

**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 AGENDA #2

**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 18, 2019 AT CITY HALL, 550 N 800 WEST**

6:30 p.m. Work session to Discuss FY 2018/2019 Budget Amendment and FY 2019/2020 Budget

7:30 p.m. Regular Meeting

*Invocation/Thought – James Ahlstrom; Pledge of Allegiance – Mark Preece*

1. Approve the Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Consider Resolution 455-19, A Resolution Enacting the 2<sup>nd</sup> Amendment to the Fiscal Year 2018-2019 Budget.
4. Consider Resolution 456-19, A Resolution Adopting the West Bountiful City Budget and Property Tax Rate for the Fiscal Year 2019-2020.
5. Consider Award of 1100 West Sidewalk Project.
6. Consider Purchase Approval for Three 2020 Ford Explorers for a Total of \$100,209.
7. Open Meeting Training.
8. Consider Approval of Minutes from the June 4, 2019 City Council Meeting.
9. Police Report.
10. Public Works/Engineering Report.
11. Administrative Report.
12. Mayor/Council Reports.
13. Executive Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
14. 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 17, 2019.*



# MEMORANDUM

**TO:** Mayor and City Council

**DATE:** June 17, 2019

**FROM:** Duane Huffman

**RE:** **Follow-up: 1100 W Sidewalk Options**

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This item was discussed at the June 4<sup>th</sup> council meeting. This memo updates options related to connecting street improvements on the east side of 1100 W between Millcreek and 190 N.

## Background

After HollyFrontier completed street and sidewalk improvements from 500 S to Millcreek, the city immediately began exploring how to connect the new improvements to existing improvements at 190 N. The original FY 19 budgeted included \$70,000 for asphalt, curb, gutter, and sidewalk funded through street impact fees for such a 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 the following three options.

## Options

1. Bid the project using the standard bid process (likely with a larger project like 800 W). Now that the design is complete, staff believes that this project will exceed the budgeted \$70,000, and will likely be closer to \$110,000-\$120,000. Generally, a formal sealed competitive bid process is used for projects over \$50,000. Staff believes that using this process now will likely result in the project being completed in 2020.
2. Move forward now as an emergency project (it is still unlikely that the road will be paved before the beginning of the school year). The city was able to obtain quotes from two contractors doing projects for the city (the third did not respond). The lowest quote is for \$124,363.89 from M.C. Green & Sons, Inc. In reviewing the unit prices, staff believes it is a reasonable quote.
3. Extend asphalt without completing other improvements. If the project was pared down to just include new asphalt to create a walking path similar to other sections of 1100W, the cost would be closer to \$37,000, which is below the level required for competitive bidding. Staff believes that some of the asphalt installed in this scenario will be replaced if curb and sidewalk is eventually installed. In addition, connecting the sections of sidewalks seems a safer route than the widened asphalt.



**m.c. green & sons, inc.**  
**GENERAL CONTRACTORS**

150 NORTH 1050 WEST - CENTERVILLE, UTAH 84014  
 PHONE: 801-298-2988 • FAX: 801-298-2697  
 www.mcgreen.net

<b>To:</b> West Bountiful City	<b>Contact:</b>
<b>Address:</b> 550 North 800 West West Bountiful, UT 84087 USA	<b>Phone:</b> (801) 292-4486 <b>Fax:</b> 801-292-6355
<b>Project Name:</b> 1100 West Shoulder Work 2018	<b>Bid Number:</b>
<b>Project Location:</b>	<b>Bid Date:</b>

Thank you for the opportunity to bid on your project. Please call with any questions.  
 Office: 801-298-2988

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
1	Mobilization	1.00	EACH	\$2,500.00	\$2,500.00
2	Clear & Grub, Tree Removal	1.00	LS	\$12,790.00	\$12,790.00
3	Excavate Shoulder	5,597.00	SF	\$3.98	\$22,276.06
4	Install 12" Borrow, 8" Base, Geotech Fabric	5,597.00	SF	\$3.65	\$20,429.05
5	Install 5" Asphalt	4,320.00	SF	\$3.94	\$17,020.80
5	Install 30" Curb & Gutter	511.00	SF	\$19.45	\$9,938.95
6	Install 4" Sidewalk(Assumed 4' Wide) With 6" Base	2,044.00	SF	\$6.97	\$14,246.68
7	Install Drive Approach With Roadbase	4.00	EACH	\$2,600.00	\$10,400.00
8	Landscape Repair, Sidewalk Backfill, Etc.	1.00	LS	\$4,500.00	\$4,500.00
9	New Inlet Box	1.00	EACH	\$2,985.00	\$2,985.00
10	New 15" RCP Assumed	35.00	LF	\$74.21	\$2,597.35
11	New Storm Drain Box On Existing	1.00	EACH	\$4,680.00	\$4,680.00

**Total Bid Price: \$124,363.89**

**Notes:**

- Surveying and layout excluded.
- This bid is valid for a period of 30 days.
- Excludes any utility relocations including power poles.
- Excludes roadway striping.

<p><b>ACCEPTED:</b>          The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p><b>Buyer:</b> _____</p> <p><b>Signature:</b> _____</p> <p><b>Date of Acceptance:</b> _____</p>	<p><b>CONFIRMED:</b>  <b>M.C. Green &amp; Sons, Inc.</b></p> <p><b>Authorized Signature:</b> _____</p> <p><b>Estimator:</b> _____</p>
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2133 West 2425 South  
 Woods Cross, UT 84087  
 Phone: (801) 521-3005  
 Fax: (801) 532-5544

<b>To:</b> West Bountiful City	<b>Contact:</b> Ben White
<b>Address:</b> West Bountiful City	<b>Phone:</b>
	<b>Fax:</b>
<b>Project Name:</b> 1100 West Street Widening	<b>Bid Number:</b> 1
<b>Project Location:</b> 11 S 1100 W, West Bountiful, UT	<b>Bid Date:</b> 6/5/2019

Thank you for the opportunity to bid on this project.

Item Description	Estimated Quantity	Unit	Unit Price	Total Price
Mobilization	1.00	LS	\$19,250.00	\$19,250.00
Concrete Removal	300.00	SF	\$5.25	\$1,575.00
Trim And Demolish Trees And Grind Stumps	1.00	LS	\$6,500.00	\$6,500.00
Relocate Mailbox To Park Strip	1.00	EACH	\$500.00	\$500.00
30" Concrete Curb And Gutter	512.00	LF	\$35.00	\$17,920.00
Excavate And Repair Soft Subgrade Spots	20.00	SY	\$115.00	\$2,300.00
5" Thick Asphalt, Excavation, And Base Materials	500.00	SY	\$75.00	\$37,500.00
Adjust Manhole To Grade	1.00	EACH	\$575.00	\$575.00
4" Thick Concrete Sidewalk	1,750.00	SF	\$7.25	\$12,687.50
6" Thick Concrete Sidewalk, Drive Approach, And Driveway	1,000.00	SF	\$8.95	\$8,950.00
Storm Drain Box And 10" Pipe Extension	1.00	LS	\$5,500.00	\$5,500.00
8" Storm Drain Pipe, Fittings And Slope Protection	1.00	LS	\$6,900.00	\$6,900.00
Relocate Water Meter To Park Strip	1.00	EACH	\$1,250.00	\$1,250.00
Chain Link Fence Repair	1.00	LS	\$950.00	\$950.00
Front Yard Sod Repair	1,600.00	SF	\$4.00	\$6,400.00
Park Strip Topsoil, Sod, And Sprinkler	900.00	SF	\$4.00	\$3,600.00
Private Property Grading And Topsoil	2,500.00	SF	\$2.75	\$6,875.00
<b>Total Price for above Items:</b>				<b>\$139,232.50</b>

**Total Bid Price: \$139,232.50**

**Notes:**

- Wind River Excavation may use automated GPS equipment to verify existing and proposed grades as we progress through the project as compared to the bid set of the plans. To effectively use GPS, Wind River would need 5 control points provided by the GC or GC's surveyor (these can be the same property corner points used by the GC).
- Street sweeping and dust control for Wind River's work only is included. This will be done while Wind River is on site.
- Unless noted otherwise, trench backfill will be with native material. No import of trench backfill is included in this quotation. All on-site material is considered suitable for site backfill.
- Trench drains, vapor barrier, and dewatering of any kind are excluded.
- Snow, frost, and mud removal is not included as part of this contract. If snow, frost, and mud removal is done by Wind River Excavating it will be charged on an hourly basis. Furnishing or installing insulation blankets for any purpose is not included.
- Permits, Fees, Testing, Inspections, Layout and Construction Staking are by others.
- Any Additional loads of gravel for track out pads, laydown areas or site trailers will be extra.
- Construction water will be provided at the site, at no charge, by others including the hydrant meter provided by the city.
- SWPPP installation and maintenance will be done by others unless specifically provided for in the bid items.
- Backfill of voids or holes caused by demolition of existing structures is excluded unless specifically provided for in the bid items above.
- All asphalt patching and paving is by others unless specifically provided for in the bid items.
- Delay charges stemming from lost time and production due to time waiting for answers, work area not ready when promised or other contractors encroaching in our assigned area will be billed at a rate of \$500.00 per hour for each crew idled.

# MEMORANDUM



**TO:** Mayor and City Council

**DATE:** June 17, 2019

**FROM:** Duane Huffman

**RE:** **Expenditure Approval**

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The city's procurement code requires that certain expenditures of \$10,000 or more first be approved by the city council. Approval is requested for the following:

1. Police Vehicles

The FY 20 budget contains funding for a police vehicle plan that includes the purchase of three new patrol vehicles. The police department needs approval now to place the order for these vehicles to avoid shipment delays. Each 2020 Ford Explorer (police package) costs \$33,403, for a total order of \$100,209.

# UTAH OPEN & PUBLIC MEETINGS ACT

UTAH CODE ANN. §52-4-101 et seq.

Annual Training Per UCA §52-4-104

# Declaration of Public Policy

- West Bountiful City exists to aid in the conduct of the people's business.
  - **Actions will be taken openly**
  - **Deliberations will be conducted openly**

ALL THOSE IN FAVOR OF WHAT WE DISCUSSED IN OUR E-MAIL THREAD AND AT LARRY'S SON'S BIRTHDAY PARTY SAY 'AYE'

'Aye'

'Aye'

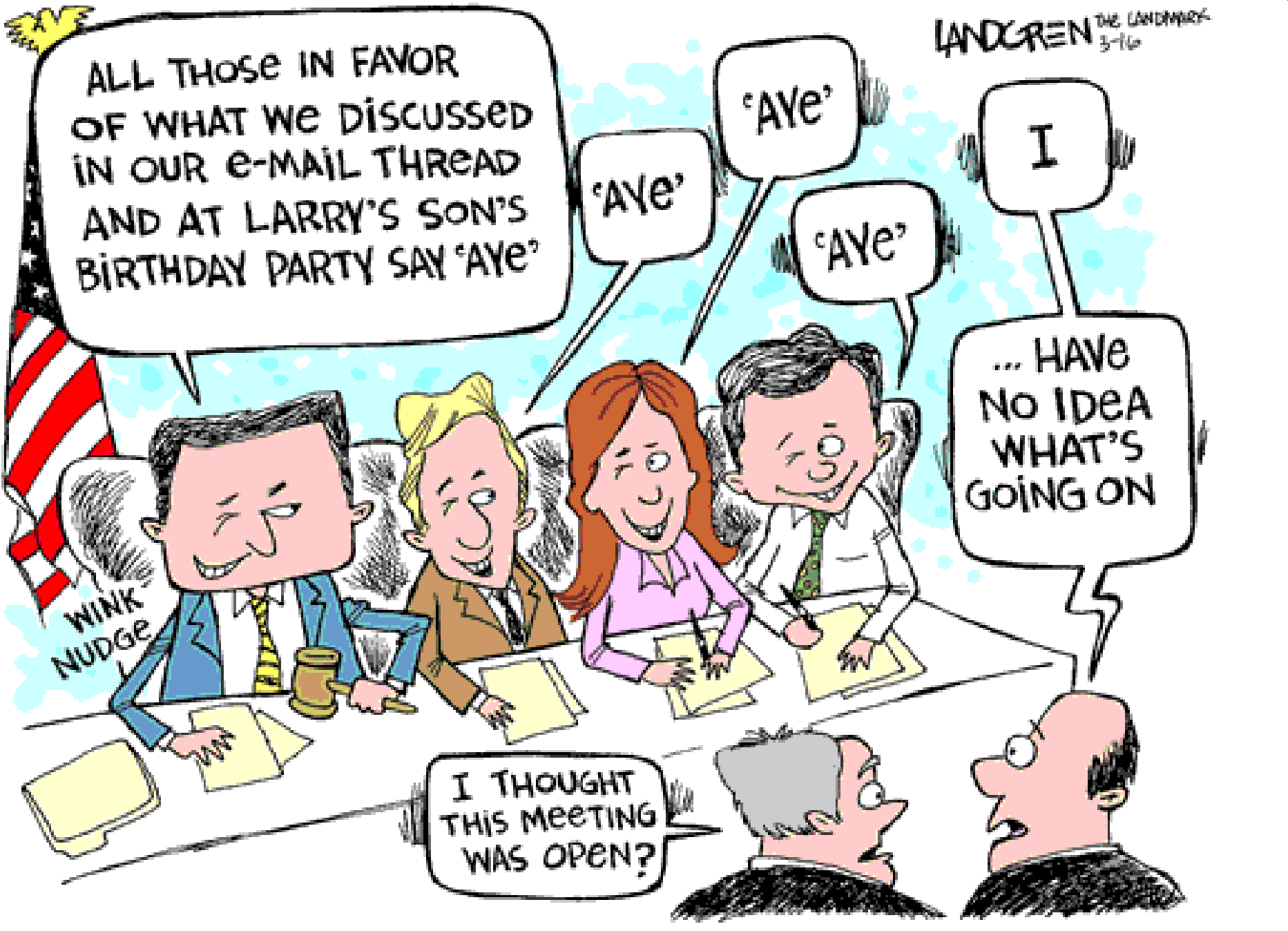
'Aye'

I

... HAVE NO IDEA WHAT'S GOING ON

WINK NUDGE

I THOUGHT THIS MEETING WAS OPEN?





# To Whom Does the Law Apply

- Any administrative, advisory, executive, or legislative body that:
  - Was created by statute, rule, ordinance, or resolution; and
  - Consists of two or more persons; and
  - Expends, disburses, or is supported in whole or in part by tax revenue; and
  - Is vested with the authority to make decisions regarding the public's business (including recommendations to the City Council)

# For West Bountiful, This Includes:

- City Council
- Redevelopment Agency
- Planning Commission
- Emergency Preparedness Advisory Committee
- Architectural Review Board – Historic Overlay District
- Arts Council
- Youth City Council

# What Is a Meeting?

- Quorum must be present
  - Including workshops
  - In person or electronically
- You are there to:
  - Discuss, or
  - Receive Comment, or
  - Act on anything you have jurisdiction or advisory authority over.

# What is Not a Meeting?

- A chance meeting
- A social meeting
- Convening a public body with both legislative and executive responsibilities where no public funds are appropriated and meeting solely for discussion or to implement administrative/operational matters

# Meetings

- Must be open to the public unless properly closed;
- Must be properly noticed;
- Must be properly recorded.

# Notice

- Must be Posted at City Office and Utah Public Notice Website at least 24 hours before the meeting:
  - Agenda
  - Date
  - Time
  - Location
- Annual notice of meetings throughout the year

# Agenda

- “Shall provide reasonable specificity to notify the public as to the topics to be considered at the meeting”
- “Each topic shall be listed under an agenda item”
- Items not on the agenda that are raised by the public may be discussed, but cannot be acted upon

# Minutes

- Minutes For All Open Meetings Must Include:
  - Date, time, place;
  - Names of members present and absent;
  - Substance of all matters proposed, discussed, or decided;
  - Record, by individual member, of each vote taken;
  - Name of each individual not on the body that is recognized by the chair who provides testimony or comments, and a summary of what was said;
  - Any other record of the meeting that a member requests be included.



# Minutes, continued

- Body must establish and implement procedure for approval of minutes
- Minutes not yet approved must have something to the effect of “Pending”, or “Not Yet Approved ” printed on top
- Pending minutes, Approved Minutes, and a Recording of a public meeting are public records under GRAMA
- Must be available to the public within 3 days of approval
- Minutes must be retained permanently

# Audio Recordings

- Each meeting must be recorded
- Recording of open meetings must be available to the public
- Recording of closed meetings are protected records under GRAMA

# Electronic Meetings

- An ordinance/rule/policy “governing the use of electronic meetings” must be adopted by Public Body
- Can meet by phone, computer, or other electronic means
- Notice requirements still apply
- Public must be able to attend or participate
- *Currently only applies to City Council meetings*

# Emergency Meetings

- Emergency means emergency
- Must give as much notice as possible
- Must attempt to notify all members
- A majority of members must approve the meeting

# Electronic Message Transmissions

UCA § 52-4-210:

”Nothing in this chapter shall be construed to restrict a member of a public body from transmitting an electronic message to other members of the public body at a time when the public body is not convened in an open meeting.“

# Closed Meetings/Executive Session

- Closed meetings are used to discuss specific items that fall into one or more of the following categories:
  - An individual's character, professional competence, or physical or mental health;
  - Pending or reasonably imminent litigation;
  - Purchase, sale, lease, exchange of real property
  - Deployment of Security personnel, devices or systems; or
  - Criminal misconduct.

# Closed Meetings, continued

- Meeting must begin as an open meeting;
- Must have a 2/3 vote to go into a closed meeting;
- Purpose of the closed meeting must be publicly stated;
- The discussion cannot stray from stated allowed purpose;
- May not interview candidates applying to fill an elected position;
- Must be held at the regular meeting location if held on the same day; and
- No official actions can be approved or final votes taken.

# Enforcement/Violations

- Intentional closed meeting violation = Class B misdemeanor
- Court may:
  - Void an action taken
  - Compel compliance
  - Award attorney fees and court costs to successful plaintiff
- Attorney General and County Attorneys are charged with Enforcement
- Any aggrieved individual can bring suit



	Legislative	Administrative	Quasi Judicial
Characteristics	Very Broad Authority Broad Public Input	Restricted Authority Limited or No Public Input	Very Restricted Authority Input Restricted-Involved Parties
	<ul style="list-style-type: none"> <li>• Creates New Law</li> <li>• Allows for Citizen Input as Basis for Decision</li> <li>• Vision/Goal Setting</li> </ul>	<ul style="list-style-type: none"> <li>• Enforces Current Law</li> <li>• Bound by Law Rather than Public Opinion</li> <li>• Does Not Create or “Bend” Law</li> </ul>	<ul style="list-style-type: none"> <li>• Based on Established State Law</li> <li>• No ex-parte communication</li> </ul>
Responsible Body	<u>Land Use Authority (es)</u> <ul style="list-style-type: none"> <li>• Planning Commission (advisory)</li> <li>• City Council</li> </ul>	<u>Land Use Authority (es)</u> <ul style="list-style-type: none"> <li>• Planning Commission</li> <li>• City Council</li> <li>• City Engineer</li> <li>• City Recorder</li> <li>• Enforcement Officer</li> </ul>	<u>Land Use Authority (es)</u> <ul style="list-style-type: none"> <li>• City Council</li> </ul> <u>Courts</u>
Land Use Actions	<ul style="list-style-type: none"> <li>• General Plan</li> <li>• Zoning Ordinances</li> <li>• Subdivision Ordinance</li> <li>• Amendments</li> <li>• Annexation Policy</li> </ul>	<ul style="list-style-type: none"> <li>• Business License</li> <li>• Building Permit</li> <li>• Conditional Use Permit</li> <li>• Subdivision Approval</li> <li>• Variances</li> </ul>	<ul style="list-style-type: none"> <li>• Appeals</li> </ul>

Questions/Concerns?

**PENDING – Not Yet Approved**

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

47 what it would cost to change everything. It will take time to get the word out for community buy-in  
48 and prepare a cost analysis. He suggested exploring a naming contest for public buy-in.

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

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

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

60

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

62

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

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

73

74 There was no public comment.

75

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

78

79 **4. Public Hearing – Fiscal Year 2019 – 2020 Budget**

80

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

83

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

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

92 Since the tentative budget was adopted there have been additional updates: worker's  
93 compensation rates have been reduced based on new quotes; proportional allocations of public works  
94 employees to various funds have been updated; fire district contributions are still in development but  
95 will likely be lower than current levels; telephone system recommendations are close to be finished.

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

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

102  
103 There was no public comment.

104  
105 **MOTION:** *Andy Williams made a Motion to Close the Public Hearing. Kelly Enquist*  
106 *seconded the Motion which PASSED with a vote of 5-0.*

107  
108 **5. Consider Request to Defer the Responsibility to Construct Public Improvements for**  
109 **1636 N 560 West as a Condition of a Building Permit.**  
110

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

115 Ben White stated that a topographic survey of 560 West confirmed what had been speculated.  
116 560 West street is essentially flat between Pages Lane and the cul-de-sac bubble. In order to achieve  
117 proper drainage, the entire 350-foot section of road will need to be removed, regraded and reconstructed  
118 which is beyond the scope of one homeowner. Additionally, 560 West has a four-inch cast iron water  
119 line that needs to be replaced. For these reasons, the Clyde's are asking the City Council to reconsider  
120 the requirement to install curb and sidewalk.

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

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

129  
130 **MOTION:** *Andy Williams made a Motion to defer the Responsibility to Construct Public*  
131 *Improvements for the Clyde's at 1636 N 560 West. Mark Preece seconded the*  
132 *Motion which PASSED with a vote of 5-0.*  
133

134 **6. Consider Request to Defer the Responsibility to Construct Public Improvement for**  
135 **Neuschwander's on 400 North as a Condition of a Building Permit.**  
136

137 The Neuschwander family has submitted a building permit application to construct a new  
138 house on their vacant two-acre parcel located at approximately 1400 W 400 North. They installed

139 water and sewer services while Dominion Energy was working in front of and on their property and  
140 completed that work prior to Dominion resurfacing the road to avoid a road cut in front of their  
141 future house. Upon review of Neuschwander's building permit application, staff made the  
142 determination that WBMC 15.08.50 is applicable and the installation of curb and sidewalk would  
143 be required.

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

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

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

161 **MOTION:** James Ahlstrom made a Motion to Defer the Responsibility to Construct Public  
162 Improvements for the Neuschwander's on 400 North as a Condition of a  
163 Building Permit. Andy Williams seconded the Motion which PASSED with a  
164 vote of 5-0.  
165

166 **7. Consider Approval of Amended Plat for Hurdman's.**  
167

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

173 Ben White stated that staff recommends approval of the amended Hurdman subdivision plat.  
174 No new lots are created with this amendment, the remaining lots meet the minimum requirements for  
175 their R-1-22 zone and previous plat approval, the public easements are unchanged, and the City is the  
176 only public entity affect by the plat amendment.  
177

178 **MOTION:** James Ahlstrom made a Motion to approve the Amended Plat for Hurdman  
179 Subdivision. James Bruhn seconded the Motion which PASSED with a vote of  
180 5-0.  
181  
182

183 **8. Follow-up Discussion Regarding Catalpa Trees in Park Strip.**  
184

185 At the May 7th council meeting staff was asked to research a species of catalpa trees called  
186 umbrella catalpas, specifically regarding their status as prohibited in city park strips. This was in  
187 relation to a request from Mr. Robert Luke, 789 W 1950 N, who recently planted nine such trees in  
188 the park strip in the front and side his home. At the same meeting, staff asked Mr. Luke for any  
189 assistance he could offer regarding the exact species, and he was also asked to trim his older trees as  
190 soon as possible.

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

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

201 Also discussed were photos of the overgrown trees in front of Mr. Luke’s home taken on May  
202 30, 2019 showing it is not reasonable to expect such trees to be trimmed back each year.

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

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

208 Council took no further action to consider amending the official tree list.  
209

210 **9. Consider Purchase Approval for Property Associated with a Trail Connection at 620 W**  
211 **1950 North for up to \$10,400.**  
212

213 The city has been in discussion with Eric and Lucile Eastman regarding the purchase of land  
214 or easement along their northern property line with the intent of extending the Onion Parkway Trail  
215 to 600 West. While negotiations are not completely finalized, staff is seeking council approval for  
216 purchase of property up to \$10,400 (\$9.59 per square foot). Such approval will allow the city to issue  
217 payment once negotiations are concluded and the property is deeded to the city.  
218

219 **MOTION:** *James Bruhn made a motion to approve the purchase of property up to*  
220 *\$10,400 (\$9.59 per square foot) for property associated with a trail connection*  
221 *at 620 W 1950 North. Andy Williams seconded the Motion which PASSED with*  
222 *a vote of 5-0.*

223  
224 **10. Consider Approval of West Bountiful City Hall as West Bountiful’s Polling Location for**  
225 **both the 2019 Municipal Primary, if necessary, and General Elections.**  
226

227 **MOTION:** *James Ahlstrom made a Motion to Approve West Bountiful City Hall as West*  
228 *Bountiful’s Polling Location for the 2019 Elections and Adopt Other Davis*

229 *County Vote Centers as proposed. Mark Preece seconded the Motion which*  
230 *PASSED with a vote of 5-0.*

231 **11. Discuss Options for Sidewalk Improvements on the East Side of 1100 West.**  
232

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

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

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

252  
253 **12. Consider Resolution 453-19, A Resolution Amending the West Bountiful City**  
254 **Employment Policies and Procedures Manual Regarding Accommodations for Pregnant**  
255 **Employees.**  
256

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

261 The vote was recorded as follows:

262	James Ahlstrom – Aye	Mark Preece – Aye
263	James Bruhn – Aye	Andy Williams – Aye
264	Kelly Enquist – Aye	

265  
266 **13. Consider Resolution 454-19, A Resolution Adopting Interlocal Cooperation Agreement**  
267 **Relating to the Conduct of Community Development Block Grant Program for Federal**  
268 **Years 2020, 2021 and 2022.**  
269 **Readopt**  
270

271 **MOTION:** *James Bruhn made a Motion to Adopt Resolution 454-19 Readopting the*  
272 *Interlocal Cooperation Agreement Relating to the Conduct of Community*



273                                    *Development Block Grant Program for Federal years 2020, 2021, and 2022.*  
274                                    *James Ahlstrom seconded the Motion which PASSED.*

275                                    The vote was recorded as follows:  
276                                    James Ahlstrom – Aye                                    Mark Preece – Aye  
277                                    James Bruhn – Aye                                        Andy Williams – Aye  
278                                    Kelly Enquist – Aye  
279

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

281  
282                                    **MOTION:**    *James Ahlstrom made a Motion to Approve the Minutes from the May 7, 2019*  
283                                    *City Council Meeting as presented. Kelly Enquist seconded the Motion which*  
284                                    *PASSED.*

285                                    The vote was recorded as follows:  
286                                    James Ahlstrom – Aye                                    Mark Preece – Aye  
287                                    James Bruhn – Aye                                        Andy Williams – Aye  
288                                    Kelly Enquist – Aye  
289

290    **15. Administrative Report.**

- 291  
292                                    • We are working on a joint letter with Woods Cross City to the Permanent Community Impact  
293                                    Fund Board regarding a study for an above-grade train crossing on 500 South.  
294                                    • We are working on issuing a request for proposals related to financial advisor services. In  
295                                    working on west yard, we have found we could use some financial advice.  
296                                    • Candidate filing period through Friday this week. As of today, we have two candidates. If we  
297                                    get more than six, a primary election will be needed.  
298

299    **16. Public Works/Engineering Report.**

- 300                                    • City hall parking lot construction will begin soon. By the next city council meeting, we may  
301                                    be parking in the school lot to the south.  
302                                    • Construction of the new park restroom/snack shack is expected to begin July 15.  
303                                    • Jessi’s Meadow project – the contractor is struggling to change out bolts and valves in the  
304                                    water line. We discovered that about half of the thrust block boxes were missing in the initial  
305                                    water line. They plan to start milling the road next week.  
306                                    • Mtn. View Estates – they are pouring concrete on 1100 West, probably will not be paving for  
307                                    6-8 weeks, which will require significant work on dust control.  
308                                    • McKean Meadows – They are pouring concrete and prepping the trail to Prospector trail. The  
309                                    road will be re-paved due to unacceptable work last fall.  
310                                    • Highgate is prepping for road work.  
311                                    • Stone Creek well is up and running – 250 gallon/min, which is double the previous water  
312                                    flow. We are in the process of making sure it’s clean before turning it into system.  
313                                    • Ordered new brackets/banners for celebration flags for 800 West and Pages Ln.  
314                                    • Power meter for Park safety lights should be set this week.  
315                                    • Working on Pages Lane construction punch list – anxious to get it done. Weather needs to  
316                                    warm up before they can overlay the road. Have not finalized true-up numbers yet.

- 317       • Removed safety nets at the park due to safety concerns. Wind bent the poles so we are looking  
318       at other options for next year.  
319       • Council member Bruhn asked about weeds on Onion Parkway trail – Steve said they have  
320       been spraying  
321

322   **17. Mayor/Council Reports.**  
323

324       James Ahlstrom – no report.  
325

326       Mark Preece – reported on the fire in his neighborhood on 600 West. Power was out until  
327       noon the next day for the surrounding area. They are still working on installing a new power  
328       pole.  
329

330       James Bruhn – There will be an open house for the new transfer station. They are building a  
331       new education center between the transfer station and recycling center.  
332

333       Andy Williams – Interviews begin tomorrow for the new youth city council. An end of term  
334       party/welcome party will be held on Saturday. He also reported he has received calls about  
335       rumors of contaminated dirt at the equestrian center.  
336

337       Kelly Enquist – no report.  
338

339       Mayor Romney – There was a near drowning at the Rec Center last week; lifeguards saved  
340       the child. Reminded council members to register for the parade (entry forms are on the  
341       website). Thanked Duane for his hard work with Fire Department budget.  
342

343   **18. Executive Session for the Purpose of Discussion Items as Allowed Pursuant to UCA 52-4-**  
344   **205(1)(a) and (d).**  
345

346   **MOTION:**   *James Ahlstrom made a Motion to Move into Executive Session in the Police*  
347                   *Training Room at 9:15 pm for the purpose of discussing (1) the character,*  
348                   *professional competence, or physical or mental health of an individual, and (2)*  
349                   *the purchase, exchange, or lease of real property. Andy Williams Seconded the*  
350                   *Motion which PASSED.*  
351

352               The vote was recorded as follows:

353               James Ahlstrom – Aye	Mark Preece – Aye
354               James Bruhn – Aye	Andy Williams – Aye
355               Kelly Enquist – Aye	

356  
357   **MOTION:**   *James Ahlstrom made a Motion to close the Executive Session at 9:43 pm.*  
358                   *James Bruhn seconded the Motion which PASSED by unanimous vote of all*  
359                   *members present.*  
360  
361  
362  
363

364 **19. Adjourn.**

365

366 **MOTION:** *Mark Preece made a Motion to Adjourn this meeting of the City Council at*  
367 *9:45 p.m. Andy Williams seconded the Motion which PASSED by unanimous*  
368 *vote of all members present.*

369

370

371

372

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

375

376

377

378

379

380

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Cathy Brightwell (City Recorder)