

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 **8:00 PM** ON TUESDAY, NOVEMBER 3, 2020

Mayor Romney has determined that due to the COVID-19 pandemic and the physical distancing needed to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present. 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 is available at www.wbcity.org

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

AGENDA: 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. Resolution 484-20 Appointing Kim and Pat McReynolds as Youth City Council Co-Advisors.
4. Overton/Olsen Minor Subdivision at 1655 N Olsen Way.
5. Ordinance 435-20 Amending the West Bountiful City Zoning Map to Remove Heritage Pointe Subdivision, including the Property at 862 W Heritage Pointe Circle, from the Historical Overlay District.
6. Resolution 485-20 Authorizing an Interlocal Agreement with Wasatch Integrated Waste Management District for CARES Funding.
7. Minutes from October 20, 2020.
8. Staff Reports – Police, Public Works, Community Development, Administration
9. Mayor/Council Reports.
10. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
11. 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 October 30, 2020.

Join Zoom Meeting:

<https://us02web.zoom.us/j/89486549163>

Meeting ID: **894 8654 9163**

One tap mobile:

+13462487799,,89486549163# US (Houston)

+14086380968,,89486549163# US (San Jose)

Dial by your location:

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

Minutes of the West Bountiful City Council meeting held on **Tuesday, November 3, 2020** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

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.

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), Steve Maughan, (Public Works), Chief Brandon Ereksen, Sgt. Lance Wilkinson, Cathy Brightwell (City Recorder), Kris Nilsen (City Engineer) Patrice Twitchell (Finance Specialist), and Terri Hensley (Secretary)

PUBLIC: Alan Malan, Gary Jacketta, Blake Heller, Michael, Chris Bratsch (Husky Homes), Matt Wilkinson, Carol Rhodes, Shauri Kagie, Heidi Gott, Luis Silva, Sonia Silva, Tyler Mortenson, Amanda Overton, Doug Schilling, Mike Russell,

Mayor Romney called the meeting to order at 8:02 pm. Mark Preece gave an Invocation, and the Pledge of Allegiance was led by James Ahlstrom.

1. Approve the Agenda.

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

2. Public Comment

There was no public comment.

3. Appointment of Lance Wilkinson as Assistant Chief of Police.

Mayor Romney has been working with Chief Ereksen on the selection of a new Assistant Chief and recommends the appointment of Lance Wilkinson. He extended sincere thanks for Lance's nearly eight years of service in the West Bountiful Police Department. The members of the City Council expressed their congratulations to Sgt. Wilkinson on his Appointment and echoed the Mayors appreciation for his service. Mr. Huffman will confirm whether he requires a new swearing-in to the position. If so, it will be done in a separate setting.

MOTION: *Rod Wood made a Motion to accept the Mayors recommendation to Appoint Lance Wilkinson as Assistant Chief of Police. Mark Preece 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 484-20 Appointing Kim and Pat McReynolds as Youth City Council Co-Advisors.

Mayor Romney recommends the appointment of the McReynolds as Youth City Council Advisors. He shared his appreciation to Councilmember Ahlstrom and Kim and Pat McReynolds for their willingness to serve as Advisors to the Youth City Council. As a city, we are so fortunate to have them in this role.

MOTION: *James Bruhn made a Motion to Appoint Kim and Pat McReynolds as Youth City Council Advisors. Kelly Enquist 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. Overton/Olsen Minor Subdivision at 1655 N Olsen Way

The owner of the property located at 1014 W 1600 N has applied to be divided into two parcels based on a divorce decree and quiet title order. This property was approved for a subdivision by the city in 2016 (Olsen Farms 8). However, the property owner never recorded the approved plat, and that subdivision approval has subsequently expired.

The proposed minor subdivision appears to be consistent with West Bountiful subdivision requirements. Public improvements that were required in 2016 are now in place. The planning commission considered this item at their October 27th meeting and made a unanimous recommendation for approval.

There was discussion about whether the property has secondary water. Duane Huffman will check but explained that this minor subdivision will facilitate further divisions of the property. This is intended only to split the property into two parcels as ordered by the court. Secondary water will be required when future subdivisions for this property are filed.

Mr. Huffman added that the dogs from the illegal kennel on the property have been moved.

MOTION: *Rod Wood made a Motion to Approve the Division of the property located at 1655 N Olsen Way into two parcels with the condition that it will require secondary water with further development. Kelly Enquist seconded the Motion.*

The Motion PASSED 4 to 1 with a vote as follows:

| | |
|----------------------|-------------------|
| James Ahlstrom – aye | James Bruhn – nay |
| Kelly Enquist – aye | Mark Preece – aye |
| Rod Wood – aye | |

6. Ordinance 435-20 Amending the West Bountiful City Zoning Map to Remove Heritage Pointe Subdivision, including the Property at 862 W Heritage Pointe Circle, from the Historical Overlay District.

On September 16, 2020, Blake Heller submitted a request to remove his property at 862 Heritage Pointe Circle from the Historical Overlay District or have the entire Heritage Pointe subdivision's design standards dissolved. He desires to build a detached garage on the property but has had difficulty meeting the architectural standards placed on the district.

At the October 20 City Council meeting, following discussion on the history of the Overlay District, the Heller request, and the planning commission's recommendation, the issue was tabled so that there could be more communication with the property owners in the subdivision. Staff was directed to further explain the possible change invite Heritage Pointe subdivision property owners to the next available meeting to discuss removing the subdivision from the Historical Overlay District.

An information package was sent to all property owners with an invitation to participate in the November 3rd meeting. The packet included information explaining that if the subdivision is removed from the district the city will no longer enforce additional architectural standards, nor would the city be involved with the CCR's still governing the Heritage Pointe subdivision.

The following discussion took place:

- Councilmember Bruhn asked if the proposed ordinance covered the entire Historical District or only Heritage Pointe. It was clarified that this discussion is specific to the Heritage Pointe Subdivision. Mr. Doxey stated an additional public hearing would be needed to include more than Heritage Pointe. The planning commission is still discussing options for further consideration in the area.
- Councilmember Ahlstrom reminded the residents that they are still bound by the Heritage Pointe CCR's until they vote as a neighborhood to dissolve them with a 75% majority.
- Councilmember Wood thanked Mr. Heller for his patience through this process.

Information received from Residents include:

- Emily Tolton (853 Heritage Point Circle) sent an email supporting the removal of the Historical Overlay District.

- Shauri Kagie (811 N Vintage Circle) stated they have spoken with many neighbors and all are definitely in favor of the removal of the Overlay District.
- Tyler Mortensen (699 N 900 West) stated he is brand new to the neighborhood and is also in favor of the removal.
- Doug Schilling (850 Heritage Pointe Circle) spoke in favor of the removal and thanked the City Council for their time addressing this matter.
- Reference to a letter previously sent by the Cluff's (835 W 850 North) in opposition to the removal.
- Blake Heller indicated that based on his discussions, neighbors are overwhelmingly in favor of removing the Overlay District.

MOTION: *Rod Wood made a Motion to Remove Heritage Pointe Subdivision, including the Property at 862 W Heritage Pointe Circle, from the Historical Overlay District. 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 | |

Following the vote, Councilmember Ahlstrom let Mr. Heller know he appreciated his patience with this process and hoped he knew there was no malice intended, only a desire and responsibility for due diligence.

7. Resolution 485-20 Authorizing an Interlocal Agreement with Wasatch Integrated Waste Management District for CARES Funding

A request has been made by Wasatch Integrated Waste Management District for assistance with reimbursement under the CARES Act for necessary expenditures resulting from the pandemic for the period from March 1, 2020 through October 28, 2020 which were not accounted for in our most recent budget.

MOTION: *James Ahlstrom made a Motion to approve Resolution 485-20 Authorizing an Interlocal Agreement with Wasatch Integrated Waste Management District for CARES Funding. 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 | |

8. Minutes from October 20, 2020.

MOTION: *James Ahlstrom made a motion to Approve the Minutes from October 20, 2020. Rod Wood seconded the Motion which PASSED by unanimous vote of all members present.*

9. Staff Reports

Police – Brandon Erikson

- The ongoing identity fraud case involves over \$300K in stolen checks and more than 200 victim's financial histories have been significantly impacted.
- We are at the end of the background check process for the second police officer candidate and will meet with them on Thursday to begin next steps.
- Councilmember Wood thanked Chief Erikson and his officers on behalf of his neighbors for an incident that occurred recently on his street. He said the officers responded with great professionalism in a bad situation.

Public Works – Steve Maughan

- Finished grading at Birnam Woods Park and Trailhead. We took a lot of material from 800 West road construction to grade and level off a portion of the park. We have received many compliments from residents.
- We also used some of that road material to widen the shoulders of 1200 North for additional safety.
- City owned parks and properties are being winterized including all irrigation lines blown out and cleared.
- Tailgate subdivision will be paved tomorrow.
- The Chris Hogan curb and gutter project on 800 West will be paved this week. We are working through some challenges with a neighboring property owner who has concerns about drainage.
- School District has placed dirt on pickle ball court area for their landscaping and will move before we are ready to begin construction.
- Setting up snowplows for end of week but hope we do not require them yet.

Community Development – Duane Huffman for Cathy Brightwell (technical difficulties with her microphone)

- Working on month end building permits and business license reports. We have issued 3 commercial permits and 14 residential permits in October.
- Working on changes to historical overlay district code to potentially remove building and design restrictions for next week's Planning Commission meeting.
- Our contract planners are working on the affordable housing report and will make a presentation to the planning commission on accessory dwelling units at their next meeting.
- We are working on several plat amendments – one in Mountain View Estates that will include a small portion of Kinross Estates and one in Knighton Court.
- Glitches in new software for the marquee have been fixed.

- The Smith parcel plat for disconnection has been approved by the county and can now be sent to the Lt. Governor's office for signatures.

Administrative Report – Duane Huffman

- We received the third and final portion of CARES money.
- We are in the middle of the annual financial audit. It has been handled differently this year in light of Covid-19, but still just as many questions and input as in previous years.
- The Covid-19 numbers continue to increase.

10. Mayor / Council Reports

Mayor Romney – Fire Chief Bassett will be retiring on November 12th. In addition, the Fire Department is looking for a few acres to build a fire training facility.

James Ahlstrom – Had to miss part of the last Youth Council meeting due to travel but will catch up with Cathy Brightwell on details. He thanked Cathy for her hard work to keep the Youth Council moving forward during transition - her efforts are appreciated. He stated the sign at Olive Garden now says they are scheduled to open December 9th.

Kelly Enquist – Asked about a gas leak on October 31. Steve Maughan explained there was one at the private lane on 1100 West (Christensen property). It was the main line that runs in to their property and it was quickly isolated and resolved.

Rod Wood – Asked about the progress on the well. Kris Nilsen explained he just today had received a link to the new drawings. He is planning to meet with Steve Maughan and Duane Huffman for next steps. The plan has been approved by the state, but the city would like to review before finalizing bidding for construction.

James Bruhn – Asked about the progress on the public works shops. Mayor Romney suggested we look at the budget to see how best to continue moving forward. Duane Huffman will add this topic to an upcoming city council agenda.

Mark Preece – The Sewer District is proposing to raise rates by \$5 per month to meet state regulations from Water Quality Department. Property taxes will also increase to cover costs.

11. 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.

12. Adjourn

MOTION: *James Ahlstrom made a motion to adjourn this meeting of the West Bountiful City Council at 9:20 pm. James Bruhn 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, November 17, 2020.



Cathy Brightwell, City Recorder

