

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, OCTOBER 20, 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 – 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. Ordinance 436-20, An Ordinance Amending the West Bountiful City Zoning Map to Remove the Property at 862 W Heritage Pointe Circle from the Historical Overlay District.
4. Ordinance 431-20 (corrected), An Ordinance Approving the Disconnection of Approximately Two Acres of Real Property from West Bountiful City.
5. Presentation on Beautification Initiative.
6. Minutes from October 6, 2020.
7. Staff Reports – Police, Public Works, Community Development, Administration
8. Mayor/Council Reports.
9. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
10. 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 16, 2020.

Join Zoom Meeting:

<https://us02web.zoom.us/j/89619454815>

Meeting ID: **896 1945 4815**

One tap mobile

+13462487799,,89619454815# US (Houston)

+14086380968,,89619454815# 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)

MEMORANDUM



TO: Mayor and City Council

DATE: October 16, 2020

FROM: Staff

RE: Request to Rezone out of the Historical Overlay District – 862 Heritage Pt Cir.

Mr. Blake Heller has requested to have his property at 862 Heritage Pointe Circle or, in the alternative, the entire Heritage Pointe subdivision, removed from the Historical Overlay District. Zone changes are legislative actions that are subject to the discretion of the city council.

Background – The Historical Overlay District

- 2007 - The current historical overlay district appears to have roots in an ordinance that established a historical preservation commission and the idea of historical districts with enforceable standards. This was done at least somewhat in conjunction with the Heritage Pointe subdivision. Of the thirty-six lots in Heritage Pointe, there is currently only one vacant lot left to be built on.
- 2012 – The Historical Overlay District was added to the West Bountiful City Municipal Code as a land use ordinance. The ordinance mapped the district and created standards the architectural review board would use to review the appropriateness of construction in the district. Again, this was done to help address construction in the Heritage Pointe subdivision, but the district map included areas outside of the subdivision. The map and the architectural standards are attached with this memo.
- 2014 – The Hopkinson property at 1277 N 800 W was removed when creating a new lot.
- 2016 – The Jones property at 887 N 800 West removed (Lot 15 of Heritage Pointe) to facilitate an addition to an existing home that was not in the Historical District.
- 2017 – The Manors at McKean Meadows subdivision removed the entire property at the time of development, except Lot 1 that fronts 800 West.
- 2020 – The Winegar property at 788 N 800 West was removed from the Historical Overlay District to facilitate the addition of an accessory structure. At the time of the vote, members of the city council expressed a desire to have the planning commission review the continuing need for the historical district or its design standards.

The review and enforcement of historical design elements within the Heritage Pointe subdivision has put the city in a position more akin to a homeowners' association rather than a body protecting a historical neighborhood. This function was initially the responsibility of an architectural control committee established as part of the Heritage Pointe Covenants, Conditions and Restrictions (CCR's). In addition to the developer and property owners, it included two members the West Bountiful Historical Committee. Over time it appears the responsibility was transferred by default to the city as no other members participated.

When the city's historical committee dissolved approximately ten years ago, it was assigned to a newly created Historical Architectural Review Board. By ordinance, this group consists of a member of the city planning department, a licensed architect who has experience with Utah historical design, and the chairman of the Historical Preservation Commission. (The architect participating in this capacity recently resigned and the Historical Preservation Commission no longer exists.)

Heller Request

On September 16, 2020, Blake Heller submitted a request to remove his property 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 due to the restrictions placed on the neighborhood, he has not been successful in obtaining satisfactory approval from the historical review board. Mr. Heller's application is attached to this memo.

Planning Commission Recommendation

The planning commission discussed the request at its September 29 meeting and scheduled a public hearing for October 13. The hearing was properly noticed in the Salt Lake Tribune, Deseret News, city and state websites; letters were sent to all homeowners in Heritage Pointe subdivision; and a sign was posted on the property.

At the hearing, seven residents testified in favor of the request. The primary supporting comments included 1) the Historical Overlay regulations are no longer necessary as the subdivision is pretty much built out; 2) the regulations have been implemented inconsistently and unfairly; and 3) the regulations have caused unnecessary stress, time and cost to the homeowners.

Two letters were submitted to staff – one in support and one in opposition. The letter opposing the request stated that being in the historical district was one of the reasons that attracted them to the subdivision, it protects the integrity of the neighborhood, and helps them feel safe with their large home investment.

Also provided was a list of names/addresses/signatures of ten Heritage Pointe residents in support of removing the Historical Codes and requirements of the Subdivision. Three of these residents provided oral testimony above.

Following the hearing, Mr. Doxey explained that the city can allow Mr. Heller's property to be removed and/or remove the entire subdivision from the Historical Overlay District but the CCR's will still be in effect. If property owners wish to eliminate these regulations it is up to them to follow the process outlined in the CCRs to terminate or modify them. This involves calling a meeting of all homeowners and securing support from at least 75% of the members.

Planning Commission members discussed concerns with the district's history, whether it is still appropriate to include Heritage Pointe subdivision, property rights, the desire to maintain the feel of the historical district, and how the request fits within the city's general plan. While there was momentum to consider removing the entire subdivision, the planning commission found that less than a majority of the homeowners in the subdivision had expressed support for such removal. Ultimately, despite some concern for "spot zoning," the commission made a positive recommendation by a vote of 3-2 to allow the Hellers to move forward and continue discussion on the larger issue in future meetings.

Possible discussion topics for consideration include the following:

1. How does this request fit within the city's General Plan? The General Plan contains a number of references to the Historical Overlay District and value of preserving the historical feel of this area.
2. Is there a continued need for the Historical Overlay District?
3. Is there a continued need for the architectural design standards within the Heritage Pointe subdivision and/or entire district?
4. Would the removal of this property from the district be in the best interest of the community and property owner? If so, can both the community and private benefits be described?

An ordinance has been drafted to allow the council to move forward with the zone change if the body so chooses. In order to remove the entire subdivision—which constitutes a significant portion of the Historical Overlay District—from the restrictions of the current land use code or to eliminate the overlay district altogether, staff recommends revisiting the General Plan. It has numerous references to the historical area and the protections offered by the overlay district that may need to be modified before the council could eliminate most, if not all, of the district.



APPLICATION TO REZONE/CHANGE TEXT

West Bountiful City
PLANNING AND ZONING
550 N 800 W
West Bountiful, UT 84087
(801) 292-4486
www.WBCity.org

PROPERTY ADDRESS: 862 HERITAGE POINT CIR. DATE OF APPLICATION: 9/16/20
PARCEL NUMBER: 06-286-0030 CURRENT ZONE: HISTORIC OVERLAY R1-10 PROPOSED ZONE: _____
LEGAL DESCRIPTION ATTACHED: YES (NO)

Applicant Name(s): BLAKE HELLER
Applicant Address (if different than above): SAME
Primary phone: 801-831-7673 E-mail address: blakeheller2000@yahoo.com

Describe in detail the request being made and the reasons why the change will benefit the people of West Bountiful. A separate sheet with additional information may be submitted if necessary.

IT IS MY DESIRE TO BUILD A DETACHED GARAGE ON THE PROPERTY AT 862 HERITAGE POINT CIR. DUE TO THE MULTIPLE INTERPRETATIONS AND RESTRICTIONS PLACED ON THE NEIGHBORHOOD THROUGH THE CLORIS AND THE HISTORIC OVERLAY DISTRICT REGULATIONS, I REQUEST TO HAVE MY PROPERTY REMOVED FROM THE HISTORIC OVERLAY DISTRICT AND/OR HAVE THE ENTIRE SUBDIVISIONS HISTORIC OVERLAY REGULATIONS DISSOLVED. WITH ONLY ONE LOT REMAINING TO BE BUILT ON AND THE NEIGHBORHOOD BEING ESTABLISHED I BELIEVE IT WOULD BE IN THE CITY'S BEST INTEREST TO DISSOLVE AND NOT HAVE TO MANAGE THE HISTORIC OVERLAY DESIGN REGULATIONS ANY LONGER.

I hereby apply to change text in the West Bountiful Municipal Code, or rezone the property identified above in accordance with the provisions of Utah State Code 10-9a-503. I certify that the above information is true and correct to the best of my knowledge.

Date: 9/16/20 Applicant Signature: Blake Heller

FOR OFFICIAL USE ONLY

Application & \$150 Fee Received Date: Sept 16* Public Hearing Date: Oct 13
Letters sent to affected neighbors: Oct 2 Public Notice Sign Placed Oct 2
Planning Commission Approval: _____ City Council Approval: _____
* addl fee waived/transferred from Cent. of Approp Application

WEST BOUNTIFUL MUNICIPAL CODE

17.24.110 Historical Overlay District

The city recognizes that the historical heritage of the West Bountiful community is among its most valued and important assets. It is therefore the intent of West Bountiful to preserve, protect and enhance historic areas and sites within the city. These historic areas, included in the R-1-10 district, are designated as the West Bountiful Historical Overlay District. (See the West Bountiful zoning map for details.)

No dwelling or other building shall be erected or extensively altered on any lot in the historical district without the review and favorable recommendation of the construction plans by the architectural review board, as provided below. An architectural review board consisting of a member of the city planning department, licensed architect who has experience with Utah historical design, and the chairman of the Historic Preservation Commission will be responsible for reviewing historical design. The purpose of this review is to ensure the preservation of historic properties to the greatest degree possible. This review applies only to exterior work which requires a building permit, sign permit, or demolition permit. The applicant will pay a historic architectural review fee, as set periodically by resolution of the City Council.

Unless expressly stated to the contrary in this chapter, all provisions of the West Bountiful City Building Code and Ordinances shall apply in addition to the provisions of the Historic Preservation Commission Ordinance (Chapter 2.44) and this section. In the case of any direct conflict between this section and other provisions of the West Bountiful City Code or Ordinances, the more restrictive provision shall apply.

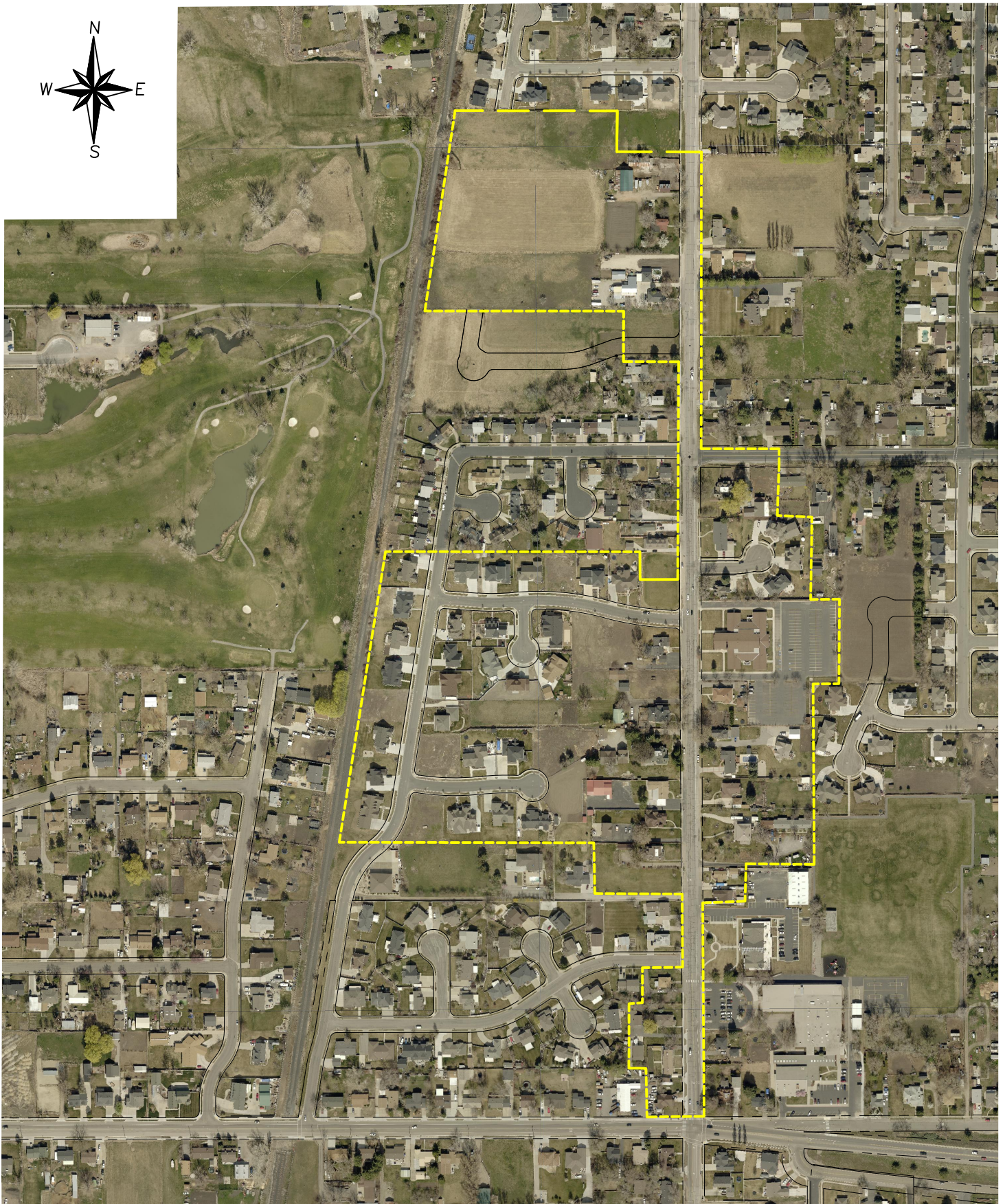
For new construction within the historical district, the following process will be used.

1. The owner or developer will submit an application for a Certificate of Historic Appropriateness and design plans to the zoning administrator. All construction plans and specifications shall include a list of the proposed construction materials which will be in harmony with the requirements of this ordinance as well as the exterior design of the existing structures in the historical district.
2. Design Standards - To ensure historic appropriateness for new construction within the historical district, projects shall be compatible in design, character, size, and proportion to existing historic buildings in the district. New construction shall enhance the historic qualities and unique feeling of the historic areas of the city and shall not erode the character of the neighborhood and shall conform to the following standards:
 - a) Building Design. The West Bountiful historical district evolved over an approximate 100-year span and includes houses of many sizes and architectural styles. Lot sizes and setbacks are not consistent. These variations are part of the unique appeal of the area and should be respected and preserved as much as possible. New development in the historical district shall emulate this pattern by incorporating various size lots, various size houses, and various architectural designs appropriate to time period and area. There are fine architectural examples of Victorian, Prairie style, Craftsman, Bungalow, English, Temple/Greek Revival, and cottage styles in the historical district all of which are appropriate architectural styles for new construction. In addition, many other architectural home designs built in Utah between 1848 and 1940 may be appropriate, as determined by the architectural review board.
 - b) Size. The size of the home shall correspond with the size of the lot. The house and all accessory buildings shall not cover more than 40% of the lot.
 - c) Height. One-story, one and one-half story (upper floor incorporated into the roof line), and two story homes (with an attic above the 2nd story) are appropriate. However, the height cannot be more than 35 feet above the curb level.
 - d) Exterior Facades. Brick is the predominant building material in the historical district. Therefore, the majority of houses should be brick with a fewer number of stone and clapboard homes. Appropriate materials for the outside walls of homes, garages, carriage

houses and other outbuildings are brick, stone/cultured stone or wood/fiber-cement board (such as James Hardee). Contrasting materials may be used for pillars, lintels, quoins, keystones, trims, etc. but must receive positive recommendation by the architectural review board. Brick wainscot, vinyl siding, aluminum siding, and stucco panels will not be allowed. Walls, roof shapes, windows, doors, porches, and ornamental detail shall be historically correct for the home's architectural style and period of history.

- e) Windows. Windows shall be appropriate in style and size for the home's period of architecture and must be uniform throughout the house. Windows must be recessed at least one inch from the outside of the exterior trim.
 - f) Colors - shall be historically appropriate to the home's architectural style and period of history.
 - g) Garages and other outbuildings. All houses shall be constructed with a garage for not less than two (2) vehicles and not more than three (3) vehicles. Garages must be the same architectural style and color as the home and may be (1) detached and located toward the back of the lot, (2) attached and flush to the house or extend up to five feet in front of the house if the garage is built to appear as part of the house and has a side or back opening, or (3) attached with a front opening if the front of the garage is set back at least five feet from the front of the house. The garage and other outbuildings shall be subordinate to the house and shall conform to the architectural style of the home.
 - h) Fences. No privacy fences are allowed from the front of the home to the street. However, low fences in wood/wood composite, ornamental iron, brick, rock, natural hedges, shrubs or any combination of the above may be used in the front yard as part of the landscaping. All fences shall comply with Section 17.24.100 of the West Bountiful Municipal Code, be appropriate to the style of the home and must receive positive recommendation by the architectural review board.
 - i) Driveways, sidewalks, steps, lighting, and landscaping shall be historically appropriate to the home's architectural style and period of history.
3. The architectural review board shall have 30 days to review the plans. Upon completion of the review, the board will either; (a) recommend the plans and specifications as submitted, or (b) notify the party making such request of any objections (such objections to be specifically stated). If objections are noted, the requesting party may resubmit a request for recommendation rectifying any such objections to the city. The architectural review board shall then have an additional 10 days after receipt of said revisions for review. The recommendation or denial of submitted plans shall be in writing and returned to the party making a submission, together with a notation of recommendation or denial and the date affixed to one copy of such plans and specification.
4. Upon approval of a Certificate of Historic Appropriateness by the architectural review board the owner or developer may obtain a building permit from the City. Building inspections and/or occupancy approvals will be withheld if the structure is not in compliance with the historical design approved by the architectural review board. For homes in the historical district, a bond will be required to assure compliance with approved architectural design. The amount of the bond will be set periodically by the City Council.
5. An applicant who has been denied any permit based on the architectural review board's refusal to issue a Certificate of Historic Appropriateness may appeal denial to the planning commission, acting as the appeal authority, in accordance with the procedures provided in Chapter 17.08.
6. Enforcement. The provisions of this section are subject to the enforcement provisions established in the current building code adopted by West Bountiful City, the West Bountiful Municipal Code, and other applicable laws.

WEST BOUNTIFUL HISTORIC DISTRICT



WEST BOUNTIFUL CITY

ORDINANCE #436-20

AN ORDINANCE AMENDING THE WEST BOUNTIFUL CITY ZONING MAP TO REMOVE THE PROPERTY LOCATED AT 862 W HERITAGE POINTE CIRCLE FROM THE HISTORICAL OVERLAY DISTRICT

WHEREAS, Utah Code Annotated § 10-9a-101 et seq., also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Zoning Maps and Subdivision Ordinances; and,

WHEREAS, the West Bountiful Planning Commission held a public hearing on October 13, 2020, to consider removing the property located at 862 W Heritage Pointe Circle from the historical overlay district; and,

WHEREAS, following the public hearing, the West Bountiful Planning Commission voted to recommend to the City Council adoption of an amendment to the City’s Zoning Map that removes the property located at 862 W Heritage Pointe Circle West from the historical overlay district; and,

WHEREAS, the City Council finds that removal of this property from the historical overlay district is in the best interest of the City.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT THE ZONING MAP IS AMENDED TO REMOVE THE PROPERTY LOCATED AT 862 W HERITAGE POINTE CIRCLE WEST FROM THE HISTORICAL OVERLAY DISTRICT.

This ordinance will become effective upon signing and posting.

Adopted this 20th day of October 2020.

By:

Ken Romney, Mayor

Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Preece	_____	_____
Councilmember Wood	_____	_____

Attest:

Cathy Brightwell, City Recorder

WEST BOUNTIFUL CITY

ORDINANCE #431-20 (Corrected)

AN ORDINANCE APPROVING DISCONNECTION OF APPROXIMATELY TWO ACRES OF REAL PROPERTY FROM WEST BOUNTIFUL CITY

WHEREAS, Ludean A. Smith, as Trustee of The Smith Family Revocable Trust created under Trust Agreement dated March 10, 2000; Mack G. Smith and Carolyn Smith, as Trustees of The Mack G. and Carolyn Smith Revocable Trust created under Trust Agreement dated September 4, 1998; J. Lynn Smith, as Trustee of the J. Lynn Smith Living Trust, as amended and restated on November 8, 2017; and Cindy S. Hatch, an individual (collectively, “**Petitioners**”), filed a Petition for Disconnection (the “**Petition**”) from West Bountiful City of approximately 2.027 acres of real property owned by Petitioners;

WHEREAS, the area proposed for disconnection (the “**Property**”) is identified by the Davis County Assessor as Parcel ID No. 06-030-0047, with a street address of 1818 West 400 South, West Bountiful, Utah 84087, and is more particularly described in the attached **Exhibit A** and depicted in the attached **Exhibit B**;

WHEREAS, following statutory notice, the West Bountiful City Council held a public hearing on the Petition;

WHEREAS, at the hearing, Petitioners’ representative spoke in favor of the Petition, expressing Petitioners’ desire that the Property be under the same jurisdiction as an adjacent larger parcel of real property owned by Petitioners (the “**Adjacent Property**”); no one spoke against the Petition;

WHEREAS, the Adjacent Property is located in unincorporated Davis County, but is included in the City’s annexation plan and, along with the Property, in the West Bountiful/Woods Cross Legacy Community Development Project Area;

WHEREAS, the City deems it desirable to cooperate with Petitioners in the development of the Property and the Adjacent Property, and Petitioners have expressed their desire to cooperate with the City in that regard;

WHEREAS, the City Council, having considered Petitioners’ request for disconnection, is willing to grant the Petition in accordance with this Ordinance;

WHEREAS, the City Council adopted Ordinance #431-20 dated effective July 21, 2020, approving the disconnection of the Property; however, the legal description in the ordinance and local entity plat provided by Petitioners was incorrect;

WHEREAS, this Ordinance is intended to correct Ordinance #431-20 to provide the correct legal description and depiction of the Property.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST BOUNTIFUL CITY, AS FOLLOWS:

1. The City hereby approves disconnection of the Property from the City.
2. The Mayor is hereby authorized and directed to prepare, file, and submit all documents, and take all other actions required of the City Council under *Utah Code Ann.* § 10-5-507, to carry out the purposes of that statute and this Ordinance.

This Ordinance will become effective upon signing and posting.

ADOPTED this 20th day of October 2020.

By:

Kenneth Romney, *Mayor*

Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Preece	_____	_____
Councilmember Wood	_____	_____

Attest:

Cathy Brightwell, *City Recorder*

EXHIBIT A

Legal Description of the Property

Beginning 940.40 feet North and East 3.44 feet from the Southwest corner of Section 23, Township 2 North, Range 1 West, Salt Lake Base and Meridian to an existing wire fence as described in paragraph 2 of Final Order, Judgment and Decree Quieting Title recorded September 11, 2008 as Entry No. 2391975 in Book 4613 at Page 801; thence along said existing wire fence the following four courses: North 02°49'13" East 1.90 feet and North 01°13'17" West 164.46 feet and North 01°08'27" East 147.06 feet and North 00°04'35" East 66.25 feet; thence West 233.08 feet; thence South 00°05'15" West 379.60 feet parallel to the section line; thence East 234.44 feet to the point of beginning.

EXHIBIT B

Depiction of the Property

MEMORANDUM



TO: Mayor and City Council

DATE: October 16, 2020

FROM: Duane Huffman, City Administrator

RE: **New City Beautification Initiative**

This memo introduces a proposed beautification initiative for discussion at the next city council meeting.

Background

Like many communities, the city has historically struggled to address nuisance issues such as vegetation blocking sidewalks, debris that harbor rodents or present a fire danger, and other nuisances that threaten the health and safety of neighborhoods. Our challenges include mixed community sentiment, limitations on workforce, and cumbersome enforcement options. It is staff's perception that complaints about the city's performance in this area have grown over recent years.

In January of 2020, part-time administrative staffing was added to both assist the police department and eventually to increase the city's ability to address beautification issues. The current pandemic slowed this process, but staff is ready to move forward with a new beautification initiative.

Proposal

Staff's proposal can be summarized as follows:

1. Terri Hensley will serve in the role of Beautification Specialist.
2. The approach will be:
 - a. Friendly – communication with residents will be primarily over the phone or in-person. We will limit the use of the dreaded, cold "letter from the city" as much as possible.
 - b. Consistent – rather than relying on threats, this approach will focus on consistent follow-ups until issues are resolved. New software (iWorQ) originally acquired to manage building permits and work orders will also increase our ability to register and track cases.
3. The roll-out of this initiative will have a relatively small focus while we test its ability to be effective. We will start with trees/bushes that are blocking public ways. Once we work out any bugs and experience success, we will expand to other items like junk in front yards.
4. Cases will be initiated both by complaint and staff observation. Staff will systematically survey the city to identify cases where public ways are obstructed. This will help resolve issues of fairness in the city's approach.

As with any new activity, we expect a learning curve to discover best practices. I believe this friendly and consistent approach is our best chance of resolving health and safety issues while also balancing the desire to have limited government involvement in a small community. I look forward to discussing this proposal with the council and receiving your ideas for how it can be improved.

PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on **Tuesday, October 6, 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), Dallas Green (Golf Director), Chief Brandon Erikson, Cathy Brightwell (City Recorder), Kris Nilsen (City Engineer), Sgt. Jeremy Adams, Patrice Twitchell (Finance), and Terri Hensley (Secretary).

PUBLIC: Alan Malan, Dennis Vest, Jeff and Lara Erikson, Kent and Jana Erikson, Whitney Erikson, Lisa Nield, Tyson Heath, Michelle Simpson, Deborah Miller and Logan Stacey.

Mayor Romney called the meeting to order at 7:33 pm. Kelly Enquist gave an Invocation and the Pledge of Allegiance was led by Rod Wood.

1. Approve the Agenda.

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

2. Public Comment

There was no public comment.

3. Appointment of Brandon Erikson as Chief of Police.

Mayor Romney thanked the police department as a whole for the service they provide especially in times like this when we have been without a chief and is pleased to be able to promote from within.

MOTION: *Rod Wood made a Motion to Appoint Brandon Erikson as the Chief of Police of West Bountiful City. 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 unanimous vote, Cathy Brightwell facilitated the oath of office for Brandon Erikson as the new Chief of Police. Mayor Romney welcomed Brandon's family and friends who were on the Zoom call.

4. Appointment of Dallas Green as Director of Golf.

Mayor Romney thanked Dallas Green who has been serving in the capacity of Acting Director of Golf for some time.

MOTION: *Mark Preece made a Motion to Appoint Dallas Green as Director of Golf for Lakeside Golf Course. 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

5. Resolution 481-20, A Resolution Authorizing an Interlocal Agreement with Mosquito Abatement District – Davis for CARES Funding.

Duane Huffman explained that this is the first time West Bountiful is doing an agreement with a county wide agency. For simplicity sake, it was decided to divide money up evenly between all the cities in the county instead of basing the contribution on population. Because the amount is relatively small, staff has no objection to this distribution method.

MOTION: *Kelly Enquist made a Motion to Approve Resolution 481-20 Authorizing an Interlocal Agreement with Mosquito Abatement 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

6. Resolution 482-20, A Resolution Authorizing an Interlocal Agreement with Davis School District Regarding West Bountiful Elementary School.

Duane Huffman explained that Davis County School district has demolished the existing school building, is constructing a new school building, and is making certain other changes on the property at 500 N 800 W which is adjacent to the city property at 550 N 800 W. The parties have proposed an agreement that outlines their respective rights and responsibilities with respect to the School construction, exchanges of real property interests, changes on the School property, and related

changes on the city property, as well as the parties' reciprocal use of the School property and city property. Duane highlighted several key points in this large and complex agreement which included the following:

- This agreement cleans up and realigns property line boundaries.
- The City will keep the area of the future pickle ball courts.
- The City will deed over some property to Davis School District so they can maintain the front of school.
- This renews the agreement of use by the city for their fields when school is not in session.
- The school can use the city bowery when school is in session.

Duane shared the plan for fencing to assist with safety and security as people come and go through the area particularly once the pickle ball courts are added.

There was also discussion on the new traffic pattern at the 400 North school entrance. It will take some education and adjustment for the community. The city will monitor this area carefully to see if any changes are necessary.

MOTION: *James Ahlstrom made a Motion to Approve Resolution 482-20 Authorizing an Interlocal Agreement with Davis School District Regarding West Bountiful Elementary School. 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. Resolution 483-20, A Resolution Authorizing the Assignment of James Ahlstrom to Youth City Council.

Mayor Romney recommended council member James Ahlstrom be assigned as the city council representative for the West Bountiful Youth City council.

There was discussion on the search for a new Youth Advisor. James Ahlstrom suggested we put together a “job description” of what the role of Youth Advisor entails.

MOTION: *Mark Preece made a Motion to Approve Resolution 483-20 Authorizing the Assignment of James Ahlstrom to Youth City Council. 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	

8. Minutes from September 1, September 15, and September 24.

MOTION: *James Ahlstrom made a Motion to Approve the Minutes from September 1, September 15, and September 24. James Bruhn seconded the Motion which passed by unanimous vote of all members present.*

9. Staff Reports

Police – Brandon Erikson

- The department has completed interviews for several open positions and has now moved into the background phase.
- An opportunity has opened through Highway Safety to acquire traffic enforcement equipment. The radar trailer is getting aged out and we are looking at this as an option.

Public Works Report – Steve Maughan

- The 800 West project is very close to completion with approximately 95% of the work finished. We are down to the final punch list.
- Striping is mostly done on the seal-coated roads.
- Fall clean up went very well with a huge community turn out.
- The windstorm damage repairs are almost wrapped up with only a few minor clean up items left.
- The department is slightly short staffed with time off, but it is business as usual
- Council member Ahlstrom asked what the next big road project is for the city. Steve replied the three next priorities are 600 West from Pages Lane to Porter Lane, 660 West from 1000 North to 400 North, and 700 North from 1100 West to 975 West. He added that Porter Lane between 640 West and 800 West needs some work but hopeful it can be limited to milling and paving.

Community Development – Cathy Brightwell/Duane Huffman

- Staff continues to communicate with the Equestrian Partners related to their ideas for development on the west side.
- Doug Coons submitted a request to purchase a portion of land from the city's Stone Creek well property that is adjacent to his land on 550 West. This is a complicated issue that staff is currently researching.
- We have been contacted by an organization looking to build a group rehabilitative home in South Davis County. They have no specific location in mind but are currently exploring properties.

Administrative Report – Duane Huffman

- Staff has put in considerable time to itemize costs associated with the recent windstorm so the information can be turned over to FEMA. This is not for reimbursement at this time, but for input on a decision for a Public Emergency to be declared. If that does occur, then some of the city expenses can be reimbursed with Federal funds.

10. Mayor / Council Reports

Mayor Romney – Regarding code enforcement, he said he has been approached by several citizens asking about tree limbs, damaged sidewalk, and other items. Duane said he is working on a code enforcement plan and expects to have a proposal for the council by the next meeting.

James Ahlstrom – no report

James Bruhn – At Wasatch Integrated there are currently six individuals out due to COVID-19, but the facility is running well. There are still water challenges on Jessi's Meadows Drive with the entrance park strip area. Steve Maughan will look into the flooded area.

Kelly Enquist – Mosquito Abatement is working longer into the season this year due to the warm weather. There are still a lot of mosquitoes out – it is a very busy time.

Mark Preece – The Sewer District is still dealing with phosphorus problems along with working on planned upgrades.

Rod Wood – no report

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

No closed session.

12. Adjourn

MOTION: *James Ahlstrom made a motion to adjourn this meeting of the West Bountiful City Council at 8:45 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 20, 2020.

Cathy Brightwell, City Recorder