Minutes of the meeting of the City Council of West Bountiful City held on Tuesday, March 1, 2011 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

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

STAFF PRESENT: Craig Howe (City Manager), Heidi Voordeikers (City Recorder), Ben White (City Engineer), Steve Doxey (City Attorney), Chief Randy Lloyd, Nathalie Ellingson (secretary).

VISITORS: Terry Olsen, Alan Malan, Kelly Enquist, Bonnie Sorenson, Mark Wilcox, Landon Marsh, Josh Ripplinger, Bryan Nielsen, Carson S., Westen D., Steve Nordfors, Nathan Wainwright, Mike Bicker, Dallin Wilcox, Jason Nielsen, Laura Charchenko, James Ahlstrom, Wendy Hughes

Mayor Kenneth Romney called this meeting to order at 7:36 pm.

Invocation/Thought: Troop 290 Scout Nathan Wainwright presented the Scout Law and Josh Ripplinger presented the Scout Oath.

Pledge of Allegiance led by Bryan Nielsen.

1. Accept Agenda

MOTION: Mark Preece moved to accept the Agenda as written.

SECOND: James Bruhn seconded the Motion.

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

2. Public Comment

No comments

3. Employee of the Month

Craig Howe presented Wayne Bradfield as the Employee of the Month. Wayne is the city’s water master and handles many difficult tasks in dealing with water problems. His cell phone number is listed in the newsletters, so he gets calls at all hours of the day or night. He always responds quickly to residents’ needs, handling situations that may or may not be city responsibility.
Residents may see him driving slowly through neighborhoods, but this is because he is picking up the monthly meter reads.

Chief Randy Lloyd introduced Officer Boyle, stating that he has been working as a West Bountiful reserve officer for a little over a year on a volunteer basis. His past experience has been working in Salt Lake City dispatch since he was 16 years old. He donated his time there until he was 18, then hired on full time for four years. Mayor Romney mentioned that Officer Boyle is the second reserve officer to be hired onto the staff, and so far the transitions have been smooth.

Chief Randy Lloyd introduced Officer Rasmussen, stating that he has been with the department for a little over five years and that he usually works the night shift. He came to West Bountiful from West Valley City, where he worked in almost every division. He is being promoted to a supervisor position. Mayor Romney stated he received a comment from a citizen who commended Officer Rasmussen for the way he professionally and helpfully handled a family dispute.

Mike Bicker – In an effort to reward people for playing often at the golf course, they are introducing a customer loyalty punch pass program which gives a discounted rate when rounds are purchased in advance. The earnings that will result from having people come back often will more than compensate for the discount offered.

The rates proposed are as follows:
- Gold Cards – 20 round punch pass at $2 off the regular price of a nine hole round.
- Silver Cards – 10 round punch pass at $1 off the regular rate.

Residents can either buy the full price passes using the resident discount, or they can buy the customer loyalty passes, which will not be discounted. There was discussion about an expiration date for the passes. An expiration date of two or three years will allow enough time for people to use all the punches and will benefit the city in regards to accounting. An expiration date will be decided on after the staff speaks with the auditors. Mayor Romney asked staff to also discuss with the auditors whether they can write off the punch passes based on past usage history.
7. Consider Awarding 400 N. Waterline Project to Green Construction, Inc. for $234,068 plus 20% Contingency ($280,868 Total)

Ben White – The project is in two parts: 800 West to I-15, and from the Eldredge House to 500 West. Green Construction has provided insurance certificates and bonds and are ready to work as soon as the contract is signed. They are not released to work in front of the elementary school until after school is out this summer, and they cannot work in front of the Eldredge House during their busy time over spring break, since their business depends on appearance. Ben stated he is not sure about the line depth in front of the Eldredge House, so he is asking for reserve funds in case he needs to make changes. The intersections at 1100 West and 400 North and at 800 West and 400 North will not be closed at the same time.

MOTION: Mark Preece moved to award the 400 N. Waterline Project to Green Construction, Inc. for the proposed totals.

SECOND: Dave Tovey seconded the Motion.

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

8. Planning Commission Report

Valerie Shaw had a meeting that conflicted with the Planning Commission meeting, so she turned comments over to James Ahlstrom. They talked about the two ordinances included on tonight’s agenda. Completing the ADU ordinance was challenging. They had to work out issues about parking and why the property should be owner-occupied. The change in the home occupation ordinance requires a full planning commission review rather than a review by the planning commission chair. John Baza pointed out there had been no public comment at the public hearings, and James said that no one attended them.

9. Consider Approval of Ordinance 324-11, approving the addition of Chapter 17.82 Accessory Dwelling Units (ADU) to the West Bountiful Municipal Code

Ben White – The ordinance presented to council states the following: 1) residential homes in an A0-1, R-1-22 and R-1-10 zone can create an ADU of they meet certain architectural and operational criteria; 2) the ADU tenant is not restricted to family only; 3) the owner of the property must reside on the property; 4) the ADU is independent from the balance of the home; and 5) the ADU requires a Conditional Use Permit from the Planning Commission and therefore is subject to be revoked if conditions
are not met. Further, staff was recommending revisions to the definitions of “dwelling,” “dwelling unit,” and “family.”

Steve Doxey made some revisions which simplified the definition of ADU.

Bonnie Sorenson thanked the council for being proactive in providing a way for older people to stay with their families. She would like to see conditional use permits renewed yearly. She also mentioned that in Roy City, someone renting part of their home for pecuniary gain has to get a business license.

Alan Malan stated that he is in favor of a simple definition of an ADU, but he said it is important to watch for the possibility of unintended consequences.

It was decided by council to table approving the ordinance until they can review the language for simplicity, as well as include a system of either reviewing annually the conditional use permits or requiring a business license.

MOTION: Valerie Shaw moved to table approval of Ordinance 324-11, approving the addition of Chapter 17.82 Accessory Dwelling Units (ADU) to the West Bountiful Municipal Code to allow time to refine the definition and consider requiring a business license.

SECOND: James Bruhn seconded the Motion.

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

10. Consider Approval of Ordinance 325-11, updating the Home Occupation Code and moving it from Title 17, Zoning, to Title 5, Business Licenses and Regulations

Ben White – In the past, a person wishing to have a home occupied business needed to get a business license, a home occupation permit, and a permit from the Planning Commission; three applications and three fees. The proposal is to streamline the ordinance by having a home occupation business license. Steve Doxey recommended tabling this item and approving both ordinances at the same time, since business license language needs to be added regarding ADUs.

MOTION: Dave Tovey moved to table approval of Ordinance 325-11, updating the Home Occupation Code and moving it from Title 17, Zoning, to Title 5, Business Licenses and Regulations, and approve it at the same time as Ordinance 324-11

SECOND: James Bruhn seconded the Motion.

PASSED: Voting was as follows:
Mark Preece – Aye
Valerie Shaw – Aye
James Bruhn – Aye
11. Update on the FY 2012 Budget

Heidi Voordeekers – the Finance Committee met for a second time. They agreed to replace no equipment unless absolutely necessary. They are putting together a timeline for equipment, as well as a timeline for street projects. The budget will be presented to council at the March 15 council meeting. There will probably be no changes by that time because they are still waiting for property tax figures. The first budget work session is scheduled March 29, 2011 at 7:00. She proposes to bring the golf course people in on that meeting.

12. Administrative Report

Craig Howe –
- Craig displayed a map showing the CDAs, the current value in tax receipts of each CDA, and the projected future values. The tax increment is the difference between the present value and the future value. The joint CDA will use 75% of the tax increment, and West Bountiful and Woods Cross will use 35% to 40% for 15 years for their respective CDAs. Craig and Jason Burningham went to a school board meeting and introduced the CDAs. Jason will draw up interlocal agreements, and as soon as the school district approves them, they will go to the other taxing entities.
- Craig is meeting this Thursday with some people who want to revitalize the equestrian center. This could be the first project in the CDA project area.
- Lynn Kedington from Holly Oil wants to visit with the council. There was a TV documentary regarding oil refining, and he thought residents might be concerned.
- The next town hall meeting March 17 at 7:00.
- The Communications Committee meets this Friday at 8:30 am.
- Legislative updates –
  - The immigration bill is currently between the House and Senate, and it has some good modifications.
  - An alcohol bill is moving through that transfers the number of alcohol permits allowed, and moving them from taverns to restaurants.
  - Salt Lake County wants to use the energy tax to fund their unified police force, but it was taken off the table this week.
  - Bill board bills are on hold for a year.
  - A land use bill is being proposed by someone who is trying to get film studios into Park City. The plans would be drawn up and then given the city for approval, without the city having any input in the planning.
- Craig’s computer is currently out of commission so his emails may be a little late. The server is being upgraded.

13. Mayor/Council Reports

Dave Tovey – has a trip coming up with the Youth City Council
John Baza – attended the Finance Committee meeting. He will email Heidi with recommendations on the RAP tax fund. John attended Utah League of Cities and Towns with Craig. They saw a video regarding deficit spending in government.

James Bruhn – The Arts Council is meeting this Thursday at 6:30 pm. James suggested to Chief Lloyd that, since spice and certain bath salts have been made illegal by the state legislature, they should check with stores and make sure they are complying.

Valerie Shaw – attended the Finance Committee meeting. She has found it insightful to see the work that Heidi has done with projections. They have a lot of challenges ahead.

Mark Preece – the Historical Committee is meeting this Thursday night. They have one set of plans to look at for the Heritage Park area. The newsletter will be through printing tomorrow. He will be attending the Communications meeting Friday morning.

Mayor Romney – he has been involved in discussions regarding the West Davis corridor and continuation of the Legacy Highway. For the past year and a half the state has been purchasing land through the corridor to minimize impact on businesses. None of the proposed corridor is going through the purchased land. He has told other mayors about West Bountiful’s experience with UDOT.

James Bruhn pointed out a correction needed on page 2, line 16.

MOTION: Dave Tovey moved to approve the February 15, 2011 City Council Meeting minutes with changes.

SECOND: Mark Preece seconded the Motion.

PASSED: Voting was as follows:

Mark Preece – Aye
Valerie Shaw – Aye
James Bruhn – Aye
John Baza – Aye
Dave Tovey – Aye

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

Not necessary.

Possible Action Following
Closed Meeting

Not necessary.

Adjournment
9:30 pm.
MOTION: James Bruhn moved to adjourn the meeting.
SECOND: Dave Tovey seconded the Motion.

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

MAYOR KENNETH ROMNEY

HEIDI VOORDECKERS (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)