

**Mayor**  
Kenneth Romney

# **WEST BOUNTIFUL CITY**

**City Administrator**  
Duane Huffman

**City Council**  
James Ahlstrom  
James Bruhn  
Kelly Enquist  
Mark Preece  
Andrew Williams

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**  
Ben White

**Public Works Director**  
Steve Maughan

## **CITY COUNCIL MEETING**

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING AT 7:30 PM, ON TUESDAY, FEBRUARY 16, 2016 IN THE CITY OFFICES AT 550 N 800 WEST.**

*Invocation/Thought –James Bruhn; Pledge of Allegiance – Andy Williams*

1. Accept Agenda.
2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).
3. Consider Resolution 382-16, A Resolution Authorizing the Mayor's Appointment of Charles Kettenring to The Emergency Preparedness Advisory Committee.
4. Consider Resolution 383-16, A Resolution Authorizing the Mayor's Re-Appointment of Alan Malan, Laura Charchenko, and Mike Cottle to the Planning Commission.
5. Discuss and Consider Request for Planned Unit Development by Capital Reef Management/Ovation Homes) for property at 690 W Pages Lane.
6. Discuss First Estimates of Fiscal Year 2016/2017 Budget.
7. Open Meeting Training.
8. Engineering/Public Works Report.
9. Police Report.
10. Administrative Report.
11. Mayor/Council Reports.
12. Approve Minutes from the February 2, 2016 City Council Meeting.
13. Possible Executive Session for the Purpose of Discussing Items Allowed, Pursuant to Utah Code Annotated 52-4-205.
14. Adjourn.

Individuals needing special accommodations during the meeting should contact Cathy Brightwell at (801)292-4486 twenty-four hours prior to the meeting.

*This agenda was posted on the State Public Notice website, the City website, emailed to the Mayor and City Council, and sent to the Clipper Publishing Company on February 11, 2016.*

# WEST BOUNTIFUL CITY

RESOLUTION #382-16

## ***A RESOLUTION APPOINTING A MEMBER TO THE WEST BOUNTIFUL CITY EMERGENCY PREPAREDNESS ADVISORY COMMITTEE***

**WHEREAS**, the West Bountiful City Council established the Emergency Preparedness Advisory Committee by adoption of Ordinance #354-13; and,

**WHEREAS**, pursuant to the above referenced Ordinance, the Mayor shall appoint five (5) voting members, with the advice and consent of the City Council; and,

**WHEREAS**, the Mayor desires to fill a vacancy on the Committee.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of West Bountiful City that it consents to the Mayor's appointment of the following individual:

<u>Appointee</u>	<u>Term Expires</u>
Charles Kettenring	December 31, 2019

**EFFECTIVE DATE.** This resolution shall take effect immediately upon passing.

Passed and approved by the City Council of West Bountiful City this 16<sup>th</sup> day of February, 2016.

\_\_\_\_\_  
Ken Romney, Mayor

Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Williams	_____	_____
Councilmember Preece	_____	_____

ATTEST:

\_\_\_\_\_  
Cathy Brightwell, City Recorder

# WEST BOUNTIFUL CITY

RESOLUTION #383-16

***A RESOLUTION RE-APPOINTING LAURA CHARCHENKO, MIKE COTTLE,  
AND ALAN MALAN TO THE WEST BOUNTIFUL PLANNING COMMISSION***

**WHEREAS**, Utah Code Annotated 10-9a-301 requires each municipality to establish a planning commission by Ordinance; and,

**WHEREAS**, Chapter 2.36, Planning Commission, of the West Bountiful Municipal Code requires that members of the planning commission shall be appointed by the Mayor, with the advice and consent of the City Council; and,

**WHEREAS**, Planning Commission members shall be appointed to four-year terms of office, except that members may be appointed to shorter terms when necessary to ensure staggered terms of office.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of West Bountiful City that it consents to the Mayor's appointment of the following individuals and respective terms:

<u>Appointee</u>	<u>Term Expires</u>
Laura Charchenko	December 31, 2019
Mike Cottle	December 31, 2019
Alan Malan	December 31, 2019

**EFFECTIVE DATE.** This resolution shall take effect immediately upon passing.

Passed and approved by the City Council of West Bountiful City this 16th day of February, 2016.

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Ken Romney, Mayor

Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Williams	_____	_____
Councilmember Preece	_____	_____

ATTEST:

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Cathy Brightwell, City Recorder



# MEMORANDUM

**TO:** Mayor & Council  
**DATE:** February 11, 2016  
**FROM:** Duane Huffman  
**RE:** Request for a Planned Unit Development - The Cottages at Havenwood

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This memo is intended to summarize the recent request for a Planned Unit Development (PUD) by Ovations Homes and address points from the February 10, 2016 letter from Mr. Brad Frost of Capital Reef Management/Ovation Homes.

## Proposed PUD vs. Traditional Subdivision

The City's land use ordinances set standards regarding lot sizes, structure setbacks, housing density, etc. that must be met when creating or modifying development with the City<sup>1</sup>. The West Bountiful Municipal Code allows the City Council to create a PUD by ordinance "to allow and encourage a flexible, efficient, and imaginative development pattern" for residential projects. The following table illustrates the current development standards in the R-1-10 zone and the requested deviations requested by Ovation Homes.

	R-1-10 Standard	Ovation Homes PUD Minimum	Ovation Homes PUD Average
Lot Area	10,000 sq. ft.	6,923 sq. ft.	7,625 sq. ft.
Lot Width	85 ft.	63 ft.	72 ft.
Front Yard Setback	30 ft.	20 ft.	20 ft.
Rear Yard Setback	30 ft.	15 ft.	20 ft.
# Lots (Density)	30	37-39	

To justify the requested deviations for this PUD, Ovation Homes has presented a project designed to benefit the community by providing housing designed for an "active adult community<sup>2</sup>." The developer also guarantees an attractive project through landscaping, home designs, open space, and other community amenities.

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<sup>1</sup> Outside of a PUD, the only way for a property to deviate from the established standards is to meet the high threshold required for a variance

<sup>2</sup> There is no plan to regulate the development with age requirements.

Density and Amenities

For a PUD to include increased levels of density, the City must grant what the Code refers to as an Amenity Density Bonus. The bonus allows an increase in density of up to 35% based on a calculation of five separate amenity categories (Building/Project Design; Innovative Site Plan; Substantial Public Benefit; Open Space; and Interior Amenities). Ovation Homes has met with the Planning Commission and City Council several times to present what it believes to be justifications for bonuses in each of the categories. Mr. Frost’s Feb. 10<sup>th</sup> letter presents two final options:

- 37 Lot Option (bonus between 23.5%-26%) – This is the option that most closely resembles the recommendation that came from the Planning Commission. The Commission recommended that it include a small park with some parking on the northern portion of the project. Mr. Frost’s letter does not go into much detail on the park amenities or parking, but it does state that there would be a gazebo with benches and a picnic table. There would also be some form of a landscaped entrance on Pages Lane and some level of storm water improvements to benefit the neighborhood to the west. It would still need to be determined as to who would own and maintain the open space.
- 39 Lot Option (bonus between 30%-33%) – This option came about as part of discussions as to whether there was a need for a small park/open space so close to the City’s main park. It replaces the park on the north portion of the project with two additional lots and proposes to provide a monetary offset so that City can provide for the park/open space amenity in another location. In theory, the amenities provided would need to exceed the amenities in the 37 Lot Option to be eligible for the additional bonus. Mr. Frost’s Feb. 10<sup>th</sup> letter proposes a monetary offset of \$111,380 in lieu of the park/open space improvements. The table below illustrates the differences in values between Ovation Homes and staff estimates related to these amenities.

	Ovation Homes	Staff – Updated
Park Land (17,000 sq. ft.)	\$3.14/sq. ft. \$53,380	\$10.59/sq. ft. \$180,000 (two lots)
Sod/Irrigation	\$13,000	\$13,000
Park Improvements (Pickleball, etc)	\$45,000	\$58,000
Parking	\$0	\$35,000
Maintenance	\$0	\$25,000
Total Park/Open Space	\$111,380	\$311,000

In addition to the monetary offset for park/open space, Ovation Home's letter also offers to install or offset an entrance worth \$3,500 and drainage improvements beyond a standard subdivision worth up to \$50,000. The total monetary offset offer for the 39 Lot Option could be up to \$164,880 (\$111,380 for park, \$3,500 for entrance, \$50,000 for storm water improvements).

As to specific points made in Mr. Frost's letter, staff disagrees that the value of the land for the park should be set to per square foot price paid for the land on the entire project. Mr. Frost's letter clearly states that the value of a raw lot is roughly \$90,000, and the park/open space will be on the land required for two lots or it will be offset with two actual lots. In addition, staff does not believe that \$3,500 would provide for much of an entrance for the project.

#### Council Options

Mr. Frost's letter characterizes the above referenced options as Ovation's "best and final offer." Other than any additional negotiation, staff believes that one of the following motions would be appropriate at this time:

1. Motion to direct staff to move forward with any applicable development agreement/PUD ordinance for the 37 or 39 Lot Option (plus any additional clarification/direction the council feels appropriate) for the Council's consideration.
2. Motion to deny the current request for a PUD.

**MEMORANDUM**

DATE: February 10, 2016  
To: West Bountiful City Staff  
City Council Members  
From: Brad Frost (Capital Reef Management/Ovation Homes)  
Re: The Cottages at Havenwood/Final Density Bonus Calculation Proposals

\*\*\*\*\*

The purpose of this memorandum is to outline two alternative proposals for the City Council’s consideration, which, if acceptable, would result in approval of a density bonus that will permit Capital Reef/Ovation Homes to proceed towards submission of a detailed development agreement. The subject development was first presented to the City in August of 2015. We have appreciated the efforts of everyone on behalf of the City to work with us over the past six months to consider our planned development. We now are at a juncture where we need to know whether we can reach our necessary objective in terms of lot numbers to make this project viable for us. There are opportunity costs that we incur with the passage of time which are becoming insurmountable. In addition, other opportunities have presented themselves that we need to take advantage of if the City Council does not want to approve our proposals.

We want to express that we greatly desire to serve the citizens and future citizens of West Bountiful. We feel that we can create an active adult community that will be greatly desired and add value to this City. We hope that you will be able to agree that the amenities we are offering are fair, relative to the size and type of development being proposed. Because we have reached a point where we face internal time constraints in moving forward, as well as wanting to be mindful of your valuable time, the following proposals should be considered our best and final offers. We respectfully request that the City Council vote yes or no on each of these proposals.

**Background**

We are making two proposals. The first consists largely of a cash contribution in lieu of construction of actual physical amenities. Our sense is that the majority of the City Council prefers a cash contribution to actual physical amenities. The obvious issue when considering an appropriate number is what is fair, given the size of the development. We have heard general feedback that the cash contribution needs to be large given that we seek a density bonus that would permit development of 8 or 9 lots more than what could be developed if the ground were developed under an R-1-10 zoning. In this memorandum, we have been very transparent to enable you to be informed. In addition, we feel it is important to understand that the extra number of lots

does not necessarily result in the upside financially that might seem to result from the extra lots. Our desire in developing this project as a PUD is to create inventory for a unique, active adult community. This demographic does not want the larger lots. The lots are much less valuable than larger lots that would result from an R-1-10 development. To illustrate, if this project ultimately is developed as a thirty lot, R-1-10 subdivision, the lots would likely sell in the range of \$110,000 (*see* Attachment 1, hereto). Thus, the total retail value of the subdivision would be approximately \$3,300,000 (30 X 110,000). If developed as a thirty nine lot PUD, the lots would be valued for our project at \$90,000. Thus, the total retail value would be \$3,510,000 (39 X 90,000). It would not be fair for the City to require that we give the entire upside of the PUD development as a cash contribution. Our proposal takes into account both the fairness component and the actual cost that we would incur to create physical amenities, such as a park, gazebo, playground equipment, parking and other amenities that were considered, voted on and ratified by the Planning Commission.

The second proposal presumes a thirty seven lot subdivision and outlines what we would construct on site as actual amenities. This proposal is similar to what was considered and voted upon by the Planning Commission.

#### **A. Proposal 1 – Cash Contribution to the City**

There has been significant discussion involving efforts to assign dollar values to various amenities. When considering proposal 1, we ask that the City Council keep in mind that the various types of amenities that have been identified are a “menu” of possibilities. Fairness requires consideration of what actually is geographically feasible within the proposed development. It simply is not possible to construct all of the amenities that have been discussed or identified as possibilities. It would not seem to be appropriate to ask for a cash contribution in lieu of amenities that could never be part of the proposed subdivision. In addition, we have made a good faith effort to provide documentation to establish what dollar amounts should be assigned to various amenities when considering an appropriate cash contribution in lieu of actually constructing various amenities. We ask that when dollar amounts are identified or discussed, that the figures be objective and supported by verifiable documentation.

39 Lot Subdivision

Park

Land (17,000 sq. ft. @ \$3.14/sq. ft.) <sup>1</sup>	\$53,380
Sod and irrigation (10,000 sq. ft.) <sup>2</sup>	13,000

<b>Total:</b>	<b>\$66,380</b>
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Other Park-related Improvements (Some combination of Pickleball, fencing, gazebo, Benches, picnic table, or Playground)	<b>\$45,000</b>
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Project Entrance	<b>\$ 3,500</b>
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Drainage Options

Upgraded drainage for 15 homes west of development <sup>3</sup>	<b>\$10,000</b>
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Storm Water Special Improvement District <sup>4</sup>	<b>\$40,000</b>
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<b>TOTAL CASH CONTRIBUTION TO THE CITY:</b>	<b>\$164,880</b>
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Under proposal 1, we would agree to make a cash contribution to the City of \$164,880, in lieu of the referenced physical amenities. We would also be willing to construct the project entrance and/or the drainage option amenities as a credit against the proposed cash contribution. In making this cash contribution, we are giving the City the vast majority of the actual financial upside of the extra lots that result from granting the requested density bonus.

**B. Proposal 2 – Construction of Physical Amenities**

37 Lot Subdivision

Park

Gazebo, benches and picnic table

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<sup>1</sup> Attachment 2, hereto is the first page of the actual real estate purchase contract. It is the best evidence of the value of the ground being developed. We paid \$3.14/sq. ft. for the land. We should not be required to make a cash contribution greater than what we actually paid for the land.

<sup>2</sup> Attachment 3, hereto is an email in which Ovation's landscaper quotes its price for sod and irrigation, which is \$1.30 per sq. ft.

<sup>3</sup> Here, we are using a number provided by the City staff.

<sup>4</sup> Again, we are using the number provided by the City staff.

Front entrance

Drainage, storm water special improvement district

### **Conclusion**

The foregoing proposals should justify the type of bonus density award we are seeking. We believe that relative to the size of the proposed development, the cash donation is extremely fair. However, we also remain willing to construct actual, physical amenities.

We feel confident that these proposals create a “win-win” for us as a developer and for West Bountiful. When compared to what the City would receive if the proposed PUD is rejected and we re-submit the proposed development as an R-1-10, ultimately to sell the development as paper lots to a variety of builders, we believe that the City greatly benefits if it accepts one of our proposals. Within the context of the size of the tract of land to be developed, we feel strongly that we have offered all that we can to be able to justify the project’s economic feasibility. We hope that you will agree and permit us to move forward with the drafting of a detailed proposed development plan, knowing that one of the two proposals presented is acceptable.

# Attachment 1

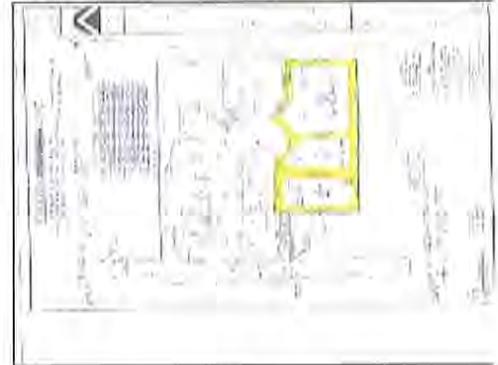
**MLS# 1280296**

Tour/Open: None  
 List Price: \$110,000  
 Lease Price: \$0  
 CDOM: 55  
 DOM: 55  
 CTDOM: 68  
 Sold Price: \$108,000  
 Concessions: \$0  
 Address: 759 W 1450 N  
 NS/EW: 1450 N / 759 W  
 City: West Bountiful, UT 84087  
 County: Davis  
 Plat: KNIGHTON COURT  
 Tax ID: 06-265-0007  
 Zoning Code: RES  
 School Dist: Davis  
 Sr High: Bountiful  
 Acre FT./Share: 0.00 |  
 Wells: |

Status: Sold  
 Price Per:  
 List Date: 02/06/2015  
 Contract Date: 04/16/2015  
 Sold Date: 06/23/2015  
 Sold Terms: Conventional

Area: Bntfl; NSL; Cntrlv;  
 WdX; Frmtn

LOT #: 7  
 Taxes: \$1,245  
 HOA Fee: \$0  
 Elem: West Bountiful  
 Priv Schl:  
 Acre FT./Share: 0.00 |  
 Surface: |



Jr High: Bountiful  
 Other Schl:  
 Acre FT./Share: 0.00 |  
 Dev. Spring: |

**Culinary Well Health Inspected:**

Prop Type: Residential  
 Acres: 0.23  
 Frontage: 0.0  
 Side: 0.0  
 Back: 0.0  
 Irregular: No  
 Facing: N  
 Drv. Access  
 Water Distance:  
 Sewer Distance:  
 Gas Distance:  
 Usable Electric:  
 Pressurized Irr.:  
 Conn. Fees:  
 Irrigation Co:  
 Water: Stubbed  
 Exterior Feat:  
 Irrigation: Stubbed  
 Land Use:  
 Utilities: Gas: Stubbed; Power: Stubbed; Sewer: Stubbed  
 Zoning: Single-Family  
 Possession: Recording  
 Terms: Cash; Conventional  
 CCR: No  
 Lot Facts: Cul-de-Sac; Curb & Gutter; Sidewalks; Terrain: Flat; View: Mountain  
 Pre-Market:  
 Township:  
 Range:  
 Section:  
 Section

**Description:**  
**Driving Dir:**

Remarks: Three lots available in this eight lot subdivision. Great location close to I15, shopping and Legacy trail. Cul-de-sac with awesome mountain views! Use your own builder and build your dream home. With only a few lots available these won't last long!!! Agent related to seller.

Agt Remarks:  
 HOA Remarks:  
 Clos Remarks:

Owner Type: Property Owner  
 Ph 1: 801-309-6864 Ph 2:  
 Ph: 801-309-6864 Cell: 801-309-6864  
 Ph: 801-386-5908 Fax: 801-683-1366  
 Ph: 801-915-1120 Cell: 801-915-1120  
 Ph: 801-296-0911 Fax: 801-296-1342

Contact: 8013096864 Owner:  
 L/Agent: Cyndi Lawrence Contact Type: Agent  
 L/Office: Realtypath LLC - Davis County Email: cyndiwlawrence@gmail.com  
 L/Broker: Steve Perry Email: carimoss@remax.net  
 S/Agent: Cari Moss  
 S/Office: RE/MAX Metro  
 BAC: 3%  
 Comm Type: Net

Dual/Var: Yes  
 Withdrwn Dt:  
 List Type: ERS  
 Off Mkt Dt:

Exp Dt: 08/31/2015

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**MLS# 1280298**

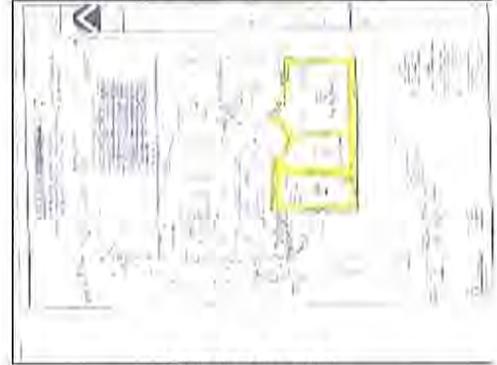
Tour/Open: None  
 List Price: \$100,000  
 Lease Price: \$0  
 CDOM: 13  
 DOM: 13  
 Address: 771 W 1450 N  
 NS/EW: 1450 N / 771 W  
 City: West Bountiful, UT 84087  
 County: Davis  
 Plat: KNIGHTON COURT  
 Tax ID: 06-265-0008  
 Zoning Code: RES  
 School Dist: Davis  
 Sr High: Bountiful  
 Acre FT./Share: 0.00 |  
 Wells: |

Status: Expired  
 Price Per:  
 List Date: 02/06/2015

Area: Bntfl; NSL; Cntrlv;  
 WdX; Frmtn

LOT #: 8  
 Taxes: \$1,360  
 HOA Fee: \$0

Elem: West Bountiful  
 Priv Schl:  
 Acre FT./Share: 0.00 |  
 Surface: |



Jr High: Bountiful  
 Other Schl:  
 Acre FT./Share: 0.00 |  
 Dev. Spring: |

**Culinary Well Health Inspected:**

Prop Type: Residential  
 Acres: 0.25  
 Frontage: 0.0  
 Side: 0.0  
 Back: 0.0  
 Irregular: No  
 Facing: N

Drv. Access

Water Distance:

Sewer Distance:

Gas Distance:

Usable Electric:

Pressurized Irr.:

Conn. Fees:

Irrigation Co:

Water: Stubbed

Exterior Feat.:

Irrigation: Stubbed

Land Use:

Utilities: Gas: Stubbed; Power: Stubbed; Sewer: Stubbed

Zoning: Single-Family

Possession: Recording

Terms: Cash; Conventional

CCR: Yes

Lot Facts: Cul-de-Sac; Curb & Gutter; Sidewalks; Terrain: Flat; View: Mountain

Pre-Market:

Township:

Range:

Section:

Section

Description:

Driving Dir:

Remarks: Three lots available in this eight lot subdivison. Great location close to I15, shopping and Legacy trail. Cul-de-sac with awesome mountain views! Use your own builder and build your dream home. With only a few lots available these won't last long!!! Agent related to seller.

Agt Remarks:

HOA Remarks:

Clos Remarks:

Contact: 8013096864  
 L/Agent: Cyndi Lawrence  
 L/Office: Realtypath LLC - Davis County  
 L/Broker: Steve Perry

Owner:  
 Contact Type: Agent  
 Email: cyndiwlawrence@gmail.com

Owner Type: Property Owner  
 Ph 1: 801-309-6864  
 Ph: 801-309-6864  
 Ph: 801-386-5908  
 Ph 2:  
 Cell: 801-309-6864  
 Fax: 801-683-1366

BAC: 3%  
 Comm Type: Net

Dual/Var: Yes  
 Withdrwn Dt:  
 List Type: ERS  
 Off Mkt Dt: 03/18/2015  
 Exp Dt: 08/31/2015  
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## Attachment 2

# REAL ESTATE PURCHASE CONTRACT FOR LAND

This is a legally binding contract. If you desire legal or tax advice, consult your attorney or tax advisor.

## EARNEST MONEY RECEIPT

On this 11th day of August, 2015, Buyer Capital Reef Management LLC or Assignee offers to purchase from NUPETCO ASSOCIATES, LLC as seller or the party vested with ownership or authority to convey title, the Property described below and hereby delivers to the Aspen Title Company, as Earnest Money, the amount of \$ 25,000 in the form of check which, upon Acceptance of this offer by all parties (as defined in Section 23), shall be deposited in accordance with state law within 4 calendar days from time of acceptance with Aspen Title Company.

Received by: \_\_\_\_\_ on \_\_\_\_\_ (Date)  
(Signature of agent/broker acknowledges receipt of Earnest Money)

Brokerage or Escrow Company: \_\_\_\_\_ Phone Number \_\_\_\_\_

## OFFER TO PURCHASE

1. **PROPERTY:** approximately 690 west 1600 north, West Bountiful, Utah also described as: approximately 1.85 acres(06-012-0056) and 7.28 acres(06-012-0049), County of Davis, State of Utah, (the "Property")

1.1 **Included Items (specify)** all rights currently reserved on the property

1.2 **Water Rights/Water Shares.** The following water rights and/or water shares, to the extent appurtenant to the land described above, are included in the Purchase Price: two 2-inch artesian wells and the water flowing therefrom.

2. **PURCHASE PRICE.** The Purchase Price for the Property is \$1,250,000 (One Million Two Hundred Fifty Thousand Dollars). The Purchase Price will be paid as follows:

\$25,000 (a) **Earnest Money Deposit.** Under certain conditions described in this Contract THIS DEPOSIT MAY BECOME TOTALLY NON-REFUNDABLE.

\$ (b) **New Loan.** Buyer agrees to apply for one or more of the following loans:  
 CONVENTIONAL  OTHER (specify) \_\_\_\_\_  
If the loan is to include any particular terms, then check below and give details:  
 SPECIFIC LOAN TERMS \_\_\_\_\_

\$ (c) **Seller Financing**

\$ (d) **Other (specify)** \_\_\_\_\_

\$ 1,225,000 (e) **Balance of Purchase Price in Cash at Settlement**

\$1,250,000 **PURCHASE PRICE. Total of lines (a) through (e)**

3. **SETTLEMENT AND CLOSING.** Settlement shall take place no later than the Settlement Deadline referenced in Section 24(C), or on a date upon which Buyer and Seller agree in writing. "Settlement" shall occur only when all of the following have been completed: (a) Buyer and Seller have signed and delivered to each other or to the escrow/closing office all documents required by this REPC, by the Lender, by the title insurance and escrow/closing offices, by written escrow instructions or by applicable law; (b) any monies required to be paid by Buyer or Seller under these documents (except for the proceeds of any new loan) have been delivered by Buyer or Seller to the other party, or to the escrow/closing office in the form of cash, wire transfer, cashier's check, or other form acceptable to the escrow/closing office (c) any monies required to be paid by Seller under these documents have been delivered by Seller to Buyer or to the escrow/closing office in the form of collected or cleared funds. Seller and Buyer shall each pay one-half (1/2) of the fee charged by the escrow/closing office for its services in the settlement/closing process. Taxes and assessments for the current year, rents, and interest on assumed obligations shall be prorated at Settlement as set forth in this Section. Prorations set forth in this Section shall be made as of the Settlement Deadline date referenced in Section 24(c), unless otherwise agreed to in writing by the parties. Such writing could include the settlement statement. The transaction will be considered closed when Settlement has been completed, and when all of the following have been completed: (i) the proceeds of any new loan have been delivered by

# Attachment 3



Craig Jacobsen <craig@ovationhomesutah.com>

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**Sod price**

1 message

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**dan@simplifiedlandscape.com** <dan@simplifiedlandscape.com>

Fri, Feb 5, 2016 at 12:29 PM

To: craig@ovationhomesutah.com

To whom it may concern,

This is to inform you that your price for sod is \$1.30 per sqft, which includes irrigation and Kentucky Blue grass sod.

Sincerely,

Daniel Baum MSLA  
Landscape Designer/Project Manager  
Simplified Landscaping  
dan@simplifiedlandscape.com  
801-513-8471





**Vicinity Map**  
SCALE: 1" = 500'

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	SOUTH	25.00'
L2	SOUTH	25.00'
L3	WEST	10.01'

**CURVE TABLE**

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	225.00'	29.85'	29.83'	14.95'	N85°43'37"W	7°36'05"
C2	175.00'	24.66'	24.64'	12.35'	N85°57'47"W	8°04'25"
C3	200.00'	28.18'	28.16'	14.11'	S85°57'47"E	8°04'25"
C4	200.00'	26.53'	26.51'	13.29'	S85°43'37"E	7°36'05"
C5	175.00'	23.22'	23.20'	11.63'	S85°43'37"E	7°36'05"
C6	225.00'	31.71'	31.68'	15.88'	N85°57'47"W	8°04'25"
C7	12.00'	19.04'	17.10'	12.19'	N45°01'20"E	90°54'00"
C8	12.00'	18.66'	16.84'	11.81'	S44°58'40"E	89°06'00"
C9	12.00'	18.75'	16.91'	11.91'	N45°12'50"W	89°34'20"
C10	12.00'	18.94'	17.03'	12.09'	S44°47'10"W	90°25'40"
C11	22.00'	34.06'	30.76'	21.51'	N45°35'00"W	88°42'22"
C12	22.00'	34.75'	31.25'	22.19'	S44°49'05"W	90°29'29"

**BOUNDARY DESCRIPTION**

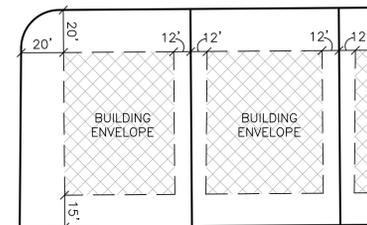
PART OF THE NORTHEAST QUARTER OF SECTION 13 TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY. DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE RIGHT-OF-WAY OF 1600 NORTH STREET, SAID POINT BEING S00°27'24"E 321.96 AND N89°32'36"E 661.40 FEET FROM THE CENTER OF SAID SECTION 13; THENCE N00°25'40"W 1566.01 FEET; THENCE S89°31'40"E 266.18 FEET; THENCE SOUTH 1563.72 FEET; THENCE S89°59'21"W 254.48 FEET TO THE POINT OF BEGINNING.

CONTAINING 407362 SQUARE FEET OR 9.352 ACRES

**LEGEND**

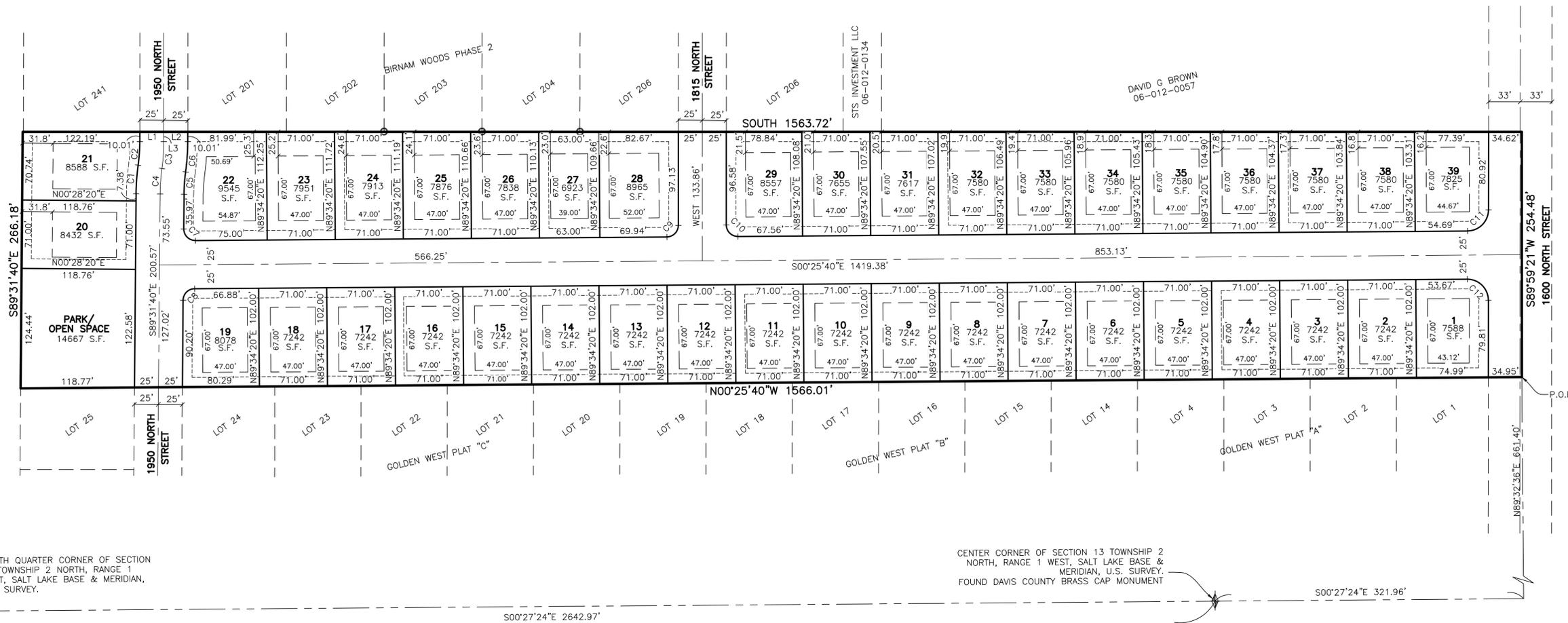
- = SECTION CORNER
- = FOUND REBAR & CAP
- = PUBLIC UTILITY EASEMENT
- = BOUNDARY LINE
- = LOT LINE
- = ADJOINING PROPERTY
- = EASEMENTS
- = SECTION TIE LINE



**REQUESTED SET-BACK EXHIBIT**  
SCALE: NONE

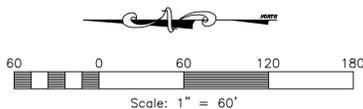
**NOTE:**

- EXISTING BUILDINGS WILL BE REMOVED
- PROPERTY IS NOT IN A FEMA FLOOD ZONE



NORTH QUARTER CORNER OF SECTION 13 TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY.

CENTER CORNER OF SECTION 13 TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY. FOUND DAVIS COUNTY BRASS CAP MONUMENT



# The Cottages at Havenwood

## Ovation Homes, One Level Living at its Best. An Active Adult Subdivision

West Bountiful City, Davis County, Utah

**Developer:**

Ovation Homes  
Brad Frost  
893 N. Marshall Way, #A  
Layton City, UT. 84041  
(801) 564-3898

**Revised: Dec. 21, 2015**

**Project Info.**

Engineer:	N. Reeve
Designer:	C. Cave
Begin Date:	September 14, 2015
Name:	The Cottages at Havenwood
Number:	5061-B50

Sheet	<b>2</b>
<b>1</b>	Sheets

REVISIONS	DESCRIPTION

**The Cottages at Havenwood**  
PART OF THE NE 1/4 OF SECTION 13, T.2N., R.1W., S.11B. & M., U.S. SURVEY  
WEST BOUNTIFUL CITY, DAVIS COUNTY, UTAH

**Preliminary Plan**

**Reeve & Associates, Inc.**  
920 CHAMBERS STREET, SUITE 14, OGDEN, UTAH 84403  
TEL: (801) 621-2100 FAX: (801) 621-2666 www.reeve-assoc.com  
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS  
ARCHITECTS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

# *WEST BOUNTIFUL CITY POLICE DEPARTMENT*

550 North 800 West  
West Bountiful, Utah 84087  
Office 801- 292-4487/Fax 801 - 294-3590

Todd L. Hixson  
Chief of Police

Kenneth Romney  
Mayor

## **West Bountiful City Council Report February 16, 2016**

Statistics are from January, 2016; the other information reported is collected between council meetings.

### **Reserve Officer Program**

We just completed the background investigation on potential voluntary reserve police officer. We are ready to give a conditional offer and move forward with the rest of the testing process.

### **Alcohol Officer Program**

We are about to complete the background of a potential part time alcohol enforcement officer. Upon completion, if everything is ok we will give a conditional offer and move forward the rest of the testing process.

### **Crossing Guards**

Our crossing guards continue to do a great job serving the community.

### **Personnel**

Testing for the sergeant promotion list will be complete on February 16, 2016 with the ranking of the candidates know at that time.

### **EMPAC**

The next EmPAC meeting will be February 17, 2016 at 5:30 pm.

### **General Information**

The confusion surrounding the accident involving Officer Braegger on December 31, 2015 has been cleared up. The driver of the other vehicle has been issued a citation and the insurance company said they will move forward with repairing our vehicle.

Lt. Hamilton's vehicle has been repaired and is back in service.

# West Bountiful Police Department

## Department Summary

1/1/2016 to 1/31/2016

<b>Arrests</b>	<b>10</b>	
Adult	9	90.0%
Juvenile	1	10.0%

<b>Activities</b>	<b>1,277</b>	
Admin	193	15.1%
Assist	102	8.0%
Community Relations	10	0.8%
Deaths	1	0.1%
Investigation	45	3.5%
Patrol	107	8.4%
Property	7	0.5%
Security	564	44.2%
Service Call	62	4.9%
Suspicious Activity	39	3.1%
Traffic	139	10.9%
Vehicle Accident	8	0.6%

<b>Shift Time and Percent Accounted</b>	<b>1073 hr. 59 min.</b>	<b>55.6%</b>
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<b>Reports</b>	<b>147</b>	
CITATION REPORT	30	20.4%
INCIDENT REPORT	71	48.3%
OFFICER INFORMATION	44	29.9%
POLICE VEHICLE IMPOUND	2	1.4%

# Department Summary

## Crime Offenses

34

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ASSAULT	2	5.9%
BURGLARY	5	14.7%
DAMAGE PROPERTY	1	2.9%
DANGEROUS DRUGS	2	5.9%
DEATH/INJURY	1	2.9%
FAMILY OFFENSE	3	8.8%
FRAUD	1	2.9%
PRIVACY VIOLATIONS	1	2.9%
PUBLIC PEACE	1	2.9%
ROBBERY	1	2.9%
SEX ASSAULT	1	2.9%
SEX OFFENSE	2	5.9%
STOLEN VEHICLE	2	5.9%
THEFT	3	8.8%
TRAFFIC OFFENSE	4	11.8%
WARRANT SERVICE	3	8.8%
WEAPON OFFENSE	1	2.9%

## Accidents

7

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## Citation Violations

39

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DUI	1	2.6%
Fix it	3	7.7%
Misdemeanor	7	17.9%
Traffic	21	53.8%
Warning	7	17.9%

1 **West Bountiful City** **PENDING APPROVAL** **February 9, 2016**  
 2 **Planning Commission**

3

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice  
 5 website and the West Bountiful City website, and sent to Clipper Publishing Company on  
 6 February 5, 2016 per state statutory requirement.

7 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**  
 8 **February 9, 2016, at West Bountiful City Hall, Davis County, Utah.**

9

10 **Those in Attendance:**

11

12 **MEMBERS PRESENT:** Vice Chairman Terry Turner, Laura  
 13 Charchenko, Mike Cottle, Alan Malan, Corey Sweat (Alternate)

14

15 **MEMBERS EXCUSED:** Chairman Denis Hopkinson, Councilmember  
 16 Andy Williams

17

18 **STAFF PRESENT:** Ben White (City Engineer), Cathy Brightwell  
 19 (Recorder) and Debbie McKean (Secretary)

20

21 **VISITORS:** Gary Jacketta, Nick Thiros, Spencer Terrill, Tracie Terrill,  
 22 Caleb White.

23

24 The Planning Commission Meeting was called to order at 7:30 p.m. by Vice Chairman Terry  
 25 Turner. Mike Cottle gave a prayer.

26 **I. Accept Agenda.**

27 Vice Chairman Turner reviewed the agenda. Mike Cottle moved to accept the agenda as posted.  
 28 Alan Malan seconded the motion and voting was unanimous.

29

30 **Business Discussed:**

31 **II. Consider Conditional Use Application for a Structure That Exceeds Standard Zoning**  
 32 **Height at 1070 West 600 North**

33 Included in the Commissioner's Packet was a memorandum dated February 5, 2016 from Ben  
 34 White regarding Thiros-Accessory Building Conditional Use Permit to construct a detached

35 garage on his property located at 1070 West 600 North with height of approximately 22 feet, a  
 36 site plan with measurement worksheet, and the conditional use permit application from John  
 37 Thiros.

38 **The Staff memorandum included the following information:**

- 39 • Applicant's desire to build a detached garage located at 1070 West 600 North
- 40 approximately 22 feet high and 42 x 60 foot structure.
- 41 • Property depth is 175 feet.
- 42 • Code language for Section 17.20.060 regarding accessory structures in the R-1-22 zone.
- 43 • There is a 10' easement along the north lot line with power utility lines overhead just
- 44 north of the rear property line.
- 45 • There is a similar accessory structure next door to the one Mr. Thiros is proposing.
- 46 • Affirmative findings.
- 47 • Staff suggestions for a motion.

48 Ben White introduced the Conditional Use Permit for John Thiros who desires to build a  
 49 structure higher than the 20 foot minimum required in the R-1-22 zone. Applicant was called to  
 50 the stand.

51 Laura Charchenko asked why they wanted to build so close to the property line (3 feet)? Alan  
 52 Malan inquired if there were easements on any side other than the back side of the property.

53 **ACTION TAKEN:**

54 *Corey Sweat moved to approve the conditional use permit for John Thiros at 1070 West 600*  
 55 *North for an accessory structure with a maximum height of 24 feet with the following*  
 56 *affirmative findings: proposed use will not be detrimental to the health, safety, or general*  
 57 *welfare of persons residing in the vicinity, use will not inordinately impact schools, utilities,*  
 58 *and streets in the area, use will provide for appropriate buffering of uses and buildings, and*  
 59 *the use of building materials which are in harmony with the area and compatible with*  
 60 *adjoining uses, and the proposed use will comply with the regulations specified in the R1-22*  
 61 *zoning ordinance. Alan Malan seconded the motion with voting unanimous in favor.*

62

63 **III. Staff Report**

64 **Ben White reported:**

- 65 • Update on Ivory Home's request to modify the B-U zone. Ben met with them to discuss
- 66 the project and showed them the earlier Legacy Down's layout. They struggled with the

67 lower density and thought an open space model fit their plans more than a strong  
68 equestrian based model.

- 69 • Olsen Phase 5A, a two lot subdivision, will have a public hearing at the next meeting.
- 70 • Construction on Pages Lane will begin in the next two weeks with a finishing date the  
71 end of June. Pages Lane will remain open during most the construction with reduced  
72 traffic lanes in the area of active construction. There will be a few days that the road will  
73 need to be closed during the day when the lay asphalt.
- 74 • Ben explained some of what will happen on the 400 North to Main Street road  
75 construction and waterline replacement.
- 76 • We hope to have an Ovation Homes update in two weeks.

77 **Cathy Brightwell reported:**

- 78 • She has copies for everyone for the Land Use training handout with all the courses listed  
79 and recommended Commissioners listen to those of interest to them.

80

81 **IV. Approval of Minutes for January 26, 2016**

82 **ACTION TAKEN:**

83 **Laura Charchenko moved to approve the minutes dated January 26, 2016 as presented.**  
 84 **Corey Sweat seconded the motion and voting was unanimous in favor among those**  
 85 **members present.**

86

87 **V. Adjournment**

88 **ACTION TAKEN:**

89 **Alan Malan moved to adjourn the regular session of the Planning Commission meeting at**  
 90 **7:47 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.**

91 .....

92

93 The foregoing was approved by the West Bountiful City Planning Commission on February 23, 2016, by  
94 unanimous vote of all members present.

95 \_\_\_\_\_

96 Cathy Brightwell - City Recorder

97

1  
2 **Minutes of the West Bountiful City Council meeting held on Tuesday, February 2, 2016 at**  
3 **West Bountiful City Hall, 550 N 800 West, Davis County, Utah.**

4  
5 Those in attendance:

6  
7 **MEMBERS:** Mayor Ken Romney, Council members James Ahlstrom, James Bruhn,  
8 Kelly Enquist, Mark Preece, and Andrew Williams

9  
10 **STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Ben White  
11 (City Engineer), Chief Hixson, Steve Maughan (Public Works Director), Paul Holden  
12 (Director of Golf), Josh Virostko (Golf Superintendent), and Cathy Brightwell (City  
13 Recorder/Secretary)

14  
15 **VISITORS:** Alan Malan, John Thackeray, Read Hellewell, Randy Elliott, Susie Becker,  
16 Chief Jeff Bassett, Troop 1039 Scouts – Matt Brady, Zachary Hoskins, Hayden Bohman,  
17 Kaden Gerber, Christopher Deden, Mason Erickson, Mike Call, Trace Boggess, Bradden  
18 Boggess, Jake Jensen, Tate Evans, Chad Feinauer, Eric Montenegro.

19  
20  
21 Mayor Romney called the regular meeting to order at 7:32 pm.

22  
23 Invocation/thought – Mark Preece; Pledge of Allegiance – Andy Williams

24  
25  
26 **1. Accept Agenda.**

27  
28 The order of the agenda was changed so that Item 5 follows Item 2.

29  
30 **MOTION:** *Mark Preece moved to approve the agenda as amended. James Ahlstrom*  
31 *seconded the Motion which PASSED by unanimous vote of all members*  
32 *present.*

33  
34  
35 **2. Public Comment.**

36  
37 There were no public comments.

38  
39  
40 **3. Public Hearing To Receive Public Comments Regarding Proposed Amendments to**  
41 **the FY 2016 Budget.**

42  
43 **MOTION:** *James Ahlstrom moved to open the public hearing. James Bruhn*  
44 *seconded the Motion which PASSED by unanimous vote of all members*  
45 *present.*

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**No comments were received.**

**MOTION:** *James Ahlstrom moved to close the public hearing. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

**4. Consider Resolution 381-16, A Resolution Amending the FY 2015-2016 Budget.**

Duane Huffman confirmed that the proposed amendments in this Resolution are the same as discussed two weeks ago. He commented that additional changes will be necessary later in the year to adjust golf maintenance staffing costs, repair the water line under Legacy highway, and possibly adjust the snow plowing budget to purchase more salt and blades if the snow continues. He explained that we invoiced the Legacy water line repair to UDOT and they have so far declined to pay.

He also took this opportunity to welcome Josh Virostko as the new golf course superintendent effective February 1.

**MOTION:** *Andy Williams moved to approve Resolution 381-16, A Resolution Amending the FY 2015-2016 Budget. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye  
James Bruhn - Aye  
Kelly Enquist – Aye  
Mark Preece – Aye  
Andrew Williams - Aye

**5. Presentation by Zion’s Bank Public Finance of 2016 Cost-Benefit Analysis for The Commons at West Bountiful.**

Duane Huffman reviewed the background of the Commons Development and the Participation Agreement which included sales tax sharing, and a request by the developer to continue sharing sales tax. He explained that before sales tax sharing could begin back in 2007, state law required a cost/benefit analysis to be completed. With ten years worth of history now, he explained that Zion’s Bank Public Finance was recently asked to perform an updated cost/benefit analysis to help provide additional context to the developers’ request for an extension of the sales tax sharing period. He pointed out that this exercise is not to determine if sales tax sharing should be continued – that is a policy question – but only to look at the cost/benefit analysis.

Susie Becker, Zion’s Bank, distributed a summary of the report. The first year of increment collections was 2007 and included 50% of incremental property taxes to the Redevelopment Agency. The division of sales tax was split with 43% of Phase 1 going to the

89 RDA, 36% of Phase 2 to the RDA, and 14% of both Phases to Bountiful City. Updated  
90 projections only included developer payments potentially extending through 2026 (20 years). She  
91 explained how the expenses were allocated and noted that one time fees such as impact fees were  
92 not included.

93 Ms. Becker reviewed the actual revenues and sales tax revenues in her handout for periods  
94 2007 – 2014, and provided net present value projections for 2015-2026. Her observations were  
95 that the net revenues are highly dependent on sales tax growth rate; the area is largely built out  
96 with no known development plans in the near term; and the historic sales tax growth rate from  
97 2009 – 2014 averaged 4 percent per year.

98 Mayor Romney thanked Ms. Becker for the good information. He said they will need some  
99 time to digest the report and ask questions before policy decisions are made. He asked Duane  
100 Huffman, Steve Doxey, and John Thackeray to get together to come up with a timeline keeping in  
101 mind the deadline is March.

102  
103

104 **6. Discuss Location and Associated Improvements for Basketball Court at City Park.**

105 Duane Huffman provided background on the City's plans to build a basketball court. The  
106 City has been awarded a grant of \$25k from the Utah Jazz/Larry H. Miller Charities to build a new  
107 basketball court, with the intent being to do so this spring.

108 Mr. Huffman noted that in order to get bids out in time to build the court before summer,  
109 staff is looking for direction from Council on two issues.

110

- 111 1. Location of Court. Mr. Huffman referred to a map of the Park with four options  
112 highlighted. He recommended consideration be given to proximity to homes,  
113 preserving usable grassy areas, placement of future improvements such as  
114 pickleball/tennis courts, and safety. The pros and cons of each option were discussed.  
115 Option A - west of new playground; Option B - south end of Park near Pages Lane;  
116 Option C - southeast of large bowery; Option D - northwest corner of the Park.

117

118 *The consensus of Council was to go with Option A.*

119

- 120 2. Additional Improvements. Before sending the Project out to bid, it would be helpful to  
121 note any improvements to be associated with the new basketball court. Following  
122 discussion, a straw poll resulted in the following determinations:

123

124

125

126

127

128

- A. Lighting – Not at this time.
- B. Fencing – No fencing at this time, but will review once the court is complete to see if there is a problem, as fencing may be desired on the south property line.
- C. Drinking Fountain – Yes
- D. Benches, Trash cans – Yes

129           There was also discussion about adding boweries near the new playground. Mr. Huffman  
130 will put information together along with other potential uses for future RAP funds. There was also  
131 a desire to put together a tree planting scheme along the property lines near the new basketball  
132 court and by the baseball fields.

- 133  
134 **7.       Engineering/Public Works Report**  
135  
136       - Ben White reported that the 1200 North storm drain project is moving slowly due to  
137       the mud, and a Pages Lane preconstruction meeting will be held on Thursday  
138       - Steve Maughan reported that with all the recent snow they are busy doing a lot of  
139       equipment maintenance including replacing snow plow blades, to make sure everything  
140       is running smoothly and ready for future storms.

- 141  
142  
143 **8.       Administrative Report.**  
144  
145       The ULCT Municipal training (newly elected training) will be held in Salt Lake this  
146 Saturday with Duane Huffman and Council member Williams attending.  
147       Mr. Huffman noted that participation has been decreasing over the past two years at our  
148 spring and fall clean-ups at City Park and we are wondering if it makes sense to continue with  
149 both especially since neither clean-up provides on-site green waste disposal. We have also noticed  
150 a strain on the north parking lot, especially in the spring when baseball is going on and we expect  
151 to get more use with the new playground and future basketball court there. Should we cut back to  
152 one per year, and if so which one? Is there something we can do in lieu of spring clean-up? There  
153 was discussion about the advantages and disadvantages of cutting back and suggestions that if we  
154 do, it will be important to continue the free green waste drop off at the landfill as our residents  
155 really appreciate it.

- 156  
157  
158 **9.       Mayor/Council Reports.**  
159  
160       James Ahlstrom – No report.  
161  
162       Mark Preece –  
163       The Youth Council held a fundraiser last month collecting food items for Pantry Packs  
164 which are given to needy school children who may not have access to meals when not in school.  
165 There was a decent response from residents, and the Elks Club brought two truck full's of food  
166 and a cash donation.  
167       South Davis Sewer is still working on its methane gas facility and watching legislation that  
168 may affect them.  
169  
170       James Bruhn –  
171       The new Wasatch Integrated waste facility is running well; the \$8m upgrade is starting to  
172 payback by producing more steam than ever.

173 He added that he will be attending the National Rural Water Conference in Washington  
174 D.C. next week.

175  
176 Andrew Williams  
177 Planning Commission continued discussion on Ivory Homes' request for a zone change but  
178 decided they would not recommend the change to city council. Plans for a similar development in  
179 2008 were pulled out and staff was asked to share them with Ivory.

180  
181 Kelly Enquist  
182 A mosquito abatement meeting is scheduled for Thursday. He will see about getting a  
183 speaker to come talk about no spray zones.

184  
185 Mayor Romney  
186 He welcomed Chief Bassett and reported that things are going well with Metro Fire. He  
187 introduced Randy Elliott in the audience who is running for County Commission to fill  
188 Commissioner Petroff's seat.

189  
190 **10. Approval of Minutes from the January 19, 2016 City Council Meeting.**

191  
192 **MOTION:** *James Bruhn moved to approve the minutes from the January 5, 2016*  
193 *meeting. Mark Preece seconded the Motion which PASSED by*  
194 *unanimous vote of all members present.*

195  
196  
197 **11. Possible Executive Session for the Purpose of Discussing the Character, Professional**  
198 **Competence, or Physical or Mental Health of an Individual, Pursuant to Utah Code**  
199 **Annotated 52-4-205(1)(a), and 52-4-205(1)(d) to discuss the purchase, exchange, or**  
200 **lease of real property.**

201  
202 **MOTION:** *Mark Preece moved to go into executive session in the police training*  
203 *room pursuant to Utah Code Annotated 52-4-205(1)(d) to discuss the*  
204 *purchase, exchange, or lease of real property. James Bruhn seconded the*  
205 *Motion which PASSED.*

206  
207 The vote was recorded as follows:

208 James Ahlstrom – Aye  
209 James Bruhn - Aye  
210 Kelly Enquist – Aye  
211 Mark Preece – Aye  
212 Andrew Williams – Aye

213  
214 **MOTION:** *Kelly Enquist moved to adjourn the executive session. James Bruhn*  
215 *seconded the Motion which PASSED by unanimous vote of all members*  
216 *present.*

217  
218

219 **12. Adjourn**

220  
221 **MOTION:** *Mark Preece moved to adjourn this meeting of the West Bountiful City*  
222 *Council at 10:20 p.m. James Bruhn seconded the Motion which PASSED*  
223 *by unanimous vote of all members present.*  
224

225 -----

226  
227 *The foregoing was approved by the West Bountiful City Council on Tuesday, February 2, 2016.*  
228

229  
230 \_\_\_\_\_  
231 Cathy Brightwell (City Recorder)