Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, November 1, 2011 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

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

STAFF PRESENT: Craig Howe (City Administrator), Heidi Voordequeers (City Recorder), Ben White (City Engineer), Chief Todd Hixson, Nathalie Ellingson (secretary).

VISITORS: Larry Stanger, Kelly Enquist, Alan Malan, Terry Olsen, Rick Bangerter, Sandi Smith, Lynette Larson, Lynn Keddington, Rob Turville, RaNae Bangerter, Ken L. Bangerter, Laura Charchenko, James Ahlstrom, Kevin Thatcher, Debbie McKean, Trent Larson, Jason Burningham.

Called to Order: Mayor Kenneth Romney called this session to order at 7:35 pm.

Invocation/Thought – Invocation given by Dave Tovey.

Pledge of Allegiance was led by Mark Preece.

1. Accept Agenda

MOTION: Dave Tovey moved to approve the Agenda as written.

SECOND: Mark Preece seconded the Motion.

PASSED: Voting was as follows:

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

2. Public Comment

No comments.

3. Employee of the Month

Craig Howe – Employee of the Month is Ben White. There have been significant changes in the city since Ben assumed the position as City Engineer, as well as assuming the duties of zoning administrator when that position was vacated. He also served as interim public works director prior to filling the public services director position. Ben displays the divergent skills required by each position.

4. Consider Approval of Water Service and Connection Agreement Between West Bountiful City and Holly Refining and
Ben White referred to a memorandum from Steve Doxey. About a year ago, Holly approached the city with a request for an agreement in case of an event where a large amount of water would be required. After discussing the city’s system and looking at what limitations there were, they worked out an agreement.

Holly Oil requested that, in case of an event, the city supply them with 4600 gallons of water per minute for up to four hours, which would total 1,104,000 gallons of water. The agreement includes the city to keep 700,000 gallons of water in reserve for them. Ben stated the city could provide the water if two projects are completed: the new well and the 500 South pipeline, which will be larger than the current one. The city is rarely below 2,000,000 gallons in storage. There were only five times in the past six years when the supply dropped to below 2,000,000 gallons. Those occurrences would be mitigated with the two required projects. The city is required by state code to keep 720,000 gallons in reserve for fire protection, and part of this can count as Holly’s reserve. If Holly has a fire and the City only had 700,000 gallons of water stored, Holly would have a priority to the water. Holly agreed to pay the city a total of $1,000,000, an amount arrived at by estimating the cost to construct 1,100,000 gallons of storage. They will pay $500,000 when the well is finished, and $500,000 when the 500 South pipeline is finished.

Mayor Romney asked if, after the completion of the new well, they would still need Weber Basin water. Ben stated they would need some during the summer months, but there would be no shortage in winter.

MOTION: James Bruhn moved to approve the Water Service and Connection Agreement between West Bountiful and Holly Refining and Marketing Company.

SECOND: John Baza seconded the Motion.

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

5. Consider Approval of Basement Request for the Property.
Located at 1455 N. 550 W.

Ben White – recently a request for a basement was approved by the city council and after much discussion on what should be required by the city. Another request has come before city council by Ken and ReNae Bangerter, who want to construct an addition to their home in which the downstairs level will be below street level. Council was asked to consider whether all homes which predated the “no basement” clause were eligible for a permit to build an addition below street level, as long as there were french drains installed and a Notice of Building Restrictions recorded with the deed; also if such permit requests needed to come before council.

Mayor Romney stated he would not grant a permit for an existing home if it was in an area known to have chronic water problems. He asked if drainage improvements could be part of the requirements for a permit.
Ben wanted the ordinance clarified that all homes requesting basements should have drainage improvements, because there are enough requests that he does not want to go through the same conversations with each request. Mayor Romney asked for comments. John Baza suggested council should make a list for Ben of things they want to have in a revised ordinance. Dave Tovey said he did not like the idea of a city telling people if they can have a basement or not, but homeowners should not come to the city later to fix their water problems. Ben said residents know of the water problems in West Bountiful, but people moving in from another area may not.

Mayor Romney asked Ben to prepare a list of what he would like council to change in the ordinance.

MOTION: John Baza moved to approve the basement request for the property located at 1455 N. 550 W.

SECOND: James Bruhn seconded the Motion.

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

6. Consider Approval of the Skiddy Corner Small Lot Subdivision

Ben White – the subdivision is called small lot because it has less than 10 lots and there is no need for a dedicated road. Therefore, the process for approval is streamlined, but it must be approved by council. The subdivision being considered is in the A1 zone, and will be two lots totaling 2 ½ acres. After a public hearing and several discussions, the Planning Commission approved the subdivision provided the ditch was piped.

There was a lot of discussion about alleviating flooding in the subdivision and west of the subdivision, along 400 North. 400 North is a collector road and it will eventually be constructed as far as the equestrian center. Lynette Larsen and Rob Turville had consulted with a water engineer and they presented some of his findings. Ben also reviewed drain plans going west on 400 North. Ben wants to construct the storm drain to accommodate the flow rates indicated in the storm drain master plan and the street section to the City’s standard section. Building the appropriate size pipe now will prevent the City from paying to replace an undersized pipe in the future.

Ben then restated the recommendations regarding piped storm drains, curb and gutter, sidewalk, street lights, etc. and whether they can be required as part of a building permit; also, whether it would be appropriate to do a deferred improvement agreement and what the trigger should be. James Ahlstrom spoke for the Planning Commission, stating the ordinance regarding improvements is too vague. There is no specific language providing that improvements be part of a subdivision, but the ordinance taken as a whole can be interpreted that way. It is more clearly stated in Title 15 Building Permits than it is in Title 16 Subdivisions. Further, the city has never made a decision regarding the appearance of 1100 West and further west.
It was recommended they table the decision until they have answered issues brought up in this session.

MOTION: Dave Tovey moved to table approval of the Skiddy Corner Small Lot Subdivision until they have answers to questions raised in this session.

SECON: 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

Dave Tovey was excused from the meeting.

7. Consider Approval of 286-11, a Resolution Adopting the Allocation of Golf Course Funds.

Heidi Voordecker – The golf course has carried a negative balance for some time. In the first part of the decade the deficit stayed about the same but in recent years it has jumped to almost $1,000,000. After the bond is paid, the golf course can begin returning the money, including interest, back into the funds from which they were borrowed. The new auditors want council to approve a resolution to state the allocation of the golf course fund loan. The funds would be paid back in a priority order, with the water fund first. A copy of the proposed resolution was provided for council.

Mayor Romney told the public this issue had been discussed by council in a work session held before this meeting, and if anyone had questions, they were welcome to speak with him after the meeting.

MOTION: John Baza moved to approve Resolution 286-11, Adopting the Allocation of Golf Course Funds.

SECON: James Bruhn seconded the Motion.

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

8. Engineers Report

Pages Lane is open under the freeway to the frontage road. Staker Paving is doing an overlay for the roundabout, and that is the last work they will do this year. There will be an open house with the project designer on November 16th. He will discuss the impact on certain properties.

9. Administrative Report

Craig Howe –
• The ongoing "yard sale" on 400 North was ended due to the efforts of John Gallagher and Todd Hixson.

• Marcus Fenton has officially started work as the Green Space Coordinator as of Monday. His responsibilities extend beyond the golf course.

• The administration is continuing to focus on organizational structures, policies and procedures, and planned work projects. Work practices are being modified so they will have better ability to capture costs of projects. The change is evolutionary rather than revolutionary.

• Craig will be out of town November 14 through 21 so will not be at the next council meeting.

• He emailed a Mechanic's Report to each council member, and he asked if they wanted printed reports in their council meeting packets. They all said email was fine.


James Ahlstrom – there was high attendance at the public hearing for the farm animal ordinance, and they will revise the ordinance based on public comments. The next public hearing will be about outside storage in the new zone requested by Holly. Council will get a revision next meeting. James Bruhn commented that Sue Hales’ comment in the minutes was incomplete. Mayor Romney asked if they needed to clarify the curb and gutter issue before they finalize the appeal ordinance. Ben said the language in the subdivision ordinance will clarify the issue. They expect a lot of small subdivision requests in the future.

11. Approval of Minutes for October 18, 2011 City Council Meeting

MOTION: James Bruhn moved to approve the minutes for the October 18, 2011 City Council Meeting.

SECOND: Mark Preece seconded the Motion

PASSED: Voting was as follows:

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

12. Mayor/Council Reports

Mark Preece – the Communications meeting will be next week. James Bruhn – attended a Wasatch Integrated Waste meeting. They are changing the burn unit to natural gas instead of diesel. An independent auditor looked over the facility and found it in good condition. He said it should last another 15 years.

John Baza – nothing to report.

Mayor Romney – Todd Hixson is doing well as the new Chief of Police.

13. Closed Meeting
14. Possible Action Following Closed Meeting

Not necessary.

15. Adjourn to RDA Meeting

MOTION: James Bruhn moved to adjourn the council meeting and go to the RDA meeting.

SECOND: John Baza seconded the Motion.

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

MAYOR KENNETH ROMNEY
HEIDI VOORDECKERS (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)