

**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 ITS  
REGULAR MEETING AT 7:30 PM ON TUESDAY, JULY 20, 2021  
AT THE CITY OFFICES, 550 N 800 WEST**

AGENDA:

*Invocation/Thought – Rod Wood; Pledge of Allegiance – Mark Preece*

1. Approve Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Request to Name Sand Volleyball Courts at City Park “Spiker Sands” in Honor of Olympian Jake Gibbs.
4. Request for Impact Fee Waiver – Becky Johnson, 567 W Pages Lane.
5. Resolution 445-21, A Resolution Amending WBMC 12.24 Related to Dogs at City Parks.
6. Proposal for Emergency Connection to West Bountiful Water System for Lakeside Golf Course.
7. Meeting Minutes from June 15, 2021.
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 provided to the Davis Journal on July 16, 2021.*

### **What am I proposing?**

Proposing a dual-post sign placed just in front of the light posted on the west side of the sand volleyball courts and name the sand courts "Spiker Sands." We want to pay tribute to Jake Gibb in a way that respects West Bountiful city's funds and will not require much maintenance over the years.

### **Why are we proposing the sign?**

We have a unique opportunity to pay tribute to an Olympic Athlete whose professional beach volleyball started playing in the sand courts at West Bountiful Park. The sign will pay tribute to Jake's remarkable career since 2002. It will raise awareness for other upcoming players that they can reach dreams through hard work and determination.

### **Location/Price:**

**Court Name:** "Spiker Sands" tribute to Jake "spiker" Gibb

**Place:** Just in front of the light post on the park's west side in between the two benches. Visible to see from the Parking lot but small enough not to take away from the park design.

**Price:** \$250-\$500 depending on size and materials (aluminum).

**Funding:** Mostly through private donation, but we'd accept any contribution from the city.



"PUT EVERYTHING OUT THERE!!"

### **Who is Jake "Spiker" Gibb**

Jake and his twin brother Coleman and the youngest of 10 siblings. Born and raised in Bountiful, Utah. Graduate from Bountiful High in 1994. Served a mission and earned a degree in Business from the University of Utah.

While growing up in Bountiful, he played golf, basketball, and hours of backyard volleyball. It wasn't until he was 21 that he really started to play beach volleyball in West Bountiful that he starts to feel a desire to pursue his goal to play on the AVP.

In 2000, Jake and his wife moved to California to compete in different tournaments to gain a spot on the AVP tour. In 2005, Jake and his partner won his first AVP tournament, and like they say, "the rest at this point in history."

From his days playing Vball, Jake has won over 34 different championship titles on the AVP tour. This year he will be joining Team USA in Tokyo, playing in his fourth Olympics (Beijing, London, & Brazil). He is a two-time cancer survivor raising awareness for testicular and skin cancer.

Jake is an amazing Son, Brother, Husband, Father, Friend, and Profession Beach Volleyball player from Bountiful, Utah.

Jake plans to retire from the AVP at the end of this season, giving him time to travel back to Utah to visit his family and the courts where it all started.

Links:

Facebook; Jake's "Last Dance" Tokyo Olympic Games 2021

<https://www.youtube.com/watch?v=THZ5Vixldnc>



# MEMORANDUM

**TO:** Mayor and City Council

**DATE:** July 14, 2021

**FROM:** Duane Huffman, City Administrator

**RE:** Request for Impact Fee Waiver – 567 W Pages Lane

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This memo introduces the attached request for a waiver of the culinary water impact fee for Becky Johnson at 567 W Pages Lane.

Ms. Johnson's letter explains the reasons for the request, and she is planning to attend the upcoming meeting to address the council and answer any questions.

## Background Information

- Current culinary water impact fee (3/4" meter): \$5,804 (2008)
- Current water connection fee (3/4" meter): \$200
- Generally, water impact fees are paid at the time of building permit.
- Staff is currently working to determine how many homes are currently not connected to the water system, but it is likely less than 15.

City Code:

3.22.040(A)(2): Adjustments. **The standard impact fee may be adjusted at the time the fee is charged to respond to unusual circumstances in specific cases;** or a request for a prompt and individualized impact fee review for the development activity of the state, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and to ensure that impact fees are imposed fairly.

Options the council may consider:

- A. Waive all or a portion of the impact fee based on specific findings to respond to unusual circumstances. In this case, the council should consider how it would treat other existing properties not currently connected, as well as fairness for new home builders.
- B. Allow the resident to pay the fee over a period of time. For example, the impact fee stretched out over two years would be roughly \$241.83 a month. In this case, staff recommends an agreement outlining the terms, including requiring the fee be paid in full if the property is sold prior to the fee being paid in full.
- C. Deny the request.

Dear Council Members,

The reason I am writing today is because I have been trying to get clean water to my home and the financial impact has been severe. I understand that there is an impact fee of around \$5000, as well as the cost for the meter. I would like to provide some background on my situation since buying my home and ask that this be re-considered for my property.

I moved to West Bountiful from Salt Lake in February to provide better opportunities for my daughter in a more family friendly area, as I am a single parent. Before purchasing our new home, I had a full inspection done; however, the inspector was not familiar with wells, so we at least tested the water quality. We determined it was extremely hard water and would require a softener, as it was already staining the tubs and sinks and would cause damage to other appliances. This was an investment of about \$2800 for the system (that included extra filtration options) to fix the issue. I also purchased a home warranty and specifically added the well pump to the policy which was \$550. Soon after, the booster pump burned out and I was completely without water. I had an emergency plumbing company come assess and the booster pump had burned out and caused burn marks on the wall. They were able to quickly replace this, but the home warranty company denied the claim, resulting in \$4900 emergency plumbing fee. Once that was replaced, it was determined that the well is running dry and at times no water is coming in, which is what caused the booster pump to fail.

Unfortunately, the water quality has been very bad due to the low water level, so I've tried every type of filter and even installed a UV filter with no success. I need clean water running to my home, so I contacted the city and was informed the next step would be to have the plumbing completed from my property line into the home. Since the well is in the back of the house, all of the main lines come in at the very back, so the plumbing company had to bring a new line in the front and through the house. The culinary water was already stubbed in my front yard and ready to go but the cost to bring it into the home and once again fix all the lines so they would tie into the culinary line was \$7500. I did have the plumber design it so that the well is connected to the sprinkler system, so I am not utilizing culinary on my yard. I also checked with Weber Basin to see if I could get secondary, but they said it would require tearing up the newly paved Pages Lane and that would likely get denied or be extremely expensive. I am planning on an environmentally friendly landscape design with rock and shrubs and trees to reduce water consumption as well.

I hope you can appreciate that I have tried all resources and can understand the painful process this has been. I am asking for consideration in waiving the impact fee and just charging for the meter and water usage going forward. Thank you for your time.

Sincerely,  
Becky Johnson  
567 W Pages Lane

# MEMORANDUM



**TO:** Mayor and City Council

**DATE:** July 14, 2021

**FROM:** Duane Huffman, City Administrator

**RE:** **Dogs at City Parks – Draft Ordinance 445-21**

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Mayor Romney requested that the topic of dogs at city parks be on the agenda for discussion and potential action at the July 20<sup>th</sup> city council meeting. This is a result recent and on-going issues of dog waste, dogs off-leash, and other health and safety issues.

For the discussion, staff has drafted the attached ordinance that offers two options related to dogs at city parks:

- A. Dogs prohibited at all city parks;
- B. Dogs prohibited at the main City Park and allowed on-leash at other city parks.

The draft does make clear that any prohibition is not applicable for service animals. The draft does not prohibit dogs from city trails. Following council consideration, staff can make any additional changes or clarifications to future drafts.

Finally, staff believes that current city codes allows the city to prohibit dogs from special events at city parks.

# WEST BOUNTIFUL CITY

## ORDINANCE #445-21

### AN ORDINANCE AMENDING WBMC 12.24 RELATED TO DOGS AT CITY PARKS

*WHEREAS*, Utah Code Annotated § 10-8-9 grants authority to the West Bountiful City Council to establish, maintain, and provide for the supervision of public playgrounds and recreation places; and,

*WHEREAS*, the West Bountiful City Council desires to update practical regulations for the peace and safety of parks:

***NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT THE FOLLOWING SECTIONS OF WEST BOUNTIFUL MUNICIPAL CODE BE MODIFIED AS SHOWN***

#### 12.24.010 Regulations On Use

1. The regulations of this section apply to any park, trail, trailhead, golf course, or other green space open to the public, including parking lots on such property, that is owned, operated, or maintained by the city. In addition to these regulations on use, the city council may by resolution set policies related to the rental of facilities and any associated fees.
2. These regulations do not apply to city employees or authorized volunteers in the course of approved city business.
3. The city administrator, police chief, or city council may grant exceptions to waive these regulations. Such exceptions must be made in writing, and any made by the city administrator or police chief must be immediately provided to the city council.
4. In addition to these regulations, the city administrator, police chief, or designee may temporarily close an area or curtail activities when he/she has deemed it to be in the best interest of public safety, conduct, health, or order. Such actions must immediately be reported to the city council.
5. Any person violating any of these regulations shall be guilty of an infraction. Each violation shall be a separate offense.
6. The regulations are:
  1. No persons are permitted during posted "closed" hours.
  2. Camping or sleeping overnight is prohibited.
  3. ~~Dogs must be leashed.~~ EXCEPT FOR SERVICE ANIMALS, NO PERSON OWNING OR HAVING THE CARE, CUSTODY, POSSESSION, OR CONTROL OF A DOG SHALL PERMIT OR ALLOW SUCH DOG TO ENTER OR REMAIN (option A) IN ANY PARK (option B) AT THE CITY PARK LOCATED AT 550 W 1600 N AND MUST BE LEASED AT ALL OTHER

**PARKS.** It is the duty of the person who owns or possesses a leashed dog to keep the animal under control at all times, and to immediately remove and dispose of dog feces or other waste.

4. Except as lawfully permitted at Lakeside Golf Course, the sale, consumption or possession of intoxicating liquors or beverages and dangerous or narcotic drugs, or gambling of any kind is prohibited.
5. No person shall cut, break, ,move, take or otherwise injure, destroy or deface any trees, shrubs, plants, turf, rock or any building, fence, bridge, sign or other structure or leave waste items or rubbish of any kind.
6. No person shall discharge or set off any fireworks, firecrackers, or explosives.
7. No person shall set a trap or snare, or shoot, injure, annoy, disturb or poison any wild animal or bird, or injure or destroy any nest,
8. No person shall ride in or drive any motor vehicle or other device which is self-propelled except upon designated roads or parking lots. Abandoned vehicles shall be towed at owner's expense.
9. Except on posted trails, no horses, cattle, livestock, and domestic animals other than dogs are allowed.
10. Practicing or playing golf, archery is prohibited.
11. Smoking of any kind is prohibited.

Adopted this 20<sup>th</sup> day of July, 2021. This ordinance will become effective upon signing and posting.

By:

\_\_\_\_\_  
Ken Romney, Mayor

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

Attest:

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

# MEMORANDUM



**TO:** Mayor & Council  
**DATE:** July 15, 2021  
**FROM:** Staff  
**RE:** **Emergency Water Connection to Lakeside Golf Course**

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This memo introduces a proposal to connect the irrigation system at Lakeside Golf Course to the West Bountiful City water system.

## Background

The irrigation system at Lakeside Golf Course is supplied with secondary water from Weber Basin Water Conservatory District. While the city has a certain allotment, it is contingent on the water being available. The regular season for this water is April 15 – October 15.

Due to the current drought, we began the season with a 20% decrease in our secondary water allotment, with the expectation that the water season will be shortened to October 1. We have been told by Weber Basin that the season could be shortened into September as drought conditions worsen. If we lose water before the middle of September, the course will likely lose fairways, tees, and greens.

Understanding the need to conserve water, Lakeside began the season with a water management plan (attached). We are currently on schedule to meet the water reduction goals.

While the course will see aesthetic impacts from less water like the browning of turf, it is critical that we not allow the death of turf, especially on greens, tees, and fairways. For example, if a green is lost and the course replaces it with sod, we would likely lose play on that green for 1.5 months and spend \$75K-\$100K on sod. If it is replaced with seed, we would lose 150 days of play for re-growth during peak playing season. Loss of play on greens would significantly alter course revenue.

If the course used all of its resources to keep greens alive, we would risk significant loss on tees and fairways, which would also result in months for re-growth, essentially losing a season of play, as well as tens of thousands in seed costs. This is the primary reason that this emergency connection proposal includes a connection large enough to keep the full course alive.

### Emergency Water Connection

In anticipation of secondary water becoming unavailable at a point in the year where water would still be critical to keeping turf alive, staff explored options related to connecting the irrigation system to the city's water system. Such a connection would continue to benefit the course if the drought continues in the coming years and could also serve in emergency situations when Weber Basin has a broken water line or maintenance to their system.

The proposal is for a 6" connection coming off of 975 W and approximately 812 N. This connection would require a vault for the meter and backflow protection. In reviewing design options, a smaller connection would not supply the needed pressure to fully operate the system.

The cost estimate for this proposal is \$104,000. This includes a 15% contingency. Staff believes the self-performing as much work as possible could lower the total cost to \$70,000, but manpower will be a challenge.

Staff believes that this proposal should be viewed as a long-term investment in the course, giving the city more control in the ability to protect the primary asset.

The Golf Course Fund is currently projected to have \$290,000 in available funds.

## 2021 LAKESIDE GOLF COURSE WATER MANAGEMENT PLAN

A few facts about our irrigation system. We have 877 irrigation stations we operate and approximately 950 total irrigation heads. Each one of these heads sprays an 85-foot radius circle. The system is design to work in a triangulated spacing system, meaning any one area of turf on the course is affected by at least 3 irrigation heads. Each of our irrigation heads is individually controlled by an electric valve, which gives us great control of our water. In the years before our irrigation system upgrade one station would activate three different heads, and it was far more difficult to control the even application of water. Our system operates at 100 PSI and in the summer months takes 8-10 hours to complete an irrigation cycle of the full course.

- No Mow/ Native Grass areas have been added to the course, expanding these areas to approximately 4 acres of out of play turf areas that have been removed from irrigation. These areas include the left side of #8 fairway, left of #10 tee, the area in between #10 green and #15 tee has been expanded, left side rough on # 15, left side rough on #17 and the area in between #18 fairway and #17 lady's tee.
- We have converted 32 full circle irrigation heads to part circle heads. These heads would have been watering our No Mow areas but now will only be watering the in-play areas.
- 10 heads have been removed from the programing to not water at all.
- A wetting agent will be applied to the fairway and teeing surfaces to help retain moisture in the soil so that we can reduce the applied irrigation and still maintain a playable surface.
- Hand watering of dry spots is going to increase to save water by applying water to the dry areas specifically rather than the area that an irrigation head covers.
- Throughout the season we will continue to monitor the efficiency or our system and adjust where we need to
- We will not water between the hours of 10 A.M and 6 P.M. unless we need too. This will be a tough one to accomplish, and the need to test irrigation and fix problems will always arise and we may need to accomplish these tasks during the no water period. But all efforts will be made to avoid watering in these times.
- Additionally, all areas of the golf course irrigation will be reduced to help reach the goal of 20% reduction in water.

In conclusion, this is going to be a bit of a rough year for the visual aspect of the golf course. This reduction in water will have its effect and the maintenance team will do everything it can to keep the turf alive while meeting the reduction goal. We start off every year with 264.6-acre feet of water. This year that number is reduced to 205.8-acre feet of water. We have not seen a year where we have used that little of water. This reduction will be felt and we should all understand that going into this golf season

**COST ESTIMATE**  
**GOLF COARSE 6" IRRIGATION**  
**CONNECT FROM CITY WATER SYSTEM IN 975 WEST**

DATE 7-14-2021

ITEM	SITE WORK	QTY	Unit of Measure	Unit Cost	Total
1	6" to 12" structural fill	23	TON	\$25.00	\$567.21
2	8" road base	25	TON	\$25.00	\$625.00
3	4" asphalt	15	TON	\$90.00	\$1,350.00
4	Remove or Protect existing Gate and Fence	25	LF	\$25.00	\$625.00
5	Remove and Replace Storm Drain Ditch	25	LF	\$50.00	\$1,250.00
6	Remove and Replace Golf Coarse Path Asphalt Surface	450	SF	\$3.25	\$1,462.50
7	Remove and Replace Golf Coarse Landscape	520	SF	\$2.25	\$1,170.00
<b>SITE WORK SUBTOTAL</b>					<b>\$7,049.71</b>
VAULT		QTY	Unit of Measure	Unit Cost	Total
8	Materials - Precast Concrete Vault (6'W x 10'L x 7'H)	1	EA	\$12,000.00	\$12,000.00
9	Excavate and Remove exist. Material in street for vault and haul away.	1,788	CF	\$6.00	\$10,728.00
10	Installation - Precast Concrete Vault	1	EA	\$5,400.00	\$5,400.00
11	Vent (pipe to surface)	1	EA	\$1,200.00	\$1,200.00
12	Access Port with Steps	1	EA	\$500.00	\$500.00
13	Concrete Collar at Access Port	1	EA	\$350.00	\$350.00
14	Sump pit / Drain	1	EA	\$750.00	\$750.00
15	Drain Pump line to discharge	1	EA	\$750.00	\$750.00
<b>VAULT SUBTOTAL</b>					<b>\$31,678.00</b>
IRRIGATION IN VAULT		QTY	Unit of Measure	Unit Cost	Total
16	6" C-900 pvc	10	LF	\$87.50	\$875.00
17	6" Mag Meter	1	EA	\$4,500.00	\$4,500.00
18	6" RPZ/ Back Flow	1	EA	\$3,500.00	\$3,500.00
19	6" Dismantling Joint	1	EA	\$1,000.00	\$1,000.00
20	Thrust Block	2	EA	\$1,200.00	\$2,400.00
21	All fittings Ceramic Coated	5	EA	\$150.00	\$750.00
22	Hose Faucet	1	EA	\$350.00	\$350.00
<b>IRRIGATION IN VAULT SUBTOTAL</b>					<b>\$13,375.00</b>
IRRIGATION TO EXISTING GOLF COARSE		QTY	Unit of Measure	Unit Cost	Total
23	6" Valve	1	EA	\$2,700.00	\$2,700.00
24	6" C-900 pvc	112	LF	\$70.00	\$7,840.00
25	Connect to existing 6" NON-PVC pipe - Coupler	2	EA	\$1,000.00	\$2,000.00
26	Connect to existing 6" Golf Coarse System pipe - Spool (coupler to Tee)	2	EA	\$250.00	\$500.00
27	Tee C-900 PVC	1	EA	\$2,000.00	\$2,000.00
28	Thrust Block	2	EA	\$1,200.00	\$2,400.00
<b>IRRIGATION TO EXISTING GOLF COARSE SUBTOTAL</b>					<b>\$17,440.00</b>
IRRIGATION FROM EXISTING CITY SYSTEM TO VAULT		QTY	Unit of Measure	Unit Cost	Total
29	6" Valve	1	EA	\$2,700.00	\$2,700.00
30	6" C-900 pvc	30	LF	\$85.00	\$2,550.00
31	Connect to existing 6" NON-PVC pipe - Coupler	2	EA	\$1,000.00	\$2,000.00
32	Remove existing Thrust Block	1	EA	\$300.00	\$300.00
33	Remove exiting plug	1	EA	\$150.00	\$150.00
34	Thrust Block	1	EA	\$1,200.00	\$1,200.00
35					
<b>IRRIGATION FROM EXISTING CITY SYSTEM TO VAULT SUBTOTAL</b>					<b>\$8,900.00</b>
ELECTRICAL, CLIMATE CONTROL and SCADA		QTY	Unit of Measure	Unit Cost	Total
36	Meter	1	EA	\$1,200.00	\$1,200.00
37	Service (pole and underground)	1	LS	\$3,200.00	\$3,200.00
38	Dehumidifier	1	EA	\$1,000.00	\$1,000.00
39	Light (inside vault)	1	EA	\$1,000.00	\$1,000.00
40	110 V Outlet	1	EA	\$250.00	\$250.00
41	Heater	1	EA	\$500.00	\$500.00
42	SCADA	1	EA	\$3,000.00	\$3,000.00
43	Drain Pump	1	EA	\$750.00	\$750.00
<b>ELECTRICAL, CLIMATE CONTROL and SCADA SUBTOTAL</b>					<b>\$10,900.00</b>
Misc. Items		QTY	Unit of Measure	Unit Cost	Total
44	SWPPP	1	LS	\$500.00	\$500.00
45	Testing, pressure and Bacteria	1	EA	\$750.00	\$750.00
<b>SUBTOTAL</b>					<b>\$1,250.00</b>
<b>SUB-TOTAL WORK AMOUNT COST ESTIMATE</b>					<b>\$90,592.71</b>
<b>PROJECT TOTAL</b>					
CONTINGENCY		15.00%			\$13,588.91
<b>PROJECT TOTAL COST ESTIMATE</b>					<b>\$104,181.62</b>



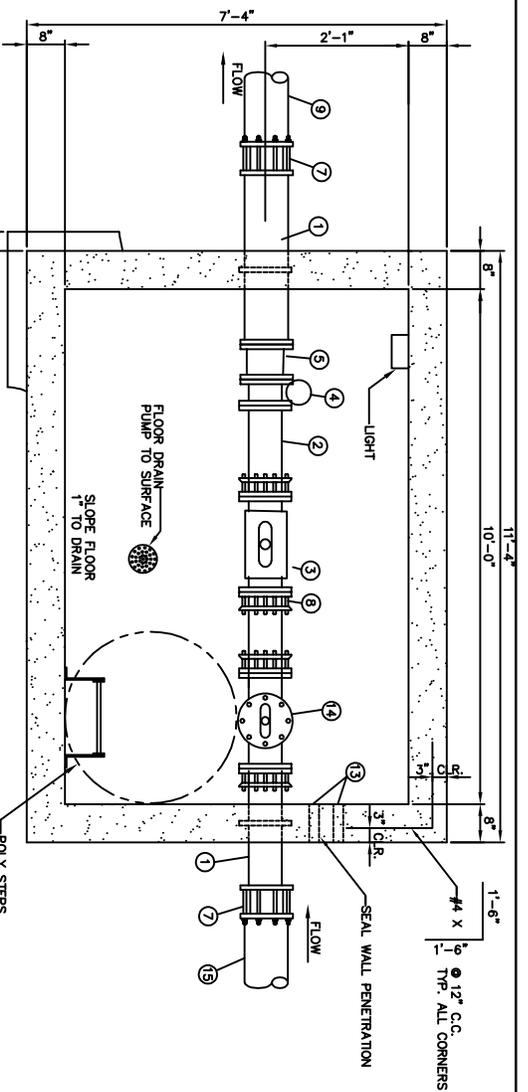
**KEY NOTES: #**

1. METER VAULT PRECAST CONCRETE (6'W x 10'L x 7'H)
2. NEW 6" VALVE
3. CONNECT TO EXISTING 6" CITY WATER SYSTEM
4. CONNECT TO EXITING GOLF COARSE IRRIGATION SYSTEM
5. NEW ELECTRICAL POLE AND SERVICE TO VAULT
6. NEW 6" PVC C-900
7. NEW DRAIN LINE FROM VAULT TO SD DITCH

8. EXISTING 6" CITY WATER PIPE
9. EXISTING SEWER
10. EXISTING OVERHEAD POWER/POLE
11. EXISTING STORM DRAIN PIPE/DITCH

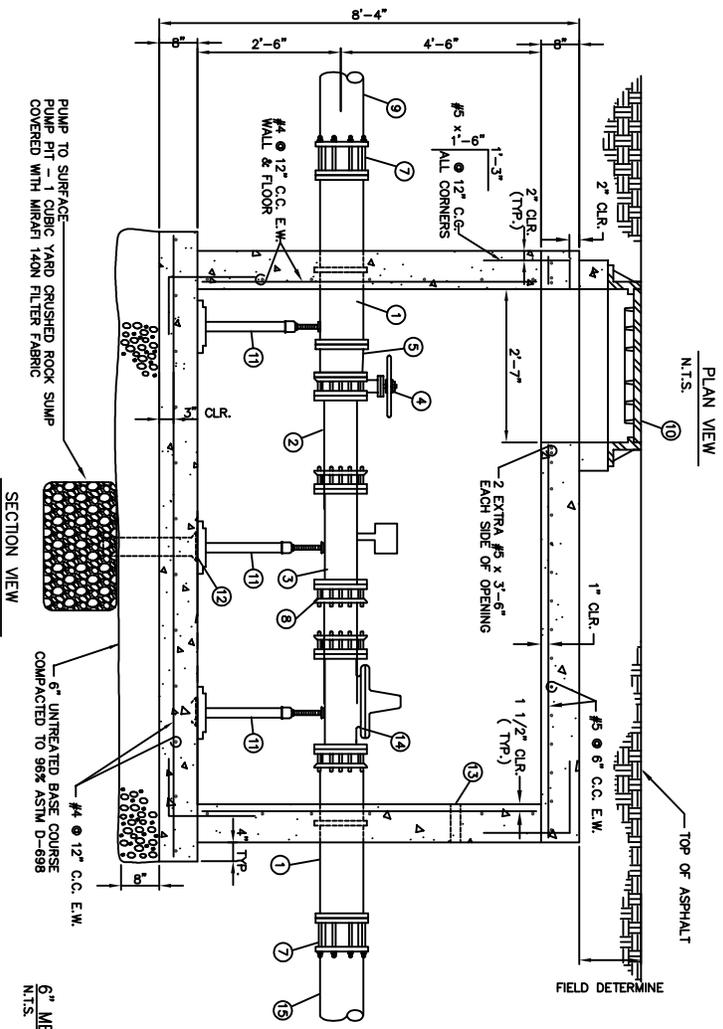


NO. DATE	REVISIONS	DESIGNER'S NO.	PROJECT NO.
		FILE NAME	21-022
		C-01	C-01
		DATE	7-14-21
WEST BOUNTIFUL CITY		GOLF COARSE 6" IRRIGATION CONNECT FROM CITY SYSTEM	
550 North 800 West West Bountiful, UT 84087 Office: 801.292.4486 Fax: 801.292.6355 www.wbcity.org			
		PRELIMINARY PROJECT PLAN	
		SCALE: 1"=10' 1:10	



**6" WATER METER VAULT  
VALVE AND FITTING SCHEDULE**

NO.	DESCRIPTION	SIZE	JOINT
1.	WALL PIPE W/THRUST RING	6" X 6'-0"	FL X PE
2.	SPOOL PIECE	6"	FL
3.	MAG ELECTROMAGNETIC FLOW METER	6"	FL
4.	LUG STYLE BUTTERFLY VALVE	6"	FL
5.	DISMANTLING JOINT	6"	FL
6.	NIPPLE	6"	FL X PE
7.	FLANGE COUPLING ADAPTOR	6"	FL X PE
8.	FLANGE COUPLING ADAPTOR	6"	FL X PE
9.	WATER PIPE PVC C-900	6"	-
10.	MANHOLE RING AND COVER (D&L SUPPLY A-1385)	30"	-
11.	PIPE SUPPORT	-	-
12.	FLOOR DRAIN (NICKEL/STAINLESS)	6"	-
13.	CONDUIT BLOCK OUT	2"	-
14.	RPZ BACKFLOW PREVENTION	6"	-
15.	EXISTING WATER PIPE NON-PVC	6"	-



NO.	DATE	REVISIONS

DRAWN BY: KN  
 FILE NAME: C-02  
 DATE: 7-14-21

**WEST BOUNTIFUL CITY**  
 550 North 900 West  
 West Bountiful, UT 84087  
 Office: 801.292.4486 Fax: 801.292.6355  
 www.wbcity.org

**GOLF COARSE 6" IRRIGATION  
 CONNECTION FROM CITY SYSTEM**

**6" METER STATION VAULT (EXAMPLE)**  
 N.T.S.

**6" METER VAULT  
 PRELIMINARY**

PROJECT NO:	21-022
CLIENT NO:	C-02
SCALE:	AS SHOWN

**PENDING – NOT YET APPROVED**

Minutes of the West Bountiful City Council meeting held on Tuesday, June 15, 2021, at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

**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 Erikson, Cathy Brightwell (City Recorder), Kris Nilsen (City Engineer), Dallas Green (Golf Director)

**PUBLIC:** Alan Malan, Rick & Lori Ferlin, Richmond Thornley

Mayor Romney called the regular meeting to order at 7:30 pm. Kelly Enquist offered a thought, and the Pledge of Allegiance was led by Rod Wood.

**1. Approve the Agenda.**

**MOTION:** *James Ahlstrom 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 were no public comments.

**3. Ferlin 1-Lot Subdivision at 924 W 2200 North, Including a Deferral Request for Public Improvements and Secondary Water.**

Kris Nilsen reviewed the history of this request. The Ferlin's have applied for a 1-lot subdivision at 924 W Porter Lane. The lot meets the required A-1 zoning requirements for size and frontage.

The land under consideration was originally part of a larger parcel owned by Jeff and Paul Tingey. In 2015 the Tingey's submitted a subdivision application to divide the larger parcel into two, but quickly discontinued the process and instead filed an improper lot line adjustment with the county to connect the eastern half of the property to a lot owned by Mr. Paul Tingey in the adjacent Birnam Woods Subdivision. Based on comments made by the Tingey's at the time, this was clearly done to avoid the subdivision process and the associated fees and required improvements. Due to this action, the city considers the parcel to the east (and Mr. Tingey's lot in Birnam Woods) to have an illegal status. The land remaining on the west side of the parcel is what is now owned by the Ferlin's.

In 2018 the Ferlins made application and the planning commission approved a conditional use for a flag lot, and the city council approved a final plat for a 2-lot subdivision for this property. Conditions for approval included extending secondary water to the development, water rights

47 deeded to the city or payment of water right fees, installation of a streetlight, and payment of  
48 impact and inspection fees. Also, included was a deferral of curb, gutter, sidewalk and associated  
49 improvements as there was no existing curb immediately adjacent to the proposed development.  
50 This process helped this property to obtain a legal status after the improper Tingey lot line  
51 adjustment. However, the Ferlin's did not proceed to meet the conditions imposed for the  
52 subdivision, so a final plat was never recorded, and the subdivision approval has expired.

53  
54 The Ferlins have abandoned their plans for a 2-lot subdivision with a flag lot, and now wish to  
55 place a single home on their 2.4 acres. Due to the unique history of the property, legal counsel has  
56 offered as an option the concept of a "1-lot" subdivision to allow the parcel to be legitimized as a  
57 lot. Under this scenario, the Ferlins must meet all the minor subdivision requirements and record a  
58 Record of Survey with the City's written approval under WBMC § 16.16.020.F and LUDMA  
59 Section 10-9a-605(1). They have asked for a deferral of the public improvements associated with  
60 curb, gutter and sidewalk, and a deferral to install secondary water.

61  
62 The planning commission reviewed the application and recommended approval with a deferral of  
63 curb, gutter, sidewalk and associated improvements. They did not recommend granting the deferral  
64 of secondary water improvements.

65  
66 Council member Wood asked for an explanation of how a deferral works and at what point does the  
67 city call a deferral due? It was explained that the city has historically granted deferrals in situations  
68 where there are no adjacent improvements. The Extension for Off-Site Improvements Agreement  
69 typically allows property owners 120 days after the city makes written request that the  
70 Improvements must be installed.

71  
72 There was discussion that the city might want to pay for the improvements fronting the Tingey  
73 property and file a lien for reimbursement. This would allow improvements (curb, sidewalk) to  
74 continue from Birnam Woods subdivision west across the Tingey and Ferlin properties. There was  
75 some concern about whether the city has the authority to do public improvement and then place a  
76 lien on the property. Mr. Doxey suggested that the city could give Mr. Tingey Notice that  
77 improvements are necessary and if he does not complete them, the city can lien the property.

78  
79 The Ferlins have been in talks with Weber Basin about how to meet the secondary water  
80 requirement. Weber Basin has indicated that the secondary water line must be extended from the  
81 west and cross the entire property rather than just connecting at the nearest corner even though there  
82 are no plans for the line to connect to existing water lines on the east due to separate pressure  
83 systems.

84  
85 In response to questions, Rick Ferlin explained that he worked with Ben White, previous city  
86 engineer, for a couple of years as they went through their due diligence on the property. He  
87 understood that the Tingey property was considered an illegal lot, but he never understood that his  
88 property was not considered a legal building lot. He said they thought it would be nice to create a  
89 flag lot for their kids if they wanted it but the costs for the subdivision were too high. They have now  
90 decided to just go forward with building their home. A month after filing for a building permit this  
91 past April, they were surprised to find out their property was not a legal building lot, and they would  
92 be required to meet the same conditions required for a subdivision before the building permit would  
93 be issued. They have since requested deferrals of the street public improvements and secondary

94 water connection. He added that if a standard deferral is not granted for the secondary water, they  
95 request a delay so they can complete construction on their home before they must pay these  
96 additional expenses.

97  
98 Mr. Huffman stated that the city has always been clear on the history of the property, and that the  
99 improvements are triggered not just by subdivision but also by building permits.

100  
101 Mr. Ferlin responded that there was clearly a misunderstanding about what was required. They did  
102 not understand the conditions for a subdivision would also be required for a building permit. If they  
103 had known, they would likely have moved forward to complete the subdivision. They believed their  
104 current option was a less expensive way to get their home built.

105  
106 Mayor Romney noted that the city needs to provide direction so they can get going on construction  
107 and suggested a time period be included for secondary water completion. He indicated that he has  
108 some sympathy for the Ferlins based on the confusion and resulting delays. He offered to put Mr.  
109 Ferlin in contact with Weber Basin decision makers to clarify their requirements.

110  
111 **MOTION:** *Rod Wood made a Motion to Approve the Ferlin 1-Lot Subdivision subject*  
112 *to: 1) compliance with the conditions listed in the staff memo, 2) deferral of*  
113 *street improvements with the standard Extension for Off-Site Improvements*  
114 *Agreement, and 3) Secondary Water Connection is Deferred to the*  
115 *Beginning of the 2023 Building Season. James Ahlstrom seconded the*  
116 *Motion which PASSED by a vote of 4-1 with Council member Bruhn voting*  
117 *Nay.*

118  
119 **4. Resolution 496-21, A Resolution Implementing 2021 Watering Restrictions.**

120  
121 This Resolution mirrors the Watering Restrictions imposed by Weber Basin for outside watering  
122 during the drought.

123  
124 **MOTION:** *Rod Wood made a Motion to Adopt Resolution 496-21 Implementing*  
125 *Watering Restrictions for 2021. Mark Preece seconded the Motion which*  
126 *PASSED by a vote of 4-1 with Council member Bruhn voting Nay.*

127  
128 James Ahlstrom – aye James Bruhn – nay  
129 Kelly Enquist – aye Mark Preece – aye  
130 Rod Wood – aye

131  
132 **5. Resolution 497-21, A Resolution Reaffirming Culinary Water Rates.**

133  
134 The current culinary water rates are set to expire on July 1, 2021. The city council has determined  
135 that a water study should be conducted to review the projected operational, capital, and debt service  
136 needs of the water system. Until the study can be completed, it is appropriate to reaffirm the current  
137 rates. Components of the rate have been shifted with the total rate paid by residents remaining the  
138 same.

139

140 There was discussion about the need to move forward with the study quickly to fix any rate  
141 inequities between residential and commercial customers.

142  
143 **MOTION:** *James Ahlstrom made a Motion to Adopt Resolution 497-21 Reaffirming*  
144 *Culinary Water Rates. Rod Wood seconded the Motion which PASSED by*  
145 *unanimous vote of all members present.*

146  
147 James Ahlstrom – aye James Bruhn – aye  
148 Kelly Enquist – aye Mark Preece – aye  
149 Rod Wood – aye

150  
151 **6. Resolution 498-21, A Resolution Enacting the Second Amendment to the Fiscal Year**  
152 **2020-2021 Budget.**

153  
154 The proposed Amendments to the FY 2020-2021 have been discussed in previous meetings. There  
155 are some additional increases in revenue, and expenses include a transfer to the public works west  
156 yard project. Also noted was the significant increase in bank charges especially at the golf course as  
157 payment policies changed last year for COVID. The Fund Balance is \$1.3M (26%) which may still  
158 reflect underestimated sales tax revenues.

159  
160 **MOTION:** *Mark Preece made a Motion to Adopt Resolution 498-21 Enacting the*  
161 *Second Amendment to the Fiscal Year 2020-2021 Budget. Rod Wood*  
162 *seconded the Motion which PASSED by unanimous vote of all members*  
163 *present.*

164  
165 James Ahlstrom – aye James Bruhn – aye  
166 Kelly Enquist – aye Mark Preece – aye  
167 Rod Wood – aye

168  
169 **7. Resolution 499-21, A Resolution Adopting the Fiscal Year 2021-2022 Budget, and**  
170 **Property Tax Rate.**

171  
172 Duane Huffman reviewed final changes to the FY 2021-2022 Budget which includes the Certified  
173 Tax Rate of 0.001301. This rate has been reduced from last year due to growth in property values in  
174 the city. The budget also includes a 2% increase in the city's pay scale for inflation, including  
175 elected officials. The General Fund Balance is \$1.288M (25%).

176  
177 **MOTION:** *James Ahlstrom made a Motion to Approve Resolution 499-21 Adopting the*  
178 *Fiscal Year 2021-2022 Budget and Property Tax Rate. James Bruhn*  
179 *seconded the Motion which PASSED by unanimous vote of all members*  
180 *present.*

181  
182 James Ahlstrom – aye James Bruhn – aye  
183 Kelly Enquist – aye Mark Preece – aye  
184 Rod Wood – aye

185  
186 \*\*\*\*\*

187  
188 Lori Ferlin returned and asked to address the city council following the discussion and decision  
189 made for Agenda Item 3 earlier this evening.

190  
191 ***James Bruhn made a Motion to suspend the agenda to allow Mrs. Ferlin's comments. The Motion***  
192 ***was seconded by James Ahlstrom and voting was unanimous in favor.***

193  
194 Lori Ferlin thanked the Council for their thoughtful decision. This has become a very expensive  
195 process, and they appreciate the willingness of the Council to help them. However, she feels it is  
196 important to state that she was offended by Mr. Huffman's earlier comments that implied they lied  
197 about what they knew when working with Mr. White several years ago. These issues never came up  
198 in earlier conversations and they truly believed they could build their home without the additional  
199 development fees and survey costs. She added that she and her husband take pride in being honest  
200 people.

201  
202 Duane Huffman apologized and said he never intended to imply that she or her husband acted  
203 dishonestly.

204  
205 Mayor Romney thanked her for coming back to share her concerns. Council member Ahlstrom  
206 assured her their integrity was never in question. He said the problem was with how Mr. Tingey  
207 handled the issue, and they are suffering the consequences.

208  
209 \*\*\*\*\*

210  
211 **8. Resolution 500-21, A Resolution Amending the West Bountiful City Employment**  
212 **Policies and Procedures Manual Regarding Credit Card Use.**

213  
214 Duane Huffman explained that this Resolution amends the Employment Policies and Procedures  
215 Manual to add a section on credit card use.

216  
217 **MOTION:** ***James Bruhn made a Motion to Adopt Resolution 500-21 Amending the***  
218 ***West Bountiful City Employment Policies and Procedures Manual***  
219 ***Regarding Credit Card Use. Kelly Enquist seconded the Motion which***  
220 ***PASSED by unanimous vote of all members present.***

221  
222 James Ahlstrom – aye James Bruhn – aye  
223 Kelly Enquist – aye Mark Preece – aye  
224 Rod Wood – aye

225  
226 **9. Presentation of Annual Fraud Risk Assessment.**

227  
228 Fraud and the potential of fraud is an issue that West Bountiful City takes very seriously. City staff  
229 supports the idea of a regular fraud risk assessment and is committed to continual improvement in  
230 this area The city recently hired accounting support and recommends establishing an audit  
231 committee in the future.

232

233 Duane Huffman presented the annual Fraud Risk Assessment for FY-21. The city's "risk level"  
234 according to the Office of the State Auditor is Low Risk at 320 points. This is an improvement from  
235 FY-20's High Risk at 220 points.

236  
237 **10. Open Meeting Training for FY 2021**

238  
239 Duane Huffman reviewed the Open and Public Meetings Act including changes made this past year  
240 dealing with electronic meetings without anchor locations.

241  
242 **11. Minutes from May 18, and June 1, 2021, City Council Meetings.**

243  
244 **MOTION:** *James Bruhn made a Motion to approve the meeting minutes from May 18*  
245 *and June 1, 2021. James Ahlstrom seconded the Motion which PASSED by*  
246 *unanimous vote of all members present.*

247  
248 **12. Staff Reports**

249  
250 **Police – Brandon Erikson**

- 251 • Received two new trucks and equipment is being installed. Once this is complete, the old ones
- 252 will be ready for auction.
- 253 • There is an issue with delivery of the new Ford Explorers due to a shortage of computer chips.
- 254 We have been told we will receive them in the "near future."
- 255 • We are running background checks on two new officers. If they both pass, one will be a regular
- 256 officer and one could be used as reserve, then we will appoint a second detective from within
- 257 current force.

258  
259 **Public Works – Steve Maughan**

- 260 • Working on fire hydrants on Porter Lane before road construction begins middle of July.
- 261 • Pickleball - concrete was added, fencing and artificial turf should be installed this week or next,
- 262 and surfacing is scheduled for next week. Once we are done, the school district can do their
- 263 landscaping.
- 264 • Miscellaneous concrete work will begin soon.
- 265 • Well house construction is going well.
- 266 • Streetlight update - Duane helped with contacts at Rocky Mountain Power and we seem to be
- 267 moving in a good direction. We reported 36 lights and 13 have been repaired so far. Will look at
- 268 the ones we own after the other repairs are completed.

269  
270 **Engineering – Kris Nilsen**

- 271 • Working on subdivisions, building permits, and golf course issues, including an emergency
- 272 connection to the golf course for irrigation.

273  
274 **Community Development – Cathy Brightwell**

- 275 • Candidate Filing Period began today and will run through Monday, June 7 for the mayoral seat
- 276 and two city council seats.

277  
278  
279

280 **Administrative Report – Duane Huffman**

- 281 • Working on an RFP for the public works west yard. It is projected at \$6M with a metal building;  
282 three years ago, it was estimated to be \$7M with other building materials. Financing options will  
283 be provided. The hope is to have earthwork and other items completed over this winter and main  
284 construction early next year.
- 285 • Finalizing FEMA process for windstorm expenditures. We are expecting \$30-40K back.
- 286 • UTOPIA provided additional information following their earlier presentation. We responded  
287 with several questions and have asked them to confirm number of connections which seem to off  
288 by about 1000. We were able to confirm there will be no upfront costs to bring service to the  
289 home.

290  
291 **10. Mayor / Council Reports**

292  
293 Kelly Enquist - no report.

294  
295 James Bruhn – Arts Council has been working on the Independence Day events scheduled for July 3  
296 at city park. The band will begin at 8 pm and fireworks at 10:00 pm.

297  
298 James Ahlstrom – Youth Council planted trees at city park on Arbor Day. They have received 20  
299 applications for the upcoming term and interviews will be scheduled over the next couple of weeks.  
300 Nicole Wood will be the mayor for the 2020-2021 term.

301  
302 Mark Preece – no report.

303  
304 Rod Wood – no report.

305  
306 Mayor Romney – Independence Day events: working on flag ceremony for July 3; we have rented a  
307 stage for the band and public works will put it together; fireworks will begin at 10pm.

308  
309 **11. Closed Session Pursuant to UCA § 52-4-205(1)(c).**

310  
311 No closed session was necessary

312  
313 **12. Adjourn.**

314  
315 **MOTION:** *James Bruhn made a Motion to adjourn the closed meeting. Rod Wood*  
316 *seconded the Motion which PASSED by unanimous vote of all members present.*

317  
318 -----

319  
320 *The foregoing was approved by the West Bountiful City Council by unanimous vote of all members*  
321 *present on Tuesday, July 20, 2021.*

322  
323  
324 \_\_\_\_\_  
325 Cathy Brightwell, City Recorder  
City Recorder