

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
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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, SEPTEMBER 7, 2021
AT THE CITY OFFICES, 550 N 800 WEST**

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. Proposal to Purchase Portion of Birnam Woods Park Property – Kellen Frey.
4. Electronic Speed Limit/Radar Signs.
5. Impact Fee Reduction, Marv Putnam, 187 N 1450 West.
6. Resolution 502-21, A Resolution Reappointing Jason Meservy and Renate Allen to the Emergency Preparedness Advisory Committee.
7. Ordinance 446-21, An Ordinance Creating a New Section, WBMC 17.50 Clear View Area and Fence Requirements, and Deleting Related Sections 17.14.100, 17.16.100, 17.20.100, and 17.24.100.
8. Meeting Minutes from August 17, 2021.
9. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
10. Mayor/Council Reports.
11. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
12. Adjourn.

This agenda was posted on the State Public Notice website, the city website, emailed to the Mayor and City Council, and provided to the Davis Journal on September 3, 2021.

From: Kellen Frey <frey.kellen@gmail.com>
Sent: Thursday, September 2, 2021 1:00 PM
To: Duane Huffman
Subject: Birnam Woods leased property

Greetings Duane,

Hope all is well. I wanted to review with you and the council a couple topics regarding the current agreement of leased land for equestrian use which I'm looking to further develop. I wanted to provide it in writing for your review and then I'd love to come to a council meeting and discuss it in person at the councils' convenience.

1) Current lease improvements: I'd like to further improve the land and bring in additional fill and do some grading to create a riding arena. The footing would be primarily sand based and I would anticipate locating it on the north end of the property. Please see map below for layout detail.

Because of the additional investment required, I'd also like the council's consideration to add some additional language or amendment to the current lease to extend the notification period for cancellation. I'm open to discussing what could work here but would propose a 1 year notification period, and would also propose to extend the current lease for another 15 years.

Red Line - Oil and Gas Pipelines

Blue Lines- Arena location

Black Lines- Potential future modular barn location.



2) Potential Sale Consideration:

In the event the City is willing to entertain a sale I would like the opportunity to evaluate this option.

This is appealing for me because of the additional investment required to make the land more usable for horses and allows me to make more permanent upgrades. Long term I simply want to build a barn, add irrigation, grade the property, add more drainage, build a riding area, and create a more usable equestrian space.

We've discussed previously that the park area could still be kept by the City and expanded north if desired. If there is a desire to sell the entire portion (park included) I'd be open to that discussion as well. The current leased land west of the park is limited in use with the Power lines, gas lines, oil lines, and access is also a challenge.

We have not had an appraisal done on the property and its value is difficult to assess due to its uniqueness. However, based on discussions I've had with a couple appraisers I would estimate the current leased property value to be in the \$40,000 - \$60,000 range due to limited use and access. Because it's more attractive to me because of the equestrian use, *I would be willing to pay above that range up to \$80,000 or whatever a formal appraised value is assessed at.* I'm also willing to work with the city on getting a formal appraisal completed to validate actual value if desired.

If the city was interested in selling the entire parcel including the park portion, I would be willing to pay substantially more and I have no issues with applying use conditions to that property to guarantee it remains equestrian use.

Lastly, I want to thank you and the City for the considerations and hope the City has found the relationship thus far beneficial. I think further improving that property and keeping it equestrian/farm use is the best use of the land and improves the visual appeal for the neighborhood and City.

Kind Regards,

Kellen Frey



MEMORANDUM

TO: Mayor and City Council

DATE: September 3, 2021

FROM: Staff

RE: **Electronic Speed Limit/Radar Signs**

This memo provides background information for a council discussion related to electronic speed limit signs.

1. Resident Request

The city received a request from Mr. David Turpin at 177 North 1100 W for the installation of permanent electronic speed limit/radar signs on the southern portion of 1100 W (letter attached). This request came after a temporary radar trailer was placed on the street at his request.

2. Speed Data

Unfortunately, the city does not have data from the recent temporary radar trailer, but the city does have data from the radar signs installed at 1250 North 1100 West and 714 North 1100 West. The sign at 714 North actually captures data from vehicles south of 400 N. The data has been broken out by week for 06/20/21 – 09/03/21. The data is sorted by 5 mile an hour increments with a total vehicle count, average speed, 50th percentile speed, and an 85th percentile speed for both locations. Data from the 714 North sign shows that 85% of vehicles travel at 32 mph or less.

3. Electronic Speed/Radar Signs

In 2018, the city purchased the two solar powered electronic speed/radar signs currently installed on 1100 W. They were installed in a method that would allow the city to move them to different locations if so desired. Attached to this memo is a quote and spec sheet for additional signs (roughly \$3,000 each).

If the city is interested in installing additional signs, the police department recommends them for main thoroughfares such as 800 West, 600 W, Pages Lane, Porter, and with talks of development of the west end of 400 North; this may be an additional location in the future. Signs at these locations would be recommended before additional signs on the southern portion of 1100 W.

When considering whether to move the signs or install additional signs, the council should think about the following:

1. Speeding complaints are fairly common – is the city prepared to tell some residents yes and some no for additional signs? What criteria will we use when determining if signs are needed?
2. Cost. If we installed two signs at just four additional locations, that would be roughly \$24,000.
3. At the time that the signs on 1100 W were installed, there was significant development construction for the Kinross and Mountain View subdivisions – is it time to move them to a new location?

August 12, 2021

To: West Bountiful City Counsel/Mayor

Subject: Request for consideration for permanent speed awareness flashing signs for South End of 1100 West from 4th North to 5th South.

To West Bountiful City Council:

My name is David Turpin. I live at 177 North 1100 West in our city of West Bountiful. My wife, children and I have lived here and enjoyed our city since 1995. My children attended WB elementary school and now have grown and are raising families of their own.

I am writing to request the City consider and install **Permanent** flashing speed signs (similar to those on 1100 West from 4th North going north to Pages Lane). A week ago I called and talked to our Police Chief and told him of my concern of the increasing speed over the years for Vehicles traveling south from 4th North to gain access to 5th South. I have concerns the speed continues to increase especially with large trucks headed to the landfill or traveling north to new build sites. On weekends the increased speed of vehicles seems to increase even more. The current speed limit is 30 mph. I can assure and guarantee you 90% of the vehicles do not go 30 mph. The chief was kind enough to set up a temporary speed sign trailer in front of my home at 177 North. **I can't tell you enough how much this has improved and slowed down vehicles speeds.**

I am writing this request of my concerns and many of my neighbors have the same concern. If you consider we have two large residential home developments that have been growing since the mid 2000's. The newest one directly West of the Holly Refinery. With that new home development I am sure this will bring young children traveling to the WB school. There are not cross walks and very few sidewalks going to 4th North for them to walk or ride bikes to school. Even if there were the speed of vehicles on this 1100 West will continue.

I feel it is very important and our duty to protect the pedestrians of West Bountiful. Which you do, in other areas of the City. **Thank for that.**

I realize this request will have financial requirements so I don't expect it is something that can happen immediately. So please consider this request. If possible put up a second temporary trailer for North bound traffic.

Thank you

David Turpin

Resident of West Bountiful City

My Custom Report

Location: 700 North 1100 West
 Address: 714 North 1100 West
 Speed Limit: From schedule 30 mph

Report Period: 2021-07-01 to 2021-09-03
 Total Vehicle Count: 114168

Date/Time	10-14	15-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80-84	85-89	Total Vehicle	Average Speed (mph)	50% Speed (mph)	85% Speed (mph)
2021-06-20	343	415	806	2287	1930	253	26	3	0	0	1	0	1	1	4	8	6692	25	28	H 32
2021-06-27	541	737	1379	3951	3533	468	35	5	1	1	0	0	4	3	12	15	11896	25	28	H 32
2021-07-04	589	H 776	H 1426	4223	3967	561	45	4	H 4	2	0	1	9	H 16	H 32	H 53	H 13225	26	28	H 32
2021-07-11	591	694	1308	4173	3662	554	35	3	1	1	0	1	4	7	12	38	12452	26	28	H 32
2021-07-18	522	692	1247	4088	3702	498	H 55	H 6	1	0	0	1	0	1	12	31	12382	26	28	H 32
2021-07-25	510	710	1378	4125	3725	523	35	4	0	2	0	2	0	7	19	43	12335	H 27	28	H 32
2021-08-01	483	621	1213	H 4502	H 4084	H 562	34	2	2	1	1	2	6	15	18	31	12545	H 27	H 29	H 32
2021-08-08	518	571	1060	3566	3453	497	34	2	3	1	0	H 6	6	9	11	26	11970	24	27	H 32
2021-08-15	H 607	730	1370	4207	3739	544	45	4	2	H 5	2	1	H 11	10	23	29	12472	26	28	H 32
2021-08-22	396	502	962	2726	2457	342	20	4	1	1	H 3	3	2	8	10	13	8199	26	28	H 32
Summary																	SUM: 114168	AVG: 26 mph	AVG: 28 mph	AVG: 32 mph

H - highest value in the column, **bolded H** is highest H value in report

** "n/a" - means the sign did not collect any data at the time stipulated in the report. "n/a" values are NOT included in calculations.

My Custom Report

Location: 1250 North 1100 West
 Address: 1201 North 1100 West
 Speed Limit: From schedule 30 mph

Report Period: 2021-07-01 to 2021-09-03
 Total Vehicle Count: 98302

Date/Time	10-14	15-19	20-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64	65-69	70-74	75-79	80-84	85-89	90-94	95-99	Total Vehicle	Average Speed (mph)	50% Speed (mph)	85% Speed (mph)
2021-06-20	817	86	164	942	2188	718	80	6	1	0	0	0	0	0	0	0	0	0	5351	27	H 30	H 35
2021-06-27	1314	140	282	1631	3897	1279	142	15	3	1	0	0	0	0	0	0	0	0	9411	27	H 30	H 35
2021-07-04	826	177	358	1871	4297	1397	169	17	0	0	H 1	0	0	0	0	0	0	0	9879	H 28	H 30	H 35
2021-07-11	974	170	327	1793	3986	1287	112	16	2	0	0	0	0	0	0	0	0	0	9659	27	H 30	34
2021-07-18	1237	176	359	1943	4120	1251	100	17	H 4	0	0	0	0	0	0	0	0	0	10436	26	H 30	34
2021-07-25	1950	165	370	H 1993	4114	1419	131	21	1	0	0	0	0	0	0	0	0	0	11305	25	H 30	34
2021-08-01	2078	155	357	1832	H 4717	H 1559	H 194	H 24	2	1	0	0	0	0	0	0	0	0	11730	26	H 30	H 35
2021-08-08	H 3529	H 242	330	1797	3898	1289	121	11	2	1	0	0	0	0	0	0	0	0	H 12166	23	29	34
2021-08-15	1574	178	H 383	1957	4354	1275	118	21	2	1	0	0	0	0	0	0	0	0	10348	27	H 30	34
2021-08-22	1916	130	233	1306	2974	883	79	11	1	H 3	0	H 1	0	0	0	0	0	0	8017	25	29	34
Summary																			SUM: 98302	AVG: 26 mph	AVG: 30 mph	AVG: 34 mph

H - highest value in the column, **bolded H** is highest H value in report

** "n/a" - means the sign did not collect any data at the time stipulated in the report. "n/a" values are NOT included in calculations.



Traffic Logix Corporation
3 Harriett Lane
Spring Valley, NY 10977 USA
Tel: (866) 915-6449
Fax: (844) 405-6449
www.trafficlogix.com

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Quote Number QUO-17595-C4M2T4
Created Date 8/26/2021
Expiration Date 9/30/2021
Prepared by Nate Hill

QUOTATION

Contact: Duane Huffman
Phone:
Email: DHuffman@wbcity.org

West bountiful City
550 N 800 W
West Bountiful, Utah 84087
United States

Shipping Address:
550 N 800 W
West Bountiful, Utah 84087
United States

Standard Features (Included) – Evolution Signs

- The Evolution radar feedback signs come with 1 year of unlimited cloud access. At the end of this 12 month period the customer has the option to either renew the cloud at a cost of \$400 per sign or resort back to a Bluetooth option at no cost.
- Sign powers down when no traffic present
- Programmable Speed Violator Flashing Strobe Light
- Ambient Light Sensor and Automatic Brightness adjustment
- Banding Mount Bracket
- Safe Pace Management Software
- Bluetooth

Special Notes

Quote Line Items – All Prices shown are in \$USD

Product	Product Code	Quantity	Sales Price	Total Price
Evolution 15 Solar (SLOW DOWN) - Fixed Message RED LED - Multi Lingual - Includes UMB	EV15SDEYL-SOLLA	2.00000	\$2,799.00	\$5,598.00

Totals

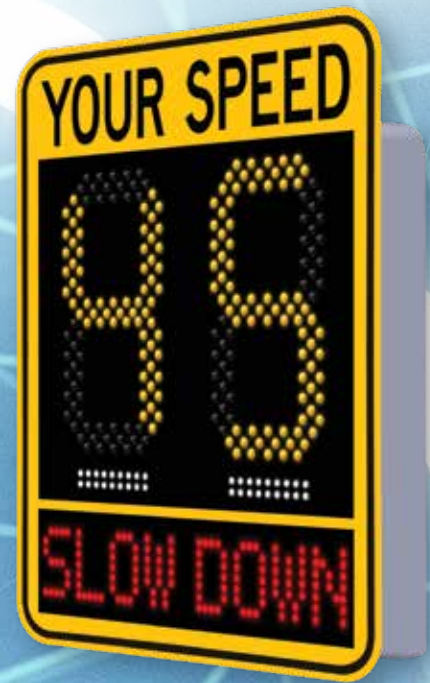
Subtotal	\$5,598.00
Freight	\$290.00
Sales Tax (if applicable)	\$405.86
Grand Total	\$5,888.00



SafePace® Evolution 15

The Traffic Logix SafePace® Evolution 15 is the lightweight sign with full size impact.

The Traffic Logix SafePace 15 driver feedback sign is a portable, lightweight radar sign with full size 15" digits. A speed activated message to slow down alerts speeding drivers. Digits are dual color while messaging is available in a choice of red or amber. The Evolution 15 sign can be mounted at multiple locations with universal mounting options and can function autonomously for weeks at a time with optional battery power.



EV 15 Specifications

Digit Size	15"
Height	33.1"
Weight	28 lbs
24/7, 365 Scheduling	✓
Data Collection	✓
Solar Compatibility	✓
Battery Operated	✓
Universal Mounting	✓
Cloud Compatibility	✓
Trailer Compatibility	✓
Dolly Compatibility	✓
Hitch Compatibility	✓
Warranty	2 Years

Features

MUTCD compliant with static "YOUR SPEED" message and highly visible 15" LED digits that are visible from up to 600 ft away.

Dual Color Display: LED digit color can be programmed to change based on driver speed

User-friendly software interface allows you to manage sign parameters such as threshold speeds and violator strobe remotely.

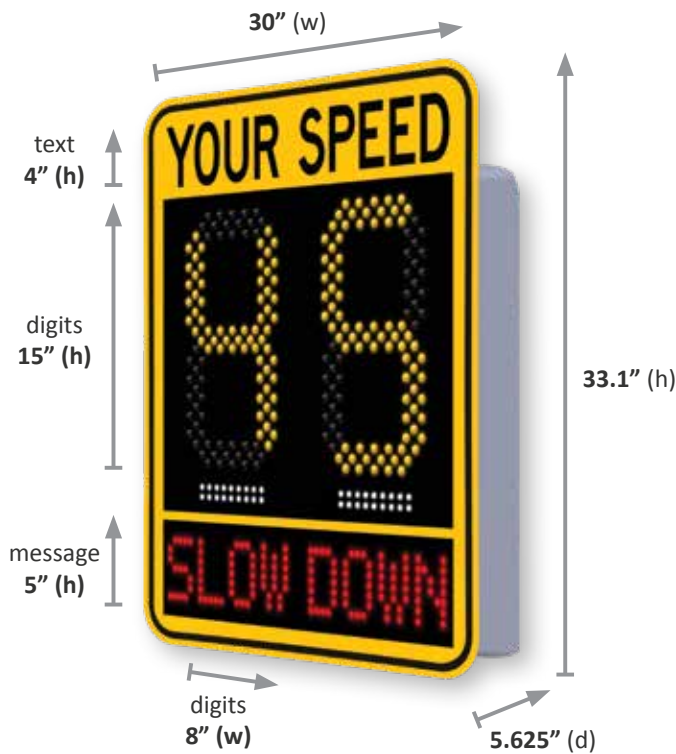
Ultra low power consumption including the most power-efficient radar technology available, optional solar power, and optional battery power that allows the sign to function autonomously for **up to five weeks**.

Stealth Mode allows the sign to collect baseline traffic data while speed display appears blank to motorists.

Slow Down Messaging: Sign flashes "Slow Down" message at drivers who exceed designated speed.

Superior construction and durability for long-lasting performance.

Universal Mounting: Optional mounting brackets let you use one sign at multiple locations with the turn of a key.



Feature	Specifications
Dimensions	
Digits	15"(h) x 8"(w)
LED Message Text	Letters 5"(h) spell "SLOW DOWN", 1line
Unit with "YOUR SPEED" sign mounted	Full size sign: 33.1"(h) x 30"(w) x 5.625"(d)
Sign Weight (includes "YOUR SPEED" sign (2 lbs) mounted)	
AC Powered	28 lbs
Battery Powered Model	28 lbs (not including batteries)
Solar powered model	28 lbs (does not include batteries, solar panel or bracket)
General Specifications	
Operating Temperatures F (C):	-40° (-40°) to 185° (85°)
3-Digit Speed Display with Slow Down message	Miles per hour (mph) 3-99. Kilometers per hour (km/h) 5-160.
Faceplate	High-Intensity prismatic reflective sheeting on "YOUR SPEED" signs with black colored text. MUTCD approved colors and format
Communications	Bluetooth, GSM/GPRS
Programming	SafePace® Pro management software SafePace® Cloud remote management 24/7 365 day unlimited programming and scheduling

Feature	Specifications
Power Options (Electrical Specifications)	
AC power input	100~240 V AC
DC power input	12 V DC
DC battery options	12V, 18Ah Lead acid batteries
Solar panel option	50W or 90W solar panel
Radar	
Internal Radar:	Doppler (FCC approved)
Model	DF 300
Radar RF out	5 mW maximum
Radar f-center	24.125 GHz center +/- 25 MHz
Pickup distance	Up to 1,200 feet
Beam angle	24° (vertical) x 12° (horizontal)
Beam polarization	Linear
CE Mark (Radar)	Yes
Display	
LEDs	484
Digits (Amber)	224 LEDs: Color: Yellow (590 nm) Viewing angle at 50% IV: 30° Partial Flux (Brightness): 9000 – 22400 Ev,[lux]/LED
Digits (Red)	224 LEDs: Color: Red (633 nm) Viewing angle at 50% IV: 30° Partial Flux (Brightness): 7100 – 18000 Ev,[lux]/LED
Slow Down Message	227 LEDs: Color: Red 633 nm) Viewing angle at 50% IV: 30° Partial Flux (Brightness): 7100 – 18000 Ev,[lux]/LED
Speed Violator Strokes	36 LEDs: Color: White (2700 K – 6500 K) Viewing angle at 50% IV: 150° Luminous Flux: typically 33lm @ 4000 K Luminous Efficacy: typically 176 lm/W @4000 K
Ambient light sensor	1 sensor and automatic brightness adjustment
Enclosure	
Construction	Vandal resistant, lightweight polymer. Matte black front for reduced glare and maximum contrast. Light gray body to minimize heat absorption
Weatherproof Rating	Weatherproof, NEMA 3, IP55 level compliant. Non-sealed and ventilated
Warranty	
Sign	2 years
Batteries	1 year

MEMORANDUM



TO: Mayor and City Council

DATE: September 3, 2021

FROM: Duane Huffman, City Administrator

RE: **Impact Fee Reduction – Marv Putnam at 187 N 1450 W**

This memo recommends that the council approve a reduction of \$3,769.14 in the culinary water impact fee for Mr. Marv Putnam at 187 N 1450 W in consideration for a previously granted easement for a city water line.

Background

West Bountiful Municipal Code 3.22.060 states that “The City Council may authorize, on a project-by-project basis and subject to the Act, exemptions or adjustments to the impact fee rate structure for development activity the City Council determines to be of such benefit to the community as a whole to justify the exemption or adjustment...”

In June of 1999, the Putnam family granted West Bountiful City an easement consisting of 0.086 acres for the extension and maintenance of a culinary water line. At the time, the Putnams did not receive any compensation for the easement, but did receive a verbal commitment from city staff that they would be “taken care of” if they ever desired to connect to the city water system.

In August of 2021, the Putnams made application to connect to the city water system (as well as annex their property into the city). The Putnams are required to pay the costs of installing a water line lateral, \$8,126 in impact fees for a 1” water meter, \$300 for a connection fee, and \$1,070 for a water right fee.

Recommendation

Council member Bruhn was able to confirm that a former city administrator did indeed make a vague commitment to the Putnams in 1999. Staff has calculated an estimate of what the easement would be worth today (essentially 10% of the value of the land), and is comfortable recommending to the council that an impact fee reduction of \$3,769.14 be granted in consideration of the benefit to the community previously provided by the Putnams.

WEST BOUNTIFUL CITY

RESOLUTION #502-21

A RESOLUTION APPOINTING MEMBERS TO THE WEST BOUNTIFUL EMERGENCY PREPAREDNESS ADVISORY COMMITTEE

WHEREAS, the West Bountiful City Council established the Emergency Preparedness Advisory Committee (“EmPAC”) by adoption of Ordinance #354-14; and

WHEREAS, pursuant to the above referenced Ordinance, the Mayor shall appoint five (5) voting members to serve staggered terms, with the advice and consent of the City Council; and,

WHEREAS, two member’s terms have expired and they wish to be reappointed.

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful that it consents to the Mayor’s re-appointment of the following individuals and respective terms:

<u>Appointee</u>	<u>Office</u>	<u>Term Expires</u>
Jason Meservy	EmPAC	December 31, 2025
Renate Allen	EmPAC	December 31, 2025

EFFECTIVE DATE. This resolution shall take effect immediately upon passing.

Passed and approved by the City Council of West Bountiful City this 7th day of September 2021.

Kenneth Romney, Mayor

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

ATTEST:

Cathy Brightwell, City Recorder

WEST BOUNTIFUL CITY

ORDINANCE #446-21

**AN ORDINANCE CREATING WBMC 17.50 CLEAR VIEW AREA/FENCE
REQUIREMENTS AND DELETING RELATED SECTIONS 17.14.100,
17.16.100, 17.20.100, 17.24.100**

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 Ordinances; and

WHEREAS, the West Bountiful Planning Commission identified issues related to front yard fencing and clear view areas needing clarification; and

WHEREAS, following a properly noticed public hearing on August 10, 2021, the Planning Commission recommended open fencing be permitted in front yards, clear view areas be extended to driveways as well as street intersections, and these regulations be moved to a separate section of the Zoning Code.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF WEST BOUNTIFUL THAT WBMC 17.50 IS CREATED AND SECTIONS 17.14.100, 17.16.100, 17.20.100, and 17.24.100 BE DELETED AS SHOWN IN ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this 17th day of August 2021.

By:

Ken Romney, Mayor

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

Attest:

Cathy Brightwell, City Recorder

MEMORANDUM



TO: Mayor & City Council

DATE: September 2, 2021

FROM: Cathy Brightwell, Kris Nilsen, Steve Maughan

RE: Review Fence Regulations

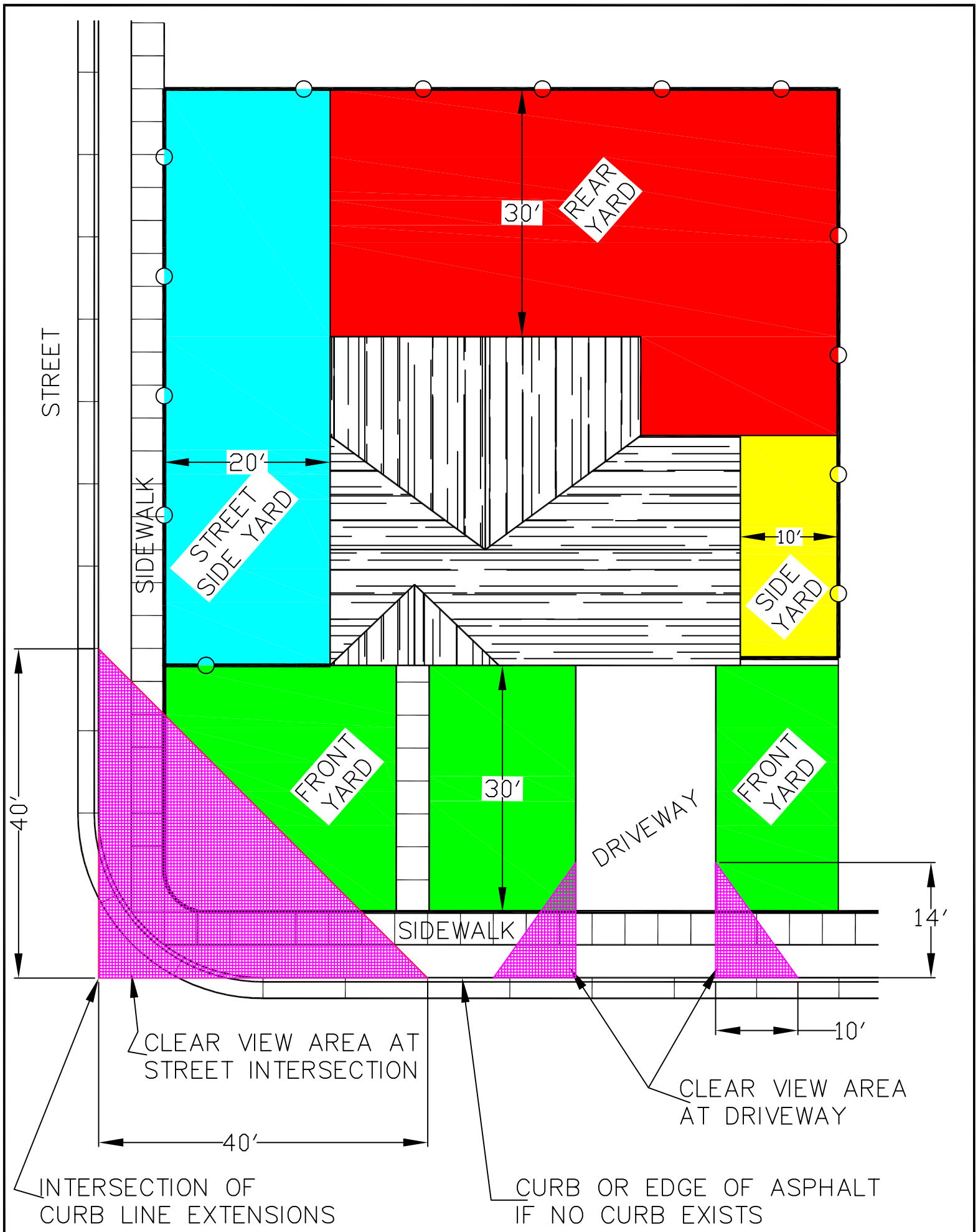
BACKGROUND

In 2015 and 2017 the city modified its fencing regulations by adding definitions, simplifying language, and making clarifications. The planning commission has been reviewing further changes based on observations of non-compliant front yard fencing in the city. In researching this issue, the commission also found that the current clear view area description needed clarification and expansion to include driveways as well as street intersections.

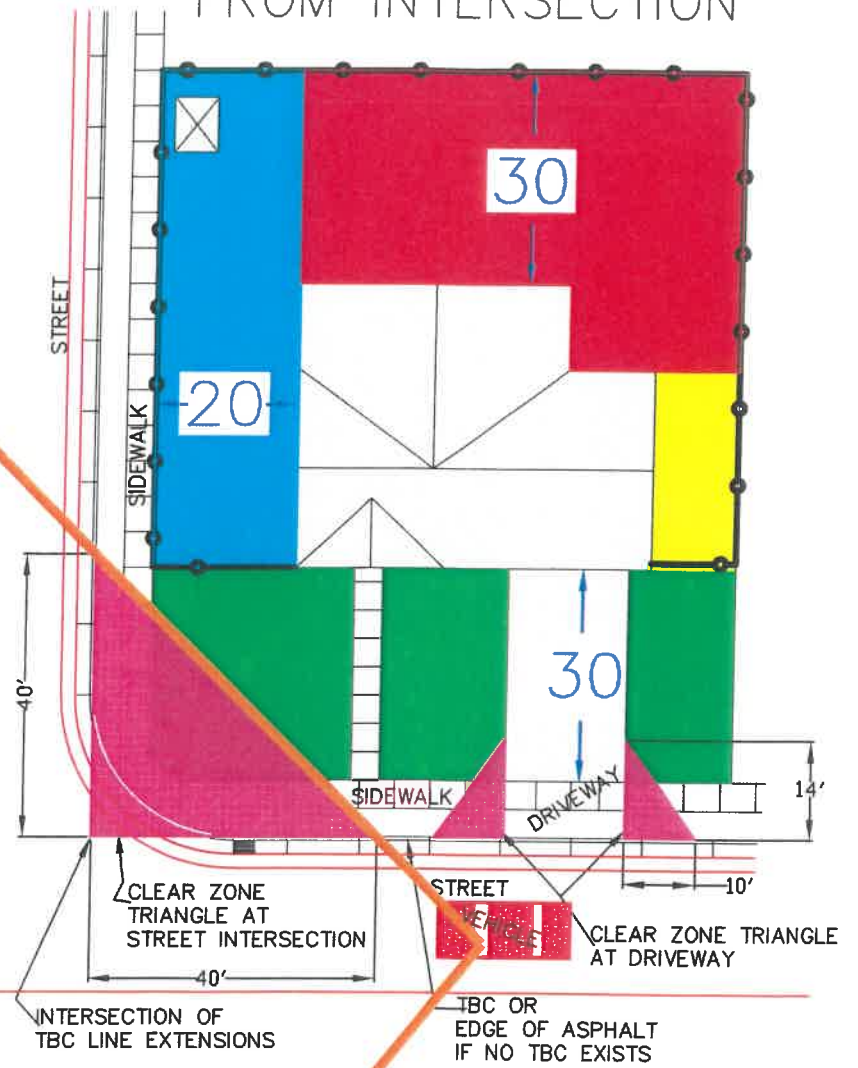
Following discussion at the last city council meeting, staff has made modifications as shown on the attached draft and described below.

1. The clear view area for driveways is increased from 10 ft to 14 ft on the driveway side (see diagram).
2. The minimum percentage for Open Fencing is 70% instead of 75%.
3. In the planning commission recommendation, tree branches in clear view areas were proposed to be a minimum of 14 ft above the ground based on the city's goal to have branches higher than snowplows and garbage trucks. After additional consideration, staff believes that in the clear view area, line of sight is a better measurement, so we are proposing the restriction be reduced to 10 ft and that 'branches' be changed to 'foliage.'
4. Language was found in Title 15 – Building & Construction that allows the city to require the erection of fences as a prerequisite to approval of a project or granting of a building permit in certain situations. We are proposing a reference to the new fencing regulations be added to ensure consistency.

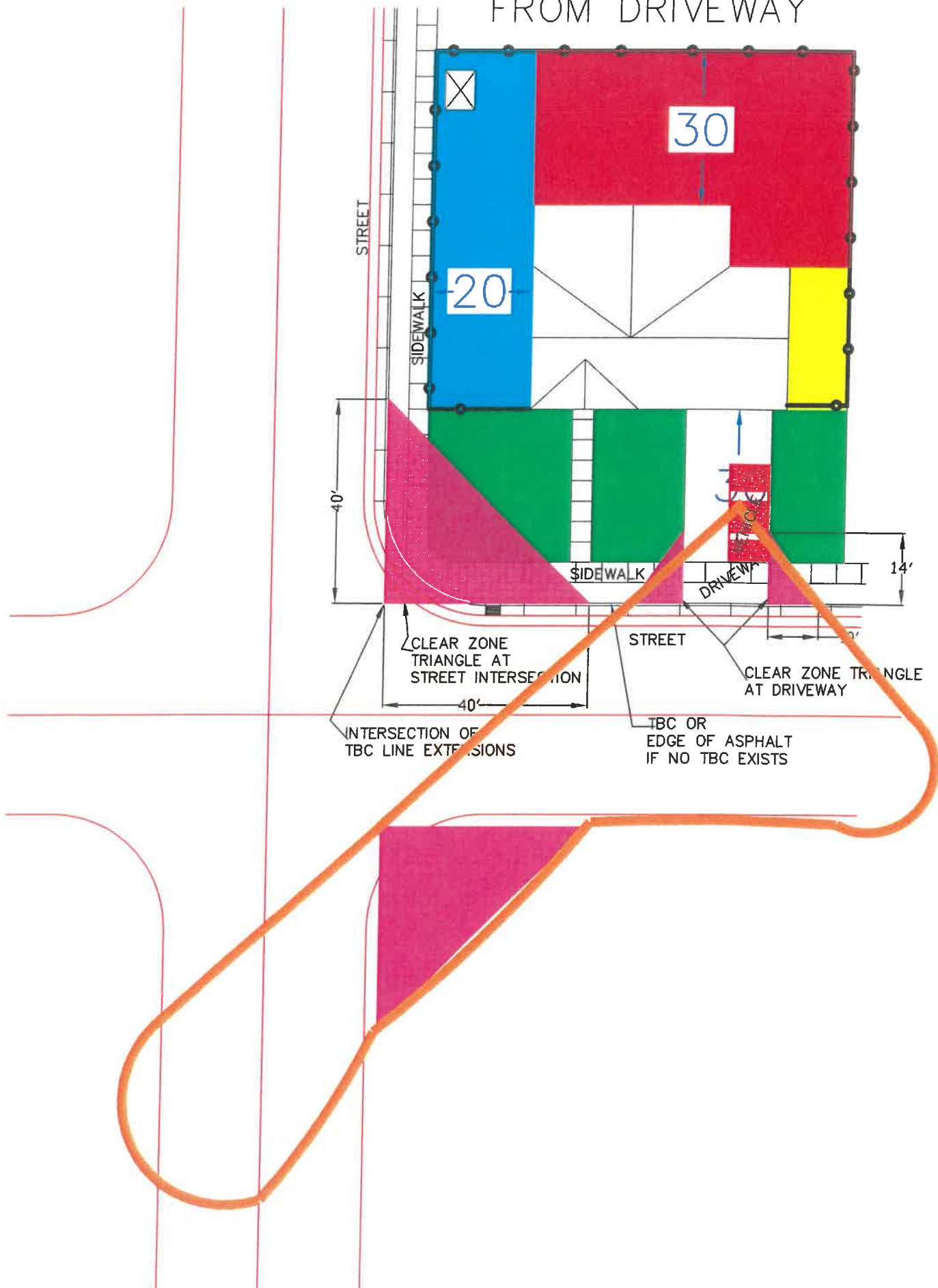
CLEAR VIEW AREA DIAGRAM



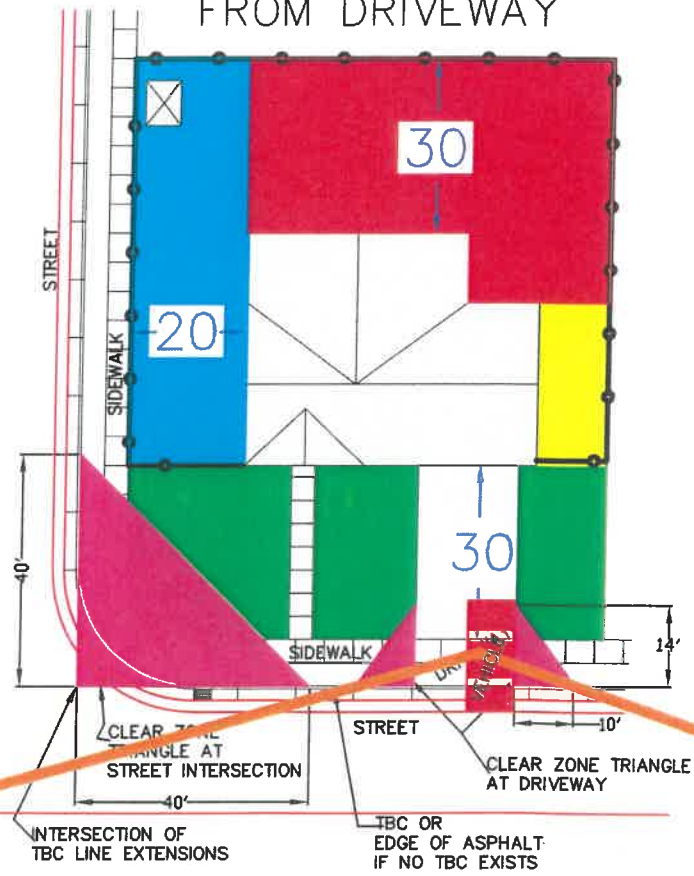
DRIVER VIEW FROM INTERSECTION



DRIVER VIEW FROM DRIVEWAY



DRIVER VIEW FROM DRIVEWAY



OPEN FENCING:



LESS THAN 70% OPEN



NEW SECTION

17.50 Clear View Area and Fence Requirements

17.50.010 Purpose

The following standards will govern the height and location of fences, walls, plant growth, or other obstructions to provide adequate open vision of vehicular and pedestrian traffic.

17.50.020 Clear View Area

A clear view area shall be maintained at the intersection of every street, whether public or private, and at the intersection of every driveway with a public or private street. The clear view provisions are considered life safety standards and shall supersede any conflicting provisions of this title.

No provision of this section shall be construed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence, wall, or other screening material, or other obstruction which interferes with the safety of pedestrians or vehicle traffic.

- A. The clear view area for a **street intersection** is a triangle with a forty-foot side along each intersecting street, beginning at the point of intersection of the back of curb lines or, if there is no curb, the edge of asphalt lines, and encompassing a portion of the street right-of-way and the adjoining lot (~~see diagram~~). Within the clear view area, the following shall apply:
1. Solid fences, walls, sight obscuring vegetation or other sight obscuring devices shall not exceed two (2) feet in height above the back of curb lines or, if there is no curb, the edge of asphalt lines.
 2. Chain link fences or fences which are seventy ~~five~~-percent (70~~5~~%) or more open shall not exceed ~~four~~~~six~~ (46) feet in height above the back of curb lines or, if there is no curb, the edge of asphalt lines.
 3. Trees in excess of these heights may be located or maintained, provided they are pruned clear of all ~~branches-foliage~~ between the ground and a height of ~~fourteen~~ ~~ten~~ (14~~10~~) feet and are planted at least ten (10) feet apart. Tree canopies or other growth shall not block signs or signals.
 4. No sign shall be allowed unless it is specifically permitted by this title, and the City Engineer determines that it is not a safety hazard.
 5. No obstruction of any sort shall be allowed which interferes with the safety of pedestrians or traffic unless it is specifically permitted by this title, and the City Engineer determines that it is not a safety hazard.
 6. No vehicle parking is allowed.

- B. The clear view area for the **intersection of a driveway and a street** is an ~~area triangle~~ on each side of the driveway, ~~each with two ten-foot sides,~~ beginning at the point of intersection of the driveway edge and the back of curb line or, if there is no curb, the edge of asphalt line, with one side extending along the back of curb or edge of asphalt line ~~ten~~ (10) feet away from the driveway, and the other side extending ~~fourteen~~ (10) feet along the edge of the driveway from the front or street side lot line toward the interior of the lot (see diagram). The City Engineer may reduce the required length of the side along the back of curb or edge of asphalt line to six (6) feet or more where existing conditions will not permit a length of ten (10) feet. Within the clear view area, the following shall apply:
1. Solid fences, walls, sight obscuring vegetation and/or other sight obscuring devices shall not exceed two (2) feet in height above the back of curb lines or, if there is no curb, the edge of asphalt lines.
 2. Chain link fences or fences which are seventy~~five~~ percent (~~70~~5%) or more open shall not exceed ~~four six~~ (46) feet in height above the back of curb lines or, if there is no curb, the edge of asphalt lines.
 3. Trees in excess of these heights may be located or maintained, provided they are pruned clear of all branches between the ground and a height of ~~fourteen ten~~ (1410) feet and are planted at least ten (10) feet apart. Tree canopies or other growth shall not block signs or signals.

17.50.030 Front Yard Fences

Subject to the clear view area regulations in this chapter, fences installed in a front yard shall comply with the following requirements:

- A. A fence that is seventy ~~five~~ percent (~~70~~5%) or more open is allowed up to six (6) feet in height.
- B. A fence, wall, or hedge that is not seventy ~~five~~ percent (~~70~~5%) or more open is allowed up to four (4) feet in height if located more than three (3) feet from any street right of way or sidewalk, whichever is closer to the primary building on the lot; and up to six (6) feet in height if not located within the minimum front yard setback.

17.50.040 Rear, Side Yard, and Street Side Yard Fences

- A. Rear yard. Fences, walls, and hedges shall not exceed six (6) feet in height within any rear yard.
- B. Side yard. Fences and walls shall not exceed six (6) feet in height within any side yard.
- C. Street side yard. Subject to the clear view area regulations in this chapter, fences and walls shall not exceed six (6) feet in height within any street side yard.

17.50.050 Additional Height/Exceptions

- A. The planning commission may approve the erection of a fence to a height greater than six (6) feet within any required rear yard or side yard upon a showing that the increased height is reasonably necessary to protect the property from an adjacent incompatible land use.
- B. When a fence, wall, or hedge is located along a property line separating two lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall or hedge may be erected or allowed to the maximum height permitted as measured from the higher grade.
- C. A fence enclosing a recreational facility (whether private or public), such as a tennis court, swimming pool, or ball diamond, may be allowed up to fourteen (14) feet in height, as long as it is "open style" and not site obscuring, is located at least five (5) feet away from the property line, and is not within the clear view area or minimum front yard setback area.

17.50.060 Building Permit Required

Construction of fences and retaining walls must meet applicable requirements of Title 15 of this Code. A building permit must be secured for construction of all fences over six feet high and retaining walls over four feet high.

Title 15 Building & Construction

15.08.020 Building Permit

H. The City may require the erection of fences as a prerequisite to approval of any project or to the granting of any building permit when it is necessary to protect life or property. Such fences may be of a type and size necessary to accomplish the above stated purpose, as determined by the City consistent with ~~Title~~WBMC 17.50.

NEW SECTION

17.50 Clear View Area and Fence Requirements

17.50.010 Purpose

The following standards will govern the height and location of fences, walls, plant growth, or other obstructions to provide adequate open vision of vehicular and pedestrian traffic.

17.50.020 Clear View Area

A clear view area shall be maintained at the intersection of every street, whether public or private, and at the intersection of every driveway with a public or private street. The clear view provisions are considered life safety standards and shall supersede any conflicting provisions of this title.

No provision of this section shall be construed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence, wall, or other screening material, or other obstruction which interferes with the safety of pedestrians or vehicle traffic.

- A. The clear view area for a **street intersection** is a triangle with a forty-foot side along each intersecting street, beginning at the point of intersection of the back of curb lines or, if there is no curb, the edge of asphalt lines, and encompassing a portion of the street right-of-way and the adjoining lot (see diagram). Within the clear view area, the following shall apply:
1. Solid fences, walls, sight obscuring vegetation or other sight obscuring devices shall not exceed two (2) feet in height above the back of curb lines or, if there is no curb, the edge of asphalt lines.
 2. Chain link fences or fences which are seventy percent (70%) or more open shall not exceed six (6) feet in height above the back of curb lines or, if there is no curb, the edge of asphalt lines.
 3. Trees in excess of these heights may be located or maintained, provided they are pruned clear of all foliage between the ground and a height of ten (10) feet and are planted at least ten (10) feet apart. Tree canopies or other growth shall not block signs or signals.
 4. No sign shall be allowed unless it is specifically permitted by this title, and the City Engineer determines that it is not a safety hazard.
 5. No obstruction of any sort shall be allowed which interferes with the safety of pedestrians or traffic unless it is specifically permitted by this title, and the City Engineer determines that it is not a safety hazard.
 6. No vehicle parking is allowed.

- B. The clear view area for the **intersection of a driveway and a street** is an area on each side of the driveway, beginning at the point of intersection of the driveway edge and the back of curb line or, if there is no curb, the edge of asphalt line, with one side extending along the back of curb or edge of asphalt line ten (10) feet away from the driveway, and the other side extending fourteen (10) feet along the edge of the driveway from the front or street side lot line toward the interior of the lot (see diagram). The City Engineer may reduce the required length of the side along the back of curb or edge of asphalt line to six (6) feet or more where existing conditions will not permit a length of ten (10) feet. Within the clear view area, the following shall apply:
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- A. Rear yard. Fences, walls, and hedges shall not exceed six (6) feet in height within any rear yard.
- B. Side yard. Fences and walls shall not exceed six (6) feet in height within any side yard.
- C. Street side yard. Subject to the clear view area regulations in this chapter, fences and walls shall not exceed six (6) feet in height within any street side yard.

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- B. When a fence, wall, or hedge is located along a property line separating two lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall or hedge may be erected or allowed to the maximum height permitted as measured from the higher grade.
- C. A fence enclosing a recreational facility (whether private or public), such as a tennis court, swimming pool, or ball diamond, may be allowed up to fourteen (14) feet in height, as long as it is "open style" and not site obscuring, is located at least five (5) feet away from the property line, and is not within the clear view area or minimum front yard setback area.

17.50.060 Building Permit Required

Construction of fences and retaining walls must meet applicable requirements of Title 15 of this Code. A building permit must be secured for construction of all fences over six feet high and retaining walls over four feet high.

Title 15 Building & Construction

15.08.020 Building Permit

H. The City may require the erection of fences as a prerequisite to approval of any project or to the granting of any building permit when it is necessary to protect life or property. Such fences may be of a type and size necessary to accomplish the above stated purpose, as determined by the City consistent with WBMC 17.50.

PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on Tuesday, August 17, 2021, at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

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

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Chief Brandon Erikson, Steve Maughan, (Public Works), Kris Nilsen (City Engineer), Cathy Brightwell (City Recorder), Josh Virostko (Lakeside Superintendent)

PUBLIC: Alan Malan, Richmond Thornley, Marv Putnam

Mayor Romney called the regular meeting to order at 7:30 pm. Mark Preece provided an invocation, and the Pledge of Allegiance was led by James Ahlstrom.

1. Approve the Agenda.

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

2. Public Comment.

Duane Huffman introduced Marv Putnam, 187 N 1450 West, and explained that he contacted the city about connecting to the city's culinary water system as his well is no longer adequate. He has also expressed interest in annexing his property into the city. There was a miscommunication and Mr. Putnam came back from vacation thinking the water connection issue would be considered at tonight's meeting. Mr. Huffman said that this is not something the city does very often so more research was needed to determine what is required to complete the connection and what fees are due. Mr. Putnam's situation will be expensive as the water line will need to cross 1450 W. He said that in 1999, the city was working on a water line extension to the auto auction and Mr. Putnam granted an easement to the city to cross his property at no cost, but we are still reviewing the records which indicate that the easement has now become part of a city road. More research is also necessary to determine if water rights credits are transferable.

Mr. Huffman added that Mike Demas, at 287 N 1450 West has also contacted the city asking for a water connection and was told that the city council may want him to annex into the city if a water connection is made.

There was discussion about how to handle these requests in a timely manner. Mayor Romney noted that we will likely get several of these requests given the current drought situation and having staff handle them is probably the most efficient way.

3. Award of Architect/Engineering Services for 2021 Public Works Facility Project to CRSA for a Total Fee of \$373,200.

Using materials from the State of Utah's Division of Facilities and Construction Management (DFCM), in June, the city issued two separate Requests for Proposals (RFPs) – one for Architect/Engineering Services and Construction Management/General Contractor Services for the Public Works west yard facility. These RFPs were modeled to select firms on a value-based selection method.

For the Architect/Engineering Services, the firms were evaluated on selection criteria that included: Past Performance, Project Team Experience, Project Specific Team Experience, Team Delivery Method Experience, Team Member Availability, Project Architects Experience, Preconstruction Services, Budget Control Plan, Schedule Control Plan, Value Added Ideas, and Project Team Interaction. Firms submitted proposals addressing these issues, and the five firms that submitted proposals made presentations/interviews for the selection committee.

The selection committee was made up of Kris Nilsen (City Engineer), Ben White (Taylorsville City Engineer and former WBC Engineer), and Steve Maughan (Public Works Director). Selection committee members signed Conflict of Interest and Confidentiality Statements and Non-Disclosure Statements. Darrell Hunting, Assistant Director - Capital Improvements for DFCM participated in the interviews and scoring session to assist the city with process. After evaluation of the proposals, each committee member ranked the firms, and unanimously recommended the selection of CRSA. Under the value-based selection method, the city is now negotiating a fee for the services, which will be in line with fees paid for similar services by the state. If for any reason the city cannot come to terms with CRSA, we would move to the next highest ranked firm.

There was discussion on scoring and the fee schedule with consensus that the process was handled well with blind scoring and council members are comfortable with the outcome.

MOTION: *Mark Preece made a Motion to Award the Architect/Engineering Services for 2021 Public Works Facility Project to CRSA for a Total "Not to Exceed" Fee of \$373,200. Rod Wood seconded the Motion which PASSED as reflected below.*

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

James Bruhn – aye
Mark Preece – aye

4. Award of Construction Manager/General Contractor Services for 2021 Public Works Facility Project to Gramoll Construction for an Estimated Fee of \$655,000.

Mayor Romney disclosed that he is an employee of Gramoll Construction and was not involved in the proposal submitted to the city or in the selection process by the city. If the contract is awarded to Gramoll, he proposes the Mayor Pro Tem sign the agreements.

For Construction Manager/General Contractor Services, the firms were evaluated on selection criteria that included: Past Performance, Project Team Experience, Team Member Availability, Project Manager Experience, Superintendent Experience, Project Estimator Experience, Cost Control Plan, Scope Control Plan, Site and Staging Plan, Risk Identification and Mitigation Plan,

94 and Safety Plan. Eight proposing firms were short-listed by the selection committee to 4, and these
95 made presentations and went through interviews.

96
97 The selection committee was made up of Kris Nilsen, City Engineer; Ben White, Taylorsville
98 City Engineer and former WBC Engineer; and Darrell Hunting, Assistant Director - Capital
99 Improvements for DFCM with the State of Utah. Selection committee members signed Conflict of
100 Interest & Confidentiality Statements and Non-Disclosure Statements.

101
102 Because of their association with one of the proposing firms, neither Mayor Romney nor Public
103 Works Director Steve Maughan were involved in evaluating firms at any level.

104
105 After evaluation of the proposals, each committee member ranked the firms, and unanimously
106 recommended the selection of Gramoll Construction.

107
108 Duane Huffman stated that staff recognizes the potential appearance of a conflict of interest in
109 selecting a firm that employs the mayor of the city as well as a family member of the public works
110 director and assured the council that no one affiliated with Gramoll Construction nor anyone that
111 directly reports to Mayor Romney or Steve Maughan was involved in evaluating the firms or
112 making the recommendation. The inclusion of an employee of the state's DFCM in the selection
113 process helped to ensure a fair process. He added that he believes the selection committee
114 recommended this firm based on the best value to the city.

115
116 The fees for CM/GC services were set in advance using standards from the state of Utah. This
117 levels the playing field for all the proposals, helps ensure that the city is getting value-based
118 services, and limits the potential for future disputes or conflicts of interest during the construction
119 phase.

120
121 There was discussion about the costs included in the bid. Duane said the estimate is about \$655,000.
122 It's difficult to know exactly as the total building costs were bid at \$6 million but the contractor is
123 hopeful it will go down to \$5.5 million. One of the reasons Gramoll Construction was rated so
124 highly is their methods to ensure the best pricing and value for the project, such as putting out
125 RFP's, etc. Rather than providing incentives if they come in lower which can result in corners being
126 cut, value based engineering is based on performance ratings for things such as did the project come
127 in on time and on budget. A good rating is important to the contractor if they want future work with
128 the state.

129
130 Council member Wood added that his experience with value-based pricing has been great.

131
132 Mr. Huffman said the team has been focused on site location selecting where each part of the
133 facility will be located and working toward having space for future flexibility for other city projects.
134 Also looking at soil studies and future road improvements, etc. There was discussion about possibly
135 adding some recreational space, which we may be able to consider as part of landscaping.

136
137 There was agreement that going forward the mayor should be fully involved as part of the team
138 along with the contractor, the architect, and staff in the work process and meetings as he brings a lot
139 of value to the project. If there are any disputes, those issues will go to the full council.

140

MOTION: *James Ahlstrom made a Motion to Award Construction Manager /General Contractor Services for the 2021 Public Works Facility Project to Gramoll Construction for an Estimated Fee of \$655,000 and to Authorize the Mayor or Mayor Pro Tem to Sign the Contract. Rod Wood seconded the Motion which PASSED as reflected below.*

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

5. Approval of \$6,000,000 Sales Tax Revenue Bond for 2021 Public Works Facility Project.

The city has worked for several years now on planning for the construction of a new public works facility on 1200 North. The master plan completed in 2019 estimated costs at over \$7 million. In 2021, the city explored cost-saving measures in the design of the facility, specifically the use of a metal-structure and combining functions such as office/shop/wash bay all into one metal building. Costs are now estimated between \$5.5-\$6.5 million. An architectural firm and a construction manager/general contractor have been selected through the procurement process.

After a noticed public hearing, the city council adopted a Parameters Resolution for sales tax revenue bonds. So that the city could act efficiently in the future, this resolution authorized the city administrator (or mayor in his absence) to issue bonds for the public works project, pledging sales tax revenues as the collateral. The parameters set forth were:

- Maximum Principal Amount: \$7,000,000 (the city expected the amount to ultimately be lower).
- Maximum Interest Rate: 5% (the city also expected this amount to be much lower)
- Maximum Term: 21 years

The city can now move forward without any additional council action, but staff believes it prudent for the council to review and approve the final terms.

Current Proposal

As discussed at the August 3rd council meeting, through the help of our financial advisor with Zions Bank, the city has secured financing under the following terms through a direct purchase arrangement with the Bank of Utah with closing currently scheduled for August 26.

- Principal Amount: \$6,000,000
- True Interest: 1.8215106%
- Term: 20 years
- Average Annual Debt Service: \$358,500
- Call Options:
 - o Unspent funds at conclusion of the project may be returned under a one-time “strip call.” The debt schedule will then be re-done to lower the annual payments.
 - o The bond may be paid in full at any time without penalty.

Duane Huffman asked council members how much they would like to be involved as the project moves forward and to contact him with any questions. He will add a section in the weekly staff notes with updates as the project moves forward.

MOTION: *Kelly Enquist made a Motion to Approve the \$6 million Sales Tax Bond Under the terms described Above. James Bruhn seconded the Motion which PASSED as reflected below.*

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

6. Resolution 501-21, A Resolution Authorizing Allocation of \$21,000 of ARPA Funding to South Davis Sewer District.

The city has received the first allotment of federal ARPA funds which have been distributed through the State of Utah to mitigate the fiscal effects related to COVID-19. ARPA set forth the use of the funds to include making necessary investments in water, sewer, or broadband infrastructure.

This issue was discussed at the last meeting following a presentation by the South Davis Sewer District and request from them for a portion of the city's ARPA funds. This contribution will help achieve the objectives associated with the District's services within the City's jurisdiction through the North Plant Nutrient Removal Project.

MOTION: *James Ahlstrom made a Motion to Approve Resolution 501-21 Allocating \$21,000 of ARPA Funding to South Davis Sewer District. Mark Preece seconded the Motion which PASSED as reflected below.*

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

7. Expenditure Approvals: Parks Power Mower (\$13,309.53); Police Vehicles and Equipment (\$159,000); and Golf Course Pond Irrigation Pump (\$23,778.21).

The city's procurement code requires that certain expenditures of \$10,000 or more first be approved by the city council. Approval is requested for the following:

1. Parks Mower – The FY 22 budget included \$13,500 for a new parks mower. Staff recommends the purchase of a John Deere mower and equipment for \$13,309.53 based on a quote from John Deere.
2. Police Vehicles and Equipment - The FY 22 budget included \$165,600 for three new police vehicles (two replacements and an addition to the fleet for the new position). Staff recommends the purchases for a total of \$159,443. Two current vehicles will be sold with a budgeted offset of \$49,000.

- 233 3. Golf Course Pump Upgrades - With the secondary water being shut off on September 20th, it
234 will be necessary to use the pond just west of 1100 W (north of the #12 green) to irrigate. The
235 pond is fed by artesian wells on the golf course as well as storm water run-off, and for many
236 years it has had a small pump for similar circumstances. Staff recommends the addition of a
237 new pump/motor and additional controls. If adequate water can be kept in the ponds, this new
238 system should be sufficient to protect the course. Two options are provided below.
- 239 a. The first is an upgrade to an existing small pump that would help it do its job better. If
240 the pump is not sufficient, we may need to make an emergency connection to culinary.
 - 241 b. A larger pump replaces the existing pump and would be used instead of a culinary
242 connection. The risk is availability of water and pump maintenance. The larger pump
243 is out about three weeks and will take 1-2 days to install and there may be some
244 additional cost for electrical work.

245
246 In light of the water situation, staff is currently reevaluating previously budgeted golf course
247 improvements, and will likely hold off on doing anything significant on Hole #16 (budgeted at
248 \$60,000).

249
250 Councilmember Wood commented that Eaglewood uses 1-1.5 million gallons per day and
251 commended Josh for an efficient operation, and both Bountiful Ridge and Eaglewood are also
252 connected to culinary water.

253
254 Councilmember Bruhn said his experience with pumps has been a nightmare. He prefers going with
255 the culinary connection. It is a cleaner service with less needed maintenance.

256
257 There was concern about using culinary water after the Weber shut-off and how residents may react
258 to the city continuing to water when they cannot. It may be better to go with the larger pump to use
259 in emergency situations for a cost of approximately \$30,000.

260
261 Josh said Lakeside is the only golf course he has ever worked that did not pump its water. We must
262 have water after September 20, so we need a pump. He recommends investing in the larger pump
263 but noted we may also need to go with the small one due to timing.

264
265 There was concern that Rocky Mountain Power may not be able to have power for us when we need
266 to hook up the pump. Duane said he has already contacted them to let them know we may need a
267 quick connection.

268
269 Mayor Romney commented that he has gone back and forth on the issue. The electrical costs will be
270 incurred either way and he is leaning toward the large pump which will decrease culinary use and
271 not take as much as work. It will not be a waste; but will provide flexibility for future water needs.

272
273 **MOTION:** *Rod Wood made a Motion to authorize expenditures 1 & 2 proposed by*
274 *staff above which are included in the budget. Regarding #3, staff is*
275 *authorized to purchase the large pump, for a cost not to exceed \$35,000.*
276 *James Ahlstrom seconded the Motion which PASSED by unanimous vote*
277 *of all members present.*
278

8. **Ordinance 446-21, An Ordinance Creating a New Section, WBMC 17.50 Clear View Area and Fence Requirements, and Deleting Related Sections 17.14.100, 17.16.100, 17.20.100, and 17.24.100.**

Based on observations of non-compliant front yards within the city, and the desire to improve clear view area regulations, the planning commission has been considering updates to fencing regulations focusing on the following issues:

1. Clear view area. Fencing regulations are in place primarily for safety reasons. Vehicular traffic and pedestrians must be able to see clearly around corners as they pass through intersections and back out of driveways without having visibility blocked by fences or vegetation.
2. Open fencing. Existing regulations limit front yard fencing to 4 feet in height within any front yard setback and 2 feet in height within 3 feet of any street right of way or sidewalk. It does not provide an exception for open fencing. Staff has identified many properties in the city with non-compliant front yard fencing, some of which may qualify as open fencing. After researching other city's regulations, staff found that the majority allow some form of open fencing, such as chain link, rail, and some rod iron, in front yards.
3. Reorganize/consolidate regulations into a new, separate section.

After several months of review and consideration, a public hearing was held on August 10, and the planning commission recommended the following amended ordinance to the city council:

A. *Clear View Area –*

- **Intersections** – *clarifies the clear view area for street intersections as a triangle with a 40-ft side along each intersecting street. This triangle is measured from the intersection of the back of the curb lines or asphalt lines, if no curb.*
 - *Solid fences, walls, vegetation, etc. - up to 2 ft in height;*
 - *Open fencing – up to 4 ft in height;*
 - *Trees must be pruned clear of branches up to 14 ft and be 10 ft apart;*
 - *No vehicle parking (primarily applies to commercial locations).*
- **Driveways** – *(NEW) defines the intersection of a driveway and a street as a triangle on each side of the driveway with 2 -10 ft sides beginning at the intersection of the driveway edge and back of curb line, or edge of asphalt if no curb line, toward the interior of the lot.*
 - *Solid fences, walls, vegetation, etc. - up to 2 ft in height;*
 - *Open fencing – up to 4 ft in height;*
 - *Trees must be pruned clear of branches up to 14 ft and be 10 ft apart.*

B. *Front Yard fences – (subject to clear view area regulations)*

- *Open fencing is allowed up to 6 ft in height.*
- *Solid fences, walls, and hedges – up to 4 ft in height if more than 3 ft from street right of way or sidewalk, and up to 6 ft if beyond the front 30 ft. setback.*

C. *Rear and Side Yard fences – up to 6 ft.*

D. *Street Side Yard fences – (subject to clear view area regulations) up to 6 ft.*

E. *Exceptions – (NEW) open fencing enclosing a recreational facility (public or private) such as tennis court, swimming pool, ball diamond, may be up to 14 ft if at least 5 ft from property line and not within the clear view area or minimum front yard setback area.*

Cathy Brightwell referenced a staff-prepared diagram depicting the clear view areas. Council member Bruhn noted that the clear view area for the driveway needs to be lengthened. The current proposal measures 10 feet from the street along the driveway and 10 feet from the same corner along the street. The resulting triangle only includes a two foot corner of the yard when standard four foot sidewalks and four foot parkstrips are used. James suggested the length along the driveway be increased to 14 feet to provide more opportunity for drivers backing out to see oncoming traffic.

There was also discussion about whether there is a need to limit front yard fencing to four feet, as proposed, if it is outside the clear view area and not creating a safety hazard. If open fencing is used, a six foot fence may be acceptable.

Staff was asked to make the suggested changes and bring a new draft back to the next meeting.

MOTION: *James Ahlstrom made a Motion to table this agenda item. Rod Wood seconded the Motion which PASSED by unanimous vote of all members present.*

9. Minutes from August 3, 2021, City Council Meeting.

MOTION: *Kelly Enquist made a Motion to approve the meeting minutes from August 3, 2021, as presented. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

10. Staff Reports

Police – Brandon Erikson

- The new trucks have arrived and are in service. Explorers should arrive this week and the old vehicles are on schedule to be sold at auction.
- Bountiful IT will work with us to move forward on the new computer system.

Public Works – Steve Maughan

- Paving is complete and street striping is almost done.
- Miscellaneous concrete replacement project is almost wrapped up.
- Crews are cleaning out ditches as time permits.
- A contractor ran over a hydrant at 1800 N/600 W, which caused a pipe to break after a replacement was installed. The entire length of 600 W between 1600 N and 2200 N is in bad shape. This project is budgeted for later this year and there is a concern about attempting such a large project while the public works project is under construction.

Engineering – Kris Nilsen

- Pickle ball shade structures should be shipped mid-August.
- Public Works facility planning continues. The team is working on property layout and has helped with surveying.

- Well construction is progressing. Construction should be done Jan. 15, 22. If we had to, we can turn well on earlier, but building construction won't be done until Jan.

Community Development – Cathy Brightwell

- We received a Notice of Intent to Annex from Marv Putnam on 1450 West. He only wants to bring in the .81 acre parcel his home is on and not the adjoining 1.5 acre parcel to the rear of the home. A notice will be sent to the County so they can begin their notification process. We intend to contact the other property owners on 1450 W to encourage them to join in the Petition even though we are hearing some do not want to come into the city.
- Meet the Candidates night is scheduled for October 4 beginning at 6:30 pm at city hall, which is one week before ballots begin arriving in the mail.

Administrative Report – Duane Huffman

Mr. Huffman recommended a closed session to discuss the sale or purchase of real property.

11. Mayor / Council Reports

Kelly Enquist – Mosquito Abatement reported 162 possible pools of West Nile. They have sprayed and fogged nearly 300,000 acres and report that West Nile is most prolific between 10–11:30 pm.

James Bruhn – No report

James Ahlstrom – Youth Council held their first meeting last week. They will keep their meetings on the second Thursday and advisors, Kim & Pat McReynolds will help as their schedules permit. The Council is beginning to plan for a retreat in September/October.

Mark Preece – No report

Rod Wood – No report

Mayor Romney – The South Davis Metro Fire board adopted its budget last night.

12. Closed Session Pursuant to UCA § 52-4-205.

MOTION: *James Ahlstrom made a Motion to Move into Closed Session for the Purpose of Discussing the Purchase, Exchange, or Lease of Real Property. Adjournment of the closed session will also close the regular meeting. Kelly Enquist seconded the Motion which PASSED as reflected below.*

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

James Bruhn – aye
Mark Preece – aye

MOTION: *James Bruhn made a Motion to adjourn the Closed Session and the regular meeting. James Ahlstrom seconded the Motion which PASSED by unanimous vote of all members present.*

13. Adjourn.

See above

The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, September 7, 2021.

Cathy Brightwell, City Recorder