

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Rodney Wood

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

City Recorder
Cathy Brightwell

City Engineer
Kris Nilsen

Public Works Director
Steve Maughan

THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD ITS REGULAR MEETING AT 7:30 PM ON TUESDAY, JANUARY 5, 2021

*Meeting will be held ONLY electronically via Zoom (**see info below**)*

Mayor Romney has determined that due to the COVID-19 pandemic and the physical distancing needed to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present. That risk can be substantially mitigated by holding City Council meetings through electronic means that allow for public participation without an anchor location. A copy of the Mayor's determination and order is available at www.wbcity.org

AGENDA: Invocation/Thought – Kelly Enquist; Pledge of Allegiance – Rod Wood

1. Approve Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Beverly Estates Minor Subdivision Final Plat at 1014 W Pages Lane.
4. Plat Amendment for 697 W 700 North – Matt Draper.
5. Presentation by Momentum Recycling Regarding Proposed Residential Glass Recycling.
6. Budget Report and Presentation of Proposed Budget Amendments for Fiscal Year Ending June 30, 2021.
7. Minutes from December 15 and 30, 2020.
8. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
9. Mayor/Council Reports.
10. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
11. Adjourn.

This agenda was posted on the State Public Notice website, the City website, emailed to the Mayor and City Council, and sent to the Davis Journal on December 31, 2020.

Join Zoom Meeting:

<https://us02web.zoom.us/j/86983552129>

Meeting ID: **869 8355 2129**

+1 346 248 7799 US (Houston)
+1 646 876 9923 US (New York)
+1 312 626 6799 US (Chicago)

+1 408 638 0968 US (San Jose)
+1 301 715 8592 US (Washington D.C.)

MEMORANDUM



TO: Mayor and City Council

DATE: December 31, 2020

FROM: Kris Nilsen

RE: Beverly Estates Subdivision – Final Plat and Construction Drawings

Husky Real Estate, LLC has applied for a three-lot minor subdivision at 1014 W Pages Lane. The property is within the R-1-10 zone. This land was part of a larger property previously owned by Terry Olsen. On November 3, 2020, the City Council split the larger property into two parcels based on a divorce decree and quiet title order. Beverly Estates subdivision is proposed for the southern parcel.

Summary

The subdivision consists of three lots and has frontage on two existing streets. The South frontage is on Pages Lane (1600 North) and the East frontage is on Olsen Way (approximately 1000 West). The 1.77 acre parcel to the north is mostly undeveloped with two (2) accessory structures on site (Martin). The parcel to the west is an existing 1.56 acre single-family residence (Christensen).

- The subdivision site has an existing single-family home that will remain as part of the proposed Lot 1. The existing home on the proposed lot 1 meets the setback and height requirements for the zone.
- Lot 2 and Lot 3 each have an existing accessory structure on site that will be demolished and properly disposed of. Lot 2 and Lot 3 will be vacant lots available for new building permits as part of the subdivision.

Utilities

- Lot 1 Utility Services: water, sewer and irrigation services are existing and will remain in service to the existing residence/home.
- Lot 2 and Lot 3 utility services: new services for water, sewer and irrigation will be installed from existing main line services in Olsen Way Street.
- Lot 2 and Lot 3 Irrigation service: a double service and meters will be installed at the lot line for irrigation services.
- Lot 2 sanitary sewer service: the main line sanitary sewer in Olsen Way Street terminates north of the frontage of Lot 2. An easement on Lot 1 will be recorded on the plat for the sanitary sewer lateral to serve Lot 2.

Grading and Drainage

- Grading and drainage are designed to not flow onto the adjacent north or west properties.

- Drainage from the three lots: a backlot storm drain will be installed to capture drainage that does not flow to the adjacent public streets.

Street, curb, and sidewalk

- No new street frontages or sections will be created with the subdivision development.
- Multiple sections of existing damaged sidewalk will be removed and replaced as part of the subdivision improvements
- All cuts in existing curb, sidewalk and asphalt will be repaired to the city standard which is included in the subdivision construction drawings.

Street Lighting

City standards call for street lights to be placed at intersections and at a maximum spacing of 350 feet. Existing decorative street lighting adjacent to the subdivision is located on the east side of Olsen Way Street, on the NE corner with Pages Lane and on the SE corner with Meadowland Circle. Spacing between these two existing lights is approximately 288 feet. No additional street lights were recommended by the Planning Commission.

Geotechnical Study

Staff is not recommending a separate geotechnical report for this project. Most infrastructure is already constructed and there has been no indication that conditions vary from what has been observed at adjacent developed properties.

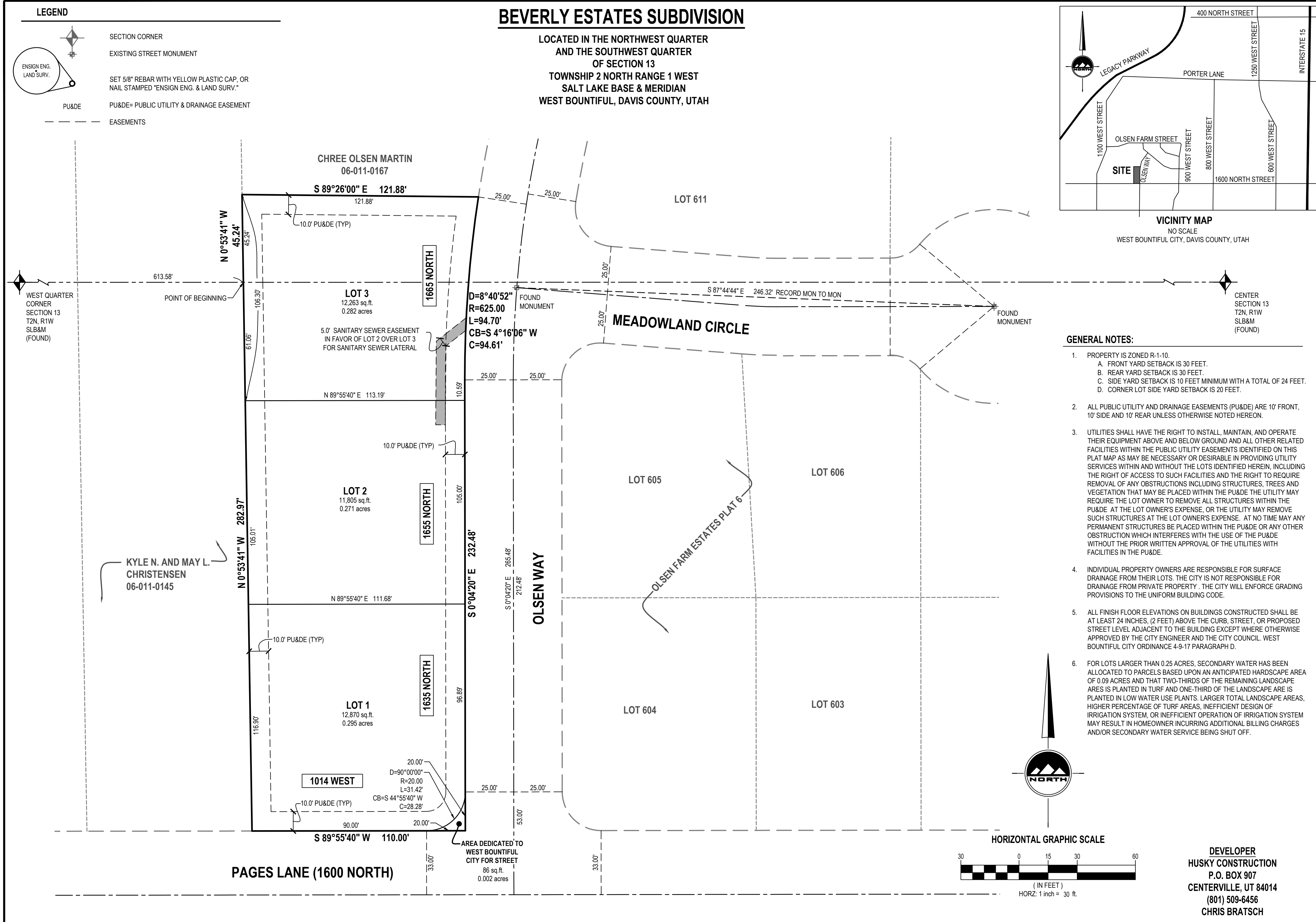
Existing Structures

There are two accessory structures, one on Lot 2 and one on lot3. These structures must be removed as a condition of plat recordation.

Possible Motions

A motion to approve the Final Plat which may include the items highlighted in bold text as well as the standard recording requirements listed below.

- 1. Address any comments from Davis County Recorder's office review of Final Plat.**
- 2. Project site SWPP drawing and/or BMP's submitted to City Engineer.**
- 3. Provide written approval from Weber Basin Water Conservancy District for service to all lots.**
- 4. Remove the accessory structures on Lot 2 and Lot 3.**
5. Provide a title report with no objectionable entries.
6. Payment of Inspection fee and storm water impact fee.
7. Post the appropriate improvement bonds.
8. Execute an Improvement Agreement with the City.
9. Deed the required water rights to the City.



SURVEYOR'S CERTIFICATE

I, KEITH R. RUSSELL, do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. 164386 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as, BEVERLY ESTATES SUBDIVISION, and that the same has been correctly surveyed and staked on the ground as shown on this plat. I further certify that all lots meet frontage width and area re-quirements of the applicable zoning ordinances.

BOUNDARY DESCRIPTION

Beginning at a point on the quarter section line, said point being North 89°59'21" East 613.58 feet along the quarter section line from the West Quarter Corner of Section 13, Township2 North, Range 1 West, Salt Lake Base and Meridian, and running:
Thence North 0°53'41" West 45.24 feet;
Thence South 89°26'00" East 121.88 feet to the west line of Olsen Way as platted on the Olsen Farm Estates Plat 6;
Thence southwesterly 94.70 feet along the arc of a 625.00 foot radius curve to the left, (center bears South 81°23'28" East and long chord bears South 4°16'06" West 94.61 feet, with a central angle of 8°40'52") along the west line of Olsen Way as platted in the aforementioned Olsen Farm Estates Plat 6;
Thence South 0°04'20" East 232.48 feet along the west line of Olsen Way as platted in the aforementioned Olsen Farm Estates Plat 6 to the north line of Pages Lane, (1600 North);
Thence South 89°55'00" West 110.00 feet along the north line of Pages Lane, (1600 North);
Thence North 0°53'41" West 282.97 feet to the point of beginning.
Contains 37,024 square feet, 0.850 acres, 3 lots.

Date 12-23-2020

Keith R. Russell
License no. 164386

OWNER'S DEDICATION

Known all men by these presents that I, the under- signed owner of the above described tract of land, having caused same to be subdivided, hereafter known as the

BEVERLY ESTATES SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use. In witness whereof I have hereunto set My hand this _____ day of _____ A.D., 20____.

HUSKY REAL ESTATE LLC
By: JEREMY GROVER
It's MEMBER

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF UTAH J.S.S.
County of Davis

On the _____ day of _____ A.D., 20____, JEREMY GROVER, personally appeared before me, the undersigned Notary Public, in and for said County of _____ DAVIS, in the State of Utah, who after being duly sworn, acknowledged to me that He is the MEMBER of HUSKY REAL ESTATE LLC, a Limited Liability Company and that He signed the Owner's Dedication freely and voluntarily for and in behalf of said Limited Liability Company for the purposes therein mentioned and acknowledged to me that said limited liability company executed the same.

MY COMMISSION EXPIRES: _____

RESIDING IN _____ COUNTY.

NOTARY PUBLIC

BEVERLY ESTATES SUBDIVISION

LOCATED IN THE NORTHWEST QUARTER
AND THE SOUTHWEST QUARTER
OF SECTION 13
TOWNSHIP 2 NORTH RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
WEST BOUNTIFUL, DAVIS COUNTY, UTAH

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____ 20____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS
PAGE _____

DAVIS COUNTY RECORDER

BY _____ DEPUTY RECORDER

SHEET 1 OF 1

PROJECT NUMBER : 10300
MANAGER : K.RUSSELL
DRAWN BY : A.SHELBY
CHECKED BY : K.RUSSELL
DATE : 12/23/20

ENSGN

LAYTON
1485 W. Hillfield Rd. Ste 204
LAYTON, UT 84041
Phone: 801.547.1100
Fax: 801.593.6315

WWW.ENSGNENG.COM

SALT LAKE CITY
Phone: 801.253.9525

TOOELE
Phone: 435.643.3590

CEDAR CITY
Phone: 435.865.1453

RICHFIELD
Phone: 435.896.2983

CITY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE WEST BOUNTIFUL CITY ATTORNEY.

WEST BOUNTIFUL CITY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE CITY PLANNING COMMISSION APPROVAL

CHAIRMAN, WEST BOUNTIFUL CITY PLANNING COMMISSION

CITY ENGINEER'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE WEST BOUNTIFUL CITY ENGINEER

WEST BOUNTIFUL CITY ENGINEER

CITY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____,
BY THE WEST BOUNTIFUL CITY COUNCIL.

CITY RECORDER CITY MAYOR

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE
PAID _____ FILED FOR RECORD AND
RECORDED THIS _____ DAY OF _____ 20____
AT _____ IN BOOK _____ OF OFFICIAL RECORDS
PAGE _____

DAVIS COUNTY RECORDER

BY _____ DEPUTY RECORDER



MEMORANDUM

TO: Mayor and City Council

DATE: December 31, 2020

FROM: Cathy Brightwell, Kris Nilsen

RE: Plat Amendment, 697 W 700 North - Draper

Summary

Matt and Monique Draper own two lots at 697 W 700 North (Lot 209 Moss Farm Estates Plat B and a portion of Lot 4 Eggett Acres). They have requested to combine plat boundaries to form a new property designated as Moss Farm Estates Plat E. A previous owner had the County Recorder join the two lots into one parcel, but the plats were never properly amended to form a single legal lot. The Draper's have submitted building permits for a home and a pool so it is important to combine the lots so that the center property line between the two plats can be eliminated.

The public utility easement between the two properties was vacated in 2014 as part of Resolution 347-14. Staff believes there is a value to the City to maintain an easement along the rear of the new lot and dedicate a public utility easement along the entire lengths of both sides of the new lot.

Process

Utah State Code Section 10-9a-608 annotated outlines a process whereby a municipal land use authority may amend or vacate a subdivision plat. Staff has provided the required notice of the proposed amendment.

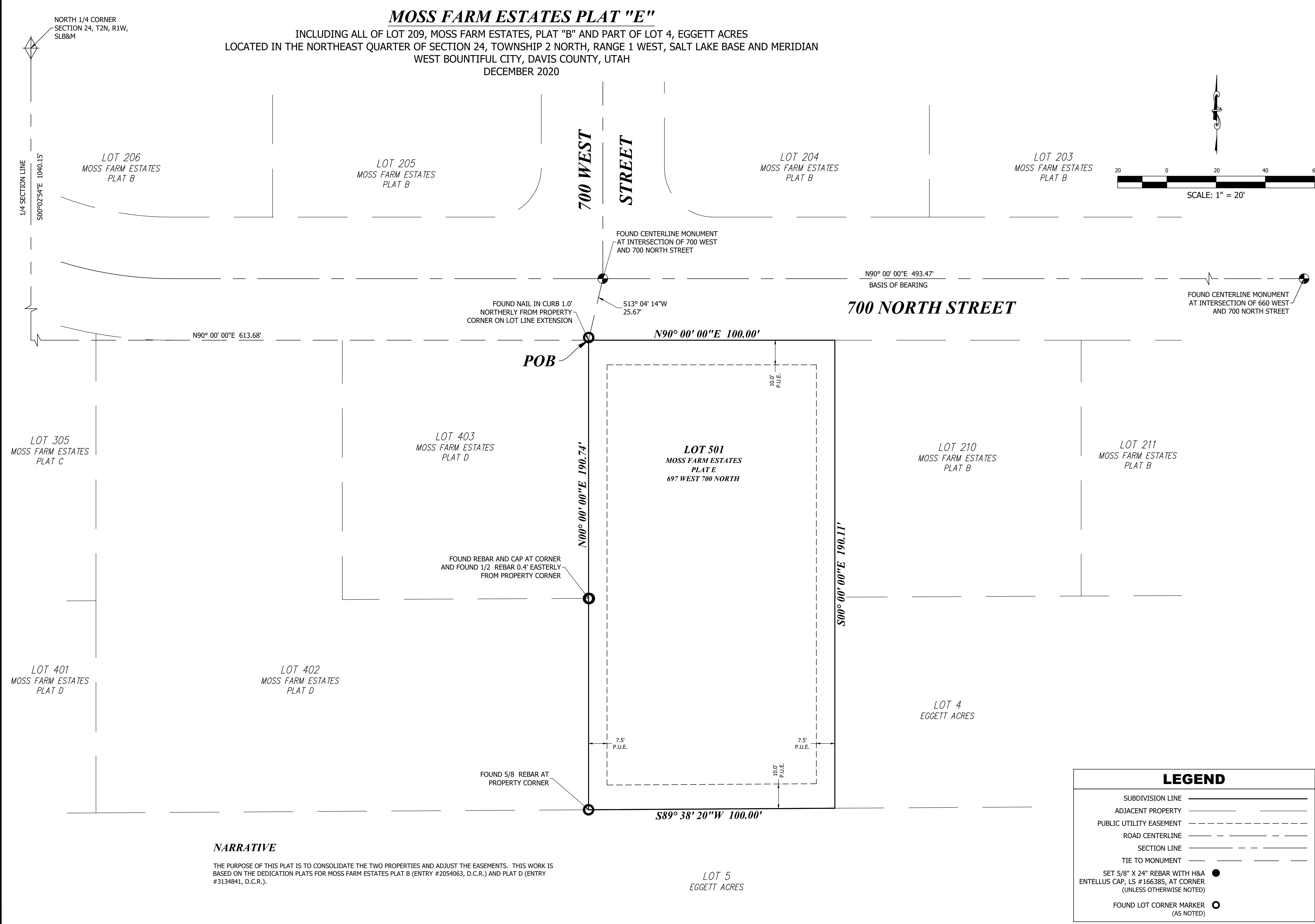
Analysis and Proposed Changes

1. No new lots are created with this amendment; instead, 2 lots are combined into 1 lot.
2. The combined lot meets the minimum requirements for the R-1-10 zone at .87 acres.
3. The public utility/drainage easement along the rear of the new lot will be maintained.
4. New public utility easements will be dedicated along the full length of each side property line of the new lot.

Recommendation

Staff is recommending approval of the Moss Farm Estates Plat "E" subject to the following:

- Review and approval by city attorney of current title report,
- Review and approval of final plat by city attorney, city engineer, and county recorder,
- Payment of county recording fees.



SURVEYOR'S CERTIFICATE

I, JEREMIAH R. CUNNINGHAM, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 9182497 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREWITH AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS MOSS FARM ESTATES PLAT "E" SUBDIVISION AND THAT SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN.

JEREMIAH R. CUNNINGHAM, P.L.S. UT #9182497 DATE

DESCRIPTION

BEGINNING AT THE NORTHEAST CORNER OF LOT 403, MOSS FARM ESTATES, PLAT D, SAID POINT BEING SOUTH 0°02'54" EAST 1040.15 FEET ALONG THE QUARTER SECTION LINE AND NORTH 90°00'00" EAST 613.68 FEET FROM THE NORTH QUARTER CORNER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, UTAH, AND RUNNING THENCE NORTH 90°00'00" EAST 100.00 FEET ALONG THE SOUTH LINE OF 700 NORTH STREET TO THE NORTHWEST CORNER OF LOT 210, MOSS FARM ESTATES, PLAT B; THENCE SOUTH 0°00'00" EAST 190.11 FEET ALONG THE WEST LINE OF SAID LOT 210 AND ITS EXTENTION; THENCE SOUTH 89°38'20" WEST 100.00 FEET ALONG THE NORTH LINE OF LOT 5, EGGETT ACRES; THENCE NORTH 0°00'00" EAST 190.74 FEET TO THE SOUTH LINE OF 700 NORTH STREET AND TO THE POINT OF BEGINNING,

CONTAINING 0.437 ACRES.

OWNER'S DEDICATION

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO PRIVATE LOTS, HEREAFTER TO BE KNOWN AS MOSS FARM ESTATES PLAT "E" SUBDIVISION, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND AND PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREET, PARCELS, AND PUBLIC UTILITY EASEMENTS WHICH WILL INTERFERE WITH DEDICATED PUBLIC USE.

SIGNED THIS _____ DAY OF _____, 20____.

MATTHEW DRAPER MONIQUE JESSICA DRAPER

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 20____, THERE APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, MATTHEW DRAPER, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

NOTARY PUBLIC: _____

RESIDENCE: _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 20____, THERE APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, MONIQUE JESSICA DRAPER, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

NOTARY PUBLIC: _____

RESIDENCE: _____

MY COMMISSION EXPIRES: _____

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____

FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, 20____,

AT _____ IN BOOK _____ OF _____

COUNTY RECORDER: _____

BY: _____ DEPUTY

 1470 South 600 West Woods Cross, UT 84010 Phone 801.298.2236 www.Entellus.com PROJECT 12/03/2020 #1935001 JAF	CITY ENGINEER RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 20____. WEST BOUNTIFUL CITY ENGINEER	PLANNING COMMISSION RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 20____, BY THE PLANNING COMMISSION OF WEST BOUNTIFUL CITY. CHAIRMAN	CITY ATTORNEY RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 20____. WEST BOUNTIFUL CITY ATTORNEY	WEST BOUNTIFUL CITY COUNCIL PRESENTED TO THE CITY COUNCIL OF WEST BOUNTIFUL CITY, UTAH, THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS PROJECT WAS APPROVED AND ACCEPTED. CITY RECORDER ATTEST: _____ MAYOR: _____		DAVIS COUNTY RECORDER
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MEMORANDUM



TO: Mayor and City Council

DATE: December 31, 2020

FROM: Duane Huffman, City Administrator

RE: **Presentation by Momentum Recycling**

This memo introduces a presentation by Momentum Recycling at the Jan. 5th, 2021 council meeting.

In November, Momentum sent a letter to the city (attached) introducing their intention to collect residential glass for recycling. However, as staff reviewed current city code, it found that the private collection of residential garbage is currently prohibited (WBMC 8.08 – also attached).

Upon learning about the city code, Momentum Recycling requested an opportunity to present before the city council and discuss possible solutions that would allow them to provide their services.



www.MomentumRecycling.com
info@momentumrecycling.com
658 S 4050 W, SLC, UT 84104
(801) 355-0334

Mayor Romney
CC: City Council
550 North 800 West
West Bountiful, UT 84087

November 23, 2020

Announcement: Curbside Glass Recycling Program Expansion

Dear Mayor Romney:

I am writing you today to notify you of our plan to expand **curbside glass recycling** into West Bountiful in 2021.

As Utah's only glass recycling facility, Momentum Recycling collects & processes thousands of tons of glass every year from throughout the region. Not only is this glass diverted from local landfills, but the high-quality end product is used by local industries as well – creating a circular economy for our state.

Since partnering with Salt Lake City to launch the first curbside glass recycling program in Utah back in 2012, we have since expanded the program to numerous other cities – including Millcreek, Murray, Holladay, Cottonwood Heights, Taylorsville, Sandy, Draper and Park City. Momentum Recycling now services 10,000+ households along the Wasatch Front.

We are excited to announce that we will be extending the service to West Bountiful starting in 2021! Interested residents will be able to sign up on our website for a monthly glass collection service for only \$8/month. As part of the service, they will receive a small, portable curbside cart with wheels & lid to collect their glass (a one-time \$25.00 activation fee is applied upon signup to make & deliver the bin to their home). All colors of glass are accepted, and the resident does not need to rinse their glass containers or remove labels. The service is month-to-month, so the resident can cancel at any time.

Benefits to West Bountiful

Did you know? – The EPA estimates that 68.9 pounds of glass per person are generated each year. Given West Bountiful's population, that is 394,865 pounds a year!

Reduce Waste Disposal Costs: In terms of weight, glass makes up about 5% of the waste stream. Removing glass from the City's waste stream means savings on landfill tipping fees.

Extend Landfill Life: By diverting glass from the landfill, the capacity of the landfill is extended.

Satisfy Residential Demand: Momentum Recycling increasingly receives expressions of interest from residents via our website to offer more glass recycling in West Bountiful.



www.MomentumRecycling.com
info@momentumrecycling.com
658 S 4050 W, SLC, UT 84104
(801) 355-0334

Glass Drop-Off Locations

Momentum Recycling also services dozens of public glass recycling drop-off locations. These locations offer residents who cannot subscribe to the curbside program (i.e. apartment dwellers) a convenient location to recycle their glass. If the City is interested in adding a public drop-off location serviced by Momentum Recycling, I would be happy to meet with your staff to discuss the available options.

In summary, our mission is to help communities move towards zero waste. Expanding the curbside glass collection service to residents of West Bountiful moves us all one step closer to achieving that goal. Should you have any questions regarding Momentum Recycling or any of our services, please feel free to contact me at any time.

Kind regards,

Jason Utgaard

General Manager, Momentum Recycling

jason@momentumrecycling.com

(801) 335-6501

8.08 Garbage Collection And Disposal

8.08.010 Definitions

8.08.020 Collection Of Garbage

8.08.030 Service Charges

8.08.040 Method Of Payment Of Service Charges

8.08.050 Processing Of Garbage Or Refuse

8.08.060 Containers

8.08.070 Closing Of Garbage Containers Required

8.08.080 Time And Place Of Pickup

8.08.090 Limitations Upon Dumping

8.08.010 Definitions

As used in this chapter:

"Container" or **"approved container"** or **"regulation container"** means the approved ninety (90), three hundred (300), or four hundred (400) gallon containers furnished residential users by the city and constructed of Phillips Marlex, cross-linked, high density polyethylene, known as Roto Mold containers as defined and contained in the Solid Waste Collection Agreement dated December 29, 1989, entered into by the city, or such other container as may be periodically established by the city administrator.

"Garbage" means waste from the preparation, handling, storing, cooking or consumption of food and food products.

"Refuse" means all waste matter, except garbage, attending or resulting from the occupancy of residences, apartments, hotels or other places of dwelling and from the operation of a business. Refuse shall not be deemed to include industrial waste or waste matter resulting from the construction, demolition or repair of a building or other structure.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

8.08.020 Collection Of Garbage

- A. The city or its agent shall collect, remove and dispose of all residential garbage. Owners of residential properties, excluding apartment complexes in excess of four units, may not privately contract for their garbage disposal. However, commercial or quasi-public establishments may privately contract for the garbage collection and disposal.
- B. Commercial establishments, and public or quasi-public institutions may either dispose of their own garbage or employ an authorized contractor to remove their garbage. To qualify as an authorized contractor, a garbage hauler must receive a city business license and written authorization from the city to collect garbage within the city. Garbage collection must be done in the manner, at such times and in such vehicles as may be approved by periodic resolution of the city council.
- C. Nothing in this section shall be construed as eliminating the charge made for municipal garbage service.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

8.08.030 Service Charges

- A. All residents within the city shall pay monthly garbage service charges in the amount established periodically by resolution of the city council.
- B. If a dwelling unit or a place of business has remained vacant for an entire month, the owner or possessor of the site may make arrangements with the city recorder for no garbage collection charges during the continued vacancy of the premises.
- C. The mayor, with the consent of the city council, may excuse needy or elderly persons who are not reasonably capable of paying the monthly charge for residential collection of garbage from the payment of the residential rate for such period of time as may be deemed proper or necessary.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

8.08.040 Method Of Payment Of Service Charges

- A. The garbage service charges imposed above shall be added to the charge made for water furnished through the water system of the city and shall be billed and collected in the same manner as water service charges are billed and collected.
- B. In the event the obligee for water service charges and the obligee for garbage service charges do not coincide, or in the event practical economic and administrative reasons do not make combined billing and collection feasible, in the opinion of the city council, the garbage service charges may be collected with such frequency and in such manner as the city council shall, by regulation, provide.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

8.08.050 Processing Of Garbage Or Refuse

A county health officer may permit the feeding or processing of garbage or refuse upon premises properly equipped and maintained for this purpose. The health officer may grant to any person permission for sorting, baling, and marketing trade waste upon premises properly equipped and maintained.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

8.08.060 Containers

- A. All garbage and refuse to be collected by the city from residential users shall be placed only in approved containers. All other garbage and refuse shall be placed in suitable and sufficient garbage receptacles. These receptacles shall have tight-fitting lids, properly and sufficiently treated water resistant paper bags manufactured specifically for use in garbage and refuse collections, or plastic bags manufactured specifically for use in garbage and refuse collection. Garbage and refuse shall be placed by residential users only in containers issued to them, and use of containers issued to others for garbage disposition is prohibited.
- B. Title to containers furnished by the city to residential users, shall be retained by the city and payment for the use thereof shall be rental.
- C. Users renting containers furnished by the city, or having custody thereof, shall keep the containers free from destructive or decorative markings; shall maintain the original color thereof; shall keep the inside of the containers clean and free from buildup of fungus or bacteria, or any other type of contaminant that causes odors or facilitates deterioration of the inside or outside of such container; and shall not deposit any hot or caustic materials therein or otherwise damage or deface such containers.
- D. Residential users shall report to the city, or authorized garbage hauler, any damage to or malfunctioning of containers which limits their usefulness for receipt of garbage or refuse. Upon such notification the city may return the container to the supplier for repair or replacement pursuant to the supplier's warranty.
- E. Containers lost or missing through no fault of the user thereof shall be replaced by the city without charge, but users shall exercise due care to protect containers against loss through theft or misappropriation.
- F. Containers furnished by the city are issued to specific users by number and are nontransferable. Containers shall be returned to the city upon discontinuance of use by a resident.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

8.08.070 Closing Of Garbage Containers Required

Approved containers shall not be overfilled to the point where the lid thereon cannot completely close and cover the contents thereof. Nor shall they be filled to the extent that their contents may be spilled during the process of pickup and dumping into the garbage collection vehicle. All garbage and refuse or market waste not deposited for pickup by the city shall be placed in rain-proof and fly-proof receptacles of the type herein required, and the receptacle shall be tightly closed in such a manner as to prevent offensive odors or flies.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

8.08.080 Time And Place Of Pickup

- A. All garbage and refuse subject to garbage collection by the city shall be placed on the edge of the street next to the driveway on the opposite side thereof from the mailbox, but in no event within ten (10) feet of a mailbox. The wheels of the containers shall be placed as close to the curb as reasonably possible, with the hinge thereof to curb side and the lid opening toward the street. When snow or street construction prevent placing of the container against the curb, the container shall be placed not over two feet from the edge of the snow or the construction and in a manner that will not

obstruct traffic or unduly impede the snow plowing activities of the city.

- B. Containers shall not be placed or permitted to block driveways or through traffic.
- C. Until otherwise provided by regulation, garbage and refuse must not be set out upon the street for collection prior to the evening of the day before collection and must be set out prior to five a.m. on the day for collection.
- D. All empty containers or garbage receptacles must be removed from the street as soon as possible after being emptied, and in every case, must be removed from the street the same day they are emptied.

Containers or receptacles shall not be permitted to remain on the street longer than may be necessary for the removal of the contents.

- E. Those persons physically unable to wheel containers to curb side may arrange with the city recorder for proper pickup.
- F. It is unlawful to park a vehicle upon a public street within the city during the hours of garbage pickup within twenty (20) feet of a container or in a manner that interferes with access thereto by the garbage collection vehicle.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

8.08.090 Limitations Upon Dumping

Dumping waste and garbage shall be permitted only in such places as are designated by the city council. Dumping shall be subject to such rules and regulations as may be formulated by the city council.

Until changed by ordinance, all processible waste generated within the city shall be delivered to the Davis County solid waste management and energy recovery special service district "burn plant," or to NARD, as the district shall direct.

HISTORY

Adopted by Ord. [374-15](#) on 11/18/2015

PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on **Tuesday, December 15, 2020** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Mayor Romney has determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding City Council meetings through electronic means that allow for public participation without an anchor location. A copy of the Mayor's determination and order in this regard is available at www.wbcity.org.

All participants were on Zoom. Those in attendance:

MEMBERS: Mayor Pro Tem Mark Preece, Councilmembers James Ahlstrom, James Bruhn, Kelly Enquist, and Rod Wood.

EXCUSED: Mayor Ken Romney

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Steve Maughan, (Public Works), Chief Brandon Erikson, Cathy Brightwell (City Recorder), Kris Nilsen (City Engineer), Patrice Twitchell (Finance Specialist), and Terri Hensley (Secretary).

PUBLIC: Alan Malan, Dennis Vest, Gary Jacketta, Jason Meservy, Fire Chief Dan Stone, and Marcus Arbuckle (Accounting Firm)

Mayor Pro Tem Mark Preece called the meeting to order at 7:32 pm. Councilmember Bruhn gave a Thought and the Pledge of Allegiance was led by Councilmember Enquist.

1. Approve the Agenda.

MOTION: *Kelly Enquist made a motion to approve the agenda. James Ahlstrom seconded the Motion which PASSED by unanimous vote of all members present.*

2. Public Comment

There was no public comment.

3. Introduction of Chief Dane Stone of South Davis Metro Fire.

Chief Dane Stone was introduced as the new Fire Chief replacing Chief Bassett who has now retired. Chief Stone has worked at South Davis Fire for 27 years and is a lifelong resident of South Davis County. He is excited to be the new chief and looks forward to working with all five cities within the South Davis Metro area. This department is currently operating very well and he looks forward to continuing that success.

Councilmember Ahlstrom shared a personal experience only a week prior where he had to call 911 and spoke of their professionalism and the excellent care he received.

4. Presentation of Audited FY 2019/2020 Financial Statements

Duane Huffman introduced Marcus Arbuckle from Keddington & Christensen, the accounting firm that conducted the annual audit on city financial statements. Their job is to review internal controls directly related to financial statements and make recommendations. Mr. Arbuckle summarized the information examined in their audit, commented that West Bountiful complied with all requirements and explained several minor findings and recommendations found in the supplementary reports. Staff responses to these findings are also included in the reports.

Mr. Arbuckle said both Mr. Huffman and Ms. Twitchell fully complied with every step of the process, were excellent to work with, and quick to respond to all their requests.

Duane thanked Patrice for all her time and expertise during this process. He also let the Council know to expect the first budget amendment for FY21 in January.

5. Ordinance 437-20 Establishing Uniform Requirements and Regulations for the Discharge of Effluents into the Sanitary Sewer System of the South Davis Sewer District.

South Davis Sewer District periodically amends its rules and regulations that deal with the discharge of effluents to comply with federal EPA requirements. The Utah Division of Water Quality requires each of the municipalities contained within the Sewer District's boundaries and served by the District to adopt rules and regulations identical to the District's Resolution 123-2, making violations Class B misdemeanors.

MOTION: *Rod Wood made a Motion to Approve Ordinance 437-20 Establishing Uniform Requirements and Regulations for the Discharge of Effluents into the Sanitary Sewer System of the South Davis Sewer District. James Bruhn seconded the Motion.*

The Motion PASSED with a vote as follows:

James Ahlstrom – aye	James Bruhn – aye
Kelly Enquist – aye	Mark Preece – aye
Rod Wood – aye	

6. Resolution 488-20 Reaffirming Culinary Water Rates Until July 1, 2021

In May 2020, the city council adopted Resolution 468-20 which extended the existing water rates, including the Capital Improvement portion, until January 1, 2021.

The current Covid-19 pandemic has created increased economic uncertainty and strains on the city's ability to adequately forecast needs within the water system, with more time being necessary for staff to make recommendations of any rate changes. There is value to residents and businesses to

have stable and predictable utility rates. Therefore, the city will extend the existing water rates in the consolidated fee schedule until July 1, 2021.

Duane Huffman reported that college students will begin helping with this project in January to help to review the three rate components including usage, debt, and capital improvement. This review will also look at the tiered rates for large users.

There was discussion about future water projects. The well house will go out to bid in January and will be a significant expenditure. Road projects include Porter Lane, between 600 West and 800 West which will be primarily a street project as the water pipe appears to be in good shape. After that, we will probably look at 600 West, from Porter Lane to Pages Lane. It has 6" cast iron pipe that is not in good shape, then 550 West, and 600 North between 1100 West and 975 West.

MOTION: *Kelly Enquist made a Motion to Approve Resolution 488-20 Reaffirming Culinary Water Rates Until July 1, 2021. James Bruhn seconded the Motion.*

The Motion PASSED with a vote as follows:

James Ahlstrom – aye	James Bruhn – aye
Kelly Enquist – aye	Mark Preece – aye
Rod Wood – aye	

7. Minutes from November 17, 2020.

MOTION: *James Ahlstrom made a motion to Approve Minutes from November 17, 2020. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

8. Staff Reports

Police – Brandon Erikson

- We have completed all internal promotion processes. Chris Jacobson has been promoted to Sergeant and Spencer Scheese will be the new investigator. Congratulations to both officers.
- Councilmember Preece and Chief Erikson will be attending a webinar tomorrow entitled "Communities That Care" in conjunction with a new program being rolled out by Davis Behavioral Health.

Public Works – Steve Maughan

- We are working on the Porter Lane project design. We have found layers of asphalt and clay and are hoping to be able to take the top 6" off and replace with new 6" which would allow us to stretch the funds so we can continue around the corner onto 800 W to the canal. We have very little utility work on the Porter Lane project, so we expect it to move very quickly.

Community Development / Engineering – Cathy Brightwell / Kris Nilsen

- The Planning Commission is still working on proposals to change the historical overlay district. A public hearing is scheduled for January 12. Debbie McKean has volunteered to take photos of all the historic homes in the district for our files and the history book.

- Christmas on Onion Street was more popular than ever with more people in the street waving as the procession made its way through town. The event afterwards at West Bountiful Elementary school parking lot also had good attendance with cars driving by to hear Bountiful Jr. High Madrigals sing Christmas Carols, wave to Santa, drop off letters to Santa and make food donations to the Bountiful Food Pantry.
- Mountain View subdivision has asked to begin its warranty period.
- We have been able to catch up several projects that had previously been set aside. One of those was getting all the Conditional Use permits that had been already approved recorded.
- A Wingers restaurant will be going into the location where Mikado was previously. The permit has been issued and first inspection completed.

Administrative Report – Duane Huffman

- Staff is working on updated budgets. With several projects being delayed this year due to the pandemic, we have some decisions to make going into 2021.
- Staff is fielding a lot of calls regarding the Seller family gathering building on 400 North just west of 1100 W. We are informing them the building is a private non-commercial structure intended for use by a family, not condos or a church as many people seem to think.
- Equestrian Partners held a meeting tonight with a mix of west side neighbors to talk about future west side development. Neighbors in attendance made it clear that they have no interest in supporting anything other than 1-acre lots. Duane and Councilmember Bruhn attended the zoom call but made no comments. It is not clear where it will go from here.
- Duane would like to congratulate and thank everyone on the great job with the Santa parade this year.

9. Mayor / Council Reports

Mayor Romney – not in attendance

James Ahlstrom – Christmas events went well. The youth council will hold a meeting this Thursday to debrief.

Ryan Page on 800 West, next to the new school driveway, has been vocal and posting on social media that he is unhappy with the lack of communication about the planned pickleball courts. He asked Kris Nilsen to contact Mr. Page so they can communicate about design, lights, fencing, landscaping, and walk the project, etc. We want to be good neighbors. Duane will organize a community meeting after the holidays to talk about the project and listen to and address their issues.

James Bruhn – Asked for an update regarding the property line issue with Dennis Vest's property. Duane said staff has been working on it and plans to provide information to council in an upcoming closed session.

The Arts Council would love to see holiday lights displayed at the city park. Duane said the staff is not opposed and he has talked with Steve Maughan about it. There is a challenge to provide electricity, but staff will begin looking at options.

Councilmember Bruhn also wants to ensure progress continues on the public works west yard.

Kelly Enquist – It was great fun to be part of the Santa parade, even if it was cold in his open jeep.
There is no update Mosquito Abatement.

Mark Preece – South Davis Sewer District is now selling gas to Dominion Energy.

Rod Wood – Kris, Duane, Steve have done a great job on the well and keeping up with all the details. Also, thank you to Chief Erikson for all his hard work.

10. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205(a), Discussion of the Character, Professional Competence, or Physical or Mental Health of an Individual. Performance of individuals and exchange of property.

No closed session.

11. Adjourn

MOTION: *Councilmember Ahlstrom made a motion to adjourn this meeting of the West Bountiful City Council at 8:46 pm. Councilmember Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, January 5, 2021.

Cathy Brightwell, City Recorder

PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on **Tuesday, December 30, 2020** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Mayor Romney has determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding City Council meetings through electronic means that allow for public participation without an anchor location. A copy of the Mayor's determination and order in this regard is available at www.wbcity.org.

All participants were on Zoom. Those in attendance:

MEMBERS: Mayor Ken Romney, Councilmembers James Ahlstrom, James Bruhn, Kelly Enquist, Mark Preece and Rod Wood.

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Kris Nilsen (City Engineer)

PUBLIC:

1. Mayor Romney called the meeting to order at 4:00 pm. He read the Mayor's Determination Statement regarding the need to hold meetings without an anchor location.
2. Closed Session for the Purpose of Discussing Pending or Reasonably Imminent Litigation Pursuant to UCA § 52-4-205.

MOTION: *James Bruhn made a Motion to Move into Closed Session by closing the Zoom call to non-participants for the Purpose of Discussing Pending or Reasonably Imminent Litigation Pursuant to UCA § 52-4-205. Kelly Enquist seconded the Motion.*

The Motion PASSED with a vote as follows:

James Ahlstrom – aye	James Bruhn – aye
Kelly Enquist – aye	Mark Preece – aye
Rod Wood – aye	

MOTION: *Rod Wood made a Motion to End the Closed Session. Mark Preece seconded the Motion.*

The Motion PASSED with a vote as follows:

James Ahlstrom – aye	James Bruhn – aye
Kelly Enquist – aye	Mark Preece – aye
Rod Wood – aye	

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50 **11. Adjourn**
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52 **MOTION:** *Rod Wood made a motion to adjourn this meeting of the West Bountiful*
53 *City Council at 5:10 pm. Mark Preece seconded the Motion which PASSED*
54 *by unanimous vote of all members present.*
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58 *The foregoing was approved by the West Bountiful City Council by unanimous vote of all members*
59 *present on Tuesday, January 5, 2021.*
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64 Cathy Brightwell, City Recorder