

1  
2 Minutes of the meeting of the City Council of West Bountiful City held on Tuesday,  
3 May 17, 2011 at West Bountiful City Hall, Davis County, Utah  
4  
5

6 Those in Attendance

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

9  
10 STAFF PRESENT: Craig Howe (City Manager), Heidi Voordeckers  
11 (City Recorder), Ben White (City Engineer), Steve Doxey (City  
12 Attorney), Chief Randy Lloyd, Nathalie Ellingson (secretary).  
13

14 VISITORS: Sandi Smith, Kenneth Maloy, Jacob Maloy, James Maloy,  
15 Kelly Enquist, Terry Olsen, Doug Layne.  
16  
17

18 Mayor Kenneth Romney called this meeting to order at 7:34 pm.

19  
20 Invocation/Thought: James Maloy of Boy Scout Troop 219 gave the Scout Oath.  
21 Pledge of Allegiance was led by Boy Scout Jacob Maloy.  
22

23 1.  
24 Accept Agenda

25  
26 MOTION: Valerie Shaw moved to accept the agenda as written.  
27

28 SECOND: Mark Preece seconded the Motion.  
29

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  
36

37 2.  
38 Public Comment

39  
40 No comments.  
41

42 3.  
43 Consider Approval of Ordinance  
44 327-11, an Ordinance Amending the  
45 West Bountiful Municipal Code  
46 Chapter 5.12, Beer Licenses and  
47 Regulations, to Include a  
48 Class “D” Beer License.  
49

50 Craig Howe – The language was changed in Chapter 5.12 to add a Class  
51 D, which allows a licensee to sell take-out draft beer in a resealable  
52 container as permitted by state law for off-premise consumption, as well  
53 as to sell beer on draft for consumption on the premises. This was in  
54 response to a request several months ago from Wingers Restaurant  
55 asking to be able to sell “growlers” from their West Bountiful location.  
56

57 Steve Doxey added some clarification to the discussion, stating that since  
58 Class D was designed to cover consumption both on and off premises, an  
59 establishment would not have to have a Class A, B, or C license. He also  
60 stated that licensing was at the discretion of the city. The city can place  
61 restrictions which would govern over state regulations. However, the

1 city cannot be held responsible if an establishment sells beer to someone  
2 who abuses it.

3  
4 It was generally agreed upon by the council and Chief Randy Lloyd that  
5 selling beer in a reusable container or an original container would not  
6 make much difference to those who would abuse it; in fact, the beer in  
7 the reusable container will be more expensive, and therefore will more  
8 than likely be purchased for social drinking.

9  
10 MOTION: James Bruhn moved to amend the West Bountiful Municipal  
11 Code Chapter 5.12, Beer Licenses and Regulations, to include a Class  
12 "D" beer license.

13  
14 SECOND: Dave Tovey seconded the Motion.

15  
16 PASSED: Voting by roll call was as follows:

17 Mark Preece – Aye  
18 Valerie Shaw – Aye  
19 James Bruhn – Aye  
20 John Baza – Aye  
21 Dave Tovey – Aye  
22

23 4.  
24 Consider Approval of  
25 Resolution 277-11, a  
26 Resolution Setting the  
27 Annual Fee for a  
28 Class "D" Beer Licence.  
29

30 The fees are as follows: Class A (in original container for off-premise  
31 consumption) - \$250.00; Class B (in original containers for on- or off-  
32 premise consumption) - \$300.00; Class C (on draft for on-premise  
33 consumption) - \$350.00; and Class D (on draft for on- or off-premise  
34 consumption) - \$500.00. These fees were arrived at by considering the  
35 cost of enforcement.  
36

37 MOTION: Mark Preece moved to approve Resolution 277-11, setting  
38 the annual fee for a Class "D" beer license at \$500.00.

39  
40 SECOND: James Bruhn seconded the Motion.

41  
42 PASSED: Voting by roll call was as follows:

43 Mark Preece – Aye  
44 Valerie Shaw – Aye  
45 James Bruhn – Aye  
46 John Baza – Aye  
47 Dave Tovey – Aye  
48

49 5.  
50 Consider Approval of  
51 Ordinance 328-11, an  
52 Ordinance Amending the  
53 West Bountiful Municipal Code,  
54 Chapters 17.16, 17.20, and 17.24.  
55

56 Ben White – Title 17.44 Supplementary includes miscellaneous  
57 information that applies to multiple areas of the city. The staff has been  
58 moving this information into the appropriate chapters. The changes were  
59 approved by the Planning Commission, and they have been reviewed by  
60 Steve Doxey. Steve and Ben made some additional changes.  
61

1 Chapter 17.16 refers to Agricultural District, 17.20 refers to Residential  
2 District R-1-22, and 17.24 refers to Residential District R-1-10. In  
3 reviewing the changes, council found language that was not clear in  
4 regard to fence heights and property length to width ratio. After some  
5 discussion and suggestions, it was decided that staff would make some  
6 additional revisions, and the matter should be tabled until this is done.  
7

8 MOTION: Dave Tovey moved to table approval of Ordinance 328-11  
9 until further revisions are made.  
10

11 SECOND: John Baza seconded the Motion.  
12

13 PASSED: Voting was as follows:

14 Mark Preece – Aye

15 Valerie Shaw – Aye

16 James Bruhn – Aye

17 John Baza – Aye

18 Dave Tovey – Aye  
19  
20

21 6.  
22 Planning Commission Report  
23

24 Valerie Shaw – a public hearing was held to discuss changes in Title 15.  
25 There was no one from the public to comment.  
26  
27

28 7.  
29 Police Report  
30

31 Chief Randy Lloyd – in working with Centerville, they were able to  
32 apprehend a 19 year old who confessed to committing several burglaries  
33 including the clubs from the golf course. The Chief stated they would  
34 probably get the stolen golf clubs back.  
35  
36  
37

38 8.  
39 Finance Report  
40

41 Heidi Voordeckers – Sales tax is still down, but the gap is closing. There  
42 was a property tax adjustment. In June 2010, the city received \$69,000  
43 in an over-distribution which should have gone to the RDA. The  
44 adjustment was made, and the city is still on track with a budgeted figure  
45 of \$548,344, according to the county.  
46

47 The golf course is still struggling due to wet weather. There have been  
48 few good playing days, but even on those days they have not been able  
49 to rent golf carts because the grass was so wet. She anticipates they will  
50 be about \$200,000 short when the budget is opened. Mayor Romney  
51 pointed out they were down \$125,000 in revenues from the same time  
52 last year, but they are also down in expenses.  
53  
54

55 9.  
56 FY 2010-2011 Budget Open  
57

58 Mayor Romney set the public hearing to open and amend the 2010-2011  
59 budget for June 21, 2011 at 7:45 pm, and the public hearing to receive  
60 input on the 2011-2012 budget for June 7, 2011 at 8:00 pm. Heidi

1 Voordeckers mentioned there may be additional needs in the water  
2 budget due to recent leaks.

3 10.  
4 Administrative Report

5  
6 Craig Howe –

- 7 • The Utah Legislature made changes in fireworks laws, in which  
8 they extended sales times. Fireworks can be sold starting June  
9 26<sup>th</sup> for the Fourth of July and Pioneer Day celebrations;  
10 December 26<sup>th</sup> to January 1<sup>st</sup>; and, three days before the Chinese  
11 New Year. The changes also allow cake fireworks which can go  
12 150 feet instead of 15 feet.
- 13 • At the last fire district meeting, they discussed creating an  
14 ordinance preventing fireworks discharged too close to refineries.  
15 Craig will provide a sample ordinance at the next meeting. The  
16 fire district also said no campfires except in fire pits.
- 17 • Water Leaks – on May 10<sup>th</sup>, the 1100 West water line sprung a  
18 leak and Wayne received the call at 5:30 am. Water was running  
19 into a home from the main break. They had the water turned off  
20 by 6:00 am, and all cleared by 9:00 am. Response time was very  
21 good, but Craig suggested if they could have everything they  
22 need ready for the next time in a trailer, they would avoid much  
23 running back and forth. That evening there was a second leak  
24 close to the first one. They did not have it taken care of until  
25 3:00 am. There were two more leaks, and Public Works ended up  
26 working 33 hours straight. The summer hires were great  
27 assistants. The first leak resulted in only two insurance claims,  
28 which were taken care of quickly.
- 29 • The county wants the D&RG rail trail, which extends to  
30 Farmington, to have unified signs along the trail and mile  
31 markers from Omaha. The West Bountiful piece already has  
32 signs, and Craig does not think the city should take them down.  
33 Each city is being asked to fund the new signs.
- 34
- 35 • Staker has provided notice that they will be widening the freeway  
36 at 500 West to Parrish Lane to increase the size of the  
37 acceleration and deceleration lanes.
- 38 • Utah Local Government Trust is providing appraisal services for  
39 all of the structures in the risk pool. An appraiser has been  
40 scheduled to tour the city properties next Tuesday.
- 41 • Street cross section – The Equestrian Committee has discussed  
42 safety on trails, and designing a standard for streets to include a  
43 horse path. Several members of the committee live on 400  
44 North, and they may come to council regarding a horse path on  
45 400 North. Ben White showed a cross section of a road design  
46 which started with a sidewalk, then the gutter, a bike lane, the  
47 traffic lanes, a turn lane, another bike lane, and the horse path.  
48 He will probably make changes to the design as the planning  
49 goes forward.
- 50 • A town hall meeting will be held this Thursday, May 18<sup>th</sup> at 7:00  
51 pm. Flyers have been distributed at the school, and the school  
52 has made phone calls.
- 53 • Valerie Shaw asked when mosquito spraying would start. Mayor  
54 Romney asked Craig to have the representative from the  
55 Mosquito Abatement District come to the next meeting.
- 56
- 57

58 11.  
59 Mayor/Council Reports

60

1 Dave Tovey – the Youth City Council is going to have a Junior King and  
2 Queen for the Fourth of July Parade. He reminded the council of the  
3 Neighborhood Watch meeting and barbecue on July 9<sup>th</sup> at the Bowery  
4 behind City Hall.  
5

6 John Baza – attended a CARE meeting. The Wasatch Front Regional  
7 Council meets this Thursday regarding transportation.  
8

9 James Bruhn – there was an Arts Council concert on Friday put on by the  
10 Young Artists. James asked about a road closed sign that was still on  
11 1100 West since the water break, and whether residents had been asked  
12 to clean out the ditch leading to the pump. Ben said the road closed  
13 signs had been picked up, and the residents had been notified about the  
14 ditch.  
15

16 Valerie Shaw – asked if a letter had been sent to Golden West residents  
17 yet. Ben stated he has drafted a letter explaining what the city can and  
18 cannot do.  
19

20 Mark Preece – Communications Meeting on Friday. The newsletter will  
21 be out on the 15<sup>th</sup>. The Parade Committee is moving forward. There has  
22 been some discussion of moving the parade from the Fourth of July to  
23 Founders Day so they will not compete with Centerville's parade.  
24

25 Mayor Romney – update on the church service project: 18 homes are  
26 lined up for service, and the project will begin June 20<sup>th</sup>. He mentioned a  
27 scout was looking for an Eagle project, and Ben suggested he contact  
28 Blake.  
29

30  
31 12.  
32 Approval of Minutes  
33 for the May 3, 2011  
34 Work Session and  
35 City Council Meeting  
36

37 There was a correction on Page 2, Line 23.  
38

39 MOTION: Mark Preece moved to approve the minutes for May 3, 2011  
40 work session and City Council meeting with noted change.  
41

42 SECOND: James Bruhn seconded the Motion.  
43

44 PASSED: Voting was as follows:

45 Mark Preece – Aye  
46 Valerie Shaw – Aye  
47 James Bruhn – Aye  
48 John Baza – Aye  
49 Dave Tovey – Aye  
50

51  
52 Council member Shaw was excused from the meeting at 9:45 pm.  
53  
54

55 13.  
56 Closed meeting , if necessary,  
57 for reasons allowed by state law.  
58

59 MOTION: James Bruhn moved to go to closed session to discuss the  
60 character, professional competence or physical or mental health of an  
61 individual.

1  
2 SECOND: Mark Preece seconded the Motion.  
3

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

11 14.  
12 Possible action following  
13 closed meeting, including  
14 appointment to boards and  
15 commissions  
16

17 Not necessary.  
18

19 MOTION: John Baza moved to adjourn the Closed Session and go to  
20 City Council meeting.  
21

22 SECOND: James Bruhn seconded the Motion.  
23

24 PASSED: Voting was as follows:  
25 Mark Preece – Aye  
26 James Bruhn – Aye  
27 John Baza – Aye  
28 Dave Tovey – Aye  
29

30  
31 14.  
32 Adjourn  
33 10:07 pm  
34

35 MOTION: James Bruhn moved to adjourn City Council meeting  
36

37 SECOND: Dave Tovey seconded the Motion.  
38

39 PASSED: Voting was as follows:  
40 Mark Preece – Aye  
41 James Bruhn – Aye  
42 John Baza – Aye  
43 Dave Tovey – Aye  
44

45  
46  
47   
MAYOR KENNETH ROMNEY

48  
49  
50   
HEIDI VOORDECKERS (CITY RECORDER)



NATHALIE ELLINGSON (SECRETARY)