

**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  
[www.WBCity.org](http://www.WBCity.org)

**City Recorder**  
Cathy Brightwell

**City Engineer**  
Kris Nilsen

**Public Works Director**  
Steve Maughan

**WEST BOUNTIFUL CITY COUNCIL WILL HOLD A WORK SESSION  
AT 6:00 PM AND A REGULAR MEETING AT 7:30 PM ON  
TUESDAY, APRIL 5, 2022, AT THE CITY OFFICES, 550 N 800 WEST**

7:30 PM – Regular Meeting - **Online Participation via Zoom Available:**  
<https://us02web.zoom.us/j/85664563740>

*Invocation/Thought – By Mark Preece; Pledge of Allegiance – By James Ahlstrom*

1. Approve Agenda.
2. Written Decision by Land Use Appeal Authority - CHOICE Education Land Use Appeal.
3. Public Comment - Two minutes per person; five minutes if speaking on behalf of a group.
4. Presentation by Anne Williams & Brandon Weston (UDOT) - I-15 Environmental Impact Statement Study; Farmington to Salt Lake City.
5. Ordinance 450-22, An Ordinance Modifying Public Improvements Required for Building Permit Approval.
6. Ordinance 451-22, An Ordinance Clarifying Yard Regulations in Residential Zones.
7. Resolution 514-22, A Resolution Amending the West Bountiful City Employment Policies and Procedures Manual Regarding Holidays.
8. Expenditure Approvals for Independence Day Fireworks, Culinary Capital Facilities Plan and Impact Fee Facilities Plan Updates, and Storm Water Capital Facilities Plan and Impact Fee Facilities Plan Updates.
9. Proclamation Declaring April 13, 2022, as Arbor Day in West Bountiful.
10. Meeting Minutes from March 15, 2022.
11. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
12. Mayor/Council Reports.
13. Closed Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
14. Adjourn.

*This agenda was posted on the State Public Notice website, the city website, emailed to the Mayor and City Council, and provided to the Davis Journal on April 1, 2022, by Cathy Brightwell, City Recorder.*

Minutes of the West Bountiful City Council meeting held on Tuesday, April 5, 2022, at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

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

**STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Cathy Brightwell (City Recorder), Steve Maughan (Public Works Director), Patrice Twitchell (Finance Specialist), Dallas Green (Director of Golf), Josh Virostko (Golf Superintendent).

**EXCUSED:** City Council Member Rod Wood, City Engineer Kris Nilsen

**PUBLIC:** Alan Malan, Richmond Thornley, Anne Williams, Brandon Weston

-----  
Budget Work Session

Mayor Romney welcomed everyone to the budget work session at 6:05 pm and turned the meeting over to Duane Huffman. Mr. Huffman stated that the goal is to give a high level report on the state of city finances and begin to drill down to what the council wants us to work on.

General Fund

- Beginning balance is projected to be \$2.1 M, with \$1,594,000 unassigned (difference is road and federal ARPA money).
- Revenues are projected at \$5.46 M (not counting federal money). This includes sales tax growth at 6-8%, which is conservative compared to 10% in current year. The city will also receive another \$344 K ARPA funds.
- Base expenses are near \$4.85 M. Initial draft requests bring the total to \$5.22 M (not counting federal money). We are still working on Capital Projects although those are primarily covered by capital funds.

FY 23 Key issues

- Wage inflation (not merit) has been broken into 3 groups - Police (1.5%), Public Works (3 %), and everyone else (7%). This matches inflation and is compared to other south Davis cities giving 5-10%.
- New Community Development position to help with workload and allow Kris to focus more on engineering. In short term could be deputy recorder.
- City Hall Maintenance – need to replace all carpet (\$35-\$40 K).
- Public Works & Police vehicles - Public Works (Parks), and one for Police.
- Capital Improvements - Roads & Parks – Working on options for 660 W, 700 N, Childs Park.
- Golf Improvements – Working on options for ball protection and #3 ditch.
- Public Works Facility – Need to decide when to use cash, ARPA, debt service

Capital Project Funds Available

- Public Works facility - \$3 M cash + \$688,800 ARPA available.
- Roads (combined) - \$752 K Class B and Impact available.

- Water - \$2 M available.
- Parks RAP - \$1 M available.
- Park Impact - \$100 K available.

#### Capital Projects – Road/Water

- 660 W (1000 N – 400 N). The biggest issue is scope (whether to include curb/sidewalk). There are not sufficient road funds for the full improvements, and there are also challenges with drainage if curb is added. Finally, there is a policy question regarding whether curb/sidewalk should always be included in city-funded improvements.
- 700 N (1100 W - 975 W) needs water line/asphalt with additional option of storm drain.
- Smaller Projects:
  - 560 W cul-de-sac water line & park loop
  - 1810 N – 1890 N - have always wanted to loop a waterline. It is currently cast iron and no road work is necessary.
- 1100 W (400 N – 500 S) sidewalk and storm drain (trying to get grant money). Need to continue east side from where Holly ends to 400 N.
- Miscellaneous sidewalk.

#### Capital Projects Parks & Trails

- Childs Park
- Trails -
  - 1100 W canal crossing at Onion Parkway trail for pedestrians. Will check with County as it will be better to do it as part of a county project.
  - 975 W at golf course. Fix ditch issue and also connect to Prospector Trail?
- City Park –
  - Cabin
  - Parking lot surfacing
  - South playground improvements and surfacing.
  - Remove vinyl fence on south end along Pages Lane and add stairway on southeast corner for pedestrians.
- Water conservation plans for city property. Will let several areas die this year and plan for xeriscaping, rocks, etc., next year.

#### Golf Course Fund

- \$800 K – \$1 M in cash available! Revenues are elastic but we can make some strategic investments.
- Water conservation & connection - costs money.
- Ball protection – driving range nets; #10 (1200 N) remove larger tree, add chain link fence 225 ft X 12 ft (along gas easement); #16 (1100 W) – making improvements and still looking at trees.
- Cart Paths
- Clubhouse – carpet/flooring replacement; facility expansion could include outdoor pavilion.
- #3 Ditch

#### Other Issues/Projects/Questions?

ARPA can be used for revenue loss but not debt service. Best use is probably Public Works Facility.

-----

Mayor Romney called the regular meeting to order at 7:35 pm. Kelly Enquist offered a thought and Rod Wood led the Pledge of Allegiance.

**1. Approve the Agenda.**

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

**2. Written Decision by Land Use Authority – CHOICE Education Land Use Appeal.**

**MOTION:** *James Ahlstrom Made a Motion to Adopt the Written Decision on Appeal and Authorize the Mayor to Sign. Mark Preece Seconded the Motion which PASSED as reflected below.*

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

James Bruhn – aye  
Mark Preece – aye

**3. Public Comment – Two Minutes Per Person, or Five Minutes if Speaking on Behalf of a Group.**

No Public Comment

**4. Presentation by Brandon Weston & Anne Williams (UDOT) – I-15 Environmental Impact Statement Study, Farmington to Salt Lake.**

Brandon Weston explained that as part of its mission to improve quality of life through transportation, UDOT has initiated an Environmental Impact Statement Study along the I-15 corridor between Farmington and Salt Lake City. During this scoping phase, UDOT is reaching out to the public and government bodies for input on issues that need to be addressed with transportation solutions.

As population in Utah continues to grow at a record pace, transportation planning and development play a key role in keeping Utah moving, facilitating a strong economy, and maintaining a high quality of life. Safety will be a big concern. This section of highway has aging infrastructure, cracks, standing water on road, etc. Thirty-five bridges need repair and may need widening for future freeway improvements.

Ann Williams talked about opportunities for engagement and referred to the website ([i15eis.udot.utah.gov](http://i15eis.udot.utah.gov)) that provides detailed information about the project and how to provide input. The current comment period runs from April 11 – May 13, 2022, but the study will go through 2024. Comments are encouraged during the comment period from individuals, cities, and groups. Education will include a series of presentations, grass roots out in the community, posting signage, participating in local events, and using social media.

**5. Ordinance 450-22, An Ordinance Modifying Public Improvements Required for Building Permit Approval.**

At city council's request, the planning commission has attempted to clarify language in city code regarding when and what public improvements are required of an individual property owner as a condition of building permit approval.

The current interpretation requires the property owner to install curb, gutter, sidewalks, and other associated public improvements such as asphalt extensions, piping or covering drainage culverts; and to move conflicting utility infrastructure such as poles and boxes, along a lot on which a building is to be constructed or remodeled when the construction is proportionate to the improvements. Other than new construction, there have not been clear criteria for determining what triggers the improvements, but they have typically been required when an addition is of significant size compared to existing structures. As there can be some question as to when building improvements reach the level of being proportionate, the planning commission recommended a standard based on increases to the footprint or floor space of existing structures.

Their proposal as to when public improvements are required is shown below.

1. A new dwelling or commercial structure.
2. An addition to a dwelling or commercial structure that increases the footprint or floor space by 100%;
3. Cumulative additions to a dwelling or commercial structure on the property that increase the total footprint or floor space by 100% over a 5-year period;
4. A non-commercial structure connecting to any public utility in the public street;
5. Eliminate the requirement for road widening/asphalt extension; and
6. Exclude accessory structures.

There was discussion that the 100% threshold is too large; 50% is more reasonable. Planning Commission chairman Alan Malan was asked why the road widening requirement was proposed to be eliminated. He explained that the commission felt the road/right-of-way is already dedicated to, owned, and maintained by the city so any changes should be the city's responsibility.

Duane Huffman responded that all the public improvements are in the right of way and are considered an exaction.

Council member Ahlstrom commented that if the property owner doesn't pay, it falls on the city (taxpayers). These improvements are for the benefit of the public and the city clearly has the authority to do this. It is reasonable for the property owner to be responsible. He said the question is what is functionally equivalent to new construction on a vacant lot?

Mayor Romney said that in his mind, when someone buys property that has curb, gutter and sidewalk, the cost of those improvements is included in the price. If the property is not improved, the cost of the lot should be less, although in the current market that may not be as clear cut. He's not sure the same applies to an addition, maybe they shouldn't be included or maybe a different percentage should apply.

There was discussion about accessory structures being excluded and that non-commercial structures are only included if they hook up to utilities in the street

Council member Bruhn noted that road widening is unfair when some people have to connect 2 ft. of asphalt and some 12 ft. because city hasn't been using more of the road. There is a fair number of roads in the city without curb, gutter, sidewalk so it's important that we find a way to deal with this issue.

Council member Preece asked if there are certain streets in the city that should not have all the public improvements? What if we decide certain streets that don't have it, shouldn't have it? Should we designate certain streets that don't need sidewalk or only need on one side? Maybe asphalt trails make more sense on certain streets. For example, Millbridge Ln, 660 West, 1200 North, 560 West cul-de-sac, etc.

There was discussion about how to pay for larger projects. If we are increasing the value, does it make sense to do a special improvement district? Those that have signed deferrals have agreed not to oppose, although it would still be difficult.

It was determined that more discussion is needed before a decision can be made on this issue so the item should be tabled.

Staff was asked to make some changes and provide some options based on the discussion: Change percentages from 100% to 50%. Should street widening be required for additions? Should road widening be limited to a certain distance, e.g., 4 feet? How to handle relocation of public utilities, homeowner still responsible but at a lower percentage? Exceptions to standards?

**MOTION:** *James Ahlstrom Made a Motion to Table This Item to Consider Additional Changes. Mark Preece Seconded the Motion which PASSED by unanimous vote of all members present.*

**6. Ordinance 451-22, An Ordinance Clarifying Yard Regulations in Residential Zones.**

Duane Huffman explained that the proposed ordinance clarifies several items in Title 17 that need to be corrected. The first is a clarification with side yard setbacks in residential yard regulations to match current practice. The second is a clarification as to what portion of a structure needs to be built to fire code standards when the side setback is reduced. The third is a correction to the definition of "Building" in WBMC 17.04.030.

After reviewing the issue and holding a public hearing on March 8 where no public comments were received, the planning commission recommended the proposed changes as shown in Ordinance 451-22 that clarify yard regulations based on current practice.

James Bruhn commented that he has concerns about non-commercial structures that may be built on lots that do not have enough buildable available for a dwelling. With projected population growth, there will be a high demand for in-fill over the next twenty years and future owners of a property with a non-commercial structure should have the option to build a home.

*Separate from the pending ordinance approval, city council would like planning commission to review non-commercial structure regulations and consider requiring adequate buildable space on any lot where a non-commercial structure is proposed.*

**MOTION:** *Mark Preece Made a Motion to Adopt Ordinance 451-22, An Ordinance Clarifying Yard Regulations in Residential Zones. James Bruhn Seconded the Motion which PASSED as reflected below.*

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

James Bruhn – aye  
Mark Preece – aye

**7. Resolution 514-22, A Resolution Amending the West Bountiful City Employment Policies and Procedures Manual Regarding Holidays.**

Duane Huffman explained that staff is recommending an amendment to the city's Employment Policies and Procedures Manual, Section 5-2 "Holidays" to add Juneteenth to the list of Approved Holidays while removing "The Friday After Thanksgiving." This would maintain the number of approved holidays at twelve. He noted that from a practical standpoint, most business operations, except police and golf course, would remain closed the Friday after Thanksgiving, and employees would be given the option of using accrued leave for this day.

Juneteenth commemorates the emancipation of enslaved African-Americans following the Civil War. It was adopted by law as a federally observed holiday in 2021 and as a state holiday in Utah in 2022.

**MOTION:** *Mark Preece Made a Motion to Adopt Resolution 514-22, A Resolution Amending the West Bountiful City Employment Policies & Procedures Manual Adding Juneteenth and Removing the Day After Thanksgiving as Approved Holidays. James Bruhn Seconded the Motion which PASSED as reflected below.*

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

James Bruhn – aye  
Mark Preece – aye

**8. Expenditure Approvals for Independence Day Fireworks, Culinary Capital Facilities Plan and Impact Fee Facilities Plan Updates, and Storm Water Capital Facilities Plan and Impact Fee Facilities Plan Updates.**

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. Independence Day Fireworks - \$13,000. The costs from the city's long time vendor have increased 37%. Given where we are in the year, staff recommends moving forward this year and exploring alternative vendors/options next year. Mayor Romney will talk with Holly about a donation.
2. Culinary Capital Facilities Plan and Impact Fee Facilities Plan Updates – Not to exceed \$39,455. The last update to these plans was in 2008 so it is imperative that they be updated.

The proposal from Bowen Collins & Associates is the lowest cost and from a firm recommended for their expertise with Water Impact Fee Facilities Plans. These costs are impact fee eligible.

3. Storm Water Capital Facilities Plan and Impact Fee Facilities Plan Updates – Not to exceed \$38,740. Similar to above, the last update to these plans was 2008. The proposal from Bowen Collins & Associates is the lowest cost and from a firm recommended for their expertise with Storm Water Impact Fee Facilities Plans. These costs are impact fee eligible.

**MOTION:** *James Ahlstrom Made a Motion to Approve the Expenditures Listed Above. Mark Preece Seconded the Motion which PASSED by unanimous vote of all members present.*

**9. Proclamation Declaring April 13, 2022, as Arbor Day in West Bountiful.**

**MOTION:** *James Ahlstrom Made a Motion to Adopt the Proposed Proclamation Making April 13, 2022, Arbor Day in West Bountiful. Mark Preece Seconded the Motion which PASSED as reflected below.*

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

James Bruhn – aye  
Mark Preece – aye

**10. Meeting Minutes from March 15, 2022.**

**MOTION:** *James Ahlstrom made a Motion to Approve the Meeting Minutes from March 15, 2022, as Presented. James Bruhn Seconded the Motion which PASSED by Unanimous Vote of all Members Present.*

**11. Staff Reports**

**Police – Brandon Erikson**

- Full offer of employment was given to officer candidate and accepted. He will begin May 2 after graduating from police academy this month.
- Officer Moran and Bjorndal are in training this week.
- After we raised concerns about increased thefts at the Gateway Shopping Center and stores not reporting crime, Chasebrook is looking into tenant policies and improved signage for loitering.
- The start-up for the new computer system, Spillman, is being pushed out.

**Public Works – Steve Maughan**

- We completed an area of concrete cutting of trip hazards.
- Top-dressed and aerated city park which will help with watering reductions.
- Swapping out old fire hydrants – 1/week.
- The 400 N well is in a holding pattern as we are struggle with the fluoride pump. We may need to swap it out for a smaller one, then we should be able to get our state license.

- Earthwork is beginning at the public works facility. Concrete work may begin in about two weeks.

#### **Engineering & Community Development**

- No report.

#### **Administration – Duane Huffman**

- Golf rates have been raised to be competitive and to cover increased fuel costs.
- The additional full-time assistant superintendent candidate that accepted an offer has disappeared, so we are looking for other candidates.
- Kris, Cathy and Josh will attend a Weber Basin meeting tomorrow covering drought and water restrictions. Allotments for city and irrigation water are being reduced. They asked for percentages of how much culinary water is being used for irrigation – we estimate 16%-18%.
- Duane will be out of the office the rest of week and will miss the next city council meeting.

### **12. Mayor / Council Reports**

Kelly Enquist – scheduled to attend mid-year ULCT conference in St. George next week and will miss the next city council meeting.

James Bruhn – scheduled to attend mid-year ULCT conference in St. George next week. This month's Arts Council concert on Friday are teen-agers playing various instruments.

James Ahlstrom – Davis County Journal is writing an article on the Youth City Council.

Mark Preece – Sewer district is doing well and selling gas.

Mayor Romney – no report.

### **13. Closed Session Pursuant to UCA § 52-4-205.**

**MOTION:** *James Ahlstrom Made a Motion to move into Closed Session in the Police Training Room for the Purpose of Discussing the Character, Professional Competence, or Physical or Mental Health of an Individual. The Regular Meeting Will Adjourn Simultaneously Upon Adjournment of Closed Session. Mark Preece Seconded the Motion which PASSED as reflected below.*

James Ahlstrom – aye  
Kelly Enquist – aye

James Bruhn – aye  
Mark Preece – aye

**14. Adjourn.**

**MOTION:** *The Regular Meeting Adjourned with the Closed Session.*

-----

*The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, April 19, 2022.*

  
Cathy Brightwell, City Recorder



**WEST BOUNTIFUL CITY**

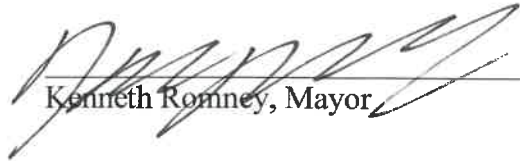
**Statement Regarding Closed Meeting of City Council  
April 5, 2022**

STATE OF UTAH     )  
                              : ss.  
COUNTY OF DAVIS)

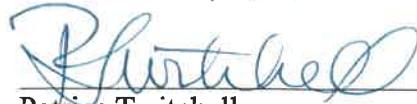
I, Ken Romney, hereby affirm as follows:

1. I am the Mayor of West Bountiful City, and make the following averments based on personal knowledge.
2. I presided at a duly noticed meeting of the West Bountiful City Council on April 5, 2022.
3. Upon motion and a unanimous vote, the City Council moved into closed session, for the purpose of discussing the character, professional competence, or physical or mental health of an individual, pursuant *Utah Code Ann.* § 52-4-205(1)(a)
4. Upon conclusion of that discussion, the Council adjourned its open meeting.

DATED this 19th day of April 2022.

  
Kenneth Romney, Mayor

SUBSCRIBED AND SWORN TO before me this 19 day of April, 2022.

  
Patrice Twitchell,  
Notary Public