

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

THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, AUGUST 29, 2023, AT THE CITY OFFICES

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

1. Approve Agenda.
2. Public Hearing on Proposed Easement Reductions at 2369 N 830 West.
3. Ordinance 474-23, An Ordinance Authorizing the Mayor to Execute a Change in Easement Along the Rear and Side Property Lines at 2369 N 830 West.
4. Public Hearing on Proposed Easement Changes to Mountain View Estates Subdivision Lots 107, 108, and 109.
5. Ordinance 475-23, An Ordinance Approving a Plat Amendment for Mountain View Estates and Authorizing the Mayor to Execute A Release of Easement for Proposed Lots 107, 108 and 109 in Mountain View Estates subdivision.
6. Engagement Letter – City Attorney Services.
7. Expenditure Approvals.
8. Meeting Minutes from August 15, 2023.
9. Adjourn.

The above agenda was posted on the State Public Notice website (Utah.gov/pmn), the city website (WBCity.org), posted at city hall, emailed to the Mayor and City Council, and provided to the Davis Journal on August 25, 2023, by Cathy Brightwell, City Recorder.

Minutes of the West Bountiful City Council meeting held on Tuesday, August 29, 2023, at West Bountiful City Hall, 550 N 800 West, West Bountiful, Davis County, Utah.

MEMBERS: Mayor Ken Romney, Council members James Ahlstrom (via zoom), James Bruhn (joined the meeting at 7:45pm), Kelly Enquist, Mark Preece, and Rod Wood.

STAFF: Duane Huffman (City Administrator), Chief Brandon Erikson, Steve Maughan (Public Works Director), and Cathy Brightwell (City Recorder).

EXCUSED: Kris Nilsen (City Engineer)

PUBLIC: Deby Marshall, Alan Malan, Jenn Nielsen, Richmond Thornley, Jocimar DeSouza

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

1. Approve the Agenda.

MOTION: *Mark Preece made a Motion to approve the agenda as presented. Kelly Enquist seconded the Motion which PASSED unanimously.*

2. Public Hearing on Proposed Easement Reductions at 2369 N 830 West.

Cathy Brightwell summarized the proposal. The DeSouza's have requested a reduction of the public utility and drainage easements along their rear and south side property lines so they can build a detached garage in the southwest corner of the rear yard. The rear easement is proposed to be reduced from 10 feet to 3 feet and the side easement from 5 feet to 3 feet. She added that necessary approvals and clearances have been received from affected utilities, required public notice has been completed, and staff recommends approval.

MOTION: *Kelly Enquist Made a Motion to Open the Public Hearing. Rod Wood seconded the Motion, which passed as shown below.*

James Ahlstrom – aye

James Bruhn – excused

Kelly Enquist – aye

Mark Preece – aye

Rod Wood – aye

No public comments were offered.

MOTION: *Mark Preece Made a Motion to Close the Public Hearing. James Ahlstrom seconded the Motion, which passed unanimously by all members present.*

3. Ordinance 474-23, An Ordinance Authorizing the Mayor to Execute a Change in Easement for the Public Utility/Drainage Easements on the Rear and Side Property Lines at 2369 N 830 West.

MOTION: *Rod Wood moved to Approve Ordinance 474-23 as Proposed. Mark Preece seconded the Motion which passed as shown below.*

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

James Bruhn – excused
Mark Preece – aye

4. Public Hearing on Proposed Easement Changes to Mountain View Estates Subdivision Lots 107, 108, 109.

Cathy Brightwell summarized the proposal. The owners of Mountain View Estates Lots 107, 108, and 109 have requested a plat amendment to combine the three lots into two lots – 107A and 109A. The combining of these lots requires a release of the side public utility and drainage easements of Lot 108 and the adjacent side easements of Lots 107 and 109.

There is an underground gas easement running diagonally through the lots for which Dominion Energy has conducted a new survey to clarify the boundaries. They provided dimensions and restrictions which have been added to the proposed plat. Affected utilities have been contacted and have no objections to the amendment.

Staff recommends approval of the proposed plat amendment subject to review and final approval of the plat by the city attorney and city engineer and review of a recent title report.

MOTION: Rod Wood Made a Motion to Open the Public Hearing. Mark Preece seconded the Motion, which passed as shown below.

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

James Bruhn – excused
Mark Preece – aye

No public comments were offered.

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

5. Ordinance 475-23, An Ordinance Approving a Plat Amendment for Mountain View Estates and Authorizing the Mayor to Execute a Change in Easement for Proposed Lots 107, 108, and 109 in Mountain View Estates subdivision.

MOTION: Mark Preece moved to Approve Ordinance 475-23 as Proposed Contingent on Review and Approval by the City Attorney and City Engineer. Kelly Enquist Seconded the Motion Which Passed as Shown Below.

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

James Bruhn – aye
Mark Preece – aye

6. Engagement Letter – City Attorney Services.

Duane Huffman presented a new engagement letter for city attorney, Steve Doxey. Mr. Doxey has recently joined a new law firm and staff recommends that the council authorize the mayor to sign the new Legal Representation and Fee Agreement with the firm Bennet, Tueller Johnson & Deere, LLC. He noted that in January of 2023, the city and Mr. Doxey executed an engagement letter; however, now that he has joined a new firm, a new agreement with this firm is necessary to continue services.

Mr. Huffman explained that Mr. Doxey will remain the city's lead legal counsel but, in his absence, the city will be able to draw on the other legal resources of the firm. The city's monthly minimum fee will remain \$4000; however, the actual cost of hourly services is increasing from \$400 to \$415. Any special service, such as litigation, beyond this rate will be pre-approved by the city. This agreement may be terminated by either party at any time.

Council member Ahlstrom commented that he supports the agreement and believes the services we receive from Mr. Doxey are still a bargain.

MOTION: *James Bruhn moved to Approve the Engagement Agreement for City Attorney as Proposed. Mark Preece Seconded the Motion Which Passed as Shown Below.*

James Ahlstrom – aye

James Bruhn – aye

Kelly Enquist – aye

Mark Preece – aye

Rod Wood - aye

7. Expenditure Approvals.

Duane Huffman presented two expenditures for council approval that were included in the budget. He added that another approval will be presented at the next meeting for the new skid steer.

1. Seal Coat \$25,381 – Holbrook Asphalt Co, will cover 9,030 square yards on 600 West and 1100 West. The city will also be testing a new seal coat product from Anderson Asphalt LLC on 600 West for an additional \$9,789.
2. Tasers - \$16,867.20 – Axon Enterprise, Inc., to replace 16 police department tasers that are no longer covered by warranty and are being phased out by the manufacturer. This includes all costs associated with the taser, battery, and cartridges. This is an annual payment that will be made for the next 5 years (interest free). The department also expects to receive some value from trading-in the existing tasers.

MOTION: *James Ahlstrom Made a Motion to Approve the Seal Coat and Taser Expenditures as Presented. Mark Preece Seconded the Motion which PASSED Unanimously.*

8. Meeting Minutes from August 15, 2023.

MOTION: *Mark Preece Made a Motion to Approve the Meeting Minutes from August 15, 2023, as presented. Rod Wood Seconded the Motion which PASSED Unanimously.*

9. Reports:

James Ahlstrom commented that we still need Youth Council advisors, and he asked council members to think about people they know who would be good for the job.

James Bruhn added that we also need a new July 4th coordinator and a parade chairman.

Mr. Huffman said we would add these needs to the upcoming newsletter.

10. Adjourn.

MOTION: *James Bruhn made a Motion to Adjourn the Meeting. Rod Wood 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, September 19, 2023.


Cathy Brightwell, City Recorder