



Amended
WEST BOUNTIFUL CITY COUNCIL MEETING
APRIL 6, 2021 AT 7:30 PM
via Zoom

Participants may access the meeting at <https://us02web.zoom.us/j/86878603495>
Or go to zoom.us > **select JOIN A MEETING** > **Meeting ID: 868 7860 3495**

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 – Rod Wood; Pledge of Allegiance – Mark Preece

1. Approve Agenda.
2. Public Hearing to Receive Input with Respect to the Issuance of Sales Tax Revenue Bonds to Finance All or a Portion of the Cost of Acquiring, Constructing and Improving a New Public Works Facility and the Potential Economic Impact that the Project will have on the Private Sector, Pursuant to the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953 as Amended.
3. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
4. Presentation on Water Rate Analysis.
5. Award Public Defender Services Contract to Matthew Brass.
6. Award Financial Audit Services Contract to Ulrich and Associates.
7. Settlement Agreement and Release with Center Pointe Construction Company Regarding Structure at 1141 W 400 North.
8. Fiscal Year 2022 Draft Budget Development Discussion.
9. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
10. Mayor/Council Reports.
11. Minutes from March 16, 2021 Meeting and Site Visit.
12. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
13. Adjourn.

This amended 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 April 5, 2021.

Minutes of the West Bountiful City Council meeting held on **Tuesday, April 6, 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), Patrice Twitchell (Finance), and Dallas Green (Golf Superintendent).

PUBLIC: Gary Jacketta, Alan Malan, Trevor Harms, Joseph Meek, Steven Harris, Heather Christopherson, Kendall Smith, Brady Tracy, Mark Anderson, Jessica Singh, Michelle Curtis

Mayor Ken Romney called the meeting to order at 7:31 pm. He read the following: ***I, 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.***

Mayor added that he will consider meeting in-person at the next meeting.

Rod Wood gave an Invocation, and the Pledge of Allegiance was led by Mark Preece.

1. Approve the Agenda.

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

2. Public Hearing to Receive Input with Respect to the Issuance of Sales Tax Revenue Bonds to Finance All or a Portion of the Cost of Acquiring, Constructing and Improving a New Public Works Facility and the Potential Economic Impact that the Project will have on the Private Sector, Pursuant to the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953 as Amended.

Background

Duane Huffman provided background on the request to issue sales tax revenue bonds to finance all or a portion of a new public works facility.

For several years now West Bountiful City has pursued the construction of a larger public works facility to better meet the city's needs. Public Works includes the construction and maintenance of

the culinary water system, roads system, storm water system, and parks system, while also providing services related to solid waste collection, general facilities maintenance, and other miscellaneous needs of the city. Along with the police department, the public works department provides most of the services residents think of when they think of the city.

In 2017 the city purchased 5.6 acres at approximately 1400 W 1200 N from the South Davis Sewer District. In 2019 the city commissioned architects to develop a master plan to determine sizing and cost estimates. The 2019 cost estimate was \$7 million, and even though construction inflation has increased significantly, the city is currently in the process of re-evaluating building materials and options to significantly decrease the cost of the main structure. After paying off the city's current bond for the city hall, the capital project fund will have an estimated \$2.2 million available as of July 1, 2021. It is also possible the new Federal money associated with the America Recovery Act as well as CDBG funding may be available.

The parameters resolution adopted on March 2nd outlined the maximum amount, interest rate, and term of the bond. This public hearing is intended to receive public input on these parameters.

- Maximum Principal Amount: \$7,000,000.00 (presently city staff expects the amount to be significantly less).
- Maximum Interest Rate: 5% (presently city staff and advisors expect the rate to be closer to 2%)
- Maximum Term: 21 years (depending on the final amount, this could also be closer to 10-15 years).

Mr. Huffman restated that at this point the city is looking at significantly lower costs than listed above and today's hearing does bind the council to acting, only to receive public comments. He introduced Mark Anderson with Zion's Bank who clarified that there is no obligation to issue bonds so if the city decides not to move forward or interest rates increase, they can back out.

Mayor Romney commented that the budget will be updated over the next couple weeks based on scope of work. There is currently a bond on city hall, scheduled to expire in 2026, with a balance of around \$900K and we are looking at paying that off as part of this proposal. Interest rates are lower, and it is better for the city to have just one bond instead of paying for two.

MOTION: *Rod Wood made a Motion to Open the Public Hearing. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

There was no public comment.

MOTION: *Kelly Enquist made a Motion to close the public hearing. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

3. Public Comment.

Michelle Curtis, 660 W 465 N, stated she has 7 children under 13. She requests the council consider sidewalks on 660 West. It is treated as a frontage road to get to shopping and I-15 with increasing traffic and speed and kids walking to school. Cars parked along the sides of the road create visibility problems and force children to walk in the street.

Mayor Romney asked staff when it is scheduled to be addressed. Duane Huffman responded that it could be as early as next year. Steve Maughan added that from a water perspective, this is one of the top three roads on the priority list that also includes 700 N to 1100 W, 600 W from Pages Ln. to Porter Ln. There are also drainage issues to resolve on 660 West. Mayor Romney thanked her for her comments.

Brady Tracy, 1200 North, asked about possible development on the west side, including the city's public works facility, and whether it would bring Weber water to the area. Duane Huffman responded that it may not be tied to the public works building, but possibly to a new subdivision.

Dennis Vest, 1200 North, inquired about the possibility of setting up a Recreation, Arts & Parks (RAP) committee as existed in the past. Mayor Romney commented that it may be a good time to review the idea.

4. Presentation on Water Rate Analysis.

Duane Huffman introduced Steven Harris Trevor Harms, and Joseph Meek from the BYU School of Business. He explained they have been working for the past couple of months on a water rate analysis for the city. The current water structure for charging residents and businesses needs to be updated to equitably cover the cost of the system, pay back loans for culinary water, and cover costs for projected capital needs. The main goal of this project was to create a new water rate structure that can be used for at least the next five years. The main priorities that the new rate system focuses on are 1) having all costs covered by the revenues gained, 2) protecting residents with fixed incomes, 3) making the system equitable, and 4) promoting water conservation.

They summarized how and what they did. After forecasting future costs, forecasting future water consumption, and using the priorities listed above, they came up with a recommendation for the City that focuses on having each classification (residential, commercial ¾", commercial 2", etc.), cover the costs of its respective group, and increases the prices of the tiers that use more water.

They came up with five other potential rate structures but recommend the above proposal as meeting all priorities and being the most equitable by having each group pay for what they use.

There was some discussion about the need to even out the rate vs. usage disparity, and how this proposal will impact residents without irrigation water. Based on their usage, they would likely fall into the mid-rate category paying more than they currently pay.

The students emphasized that they are turning over their model to the city so that it can adjust assumptions as needed to determine a final rate structure.

Mayor Romney thanked them for a great job. He said the capital portion of the rate was set to expire last year but was extended due to the pandemic. The goal is to update all three pieces (capital, operating, and debt) at the same time with a target date of July 1.

5. Award Public Defender Services Contract to Matthew Brass.

In 2016 the city was required to quickly arrange for public defense services for justice court cases within the city's jurisdiction. After a brief search, the city contracted with Matthew Nebeker to provide these services for a flat monthly rate of \$650/month. Mr. Nebeker recently informed the city that he will no longer be able to perform as he is planning to relocate.

The city issued a Request for Proposal in February 2021 for a new contractor. After much research and very positive references, staff recommends awarding the Public Defender services contract to Matthew Brass for 3 years public defender services. The new monthly rate will be \$700.

MOTION: *James Ahlstrom made a Motion to Award the Public Defender Services Contract to Matthew Brass as recommended. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present. (Kelly Enquist Absent Due to Technical Problems)*

6. Award Financial Audit Services Contract to Ulrich and Associates.

As required by state law, bonding arrangements, and general best practices, West Bountiful City commissions an annual independent audit of its financial statements by a Certified Public Accountant each year. The audit and associated services are vital to ensuring that funds are properly accounted and that the residents, city council and administration have an accurate picture of the city's financial health.

After reviewing the four proposals submitted and input from some of their clients, staff recommends Ulrich and Associates at a rate of \$14,825. This firm has a high level of expertise and experience and would provide a "fresh set of eyes" on the city's financials.

MOTION: *James Ahlstrom made a Motion to accept the proposal of Ulrich & Associates. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present. (Kelly Enquist Absent Due to Technical Problems)*

7. Settlement Agreement and Release with Center Point Construction Company Regarding their Structure at 1141 W 400 North.

Mayor Romney explained that the settlement agreement resolves a dispute regarding the respective responsibility for the expense in removing and replacing the original roof trusses and adjusting the boundary line through a plat amendment after recognizing the height of the structure was greater than the West Bountiful Municipal Code allows.

He believes it is a good settlement that protects the city. He thanked Steve Doxey for his work on preparing the agreement.

MOTION: *James Ahlstrom made a Motion to accept settlement agreement. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present. (Kelly Enquist Absent Due to Technical Problems)*

8. Fiscal Year 2022 Draft Budget Development Discussion.

Duane Huffman reviewed the current draft of the FY22 budget focusing on potential operating expenses.

- Annual pay scale inflation for July 1 at 2%.
- Bonding placeholder is in place for \$350K (public works facility)
- Police officer 1 – \$151,845 includes pay, benefits, equipment, and vehicles
- Police officer 2 – \$151,845 includes pay, benefits, equipment, and vehicles
- Police records management system (Spillman)– \$75,000. The old system is inadequate, and support will no longer be available. The new system is a good seamless way to do business and will be consistent across South Davis county, but it will be a long process to implement. We will need to maintain one log-on to the current system to handle some old records.
- Police vehicle \$47,407 (\$20K offset)
- Police vehicle \$57,833 (\$29K offset)
- Public Works vehicle 1 - \$45,000 (Streets) (\$30,000 offset)
- Public Works vehicle 2 – \$57,833 (Water fund) (\$30,000 offset)
- New City website – \$6,000
- Sidewalk replacement \$50,000 (Class C funds)
- Parks mower – \$13,500
- Charnell Park update was removed this year due to the pandemic. A letter has been sent out for ideas/volunteers, with little response. (Another letter will be sent.)
- Park top-dressing – \$10,000 is an ongoing project (RAP/Park)
- Zip-line surface – \$18,000 (RAP/Park)
- Spinner surfacing – 6,400 (RAP/Park)
- New Park fence on the shared property lines near the basketball court/cabin as the current view detracts from the Park.
- Additional trail connections – Eastman extension of Onion Parkway trail to the Park. We are working with the county to determine what they will contribute. Additional connections may be possible as part of west side development.

Golf course

Revenue/expenses - \$51,000 increase to (\$400K). An optimistic look, good surplus.

Projects:

- Cart path transition \$8000
- Sweeper - \$12,000 may be able to purchase earlier for less money
- Push carts - \$4,000
- Cart paths (new/repared), may be able to get a discount rate from a resident
- Tee leveling is an ongoing project - \$6,000 (#14, #8 are at the top of the list)
- Flag area - \$4,000 – the pole was destroyed in windstorm so will upgrade and move it
- DryJack aeration - \$8,000
- #16 tee - \$60,000 to move tees so they point away from 1100 W

- Netting on 1200 North – \$50,000 to protect neighboring homes. Will also install additional trees to help with last 2 projects.

The total of these projects, except the last 2, could be covered by golf course revenues without dipping into reserves.

How did projected compare to actual? We budgeted last year conservatively. It was a good year but not like COVID year with \$981,000 budget.

Dallas was asked if there was anything else that might keep players coming back? He said cart path transition and an improved building but agreed that is a bigger picture item.

Duane commented that it is unusual for public golf courses to make money. The past year has been record-setting for most courses.

Staff will be conducting an additional review of all potential budget items prior to the presentation of a Tentative Budget at the first meeting in May.

9. Staff Reports

Police – Brandon Erikson

- Attended a county-wide meeting to discuss overall government structure for the conversion to Spillman records management system. Participated in a demonstration of the system today. We should have prices by end of week.

Public Works – Steve Maughan

- Weber water should be pressured up tomorrow. Due to the drought, they will encourage as little use as possible and no watering between 10 am – 6 pm. They plan to shut down October 1 instead of October 15.
- City hall landscaping related to school construction should be done by end of week, pickleball area is being cleaned out in preparation for construction, and we are adding a drinking fountain by the bowery.

Engineering – Kris Nilsen

- Well house construction will begin soon. Conditional Use permit was approved and building permit has been issued.
- Pickleball contracts are in place; work should begin soon.
- Porter Lane/800 West contracts have been executed.

Community Development – Cathy Brightwell

- Monthly building permits received in March were up 85% from February; there are currently 126 active permits. We are drafting new checklists for builders to make the permitting review process more efficient.
- Planning commission will hold a public hearing next week on height regulations in residential zones. The proposal includes updated setbacks based on height and establishes consistent methods to measure structures.

Administrative Report – Duane Huffman

- Prospector Rail Trail update – the corridor is owned by UTA and our use agreement was written in such a way as to deal with future projects. UTA has stated they want dual tracks for Frontrunner between Woods Cross and Farmington. It is not clear if there is room along the trail corridor to accommodate dual tracks, but they are working on a study to be completed in the Fall.
- Covid restrictions – Statewide mandates will end on Saturday, but we believe they will remain in place in state and county buildings. He asked Council for a recommendation on how to handle Lakeside clubhouse which is a high traffic area for the public. Employees will still wear masks; should we require it from the public, highly encourage mask wearing, or not worry about it? Council member Ahlstrom stated that he prefers to impose restrictions longer especially when the public has other options like using the walk-up window if they do not want to wear a mask. Council members Wood and Bruhn agreed. Duane asked about city hall – should we continue to require masks for the public? There was consensus that masks continue to be required. He asked about employee mask wearing at city hall. Because the staff is small, and employees have had vaccines, he proposed they not be required to wear masks unless meeting with the public. He noted that employees are being surveyed about vaccines.
- Candidate filing period for the municipal election will be June 1 – June 7. Mayor and two city council seats are open.

10. Mayor / Council Reports

Mayor Romney –

Davis county put together a new Covid order that will come out this week. Brad Wilson said the intent of the bill cancelling the mask mandate was to turn the responsibility over to cities & counties. The State will continue to require masks in state buildings through May.

James Ahlstrom suggested that in-person city council meetings be delayed until the first mtg in May. The April 27 work session with planning commission will be held in person. Duane will be out for the next meeting and the Mayor will be out for the first meeting in May.

Independence Day plans are to hold a concert on Saturday, July 3rd at 8 pm with fireworks beginning at 10 pm. Food trucks will be available for desserts and refreshments. There will not be an official city-sponsored parade this year and the traditional flag raising will likely be held Saturday morning.

James Ahlstrom – YCC will meet this week to finalize plans for Saturday's Easter drive-by event at city park. They have done a great job revamping meetings and events to deal with Covid restrictions.

James Bruhn – Arts Council recorded another concert tonight that will be available on You-Tube.

Kelly Enquist – He has received requests suggesting the city consider putting in drinking fountains at trailheads, e.g., 400 N and Pages Lane.

Mark Preece – Sewer district is struggling to stay within bounds for released chemicals, and there have not been any consistent methane gas sales. The problems are not related to recent upgrades. Algae processing will be moved to the north plant.

He contacted neighbors about the Charnell park letter that went out last week and only about 1/3 of them received it. Duane will have the letter re-sent to residents in the area of the park.

Rod Wood – No report.

11. Minutes from March 16, 2021 Site Visit and Regular Meeting.

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

12. Closed Session for the Purpose of Discussing the Purchase, Exchange, or Lease of Real Property Pursuant to UCA § 52-4-205(d).

MOTION: *James Ahlstrom made a Motion to move into closed session via zoom pursuant to UCA § 52-4-205 to discuss the Purchase, Sale, Lease or Exchange of real property. The regular meeting will adjourn simultaneously upon adjournment of the closed session. Mark Preece seconded the Motion which PASSED with a vote as follows:*

James Ahlstrom – aye
Kelly Enquist – aye
Rod Wood – aye

James Bruhn – aye
Mark Preece – aye

13. Adjourn.

MOTION: *James Ahlstrom made a Motion to adjourn the closed meeting. Mark Preece 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, May 4, 2021.


Cathy Brightwell, City Recorder

