

SOUTH WEBER CITY CITY COUNCIL MEETING

DATE OF MEETING: 28 January 2025

TIME COMMENCED: 6:00 p.m.

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

PRESENT: MAYOR: Rod Westbroek

COUNCIL MEMBERS: Jeremy Davis
Joel Dills
Blair Halverson
Angie Petty
Wayne Winsor

CITY MANAGER: David Larson

CITY ATTORNEY: Jayme Blakesley

COMMUNITY DEV MGR: Lance Evans

FINANCE DIRECTOR: Brett Baltazar

CITY ENGINEER: Brandon Jones

CITY RECORDER: Lisa Smith

COMMUNITY RELATIONS: Shaelee King

FIRE CHIEF: Derek Tolman

Minutes: Michelle Clark

ATTENDEES: Paul Sturm, Lynn Poll, Lance Nelson, Steve Anderson, Michael Grant, and Steve Robinson.

- 1. Pledge of Allegiance:** Councilwoman Petty
- 2. Prayer:** Councilman Davis
- 3. Public Comment:** Please respectfully follow these guidelines.
 - a. Individuals may speak once for 3 minutes or less: Do not remark from the audience.
 - b. State your name & city and direct comments to the entire Council (They will not respond).

Lynn Poll of South Weber City expressed that 7' park strips waste space, water, and add to the cost of building a home. He was frustrated with pet owners who do not keep dogs on leash and clean up waste.

Michael Grant of South Weber urged the Council to contact UDOT about installing a surveillance camera in the Park n Ride parking lot.

ACTION ITEMS

4. Consent Agenda

a. January 14 Minutes

Councilman Winsor moved to approve the consent agenda as written. Councilman Davis seconded the motion. Mayor Westbroek called for a voice vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

5. Annexation Petition by Nilson (Parcels 13-005-039/0040/0041/0042/0044/0052) at approximately 75 W South Weber Drive: This is a 14.747-acre portion of the Riverside Subdivision and is planned for residential development. In 2023 county boundary lines were altered to include this area in Davis County and now the petition is to incorporate into the city. If the City Council accepts the petition, staff will do a thorough review and determine if it meets all requirements for certification.

Councilman Halverson moved to accept the Annexation Petition by Nilson (Parcels 13-005-039/0040/0041/0042/0044/0052) at approximately 75 W South Weber Drive. Councilman Winsor seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

6. Amended Resolution 24-36: Riverside RV Park Development Agreement Second

Amendment: On December 10, 2024, the City Council discussed a development agreement change request by Riverside RV Park owner/operator McKay Winkel. The Council moved to approve a development agreement amendment and tasked staff with finalizing the language. City Manager David Larson, City Attorney Jayme Blakesley, and Community Development Manager Lance Evans worked with Mr. Winkel and they are presenting the draft for approval.

Section 15.1 follows without any changes from the original with section 15.1.1 added.

15.1 Patrons. Developer shall not permit patrons to stay at the RV Park for more than one hundred twenty (120) consecutive days (the "Maximum Stay Period"). Any patron who stays for the Maximum Stay Period is required to adhere to a seven (7) day leave period before returning to stay at the RV Park (the "Leave Period").

15.1.1 Exception to Leave Period. The requirement for a mandatory Leave Period shall not apply from December 1, 2024, through April 30, 2025, or from December 1, 2025, to April 30, 2026.

Councilman Winsor moved to approve amended Resolution 24-36: Riverside RV Park Development Agreement second amendment. Councilman Halverson seconded the motion. Mayor Westbroek called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

7. Resolution 25-03: Utah Division of Forestry, Fire, and State Lands Wildland Fire

Agreement: Fire Chief Tolman explained South Weber City has maintained a partnership with the Utah Division of Forestry, Fire, and State lands to provide community wildland protection for years and the current agreement expired December 31, 2024. In exchange for South Weber Fire

Department providing education, preparation, and mitigation; the State covers the suppression cost for wildland fires. This agreement has proved invaluable in past years and offers access to state and federal grants and huge fiscal savings for the city in case there is an event.

Councilman Winsor moved to approve Resolution 25-03: Utah Division of Forestry, Fire, and State Lands Wildland Fire Agreement. Councilman Davis seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

Councilman Davis moved to open the public hearing on surplus real property at approximately 2300 E. South Weber Drive. Councilman Halverson seconded the motion. Mayor Westbrook called for a voice vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

----- **PUBLIC HEARING** -----

8. Public Hearing on Surplus Real Property at approximately 2300 E. South Weber Drive:

When South Weber Drive was reconfigured for the 2002 Winter Olympics, a small 0.02-acre piece was given to South Weber City. Now as the Gateway project is being developed, city staff find it would be to the city's advantage to declare it a surplus and incorporate it into their plat.

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

Councilman Halverson moved to close the public hearing on surplus real property at approximately 2300 E. South Weber Drive. Councilwoman Petty seconded the motion. Mayor Westbrook called for a voice vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

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

9. Resolution 25-04: Declaring Parcel 130340055 at approximately 2300 E. South Weber Drive as Surplus Real Property:

Councilwoman Petty moved to approve Resolution 25-04: Declaring Parcel 130340055 at approximately 2300 E. South Weber Drive as Surplus Real Property. Councilman Halverson seconded the motion. Mayor Westbrook called for a roll call vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

10. City Recycling Program:

South Weber City contracts with Robinson Waste for garbage collection services in the city. The city currently does not have a city-wide recycling program, however, approximately 300 homes in the city have taken advantage of Ace Disposal's direct recycling. The remaining homes within the city are not currently participating. Due to a desire to divert as much waste as possible away from the landfill to extend its life and keep the cost of transporting refuse down, in November 2023, the Wasatch Integrated Waste Management District (WIWMD) adopted a resolution regarding mandating bundled recycling programs within the district. That decision kicked off discussions amongst the member cities within the district that resulted in WIWMD withdrawing the mandate but adjusting their pricing structure to benefit cities that have a recycling program effective July 1, 2025. Cities with a qualifying

recycling program (i.e., 80% + participation rate and bundled rates for new residents) will receive a “diversion discount” off the current \$7.20/can/month tipping fee that will be equal to the percentage of trash diverted away from the landfill through recycling. It is anticipated that a high participation rate would provide up to a 15% discount.

The Recycling Partnership provides grant money in the form of a \$15/can reimbursement for the purchase of recycling cans. To qualify the city must own the cans proving a commitment to maintaining a recycling program. This grant money is available if the recycling program is in place by September 2025.

The City Council will need to make decisions regarding the recycling program to direct staff’s efforts in rolling out the program:

1. Begin negotiation with one of the proposing hauling companies – Robinson Waste (RW) or Waste Management (WM).
2. City owning the cans or hauler owning the cans.
 - a. City owning could be accomplished by purchasing directly or paying the hauler over time.
3. Rollout Method
 - a. Mandatory city wide (everyone receives a recycling can and pays for the service)
 - b. Opt Out (everyone receives a recycling can and has 30 days to opt out if they desire)
 - c. Opt In (active sign up where only those who choose to participate receive a recycling can)
4. Program Start Date – currently planning for July 1, 2025

The Municipal Utilities Committee recommended beginning negotiations with Robinson Waste, purchasing cans either directly or through the hauler overtime, and beginning discussions about other aspects of the recycling program that will need to be finalized before rolling out the program such as method, exact monthly utility bill cost, etc. Councilman Halverson noted there are specific items that need to be discussed with the hauler. Councilwoman Petty added it is anticipated that a high participation rate would provide up to a 15% discount. Councilman Winsor expressed the need for more information to decide whether to go with a recycling program. He added the request for proposals (RFP) lacks information to support the city staff’s recommendation. Councilwoman Petty strongly recommended starting the Recycling Program by July 1, 2025.

Councilman Dills stated unless the program is mandated, he does not think there will be an 80% participation rate, and he did not favor requiring participation. Councilman Halverson conveyed a scenario where new move-ins would be mandatory but not existing residents. Councilman Winsor suggested city staff put together a public relations campaign. Councilman Halverson responded WIWMD will do all the education. Councilman Dills asked about what the cost difference will be and if there is a way to incentivize citizens to join. Councilman Halverson suggested discussing this item further is a work session. The council directed the committee to get more information and cost options before bringing this item back.

Councilman Winsor moved to continue negotiations with Robinson Waste. Councilman Halverson seconded the motion. Mayor Westbrook called for a voice vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

DISCUSSION ITEMS

11. Annual Training

a. Open and Public Meeting Act

City Attorney Jayme Blakesley reviewed the Open and Public Meetings Act and explained that any time there is a quorum with three or more council members it must be noticed as a public meeting. A public meeting requires 24-hour notice with a posted agenda. Written minutes and recording are required of all meetings. Most ordinances and resolutions do not require a public hearing prior to their adoption but notable exceptions include salary schedules, tax levies, budgets, land use regulations, impact fees, and disposition of real property. When going into a closed meeting it must be publicly announced and the reason stated for the closed meeting. You are not able to go into a closed session to interview for vacancy of an office. Recordings are required for most closed sessions other than discussing a person's character, competence, and health. The Act does not apply for a chance meeting or a social activity via church, sports, etc. It is strongly recommended city business not be discussed in any form in social gatherings if a quorum is present.

b. Ethics

Mr. Blakesley reviewed the Municipal Officers & Employees Ethics Act which is to establish standards of conduct for municipal officers and employees and to require these persons to disclose actual or potential conflicts of interest between their public duties and their personal interests. A written disclosure is required for regulated business, doing business with city, personal interest or investment, assist/advise on city transaction (disclosure must occur 10 days before agreement with City or 10 days before receipt of compensation – whichever is earlier). An oral disclosure is required for regulated business, doing business with the city, personal interest or investment, assist/advise on city transactions, open meetings, and before discussion on topic. There is an exception to the rule against gifts which include occasional non-pecuniary gift < \$50, award presented for public service, bona fide loan (ordinary course of business), and political campaign contribution.

REPORTS

12. New Business

Noise Ordinance Signs for Highway 89: Councilwoman Petty asked if the city staff can get the noise ordinance signs ordered and installed along Highway 89.

Zoom Meetings: Councilwoman Petty discussed possibilities of simplifying Zoom meetings causing the city recorder undue stress as she is trying to screen share all the items discussed. She suggested purchasing a new computer or updating computer software to help the city recorder. The City Council agreed and requested city staff investigate options.

Recreation Program Requirements for Head Trauma: Councilman Dills reported the state requires a policy for concussions and head trauma for city recreation programs which he sent to the City Manager for review.

Public Comment Request for Enforcement Concerning Dog Waste: Councilman Dills noted there was a complaint about dog waste and asked if the Council favored raising the fine for second or third offense. City Attorney Jayme Blakesley stated the city already has an incremental fine.

13. Council & Staff

Councilman Winsor: asked about the status of the audit report. Finance Director Brett Baltazar reported he received a draft form of the financial statements which he has distributed. The plan is to have it by January 30, 2025.

Councilman Dills: thanked Chay for her hard work in the city parks. Three new trees were planted by the pickleball courts. He announced that the Code Committee met today and decided to look at issues facing the city and noted a survey would be sent to the Council.

Councilman Halverson: reported the new Public Works Facility completion date is August 18, 2025. He conveyed the Utah State Legislature has proposed House Bill 256 which modifies provisions related to the authority of municipalities and counties regarding short-term rentals. The bill clarifies that a municipality or county that regulates short-term rentals may use a listing or offering on a short-term rental website as evidence that a short-term rental took place so long as the municipality or county has additional information to support its position that a property owner violated a municipality or county ordinance.

City Manager David Larson: encouraged the City Council to watch their email concerning the daily facts going on with the Legislative Session since the next City Council meeting is not until the end of February.

14. Adjourn: Councilman Winsor moved to adjourn the meeting at 7:34 p.m. Councilwoman Petty seconded the motion. Mayor Westbrook called for a voice vote. Council Members Davis, Dills, Halverson, Petty, and Winsor voted aye. The motion carried.

APPROVED:  Date 02-25-2025
Mayor: Rod Westbrook


Transcriber: Michelle Clark


Attest: City Recorder: Lisa Smith

