

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
Remington Whiting

City Engineer
Kris Nilsen

Public Works Director
Steve Maughan

**** AMENDED ****

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING AT
7:30 PM ON WEDNESDAY, DECEMBER 6, 2023, AT THE CITY OFFICES**

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

1. Approve Agenda.
2. Public Comment - Two minutes per person; five minutes if on behalf of a group.
3. Recognition of Outstanding Police Work
4. Canvass of West Bountiful Municipal General Election.
5. Resolution #543-23, A Resolution Consenting to the Appointment of Kimberly Staker as Youth City Council Advisor.
6. Report - Proposed Tax Increase by South Davis Sewer District – Mark Preece
7. Resolution #542-23, A Resolution Consenting to the Appointment of Remington Whiting as City Recorder.
8. Meeting Minutes from November 7, 2023.
9. Staff Reports–Police, Public Works, Engineering, Community Development, Administration.
10. Mayor/Council Reports.
11. Closed Session, if necessary, for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
12. Adjourn.

The above agenda was posted on the State Public Notice website (Utah.gov/pmnl), the city website (WBCity.org), posted at city hall, emailed to the Mayor and City Council, and provided to the Davis Journal on December 1, 2023, by Remington Whiting, City Recorder.

WEST BOUNTIFUL CITY

RESOLUTION #543-23

A RESOLUTION CONSENTING TO THE APPOINTMENT OF KIMBERLY STAKER AS YOUTH CITY COUNCIL ADVISOR

WHEREAS, the West Bountiful City Council established the West Bountiful Youth City Council by adoption of Ordinance #403-18; and,

WHEREAS, pursuant to the above referenced Ordinance, the Mayor, with the advice and consent of the City Council, shall appoint youth advisors to assist with activities of the Youth City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City that it consents to the Mayor's appointment of Kimberly Staker as Youth City Council Advisor with a term ending December 31, 2027.

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

Passed and approved by the City Council of West Bountiful City this December 6, 2023.

Ken Romney, Mayor

Voting by the City Council:	<u>AYE</u>	<u>NAY</u>
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Preece	_____	_____
Councilmember Wood	_____	_____

ATTEST:

Remington Whiting, City Recorder

WEST BOUNTIFUL CITY

RESOLUTION #542-23

A RESOLUTION OF THE WEST BOUNTIFUL CITY COUNCIL CONSENTING TO THE APPOINTMENT OF REMINGTON WHITING AS THE CITY RECORDER

WHEREAS, Utah Code Annotated 10-3-916 provides that the Mayor, with the advice and consent of the City Council, shall appoint a qualified person to the office of City Recorder.

NOW THEREFORE, BE IT RESOLVED that the City Council of West Bountiful City consents to the Mayor's appointment of Remington Whiting as the City Recorder.

EFFECTIVE DATE. This resolution shall be effective immediately upon passage.

Passed and approved by the City Council of West Bountiful City this 6th day of December 2023.

Ken Romney, Mayor

Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Preece	_____	_____
Councilmember Wood	_____	_____

ATTEST:

Remington Whiting, City Recorder



South Davis Sewer District

Mailing Address:
PO Box 140111 • Salt Lake City, Utah 84114-0111
Phone (801) 295-3469 • *Fax* (801) 295-3486

Office Location:
1800 West 1200 North • West Bountiful, Utah 84087-2501

September, 2023

Dear South Davis Sewer Customer,

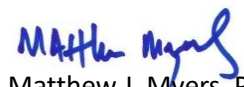
We deeply regret that it is necessary to propose an increase in the property taxes that you pay to the South Davis Sewer District beginning in 2024. For the average home valued at approximately \$556,000, this will be an increase of \$48.01 per year or \$4.00 per month. Your individual increase will vary based on the actual assessed value of your property. We chose to increase the property tax rather than raising rates again because it eases the burdens on our lower income customers and neighbors. A truth-in-taxation hearing will be held December 7, 2023 at 6:00 PM, before finalizing this proposed property tax increase.

It is important to understand why, after decades of having the lowest sewer rates and property taxes in the state, our district is forced to increase rates and property taxes so often. This is the result of the Utah Division of Water Quality requiring us, along with all other wastewater treatment facilities throughout the state, to meet increasingly stringent limits for ammonia as well as a new limit for phosphorus. It is also important to note that the Utah Division of Water Quality is delegated the authority by the Environmental Protection Agency (EPA) to enforce Federal Clean Water Act laws in Utah.

We have no choice but to comply with these new limits because if we do not, we will be assessed very heavy fines and could even have the permits required to operate the treatment plants revoked. The District has always tried to do more with less; however, these new, unfunded mandates cannot be met by our decades old but well maintained treatment plants without significant and costly upgrades. Recent rate and tax increases have funded improvements at the District's South Plant in North Salt Lake. This proposed tax increase will go toward bonds that will fund the estimated \$60 million in required upgrades at the District's North Plant in West Bountiful. Please be assured that we undertook a comprehensive analysis of alternatives and selected the most economical one for construction.

Unfortunately, further tax or rate increases will be necessary in coming years to complete this construction; however, rather than raising rates all at once, we have deemed it best to only collect the actual amount required for each year's construction thereby leaving more money in the pockets of our customers during the coming year. If you have further questions or concerns, we are more than happy to discuss them with you. You can reach us at 801-295-3469 during regular business hours (Monday through Friday from 8:00 a.m. to 4:30 p.m.). In addition, since these upgrades are unfunded mandates imposed on us by the EPA and the Utah Division of Water Quality, you may wish to contact your state legislators as well as your members of the United States Congress about your concerns.

Thank you for the opportunity to serve you and our community.


Matthew J. Myers, P.E.
General Manager

PENDING – NOT YET APPROVED

Minutes of the West Bountiful City Council meeting held on Tuesday, November 7, 2023, at West Bountiful City Hall, 550 N 800 West, West Bountiful, Davis County, Utah.

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

STAFF: Duane Huffman (City Administrator), Chief Brandon Erikson, Steve Maughan (Public Works Director), Kris Nilsen (City Engineer), Addison Jenkins (Community Development), Remington Whiting (City Recorder) and Cathy Brightwell (City Recorder).

PUBLIC: Dell Butterfield, Richmond Thornley, Alan Malan, Jenn Nielsen, Aimee Hinojosa, Dan McConkie, Deby Marshall, Brett Peterson, Frank & Sharon Schofield, Nacole McKenzie

Mayor Romney called the regular meeting to order at 7:30 pm. James Ahlstrom provided an invocation; James Bruhn led the Pledge of Allegiance.

1. Approve the Agenda.

MOTION: *James Ahlstrom made a Motion to move item #7 to follow #4. Rod Wood seconded the Motion which PASSED unanimously.*

2. Public Comment – Two minutes per person; five minutes if on behalf of a group.

Mayor Romney announced that tonight is Cathy Brightwell's last city council meeting as she is retiring from the city. He thanked her for her years of service.

Frank Schofield - 562 N 2050 N, stated he is concerned about proposed changes to home occupation ordinances. He is a certified diesel mechanic and was working on a vehicle in 1989 when a fire started. He believes strongly that it is not a good idea to allow mechanic work in a residential area. He noted that years ago he asked the planning commission for permission to add one foot to a home addition and they said no. Even though he was disappointed he went along with their decision and believes all residents need to do the same thing.

Sharon Schofield said that West Bountiful citizens trust the city council to do what is best for the city. Auto mechanic shops are not safe, and if one is allowed to operate, there will be more requests which will be harmful to the city.

3. Public Hearing – Reduction of Public Utility and Drainage Easements – 1306 N 600 W

Addison Jenkins provided background on the request by the Peterson's at 1306 N 600 West to reduce their rear easement from 10 ft to 3 ft. so they can build a detached garage in the southeast corner of their property. He noted that affected utilities have been contacted and do not object to the changes.

MOTION: *James Bruhn Made a Motion to open the public hearing. Kelly Enquist Seconded the Motion which PASSED Unanimously.*

No public comments were offered.

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

4. Ordinance 478-23, An Ordinance Reducing Public Utility/Drainage Easements at 1306 N 600 West – Peterson.

A description of the proposal was provided in agenda item 3 above.

MOTION: *Rod Wood Made a Motion to Adopt Ordinance 478-23, as Presented. James Bruhn Seconded the Motion, which Passed as Shown below.*

<i>James Ahlstrom – aye</i>	<i>James Bruhn – aye</i>
<i>Kelly Enquist – aye</i>	<i>Mark Preece – aye</i>
<i>Rod Wood - aye</i>	

4B. (moved from item 7.) Expenditure Approval – Cart Path Improvements at Lakeside.

Duane Huffman explained that the city has been working for several years to improve cart paths at Lakeside Golf Course and would like to get some work done before the snow falls. This year's budget includes \$100,000 for cart path improvements and maintenance of existing paths. City council approval is required for certain expenditures over \$10,000.

Staff identified three areas in need of new or replacement asphalt – tee box for hole 13, fairway hole 13 (new), and hole 18 (new). After sharing the scope for this project with several asphalt contractors, Post Asphalt came back with the best quote at \$30,074, which is below the engineer's estimate. Staff recommends moving forward as quickly as possible to install the asphalt before weather conditions prevent the work until next year.

Josh Virostko provided additional details on the project and answered questions from council members.

MOTION: *Mark Preece Made a Motion to Approve the Proposed Expenditures. James Ahlstrom Seconded the Motion which PASSED Unanimously.*

5. City Comments on Draft Environmental Impact Statement for "I-15 Farmington to Salt Lake City" Project.

UDOT has issued another draft for the I-15 Environmental Impact Statement (EIS) for the Farmington to Salt Lake City project. The final comment period ends next week, and discussion tonight will help staff prepare final comments from the city. UDOT will review comments and provide its final proposal next spring with work expected to start in 2026-2027.

Duane reviewed maps showing potential impacts related to main line I-15; interchange updates at 500 South, 400 North, and 500 West; and other elements of the project.

Some of the issues discussed included:

- Improvements at the intersection of 800 W and 500 S, noting the importance of maintaining current property accesses.
- Because an extra lane is being added to the freeway, some properties between 500 S and the 500 W on-ramp will be impacted, specifically north of 400 N.

- The plan shows additional width to 500 S (lanes, shared use paths, etc), with significant impacts to existing businesses. The city will work with UDOT to look at options to mitigate these impacts.
- It is expected that there will be a raised median on 500 S which will eliminate business access to the north. The city has asked UDOT to add a spur off the 500 S on-ramp to the center of the shopping center.
- The 400 N overpass will be replaced with a wider bridge accommodating a shared use path and a bike lanes on both sides.
- Pages Lane underpass includes an 8 ft sidewalk plus 4 ft park strip and 6 ft bike lane on both sides – probably not needed.

Duane noted that he is meeting tomorrow with Bountiful City and UDOT to discuss the two city's concerns, with the main focus being how to mitigate impact to businesses.

Council members were asked to let Duane know if they have any additional thoughts after the meeting.

6. Discuss Consideration of Additional Fiber Projects in West Bountiful.

Duane Huffman explained that from time to time the city is approached by various internet providers to discuss franchise agreements or excavation permits for the installation of fiber within the city. He said staff needs directions on what kind of information the council would like to see when considering these projects. Free market versus control of city right of way?

Lumen (Century Link) recently submitted an excavation permit to install fiber lines in the city and we found that their franchise agreement expired several years ago.

There was discussion about the benefits of competition and how having multiple providers may benefit citizens, but the city shouldn't let providers use the right-of-way without a reasonable use fee, as the telecommunications tax does not cover most of their services. There was also discussion about installation standards, and getting sufficient information from the proposed providers.

7. Expenditure Approval – Cart Path Improvements at Lakeside.

See above #4B.

8. Meeting Minutes from October 3, 2023, and October 17, 2023.

MOTION: *James Bruhn Made a Motion to Approve the Meeting Minutes from October 3 and October 17, 2023, as presented. Rod Wood Seconded the Motion which PASSED Unanimously.*

9. Staff Reports

Chief Ereksun – 1) He brief the council on the significant work related to the recent homicide. 2) The Spillman software project has finally been implemented. 3) The Trunk-or-Treat event was well received and larger than last year. 4) Working with city prosecutors to find a way to deal with parking issues.

117 Steve Maughan – 1) City restrooms have been winterized except for the large bowery. Plan to keep it open
118 until the weather gets too cold. 2) Working on the ditch project near holes 2 and 3 at the golf course. 3)
119 Holiday banners will be put up on November 16th & 17th.

120 Kris Nilsen - Continuing to work on the 660 West road design. He found that the right of way on the east
121 side of the road is close to the current edge of asphalt, but the west side is way off and will impact resident's
122 front yards.

123 Addison Jenkins – Working on code enforcement issues and becoming familiar with city code to determine
124 what changes need to be made so we can deal effectively with outstanding code enforcement issues. The
125 large Ivory sign has been removed.

126 Duane Huffman – 1) Finishing up city recorder interviews. We plan to have someone ready to be appointed
127 at the next meeting, although we would like them to start before then. 2) Mediation is scheduled this week
128 for a pending resident appeal of a ADU issue. The Property Rights Ombudsman's office is helping with the
129 mediation. 3) The city was gifted framed copies of the Bill of Rights, U.S. Constitution, and Declaration of
130 Independence by Mr. & Mrs. Craig Price. 4) Due to the election on November 21, the next meeting is
131 scheduled for December 5.
132

133 **10. Council Reports:**

134 Kelly Enquist – Had questions about the lighting at the park that Steve and Kris are working on. He also
135 noted that it looks like someone is living in an RV in the rear of the old Layton house on 800 West and asked
136 staff to follow-up.

137 James Bruhn – Arts Council's holiday concert will be this Friday night at 7pm. Susie Carter will perform and
138 always does a great job, he encouraged everyone to attend. Wasatch Integrated voted to require 100%
139 recycling within their district over the next year. West Bountiful is currently higher than some cities with
140 89% participation.

141 James Ahlstrom – YCC retreat was held last Saturday and included several great activities. We are still
142 looking for advisors. The police department is helping take the lead on Christmas on Onion Street. He also
143 noted the YCC did a good job with Meet the Candidates night.

144 Mark Preece – South Davis Sewer District is moving full steam ahead on renovation of the north plant.
145 Engineering is working hard to develop plans for the plant and the administrative offices will be moved to
146 Frontage Rd. The District is also working on the methane project but still having problems fixing equipment
147 and determining if the cost is worth the return.

148 Rod Wood – Asked where we are with updates to the Home Occupation ordinance. Duane explained he still
149 needs to talk with several council members and then will send something on to the planning commission. Mr.
150 Wood also inquired about potential future uses of the old public works building. Duane said a council retreat
151 is being planned and that will be one of the items on the agenda.

152 Mayor Romney – South Davis Recreation Center held its Truth in Taxation hearing last night. There were a
153 lot of people in attendance.
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157

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166

167 Remington Whiting, City Recorder