

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, JANUARY 5, 2021

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

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

AGENDA: *Invocation/Thought – Kelly Enquist; Pledge of Allegiance – Rod Wood*

1. Approve Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Beverly Estates Minor Subdivision Final Plat at 1014 W Pages Lane.
4. Plat Amendment for 697 W 700 North – Matt Draper.
5. Presentation by Momentum Recycling Regarding Proposed Residential Glass Recycling.
6. Budget Report and Presentation of Proposed Budget Amendments for Fiscal Year Ending June 30, 2021.
7. Minutes from December 15 and 30, 2020.
8. Staff Reports – Police, Public Works, Engineering, 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 Davis Journal on December 31, 2020.

Join Zoom Meeting:

<https://us02web.zoom.us/j/86983552129>

Meeting ID: **869 8355 2129**

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Minutes of the West Bountiful City Council meeting held on **Tuesday, January 5, 2021** 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 Ken Romney, Councilmembers 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, Cathy Brightwell (City Recorder), Kris Nilsen (City Engineer), and Terri Hensley (Secretary).

PUBLIC: Alan Malan, Dennis Vest, Gary Jacketta, Gary Mills, Jason Utgaard, Chris Bratsch, Monique and Matt Draper.

Mayor Ken Romney called the meeting to order at 7:32 pm. Kelly Enquist gave an Invocation and the Pledge of Allegiance was led by Rod Wood.

1. Approve the Agenda.

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

2. Public Comment

Gary Jacketta, resident, asked about the large building on 400 North just west of 1100 West. He said it looks like an apartment building and inquired what will happen down the road if the family sells or decides to use it for people outside the family. Duane Huffman explained that the building is designated as a non-commercial structure. No one is permitted to live or conduct business there, and there is a recorded agreement to that effect that runs with the land.

3. Beverly Estates Minor Subdivision Final Plat at 1014 W Pages Lane.

Husky Real Estate, LLC has applied for a three-lot minor subdivision at 1014 W Pages Lane. The property is within the R-1-10 zone. This land was part of a larger property previously owned by Terry Olsen. On November 3, 2020, the City Council split the larger property into two parcels based on a divorce decree and quiet title order. Beverly Estates subdivision is proposed for the southern parcel. The subdivision consists of three lots and has frontage on two existing streets. The South

frontage is on Pages Lane (1600 North) and the East frontage is on Olsen Way (approximately 1000 West).

Kris Nilsen described the property, the proposed utilities, grading and drainage, street lighting and existing structures, and what needs to happen prior to filing a final plat. There was discussion about secondary water and easements. Mr. Nilsen will verify the situation prior to accepting the final plat.

- MOTION:** *James Ahlstrom made a Motion to Approve Beverly Estates Minor Subdivision Final Plat at 1014 W Pages Lane subject to the following:*
- 1. Address any comments from Davis County Recorder's office review of Final Plat.*
 - 2. Project site SWPP drawing and/or BMP's submitted to City Engineer.*
 - 3. Provide written approval from Weber Basin Water Conservancy District for service to all lots.*
 - 4. Remove the accessory structures on Lot 2 and Lot 3.*
 - 5. Provide a title report with no objectionable entries.*
 - 6. Payment of Inspection fee and storm water impact fee.*
 - 7. Post the appropriate improvement bonds.*
 - 8. Execute an Improvement Agreement with the City.*
 - 9. Deed the required water rights to the City.*
- 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. Plat Amendment for 697 W 700 N – Matt Draper

Matt and Monique Draper own two lots at 697 W 700 North (Lot 209 Moss Farm Estates Plat B and a portion of Lot 4 Eggett Acres). They have requested to combine plat boundaries to form a new property designated as Moss Farm Estates Plat E. A previous owner had the County Recorder join the two lots into one parcel for taxing purposes, but the plats were never properly amended to form a single legal lot. The Draper's have submitted building permits for a home and a pool so it is important to combine the lots so that the center property line between the two plats can be eliminated. Council member Ahlstrom asked Mr. Draper if he understood that once the land was combined the owners would no longer be able to treat them separately for any land use rights, and Mr. Draper confirmed that this was his understanding.

- MOTION:** *Rod Wood made a Motion to Approve Plat Amendment for 697 W 700 N creating Moss Farm Plat E, based on a finding of good cause and subject to review and approval by city attorney of current title report; review and approval of final plat by city attorney, city engineer, and county recorder; and payment of county recording fees. 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. Presentation by Momentum Recycling Regarding Proposed Residential Glass Recycling

In November, Momentum sent a letter to the city introducing their intention to collect residential glass for recycling. However, as staff reviewed current city code, it found that the private collection of residential garbage, including glass, is currently prohibited. Upon learning about the city code, Momentum Recycling requested an opportunity to present before the city council and discuss possible solutions that would allow them to provide their services.

Jason Utgaard, Momentum's General Manager, described his business as family-owned, located by the Salt Lake airport. The business began as a recycling hauler that focused on glass recycling when it became apparent that existing companies could not handle the need. Momentum is the only glass recycling company in this state and handles glass in other states within 300 miles. He described the process used to recycle glass, which is endlessly recyclable. After gathering the glass, it is broken down, crushed, cleaned, and color separated then pulverized into smaller pieces and sold to fiberglass and sandblasting companies.

They currently serve about 700 commercial and 10,000 residential customers and are anxious to fill in unserved areas along the I-15 corridor including south Davis County. Mr. Utgaard explained that they provide 35 gallon bins to residential customers who can sign up for the monthly service on a website with no contract, or termination fee. The fee will be \$8 per month with a \$25 upfront fee. They expect to start with about 18 customers and grow it to 50+ and would appreciate some help promoting the service from the city.

Duane Huffman explained that the West Bountiful ordinance currently prohibits this private service and WBMC 8.08.020 and 8.08.090 would need to be changed. Council member Ahlstrom suggested language be included that would allow the city to terminate the services if needed. Mr. Utgaard indicated that would not be a problem as they currently have similar language in their agreements. Mr. Huffman will also check our current agreement with Ace Disposal to see if there is an exclusivity clause.

Council member Ahlstrom said this is a confusing issue for the public. The city should not have an ordinance stand in the way of something that makes good sense. If allowed, he would be one of the first to sign up.

Council member Enquist asked about drop-off bins. Could they be placed in the area for high use commercial customers? Mr. Utgaard said they currently service 40-50 public drop-off locations for larger users.

Steve Doxey asked Momentum if they would be contracting with the city or providing service directly to individual residents. Mr. Utgaard clarified that they intend to provide glass recycling directly to residents, which requires a business license from the city.

Mayor Romney suggested Momentum provide recommended language and work with Steve Doxey on a proposal that can be presented to city council.

6. Budget Report and Presentation of Proposed Budget Amendments for Fiscal Year Ending June 30, 2021.

Duane Huffman provided a summary of where the city stands with the budget and reviewed proposed budget amendments. These are based on information received from department heads regarding items they thought were needed. He proposed a public hearing be scheduled for February 2nd.

Big picture – Changes Since Budget Adoption:

- Ended year much higher than anticipated as a result of COVID-19
- Sales tax was up 11% from last year and 37% over budget
- The City received \$490K in CARES money

Still in progress:

- Financial statement corrections.
- Track COVID-19 expenses per fund.
- Capital project estimates (Porter Lane placeholder \$200K, golf course hole #16 and cart paths).
- Full time employees: Merit increases were included and implemented in September; inflation increase to scale was not included. (Every 1% = about \$15K.) Inflation rates – will provide options.
- General Fund has \$1.5M beginning balance with revenue deficit of \$60,800.
 - Revenue Adjustments: Increase in sales and related taxes - \$697,100; CARES Funding - \$490,300, Police sale of vehicles - \$52,000.
 - Expense adjustments: Windstorm \$20,500 – still waiting on FEMA; CARES expenses - \$205,000 + police wages \$200. Need to purchase 4 vehicles, sell 3.
 - Transfer up to \$750K to capital project fund to keep fund balance at 25%. Projected balance \$1.5M
- Capital Project fund – beginning balance \$2,473,824 + 750K = \$3,223,824 (the 2019 estimate for Public Works yard was \$5.9M)
- RAP beginning balance was \$609,510; projected ending \$473,310. James Ahlstrom asked if this included barrier landscaping on the south side of pickleball courts. The school has agreed to provide sod, will check on additional landscaping. Duane suggested the council start looking at big picture items for RAP.
- Correct Allocations – 800 West.
- Other Issues? Mayor Romney asked about sidewalk repair. There are several places where sidewalk is unsafe from trees that need to be removed. Duane said we have added some money already but may need more. Steve will put a list together of locations to be addressed.

MOTION: *James Ahlstrom made a Motion to set Public Hearing for February 2, 2021, to consider amendments to FY-21 Budget. 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

7. Minutes from December 15 and December 30, 2020.

MOTION: *Kelly Enquist made a motion to Approve Minutes from December 15 and December 30, 2020. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

8. Staff Reports

Police – Brandon Erikson

- The new officer application window closes this week - 20 applicants so far. We feel very good about the list of applicants.
- Mayor Romney asked Chief Erikson to look at last 2-3 years to ascertain how many months have we been fully staffed.
- Police staff are eligible to begin receiving COVID-19 vaccinations.
- Country Inn & Suites identity theft case has been quite the investigation with about 160 victim interviews. Hoping to wrap up soon.

Public Works – Steve Maughan

- Completing work on Porter Lane w/ Kris. Plan to get it out to bid in next couple of weeks

Community Development / Engineering – Cathy Brightwell / Kris Nilsen

- 400 N well house will be advertised next week and is on schedule for bid open on January 22. The engineering estimate is \$1.1M for the entire project.
- Homeowner that has been selling exercise equipment out of his garage on 1850 N will move the equipment to a storage shed until they can acquire retail space.
- Working with other Davis County cities on preliminary plans for a plane parade/flyover next summer.
- Thanks to Lowe's for their continued support of the best yard and best decorated homes contests. The winners of Lowe's Holiday Decorating contest:
 - 1st place - Steve & Deborah Weese at 937 W Porter Lane
 - 2nd place - Andrew & Lynn Barney at 1212 N 675 W
 - 3rd place - Ryan & Megan Peterson at 815 N Jessi's Meadow Drive
 - Honorable Mention - Gary Merrell & Jeff Dunn at 855 N Jessi's Meadow Drive

Administrative Report – Duane Huffman

- Birnam Woods Park– this past Fall public works did good job of leveling the northeast end of the park. Fencing had previously been damaged, and he asked if it should be repaired or removed. He showed pictures of a similar open space in North Salt Lake without fencing that provides better access. There was discussion that the developer likely installed the fence

when the subdivision was built due to safety concerns about the swampy areas. There was support to remove the fence which will also make it easier to maintain.

- Federal legislation last year mandated that employers offer COVID-19 leave, not tied to personal sick leave, to provide a good incentive for employees not to come to work when sick or exposed. The mandate expired 12/31/20. Duane recommended the city continue the policy until the COVID-19 vaccine is more widely available. There was consensus that extending the policy makes good sense.
- A community zoom meeting is scheduled for next Tuesday, January 12 at 6 pm to discuss and answer questions about the new pickleball courts next to city hall. As most council members plan to attend, the meeting will be noticed as a special city council meeting.
- Duane will meet with Woods Cross tomorrow to discuss future southwest development and the idea of commissioning a study for the best use of area. There is money in the RDA fund for a study.

9. Mayor / Council Reports

Mayor Romney reported that in the weekly meeting with Davis County Health Department, they learned that West Bountiful had the second highest active COVID-19 rate. He also reported that vaccinations have been opened to all hospital workers, and other health care workers will be given the opportunity to get vaccinations in next couple of days, then first responders. K-12 teachers and residents of care centers will be next, then those ages 70+.

James Ahlstrom suggested the city approach our large commercial developers to see if they can woo Panera restaurant to our city. Utah is the only state they do not have a location. Council member Ahlstrom added that he has been asked to participate on the board of Centerpoint Legacy Theater. Centerpoint is a regional theater located in Centerville with city support from Centerville and Bountiful. He would like West Bountiful to support the theater in a way that does not take away from our Arts Council and its events. Duane Huffman suggested they submit a proposal that the city council can consider.

James Bruhn reported that the Arts Council continues to create online concerts and events using their new recording equipment.

Kelly Enquist asked Steve Maughan if the damaged sidewalk at city park had been replaced. It was part of the UTOPIA fiber installation when an unmarked CenturyLink line was hit. Steve indicated that CenturyLink has not returned to replace the sidewalk they damaged.

Mark Preece – Gas sales are going well for South Davis Sewer District, but they are struggling to get enough food waste.

Rod Wood – no report

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

MOTION: *Rod Wood made a motion to move into Closed Session at 9:43 pm to discuss the Purchase, Sale, Lease or Exchange of real property; and Pending or Reasonably Imminent Litigation. The regular meeting will be adjourned at conclusion of Closed Session. 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	

The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, January 19, 2021.


Cathy Brightwell, City Recorder

