

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, FEBRUARY 7, 2023, 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. Award Bid for the 2023 Culinary Water Reconstruction Project.
4. Ordinance 465-23, An Ordinance Amending the West Bountiful Municipal Code to Add Standards for Model Homes/Sales Trailers, Revise Swimming Pool Regulations, and Adopt Miscellaneous Corrections to Subdivisions and Zoning.
5. Meeting Minutes from January 17, 2023.
6. Staff Reports – Police, Public Works, Engineering, Community Development, Administration.
7. Mayor/Council Reports.
8. Closed Session, if necessary, for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
9. 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 3, 2023, by Cathy Brightwell, City Recorder.



MEMORANDUM

TO: Mayor and City Council
DATE: February 03, 2023
FROM: Staff
RE: Bid Award - Culinary Water Reconstruction Project 2023

The FY 23 budget included funding for a capital project to replace the water main and restore the trench areas on 560 West cul-de-sac, 1890 North, 1810 North, and to loop 1890 North and 1810 North with a new pipe through the parking lot of the City Park. **After a public bidding process and pending a final review, staff recommends accepting HMH Excavation Company as the lowest responsible bidder for the total dollar amount of \$443,743.90.**

Scope

The project was advertised as follows:

- Project includes installation of 1,600 linear feet of new 8" PVC C-900 Culinary Water Line, reconnect 23 services, reconnect hydrants, add one hydrant, and abandon existing 6" Cast Iron Culinary Water Line.
- Install service line and drinking fountain at city park.

Funding

The FY 22/23 Budget included pre-design estimated Budget Funding for the project as shown in the following table.

	Budget (Pre-Design)	Bid
Water Portion	\$394,000.00	\$434,593.66
Streets Portion	\$79,000.00	\$0
Parks Portion	\$0	\$9,180.09
Total	\$473,000.00	\$443,743.90

Completion Schedule

The pre-contract schedule for the project allows the contractor to start work on the project as early as mid-March 2023, and substantially complete the project by September 1, 2023. Staff and the contractor are aware of the need to have the area around the park in safe condition for the July 4th holiday.

Bid Results and Review

The city received bids from 10 contractors for this project. The bids ranged from \$443,743.90 to \$765,978.50 (see attached list). Staff is currently conducting a final review of the low bid, and pending the results, recommends making the award to HMH Excavation Company as the lowest responsible bidder for the total dollar amount of \$443,743.90.

CULINARY WATER RECONSTRUCTION PROJECT 2023
 BID OPEN RESULTS
 WEST BOUNTIFUL CITY
 2/2/2023 11:00

Rank by Lowest Bid Amount	Bidder	Schedule Bid Amount	Bid Bond	Bid Signed	Bid Total
1	HMH EXCAVATION	\$443,743.90	X	X	X
2	STRONG EXCAVATION	\$448,694.54	X	X	X
3	ORMAND CONSTRUCTION	\$448,883.41	X	X	* fix
4	MC GREEN	\$467,982.00			
5	GREAT BASIN	\$511,058.00			
6	NEWMAN CONSTRUCTION	\$522,000.00			
7	NEXT CONSTRUCTION	\$534,838.39			
8	CT DAVIS EXCAVATION	\$548,970.44			
9	BECK CONSTRUCTION & EXCAVATION	\$612,889.00			
10	HUGHES	\$765,978.50			

MEMORANDUM



TO: Mayor & Council

DATE: February 3, 2023

FROM: Staff

RE: Model Homes/Sales Trailers, Swimming Pool Updates, Land Use Corrections

This memo describes proposed changes to Titles 16 and 17 of the city's municipal code to allow model homes/sales trailers for active subdivisions, modify swimming pool regulations, and correct and clarify miscellaneous land use regulations to match state law.

Background

1. Model Homes/Sales Trailers, WBMC 17.74 (new) – EXHIBIT A

The city has occasionally been asked to allow model homes or sales trailers in new subdivisions. Neither of these uses are currently included in city code. In the past, these requests have been addressed as part of a development agreement for a PUD. Ivory Homes has requested a sales trailer on their recently approved 6-lot subdivision, Belmont Farms Phase 1, so they can begin selling future lots. The sales trailer is intended to be used only until a model home can be built.

Because the standards will be provided in Code, staff recommends the use be listed as permitted in all residential zones and the Housing in Certain Commercial Areas Overlay.

After a public hearing and review and approval by the planning commission, staff determined that requiring developers to go through an application process would be a good way to track the new standards for model homes and sales trailers. This requirement, shown in red, has been added to the attached draft.

2. Swimming Pool Updates, WBMC 17.76 – EXHIBIT B

Proposed updates to the city's swimming pool regulations included reductions in the side setback and an exception allowed in state code that eliminates the full fencing requirement if a certified pool cover is used. The Commission agreed to the proposed setback changes, rejected the fencing exception, and recommended changing the height for fences surrounding swimming pools from 6-feet to 4-feet to match state code.

3. Land Use Corrections to Titles 16 & 17 – EXHIBIT C

Language, primarily definitions, in Titles 16 & 17 have been identified as not being consistent with the state Land Use, Development, and Management Act (LUDMA) UCA 10-9a. These and several other minor corrections were made to clean up the Code.

Recommendation

The planning commission reviewed the proposed changes described above, made several changes, held a public hearing on January 24, 2023, and recommends approval by city council of the attached Exhibits A, B, and C.

WEST BOUNTIFUL CITY

ORDINANCE #465-23

AN ORDINANCE AMENDING THE WEST BOUNTIFUL MUNICIPAL CODE TO ADD STANDARDS FOR MODEL HOMES/SALES TRAILERS, REVISE SWIMMING POOL REGULATIONS, AND ADOPT MISCELLANEOUS CORRECTIONS TO SUBDIVISIONS AND ZONING.

WHEREAS, Utah Code Annotated §10-9a-101 et seq., also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Zoning Ordinances; and

WHEREAS, the West Bountiful City Council desires to maintain land use regulations that are clear and understandable by the general public and meet the needs of its residents; and

WHEREAS, it was determined that there was a need for regulations to address model homes/sales trailers in subdivisions, make updates to the swimming pool regulations, and clarify language in Titles 16 and 17 to match State Law; and

WHEREAS, the West Bountiful Planning Commission held a properly noticed public hearing on January 24, 2023, to consider the proposed modifications; and

WHEREAS, the West Bountiful Planning Commission has recommended adoption of proposed amendments to Titles 16 and 17 as described in attached Exhibits A, B, and C.

NOW THEREFORE BE IT ORDAINED by the city council of West Bountiful City that the West Bountiful Municipal Code be modified as listed below and more specifically described in attached Exhibits A, B, and C.

1. New Model Home/Sales Trailer Ordinance, WBMC 17.74 (Exhibit A);
2. Updates to Swimming Pool Ordinance, WBMC 17.76 (Exhibit B); and
3. Clean-up to Land Use Definitions and Miscellaneous Corrections to match State Law, WBMC 16 - Subdivisions) and 17 - Zoning) (Exhibit C).

This ordinance will become effective upon signing and posting.

Adopted this 7th day of February 2023.

By:

Kenneth Romney, Mayor

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

Attest:

Cathy Brightwell, City Recorder

MODEL HOMES/SALES TRAILERS - NEW

17.16.030, 17.20.030, 17.24.030 – Permitted Uses (A-1, R-1-10, R-1-22)

Add to each section:

“Model home or sales trailer, subject to Chapter 17.74.”

17.44.040 Housing in Certain Commercial Areas Overlay

Add to this section:

“Model homes or sales trailers shall be permitted in the HCCO, subject to Chapter 17.74.”

New Chapter:

17.74 Model Homes/Sales Trailers

17.74.010 Purpose

The purpose of this chapter is to establish use and development standards for model homes to facilitate the sale of homes within an active development.

17.74.020 Definition

As used in this chapter, the following terms are defined as follows:

“Model home” means a dwelling used as a temporary on-site sales office for a residential development under construction.

“Sales trailer” means a trailer used as a temporary on-site sales office for a residential development until a model home can be constructed.

17.74.030 Use

A model home or sales trailer will be allowed for use as an on-site sales facility for subdivisions under active development, subject to the following:

- A. Adequate off-street parking consisting of gravel, concrete, asphalt, or other approved surface will be provided for personnel working in the model home or sales trailer, as well as at least two (2) parking spaces for visitors.
- B. The hours of operation will be posted and limited to 7 am – 10 pm.
- C. The model home or sales trailer shall not be used as a general real estate office but will be limited to the sale of homes within the subdivision.
- D. A maximum of two (2) model homes will be allowed in each subdivision plat.

- E. Duration.
 - 1. Sales trailers may be operated once a building permit is issued for a model home and may continue for no more than 270 days.
 - 2. Model homes may be operated until thirty (30) days after a final occupancy permit is issued for the last dwelling in the development.
- F. When the use of the model home as a sales office is discontinued, the home shall be converted to meet all city standards and land use regulations for the dwelling.

17.74.040 Development Standards

The following development standards apply to all model homes and sales trailers:

- A. After a subdivision plat has been recorded, building permits for model homes and sales trailers may be issued before completion of all the approved improvements, subject to the following requirements:
 - 1. **An application for model home permit, which may include an application for sales trailer permit, must be submitted to the city and all applicable fees must be paid.**
 - 2. The applicant must provide proof of ownership of the property where the model home or sales trailer is proposed to be located.
 - 3. The applicant must sign a statement acknowledging that the applicant takes full responsibility for the risks being taken by constructing a model home or maintaining a sales trailer on-site before the approved subdivision improvements are completed.
 - 4. Hard surfaced roads consisting of asphalt, concrete, or other approved surface capable of supporting traffic loads must be completed such that they provide reasonable access to the model home or sales trailer.
 - 5. All fire protection requirements must be met as set and approved, in writing, by the South Davis Metro Fire District.
 - 6. All utility improvements for the subdivision must be completed.
- B. A Class B Certificate of Occupancy may be issued for the model home prior to completion of all subdivision improvements (other than utility improvements), subject to approval by the city engineer and building official based on recognized safety standards.
- C. Model homes must comply with all standards and conditions of approval for the development, including building materials, setbacks, and landscaping.
- D. Model homes must comply with all applicable residential dwelling construction standards before and after the discontinued use as a sales office.

SWIMMING POOL UPDATES – WBMC 17.76

17.76 Swimming Pools

17.76.010 Definitions

17.76.020 Private Pools And Use

17.76.030 Semi-Private Pools And Use

17.76.010 Definitions

As used in this chapter:

"**Private swimming pool**" means any constructed pool that is used, or intended to be used, as a swimming pool in connection with a single family residence and available only to the family of the household and private guests.

"**Semi-private swimming pool**" means any constructed pool which is used, or intended to be used, as a swimming pool in connection with a neighborhood recreational facility.

"**Swimming pool**" means any constructed pool used for bathing or swimming which is over twenty-four (24) inches in depth, or with a surface area exceeding two hundred fifty (250) square feet.

17.76.020 Private Pools And Use

- A. Swimming pools not completely enclosed within a building having solid walls shall be set back at least ten (10) feet from all rear property lines and seven (7) feet from all side and rear property lines.
- B. Swimming pools shall be completely surrounded by a fence or wall having a minimum height of at least six–four (4) feet. There shall be no openings below or in the fence or wall that allow passage of a four (4) inch diameter sphere, larger than thirty-six (36) square inches, except for gates which shall be equipped with self-closing and self-latching devices. Such gates shall be securely locked when the swimming pool is not in use by persons invited by the owner.
- C. Private swimming pools must not directly connect to the city's culinary water system or to the public sewer system.

MISCELLANEOUS CLEAN-UP – LAND USE REGULATIONS

16.04.020 & 17.04.030 Definitions

~~“Exaction” means a condition, often in the form of impact fees, restrictive covenants, or land dedication, imposed at the time of obtaining a building or other development permit used to aid the city in providing public services. Conditional requirements should comply with the standards established in Chapter 17.60 Section 17.44.230 of this code.~~

~~“Lot” means a parcel or portion tract of land, regardless of any label, that is created by and shown established for purposes of sale, lease, finance, division of interest or separate use, or separated from other lands by description on a subdivision plat that has been recorded in the office of the county recorder map and/or parcel map, and having frontage upon a street.~~

~~“Lot line adjustment” means the relocation of the property a lot line boundary line in a subdivision between two adjoining lots or between a lot and adjoining parcels in accordance with UCA Section 10-9a-608 whether or not the lots are located in the same subdivision, and with the consent of the owners of record. “Lot line adjustment” does not mean a new boundary line that creates an additional lot or constitutes a subdivision.~~

~~“Parcel” means any real property that is not a lot.”~~

~~“Subdivision” means any land that is divided, re-subdivided, or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.~~

1. “Subdivision” includes:

- a. the division or development of land whether by deed, metes and bounds description, devise and testacy, ~~lease~~, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
- b. except as provided in subsection 2., divisions of land for ~~all~~ residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

2. “Subdivision” does not include:

- a. a bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of un-subdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable zoning ordinance;
- b. a boundary line agreement recorded with the county recorder’s office between owners of adjoining parcels adjusting the mutual boundary in accordance with UCA Section 10-9a-524 if no new parcel is created;
- c. a recorded document, executed by the owner of record revising the legal descriptions of multiple parcels more than one contiguous parcel of property into one legal description

- encompassing all such parcels ~~of property~~; or joining a lot to a parcel; ~~subdivided parcel or property to another parcel or property that has not been subdivided, if the joinder does not violate applicable land use ordinances; or~~
- d. a boundary line ~~recorded~~ agreement between owners of adjoining subdivided properties adjusting their mutual boundary in accordance with UCA Sections 10-9a-524 and 10-9a-608 if no new dwelling lot or housing unit will result from the adjustment; and the adjustment will not violate any applicable land use ordinance;
 - e. a bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division is in anticipation of future land use approvals on the parcel or parcels; does not confer any land use approvals; and has not been approved by the land use authority;
 - f. a parcel boundary adjustment;
 - g. a lot line adjustment;
 - h. a road, street, or highway dedication plat;
 - i. a deed or easement for a road, street, or highway purpose; or
 - 1-j. any other division of land authorized by law.

- 3. ~~The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under this definition as to the unsubdivided parcel of property or subject the unsubdivided parcel to the municipality's subdivision ordinance.~~
- 2. ~~For the purpose of this chapter, a subdivision of land shall also specifically include:~~
 - 1. ~~The dedication of a street through or adjacent to a tract of land, regardless of area, which may create a division of lots or parcels constituting a subdivision;~~
 - 2. ~~Re-subdivision of land previously divided or platted into lots, sites or parcels; and~~
 - 3. ~~Condominium projects.~~

"Zoning administrator" means the building inspector or other person designated by the city council, typically the city engineer, to enforce the regulations of this title.

16.08.010.B Scope of Compliance Required

B. Land A Lot shall not be transferred, sold, or offered for sale, nor shall a building permit be issued for a structure until a final plat of a subdivision shall have been recorded in accordance with this title and any applicable provisions of state law, and until the improvements required in connection with the subdivision have been guaranteed as provided herein. Building permits shall not be issued without written approval of all public agencies involved. No building depending on public water, sewer, energy facilities, or fire protection shall be permitted to be occupied until such facilities are fully provided and operational.

(previous language implies a parcel outside a subdivision cannot be sold or a building permit issued for the parcel without a final plat.)

16.16.030 Final Plat

K. Security for Public Improvements.

- 1. Prior to a final plat's ~~approval by the city council and its~~ recordation with the county recorder, the subdivider shall enter into an improvements bond agreement and a Warranty bond agreement

acceptable to the city as security to insure the satisfactory completion of all improvements required in the subdivision. The bond agreements shall be in a form approved by the city council and may contain specific provisions approved by the city attorney. The agreements shall include ~~but not be limited to~~ the following requirements:

- a. The subdivider ~~agrees to will~~ complete all improvements within a period of time not to exceed eighteen (18) months from the date the agreement is executed.
 - b. The improvements will be completed to the satisfaction of the city and in accordance with the city's subdivision standards and specifications (as established by the city engineer and adopted by the city council).
 - c. The ~~bonds, consisting of an~~ Improvements Bbond, will be equal to one hundred ~~twenty~~ percent (100%) of the city engineer's estimated cost of the improvements, including landscaping costs; ~~and the~~ Warranty Bbond will be equal to ten percent (10%) of the Improvement Bbond.
 - d. The city shall have immediate access to the bond proceeds.
 - e. ~~The~~ Improvements bond proceeds may be reduced at intervals determined by the city upon the request of the subdivider as improvements are installed. The amount of all such reductions shall be determined by the city. Such requests may be made only once every thirty (30) days and no reduction shall be authorized until such time as the city has inspected the improvements and found them to be in compliance with the city's standards and specifications. All reductions shall be by written authorization of the city engineer, ~~and~~ The Improvements Bbond shall not be reduced below the estimated cost for the remaining incomplete or unaccepted improvements; no bond shall be reduced below ten (10) percent of its face value plus the estimated cost of slurry seal either before or after the city's final acceptance of the improvements.
 - f. After the ~~two~~ one-year warranty period, ~~the~~ Warranty Bbond and any the remaining Improvements Bbond proceeds, plus interest, shall be refunded to the subdivider with the exception of bond proceeds for incomplete or unaccepted improvements. The amount of this interest will be calculated at a rate equal to that received on the city's other investments in the State Treasurer's Fund and shall be paid on the declining balance of the bond.
 - g. If the bond proceeds are inadequate to pay the cost of completing the improvements according to the city's standards and specifications for whatever reason, including previous reductions, the subdivider shall be responsible for the deficiency and no further building permits shall be issued in the subdivision until the improvements are completed; or, with city council approval, a new satisfactory bond has been executed and delivered to the city; or other satisfactory arrangements have been made to insure completion of the remaining improvements.
 - h. ~~The city's~~ costs of administration and cost of obtaining the bond proceeds, including attorney's fees and court costs, shall be deducted from any bond proceeds.
 - i. ~~Upon receipt of the bond proceeds, after expiration of the time period for completion of the improvements, the~~ The city's cost of ~~completion-completing the improvements, including administrative~~ shall include reimbursement to the city for the costs of administration to complete the improvements, shall be deducted from any bond proceeds.
 - j. The subdivider agrees to hold the city harmless from any and all liability which may arise as a result of the improvements which are installed until such time as the city certifies the improvements are complete and accepts the improvements at the end of the ~~two~~ one-year warranty period.
2. The improvement bond agreements shall be in one of the following forms ~~as prescribed~~ by acceptable to the cCity:

- a. A cash bond agreement accompanied by a cashier's check payable only to the ~~C~~city; or
 - b. An escrow bond agreement and account with a federally insured bank ~~for one hundred ten percent (110%) of the city engineer's estimated cost of the improvements, together with a ten (10) percent cash bond agreement held only by~~ for the benefit of the Ccity.
- ~~b.~~ The warranty bond agreement shall be in the form of a cash bond agreement accompanied by a cashier's check payable only to the city.
- 3.

N. Warranty Period. The warranty period referred to above shall commence upon the date that all improvements required by the city to be installed within the subdivision have been completed to the satisfaction of the city and a final on-site review thereof has been made approving the same. The warranty period shall commence at that date and shall continue for a period of ~~two one~~ years thereafter. If any deficiencies are found by the city during the warranty period in materials or workmanship, the subdivider shall promptly resolve such defects or deficiencies and request the city engineer to review once more the improvements. At the end of the ~~two one~~-year warranty period the subdivider shall request the city engineer to make a final warranty period on-site review of all improvements. If the city engineer verifies that the improvements are acceptable, the city engineer shall notify the city administrator who shall refer the matter to the city council. The city council shall then review the matter and upon approval of the same shall release the balance of the security posted by the subdivider under the bond agreement.

17.52.070 Location Of Off-Street Parking

Off-street parking in non-residential districts is allowed in the front setback, as long as the parking area is set back and the frontage of the property is permanently landscaped in accordance with Section 17.52.060.~~3C~~.

17.92.020 Storage/Merchandising/Zoning Permitted and Conditional Use Matrix

Restrictions:

1. ~~Provide for visual screening and security as determined by the city (the zoning administrator for permitted uses and the planning commission for conditional uses).~~
- ~~1-2.~~ Merchandise to be stored indoors after business hours.
- ~~2-3.~~ Storage not to exceed seven days, with a minimum of thirty (30) days between storage events.
- ~~3-4.~~ Storage to be accomplished within a three-sided, roofed building or structure.
- ~~4-5.~~ Merchandise shall be displayed in an orderly fashion and shall make up the majority of the business revenue or activity. All merchandise shall be of such a nature as to allow for immediate sale and use.
- ~~5-6.~~ Storage shall meet appropriate state and/or federal requirements for environmental protections.
- ~~6-7.~~ Seasonal merchandise.
- ~~7-8.~~ Materials or equipment used in manufacturing.
- ~~8-9.~~ Equipment exceeding 20 feet in height that will be visible from outside the perimeter of the property must be stored indoors; all materials that will be visible from outside the perimeter of the property must be stored indoors or within a three-sided, roofed building or structure.

1 **PENDING – NOT YET APPROVED**

2 Minutes of the West Bountiful City Council meeting held on Tuesday, January 17, 2023, at West
3 Bountiful City Hall, 550 N 800 West, Davis County, Utah.

4 **MEMBERS:** Mayor Pro Tem Mark Preece, Council members James Ahlstrom, James Bruhn, Kelly
5 Enquist, and Rod Wood.

6 **STAFF:** Duane Huffman (City Administrator), Assistant Chief Lance Wilkinson, Kris Nilsen
7 (City Engineer), Steve Maughan (Public Works Director), Steve Doxey (City Attorney),
8 and Cathy Brightwell (City Recorder).

9 **EXCUSED:** Mayor Romney

10 **PUBLIC:** Alan Malan, Corey Sweat, Deby Marshall, Richmond Thornley, Silvia Castro via zoom,
11 Rep. Ray Ward & Beverly Ward

12 -----

13 Mayor Pro Tem Preece called the regular meeting to order at 7:30 pm. James Ahlstrom provided a
14 prayer and James Bruhn led the Pledge of Allegiance.

15 **1. Approve the Agenda.**

16 **MOTION:** *James Ahlstrom made a Motion to approve the agenda as posted. James Bruhn*
17 *seconded the Motion which PASSED unanimously.*

18

19 **2. Public Comment – Two Minutes Per Person, or Five Minutes if Speaking on Behalf of a**
20 **Group.**

21 Rep. Ray Ward, 954 E Millbrook Way, Bountiful, is here to touch base with the city as the legislative
22 session begins. He asked about issues of concern and offered to be available to help when needed.

23 Rep. Ward talked briefly about issues he is working on including budget and how to balance tax cuts
24 with incentives for the future, a long-term plan to preserve the Great Salt Lake, making medical records
25 more accessible between different hospital systems, and social programs to provide more help to people
26 in need.

27 He asked what issues are important to the city. Mayor Pro Tem Preece said there is concern about land
28 use bills and asked if there is anything in the works. Rep. Ward responded that he understands Senator
29 Fillmore has bill with minor updates and clarifications to previous bills but is not sure about the details.
30 There was discussion about Accessory Dwelling Units (ADUs) and the bill from a previous session that
31 requires cities to allow internal ADUs. Rep. Ward said he is not aware of any bill that would expand on
32 that and force cities to allow detached ADUs. Council member Wood echoed earlier comments that
33 cities should be able to decide what is best for their communities and said he hopes our legislators will
34 listen to us.

35 There was discussion on the state financial surplus and what it means. Rep Ward explained that the
36 surplus is based on predictions of what money will come in during the next 12-month period. Those
37 predictions are currently estimated at about \$3B more than the last fiscal year. He noted that it is not
38 actual money yet, and there is no way to know if it will continue. In the past few years, the economy
39 has been unstable, so the legislature has been cautious by focusing on one-time projects rather than

40 ongoing expenses. He said there will be a tax cut and likely a wage increase to help retain state
41 employees. It's just not clear at this point how much money will be on the table especially with a
42 possible recession around the corner.

43 Duane Huffman said he has heard rumblings of a water conservation bill targeting golf courses. He
44 noted that the city has been successful in conserving significant amounts of water on its golf course and
45 encouraged conversations with affected cities if a bill were to be considered. He also mentioned the
46 possibility of a bill that would change sales tax distribution.

47 Dr. Ward said he appreciates hearing from cities. Legislators often hear more from developers and
48 other constituents so it's important to hear from cities who hear directly from their residents. He
49 encouraged members to call him as issues come up.

50

51 Alan Malan – Bishop Shupe asked him to thank the city for the Elf Tree. It made a big impact in
52 people's lives.

53

54 **3. Google Fiber Update**

55 Duane Huffman introduced Silvia Castro, the new government relations representative for Google Fiber
56 (joining via zoom). The city felt the need for an update following some quality issues with construction.

57

58 Ms. Castro said quality is very important to them. She sees the relationship they have with the city as
59 long-term and will do whatever they can to make everyone happy. She said construction is always
60 messy and even more so this time of year, but the company has standards and have addressed them with
61 the contractor. Street cut lines have not been good in some cases and customer notice was missed in
62 some areas. She apologized for past work.

63

64 As far as an update on installation, Ms. Castro reported they are 25% complete with the project and
65 expect to finish in 2nd quarter of 2023. Winter has caused some delays, but they have two full crews
66 working. She committed to provide monthly updates and will come back in person when they are ready
67 to begin service for the first customers.

68

69 There was discussion about whether businesses on 500 West would be included and if there will be a
70 service ring rather than tying everyone in through the main feed on 1100 West/500 South. This could
71 cause problems for customers in the northern part of the city when there are service issues lower in the
72 line. Also, discussion about road cuts and flowable fill being done in rain and cold conditions. Council
73 member Bruhn said he has not been happy with the quality of work and hopes it improves.

74

75 Steve Maughan commented that we are happy for the rain and snow, but it makes construction difficult.
76 Spring restoration will be needed; he said he expects 100% restoration and has expressed that to the
77 contractor.

78

79 Ms. Castro thanked the council for their time and committed to get more information and follow-up on
80 the issues discussed tonight. She said once the project is complete, they will check back annually to
81 make sure everything is good.

82

83 **4. Engagement Agreement for City Legal Services for Stephen B. Doxey. (moved on the agenda**
84 **to follow the Newsletter discussion – Item 7)**

85 Duane Huffman explained that staff recommends the council authorize the mayor to sign the updated
86 Engagement Agreement for legal service with Steve Doxey. Mr. Doxey has served as city attorney since
87 1998.

88 James Ahlstrom noted that legal rates have increased due to pressure from out of state firms. The rates
89 proposed by Mr. Doxey are very reasonable and he believes we are getting a great deal for an
90 outstanding attorney.

91 Mr. Doxey said that the agreement allows him to increase rates in the future, but he has not done so in
92 ten years and has no plans to do so in the near future.

93 **MOTION:** *Rod Wood Made a Motion to Authorize the Mayor to Sign the Engagement Letter*
94 *with Steve Doxey to Continue as City Attorney. James Ahlstrom Seconded the*
95 *Motion which PASSED as Reflected Below.*

96 *James Ahlstrom – aye* *James Bruhn – aye*
97 *Kelly Enquist – aye* *Mark Preece – aye*
98 *Rod Wood – aye*

99

100 **5. Expenditure Approval for Camera System Upgrades for City Hall.**

101 Duane Huffman explained that camera upgrades are needed at various locations on the interior and
102 exterior of the city hall property. The city has a proposal from Global Security who also provides
103 security camera systems for the golf course, city park, and new public works facility. Having the same
104 vendor will allow the city to integrate the security systems at all city locations. He noted that the
105 proposal is less than \$10,000 and detailed questions about location or other security elements could be
106 discussed in a closed session, if necessary.

107 **MOTION:** *James Ahlstrom made a Motion to Approve the Expenditure for Security Camera*
108 *Upgrades at City Hall. Rod Wood seconded the Motion which PASSED*
109 *unanimously.*

110

111 **6. Resolution 530-23, A Resolution Re-appointing Members to the West Bountiful Planning**
112 **Commission and Emergency Preparedness Committee.**

113 Mayor Romney proposed re-appointment of Corey Sweat to the Planning Commission, and Alan Malan
114 and Ron Crandall to the Emergency Preparedness Advisory Committee.

115 **MOTION:** *Kelly Enquist made a Motion to Approve the Mayor’s Proposed Reappointments*
116 *as Presented. James Bruhn seconded the Motion which PASSED as reflected*
117 *below.*

118 *James Ahlstrom – aye* *James Bruhn – aye*
119 *Kelly Enquist – aye* *Mark Preece – aye*
120 *Rod Wood – aye*

121

122 **7. Newsletter Discussion**

123 It has been some time since there has been a discussion on city newsletters and what the Council wants
124 as far as frequency and type. Recently the Arts Council expressed interest in having a member take over
125 newsletter duties for the city but withdrew this interest due to other commitments.

126 In past years, newsletters were typically printed quarterly and consisted of 6 pages which included a full
127 page for Arts Council activities. Over the last couple of years, newsletters have dropped to 4 pages and
128 have generally been issued 3 times a year plus a special one-page edition to promote holiday activities.

129 Newsletters are mailed to every resident and business in the city with current per-edition costs of \$400-
130 500 for printing (4 pages) and \$400-600 for postage. Design is handled in-house.

131 Duane Huffman explained that newsletters are handled many different ways by surrounding cities with a
132 trend toward electronic newsletters sent by email or posted on social media. Some cities include their
133 newsletters with their utility bills. He pointed out that a lot of people don't pay attention to mail or email
134 anymore because so much of it is junk. If we decide to go with an electronic version, we would need to
135 get everyone's email addresses, although there may be services that will do that for us, and we would
136 need an email platform.

137 Duane said the first thing we need to decide is what is the newsletter for? If it's primarily for special or
138 one-time events, it makes sense to mail something out because it's a marketing device. If the idea is to
139 keep people up to date all the time on many different things, it is best handled by a monthly newsletter.

140 There was discussion about the pros and cons of paper and electronic versions and the appropriate
141 frequency for distribution.

142 Mark Preece said he prefers electronic newsletters or maybe some kind of hybrid to help deal with our
143 older citizens who probably prefer paper. Not sure how to connect better with our residents; it seems
144 like we try various ways, and still have people complaining that they're not getting information.

145 James Ahlstrom said the costs seem low so suggested we continue with paper until we get to a point
146 where we can convert to electronic. We could ask people to sign up on social media until we get to a
147 point where we have enough information to transition to electronic.

148 James Bruhn commented that sending information quarterly sometimes seems too far out and people
149 forget by the time events happen; monthly updates would make news more timely. There is a fair
150 number of older people who will never go to social media.

151 Kelly Enquist noted that some cities send newsletters with water bills so they get monthly updates but
152 that doesn't work with our billing postcards. Maybe we could switch to different type of bill that would
153 allow us to include a newsletter.

154 Rod Wood is not sure we want to change billing with so many people paying online. He asked if the city
155 has been getting complaints from residents. Duane responded that the only comments have come from
156 the Arts Council because information on their concerts is not being received. Rod said we should
157 continue the newsletters and increase the frequency back to quarterly until we can find a better way.

158 Duane summarized the discussion. We will move back to quarterly newsletters on a set schedule for
159 now and begin researching email platforms for the future as part of the budget process.

160

161 **8. Meeting Minutes from December 20, 2022.**

162 **MOTION:** *Kelly Enquist Made a Motion to Adopt the Meeting Minutes from December 20,*
163 *2022, as presented. James Bruhn Seconded the Motion which PASSED*
164 *Unanimously.*

165 **7. Staff Reports**

166 Police – Asst. Chief Wilkinson

- 167
 - December statistics were provided in the packet; there were no questions on the information.
 - Asst. Chief Wilkinson has completed 9 years' service with the city.168
169

170 Public Works – Steve Maughan

- 171
 - Public Works facility construction is progressing. Sheetrock should be finished this week.
 - Google Fiber construction is also progressing. It is taking a lot of work to stay on top of what they're doing. A meeting was held last week to discuss quality issues and their work has improved since the meeting.172
173
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175 Engineering – Kris Nilsen

- 176
 - The 2023 Culinary Water & Road project went out to bid last week. We plan to award in early February. Prices are coming down, so we expect a competitive bid with a lot of interest from small companies.
 - We received grant funding for the 1100 W street widening/sidewalk project (200 N – 400 N) from both WFRC and Davis County so the entire project will be covered. The project has not yet been scheduled but will likely be 2024-2025.
 - Ivory is working on completing their plat for the 6-lot subdivision then will move on to the 3 remaining lots in Phase 2.177
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185 Community Development – Cathy Brightwell

- 186
 - The planning commission will consider a conditional use application for a home occupation on 660 West for Auto Italia auto repair business.187

188 Administration - Duane Huffman

- 189
 - Will attend Local Official's Day at the Legislature with three members of the YCC tomorrow.
 - I-15 reconstruction comments were submitted to UDOT on behalf of the city.
 - Duane was asked to continue one more year as chair/budget officer of the Administration Committee for the Fire District to try to create some consistency with their budget process.
 - Our City Prosecutor has been nominated as a judge to 2nd District Court so will need to be replaced.190
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195 **8. Mayor / Council Reports**

196 Rod Wood – thanked Duane for a great job on the UDOT comments.

197 James Ahlstrom – YCC update – The YCC advisors, Chris & Jen Christensen resigned. They are having
198 a child at the end of the month, so we are looking for new advisors. The YCC term ends in May and the

199 Jacobson’s recommend limiting member’s minimum age to 14 going forward, from the current 12 & 13,
200 because of the big difference in behavior and maturity in those ages. The Council is talking about a
201 recruiting contest to bring in more kids. Davis Behavioral Health will be at the next meeting for a
202 presentation on drugs and mental health and a pizza party.

203 Mark Preece – New Sewer District board member is Carl Pond, selected from 10 applicants.

204 James Bruhn – No report.

205 Kelly Enquist – Mosquito Abatement had 2 members leave/retire. A lot of cities are using drones for
206 mapping, etc. DJI, a large manufacturer of drones, is being banned for government agencies.

207

208 **9. Closed Session, if needed**

209 No closed session needed.

210

211 **10. Adjourn.**

212 **MOTION: James Ahlstrom made a Motion to Adjourn the Meeting. James Bruhn**
213 **Seconded the Motion which PASSED Unanimously.**

214

215 The foregoing was approved by the West Bountiful City Council by unanimous vote of all members
216 present on Tuesday, February 7, 2023.

217

218

Cathy Brightwell, City Recorder