

1 Minutes of the meeting of the City Council of West Bountiful City held on Tuesday,  
2 January 18, 2011 at West Bountiful City Hall, Davis County, Utah.

3

4 **Those in Attendance**

5 MEMBERS PRESENT: Mayor Kenneth Romney, John Baza,  
6 James Bruhn, Mark Preece and Dave Tovey.

7

8 Members Excused: Valerie Shaw until 8:15 p.m. Dave Tovey  
9 excused at 9:00 p.m.

10

11 STAFF PRESENT: Craig Howe (City Administrator), Randy  
12 Lloyd (Chief of Police), Heidi Voordeckers, Ben White, Steve  
13 Doxey, Debbie McKean (secretary).

14

15 VISITORS: Bob and Carolyn Cox, Alan Malan, Kelly Enquist,  
16 Terry Olsen, Doug Layne, Officer Brown, Officer Whitear, Officer  
17 Ellery, Officer De Carlo, Sandra Smith, Yvonee Preece, Brent  
18 Peters.

19

20

21 **Called to Order:**

22 Mayor Kenneth Romney of West Bountiful City called this  
23 meeting to order at 7:30 pm.

24

25 Invocation/Thought: Mark Preece gave an invocation.

26

27 Pledge of Allegiance was led by Dave Tovey.

28

29 **1.**

30 **Accept Agenda**

31 MOTION: Dave Tovey moved to accept the Agenda with the  
32 change of moving Item 11 to Item 4A.

33

34 SECOND: Mark Preece seconded the Motion.

35

36 PASSED: Voting was unanimous in favor.

37

38 **2.**

39 **Public Comment**

40 No comments from the public. Mayor Romney took the  
41 opportunity to:

- 42 • Thanked the Communication Committee for the Newsletter.
- 43 • Asked the Staff to come up with applications for the Historic Commission and the Golf  
44 Board.
- 45 • Asked who was affected by the recent water leak.

46

47 **3.**

48 **Public Hearing to receive**  
49 **Input of the proposed**  
50 **Annexation of the Certain**  
51 **Real Property located at**  
52 **1288 West 1200 North**  
53 **West Bountiful, UT**

54

55 Engineer Ben White introduced the proposed annexation of the Robert D. Cox property being of  
56 1.29 acres into the A-1 Zone which conforms to the current A-1 zone. Current use is non-  
57 conforming as the property is a duplex. The property lies adjacent to the golf course on the west  
58 side. It was noted that Rocky Mountain Power owns the piece just west of that property.  
59 Heidi Voordeckers reported that letters have been sent to all parties of interest in Davis County.  
60 Item 4 will be need to be tabled because they do not have the survey plat map. Mr. Doxey  
61 mentioned that, if the plat had been submitted, Agenda Item 4 could have an action taken this  
62 evening since no written protests to the annexation have been received.

1  
2 MOTION: Dave Tovey moved to open the public hearing at 7:45  
3 p.m. to receive comment on the proposed annexation of the Certain Real Property located at  
4 1288 West 1200 North West Bountiful, UT.

5  
6 SECOND: John Baza seconded the Motion.

7  
8 PASSED: Voting was as follows:  
9 Mark Preece – Aye  
10 James Bruhn – Aye  
11 Dave Tovey – Aye  
12 John Baza – Aye

13  
14 MOTION: Dave Tovey moved to close the public hearing at 7:47 p.m. as no public comment  
15 was made.

16 SECOND: John Baza seconded the Motion.

17  
18 PASSED: Voting was unanimous in favor.

19  
20 **4.**  
21 **Consider Approval of**  
22 **Ordinance 324-11- An**  
23 **Ordinance Amending the**  
24 **Zoning Map and Annexing**  
25 **Certain Real Property**  
26 **Located at 1288 W 1200 N**  
27 **Property of Robert D. Cox,**  
28 **Trustee**

29  
30 MOTION: Dave Tovey moved to table the motion until the  
31 Survey Plat is received.

32 SECOND: John Baza seconded the Motion.

33  
34 PASSED: Voting was unanimous in favor.

35  
36 **4a.**  
37 **Discussion and Input on the**  
38 **Interest of combining the North**  
39 **Salt Lake, Woods Cross, and**  
40 **West Bountiful Police Department**  
41 **Into a Metro Police Department**  
42

- 43 • Mayor Romney briefed the Council on a meeting that he had with North Salt Lake and  
44 Woods Cross for the intent of combining the three cities making a Metro Police  
45 Department. He introduced the idea to the Council and asked them if they would be  
46 interested in entertaining the possibilities of doing so.
- 47 • Mayor Romney met with our police department earlier this evening to tell them about  
48 the possibility of discussing this item among the City Council.
- 49 • Mayor asked the council if they were interested in pursuing the possibility.
- 50 • Mayor reported that he did a ride along the other night with our officers and it was very  
51 interesting to see what all they do in various parts of the city. Mayor comment how  
52 impressed he was.
- 53 • Mayor feels all is going well with our department but feels that this could help with  
54 budgeting issues we face. He feels torn in weighing out the pros and cons.
- 55 • He would like the council to talk to the citizens if this is something they would like to  
56 pursue. The details are yet to be worked out, but Mayor wanted to know if they were  
57 interested in discussing it.

58  
59 Initial thoughts of the council were:

- 60 • Dave Tovey with the short time he has had to think about it, he would like to know if it  
61 really was cost effective. He thought it was appealing to have more resources, but was  
62 concerned about how it could be managed. He would be in favor of researching it out.

1 Mr. Tovey noted that he feels our Police Department is doing a wonderful job. One  
2 concern would be if this would help us control our cost. He noted his disappointment  
3 with the Metro Fire Department and how much we spend for how little we actually  
4 receive.

- 5 • John Baza noted that he has been involved in things like this several times. Hard lines of  
6 no greater cost with no less service need to be drawn, which doesn't always happen. If  
7 we have the discussion we need to keep those two things in mind. Why are we looking at  
8 doing this? He would like citizen input and to talk to the officers. Not opposed but wants  
9 to know why this makes sense to do.
- 10 • James Bruhn agrees with John Baza and would also like to hear what the Chief is  
11 thinking concerning. He always has wanted to wheel down the budget as it is a third of  
12 our budget. He would like to see the cost savings. It is big enough then it could be a  
13 consideration.
- 14 • Mark Preece has had a bit more time to think about this issue. He feels that it does not  
15 make sense for us being the size of city we are. If it isn't going to save us money then he  
16 is not interested in it. He is not opposed to pursuing it. He spoke with a City Council  
17 person from Woods Cross and they did not think it would be a better thing for our city  
18

19 Chief Randy Lloyd addressed the Council regarding his feelings.

- 20 • He did not feel it would be a cost savings and in fact may cost us more. For Woods  
21 Cross it could be a cost savings as they would be losing a high paying position and  
22 gaining more manpower.
- 23 • He noted that this has been a topic of discussion for years but the issue has been how  
24 much work it take. Any cost saving to our city would come in several years down the  
25 road.
- 26 • He feels it is not necessary for us but noted the difficulty of maintaining high quality  
27 officers with our small department and felt that there would be more opportunities for the  
28 officers. Moral could possibly increase with the opportunities.
- 29 • He felt that identity may be lost but control could be maintained through the members of  
30 the board.
- 31 • He expressed that things aren't broken here, but it could be something to research and a  
32 good thing for the future.
- 33
- 34 • Valerie Shaw asked if the ground work was laid that we are not to pursue this unless  
35 everyone was agreeable to do so.
- 36

37 \*\*\*Special Note: Valerie Shaw joined the meeting at 8:15 p.m.

38  
39 Officer Jessie Whitear addressed the council and spoke of his feelings and emotion for this  
40 police department over the past 3 years.

- 41 • He loves West Bountiful and feels it is a great department. He sees some benefit in  
42 having more resources to pull from when incidents occurs in West Bountiful.
- 43 • As police it sounds great because we are all working together anyway. He is not familiar  
44 with all the details but likes the idea and feels like the other officers feel the same.
- 45 • They are happy here but see the benefits this unity could bring. There will be some  
46 concerns but feels like in the future it could be a great thing.
- 47

48 Mayor Romney noted that Officer Whitear's comments reflect those that he received at the early  
49 meeting they had this evening. They felt like there would be more opportunities for them while  
50 still serving a community they love to serve.

- 51
- 52 • Mayor asked the citizens present to talk to their council members about their feelings.
- 53 • The consensus was that this issue should be researched and facts brought forth for  
54 discussion. James Bruhn wants all the discussion to be out in the open.
- 55 • Valerie Shaw does not want to feel pressured into making a decision because one  
56 department has the need to make a decision within a shorter timeline. She wants a  
57 comparison done between what the differences are keeping our department as is, creating  
58 a metro department, or contracting with the county. She noted we need to be careful to  
59 look at everything. If there is no benefit to the citizen's then it may not be a good option.  
60 She felt we need to look at all options and not be in a hurry. She recognized our officers  
61 are doing a great job, hope they are put to ease about keeping the an open discussion.

- 1       • Mark Preece wants to pursue it but does not want to have to be pressured into making a  
2       decision.  
3

4 Mayor will inform Woods Cross and North Salt Lake that we will pursue the issue but do not  
5 want to be pressured into the decision because of their time table. We will keep our eyes wide  
6 open.  
7

8 Kelly Endquist felt that something doesn't smell right concerning this issue. Mayor noted that  
9 this was brought about because the Woods Cross Chief has announced his retirement and it  
10 seemed like a good time for them to pursue this option. This is just a preliminary discussion  
11 item. It was also noted the WX Chief is retiring due to medical issues.  
12

13 Chief Lloyd commented that if this would not be an improvement and a win/win situation then  
14 there should be no reason to do it.  
15

16 **5.**  
17 **Consider Approval of**  
18 **Notice to Award to Green**  
19 **Construction, Inc. for the**  
20 **400 North Water Line**  
21 **Replacement Schedules**  
22 **A and B**  
23

24 Ben White informed the council that bids have been received for a project on 4<sup>th</sup> North Water  
25 line. Mr. White would like approval to recognize Green Construction as the low bidder in this  
26 project and to ask them to go forth writing a contract to be accepted by the City Council. Asphalt  
27 replacement would be included in this bid and contract. Mr. White noted that Green is a well  
28 know reputable business. Project will be broken into two parts A and B and the part in front of  
29 Eldredge House will be done in April while the portion by the school would be done in June after  
30 school is out. There would be a few days of road closures during the project. Mayor inquired if  
31 the work that Bountiful Heights Church wants to do has been mentioned in correlating the  
32 service projects they have planned to do in the summer. Ben noted that he has checked for  
33 imbalances on the bid and found none. The water bond monies will be used for this project.  
34 Funds are still available for this project.  
35  
36

37                   MOTION: Mark Preece moved to approve the notice to award  
38 Green Construction, Inc. the 400 North Waterline replacement  
39 schedules A and B and present a contract for consideration.  
40

41                   SECOND: Dave Tovey seconded the Motion.  
42

43                   PASSED: Voting was as follows:  
44                               Mark Preece – Aye  
45                               Valerie Shaw – Aye  
46                               James Bruhn – Aye  
47                               Dave Tovey – Aye  
48                               John Baza- Aye  
49

50 **6.**  
51 **Consider Appointment of**  
52 **Ordinance 323-11 Increasing**  
53 **The purchase order thresholds**  
54 **And updating the procurement**  
55 **Policy for West Bountiful City**  
56

57 Craig Howe addressed the council requesting that a change be made from \$100 current threshold  
58 of a purchase order to \$5,000.

- 59       • Mr. Howe reviewed with the City Council the current procurement policy and  
60       emphasized that there must be authorization by a department head or city council in order  
61       to make purchases.

- 1 • He reviewed the noted changes that he would like made to the Procurement Policy with  
2 the council that was included in the City Council Packet.  
3 • He noted that these changes have been reviewed by Steve Doxey.  
4 • Steve Doxey's suggested changes were made as well to the document.  
5  
6 • Mr. Layne, (citizen) feels like this would not be well for the check and balance system of  
7 the city.  
8  
9 • Mayor Romney noted that detail of expenditures are brought before him currently for  
10 signing off, but he will have that brought before the council.  
11  
12 • Heidi Voordeckers explained the process and policies that are used when making  
13 purchases for the city.  
14  
15 • She noted that there are not too many purchases that need this \$5,000 threshold, but this  
16 would give departments lee way to make purchases and help us stay more realistic in  
17 complying with our auditors.  
18  
19 • Mayor asked if all expenditures would need to be put on the website due to the new  
20 transparency law from legislature.  
21  
22 • Craig Howe noted that by May 15<sup>th</sup> we will be required to be more transparent. He  
23 invited anyone to come and look at the books.  
24  
25 • Mr. Howe reported that our financial system doesn't handle PO's very well. He briefly  
26 explained why this request of change would be a benefit to us. Expenditures are pre-  
27 authorized by the council as they pass the yearly budget. As long as the department is not  
28 going over the amount approved then they are authorized to spend that money as needed.  
29  
30 • Mr. Howe pointed out that in 2009 our city was close to bankruptcy but today we have  
31 some cash flow.  
32  
33 • Steve Doxey noted that the levels approved are determined by the City Council rather  
34 than the State legislature, but the procurement procedures need to meet state  
35 requirements. He pointed out that there needs to be checks and balances in the system  
36 but also a way to practically manage the system. Most of these changes made this  
37 evening track the state law.  
38

39 Special Note: Dave Tovey was excused at 9:00 a.m.  
40

41 MOTION: Valerie Shaw moved to accept as written Ordinance  
42 323-11, an ordinance increasing the purchase order thresholds and  
43 updating the procurement policy for West Bountiful, with the  
44 amendment that the purchase order threshold be \$2500.  
45

46 SECOND: James Bruhn seconded the Motion.  
47

48 PASSED: Voting was as follows:

49 Mark Preece – Aye

50 Valerie Shaw – Aye

51 James Bruhn – Aye

52 Dave Tovey– excused due to an emergency

53 John Baza- Aye  
54

55 7.

56 **Planning Commission**

57 **Report**  
58

- 59 • Valerie Shaw reported that the ADU Ordinance was discussed in detail and asked the  
60 question “what do we want to accomplish by passing this ordinance?”. She asked that it

1 be reviewed by each of the council members and comments they have be emailed to her  
2 so she can pass those ideas onto Planning Commission and copy Craig, Ben, and Steve.

- 3 • She reported about the Home Occupation Permit and the discussion that took place  
4 among the commission.
- 5 • House Bill 197 was also introduced and commissioners were made aware of it's presence  
6 in the legislature.

7  
8 **8.**

9 **Engineer Report- Discussion**  
10 **On ADU Ordinance**

11  
12 Ben White included a memorandum in the council's packets which asked the following questions  
13 in regards to the ADU Ordinance issue:

- 14 1. What are we trying to accomplish with the ADU Ordinance? Do we want to allow  
15 rentals?
- 16 2. Is the ADU Ordinance like our current ordinance as it reads acceptable or do we need  
17 create restrictions such as owner cannot charge rent, must be a family member, must have  
18 direct access to the remainder of the house, fit single family architecture and recorded  
19 deed restrictions. Do we want to broaden the restrictions and rental ability?
- 20 3. Do we even need/want an additional ordinance. Build what you want but create a deed  
21 restriction that would control what could be built?
- 22 4. Let a property owner be permitted to build whatever he/she wants
- 23 5. We could consider limiting the area which this could be accepted in.

24  
25 Bottom line- Do we or do we not want an ADU Ordinance? What are its conditions?

- 26  
27 • Ben White stressed that having this ordinance will help the city enforce what they want to  
28 be enforced. Anything will be better than what we have presently.
- 29  
30 • Steve Doxey noted that currently the city has not areas in the city where multi-family  
31 dwellings are allowed. It is very difficult to enforce this issue with non-related persons  
32 living in a single dwelling unit. He feels that it is necessary to make those refinements in  
33 this Ordinance so enforcement can be allowed.
- 34  
35 • John Baza reminded council that the recommendation needs to come from the planning  
36 commission, while City Council makes the final decision as the Land Use Authority.
- 37  
38 • James Bruhn pointed out some things he thought were and weren't issues to consider.  
39 Does not want the dwelling to be able to be pointed out. Valerie Shaw felt the same but  
40 did not want rentals to be allowed.
- 41  
42 • Both Mark Preece and John Baza want to allow the broader allowances with the look of  
43 a single family home.
- 44  
45 • James Bruhn noted that we would have to enforce the current nuisance ordinances to  
46 control parking and such.
- 47  
48 • Steve Doxey pointed out that what is trying to be done is to change the current ordinance  
49 that does not allow an individual to help a family member.
- 50  
51 • Craig Howe pointed out that we need to consider what we want our community to look  
52 like and what we want to allow. We need to be able to have the power to enforce what is  
53 in our ordinance.
- 54  
55 • Heidi Voordeckers reminded that a Public Hearing needs to be set so that we can get  
56
- 57 • Bob Cox (citizen) pointed out that we need to consider that fact that people are living  
58 longer and there is not anymore ground available. He offered his help in abiding by  
59 whatever ordinance was put into place.

60

- 1       • Alan Malan noted that Ben White is coming from the point of view of enforcement. He  
2       however through research feels like if we define a single dwelling unit the rest would fall  
3       into place. He noted that the home should have all areas accessible to everyone and that  
4       all utilities need to be in common.  
5

6     **9.**  
7     **Finance Report**  
8

- 9       • Heidi Voordeckers reported that sales tax revenues are down from projections, with the  
10       shortfall being covered by higher than anticipated franchise tax receipts. Down 90,000  
11       due to the change of legislature that redirected tax distribution, but other areas have  
12       compensated for that, but that will not continue to be the case. We continue to try to do  
13       more with less.  
14

15    **10.**  
16    **Administrative Report**  
17

- 18       • Craig Howe reported on a leased piece of equipment that they are considering buying off  
19       at the lease end. Trying to be efficient in everyway with spending. Meeting with Roger  
20       Barrus this afternoon about the drainage issues on 1200 N. He reported that UDOT  
21       remains in denial but recognize the issues at hand. Ben White feels that there will be a  
22       compensation package to come, but may not be all we expect it to be. Mr. White thinks  
23       the proposal will come sooner than later.  
24       • Thursday afternoon there will be a meeting with all City Managers regarding UDOT and  
25       Legacy and the standing is that we will not do anything until the drain issues are satisfied.  
26       • Friday there will be training on Health Insurance issues. Changes will need to be made  
27       as increases continue to be 20% or better a year.  
28       • Citizens on 550 North with gutter issues have been resolved as of today.  
29       • 2000 North bridge has been repaired to date.  
30       • Redone the design engineer package for the sprinkler bids. Cost will go up but we want  
31       to do it right and have it last forever.  
32

33    **MOTION CALLED FOR:**  
34

35    At 9:55 p.m. Valerie Shaw moved to extend the meeting to 10:30 p.m. James Bruhn seconded by  
36    James Bruhn.  
37

38    **11.**  
39    **Discussion and Input on the**  
40    **Interest of combining the North**  
41    **Salt Lake , Woods Cross, and**  
42    **West Bountiful Police Department**  
43    **Into a Metro Police Department**  
44

45    *This item was moved to item 4A.*  
46

47    **12.**  
48    **Approval of Minutes of**  
49    **Previous Meeting**  
50

51                                   MOTION: Mark Preece moved to approve the Minutes from the  
52                                   City Council Meeting held January 4, 2011.

53                                   SECOND: Valerie Shaw seconded the Motion.  
54

55                                   PASSED: Voting was unanimous in favor.  
56  
57

58    **13.**  
59    **Mayor/Council Reports**  
60

61    **Mayor Romney reported that:**  
62

- 1 • We received a C- in transparency on our Web Site. We have Leaders Contact,
- 2 Administration Contact Info. , Budget Information, etc. Things we did not have on our
- 3 Web Site: Government Contracts, Financial Audit, Lobbying Information, How to
- 4 request public information and building permits.
- 5 • Slurry Sealing issues will be discussed at length before we do it again per some concerns
- 6 from citizens.
- 7 • Public Works have been contacted by Mayor regarding the potholes throughout the city.
- 8 • Update on service project from Washington/Bountiful Heights. Mayor reported that we
- 9 have received 8 applications and can have up to 15 homes the week of June 20<sup>th</sup> that will
- 10 be benefited from a service project from the Washington/Bountiful Heights Church.
- 11 • Met with tax commission and the reporting to taxes has changed and those changes have
- 12 to take care of state and federal taxes. Taxes from indirect sales have been redistributed
- 13 which greatly effects what our city receives. Part in direct sales part in internet sales,
- 14 they cannot tell us where the money was coming from and where it is going now. Sales
- 15 Tax over all is slightly down by 3 to 4% over last year. We were benefitting from the way
- 16 the tax distribution was before, but now it has hurt us revenue wise. This was adopted in
- 17 2008 and came in effect in 2010. It is a change in National Tax Policy. We did not
- 18 realize that this was going to happen in this budget, but we are on track in every other
- 19 way.
- 20 • Elks had their annual awards and Jeremy Brown. Lucile Eastman Citizen of the Year
- 21

22 **Mark Preece**

- 23 • Has a Packet on Tourism from a meeting attended today. Newsletter went out this week.

24 **Valerie Shaw**

- 25 • Thanks to public works for responding to the big leak on a holiday at 10<sup>th</sup> North and 800
- 26 West.

28 **James Bruhn-**

- 29 • Arts Council put on a fantastic concert last Friday.
- 30 • Missed a Public Works Committee Meeting, need another council member on that
- 31 **committee in case he can't attend due to work.**

32 **John Baza-**

- 33 • No report.
- 34 • Inquired about applications being collected for Historic Commission and Golf Board.

36 **Dave Tovey-**

- 37 • James Bruhn reported on the Neighborhood Watch Committee. Low attendance but will
- 38 hold another meeting in the spring.

40 **14.**

41 **Adjournment**

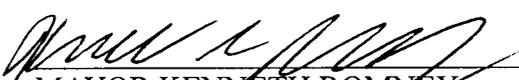
42 **10:25 p.m.**

44 MOTION: James Bruhn moved to adjourn the City Council

45 Meeting.

47 SECOND: Mark Preece seconded the Motion.

49 PASSED: Voting was unanimous in favor

54   
55 MAYOR KENNETH ROMNEY

54   
55 HEIDI VOORDECKERS (CITY RECORDER)



DEBBIE MCKEAN (SECRETARY-SUB)