

**Mayor**  
Kenneth Romney

# **WEST BOUNTIFUL CITY**

**City Administrator**  
Duane Huffman

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

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**  
Kris Nilsen

**Public Works Director**  
Steve Maughan

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A  
JOINT MEETING WITH PLANNING COMMISSION ON  
TUESDAY, AUGUST 18, 2020 BEGINNING AT 6:30PM,  
AND A REGULAR MEETING AT 7:30 PM**

***Meeting will be held ONLY electronically via Zoom (see info below)***

**AGENDA:**

*6:30 pm Joint Meeting Work Session: City Council/Planning Commission*

Brookside Estates Proposal – Between 1450 West and Legacy Parkway & 300 North and 1000 North  
– Gardner-Plumb LLC & Equestrian Partners LLC

*7:30 pm Regular Meeting: Invocation/Thought – Mark Preece; Pledge of Allegiance – James Ahlstrom*

1. Approve Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Appointment of Brandon Erikson as West Bountiful Interim Chief of Police.
4. Public Hearing – Proposed Vacation of the Rear (East) Public Utility/Irrigation Easement at 1834 N 685 West for the Rosal's.
5. Ordinance 432-20 Vacating the Rear (East) Public Utility/Irrigation Easement at 1834 N 685 West.
6. Public Hearing – Proposed Vacation of the East Public Utility Easement and Reduction of Rear (North) Public Utility/Drainage Easement at 862 W Heritage Pointe Circle for the Heller's.
7. Ordinance 433-20 Vacating the East Public Utility Easement and Reducing from 10 ft to 5 ft the North Public Utility/Drainage Easement at 862 W Heritage Pointe Circle.
8. Change Order to Holbrook Asphalt for 2020 Seal Coat Project.
9. Minutes from August 4, 2020 City Council Meeting.
10. Police Report.
11. Public Works Report.
12. Community Development Report.
13. Administrative Report.
14. Mayor/Council Reports.
15. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
16. Adjourn.

*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 August 14, 2020.*

## **Join Zoom Meeting:**

<https://us02web.zoom.us/j/81979336174>

**Meeting ID: 819 7933 6174**

One tap mobile

+14086380968,,81979336174# US (San Jose)

+16699006833,,81979336174# US (San Jose)

Dial by your location

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Find your local number: <https://us02web.zoom.us/j/kclW1Gscml>

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## **NOTICE OF PUBLIC HEARING**

West Bountiful City Council will hold a public hearing on Tuesday, August 18, 2020 at 7:30 pm, or as soon as agenda permits. The hearing will be held electronically via Zoom. Call-in details will be available on the city website's home calendar page at [www.WBCity.org](http://www.WBCity.org) on August 14.

The purpose of the hearing is to receive public comment regarding the proposed vacation of the rear (east) public utility/drainage easement of the property at 1834 N 685 West, West Bountiful so the property owner can build a detached shed.

All interested parties are invited to participate in the hearing. Written comments or questions may be submitted to [Recorder@wbcity.org](mailto:Recorder@wbcity.org) prior to the meeting.

Cathy Brightwell  
City Recorder



# MEMORANDUM

**TO:** Mayor and City Council

**DATE:** August 14, 2020

**FROM:** Staff

**RE:** Request to Vacate Rear (East) Public Utility/Irrigation Easement at 1834 N 685 West

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The Rosal's wish to build a shed in the northeast corner of their property at 1834 N 685 W but there is a conflict with the public utility/irrigation easement along the rear property line. They are requesting to vacate the ten-foot easement.

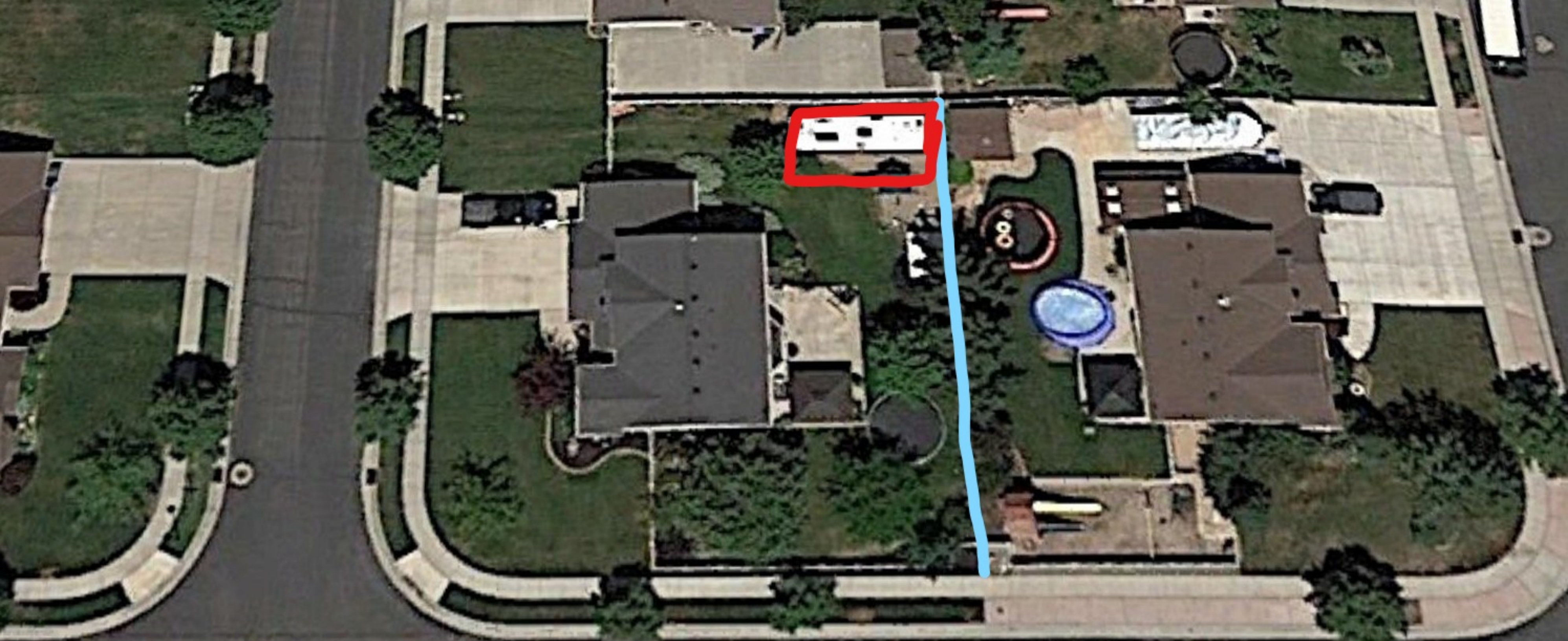
At the time Birnam Woods-Phase 2 subdivision was developed, the rear irrigation easement was planned to be abandoned by Weber Basin. Weber has confirmed their facilities have been removed and all other utilities have agreed to release the easement.

The process outlined in state code to vacate easements requires the city council to hold a public hearing which includes providing notice prior to the hearing in a local newspaper, to affected entities, posting on city and state websites, and posting a notice on the property.

Public notice has been completed, a hearing scheduled for August 18, 2020, and the property owner has provided copies of written confirmation from all major utility companies that they have no buried utilities in the easement and do not object to its release.

Staff does not foresee any negative impacts to the city by vacating the requested portion of this easement and recommends that Ordinance 432-20 be adopted.





W 1815 N



# WEST BOUNTIFUL CITY

ORDINANCE #432-20

## **AN ORDINANCE AUTHORIZING THE CITY MAYOR TO EXECUTE THE VACATION OF THE REAR (EAST) PUBLIC UTILITY/IRRIGATION EASEMENT LOCATED AT 1834 N 685 WEST**

**WHEREAS**, West Bountiful City has been petitioned by the owners of the above-mentioned property to vacate the rear (east) public utility/irrigation easement on their property; and

**WHEREAS**, a public notice was published in the August 7, 2020 Davis Clipper Newspaper, letters sent to affected entities, posted on state and city websites, and on the property; and

**WHEREAS**, releases have been received from all major public utility agencies; and

**WHEREAS**, a public hearing was held on August 18, 2020 to receive public comment concerning the vacation of the easement.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of West Bountiful City as follows:

The West Bountiful City Council, having heard all arguments for and against the release of the utility/irrigation easement, approves the release and hereby authorizes the City Mayor to execute the RELEASE OF EASEMENT for the property located at 1834 N 685 West.

This ordinance shall become effective upon signing and posting.

ADOPTED this 18th day of August 2020.

\_\_\_\_\_  
Kenneth Romney, Mayor

<u>Voting by the City Council:</u>	<u>Aye</u>	<u>Nay</u>
Council member Ahlstrom	_____	_____
Council member Bruhn	_____	_____
Council member Enquist	_____	_____
Council member Preece	_____	_____
Council member Wood	_____	_____

ATTEST:

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

**Mayor**  
Kenneth Romney

## **WEST BOUNTIFUL CITY**

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Duane Huffman

**City Council**

James Ahlstrom  
James Bruhn  
Kelly Enquist  
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Ben White

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## **NOTICE OF PUBLIC HEARING**

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The purpose of the hearing is to receive public comment regarding the proposed vacation the east public utility easement and five feet of the rear (north) public utility and drainage easement of the property at 862 W. Heritage Pointe Circle, West Bountiful so the property owner can build a detached garage.

All interested parties are invited to participate in the hearing. Written comments or questions may be submitted to [Recorder@wbcity.org](mailto:Recorder@wbcity.org) prior to the meeting.

Cathy Brightwell  
City Recorder

# MEMORANDUM



**TO: Mayor and City Council**

**DATE: August 14, 2020**

**FROM: Staff**

**RE: Request to Vacate the East Public Utility Easement and Reduce the North Public Utility/Drainage Easement at 862 W Heritage Pointe Circle**

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The Heller's wish to build a garage in the northeast corner of their property at 862 W Heritage Pointe Circle but there is a conflict with the public utility/drainage easements along the east and north property lines.

Staff has reviewed the request and does not object to the release of the east easement but prefers a portion of the north easement to be left intact as it is intended to handle surface drainage for upstream properties.

The process outlined in state code to vacate easements requires the city council to hold a public hearing which includes providing notice prior to the hearing in a local newspaper, to affected entities, posting on city and state websites, and posting a notice on the property.

Public notice has been completed, a hearing scheduled for August 18, 2020, and the property owner has provided copies of written confirmation from all major utility companies that they have no buried utilities in the easement and do not object to its release.

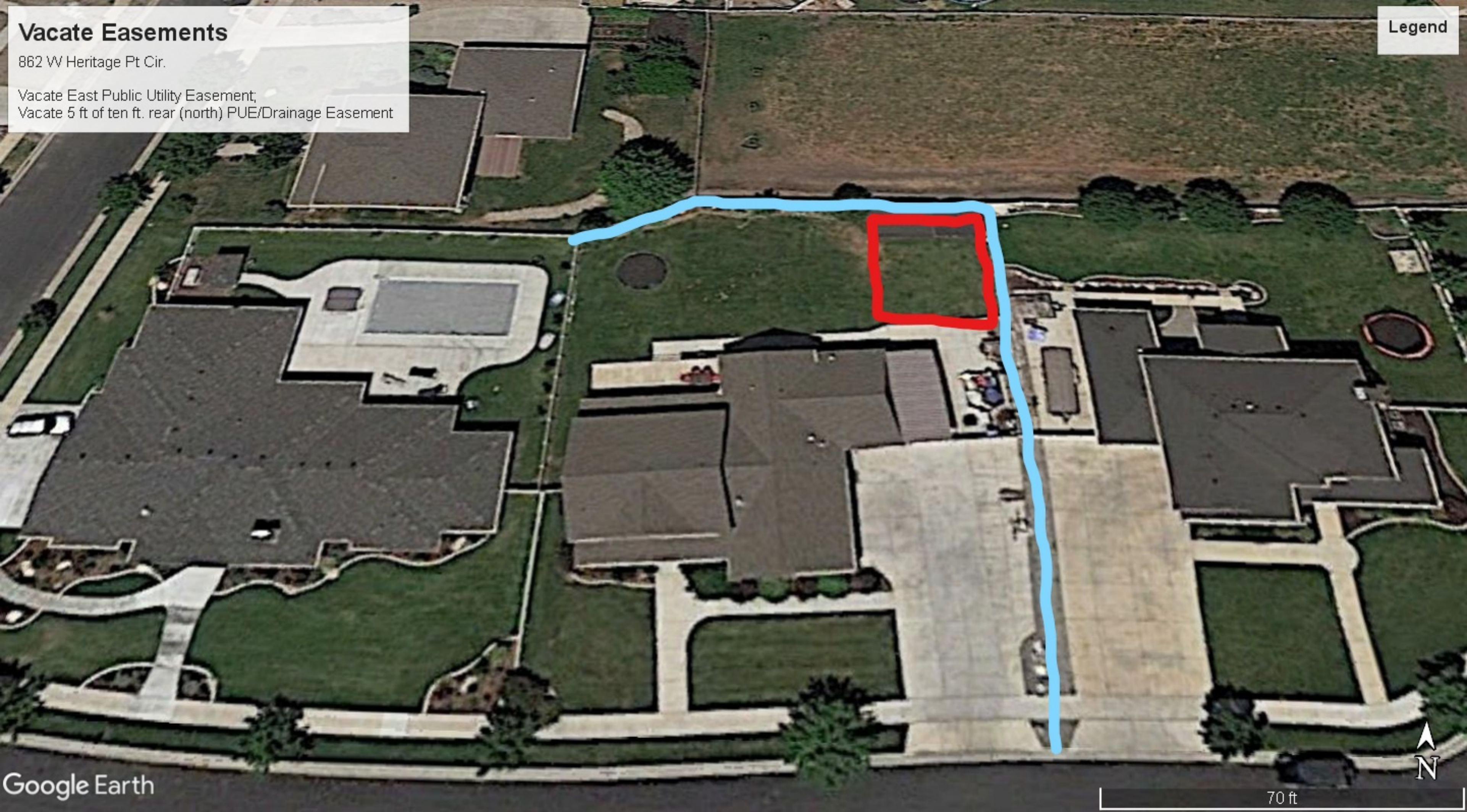
Staff does not foresee any negative impacts to the city by vacating the requested portions of these easements and recommends that Ordinance 433-20 be adopted.



**Vacate Easements**

862 W Heritage Pt Cir.  
  
Vacate East Public Utility Easement;  
Vacate 5 ft of ten ft. rear (north) PUE/Drainage Easement

Legend





# WEST BOUNTIFUL CITY

ORDINANCE #433-20

## **AN ORDINANCE AUTHORIZING THE CITY MAYOR TO EXECUTE THE VACATION OF THE EAST PUBLIC UTILITY EASEMENT AND REDUCTION OF THE REAR DRAINAGE EASEMENT LOCATED AT 862 W HERITAGE POINTE CIRCLE**

**WHEREAS**, West Bountiful City has been petitioned by the owners of the above-mentioned property to vacate the east public utility easement and reduce from ten feet to five feet the rear (north) public utility/drainage easement on their property; and

**WHEREAS**, a public notice was published in the August 7, 2020 Davis Clipper Newspaper, letters sent to affected entities, posted on state and city websites, and on the property; and

**WHEREAS**, releases have been received from all major public utility agencies; and

**WHEREAS**, a public hearing was held on August 18, 2020 to receive public comment concerning the vacation of the easements.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of West Bountiful City as follows:

The West Bountiful City Council, having heard all arguments for and against the release of the utility easements, approves the release and hereby authorizes the City Mayor to execute the RELEASE OF EASEMENT for the property located at 862 W Heritage Pointe Circle.

This ordinance shall become effective upon signing and posting.

ADOPTED this 18th day of August 2020.

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Kenneth Romney, Mayor

<u>Voting by the City Council:</u>	<u>Aye</u>	<u>Nay</u>
Council member Ahlstrom	_____	_____
Council member Bruhn	_____	_____
Council member Enquist	_____	_____
Council member Preece	_____	_____
Council member Wood	_____	_____

ATTEST:

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Cathy Brightwell, Recorder

# MEMORANDUM



**TO:** Mayor & Council

**DATE:** August 14, 2020

**FROM:** Duane Huffman

**RE:** Change Order to Holbrook Asphalt for 2020 Seal Coat Project

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In this memo staff recommends approving a change order for \$27,299 for the 2020 Seal Coat Project to Holbrook Asphalt to provide a high-density mineral bond sealer.

## Background

The council previously approved a contract for \$117,838 for the purchase and application of a high-density mineral bond (HDMA) on newly laid asphalt. It was staff's estimate at the time that approximately \$50,000 that amount would be paid by developers leaving the City's portion at \$67,838.

## Change Order

Shortly after the award was made, the contractor notified the city that the unit amount listed in the city's paperwork did not match the mapped areas also provided by the city. Staff had miscalculated the square yardage in some of the subdivisions. Additionally, public works staff has now also recommended expanding the areas to include a portion of 1100 W and Porter Lane.

Of the \$27,299.00 in the attached change order, approximately \$20,915 will be covered by developers and \$6,385 will be covered by the city. In total, developers will now cover \$69,200 and the city will cover \$75,800.



Project Location	Proposal #	Date Issued	PO/LD #
City of West Bountiful Multiple Locations - See Maps 550 North 800 West West Bountiful UT 84087	HAU941402	8/5/2020	

Terms
Due Upon Completion

Adviser Information
Aaron Eppley P: 435-703-0023   E: aaron@holbrookasphalt.com

Description
2020 West Bountiful HA5 Additions - 3

Bill To
City of West Bountiful Attn Ben White 550 North 800 West West Bountiful UT 84087 United States

Item	Quantity	UM	Rate	Amount
<b>HA5 (HDMB)</b> Clean & prepare surface using high pressure air & wire bristle brooms. Install "HA5" High Density Mineral Bond advanced performance pavement preservation treatment. No guarantee surface treatments will adhere to areas saturated with motor oil. HA5 meets demands of High Density Mineral Bond Specification established by agency engineers.	13,222	SqYd	1.80	23,799.60
<b>Aggressive Cleaning</b> Standard cleaning is included in the unit price. Items NOT considered to be Standard Cleaning include: heavy dirt, mud, construction or landscaping debris, and foreign material on the pavement surface. All non-standard cleaning requirements must be completed and approved by a Holbrook Asphalt representative prior to the start of project. If required, additional/heavy cleaning will be invoiced at \$1,750 per crew per day. It is estimated that TWO additional days of cleaning will be needed for this project. If additional cleaning days are needed totals will be adjusted accordingly.	2	LIFT	1,750.00	3,500.00

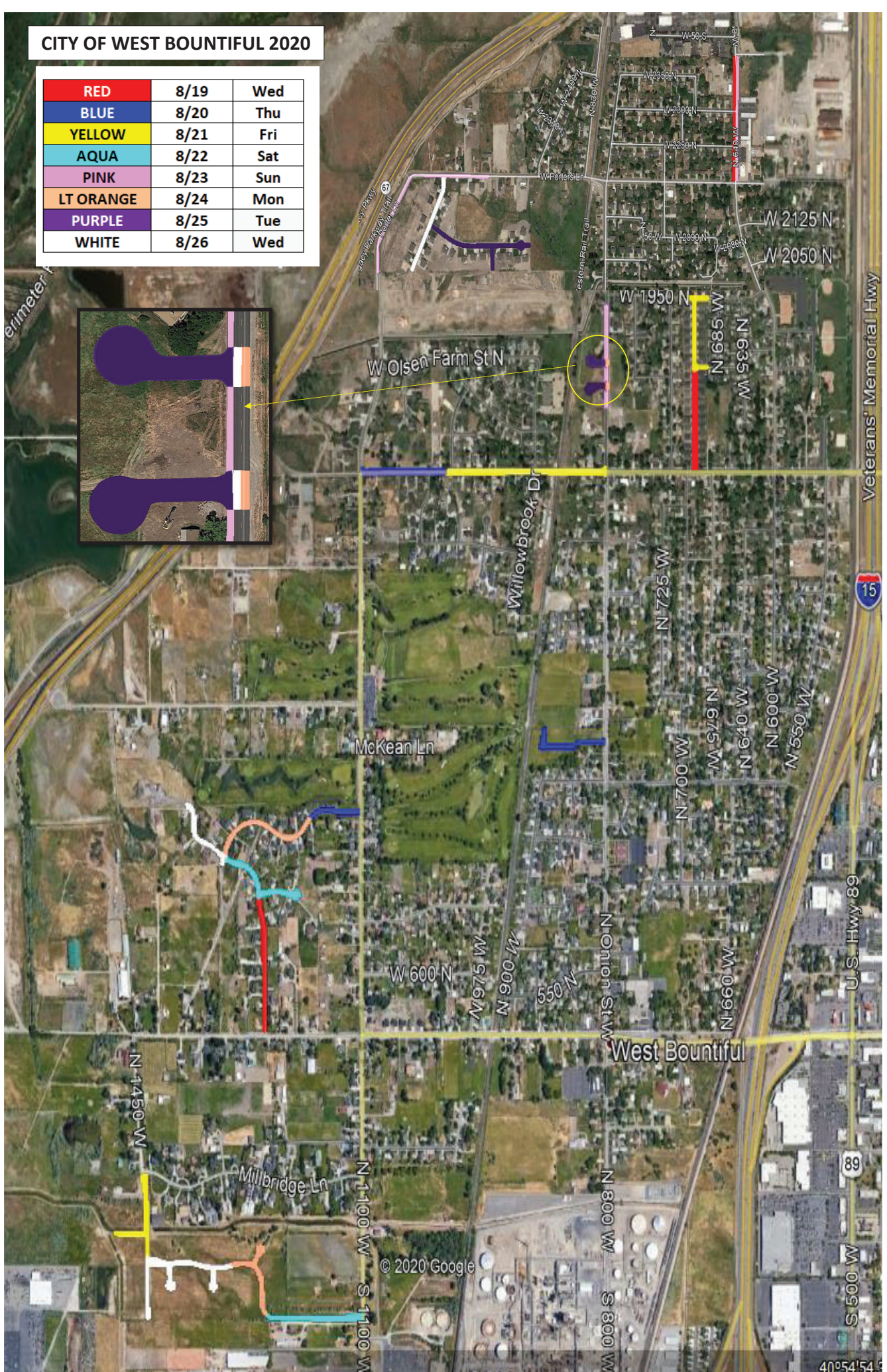
**Note**  
(1) Traffic control will require 24 hour road closures. If additional closures/ methods are required, additional traffic control costs will be added.  
(2) Taxes are not included in this proposal. If required, the costs will be added to the project invoices.

<b>Total</b>	<b>\$27,299.60</b>
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# CITY OF WEST BOUNTIFUL 2020

RED	8/19	Wed
BLUE	8/20	Thu
YELLOW	8/21	Fri
AQUA	8/22	Sat
PINK	8/23	Sun
LT ORANGE	8/24	Mon
PURPLE	8/25	Tue
WHITE	8/26	Wed





**PENDING - NOT YET APPROVED**

Minutes of the West Bountiful City Council meeting held on **Tuesday, August 4, 2020** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

All participants were on Zoom. Those in attendance:

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

**STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Dallas Green (Golf Director), Chief Todd Hixson, Asst. Chief Brandon Erikson, Steve Maughan (Public Works), Cathy Brightwell (City Recorder), Patrice Twitchell, Kris Nilsen (City Engineer), and Terri Hensley (Secretary).

**PUBLIC:** Kris Nilsen, Alan Malan, Dennis Vest,

Mayor Romney called the meeting to order at 7:32 pm. Rod Wood gave a Thought and the Pledge of Allegiance was led by Mark Preece.

**1. Approve the Agenda.**

**MOTION:** *James Ahlstrom made a motion to approve the agenda. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

**2. Public Comment**

There was no public comment.

**3. Appointment of Kristoffer Nilsen as West Bountiful City Engineer**

Mayor Romney introduced and welcomed Kristoffer Nilsen as the West Bountiful's new city engineer. He will begin work on Monday, August 10.

**MOTION:** *Mark Preece made a Motion to Appoint Kristoffer Nilsen as West Bountiful City Engineer. Rod Wood seconded the Motion.*

The Motion PASSED with a vote as follows:

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

**4. Approve Minutes from July 21, 2020 City Council Meeting.**

**MOTION:** *James Ahlstrom made a motion to approve the minutes from the July 21, 2020 meeting as presented. Rod Wood seconded the Motion which PASSED by unanimous vote of all members present.*

**5. Public Works Report - Steve Maughan**

- 800 West – contractor has additional crews on site to meet the deadline to pave in front of the school.
- Bacteria water sampling has not been successful on the south portion of the project; re-sampling was done today. We hope to have water hooked up by the end of the week then excavation, concrete, and sidewalk.

**Police Report – Chief Hixson**

- As this was his last city council meeting as Chief, he expressed his gratitude for the great team he was able to work with. He stated that his nine years at West Bountiful have been the highlight of his twenty-eight year law enforcement career and was grateful for the many opportunities provided to him.

**6. Administrative Report – Duane Huffman**

- Shared information on Chief Hixson's retirement open house this Friday at city park.
- Comments went to CRS Engineering last week for the Well project.
- School – A virtual ribbon cutting will be held on August 19<sup>th</sup>. Council member Ahlstrom asked if there would be access to the school. Steve responded that the parking lot is scheduled to be paved the end of next week (August 14), and at a minimum, the city will make sure there is road base to drive on 800 W.
- Met with Equestrian Partners, the Plumb family, regarding their proposed west side development, Brookside Estates. They have requested a pre-application meeting with the city council and planning commission. Council agreed such a meeting would be a good idea.
- Working on a summary of parking issues to include city/state laws, on-street parking, etc. for city council review in September.
- Went through sales tax reports in detail. Online sales are up 70%; large retailers are up; medium retailers are a mixed bag; and the smaller businesses including restaurants have had a hard time. Overall, the city has seen an increase in revenues during 2020.

**7. Mayor/Council Reports**

Mayor Romney – Thanked Chief Hixson for all he has done for the city. He emphasized that it has been relief over the years not to have to be concerned in any way with how our police department was handled due to total confidence he had in Chief Hixson's leadership.

The first round of CARES economic stimulus money was received and should be available for distribution soon to businesses.

James Ahlstrom – no report.

Kelly Enquist – no report.

Rod Wood – Thanked Chief Hixson for a good job.

James Bruhn – Wasatch Integrated is still doing a good job with the recycle plant and happy with how everything is working.

Arts council meeting will be held on Thursday via zoom. They are considering some changes to the Rock Inspiration project. They believe it is important for the community and want to begin as soon as possible.

Mark Preece – South Davis Sewer has made personnel changes moving an engineer (Matt Meyers) up to assistant director to help Dal. Overall, things are better and they are working things out with the state.

He mentioned that he spoke with Mr. Goudy at 693 W 2300 N regarding the storm water project the city paused earlier this year due to concern about the potential economic impacts of the pandemic. At this point, next spring or next year when it is dry would be the earliest the city could do the project.

**8. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205(a), Discussion of the Character, Professional Competence, or Physical or Mental Health of an Individual.**

**MOTION:** *Mark Preece made a Motion to move into Executive Session for the purpose of discussing the character, professional competence, or physical or mental health of an individual. The city council meeting will adjourn upon adjournment of the executive session. Kelly Enquist 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	

**9. Adjourn**

**The meeting was adjourned in conjunction with the adjournment of the closed session as stated above.**

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*The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, August 18, 2020.*

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Cathy Brightwell, City Recorder