

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
Cathy Brightwell

City Engineer
Kris Nilsen

Public Works Director
Steve Maughan

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A
REGULAR MEETING AT 7:30 PM ON TUESDAY, OCTOBER 5, 2021
AT THE CITY OFFICES, 550 N 800 WEST**

AGENDA:

Invocation/Thought – Rod Wood; Pledge of Allegiance – Mark Preece

1. Approve Agenda.
2. Swearing in of Police Officer Jory Moran.
3. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
4. Ordinance 447-21, An Ordinance Amending WBMC 2.34 - Youth City Council.
5. Resolution 504-21, A Resolution Amending Youth City Council Bylaws.
6. Ordinance 448-21, An Ordinance adding Landscape Supply as a new use to the Agricultural Specialty Zone.
7. Meeting Minutes from September 21, 2021.
8. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
9. Mayor/Council Reports.
10. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
11. 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 October 1, 2021.

WEST BOUNTIFUL CITY

ORDINANCE #447-21

AN ORDINANCE AMENDING WBMC 2.34 - YOUTH CITY COUNCIL

WHEREAS, the West Bountiful City Council created a Youth City Council pursuant to Ordinance 403-18 and WBMC 2.34; and

WHEREAS, the Youth City Council finds it necessary to amend certain sections of WBMC 2.34 - General Organization and Duties - to better meet current practices; and

WHEREAS, after a unanimous vote by a quorum of the Youth City Council, the proposed updates are recommended for adoption by the city council.

NOW, THEREFORE BE IT ORDAINED by the City Council of West Bountiful City that WBMC 2.34 is amended as reflected in attached Exhibit A.

This ordinance will become effective upon signing and posting.

Adopted this 5th day of October 2021.

By:

Ken Romney, Mayor

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

Attest:

Cathy Brightwell, City Recorder

2.34 Youth City Council

2.34.010 Purpose And Creation

2.34.020 General Organization

2.34.030 Duties

2.34.010 Purpose And Creation

The West Bountiful Youth City Council (YCC) is created to give youth residents a structured opportunity to serve, develop leadership abilities and skills, and grow to become educated and responsible citizens.

All activities and programs of the West Bountiful YCC shall be supervised by one or more duly appointed adult advisor and conducted in accordance with bylaws of the youth city council.

HISTORY

Adopted by Ord. 403-18 on 4/20/2018

2.34.020 General Organization

A. Members.

1. With the advice and consent of the city council, the mayor shall appoint all qualified applicants ~~no more than twenty members~~ to the youth council each year based on recommendations from youth advisors. Appointments will include a Youth-Mayor, Youth-Mayor Pro Tem, Youth-Recorder, Youth-Secretary/Communications, Youth Treasurer, and any other officer positions included in the bylaws of the youth city council
2. All members must reside in the city and be in good academic standing.
3. Age requirements and minimum attendance requirements will be in accordance with the bylaws of the youth city council.
4. Term length is one year beginning in June. Members must re-apply each year.

B. Youth Advisors.

1. With the advice and consent of the city council, the mayor shall appoint youth advisors to assist with efforts of the YCC.
2. Youth advisors serve without compensation but may be reimbursed for reasonable expenses incurred in the performance of their duties.
3. Youth advisors must be at least eighteen years old and pass a background check.
4. Youth advisors ~~will~~may be appointed to four-year terms and can be reappointed for consecutive terms.
5. Upon notice to the city council, the mayor may remove youth advisors at any time.
6. The mayor may also designate a city council liaison as a youth advisor.

C. The YCC will follow the requirements of the Open and Public Meetings Act, Utah Code Annotated § 52-4-101, *et seq.*, as amended.

- D. The YCC may adopt bylaws detailing rules and procedures, not inconsistent with this chapter and applicable law, by which it conducts its business. Adoption and changes to these bylaws must be approved by city council.

HISTORY

Adopted by Ord. 403-18 on 4/20/2018

2.34.030 Duties

The duties and responsibilities of the YCC shall be to:

1. Initiate, recommend, plan, and implement activities and programs authorized by the city council which promote and enhance youth citizenship and volunteerism within West Bountiful City.
2. Assist in organizing and promoting community-centered events such as Easter Egg Scramble, ~~and~~ Independence Day, and Christmas on Onion Street celebrations.
3. Any other such duties as the city council may from time to time prescribe.

HISTORY

Adopted by Ord. 403-18 on 4/20/2018

WEST BOUNTIFUL CITY

RESOLUTION #504-21

A RESOLUTION AMENDING THE BYLAWS OF THE WEST BOUNTIFUL YOUTH CITY COUNCIL

WHEREAS, the West Bountiful City Council has established a Youth City Council and adopted bylaws establishing their roles and duties in the community; and

WHEREAS, the Youth City Council finds it necessary to amend certain sections of the bylaws to better meet current practices; and

WHEREAS, these bylaws have been reviewed by the City Council and City Attorney and are found to be in compliance with the West Bountiful Municipal Code.

NOW THEREFORE, BE IT RESOLVED by the City Council of the West Bountiful City that the West Bountiful Youth City Council Bylaws are amended as reflected in the attached Exhibit A.

EFFECTIVE DATE. This resolution shall take effect immediately passing.

Passed and approved by the City Council of West Bountiful City this 5th day of October, 2021.

Ken Romney, Mayor

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

Attest:

Cathy Brightwell, City Recorder

West Bountiful Youth City Council Bylaws

Mission Statement

The mission of the West Bountiful Youth City Council is to make a difference in our community by giving youth the opportunity to serve, develop leadership abilities and skills, and grow to become educated and responsible citizens. As we serve, we will strengthen our community and promote a spirit of pride in our city. In the future, we will responsibly perform our duty as citizens of the United States.

Article 1 – City Council and Youth City Council Relationship

I. Role of the City Council

The West Bountiful City Council ("**city council**") shall receive recommendations from the West Bountiful Youth City Council ("**youth council**"). The city council shall provide support staff to the youth council to assist them in carrying out their duties. The city council shall appoint a city council liaison as a youth advisor and communicate upcoming issues to the youth council, so they may respond accordingly.

II. Role of the Youth Council

The youth council shall provide such services to the community that would draw the community together serving the youth, young adult, and senior community with wholesome activities. The youth council shall provide opportunities to explore the duties and responsibilities of the city council in order to be prepared to serve in the community in the future.

Article 2 – Membership

I. Representation

All qualified applicants will be welcomed to ~~A total of no more than twenty (20) youth will~~ serve on the youth council. ~~The city council will appoint~~ is number excludes any adult advisors whether they be city council members, city staff, or a city citizen.

II. Membership Qualifications

All members must live within the city limits and must be in 7th to 12th grade, or equivalent ages, at the start of the school year following their appointment to the youth council. Members must have a GPA of at least 3.0, or a GPA of at least 2.5 if their GPA increases each school term after their appointment to the youth council until they have achieved a GPA of 3.0.

III. Term Limits

There is no limit to the number of terms a member may serve as long as the individual upholds the requirements as stated in the entirety of these bylaws. Members must reapply for each term. Membership will be dissolved if the member moves out of the city or submits a letter of resignation.

IV. Application Process

Members of the youth council shall be chosen through an application process. Interested parties shall complete a simple application found on the city website or at city hall. Applications shall be submitted to the youth mayor, youth advisor(s) or dropped off at city hall. Applications are due by a posted date prior to interviews for each term. The interview process will take place ~~either~~ before the new term begins, ~~or as any positions become available throughout the year~~. Applicants shall be interviewed by the youth mayor, youth mayor pro tem, and youth advisor(s).

V. Conduct

Members of the youth council must conduct themselves in a positive, respectable, friendly, and law-abiding manner at all times. There will be no smoking, drinking alcoholic beverages, or using illegal drugs by any member of the youth council. Such behavior will not be tolerated and is grounds for dismissal from the youth council.

Article 3 – Offices

I. Offices

The youth council consists of the following officers: mayor, mayor pro tem, recorder, secretary/communications, treasurer, and historian, ~~publicity head, and web administrator~~.

II. Officer Duties

The duties of the officers shall include but are not limited to the following:

Mayor: Preside over and conduct all youth council meetings and activities subject to Utah Open Meetings laws (UCA 52-4), provide to the city recorder an agenda 48 hours prior to each meeting, communicate with and report to the city council, and perform other such necessary duties as they arise.

Mayor Pro Tem: Assist the mayor in all duties, perform the duties of the youth mayor in his/her absence, prepare to assume all duties as mayor for the following term, fulfill any other such assignments as given by the youth mayor or youth advisor(s), and perform other such necessary duties as they arise.

Secretary/Communications: Provide notice ~~of meetings and activities~~ to members at least 24 hours ~~in advance prior to all meetings and activities~~, organize and keep all necessary items, perform the duties of the recorder in his/her absence, write articles for the city newsletter, update and maintain social media accounts, fulfill any other such assignments as given by the youth mayor or youth advisor(s), and perform other such necessary duties as they arise. ~~**Publicity Head:** Design all advertisements and flyers, fulfill any other such assignments as given by the youth mayor or youth advisor(s), and perform other such necessary duties as they arise.~~

~~**Web Administrator:** Design and update the youth council page of the city website including a calendar of events, links to social media accounts, a list of current members and officers, and contact information for the youth council. Update and maintain social media accounts. Fulfill any~~

other such assignments as given by the youth mayor or the youth advisor(s) and perform other such necessary duties as they arise.

Recorder: Take minutes of each meeting complying with the requirements of Utah Code Ann. 52.4.203, report the minutes of the prior meeting and sign when approved by vote of the youth council, maintain copies of all minutes making them available to city officials upon request, provide original approved documents to the City Recorder; maintain a list of all members and their contact information; fulfill any other such assignments as given by the youth mayor or youth advisor(s), and perform other such necessary duties as they arise.

Treasurer: ~~Keep~~ Maintain a record of all expenses, report financial changes at meetings, manage and direct all financial affairs, fulfill any other such assignments as given by the youth mayor or youth advisor(s), and perform other such necessary duties as they arise.

Historian: Document all activities in a binder for each term, photograph activities, fulfill any other such assignments as given by the youth mayor or youth advisor(s), and perform other such necessary duties as they arise.

~~**Publicity Head:** Design all advertisements and flyers, write articles for the city newsletter, fulfill any other such assignments as given by the youth mayor or youth advisor(s), and perform other such necessary duties as they arise.~~

~~**Web Administrator:** Design and update the youth council page of the city website including a calendar of events, links to social media accounts, a list of current members and officers, and contact information for the youth council. Update and maintain social media accounts. Fulfill any other such assignments as given by the youth mayor or the youth advisor(s) and perform other such necessary duties as they arise.~~

III. Election and Appointment of Officers

The following officers shall be appointed by the youth mayor, youth mayor pro tem, and youth advisor(s): secretary/communications, recorder, treasurer, and historian, ~~publicity head, and web administrator~~. The office of mayor shall be assumed by the mayor pro tem of the prior term. In the event the youth mayor pro tem of the prior term is unable to assume the office of youth mayor, the position will be filled by the same application and interview process as defined herein. Officer positions shall be filled by application and interview process. Any member interested in this office shall fill out an application which shall be turned in to the youth advisor(s). The applicant will then be interviewed by the youth mayor, youth mayor pro tem, and youth advisor(s), ~~and city mayor~~. Officers shall be chosen by majority vote of the interview panel.

IV. Term of Offices

Term length is one year beginning in June and ending in June of the following year. Interviews will be conducted, and members will be notified before June each year.

V. Vacancies of Offices

Should a vacancy occur in an office of the youth council by resignation, removal, or any other reason, the office shall be filled by appointment of the interview panel at the next regular meeting.

Article 4 – Meetings

I. Regular Meetings

Regular meetings of the youth council shall be held monthly, at 5pm on the second ~~and fourth~~ Thursday of each month, unless canceled or changed by agreement of youth leadership and youth advisors. Additional meetings can be called as necessary with a minimum of 72 hours' notice to members from 5:00 p.m. until the completion of the agenda. The principal meeting place of the youth council shall be at West Bountiful City Hall. ~~The agenda shall be approved by the youth mayor, youth mayor pro tem, and the youth advisor(s) prior to the meeting and provided to the City Recorder for posting 48 hours in advance of the meeting. The meeting will follow a formal agenda that has been posted pursuant to Utah Open Meetings laws (UCA 52-4).~~ The agenda can be altered by majority vote at any time during the meeting. All meeting dates and times shall be posted on the city's website, ~~the city's newsletter,~~ and the city's marquee. All meetings of the youth council shall be open to the public and be subject to all requirements of Utah open meetings laws.

II. Special Emergency Meetings

Special Emergency meetings may be called by the youth mayor or youth advisors upon good cause. Prior notification of at least twentyfourfour hours shall be given by the secretary.

III. Quorum and Voting

A simple majority of the council must be present for a meeting to be held. Decisions will be made by motion. Any member may make a motion and a second to the motion is necessary before the motion may be discussed or a vote taken. A majority of those present must vote in the affirmative for a motion to pass.

IV. Order of Business

The youth mayor shall preside over and conduct all meetings when present; when not present the youth mayor pro tem will assume these duties. Meetings will follow the approved agenda; each meeting will include the Pledge of Allegiance and a prayer or thought. ~~Roll Attendance~~ shall be taken at each meeting and a list of attendees will be included in the minutes of the meeting. Excused and unexcused members will also be listed.

V. Recordings of Meetings

Written minutes and an audio recording shall be kept of the proceedings of council meetings by the youth recorder; if not present, the secretary shall assume these duties. Written minutes shall be provided to the city recorder once approved. Minutes will be made available to the public upon request.

VI. Attendance

Each member of the youth council is required to attend all meetings and activities. If they are unable to attend due to extenuating circumstances, they must notify the youth mayor or youth advisor(s) in advance of the ~~prior to the day of the~~ meeting or activity.

If a member of the youth council accrues five unexcused absences from meetings or three unexcused absences from activities, the youth mayor and youth council advisers will recommend the member's dismissal to the city council. In the event the city council accepts the recommendation and dismisses the member, the member would not thereafter ethically be allowed to reference service on the youth council for that term in future resumes or job/school applications.

~~If they fail to provide notice it will be recorded as an unexcused absence which is recorded as two absences instead of one. Before or after a meeting or activity, an absence may be excused and recorded as one absence or may be excused and not count as an absence at the discretion of the advisers. If a member fails to provide notice, the absence will be recorded as an unexcused absence. Before or after a meeting or activity, an absence may be excused at the discretion of the advisers. If excused absences become recurrent, the advisers may deem absences extreme and no longer excused.~~

After accruing three unexcused absences from meetings or two unexcused absences from activities, the council member will receive a probationary letter from the youth mayor and youth council advisers. If a member of the youth council accrues five unexcused absences from meetings or three unexcused absences from activities, they will be dismissed from their position on the youth council. As such, no reference to serving on the youth council would thereby be ethically allowed on future student resumes or job/school applications for any student released from youth council service.

~~After accruing five absences from meetings or two absences from activities the council member will receive a probationary letter from the youth mayor and youth council advisers. If a member of the youth council accrues seven absences from meetings or four absences from activities, they will be dismissed from their position on the youth council. One meeting can be made up by five hours of community service; one activity can be made up by ten hours of community service. All probationary service projects must be approved by the city council. Three meetings and one activity can be made up each term. Members cannot make up missed meetings or activities until after they have received a probationary letter.~~

Article 5 – Bylaws and Amendments

The bylaws of the youth council shall be reviewed once each term. The bylaws may be amended at any time throughout a term, if a proper need is found. Amendments must be approved by a majority vote through a roll call vote. Any changes or amendments shall be approved by resolution of the city council.

Adopted October 5, 2021~~March 6, 2018~~

MEMORANDUM



TO: Mayor & Council

DATE: October 1, 2021

FROM: Staff

RE: South Davis Sewer District – Topsoil Prep

South Davis Sewer District (“SDSD”), plans to lease 2.25 acres of parcel #06-031-0030 to Sinc Contractors to install a temporary agricultural structure to mix, blend and stockpile select topsoil. A site plan showing the property and proposed buildings is attached. This property is in the Agricultural Specialty (A-S) District and there is not currently a use that fits with the proposed activities.

Sinc Constructors Co. explains that this mixing and blending needs to be done in a controlled (dry) environment, free from water, rain, snow, ice, or other adverse environmental conditions. They plan to install 1-2 temporary agricultural structures covering about 1-acre for this use. Additional activities may also include 1) providing fill on the site, 2) grading or leveling the property, 3) leaving a stockpile of topsoil for future landscaping, 4) landscaping, 5) storm water control, and 6) nursery or other agriculture operations.

The planning commission had no objection to adding a new use, Landscape Supply, to this agricultural zone with regulations that protect this and neighboring properties and are consistent with other areas of city code. The definition has been written to prevent outside storage and gravel pit-type uses. A public hearing was held on September 28, 2021; no members of the public made comment.

South Davis Sewer District



Legend

STATE FISH & GAME

BOUNTIFUL CITY CORP
SEWER DIST.

SEWER DIST.

STATE F&G

SEWER DIST.

SEWER DIST.

NATURE CONSERVANCY

7 ACRE PARCEL / SITE

ENTRANCE

FUTURE
BIOLOGICAL
TREATMENT

2.5 AC

FUTURE
CONSTRUCTION

STAGING
AREA

2.25 AC

TEMPORARY
STRUCTURE

2.25 AC

TEMP. BLDG.

FRONTAGE ROAD

UDOT

700 ft

500 ft



WEST BOUNTIFUL CITY

ORDINANCE #448-21

AN ORDINANCE AMENDING WBMC CHAPTER 17.14 and SECTION 17.04.030 ADDING LANDSCAPE SUPPLY AS A NEW USE IN THE AGRICULTURAL SPECIALTY DISTRICT, A-S

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 Land Use Ordinances; and

WHEREAS, the West Bountiful Planning Commission received a request to add a new permitted use in the Agricultural Specialty District; and

WHEREAS, after reviewing the request, the West Bountiful Planning Commission held a properly noticed public hearing on September 28, 2021, to consider adding “Landscape Supply” as a new Permitted Use in the Agricultural Specialty District; and

WHEREAS, the West Bountiful Planning Commission has recommended adoption of proposed modifications to WBMC Chapter 17.14 (A-S District) and Section 17.04.030 (Definitions) as reflected in the attached Exhibit A.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF WEST BOUNTIFUL THAT WBMC CHAPTERS 17.14 AND 17.04.030 BE MODIFIED AS SHOWN IN ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this 5th day of October 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

17.14 Agricultural Specialty District, A-S

17.14.010 Purpose

17.14.020 Permitted Uses

17.14.030 Conditional Uses

17.14.040 Area And Frontage Regulations

17.14.045 Every Dwelling To Be On A Lot; Exceptions

17.14.050 Yard Regulations

17.14.060 Height Regulations

17.14.070 Density

17.14.080 Farm Animal Regulations

17.14.090 Landscape Supply Regulations

17.14.010 Purpose

The purpose of the A-S agricultural specialty district is to promote and preserve in appropriate areas conditions favorable to agriculture and maintaining greenbelt open spaces. This district is intended to include activities normally and necessarily related to agricultural use, and to protect the district from the intrusion of uses harmful to the continuance of agricultural activity. It is intended to allow associated residential uses, the keeping of limited numbers of animals and fowl, and reduced requirements for public utilities.

17.14.020 Permitted Uses

The following uses are permitted in the A-S agricultural specialty district:

- A. Agricultural;
- B. Single family dwelling;
- C. Farm Animals;
- D. Home Occupations;
- E. Accessory dwelling units (ADU);
- E-F. Landscape Supply;
- F-G. Medical cannabis pharmacy, as defined in Chapter 17.62; and
- G-H. Cannabis production establishment, as defined in Chapter 17.62.

17.14.030 Conditional Uses

The following uses are conditional in the A-S agricultural specialty district:

- A. Equestrian facilities, commercial stables;
- B. Public or quasi-public uses;
- C. Child day care or nursery (pursuant to Chapter 5.28 Home Occupations);
- D. Flag lots;
- E. Kennels (pursuant to Chapter 5.28 Home Occupations), and ;

F. Restricted Lots (see definitions, Section 17.04.).

17.14.090 Landscape Supply Regulations

- A. The outdoor storage regulations in Chapter 17.92, and specifically as applied to the C-H Zoning District, shall apply.
 - B. Topsoil preparation, landscape rock preparation, or other processing activities must occur in an enclosed structure.
 - C. Outdoor lighting on the site must be downlighting, with no light fixture at a height greater than 20 feet.
 - D. Deliveries and exports of soil, gravel, and rocks must be covered loads.
 - E. A SWPPS plan must be submitted at time of business license application.
 - F. No processing or deliveries on the site shall be allowed before 7:00 am or after 10 pm.
-

17.04.030 Definitions

“Landscape Supply” is a business that provides landscaping services and supplies, including trees, shrubs, flowering plants, groundcovers, sod, mulches (organic and inorganic), decorative landscape rock, topsoil preparation, and decorative landscape rock preparation.

PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on Tuesday, September 21, 2021, at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

MEMBERS: Mayor Kenneth 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, Kris Nilsen (City Engineer), Cathy Brightwell (City Recorder)

PUBLIC: Alan Malan, Christine Schultz, Ella Rodabough and Rodabough family, Belenda Barking, Patton family, Sally Tanner, Kim & Pat McReynolds, Judy Balling, Kellen Frey, Cyndi Banks, Shauri & Chris Kagie, Farley family, Bartholomew family, Packer girls, Wood family, Buck family, Peterson family

Mayor Romney called the regular meeting to order at 7:30 pm. Kelly Enquist provided an invocation, and the Pledge of Allegiance was led by Rod Wood.

1. Approve the Agenda.

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

2. Proclamation Designating September 17 through September 23, 2021, as U.S. Constitution Week.

September 17, 2021, marks the 234th anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention. The Sego Lily Chapter of the Daughters of the American Revolution, represented by Christine Shultz, introduced members and explained the history of Constitution Week declared by President Eisenhower which runs from September 17 through September 23. Mayor Romney joined them to sign the 2021 Proclamation.

3. Swearing In of 2021-2022 West Bountiful Youth City Council.

Mayor Romney introduced Nicole Wood as the Youth City Council Mayor and had her recite the Oath of Office. He then called up each member of the new council and Youth Mayor Wood gave them the Oath of Office. The 2021-2022 Youth City Council consists of the following: Nicole Wood-Mayor, Elsie Buck-Mayor Pro Tem, Becca Marsden-Secretary, Sara Patton-Recorder, Tyson Wood-Historian, Ryan Wood-Treasurer, Bo Bartholomew, Cooper Buck, Cosette Curtis, Drew Farley, Clair Halling, Clara Kagie, Jack Kagie, Spencer Lewis, Becca Parker, Lindsey Packer, Daniel Peterson, Noah Peterson, Ella Rodabough

4. Public Comment

No comments.

5. Proposal to Purchase Portion of Birnam Woods Park Property – Kellen Frey

Duane Huffman explained that the city has leased land adjacent to the Birnam Woods park to Kellen Frey and Mike Sowby since 2014. They have used the property for grazing horses and goats and are currently halfway through the fifteen year lease. The terms of the lease include \$1/year payment, permanent fencing along the western boundary, maintenance of the property, and an early termination clause allowing 90 days' written notice by either party.

Kellen Frey is requesting to purchase the property or changes to the current lease. Mr. Frey is interested in further improving the land by bringing in additional fill and doing some grading to create a riding arena. Because of the additional investment required, he would like to purchase the land, or alternatively, he is requesting an amendment to the current lease to extend the notification period for cancellation. He proposes a 1-year notification period and also proposes to extend the current lease for another 15 years.

Mr. Frey said he has lived here for fourteen years, and his family has enjoyed the use of the land. In the event the city is willing to entertain a sale, Mr. Frey said he is interested in this option because of the additional investment required to make the land more usable for horses. It would allow him to make more permanent upgrades such as building a barn, adding irrigation, grading the property, adding more drainage, building a riding arena, and creating more usable equestrian space. He would like to either purchase or change the lease to add additional protections.

Mr. Frey said an appraisal has not been done on the property and its value is difficult to assess due to its uniqueness but based on discussions he has had with a couple appraisers, he estimates the current leased property value to be in the \$40,000 to \$60,000 range due to limited use and access, but he would be willing to pay up to \$80,000 or whatever a formal appraised value is assessed at. He added that if the city is interested in selling the entire parcel, including the park, he would be willing to look at paying more, and he has no issues with applying conditions that the property remain as an equestrian use.

Mr. Huffman noted that it is difficult to determine fair market value as there are likely no comparable properties. The property was dedicated as open space on the Birnam Woods subdivision plat. He added that any strategy discussions should be held by council in closed session.

There was discussion about the improvements, the park, ongoing maintenance costs if the city takes it back, and whether it should be split into several different parcels. The Park is difficult to get to and does not get a lot of use. The fence that was installed along Legacy trail is not the one originally agreed to, although it was approved by city council prior to installation. There were also questions about what benefit the city will get by extending the lease or selling. There is not a lot of vacant land left so the city needs to think hard about selling.

Mayor Romney directed staff to look into legal procedures regarding changing a dedicated open space parcel, subdividing the property, selling without an accurate appraisal and any other issues that apply. When information has been compiled, the council will meet in closed session to discuss. He said there does not appear to be a rush so we can wait to review more information from staff.

6. Resolution 503-21, A Resolution Implementing 2021 Lawn Watering Restrictions.

Duane Huffman presented Resolution 503-21 which implements 2021 lawn watering restrictions. He explained that Weber Basin irrigation water was shut off yesterday, September 20. There are concerns that residents may attempt to water their lawns with culinary water resulting in, 1) cross connections that could contaminate our water system, and 2) unnecessary use of water that should be conserved for the future. He noted that surrounding cities have or will also institute restrictions for using culinary water for irrigation.

Mr. Huffman asked about timeframes. Does the council prefer to begin the restrictions now, wait until October 1, or do nothing? After discussion, the council supported the proposal and decided to make October 1st the effective date so the city could notify residents.

There was discussion about how best to get the word out. It is important to educate the public about the seriousness of the drought. Information will be included in the newsletter, social media posts, on the marquee, and flyers distributed by the youth city council. Code Red could also be used to share information.

The enforcement of the restrictions will be through education.

MOTION: *Rod Wood made a Motion to Approve Resolution 503-21 With Restrictions Beginning October 1. James Ahlstrom seconded the Motion which PASSED as reflected below.*

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

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.

A redline proposal incorporating comments from the last meeting was reviewed. Cathy Brightwell pointed out a clarification that the setbacks for front yard fences were intended to be applied to the front property line only; earlier language could have been interpreted to include side yard property lines.

MOTION: *James Ahlstrom made a Motion to Approve Ordinance 446-21 as presented. Kelly Enquist seconded the Motion which PASSED as reflected below.*

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

8. Ordinance 447-21, An Ordinance Creating a New Section, WBMC 17.42, Housing in Certain Commercial Areas Overlay.

The planning commission recommended a proposal that introduces a framework to consider high density flexible housing types as an overlay in the C-G and C-H zones along 500 South and 500 West. The proposal opens the door for a greater mix of uses in commercial locations that can provide more services and transportation options. After months of working with staff and contract planners, the proposed draft lays out the process, guidelines, and requirements for developers to propose housing options in these zones. The draft overlay zone does not make residential uses permitted or conditional but opens the door to a legislative process that would be at the discretion of the city and subject to a development agreement.

There was discussion about how specific or flexible the requirements should be, especially regarding landscaping and parking. A good balance will result in proposals from developers that are attractive to the city but may not meet all of the specific requirements. It may be better to list suggestions or expectations rather than strict requirements and work through the details during the development agreement negotiations.

Staff was directed to review the draft and propose changes as discussed above.

9. Minutes from September 7, 2021, City Council Meeting.

MOTION: *James Ahlstrom made a Motion to approve the meeting minutes from September 7, 2021, as presented. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

10. Staff Reports

Police – Brandon Erikson

- Implementation of the new record and dispatch system is delayed until other entities move forward. Fatpot will continue until the transition can be completed.
- Officers participated in a PT test today and all passed. Two employees were unable to take the test but will in the future.
- Sergeant interviews are scheduled for this week. We received two applications from outside of the city. One is retired from Salt Lake County, and one retired from West Jordan. In addition, we have two eligible internal candidates.
- DARE America approved the design for car wrapping so it should be completed soon.

Engineering – Kris Nilsen

- Well - still waiting on block for the building.
- Working on annual storm water reports.
- FEMA has proposed to remove flood plains in many west side areas due to Legacy Parkway. There is a 90-day comment period.
- Pickleball shade structures are in and very durable. A final walkthrough will be scheduled.

Community Development – Cathy Brightwell

- Three property owners on 1450 West have agreed to join in a Petition to Annex. The Putnam's, Demas's, and Wilson's. The Wilson property is 0.5 acre which does not meet the 1 acre minimum for the A-1 zone. They want to build a barn which is not allowed for a non-

conforming property, although the planning commission can grant an exception. The next step is for the county to send out notices of the Intent to Annex.

- South Davis Sewer District requested a Conditional Use Permit for a portion of leased property for processing and mixing topsoil. A conditional use does not apply in this situation, so the planning commission is considering adding a landscape-type use in the AS zone to accommodate the request.

Administrative Report – Duane Huffman

- Christmas on Onion St – the Youth Council is seeking direction as they begin to plan the event. With Covid number still running high, is it a good idea to pack the room? Have kids sit on Santa's lap? They also wanted input on possibly changing the event from the first Monday in December to a Saturday morning or afternoon following Santa's tour of the city. Council members shared their preference to hold the event outside. It could be at the park or the school. They did not object to moving the event to a Saturday.
- Duane will be attending the City Management conference in Portland on October 5 so will not be at the next meeting.

11. Mayor / Council Reports

Kelly Enquist – He asked about the open area along 1100 West in Kinross Estates. It is overgrown with weeds. Duane said it is owned by the Johnson's who also own a home adjacent to the property. They are required to maintain the land.

James Bruhn – The in-person concert by Mike Murphy was great, but poorly attended. The October event will be Cowboy Poetry.

James Ahlstrom – YCC has a meeting on Thursday to discuss Christmas on Onion Street and their annual retreat. They have selected November 12-13 for the retreat.

Mark Preece – South Davis Sewer District is going through the Truth-in-Taxation process to cover the costs of the renovation project to get nutrient levels down. Costs have risen. Engineering is going into the north plant for the project. They are burning more gas and a lot more food waste is coming in.

Rod Wood – no report

Mayor Romney – South Davis Rec board is still looking into expansion for an additional facility. They have been asked by some to build a pickle ball complex with 24-28 courts.

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

No closed session was needed.

236 **13. Adjourn.**

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238 **MOTION:** *James Bruhn made a Motion to adjourn the meeting. Kelly Enquist*
239 *seconded the Motion which PASSED by unanimous vote of all members*
240 *present.*
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244 *The foregoing was approved by the West Bountiful City Council by unanimous vote of all members*
245 *present on Tuesday, October 5, 2021.*
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247 _____
248 Cathy Brightwell, City Recorder
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