

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

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WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, FEBRUARY 21, 2023, AT THE CITY OFFICES

Invocation/Thought – By Kelly Enquist; Pledge of Allegiance – By Rod Wood

1. Approve Agenda.
2. Public Comment - Two minutes per person; five minutes if on behalf of a group.
3. Resolution 531-23, A Resolution Adopting Parade Safety Policies.
4. Ordinance 466-23, An Ordinance Approving an Amendment to the CCR's for the Cottages at Havenwood Subdivision.
5. Public Hearing – Petition to Reduce the Size of the Rear and East Easements on Lot 413, Olsen Farm Estates at 916 W Ruby Way.
6. Ordinance 467-23, An Ordinance Authorizing a Change of Easement at 916 W Ruby Way.
7. Bid Award for the 2023 Culinary Water Reconstruction Project.
8. Resolution 532-23, A Resolution Authorizing an Interlocal Cooperation Agreement with Davis County Relating to a Transportation Project Reimbursement Agreement.
9. Expenditure Approval for Public Works Vehicles.
10. Meeting Minutes from February 7, 2023.
11. Staff Reports – Police, Public Works, Engineering, and Community Development.
12. Mayor/Council Reports.
13. Closed Session, if necessary, 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 February 17, 2023, by Cathy Brightwell, City Recorder.

Minutes of the West Bountiful City Council meeting held on Tuesday, February 21, 2023, at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

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

STAFF: Chief Brandon Erikson, Kris Nilsen (City Engineer), Steve Maughan (Public Works Director), and Cathy Brightwell (City Recorder).

EXCUSED: Duane Huffman (City Administrator), Steve Doxey (City Attorney)

PUBLIC: Alan Malan, Deby Marshall, Diane Dransfield, Richmond Thornley, Dave Hermanson, Scott Higgins, Denton & Ariana Johnson, Don & Barbara Kopenhefer, Debbie McKean, Bryan & Kandis Layton, Jenn Nielsen

Mayor Romney called the regular meeting to order at 7:30 pm. Kelly Enquist provided a prayer, and Rod Wood 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. Public Comment – Two Minutes Per Person, or Five Minutes if Speaking on Behalf of a Group.

No comments were offered.

3. Resolution 531-23, A Resolution Adopting Parade Safety Policies.

Mayor Romney introduced the agenda item. The annual Independence Day celebration is the largest public event held in the city. In preparation of these festivities, an event committee has been formed and has proposed policies for parade safety. In addition to these proposed policies, staff has additional recommendations for the council's consideration to address additional potential safety issues.

Kandis and Bryan Layton have agreed to chair the parade again this year and presented the proposed draft of policies with redline changes. These policies have been used in the past and include additions proposed by the city and the police department resulting in several significant changes. Ms. Layton explained that the committee was not able to come to a unanimous decision and is asking the council to decide what the rules should be.

The primary issue in question revolves around distribution of candy. Chief Erikson explained that while parades have a long history of building community through shared celebration, they are not without risk. Serious injuries and even death happen every year, including a child who lost her life in a nearby city last year. These risks have increased the sensitivity for cities to have safety policies in place to help minimize the risk of serious incidents. He referred to a document from the National Association of Counties, National League of Cities, and ICMA that reviews good parade practices and policies.

Chief Erikson said the biggest concern is when candy is thrown out of a vehicle and misses its target resulting in children approaching vehicles to get to the candy and risk getting hit by the vehicle. He showed pictures of past West Bountiful parades where children get very close to vehicles. Restricting drivers from throwing candy is a good step, restricting throwing from vehicles altogether is also good. Another option is for entries to have walkers along the edge of the parade route to help by throwing the candy instead of people in vehicles.

It was noted that the child killed in Kaysville last year was walking alongside a trailer and reaching to get candy when she fell, so it's important to make sure walkers do not get close to the vehicles they are with or try to get on and off the vehicle. They could pull wagons with their extra candy.

There was discussion about the proposal. Several council members said we need to take precautions so nothing bad happens to any parade participants or those watching, but we can be safe without legislating fun. The West Bountiful parade has been around for a very long time and is well known for throwing candy - that isn't going to change.

There was a proposal to require participants to attend a safety meeting prior to the parade. While it would be nice to gather representatives from each entry together to go over safety issues and make sure there was a clear understanding of what was required, the consensus was that not all participants would attend an early morning meeting, so it doesn't make sense to have it.

There was also discussion about having CERT members help. Alan Malan stated that in the EmPAC meeting earlier this evening, CERT members volunteered to help along the route to keep kids away from the road. Deby Marshall said they have helped with the parade in the past and parents are generally receptive to reminders that they need to keep their children out of the street.

The three 90 degree turns along the parade route were identified as being the most difficult to keep people away from vehicles. There have even been semi-trucks that are unable to make the turn and need to back up to get around the corner. This is very unsafe.

It was suggested that safety lines (water-based) be used along the route, especially at these corners, to clearly indicate the boundaries of the parade and keep people back.

Mayor Romney said we all need to be safety conscious while still making it possible for children to have fun.

MOTION: James Bruhn Made a Motion to Approve Resolution 531-23 Adopting the Proposed Independence Day Parade Rules and Regulations After Removing the Last Paragraph That Refers to Candy Throwing and Deleting the Requirement for a Safety Meeting but Requiring Participants to Sign a Statement Declaring They Will Comply with the Safety Rules and Regulations.

James Ahlstrom Suggested a Friendly Amendment to Leave in a Portion of the Last Sentence in the Candy Throwing Paragraph that says, "Candy May Be Thrown from Open Vehicles."

James Bruhn Accepted the Amendment. Kelly Enquist Seconded the Motion which PASSED as Reflected Below.

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

James Bruhn – aye
Mark Preece – aye

4. Ordinance 466-23 Approving an Amendment to the CCRs for the Cottages at Havenwood Subdivision.

Cathy Brightwell explained that pursuant to a Development Agreement dated May 6, 2016, for The Cottages at Havenwood, and Covenants, Conditions and Restrictions (CCRs) recorded in 2017, no amendment may be made to the CCRs without the City's written approval.

City staff and the city attorney have reviewed the proposed amendments that deal primarily with changing references from the Developer to the Homeowner's Association and find them to be acceptable.

MOTION: *Rod Wood Made a Motion to Approve Ordinance 466-23 as Proposed. Mark Preece Seconded the Motion which PASSED as Reflected Below.*

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

James Bruhn – nay
Mark Preece – aye

5. Public Hearing – Petition to Reduce the Size of the Rear and East Easements on Lot 413, Olsen Farms Estates at 916 W. Ruby Way.

Kris Nilsen summarized the request from Denton and Kari Johnson to reduce the public utility and drainage easements along their rear property line and portions of their east side property line so they can build a detached garage in the northeast corner of the rear yard. The rear easement is proposed to be reduced from 10 feet to 3 feet and the east side easement from 7 feet to 3 feet for a length of 55 feet. He noted that all utility companies have been contacted and do not object to the request.

MOTION: *Kelly Enquist Made a Motion to Open the Public Hearing. Rod Wood Seconded the Motion which PASSED Unanimously.*

No public comments were offered.

MOTION: *Rod Wood Made a Motion to Close the Public Hearing. Mark Preece Seconded the Motion which PASSED Unanimously.*

6. Ordinance 467-23 Authorizing a Change of Easement at 916 W Ruby Way.

Council member Ahlstrom asked if there was any concern from adjacent neighbors. Kris reported that they have all been contacted and are okay with the request.

MOTION: *James Ahlstrom Made a Motion to Approve Ordinance 467-23 for Denton and Kari Johnson at 916 W. Ruby Way as Proposed. James Bruhn Seconded the Motion which PASSED as Reflected Below.*

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

James Bruhn – aye
Mark Preece – aye

7. Bid Award for the 2023 Culinary Water Reconstruction Project.

Kris Nilsen summarized the results of the bidding process for the capital project to replace the water main and restore the trench areas on 560 West cul-de-sac, 1890 North, 1810 North, and the loop between the two with a new pipe through the parking lot of the north end of city park.

After a public bidding process that included submittals from ten companies, and final qualifications review, staff recommends accepting HMH Excavation Company as the lowest responsible bidder for the total amount of \$443,743.90.

In response to questions, Kris and Steve Maughan confirmed they had vetted the new contractor, checked their equipment, and are comfortable that they will do a good job.

MOTION: *James Bruhn Made a Motion to Award the 2023 Culinary Water Reconstruction Project to HMH Excavation Company for \$443,743.90. Rod Wood Seconded the Motion which PASSED as Reflected Below.*

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

James Bruhn – aye
Mark Preece – aye

8. Resolution 532-23 Authorizing an Interlocal Cooperation Agreement with Davis County Relating to a Transportation Project Reimbursement Agreement.

Kris Nilsen explained that in July 2022, the city applied for funding from the 3rd Quarter Davis County Transportation Project for a local project on the east side of 1100 West, from 400 North to 200 North. The project completes a critical section of regional pedestrian and active transportation access including bike lane and sidewalk. Funding was approved in November of 2022 for \$368,380 so we need to approve the interlocal cooperation agreement. The contract term requires the funding to be used within two years of the effective date.

MOTION: *Mark Preece Made a Motion to Approve Resolution 532-23, Authorizing the Mayor to Sign an Interlocal Cooperation Agreement with Davis County for Transportation Project Reimbursement. Rod Wood Seconded the Motion which PASSED as Reflected Below.*

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

James Bruhn – aye
Mark Preece – aye

9. Expenditure Approval for Public Works Vehicles.

Steve Maughan explained that the FY 23 budget includes \$90,000 (\$45,000 General Fund and \$45,000 Water Fund) to replace two public works service vehicles. Staff recommends purchasing two 2023

Chevrolet Silverado 2500 DBL trucks for a cost of \$104,600. Prices have increased since the budget was approved and may require an eventual budget amendment. He noted that these trucks, for Kaeden and Drew, are available now and can be delivered in 60 days. Their 2013 and 2017 trucks will be put up for sale.

MOTION: Rod Wood Made a Motion to Approve the Expenditure for Two Public Works Service Vehicles for \$104,600. James Bruhn Seconded the Motion which PASSED Unanimously.

10. Meeting Minutes from January 17, 2023.

MOTION: James Bruhn Made a Motion to Adopt the Meeting Minutes from January 17, 2023, as presented. James Ahlstrom Seconded the Motion which PASSED Unanimously.

11. Staff Reports

Police – Chief Erikson

- Reviewed statistics for January.
- Staff is making significant progress cleaning out the evidence storage.

Public Works – Steve Maughan

- Google Fiber is still working to install services with completion expected in May. Ormand Construction is still installing meters for Weber Basin.
- With the big storm tonight and tomorrow, plows will be busy.
- We talked with the contractor for the new water project, and they believe they can finish in six weeks.
- There was discussion about slurry seal problems on 675 West and 640 West. Steve said it needs more treatment than slurry seal. The contractor did not do a good job. It didn't bind so is now coming off. He said it's on his radar and he will evaluate.

Engineering – Kris Nilsen

- Working on the Miscellaneous Concrete Bid package. In response to Council member Ahlstrom's question about how the city prioritizes areas and lets residents know what to expect, Steve Maughan said that he maintains a list, has painted sidewalk areas with problems, and talks to residents.
- Ivory continues to push forward to get their plat done for Belmont Farms.

Community Development – Cathy Brightwell

- Two new restaurants have recently opened in the Gateway shopping center - Penny Ann's Café and Poki Bowl.

12. Mayor / Council Reports

Rod Wood – commented that we have not heard anything back from UDOT on our I-15 comments.

James Ahlstrom – Letters went out to Youth Council parents asking them to step up to help with YCC or suggest people to become advisors. There is a meeting this week to begin stuffing Easter eggs that he will

not be able to attend. Cathy Brightwell said she would appreciate someone attending with her. Council member Enquist volunteered to attend.

Mark Preece – Sewer District is still working on the construction project and is down to 2 suitors. They are producing a lot of gas and could use more stock. The south plant renovation is done, and everything seems to be going fairly well.

He commented that there are reports that Ivory is marketing half acre lots in future phases of Belmont Farms subdivision. Cathy Brightwell and Kris Nilson said no proposals have been submitted to the city.

James Bruhn – no report.

Kelly Enquist – Water conference in Washington DC was very productive.

Mayor Romney – South Davis Recreation board is still working on budget, income options, tax increases, and potential expansion. They have commitment from the school district to help fund a new 50 meter pool along with yearly maintenance. Working with Bountiful to procure land.

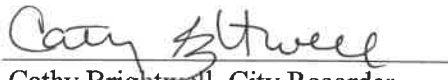
13. Closed Session, if needed

No closed session needed.

14. Adjourn.

MOTION: James Bruhn made a Motion to Adjourn the Meeting. James Ahlstrom 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, March 7, 2023.


Cathy Brightwell, City Recorder