

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
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**WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING AT
7:30 PM ON TUESDAY, OCTOBER 18, 2022, AT THE CITY OFFICES**

Invocation/Thought – By James Bruhn; Pledge of Allegiance – By Kelly Enquist

1. Approve Agenda.
2. Public Comment - Two minutes per person; five minutes if on behalf of a group.
3. Ordinance 462-22, an Ordinance Amending Regulations for Firearms and Weapons.
4. Resolution 527-22, A Resolution Modifying the West Bountiful City Consolidated Fee Schedule for Administrative Fees.
5. Purchase Approval for Additional Garbage Cans - \$18,000.
6. Meeting Minutes from September 20, 2022.
7. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
8. Mayor/Council Reports.
9. Closed Session, if necessary, for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
10. 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 14, 2022, by Cathy Brightwell, City Recorder.

WEST BOUNTIFUL CITY

ORDINANCE #462-22

AN ORDINANCE AMENDING CHAPTER 9.24.01, FIREARMS AND WEAPONS, OF THE WEST BOUNTIFUL MUNICIPAL CODE

WHEREAS, *Utah Code Ann.* § 10-8-47 authorizes the City to regulate and prevent the discharge of firearms;

WHEREAS, the City also desires to revise and clarify certain provisions of city code related to the discharge of firearms and weapons within city limits;

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT CHAPTER 9.24 OF THE WEST BOUNTIFUL MUNICIPAL CODE BE MODIFIED AS REFLECTED IN THE ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

ADOPTED October 18, 2022.

By:

Ken Romney, *Mayor*

Attest:

Cathy Brightwell, *City Recorder*

Voting by the City Council: Aye Nay

Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Preece	_____	_____
Councilmember Wood	_____	_____

9.24.010 Firearms and Weapons

~~It is unlawful:~~

~~A. To hunt within the city limits~~

~~B. To discharge any air gun, BB gun, slingshot, crossbow, or similar contrivance within the city limits; or~~

~~C. To discharge any firearm within the city, or when the projectile will come to rest or is intended to come to rest within the city limits. This shall not apply, however, to peace officers acting within the scope of their duties, or to those acting in reasonable self defense, or to patrons of a lawfully operated shooting range.~~

A. It is unlawful to discharge any air gun, BB gun, slingshot, archery equipment, or similar device within the city limits. This prohibition, however, shall not apply to the lawful use of a compound bow, as specifically authorized on a case-by-case basis by the Utah Division of Wildlife Resources after consultation with the city's police chief, to control nuisance animal populations.

B. It is unlawful to discharge any firearm within the city, or when the projectile will come to rest or is intended to come to rest within the city limits. This prohibition, however, shall not apply to peace officers acting within the scope of their duties, or to those acting in reasonable self-defense, or to patrons of a lawfully operated shooting range.

MEMORANDUM



TO: Mayor Romney and West Bountiful City Council

DATE: October 13, 2022

FROM: Brandon Erekson, Chief of Police

RE: Fee Schedule Updates – Administrative Fees

We have recently started receiving records requests for large video files that exceed our current DVD's storage capacity. To meet the requests, we have had to start providing thumb drives and high-capacity storage devices due to the large file sizes that are associated with video recordings and digital photographs. Our current fee schedule does not include these devices.

We propose the following additions to the fee schedule to cover the expense of the storage device as well as the additional costs associated with the processing, handling, and packaging necessary to protect the devices.

\$30 for devices requiring 32GB of storage or less.

\$50 for devices exceeding 32GB of storage.

WEST BOUNTIFUL CITY

RESOLUTION #527-22

A RESOLUTION MODIFYING THE WEST BOUNTIFUL CITY CONSOLIDATED FEE SCHEDULE FOR ADMINISTRATIVE FEES

WHEREAS, the West Bountiful City Council has previously adopted a consolidated fee schedule that lists fees for its direct and miscellaneous services to offset regulatory and administrative costs; and

WHEREAS, it is important to review and update its fees periodically; and

WHEREAS, it is necessary to update administrative fees to match changes in technology.

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City that the West Bountiful Consolidated Fee Schedule be modified as reflected in the attached Exhibit A.

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

Passed and approved by the City Council of West Bountiful City this 18th day of October 2022.

Ken R. Romney, Mayor

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

ATTEST:

Cathy Brightwell, Recorder

EXHIBIT A

West Bountiful Fee Schedule - Administrative Fees

SERVICE	FEE
Copies/Compilation (WBMC Section 2.56.040)	
Copy cost (BW)	\$0.20 - per page - single sided
Copy cost (color)	\$0.50 - per page - single sided
Copy cost (BW)	\$0.35 - per page - double sided
Copy cost (color)	\$0.75 - per page - double sided
Certified copies	\$2.00 - per page
Copy of disk/copy to CD	\$5.00
Copy audio/video to CD/DVD	\$25.00
Copy audio/video to thumb drive (up to 32 gb)	\$30.00
Copy audio/video to high capacity thumb drive (over 32 gb)	\$50.00
Compilation time	\$20.00 - per hour (no charge for the first 15 minutes)
Miscellaneous Fees	
Returned Check Fee	\$20.00 - per item



WEST BOUNTIFUL POLICE DEPARTMENT

STATISTICS – SEPTEMBER 2022

Total Calls for Service: 675

- Incidents 387
- Traffic Stops 288
 - Citations – 64
 - Warning – 224

DUI – 17 (drug related 11)

Assault – 1

Assault on Police – 1

Theft - 9

PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on Tuesday, September 20, 2022, at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

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

STAFF: Duane Huffman (City Administrator), Kris Nilsen (City Engineer), Steve Maughan (Public Works Director), and Cathy Brightwell (City Recorder)

EXCUSED: Council Member James Ahlstrom, Steve Doxey (City Attorney), and Police Chief Erikson

PUBLIC: Alan Malan, Gary Jacketta, Richmond Thornley, Skylar Tolbert, Cam Preston, Deby Marshall, Christine Schultz, Belinda Barking, Sally Tanner, Michelle Curtis

Mayor Romney called the regular meeting to order at 7:31 pm. and provided an invocation. Kelly Enquist led the Pledge of Allegiance.

1. Approve the Agenda.

MOTION: Mark Preece made a Motion to approve the agenda as posted. James Bruhn seconded the Motion which PASSED unanimously.

2. Proclamation 2022-03, A Proclamation Designating September 17-23, 2022, as Constitution Week in West Bountiful.

Christine Schultz, representing Daughters of the American Revolution (DAR), introduced West Bountiful members Belinda Barking and Sally Tanner. Ms. Schultz explained that DAR is a national volunteer and service organization of women who are direct descendants of people who fought in the American Revolution. She provided a short summary of how Constitution Week came about and thanked the mayor for helping highlight this special week by signing the Proclamation.

MOTION: Rod Wood made a Motion to approve Proclamation 2202-03. James Bruhn seconded the Motion which PASSED unanimously.

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

There was no public comment.

Council member James Bruhn, following up on a comment from last week about a police pursuit through a Woods Cross trailer park, asked if the city had more details. Duane Huffman responded with his understanding of the circumstances.

4. Belmont Farms Final Plat for 6-Lot Subdivision at 400 N & 1450 West (Ivory Homes)

Kris Nilsen provided a summary of Ivory Homes' proposed 6-lot subdivision. This was initially planned to include 9 lots, but due to issues with drainage and the bridge along Millcreek and 1450 W requiring

County involvement, the developers made the decision to remove the 3 south lots until the issues can be resolved. Once resolved, the lots will be submitted as Phase 2.

Mr. Nilsen reviewed the outstanding issues and answered questions from council.

- He explained that the ground is flat, and a large off-site detention basin is being required to the west of the Utah Power corridor. The planning commission has recommended the basin include landscaping (weed barrier, cobble rock, and trees off the berm if irrigation can be provided), and they recommend no fencing. After the warranty period, they propose the basin would be dedicated to the city rather than have it be maintained by a homeowner's association. Planning Commission Chairman Malan commented that the detention basin fencing was an issue with the planning commission. The vote was 3-2 in favor of not requiring fencing around the basin.
- There are 3 lots on 400 North with a temporary turnaround planned for the west side of the subdivision and a cul-de-sac with 3 lots. Due to the proposed length of 400 North extension for this subdivision, no additional road access is required. As the development moves west, additional access will be required.
- Each lot has its own retention in the rear, will drain to the street in the front, and to the west will drain onto the power corridor. A 36-inch storm drainpipe will continue onto the site from 400 North.
- Weber water will be extended onto the property.
- All comments related to the construction drawings have been addressed, except clean-up of some blanket easements.
- There are 3 existing accessory structures and one single family home that will be demolished and properly disposed of prior to any building permits being issued. Removal of the existing structures and utilities will be included in the improvement bond and agreement.
- All existing easements will be verified, and developer will either obtain a release or identify the exact location on the plat. In some cases, agreements may be required with adjacent property owners.
- Developer will ensure transfer of ownership of 1450 West right of way from Davis County to West Bountiful City which will be completed after the plat is recorded due to Davis County process time.

There was additional discussion about the detention basin and if it will be functional for additional lots in the development. Kris explained that drainage flows northwest so other than the 3 lots for the future phase 2 and possibly properties south of 400 North and east of 1450 West, future lots to the west and north will not flow to this basin.

MOTION: Rod Wood made a Motion to Approve Belmont Farms Subdivision Contingent on the Developer Addressing all of Staff's Comments and Including Planning Commission recommendations. Mark Preece seconded the Motion which PASSED as reflected below.

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

James Bruhn – aye
Mark Preece – aye

5. Resolution 526-22, A Resolution Updating the Housing Element (Section VI) of the West Bountiful General Plan.

Duane Huffman explained new requirements from state code to update the city's moderate income housing element in its General Plan and provide a moderate-income housing plan by October 1, 2022.

After reviewing the city's current goals and progress along with the 24 strategic options outlined in state law, the planning commission selected the following three to recommend for inclusion in the city's general plan and report. They held a public hearing on September 13, 2022, on this proposal.

- Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on their own vehicle, such as residential development near major transit investment corridors or senior living facilities.
- Reduce, waive, or eliminate impact fees related to moderate income housing.
- Develop and adopt a station area plan in accordance with UCA 10-9a-403.1 (REQUIRED)

MOTION: Kelly Enquist Made a Motion to Approve Resolution 526-22 as Presented. James Bruhn Seconded the Motion Which PASSED as Reflected Below.

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

6. 2022 Moderate Income Housing Report.

The 2022 Moderate Income Housing Report is part of the requirement tied to Resolution 526-22 above in agenda item 5. The report is pretty simple this year but will require more detailed information next year.

MOTION: Rod Wood made a Motion to approve the 2022 Moderate Income Housing Report as prepared. Mark Preece seconded the Motion which PASSED as reflected below.

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

7. Meeting Minutes from September 6, 2022.

MOTION: Mark Preece Made a Motion to Adopt the Meeting Minutes from September 6, 2022, as Presented. Rod Wood Seconded the Motion which PASSED Unanimously.

8. Staff Reports

Police - excused

Public Works – Steve Maughan

- Seal coating has been completed and street striping is done.
- Roughly 20 new signs for trail crossings are begin installed.
- The 600 West project is mostly done, still working on manholes and collars. The Onion Parkway trail extension is complete
- Public Works facility - Still working on metal framing. Concrete is scheduled this week and the salt shelter portion is poured. Wind River won't be able to install utilities until next week.

Engineering – Kris Nilsen

- Working on Google permitting; southwest and northwest areas (out of 4 total areas in the city) have been submitted and they would like permits within several weeks.
- Draft water conservation plan has been submitted to the state and we are working on some of their comments.
- Working on the updated source protection plan for the new well.

Community Development

- Lowe's has decided to sponsor a Halloween and Christmas Decoration contest again this year. They will offer gift cards from \$25 to \$100 for winners of each contest.
- Penny Ann's breakfast café is planning to file remodel plans this week for the old Café Rio space in the Gateway shopping center and the Ichiro Ramen House that was on hold for the past 9-10 months is back on track to complete their remodel of space next to Santorini's in the Commons shopping center.

Administration

- We have been notified that we will be receiving an additional \$9k from FEMA for the windstorm.
- We will be meeting with Davis County and WFRC for a requested grant for a 1100 West project to finish curb, gutter, and sidewalk on the east side of the road south of 400 North.
- There is a site meeting with UTA on the 500 South and 1600 N pedestrian crossing on with a focus on how to improve crossings in conjunction with the planned additional track for UTA.

9. Mayor / Council Reports

James Bruhn – Arts Council held a good concert Friday night that was well-attended.

Kelly Enquist – Mosquito Abatement – many of their employees are students and have gone back to school so management staff is handling the fogger. He also thanked CERT for their participation in the South Davis Preparedness Fair. He asked if the police could start providing regular reports like they used to so the council would be aware of what's going on and what trends are being tracked.

Mark Preece – South Davis Sewer District hired a firm to look into selling the resource recovery facility. The new director is doing great job.

Rod Wood – no report.

Mayor Romney –

- He would like to see additional signage or markings in the rear parking lot so the public doesn't park in city spots (as evidenced for the recent Arts Council concert).
- Fire board. They are in the process of getting dispatch switched over to the new system. He also thanked Duane for the great job he is doing as chair of the Administration committee this year.
- Rec Center – They were considering a possible bond for expansion but decided against it for this year. Still looking at options for land in the southwest part of the service area. They are evaluating programs – what services they should and should not provide, e.g., soccer, baseball, Jr. Jazz? Should they continue to subsidize? People don't volunteer like they used to so it's difficult to fill positions. The pandemic hit them very hard forcing them to use a lot of reserve money. Mechanical problems with pools caused excessive moisture. One of the cost savings when the building was constructed was to not use galvanized roof deck over the pool, and when circulation was not working correctly this caused problems that required replacing a lot of roof and roof decking. Now they must redesign the air circulation system, and the roof top HVAC systems had to be replaced. The Rec center has an agreement for a satellite facility for a pool and court space with North Salt Lake. There is a huge shortage of field space in the area. For example, we have the largest Jr. Jazz program in the state and had to turn away about 300 kids because they don't have space to play.

10. Closed Session, if needed

No closed session needed.

11. Adjourn.

MOTION: James Bruhn made a Motion to Adjourn the Meeting. Kelly Enquist Seconded the Motion which PASSED Unanimously.

The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, October 18, 2022.

Cathy Brightwell, City Recorder