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2 Minutes of the meeting of the City Council of West Bountiful City held on Tuesday,
3 September 21, 2010 at West Bountiful City Hall, Davis County, Utah
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5
6 Those in Attendance

7 MEMBERS PRESENT: Mayor Kenneth Romney, Dave Tovey,
8 John Baza, James Bruhn, Valerie Shaw, Mark Preece.
9

10 STAFF PRESENT: Craig Howe (City Administrator), Heidi
11 Voordeckers (City Recorder), Ben White (City Engineer), Randy
12 Lloyd (Chief of Police), Nathalie Ellingson (secretary).
13

14 VISITORS: Sandi Smith, Alan Malan, Kelly Enquist, Kathleen
15 Olsen, Terry Olsen, Todd Gardner, Gary Jacketta.
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18 Called to Order:

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20 Mayor Kenneth Romney of West Bountiful City called this
21 meeting to order at 7:32 pm.
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23 Invocation/Thought: Valerie Shaw
24

25 Pledge of Allegiance was led by James Bruhn.
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29 1.
30 Accept Agenda

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32 MOTION: James Bruhn moved to approve the Agenda.
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34 SECOND: Mark Preece seconded the Motion.
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36 PASSED: Voting was as follows:

37 Mark Preece – Aye

38 Valerie Shaw – Aye

39 James Bruhn – Aye

40 John Baza – Aye

41 Dave Tovey – Aye
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48 2.
49 Public Comment
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51 Kathleen Olsen, also known as Kathleen Yazzie, lives at 1272
52 North 700 West. She is the person who found the victim of an
53 attack on the Prospector Trail on September 11th. She asked that
54 the trail be made safer by removing the tall weeds so that people
55 walking along the trail can be visible from the homes adjacent to
56 the trail. Mayor Romney stated there was a cleanup planned for
57 the following Saturday, and hoped they would get a lot done.
58 Chief Randy Lloyd thanked Mrs. Olsen for what she did and also
59 thanked the victims for coming forward. He stated some of the
60 trail has already been cleaned by residents.
61

1 Todd Gardner lives at 2233 North 830 West. He suggested a
2 neighborhood watch program be implemented, and had already
3 spoken with the police secretary regarding cost of signs placed
4 along the trail. He would be willing to purchase them if the city
5 would hang them. He also suggested they see if any of the
6 residents along the trail would be willing to be a McGruff House.
7 Chief Lloyd agreed that McGruff Houses would be good, and
8 some houses have gates that open out onto the trail. Dave Tovey
9 said he would be willing to work on a watch program. It was
10 suggested an announcement regarding this be put in the newsletter.

11
12 Gary Jacketta lives at 1604 North 600 West. He wanted to know
13 how much money has been put away for water pipes since the fee
14 was raised. Heidi Voordeckers responded about \$150,000. The
15 amount they can put away will drop a little when seasonal usage
16 goes down, but the city is on target. Gary also asked why the city
17 hall is closed at noon. Craig Howe stated it is a government policy
18 that they be closed for one hour each day, but they have not
19 formerly done this. They have found that if they have a few people
20 keeping the office open during the lunch hours, more often than
21 not a person coming in to seek information or assistance will find
22 the person they need is not there anyway. Gary also asked if the
23 mailbox could be moved out of the school parking lot because
24 access is difficult at certain times of the school day. Craig said
25 they would speak with the postmaster.

26
27 Doug Lane, resident at 900 West 1600 North, presented some
28 home-grown vegetables to council, and commented that he has
29 been impressed over the past year to see how the city can rally in
30 certain situations, and he is proud to live in West Bountiful.

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33 3.
34 Consider approval of
35 Access Easement Agreement
36 Between West Bountiful City and
37 Rocky Mountain Power

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39 Craig Howe – when the Fronrunner came through there was a
40 reconfiguration of 800 West. Part of the road had to be vacated,
41 which left Rocky Mountain Power without an easement to service
42 their power station. Negotiations have been ongoing for about a
43 year, and the agreement they have reached was being presented to
44 council for their approval. A concern of the city had been they did
45 not want to easement to be used as a storage property. Valerie
46 Shaw asked if the easement extended along personal property.
47 Craig responded most of it is along the Holly property, and Holly
48 has approved it.

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50 MOTION: James Bruhn moved to approve the Access Easement
51 Agreement between West Bountiful City and Rocky Mountain
52 Power.

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54 SECOND: Dave Tovey seconded the Motion.

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56 PASSED: Voting was as follows:
57 Mark Preece – Aye
58 Valerie Shaw – Aye
59 James Bruhn – Aye
60 John Baza – Aye
61 Dave Tovey – Aye
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4. Discussion on the addition of a "Spice" Ordinance for West Bountiful City

Chief Randy Lloyd – Spice is a substance sold as incense in convenience stores. It consists of herbs that have been enhanced by chemicals, and young people have found that when inhaled it produces a high similar to marijuana. Since it is a new substance, there is no test to determine presence in the system. He has already had one DUI due to spice. Until there is an ordinance created against spice, it remains legal. He is strongly in favor of an ordinance.

Ogden City's ordinance was included in the packets for review by council. The County has created a sample ordinance, as well, which was also in the packets. Attorney Steve Doxey is reviewing them. Craig Howe stated there is also a proposal to send to the legislature supporting any action they may take. This matter will be brought up again the next council meeting after the attorney has finished his review.

5. Consider Revisions to the Employee Policies and Procedures Manual, Section XVII Benefits.

Craig Howe pointed out changes to this section regarding the return to work policy, the retirement system, and employee golf privileges. Valerie Shaw pointed out the policy regarding medical health insurance states "the employee may be required to contribute..." and suggested it would be more accurate to state "the employee will contribute...." Valerie also had a question regarding requirements of Workman's Comp as to where a person should seek urgent care. Craig said he would get an answer.

MOTION: Dave Tovey moved to table Item 5 pending an answer regarding the Workman's Comp requirement.

SECOND: John Baza seconded the Motion.

PASSED: Voting was as follows:
Mark Preece – Aye
Valerie Shaw – Aye
James Bruhn – Aye
John Baza – Aye
Dave Tovey – Aye

1 6.
2 Parks and Trails
3 Committee Report
4

5 Kelly Enquist – Since the organization of the Parks and Trails
6 Committee, they have had two meetings and a walk-through.
7 Their first focus is on maintenance issues in West Bountiful Park.
8 They are looking at fixing the bowery, updating the restrooms,
9 going to LED lighting (lighting experts recommend waiting until
10 LED technology is more stable and less expensive), repairing the
11 reservation sign, moving the baseball fields apart and fixing the
12 backstops and outfield fences, and purchasing new playgrounds.
13 Kelly stated he is not asking for money at this point, but merely
14 bringing suggestions to the council.
15

16 Kelly said he has tried to correspond with people at UDOT
17 regarding the Legacy Trail issues with no success. The city is
18 going to be in contact with representatives in the legislature on this
19 issue to see if anything can be accomplished by them. Signs are
20 needed on the trails because in the area by Birnam Woods people
21 do not know which trail they are on.
22

23 The committee suggested naming the DSB trail after it is
24 completed.
25

26 Terry Olsen was asked to talk about the Saturday cleanup he
27 organized. He stated that UTA owns the trail, and the cleanup
28 crews need to stay within the parameters agreed to with UTA.
29 They will need to work with what the city has because UTA does
30 not have money to contribute. The meeting time is 9:00 a.m.
31 Saturday morning, September 25th. On Thursday, a committee will
32 pick out the areas that need high priority. Terry asked for any ideas
33 the public may have to make the cleanup effort better. Craig Howe
34 stated it was important to take the names of all participants,
35 because while they are working on the trail they fall under
36 Workman's Comp for the activity. Also, UTA has asked that the
37 participants sign a release of liability to UTA. The city also
38 obtained some tickets from BARD to allow the participants to
39 dispose of the green waste.
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46 7.
47 Planning Commission Report
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49 Last week's meeting was cancelled. A conditional use permit for a
50 paint booth that is already in use will be discussed in the next
51 meeting.
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54 8.
55 Engineers Report
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57 Ben White – the staff received a memo from Steve Doxey
58 regarding the small subdivision variance, which will be forwarded
59 to the council for discussion. There is a difference between the
60 city's use and the state's use of variance. It is recommended they
61 implement a deferred improvement agreement as a standard policy.
62

1 A 7 Eleven is moving in at the Sinclair on 500 West. They want to
2 put a blowup Slurpee on the roof but the ordinances are not clear in
3 this case. Ben says he approves the blowup Slurpee during the
4 grand opening as long as the council agrees. The planning
5 commission needs to work on the language in the sign ordinance to
6 clear up situation like this.

7
8 The slurry seal will start Thursday or Friday of this week, and as
9 soon as Ben has an exact date, he will get it on the marquee.
10 Neighborhoods will get 48 hour notice on each door and a general
11 announcement is on the website.

12
13 500 West will be closed the first week of October at the
14 northbound access to the freeway.

15
16 The city received the grant for the DSB trail with 50% funding.
17 They did not get an environmental exclusion so the city will have
18 to go through the environmental process. They have two years to
19 complete the trail.

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21 9.
22 Police Report

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24 Chief Randy Lloyd reviewed the Month End Report. He made
25 some comments regarding the attack that took place September
26 11th on the trail. Other cities helped with the investigation. Officer
27 DeCarlo gave good TV interviews resulting in several good leads
28 which have since been ruled out. Citizens have been helpful.

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31 They have had both positive and negative comments. They will
32 deal with negative comments when the investigation is completed.
33 Chief Lloyd also referred to another incident that occurred two
34 days after the September 11th incident, and an ATV accident that
35 occurred when an ATV pulled from one trail to another. He would
36 like signs posted instructing proper use of the trail. Mayor
37 Romney stated that the more people using the trail, the less
38 likelihood of similar incidents. Using common sense, walking in
39 pairs, and cleaning up the weeds should all contribute to safety.

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42 10.
43 Finance Report

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45 Heidi Voordeckers presented the Finance Report for the period
46 ending August 31st. Sales tax revenue was up 4% from last year.
47 Payroll expenses are down. She is working on the procurement
48 ordinance and will have a redlined document to present to council
49 in the next meeting. The auditors have asked staff to remove some
50 bad debts out of the utility accounts, since the people have moved.
51 In the future they will set up an allowance for each year for bad
52 debts.

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55 11.
56 Administrative Report

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58 Craig Howe –

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60 The General Liability loss history has improved. No money has
61 gone to cover claims, so they are able to keep the same premium
62 rate and deductible. There could be decreases in the future.

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2 He has been approached by the Slaymaker Group. They want their
3 restaurant, Wingers, to market "growlers," which are portable
4 refillable containers of beer to be consumed off premises. The
5 current West Bountiful ordinance allows for alcoholic beverages to
6 be marketed in their original containers only. Craig researched and
7 found that the state would approve of growlers after April 2011.
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14 13.
15 Approval of Minutes
16 August 31 and September 7
17 City Council Meetings.
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19 Changes –
20 Dave Tovey – 9/7 minutes, on Page 4 line 11 change to "small lot
21 subdivision."
22 John Baza – 8/31 minutes, on Page 2 item 2, contract
23 Valerie Shaw – 9/7 minutes, on Page 4 line 12 should be "DUED."
24

25 MOTION: Dave Tovey moved to approve the August 31st and
26 September 7th minutes with noted changes.
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28 SECOND: Valerie Shaw seconded the Motion.
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30 PASSED: Voting was as follows:
31 Mark Preece – Aye
32 Valerie Shaw – Aye
33 James Bruhn – Aye
34 John Baza – Aye
35 Dave Tovey – Aye
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40 14.
41 Mayor/Council Reports
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43 Mark Preece – Attended the Utah League of Cities and Towns. A
44 meeting with Representative Roger Barrus is scheduled September
45 22nd, 2:00 p.m. at the city hall. Mayor Romney asked that all
46 council try to attend. Craig is setting up a tour of the Legacy Trail.
47

48 Valerie Shaw – Reminded Mayor Romney to appoint members for
49 George Biada's committee assignments.
50

51 James Bruhn – Received good information from the League of
52 Cities and Towns meeting he and Mark attended.
53

54 John Baza – Attended a DUED luncheon with Mark, and another is
55 scheduled October 12. He talked to someone whose company did
56 some work on a gateway project in Layton and he had good ideas
57 for the CDA. He may be able to attend a CDA meeting.
58 Regarding the golf course, Heidi will get Mike Bickers to give a
59 report on the golf course at a future meeting.
60

61 Dave Tovey – Question regarding the yearly Turkey Trot. Craig
62 stated it has been a burden on Beverly Haslam to organize it each

1 year, and the LDS Young Adult group has taken over the project.
2 They have paid a fee and will use the city hall for the tree. The
3 city only has to pay janitorial costs. Dave indicated he wants it to
4 remain a community effort, and Craig advised him to talk to Bev.
5

6 Mayor Romney – The Recreation Board is looking at refinancing
7 some loans for better interest rates. They made a list of members
8 and found that more recreation members come from West
9 Bountiful than any other city. A church from Washington Heights
10 has spoken with the Mayor regarding doing a service project in
11 West Bountiful. They will be meeting with Craig and the Mayor
12 next week. Regarding the Legacy Trail, besides the Barrus
13 meeting, Craig will be meeting with other city managers on
14 Thursday. He asked that the council be careful about discussing
15 any decisions at the Barrus meeting, since Craig intends to decline
16 signing the agreement. Mayor Romney asked everyone to help out
17 on Saturday morning at 9:00 a.m. for the cleanup.
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21 15.
22 Adjournment

23 MOTION: Mark Preece moved to adjourn.

24 SECOND: James Bruhn seconded the Motion.

25 PASSED: Voting was as follows:

26 Mark Preece – Aye

27 Valerie Shaw – Aye

28 James Bruhn – Aye

29 John Baza – Aye

30 Dave Tovey – Aye
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36
37 MAYOR KENNETH ROMNEY



38 HEIDI VOORDECKERS (CITY RECORDER)

39
40 NATHALIE ELLINGSON (SECRETARY)
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