

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 - AMENDED

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A WORK SESSION AT 6:30 PM
FOLLOWED BY ITS REGULAR MEETING AT 7:30 PM ON TUESDAY, JUNE 4, 2019 AT
CITY HALL, 550 N 800 WEST**

7:30 p.m. Regular Meeting

Invocation/Thought – Kelly Enquist; Pledge of Allegiance – James Ahlstrom

1. Approve the Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Public Hearing – Amendments to Fiscal Year 2018-2019 Budget.
4. Public Hearing –Fiscal Year 2019- 2020 Budget.
5. Consider Request to Defer the Responsibility to Construct Public Improvements for 1636 N 560 W as a Condition of a Building Permit.
6. Consider Request to Defer the Responsibility to Construct Public Improvements for Neuschwander's on 400 North as a Condition of a Building Permit.
7. Consider Approval of Amended Hurdman Subdivision Plat.
8. Follow-up Discussion Regarding Umbrella Catalpa Trees in Park Strip.
9. Consider Purchase Approval for Property Associated with a Trail Connection at 620 W 1950 North for up to \$10,400.
10. Consider Approval of West Bountiful City Hall as West Bountiful's Polling Location for both the 2019 Municipal Primary, if necessary, and General Elections.
11. Discuss Options for Sidewalk Improvements on the East Side of 1100 West.
12. Consider Resolution 453-19, A Resolution Amending the West Bountiful City Employment Policies and Procedures Manual Regarding Accommodations for Pregnant Employees.
13. Consider Resolution 454-19, a Resolution Adopting Interlocal Cooperation Agreement Relating to the Conduct of Community Development Block Grant Program for Federal Fiscal Years 2020, 2021, and 2022.
14. Consider Approval of Minutes from the May 7, 2019 City Council Meeting.
15. Administrative Report.
16. Public Works/Engineering Report.
17. Mayor/Council Reports.
18. Executive Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
19. Adjourn.

Those needing special accommodations can contact Cathy Brightwell at 801-292-4486 24-hrs prior to the meeting.

This amended 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 June 3, 2019.

Minutes of the West Bountiful City Council meeting held on **Tuesday, June 4, 2019** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

MEMBERS: Mayor Kenneth Romney, Council members, James Ahlstrom, James Bruhn, Kelly Enquist, Mark Preece, and Andy Williams

STAFF: Duane Huffman (City Administrator), Todd Hixson (Chief of Police), Ben White (City Engineer), Steve Maughan (Public Works Director), Cathy Brightwell (City Recorder), Dallas Green (Director of Golf)

EXCUSED: Steve Doxey (City Attorney)

VISITORS: Dan Broderick, Gary Jacketta, Curtis Bingham, JoLee Fletcher, Alan Malan

Mayor Romney called the regular meeting to order at 7:31 pm. Kelly Enquist provided an invocation; James Ahlstrom led the Pledge of Allegiance.

1. Approve Agenda

MOTION: *Andy Williams made a Motion to approve the agenda as presented. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

2. Public Comment – two minutes per person, or five minutes if speaking on behalf of a group.

Debbie McKean, representing the Arts Council, provided an update on the 2019 Independence Day celebration. She said the Arts Council appreciates the increase in budget for the event. Fireworks display will be a little longer with the new budget and the Park will take on new look. Canopies will be set up providing a carnival look and festive atmosphere. She distributed assignments for council members and asked that if they trade assignments to let her know. Parade entries are down but Shelly Murphy, the parade chair, is calling past entrants. Council members need to submit parade entries online and arrange for cars.

Council member Ahlstrom thanked her and asked her to let the rest of the group know they appreciate the hard work that goes into this event.

Levi Tuaone, resident, reminded Council he had been here several meetings ago and was disappointed that there was nothing in the recent newsletter about his suggestion to change the name of the city. He believes West Bountiful needs its own name to stand apart from Bountiful City.

Council member Ahlstrom responded that he does not oppose the idea and it could be fun to see what the residents think but he believes it will be difficult to get broad consensus. He's curious what it would cost to change everything. It will take time to get the word out for community buy-in and prepare a cost analysis. He suggested exploring a naming contest for public buy-in.

Mayor Romney asked staff to look at the issue, prepare an outline of what would be involved to change the name, including cost. Then we could see about putting out in newsletter and social media to get some momentum. If there is enough momentum, could put it on election to get vote of people.

Duane Huffman commented this could be a significant project. Before investing a lot of time, we should know if there was consensus among the council to explore the idea. Council member Enquist believes it will be an expense to re-brand everything; council member Williams likes the name, West Bountiful. Mr. Huffman said he will do a cursory review and get back to them.

Mr. Tuaeone said he came here because he didn't know how to proceed. He asked if there was any objection to him distributing little information sheets around town to let people know what he'd like to do and let them think about it. There was no objection.

3. Public Hearing – Amendments to Fiscal Year 2018-2019 Budget.

MOTION: *James Bruhn made a Motion to Open the Public Hearing for Amendments to the FY 2018-2019 Budget. Mark Preece seconded the Motion which PASSED with a vote of 5-0.*

Mr. Huffman reviewed the highlights from the Tentative Budget Message. The biggest changes are in fund transfers to control general fund balance and to ensure that projects are in the correct budget year. The proposal includes an additional \$800K transfer from the general fund to the capital projects funds. The Pages Lane II project, park restroom, and new well all have funding moved from FY 19 to FY 20. There some increases in expenses, for example, the repairs to the Stone Creek well, Bountiful City water, and building inspections. Final updates will be proposed prior to adoption at the next meeting.

There was no public comment.

MOTION: *James Ahlstrom made a Motion to Close the Public Hearing. Mark Preece seconded the Motion which PASSED with a vote of 5-0.*

4. Public Hearing – Fiscal Year 2019 – 2020 Budget

MOTION: *Mark Preece made a Motion to Open the Public Hearing for the FY 2019-2020 Budget. James Bruhn seconded the Motion which PASSED with a vote of 5-0.*

Duane Huffman reviewed the highlights of the tentative budget. Significant capital projects include the public works west yard, and 800 West and Porter Lane road projects, and pickleball. Before the projects proceed, the council will need to have more discussion to determine the scope. He recommends keeping the dollars as placeholders for now.

The budget proposes equipment purchases for police and public works. Election expenses currently include a primary, and we will know if it's needed prior to adopting the budget. There is no proposal for new personnel, but the tentative budget does include an inflation adjustment to the pay scale of 2%.

Since the tentative budget was adopted there have been additional updates: worker's compensation rates have been reduced based on new quotes; proportional allocations of public works

employees to various funds have been updated; fire district contributions are still in development but will likely be lower than current levels; telephone system recommendations are close to be finished.

The largest item still in the works is the property tax rate. Mr. Huffman explained how certified property tax rates are determined according to truth-in-taxation laws. Based on these laws and changes in values of business personal property, homeowners could see fifteen percent increase. Staff estimated the reduction in revenue necessary to keep the average homeowner costs flat to be approximately \$209k. Without action, homeowners would see about \$40/year.

The final budget will be on the agenda for approval on June 18.

There was no public comment.

MOTION: *Andy Williams made a Motion to Close the Public Hearing. Kelly Enquist seconded the Motion which PASSED with a vote of 5-0.*

5. Consider Request to Defer the Responsibility to Construct Public Improvements for 1636 N 560 West as a Condition of a Building Permit.

At its last meeting, the council affirmed that the construction of curb and sidewalk along the street frontage of 560 West was required as part of the building permit for a new house. The Council also acknowledged that they would reconsider the decision based on additional design information based on the flatness of the road.

Ben White stated that a topographic survey of 560 West confirmed what had been speculated. 560 West street is essentially flat between Pages Lane and the cul-de-sac bubble. In order to achieve proper drainage, the entire 350-foot section of road will need to be removed, regraded and reconstructed which is beyond the scope of one homeowner. Additionally, 560 West has a four-inch cast iron water line that needs to be replaced. For these reasons, the Clyde's are asking the City Council to reconsider the requirement to install curb and sidewalk.

Mr. White presented three options. 1) Defer the installation of curb and sidewalk, 2) Council could elect to replace the water line and street now while having the Clyde's participate in the financial cost to install curb and sidewalk along the frontage of their property, or 3) Install the curb, storm drainage and sidewalk along the frontage of the property matching the existing asphalt elevation while providing for as good of drainage as possible.

There was discussion about the options. If the Clyde's place curb only in front of their property, would it resolve the drainage issues? Mr. White indicated it might help but it would not fix the problem. If just the sidewalk is added, it would not match current grades and could be dangerous.

MOTION: *Andy Williams made a Motion to defer the Responsibility to Construct Public Improvements for the Clyde's at 1636 N 560 West. Mark Preece seconded the Motion which PASSED with a vote of 5-0.*

6. Consider Request to Defer the Responsibility to Construct Public Improvement for Neuschwander's on 400 North as a Condition of a Building Permit.

The Neuschwander family has submitted a building permit application to construct a new house on their vacant two-acre parcel located at approximately 1400 W 400 North. They installed water and sewer services while Dominion Energy was working in front of and on their property and completed that work prior to Dominion resurfacing the road to avoid a road cut in front of their future house. Upon review of Neuschwander's building permit application, staff made the

determination that WBMC 15.08.50 is applicable and the installation of curb and sidewalk would be required.

Ben White discussed possible rationale in favor of granting the deferment request. 1) There is not curb or sidewalk within 700 feet on the north side of 400 North. The only curb on 400 North, west of 1100 West, is one lot width at Jessi's Meadow. 2) Most of 400 North has homes already constructed and the likelihood of another property owner on the north side of 400 North being required to install curb on the north side of 400 North in the near future is slim. 3) The street may not look as attractive if there was only one house with curb and sidewalk, 4) Mailbox placement is sometimes problematic, and 5) Traffic safety is often a concern when the street width varies.

Mr. White also offered possible rationale to deny the deferment request. 1) The land parcel is 230 feet wide which represents a considerable section. 2) The parcel is two acres with enough frontage for two houses so it is possible the lot could be subdivided in the future and a second house built. 3) The city standard for streets includes curb and sidewalk. 4) There is on-going discussion about development of the nearby equestrian center.

There was discussion about the options. When development occurs to the west, the road won't be able to handle the traffic. Most homes on that street already have deferral agreements, some from the city and some from the County before they were incorporated as West Bountiful. When the road is redone, agreements can be called due and residents will benefit from larger group pricing.

MOTION: James Ahlstrom made a Motion to Defer the Responsibility to Construct Public Improvements for the Neuschwander's on 400 North as a Condition of a Building Permit. Andy Williams seconded the Motion which PASSED with a vote of 5-0.

7. Consider Approval of Amended Plat for Hurdman's.

Robert Hurdman and Richard Fletcher own the two lots in this plat. In 2014, they agreed to modify their property boundaries to "square up" Lot 1. They modified landscaping and had an amended plat prepared. However, approval and recording the amended plat was overlooked. The two owners are now requesting the City approve the plat amendment to modify property lines in accordance with the Owner's agreement five years ago.

Ben White stated that staff recommends approval of the amended Hurdman subdivision plat. No new lots are created with this amendment, the remaining lots meet the minimum requirements for their R-1-22 zone and previous plat approval, the public easements are unchanged, and the City is the only public entity affected by the plat amendment.

MOTION: James Ahlstrom made a Motion to approve the Amended Plat for Hurdman Subdivision. James Bruhn seconded the Motion which PASSED with a vote of 5-0.

8. Follow-up Discussion Regarding Catalpa Trees in Park Strip.

At the May 7th council meeting staff was asked to research a species of catalpa trees called umbrella catalpas, specifically regarding their status as prohibited in city park strips. This was in

relation to a request from Mr. Robert Luke, 789 W 1950 N, who recently planted nine such trees in the park strip in the front and side his home. At the same meeting, staff asked Mr. Luke for any assistance he could offer regarding the exact species, and he was also asked to trim his older trees as soon as possible.

Duane Huffman summarized his research. He discussed the issue with Assistant Professor Sheriden Hansen who had provided an earlier letter to Mr. Luke that was included in his April 29th packet to city council. She emphasized that umbrella catalpas would only be compatible in a narrow park strip if trimmed completely back each year. If this maintenance occurs, the width of the tree would remain about five feet. If the branches are not trimmed back each year, the tree will reach a width of 15-20 feet, and a total height of 15–20 feet. This size is not compatible for the standard park strips in West Bountiful.

Mr. Huffman also provided information on catalpas from the University of Utah including an image of a mature tree and referenced a YouTube video showing the seasonal growth of a mature tree that has been pruned back titled “Time Lapse Catalpa Tree.”

Also discussed were photos of the overgrown trees in front of Mr. Luke’s home taken on May 30, 2019 showing it is not reasonable to expect such trees to be trimmed back each year.

Mr. Huffman stated that based on the research, as well as Mr. Luke’s failure to perform any maintenance on the older trees since May 7th, staff does not recommend amending the current official tree list to allow umbrella catalpa trees.

There was discussion and council member Ahlstrom added that these trees were clearly not allowed in West Bountiful Park strips at the time they were planted.

Council took no further action to consider amending the official tree list.

9. Consider Purchase Approval for Property Associated with a Trail Connection at 620 W 1950 North for up to \$10,400.

The city has been in discussion with Eric and Lucile Eastman regarding the purchase of land or easement along their northern property line with the intent of extending the Onion Parkway Trail to 600 West. While negotiations are not completely finalized, staff is seeking council approval for purchase of property up to \$10,400 (\$9.59 per square foot). Such approval will allow the city to issue payment once negotiations are concluded and the property is deeded to the city.

MOTION: *James Bruhn made a motion to approve the purchase of property up to \$10,400 (\$9.59 per square foot) for property associated with a trail connection at 620 W 1950 North. Andy Williams seconded the Motion which PASSED with a vote of 5-0.*

10. Consider Approval of West Bountiful City Hall as West Bountiful’s Polling Location for both the 2019 Municipal Primary, if necessary, and General Elections.

MOTION: *James Ahlstrom made a Motion to Approve West Bountiful City Hall as West Bountiful’s Polling Location for the 2019 Elections and Adopt Other Davis County Vote Centers as proposed. Mark Preece seconded the Motion which PASSED with a vote of 5-0.*

11. Discuss Options for Sidewalk Improvements on the East Side of 1100 West.

After HollyFrontier completed sidewalk improvements from 500 South to Millcreek, the city immediately began exploring how to connect the new improvements to existing improvements at 190 North. The original FY 19 budgeted included \$70,000 for asphalt, curb, gutter, and sidewalk funded through street impact fees for such a project, which is not expected to cover the entire cost of the project. Due in part to other city projects competing for staff time and the difficulties of the design, staff did not bid this project earlier this year. Mayor Romney has expressed a desire for some level of improvements to be installed for the 2019/2020 school year to increase the safety of children traveling from the area to the elementary school. Staff has developed three options for how to move forward. The first option is to bid the project using the standard bid process. Second option is to obtain quotes from trusted contractors doing projects in the area, and the third option is to pare down the project to only extend the asphalt to create a walking path similar to other sections of 1100 West without completing other improvements

There was discussion of the options. This section is different than areas farther north on 1100 West because there is not an asphalted walking space, but there is existing sidewalk and curb to connect to.

Ben White was asked to get cost estimates from the three contractors currently doing work for the city. This could be considered an emergency change order and would be competitive due to the efficiency of them already here working. He believes the project could probably be completed this year.

12. Consider Resolution 453-19, A Resolution Amending the West Bountiful City Employment Policies and Procedures Manual Regarding Accommodations for Pregnant Employees.

MOTION: *Andy Williams made a Motion to Adopt Resolution 453-19 Amending the West Bountiful City Employment Policies and Procedures Manual Regarding Accommodations for Pregnant Employees. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye

Mark Preece – Aye

James Bruhn – Aye

Andy Williams – Aye

Kelly Enquist – Aye

13. Consider Resolution 454-19, A Resolution Adopting Interlocal Cooperation Agreement Relating to the Conduct of Community Development Block Grant Program for Federal Years 2020, 2021 and 2022.

Readopt

MOTION: *James Bruhn made a Motion to Adopt Resolution 454-19 Readopting the Interlocal Cooperation Agreement Relating to the Conduct of Community Development Block Grant Program for Federal years 2020, 2021, and 2022. James Ahlstrom seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye	Mark Preece – Aye
James Bruhn – Aye	Andy Williams – Aye
Kelly Enquist – Aye	

14. Consider Approval of Minutes from the May 7, 2019 City Council Meeting.

MOTION: *James Ahlstrom made a Motion to Approve the Minutes from the May 7, 2019 City Council Meeting as presented. Kelly Enquist seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye	Mark Preece – Aye
James Bruhn – Aye	Andy Williams – Aye
Kelly Enquist – Aye	

15. Administrative Report.

- We are working on a joint letter with Woods Cross City to the Permanent Community Impact Fund Board regarding a study for an above-grade train crossing on 500 South.
- We are working on issuing a request for proposals related to financial advisor services. In working on west yard, we have found we could use some financial advice.
- Candidate filing period through Friday this week. As of today, we have two candidates. If we get more than six, a primary election will be needed.

16. Public Works/Engineering Report.

- City hall parking lot construction will begin soon. By the next city council meeting, we may be parking in the school lot to the south.
- Construction of the new park restroom/snack shack is expected to begin July 15.
- Jessi's Meadow project – the contractor is struggling to change out bolts and valves in the water line. We discovered that about half of the thrust block boxes were missing in the initial water line. They plan to start milling the road next week.
- Mtn. View Estates – they are pouring concrete on 1100 West, probably will not be paving for 6-8 weeks, which will require significant work on dust control.
- McKean Meadows – They are pouring concrete and prepping the trail to Prospector trail. The road will be re-paved due to unacceptable work last fall.
- Highgate is prepping for road work.
- Stone Creek well is up and running – 250 gallon/min, which is double the previous water flow. We are in the process of making sure it's clean before turning it into system.
- Ordered new brackets/banners for celebration flags for 800 West and Pages Ln.
- Power meter for Park safety lights should be set this week.
- Working on Pages Lane construction punch list – anxious to get it done. Weather needs to warm up before they can overlay the road. Have not finalized true-up numbers yet.
- Removed safety nets at the park due to safety concerns. Wind bent the poles so we are looking at other options for next year.

- Council member Bruhn asked about weeds on Onion Parkway trail – Steve said they have been spraying

17. Mayor/Council Reports.

James Ahlstrom – no report.

Mark Preece – reported on the fire in his neighborhood on 600 West. Power was out until noon the next day for the surrounding area. They are still working on installing a new power pole.

James Bruhn – There will be an open house for the new transfer station. They are building a new education center between the transfer station and recycling center.

Andy Williams – Interviews begin tomorrow for the new youth city council. An end of term party/welcome party will be held on Saturday. He also reported he has received calls about rumors of contaminated dirt at the equestrian center.

Kelly Enquist – no report.

Mayor Romney – There was a near drowning at the Rec Center last week; lifeguards saved the child. Reminded council members to register for the parade (entry forms are on the website). Thanked Duane for his hard work with Fire Department budget.

18. Executive Session for the Purpose of Discussion Items as Allowed Pursuant to UCA 52-4-205(1)(a) and (d).

MOTION: *James Ahlstrom made a Motion to Move into Executive Session in the Police Training Room at 9:15 pm for the purpose of discussing (1) the character, professional competence, or physical or mental health of an individual, and (2) the purchase, exchange, or lease of real property. Andy Williams Seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye	Mark Preece – Aye
James Bruhn – Aye	Andy Williams – Aye
Kelly Enquist – Aye	

MOTION: *James Ahlstrom made a Motion to close the Executive Session at 9:43 pm. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

19. Adjourn.

MOTION: *Mark Preece made a Motion to Adjourn this meeting of the City Council at 9:45 p.m. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council on June 18, 2019 by unanimous vote of all members present.


Cathy Brightwell (City Recorder)



WEST BOUNTIFUL CITY

**Statement Regarding Closed Meeting of City Council
June 4, 2019**

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

I, Ken Romney, hereby affirm as follows:

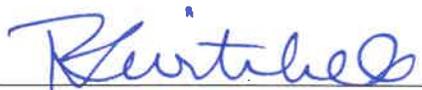
1. I am the Mayor of West Bountiful City, and make the following averments based on personal knowledge.
2. I presided at a duly noticed meeting of the West Bountiful City Council on June 4, 2019.
3. Upon motion and a unanimous vote, the City Council closed the regular meeting and moved the meeting to the police training room for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual, pursuant *Utah Code Ann.* § 52-4-205(1)(a)
4. Upon conclusion of that discussion, the Council resumed its open meeting.

DATED this 13th day of June, 2019.



Kenneth Romney, Mayor

SUBSCRIBED AND SWORN TO before me this 13 day of June, 2019.



Patrice Twitchell,
Notary Public

