, WEBER COUNTY, UTAH - MAY 2020

Legend

- EXISTING FENCE
- EASEMENTS
- STREET CENTERLINE
- FND SECTION CORNER
- SET STREET MONUMENT
- FND CURB NAIL
- FND REBAR AND CAP
- SET #5x24" REBAR AND CAP STAMPED LANDMARK (FRONT MARKER NAILS SET AT CURB & GUTTER)
- ROAD/STREET DEDICATION

Scale ~ 1" = 40'



SOUTH-EAST CORNER SEC 9, T5N, R2W, SL28M FOUND BRASS CAP MONUMENT



10/3.90'

10/3.90'

10/3.90'

10/3.90'

10/3.90'

10/3.90'

10/3.90'

OWNER'S DEDICATION

We the undersigned owners of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown hereon and name said tract WASATCH MEADOWS SUBDIVISION PHASE 2. We hereby dedicate to the governing entity for the purpose of public use all those parts or portions of said tract of land designated as street(s) and/or road(s), the same to be used as public thoroughfares. And further dedicate grant and convey said street(s) or and/or road(s) as public utility corridors as may be authorized by the governing entity. We hereby grant and convey to the West Haven City, or its designee, all those parts or portions of said tract of land designated "Drainage Buffer Zone" the same to be used as public open space for the City's purposes. We hereby grant and dedicate a perpetual right and easement over, upon and under the lands designated hereon as public utility, storm water detention pond(s), drainage easement(s), and canal maintenance easement(s), the same to be used for the installation maintenance and operation of public utility service line(s), storm drainage facilities, irrigation canal(s) or for the perpetual preservation of water channels in their natural state whichever is applicable to the governing entity and as may be authorized by the governing entity, with no buildings or structures being erected within such easements. We hereby grant and dedicate unto all owners of lots upon which private land drains are constructed or which are otherwise dependent upon such land drains, a perpetual easement over such land drains for the purpose of maintenance and operation.

Corporate Acknowledgement

IN WITNESS WHEREOF, said KEVIN V. GLASMANN has caused this instrument to be executed by its proper officers hereunto duly authorized, this ____ day of _____, 20____.

5G DEVELOPMENT INC.

KEVIN V. GLASMANN

By:

STATE OF UTAH) SS

COUNTY OF WEBER)

On the date first above written personally appeared before me KEVIN V. GLASMANN, who, being by me duly sworn said that [he/she/they is/are] the [president/vice president and president/vice president] of 5G DEVELOPMENT INC., a corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors or by authority of its Articles of Incorporation and the said KEVIN V. GLASMANN acknowledged to me that said corporation executed the same. WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public

Residing in:

My Commission Expires:

BOUNDARY DESCRIPTION

A part of the Northeast Quarter of Section 9, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey. Beginning at the Northeast corner of Wasatch Meadows Subdivision Phase 1 according to the official plat thereof which is 1073.95 feet South 0°42'44" West along the Section Line from the Northeast corner of said Section 9, and running thence North 89°15'11" West along the North line of said Subdivision 250.00 feet to the East line of Rocky Mountain Meadows Phase Nine 11 according to the official plat thereof, thence along said East line North 12°46'38" East 63.90 feet to the East line of Rocky Mountain Meadows Subdivision Phase Nine according to the official plat thereof, thence along the Eastern line of said Subdivision North 18°28'56" East 196.67 feet; thence South 89°16'27" East 202.10 feet; thence South 85°14'44" East 50.12 feet; thence South 89°16'27" East 100.00 feet; thence North 0°42'44" West 4.15 feet; thence South 89°17'16" East 375.68 feet to the Section Line; thence South 0°42'44" West along said Section line 250.95 feet to the point of beginning. Contains 191,370 s.f. or 4.393 acres.

NARRATIVE

The purpose of this survey is to create a multi lot subdivision as shown.

SURVEYOR'S CERTIFICATE

I, Tyler D. Knight, do hereby certify that I am a professional land surveyor in the State of Utah in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Act; and hold certificate no. 9008384-2201 as prescribed by the laws of this State. That I have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17. That this plat was prepared from the field notes of this survey and from documents and records as noted hereon. Monuments have been placed as represented on the plat.



WEST HAVEN CITY PLANNING COMMISSION APPROVAL

This is to certify that this subdivision plat was duly approved by West Haven City Planning Commission on the ____ day of _____, 20____.

Chairman

WEST HAVEN CITY ATTORNEY

I hereby certify that the requirements of all applicable statutes and ordinances prerequisite to approval by the City Attorney of the foregoing plat and dedications have been complied with. Signed this ____ day of _____, 20____.

Signature

WEST HAVEN CITY ENGINEER

Approved by the West Haven City Engineer on the ____ day of _____, 20____.

Signature

WEST HAVEN CITY ACCEPTANCE

This is to certify that this subdivision plat, the dedication of streets, and the granting of easements and other public ways shown hereon are hereby approved and accepted. Signed this ____ day of _____, 20____.

Mayor: Sharon A. Bolos

Attest:

Title:

Curve Table

Curve #	Delta	Length	Radius	Chord Direction	Chord Length
C1	047°40'	66.55	80.00	N 60°49'01" E	64.65
C2	053°46'	75.07	80.00	N 63°51'57" E	72.34
C3	034°37'	36.26	60.00	S 71°56'32" E	35.71
C4	034°39'	36.29	60.00	S 71°57'35" E	35.74
C5	034°39'	51.41	85.00	N 71°57'35" W	50.63
C6	034°37'	21.15	35.00	N 71°56'32" W	20.83
C7	053°46'	51.61	55.00	S 63°51'57" W	49.74
C8	009°16'	16.99	105.00	S 41°37'10" W	16.97
C9	011°03'	20.24	105.00	S 51°46'32" W	20.20
C10	031°36'	57.91	105.00	N 73°05'44" E	57.18
C11	037°42'	36.18	55.00	N 55°49'51" E	35.53
C12	025°02'	45.87	105.00	N 49°29'59" E	45.51
C13	028°58'	53.08	105.00	S 76°29'45" W	52.52
C14	013°34'	20.12	85.00	N 82°28'03" W	20.07
C15	021°04'	31.24	85.00	N 65°09'57" W	31.07
C16	034°39'	21.17	35.00	N 71°57'35" W	20.85

SOUTH-EAST CORNER SEC 9, T5N, R2W, SL28M FOUND BRASS CAP MONUMENT



Landmark Surveying, Inc.
A Complete Land Surveying Service
www.LandmarkSurveyUtah.com

4446 South 3900 West - AA-3
West Haven, UT 84401
801-731-4075

DEVELOPER: KEVIN GLASMANN
Address: 5925 S. 2450 E OGDEN, UT 84403

NE 1/4 of Section 9,
Township 5 North, Range 2 West, Salt Lake Base and Meridian.

Revisions

DRAWN BY: BJB

CHECKED BY: TK

DATE: 2019

FILE: 3906

Weber County Recorder

Entry no. _____

Fee paid _____

Filed for record and recorded

____ day of _____, 20____.

at _____

in book _____ of official records,

on page _____

County Recorder: Leann H Kilts

By Deputy: _____

WASATCH MEADOWS SUBDIVISION PHASE 3

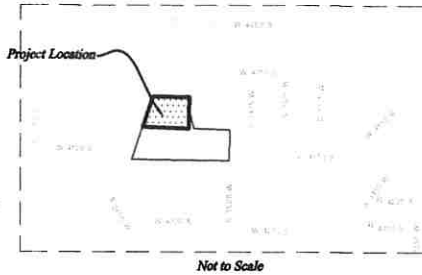
PART OF THE NE 1/4 OF SECTION 9 TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN
WEST HAVEN CITY, WEBER COUNTY, UTAH - JUNE 2020

Legend

- EXISTING FENCE
- EASEMENTS
- STREET CENTERLINE
- FND SECTION CORNER
- SET STREET MONUMENT
- FND CURB NAIL
- FND REBAR AND CAP
- SET #5x24" REBAR AND CAP STAMPED LANDMARK (FRONT MARKER NAILS SET AT CURB & GUTTER)
- ROAD/STREET DEDICATION



Scale ~ 1" = 40'



Not to Scale

NORTH EAST CORNER SEC 9,
T5N, R2W, S18M
FOUND BRASS CAP MONUMENT



822.00'

822.00'

822.00'

822.00'

822.00'

822.00'

OWNER'S DEDICATION

We the undersigned owners of the herein described tract of land, do hereby set apart and subdivide the same into lots and streets as shown hereon and name said tract WASATCH MEADOWS SUBDIVISION PHASE 3. We hereby dedicate to the governing entity for the purpose of public use all those parts or portions of said tract of land designated as street(s) and/or road(s), the same to be used as public thoroughfares. And further dedicate grant and convey said street(s) or and/or road(s) as public utility corridors as may be authorized by the governing entity. We hereby dedicate, grant and convey to the West Haven City, or its designee, all those parts or portions of said tract of land designated "Drainage Buffer Zone" the same to be used as public open space for the Cities purposes. We hereby grant and dedicate a perpetual right and easement over, upon and under the lands designated hereon as public utility, storm water detention pond(s), drainage easement(s), and canal maintenance easement(s), the same to be used for the installation maintenance and operation of public utility service line(s), storm drainage facilities, irrigation canal(s) or for the perpetual preservation of water channels in their natural state whichever is applicable to the governing entity and as may be authorized by the governing entity, with no buildings or structures being erected within such easements. We hereby grant and dedicate unto all owners of lots upon which private land drains are constructed or which are otherwise dependent upon such land drains, a perpetual easement over such land drains for the purpose of maintenance and operation.

Corporate Acknowledgement

IN WITNESS WHEREOF, said KEVIN V. GLASMANN has caused this instrument to be executed by its proper officers hereunto duly authorized, this ____ day of _____, 20__.

5G DEVELOPMENT INC.

KEVIN V. GLASMANN
STATE OF UTAH)
COUNTY OF WEBER) SS

By:

On the date first above written personally appeared before me KEVIN V. GLASMANN, who, being by me duly sworn said that [he/she/they is/are] the [president/vice president and president/vice president] of 5G DEVELOPMENT INC., a corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its Board of Directors or by authority of its Articles of Incorporation and the said KEVIN V. GLASMANN acknowledged to me that said corporation executed the same. WITNESS my hand and official stamp the date in this certificate first above written:

Notary Public

Residing in:

My Commission Expires:

BOUNDARY DESCRIPTION

A part of the Northeast Quarter of Section 9, Township 5 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point on the North line of Wasatch Meadows Subdivision Phase 2 according to the official plat thereof which is 832.00 feet South 0°42'44" West along the Section Line and 313.32 feet North 89°17'14" West from the Northeast corner of said Section 9; and running thence along said North line of Subdivision the following five (5) courses: (1) North 89°17'18" West 62.36 feet, (2) South 0°18'04" East 4.17 feet, (3) North 89°16'27" West 100.00 feet, (4) North 89°16'44" West 50.12 feet and (5) North 89°16'27" West 202.10 feet to the East line of Rocky Mountain Meadows Phase Five according to the official plat thereof, thence along said East line North 18°28'56" East 334.41 feet, thence South 89°16'27" East, thence South 0°18'04" East 317.88 feet to the point of beginning. Contains 115,252 s.f. or 2.646 acres.

NARRATIVE

The purpose of this survey is to create a multi lot subdivision as shown.

SURVEYOR'S CERTIFICATE

I, Tyler D. Knight, do hereby certify that I am a professional land surveyor in the State of Utah in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Act; and hold certificate no. 9008384-2201 as prescribed by the laws of this State. That I have made a survey of the property(s) shown hereon in accordance with UCA 17-23-17. That this plot was prepared from the field notes of this survey and from documents and records as noted hereon. Monuments have been placed as represented on the plot.



WEST HAVEN CITY PLANNING COMMISSION APPROVAL

This is to certify that this subdivision plot was duly approved by West Haven City Planning Commission on the ____ day of _____, 20__.

Chairman

WEST HAVEN CITY ATTORNEY

I hereby certify that the requirements of all applicable statutes and ordinances prerequisite to approval by the City Attorney of the foregoing plot and dedications have been complied with. Signed this ____ day of _____, 20__.

Signature

WEST HAVEN CITY ENGINEER

Approved by the West Haven City Engineer on the ____ day of _____, 20__.

Signature

WEST HAVEN CITY ACCEPTANCE

This is to certify that this subdivision plot, the dedication of streets, and the granting of easements and other public ways shown hereon are hereby approved and accepted. Signed this ____ day of _____, 20__.

Mayor: Sharon A. Bolos

Attest:

Title:



4646 South 3500 West - #A-3
West Haven, UT 84401
801-731-4075

DEVELOPER: KEVIN GLASMANN
Address: 5925 S. 2450 E. OGDEN, UT 84403

NE 1/4 of Section 9,
Township 5 North, Range 2 West, Salt Lake Base and Meridian.

Revisions	DRAWN BY: EUB
CHECKED BY: TK	DATE: 2019
FILE: 3906	

Weber County Recorder

Entry no. _____

Fee paid _____

Filed for record and recorded
____ day of _____, 20__

at _____

In book _____ of official records,

on page _____

County Recorder: Leann H Kilts

By Deputy: _____

DRAFT

ORDINANCE NO. 28-2020

**AN ORDINANCE OF WEST HAVEN CITY, UTAH, REVISING
AND AMENDING THE CITY CODE; MAKING CERTAIN
CHANGES TO SECTIONS 10.14, IN THE ZONING CODE REGARDING R-4 OF
THE MULTIPLE FAMILY RESIDENTIAL ZONES AND MAKING
NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT
THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE
CHANGES.**

Section 1. Recitals:

WHEREAS, West Haven City (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-707, the governing body of the city may revise, codify and compile from time to time and to publish in book, pamphlet or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions as it may deem best; and,

WHEREAS, in conformance with Title 10, Section 9a – the Municipal Land Use, Development and Management Act, the governing body of the city may pass ordinances defining zoning and what are acceptable uses within each zone and within the city; and,

WHEREAS, West Haven City has adopted and promulgated city ordinances and rules regarding zoning and acceptable uses within those zones in the City; and,

WHEREAS, the City Council finds that certain changes to the West Haven City Zoning Code in regards to certain sections of the Multiple Family Residential Zones, namely R-4 Zone, should be made; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare is at issue in this matter and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN CITY, UTAH that Section 10.14 of the West Haven City Zoning Code be, and the same is, changed and amended to read as follows:

The following language shall replace the existing language in Section 10.14 R-4 Residential Moderate to Higher Density Zone of the Zoning Code:

See Exhibit “A” – R-4 ZONE A RESIDENTIAL MODERATE TO HIGHER DENSITY ZONE (4 UNITS PER ACRE)

The foregoing Recitals are fully incorporated herein.

Section 2. Repealer of Conflicting Enactments:

All orders, ordinances and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with the provisions of this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

Section 3. Prior Ordinances and Resolutions:

The body and substance of any prior Ordinances and Resolutions, together with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed to be the separate independent and severable act of the City Council of West Haven City.

Section 5 - Date of Effect:

BE IT FURTHER ORDAINED this Ordinance will become effective on the 1st day of July, 2020 and after publication or posting as required by law.

DATED this 1st day of July, 2020.

WEST HAVEN, a municipal corporation

by: _____
Mayor Sharon Bolos

Attested and Recorded

Emily Green

EXHIBIT “A”

WEST HAVEN CITY – GENERAL PLAN

R-4 Zone

A RESIDENTIAL MODERATE TO HIGHTER DENSITY ZONE (4 units for acre)

SECTION 1:

- 1 Purpose
- 2 Permitted Uses
- 3 Conditional Uses
- 4 Building Lot Requirements
- 5 Location of Structures
- 6 Maximum Structure Height
- 7 Off-Street Parking
- 8 Permitted Signs

1.1: PURPOSE:

To provide for areas in appropriate locations where quiet, higher density, residential neighborhoods may be established and protected. The regulations of this Zone are designed to promote compatible land uses consistent with a suburban environment enjoyed by residents within the Zone. With proper controls that ensure the integrity of the Zone, alternate forms of residential living are provided for by allowing flexibility in housing type; preference and costs.

1.2 PERMITTED USES:

Accessory uses and buildings. (Only behind homes)
Dwellings, single family.
See Home Occupation Ordinance.
See Animal Keeping Ordinance

1.3: CONDITIONAL USES:

Conditions for approval shall be determined by the Planning Commission and City Council or as otherwise provided in the conditional use ordinance.

Church (temporary churches held in the open area or in tents or in temporary structures excluded).

Daycare centers and preschools, whether held within a residence or in a separate facility.

Golf courses, public or privately owned, whether or not operated as a business.

Planned dwelling group with a maximum of two (2) dwellings.

Planned unit developments (PUDs).

Public buildings and public utility buildings.

Public parks and/or playgrounds, also privately owned playgrounds and recreational grounds or parks not operated as a business, in whole or in part, and to which no admission charge is made.

Schools, public or privately owned.

1.4: BUILDING LOT REQUIREMENTS:

- A. Density: There shall be no more than 4 building lots per acre contained within the boundaries of each phase of every subdivision or planned unit development; except when previously completed phases of the same development have sufficiently low density so that the average is still 4 building lots per acre or less.
- B. Lot Area: There shall be a minimum of six thousand (6,000) square feet for single family in each lot.
 - 1. Buffer area: There shall be a minimum of twelve thousand (12,500) square feet for single family in a lot if the lot is adjacent to an A-1 or R-1 zone. There shall be a minimum of ten thousand (10,000) square feet for single family in a lot if the lot is adjacent to an A-2 or R-2 zone. There shall be a minimum of seven thousand five hundred (7,500) square feet for single family in a lot if the lot is adjacent to a R-2.5 zone.
- C. Lot Width: Minimum lot width – sixty (60) feet. (Planning Commission can give variances for odd shaped lots) Corner lot 70 feet minimum.

1.5: LOCATION OF STRUCTURES:

Structure - Dwellings

Front Setback - 20 feet from front line for garages, 15 feet for the home.

Side Setback - 6 feet minimum each side, 15 feet minimum for side fronting on a street. A setback variance can be given by Planning Commission for odd shaped lots.

Rear Setback – The Rear lot line must average 20 feet.

Structure - Detached accessory buildings and garages

All accessory building must be behind the home.

5 feet rear setback from property line

3 feet side setback from property line

1.6: MAXIMUM STRUCTURE HEIGHT:

Main buildings or structures, thirty-five feet (35').

1.7: OFF-STREET PARKING:

As provided in West Haven's parking ordinance.

1.8: PERMITTED SIGNS

See West Haven City Sign Ordinance.

SECTION 2: DEFINITIONS

For the purpose of application of the requirements of this section, R-4 Zone, One Acre is 43,560 square feet and 1/2 Acre is 21,780 square feet.

LEGEND

PROPOSED ARTERIAL / COLLECTOR ROAD

EXISTING ARTERIAL / COLLECTOR ROADS

UTAH POWER & LIGHT CORRIDOR

TRAIL SYSTEM

COMMERCIAL (C-1)

COMMERCIAL (C-2)

COMMERCIAL (C-3)

HEAVY INDUSTRIAL (M-2)

LIGHT INDUSTRIAL (M-1)

MIXED USE ZC HIGH / MEDIUM / LOW DENSITY
RESIDENTIAL & COMMERCIAL

1 UNITS PER ACRE - 20,000 SQFT MIN (R-1)

2 UNITS PER ACRE - 12,500 SQFT MIN (R-2)

2.5 UNITS PER ACRE - 7,000 SQFT MIN (R-2.5)

MULTI-FAMILY UNITS (R-3) - SEE KEYNOTES FOR DENSITY

4 UNITS PER ACRE - 6,000 SQFT MIN (R-4)

DRINKING WATER TREATMENT FACILITY

DETENTION BASIN

PARKS / PUBLIC OPEN SPACES/ SCHOOLS

KEY NOTES

①

MIXED USE: LOW DENSITY

②

MIXED USE: MEDIUM / LOW DENSITY

③

MIXED USE: MEDIUM / HIGH DENSITY

④

MIXED USE: HIGH DENSITY

⑤

FUTURE SCHOOL

⑥

MANDATORY COMMERCIAL
OVERLAY

⑦

5 UNITS PER ACRE

⑧

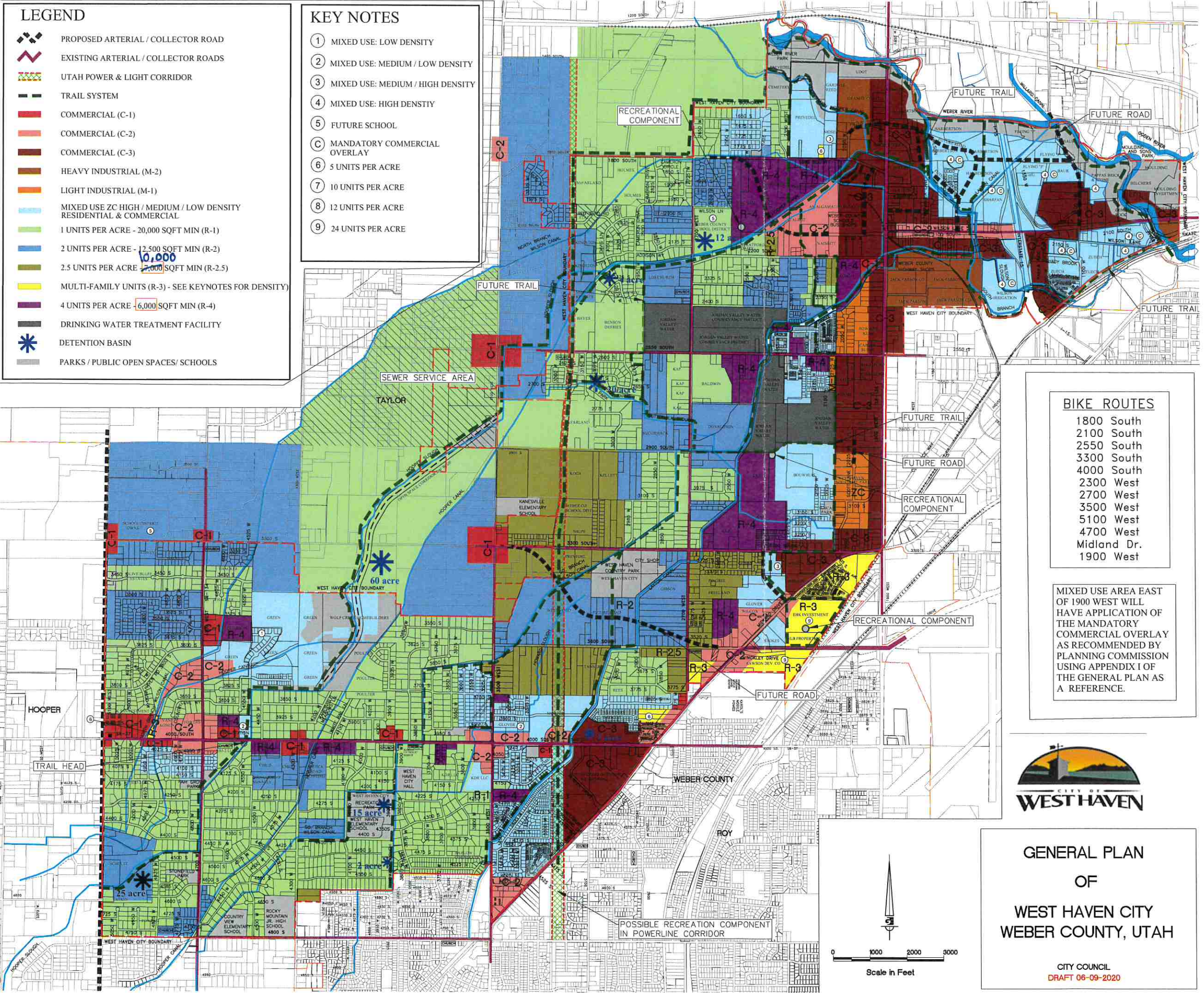
10 UNITS PER ACRE

⑨

12 UNITS PER ACRE

⑩

24 UNITS PER ACRE



BIKE ROUTES

- 1800 South
- 2100 South
- 2550 South
- 3300 South
- 4000 South
- 2300 West
- 2700 West
- 3500 West
- 5100 West
- 4700 West
- Midland Dr.
- 1900 West

MIXED USE AREA EAST
OF 1900 WEST WILL
HAVE APPLICATION OF
THE MANDATORY
COMMERCIAL OVERLAY
AS RECOMMENDED BY
PLANNING COMMISSION
USING APPENDIX I OF
THE GENERAL PLAN AS
A REFERENCE.



GENERAL PLAN
OF
WEST HAVEN CITY
WEBER COUNTY, UTAH

CITY COUNCIL
DRAFT 06-09-2020

DRAFT

RESOLUTION NO. 13-2020

**A RESOLUTION OF THE CITY COUNCIL OF WEST HAVEN CITY, UTAH,
ADOPTING AN AUDIT COMMITTEE FOR THE CITY; AND, PROVIDING FOR
AN EFFECTIVE DATE.**

SECTION 1 - RECITALS

WHEREAS, the City of West Haven City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that is important to provide an audit committee for the city; and,

WHEREAS, the City Council finds that is important to regulate and oversee the operation of the city audit committee, and it is expected that these policies will be adjusted for changes in systems and organizational structure over time as proposed and reviewed by the governing body; and,

WHEREAS, the City Council finds that an effective audit committee should be created to assist the governing body in the oversight of both the internal and external audit functions of the city; and,

WHEREAS, the City Council finds that the audit committee should be comprised of members, and constitute a subset, of the governing body; and,

WHEREAS, the City Council finds it is in the best interest of the City and its residents to establish basic rules and policies governing the creation and operation of an audit committee; and,

WHEREAS, the City Council finds that the Utah State auditor has provided guidance through a template to achieve these policy goals; and,

WHEREAS, the City Council finds this template should be adopted as the Audit Committee Policy for the city;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN UTAH THAT:

The City Council hereby adopts the State Auditor's Template - "Audit Committee Charter", (**Attachment "A"**, attached, and by this reference made a

part as if set out herein, as the Audit Committee Policy for the City both in its current form, and as it may subsequently be amended, without further action.

The forgoing recitals are incorporated fully herein.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of any prior Orders and Resolutions, with their specific provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 5 - DATE OF EFFECT:

This Resolution shall be effective on the 1st day of July, 2020, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY,
STATE OF UTAH, on this 1st day of July, 2020.

WEST HAVEN CITY

Sharon Bolos
Mayor

ATTEST:

Emily Green
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 13-2020

A Resolution Of The City Council Of West Haven City, Utah, Adopting An Audit Committee For The City; And, Providing For An Effective Date.

01 Jul 20



Audit Committee Charter

Audit Committee Authority

Pursuant to resolution number [number of resolution], dated [insert date of resolution], the [governing body] of [entity name] has established an audit committee to assist the [governing body] in the oversight of both the internal and external audit functions. Resolution number [number of resolution] also states that [insert any other relevant wording from the establishing resolution].

Mission

The [governing body] of the [entity name] has established an audit committee to provide independent advice, assistance, and recommendations to the [governing body] in the oversight of the internal and external audit functions of the [entity].

Composition and Requisite Skills

The [entity name] Audit Committee is comprised of a subset of [governing body] members. This ensures that investigations regarding the work of management, external auditors, and internal auditors remain confidential until reports are made public to the governing body. The committee shall include: {Insert composition of the audit committee, as established by [resolution number]}

The Committee members collectively should possess the knowledge in accounting, auditing, and financial reporting needed to understand and evaluate [entity name's] financial statements, the external audit, and the entity's internal audit activities. Accordingly, the Audit Committee's members, collectively, should:

- 1) Possess the requisite knowledge necessary to understand technical and complex financial reporting issues.
- 2) Have the ability to communicate with auditors, public finance officers and the governing body.
- 3) Be knowledgeable about internal controls, financial statement audits and management/operational audits.
 - a. If no audit committee members have sufficient personal internal control or finance knowledge, the committee must gain this knowledge via a financial expert (either volunteer or paid) advisor.
 - i. The financial expert advisor must:
 1. Be independent of management
 2. Be present for meetings
 3. Not be a member of the audit committee
 4. Not vote on committee actions

Duties and Responsibilities

The duties and responsibilities of the [entity name] Audit Committee include the following:

1) External Audit Focus

- a. Provide recommendations regarding the selection of the external auditor
- b. Meet with the external auditor prior to commencement of the audit to, among other things, review the engagement letter.
- c. Review and discuss with the external auditor any risk assessment of the entity's fiscal operations developed as part of the auditor's responsibilities under governmental auditing standards for a financial statement audit and federal single audit standards, if applicable.
- d. Receive and review the draft annual audit report and accompanying draft management letter, including the external auditor's assessment of the entity's system of internal controls, and, working directly with the external auditor, assist the governing body in interpreting such documents.
- e. Make a recommendation to the governing body on accepting the annual audit report.
- f. Review every corrective action plan developed by [entity name] management and assist the governing body in the implementation of such plans.

2) Internal Audit Focus

- a. Make recommendations to the governing body regarding the appointment of the internal auditor.
- b. Assist in the oversight of the internal audit function, including reviewing the annual internal audit plan to ensure that high risk areas and key control activities are periodically evaluated and tested, and reviewing the results of internal audit activities.
- c. Review significant recommendations and findings of the internal auditor.
- d. Monitor management's implementation of the internal auditor's recommendations by management.
- e. Participate in the evaluation of the performance of the internal audit function.
- f. Oversee Hotline complaints received and investigated by the internal auditor.

3) Administrative Matters

- a. Hold regularly scheduled meetings.
- b. Review and revise the Audit Committee Charter, as necessary.

Membership

The membership duties of the [entity name] Audit Committee include the following:

- 1) Good Faith – Members of the Committee shall perform their duties in good faith, in a manner they reasonably believe to be in the best interests of the Committee and the [entity type] with such care as a generally prudent person in a similar position would use under similar circumstances.
- 2) Independence – An individual may not serve on an audit committee if he or she:
 - a. Is employed by the entity (other than governing board members).
 - b. Currently provides, or within the prior two years, has provided, goods or services to the entity.
 - c. Is a family member of an employee or officer.
 - d. Is the owner of or has a direct and material interest in a company providing goods or services to the entity.
- 3) Confidentiality – During the exercise of duties and responsibilities, the Committee members may have access to confidential information. The Committee shall have an obligation to the [entity type] to maintain the confidentiality of such information.

Meetings and Notification

The [entity name] Audit Committee shall meet a minimum of [insert number] times each year. An agenda of each meeting should be clearly determined in advance and the Audit Committee should receive supporting documents in advance, for reasonable review and consideration.

The Audit Committee shall create meeting minutes which include the meeting:

- 1) Agenda
- 2) Time, date, and location
- 3) Attendance
- 4) Findings requiring further investigation
- 5) Items to report to the governing body

Decision-Making Process

All decisions shall be reached by vote of a simple majority of the total membership of the committee. A quorum constitutes a simple majority of the total membership and meetings will not be conducted unless a quorum is present.

Reporting Requirements

The [entity name] Audit Committee has the duty and responsibility to report its activities to the [governing body] as needed, but not less than annually. Periodic written reports of Audit Committee activities are an important communication link between the Audit Committee and the [governing body] on key decisions and responsibilities. The Audit Committee's reporting requirements are to:

- 1) Report on the scope and breadth of committee activities so that the [governing body] is kept informed of its work.
- 2) Provide minutes or a summary of minutes of meetings which clearly record the actions and recommendations of the Committee.
- 3) Report on their review of the [entity's] draft annual audit report and accompanying management letter and their review of significant findings.
- 4) Report on suspected fraud, waste or abuse, or significant internal control findings and activities of the internal control function.
- 5) Report on indications of material or significant non-compliances with laws or [entity] policies and regulations.
- 6) Report on any other matters that the committee believes should be disclosed to the [governing body].

Charter Review

The [entity name] Audit Committee shall assess and report to the [governing body] on the adequacy of this Charter no less than an annual basis or as necessary. Charter modifications, as recommended by the Audit Committee, should be presented to the [governing body] in writing for their review and action.

DRAFT

RESOLUTION NO. 14-2020

**A RESOLUTION OF THE CITY COUNCIL OF WEST HAVEN CITY, UTAH,
ADOPTING A CASH RECEIPTING AND DEPOSIT POLICY FOR THE CITY;
AND, PROVIDING FOR AN EFFECTIVE DATE.**

SECTION 1 - RECITALS

WHEREAS, the City of West Haven City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that is important to provide a city-wide policy governing Cash Receipting and Deposits; and,

WHEREAS, the City Council finds that is important to regulate and oversee Cash Receipting and Deposits and is expected that these policies will be adjusted for changes in systems and organizational structure over time as proposed and reviewed by the governing body; and,

WHEREAS, the City Council finds that an effective Cash Receipting and Deposit Policy must provide an opportunity for achieving these, and other important governmental ends; and,

WHEREAS, the City Council finds it is in the best interest of the City and its residents to establish basic rules and policies governing Cash Receipting and Deposits; and,

WHEREAS, the City Council finds that the Utah State auditor has provided guidance through a template to achieve these policy goals; and,

WHEREAS, the City Council finds this template should be adopted as the Cash Receipting and Deposit Policy for the city; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN UTAH THAT:

The City Council hereby adopts the State Auditor's Template - "Cash Receipting and Deposit Policy", (**Attachment "A"**, attached, and by this reference made a part as if set out herein, as the Cash Receipting and Deposit Policy for the City both in its current form, and as it may subsequently be amended, without further action.

The forgoing recitals are incorporated fully herein.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of any prior Orders and Resolutions, with their specific provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 5 - DATE OF EFFECT:

This Resolution shall be effective on the 1st day of July, 2020, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY,
STATE OF UTAH, on this 1st day of July, 2020.

WEST HAVEN CITY

Sharon Bolos
Mayor

ATTEST:

Emily Green
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 14-2020

A Resolution Of The City Council Of West Haven City, Utah, Adopting A Cash Receipting And Deposit Policy For The City; And, Providing For An Effective Date.

01 Jul 20



Cash Receipting and Deposit Policy

Purpose

Establish a uniform control design for all departments of [entity name] that receive cash. This policy has been developed by the [Treasurer] with input received from the [Auditor], external auditors and approved by the [Governing body] who ultimately is responsible for the overall design and implementation of organizational controls. Over time it is expected this policy will be adjusted for changes in systems and organizational structure at which time the [Treasurer] will propose changes to the [governing body] for review and approval.

Cash Receipts at Separate Individual Locations

1. All funds received are entered into the accounting system at the time of the transaction or if the transaction occurs at a location without access to the accounting system the funds will be logged into a pre-numbered receipt book with enough detail to determine where/who the funds came from, the purpose for receiving the funds, the method of payment; cash, check, credit card etc., and designate the appropriate account. Manual receipts should have three copies; Customer copy, a Treasurer copy and a location copy.
2. At the end of each day the person responsible for receiving cash will close out their cash drawer, reconcile the system generated report to the cash in the drawer, place cash, checks and credit card receipts received along with the report in a deposit bag and either deliver it to the Treasurer's office or place it in a secure (locked) place for deposit on the next business day.
3. Void/adjusted transactions. If a transaction needs to be voided or adjusted it should be done by someone who does not receive cash. If an office doesn't have enough employees to have adjustments made by a supervisor that doesn't receive cash, two employees will sign off on the adjustment or voided transaction explaining the circumstances causing the adjustment. If the location is using a manual receipt book all copies of the receipt should be present for any voided receipt. The system should be designed to generate a report of all adjusted/voided transactions to facilitate monitoring of this process.
4. Every effort should be made to ensure large quantities of cash are not on hand at any location overnight. If a location has a large transaction or series of transactions leaving cash on hand over [Treasurer/Governing body to set amount/\$1,000] the deposit should be made in the same day.
5. When deposits are made with the Treasurer's office the employee making the deposit will turn over the funds and watch as it is counted, receive a receipt detailing the amount, date of receipt and the signature of the Treasurer's office

employee who took custody of the funds. This receipt will be returned to the location and kept with the receipt records. Any discrepancy in the funds being deposited and the supporting documentation should occur when custody of the funds changes.

6. The Treasurer's office enters the deposit into the accounting system, and takes funds to the bank.
7. [Entity name] will install and maintain surveillance systems in offices receiving funds. Surveillance evidence will be maintained for [enter number of days/60] days.
8. Mail will be opened in the presence of two or more employees and any correspondence containing payments will be removed and processed prior to distributing mail to individual persons or departments.

Deposits with Treasurer

1. Treasurer's office employee will receive [department/location] funds, count the funds, compare the amount received to the supporting documentation provided and give a receipt to the employee who turned over the funds with the amount received, date and that employees name and signature.
2. An employee from the Treasurer's office enters the information from the deposit into the Accounting system.
3. At the end of each day, the Treasurer will compile all cash and checks received, match the total to the total receipts in the accounting system, and create a deposit slip (deposit information should be sufficiently detailed to allow a reviewer to trace individual transactions from satellite locations into the deposit and verify that the funds were received by the bank.
4. Copies of deposit slips are maintained and used to reconcile bank statements to the accounting records.
5. Department heads for departments that collect cash should review the revenue recorded into the accounting system with their copy of the deposits to ensure correct recording of cash. Where practicable the system should be designed to only allow receipts for cash receipts to be recorded to accounts that pertain to that office or department.

Adaptation to individual organizations

The policies and procedures mentioned above are basic and will need to be adapted to the individual needs of entities in varying sizes and locations. What follows are a series of individual considerations that may require adaptation to the policy or processes.

1. Small organizations - If there are not enough employees to segregate duties compensating controls should be considered such as: having a member of the [governing body] review transactions and trace them back to the source documents.

2. Entities may choose to modify deposit procedures to allow a department to make their own deposit into a bank account. In such cases the Treasurer should have access to the account and monitor the activity to ensure proper recording of transactions including adjustments, credits and withdrawals from the account.

DRAFT

RESOLUTION NO. 15-2020

**A RESOLUTION OF THE CITY COUNCIL OF WEST HAVEN CITY, UTAH,
ADOPTING A CREDIT CARD POLICY FOR THE CITY; AND, PROVIDING FOR
AN EFFECTIVE DATE.**

SECTION 1 - RECITALS

WHEREAS, the City of West Haven City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that is important to provide a city-wide policy governing the use of city credit cards; and,

WHEREAS, the City Council finds that is important to regulate and oversee the issuance of city credit cards; to establish appropriate credit limits, as determined by the governing body; manage payments for an reconciliation of credit card accounts; and, deal with misuse of credit cards; and,

WHEREAS, the City Council finds that an effective Credit Card Policy must provide an opportunity for achieving these, and other important governmental ends; and,

WHEREAS, the City Council finds it is in the best interest of the City and its residents to establish basic rules and policies for utilizing city credit cards; and,

WHEREAS, the City Council finds that the Utah State auditor has provided guidance through a template to achieve these policy goals; and,

WHEREAS, the City Council finds this template should be adopted as the Credit Card Policy for the city; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN UTAH THAT:

The City Council hereby adopts the State Auditor's Template - "Credit Card Policy", (**Attachment "A"**, attached, and by this reference made a part as if set out herein, as the Credit Card Policy for the City both in its current form, and as it may subsequently be amended, without further action.

The forgoing recitals are incorporated fully herein.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of any prior Orders and Resolutions, with their specific provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 5 - DATE OF EFFECT:

This Resolution shall be effective on the 1st day of July, 2020, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY,
STATE OF UTAH, on this 1st day of July, 2020.

WEST HAVEN CITY

Sharon Bolos
Mayor

ATTEST:

Emily Green
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 15-2020

A Resolution Of The City Council Of West Haven City, Utah, Adopting A Credit Card Policy For The City; And, Providing For An Effective Date.

01 Jul 20



Credit Card Policy

Credit Card Procedures

By requesting an [Entity name] Credit Card, each applicant acknowledges that they have read and understand the Policy and Procedures, in their entirety. These procedures provide information about the process, the types of purchases that can and cannot be made, records that must be maintained and reconciled monthly and miscellaneous information about the program.

1. To Obtain a Card:

Complete an [Entity name] Credit Card Acceptance Agreement (Appendix A). All requests will be processed through the [Responsible person/office] with final approval by the [governing body]. The cardholder's signature on the Acceptance Agreement (Appendix A) indicates that the cardholder understands the intent of the program and agrees to adhere to the guidelines established for Credit Card Policy and Procedures.

Upon receipt of an approved credit card, it is the responsibility of the cardholder to sign the back of the issued card. Applicants are responsible for the security of the card issued and the transactions made with the card. The credit card is issued in the name of the applicant and it will be assumed that any purchases made with the card will have been made by the applicant. The cardholder is the only person entitled to use the card issued. Failure to comply with the guidelines established for the program may result in severe consequences, up to and including termination of employment.

2. Card Holder Responsibilities:

It is the responsibility of the cardholder to:

- a. Read and understand the [Entity name]'s Credit Card Policies and Procedures
- b. Sign the Credit Card Acceptance Agreement. (See Appendix A)
- c. Make only authorized purchases as prescribed by the Purchasing Policy and approved departmental budget
- d. Retain receipts for all transactions. In the absence of a receipt, a Missing Receipt Form must be completed and signed by the cardholder and a Member of the [governing body]. (See Appendix B)
- e. Reconcile the credit card statement upon its arrival. All reconciliations, statements, and receipts, with an attached [Warrant/claim] for each transaction, are due to the [Entity Accountant] by the [enter time to perform function/1st of the following month]

- f. Keep the credit card and the corresponding account information secure. Immediately report any lost or stolen credit card and/or account information to the [Enter responsible office]
- g. Report fraudulent charges or any discrepancies in the credit card statement in a timely manner to the [enter responsible office]
- h. Failure to follow the policy may result in loss of card privileges, repayment of funds, suspension or termination.

3. [Accountant/Responsible office] Responsibilities

It is the responsibility of the [Accountant/Responsible office] to:

- a. Request and oversee the issuance of new cards, through the [Treasurer's Office], and the [governing body]. The credit limit will be determined at the discretion of the [governing body]
- b. Inform the [Governing body] when limit changes or cancellations are needed due to personnel changes
- c. Payment on Credit Cards is to be done immediately upon receipt
- d. Credit Card reconciliations are to be completed within 15 days of payment due date
- e. Review the cardholder's reconciliation and transactions for completeness, accuracy, and compliance with [Entity name] policies and procedures
- f. Address the cardholder about questionable transactions for clarification purposes
- g. Report any misuses of credit cards immediately to the [governing body]
- h. Sign the [Warrant/claim] form for each cardholder after review
- i. Insure that the [Treasurer's] Office receives copies of receipts, if sales tax has been paid, to facilitate reimbursement from the State

4. Approved Credit Card Purchases:

- a. Business related uses, subscriptions, seminars, dues, books
- b. Office supplies, furniture
- c. Small tools (purchase/rental), electrical, safety and building maintenance supplies
- d. Vehicle maintenance supplies
- e. Certain allowable travel expenditures:
 - i. Conference registrations or seminar rooms
 - ii. Entity sponsored group gatherings
 - iii. Hotel rooms

5. Prohibited Credit Card Purchases:

The following purchases are strictly prohibited from being purchased using a [Entity name] credit card:

- a. Any merchant, product, or service normally considered to be inappropriate use of Entity funds
- b. Purchase of items for personal use or consumption
- c. Purchasing in violation of the Purchasing Policy
- d. Capital equipment purchases/repair
- e. Gift cards/certificates
- f. Alcohol

- g. Fuel for fleet vehicles unless traveling outside of Utah. The [entity name] gas card should be used for fuel purchases.
- h. Splitting a purchase to remain under purchasing policy limits
- i. Consultants:
 - i. Architects
 - ii. Engineers
 - iii. Attorneys and Attorney's fees
 - iv. Medical, including hospital/doctor visits

6. Built-In Restrictions:

Each card is assigned Monthly and Single-Purchase credit limits. If you find over time that these limits are too low to accommodate your monthly requirements, please contact a member of the [governing body] to review the limit given. [Entity name] has the ability to block, if necessary, certain supplier's Merchant Category Codes. If the [Entity type] chooses to block a Merchant the card will be declined. Please refer to the [Accountant/responsible office] regarding issues with a possible blocked card.

7. Reconciliation and Payment:

The [Entity type] Credit Card Program carries [Entity type], not individual, liability. Credit Card Invoices will be paid by the [Accountant/responsible office] as outlined in Section 3. The cardholder will not be required to pay the Monthly Statement using personal funds. The program does not impact the cardholder's personal credit rating in any way.

The cardholder is required to obtain and retain all receipts for goods and services purchased when using the credit card. If purchases are made via phone, mail, e-mail or other electronic means, ask the supplier to include and itemized receipt with the goods when the product is shipped to you. This itemized receipt is the only original documentation specifying whether or not sales tax has been paid against the purchase.

Each cardholder will receive a statement identifying all transactions made against the card during the previous billing cycle. The statement must be reconciled against the receipts for accuracy. The reconciled statement is to be sent to the [Accountant/responsible office] for review, and approval. The cardholder's activity may be audited at any time.

8. Disputed Transactions:

Disputes on credit cards must be identified in writing to the issuing credit card company within 60 days of the monthly statement date. If a dispute is not identified in writing within 60 days of the Monthly Statement date the issue must then be resolved between the [Entity type] and the supplier.

The cardholder is responsible to identify possible disputed or fraudulent transactions on the monthly statement provided to them for reconciliation. If an audit is conducted on the cardholder's account, the cardholder must be able to produce receipts and/or proof that the transaction occurred. If an error is

discovered, the cardholder is responsible for showing that the error or dispute resolution process was completed.

It is the cardholder's responsibility to immediately notify the [Accountant or responsible office] if there is a possible dispute on an issued credit card.

9. Employee Termination:

Upon notice of a cardholder terminating their current employment, the cardholder's supervisor is responsible to take possession of the card and any outstanding original receipts. The supervisor should immediately notify the [Accountant/responsible office] so they can notify the card issuer and close the account.

Appendix A

CREDIT CARD HOLDER ACCEPTANCE AGREEMENT

The following Credit Card Acceptance Agreement must be signed by all [Entity name] employees with access to a credit card.

I understand that [Entity name] has authorized my use of a credit card for authorized expenditures on its behalf. In accepting and/or using the card, I agree to be bound by the terms and conditions which follow.

1. I will use the card issued to me for the payment of authorized expenses consistent with my organizational responsibilities and to satisfy the needs of my department and [Entity name]
2. I will not use the card to obtain cash advances
3. I understand that I am the only authorized card user and accept the responsibility and accountability for the protection and proper use of the card
4. I will not use the card for personal use or for any other non-Entity purposes
5. I understand that all purchases shall be made in accordance with applicable purchasing and credit card policies and procedures approved by the [governing body]
6. I understand that I will be responsible for the timely reconciliation of all credit card transactions charged to my assigned card
7. I understand that I am responsible to provide appropriate documentation/receipts for credit card transactions charged to my assigned card
8. I will surrender my assigned card to the [Entity Accountant/Administrator] in the event of my separation from [Entity name]
9. I understand that any charges against my assigned card that are not properly identified or not allowed by [Entity name] shall be paid by me by check, United States currency or salary deduction. I further understand that any employee who has been issued a card shall not use the card if any disallowed charges are outstanding and shall surrender the card upon demand of the [Administrator or Member of the governing body]
10. I will immediately report any stolen or lost card to the [Administrator]

I understand that any variance and/or violation of the above conditions will result in cancellation of my assigned credit card. Misuse of the card could result in disciplinary action and/or personal liability for unapproved charges. All Entity credit cards are subject to examination by external and internal auditors.

I HAVE READ AND I UNDERSTAND THE ABOVE CONDITIONS.

Name: _____ Department: _____

Signature: _____ Credit Card #: _____

DRAFT

RESOLUTION NO. 16-2020

**A RESOLUTION OF THE CITY COUNCIL OF WEST HAVEN CITY, UTAH,
ADOPTING A HOTLINE POLICY FOR THE CITY; AND, PROVIDING FOR AN
EFFECTIVE DATE.**

SECTION 1 - RECITALS

WHEREAS, the City of West Haven City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that is important to provide an avenue for citizens, including public employees and contractors, to report improper governmental activities; and,

WHEREAS, the City Council finds that such improper activities include, but are not limited to, waste or misuse of public funds, property, or manpower; violations of the law, rule, or regulation applicable to the government; gross mismanagement; abuse of authority; or, unethical conduct; and,

WHEREAS, the City Council finds that an effective hotline policy must provide an opportunity for submitting evidence that supports any allegation; and,

WHEREAS, the City Council finds it is in the best interest of the City and its residents to establish basic rules and policies for utilizing the hotline effectively; and,

WHEREAS, the City Council finds that the Utah State auditor has provided guidance through a template to achieve these policy goals; and,

WHEREAS, the City Council finds this template should be adopted as the Hotline Policy for the city; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN UTAH THAT:

The City Council hereby adopts the State Auditor's Template - "Hotline Policy", (**Attachment "A"**, attached, and by this reference made a part as if set out herein, as the Hotline Policy for the City both in its current form, and as it may subsequently be amended, without further action.

The forgoing recitals are incorporated fully herein.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of any prior Orders and Resolutions, with their specific provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 5 - DATE OF EFFECT:

This Resolution shall be effective on the 1st day of July, 2020, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY,
STATE OF UTAH, on this 1st day of July, 2020.

WEST HAVEN CITY

Sharon Bolos
Mayor

ATTEST:

Emily Green
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 16-2020

A Resolution Of The City Council Of West Haven City, Utah, Adopting A Hotline Policy For The City; And, Providing For An Effective Date.

01 Jul 20



Hotline Policy

Introduction

The [Entity Name] Hotline provides an avenue for citizens, including public employees and contractors, to report improper governmental activities including:

- Waste or misuse of public funds, property, or manpower
- Violations of a law, rule, or regulation applicable to the government
- Gross mismanagement
- Abuse of authority
- Unethical conduct

Filing a Complaint

Complaints should be submitted in writing using the attached form. Complainants should also submit any evidence that supports the complaint. Essential information includes specifics on 'who, what, where, when' as well as any other details that may be important such as information on other witnesses, documents, and pertinent evidence. Due to limited resources [Entity Name] is unable to accept complaints that are not supported by evidence or provide a means for us to investigate the problem further. At a minimum, please use the form as a guide to ensure the necessary information is provided. Submit complaints via the following methods:

Email: [hotline email address]

US Mail: [mailing address]

Complainants may call the hotline at [hotline phone number] for more information.

Entity Processing of a Hotline Complaint

1. After receipt of the complaint, the [Internal Auditor] will review the allegation and any evidence provided by the complainant. The list below represents some of the factors that are considered during the screening and prioritization process.
 - a. Does the complaint involve actions by a person subject to the [entity name]'s authority?
 - b. Does the complaint pertain to improper governmental activities? Disagreements with management decisions or actions taken by elected officials that are within the law will not be investigated.
 - c. Has the complainant taken appropriate steps to resolve the issue with the entity? If the entity is not responsive, the concern relates to top management, or the complainant desires anonymity, consideration will be increased.

- d. What is the timing and frequency of alleged improper activity? Allegations of improper activities that are recent and/or on-going may receive a higher priority.
 - e. Should the allegation be investigated by another entity? Are there other agencies that have oversight of the complaint? Is a member of the governing body or the audit committee being accused?
 - f. Can the complaint be efficiently and effectively investigated? Overly broad or vague complaints or complaints where evidence is unavailable may be declined or receive a low priority.
2. The [Internal Auditor] communicates to the Audit Committee :
 - a. The allegation of the complaint
 - b. Any facts supporting or refuting the complaint
 - c. A recommendation based upon preliminary inquiry
3. Audit Committee decides the appropriate next action (if a member of the Audit Committee is the subject of the complaint they may not be included in this process):
 - a. Discontinue the investigation
 - b. Continue with the investigation
 - c. Refer the investigation to another agency
4. If the investigation proceeds, the audit committee sets the following:
 - a. Time and resource budget
 - b. Scope of the audit
5. Internal Auditor completes the audit
6. Internal Auditor creates a report outlining the work performed and conclusions
7. Internal Auditor provides the report to the Audit Committee
8. Audit Committee reports investigation results to the whole governing body (if a separate audit committee exists).
9. Governing body addresses any findings noted in the report

Whistleblower Protection

Utah Code § 67-21-3 prohibits public employers from taking adverse action against their employees for reporting government waste or violations of law in good faith, to the appropriate authorities. A public entity employee, public body employee, legislative employee, or judicial employee, is presumed to have communicated in good faith if they have given written notice or otherwise formally communicated the conduct to the entity (see *Utah Code* § [67-21-3](#)(1)(b)(iv)(A) for more information).

Confidentiality

The identity of the complainant is considered protected information under the Utah Government Records Access and Management Act (GRAMA) and will be kept confidential if requested by the complainant. (See *Utah Code* Section [67-3-1](#)(15)).

Complaints may be submitted anonymously to the Hotline. However, it is preferable that the complainant provide their name and contact information to allow for follow-up questions and reporting the results back to the complainant. Whistleblower protections do not apply to anonymous complaints.

HOTLINE REPORTING FORM

Email completed form to:

[hotline email address]

or Mail to:

[Entity Name]

Attn: [Internal Audit]

[Entity mailing address]

Complainant Information:

Complainant to remain anonymous? Yes No		
Complainant would like a response? Yes No		
Complainant Name	Check One ____ Elected Official ____ Entity Employee ____ Citizen/Contractor	Date Submitted
Home Address		
Phone/cell/email		
Work Address and information (if applicable)		

Information Concerning the Complaint (Please complete one form for each separate complaint)

Each improper action should be noted separately and supported with reliable and sufficient evidence. Supplying detailed information contributes to a thorough and efficient investigation. This form is designed to help you supply the needed information.

Who is the person(s) the complaint is against? (Please provide name, position, agency, division, and phone #)

Who is the above person's supervisor? (Please provide name, position, and phone#)

What is the assertion of improper governmental activity? Please describe in detail.

When did the event(s) take place? Please include dates, time, and frequency.

Where did the event(s) occur?

Are there any other persons who might provide information or who witnessed the event? If so, what are their names, positions, agencies, divisions, and their contact information?

Is there evidence that can be examined or documentation that can be reviewed? (Please provide any available documentation)

How do you know about the improper action? Did you see it occur? Did you see documentation indicating it occurred? Did you hear about it from someone else?

What specific law or state regulation has been violated?

Please attach to the email supporting documentation, details and ANY and ALL other information available to support the complaints or concerns.

DRAFT

RESOLUTION NO. 17-2020

**A RESOLUTION OF THE CITY COUNCIL OF WEST HAVEN CITY, UTAH,
ADOPTING AN "IT AND COMPUTER POLICY" FOR THE CITY; AND,
PROVIDING FOR AN EFFECTIVE DATE.**

SECTION 1 - RECITALS

WHEREAS, the City of West Haven City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that the City furnishes computers for employees' use in conducting City business; and,

WHEREAS, the City Council finds that City provided Internet service allows access to e-mail and many other useful features, including email to non-City resources, access to research materials, and information exchange; and,

WHEREAS, the City Council finds that the Internet can be misused in many ways including downloading files that contain viruses, endangering city information services; accessing objectionable material; and wasting work time by performing unauthorized research or accessing non business related information and people, or gains; and,

WHEREAS, the City Council finds it is in the best interest of the City and its residents to establish basic rules and policies for employees' use of the City's computer system, including Internet and email; and,

WHEREAS, the City Council finds that the Utah State auditor has provided guidance through a template to achieve these policy goals; and,

WHEREAS, the City Council finds this template should be adopted as the IT and computer security policy for the city; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN UTAH THAT:

The City Council hereby adopts the State Auditor's Template - "IT and Computer Security Policy", (**Attachment "A"**, attached, and by this reference made a part as if set out herein, as the IT and Computer Security Policy for the City both in its current form, and as it may subsequently be amended, without further action.

The forgoing recitals are incorporated fully herein.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of any prior Orders and Resolutions, with their specific provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 5 - DATE OF EFFECT:

This Resolution shall be effective on the 1st day of July, 2020, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY,
STATE OF UTAH, on this 1st day of July, 2020.

WEST HAVEN CITY

Sharon Bolos
Mayor

ATTEST:

Emily Green
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 17-2020

A Resolution Of The City Council Of West Haven City, Utah, Adopting An "IT And Computer Policy" For The City; And, Providing For An Effective Date.

01 Jul 20



IT and Computer Security Policy

Statement

[Entity Name] furnishes computers for employees' use in conducting [Entity type] business.

This includes access to e-mail and the Internet. The internet contains many useful features, including email to non-[Entity type] resources, access to research materials, and information exchange. The purpose of this policy is to establish basic rules for employees' use of the [Entity type]'s computer system, including the Internet and email.

Computer System, Internet and E-mail Use Policies

The Internet can be misused in a variety of ways, including but not limited to:

1. Downloading files that contain viruses, thereby endangering [Entity type] information services;
2. Accessing objectionable material;
3. Wasting work time by performing unauthorized research or accessing non business related information and people or for computer games, or online games.

Individual Responsibilities:

Internet users are responsible for complying with this and all other [Entity type] policies when using the [Entity type]'s resources for accessing the Internet. Violation of this policy is grounds for disciplinary action, up to and including termination.

General Policies for Use of the Entity's Computer System, Including the Internet:

An employee does not have a right to privacy when using the Internet via Entity resources and employees should not expect or assume any privacy regarding the content of email communications. The Entity reserves the express right to monitor and inspect the activities of the employee while accessing the Internet at any time, and to read, use and disclose e-mail messages. In addition, all software, files, information, communications, and messages (including emails) downloaded or sent via the Internet using [Entity type] resources are the [Entity type]'s records and property of the [Entity type]; such records are subject to potential review and disclosure under the public disclosure law of the State of Utah. Even after an email message has been "deleted," it may still be possible to retrieve it.

The [governing body] has the right to restrict or prohibit any employee from Internet access for violation of the policy. Violations may also result in disciplinary action, up to and including termination.

Internet use via [Entity type] resources is for [Entity type] business. Except as outlined here, use of [Entity type]'s computer, Internet and email services are for [Entity type] business only. Some limited personal use is permitted, so long as it does not result in cost to the [Entity type], does not interfere with the performance of duties, is brief in duration and frequency, does not distract from the conduct of [Entity type] business and does not compromise the security or integrity of [Entity type] information or software. Such limited use shall not occur on "paid time," but is permitted immediately before or after work hours and during an employee's breaks. Examples of allowable personal use include accessing a weather report or news item on the Internet, or transmitting email to a family member to assure safe arrival at home. Any personal use of [Entity name]'s computer, Internet and email services must comply with all applicable laws and [Entity name] policies, including anti-discrimination policies and Internet usage policy.

Internet use must comply with applicable laws and [Entity type] policies including but not limited to all federal and state laws, and [Entity type] policies governing sexual harassment, discrimination, intellectual property protection, privacy, public disclosure, confidentiality, misuse of [Entity type] resources, information and data security.

All Internet use must be consistent with the [Entity type]'s Personnel Policies Manual.

[Entity name]'s computer system permits employees to perform jobs, share files, and communicate internally and with selected outside individuals and entities in the performance and conduct of [Entity type] business. Employees are prohibited from gaining unauthorized access to another employee's email messages, or sending messages using another employee's password.

In order to prevent potential [Entity type] liability, it is the responsibility of all Internet users to clearly communicate to the recipient when the opinions expressed do not represent those of [Entity Name].

[Entity name] has the capability and reserves the right to access, review, copy, modify and delete any information transmitted through or stored in its computer system. The [Entity type] may disclose all such information to any party (inside or outside the Entity) it deems appropriate and in accordance with applicable law. Accordingly, employees should not use the computer system to send, receive or store any information they wish to keep private. Employees should treat the computer system like a shared file system—with the expectation that files sent, received or stored anywhere in the system will be available for review by any authorized representative of the [Entity type] for any purpose, as well as the public if a proper request is made for public records.

Good judgment should always be employed in using the [Entity type]'s email and Internet systems. Employee email messages may be read by someone other than the person(s) to whom they were sent. Email inconsistent with the [Entity type]'s policies must be avoided. For example, it is prohibited to make jokes or comments which could

offend someone on the basis of gender, race, age, religion, national origin, disability or sexual orientation. These comments would be in direct conflict with the [Entity type]'s policies prohibiting discrimination and harassment. Accordingly, employees should create and send only courteous, professional and businesslike messages that do not contain objectionable offensive or potentially discriminatory material.

Caution should be taken in transmitting confidential information on the computer system. Employees should use due care in addressing email messages to assure messages are not inadvertently sent to the wrong person inside or outside the Entity. Email creates a written record subject to court rules of discovery and may be used as evidence in claims or legal proceedings. Once sent, email cannot be retracted. Even after deletion at a workstation, email can be retrieved and read.

The safety and security of the [Entity type]'s network and resources must be considered at all times when using the Internet. Any programs from a non-current source (i.e., software that is not purchased in original diskette or CD ROM format) or which involve executable or binary files must not be downloaded or installed without prior permission from the [IT Director] and without being properly scanned for viruses. Employees are not to share or reveal individual passwords to anyone.

There is a wide variety of information on the Internet. Some individuals may find information on the Internet offensive or otherwise objectionable. Individual users must be aware that the [Entity type] has no control over available information on the Internet and cannot be responsible for the content of information.

Prohibited Uses of the Internet:

The following is a non-exclusive list of prohibited uses of the Internet and email:

- Commercial use – any form of commercial use of the Internet is prohibited;
- Solicitation – the purchase or sale of personal items or non-business items through advertising on the Internet is prohibited;
- Copyright violations – the unlawful reproduction or distribution of copyrighted information, regardless of the source, is prohibited;
- Discrimination / Harassment – the use of the Internet to send messages or other content which is harassing, derogatory or unlawfully discriminatory to employees, citizens, vendors or customers is prohibited;
- Political – the use of the Internet for political purposes is prohibited;
- Aliases / Anonymous messages / misrepresentation – the use of aliases or transmission of anonymous messages is prohibited. Also, the misrepresentation of an employee's job title, job description, or position with the [Entity type] is prohibited;
- Social networking sites – the accessing and/or creation of social networking sites, such as Facebook, Twitter, Instagram, Blogs and similar sites is prohibited for non-entity business purposes;
- Instant messaging;
- Misinformation / Confidential Information – the release of untrue, distorted, or confidential information regarding [Entity type] business is prohibited;

- Viewing or Downloading of Non-Business Related Information - the accessing, viewing, distribution, downloading, or any other method for retrieving non-[Entity type] related information is prohibited. This includes, but is not limited to, entertainment sites, pornographic sites, sexually explicit sites, chat rooms and bulletin boards;
- Unauthorized attempts to access another's network or e-mail account;
- Display or transmission of sensitive or proprietary information to unauthorized persons or organizations;
- Spamming email accounts from the [Entity type]'s email services or [Entity type] machines.

Nothing in this chapter prohibits the use and access of the described systems for bona fide law enforcement and investigation purposes.

DRAFT

RESOLUTION NO. 18-2020

**A RESOLUTION OF THE CITY COUNCIL OF WEST HAVEN CITY, UTAH,
ADOPTING A "TRAVEL POLICY" FOR THE CITY; AND, PROVIDING FOR AN
EFFECTIVE DATE.**

SECTION 1 - RECITALS

WHEREAS, the City of West Haven City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, the governing body of the city may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that the City furnishes travel reimbursement for employees when traveling to conduct City business; and,

WHEREAS, the City Council finds that travel reimbursement can be misused in many ways; and,

WHEREAS, the City Council finds it is in the best interest of the City and its residents to establish basic rules and policies for employee travel reimbursement while conducting city business; and,

WHEREAS, the City Council finds that the Utah State auditor has provided guidance through a template to achieve these policy goals; and,

WHEREAS, the City Council finds this template should be adopted as the travel policy for the city; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST HAVEN UTAH THAT:

The City Council hereby adopts the State Auditor's Template - "Travel Policy", (Attachment "A", attached, and by this reference made a part as if set out herein, as the Travel Policy for the City both in its current form, and as it may subsequently be amended, without further action.

The forgoing recitals are incorporated fully herein.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its passage.

SECTION 2 - REPEALER OF CONFLICTING ENACTMENTS:

All orders and resolutions regarding the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which conflict with this Resolution, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

SECTION 3 - PRIOR RESOLUTIONS:

The body and substance of any prior Orders and Resolutions, with their specific provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

SECTION 4 - SAVINGS CLAUSE:

If any provision of this Resolution shall be held or deemed to be or shall be invalid, inoperative or unenforceable for any reason, such reason shall render no other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed to be the separate independent and severable act of the City Council of West Haven City.

SECTION 5 - DATE OF EFFECT:

This Resolution shall be effective on the 1st day of July, 2020, and after publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF WEST HAVEN CITY,
STATE OF UTAH, on this 1st day of July, 2020.

WEST HAVEN CITY

Sharon Bolos
Mayor

ATTEST:

Emily Green
City Recorder

ATTACHMENT "A"

RESOLUTION NO. 18-2020

A Resolution Of The City Council Of West Haven City, Utah, Adopting A "Travel Policy" For The City; And, Providing For An Effective Date.

01 Jul 20



OFFICE OF THE
STATE AUDITOR

Template

As of October 2018

Travel Policy

1. General Policy - All travel expenses incurred while conducting [entity name] business outside a [governing body to set requirement/50 mile radius] of the administrative office shall be paid by [entity name].
2. Pre-Approval - Approval from [designated person's title] is required prior to incurring travel-related expenses.
3. Documentation - After travel expenses have been incurred, the employee must submit a Travel Reimbursement Form (see attached template form) which details the reason for the trip and the specific travel expenses. Travel Reimbursement Forms must be signed by the employee and approved by [designated person's title].
4. Travel-related expenses include:
 - a. Costs to travel to and from the business destination.
 - b. Transportation costs while at the business destination.
 - c. Lodging, meals, and incidental expenses.
5. Transportation
 - a. [Entity name] Vehicles – [Entity name] vehicles may be used for travel associated with official business.
 - b. Personal Vehicle Use - An employee who uses his or her personal vehicle for [entity name] business will be reimbursed for mileage in accordance with the [governing body to set rate/rate currently authorized by the IRS or State of Utah].
 - c. Alternative Travel Arrangements - Employees may structure alternative travel and lodging to reduce costs or to accommodate personal preferences if the alternatives provide a documented cost savings to [entity name] or the employee pays the increased costs. If an employee chooses to drive rather than fly for out-of-state travel, [entity name] will reimburse the employee based on the least expensive method of travel, rather than actual mileage.
 - d. Rental Cars - Employees may obtain a rental car with prior approval or in cases of documented need. Groups of employees at the same location shall share rental vehicles where practical. When a rental car is used, rental agency liability and collision/loss damage coverage is required, at [Entity name] expense.
6. Travel Related Meals
 - a. Meal Per Diems - Employees shall be paid for meals (including tax, tips, and other meal related expenses) at the [current State of Utah meal] per diem

- rate (Utah Administrative Code R25-7), including all rules contained therein. Per diem may be paid to employees prior to leaving for the travel destination.
- b. Direct charge on [entity name] credit/purchase card – Employees who have been issued a [entity name] credit/purchase card, may use it to pay for approved travel related meals. Employees must retain all receipts related to such purchases. In the event that the daily total expense for meals is greater than the allowable per diem amount, the difference will be repaid by the traveling employee or reported as taxable wages on the employees W-2.
 - c. Direct charge on employee personal credit card – Employees may use personal credit cards to pay for approved travel related meals. Employees must retain all receipts related to such purchases and submit them with the Travel Reimbursement Form. In the event that the daily total expense for meals is greater than the allowable per diem amount, the employee will only be reimbursed up to the allowable per diem amount.
7. Incidental Expenses - Incidental expenses are not considered part of a meal per diem reimbursement and, therefore, substantiation is required. Incidental expenses include ground transportation, parking, and related tips; fax, telephone, internet, or copy charges; and other business related expenses. Other tips are not reimbursable.
8. Lodging - Travel that requires an overnight stay must pre-approved by the [supervisor/governing body]. [Entity name] will pay for lodging up to [enter amount/\$110] per night with applicable taxes. Detailed receipts are required to be submitted to [enter office name] in order to claim refunds for taxes paid.
9. Personal Expenses - Personal expenses, including entertainment or alcohol, are the responsibility of the employee and will not be reimbursed by [entity name].
10. Employee expenses paid by other entities – [Entity name] employees that provide services to other entities either formally or informally may represent the interest of those entities as well as [entity name] while traveling on official [entity name] business. Where possible, the shared benefit of the employee activities while traveling should be determined and costs of that travel proportionally split between the benefiting entities.

If any employee travel-related expenses are paid directly by another entity, those payments must be documented and disclosed to [entity name]. Any travel-related expenses that are paid by another entity must not be submitted to [entity name] for reimbursement to the employee. In such circumstances [entity name] will reimburse the employees for travel related costs and then bill the other entity the proportional share of those travel-related costs, or the other entity will bill [entity name] for its proportional share of the travel-related costs paid by the other entity.

11. In the event that an employee receives a per diem allowance prior to traveling and is not able to travel, the employee will return those funds to [entity name]. If upon review of travel expenses inappropriate or fraudulent expenses have been incurred the employee may be subject to disciplinary action including; recovery of funds, inability to travel, suspension or termination.



Ethical Behavior Policy

Employee Code of Ethics

Prohibited Conduct

No current employee or officer, as specified, shall:

1. Disqualification from Acting on [entity name] Business.
 - a. Engage in any transaction or activity, which is, or would to a reasonable person appear to be, in conflict with or incompatible with the proper discharge of official duties, or which impairs, or would to a reasonable person appear to impair, the employee's independence of judgment or action in the performance of official duties and fail to disqualify him or herself from official action in those instances where conflict occurs;
 - b. Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any matter upon which the employee is required to act in the discharge of his or her official duties, and fail to disqualify him or herself from acting or participating;
 - c. Fail to disqualify him or herself from acting on any transaction which involves [entity name] and any person who is, or at any time within the preceding twelve (12) month period has been a private client of his or hers, or of his or her firm or partnership;
 - d. Have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in any contract or transaction to which [entity name] or any [entity type] agency may be a party, and fails to disclose such interest to the appropriate authority prior to the formation of the contract or the time [entity name] or [entity type] agency enters into the transaction; provided, that this paragraph shall not apply to any contract awarded through the public bid process in accordance with applicable law.
2. Improper Use of Official Position.
 - a. Use his or her official position for a purpose that is, or would to a reasonable person appear to be primarily for the private benefit of the employee, rather than primarily for the benefit of [entity name]; or to achieve a private gain or an exemption from duty or responsibility for the employee or any other person;
 - b. Use or permit the use of any person, funds, or property under his or her official control, direction, or custody, or of any [entity type] funds or property, for a purpose which is, or to a reasonable person would appear to be, for something other than a legitimate purpose.
 - c. Except in the course of official duties, assist any person in any transaction where the employee's assistance is, or to a reasonable person would appear to be, enhanced by that employee's position with the [entity type];

provided that this subsection shall not apply to: any employee appearing on his or her own behalf or representing himself or herself as to any matter in which he or she has a proprietary interest, if not otherwise prohibited by ordinance;

- d. Regardless of prior disclosure thereof, have a financial interest, direct or indirect, personally or through a member of his or her immediate family, in a business entity doing or seeking to do business with [entity name], and influence or attempt to influence the selection of, or the conduct of business with that business or entity.
3. Accept Gifts or Loans.
- a. Ask for or receive, directly or indirectly, any compensation, gift, gratuity, or thing of value, or promise thereof, for performing or for omitting or deferring the performance of any official duty; except that the following shall be allowed:
 - i. Unsolicited flowers, plants, and floral arrangements;
 - ii. Unsolicited advertising or promotional items of nominal value, such as pens and notepads;
 - iii. Unsolicited token or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
 - iv. Unsolicited food items given to a department when the contents are shared among employees and the public;
 - v. Unsolicited items received for the purpose of evaluation or review provided the officer or employee has no personal beneficial interest in the eventual use or acquisition of the item by the [entity];
 - vi. Information material, publications, or subscriptions related to the recipient's performance of official duties;
 - vii. Food and beverages consumed at hosted receptions where attendance is related to official duties;
 - viii. Meals, beverages, and lodging associated with retreats or other meetings where the official serves as a representative, designee or is otherwise assigned to another organization or entity from the [entity];
 - ix. Travel costs, lodging, and tuition costs associated with [entity] sanctioned training or education when not provided by a private entity under contract with the [entity];
 - x. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental, or community organization and other officials or employees of similar agencies are in attendance;
 - xi. Unsolicited gifts from dignitaries from another entity or other jurisdiction that are intended to be personal in nature;
 - xii. Campaign contributions; and
 - xiii. Unsolicited gifts with an aggregate economic value of \$50.00 or less from a single source in a calendar year received either directly or indirectly by the official or employee.
4. Disclose Privileged Information.

Disclose or use any privileged or proprietary information gained by reason of his or her official position for the immediate or anticipated personal gain or benefit of the employee or any other person or entity; provided, that nothing shall prohibit the disclosure or use of information which is a matter of public knowledge, or which is available to the public on request.

5. Financial or Beneficial Interest in Transactions.

Regardless of prior disclosure an employee or officer may not participate in or benefit from (personally or through his or her family) a contract or agreement where that employee or officer acted as an agent of [entity name]. This includes receiving compensation, gratuity or other benefit from an interested party of an agreement or contract with [entity name].

6. Nepotism.

a. Violate *Utah Code* § 52-3, which prohibits employment of relatives, with few exceptions.

7. Misuse of Public Resources or Property.

a. Violate *Utah Code* § 76-8-4, which delineates the unlawful use of public funds and destruction of property, including records.

8. Outside Employment.

a. Retain secondary employment outside of [entity name] employment, which, as determined by [Governing Body], and according to Utah Administrative Code R477-9-2:

- i. Interferes with an employee's performance.
- ii. Conflicts with the interests of [entity name] or the State of Utah.
- iii. Gives reason for criticism or suspicion of conflicting interests or duties.

9. Political Activity.

a. Except as otherwise provided by law:

- i. The partisan political activity, political opinion, or political affiliation of an applicant for a position with [entity name] may not provide a basis for denying employment to the applicant.
- ii. A [entity name] officer's or employee's partisan political activity, political opinion, or political affiliation may not provide the basis for the officer or employee's employment, promotion, disciplinary action, demotion, or dismissal.
- iii. A [entity name] employee may not engage in political campaigning or solicit political contributions during hours of employment.
- iv. A [entity name] officer or employee may not use [entity type] equipment while engaged in campaigning or other political activity.
- v. A [entity name] officer or employee may not directly or indirectly coerce, command, or advise another [entity type] officer or employee to pay, lend, or contribute part of the officer's or employee's salary or compensation, or anything else of value to a political party, committee, organization, agency, or person for political purposes.
- vi. A [entity name] officer or employee may not attempt to make another officer or employee's employment status dependent on the

- b. A [entity name] employee who has filed a declaration of candidacy may:
 - i. be given a leave of absence for the period between the primary election and the general election; and
 - ii. Use any vacation or other leave available to engage in campaign activities.
 - c. Neither the filing of a declaration of candidacy nor a leave of absence under this section may be used as the basis for an adverse employment action, including discipline and termination, against the employee.
 - d. Nothing in this chapter shall be construed to:
 - i. prohibit a [entity name] officer or employee's voluntary contribution to a party or candidate of the officer or employee's choice; or
 - ii. Permit a [entity name] officer or employee partisan political activity that is prohibited under federal law.
 - e. No [entity name] officer or employee shall solicit or participate in soliciting any assessment, subscription, or contribution to any political party during working hours on the premises of any [entity name] property.
 - f. No [entity name] officer or employee shall promise any appointment to any position with [entity name] as a reward for any political activity.
 - g. A [entity name] employee who is elected to an office with [entity name] shall terminate [entity type] employment prior to being sworn into the elected office.
10. Fair and Equal Treatment.
 - a. No person shall be appointed to, removed from, or in any way favored or discriminated against with respect to any appointive public office because of such person's race, color, age, religion, sex, national origin, or functional limitation as defined by applicable state or federal laws, if otherwise qualified for the position or office.
 - b. No [entity name] officer or employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.
11. Prohibited Conduct After Leaving [Entity name]:
 - a. No former employee shall, during the period of one (1) year after leaving [entity name] office or employment:
 - i. Disclose or use any privileged or proprietary information gained by reason of his/her [entity type] employment for his/her gain or anticipated gain, or for the gain or anticipated gain of any person, unless the information is a matter of public knowledge or is available to the public on request;
 - ii. Assist any person in proceedings involving an agency of [entity name] with which he/she was previously employed, involving a matter in which he or she was officially involved, participated or acted in the course of duty;
 - iii. Represent any person as an advocate in any matter in which the former employee was officially involved while a [entity name] employee;

- iv. Participate as a competitor in any competitive selection process for a [entity type] contract in which he or she assisted the [entity type] in determining the project or work to be done or the process to be used.



Conflict of Interest Policy

Overview

[Entity type] officers individually commit themselves in their official capacity to ethical, businesslike, and lawful conduct, including appropriate use of their authority and decorum at all times. Officers must avoid even the appearance of impropriety to ensure and maintain public confidence in the [Entity type]. Officers owe a fiduciary duty to the [Entity type] and must not act in a manner that is contrary to that duty or to the interests of the [Entity type]. Officers must place the interests of the [Entity type] over their own personal interests with respect to the governance, policy, strategic direction and operations of the [Entity type].

Policy

It is the intent of the [governing body] to meet and exceed those protections against conflicts of interest contained in State law. Under this policy, a conflict of interest arises when an officer has a personal interest in a matter that is or may be in conflict with or contrary to the [Entity type]'s interests and objectives to such an extent that the officer is or may not be able to exercise independent and objective judgment within the context of the best interest of the [Entity type]. For the purposes of this policy, an officer's "personal interest" includes those of his or her relatives, business associates or other persons or organizations with whom he or she is closely associated.

1. The following provisions shall serve as a guide to officers with respect to the affairs of the [Entity type]:
 - a. [Entity type] officers shall not receive, accept, take or solicit, directly or indirectly, anything of economic value as a gift, gratuity, or favor from a person or entity if it could be reasonably expected that the gift, gratuity, or favor would influence the vote, action, or judgment, or be considered as part of a reward for action or inaction. Officers are required to submit a report to the [governing body] and the [Entity type]'s Internal Auditor of the actual or estimated value of any gifts or casual entertainment received as an officer that exceeds \$50.00.
 - b. The complete confidentiality of proprietary business information must be respected at all times. Officers are prohibited from knowingly disclosing such information, or in any way using such information for personal gain or advancement, or to the detriment of the [Entity type], or to individually conduct negotiations or make contacts or inquiries on behalf of the [Entity type] unless officially designated by the [governing body].

- c. Officers are prohibited from acquiring or having a financial interest in any property that the [Entity type] acquires, or a direct or indirect financial interest in a supplier, contractor, consultant, or other entity with which the [entity type] does business. This does not prohibit the ownership of securities in any publicly owned company except where such ownership places the officer in a position to materially influence or affect the business relationship between the [Entity type] and such publicly owned company. Any other interest in or relationship with an outside organization or individual having business dealings with the [Entity type] is prohibited if this interest or relationship might tend to impair the ability of the officer(s) to be independent and objective in his or her service to the [Entity type].
- d. If members of the immediate family of an officer have a financial interest as specified above, such interest shall be fully disclosed to the [governing body] which shall decide if such interest should prevent the [Entity type] from entering into a particular transaction, purchase, or engagement of services. The term "immediate family" means officer's spouse, parent, dependent children, and other dependent relatives.
- e. When a conflict of interest exists, the officer shall publicly declare the nature of the conflict and may recuse him or herself on any official action involving the conflict.
- f. Officers may not realize, seek, or acquire a personal interest in a business that does business with the [Entity type].
- g. Officers shall complete a Conflict of Interest Disclosure Form annually by the end of January. This Form shall be signed and notarized. Completed Forms shall be submitted to the [Records Officer] and made available to the public upon request.
- h. The [Records Officer] shall provide copies of all completed Forms to the governing body] Chair at the end of January each year.
- i. The [governing body] Chair shall review all completed forms and consider the disclosures. The [governing body] Chair should make changes to assignments, duties, or contracts deemed appropriate to eliminate or mitigate conflicts of interest within the [Entity type].

**INTERLOCAL AGREEMENT BETWEEN
WEBER COUNTY AND WEST HAVEN CITY
RELATING TO PARKING ENFORCEMENT**

June 8, 2020

This Interlocal Agreement (hereafter "Agreement") is made and entered into by and between Weber County, a body politic, corporate and political subdivision of the State of Utah (hereafter "County") with its main office located at 2380 Washington Blvd., Ogden, Utah 84401, and West Haven City, a municipal corporation of the state of Utah, (hereafter "city"), with its main office at 4150 South 3900 West, West Haven, Utah 84404.

RECITALS

WHEREAS, the Utah Interlocal Cooperation Act, Title 11, Chapter 3, Utah Code Annotated, 1953 as amended, permits government units to enter into a agreements with one another for the purpose of exercising on a joint and cooperative basis powers and privileges that will benefit their citizens and make the most efficient use of their resources.

WHEREAS, Title 11, Chapter 13, Section 5 of the Utah Code Annotated, 1953 as amended, requires that governing bodies of governmental units adopt resolutions approving an interlocal agreement before such agreements may become effective;

WHEREAS, County and City have negotiated this interlocal agreement for the purposes of providing certain parking enforcement services where each party enjoys mutual benefit;

WHEREAS, County is the law enforcement provider for City and the unincorporated area surrounding City;

WHEREAS, County and City are encountering continual parking enforcement issues in the City;

WHEREAS, County and City desires to enter this Agreement relating to parking enforcement;

NOW, THEREFORE, County and City enter into this interlocal agreement with the following terms and conditions:

SECTION ONE

SERVICES PROVIDED

1. **Ordinance.** City has adopted Chapter 42.4 of the Weber County Code, entitled "Parking" (hereafter "Code"). County and City shall enforce the same. City has also adopted Title 10 of the West Haven Municipal Code, Entitled "Parking Regulation."
2. **Parking Violation.** Any parking violation under Code:

- a. If written by City, then City shall submit a copy of the written citation submitted to the Sheriff's Office Records Management System (hereafter "SORMS") managed by the Weber County Sheriff's Office (hereafter "WCSO") staff, with the correct location/area code designated.
 - b. If written by County (such as a County Park Staff), a written copy of the citation shall be submitted to the County for processing through the SORMS by WCSO staff, with the correct location/area code designated.
 - c. If written by a Deputy Sheriff, a written copy of the citation shall be processed through the SORMS System by WCSO staff, with the correct location/area code designated.
3. **Fines.** All fines shall be collected by the County as follows:
 - a. Fines can be paid in person at the WCSO.
 - b. Fines can be paid online through the WCSO web page.
 - c. Any fines collected on behalf of City by the County or WCSO shall be paid to the City on a monthly basis, with a report of citations issued and fines collected.
 - d. WCSO may retain an "administrative fee," for administrative costs associated with collection, not to exceed ten percent (10%) of each fine collected by the County or WCSO.
 - e. WCSO may submit unpaid fines to a third-party collection agency, as provided by law or policy of the County, if necessary. All parties to this agreement understand that an additional percentage of the fines collected may be retained by the third-party collection agency.
4. **Administrative Proceedings.** City hereby designates the WCSO Administrative Hearing Officer to handle any disputed citations relating to the City as may be issued by County or City. County may retain an additional ten percent (10%), representing a "hearing fee," of each fine collected that is subject to an administrative hearing (for total administrative fee" and hearing fee") not to exceed twenty percent (20%) of the total fine collected.
5. **Labels.** WCSO shall provide City with labels to adhere to any parking citations submitted to the WCSO indicating the appropriate information for the citation.

SECTION TWO

MISCELLANEOUS PROVISIONS

1. **Governing Law.** The provision of this Agreement shall be governed by the laws of the State of Utah.
2. **Records Administration.** County and City shall each maintain appropriate records necessary to properly administer the terms of this Agreement.
3. **Indemnification.** County and City mutually agree to indemnify, save harmless, and release the other including all contractors, officers, agents, volunteers, and employees of the other from and against any and all loss, damages, injury, liability, suits and

proceedings arising out of performance of this Agreement which are caused in whole or in part by the negligence of the other.

4. **Governmental Immunity Preserved.** Notwithstanding the foregoing and to the extent applicable, each of the parties' obligations to indemnify the other under this Agreement (Title 63G, Chapter 7, Utah Code Annotated, 1953, as amended). Neither party waives any procedural or substantive defense or benefit provided or to be provided by the Governmental Immunity Act or comparable legislative enactment, including without limitation, the provisions of Utah Code Annotated 63G-7-604 regarding limitation of judgments. Any indemnity and insurance obligations incurred by Licensee under this Agreement are expressly limited to the amounts identified in the Act.
5. **Employee Status.** Employees of County and City shall only be construed as employees from the jurisdiction for which they are employed. Each party to this Agreement agrees to abide by the provisions of Title 6 and 7 of the Civil Rights Act of 1964 and any other federal or state law.
6. **Term and Termination.** This Agreement shall continue for the maximum period allowed by the law under the Utah Interlocal Cooperation act, as set forth in Title 11, Chapter 3, Utah Code Annotated. This Agreement may be terminated at any time by either party by giving sixty (60) days notice to the other.
7. **Effective Date.** This Agreement is effective upon the date of signature of the final remaining party to sign.
8. **Headings.** The headings used in this instrument are for the convenience purposes only and afford no legal right.
9. **Severability.** The declaration by any court of competent jurisdiction or any other binding legal source, that any provision of this Agreement is illegal or void, shall not effect the legality and enforceability of any other provision of this Agreement, unless the provisions are mutually dependent.
10. **Entire Agreement.** This Agreement shall constitute the entire Agreement between WCSO and City, unless in a separate writing is made and signed. Any prior comments, understanding, or representation of any kind that are not set forth in this Agreement shall not be binding upon any party except to the extent incorporated in this Agreement.

IN WITNESS WHEREOF, County and City have executed the Agreement to be effective upon proper execution by both parties.

Dated this _____ day of _____, 2020

FOR WEST HAVEN CITY:

ATTEST:

Mayor Sharon Bolos

City Clerk/Recorder

APPROVED AS TO FORM:

City Attorney

DATED THIS _____ DAY OF _____, 2020

FOR WEBER COUNTY:

Chair, Weber County Commission

APPROVED AS TO FORM:

County Attorney

INTERLOCAL COOPERATION AGREEMENT FOR THE DISTRIBUTION OF CARES ACT FUNDING

This agreement is made by and between Weber County, a body politic of the State of Utah ("County"), and the following undersigned municipalities: Farr West, Hooper, Hunstville, Marriott-Slaterville, North Ogden, Plain City, Pleasant View, Riverdale, Roy, South Ogden, Washington Terrace, and West Haven ("Cities"), individually referred to as "Party" and jointly referred to as "Parties," pursuant to the provisions of the Interlocal Cooperation Act, §§ 11-13-101 et seq., Utah Code Annotated, 1953, as amended.

RECITALS

WHEREAS, the State of Utah is distributing a portion of its Coronavirus Relief Fund ("CRF") provided by the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") to Utah's counties and municipalities through a population-based formula; and

WHEREAS, each eligible local government will initially be paid one-third of its CRF allocation from the State with the remaining two-thirds to be disbursed at a future date, subject to the availability of funding; and

WHEREAS, the CRF can only be used to cover necessary expenditures and losses incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, necessary expenditures include direct emergency response activities, such as addressing public health needs, but also expenses required to respond to second-order effects of COVID-19, such as providing economic support to businesses and individuals that have been financially impacted by the pandemic; and

WHEREAS, each City has received its initial one-third installment and desires to contract with the County to distribute these funds pursuant to the terms of this agreement;

NOW THEREFORE, in consideration of the mutual covenants and promises contained hereafter, the Parties hereto agree as follows:

SECTION ONE TERM OF AGREEMENT

1. This agreement shall commence on the 1st day of July 2020, and continue through and including the 30th day of June 2021, unless terminated earlier. The agreement may be extended on a year-to-year basis as needed through a written amendment.
2. Notwithstanding the provisions of this agreement, individual Cities may terminate their participation in this agreement at any time by giving ninety (90) days written notice to the County.

SECTION TWO SCOPE OF SERVICES

3. Each City shall provide to County at least 90% of the initial distribution of its CRF funds. Distribution percentages of future installments shall be determined through a written amendment to this agreement. Cities' CRF funds shall only be used as specified in this or other future agreements between the Parties.

4. Each City may retain 10% of the initial distribution to reimburse the City for expenditures that are authorized by section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

5. County shall distribute CRF funds to businesses and non-profit organizations located within the County and Cities that have been financially impacted by COVID-19 ("Businesses").

6. Businesses desiring to receive CRF funds shall complete a grant application made available by County. County shall accept grant applications on a rolling basis until all CRF funds are exhausted.

7. County will develop a governing policy outlining the process for receiving and objectively evaluating grant applications. Businesses must meet certain criteria to be eligible to receive CRF funds including, but not limited to the following:

- a) Businesses must have a location within County boundaries;
- b) Businesses must have experienced a significant impact from the COVID-19 pandemic;
- c) Businesses must be open, or plan to reopen as of the date an application for CRF funds is submitted;
- d) Businesses must be current on property taxes and have no legal actions against or from any of the Cities or County;
- e) Business owners must be 18 years or older and have a valid employer identification number (EIN), or a valid social security number for sole proprietors; and
- f) Businesses must have the ability to document and report on funds received.

8. Businesses may use CRF funds to reimburse the costs of business interruptions incurred as a result of COVID-19, such as changes to buildings to encourage social distancing, purchases of personal protective equipment or cleaning and sanitation supplies. Businesses may also receive a grant of economic support if their business was affected by decreased customer demand as a result of the public health emergency. These grants will be based on the loss of net income from March 1 through May 31, 2020.

9. County shall require Businesses that receive CRF funds to adhere to the CARES Act and any current or future guidance related to the CRF funds. County shall also require Businesses to retain documentation related to any uses of the funds, including but not limited to invoices, sales receipts, and payroll expenditures.

10. County may also use funds to assist individuals who have been laid off, furloughed, or otherwise significantly financially impacted by the COVID-19 pandemic. Such assistance may involve helping individuals enroll in government benefit programs, helping to prevent eviction and to assist in preventing homelessness, providing employment and training programs, and to ease other COVID-19 related financial hardships.

11. Time is of the essence in distributing CRF funds, and County shall work toward distributing all CRF funds from the initial distribution by the end of August 2020.

SECTION THREE REIMBURSEMENT FOR SERVICES PROVIDED

12. Each City agrees that County will not receive any compensation from the City for services provided under this agreement. However, County may be reimbursed out of CRF funds for any costs incurred by County in distributing, monitoring, and accounting for the use of any CRF funds as authorized by section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

SECTION FOUR RECORDS

13. All records created or received by County in accordance with this agreement (“CRF Records”) shall be County records. County agrees to keep all records in a manner approved by the County Auditor and agrees that said records shall be open for examination by any of the Cities at any reasonable time.

14. Cities shall coordinate with each other and designate two representatives (“Representatives”) to assist the County in evaluating grant applications in accordance with the terms of this agreement, provisions in the CARES Act, and any relevant regulations.

SECTION FIVE EMPLOYEES

15. It is the intent of this agreement that County employees shall be deemed to be employees of County for all purposes, including, but not limited to, workers compensation, social security, employment insurance, and other benefits provided to County employees. City employees shall be deemed to be employees of each respective City for all purposes, including, but not limited to, workers compensation, social security, employment insurance, and other benefits provided to their employees.

SECTION SIX INDEMNIFICATION

16. County agrees to indemnify and hold each City and its agents, officials, and employees

harmless from and against any and all suits, claims, and proceedings for any and all loss, damages, injury, or liability arising out of the actions, omissions, or other alleged wrongdoing of County in its provision of services pursuant to the terms of this agreement. The provisions of this paragraph shall survive termination of this agreement.

17. Each City agrees to indemnify and hold the County and its agents, officials, and employees harmless from and against any and all suits, claims, and proceedings for any and all loss, damages, injury, or liability arising out of the actions, omissions, or other alleged wrongdoing of the City in its provision of services pursuant to the terms of this agreement. The provisions of this paragraph shall survive termination of this agreement.

18. Notwithstanding the foregoing, County and Cities are governmental entities under the Governmental Immunity Act of Utah (Utah Code § 63G-7-101, *et seq.*) (“Governmental Immunity Act”). Neither County nor any City waives any defenses or limitations of liability otherwise available under the Governmental Immunity Act, and they all maintain all privileges, immunities, and other rights granted by the Governmental Immunity Act.

SECTION SEVEN ADMINISTRATION

19. This agreement does not contemplate any separate legal entity to provide for its administration and none shall be required. The agreement shall be administered by the governing bodies of all participating Parties hereto.

SECTION EIGHT MISCELLANEOUS

20. **Amendment.** This agreement shall not be modified or amended except in writing, which shall be signed by duly authorized representatives of the County and participating Cities.

21. **Interlocal Cooperation Act.** In satisfaction of the requirements of the Interlocal Cooperation Act, the Parties hereby agree as follows:

- a. This agreement shall not be effective until approved by resolutions of the governing bodies of the County and the participating Cities.
- b. This agreement shall be submitted to an authorized attorney for each Party who shall approve the agreement as being in proper form and compatible with the laws of the State of Utah.
- c. The Parties agree that a signed copy of this agreement will be filed with the keeper of the public records of each entity.
- d. The Parties agree that they are not creating an interlocal entity by this agreement.
- e. No real or personal property will be acquired, held, or disposed of or used in conjunction with a joint or cooperative undertaking.

22. **No Third Party Beneficiary.** Nothing in this agreement shall create or be interpreted to create any rights in or obligations in favor of any person or entity not a party to this agreement. Except for the Parties to this agreement, no person or entity is an intended third party beneficiary under this agreement.

23. **Further Assurance.** Each of the Parties agrees to cooperate in good faith with the other to execute and deliver such further documents, to adopt any resolutions, to take any other official action and to perform such other acts as may be reasonably necessary or appropriate to consummate and carry into effect the transactions contemplated under this agreement.

24. **Severability.** If any provision of this agreement shall be held invalid or unenforceable by any court or as a result of future legislative action, the remaining provisions of this agreement shall remain in full force and effect and shall not be affected by the invalid or unenforceable provision or by its severance from this agreement. In lieu of such illegal, invalid or unenforceable provision, the Parties shall use commercially reasonable efforts to negotiate in good faith to insert a substitute, legal, valid, and enforceable provision that most nearly reflects the Parties' intent in entering into this agreement.

25. **Governing Law.** This agreement is made and entered into subject to the provisions of the laws of the State of Utah, which laws shall control the enforcement of this agreement. The Parties also recognize that certain federal laws may be applicable. In the event of any conflict between the terms of this agreement and any applicable state or federal law, the state or federal law shall control.

26. **Headings.** The section headings of this agreement are for the purposes of reference only and shall not limit or define the meaning thereof.

27. **Counterparts.** This agreement may be executed in any number of counterparts, all of which together shall serve as one agreement.

28. **Entire Agreement.** This document contains the entire agreement and understanding between the Parties and constitutes the entire agreement with respect to the specific issues contained herein and supersedes any and all prior written or oral representations and agreements.

[signatures on the following pages]

**BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY**

By _____
Gage Froerer, Chair

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

Weber County Clerk/Auditor

Weber County Attorney's Office

FARR WEST CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

HOOPER CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

HUNSTVILLE CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

MARRIOTT-SLATERVILLE CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

NORTH OGDEN CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

PLAIN CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

PLEASANT VIEW CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

RIVERDALE CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

ROY CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

SOUTH OGDEN CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

UINTAH CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

WASHINGTON TERRACE CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

WEST HAVEN CITY

By _____
 , Mayor

Date _____

ATTEST:

Approved as to form and for
compliance with state law:

City Recorder

City Attorney

5.02 Terms Of Office; Rotation Of Terms

1. The Members of the Planning Commission of the City shall each be appointed for a four-year term of office.
2. In order to insure that the current membership of the Commission continues in office and that the rotation of members becomes effective, the following members shall serve the following terms and then their successors shall be appointed for four year terms:
 - a. ~~Joann Miller~~: Term Ends Dec 2001
 - b. ~~Ron Kingston~~: Term Ends Dec 2000
 - c. ~~Curtis Goodwin~~: Term Ends Dec 2001
 - d. ~~Ted Parke~~: Term Ends Dec 2001
 - e. ~~Dirk Warhurst~~: Term Ends Dec 2000
 - f. ~~Vern Holmes~~: Term Ends Dec 2002
 - g. ~~Stacey Gallegos~~: Term Ends Dec 2003
3. No Planning Commission Member shall serve more than two consecutive terms on the Planning Commission until and unless there shall have elapsed an intervening term of four years. This limitation shall not apply to any City Council member who shall have been appointed collaterally to serve on the Planning Commission
4. That any member of the Planning Commission who shall fail to attend three (3) meetings in any twelve (12) month period shall be deemed to have resigned his/her position on the Planning Commission and shall be replaced by a person to be appointed by the Mayor subject to advice and consent by the City Council.
5. The Mayor is authorized, in his/her sole discretion, to grant an exception to this policy for good cause shown. Provided, further, that in no case shall an exception under this part be granted which would permit any member of the Planning Commission to absent him/herself from Planning Commission attendance more than five (5) times in any twelve (12) month period.

5.04 Duties And Responsibilities

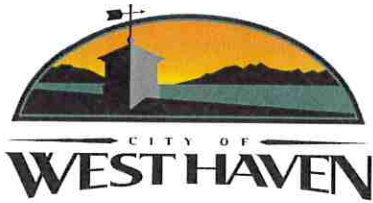
1. There is hereby established a Planning Commission for West Haven City.
2. All prior acts of the West Haven Planning Commission, where such acts have been performed in the absence of this Ordinance are hereby ratified and confirmed as if those acts had been performed under the authority of this Ordinance.
3. In accordance with UCA § 10-9-202 the planning commission shall elect a chairperson from its members to serve for a one-year term, beginning January of each year.
4. The planning commission may adopt such policies and procedures for the conduct of its meetings, the processing of applications, and for any other purposes as the commission may, from time to time, consider to be necessary for the functioning of the planning commission.
5. The policies and procedures adopted by the Commission must be approved by the City Council before taking effect.
6. Among its other duties, and in accordance with UCA § 10-9-204 the planning commission shall:
 - a. prepare and recommend a general plan and amendments to the general plan to the City Council as provided in this chapter;
 - b. recommend zoning ordinances and maps, and amendments to zoning ordinances and maps, to the City Council as provided in this chapter;
 - c. administer provisions of the zoning ordinance, where specifically provided for in the zoning ordinance adopted by the City Council;
 - d. recommend subdivision regulations and amendments to those regulations to the City Council as provided in this chapter;

- e. recommend approval or denial of subdivision applications as provided in this chapter;
 - f. advise the City Council on matters as the City Council directs;
 - g. hear or decide any matters that the City Council designates, including the approval or denial of, or recommendations to approve or deny, conditional use permits;
 - h. exercise any other powers:
 - I. that are necessary to enable it to perform its function; or
 - II. delegated to it by the City Council; and,
7. In accordance with UCA § 10-9-303, and after:
- a.
 - I. completing a proposed general plan for all or part of the area within the city, the planning commission shall schedule and hold a public hearing on the proposed plan;
 - II. The planning commission shall provide reasonable notice of the public hearing at least ~~14~~ 10 days before the date of the hearing
 - III. After the public hearing, the planning commission may make changes to the proposed general plan;
 - b. The planning commission shall then forward the proposed general plan to the City Council;
 - c.
 - I. The City Council ~~shall~~ may hold a public hearing on the proposed general plan recommended to it by the planning commission,
 - II. The City Council shall provide reasonable notice of the public hearing at least ~~14~~ 10 days before the date of the hearing;
 - d. After the public hearing, the City Council may make any modifications to the proposed general plan that it considers appropriate;
 - e. The City Council may:
 - I. adopt the proposed general plan without amendment;
 - II. amend the proposed general plan and adopt or reject it as amended; or
 - III. reject the proposed general plan;
 - f.
 - I. The general plan is an advisory guide for land use decisions,
 - II. The City Council may adopt an ordinance mandating compliance with the general plan; and,
8. In accordance with UCA § 10-9-304, the City Council may amend the general plan by following the procedures required by Section 10-9-303; and,
9. In accordance with UCA § 10-9-402, the planning commission shall:
- a. prepare and recommend to the City Council a proposed zoning ordinance, including both the full text of the zoning ordinance and maps, that represents the commission's recommendations for zoning all or any part of the area within the municipality;
 - b.
 - I. the City Council shall hold a public hearing on the proposed zoning ordinance recommended to it by the planning commission, and,
 - II. the City Council shall provide reasonable notice of the public hearing at least 14 days before the date of the hearing; and,
10. In accordance with UCA § 10-9-402 if the City mails notice of a proposed zoning change to property owners within the City within a specified distance of the property on which the zoning change is being proposed, it shall also mail equivalent notice to property owners of an adjacent municipality within the same distance of the property on which the zoning change is being proposed; and,
11. In accordance with UCA § 10-9-402, after the public hearing, the City Council may:
- a. adopt the zoning ordinance as proposed;
 - b. amend the zoning ordinance and adopt or reject the zoning ordinance as amended; or

- c. reject the ordinance; and,
- 12. In accordance with UCA § 10-9-405, the City Council may:
 - a.
 - I. divide the territory over which it has jurisdiction into zoning districts of a number, shape, and area that it considers appropriate to carry out the purposes of this chapter,
 - II. Within those zoning districts, the City Council may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings and structures, and the use of land; the City Council shall ensure that the regulations are uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts; and,
- 13. M. In accordance with UCA § 10-9-407 a zoning ordinance:
 - a. may contain provisions for conditional uses that may be allowed, allowed with conditions, or denied in designated zoning districts, based on compliance with standards and criteria set forth in the zoning ordinance for those uses;
 - b. The board of adjustments has jurisdiction to decide appeals of the approval or denial of conditional use permits unless the City Council has enacted an ordinance designating the City Council or another body as the appellate body for those appeals; and,
- 14. In accordance with UCA § 10-9-408 except as provided in this section,
 - a.
 - I. a nonconforming use or structure may be continued,
 - II. A nonconforming use may be extended through the same building, provided no structural alteration of the building is proposed or made for the purpose of the extension,
 - III. For purposes of this subsection, the addition of a solar energy device to a building is not a structural alteration;
 - b. The City Council may provide in any zoning ordinance or amendment for:
 - I. the establishment, restoration, reconstruction, extension, alteration, expansion, or substitution of nonconforming uses upon the terms and conditions set forth in the zoning ordinance,
 - II. the termination of all nonconforming uses, except billboards, by providing a formula establishing a reasonable time period during which the owner can recover or amortize the amount of his investment in the nonconforming use, if any; and,
 - III. the termination of a billboard that is a nonconforming use by acquiring the billboard and associated property rights through gift, purchase, agreement, exchange, or eminent domain;
 - c. If a municipality prevents a billboard company from maintaining, repairing, or restoring a billboard structure damaged by casualty, act of God, or vandalism, the municipality's actions constitute initiation of acquisition by eminent domain under Subsection (2)(c);
 - d. Notwithstanding Subsections (2) and (3), a City Council may remove a billboard without providing compensation if, after providing the owner with reasonable notice of proceedings and an opportunity for a hearing, the City Council finds that:
 - I. the applicant for a permit intentionally made a false or misleading statement in his application;
 - II. the billboard is unsafe;
 - III. the billboard is in an unreasonable state of repair; or
 - IV. the billboard has been abandoned for at least 12 months;
 - e. A municipality may terminate the nonconforming status of school district property when the property ceases to be used for school district purposes.

5.06 Public Hearings For Zoning Related Matters

1. Any references in the City's Zoning Ordinance to the contrary notwithstanding upon the effective date of this Ordinance, the City's Planning Commission rather than the City's Governing Body will hold all zoning-related public hearings.
2. All references currently contained in the Zoning Ordinance requiring the City Governing Body to hold such public hearings shall now be amended to read ~~(or shall, until actually reprinted and physically corrected, be read to say and mean)~~ that such hearings shall be held exclusively by the Planning Commission.



WEST HAVEN CITY COUNCIL MEETING MINUTES

June 17, 2020 6:00 p.m.
City Council Chambers
4150 South 3900 West, West Haven, UT 84401

Present: Sharon A. Bolos Mayor
Carrie Call Councilmember
Nina Morse Councilmember
Rob Vanderwood Councilmember
Randy Hunter Councilmember
Kim Dixon Councilmember

Staff Present: Emily Green City Recorder
Steve Anderson City Planner
Ken Bradshaw City Attorney

5:30 Council Workshop

Mayor Bolos brought the meeting to order.

Council discussed the rodeo in September and the movie in the park.

Councilmember Call explained that Weber County Animal Control is now by appointment only due to the pandemic.

Council discussed the solid waste collection and disposal request for proposal.

1. MEETING BROUGHT TO ORDER:

The Council met at their regularly scheduled meeting held in the City Council Chambers.
Mayor Bolos brought the Meeting to order at 6:00 pm. and welcomed those in attendance.

2. OPENING CEREMONIES

A. Lead by Councilmember Dixon
B. Lead by Councilmember Call

3. PUBLIC PRESENTATION

No one came up at this time.

4. PUBLIC HEARING—For the purpose of opening the current 2019-2020 Budget to make certain adjustments. *Ryan Child gave a presentation on the amended 2019-2020 budget.*

Councilmember Hunter made a motion to enter into public hearing. Councilmember Dixon seconded the motion. Councilmember Hunter, aye; Councilmember Dixon, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye;
Vote was unanimous.

Mayor Bolos invited the public up for comment.

No one came up at this time.

Councilmember Morse made a motion to leave public hearing. Councilmember Hunter seconded the motion. Councilmember Hunter, aye; Councilmember Dixon, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye;
Vote was unanimous.

5. **ACTION ON PUBLIC HEARING-ACTION ON ORDINANCE 25-2020-AMENDING THE CURRENT 2019-2020 CITY BUDGET**

Councilmember Dixon asked why fines are lower.

Ken Bradshaw explained that the courts are open but empty because of the pandemic.

Councilmember Dixon made a motion to adopt ordinance 25-2020. **Councilmember Morse seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Dixon, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

6. **PUBLIC HEARING-**For the purpose of allowing public input on the proposed 2020-2021 Tentative Budget prior to Final Adoption
Ryan Child gave a presentation on the 2020-2021 Tentative Budget.

Councilmember Dixon made a motion to enter into public hearing. **Councilmember Dixon seconded** the motion. Councilmember Hunter, aye; Councilmember Dixon, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

Mayor Bolos invited the public up for comment.

Kirt Nalder stated that he didn't think there was enough notification for hiring a city manager. He suggested not budgeting for a city manager. He also said that he did not think there was enough to manage in our city.

Kurk Beasley said he is not opposed to the hiring of a city manager; he just thinks it is not necessary at this time. He said he thought the timing was odd and wanted to know the motivation behind it. He said his biggest concern is the cost of the city manager position and other positions that may come afterwards. He said that he has not come to the meetings because he does not think the resident's voices have been heard. He stated that the council and mayor have the highest paid wages per capita and he suggested adjusting salaries if they include the city manager in the budget.

Rich Williams agree with what was stated previously and would like fiscal responsibilities to be addressed. He stated that he is concerned this isn't the right time for a city manager. He said that the wage outlined for the city manager is higher than a district court judge and thinks this is an incentive for mayor and council to take a pay cut. He stated it is the wrong time to hire a city manager.

Yancy Scott stated that he doesn't think this is the time to hire a city manager and it's a big change during a pandemic. He doesn't think there was enough notice given for this and he does not want to see a city property tax. He thinks the budget item outlined for a city manager is too much.

Austin Slaughter stated that he doesn't think this is the right time for a city manager and agrees with the previous speakers. He said that the mayor and council are doing a good job. He said that when a property tax was proposed because of a recreation complex the overwhelming response was opposition and that the same could be said here.

Natalie Wilson stated that many residents are against a property tax and that was shown in one of the most well attended meetings here. She stated that a budget line item of \$175,000 may not seem like a lot, but to her it seems one step closer to a tax and she hopes that the council will do something to put off that step towards it.

George Lamar stated that he thinks adding a city manager was very well advertised. He thinks that having a city manager providing professional oversight will provide a savings benefit. He said that the budget line item is for the city manager salary as well as benefits.

Rhett Bohnam thinks that we don't need a city manager and wants this line item taken out of the budget. He stated that city managers typically manage a police department and several department heads and that we do not have that here. He said that at one point the city will need one, but that we are not there yet. He said that he doesn't think it's the right time.

Andrew Rasmussen stated that about a year ago a city property tax was discussed based off of budgetary concerns. He stated that adding more employees is the opposite of what needs to be done if the city is having budgetary concerns.

Councilmember Morse made a motion to leave public hearing. **Councilmember Dixon seconded** the motion. Councilmember Hunter, aye; Councilmember Dixon, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; **Vote was unanimous.**

7. **ACTION ON PUBLIC HEARING-ACTION ON ORDINANCE 24-2020-ADOPTION OF 2020-21 CITY BUDGET**

Councilmember Dixon stated the decision for a city manager was not made lightly.

Councilmember Hunter asked why the total for building permits is lower.

Ryan Child explained that this was a conservative estimate of the numbers during the pandemic.

Councilmember Hunter stated that a comparative study was done for the city manager salary. He asked if the police budget is being cut for Weber County.

Cortney Ryan said it is not being cut.

Councilmember Hunter asked about line item referencing an emergency manager.

Councilmember Dixon explained that this is for a part time emergency manager.

Councilmember Hunter explained that last year 140,000 was approved for a public works director and full-time employee and the public works director budget was not used, and can be reallocated to the city manager salary. He stated that he hoped every council member will take into account the public's comments when making a decision. He said that there has been more attendance with zoom meetings than the regularly scheduled meetings. He said that with all the research the council has done they feel that the cost of this will better control the cost of other contracts. He said that the council does not want to impose a property tax.

Councilmember Dixon stated that she thinks engineering costs have shot up and that the city is being fiscally responsible by having oversight.

Councilmember Vanderwood stated that the council does listen to what residents say. He said that a city manager is an important link between council and staff. He said that the engineering contract is critical, and that neighboring cities have city managers. He said that a full-time manager is important and will help maintain employees.

Councilmember Morse stated that the council has been discussing the city manager as early as February this year and Councilmember Vanderwood has been researching for a year. She stated that transparency is a main concern and if the public feels there are other ways they could reach them to let them know. She said that recent ordinances have been updated in an effort to be more transparent.

Councilmember Call stated that the council has no intention of not being transparent and if the public needs more information let the council know how that can be sent out to them.

Councilmember Hunter made a motion to adopt ordinance 24-2020. Councilmember Call seconded the motion. Roll Call: Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; Councilmember Dixon, aye; **Vote was unanimous.**

8. **PRESENTATION-UTAH STATE AUDITOR FRAUD RISK ASSESSMENT QUESTIONNAIRE-RYAN CHILD**

Ryan Child explained the fraud risk assessment questionnaire from the Utah State Auditor.

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

A. FINAL SITE PLAN APPROVAL-FRONTLINE CONCRETE PUMPING-1997 S 1550 W-ROPER BUILDINGS

Council reviewed the paperwork showing that this property was M-2 when it became a business and that it was grandfathered into its current use when the zone was changed.

Councilmember Hunter said there was some discussion about the 60% occupancy the previous meeting.

Steve Anderson stated that they had 2 acres and are not at 60% occupancy.

Councilmember Hunter made a motion to give final site plan approval. Councilmember Morse seconded the motion. Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; Councilmember Dixon, aye; **Vote was unanimous.**

B. FINAL SUBDIVISION APPROVAL-GENETTI FARMS SUBDIVISION #4-APPROX. 3697 S 3500 W-ROBERT FISHER

Councilmember Hunter made a motion to give final subdivision approval. **Councilmember Dixon seconded** the motion. Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, nay; Councilmember Dixon, aye; **Motion passes 4:1.**

C. ACTION ON ORDINANCE 07-2020-REZONE A-1 TO R-2.5-APPROX. 2531 W 1800 S-IVORY HOMES

Chase Freebairn explained that they organized a meeting with the neighbors to address their concerns about this development. He said they opted to change from the R-4 zone to the R-2.5 zone.

Roger Bingham stated he is the owner of the property with Tyler Bingham and that this property was one of the first in the Wilson area. He said that this property has been passed down from generation to generation in his family.

Tyler Bingham explained that he is the other owner of the property and it been in the family for close to 160 years. He said that this is emotional for him because Roger Bingham needs to retire and in order to do that, they must sell the property and he can't build his house because he doesn't know what is going to happen on his property.

Councilmember Dixon asked what will happen with the existing home?

Roger Bingham stated that it will remain on the property.

Councilmember Vanderwood asked about the surrounding properties zones.

Steve Anderson said they are R-2, Mixed Use, and A-1.

Councilmember Morse asked how many people were at the meeting for the neighbors.

Mr. Freebairn stated that it was about 50-60 people.

Councilmember Hunter asked if they would agree to the current R-2.5 zone.

Mr. Freebairn confirmed they would agree to the current R-2.5 zone.

Councilmember Hunter made a motion to adopt ordinance 07-2020 under the current R-2.5 zone. **Councilmember Dixon seconded** the motion. Councilmember Hunter, aye; Councilmember Call, nay; Councilmember Morse, nay; Councilmember Vanderwood, aye; Councilmember Dixon, aye; **Motion passes 3:2.**

D. ACTION ON ORDINANCE 23-2020-STORAGE CONTAINERS

Councilmember Vanderwood suggested taking out everything after "One storage unit is allowed per acre or larger but the maximum number is one unit per two acres then one per additional acre with a conditional use permit." of section 1D. He also asked who the city staff is referencing.

Councilmember Morse and Call suggested clarifying the language on section 1D.

Councilmember Hunter suggested changing it to say One storage unit up to your first two acres, every additional acre past that you can have one per acre.

Mayor Bolos suggested taking out or larger in section 1D.

Councilmember Hunter suggested adding behind a fence in 1D.

Councilmember Morse suggested changing city staff to planning commission.

Councilmember Hunter made a motion to adopt ordinance 23-2020 with the following changes; Remove from the second sentence or larger on section 1D page 2, Strike on page 2 section 1D from The unit, container, or structure shall be placed on a

permanent foundation, and made to look like the residential home it is associated with, including the use of similar building materials and colors. A building permit and a site plan is required for the location and exterior look of the unit, container, or structure, and the building permit and site plan must be approved by City Staff prior to installation, Add to page 2 section 1D The storage container must be placed behind a home, solid fence, outbuildings or other obstruction as to obscure the view of the unit, container, or structure from the road, Any reference of city staff will be replaced with planning commission, also add this will be enforced based upon the geographical map dated Friday April 10, 2020, for any complaints about preexisting nonconforming uses. **Councilmember Vanderwood seconded the motion. Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; Councilmember Dixon, aye; **Vote was unanimous.**

10. **DISCUSSION-CITY MANAGER POSITION**

City council discussed the job description for the city manager.

11. **ACTION ON CONSENT AGENDA**

A. CITY COUNCIL MINUTES	MEETING HELD	June 3, 2020
B. STAKER PARSON	\$279,249.72	Inv. #213524-1
C. SUNRISE ENGINEERING	\$11,190.00	Inv. #010454
D. SEMI SERVICE INC.	\$18,976.07	Inv. #134014
E. CASELLE INC.	\$11,287.50	Inv. #102951

Councilmember Dixon moved to approve the Consent Agenda without item D. **Councilmember Morse seconded** the motion. **Roll Call:** Councilmember Hunter, aye; Councilmember Call, aye; Councilmember Morse, aye; Councilmember Vanderwood, aye; Councilmember Dixon, aye; **Vote was unanimous.**

12. **ADJOURNMENT**

Councilmember Morse moved to adjourn at 9:11 P.M. **Councilmember Hunter seconded** the motion. Councilmember Morse, aye; Councilmember Dixon, aye; Councilmember Call, aye; Councilmember Vanderwood, aye; Councilmember Hunter, aye; **Vote was unanimous.**

Emily Green
City Recorder

Date Approved: _____