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2 Minutes of the meeting of the City Council of West Bountiful City held on Tuesday,
3 November 16, 2010 at West Bountiful City Hall, Davis County, Utah
4

5
6 Those in Attendance

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

10 STAFF PRESENT: Heidi Voordeckers (City Recorder), Ben
11 White (City Engineer), Steve Doxey (City Attorney), Officer Corie
12 Hamilton, Nathalie Ellingson (secretary). Craig Howe and Chief
13 Randy Lloyd excused.
14

15 VISITORS: Terry Olsen, Kelly Enquist, Larry and Verlene
16 Stanger, Alan Malan, Sandi Smith.
17

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19 Called to Order:

20
21 Council Member James Bruhn called this meeting to order at 7:30
22 pm.
23

24 Appointment of Mayor Pro Tem

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26 MOTION: Dave Tovey moved to appoint James Bruhn to serve as
27 Mayor Pro Tem for this meeting.
28

29 SECOND: Mark Preece seconded the Motion.
30

31 PASSED: Voting was as follows:
32 Mark Preece – Aye
33 Valerie Shaw – Aye
34 Dave Tovey – Aye
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36 Invocation/Thought: Dave Tovey gave a thought.
37

38 Pledge of Allegiance was led by Mark Preece.
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41

42 1.
43 Accept Agenda
44

45 MOTION: Valerie Shaw moved to accept the Agenda as written.
46

47 SECOND: Mark Preece seconded the Motion.
48

49 PASSED: Voting was as follows:
50 Mark Preece – Aye
51 Valerie Shaw – Aye
52 Dave Tovey – Aye
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56 2.
57 Public Comment
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59 Lawrence Stanger told of an incident involving garbage pickup.
60 He did not have his garbage at the curb in time for the pickup, so
61 he moved his cans across the street. The truck driver skipped his
62 cans when he went down the other side, and told Mr. Stanger he

1 was not authorized to dump more than two cans at that house. Mr.
2 Stanger pointed out his cans had not been in front of his house, but
3 it happened that someone else had put their cans in front of his
4 house, so as far as the driver was concerned, he had already picked
5 up two cans from each house. Ben White stated he has spoken
6 with Waste Management, and the drivers are instructed to dump all
7 the cans on the street; they are not authorized to decide which cans
8 to dump or not. James Bruhn stated that citizens also have the
9 option of calling the city if they miss a pickup, and the city will
10 send a truck out.

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13 3.
14 Employee of the Month –
15 Reserve Officer Corey Boyle

16
17 Officer Corie Hamilton read a letter from Chief Lloyd
18 commending Officer Boyle for his actions on a vehicle burglary.
19 After the burglary was reported, he saw two individuals running,
20 he got out and chased them on foot, climbing over a barbed wire
21 fence. All during the chase he kept dispatch updated as to his
22 location. He was able to apprehend them when they were climbing
23 a vinyl fence. Other officers arrived and they found a third
24 individual. Officer Boyle's initiative and quick action is an asset to
25 the department. He works 10 to 40 hours per week for the
26 department on his own time.

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32 4.
33 Consider Approval of
34 Legal Service Agreement
35 for City Attorney – Steve Doxey

36
37 Heidi Voordeckers – the Legal Service Agreement has been
38 reviewed by outside council and the city administration. The
39 advantage to the city is that they will get attorney services for a
40 guaranteed number of hours at a discounted rate. The
41 administration recommended approving the agreement.

42
43 MOTION: Mark Preece moved to approve the Legal Service
44 Agreement for City Attorney.

45
46 SECOND: Dave Tovey seconded the Motion.

47
48 PASSED: Voting was as follows:
49 Mark Preece – Aye
50 Valerie Shaw – Aye
51 Dave Tovey – Aye

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55 5.
56 Consider Approval of
57 Resolution 269-10, A Resolution
58 Establishing a Fee Schedule for
59 Business/Beer Licenses and Home
60 Occupation/Conditional Use Permits

61

1 Heidi Voordeckers – the staff has been reviewing the fee schedules,
2 many of which are outdated. Business licenses had been at a
3 graded scale based on gross income, but the State of Utah rules
4 changed in 1996-97. Fees should now be based on the cost of
5 providing services to the business.
6

7 The procedure required to grant a beer license was reviewed to
8 determine fees that would cover administrative costs.
9

10 There is a provision in the ordinance for a horse-drawn carriage
11 permit. To the best of the staff's knowledge, this permit has never
12 been applied for.
13

14 A fee for Home Occupation/Conditional Use applications has not
15 been imposed in recent years. The staff would like to include a fee
16 in the schedule to cover administrative costs associated with
17 reviewing these applications. The Planning Commission
18 recommended an increase in the Conditional Use fee to cover the
19 cost of the Planning Commission review.
20

21 Fees have been set as follows:

22 Annual business license fee - \$50 plus \$5 for each employee

23 Beer Licenses – Class A - \$250 (up from \$100)

24 Class B - \$300 (up from \$150)

25 Class C - \$350 (up from \$300)

26 Horse Drawn Carriage – Annual license fee plus \$50 per carriage
27 per year

28 Home Occupation Permit - \$20 for application/review

29 Conditional Use Permit - \$20 application/review for residential
30 zones, \$50 application/review for commercial zones.
31

32 Steve Doxey stated he recommends the fees be higher. In addition,
33 the city should charge for annual renewals of business and home
34 occupation licenses, because renewals should be reviewed for
35 violations each year. Valerie asked what other cities charge for
36 these licenses and Heidi said from \$50 to \$300.
37

38 MOTION: Dave Tovey moved to approve Resolution 269-10,
39 establishing a fee schedule for business/beer licenses and home
40 occupational/conditional use permits, with provision that staff is
41 instructed to review home occupational/conditional use fees.
42

43 SECOND: Mark Preece seconded the Motion.
44

45 PASSED: Voting was as follows:

46 Mark Preece – Aye

47 Valerie Shaw – Aye

48 Dave Tovey – Aye
49

50 6.

51 Consider Approval of
52 Resolution 270-10, A Resolution
53 Increasing the Bowery Rental Fee
54 at the West Bountiful City Main Park
55 and the Bowery behind City Hall
56

57 James Bruhn stated the Parks Committee is hesitant to establish a
58 fee until improvements to the boweries are complete. They want
59 to talk with the staff regarding clean-up of the boweries before and
60 after events. There was also a question whether they are allowed
61 to charge a rental fee for a bowery that is on city property. It was

1 recommended the action be tabled but it will be addressed before
2 the public begins making reservations for 2011.

3
4 MOTION: Valerie Shaw moved to table Resolution 270-10
5 increasing Bowery rental fees pending further research and
6 completion of the repairs.

7
8 SECOND: Dave Tovey seconded the Motion.

9
10 DISCUSSION: Kelly Enquist should bring his recommendations
11 to the meeting held December 7th.

12
13 PASSED: Voting was as follows:
14 Mark Preece – Aye
15 Valerie Shaw – Aye
16 Dave Tovey – Aye
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20 7.
21 Consider Approval of Additions
22 to West Bountiful City Personnel
23 Policies Chapter VII: Employee Codes
24 of Conduct, Section 18c (Secondary
25 Employment).

26
27 Heidi Voordeckers – provision were missing from the Policies
28 regarding hiring city employees for an additional job outside their
29 original scope of work. The city wants to hire the city
30 administrator and a police officer to help run the snow plows
31 during the winter. A provision has been written that will allow this,
32 and it has been reviewed by Steve Doxey. He recommended some
33 changes be made that are clerical and provide consistency in the
34 document, but do not change the substance.

35
36 Valerie asked if the policy regarding outside employment for
37 employees is being adhered to. Employees are required to provide
38 a written statement to administration if they are taking a second
39 job. They will check with Craig Howe to see if this is being done.
40

41 MOTION: Dave Tovey moved to approve additions to West
42 Bountiful City Personnel Policies Chapter VII after changes
43 recommended by Steve Doxey.

44
45 SECOND: Mark Preece seconded the Motion.

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47 PASSED: Voting was as follows:
48 Mark Preece – Aye
49 Valerie Shaw – Aye
50 Dave Tovey – Aye
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2 8.
3 Consider Approval of the
4 Interlocal Cooperation Agreement
5 between Davis County and
6 West Bountiful City for the
7 Urban Trail Systems.

8
9 Ben White – West Bountiful City has received a 50% matching
10 grant to construct a trail along the DSB canal from 800 West to
11 Legacy Trail. The canal and the right of way are owned by Davis
12 County, so it was necessary to get an easement in order to
13 construct the trail. An easement agreement was provided to
14 council for approval.. The new trail will be asphalt ten feet wide,
15 with additional width for an equestrian trail. The county will be
16 responsible for the maintenance of fences along the trail, and the
17 city will be responsible for maintenance of the trail and the
18 landscaping.

19
20 MOTION: Mark Preece moved to approve the Interlocal
21 Agreement between Davis County and West Bountiful City for the
22 Urban Trail System.

23
24 SECOND: Dave Tovey seconded the Motion.

25
26 PASSED: Voting was as follows:
27 Mark Preece – Aye
28 Valerie Shaw – Aye
29 Dave Tovey – Aye
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34 9.
35 Planning Commission Report

36
37 Ben White – the main item of discussion has been the codes
38 regarding signs. The current ordinance does not allow for
39 residential signs such as “for sale” signs, election signs, lemonade
40 stands, garage sales, etc. The Planning Commission is working on
41 changing that part of the ordinance, and are going over commercial
42 ordinances regarding temporary banners, sidewalk signs, etc. A
43 provision for residential signs will not apply to home occupations
44 where advertising at the home is not allowed.
45
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47

48 10.
49 Police Report

50
51 Officer Corie Hamilton presented the report. Officer Brown
52 arrested three people who had \$86,000 in warrants. Officer
53 Hamilton arrested two women, one on parole, for home burglaries.
54 These women stole from homes with garage doors open and cars
55 unlocked. She stated the police warn that most criminals do not
56 want to break in to a house or car, so they recommend locking all
57 doors.
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61 11.
62 Finance Report

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2 Heidi Voordeckers – October sales tax is down from last year. City
3 spending is way down, not counting capital projects. As budget
4 time approaches, she asked council to begin thinking about the
5 police vehicles, fire protection services, and benefit increases.
6 Long-term assessments will need to be made. Department heads
7 and council should get together sometime in January for a meeting.
8 Heidi stated concerns about the \$50,000 increase with the fire
9 department, and water projects that are coming up, particularly
10 how they dovetail with street projects.
11

12 12.
13 Administrative Report
14

15 Heidi Voordeckers – There was a water leak last Thursday at 400
16 North and 800 West. She is planning a TEC meeting on November
17 30 at 6:30 pm. The November 30th special council meeting will
18 have a big agenda; they will discuss an annexation issue, the
19 prosecutor contract, and the auditors will be coming to present the
20 annual report. There will probably be no meeting held December
21 21th.
22

23 13.
24 Mayor/Council Reports
25

26 Mark Preece – Communications Committee – copies of the
27 newsletter were available at the meeting, and they will be in
28 residents' mailboxes tomorrow. Historical Committee – met two
29 weeks ago and discussed restoring a house in the area.
30

31 Valerie Shaw – Attended Holly Oil's open house. She said it was a
32 nice gesture of Holly, and they were good with answering
33 questions from the public that were there. She said she called
34 Mayor Romney when she became aware of the leak last Thursday,
35 and she also pointed out there are new potholes on 400 North. She
36 has been participating in the prosecutor interviews, along with
37 Steve Doxey, John Baza, and Craig Howe, and they have had very
38 good applicants. They are hoping to have a good recommendation
39 by the meeting November 30th.
40

41 Dave Tovey – Youth Council met last week. They are busy at
42 work on the Elf Tree. The turkey trot portion of the project will
43 take place this coming weekend and the Elf Tree portion will be up
44 by November 22nd.
45

46 James Bruhn – He attended a Wasatch Integrated meeting where
47 they did their final budget. Their finances are very good. The Arts
48 Council is continuing with concerts every third Friday of each
49 month; however there will be no concert in December.
50

51 14.
52 Approval of Minutes
53 of October 19, 2010
54 City Council Meeting
55

56 MOTION: Mark Preece moved to approve the Minutes of October
57 29, 2010 City Council Meeting.
58

59 SECOND: Dave Tovey seconded the Motion.
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61 PASSED: Voting was as follows:
62 Mark Preece – Aye
Valerie Shaw – Aye

Dave Tovey – Aye

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15.
Closed Meeting, if necessary,
for reasons allowed by State Law

Not necessary.

16.
Possible Action Following
Closed Meeting

Not necessary.

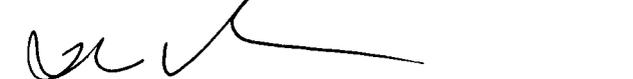
17.
Adjournment

MOTION: Valerie Shaw moved to adjourn the meeting.

SECOND: Dave Tovey seconded the Motion.

PASSED: Voting was as follows:
Mark Preece – Aye
Valerie Shaw – Aye
Dave Tovey – Aye


MAYOR KENNETH ROMNEY


HEIDI VOORDECKERS (CITY RECORDER)



NATHALIE ELLINGSON (SECRETARY)