

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

City Recorder
Cathy Brightwell

City Engineer
Kris Nilsen

Public Works Director
Steve Maughan

**WEST BOUNTIFUL CITY COUNCIL WILL HOLD
A REGULAR MEETING AT 7:30 PM ON
TUESDAY, APRIL 19, 2022, AT THE CITY OFFICES**

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

1. Approve Agenda.
2. Presentation of Award for Best Tasting Water in Utah by Dale Pierson, Executive Director, Rural Water Assn. of Utah.
3. Public Comment - Two minutes per person; five minutes if speaking on behalf of a group.
4. Public Hearing to Receive Public Comment Regarding a Request to Vacate the Public Utility and Drainage Easement Between Lots 7 and 8 of the Ashby Acres Subdivision (1632 N 1100 West and 1640 N 1100 West) - Jace Allen and James Bruhn
5. Ordinance 452-22, An Ordinance Releasing the Public Utility and Drainage Easement Between Lots 7 & 8 in Ashby Acres Subdivision – Jace Allen & James Bruhn.
6. Request for Plat Amendment for Ashby Acres 2 - Jace Allen & James Bruhn.
7. Expenditure Approval for Golf Course Fence to Protect 1200 North.
8. Meeting Minutes from March 29 and April 5, 2022.
9. Staff Reports – Police, Public Works, Engineering/Community Development.
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 April 15, 2022, by Cathy Brightwell, City Recorder.

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NOTICE OF PUBLIC HEARING

The West Bountiful City Council will hold a public hearing on Tuesday, April 19, 2022, at 7:30 pm, or as soon as agenda permits at the city offices, 550 N 800 West.

The purpose of the hearing is to receive public comment regarding a request to vacate the public utility and drainage easement between lots 7 and 8 of the Ashby Acres Subdivision (1632 N 1100 West & 1640 N 1100 West).

All interested parties are invited to participate in the hearing. Written comments or questions may be submitted to Recorder@wbcity.org prior to the meeting.

Cathy Brightwell
City Recorder



MEMORANDUM

TO: Mayor and City Council

DATE: April 15, 2022

FROM: Kris Nilsen, Cathy Brightwell

RE: Ashby Acres Relocation of Easement and Plat Amendment for Lots 7-A and 8-A

Summary

A Plat Amendment Application was submitted by Jace Allen and James Bruhn to amend the Ashby Acres Plat. The purpose of the amendment is to move the property line between Lot 7 and Lot 8 ten feet to the west so that lot 7 becomes larger and lot 8 is reduced in size. This change increases the buildable area of Lot 7 to better match the property owner's house plans. Lot 8 will continue to meet zoning requirements in the R-1-22 District with a total lot size of 22,882 sq. ft., and the distance from the new rear property line to the existing home is 65 feet.

A public utility and drainage easement currently exists between the two properties, so the applicants also request the easement be moved ten feet to the west with the new property line. All necessary utility companies have been contacted and do not object to releasing the easement. A required public hearing was scheduled for this evening.

Process

Utah State Code Section 10-9a-608 annotated outlines a process whereby a municipal land use authority may amend or vacate a subdivision plat. Per state code, staff has provided written notice to affected entities which includes utility companies and surrounding neighbors, and a Notice was posted on the property.

Analysis and Proposed Changes

1. No new lots are created with this amendment;
2. Each lot meets the minimum requirements of the R-1-22 zone;
3. The public utility/drainage easement between the two existing lots will be vacated per Ordinance 452-22 and relocated ten feet to the west with the new lot line designated as part of the plat amendment.

Recommendation

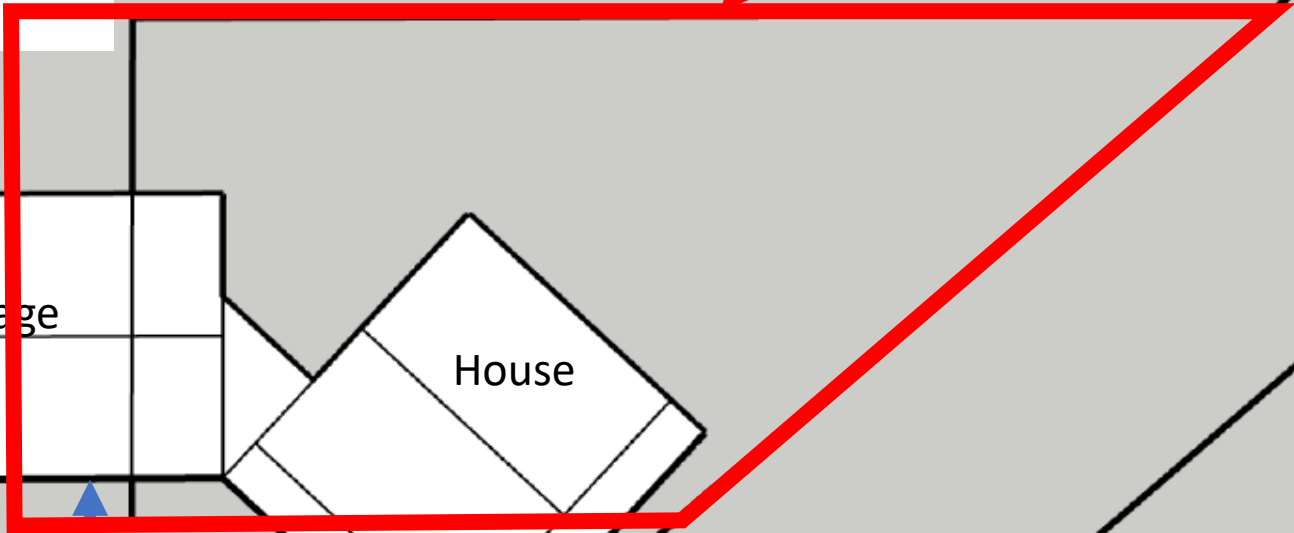
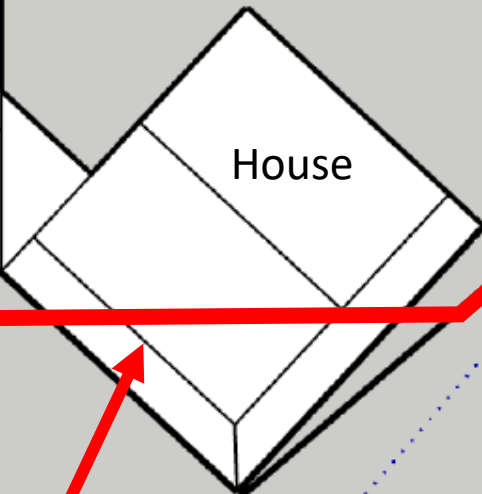
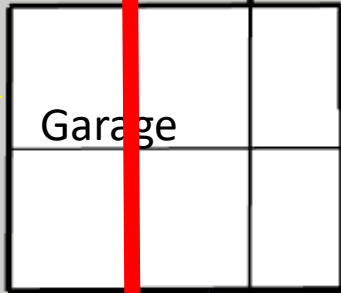
Staff is recommending approval of the Ashby Acres 2 Subdivision Plat subject to the following:

- Review and approval by city attorney of current title report;
- Review and approval of final plat by city attorney, city engineer, and county recorder; and
- Payment of county recording fees.



Proposed
West Setback
10ft

Current Buildable Area



Front Door

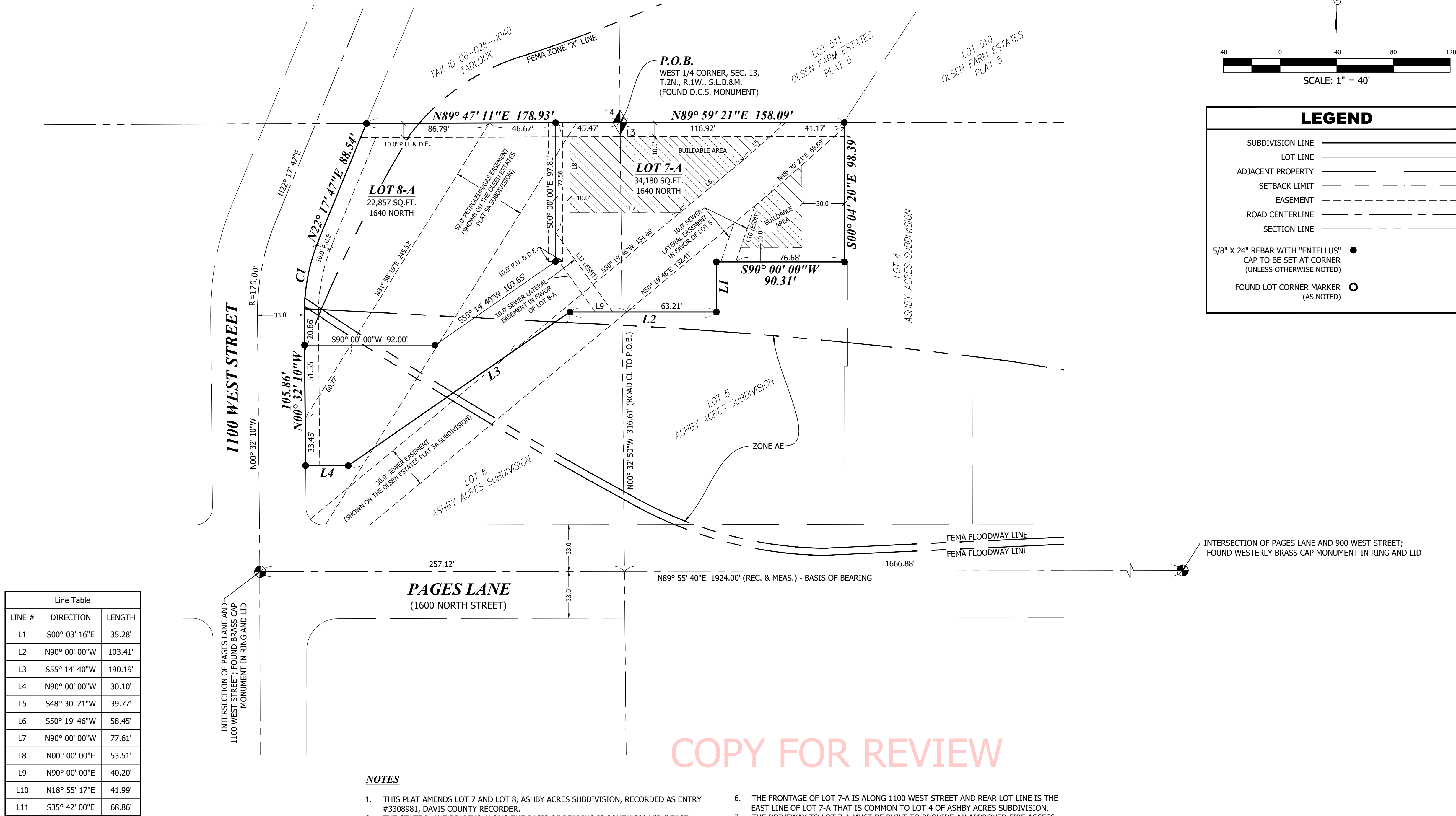


75 ft



COPY FOR REVIEW

ASHBY ACRES SUBDIVISION 1ST AMENDED
AMENDING LOT 7 AND LOT 8 OF ASHBY ACRES SUBDIVISION
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 13 & THE SOUTHEAST QUARTER OF SECTION 14,
TOWNSHIP 2 NORTH, RANGE 1 WEST, S.L.B.&M.
WEST BOUNTIFUL CITY, DAVIS COUNTY, UTAH
FINAL PLAT, MARCH 2022



NOTES

- THIS PLAT AMENDS LOT 7 AND LOT 8, ASHBY ACRES SUBDIVISION, RECORDED AS ENTRY #3308981, DAVIS COUNTY RECORDER.
- THE STATE PLANE BEARING ALONG THE BASIS OF BEARING IS SOUTH 89°44'51" EAST, CALCULATED USING NAD 1983 STATE PLANE COORDINATES IN THE UTAH NORTH ZONE.
- PUBLIC UTILITY EASEMENTS (P.U.E.) ARE 10.0 FEET AT THE FRONT OF LOTS, AS SHOWN.
- A 10.0-FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT (P.U. & D.E.) ALONG THE NORTH SIDE OF THIS SUBDIVISION SHALL BE USED TO GATHER RUNOFF AND TO STORE IT OR DIRECT IT TO A PUBLIC RIGHT OF WAY OR STORM DRAIN SYSTEM. DRAINAGE IMPROVEMENTS SHALL RESTRICT DRAIN WATER FROM FLOWING ONTO NEIGHBORING PROPERTIES.
- DUE TO HIGH GROUNDWATER IN THE AREA, THE LOWEST FLOOR ELEVATIONS OF NEW STRUCTURES MUST BE SET AT LEAST 12 INCHES HIGHER THAN THE HIGHEST CURB LINE ELEVATION ALONG THE FRONTAGE OF EACH LOT.
- THE FRONTAGE OF LOT 7-A IS ALONG 1100 WEST STREET AND REAR LOT LINE IS THE EAST LINE OF LOT 7-A THAT IS COMMON TO LOT 4 OF ASHBY ACRES SUBDIVISION.
- THE DRIVEWAY TO LOT 7-A MUST BE BUILT TO PROVIDE AN APPROVED FIRE ACCESS ROAD TO TO THE REAR OF SAID LOT AND CONFORM TO THE APPLICABLE FIRE CODE, INCLUDING AN APPROVED FIRE ACCESS ROAD TURNAROUND, AND THE SOILS REPORT ON FILE WITH CITY.
- PARKING ALONG THE DRIVEWAY OF LOT 7-A MUST COMPLY WITH FIRE CODE.
- DRIVEWAY DESIGN FOR LOT 7-A MUST DEMONSTRATE COMPLIANCE WITH THE FIRE CODE. THIS MAY REQUIRE CERTIFICATION BY A GEOTECHNICAL ENGINEER.
- THE SEWER LATERAL EASEMENTS ARE DEDICATED BY THIS PLAT IN FAVOR OF THE LOTS SERVED BY THE SEWER LATERALS, AS LABELED.
- FEMA FLOOD PLAIN INFORMATION SHOWN HEREON WAS TAKEN FROM FEMA FIRM MAP NUMBER 49011C0391E, EFFECTIVE JUNE 18, 2007.

SURVEYOR'S CERTIFICATE

I, JEREMIAH R. CUNNINGHAM, A PROFESSIONAL LAND SURVEYOR, CERTIFY THAT I HOLD CERTIFICATE NO. 9182497 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, THAT AN ACCURATE SURVEY OF THE PROPERTY DESCRIBED HEREON HAS BEEN COMPLETED, IN ACCORDANCE WITH UTAH CODE SECTION 17-23-17, AND THAT I HAVE VERIFIED ALL MEASUREMENTS. I CERTIFY THAT I HAVE PLACED MONUMENTS ON THE GROUND, AS REPRESENTED ON THIS PLAT, AND THAT THE PROPERTY SHOWN ON THIS PLAT AND DESCRIBED HEREWITH SHALL BE SUBDIVIDED INTO LOTS HEREAFTER TO BE KNOWN AS ASHBY ACRES SUBDIVISION 1ST AMENDED.

COPY FOR REVIEW

JEREMIAH R. CUNNINGHAM, P.L.S. UT #9182497

BOUNDARY DESCRIPTION

BEGINNING AT THE WEST QUARTER CORNER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, DAVIS COUNTY, UTAH, SAID WEST QUARTER CORNER BEING NORTH 89°55'40" EAST 257.12 FEET ALONG THE CENTER LINE OF PAGES LANE (1600 NORTH STREET) TO THE SECTION LINE AND NORTH 00°32'50" WEST 316.61 FEET ALONG SAID SECTION LINE FROM A MONUMENT AT THE INTERSECTION OF SAID PAGES LANE AND 1100 WEST STREET, AND RUNNING THENCE NORTH 89°59'21" EAST 158.09 FEET ALONG THE WESTERLY QUARTER SECTION LINE OF SAID SECTION 13 TO THE NORTHWEST CORNER OF LOT 4, ASHBY ACRES SUBDIVISION; THENCE SOUTH 00°04'20" EAST 98.39 FEET ALONG THE WESTERLY LINE OF SAID LOT TO THE NORTHERLY LINE OF LOT 5 OF SAID SUBDIVISION; THENCE ALONG THE NORTHERLY LINES OF LOT 5 AND LOT 6 OF SAID SUBDIVISION THE FOLLOWING FIVE (5) COURSES: 1) SOUTH 90°00'00" WEST 90.31 FEET, 2) SOUTH 00°03'16" EAST 35.28 FEET, 3) NORTH 90°00'00" WEST 103.41 FEET, 4) SOUTH 55°14'40" WEST 190.19 FEET, 5) NORTH 90°00'00" WEST 30.10 FEET TO THE EASTERLY LINE OF 1100 WEST STREET; THENCE ALONG SAID EASTERLY LINE THE FOLLOWING THREE (3) COURSES: 1) NORTH 00°32'10" WEST 105.86 FEET TO A 137.00-FOOT RADIUS, TANGENT CURVE TO THE RIGHT, 2) NORTHERLY 54.97 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°59'15", CHORD BEARS NORTH 10°52'49" EAST 54.60 FEET, 3) NORTH 22°17'47" EAST 88.54 FEET TO THE EAST QUARTER SECTION LINE OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN; THENCE NORTH 89°47'11" EAST 178.93 FEET ALONG SAID QUARTER SECTION LINE TO THE WEST QUARTER CORNER OF SECTION 13 AND TO THE POINT OF BEGINNING.

CONTAINING 1.309 ACRES.

(BASIS OF BEARING IS NORTH 89°55'40" EAST 1924.00 FEET FROM THE MONUMENT AT THE INTERSECTION OF 1100 WEST AND PAGES LANE TO THE MONUMENT AT THE INTERSECTION OF 900 WEST STREET AND PAGES LANE).

OWNER'S DEDICATION

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO PRIVATE LOTS, HEREAFTER TO BE KNOWN AS ASHBY ACRES SUBDIVISION 1ST AMENDED, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND AND PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREET, PARCELS, AND PUBLIC UTILITY EASEMENTS WHICH WILL INTERFERE WITH DEDICATED PUBLIC USE.

SIGNED THIS _____ DAY OF _____, 20____.

JAMES DELL BRUHN, TRUSTEE
THE JAMES DELL BRUHN AND SHELLEY OLSEN
BRUHN LIVING TRUST, DATED JUNE 27, 1994

SHELLEY OLSEN BRUHN, TRUSTEE
THE JAMES DELL BRUHN AND SHELLEY OLSEN
BRUHN LIVING TRUST, DATED JUNE 27, 1994

JACE ALLEN

KAMILLE ALLEN

TRUST ACKNOWLEDGMENT

ON THE _____ DAY OF _____, 20____, THERE PERSONALLY APPEARED BEFORE ME, JAMES DELL BRUHN and SHELLEY OLSEN BRUHN, TRUSTEES OF THE JAMES DELL BRUHN AND SHELLEY OLSEN BRUHN LIVING TRUST, DATED JUNE 27, 1994, WHO BEING DULY SWORN, DID SAY THAT THEY ARE TRUSTEES OF SAID TRUST AND THAT THE FOREGOING INSTRUMENT WAS SIGNED ON BEHALF OF SAID TRUST AND THAT IT IS WITHIN THE TRUSTEES' AUTHORITY TO EXECUTE THE SAME.

NOTARY PUBLIC: _____

RESIDENCE: _____

MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

ON THIS _____ DAY OF _____, 20____, THERE APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, JACE AND KAMILLE ALLEN, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

NOTARY PUBLIC: _____

RESIDENCE: _____

MY COMMISSION EXPIRES: _____

DAVIS COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED THIS _____ DAY OF _____, 20____,
AT _____ IN BOOK _____ OF _____
COUNTY RECORDER: _____
BY: _____ DEPUTY

CITY ENGINEER

RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 20____.

WEST BOUNTIFUL CITY ENGINEER

PLANNING COMMISSION

RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 20____, BY THE PLANNING COMMISSION OF WEST BOUNTIFUL CITY.

CHAIRMAN

CITY ATTORNEY

RECOMMENDED FOR APPROVAL THIS _____ DAY OF _____, 20____.

WEST BOUNTIFUL CITY ATTORNEY

WEST BOUNTIFUL CITY COUNCIL

PRESENTED TO THE CITY COUNCIL OF WEST BOUNTIFUL CITY, UTAH, THIS _____ DAY OF _____, 20____, AT WHICH TIME THIS PROJECT WAS APPROVED AND ACCEPTED.

CITY RECORDER ATTEST: _____

MAYOR: _____

WEST BOUNTIFUL CITY

ORDINANCE #452-22

AN ORDINANCE AUTHORIZING THE CITY MAYOR TO EXECUTE A RELEASE OF EASEMENT BETWEEN LOT 7 AND LOT 8 OF ASHBY ACRES SUBDIVISION AT 1632 N 1100 WEST AND 1640 N 1100 WEST

WHEREAS, West Bountiful City has been petitioned by the owners of the above-mentioned properties to vacate the public utility and drainage easement between Lot 7 and Lot 8 of Ashby Acres Subdivision so that the property line may be moved ten feet to the west; and

WHEREAS, on March 25, 2022, Notice was sent to affected entities and neighbors, posted on the property, and on state and city websites; and

WHEREAS, releases have been received from all major public utility agencies; and

WHEREAS, a public hearing was held by the city council on April 19, 2022 to receive public comment concerning the requested release of easements.

NOW THEREFORE, BE IT ORDAINED by the City Council of West Bountiful that the City Mayor is authorized to execute the RELEASE OF EASEMENT for the properties located at 1632 N 1100 West and 1640 N 1100 West, West Bountiful, Utah.

This ordinance shall become effective upon signing and posting.

ADOPTED April 19, 2022.

By:

Kenneth Romney, Mayor

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

ATTEST:

Cathy Brightwell, Recorder

MEMORANDUM



TO: Mayor and City Council

DATE: April 15, 2022

FROM: Duane Huffman

RE: **Expenditure Approvals – 1200 N Fence at Lakeside**

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. Fence on 1200 N for Lakeside Golf Course – \$20,600 or \$28,923

A 12-foot high chain-link fence along a 225' portion of 1200 N will help protect the road and neighboring properties from errant golf balls. While the course generally uses trees to help deter and screen golf balls, the area proposed has an easement for a significant natural gas pipeline, making trees problematic. See the attached map and proposals for 2" or 1" chain-link.

The golf course also plans to remove several trees on the north side of the #10 hole and re-shape the tee box to further incentive golfer to aim away from 1200 N.

Lakeside Golf Course

Legend
Fence

225'-0"

W 1200 N

Google Earth

200 ft



WESTERN FENCE COMPANY

1935 S. Fremont Dr.
Salt Lake City, UT 84104
WWW.WESTERNFENCECO.COM

EST. 1948



Ph: (801) 506-0506
Fax: (801) 506-0510
1-888-GET-FENCE

April 11, 2022

Proposal

Attn: Gramoll Construction

Project: **West Bountiful Golf Course**

Acknowledged Addendum: None

This bid includes the following items:

Chain Link Fence Option #1

- Furnish & Install 225' LF of 144" High Galvanized Chain Link Fence
- (9 Ga. **2" Mesh**, 1 5/8" Top, Middle & Bottom Rail, 1 5/8" Bracing, 4" Dia. X 16' Terminal Post, 2 7/8" Line Post)

Total = \$20,600.00

Chain Link Fence Option #2

- Furnish & Install 225' LF of 144" High Galvanized Chain Link Fence
- (9 Ga. **1" Mesh**, 1 5/8" Top, Middle & Bottom Rail, 1 5/8" Bracing, 4" Dia. X 16' Terminal Post, 2 7/8" Line Post)

Total = \$28,923.00

Please call for availability & pricing for Temporary Fencing

***Bid Excludes Any Bonds, Core Drilling, Excavating, Mow Curb & Engineering Costs**

These prices are good for 7 days from the bid date

If you have any questions feel free to contact me

Western Fence Company

Spencer Nelson

Office (801) 506-0506

Direct (801) 438-4890

Spencer.N@westernfenceco.com

Utah Contractors License #238410-5501

Idaho Contractor's License #RCE-27075

Wyoming Contractor's License #2008-000563756

Utah's Oldest Fence Company

PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on Tuesday, March 29, 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, Mark Preece, Rod Wood, and Planning Commission members Alan Malan, Corey Sweat, Mike Cottle, and Dennis Vest

STAFF: Duane Huffman (City Administrator), Kris Nilsen (City Engineer), Cathy Brightwell (City Recorder), Steve Maughan (Public Works Director), Steve Doxey (City Attorney), Jake Young (Contract Planner).

PUBLIC: Gary Jacketta, Jay Gough, Todd Willey, Tim Stephens – Woods Cross Community Development Director, Richmond Thornley

Mayor Romney called the work meeting to order at 7:32 pm.

1. Work Session for Presentation and Discussion of Land Development Opportunities for Parcel #06-030-0049 (unincorporated) – Scratch Development.

Duane Huffman explained that this meeting was called so that representatives of Scratch Development, owners of the land previously known as the Smith property, could present their vision for development on their property which consists of 84 acres on the city's southwest border (north of 500 South and east of Legacy Parkway). He presented history of the property. In 1999, after a challenge by West Bountiful, the 2nd District Court reversed Woods Cross's decision to accept a petition for annexation for the property. He noted that this resulted in some contention between the previous owners (Smiths) and West Bountiful. In 2010, Woods Cross and West Bountiful worked together and jointly adopted the West Bountiful/Woods Cross Legacy CDA Plan. Based on its principles, the cities were able to gain the support of Davis County, the School District, and the other taxing jurisdictions. All the entities believed this area was suited to job creation and economic development such as research parks, offices, retail, and similar uses but specifically noted that residential development was not anticipated. Twelve years have passed, and the expected economic development has not occurred.

Rich Day, Aaron Johnson, Johnny Arbuckle, and Greg Whitchurch (IBI) introduced themselves. Mr. Arbuckle said they are all Davis County born and bred and anxious to create a great development here. The preliminary plans for the study area which include their 85 acres plus 20 acres owned by the Kingston's (currently zoned commercial by Woods Cross) consists of a commercial block in front transitioning to multi-family, townhouses, and single family moving to the north. Density is decreased moving east and north to better fit with existing and expected development. There is a 100 ft. buffer along the A-1 canal and a major power corridor runs through the property. They envision a walkable community, with access to existing trail systems, are trying to incorporate green space, and a road network designed to break up traffic that connects to Highgate Subdivision.

47 The commercial area would be neighborhood oriented and likely include a grocery store, which has
48 been supported in their studies, and other retail outlets who see gaps that can be filled. Two separate
49 apartment communities are proposed, one along Legacy Parkway due to the height of the overpass.
50 Behind the apartments, townhouses are proposed and will be alley-fed eliminating a lot of driveway
51 space, then to the north housing will transition to single family homes on 6-8,000 sf lots. It is estimated
52 there will be approximately 1000 total units including 600 apartments, 250 townhomes, 80
53 cottage/patio homes and about 70 single family homes. They also plan to include 2 small parks and a
54 lot of miscellaneous green space.

55
56 There was discussion about access to the community. The current proposal calls for south access points
57 on 500 South and an east connection to Highgate subdivision. The main south access point is via a
58 small piece on the east side that connects to Redwood Rd. and a second access farther west is limited
59 to right-in/right-out by UDOT due to the proximity to the on-ramp. Highgate owners were concerned
60 about bringing a lot of traffic through their development, so the roads were designed to be awkward.
61 Access to the north through Ivory connecting to 400 North would also be beneficial but it is not a good
62 arterial as a lot of driveways back out on to the road. They indicated they will conduct a full traffic
63 study when the plans are better set.

64
65 Jay Gough, Highgate, said they had concerns about access through their development, but the proposed
66 road design will limit through traffic. They also had concerns about the higher density, but the power
67 lines provide a natural transition. He said it's a high quality project that won't take anything away from
68 Highgate. He added that they would like to see what happens down the road if higher density is on the
69 table.

70
71 There was general discussion about future access via 1450 West connecting to 500 South which is on
72 UDOT's long term plans and how imminent domain may play into acquisition.

73
74 There was discussion about having different communities along the west side in different cities. What
75 would be the pros and cons? Who can best provide utilities to the residents?

76
77 When asked if they had annexation preferences, Mr. Arbuckle responded that they do not; they would
78 be excited to work with either city. They said this is a great location with a lot of interest for the
79 project. The question is what does West Bountiful want? Would they buy into such a project? Is it too
80 much density? They said they have talked with Ivory, and they are open to connectivity to the south if
81 needed, although it will be costly to cross the canal. The canal is a good barrier for transitioning from
82 Ivory's larger lots to the proposed higher density.

83
84 Mayor Romney said it would be nice if we could come together with Woods Cross to evaluate the
85 project and discuss options. He is also interested in seeing how the plan fits with our general plan and
86 take a better look at connectivity options.

87
88 Tim Stephens, Community Development director for Woods Cross, said that Scratch representatives
89 have so far only talked with the city manager and staff who recommended they talk to West Bountiful
90 about annexation before further consideration.

91
92 Possible zone changes were discussed including using the canal as a boundary which was
93 contemplated in the Legacy Overlay and Blended Use zones. Jake Young, contract planner, said it

94 makes sense to look at a new zone where the project is proposed. It is important to set the standard for
95 what you want. If adjacent properties are interested, they could opt in if it is determined to be in the
96 city's best interest.

97
98 Council members commented that consideration must be given to our residents who want 1 acre lots
99 everywhere on the west side. Any zoning changes would need to include a clear transition. Also,
100 proposed density is too high to cram onto two access roads. Traffic studies will be necessary to
101 determine impact to city roads.

102
103 Mr. Huffman suggested the Scratch representatives give a similar presentation to Woods Cross and
104 then we can schedule a joint work session to discuss. Our goal will be to try to work something out
105 between our cities.

106
107 Rich Day said they have a lot of experience with these types of projects and have worked hard to come
108 up with something they believe will be best for everyone.

109
110 **2. Adjourn.**

111
112 **MOTION:** *James Bruhn Moved to Adjourn the Meeting. Rod Wood seconded the Motion*
113 *which PASSED by unanimous vote of all members present.*

114
115 -----
116
117 *The foregoing was approved by the West Bountiful City Council by unanimous vote of all members*
118 *present on Tuesday, April 19, 2022.*

119
120
121 _____
122 Cathy Brightwell, City Recorder

PENDING – NOT YET APPROVED

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) 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

James Bruhn – aye

Kelly Enquist – aye

Mark Preece – aye

374 **14. Adjourn.**

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

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380 *The foregoing was approved by the West Bountiful City Council by unanimous vote of all members*

381 *present on Tuesday, April 19, 2022.*

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Cathy Brightwell, City Recorder