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3 Minutes of the regular session of the City Council of West Bountiful City held on
4 Tuesday, June 21, 2011 at West Bountiful City Hall, Davis County, Utah
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7

8 Those in Attendance

9 MEMBERS PRESENT: Mayor Kenneth Romney, Dave Tovey,
10 James Bruhn, Valerie Shaw, Mark Preece. John Baza was
11 excused.
12

13 STAFF PRESENT: Craig Howe (City Administrator), Heidi
14 Voordeckers (Recorder), Ben White (City Engineer), Steve Doxey
15 (City Attorney), John Rasmussen (Interim Chief of Police),
16 Nathalie Ellingson (secretary).
17

18 VISITORS: Alan Malan, Kelly Enquist, Dean Curtis, Terry Olsen,
19 Jonathan Hair, Stacy Hair, Dawson Hair, Nathan Hair, Travis
20 Godfrey, Sandi Smith, Marc Nadauld, Laura Charchenko, Richard
21 Barton
22

23
24 Called to Order:

25
26 Mayor Kenneth Romney of West Bountiful City called this session
27 to order at 7:35 pm.
28

29 Invocation/Thought: Thought by Dave Tovey regarding service.
30

31 Pledge of Allegiance was let by Mark Preece.
32

33 1.
34 Accept Agenda
35

36 MOTION: Dave Tovey moved to approve the agenda.
37

38 SECOND: Mark Preece seconded the Motion.
39

40 PASSED: Voting was as follows:

41 Mark Preece – Aye

42 Valerie Shaw – Not present

43 James Bruhn – Aye

44 Dave Tovey – Aye
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49 2.
50 Public Comment
51

52 Alan Malan – showed a video of two villages in Japan; in village
53 lost 42 people in the earthquake, and the other village lost 1/2 of its
54 17,000 population. The village that only lost 42 citizens had
55 practiced emergency drills. In this vein, he gave council a flyer
56 regarding the amateur radio club putting on a field day at the
57 fairgrounds this Saturday and until noon on Sunday. They will
58 have the antennas up and practice receiving and sending with other
59 radio clubs around the country. The public is invited and they will
60 let kids under 18 operate radios.
61

1 Don Curtis – stated he recognized the need to raise property taxes,
2 but he is concerned about senior citizens who live on fixed
3 incomes. He wants the city to consider that the citizens are
4 improperly subsidizing the golf course. He said he knows of 36-
5 hole golf courses running on the same budget as this golf course.
6

7 Richard Barton – addressed the weed problem in West Bountiful.
8 Every year for the five years he has lived here he has called City
9 Hall to have someone address the weed situation on a neighboring
10 property. The city should have a program that starts at the
11 beginning of the year and is ongoing from there. Some of the
12 weeds were sprayed and they are gone, but the weeds that weren't
13 sprayed are waist high. Just before tonight's meeting the weeds
14 were being cut by Devan Pack, which is appreciated, but the weeds
15 will quickly grow back.
16

17 Travis Godfrey – lives by Mr. Barton on the other side of a big
18 patch of weeds. He stated he would be willing to be involved in
19 any kind of program that would control weeds.
20
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22

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24 3.
25 Announcement of
26 Employee of the
27 Fiscal Year
28

29 Craig Howe awarded a plaque to Heidi Voordeckers for her service
30 as the city accountant and recorder. There have been many
31 improvements to the budget procedures due to her hard work and
32 dedication.
33
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35

36 4.
37 Consider Approval of
38 Storm Drain Services
39 Agreement Between
40 West Bountiful City,
41 Davis County, and
42 Seth and Callie Keller.
43

44 Ben White – the Kellers live on the north side of the DSB canal.
45 When Davis County rebuilt the canal several years ago, the
46 elevation was raised in many sections, including the Keller's
47 property. Before the rebuild their yard drained into the canal, but
48 now the water is blocked and they have a huge puddle in their front
49 yard. They came to the city for help, so Ben made a design and
50 put a bid out to contractors. A contractor has been selected, and
51 Davis County has approved the plans. The county will pay for the
52 work.
53

54 MOTION: James Bruhn moved to approve the Storm Drain
55 Services Agreement between West Bountiful City, Davis County,
56 and the Kellers.
57

58 SECOND: Dave Tovey seconded the Motion.
59

60 DISCUSSION: Valerie Shaw wanted to know, given the County
61 has agreed to a certain dollar amount for the project, if there is a

1 chance the work could get done and then the County refuse to pay.
2 Ben said that the agreement would prevent that.

3
4 PASSED: Voting by was as follows:

5 Mark Preece – Aye
6 Valerie Shaw – Aye
7 James Bruhn – Aye
8 Dave Tovey – Aye
9

10
11 5.
12 Consider Approval of
13 Ordinance 328-11, an
14 Ordinance Amending
15 West Bountiful City Code
16 Chapters 17.16, 17.20, and 17.24
17

18 Ben White – pursuant to the discussion at the last council meeting
19 Ben has made revisions to chapters of the code which regulate
20 what the city does in residential areas. Among the revisions are:
21 rewording of the fencing portion; and the ratio of depth to width of
22 properties, changed from 5/ 1 to 3/1.
23

24 MOTION: Mark moved to approve Ordinance 328-11 amending
25 City Code Chapters 17.16, 17.20, and 17.24.
26

27 SECOND: Valerie seconded the Motion.
28

29 PASSED: Voting by roll call was as follows:

30 Mark Preece – Aye
31 Valerie Shaw – Aye
32 James Bruhn – Aye
33 Dave Tovey – Aye
34
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36

37 6.
38 Consider Approval of
39 Ordinance 329-11, an
40 Ordinance Amending
41 West Bountiful City Code
42 Title 12, Streets, Sidewalks,
43 and Public Places.
44
45

46 Ben White – Ben did some research regarding park strips and
47 found that it is not typical for cities to be responsible for the trees
48 in park strips. He has reworded the ordinance, modeling it after
49 the Salt Lake City ordinance. The code now requires that owners
50 of properties adjoining the park strip be responsible for the street
51 trees with little interference from the city. The city has the right to
52 remove any tree that is a hazard without recourse by the property
53 owner. Residents can plant trees in the park strips, but the city still
54 allows only specific species.
55

56 There was some discussion regarding enforcement of the
57 ordinance. If the city has to remove a tree or do trimming, they
58 can bill the property owner for the cost. The question was asked if
59 the city would be responsible for any damage that might be caused
60 by an old tree, and Steve Doxey responded that since the
61 homeowners are now responsible for the trees, they will be
62 responsible for such damages.

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MOTION: Jim Bruhn moved to approve Ordinance 329-11 amending City Code Title 12, Streets, Sidewalks, and Public Places.

SECOND: Mark Preece seconded the Motion.

PASSED: Voting by roll call was as follows:

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

7.
Consider Approval of Ordinance 330-11, an Ordinance Amending West Bountiful City Code Title 15, Buildings and Construction.

Ben White – some changes were needed because for one thing, a building code was referenced that is no longer in use. He changed how fence heights are measured and also made some grammatical changes.

MOTION: Mark Preece moved to approve Ordinance 330-11 amending City Code Title 15, Buildings and Construction.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting by roll call was as follows:

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

8.
Discussion on Appeal Authority and Recommendation from City Engineer.

Ben White – currently subdivision proposals go to the planning commission for approval and then go to council, which has the final authority. All proposals are subject to an appeal; however, the Code defines neither the appeals process nor who is to hear appeals. The goal is to keep land use appeals at a city level, which will narrow the scope of evidence that can be produced of the case should still have to go to court. This would reduce court costs to the city.

Ben recommends that the city council be the appeal authority on all land use issues, other than subdivisions. The city council would continue to be the land use authority regarding subdivisions and they would appoint a Board of Appeals with three members. The planning commission would be the Board of Adjustments for variance issues, with the city council being the final authority. Council will review the draft ordinance and discuss further in a future meeting.

1 9.
2 Discussion on Nuisances
3 and Hazards
4

5 Ben White – Staff has sent letters to residents regarding weeds on
6 and around their properties, after which the weeds will sometimes
7 get cut, but quickly grow back. He discussed adding language to
8 the ordinance that would make the provision that the city can spray
9 the weeds and then bill the property owner. This is much more
10 expensive to the residents than if they hired someone to take care
11 of the weeds. It was suggested that a letter be followed up by
12 letters which threaten escalation. A citizen suggested a strongly
13 worded letter be in the early spring newsletter.
14

15 10.
16 Engineering Report
17

18 Ben White –

- 19 • The 500 West off ramp from southbound I-15 will be
20 closed this weekend, will be open Fourth of July weekend,
21 and be closed again the following weekend. They will be
22 putting in storm drains.
- 23 • Work on the 400 North waterline is scheduled to start July
24 5 by the school. The water rights application will have
25 closed by then, and Ben will bring his design plans to the
26 next meeting.
- 27 • A backstop post caused a break in a sprinkler pipe. They
28 will pull a pipe through under the cement.
- 29 • Chip sealing is due to start in August.
- 30 • The Federal Rate Agreement for the project 400 N Project
31 will be before council at the July 5 meeting. No money
32 will be set aside until that is approved, and then they can
33 solicit a design consultant.
34

35 11.
36 Planning Commission Report
37

38 They have been talking about rezoning the 500 South corridor by
39 Holly Oil. Holly owns both sides of the road from tracks to tracks.
40 The rezone was first meant to provide a place for Holly to build
41 shops and warehouses. Holly indicated they will more than likely
42 leave the area vacant, so there should be no need for rezoning.
43 They do not want a lot of people in the area of the refinery.
44

45 12.
46 Police Report
47

48 Interim Chief John Rasmussen –

- 49 • In 2010 and 2011 the golf course was burglarized several
50 times. A West Bountiful officer, Josh Ellery, was helping
51 the Bountiful police find stolen property and he recognized
52 items from the golf course. He got a full confession from a
53 19-year-old and most of the property was returned. The
54 officer got a letter of commendation.
55 • In an effort to cut mileage costs, the police are having a gas
56 mileage contest. So far, Josh Ellery has the best mileage in
57 his Charger.
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13.
Finance Report

Heidi Voordeckers – 92% of the fiscal year has elapsed and 86% of the revenues have been received. The report showed an amount in red that represented some property tax that was improperly distributed. To date, sales tax is only down \$7,000 from last year. Revenues are coming back, franchise tax revenues have come in over budget, and building permits and business licenses are up \$9,500. There will be a truth in taxation hearing on August 11 regarding the property tax increase.

14.
Administrative Report

Craig Howe – showed pictures of the Bountiful Heights church service project going on this week. There are 500 volunteers working on 17 homes. Craig talked to some of the residents and they were touched by the service.

15.
Mayor/Council Reports

Mayor Romney –

- Regarding the service project, he is taking the week off to spend time with the crews and encourages council to drive around and see what is going on. The service crew is putting in a French drain and the city is keeping track of the cost so they will know how it will work on other properties.
- The city continues to go through the budget in each department trying to get as efficient as possible.
- He recognized John Rasmussen for doing a good job with the police department as they go through changes. He has been doing a lot of double duty.

Mark Preece –

- The parade committee had their last meeting last Wednesday. Everything is ready and the parade will be held at 10:30 am July 2nd.
- He attended the DUED meeting last week where they discussed financing. Money is still tight for businesses so it is tough to add new business.
- The Historical Committee meeting was Thursday.

Valerie Shaw – no comments

James Bruhn –

- The concert was good on Friday.
- He asked what the city is doing to show appreciation to the service crews. Craig responded they have already provided ice cream from Scoopology for their luau and they have contacted newspaper and put the service project on Twitter. Craig said he would talk to the team leaders about being in the parade.

Dave Tovey – no comments

16.
Approval of Minutes

1 for the June 7, 2011
2 City Council Meeting.

3
4
5 There were two corrections to the minutes.

6
7 MOTION: Valerie moved to approve the minutes for the June 17,
8 2011 City Council Meeting with changes.

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10 SECOND: James Bruhn seconded the Motion.

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12 PASSED: Voting was as follows:

13 Mark Preece – Aye

14 Valerie Shaw – Aye

15 James Bruhn – Aye

16 Dave Tovey – Aye

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20 17.
21 Closed Session

22
23 Not necessary.

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26 18.
27 Possible Action

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29 Not necessary.

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33 19.
34 Adjournment
35 9:45 pm

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38 MOTION: Dave Tovey moved to adjourn.

39
40 SECOND: James Bruhn seconded the Motion.

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42 PASSED: Voting was as follows:

43 Mark Preece – Aye

44 Valerie Shaw – Aye

45 James Bruhn – Aye

46 Dave Tovey – Aye

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MAYOR KENNETH ROMNEY

54

HEIDI VOORDECKERS (CITY RECORDER)

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56
57

NATHALIE ELLINGSON (SECRETARY)

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