

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

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

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City Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

THIS MEETING WILL BE HELD ELECTRONICALLY ONLY

CITY COUNCIL MEETING – AMENDED 4/20/2020

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD ITS REGULAR MEETING
AT 7:30 PM ON TUESDAY, APRIL 21, 2020**

Join Zoom Meeting (Video/Audio)
<https://zoom.us/j/387548458>

Meeting ID: 387 548 458

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AGENDA:

7:30 pm Invocation/Thought – James Bruhn

1. Approve the Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Public Hearings
 - a. FY19/20 Budget Amendments
 - b. Vacate Easement – 1392 N 700 West – Bangerter
 - c. Vacate Easement – Highgate Estates Lots 9/10
 - d. Vacate Easement – Willey Lot 6A/Highgate Estates Lot 7.
4. Resolution 463-20, A Resolution to Vacate South Easement at 1392 N 700 West.
5. Resolution 464-20, A Resolution to Vacate Easement Between Lots 9 & 10 of Highgate Estates.
6. Resolution 465-20, A Resolution to Vacate Easement Between Lot 6A of Willey Subdivision and Lot 7 of Highgate Estates.
7. Plat Amendment for Hangar House Subdivision Combining Lot 6A of Willey Subdivision and Lot 7 of Highgate Estates.
8. Extension with Ace Recycling & Disposal for Collection Services.
9. Memorandum of Understanding with Utah Telecommunication Open Infrastructure Agency (UTOPIA).

10. Request to Extend Recording Deadline for Tailgate Acres Subdivision.
11. Resolution 466-20, FY 2019/2020 Budget Amendments.
12. Proclamation Declaring April 24, 2020 as Arbor Day in West Bountiful City.
13. Meeting Minutes From February 24, March 17 and April 7, 2020.
14. Police Report.
15. Public Works/Engineering Report.
16. Administrative Report.
17. Mayor/Council Reports.
18. Closed 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 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 April 19, 2020.

Minutes of the West Bountiful City Council meeting held on **Tuesday, April 21, 2020**, at West Bountiful City Hall, 550 N 800 West, West Bountiful, Davis County, Utah. This meeting was held electronically via Zoom.

Those in attendance:

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

STAFF: Duane Huffman-City Administrator (on-site), Steve Doxey-City Attorney, Todd Hixson-Police Chief, Patrice Twitchell-Finance Specialist, and Cathy Brightwell-Recorder

VISITORS: Alan Malan, Jay Gough, Roger Timmerman

Mayor Romney called the regular meeting to order at 7:32 pm. James Bruhn offered a Thought.

1. Approve Agenda

MOTION: *Kelly Enquist made a Motion to approve the agenda as proposed. Rod Wood seconded the Motion which PASSED by a unanimous vote of all members present.*

2. Public Comment – None

3. Public Hearings:

a. FY19/20 Budget Amendments

MOTION: *Mark Preece made a Motion to open the public hearing. James Bruhn seconded the Motion which PASSED by a unanimous vote of all members present.*

No public comments were offered.

MOTION: *Mark Preece made a Motion to close the public hearing. Rod Wood seconded the Motion which PASSED by a unanimous vote of all members present.*

b. Vacate Easement – 1392 N 700 West

The property owner has requested the south easement be vacated so he can build a garage. There are no utilities in the easement and release letters have been received from all major utilities.

MOTION: *Rod Wood made a Motion to open the public hearing. James Bruhn seconded the Motion which PASSED by a unanimous vote of all members present.*

No public comments were offered.

MOTION: *James Bruhn made a Motion to close the public hearing. Mark Preece seconded the Motion which PASSED by a unanimous vote of all members present.*

c. Vacate Easement – Highgate Estates Lots 9/10

The property owners have requested the easement between these lots be vacated in anticipation of a future lot line adjustment to accommodate a large home to be built. There are no utilities in the easement and release letters have been received from all major utilities.

MOTION: *Kelly Enquist made a Motion to open the public hearing. James Bruhn seconded the Motion which PASSED by a unanimous vote of all members present.*

No public comments were offered.

MOTION: *Mark Preece made a Motion to close the public hearing. Rod Wood seconded the Motion which PASSED by a unanimous vote of all members present.*

d. Vacate Easement – Willey Lot 6A/Highgate 7

The request to vacate this easement is tied to the Hangar House plat amendment also to be considered this evening. The property owner plans to build a large home so the lot lines are being moved to accommodate the necessary larger build space. There are no utilities in the easement and release letters have been received from all major utilities.

MOTION: *James Bruhn made a Motion to open the public hearing. Kelly Enquist seconded the Motion which PASSED by a unanimous vote of all members present.*

No public comments were offered.

MOTION: *James Bruhn made a Motion to close the public hearing. Rod Wood seconded the Motion which PASSED by a unanimous vote of all members present.*

4. Resolution #463-20 – A Resolution to Vacate South Easement at 1392 N 700 W.

MOTION: *James Bruhn made a Motion to approve Resolution 463-20. Rod Wood seconded the Motion which PASSED.*

The vote was recorded as follows:

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

5. Resolution #464-20 – A Resolution to Vacate Easement between Lots 9 & 10 of Highgate Estates.

MOTION: *Kelly Enquist made a Motion to approve Resolution 464-20. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

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

6. Resolution #465-20 – A Resolution to Vacate Easement between Lot 6A of Willey Subdivision and Lot 7 of Highgate Estates.

MOTION: *James Bruhn made a Motion to approve Resolution 465-20. Mark Preece seconded the Motion which PASSED.*

The vote was recorded as follows:

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

7. Plat Amendment for Hangar House Subdivision combining Lot 6A of Willey Subdivision and Lot 7 of Highgate Estates.

The subdivision owners of Highgate Estates and Willey Subdivision have requested to modify plat boundaries so that Lot 7 of Highgate Estates will become larger to accommodate placement of a larger home. Adjusting the lot line of Lot 6A of Willey subdivision affects the boundary of the plat, so a plat amendment is required. Lot 6A will continue to meet all size regulations for the A-1 zone.

MOTION: *Rod Wood made a Motion to approve the Hangar House Plat Amendment. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

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

8. Extension with Ace Recycling & Disposal for Collection Services.

The City's five-year solid waste collection service agreement with Ace Disposal is scheduled to expire June 30, 2020. Due to the impacts of the COVID-19 pandemic, Ace was asked to present a proposal to extend the Agreement.

Ace's proposal includes a \$0.50 increase per residential mixed recycle cart and maintains all other rates at the current level. The increase in recycle pricing reflects the massive changes in the national recycle market. The same pricing proposal applies to a one-year and three-year option and will not include a COLA adjustment in future years.

There was discussion about the advantages of locking in the rates for three years given the uncertain economy.

MOTION: *James Ahlstrom made a Motion to approve the proposed three-year contract extension with Ace Recycling & Disposal contingent on the 2020 proposed recycling rate staying the same throughout the contract period. Rod Wood seconded the Motion which PASSED.*

The vote was recorded as follows:

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

9. Memorandum of Understanding with Utah Telecommunication Open Infrastructure Agency (UTOPIA).

Utopia recently approached the City for permission to use street right-of-way to install fiber optic cable to serve the newly re-built elementary school. Use of the right-of-way is generally handled through a franchise agreement; however, staff and UTOPIA (as well as other internet providers) have a lot of work to do to determine how to use a fair systems to place fees on the use of the right-of-way.

Due to time constraints related to opening the new school, both staff and UTOPIA recommend this Memorandum of Understanding as a compromise until a full franchise or licensing agreement can be negotiated and executed. The Memorandum of Understanding provides UTOPIA with the limited ability to serve the new school, using right-of-way along 400 North, and it provides the city with standard protections related to the use of the right-of-way.

There was discussion about the conduit's relative vicinity to city waterlines on 660 West and the need to keep an eye on it. The fiber line mostly be 24 inches deep. The waterline is due to be rebuilt soon. The Memorandum states that if the fiber line is in the way of a city project, UTOPIA is responsible to move the line.

Steve Doxey added that the Memorandum contains the essence of this limited use of our right-of-way and if more requirements are necessary, our general agreement will have more provisions.

MOTION: *James Ahlstrom made a Motion to approve the Memorandum of Understanding with Utah Telecommunication Open Infrastructure Agency. Rod Wood seconded the Motion which PASSED.*

The vote was recorded as follows:

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

10. Request to Extend Recording Deadline for Tailgate Acres Subdivision.

Mr. Jack Williams submitted a request to extend the deadline for recording his final plat by the current maximum period of six months. He is not planning to build or sell lots in the near future, and he is attempting to construct the public improvement within the subdivision on his own as he can afford it.

MOTION: *James Bruhn made a Motion to Extend the Recording Deadline for Tailgate Acres subdivision. Kelly Enquist seconded the Motion which passed by unanimous vote of all members present.*

11. Resolution 466-20 – FY 2019/2020 Budget Amendments.

Duane Huffman went over proposed changes to the Fiscal Year 2020 budget. As the economic situation has changed since the budget amendment was first introduced in January, the updated proposal includes the following additional shifts and reductions in revenues and expenditures.

- Recognize performance bond money from Ovation (lights, defective concrete). Any money left over will be refunded after improvements and staff time, then the warranty period starts. (\$185,300)
- Recognize increase in revenues for building permits. (\$50,000)
- Grants associated with police department. (\$19,400)
- Eliminate fund transfer to Golf Fund in line with belt tightening. We expect them to have a better spring and early summer than last year. (\$50,000)

MOTION: *James Ahlstrom made a Motion to approve Resolution 466-20 Adopting the FY2019/2020 Budget Amendments. Kelly Enquist seconded the Motion which PASSED.*

The vote was recorded as follows:

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

12. Proclamation Declaring April 24, 2020 as Arbor Day for West Bountiful City.

MOTION: *James Ahlstrom made a Motion Declaring April 24, 2020 as Arbor Day in West Bountiful. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

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

13. Meeting Minutes from February 24, March 17, and April 7, 2020.

MOTION: *Mark Preece made a Motion to approve the city council meeting minutes from February 24, March 17 and April 7, 2020. James Bruhn seconded the Motion which PASSED by a unanimous vote of all members present.*

14. Police Report (Chief Hixson).

- Mischelle is celebrating her eight-year anniversary with the city.
- Administrative part-time help is not working until further notice and reserve officers' working time has been limited due to the pandemic.
- We are seeing a different kind of work – people are feeling frustrated and we are seeing more domestic issues. Mayor Romney commended them for working through this tough time.
- Council member Bruhn reported that a lot of people are running stop signs at Pages and 1100 West and asked for extra patrols.

15. Public Works/Engineering Report. (Steve Maughan)

- 800 West update – the new waterline is complete from Pages to 1165 N. The new main is connected to side streets Knighton Crt, 1450 N and 1400 N and all the houses from Pages to 1320 N are also connected to the new line.
- As soon as the water system is complete north of 1000 N, crews will begin working on the water and storm drain lines going south.
- Post Asphalt will begin excavating and rebuilding 800 W at Pages Lane next week. After the road has been rebuilt and graded the new curb and drive approaches will be poured. If the weather cooperates and all goes well, we will have the section north of 1000 N paved sometime in June.
- Atwater Estates is prepping for the sidewalks in the cul-de-sac and 800 West. The road will be closed Monday and Tuesday as they pave.
- 1450 W – running the second waterline from Millbridge to 400 N. The Highgate intersection will pave early next week.
- Ovation – concrete repairs are going well with work expected to be finished middle of next week.
- City hall irrigation system has been repaired. We were on same service line as the two houses to the north. Now we are up and running with a 2-inch line.
- Fiber wood chips have been installed in the playground at city park.
- We are lucky to have two seasonal employees return from last year

16. Administrative Report. (Duane Huffman)

- He reported that he brought to the planning commission the city council's request to begin working on a zone that would allow for more multi-family residences in accordance with the General Plan. They requested a work session with the council to get more information. The council discussed such a meeting with planning commission when it can be done in-person.
- Received a formal petition for disconnection from the Smith family. They claim the land at issue was annexed into the city several years ago by mistake. A public hearing will be held on May 19.
- Wholesome Therapy has been issued a building permit to remodel a portion of the Carr building for a cannabis dispensary. They also filed for a conditional use permit for a cannabis production establishment in the Carr building.
- Mr. Doxey sent a letter to the Equestrian Partner's in response to their letter about the city's moderate-income housing and General Plan.
- The tentative budget will be ready for review at the next meeting. Given our current situation, it will be very slim.
- The school district has in place a new contractor - Nicholson. They have lost 2-5 months and are working on a new schedule. They still hope to have it open by August but not sure what grounds will look like.
- COVID 19 update – UT Leads 2.0 goes over the transitional phases. We are now in high-risk but moving to moderate as early as tomorrow. These changes affect public recreation. Restaurants are expected to open but their capacity will be less, and employees will wear masks.

17. Mayor/Council Reports.

Kelly Enquist – Thanked Steve and Duane for their hard work. The Park looks phenomenal this year.

James Bruhn – Wasatch Integrated is getting bids for hauling waste to the new landfill in Salt Lake County. A decision will be made tomorrow at a special meeting.

James Ahlstrom – no report.

Mark Preece – Sewer board meeting was last week. They have been cited for being over on nutrients for several months in a row at the south plant that creates a lot more because of the food waste. Once the algae project is up and running things should improve; just need more time.

Rod Wood – asked for status of the well bid documents. He was told they will be ready in May but we may want to wait a little to see what construction costs are.

Mayor Romney – Working on budgets for South Davis Fire board. Trying to figure out options for the Rec center. They are basically closed so trying to get some maintenance work done during this slow time. Continue to look for ways to open things up to get things going with economy but important to do it as we promote social distancing with neighbors.

18. Closed Session for the purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.

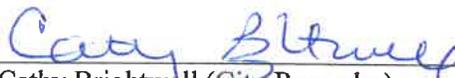
No closed session was held.

19. Adjourn.

MOTION: *James Ahlstrom made a Motion to adjourn the meeting at 9:28 pm. Rod Wood seconded the Motion which PASSED by a unanimous vote of all members present.*

This document constitutes the official minutes for the West Bountiful City Council meeting held on Tuesday, April 21, 2020, and approved May 19, 2020 by a unanimous vote of all members present.




Cathy Brightwell (City Recorder)