

SOUTH WEBER CITY COUNCIL AGENDA

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<https://www.youtube.com/c/southwebercityut>

PUBLIC NOTICE is hereby given that the City Council of SOUTH WEBER CITY, Utah, will meet in a regular public meeting on Tuesday, September 8, 2020 in the Council Chambers, 1600 E. South Weber Dr., commencing at 6:00 p.m. *Due to physical distancing guidelines, there is limited room for the public to attend. Unless commenting, please watch on YouTube at the link above. **Attendees are encouraged to wear a face mask.** If you are unable or uncomfortable attending in person, you may also comment live via Zoom if you register prior to 5 pm the day of the meeting at <https://forms.gle/PMJFhYFJsD3KCj899>. You may also email publiccomment@southwebercity.com for inclusion with the minutes.

OPEN (Agenda items may be moved in order or sequence to meet the needs of the Council.)

1. Pledge of Allegiance: Councilwoman Alberts
2. Prayer: Mayor Sjoblom
3. Corona Update
4. *Public Comment: Please respectfully follow these guidelines
 - a. State your name and address
 - b. Individuals may speak once for 3 minutes or less
 - c. Direct comments to the entire council (Council will not respond)
 - d. Do not make remarks from the audience

PRESENTATIONS

5. Davis County Sheriff's Office Quarterly Report

ACTION ITEMS

6. Approval of Consent Agenda
 - a. CC 2020-08-11 Minutes
 - b. CC 2020-08-18 Minutes
 - c. CC 2020-08-25 Minutes
7. Resolution 2020-37: Amend Interlocal Agreement with Uintah City for the Replacement of the Cottonwood Drive Waterline
8. Resolution 2020-38: Declaration of Surplus Property: Public Works Case 50 Tractor

REPORTS

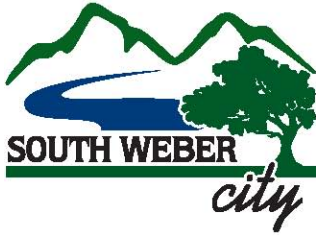
9. New Business
10. Council & Staff
11. Adjourn

In compliance with the Americans with Disabilities Act, individuals needing special accommodations during this meeting should notify the City Recorder, 1600 East South Weber Drive, South Weber, Utah 84405 (801-479-3177) at least two days prior to the meeting.

THE UNDERSIGNED DULY APPOINTED CITY RECORDER FOR THE MUNICIPALITY OF SOUTH WEBER CITY HEREBY CERTIFIES THAT A COPY OF THE FOREGOING NOTICE WAS MAILED, EMAILED, OR POSTED TO: 1. CITY OFFICE BUILDING 2. FAMILY ACTIVITY CENTER 3. CITY WEBSITE www.southwebercity.com 4. UTAH PUBLIC NOTICE WEBSITE www.pmn.utah.gov 5. THE GOVERNING BODY MEMBERS 6. OTHERS ON THE AGENDA

DATE: 09-03-2020

CITY RECORDER: Lisa Smith



Agenda Item Introduction

Council Meeting Date: 09-08-2020

Name: Lisa Smith

Agenda Item: Davis County Sheriff's Office Quarterly Report

Background: Council has asked that the Davis County Sheriff's Office provide regular reports of the criminal activity within South Weber boundaries. The last report was December 2019.

Summary: Sargeant Pope will present city law enforcement statistics.

Budget Amendment: n/a

Procurement Officer Review: Budgeted amount \$ Bid amount \$

Committee Recommendation: N/a

Planning Commission Recommendation: n/a

Staff Recommendation: n/a

Attachments: n/a

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 11 August 2020

TIME COMMENCED: 6:01 p.m.

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

PRESENT: MAYOR:

Jo Sjoblom

COUNCIL MEMBERS:

Hayley Alberts
Blair Halverson
Angie Petty
Quin Soderquist
Wayne Winsor

FINANCE DIRECTOR:

Mark McRae

CITY ENGINEER:

Brandon Jones

CITY RECORDER:

Lisa Smith

CITY MANAGER:

David Larson

CITY ATTORNEY:

Jayme Blakesley

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Slater Petty, Tammy Long, and Paul Sturm.

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

1. PLEDGE OF ALLEGIANCE: Councilman Winsor

2. PRAYER: Councilman Soderquist

3. CORONA VIRUS UPDATE: Mayor Sjoblom reported Davis County COVID 19 cases have decreased by 39%. Ages 15 to 24 continue to be the highest increase by age. South Weber City has two active cases and 26 total cases. Davis School District will begin the school year with a hybrid schedule.

4. PUBLIC COMMENT: Please respectfully follow these guidelines:

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

Stanley Gudmendsen, lot #29 of Harvest Park Subdivision, is in the process of constructing a home in the Harvest Park Subdivision and questioned what will done with the trees, trail, and

open space area behind his home. He suggested moving the trail 20' to the north to preserve old growth trees.

Councilman Halverson related Harvest Park Subdivision, Phase 3 will be discussed this Thursday at the Planning Commission meeting. David Larson stated the city staff will be meeting with the developer to review the details of the project. He assured citizens the goal is to keep as many trees as possible. City Engineer Brandon Jones pointed out a final location for the trail has not been determined. He will be meeting with the developer to walk the site.

ACTION ITEMS:

5. Approval of Consent Agenda a. July 21, 2020 Minutes

Councilman Soderquist moved to approve the consent agenda. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

6. Resolution 2020-32: Declaring SWC Fire Department's Substantial Dedication to the COVID-19 Public Health Emergency

Mayor Sjoblom reported South Weber City has received Coronavirus Aid, Relief, and Economic Security (CARES) Act funds from the state. One of the acceptable uses of these funds is for the payroll expenses of the South Weber City Fire Department; however, the City Council must determine that the services provided by the Fire Department are substantially dedicated to mitigating or responding to the COVID 19 public health emergency. In the City Council meeting on June 30, 2020 the possible uses of the CARES Act money by South Weber City were discussed and direction given to staff. The general opinion in that meeting was the Fire Department is substantially dedicated to the public health emergency.

Mayor Sjoblom explained the South Weber City Fire Department has made the necessary changes to meet all new requirements relating to the emergency and treats all calls as a possible COVID 19 exposure. The South Weber City Council declared that the Fire Department is substantially dedicated to the public health emergency and has been since March 1, 2020.

Councilwoman Petty moved to approve Resolution 2020-32: Declaring SWC Fire Department's Substantial Dedication to the COVID-19 Public Health Emergency. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

7. Public Works Tractor Purchase

Mayor Sjoblom explained the city farm tractor/street mower has safety and maintenance problems. It is used for mowing weeds on the sides of unimproved streets and grooming the Posse Grounds. The 2020 budget includes funds for a replacement.

Mayor Sjoblom stated the staff obtained quotes from John Deere, New Holland, and Case. John Deere offered the best price at \$49,897.90 and included all the necessary functions and features. The mower attachment is an additional \$11,100 bringing the total to \$60,997.90. Chief Procurement Officer David Larson verified that staff followed the City's Procurement Policy

(CPP) section 2-1-060. C.1.a in recommending this purchase. Councilman Winsor asked what the budgeted amount is. David replied the budgeted amount was \$75,000.

Councilman Winsor moved to approve the purchase of a John Deere tractor with attachment for the Public Works Department for the total cost of \$60,997.90. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

8. Public Works Water Meter Replacement Purchase

Each year the city replaces a percentage of water meters to ensure meters are always under warranty and provide the most accurate reads. This fiscal year public works budgeted to replace 350 registers and antennas. There is only one supplier for the existing meters so there are no competing bids (CPP 2-1-060. C.1.c Sole Source). The price is \$259 for each unit (register and antennae) for a total of \$90,650. Since the aggregate cost of the purchase exceeds \$9,999 this purchase must be authorized by the City Council (CPP 2-1-050.C). Chief Procurement Officer David Larson verified that staff followed the City's Procurement Policy section 2-1-060. C.1.c Sole Source in recommending this purchase. Councilman Winsor asked for the budgeted amount. David Larson indicated \$100,000.

Councilwoman Petty moved to approve the purchase of water meter replacements for the Public Works Department for \$90,650. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

REPORTS:

9. New Business: (None)

10. Council & Staff Reports

Mayor Sjoblom: thanked the Country Fair Days Committee: Tani Lynch, Holly Williams, and Vicki Christensen for the Country Fair Days activities. She especially enjoyed the arts & craft exhibit and the hot shot competition. Mayor Sjoblom announced she will be out of town and not able to attend the City Council meeting on August 18, 2020. Councilman Halverson will be acting mayor.

Councilman Halverson: reported on the Hill Air Force Base (HAFB) contamination and announced the current Restoration Advisory Board (RAB) contract will expire in September. A new contract will be coming forward. The 2017 Record of Decision (ROD) will be available soon. It shows positive improvement. He thanked those residents in South Weber City who participated in the indoor air sampling. All the air sampling provided negative results. Mayor Sjoblom and Ms. Pfeifen from HAFB visited eight different residences' water wells in South Weber City. It was found that all eight wells had been capped or are no longer in use.

Councilwoman Alberts: thanked those involved with the Country Fair Days celebration for all their hard work.

Councilman Soderquist: enjoyed the Country Fair Days celebration and thanked the committee.

Councilwoman Petty: praised the Country Fair Days Committee and all their hard work.

Councilman Winsor: reported the Code Committee met today and will be reviewing/amending City Code Title 10, Chapter 2. They will meet the 2nd and 4th Tuesday of every month. Any changes will go through the proper procedure for approval. Councilman Winsor was elected to chair this committee. He also acknowledged the Country Fair Days Committee.

City Manager, David Larson: indicated the online public commenter joined the meeting late. The council agreed to allow the public comment from Stanley Gudmendsen. David reported the gurney for the Fire Department has been delivered and installed.

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

11. Discussion of the Purchase, Exchange, or Lease of Real Property

12. Discussion of Pending or Reasonable Imminent Litigation

CLOSED SESSION: Councilman Soderquist moved to adjourn the Council meeting at 6:27 p.m. and go into a closed session held pursuant to the provision of UCA section 52-4-205(1)(c) and (d) discussion of the purchase, exchange, or lease of real property and discussion of pending or reasonable imminent litigation. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

13. Return to Open Session and Adjourn

RECONVENE: Councilwoman Petty moved to reconvene the Council meeting at 7:29 p.m. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

ADJOURN: Councilman Soderquist moved to adjourn the Council meeting at 7:29 p.m. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

APPROVED: _____ Date 09-08-2020
Mayor: Jo Sjoblom

Transcriber: Michelle Clark

Attest: _____
City Recorder: Lisa Smith

From: [Tory Friddle](#)
To: [Public Comment](#)
Subject: La Roca
Date: Thursday, August 6, 2020 9:48:24 PM

As the closest residence to La Rocas entrance I would like to thank everyone involved in the issues last weekend.

I would like to list a few of my concerns in hope the city will have sufficient information on what is being done at the facility.

- Traffic is out of control going in and out at all times of the day and night. My cameras show cars coming in late at night and very early like 1:30 am. We can only guess what might be going on.
- The turn lane into the complex needs a arrow painted. Cars pull over and park thinking this is the shoulder of the road not a turn lane.
- The speed along this straight away turns into a very dangerous situation when you have cars entering and exiting the complex. People passing on the double yellow line. I have had multiple close calls already with people trying to pass as I'm entering my drive.
- People parking half on the shoulder and partway in the road over the white line.
- Lighting at the entrance is a issue after dark.

This is a major safety issue in my eyes and all I see and hear is it's not my problem.

I'm a concerned citizen who believes rules set are rules to be followed. It is only a matter of time before something bad happens and I don't want to see it.

At our voting on this complex I witnessed a owner willing to do what ever and say whatever to get this complex passed. Gift to the community, Non profit, No games just training, Closed after 10:00, Very few parking spots needed due to training only, Buffer zone with plants. Well I might be wrong but I was there.

Please understand I'm all for the kids but also see it's more about the money in some people's eyes.

Best regards

Tory Friddle

119 East South Weber Dr

Sent from my iPhone

From: [beckylabs](#)
To: [Public Comment](#)
Subject: General Plan
Date: Monday, August 10, 2020 1:11:12 PM

I have been informed that the area surrounding the old convenience store is still going to have townhomes built! When I filled out the general survey the large area to the east of the store was shown to be commercial. There was even an area where we could fill in the bubbles about what we'd like to see there and townhomes were not a choice. So what's up with that. If you allow townhomes to be built, why did we bother to offer our suggestions? Also, if they go through, I hope that a fence is required to be put between the Sandalwood Cove green space and the townhomes.

Thank you,

Rebecca Marino

Sent from my Verizon, Samsung Galaxy smartphone

August 10, 2020

South Weber City Planning Commission
1600 E South Weber Drive
South Weber, UT 84405

Subject: Public Hearing for Conditional Use Permit application for Snowbasin Destination LLC, owner Lori Drake

Dear Planning Commission:

We are submitting the following as comment to the Public Hearing in regards to the Conditional Use Permit application for a Short-Term Rental submitted by Lori Drake ("**Responsible Party**") of Snowbasin Destination located at 2345 E 8100 S., South Weber UT ("**Short-Term Rental**"). According to the Airbnb website persons renting or residing ("**Occupants**") in the short-term rental are offered a downstairs living space with three bedrooms. We believe based on public reviews on the Airbnb website for this short-term rental, and by witnessing occupants, this short-term rental began operations September 2019. A search on the Utah Business website (<https://secure.utah.gov/bes/>) shows a Utah Certificate of Organization, file number 11638573 was issued to Snowbasin Destination LLC January 30, 2020.

The purpose of this letter are to:

1. present the planning commission with a summary of previous complaints made to the South Weber Code enforcer;
2. present the planning commission with historical issues related to parking at the short-term Rental;
3. present the planning commission with details of events/parties at this location;
4. present the planning commission with concerns we have related to trespassing by occupant and non-occupant visitors;
5. ask the planning commission when reviewing the application for this short-term rental to clarify the difference between a two-family dwelling and short term rental conditional use permit;
6. ask the planning commission when reviewing the application to clarify and define the accountability of the Responsible Party, and South Weber City in regards to code violations.

Complaints:

On two separate occasions, we have provided the South Weber Code Enforcer with written formal complaints. The first complaint dated January 16, 2020 outlined issues related to no receipt of public notification from the city in regards to the conditional use permit, parking issues in violation of South Weber winter ordinance, violation of the noise ordinance due to late hour parties at the short-term rental among an occupant and visitors. The second complaint dated July 16, 2020 described issues related to no public notification from the city in regards to the conditional use permit, parking issues, and trespassing.

Provided as an attachment to this letter will be a copy of two police reports D20-00395 related to winter parking, and D20-00424 related to winter parking, parties and a warrant arrest at the short-term rental.

Parking:

The short-term rental historically has not enforced off street parking. On several occasion the short-term rental has had 3+ vehicles parked on the street overnight. Street parking is nearly always directly in front of our property. During winter months, we witnessed, and documented many occupants not following the South Weber winter parking ordinance.

The first picture below taken November 15, 2019 shows what we witness as typical overnight winter parking. The second picture taken the morning of November 19, 2019, shows a work truck, which had been parked overnight broken down in the street in front of our property. A large oil spill was left in the roadway after the occupant had finished working on the vehicle.



The occupant the week of January 12, 2020 had a constant stream of vehicles throughout the evening and early morning. Due to nightly parties held at the short-term rental, vehicles parked on the roadway and in the short-term rental driveway. The below pictures were taken the evening of January 15, 2020, not pictured are the additional vehicles parked to the east of our driveway.



The below picture taken the morning of January 17, 2020 shows one of the several cars that had been left parked on the street overnight.



After filing police complaints dated January 16 and 17, 2020, we discussed issues related to the short-term rental with the responsible party. We very clearly voiced our concerns in regards to parking. The responsible party said she understood our concerns in regards to cars parking all the way to the gate when checking in late at night, which causes extra noise due to slamming doors, and car alarms. In addition, we discussed street parking in front of our residence, and felt we had come to a mutual understanding in regards to parking.

The picture below shows how vehicles are currently parking at the short-term rental. The below pictures were taken on July 11, 2020 and July 19, 2020.



We understand there is no ordinance or law preventing parking in front of our home. However, we strongly feel we should not have to extend a courtesy, or tolerate excessive parking that benefits a business in our neighborhood. The occupant parking in front of our property is not the view we purchased when we moved to South Weber.

- Does the city require the property owner to provide adequate and safe parking at a short-term rental?
- Does the city require the property owner to provide parking that does not interfere, cause damage, or encourage trespassing of neighboring properties?
- Can occupant vehicles park over 48 hours on the street without moving?

Parties/Events:

The short-term rental has already had parties/events. The evening of January 15, 2020, was at least the second evening of a string of parties held by an occupant involving very young adults, alcohol, smoking and loud music. At approximately 11:30 pm, a young female visitor of the occupant

knocked on our door asking to use our wifi. She explained a boy named Isaac had sent an uber for her, but she was unable to locate the Airbnb. After giving her directions to the short-term rental, we witness an additional vehicle arrive. This vehicle contained an additional three young male adults with beer who were being very loud. By this point in the evening, there were six vehicles and many young adults in the driveway, and back yard drinking, smoking and causing a lot of noise.

The picture below taken on January 16, 2020 is of two of the five men that were outside drinking, smoking, and play loud music from at least 10:30 pm until well after midnight.



The incident as described in a section of police report (D20-00424) dated January 17, 2020; "On January 17, 2020, I was informed of a parking problem at the address of 2345 E 8100 S in South Weber. I contacted the complainant, Gary Sanzone, who lives next door. Mr. Sanzone informed me that he has witnessed multiple vehicles parking on the road in violation of South Weber City Code. He stated the vehicles are parked there by guests at the Airbnb in the basement of the residence next door. In addition, he informed me that the guests at the Airbnb have been throwing parties, which have involved excessive noise late into the night, smoking in the Airbnb's backyard near his property and his bedroom window, and the consumption of alcohol by those he presumes to be minors. Mr. Sanzone made a similar complaint yesterday, on January 16, 2020 (See D20-00395)."

The following is from an additional section of report D20-00424; "Upon returning to the residence I verified all provided information, while running Mr. Provenzano's provided information through NCIC I got a return on a fully extraditable warrant. I verified the NCIC hit through Davis County Dispatch and confirmed the information found."



Wonderful place. Good for small groups & skiers. Definitely would not recommend for parties! Very nice and comfortable space.

We are sorry we left this location in disrepair. We intended to stay in the location and clean it, but the neighbors complained about our noise level (we had loud music and backyard smoking). The sherriffs did come to ask us to move our car out of the street, as one of our group didn't know he had to park on the driveway. We do intend to pay for the damage to the unit, and are very sorry for the condition we left it in under such short notice. [read less](#)



Response from Isaac
Joined in 2016

January 2020

Unfortunately, Daniel's review wasn't up yet and I accepted the reservation from this young man. Honestly, I have never felt so ... violated. My beautiful space has at least \$500 worth of damage. I need to salvage my reputation with the sheriff's office, my city, and my neighbors. I have purchased new comforters, blankets, and linens due to a myriad of stains that I won't describe. I must replace a window screen that was destroyed. A new rug and my carpet have muddy boot prints all over and now I am finding other small things as I clean. There are dings in the walls and my gorgeous new sofa has stains on all three cushions. Need I say more? My downstairs space has only been available for four months and I have hosted lovely people from all over the U.S. I honestly am concerned about Isaac and the sustainability of his lifestyle, but that's another story. [read less](#)



Lori, South Weber, UT
Joined in 2017

As stated in the parking section of this letter, after involving the police and code enforcer, we had a discussion with the responsible party about what had been happening at the short-term rental. We were very surprised to learn that during the week of parties the responsible party was in the residence. We also learned from her that the young woman who came to our door had also come to her door. The responsible party expressed to us that she felt taken advantage of and that she needed to be more careful. She felt Isaac had not represented himself or the purpose of travel correctly, and that he was a wondering troubled young man. We feel this incident clearly demonstrates the responsible party did not manage the owner occupied short-term rental in a way that ensures neighborhood safety.

We received the following text message from the code enforcer on January 17, 2020 "I am pretty sure that we have resolved the problem and Lori did rent the property as a short term rental to an individual that took advantage of the situation and has since been evicted from the property. I have advised her that she will be required to obtain a business license from the city so that I can go over the specific regulations with her that are outlined in the ordinance."

As a follow up question we asked the code enforcer if the responsible party was allowed to continue to rent the short-term rental, and received the following response; "Nope, she has to immediately obtain a permit." The responsible party had a new occupant at the short-term rental the beginning of following week. The below picture of the new occupant was taken January 23, 2020.



According to the Airbnb listing for this short-term rental the responsible party advertises house rules which includes the phrase “no parties or events”. We witnessed recent occupants having a gathering with visitors. The additional visitors creates noise, and excessive numbers of vehicles in the street. Holding events/parties at the short-term rental brings up the following questions:

- Does the Conditional Use Permit allow a short-term rental to be a venue, defined as a place where an event or meeting happens?
- Is the rental for occupants, or occupants and their visitors?
- What are the maximum number to occupants, visitors, and vehicles allowed at a short-term rental?

Trespassing:

Our property has become a walking path, a park, and a shortcut from the street to the gate by many occupants. The following pictures taken August 2, 2020 provides an example of what we witness as typical foot traffic to the gated area of the short-term rental.



The below pictures taken August 9, 2020 show occupants as they are having a nerf gun war on our front yard.



We have also had visitors of occupants mistake our property for the Airbnb. On July 15, 2020, a small red suv pulled into our driveway at approximately 9:45 pm playing loud music. The driver pulled in and out backing up to our gate on the east side of our property. Quickly confronted before he could exit his vehicle to enter the gated area, he stated his purpose for being in our driveway was to pick up an occupant of the Airbnb. Having an uninvited person enter our

property at night, with the possibility of trying to gain access to our home has the potential of becoming a dangerous situation for all parties involved. Begrudgingly we now have to display tacky no trespassing, and beware of dog signs from our front porch and gate. As you can see from the pictures above, the signs are not working.

Two-Family Dwelling/Short-Term Rental:

Utah HB 253 passed during the 2017 general session enacted Utah Codes 10-8-85.4 and 17-50-338.

10-8-85.4(1)(b) and 17-50-338(1)(b) "Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

10-8-85.4(2)(a) and 17-50-338(2)(a) a legislative body may not: enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or

10-8-85.4(2)(b) and 17-50-338(2)(b) use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website.

South Weber Ordinance 10-18-2 (A) Short-Term or Vacation Rental means a transient lodging facility in a single family dwelling unit, in public lodging facilities as part of a planned unit development (PUD), or in an accessory dwelling unit (ADU), occupied by a single group on a temporary basis for less than 30 consecutive days as an alternative to a hotel or motel.

The logistics section of the Airbnb listing of the responsible party states the property is available for long term stays, 28 days or more. Four recent occupants of the short-term rental stayed for the summer, well over 30 days.



Emma
July 2020

Lori's place was exquisite, I spent the entire summer here for an internship. She made our stay and experience in Utah all the more special! A wonderful host and person! We love you Lori!

July 2020

What a choice experience it has been to host Emma and her peeps. They were gracious, considerate, and deeply appreciative of every detail. Not only in their private space but also in discovering Utah. The experience of getting to know these four young women from every corner of the United States was a thrill for me. I wish them the best of luck and hope to see them again. They will always be welcome. [read less](#)



Lori, South Weber, UT
Joined in 2017

From what we have witnessed and according to recent reviews left on the Airbnb website for the short-term rental, it appears the short-term rental is not always operating at fewer than 30 consecutive days. Based on the definitions of the Utah and South Weber Code we have the following questions:

- Is the responsible party using the property as a short-term rental, or a two family dwelling? Is this student housing? Corporate housing?
- What is the difference in a conditional use permit for a short-term rental and a two family dwelling?
- When code violations or issues arise, does offering the rental for 30+ days prevent the city from enforcing short-term rental ordinances?

Responsibility:

As of the date of this letter, we feel neither the city nor the responsible party appear to have taken responsibility to ensure compliance or enforcement of South Weber City Codes/Ordinances. In our opinion the responsible party did not act with integrity by starting a business without first obtaining a business license, or permit from the city. Bypassing the short-term rental process as outlined by South Weber City potentially took tax dollars from our community, and did not allow long-term neighbors their right to public comment before the short-term rental became operational.

Airbnb's website offers a help document under responsible hosting in regards to business licensing stating the following. "You are responsible for checking whether your activity may be considered to be a business activity, and if so, for ensuring that you comply with local rules that regulate businesses (which may include business registration and/or licensing requirements) before starting to provide your experience."

South Weber City has allowed the short-term rental to run without a license, and has not done enough to ensure the rights of other property owners. The Utah State Codes enacted for short-term rentals should not render our leaders paralyzed, unable to protect all property owners. South Weber residence deserve better.

- Who is responsible and accountable for occupants of a short-term rental? Is it the Neighbors, the Police, the Planning Commission, the City Council, or the Responsible Party?

In regards to the responsible party and the short-term rental, we have tried to be patient and respectful of the right to operate a business. In January, we were willing to listen and discuss compromise to ensure continued success of the short-term rental, while still maintaining our rights and safety. Since that discussion, we feel the responsible party has not been concerned at all about our rights, our property, or our safety. In January, the responsible party expressed to us that she had been the victim of an occupant. We do not feel the responsible party was violated, instead we feel she did not control a bad situation that was taking place at the short-term rental, and as a result suffered the consequence. The lack of action taken by the responsible party caused interruption to the police department, the code enforcer, and us. Since then we feel the responsible party continues to allow occupants to park anywhere, hold what appears to be events, and does not appear to consider the disruption the short-term rental is causing to the surroundings.

We are strongly opposed to the planning commission granting a conditional use permit for this short-term rental. We feel the responsible party lacks the skill, and security training to operate a short-term rental in a manner that protects the integrity, characteristics, and safety of our neighborhood. The responsible party has not managed the short-term rental in a manner that we the neighbors are unaware of the existence.

Best Regards,
Gary and Tina Sanzone
Property Owners
2353 E 8100 S

Enclosure: Davis County Sheriff police report D20-00395 and D20-00424.



DAVIS COUNTY SHERIFF'S OFFICE

Deputy Report for Incident D20-00395

Nature: Parking Problem

Address: 2353 E 8100 S

Location: 150

SOUTH WEBER UT 84405

Offense Codes: PARK

Received By: T Dyer

How Received: T

Agency: DCSO

Responding Officers: M Castro

Responsible Officer: M Castro

Disposition: CLO 01/16/20

When Reported: 06:18:37 01/16/20

Occurred Between: 06:18:37 01/16/20 and 06:18:37 01/16/20

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported:

Observed: PARK Parking Problem

Additional Offense: PARK Parking Problem

Circumstances

BM88 No Bias

DCVN Dash Cam Video: No

LT13 Highway, Road, Alley

Responding Officers:

M Castro

Unit :

D100

Responsible Officer: M Castro

Agency: DCSO

Received By: T Dyer

Last Radio Log: **:*.** **/**/**

How Received: T Telephone

Clearance: CRO Cleared by Responding Officer

When Reported: 06:18:37 01/16/20

Disposition: CLO **Date:** 01/16/20

Judicial Status:

Occurred between: 06:18:37 01/16/20

Misc Entry: DJ

and: 06:18:37 01/16/20

Modus Operandi:

Description :

Method :

Involvements

Date	Type	Description	Relationship
01/16/20	Name	SANZONE, GARY WALTER	Complainant
01/16/20	Cad Call	06:18:37 01/16/20 Parking Problem	Initiating Call

Narrative

Subject: Parking Problem
D20-00395
M. Castro
01/16/2020

On 01/16/2020, I was dispatched to a parking problem in South Weber. I spoke with the complainant, Gary Sanzone, who told me the house next door located at 2345 E 8100 S is an Airbnb. The people staying at the Airbnb will often park their cars on the street in front of Gary's house which causes the snowplows to skip his house.

Gary also told me that last night there was a party at the airbnb and sometime between 2300 and 2330 hours a group of people showed up knocking at his door. They were looking for the party, and thought that Gary's home was the airbnb.

Gary informed me he would be filing a complaint with South Weber City in regards to the Airbnb. I told him I would pass on the information so Deputies would be aware and could enforce the winter parking. I sent out a message to the Patrol Division regarding this case.

Nothing further.

Responsible LEO:

Approved by:

Date

Name Involvements:

Complainant : 240974

Last: SANZONE

First: GARY

Mid: WALTER

DOB:

Dr Lic: **Phone:**

Address: 2353 E 8100 S

Race: **Sex:** M

City: SOUTH WEBER, UT 84405



DAVIS COUNTY SHERIFF'S OFFICE

Deputy Report for Incident D20-00424

Nature: Parking Problem

Address: 2353 E 8100 S;10-21

Location: 150

SOUTH WEBER UT 84405

Offense Codes: WARA

Received By: L Jacobs

How Received: T

Agency: DCSO

Responding Officers: C Bodily, C Hawkins, J Jefferies, L Payne

Responsible Officer: J Jefferies

Disposition: CAA 01/23/20

When Reported: 07:36:26 01/17/20

Occurred Between: 07:36:26 01/17/20 and 07:36:26 01/17/20

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City: ,

Offense Codes

Reported:

Observed: WARA Warrant Arrest

Additional Offense: WARA Warrant Arrest

Circumstances

BM88 No Bias

DCVY Dash Cam Video: Yes

LT20 Residence or Home

DAY Day (6 a.m. - 6 p.m.)

Responding Officers:

Unit :

C Bodily

D48

C Hawkins

D18

J Jefferies

D103

L Payne

D38

Responsible Officer: J Jefferies

Agency: DCSO

Received By: L Jacobs

Last Radio Log: **/**/** **/**/**

How Received: T Telephone

Clearance: CRO Cleared by Responding Officer

When Reported: 07:36:26 01/17/20

Disposition: CAA **Date:** 01/23/20

01/24/20

Judicial Status:

Occurred between: 07:36:26 01/17/20

Misc Entry:

and: 07:36:26 01/17/20

Modus Operandi:

Description :

Method :

Involvements

Date	Type	Description	Relationship
01/23/20	Name	PROVENZANA, PETER JOSEPH	OFFENDER
01/17/20	Name	SANZONE, GARY WALTER	Complainant
01/17/20	Name	PROVENZANO, PETER JOSEPH	SUBJECT
01/17/20	Name	BARTOLOMEI, ISAAC EPHRAIM	Offender
01/17/20	Cad Call	07:36:26 01/17/20 Parking Problem	Initiating Call

Narrative

Subject: Parking Problem/ Warrant Arrest
Case Number: D20-00424
Date: 01/17/2020
Reporting Officer: Deputy J Jefferies
Body Camera Footage Available: Yes

On January 17, 2020, I was informed of a parking problem at the address of 2345 E 8100 S in South Weber. I contacted the complainant, Gary Sanzone, who lives next door. Mr. Sanzone informed me that he has witnessed multiple vehicles parking on the road in violation of South Weber City Code. He stated the vehicles are parked there by guests at the Airbnb in the basement of the residence next door. In addition he informed me that the guests at the Air BnB have been throwing parties which have involved excessive noise late into the night, smoking in the Airbnb's backyard near his property and his bedroom window, and the consumption of alcohol by those he presumes to be minors. Mr. Sanzone made a similar complaint yesterday, on January 16, 2020 (See D20-00395).

I informed Mr. Sanzone that we would go to the home to insure all vehicles were moved off the road and speak with the guests about continuing noise complaints and parking violations.

Upon my arrival I found one vehicle still on the road, I ran the vehicle which returned valid with no warrants attached.

I knocked on the door of the Airbnb portion of the residence and made contact with a male later identified as Peter Provenzano, who invited me into the home. I informed Mr. Provenzano of the complaints that had been made and asked what his relation was to the residence and Airbnb. He informed me that he had not been there last night and did not know who's vehicle was on the street.

Upon asking for identification Mr. Provenzano initially refused, identifying himself only as Peter. Mr. Provenzano eventually agreed to providing a Florida Identification Card and I copied down his information.

While speaking with Mr. Provenzano, another male came into the room and identified himself as Isaac Bartolomei. Mr. Martolomei stated that he was the renter of the Airbnb and said he would contact the driver of the vehicle still on the road to have it moved. He also said he was aware of the noise complaints and would not have any more parties or guests while staying at the residence..

Due to a separate incident that occurred while speaking the occupants of the Airbnb, I left the scene and returned upon the completion of the separate incident (See D20-00421).

Upon returning to the residence I verified all provided information, While running Mr. Provenzano's provided information through NCIC I got a return on a fully extraditable warrant. I verified the NCIC hit through Davis County Dispatch and confirmed the information found.

I made contact again with Mr, Bartolomei to obtain the infomation of the Airbnb renter so that they could be advised of the complaints that had been made. Mr. Bartolomei provided me with the contact information for a Lori Drake. While speaking with Mr. Martolomei I saw Mr. Provenzano in the kitchen of the Airbnb . I made contact with Mr. Provenzano and asked him to stand and place his hands on his head Mr. Provenzano was compliant and was placed in handcuffs, which were checked for fit and double locked. Mr. Provenzano had multiple knives on his

Deputy Report for Incident D20-00424

Page 4 of 6

person which were removed. The knives and other property belonging to him were left with the other guests of the Airbnb with Mr. Provenzano's permission.

Mr. Provenzano was placed in my patrol vehicle where was placed in a locked seatbelt. Transport to Davis County Jail occurred without incident Upon arrival to the jail custody was transferred to Jail staff and his warrant information was verified,

End of Report
J Jefferies 17453

Responsible LEO:

Approved by:

Date

01/24/20

Supplement

Subject: Supplemental Report- Follow Up Warrant Arrest

Case Number: D20-00424

Date: 01/17/2020

Reporting Officer: Deputy J Jefferies

Body Camera Footage Available: Yes

On January 17, 2020, I spoke with Lori Drake, who is the owner of the residence at 2345 E 8100 S South Weber. Lori contacted Davis County Dispatch inquiring about the arrest that had occurred at her residence. I informed Ms. Drake that we had arrested someone who was staying at her Airbnb after identifying him and discovering his warrant.

Ms. Drake asked if it would be possible to remove the other Airbnb guests from her home. I advised Ms. Drake to contact Airbnb if she wanted to terminate the contract with her guests but until then it would remain a civil matter.

I informed Ms. Drake that if she had any other questions about criminal problems, or if at anytime felt that she required a civil standby, that she could contact the Sheriff's Office again.

End of Supplemental Report

J Jefferies 17453

Name Involvements:**Complainant :** 240974**Last:** SANZONE**First:** GARY**Mid:** WALTER**DOB:** [REDACTED]**Dr Lic:** [REDACTED]**Address:** 2353 E 8100 S**Race:** [REDACTED] **Sex:** M**Phone:** [REDACTED]**City:** SOUTH WEBER, UT 84405**Offender :** 395208**Last:** BARTOLOMEI**First:** ISAAC**Mid:** EPHRAIM**DOB:** [REDACTED]**Dr Lic:** [REDACTED]**Address:** [REDACTED]**[REDACTED] Sex:** M**Phone:** [REDACTED]**City:** [REDACTED]**SUBJECT :** 395205**Last:** PROVENZANO**First:** PETER**Mid:** JOSEPH**DOB:** [REDACTED]**Dr Lic:** [REDACTED]**Address:** [REDACTED]**[REDACTED] Sex:** M**Phone:** [REDACTED]**City:** ,**OFFENDER :** 395206**Last:** PROVENZANA**First:** PETER**Mid:** JOSEPH**DOB:** [REDACTED]**Dr Lic:** [REDACTED]**Address:** [REDACTED]**[REDACTED] Sex:** M**Phone:** [REDACTED]**City:** ,

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 18 August 2020

TIME COMMENCED: 6:01 p.m.

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

PRESENT: MAYOR:

Jo Sjoblom (excused)

COUNCIL MEMBERS:

Hayley Alberts
Blair Halverson (Mayor Pro Tem)
Angie Petty
Quin Soderquist
Wayne Winsor

FINANCE DIRECTOR:

Mark McRae

CITY ENGINEER:

Brandon Jones

CITY RECORDER:

Lisa Smith

DEPUTY RECORDER:

Friday Whaley

CITY MANAGER:

David Larson

CITY ATTORNEY:

Jayme Blakesley

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Paul Sturm

Mayor Pro Tem Halverson called the meeting to order and excused Mayor Sjoblom.

1. PLEDGE OF ALLEGIANCE: Councilwoman Petty

2. PRAYER: Mayor Pro Tem Halverson

3. CORONA VIRUS UPDATE: The current hospital rate of Covid cases is 4.3% with 8.3% positive test rate. Cases are going down in Davis County. South Weber City has eight active cases with 34 total cases.

4. PUBLIC COMMENT: Please respectfully follow these guidelines:

- a. Individuals may speak once for 3 minutes or less
- b. Do not make remark from the audience
- c. State your name and address
- d. Direct comments to the entire Council

e. Note City Council will not respond during the public comment period

Paul Sturm, 2527 Deer Run Drive, recommended the City Council watch the Planning Commission meeting from last week. He felt they readdressed everything that had already been decided. Discussion included View Drive and 1900 East connection to Layton City. He remarked the Planning Commission suggested rewriting narrative about the road to 1900 East as presented in the general plan. Paul stated there seemed to be confusion. He noted Commissioner Johnson reminded the Commission of citizen input. Paul questioned the decibel range being used in the general plan. He conducted research and found a lot of bases have conducted noise studies and charged it can affect federal home loans.

Councilman Halverson explained the noise and sensitive land section in the master plan starts with a decibel of 75. There is discrepancy as to where it should start.

DISCUSSION ITEM:**5. Fire Department Rehabilitation Equipment Discussion**

Mayor Pro Tem Halverson explained after September 11, 2001 the Department of Homeland Security, in conjunction with Federal Emergency Management Agency (FEMA), came up with a way to provide better resources to communities if a disaster of any kind occurs. South Weber City was given the responsibility to provide rehabilitation and hazmat decontamination. A trailer, Ford Excursion truck, and some basic equipment was provided. It has been over fifteen years since any of it was updated. Because these are Region 1 assets, Region 1 can potentially pay for the entire replacement and outfitting of both a new truck and trailer as well as all the associated equipment. It requires some financial wrangling to get the equipment purchased and the money reimbursed.

Region 1 Co-Chair Chief Paul Ericson approached the Council and explained the application process and that the funds are for three years. Currently the 2018 grants are being disbursed. The final application to FEMA for this year is due September 2020. Councilwoman Petty questioned the turnaround time for reimbursement. Chief Ericson stated it depends on the time of year but generally two weeks or less. He needs a cover letter, invoice, paid invoice, and cleared check from the city.

Fire Chief Tolman explained his research process to get items funded and encouraged working with Region 1. Councilwoman Petty asked how much it would cost to replace the truck and the trailer. Chief Tolman replied he will present different options with varied levels of replacement to see what the Council and Region are comfortable with. He acknowledged the old truck and trailer can be auctioned as surplus once new equipment is in place. Chief Tolman desired several weeks to gather the data and create options. He planned to approach Region 1 with his figures to get an idea of probability of the reimbursement level before presenting to Council.

ACTION ITEMS:**6. Approval of Consent Agenda****a. Minutes 07-28-2020**

Councilwoman Petty moved to approve the consent agenda. Councilwoman Alberts seconded the motion. Mayor Pro Tem Halverson called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

7. Resolution 2020-33: Intercounty Automatic Aid Fire Agreement

Mayor Pro Tem Halverson articulated over the last several years there have been several large incidents each year in Weber and Davis Counties. These events have required resources from multiple counties to bring the situations under control. To better streamline and manage an appropriate response, the fire chiefs in both counties proposed an agreement be put in place. Davis and Weber Counties are geographically the best situated to help each other in a timely fashion. South Weber City has agreements with multiple Weber County Fire Departments currently. This agreement will not replace those accords. It will assure all entities within the counties are incorporated, will improve response times, and provide legally supported aid on these large incidents. No increase in call volume is expected.

Councilwoman Petty moved to approve Resolution 2020-33: Intercounty Automatic Aid Fire Agreement. Councilwoman Alberts seconded the motion. Mayor Pro Tem Halverson called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

REPORTS:

8. New Business:

Hill Air Force Base (HAFB) Contamination: Councilwoman Alberts asked if there is city development code concerning the HAFB contamination. David explained the city code has a sensitive land section which includes a requirement of testing for sensitive lands. He described when a developer approaches the city for a possible development, city code is followed concerning which studies are required. HAFB is responsible to update the plume maps. Chief Tolman added there are monitoring wells throughout the city that are frequently tested.

Geneva North Gravel Pit: Councilman Winsor reported the gravel pit has been filling up with water. Mayor Pro Tem Halverson disclosed they are using it to mitigate dust from the main pit. City Manager David Larson will contact Geneva to discuss the issue.

9. Council & Staff Reports

Councilman Halverson: related the Planning Commission met on August 13, 2020 and approved the final plat for Harvest Park Subdivision, Phase 3. There was a public hearing and action on a conditional use permit for short-term rental Destination Snowbasin. He encouraged the city look at amending the short-term rental ordinance to include an owner-occupied requirement. The general plan was discussed and will be included as an action item at the next Planning Commission meeting on September 10, 2020. Councilman Winsor voiced his concern with the language used to describe the city road to the water tank. Discussion took place regarding a View Drive connection.

Councilwoman Alberts: met with the Public Relations Committee concerning the city website. David reported the committee reviewed the two proposals received and felt like they could do better. Councilwoman Alberts conveyed an amended request for proposal will be going out.

David specified the public hearing process and the state requirements. He indicated the city does more than required to make sure the information gets out there. He advised the best way for a citizen to be notified of public hearings is to sign up through the Utah Public Notice Website (Utah.gov/pmn/index.html).

Councilman Soderquist: requested an advisory committee for funds received from Staker Parson be created.

Councilwoman Petty: announced Youth Council applications will be taken until September 8, 2020. She walked the dog park and walking path with the developer, Mayor, Mark Larsen, David Larson, and Brandon Jones. There still is not a completion date. There was some discrepancy on how many trees will remain. Councilman Winsor inquired if there will be rules and regulations in place prior to the dog park opening. David replied staff is drafting an updated section of the parks code including dog park rules.

Councilman Winsor: offered Davis County had three positive pools for West Nile virus, but no individuals have been infected.

City Recorder, Lisa Smith: wished Councilwoman Petty happy birthday tomorrow.

ADJOURN: Councilwoman Alberts moved to adjourn the Council Meeting at 6:56 p.m. Councilwoman Petty seconded the motion. Mayor Pro Tem Halverson called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

APPROVED:

Date 09-08-2020

Mayor Pro Tem: Blair Halverson

Transcriber: Michelle Clark

Attest:

City Recorder: Lisa Smith

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 11 August 2020

TIME COMMENCED: 6:01 p.m.

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

PRESENT: MAYOR:

Jo Sjoblom

COUNCIL MEMBERS:

**Hayley Alberts
Blair Halverson
Angie Petty
Quin Soderquist
Wayne Winsor**

FINANCE DIRECTOR:

Mark McRae

CITY ENGINEER:

Brandon Jones

CITY RECORDER:

Lisa Smith

CITY MANAGER:

David Larson

CITY ATTORNEY:

Jayme Blakesley

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Paul Sturm, Jacob Anderson, Jared Clark, Tani Lynch, Holly Williams, Amy Mitchell, and Victoria Christensen.

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

1. PLEDGE OF ALLEGIANCE: Councilman Halverson

2. PRAYER: Councilwoman Petty

3. CORONA VIRUS UPDATE: Mayor Sjoblom reported South Weber City still has the lowest overall case rate in Davis County with a total of 35 COVID cases and one active case. Davis County hospitalization is at 46% capacity which is stable and good. The state transmission rate is 0.78 and Davis County transmission rate is 0.77. There seems to be a stabilizing trend with testing at an 8% positive rate. Davis County is monitoring the sewer systems to see viral load as there has been a slight increase lately. Davis School District hired a point of contact person for each school to watch for cases and work with the Health Department. The employee's duties include investigating cases, identifying schools, quarantining remainder of family, notifying the point of contact, investigating school setting, and looking for potentially exposed individuals to quarantine.

4. PUBLIC COMMENT: Please respectfully follow these guidelines:

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

Amy Mitchell, 1923 Deer Run Drive, announced she watched the Planning Commission meeting held on 13 August 2020. At this meeting a discussion was held concerning the residents living on 7800 South who submitted a petition to the city requesting the connection from View Drive and 7800 South be removed from the general plan. The Planning Commission communicated how impressed they were with these citizens and how they did things the right way. She outlined how hard she worked in getting input from citizens concerning the possible connection road from 1900 East to Layton City. She went door to door to make sure residents were aware and completed the general plan survey. She questioned if she needs to gather a signature petition. She lives on 1900 and doesn't think there should be any reference to a possible connection to Layton City in the general plan. She conveyed 85% of citizens say no to the connection. She declared the City Council owes its citizens its allegiance. She urged future Planning Commission meetings be held at City Hall.

Paul Sturm, 2527 Deer Run Drive, identified misspellings in the Harvest Park documents, lamented the short time frame for citizens to review packets, and questioned the development approval process. He was concerned about future development along 2700 East and the need to widen the road to accommodate increased traffic (see citizen input #2 Sturm amended).

Councilwoman Alberts requested Mr. Sturm's comments concerning the preliminary plan process be addressed. City Manager David Larson explained the staff reviews plans and returns comments which can take multiple revisions before it is presented to the Planning Commission. Councilwoman Alberts indicated any widening on 2700 East would be on the east side from the substation and assured the current developer will be paying street impact fees. David explained once the general plan is adopted the Capital Facilities Plan (CFP) can be updated which relates to impact fee amounts.

Councilwoman Alberts called for clarification of Governor Herbert's statement concerning virtual meetings. City Attorney Jayme Blakesley specified the governor's order was superseded because the legislature created a process by which meetings can be held virtually. The chair of the body that is meeting designates if there is an emergency or situation that warrants the virtual meeting.

Councilwoman Petty assured Amy Mitchell the City Council has heard the voices of the citizens concerning the city survey and they will not be forgotten.

PRESENTATIONS:**5. New Public Works Employees Introduction**

The Public Works Department budgeted for an additional parks employee to help with the growing acreage within the city. Jody Nielson is moving his family to Las Vegas. After interviews Jacob Anderson and Jared Clark were chosen to fill the positions. Jacob Anderson

introduced himself and indicated he will be working with both the streets and parks. He appreciated the opportunity to work for South Weber City. Jared Clark thanked everyone for the opportunity to work in this city. The Council welcomed both employees.

6. Recognition of 2020 Country Fair Days Committee

Councilwoman Alberts announced for decades South Weber citizens have gathered the first week of August to celebrate Country Fair Days. During Covid-19 it was unclear if the city would be able to celebrate this long held and cherished tradition. However, under the dedication and direction of Holly Schenck Williams, Tani Lynch, and Victoria Christensen the Country Fair Days committee was able to make the necessary adjustments to move forward. These women stayed in constant contact with state leadership and the local health department to ensure the celebration would keep everyone safe and healthy. Though Country Fair Days was a little different this year, there was a great turnout and some new, creative, and fun events were introduced. In a year where so many things were cancelled, it was wonderful for South Weber Days to continue. The Council wished to recognize the additional time and work required putting on this event with the restrictions and give its thanks to them for their hard work and dedication.

Mayor Sjoblom presented a card and gift certificate to Holly, Tani, and Vicki. She thanked them for all their hard work and efforts to make this year's celebration successful.

ACTION ITEMS:

7. Approval of Consent Agenda

a. July Check Register

Councilman Soderquist asked about the Sportsites' fee. David explained Sportsites is a program used by the Family Activity Center for registration of recreational sports and Country Fair Days.

Councilman Soderquist moved to approve the consent agenda. Councilwoman Alberts seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

8. Resolution 2020-34: Final Plat, Site Plan, and Improvement Plan Harvest Park, Phase 3

Jones & Associates and Barry Burton completed reviews for Harvest Park, Phase 3. The two street names were resolved, and the basement depth was approved. The Planning Commission held a public hearing and recommended approval. Councilman Soderquist asked about the changing water table and noted at the Planning Commission held on August 13, 2020 Mark Staples from Nilson Homes stated they will install a land drain system if it is necessary. He inquired who determines a land drain system is needed and when that would occur. City Engineer Brandon Jones identified page 32 of the packet shows a land drain system to be installed. The purpose of the land drain is to get the ground water away from the home. Phases 1 and 2 both have land drain systems. Also, the geotechnical report requires the installation of the land drain system. It was decided there was a misunderstanding and the land drain system will be installed in phase 3.

Councilwoman Petty expressed concern with approving phase 3 when the promised dog park isn't completed. Councilwoman Alberts asked about the retention basin size. Brandon explained it is a regional detention basin designed with future development in mind. Mark Staples

commented the reason for the delay of the dog park was because the detention basin was expanded. It has since been excavated and the rocks have been removed. The irrigation plan will be submitted in the next week to ten days. Councilman Winsor suggested tabling this item until the dog park is completed. Mark queried if there is a date in the development agreement for when the dog park was to be completed. Councilwoman Alberts asked Mr. Staples if he would be willing to sign an agreement with a scheduled date of completion for the dog park. Mark explained Nilson Homes responsibility for the dog park includes installing a trail, a chain link fence, sod, and irrigation. He was willing to amend the development agreement to include a reasonable completion schedule for the dog park. He explained the focus had been to get the trail in so that they know where to install the fence. Mark suggested meeting with Brandon to put together a schedule. Councilwoman Petty expressed it needs to be a priority for Nilson Homes to get the dog park completed. Mark reminded everyone that there is bonded money which the city can use to complete it. Councilman Winsor indicated the developer is responsible for the dog park completion. Mark requested adding a condition to the motion to include the development agreement amendment rather than tabling the item. Councilwoman Petty didn't want to approve it without a specific date identified. Mark apologized on behalf of Nilson Homes for the delay on the completion of the dog park and declared it will be completed by November 1, 2020.

Councilman Halverson moved to approve Resolution 2020-34: Final Plat, Site Plan, and Improvement Plan Harvest Park, Phase 3 subject to an amendment to the development agreement to include the dog park will be completed by November 1, 2020. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

Councilman Winsor moved to open the public hearing for Budget 2020-2021 Amendment. Councilwoman Alberts seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

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

9. Public Hearing: Budget 2020-2021 Amendment

Mayor Sjoblom disclosed the current city budget for 2020-2021 was adopted on June 16, 2020. Since the adoption of the budget the city has received Coronavirus Aid, Relief, and Economic Security (CARES) Act funds. On June 30, 2020, the City Council gave direction to staff on how these funds should be used. The first amendment is to use the CARES Act funds for the touchless fixtures upgrades for all city owned buildings. The budgeted amount will be \$50,000. The second amendment is for the final payment on the regional detention basin constructed as part of the Old Maple Farms, Phase 3 development. South Weber previously signed an agreement to pay \$300,000. This amendment is for the city's final payment. The budget amendment is \$100,000 and the money will come from the \$120,000 which other developments have previously paid for their share in the use of the basin. The third amendment is to correct a typo in the 2020-21 budget in the water department. The water operations and maintenance account, 51-40-490, should have been \$100,000 which is comparable to previous years' expenditures. However, the budget is only showing \$1,000. This amendment is for \$99,000. This year's budget needs to be opened and amended to reflect those changes. To amend an adopted budget, a public hearing is required to afford citizens an opportunity to address the proposed changes.

Capital Projects Revenues		
45-33-500	Federal Grants - CARES Act	+ \$ 50,000
Capital Projects Expenditures		
45-43-730	Admin – Improv. Other Than Buildings	+ \$ 50,000
Storm Drain Revenues		
54-39-500	Fund Balance to be Appropriated	+ \$100,000
Storm Drain Expenditures		
54-40-730	Improvements Other Than Buildings	+ \$100,000
Water Fund Revenues		
51-39-500	Fund Balance to be Appropriated	+ \$99,000
Water Fund Expenditures		
51-40-490	Water Operations and Maintenance	+ \$99,000

Councilwoman asked if the touchless fixtures would use all \$50,000. Finance director Mark McRae explained the actual amount will come back to the Council once he receives the bids from the contractors. If the cost is less, the remaining money will return to the CARES Act fund.

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

Councilman Winsor moved to close the public hearing for Budget 2020-2021 Amendment. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

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

10. Resolution 2020-35: Budget Amendment

Councilwoman Petty moved to approve Resolution 2020-35: Budget Amendment. Councilman Winsor seconded the motion. Mayor Sjoblom called for a roll call vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

11. Resolution 2020-36: Staker Parson Allocation Advisory Board

Mayor Sjoblom communicated the development agreement with Staker & Parson Companies originally signed in the early 2000s includes a section on financial contribution as a community benefit (4.5.2). It identified how much is to be contributed to the city each year for the benefit of recreational programs and facilities. It noted that a five-person advisory board appointed by the City Council recommends appropriate disbursement of these monies. It also stated that this group should include a representative from Staker & Parson Companies. This board has not been created and Staker & Parson requested that the board be organized. The City Council assigned the Parks & Recreation Committee to recommend who should be on the advisory board. They recommend the following to be appointed as members of the board:

- Gravel Pit Liaison (Board Chair)
- Parks & Rec Committee Chair
- City Manager
- Recreation Director

- Staker Parson Representative

Currently those individuals are Quin Soderquist, Angie Petty, David Larson, Curtis Brown, and Dak Maxfield.

Councilwoman Alberts moved to approve Resolution 2020-36: Staker Parson Allocation Advisory Board. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

REPORTS:

12. New Business:

Live streaming YouTube – Mark McRae reported Webb Audio is waiting for all the parts to arrive for the audio/video upgrades and then they will start installation. Councilman Winsor suggested going live approximately five minutes earlier than the meeting time. Also, having a staff member field questions as the meeting goes on. There were also concerns with public comment and public hearing time slots. The Public Affairs Committee will create procedures for live streaming.

Fiber Update – Councilwoman Alberts asked about fiber options and if there had been any further discussions. Councilman Winsor reported the Municipal Utilities Committee will discuss it at the next meeting. There are other options with Utopia that were not previously presented.

Buffer Yard on 8200 S. 2700 E. Update - David reported code enforcer Chris Tremea is working with the Homeowner's Association concerning the maintenance of this buffer yard.

13. Council & Staff Reports

Mayor Sjoblom: submitted last week a final meeting was held with Horrocks Engineers regarding the Weber Parkway Trail feasibility study. As a reminder, the city received a transportation land-use connections (TLC) grant and ultimately paid \$3,500 with Wasatch Front Regional Council (WFRC) paying \$46,500 for a total study budget of \$50,000. She anticipated receiving the final report this week. The study provided a recommended alignment for the trail, along with cost estimates for the trail itself, two trailheads (one on each end), and crossing I-84. It will also outline the next steps if the city moves forward on design/construction and sets up the project for additional grant money applications. This item will be discussed in an upcoming Parks Committee meeting.

She encouraged getting the youth involved with pickle-ball. The Family Activity Center will be conducting clinics.

Councilman Halverson: related the Cottonwood Drive waterline project is out for bid and expected to be completed by the end of the year. He reported the east bench transmission project with Job Corp is underway. Streetlight installations are moving forward. Brandon completed an evaluation of existing streetlights and cost for replacement. There is a possibility of the city taking over maintenance which would be a significant savings to the city.

Councilwoman Petty: announced the Youth City Council application is on the city website for all those 14 years and older. It requires one year of service from September 2020 through August 2021.

Councilman Winsor: shared the City Code Committee met and reviewed Title 10 Chapter 2. They will be amending the roles and responsibilities of all those who work within land use. He will be absent from the Council meeting on September 8, 2020.

City Manager, David Larson: thanked the City Council for all the incredible work they do which is evident by all the assignments and committee meetings held. He voiced the second tranche of the CARES Act fund should be received next week.

ADJOURN: Councilman Winsor moved to adjourn the Council meeting at 7:22 p.m. Councilwoman Alberts seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

APPROVED: _____ Date 09-08-2020

Mayor: Jo Sjoblom

Transcriber: Michelle Clark

Attest: _____
City Recorder: Lisa Smith

From: [Michael Grant](#)
To: [Public Comment](#); [David J. Larson](#)
Subject: Mail from Michael
Date: Tuesday, August 25, 2020 1:26:52 PM

I want to bring up a new idea regarding Zoom and YouTube troubleshooting while CC and PC meetings are happening in real time.

Now that Zoom sessions seem to be our future for the next several months, maybe a couple of things can be fine tuned.

Maybe one person like Lisa Smith or someone could be designated with real time texts or emails. Lisa can keep an eye on these texts or emails appearing in her inbox.

These messages will be sent by people only for Zoom breakdown reasons.

For example, if the volume is too low, or a certain CC or PC member is not speaking loud enough, in real life I could have just put my hand up and objected. Sitting at home I have no way of telling that. In the past we would text Jeff Judkins to reposition the camera. You get the idea.

Or like the last time the camera was on Dave Larson for 15 minutes while the conversation continued in the back. Who could I have notified at that time? No point calling the City and leaving them a voice mail at that moment.

Of course you should specify that emailing or texting Lisa is meant for technical problems only, not for expressing policy decisions.

The DNC and GOP conventions were on YouTube last week. They were opened on YouTube several minutes BEFORE the conventions started. With our CC and PC meetings, we are able to see it a couple of minutes into the meeting as that is when Zoom comes live. Zoom should come live at 5.55p so that people are all tuned in and ready to go even if they are looking at the City's logo.

Otherwise every single time when I am trying to locate the Live session on YouTube I am frantically clicking icons to locate the Live tab. Live Tab doesn't show because you haven't turned it on early enough. Invariably I find the CC or PC meeting on Zoom albeit 4 to 15 minutes later and often the public comment session is already gone.

Thus YouTube channel should ideally come up "hot" at 5.55p.

Thanks,

Michael Grant
2622 Deer Run Drive, South Weber

Presentation to the South Weber City - City Council - 25 Aug20**Comments by Paul A. Sturm**

- 1) Action Items - Agenda Item 8. - There are several misspellings of the word Cobblestone on Sheets 7 of 11 (Packet Page 31), 8 of 11 (Packet Page 32), and 10 of 11 (Packet Page 34) in the Site Plan package. It is spelled/shown as Cobbelstone Drive on the drawings.
- 2) I have several general comments regarding the upcoming Planning Commission Meeting on 27Aug20. Please note that the packet was downloaded to the SWC website on Friday 21Aug20, six days before the meeting. Following are just some of highlights from a presentation to the Planning Commission this Thursday:
 - A) It is completely unreasonable for South Weber Citizens to have only six days to review a **486** page, **148** MB document and then be able to provide meaningful comments for a **PUBLIC HEARING!** As a result of this very short timeframe to review the packet, any **Action** or decision on this Preliminary Site Plan& Improvements for the Lofts at Deer Run **should be postponed so that the Planning Commission has the ability to review and consider both the Public's inputs and comments as well re-familiarize themselves with past information.**
 - B) Also assembled are a total of 25 documents, related to the Lofts, for the Planning Commission to review regarding both past presentations to the PC and CC, and new/current information located while reviewing/researching the packet . I do not know of any way to provide all of this information to the Planning Commission for this meeting. The documents are being provided as a reminder of what has occurred and what has been promised by both the Planning Commission and City Council this past year.
 - C) Barry Burton Memo of 18Aug20 - **PL14 - Page 6**
States that this is the 4th iteration of the Preliminary Plan. Why was a Public Hearing **Not held** on iterations #2 and #3. Why were the citizens of South Weber not informed about these two iterations so that Public Comments could have been made? I have also been told that some members of the Planning Commission **were not aware of iterations #2 and #3!** (Note: Was informed immediately after presentation that an iteration is just a change to a document i.e., a Fire Department assessment, not a major change to the Preliminary Plan.)

Notes: A complete set of Zoning Code C-O documentation was provided to the Planning Commission Chair on 22Aug19, a Member of the City Council on 5Sep19, and to the City Manager on 18Sep19. This information has been readily available within the City for nearly a year!

Another reminder was that, during the discussion on the rescission of the C-O code, the City Council promised, in open meeting, that whenever C-O was presented, the Developer would be held to all C-O requirements and no variances granted. (Note: Was informed just prior to the meeting that an updated C-O was available and that fact was addressed at the meeting and added to the presentation.)

D) **2700 E.**

I have some concerns regarding 2700 E. and its future as was presented in Brandon Jones' 20Aug20 memo contained in the 27Aug20 PC packet. Please review Brandon's presentation. Following are just some of the topics to be addressed in the PC presentation for Thursday:

- 1) Bullet #1 - The LOS shown makes no sense when taken in the context of the text. As has been expressed many times by citizens, and was shown during the Park N Protest event, the Frontage Road is not capable, from a safety perspective, to handle the increased traffic.
- 2) Bullet #2 - The last sentence makes no sense. "A need for widening will likely be the result of an aggregate of all development along 2700 E. to the existing traffic." Comment: There is no open land along 2700 E. for development, thus the Lofts should be assessed an impact fee due to the acknowledged traffic increase!
- 3) Also, how can 2700 E. ever be widened with the Lofts property directly adjacent? This appears to show a real lack of planning by the City regarding future growth....

E) **Variance Application Letter of Explanation.**

I do not understand why South Weber City is entertaining this Variance Request. A preponderance of the property has had the **same topography for hundreds of years**. Why was the topography not taken into consideration during the **four design phase iterations** for this property. Mr. Cox has been involved with this property for over a year as is evidenced by his name on South Weber City's "Subdivision/Land Use Process Application" and listed as the "Developer's Engineer" and shown as "Fred Cox (Architect)" His statements in the Variance Application Letter of Explanation, such as "The unreasonable hardship from current zoning language is that the parking lot would be too steep in the wintertime..." are absurd.



M E M O R A N D U M

TO: South Weber City Mayor and Council

FROM: Brandon K. Jones, P.E.
South Weber City Engineer 

CC: David Larson – South Weber City Manager
Mark Larsen – South Weber City Public Works Director

RE: **INTERLOCAL AGREEMENT -- AMENDMENT**
Cottonwood Dr. Waterline Replacement – Cost Share with Uintah City

Date: September 3, 2020

Background

The Project is currently out for bid. As we were coordinating design with Uintah City, we became aware that Uintah City was planning on using Community Development Block Grant (CDBG) funds to pay for their share of the construction costs. In order for them to be eligible to use these funds for this project there are certain bidding requirements, and contractors bidding the project must comply with Davis-Bacon wage rates, amongst other things.

We have reviewed the costs associated with other CDBG projects that our office has done and talked to several contractors regarding potential increased costs to meet the requirements. Some contractors are already paying their employees more than Davis-Bacon wages, while others are paying less. Therefore, depending on who the contractor is, the increased cost varies. Based on our research, we have determined that the cost increase to meet the CDBG requirements could be anywhere between 0% to 5%.

Due to the potential for this increase in cost, we approached Uintah City to see if they would be willing to adjust the cost share percentage so South Weber didn't end up paying more than they would have normally paid because Uintah City needed to have the project meet CDBG funding requirements. They were agreeable to adjusting the cost share up to the high end of 5%. This would equate to 47.5% to South Weber and 52.5% to Uintah City. This change requires an amendment to the original Interlocal Agreement. Jayme Blakesley (South Weber City Attorney) has prepared this amendment, and it is attached to this memo. Both cities will need to sign the amendment to make it official. The cost share percentage for construction costs is the only change to the Interlocal Agreement. All other provisions of the agreement remain in force.

Recommendation

Based on the analysis performed and Uintah City's willingness to adjust the cost share percentages as stated, we recommend approval of the amendment to the Interlocal Agreement.

RESOLUTION 2020-37

**A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL AMENDING
THE INTERLOCAL AGREEMENT WITH UINTAH CITY FOR THE
REPLACEMENT OF THE COTTONWOOD DRIVE WATERLINE**

WHEREAS, on March 10, 2020 an agreement with Uintah City to replace the Cottonwood Drive waterline was approved; and

WHEREAS, Uintah City has chosen to fund the project using a Community Development Block Grant (CDBG) adding requirements which will increase the overall cost of the project; and

WHEREAS, city staff negotiated on behalf of South Weber citizens to limit the city's financial obligation; and

WHEREAS, both South Weber and Uintah City Councils have agreed to amend the original agreement;

NOW THEREFORE BE IT RESOLVED by the South Weber City Council, Davis County, Utah, as follows:

Section 1. Approval: The amended agreement attached as Exhibit 1 is entered into with Uintah City for the sole purpose of replacement of the Cottonwood Drive waterline.

Section 2: Repealer Clause: All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the 8th day of September 2020.

Roll call vote is as follows:

Council Member Alberts	FOR	AGAINST
Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

Mayor Jo Sjoblom

Attest: Recorder Lisa Smith

EXHIBIT 1

First Amendment to the Interlocal Agreement by and between South Weber City and Uintah City for Replacement of the Cottonwood Drive Waterline

FIRST AMENDMENT
to the
INTERLOCAL AGREEMENT
by and between
SOUTH WEBER CITY
and
UINTAH CITY
FOR REPLACEMENT OF THE COTTONWOOD DRIVE WATERLINE

This Amendment to an Interlocal Agreement is made and entered into this 8th day of September, 2020, by and between **SOUTH WEBER CITY**, a body politic and political subdivision of the State of Utah (“South Weber”) and **UINTAH CITY**, a body politic and political subdivision of the State of Utah (“Uintah”), individually referred to as “Party” or collectively referred to as “Parties.”

WHEREAS, South Weber and Uintah have previously entered into that certain Interlocal Agreement providing for the combination of their respective culinary water service needs along Cottonwood Drive in South Weber and the west end of Uintah City (the “Agreement”); and

WHEREAS, Uintah has been approved for federal Community Development Block Grant (“CDBG”) funds and plans to use these funds to meet their financial obligation; and

WHEREAS, the use of CDBG grant funds necessitates compliance with specific requirements during both the bidding and construction portions; and

WHEREAS, it is estimated that project costs could be anywhere from 0% - 5% more as a result of compliance with CDBG requirements; and

WHEREAS, as a result of the increased project costs from Uintah using CDBG funds, Uintah is willing to accept 5% more of the construction costs (including any approved change orders), making the cost share 47.5 % South Weber and 52.5% Uintah; and

WHEREAS, the parties now desire to amend the Agreement;

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions hereinafter set forth, the Parties agree as follows:

A. Amendment. Section 5 Paragraph 1 of the Agreement is hereby amended to read in its entirety as follows:

**Section Five
Payment**

1. The Parties agree to share the actual costs for Design and Construction of the Project. Uintah will be using CDBG grant funds. To offset the potential increased costs related to CDBG requirements, South Weber will pay 47.5% of the costs and Uintah will pay the remaining 52.5%. For estimated Design and Construction costs, see Exhibit "B". Parties shall mutually agree on the contract amount prior to awarding the contract.

B. Other Provisions Not Affected. All other provisions of the Agreement shall remain in full force and effect without amendment.

IN WITNESS WHEREOF, the Parties execute this Agreement on the day and month recited above.

SOUTH WEBER CITY:

UINTAH CITY

By: _____
David Larson, City Manager

By: _____
Gordon Cutler, Mayor

Date: _____

Date: _____

ATTEST:

ATTEST:

City Recorder, South Weber City

City Recorder, Uintah City

Approved as to form:

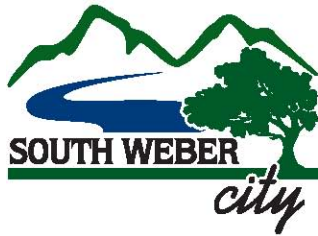
Approved as to form:

By: _____
Attorney for South Weber City

By: _____
Attorney for Uintah City

Date: _____

Date: _____



Agenda Item Introduction

Council Meeting Date: 08-25-2020

Name: Mark Larsen

Agenda Item: Declaration of Surplus Property for Public Works Case 50 Tractor

Background: City Council budgeted for Public Works to get a new farm tractor in the FY 2020-2021 budget as a replacement for our current Case 50 farm tractor. The new tractor was delivered to the City shop on 8/20/2020 and now we are ready for the City Council to declare the old tractor surplus per City Procurement Policy 2-1-170. Once declared surplus, we will send it to the auction.

Summary: Declare the Case 50 farm tractor surplus.

Budget Amendment: n/a

Procurement Officer Review: Per the City's Procurement Policy 2-1-170.A.2, the City Manager, acting as Chief Procurement Officer, has reviewed this item and has determined that this tractor is indeed surplus

Committee Recommendation: n/a

Planning Commission Recommendation: n/a

Staff Recommendation: n/a

Attachments: Resolution 2020-38

RESOLUTION 2020-38
A RESOLUTION OF THE SOUTH WEBER CITY COUNCIL TO
DECLARE SURPLUS PROPERTY: PUBLIC WORKS CASE 50 TRACTOR

WHEREAS, the Public Works department has procured a new John Deere tractor to replace the Case 50 tractor which had safety and maintenance issues; and

WHEREAS, the Case 50 tractor no longer has a use within this department or any others; and

WHEREAS, South Weber City holds full ownership and title with no liens; and

WHEREAS, Department Head Mark Larsen wishes to sell the tractor at a public auction; and

WHEREAS, Chief Procurement Officer David Larson has reviewed the request and has determined the tractor is surplus; and

WHEREAS, procurement policy 2-1-170 (B)(2) requires fixed assets to be declared surplus by the City Council before they may be sold;

NOW THEREFORE BE IT RESOLVED by the Council of South Weber City, Davis County, Utah, as follows:

Section 1. Declaration: The public works Case 50 tractor is declared surplus and may be sold at public auction according to city procurement policy.

Section 2: Repealer Clause: All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the 8th day of September 2020.

Roll call vote is as follows:

Council Member Alberts	FOR	AGAINST
Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

Jo Sjoblom, Mayor

Attest: Lisa Smith, Recorder