Minutes of the meeting of the City Council of West Bountiful City held on Tuesday, July 5, 2011 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

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

STAFF PRESENT: Craig Howe (City Manager), Heidi Voordekers (City Recorder), Ben White (City Engineer), Steve Doxey (City Attorney), Interim Chief John Rasmussen, Nathalie Ellingson (secretary).

VISITORS: Kelly Enquist, Pam Nichols, Alan Malan, Steve Schmidt, Terry Olsen, Sam Whitword, William Whitword.

Mayor Kenneth Romney called this meeting to order at 7:32 pm.

Invocation/Thought: Boy Scout William Whitword gave the Scout Oath.

Pledge of Allegiance led by Sam Whitword.

1. Accept Agenda

MOTION: Mark Preece moved to approve the agenda as written.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting was as follows:

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

2. Public Comment

Kelly Enquist – asked what the bid process is in the city. Mayor Romney referred the question to Ben White. Ben answered that for projects of more than $2500 a purchase order is required. Projects from $500 and up to $5,000 require soliciting bids, but multiple bids are not necessary. $5,000 and over require multiple bids. Projects of $10,000 or more require council approval.

3. Employee of the Month.

Craig Howe read a commendation which had been written by Sgt. Hamilton on Officer Joshua Ellery. Officer Ellery accompanied a Bountiful officer on a burglary call, and he recognized some of the items as having been stolen from the golf course – almost $10,000 worth of property. He was commended for his attention to detail and quick thinking. Craig stated, “one of the advantages of having officers know us, when they see things like this they are more inclined to act.”
4. Public Hearing to Receive
Input on Request to Vacate
Easement at the Property
Located at 568 West 1300 North.

Ben White - The Lee family’s property has an irregular property line in
their back yard due to an easement. A map of the area was provided.
They want to build a garage on the property and in order to fulfill other
requirements they need to build on the easement. Ben recommends
vacating the easement and making the property line straight across all the
properties that abut the easement. The Lees have cleared the project with
the utility companies. Utah Code requires a public hearing be held as
part of the process of vacating an easement.

MOTION: James Bruhn moved to open the public hearing.

SECOND: Dave Tovey seconded the Motion.

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

Kelly Enquist asked if all neighbors had been notified, which they were.

MOTION: James Bruhn moved to close the public hearing

SECOND: Mark Preece seconded the Motion.

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

5. Consider Approval of Resolution
278-11, a Resolution Authorizing the
Vacation of Ten Feet of a Twenty-Foot
Easement of the Property Located
at 568 West 1300 North.

Ben said the only way the city would miss the 10 foot portion of the
easement would be if it became necessary to put in a storm drain,
However, all the homes along the easement have been there a long time
so he does not anticipate any need for that property in the future.

MOTION: James Bruhn moved to approve Resolution 278-11,
authorizing the vacation of ten feet of a twenty-foot easement of the
property located at 568 West 1300 North.

SECOND: John Baza seconded the Motion.

PASSED: Voting by roll call was as follows:
Mark Preece – Aye
James Bruhn – Aye
6. Consider Approval of Resolution 279-11, a Resolution Authorizing the Approval of Exchange Title for the Property Located at 841 West 400 North (correction from the Agenda).

Ben White – Pam (Nichols) Epperson is requesting to assign the rear 0.716 acres of her parcel on 400 North to her parents’ parcel next door. After the proposed change, both properties would still meet zoning requirements. Ben referred to Utah Code Section 10-9a-608 in determining the procedure for handling this type of request. Since the property is not part of a subdivision, a public hearing was not required.

Ms. Epperson stated her reason for wanting the change was to make it more convenient for her to care for her horses.

Once the resolution has passed council, the mayor will sign a “Notice of Approval” which will be recorded with the county, along with a quit claim deed.

Mayor thanked Ms. Epperson for coming to the city with her request because it has happened in the past that people have simply had similar changes recorded at the county and have not notified or consulted with the city.

MOTION: James moved to approve Resolution 279-11 authorizing the approval of exchange title for the property located at 841 West 400 North.

SECOND: Mark Preece seconded the Motion.

PASSED: Voting by roll call was as follows:

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

7. Consider Approval of Resolution 280-11, a Resolution Adopting West Bountiful City Design Standards.

Ben White had presented design standards at the June 21st council meeting. He made one change since then in Plan 12650 – Pollution Protection and Protection from Erosion during construction. He will not implement the standards until he has notified all contractors first, which should be by the first of October. If someone thinks the standards are inappropriate for a particular application, they can bring their case to Ben and he will make the decision, with the city council acting as the appeal authority.

MOTION: John Baza moved to approve Resolution 280-11 adopting West Bountiful City Design Standards.
SECOND: Mark Preece seconded the Motion.

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

8. Consider Approval of
- Utility Easement Agreement
- Between West Bountiful and Utah Telecommunications Open Infrastructure Agency (UTOPIA).

Ben White – UTOPIA is an internet/phone telecommunications company which is quasi-public. The company has a contract with Centerville City. The corner at 640 West and Porter Lane in West Bountiful goes into a straight line to Centerville. The company asked for easement to run wires underground and overhead. Centerville already has water lines running along there in front of the curb, so UTOPIA will more than likely want to run their lines next to it.

Mayor Romney stated he is concerned the road will not be fixed properly after the work is done. Ben has increased excavation fees to cover the costs of the city monitoring the work and making sure the road is patched properly.

Steve Doxey stated he prepared the agreement, making sure it included indemnification (the company cannot put a lien on West Bountiful property).

MOTION: Dave Tovey moved to approve a Utility Easement Agreement between West Bountiful and UTOPIA.

SECOND: Mark Preece seconded the Motion.

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

9. Consider Award of Asphalt Repair
- Contract to Blue Diamond Asphalt
- and Authorize $35,000 to Repair (Patch)
- Various Asphalt Streets Throughout the City.

Ben White – Ben sent out for bids to asphalt companies for patching that needs to be done on some road projects. Parts of Porter Lane, Pages Lane and 1100 West need to be patched in preparation for chip sealing scheduled in August. Streets in Jessi’s Meadows need to be fixed before they fail. Three streets connecting 2250 North and 2350 North are proposed to be overlaid in September, and must be patched before then. The best proposal came from Blue Diamond Asphalt. Ben is asking for $35,000, which provides a little leeway since he cannot determine exact costs before the work is done. He also stated that $5,000 for Jessi’s Meadows is coming out of the bond, the purpose of which was to protect infrastructure.
MOTION: Mark moved to award asphalt repair contract to Blue Diamond Asphalt and to authorize $35,000 to patch various asphalt streets throughout the city.

SECOND: James Bruhn seconded the Motion.

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

Ben White – The Arts Council has requested a permanent stage be put in the park. Ben compared costs between a new portable stage and a permanent stage. He received two bids for both option; the lowest bid came in at $26,800 for adding onto the current stage and $32,800 to build a permanent stage. It was agreed the bid was too high, and Mayor Romney suggested a limit of $10,000. Dave Tovey suggested they see a master plan for the park before any decision is made about the stage. Ben will solicit information from council over the next few months.

Planning Commission Report

Ben White – At the June 29th meeting, they discussed a conditional use permit for an auto sales and service that is transferring from Layton to the corner of 1100 West and 500 South. They discussed a potential rezone on 500 South from the railroad tracks to the west boundary of the city. The sign ordinance work has been set aside temporarily. They met with Holly Oil, and a joint work session with the planning commission has been proposed so that Holly can present their requests.

Administration Report

Craig Howe –

- The Fourth of July festivities were well done. He attended the firework show in Layton and thought they were not as well done as the West Bountiful fireworks. He recognized Terry Olsen for the job he did with the parade committee. Terry asked if the city could recognize other committee members and volunteers. He will make a list of those people and the staff will prepare some certificates for them.
- Craig has given permission to an Australian film crew with National Geographic to film along 1100 West.
- Craig is planning a July 14 planning budget summit meeting with the department heads.
- Kathy Brightwell is the new community development clerk.
- A number of the Serve West Bountiful volunteers were in the parade. The city will offer the volunteers some rounds of golf in appreciation for their service.
Craig expressed sympathy to Sgt. Hamilton who lost a son-in-law in an automobile accident.

Mayor Romney – Extended thanks to all who helped on the Fourth of July celebration. He was in charge of the 7:00 am flag ceremony. Several religious and civic groups have asked for projects they can do for the city, including a youth group who will pull weeds on the overpass, and another group who will work at the 1200 North and Pages trailhead. The mayor asked John Rasmussen about police coverage during the parade, and response was they were shorthanded but had help from two Bountiful officers.

Mark Preece – Recognized Debbie McKean for her contribution to the Fourth celebration. The next newsletter will come out before the end of the month.

James Bruhn – Suggested some service groups could clean up debris on 800 West. He asked if the Arts Council could be in charge of the flag ceremony next year. They would plan ahead and do more advertising for it. James still wants them to find a way to not have to compete with Centerville on their Fourth of July activities; they could ask for suggestions from the community. He attended a Police Committee meeting where Cory Boyle talked about a canine unit.

John Baza – Found the number of service people who came out was incredible. He said an employee’s son participated in a baseball tournament on the new field, and she likes the improvements.

Dave Tovey – The Youth Council is currently taking applications for new members and a mayor. The Neighborhood Watch meeting has been postponed. He suggested they send a thank you letter to Holly Oil for the fireworks.

MOTION: Mark Preece moved to approve the minutes for the July 21, 2011 city council meeting.

SECOND: Dave Tovey seconded the Motion.

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

Closed Meeting,
if necessary, for reasons
allowed by state law.

Not applicable.

16. Possible action following
   closed meeting, including
   appointment to boards and
   commissions.

Not applicable.

17. Adjourn
   9:15 pm

MOTION: James Bruhn moved the adjourn.

SECOND: Mark Preece seconded the Motion.

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

[Signatures]

MAYOR KENNETH ROMNEY

HEIDI VOORDECKERS (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)