

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

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

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City Recorder
Cathy Brightwell

City Engineer
Vacant

Public Works Director
Steve Maughan

CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD ITS REGULAR MEETING
AT 7:30 PM ON TUESDAY, JUNE 16, 2020 AT WEST BOUNTIFUL CITY HALL**

*This meeting will be held both in-person and electronically via Zoom
(see participation info below)*

AGENDA:

7:30 pm Invocation/Thought – James Ahlstrom; Pledge of Allegiance – 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 Hearing – Vacate Rear and Side Easements for the Nelson’s at 787 W 1400 North to Build an Accessory Structure Near Both Property Lines.
4. Resolution 471-20, A Resolution Authorizing the City Mayor to Execute the Vacation of the South and East Public Utility Easements Located at 787 W 1400 North.
5. Petition for Disconnection – Parcel 06-030-0047, 1818 West 400 South.
6. Resolution 472-20, A Resolution Adopting the West Bountiful City Budget and Property Tax Rate for the Fiscal Year 2020-2021.
7. Fraud Risk Assessment.
8. Open Meeting Review.
9. Minutes from June 2, 2020 City Council Meeting.
10. Police Report.
11. Public Works Report.
12. Administrative Report.
13. Mayor/Council Reports.
14. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
15. 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 June 12, 2020.

Join Zoom Meeting:

Meeting ID 830 7527 2845

<https://us02web.zoom.us/j/83075272845>

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Minutes of the West Bountiful City Council meeting held on **Tuesday, June 16, 2020** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

MEMBERS: Mayor Kenneth Romney, Council members James Bruhn, Kelly Enquist and Rod Wood, in-person. Council members James Ahlstrom and Mark Preece via Zoom.

STAFF: Duane Huffman (City Administrator) in-person, Steve Doxey (City Attorney), Dallas Green (Golf Director), Josh Virostko (Superintendent), Asst Chief Brandon Erikson, Cathy Brightwell (City Recorder) and Terri Hensley (Secretary) via Zoom.

VISITORS: Gary Jacketta, Dennis Vest, Michelle & Kody Nelson, Bruce Howsley in-person. Alan Malan, Bill Goldberg, and Denis Hopkinson via Zoom.

Mayor Romney called the meeting to order at 7:35 pm. James Ahlstrom gave an Invocation and the Pledge of Allegiance was led by James Bruhn.

1. Approve Agenda

Regarding agenda item #5, the Smith family and the city have mutually agreed to extend to July 22, the time required to make a decision on the Disconnection request allowing this item to be removed from tonight's agenda.

MOTION: *James Bruhn made a motion to approve the amended agenda removing item #5. Rod Wood seconded the Motion which PASSED by unanimous vote of all members present.*

2. Public Comment

Brent Howsley, resident, spoke about the spotlight currently on police work and recent protests. He acknowledged this is a challenging topic but a good time for open discussions within families about police work. He said the police are an integral part of our community and does not agree with the movement to abolish or defund the police department, but there is always room for improvement. He would like to see if there are things the police department can do to make police work better in our city.

Mayor Romney thanked him for his comments and stated that he supports these discussions and encourages citizens to come in and talk about their concerns. The police department is always open to meet with residents. He noted that our department is small, but we are very open to listening to concerns, suggestions, and recommendations for improvement. One idea is to have an open round table style discussion with the Chief and elected officials to exchange ideas. We have an excellent police department and each of them strive to be good public servants. For more transparency, the department is working on policies that can be made available for public review.

Duane Huffman noted that Chief Hixson is usually here but had a family matter so Assistant Chief Erikson will take the information back to the police department and is on the line and available to answer questions.

Council member Ahlstrom thanked Mr. Howsley for his comments. He said he has significant concerns about the nationwide push to defund the police and has been confused by some of the arguments. He gave several examples where our officers have de-escalated a situation rather than using force. There is a great need for having someone to keep the peace and we are lucky to have very good officers with good judgment and wisdom, but we can always look for ways to improve.

3. Public Hearing – Vacate Rear and Side Easements for the Nelson’s at 787 W 1400 N.

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

The Nelson’s wish to construct a garage in the southeast corner of their property at 787 W 1400 North but there is a conflict with easements along both property lines. Required public notice has been completed and the property owner has provided copies of written confirmation from all major utility companies that they have no buried utilities in either of these easements and do not object to their release. Staff does not foresee negative impacts to the city by vacating these easements.

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

4. Resolution 471-20, A Resolution Authorizing the Mayor to Execute the Vacation of the South and East Public Utility Easements Located at 787 W 1400 North.

MOTION: *Kelly Enquist made a Motion to adopt Resolution 471-20 releasing the ten-foot rear and seven-foot east side easements. Rod Wood seconded the Motion which PASSED.*

The vote was recorded as follows:

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

5. Petition for Disconnection – Parcel 06-030-0047, 1818 W 400 South.

Removed from agenda.

6. Resolution 472-20, A Resolution Adopting the West Bountiful City Budget and Property Tax Rate for the Fiscal Year 2020-2021.

Duane Huffman reviewed the changes made from the tentative budget to this final budget, including the 2020-2021 certified tax rate provided by the county. Costs associated with the 800 West road construction project are spanning fiscal years, so a portion of funding is being shifted to FY 21.

There was discussion about projected sales tax revenues. Mr. Huffman noted that the budget includes a decrease of 25% in anticipation of reduced sales tax revenues from the pandemic. April and May results have not yet been received so there are few actuals on which to base this projection.

There was a suggestion by council member Ahlstrom to come up with \$5k to upgrade the air conditioning in the back room of the golf course café. Cold food is stored in this room and the cooling system does not keep it cool - it needs a separate cooling unit to be efficient.

Mr. Huffman provided history of the situation. When a new HVAC system was installed in the pro shop several years ago, the project went to the lowest bidder. There have been problems since it was installed, and we have paid to have it repaired and upgraded several times. A standalone unit similar to what we use to keep the computer server room cool might be a good option for this space. Duane said it is unlikely anything can be accomplished before year end; he will get with Dallas Green to see if there is a way to come up with the funds to fix the problem.

There was also discussion about engineering the public works west yard and whether there might be grant funding available. Mr. Huffman suggested we wait to see where tax revenues come in and then can consider amending the budget once we know where we stand. He added that due to the current economic uncertainty he anticipates more amendments than normal this coming year.

MOTION: *Rod Wood made a Motion to adopt Resolution 472-20 Adopting the West Bountiful Fiscal Year 2020-2021 Budget and Property Tax Rate. Mark Preece seconded the Motion which PASSED.*

The vote was recorded as follows:

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

7. **Fraud Risk Assessment.**

The Office of State Auditor issued an alert in February requiring every local government to complete an assessment that they designed with very little input from local governments. The standards apply uniformly to every size of entity, from the largest city to the smallest special district, and there is no explanation for how the point system and the final “risk level” were created.

Duane Huffman stated that fraud and the potential of fraud is an issue that West Bountiful City takes very seriously. City staff has worked with external auditors to review practices and procedures, ultimately taking necessary steps to limit the opportunity of fraud. Even though the results of the assessment show West Bountiful is in a high-risk category operational practices are good, but they need to be put in written form as policies.

He provided a list of items to focus on in the coming year. This list includes developing written policies on reporting fraud, travel, credit cards, computer security, and cash receipting. The city also plans to create a fraud hotline and audit committee.

8. Open Meeting Review.

Duane Huffman provided a review of the Open Meeting Act as required annually by UCA §52-4-104. The temporary exceptions for electronic meetings in effect during the COVID-19 pandemic pursuant to Governor Herbert's Executive Order were also explained.

Mayor Romney noted that a big take away is that three council members cannot get together to talk about business. Everything must be done in a public setting.

9. Approval of Minutes from the June 2, 2020 City Council Meeting.

MOTION: *James Ahlstrom made a motion to approve the minutes from the June 2, 2020 meeting as presented. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

10. Police Report – Asst. Chief Erikson

- Chief Hixson is working with the Legislative Coronavirus committee and providing testimony on search warrants for nasal swabbing and other police matters during the COVID-19 pandemic.

11. Public Works Report – Steve Maughan

- 800 West construction – there is a major push to prepare for paving on the north end of the project which is scheduled for June 24 and 25th. They are placing concrete as fast as they can this week making sure the road is ready. This schedule will provide ample time for the concrete to cure before paving is placed. There will still be some landscaping and other miscellaneous items to be done after that. On the south end, water lines are in and water testing is beginning. Storm drain is also being installed.
- The other areas of public works are running smoothly.

12. Administrative/Finance Report – Duane Huffman

- Local development is a big issue right now. Olive Garden and Cubby's construction is resuming. Met today with Chasebrook regarding the Gateway Crossing development. They are trying to figure out what to do with the development over next 5 years. Small retail spaces are currently difficult to fill.
- Planning Commission is reviewing a draft of a new cannabis ordinance. There is a hearing scheduled for next week and the issues will move to city council on July 7.
- Funding is becoming available from the CARES Act. It is expected to be about \$87/resident distributed in three installments and will cover costs related to the pandemic. We plan to work with the county regarding economic development grants for local businesses and provide some funding for local service districts.
- Atwater Estates – dealing with drainage and slope issues around the existing home on the property. The homeowner and developer are unintended partners in the project and we are attempting to help with negotiations. There has also been discussion about maintenance and controlling weeds.

- School – currently working on a written agreement before school contractors start tearing up roads, etc.

13. Mayor/Council Reports

Mayor Romney –

- Working on making fireworks available on July 3. They will be shot off from the golf course, but we will not allow any citizens on the property. HollyFrontier is sponsoring the event and will have bigger and higher fireworks than normal so they will be clearly visible from yards, trails, and roadsides. It will be on the front page of the newsletter, we will advertise on social media, and Debbie McKean will hand-deliver to properties near the golf course so residents with animals know it is coming.
- Davis County Air Parade is a county wide event scheduled for the morning of July 4th. Cathy Brightwell shared details of the event that is still being planned. It will include a total of about 25 planes (military and air show) flying over every city in the county and end with a sky diver carrying a flag and having smoke come out of their feet dropping into each city. There are some liability concerns that are still being working out. Council member Ahlstrom commented that he appreciates the city's efforts to provide some type of patriotic event for our citizens especially after being forced to cancel the annual parade, park activities, etc.
- The fire department budget passed last night with our assessment holding steady. Discussed how property tax plays into a three-year rolling average.
- Meeting every week with the County Health Dept for updates. Cases in the county and West Bountiful are growing. He said it is unlikely that the risk status will change unless things get really bad. Hospital capacity in Davis County seems to be good for now. Current data shows that the two primary places to catch the virus are at home and at work. Need to be vigilant where we go, wear masks, and social distance. It is more likely to catch it now than it was 6-7 weeks ago. Studies by University of Utah and the Red Cross show that antibody testing of those who believe they have had the virus is showing only about 2% had the disease.

James Ahlstrom

- Asked when the trail connection from McKean subdivision will be paved and will it be concrete or asphalt? Steve Maughan responded that we want concrete and it will be paid for from Park Impact fees.
- He shared his experience with the lack of pickleball courts in south Davis County; there are always long waiting lists to play. He suggested we may want to consider adding more courts somewhere on the west side and include tables and trees using RAP money – maybe the public works west yard or trailheads. Mr. Huffman said he believes it is better to put park amenities in parks so that players and their families can use other facilities and have access to parking but will need to look at main city park to see if there is room. These are good points for future discussion.

Mark Preece –

- The State is coming down pretty hard on the sewer district for being out of compliance with nutrients. Working to find a solution; it may be a water issue. The algae project has been put on hold and there are 10-12 producers really anxious to use it.

- Still trying to fix the odor issue on the south plant in response to the citation from North Salt Lake. Have hired out of state companies to try to solve both problems. North plant is working fine.

James Bruhn –

- Wasatch Integrated is transferring waste to the new transfer station and the new recycle facility is coming along.
- Have received complaints about a tugboat and other vehicles parked on a 1100 W property. There are concerns about fire safety with vehicles often parked two-deep. Mayor Romney asked the fire department to do an inspection on the private drive owned by the Christensen's.

Rod Wood – no report

Kelly Enquist

- On behalf of family and himself, conveyed appreciation for calls, emails, and cards received after the passing of his wife. Kind thoughts and prayers helped a lot. He was thankful for the flowers and was able to share with others; they went a long way to support many people.


15. Executive Session, For the Purpose of Discussing Items Allowed Pursuant Utah Code 52-4-205.

Executive session was not held.

16. Adjourn

MOTION: *James Bruhn made a motion to adjourn this meeting of the West Bountiful City Council at 9:05 pm. Kelly Enquist seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, July 7, 2020.


Cathy Brightwell, City Recorder

