Minutes of the meeting of the City Council of West Bountiful City held on Tuesday,
March 15, 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
Voordeckers (City Recorder), Ben White (City Engineer), Steve
Doxey (City Attorney), Chief Randy Lloyd, Nathalie Ellingson
(secretary).

VISITORS: Bryce Allen, Jacob Tullis, Kelly Enquist, Sparky
Taylor, Brady Tracy, Ron J. Bangerter, Bryce Bangerter, KC
Arbuckle, Amnon Williams, Jim Rampton, Wendy Hughes, Laura
Charchenko, James Ahlstrom, R.J. Foster

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

Invocation/Thought: Troop 1925 Tyler Allen presented the Scout Law.
Pledge of Allegiance was led by James Bruhn.

Accept Agenda

Mayor Romney stated Chief Rampton is expected around 9:00, so
Item 9 should be moved as time allows.

MOTION: Valerie moved to accept the Agenda as written with
the potential change of Item 9.

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

2. Public Comment

No comments

3. Consider Approval of
Resolution 274-11, a
Resolution authorizing
Exchange of Title for
Heritage Pointe Subdivision
Lot 33
Ron Bangerter has requested to move the rear fifteen feet of Heritage Pointe Lot 33, which he owns, to the rear of their adjacent property to the east. Ben White stated they were following State Code Section 10-9a-608 in handling this request. Upon approval of the resolution, the owners and mayor will sign a Notice of Approval to be recorded in the Davis County Recorder’s Office, as well as a Quit Claim Deed to transfer ownership of the property.

Mayor Romney thanked Mr. Bangerter for coming to the city for the request rather than making the changes without the city’s knowledge. This way they can be sure the proper documentation is completed.

**MOTION:** Mark Preece moved to approve Resolution 274-11.

**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

4. Consider Approval of Resolution 275-11, a Resolution approving a New Fee Structure for Golf Course Customer Loyalty Program Gold and Silver Punch Passes.

Heidi Voordeckers – In the City Council Meeting on March 1\(^6\), the golf pro, Mike Bicker, proposed a customer loyalty punch pass program which gives a discounted rate when rounds are purchased in advance.

The proposed fee structure is as follows:
- Gold Cards – 20 round punch pass at $2 off the regular or senior price of a nine hole round.
- Silver Cards – 10 round punch pass at $1 off the regular, senior, or junior price.
Resident discounts would not apply to the Gold and Silver prices.

The discount would be offset by additional revenue from increased punch pass sales. It was also discussed in that meeting to give punch passes an expiration date of three years from purchase, which would make it easier to determine write offs of unused punches.

James Bruhn asked if an expiration date could apply to passes already issued. It was proposed to post a “suggested use by...” statement in the club house. Heidi said she would speak with Mike regarding this.

**MOTION:** John Baza moved to approve Resolution 275-11, including an expiration date on all future punch passes sold.

**SECOND:** Dave Tovey seconded the Motion.
5. 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 – Since the last City Council Meeting, the wording in the ordinance was reformatted to make it more readable. In summary, the wording states that an ADU makes it possible to add another dwelling unit to a dwelling. It must be secondary in nature, adequate parking must be provided, the owner must live on the property, and requests must come before the Planning Commission. Steve Doxey recommended the Ordinance be passed in its present form.

MOTION: Dave Tovey moved to approve Ordinance 324-11 with the addition of Chapter 17.82.

SECOND: Mark Preece seconded the Motion.

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

6. Discussion on incorporating a Business License for Rental Dwellings into the West Bountiful Municipal Code, Title 5.

Heidi Voordecker – In a previous discussion regarding home occupation business licenses, it was proposed the city have a business license for rentals. She compiled ordinances from other cities in regards to their licensing procedures for rentals.

West Bountiful does not permit multiple family dwellings in the city, so a license requirement would currently only apply to homeowners who are collecting rent on ADUs or those that are renting secondary homes. Future zones may include multiple family dwellings, so it would be useful to have an ordinance in place. All council members were in favor of the requirement, but there was some discussion as to whether the requirement should extend to renting of a room in a dwelling. Also, there was discussion as to whether inspections should be required and an inspection fee charged. Steve Doxey stated the city would be immune from liability, and a regular inspection procedure would
probably cost the city more than they would make in fees. They
could allow for inspections in case of complaints, where the
homeowner would pay the inspection cost if the complaint is
legitimate.

Mayor Romney asked staff to continue with their research and
there can be more discussion in future meetings.

Ben White – the staff updated the Home Occupation section by
moving it from Chapter 17, Land Use, to Chapter 5, Licensing.
They are attempting to streamline home occupation application
procedures. The changes are shown in Chapter 5.28, Home
Occupations. The language also clarified situations where a
conditional use permit is required.

MOTION: Dave Tovey moved to approve changes in Ordinance
325-11, updating Home Occupation Code.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting by roll call was as follows:
  Mark Freece – Aye
  Valerie Shaw – Aye
  James Bruhn – Aye
  John Baza – Aye
  Dave Tovey – Aye

9. Presentation from South Davis
  Metro Fire – 2010 Report,
  Chief Jim Rampton.

Chief Jim Rampton – South Davis Metro Fire District covers the
six communities and unincorporated areas of South Davis County.
He talked about some 2010 incidents, including the Colonial
Lumber fire in Centerville, which brought in engines from Salt
Lake City, Farmington, Kaysville and Layton; a fire in North Salt
Lake; a West Bountiful car fire; and an arson house fire in January
2010. The arson fire was difficult because the water on the road
turned to ice. It was determined to be arson because they saw
where someone had poured ignitable liquid, and an arrest was
made two days later.

Stations – In August 2004, the station headquarters was completed
in downtown Bountiful, and stations on Eaglewood Drive,
Bountiful Blvd., and in Foxboro were completed in 2008 and 2009.
The Centerville station dates from 1988 and is too small and needs
to be remodeled or replaced.
75% to 80% of everything the fire department responds to are medically related. They have a hazmat team, which, on the day of this meeting, responded to reports of illness at a North Salt Lake law firm. The department demonstrates their accountability to the community by being part of parades, doing CERT classes, CPR and first aid classes, and visiting schools.

They currently have a staff of 95 personnel. They improved their compensation plan to improve retention of their employees. They have a health and wellness program and perform fitness tests that are job-specific. Their fleet plan is dynamic and adjusted depending on yearly financial situations.

There was an extensive financial discussion since the assessment to West Bountiful was increased more than to other cities. The chief stated that the formula determining assessments is based on assessed property valuations. West Bountiful had increased revenue due to improvements made at Holly Oil. Heidi Voordecker asked if the assessment could be revisited because of the difficulty the city has in meeting its budget requirements. Chief Rampton had provided a copy of the Fire District budget. He stated the District had made significant cuts and asked council to review the budget he provided.

Valerie Shaw, who is on the West Bountiful Finance Committee, stated that after they have looked over the Fire District budget, they may have more questions. Chief Rampton stated he would be willing to come back for further discussions.

Finally, Chief Rampton presented each council member with a Challenge Coin commemorating that the Bountiful Fire Department started in 1911 and covered all of South Davis County, and now the Fire District does the same.

8. Update on Parks Renovations – Kelly Enquist

The last concrete slab was poured the day of this meeting. A little bit of finish work will be done, and then after the concrete cures, they will put in the backstops. They have been taking bids for new bleachers. The bowery is 95% complete. Kelly will get a financial update to council before the budget meeting scheduled March 29th.

10. Engineers Report

Ben White – Last week the city saw some major progress Capital Improvements plan due to approval of some grant funding. Funding for the 400 North project is being moved from 2015 to 2012. They will get an environmental clearance as soon as possible, then begin working on the design. It will be necessary to complete the lower half of the water line (1100 West to 800 West) before beginning the project. The project will include tearing out curbs, gutters and sidewalks, replacing storm drains, and then replacing curbs, gutters and sidewalks. The road will be wider, and completely resurfaced. Mayor Romney asked to see options for cross sections of the road. Valerie Shaw suggested they work on
an ordinance regarding sidewalks, curbs and gutters, since this has been a wet year, and there is a lot of mud at the sides of the road where kids have to walk.

11. Police Report

Chief Randy Lloyd –
- The report shows five DUIs and seven drug cases.
- A notable case involved a person reported missing from the Country Inns and Suites, who was found in Murray.
- The officers are starting to work heavily on the COP idea in looking at drug and alcohol cases.
- A home invasion burglary occurred one evening at 8:00 pm while the resident was in his room asleep. They interviewed seven suspects, and ended up arresting six on various unrelated charges.
- Five juveniles were caught “sexting” and the Chief stated it was difficult to make them understand the seriousness of their offense.

12. Finance Report

Heidi Voordeckers referred to the Finance Report for the period ending February 28, 2011. With 67% of the fiscal year, 68% of revenues have been collected and 66% of expenses have been disbursed. The YTD general fund net revenue is $61,000. Included in the report was the cash allocation report for the month. All funds except the golf course are better than last year. A golf course summary was included.

13. Presentation of FY 2012 Budget Draft 1 in preparation for March 29th Work Session.

Heidi Voordeckers – The staff received the assessment from the Fire District in the middle of October, and at the same time learned the city is losing sales tax because of the loss of revenue on indirect sales, and therefore are looking at some challenges. The Finance Committee has had three separate meetings where they have looked for areas where cuts could be made.

In the last finance meeting, they reviewed a 20-year plan showing where the city would be if no improvements were made. The final recommendation was for a 75% property tax increase. This would increase the cost to the average home from $173 per year to $303 per year. The City would realize $290,000 revenue from that increase the first year, with $240,000 going towards streets projects. A small portion would go to fund general operations with the balance going to the general fund reserve. The cost of basic services to each property today is $868 per year (police, fire, snow removal, street lights, etc.) and the last property tax increase was forty years ago. The property tax increase needs a truth in taxation
hearing, which cannot take place until August. The budget can be adopted after that. In the meantime, there will be several more work sessions.

Mayor Romney stated that they have looked at 20-year projections based on several different scenarios. In the past, the city has handled unsustainable situations by bonding, and they are determined that this will not be done now or in the future. He told residents that over the long run, a property tax increase will cost them much less than if they had to assess a special tax on a neighborhood in order to replace streets. The public was asked to review the projections so they will be informed on the importance of raising property taxes, and they will understand they aren’t paying for frills.

10:00 pm

MOTION: James Bruhn moved to extend the meeting to 10:30 pm.

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


Craig Howe –
- The Utah State Spice Ordinance will go into effect July 1st.
- The School Board has accepted the CDA’s with the caveat that if the interlocal agreement includes high density housing, they will withdraw from the CDA’s. Their counsel will draft the interlocal agreement.
- A town hall meeting will be held Thursday, March 17th at 7:00 pm.
- The first equestrian meeting was held. It was well attended, and there was a lot of enthusiasm. They want to tie equestrian activities into Founders Day. They will meet every second Wednesday.
- The city is going on a new server, so currently there is no email. It will hopefully be fixed by the end of the week. The new email system will have an address for each city council member.

15. Mayor/Council Reports

Mark Preece – they have started holding Parade Committee meetings. He attended a DUED meeting with John Baza. They talked about rental rates and occupancy rates throughout the county, and trends are going up.

Valerie Shaw – no Planning Commission meeting held.
James Bruhn – An Arts Council meeting was held where they talked about this year’s and next year’s budgets. They had a good concert last Friday night.

John Baza – attended the finance meetings that have been already discussed. At the DUED meeting, they were told we are in a slow recovery and we need to be optimistic, but John is concerned because unemployment is still high and cost of energy is rising. A citizen told him that when they speak at council meetings, they need to be sure to talk into the microphones, because they are sometimes hard to hear.

Dave Tovey – He went with the Youth Council to Utah State where they received a lot of good information on leadership. He is planning a Neighborhood Watch meeting on April 14th and is working on getting a good turnout.

Mayor Romney – the Family Connection Center in Clearfield is having a family day at Boondocks in Kaysville. They will hold a silent auction and council members are invited.

16. Approval of Minutes for the March 1, 2011 City Council Meeting.

The minutes had the incorrect date.

MOTION: Dave Tovey moved to approve the minutes for the March 1, 2011 council meeting with correction.

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

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

Not necessary.

18. Possible Action Following Closed Meeting

Not necessary.

19. Adjournment

10:30 pm.
MOTION: James Bruhn moved to adjourn the meeting.

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

MAYOR KENNETH ROMNEY

HEIDI VOORDECKERS (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)