

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
Kris Nilsen

Public Works Director
Steve Maughan

THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD ITS REGULAR MEETING at 7:30 PM ON TUESDAY, SEPTEMBER 15, 2020

Mayor Romney has determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding City Council meetings through electronic means that allow for public participation without an anchor location. A copy of the Mayor's determination and order in this regard is available at www.wbcity.org

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

AGENDA: *Invocation/Thought – James Bruhn; Pledge of Allegiance – Kelly Enquist*

1. Approve Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Ordinance 434-20, An Ordinance Amending WBCM Title 17 Regarding Medical Cannabis Pharmacy Signage Regulations.
4. West Bountiful City-Davis Education Foundation Child Care Assistance Grant.
5. Resolution 479-20, a Resolution Authorizing an Interlocal Agreement with Davis County for Placement of a Permanent Ballot Drop Box on City Property.
6. Staff Reports – Police, Public Works, Community Development, Administrative
7. Mayor/Council Reports.
8. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
9. 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 September 11, 2020.

Join Zoom Meeting:

<https://us02web.zoom.us/j/89031425473>

Meeting ID: **890 3142 5473**

One tap mobile

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Minutes of the West Bountiful City Council meeting held on **Tuesday, September 15, 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), Josh Virostko (Golf Superintendent), Interim Chief Brandon Erekson, Sgt. Jeremy Adams, Cathy Brightwell (City Recorder), Kris Nilsen (City Engineer) and Terri Hensley (Secretary).

PUBLIC: Alan Malan, Alex Iorg, Gary Jacketta, Chris Jeffery, Dennis Vest, DJ Schanz

Mayor Romney called the meeting to order at 7:31 pm and read the following statement.

Mayor Romney has determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding City Council meetings through electronic means that allow for public participation without an anchor location. A copy of the Mayor's determination and order in this regard is available at www.wbcity.org

James Bruhn gave a Thought, and the Pledge of Allegiance was led by Kelly Enquist.

1. Approve the Agenda.

MOTION: *Mark Preece 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.

Mayor Romney spoke on behalf of Ed and Paula Swanke who had shared their thanks and appreciation for the work Sgt. Adams did on solving the pink flamingo theft case. The Mayor showed a gift bag given to Sgt. Adams that contained a small statue of a pink flamingo mounted on a stand.

3. Ordinance 434-20, An Ordinance Amending WBMC Title 17 Regarding Medical Cannabis Pharmacy Signage Regulations.

West Bountiful City adopted land use regulations related to a medical cannabis pharmacy on July 7, 2020. WholesomeCo Cannabis filed a petition with West Bountiful City on August 20, 2020 for a text change specifically regarding signage size restrictions.

Planning commission discussed this issue over two meetings and held a public hearing at which no member of the public presented comments. After evaluating this request using the legislative discretion and standards laid out in state code for enacting land use regulations, the planning commission unanimously voted to recommend city council approve the request to remove the size restrictions in WBMC 17.62.030 as shown below.

1. *A medical cannabis pharmacy may not advertise in any medium, except as stated here.*
2. *A medical cannabis pharmacy may use signage on the outside of the medical cannabis pharmacy that includes only*
 - a. *the medical cannabis pharmacy's name,*
 - b. *hours of operation,*
 - c. *a green cross,*
 - d. ~~*does not exceed four feet by five feet in size*~~
 - e. *complies with city signage regulations*

There was discussion about the existing Carr Printing signage on the building and the need to make sure total signage does not exceed current city regulations which limit signs to 15% of the total face of each wall. Staff will evaluate as part of its normal review of the building permit.

MOTION: *James Ahlstrom made a Motion to Adopt Ordinance 434-20 Amending WBMC 17.62.030 Regarding Medical Cannabis Pharmacy Signage Regulation as recommended by planning commission. Ron 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. Resolution 480-20, A Resolution Approving the Memorandum of Understanding for West Bountiful City-Davis Education Foundation Childcare Assistance Grant.

As discussed in the last City Council meeting, the City has received certain federal funding under the Coronavirus Aid, Relief, and Economic Security Act (the “CARES Act”), to be used in connection with the COVID-19 pandemic. This Memorandum of Understanding (MOU) outlines the terms on which the City is willing to grant a portion of its CARES Act funds to Davis Education Foundation (DEF) to assist qualified families with childcare costs as a result of the pandemic.

The grants to be distributed under this MOU are to assist city residents with pre-K/elementary students enrolled in Davis School District in defraying childcare costs incurred on remote learning school days that have been imposed due to COVID-19 restrictions. The City has committed \$25,000 from tranche one of CARES Act funding to cover the cost of the grants. This amount is expected to cover two months of funding.

DEF will be responsible to receive grant applications, determine eligibility, and disburse funds to qualified applicants. If funds remain after all grant requests have been filled, DEF will use the remaining funds to contract with Davis School District family service workers to do social/emotional learning “well checks” for City resident-students who have no in-person contact with counselors or teachers due to exclusive online learning.

DEF will attempt to disburse all funds by December 30, 2020. They will return any unused funds to the City by January 29, 2021.

MOTION: *Kelly Enquist made a Motion to approve the West Bountiful City-Davis Education Foundation Child Care Assistance Grant as outlined above. James Bruhn 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	

5. Resolution 479-20, a Resolution Authorizing an Interlocal Agreement with Davis County for Placement of a Permanent Ballot Drop Box on City Property.

The county desires to place a ballot drop box on city property for the mutual benefit of supporting federal, state, and local elections. The box will be open only during voting cycles. The agreement allows for 50 years but can be terminated by either party at any time. The city is not responsible for the box, the state of Utah remains responsible. James Ahlstrom requested that there be clear instructions placed directly on the box that it is only to be used for official ballots, so residents do not mistake it for utility bill drop off or other city matters.

MOTION: *James Bruhn made a Motion to Approve Resolution 479-20 Authorizing an Interlocal Agreement with Davis County for Placement of a Permanent Ballot Drop Box on City Property. James Ahlstrom 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	

6. Staff Reports

Police – Brandon Erikson

- The police department worked hand-in-hand with Public Works during the windstorm event. It has been a difficult couple of weeks for the department and officers are working long hours.
- He recognized members of CERT for their support with clean-up efforts.

- Will be moving forward with hiring new officers. Received twenty-five applications so far and interviews will begin next week.
- Working through a cross walk safety issue. Considering flags, flashing signs and possible other options.

Community Development – Cathy Brightwell

- As previously reported, Woodhaven Mobile Home Park decided to cancel their planned expansion. This week they asked the Fire Marshal if they could add two additional spaces to the property rather than the eight previously requested. The Fire Marshal declined the request stating the number of homes in the park already exceed fire code so no more would be allowed.
- Doug Coons met with the Planning Commission regarding development options for his newly purchased property at 550 W 1000 N including rezoning and PUD. The planning commission told him the likelihood of a positive recommendation for either option was unlikely.
- Raising Canes Restaurant may not be going into its originally planned location at 400 N and 500 W, but they did not share any details.
- Texas Roadhouse installed an outdoor dining cover without a permit. They have removed the patio cover and decided not to proceed with the permitting and inspection process.

Public Works Report – Duane Huffman for Steve Maughan

- Storm cleanup was an enormous effort this week. A huge THANK YOU to all involved. All staff jumped in and did their part and far exceeded expectations. Public Works was very grateful for assistance from the Police Department, as they worked long hours, side by side during cleanup. Cathy Brightwell did a great job taking calls and coordinating volunteer and agency efforts for clean-up. UDOT and local volunteers including Hugoe trucking were extremely helpful in community clean-up efforts.
- Kris Nilsen jumped in and took over coordination of the 800 West project, so all other staff could focus on storm cleanup.
- Blake Anderson managed public works effort while Steve was out of town and he did a great job.
- 800 West crews continued to work even before the storm was over. 800 West is scheduled to be paved this Friday.
- The city hall/school pavilion has been demolished, but debris removal delayed because no dump trucks were available due to storm cleanup. New pavilion is expected to be up within the next several weeks.

Administrative Report – Duane Huffman

- The city is now sorting through responsibility/liability issues for some of the storm damage.
- Mayor signed an emergency declaration, so state and federal funds are available to the city.
- The city has begun looking at sidewalks from uprooted trees, light poles ripped out, etc.
- Staff has started a list of individuals and organizations to thank for their participation and efforts in the clean-up process.
- The city is looking into moving up the date of the fall clean up so we can assist residents with non-green storm debris.

- Some of the CARES funds were invested in an online/web-based system so we are able to work remotely with things like building permits, work orders, and code enforcement. This enables our public works staff to receive and respond to work orders remotely and our contract inspectors to conduct their inspections and provide reports without coming into the office.
- Rod Wood asked if CARES funds could be used to replace the old generator. Duane said he would explore the idea but he did not believe so, as it needs to be specifically related to COVID.
- Plans for the well have been submitted to the state, it may be another month or more until we can proceed.
- Lakeside Golf Course was back up quickly after the storm. There were only 9 holes available for several days, now all 18 are in full use.
- As far as we know, there is currently no one without power in West Bountiful.

7. Mayor/Council Reports

Mayor Romney – Stated his thanks for all involved in the storm cleanup. He recommended having a BBQ or similar event in a few weeks to recognize and thank all involved. He shared a conversation he had with a crew from UDOT who said they had never seen a public entity put so much work into these types of efforts. Everyone worked so hard and so well together and everyone they met in the city was very nice in such a demanding time.

James Ahlstrom – Reported he continually gets reports from a business owner at 1100 West/500 South that there is illegal activity and businesses operating at his complex. Duane suggested he encourage them to contact the city with more information.

Kelly Enquist – Thanked public works, police, and all staff involved for their efforts this past week. He said they did an excellent job, and it was great to see the golf course and park already back in use and looking so good.

Rod Wood – Thank you to all.

James Bruhn – A personal thank you to all involved in clean-up as he has several properties in West Bountiful and was grateful to all those who contributed.

Mark Preece – Heard from many people who called him to say thanks to city staff! He also mentioned the sewer smell on Pages Ln. is being addressed by the Sewer District.

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. Performance of individuals and exchange of property.

No closed session was held.

9. Adjourn.

MOTION: *James Ahlstrom made a motion to adjourn this meeting of the West Bountiful City Council at 8:30 pm. Rod Wood 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, October 6, 2020.



Cathy Brightwell, City Recorder

