

1 Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday,  
2 September 6, 2011 at West Bountiful City Hall, Davis County, Utah  
3  
4

5 Those in Attendance

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

8  
9 STAFF PRESENT: Craig Howe (City Administrator), Heidi  
10 Voordeckers (City Recorder), Ben White (City Engineer), Steve  
11 Doxey (City Attorney), Interim Chief John Rasmussen, Nathalie  
12 Ellingson (secretary).  
13

14 VISITORS: Alan Malan, Judy Rapp, Sandi Smith, Terry Olsen,  
15 Troy Larsen, Kelly Enquist, Gary Jacketta, Mike Bicker, Andrew  
16 Smith, Cathy Brightwell.  
17

18 Called to Order:

19  
20 Mayor Kenneth Romney of West Bountiful City called this session  
21 to order at 7:37 pm.  
22

23 Pledge of Allegiance was let by Boy Scout Spencer Gleave of  
24 Troop 1259.  
25

26 Invocation/Thought - Boy Scout Corbin Barlow repeated the  
27 Scout Oath.  
28

29 1.  
30 Accept Agenda  
31

32 MOTION: James Bruhn moved that Council approve the Agenda  
33 as posted.  
34

35 SECOND: Mark Preece seconded the Motion.  
36

37 PASSED: Voting was as follows:

38 Mark Preece – Aye  
39 Valerie Shaw – Aye  
40 James Bruhn – Aye  
41 John Baza – Aye  
42 Dave Tovey – Aye  
43

44 2.  
45 Public Comment  
46

47 Terry Olsen, 10<sup>th</sup> West 1600 North – appreciates the chipping done  
48 from Pages Lane to 200 North. The line on the old surface was  
49 double yellow and he would like them to consider doing a dotted  
50 line. There are times when he is moving heavy equipment on the  
51 road and other cars are forced to cross the double line to pass him,  
52 thereby breaking the law. Mayor Romney responded that they are  
53 restriping the new surface to have a passing lane. Mr. Olsen also  
54 wanted to commend the Interim Chief, John Rasmussen, for his  
55 willingness to help Mr. Olsen on various special projects for the  
56 city  
57

58 Judy Rapp – Her organization is holding another 10K race at the  
59 West Bountiful Park on September 17th. They will have a DJ  
60 beginning at 7:30 am and the race will begin at 8:00 am. As  
61 required by the city ordinance, she is asking for approval from the

1 city council, The DJ was approved. She also asked if the road  
2 construction on Pages Lane will be closer to the park on September  
3 17th. Ben responded the work would be where it is now.  
4

5 Kelly Enquist and Doug Lane – Doug brought two boxes of his  
6 home-grown vegetables for the council members and staff. They  
7 both also wanted to commend the law enforcement agency for  
8 moving in a positive direction.  
9

10 3.  
11 Employee of the Month  
12

13 Craig Howe presented Rocky Miller as the Employee of the Month  
14 for August. A citation came from the police department, which  
15 Chief Rasmussen read to the council. On July 1st, he had been  
16 assisting with the fireworks at the park and had little time to spend  
17 with his family. When he was able to sit with his family, he saw  
18 an eight year old boy's glow stick break and the liquid went in his  
19 eye, which burned the area around it. The boy also suffers from  
20 stress-induced asthma. Mr. Miller gave first aid with limited  
21 supplies and called Officer Boyle. They calmed the child and  
22 stopped the burning. The family, medical staff and officers were  
23 appreciative of Mr. Miller's quick actions.  
24

25 4.  
26 Golf Report and Consider  
27 Appointment of Council  
28 Members to Golf Committee  
29

30 Mike Bicker – provided financial reports to council for July and  
31 August. Last July had been a poor month, and this July was a big  
32 improvement. Between revenues and expenses, they were able to  
33 hold the line. The expenses for August have not been calculated  
34 but revenues have shown a big improvement over August of last  
35 year. They are testing a golf simulator which can be used for  
36 league play and during the winter months. They are also working  
37 on heating the driving range for winter use. James Bruhn asked if  
38 the discounted rate for citizens is worth keeping up, since most  
39 golfers are from outside the city, and if it was difficult to  
40 administer. Mr. Bicker does not feel it is a big issue either way,  
41 and said the new committee would review it. Alan Malan asked  
42 how many rounds had been played each month. Mr. Bicker  
43 responded 7,228 rounds were played in July, and 6,117 rounds  
44 were played in August.  
45

46 Mayor Romney stated there had been a golf board which included  
47 a council member and several residents. The board was disbanded,  
48 but he wants to replace it for the time being with a golf course  
49 committee consisting of himself, two council members, the city  
50 administrator, and the golf pro. John Baza stated he would like to  
51 be on the committee as a council member until the end of his term  
52 and then stay on the committee as a private citizen afterwards.  
53 Dave Tovey said he would be on the committee.  
54

55 5.  
56 Consider Approval of Resolution 283-11,  
57 A Resolution Establishing Fund 34,  
58 Streets Capital Improvement Fund,  
59 and Establishing the Transfer of  
60 Revenues Related to the Fiscal Year 2012  
61 Property Tax Increase.

1  
2 Heidi Voordeckers – as part the property tax increase, the council  
3 had requested that the increased revenues be set aside to fund street  
4 projects. A Streets Capital Improvement Funds has been created to  
5 which a set amount of \$212,500 will be transferred from the tax  
6 increase revenues. The intent is to keep \$212,500 as the annual  
7 budget amount for this new fund. This amount may be changed by  
8 future councils, but would require formal action to do so.  
9

10 MOTION: Dave Tovey moved to approve Resolution 283-11,  
11 establishing Fund 34, Streets Capital Improvement Fund, and  
12 approve an annual transfer of revenues of \$212,500 into the fund.  
13

14 SECOND: James Bruhn seconded the Motion.  
15

16 PASSED: Voting 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 6.  
24 Discussion on Possible  
25 Addition of Alarm Regulations  
26 to the West Bountiful City  
27 Municipal Code  
28

29 Chief Rasmussen – in finding a solution for the problem of  
30 regulating alarms (false alarms, outdated contact information, etc.),  
31 it has become a trend for cities to require alarm users to register  
32 with the city and to issue yearly permits. The police department of  
33 West Bountiful responded to 226 alarms the past year which took a  
34 total time of 70 hours. These are a nuisance when the alarms are  
35 false. Cathy Brightwell has looked at regulations from other cities  
36 and has come up with a good municipal code. Chief Rasmussen  
37 would like to impose the regulation gradually to give him time to  
38 educate businesses. Mayor Romney asked if there would be a  
39 difference between business alarm users and resident alarm users.  
40 Although the number of home alarms is small, Chief Rasmussen  
41 wants to require permits across the board.  
42

43 Cathy Brightwell – the permits would be free since the main  
44 purpose of requiring a permit is to get updated information each  
45 year. There will be a fee for more than four false alarms. The  
46 police secretary would do the tracking of call-outs. Computers in  
47 the police cars will have this information, also. As well as putting  
48 an article in the newsletter, Heidi suggested putting a notification  
49 in with the business license renewals that go out in November.  
50

51 Mayor Romney will have Steve Doxey review the ordinance and it  
52 will come back for approval in the next council meeting.  
53

54 7.  
55 Consider Award of Contract  
56 in the Amount of \$93,225 to  
57 Staker Parsons for 2250 North  
58 Streets Overlay.  
59  
60

1 Ben White – this contract has already been discussed in a previous  
2 meeting, but he now has all the documentation necessary from  
3 Staker Parsons to award the contract. The project is scheduled to  
4 be completed in mid-September.

5  
6 MOTION: Dave Tovey moved to approve award of the contract in  
7 the amount of \$93,225 to Staker Parsons for the 2250 North streets  
8 overlay.

9  
10 SECOND: John Baza seconded the Motion.

11  
12 PASSED: Voting was as follows:

13 Mark Preece – Aye  
14 Valerie Shaw – Aye  
15 James Bruhn – Aye  
16 John Baza – Aye  
17 Dave Tovey – Aye  
18

19 8.  
20 Consider Approval of Deferred  
21 Improvement Agreement Between  
22 West Bountiful City and Brandon and  
23 Katrina McKean for the Property  
24 Located at 1065 North 1100 West.  
25

26  
27 Ben White – this agreement is similar to that made with the  
28 Nafosoi family recently. The McKean family have applied to put up a  
29 barn on their property. The subdivision where they reside was  
30 developed 10 years ago. They live on the only developed property  
31 in the subdivision and they got a deferment agreement with the city  
32 so they did not have to put in a curb and gutter. The deferment  
33 was for 10 years, and the 10 years are up, so they now either must  
34 put in a curb and gutter or execute a new deferred improvement  
35 agreement. Ben suggests the agreement in order to keep all  
36 properties in the subdivision consistent rather than have just one  
37 property with a curb and gutter.  
38

39 MOTION: Dave Tovey moved to approve a Deferred  
40 Improvement Agreement between Brandon and Katrina McKean  
41 and West Bountiful City.  
42

43 SECOND: Mark Preece seconded the Motion.  
44

45 PASSED: Voting was as follows:

46 Mark Preece – Aye  
47 Valerie Shaw – Aye  
48 James Bruhn – Aye  
49 John Baza – Aye  
50 Dave Tovey – Aye  
51

52 9.  
53 Review of Proposed City Park  
54 Master Plan and Consider Approval  
55 of Construction of Third Ball Diamond  
56 at City Park at a Cost of \$40,000.  
57

58  
59 Ben White – the Parks and Trails Committee discussed the  
60 possibility of building a third baseball diamond and Ben created a  
61 master plan for a third baseball field, a soccer field, basketball

1 court, new play equipment, and a walking path around the  
2 perimeter of the park. He is asking permission from council to go  
3 forward with the design and put out bids for the new diamond to be  
4 completed by next year. James Bruhn stated he has had comments  
5 from residents they would like a small toy close to the ball field.  
6 Ben said the Parks and Trails Committee would discuss it. Valerie  
7 Shaw asked if the new field is necessary, and Kelly Enquist stated  
8 he has observed some games which are for four different age  
9 groups and he has seen another field is justified. Valerie  
10 mentioned some cities charge for their ball fields, and Kelly  
11 responded if they charged, they would need more staff to maintain  
12 the field.

13  
14 MOTION: James Bruhn moved to approve construction of a third  
15 baseball diamond at the city park at a cost of \$40,000.

16  
17 SECOND: Mark Preece seconded the Motion.

18  
19 PASSED: Voting was as follows:

20 Mark Preece – Aye  
21 Valerie Shaw – Aye  
22 James Bruhn – Aye  
23 John Baza – Aye  
24 Dave Tovey – Aye  
25

26 10.  
27 Appeal of City Engineer Letter  
28 to Frances Wilby Dated July 28, 2011 –  
29 Made by Troy Larsen, 465 North 660 West.

30  
31  
32 Steve Doxey – Troy Larsen has served a formal appeal to council  
33 of the decision of the city engineer in regard to Frances Wilby's  
34 horse property. The appeal procedure allows Mr. Larsen to present  
35 evidence and an argument, and the city responds to the appeal. His  
36 formal written appeal was provided to council. Mr. Larsen's  
37 appeal had six points to it: 1) he asks for clarification of ordinance  
38 regarding animal density; 2) he has not refuted Ben's decision that  
39 the fencing on Harris's property complies with the ordinance, but  
40 he questions that the Harris property puts Wilby in density  
41 compliance; 3) he disagrees that the concrete wall and vinyl  
42 fencing are adequate; 4) he disagrees that methods to control odor  
43 and flies meets compliance; 5) does not disagree with Mr. White's  
44 decision that horses should not occupy the south enclosure because  
45 it is too close to Larsen's property, but Mr. Larsen argued the  
46 fencing is insecure in that area; and 6) disagrees that all of the  
47 property can be used to train or ride horses, because he believes the  
48 fencing is inadequate and unsafe.

49  
50 Mr. Doxey instructed council to confine their review to determine  
51 the city engineer's interpretation of the ordinance. He stated his  
52 opinion is that Mr. Larsen is correct in questioning Mr. White's  
53 decision since the ordinance is unclear. He did not believe Mr.  
54 Larsen had provided sufficient evidence against Mr. White's  
55 decisions on the other five points.  
56

57 Council asked the staff to work on tightening up the density  
58 ordinance.  
59

1 MOTION: James Bruhn moved to have Steve Doxey write up a  
2 letter stating the ordinance is weak regarding Item 1 and rule in  
3 Larsen's favor, and rule in city's favor on 2 through 6.  
4

5 SECOND: Dave Tovey seconded the Motion.  
6

7 PASSED: Voting was as follows:

8 Mark Preece – Aye  
9 Valerie Shaw – Aye  
10 James Bruhn – Aye  
11 John Baza – Aye  
12 Dave Tovey – Aye  
13

14 11.  
15 Discussion/Decision for a  
16 \$7,000 Storm Drain Project  
17 Related to the Golden West  
18 Subdivision.  
19

20  
21 Ben White – drainage has been an issue in the Golden West  
22 subdivision for 40 years. He has worked with the Strand family  
23 and they have agreed the city can install two culverts and do a little  
24 grading. He is asking council to approve \$7,000 for the project.  
25 The \$7,000 was not budgeted.  
26

27 MOTION: James Bruhn moved to approve a \$7,000 storm drain  
28 project related to the Golden West Subdivision.  
29

30 DISCUSSION: Council discussed the source of funds for the  
31 project. Several options were proposed. It was suggested the city  
32 could use less funds for cleaning drains and put that savings  
33 toward the project; however, there was concern that homes would  
34 be flooded due to not cleaning the drains. They could go to  
35 Golden West residents for contributions. Ben stated this was the  
36 least expensive solution so far.  
37

38 SECOND: John Baza seconded the Motion.  
39

40 DISCUSSION: Heidi Voordeckers suggested that as part of the  
41 Motion they could agree to move funds from Capital  
42 Improvements.  
43

44 AMENDED MOTION: James Bruhn amended the Motion to  
45 approve \$7,000 for a storm drain project related to the Golden  
46 West subdivision and transfer funds to Storm Drains from Capital  
47 Improvements.  
48

49 SECOND: John Baza seconded the Amended Motion.  
50

51 PASSED: Voting by roll call was as follows:

52 Mark Preece – Nay  
53 Valerie Shaw – Aye  
54 James Bruhn – Aye  
55 John Baza – Aye  
56 Dave Tovey – Aye  
57

58 12.  
59 Consider a Project to Reconstruct  
60 a Section of the 400 North Storm Drain  
61 at a Cost of \$40,000.

1  
2  
3 Ben White – during the spring flooding, Public Works tried  
4 cleaning the drains, but found them to be old and dilapidated. Ben  
5 wants to lay one length of storm drain at once. The \$40,000 has not  
6 been budgeted, but would come from existing storm drain impact  
7 fees. He needs to go through the design/bid process, and plans to  
8 have the project done by next spring.

9  
10 Councilmember Tovey recognized that this would use the entire  
11 balance in the Storm Drain Impact Fee fund.

12  
13 MOTION: James Bruhn moved to approve \$40,000 to reconstruct  
14 a section of the 400 North storm drain.

15  
16 SECOND: John Baza seconded the Motion.

17  
18 PASSED: Voting was as follows:

19 Mark Preece – Aye

20 Valerie Shaw – Aye

21 James Bruhn – Aye

22 John Baza – Aye

23 Dave Tovey – Aye

24  
25 13.  
26 Planning Commission Report

27  
28  
29 Valerie Shaw – at the last meeting they approved the paint booth  
30 for the auto body shop and they had a discussion with Holly Oil  
31 regarding the zoning changes. They also talked about the sign  
32 ordinance, regarding temporary signs and issues with the north  
33 RDA. Two public hearings will be scheduled regarding zoning  
34 issues and one for signs. Because of voting next week, the  
35 Planning Commission meeting will be held on Thursday.

36  
37 14.  
38 Police Report - July

39  
40  
41 Chief John Rasmussen – the number of arrests have gone down.  
42 The busiest time for the officers has changed from Monday to  
43 Wednesday, and the least busy time has changed from Friday to  
44 Sunday. Alarms remain consistent, animal control issues have  
45 gone up, and there has been a rise in responding to suspicious  
46 activity.

47  
48 He had a couple of instances where they gave bears and blankets to  
49 some children. The police responded to a domestic call where the  
50 parents were arguing and the two year old girl was upset. The  
51 officer gave her a blanket and she loved it. They also responded to  
52 some people whose car was stranded at RB's in Woods Cross. It  
53 also turned out they were living in their car at the time. The three  
54 children were given blankets.

55  
56 15.  
57 Finance Report - July

58  
59  
60 Heidi Voordeckers – the May and June receipts show sales taxes  
61 up by \$15,000. They have not collected sales tax yet from July,

1 when the US dropped it's credit rating and the stock market  
2 dropped. Golf course revenues are ahead of last year while  
3 spending is down, however there is a substantial negative net  
4 change in cash related to making the bond payment early. This  
5 report also represents the first period that public works time is  
6 reported based on hours worked rather than a percent allocation.  
7 As we continue throughout the fiscal year using this method, there  
8 will be some fluctuations when compared to prior years based on  
9 the seasonal nature of the work that the public works department  
10 performs.

11  
12 To date, 45 absentee ballots have been sent out for the primary  
13 election and 10 have been returned. They have had 16 early  
14 voters. West Bountiful has the fewest early voters of all the  
15 surrounding cities.

16  
17 10:00 pm

18  
19 MOTION: James Bruhn moved to extend the meeting to the end  
20 of the agenda.

21  
22 SECOND: Dave Tovey seconded the Motion.

23  
24 PASSED: Voting was as follows:

25 Mark Preece – Aye  
26 Valerie Shaw – Aye  
27 James Bruhn – Aye  
28 John Baza – Aye  
29 Dave Tovey – Aye

30  
31 16.  
32 Administrative Report

33  
34 Craig Howe –

- 35 • The EPA has issued an invitation to tour the filter plant on  
36 September 13. They will meet at 4:00. A public  
37 presentation will be at 4:30.
- 38 • Officer Andrew Smith started today and, Elizabeth Bogdan  
39 will be ready to start after completing two items of training.  
40 They have initiated the lease of the new police vehicles.  
41 Also, during the hiring process, they have picked up two  
42 reserve officers.
- 43 • Flatiron's property has gone to the bank, but if they move  
44 back in next door, the city will refile charges.

45  
46 17.  
47 Engineers Report

48  
49 Ben White –

- 50 • The chip seal was finished this week. The top coat was  
51 applied but did not dry due to the weather. They will try  
52 again tomorrow.
- 53 • Davis County has started a new storm drain project on  
54 Pages Lane. It will go to the east end of the park.
- 55 • UDOT has selected a consultant for the 400 North project.  
56 More information will come in future meetings.

57  
58  
59  
60 18.

1 Mayor/Council Reports

2  
3  
4 Mark Preece – Historical Committee – Mark and Alan Malan told  
5 about someone who has applied to build at Heritage West. Mr.  
6 Malan explained that the applicant showed them pictures, but his  
7 plan is not historical. They may have to consult an architect.  
8 Mark missed the Communication meeting.

9  
10 Valerie Shaw – she had a question regarding the management  
11 meeting: She thought the Explorer that they are planning to turn  
12 over to Public Works was in good condition, and she asked for  
13 some clarification. Craig stated they have had to do a lot of work  
14 on the police Explorer recently, and that is the one they are  
15 considering turning over to Public Works. The other Explorer has  
16 100,000 miles on it.

17  
18 James Bruhn – Wasatch Integrated paid for him to attend a waste  
19 management conference. He spent some time with an enforcement  
20 officer from Washington Terrace who had a good letter for getting  
21 people to cut their weeds, and James thought it would be good for  
22 West Bountiful. He also showed council an advertisement for a  
23 mower he thinks would be good for West Bountiful.

24  
25 John Baza – met with the Audit Committee. They discussed the  
26 auditors concerns about the funds balancing.

27  
28 Dave Tovey – Youth City Council is planning a service project to  
29 help with the school carnival. He also asked if he could be on the  
30 Parks and Trails Committee.

31  
32 Mayor Romney – wanted to thank the council and staff for all they  
33 do and the time they put in.

34 19.  
35 Approval of Minutes for the  
36 Truth in Taxation Public Hearing  
37 Held on August 11, 2011 and the  
38 City Council Meeting Held on  
39 August 16, 2011.

40  
41  
42 Valerie Shaw had comments which were missing under Item 4.

43  
44 MOTION: John Baza moved to approve minutes from the truth in  
45 taxation public hearing of August 11, 2011, and the city council  
46 meeting of August 16, 2011, including Valerie Shaw's comments  
47 in Item 4.

48  
49 SECOND: James Bruhn seconded the Motion.

50  
51 PASSED: Voting was as follows:  
52 Mark Preece – Aye  
53 Valerie Shaw – Aye  
54 James Bruhn – Aye  
55 John Baza – Aye  
56 Dave Tovey – Aye

57  
58 MOTION: James Bruhn moved to go to the closed session to  
59 discuss the character, professional competence or physical or  
60 mental health of an individual and to discuss purchase, exchange,  
61 or lease of real property.

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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

20.  
Closed Meeting, if Necessary,  
for Reasons Allowed by State Law.

11:25 pm

MOTION: Valerie Shaw moved to adjourn the closed session

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

21.  
Possible Action Following  
Closed Meeting, Including  
Appointment to Boards and  
Commissions.

Not necessary

22.  
Adjourn  
11:27

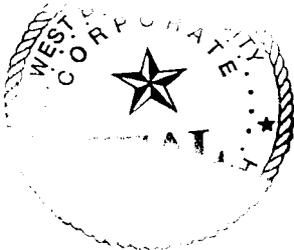
MOTION: Mark Preece moved to adjourn City Council meeting.

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)