



WEST BOUNTIFUL CITY COUNCIL MEETING
MARCH 2, 2021 AT 7:30 PM
via Zoom
AMENDED AGENDA (3/1/2021)

Participants may access the meeting at <https://us02web.zoom.us/j/88300300492>
Or go to zoom.us > **select JOIN A MEETING** > Meeting ID: 883 0030 0492

Participants are asked to mute microphones except during open comment period

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 – James Bruhn; Pledge of Allegiance – Kelly Enquist

1. Approve Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Res. 492-21, A Resolution Authorizing the Issuance and the Sale of Not to Exceed \$7,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds for the Purpose of Financing the Acquisition and Construction of a New Public Works Facility and Refunding Outstanding Sales Tax Revenue Bonds of the City.
4. Amended Plat/Lot Line Adjustment for JP Estates.
5. Ordinance 439-21, An Ordinance Amending the 2019 West Bountiful General Plan to Remove References to the Historical Overlay District and Add Clarification.
6. Ordinance 440-21, An Ordinance Amending WBMC 17.24.110 - Historical Overlay District, and Zoning Map.
7. Res. 493-21, A Resolution Approving Amendment #6 to the Interlocal Cooperation Agreement for Animal Control Services.
8. Discuss Curb, Gutter, and Sidewalk Construction Participation.
9. *Consider Purchase of Replacement Generator for City Hall.*
10. Minutes from February 16, 2021.
11. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
12. Mayor/Council Reports.
13. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
14. 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 March 1, 2021.

Minutes of the West Bountiful City Council meeting held on **Tuesday, March 2, 2021** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

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 Erikson, Cathy Brightwell (City Recorder), Kris Nilsen (City Engineer), and Terri Hensley (Secretary).

PUBLIC: Gary Jacketta, Alan Malan, Julie Thompson (Davis Journal), Rick Ferlin, Mark Anderson (Financial Advisor with Zions Bank), Brandon Johnson (Legal Counsel for Zion Bank), and Jessica Singh.

Mayor Ken Romney called the meeting to order at 7:31 pm. He read the following: ***I, Mayor Romney, have determined that due to the current COVID-19 pandemic and the physical distancing required to prevent the spread of infection, public meetings present a substantial risk to the health and safety of those who may be present at the meetings. That risk can be substantially mitigated by holding City Council meetings through electronic means that allow for public participation without an anchor location. A copy of the Mayor's determination and order in this regard is available at www.wbcity.org.***

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

1. Approve the Amended Agenda.

MOTION: *James Bruhn made a motion to approve the agenda as amended on March 1, 2021. Kelly Enquist seconded the Motion which PASSED by unanimous vote of all members present.*

2. Public Comment

Rick Ferlin, a West Bountiful resident, said he believes it is a crisis for our city that “lesser income housing” is not available. He has three children in south Davis County looking for homes with no options under \$500K. He owns 2.5 acres on Porter Lane but cannot build homes for his family due to current zoning restrictions. He is asking if the city has addressed this issue.

Mayor Romney answered that the city has looked at this within the city master plan and locations where moderate income housing might work. He added that it is a tough issue, and we need to take a good hard look at it again. It was discussed that there are some options for affordable housing with mother-in-law style apartments and the Planning Commission is looking at additional options.

Duane Huffman said the legislature has been looking at this issue and he referenced a previously discussed combined meeting of city council and the planning commission to discuss the issues in greater detail.

3. Resolution 492-21, A Resolution Authorizing the Issuance and the Sale of Not to Exceed \$7,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds for the Purpose of Financing the Acquisition and Construction of a New Public Works Facility and Refunding Outstanding Sales Tax Revenue Bonds of the City.

As directed at the last city council meeting, a bond parameters resolution for the council's consideration has been prepared. This resolution is the first formal step necessary to begin the bonding procedure and lays out what the bond could include but it does not commit the city to proceeding. It does authorize the city to begin the process, including public notice and contest period.

As the city has not finalized the total need for financing, this resolution is written to provide maximum flexibility, but it is expected that the final bonding will be significantly less than the parameters included in the Resolution. Brandon Johnson, bond counsel for the city, added it is difficult to increase the amount later.

Duane Huffman stated that a couple years ago the city conducted a master plan for this project that estimated the cost at around \$7M. The city is looking at other building designs that could be significantly less than the original design. This also includes paying off the \$800 K still owed on the city hall bond.

There was discussion on the difference between direct purchase and market bond, including the need for a credit rating, the amount of time it takes to apply and receive the bond, and difference in interest rates, etc. Mark Anderson, a financial advisor from Zions Bank, was in attendance to answer questions from council.

There was also discussion on how best to educate the public on what can be a complex issue. A public hearing will need to be scheduled, which could be as early as April 6th.

Mr. Huffman wrapped up by stating that there is value in getting everything in place to take advantage of the lowest possible rates.

Mayor Romney suggested a tour of a similar new building in North Salt Lake that he believes may fit our needs and be less expensive than the current drawings.

MOTION: *James Ahlstrom made a Motion to Adopt Resolution 492-21 Authorizing the Issuance and the Sale of Not to Exceed \$7,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds for the Purpose of Financing the Acquisition and Construction of a New Public Works Facility and Refunding Outstanding Sales Tax Revenue Bonds of the City. A Public Hearing will be held on April 6th. 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	

4. Amended Plat/Lot Line Adjustment for JP Estates.

The owners of JP Estates Subdivision have submitted a request for a plat amendment, moving the shared east-west line 3 feet to the south and squaring the southwestern corner of Lot 201. City staff has reviewed the proposal and finds that the change will not violate any of the city's land use regulations and recommends the council approve the lot line adjustment.

Council member Bruhn noticed a discrepancy in the Lot numbers between the heading and the body of the plat and asked that it be corrected before being recorded. Kris Nilsen noted a few other clerical corrections that will be corrected as well.

MOTION: *Rod Wood made a Motion to Amend Plat/Lot Line Adjustment for JP Estates as Proposed. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

5. Ordinance 439-21, An Ordinance Amending the 2019 West Bountiful General Plan to Remove References to the Historical Overlay District and Add Clarification.

Cathy Brightwell summarized the issues for Agenda items 5 and 6 but they will need to be voted on separately. The planning commission has been researching and discussing issues related to the Historical Overlay District and historic areas within the City for several months. Commissioners support elimination of WBMC 17.24.110 - Historical Overlay District, except for a purpose paragraph that talks about West Bountiful's intent to preserve, protect, and enhance historic areas and sites within the city.

They also cleaned up the boundaries of the Historic District by extending it slightly east on 1000 N and south of 400 N on 800 West. As part of the elimination of the Historical Overlay District described above, updates are recommended to the General Plan to be consistent with these changes.

If the planning commission's recommendation is adopted, the city will no longer oversee any architectural standards beyond the land use laws within the underlying R-1-10 residential zone. With the new boundaries, there will be no overlay regulations.

MOTION: *Mark Preece made a Motion to Adopt Ordinance 439-21 Amending the 2019 West Bountiful General Plan to Remove References to the Historical Overlay District and Adding a Clarification. 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. Ordinance 440-21, An Ordinance Amending WBMC 17.24.110 - Historical Overlay District, and Zoning Map.

See information above in Item #5.

MOTION: *James Ahlstrom made a Motion to Adopt Ordinance 440-21 Amending WBMC 17.24.110 - Historical Overlay District, and Zoning Map. 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	

7. Resolution 493-21, A Resolution Approving Amendment #6 to the Interlocal Cooperation Agreement for Animal Control Services.

This Resolution simply extends the date of the city's current agreement with the county to December 31, 2021. Staff continues to recommend participation with the county as the most effective method of providing animal control services, and therefore recommends the adoption of this amendment.

Duane Huffman explained that services, such as euthanasia for animals such as raccoons, will no longer be handled by Animal Services. Council member Bruhn asked who will handle these services and Mr. Huffman responded that Animal Services can make referrals or residents can procure their own provider.

MOTION: *James Ahlstrom made a Motion to Adopt Resolution 493-21 Approving Amendment #6 to the Interlocal Cooperation Agreement for Animal Control Services. James Bruhn seconded the Motion.*

The Motion PASSED with a vote as follows:

James Ahlstrom – aye	James Bruhn – aye
Kelly Enquist – aye	Mark Preece – aye
Rod Wood – aye	

8. Discuss Curb, Gutter, and Sidewalk Construction Participation.

Council member Bruhn declared he has a conflict of interest with this item as he is the developer adjacent to 1720 N 1100 W.

Duane Huffman explained that the property at 1720 N 1100 West will be left without street improvements when Ashby Acres Subdivision is complete. The city has received unit prices to participate in completing this section of improvements, and staff recommends contracting with James Bruhn as he is arranging for the work on the adjacent subdivision. Mr. Huffman recommended street impact fees be used to pay for the project.

MOTION: *James Ahlstrom made a Motion to move forward to complete public improvements at 1720 N 1100 West as proposed for a cost not to exceed \$26K. Rod Wood seconded the Motion which PASSED by unanimous vote of all members present.*

Mayor Romney brought up another area in the city, 1000 N and 550 W, where upcoming development may leave a similar situation. In this case, the developer has asked if the city has any interest in participating in his public improvements as he will be correcting a long-time problem on a dangerous corner. The council commented that in general they are interested in such projects.

9. Consider Purchase of Replacement Generator for City Hall.

Staff is recommending the city purchase a replacement generator for the city hall/shop facility; and paid for from the General Fund. The generator serves as back-up power for the city hall and public works shop. As was evident during the 2020 windstorm, a power back-up is critical as the building is the city's primary emergency operations center. Along with communications and organization, power is also necessary to maintain the police evidence room requirements.

The current generator has been having problems. It has been out of service several times including during the most recent windstorm, was repaired, and is now out of service again. Given its age and history of problems, it makes sense to start fresh.

- Option 1 is to replace the entire unit (generator/engine/tank/enclosure/etc.) with a Cummins 175 kw diesel powered generator for \$46,550 (Taylor Electric).
- Option 2 is to replace just the generator/alternator (keep existing diesel engine, tank, and enclosure) with a Stamford 169 kW Generator for \$11,177 (Precision Power).

Council member Ahlstrom said he supports Option 1 since it will come with a full warranty. Council member Bruhn asked if there was any value in selling the old generator. Steve Maughan said he will look into it.

MOTION: *James Ahlstrom made a Motion to Approve the purchase of a Cummins 175 kw diesel powered generator for \$46,550 from Taylor Electric. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

10. Minutes from February 16, 2021.

MOTION: *James Bruhn made a Motion to Approve Minutes from February 16, 2021. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

11. Staff Reports

Police – Brandon Erikson

- Regarding the potential for a new records management system, there is a needs assessment meeting with the vendor on Wednesday with a focus on the required modules for our department. There will be combined demo on April 6th with the Centerville Police Department.
- Officer Thompson is completing his field training, and ghost week begins next week.
- The needed repairs on various vehicles are now complete.

- There is a challenging situation in the east parking lot with parents dropping off and picking kids up for school. It has created difficulty for officers to get in and out with patrol cars as needed. Staff will send out communications through the school but wants the council members to know the situation in case they are contacted.

Public Works – Steve Maughan

- Street sweeping is scheduled for next week.
- Park restrooms will be opened for the season this week.

Engineering – Kris Nilsen

- Working on bonds and contracts with Vancon for the 400 N well house. The building permit has been approved.
- We are starting on the electrical for outdoor pickleball courts.

Community Development – Cathy Brightwell

- Kris and Cathy are working with the Planning Commission on a variety of changes including permitted, conditional and prohibited uses by zone, and height regulations. A public hearing may be scheduled soon.
- Highgate 2 subdivision received conceptual review from planning commission last week.
- Brookside Estates contacted the city with a new concept that they claim falls in line with city zoning regulations.
- New businesses - Ding Tea Shop will be going in next to GNC, Milan Laser Clinic is going in across from Café Rio, and Utah Therapeutic Health Center is going in the Carr building next to WholesomeCo. Winger's has received all approvals and plans to open this month. Duane added that the city is supposed to receive notice and approve all new businesses in the Commons but that has not been happening. Reminder letters have been sent.

Administrative Report – Duane Huffman

- The presentation on water rates study from interns is scheduled for April 6th. Reviews so far indicate they are doing a good job and their work is impressive.
- RFPs are out for public defender and financial auditors.

12. Mayor / Council Reports

Mayor Romney – Covid-19 numbers are trending down with the rollout of vaccines. Some surrounding cities are planning limited summer activities. Mayor Romney proposed the city begin looking at options for summer events to include possible parade, car show, fireworks, and concert. We are currently in the moderate transmission rating and many things are still unknown, so it is difficult to know how to plan. However, the city must make the decision soon in order to have these events in the summer, as there is significant planning involved.

James Ahlstrom – Youth City Council is discussing an Easter Egg drive-through in place of the annual Easter Egg scramble. The event will be held at the north end of city park on April 10. More details to follow.

James Bruhn – Arts Council meets tomorrow.

Kelly Enquist – Participated in the national mosquito control virtual convention hosted by Salt Lake City. Our local director, Gary Hatch, was presented with the Presidential Award.

Mark Preece – The Sewer District is still having compliance issues with the new facility.

Rod Wood – no report

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

There was no closed session.

14. Adjourn

MOTION: *James Ahlstrom made a Motion to adjourn this meeting of the West Bountiful City Council at 9:31 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, March 16, 2021.

Cathy Brightwell
Cathy Brightwell, City Recorder

