SOUTH WEBER CITY
CITY COUNCIL MEETING

DATE OF MEETING: **16 November 2021** **TIME COMMENCED:** **6:00 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**
	COMMUNITY DIRECTOR:	**Trevor Cahoon**
	CITY RECORDER:	**Lisa Smith**
	CITY MANAGER:	**David Larson**
	FINANCE DIRECTOR:	**Mark McRae**
	CITY ENGINEER:	**Brandon Jones**
	FIRE CHIEF:	**Derek Tolman**
	PR ASSISTANT:	**Shaelee King**

Transcriber: Minutes transcribed by Michelle Clark

ATTENDEES: Paul Sturm, T.G. George, Joel Dills, Kelly Sparks, Jason Gardiner, John Pein, Elizabeth Pinto, Parker McGarvey, Chris Pope, Jimmy LeBaron, Becky Dills, Brandon Tremelling, Rod Westbroek, and Michael Grant.

Mayor Sjoblom called the meeting to order and welcomed those in attendance including Sheriff Sparks, Sergeant Pope, and other members of Davis County Sheriff's Department, Chief Tolman, and Assistant Chief Fessler.

1. Pledge of Allegiance: **Councilman Winsor**

2. Prayer: **Councilman Halverson**

3. Public Comment: Please respectfully follow these guidelines.

- **Individuals may speak once for 3 minutes or less: Do not remark from the audience.**
- **State your name & address and direct comments to the entire Council (Council will not respond)**

Paul Sturm, 2725 Deer Run Drive, commented on agenda item #11. He asked if South Weber City has authority over the 0.016-acre property located in Weber County. He discussed the need for identifying what is really being supported with a parcel identification/description and legal description.

4. Davis County Sheriff's Office

Mayor Sjoblom explained Davis County Sheriff's Office (DCSO) provides law enforcement service to South Weber City. Council has requested a quarterly report from the DCSO to review statistics including staffing hours within the city and share significant events. The last presentation was July 20th.

Sergeant Pope presented the DCSO report from July 20, 2021 to November 16, 2021. He reviewed the staff hours which included a weekly average total of 94.3 hours, 1,020 calls, 9 arrests, 150 traffic stops, 54 radar enforcement, and 2 DUIs. He reported 52.96% of DCSO calls were self-initiated, 17.55% traffic stop, and 11.57% extra patrol. He reviewed the significant events which included: head on collision, suspicious vehicle, ungovernable juvenile, vehicle theft, suspicious individual, suicide threat, stalking, mental subject, residential burglary, recovered stolen vehicle, felony DUI, traffic violations, and weapons offense.

John Pierce, of the DCSO Investigative Department, presented the crimes assigned to investigations for 2021. The report included crimes against persons, crimes against property, and other. Investigator Jason Gardner added DCSO spends the majority of their time investigating crimes against persons. In South Weber that included 80 cases and well over 10,000 hours worked.

Mayor Sjoblom thanked DCSO for all they do for South Weber City.

5. Storm Water Management Plan

City Engineer Brandon Jones reported as of 2002 municipalities in Davis County became classified as Small MS4s (Municipal Separate Storm Sewer Systems). As Small MS4s each city is required to comply with UPDES (Utah Pollution Discharge Elimination System) General Permit requirements. On May 12, 2021, the new General Permit became effective. The new permit, among other things, requires that MS4s create a new Storm Water Management Plan (SWMP).

Brandon Tremelling, of Jones & Associates, reported a Storm Water Management Plan is a "written plan that is used to describe the various control measure and activities the permittee will undertake to implement the storm water management plan." It is required by both the federal Environmental Protection Agency (EPA) and the state Utah Division of Water Quality (DWQ) and provides guidance and "measurable" goals. Annual training is required for all who deal with storm water related issues. He reviewed in detail the six minimum control measures (MCMs) which each have associated tasks, goals, deadlines and action items:

1. Public Education and Outreach
2. Public Involvement and Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff Control

5. Long-Term Storm Water Management in New Development and Redevelopment (Post-Construction Storm Water Management)
6. Pollution Prevention and Good Housekeeping

ACTION ITEMS

6. Approval of Consent Agenda

- **October Check Register**
- **September Budget to Actual**
- **October 12, 2021 Minutes**

Councilman Halverson 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.

7. Municipal General Election Canvass

4-Year Mayor (2022-2026)	Votes
Rod Westbroek	1,225
Wayne Winsor	1,014

4-year Council Seat (2022-2026)	
Joel Dills	1,247
Angie Petty	1,034
Write-in: TG George	953
Marty McFadden	590

Proposition 14 Recreation, Arts, and Parks (RAP Tax	
Yes	1,289
No	910

Poll Votes	53
Mail Votes	2,218
Absentee	0
Provisional	0
Rejected	34

Total Numbers of Voters	2,271
Total Registered Voters	4,579
Voter Turnout	49.60%

Councilman Soderquist moved to approve the Municipal General Election Canvass. 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. Cyber Security Purchase

Mayor Sjoblom related cyber-attacks are an increasing threat to businesses around the world. South Weber City and our neighboring cities are no exception. We experience daily email attempts to break into our network. As attacks become more sophisticated, we must also become

more aggressive in defending against these attacks. They can be as simple as someone just looking around for fun on our network to compromising our data and holding a city ransom for millions of dollars. Mayor Sjoblom reported the city staff asked our IT provider Executech for a quote on a three-year cybersecurity package. This Threat Detection and Prevention Essentials (TDP) suite provides upgrades to hardware, software, and monitoring. The three-year cost for this service is $38,770.32, plus a one-time implementation fee of $2,650 for a total of $41,420.32.

There was some confusion on the pricing increasing on the four-year term. Councilman Soderquist was concerned about options if the city receives poor service and decides to go with a different company. Councilman Winsor indicated these costs are for service and not hardware. Councilwoman Alberts questioned why it cost more if the city pays up front. Finance Director Mark McRae responded the city can pay month to month and can also cancel the contract at any time. Councilman Soderquist struggled with the additional cost to take care of threats that are pretty standard now. He inquired why this service is not part of the current agreement. Councilwoman Alberts desired bids from other companies and the Council agreed.

Councilwoman Alberts moved to continue the purchase of cyber security. Councilman Winsor seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

9. Resolution 21-47: Riverside Place Phase 4 Plat Revised
City Engineer Brandon Jones review of 2 November 2021 is as follows:

BACKGROUND
On July 20, 2021, the City Council gave final approval to the plat and improvement plans for the Riverside Place Phase 4 Subdivision, "with the understanding that the developer must work out details of fencing with city staff." A 6' masonry fence will be installed along Old Fort Road, and a 6' vinyl fence will be installed along the Posse Grounds property (the existing chain link fence will remain). As we have worked with the developer for placement of fencing along Old Fort Road, we discovered the need to make an adjustment.

FENCE LOCATION
There are underground power lines that run in the utility easement behind the sidewalk, south of the ROW/property line. If the fence was located on the property line, then the city and RMP would only be able to access these lines through the backyard of the homes that back onto Old Fort Road. This is not acceptable. The access needs to be from Old Fort Road. The proposed solution is to install the fence on the utility easement line, rather than on the property line (10' south and parallel with the ROW/property line). This provides the needed access but adds a concern about maintenance of this ground.

MAINTENANCE OF THE GROUND
With the fence as a barrier, it becomes difficult for the property owners to maintain this ground. The proposed solution to address this issue is to make an adjustment to the plat and have the Home Owners Association (HOA) responsible for maintaining this ground. The Developer is proposing to install a gravel mulch between the sidewalk and the new fence. Note #6 was added to the plat making the HOA responsible to maintain this ground. As this is an adjustment to a

plat that was already approved, the City Attorney advised that the revised plat come back to the City Council for their consideration.

LOT REMOVAL AND ADJUSTMENT

The developer has assessed the access and buildable area of the lots adjacent to the large overhead power easements (affecting the originally approved Lots 406, 407, 408, & 409). On the approved plat, Lots 407 and 408 are affected by two large power poles, making the access difficult. These poles along with awkward building pads make the lots difficult to build on. The developer is therefore proposing to remove a lot and adjust one of the lot lines; causing Lots 407, 408, & 409 to become just 407 and 408 (see Approved Original Plat and Proposed Revised Plat).

STAFF ASSESSMENT

All items of concern regarding the fencing, access to the utility easement, landscaping and maintenance of the utility easement have been addressed. The lot removal and adjustment meet city code and provides lots with better access and buildable area.

Councilman Soderquist moved to approve Resolution 21-47: Riverside Place Phase 4 Plat Revised. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

10. Resolution 21-49: Davis County 2021 Natural Hazard Pre-Disaster Mitigation Plan Update

Mayor Sjoblom expressed Davis County is updating its plan for natural disasters which is a prerequisite for FEMA reimbursement eligibility. In May the City Council passed resolution 21-24 supporting the County's effort. Michael Hansen at Jones and Demille has worked with the county to create the draft plan which is now ready for adoption by the City Council.

Councilman Winsor suggested amending page 181 which referenced a volunteer fire department. Mayor Sjoblom acknowledged the population is approximately 2,000 off and should be amended to include updated census information. Councilman Soderquist pointed out the plan shows no growth for South Weber City. He also questioned if the city dredges and silts detention basins. In the infrastructure for hazards for roads, the information identifies the risk is redundant. Mayor Sjoblom voiced concern on page 346 (Table D.9) Central Weber Water Improvement District is not included, even though they service Davis County. Council directed staff to bring up these concerns with the county.

Councilwoman Petty moved to approve Resolution 21-49: Davis County 2021 Natural Hazard Pre-Disaster Plan with changes. Councilman Halverson seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

11. Resolution 21-50: Division of Wildlife Resources Letter of Support

Mayor Sjoblom voiced The Utah Department of Wildlife Resources (UDWR) is ready to acquire two small parcels of land from the Trails Foundation of Northern Utah (TFNU), formally known as Weber Pathways (WP). WP picked up these land parcels many years ago to "clean up" ownership for the trail along the Weber River. The intent was always for UDWR to acquire the parcels from WP and add them to their lands along the Weber River for additional angler access.

Any maintenance of the trail system will be accomplished under the auspice of DWR. This will also allow DWR to improve aquatic habitat within the riparian areas of the river. As part of Utah's Public Lands Acquisition Program, state agencies are required to get permission from local cities to acquire lands within their realm of authority.

Councilwoman Alberts moved to approve Resolution 21-50: Division of Wildlife Resources Letter of Support. Councilwoman Petty seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

DISCUSSION ITEMS

12. City Code Density Calculation

Community Development Coordinator Trevor Cahoon reported South Weber City Code does not give direction on density calculation. Currently a density calculation is made by taking the total number of units for a project and dividing the gross total area. All easements, roads, and open space are included in that calculation. The City Council expressed a desire to discuss possible clarifications to guide future development within the city. Trevor reviewed definitions used by other cities and distinguished between the terms gross density and net density.

Councilwoman Alberts inquired who takes care of property that is calculated in the density but is not buildable. David replied whoever owns the property is required to maintain it. Trevor explained when reviewing an application for a Planned Unit Development (PUD) there is a conversation concerning open space allowance because of density. David acknowledged there are some cities who do not have the average density, but South Weber City allows varying lot sizes. He pointed out there are also easements which are considered unbuildable (Hill Air Force Base noise easements, power poles, etc.). Mayor Sjoblom asked if the Council Members were comfortable not allowing HAFB easements in the density calculations. Trevor communicated there are uses allowed within those types of easements. David indicated it is necessary to look at the zoning as well. Councilwoman Alberts felt densities are parcel and zone specific and suggested looking into it further. Councilman Winsor did not want rivers, canals, or hillsides to be used to calculate density. The Council favored a step approach by starting with noise and crash zones not considered in the acreage. Subsequent steps will define unbuildable areas.

13. Fire Station Alerts

Mayor Sjoblom stated Davis Dispatch is doing an electronic consolidation with the other dispatch centers which includes upgrading and unifying the servers. The cost of these servers is unknown but will be calculated based on population. South Weber can budget the amount next year; however, the need to get the station alerting systems upgraded cannot wait. Estimated cost for the system is $40,000 to $60,000. Layton's contractor will offer Layton's volume discounted pricing if ordered by the end of the year. Chief Tolman explained the city has been given an 18-month window for completion of the entire project and must be entirely ready when the transition happens. David related the Public Safety Committee and staff have been having these discussions and wished to make the Council aware of what is coming up.

REPORTS

14. New Business

Highway 89 South Weber Drive Exit: Councilman Soderquist asked if there are options for flagging during busy hours because the intersection is just getting worse. Mayor Sjoblom thanked Public Works for painting 2100 East.

15. Council & Staff

Mayor Sjoblom: announced Wasatch Integrated Waste has completed Stage C with the installation of three feet of soil on the cover. They should seed within the next two weeks. Phase IV cell has been excavated. It is anticipated completion will be this spring because this type of work is weather sensitive.

Central Weber Sewer Improvement District will conduct a public hearing on the property tax increase (19.28%) on December 20th at the Admin. Bldg. District Offices: 2618 W. Pioneer Road, Marriot-Slaterville.

The Legislative Policy Committee (LPC) met. There are fewer people going into law enforcement with approximately 45% of law enforcement employees leaving the profession because of the need for higher wages and lack of support from elected officials. Unified Economic Opportunity Commission is reviewing Senate Bill 34+ (Moderate Income Housing Bill) by tightening the language. The LPC wants incentives for compliance rather than punishments for non-compliance. Two important questions: Who pays for new growth? Who benefits? Individuals can view the redistricting maps @ le.utah.gov. South Weber City has been split into two.

- Legislative districts: 11 – Kelly Miles 16- Stephen Handy
- Senate Districts: 5 – Karen Mayne 7 – Michael K. McKell

Mayor Sjoblom expressed her heart goes out to the families of longtime residents who have passed away recently.

Councilman Halverson: shared the Public Safety Committee will be discussing the upcoming DCSO contract. Davis County informed us they will only send one paramedic on calls and South Weber City must staff the other. Electronic speed signs and a speed wagon have been ordered.

Planning Commission met on Wednesday, November 10th. Weber Basin Water Improvement District presented a water wise plan. They discussed incentives for residents converting their park strips.

Councilwoman Alberts: referenced displaying flags and hoped to organize a committee to help with the installation and decide when and where to place them. The Public Relations committee also discussed the need to set proper parameters within a policy for deciding which social causes to support. They talked about getting voter information out. The city currently uses social media, email, city website, city sign, and newsletter to publicize data.

Councilman Soderquist: revealed the latest information on the dust collection boxes. He is still waiting to hear from the city staff concerning dust collection equipment.

Councilwoman Petty: divulged the Youth City Council recently attended a leadership training with Kent & Diana Hyer. They hiked to "The Major" flag in North Ogden and conducted a service project at Petersen Farms. She presented pictures of their activities.
Councilman Winsor: announced the Municipal Utilities Committee is reviewing requests for proposals (RFPs) for an architect to design the new Public Works Department facility.

City Manager, David Larson: conveyed the city hired a new front desk employee. The city staff is working very hard to train individuals now that positions are all filled.

Community Service Director, Trevor Cahoon: shared he was trying to match schedules with individuals regarding the dust equipment.

Fire Chief Tolman: thanked the Council and Mayor for their support.

ADJOURN: Councilman Halverson moved to adjourn the Council Meeting at 9:09 p.m. Councilman Soderquist seconded the motion. Mayor Sjoblom called for the vote. Council Members Alberts, Halverson, Petty, Soderquist, and Winsor voted aye. The motion carried.

APPROVED: _____ **Date** 12-07-2021
Mayor: Jo Sjoblom

_____
Transcriber: Michelle Clark

Attest: _____
City Recorder: Lisa Smith

Comments to South Weber City Council for 16Nov21 Meeting by Paul A. Sturm

Public Comments on Agenda Item #11 -

I) Department of Wildlife Resources Letter Of Support.

1) **Reference Packet Page 377 of 382 - Re: 1.99 and 0.16 acre parcels**

On Packet Page 377 of 382, under Background, second paragraph, states "As part of Utah's Public Lands acquisition program, state agencies have to 'get permission' from local cities to acquire lands **within their realm of authority**, been there-done that."

a) According to the map provided in the packet addendum, in the PowerPoint presentation from Utah Division of Wildlife Resources (UDWR), Page 5 of 6, the "1 parcel acres in Davis Co., (1.99 acres), is only generically identified. as a sketch.

b) Does SWC have authority over the other 0.16 acre of property located in Weber Co.?

2) **Reference Packet Page 378 of 382 - Resolution 21-50 - Paragraph 5**

"NOW THEREFORE BE IT RESOLVED that the Council of South Weber City, Davis County. State of Utah, fully endorses the acquisitions of the **parcels (?)** in question which **reside in Davis County** within **South Weber City limits**."

a) The map provided in the packet addendum, in the PowerPoint presentation from UDWR, Page 5 of 6, clearly shows that only one of the parcels is in Davis County.

b) At this time, the other 0.16 acre of property is shown to be in Weber County, not Davis County, as identified in the UDWR presentation.

3) **Reference Packet Page 380 of 382**

Mayor's letter to UDWR - There is only one parcel, not **parcels**, that is actually in Davis County, that I believe would be under the purview of SWC. Also, this letter of support should identify what is really being supported with a parcel identification/description. Once again, Page 377 of 382, states "As part of Utah's Public Lands acquisition program, state agencies have to 'get permission' from local cities to acquire lands **within their realm of authority**, been there-done that.

II) Department of Wildlife Resources Proposed Land Acquisition Along the Weber River - Packet Addendum - Page 5 of 6

There is no legal description for either of these properties contained in this presentation, just a generic drawing. Typically, a legal description would accompany any type of land acquisition proposal or subsequent approval letter. How can one approve of an acquisition without that legal description?

NOTE: I am not against this acquisition, and believe that it would be very beneficial, but I want it to be done properly and legally so that it would not be challenged.