

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Rodney Wood

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City Recorder
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City Engineer
Kris Nilsen

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**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD ITS
REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 18, 2021
AT THE CITY OFFICES, 550 N 800 WEST**

THIS MEETING WILL BE HELD IN-PERSON

WORK SESSION (beginning at 6:30 pm):

6:30 pm - Presentation on UTOPIA Internet Services – Kim McKinley & Laurie Harvey

REGULAR AGENDA (beginning at 7:30 pm):

Invocation/Thought – James Ahlstrom; Pledge of Allegiance – James Bruhn

1. Recognize Denis Hopkinson for his Service to the City.
2. Approve Agenda.
3. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
4. Public Hearing to Release the East Side Easement at 842 N 2400 W (Roberts).
5. Ordinance 442-21 Approving the Requested Release of Easement at 842 N 2400 West.
6. Public Hearing to Release South Side Easement & Reduce West Rear Easement at 2347 S 830 W (Gotschall).
7. Ordinance 443-21 Approving the Requested Release and Reduction of Easements at 2347 W 830 West.
8. Ordinance 444-21 Approving a New Beer Ordinance for West Bountiful City.
9. Motorola/Spillman Records Management System for Police Department.
10. Notice of Award to Holbrook Asphalt for 2021 Seal Coat Project.
11. Discussion on Water Rates
12. Discussion on Fiscal Year 2020/2021 and Fiscal Year 2021/2022 Budgets
13. Minutes from April 27 and May 4, 2021.
14. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
15. Mayor/Council Reports.
16. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
17. 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 May 14, 2021.

Minutes of the West Bountiful City Council meeting held on **Tuesday, May 18, 2021** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

MEMBERS: Mayor Ken Romney, Councilmembers James Bruhn, Kelly Enquist, Mark Preece, and Rod Wood.

EXCUSED: Council member James Ahlstrom

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Steve Maughan, (Public Works), Chief Brandon Erekson, Cathy Brightwell (City Recorder), Kris Nilsen (City Engineer)

PUBLIC: Alan Malan, Dennis Vest, Kim McKinley, Laurie Harvey, Josh Chandler, Michelle Curtis, Denis & Cynthia Hopkinson, Richmond Thornley, Kyle Gotschall, Heather Koplin, Dave Wank

Work Session – UTOPIA Fiber

Mayor Romney opened the work session at 6:33 pm and turned it over to Kim McKinley – Sales & Mktg, Laurie Harvey – CFO, and Josh Chandler General Counsel representing UTOPIA Fiber.

Kim McKinley explained that UTOPIA is a political subdivision of the state of Utah, an interlocal agency. The company began in 2004 and now there are currently 6 cities with residential fiber and many more commercial locations generally along I-15 from Idaho to Las Vegas. A large portion of their business provides connectivity to schools, libraries, cities, state facilities, wireless towers, water facilities, and smart city applications such as video surveillance, automated metering, smart irrigation control, disaster recovery, traffic control/monitoring (UDOT), air quality sensor network, smart lighting, etc.

UTOPIA operates as an open access network; almost all Utah based internet providers depend on and utilize UTOPIA fiber infrastructure to offer their services. This infrastructure makes remote education, telehealth, work from home, entertainment, etc., more accessible, and reliable. There are no overage charges, evening slow-downs, weather-caused outages, or surprise rate hikes as are common with other carriers – the sky is the limit.

A payment of \$30 by an end-user provides a dedicated connection on the UTOPIA network and gives them 10 gb (residential) or 100 gb (business). A second fee goes to the Internet Service Provider (ISP). There is unlimited usage and no installation fees, contracts, or termination charges. This connection, compared to Interstate 15, gives the customer their own private lane.

Ms. McKinley noted that customer satisfaction scores are high, and demand is skyrocketing. In November 2014 there were about 12,000 customers and there are now approximately 40,000. They put 1.7 million feet of conduit in the ground last year.

Josh Chandler explained there are two entities – Utah Infrastructure Agency (UIA) and UTOPIA. Under the current proposal, West Bountiful would be with UIA. There are three pieces to the service: a connection to the city, a main line within the city, and a connection to the home.

With the UIA proposal, the agency would issue sufficient bonds to install the system within the city. Subscriber fees would go towards the debt service, and the city would guarantee to cover any shortfall in the debt service after the first two years. Any payments made by the city would eventually be paid back through subscriber fees.

UIA estimates that between a 30%-40% “take-rate” would be required to make the debt service payments. Cities recently coming on board with UIA have all hit or exceeded their take-rates, e.g., Payson reached take rate in 1.5 yr. and it was higher. Every project done has been very successful.

Duane Huffman asked several questions. He expressed some concern with the city taking a share of the risk without any ownership stake in the system. UTOPIA representatives responded that the city would be protected by contract and by the fact that UTOPIA is a government entity.

If the city is interested, Ms. McKinley suggested several options to move forward. The city can survey residents, issue an RFP, or just have city council vote.

Mayor Romney said he prefers to start with surveys. There is some support, but we want to look at all options. UTOPIA representatives offered to conduct non-branded surveys to help with the process. Mr. Huffman also asked for a written proposal.

Mayor Romney called the regular meeting to order at 7:34 pm. Mark Preece gave an invocation, and the Pledge of Allegiance was led by James Bruhn.

1. Recognize Denis Hopkinson for His Service to the City

Mayor Romney thanked Denis Hopkinson for his long-time contribution to the city and recognized his service on the planning commission beginning in 2006 and as Chairman of the Commission since 2012. He presented Denis with a plaque.

2. Approve the Agenda.

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

3. Public Comment.

Michelle Curtis, 465 N 660 West, said she was back to pitch her request for sidewalks on 660 West. She thanked Chief Erikson for the additional police presence, but it is not a permanent fix. She said she has researched the process for how road projects have been handled and respects the decisions the city council must make but would like them to also consider relative impact. 600 West which has tentatively been selected as the priority project for next year needs new water pipes which are

important, but it should not be the only priority. 600 West already has sidewalks, but 660 West which is a pedestrian route for elementary, junior high and high school students does not. The road is narrow, and children must walk out into the road to get around cars as well as making it difficult for handicapped people living in the neighborhood.

4. Public Hearing to Release the East Side Public Utility Easement at 842 W 2400 North for the Roberts.

Duane Huffman summarized the request from the Robert's to release the east side public utility easement on their property at 842 W 2400 North. While all major utilities have agreed to allow the easement to be vacated, there was discussion about the location of the city's irrigation line. Steve Maughan confirmed that the line is on the city property side to the east of the easement being released.

MOTION: *James Bruhn made a motion to open the public hearing. Kelly Enquist seconded the Motion which PASSED by unanimous vote of all members present.*

There were no public comments.

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

5. Ordinance 442-21, An Ordinance Approving the Requested Release of Easement at 842 W 2400 North

MOTION: *Kelly Enquist made a Motion to approve Ordinance 442-21, releasing the east side easement at 842 W 2400 North. James Bruhn seconded the Motion which PASSED with a vote as follows:*

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

6. Public Hearing to Release the South Side Public Utility Easement and Reduce the Width of the West Rear Easement at 2347 N 830 West for Kyle Gotschall.

Duane Huffman summarized the applicant's request. Mr. Gotschall is asking to have the south (side) easement released and the west (rear) easement reduced by seven feet so he can build a detached garage. All major utilities have agreed to the proposed changes.

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

There were no public comments.

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

7. Ordinance 443-21, An Ordinance Approving the Requested Changes to the South and West Public Utility Easements at 2347 N 830 West.

MOTION: *Rod Wood made a Motion to approve Ordinance 443-21 Releasing the South Easement and Reducing the West Easement from Ten Feet to Three Feet for the Property at 2347 N 830 West. James Bruhn seconded the Motion which PASSED with a vote as follows:*

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

8. Ordinance 444-21, An Ordinance Approving a New Beer Ordinance for West Bountiful City.

Cathy Brightwell explained that staff began reviewing the city's beer regulations several years ago to revise and clarify certain provisions and ensure compliance with state law. This project was delayed several times but is now ready for consideration.

Major changes include:

- Establishing a one-time non-refundable application fee to process beer applications.
- Establishing a process to handle applications for Single Event and Temporary Beer Event Permits issued by the State.
- Simplifying beer license classifications by reducing the number from four to three – Off-premise, on-premise, and temporary beer event, and
- Establishing a process for suspensions and revocations with tiered fines.

MOTION: *Kelly Enquist made a Motion to approve Ordinance 444-21 Adopting Changes to the City's Beer Regulations (WBMC 5.12). James Bruhn seconded the Motion which PASSED with a vote as follows:*

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

9. Motorola/Spillman Records Management System for Police Department.

The police department is proposing to move to a new records management system. With the consolidation of dispatch, EMTs, etc., throughout the county, this new system will provide consistency and access across all organizations. The department's current system is outdated, and support is limited.

The Agreement for the system is as a Shared Agency which means we will receive the software and modules we have chosen but another agency will be the host agency which houses the main server and database. Our implementation cost for the system is \$80,835.31 and is included in the tentative budget. The second-year maintenance cost is \$5,227, down from the \$17,000 the city currently pays to the incumbent provider.

MOTION: *Mark Preece made a Motion to Approve the Shared Agency Agreement for the Motorola/Spillman Records Management System. Rod Wood seconded the Motion which PASSED a vote as follows:*

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

10. Notice of Award to Holbrook Asphalt for 2021 Seal Coat Project.

Asphalt sealers have proven to be a cost-effective means to extend the life of asphalt streets. West Bountiful requested bids from contractors to provide a High-Density Mineral Bond seal coat for selected streets. We typically only seal coat streets with new or nearly new asphalt but this project also includes several streets that have not been done in 8 -10 years.

Holbrook Asphalt submitted the only bid, and its unit prices are in line with staff's expectations. Staff is recommending a contract be awarded to Holbrook Asphalt for \$172,835.41 to provide a HDMA sealer to selected streets. Approximately \$20,400 of that amount will be paid by developers (Mountain View and Tailgate subdivisions) leaving the City's portion at about \$152,400. This also provides some flexibility for other options for the older streets that may not be good candidates for HDMA.

MOTION: *James Bruhn made a Motion to Award the 2021 Seal Coat Project to Holbrook Asphalt. Rod Wood seconded the Motion which PASSED by unanimous vote of all members present.*

11. Discussion of Water Rates.

Following up on discussion from the May 18th city council meeting, Duane Huffman provided information on culinary water rates in preparation for a Resolution to be considered in June adopting new rates.

A team of business school students recently completed a project that analyzed the water rates. They projected operational, capital, and debt costs for the next 10 years, and then compared water usage data to the rate structure to determine if various rates were equitable. They assumed that all water costs the same. Their final recommendation was to adjust the rates to have each class of rate payer pay for their share of costs from that group. For example, they proposed basic residential rates increase from \$50.00/month to \$53.00/month while basic commercial rates increase from \$63.00/month to \$87.00/month. As pipe size increases, these commercial rates increase significantly. For a 2 inch connection, they propose the rates go from \$182/month to \$585/month.

James Bruhn stated that he sees no reason for residential subscribers to subsidize business. Duane Huffman commented that while business customers use a lot more water, they may not require the same infrastructure as residential customers. He added that if the Council decides to increase business rates, we may want to delay implementation so we can provide more notice. He intends to make a list of commercial customers including what size meter they have and what their average usage runs.

Mr. Huffman explained that the safest route is to keep residential rates the same, continuing to base it on three legs of a stool – water usage (8k gallons/month), bond, and capital, but there has been inflation on the operational side even though debt service has gone down. Operational costs of the new well are uncertain, and it is unclear if we need additional reservoir space, especially with future west side development.

A work session will be scheduled for the next meeting to provide more information and discuss the following policy questions: 1) How comfortable is the council with a strong increase in tiers for additional residential usage, 2) How comfortable is the council with strong increases in commercial rates, and 3) How often does the council want to adjust water rates moving forward.

12. Fiscal Year 2022 Draft Budget Development Discussion.

Duane Huffman reviewed several budget items that have changed since the tentative budget was adopted at the last meeting.

FY 2020-2021 Amendments (#2)

Revenues:

- General Fund revenue increases - unanticipated growth in sales tax; higher number of building permits and plan checks; alcohol grant for police department; and miscellaneous revenue.
- Development street impact fees
- Development park impact fees
- RDA tax increment funds
- Development incremental water impact fees
- Golf course increases in revenue

Expenditures:

- Increase for new public defender
- Increase for a new accountant to help close our budget year and train Patrice and Duane on year-end adjustments. (\$6,000/yr)
- Increase in building inspections (offset from increase in plan review fees)
- Legal settlement
- Professional planners
- Police salaries adjustments based on personnel changes
- Alcohol grant offset
- Roads – street striping may be spent this year, if not, will leave it in next year's budget
- Parks building/supplies/maintenance
- Sales tax sharing to Bountiful from Gateway and The Commons offset
- RDA payments to The Commons

- Capital improvement fund for 800 W project
- Streets cap improvement
- New well expenses split between years
- Storm drain system maintenance pumps on 800 West increase
- Bank fees increased (more than double) due to more credit card payments this past year.
- Disaster clean-up from windstorm
- Turf sweeper – recently approved for current year
- Golf supplies increase e.g., golf balls for driving range due to more use
- Golf merchandise purchases offset (sold more so needed to buy more)

FY 2021-2022 Tentative Budget

- Seal coat project
- Firefighting services is back to a 10% increase, but further discussion necessary
- Road repairs reduction to help cover 600 W
- Seal Coat
- Storm drain improvements

\$30k unassigned for \$3M budget is good.

Mr. Huffman asked for questions. There was discussion about the status of the 975 West trail connection. He responded that staff is currently working on numbers and looking at options. There was also discussion about funding sources for the 600 W project and possible 660 West project.

600 West project will need \$780k.

660 West project will need over \$200k just to place sidewalk on both sides of the road.

A public hearing on the amended budget and tentative budget will be scheduled for June 1, with final adoption planned for June 15.

13. Minutes from April 27 and May 4, 2021 City Council Meeting.

MOTION: *Rod Wood made a Motion to Approve the Minutes from April 27 and May 4, 2021, meetings. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

14. Staff Reports

Police – Brandon Erikson

- Vehicles are still not here; they may arrive by the end of the month.
- Hiring process for our new officer will close on Friday.
- Will be supporting the Special Olympics sports run next week with Bountiful.

Public Works – Steve Maughan

- Pickleball courts update - wiring will be installed this week, prepping for artificial turf on the north side, and trying to figure out how to set up irrigation without getting water on the courts.
- Ashby Acres public improvements is underway and may be paved end of the week.

- Well construction is scheduled to begin this week.
- Weather has been good, and grass is growing. Short of help as regular employees are taking time off and we can't find seasonal help.

Engineering – Kris Nilsen

- Working on Doug's Corner and Highgate -2 subdivision reviews for planning commission.

Community Development – Cathy Brightwell

- Brookside Ranch updated their PUD filing last week and presented it to planning commission. Their base density is shown as 105 units which increases to 126 units with a 20% bonus. Lots range from .5 acre to 2+ acres. One of the benefits they propose with a PUD is a 10-acre park deeded to the city from UDOT that they intend to contribute \$500,000 toward construction costs.
- WholesomeCo – has invited city officials to meet with them to talk about the city's experience over the past year as one of the first cities in the state to have a medical cannabis pharmacy and to host a tour of their facility.

Administrative Report – Duane Huffman

- No report.

9. Mayor / Council Reports

James Bruhn asked about the status of the trail connection on 600 West. Duane said we received a positive response from the county, and we are working through the process.

Kelly Enquist –Mosquito Abatement meeting last week discussed a probable property tax increase to pay for new employees as they are having difficulty finding anyone to work for \$11/hr.

Salt Lake County Mosquito Abatement wants South Davis MA to participate in the cost of using their helicopter for spraying. South Davis MA does not want to participate so may have to buy them out of the Ogden airport hangar.

He asked about several streetlights that seem to be out a lot. Steve Maughan said that it is taking up to 3-4 months to get some lights fixed because of a new process used by Rocky Mountain Power with only one person handling the entire valley.

Mark Preece – EmpAC meeting today for the first time in a year. There is not a lot going on. The Safety Fair will not be held again this year.

Rod Wood – no report.

Mayor Romney updated council on possible taxing changes with South Davis Metro Fire. He also reported on a couple structure fires they have dealt with the last couple of days. One firefighter was injured but has been released from the hospital, and another had smoke inhalation.

10. Closed Session Pursuant to UCA § 52-4-205(1)(a).

MOTION: *Kelly Enquist made a Motion to move into closed session in the police training room for the purpose of discussing the character, professional competence, or physical or mental health of an individual. The regular*

meeting will adjourn simultaneously with the adjournment of the closed meeting. Rod Wood seconded the Motion which PASSED by unanimous vote of all members present.

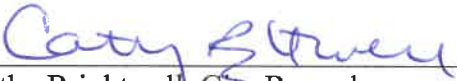
James Ahlstrom – absent
Kelly Enquist – aye
Rod Wood – aye

James Bruhn – aye
Mark Preece – aye

11. Adjourn.

MOTION: *Kelly Enquist made a Motion to adjourn the closed meeting. 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, June 15, 2021.


Cathy Brightwell, City Recorder

