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3 Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, November  
4 1, 2011 at West Bountiful City Hall, Davis County, Utah  
5  
6

7 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 Voordeckers (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.

20  
21 Called to Order: Mayor Kenneth Romney called this session to order at 7:35 pm.  
22  
23  
24

25 Invocation/Thought – Invocation given by Dave Tovey.  
26

27 Pledge of Allegiance was led by Mark Preece.  
28

29 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

42 2.  
Public Comment

No comments.

47 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.

58 4.  
59 Consider Approval of Water  
60 Service and Connection Agreement  
61 Between West Bountiful City  
62 and Holly Refining and

1 Marketing Company.

2  
3 Ben White referred to a memorandum from Steve Doxey. About a year  
4 ago, Holly approached the city with a request for an agreement in case of  
5 an event where a large amount of water would be required. After  
6 discussing the city's system and looking at what limitations there were,  
7 they worked out an agreement.

8  
9 Holly Oil requested that, in case of an event, the city supply them with  
10 4600 gallons of water per minute for up to four hours, which would total  
11 1,104,000 gallons of water. The agreement includes the city to keep  
12 700,000 gallons of water in reserve for them. Ben stated the city could  
13 provide the water if two projects are completed: the new well and the 500  
14 South pipeline, which will be larger than the current one. The city is  
15 rarely below 2,000,000 gallons in storage. There were only five times in  
16 the past six years when the supply dropped to below 2,000,000 gallons.  
17 Those occurrences would be mitigated with the two required projects. The  
18 city is required by state code to keep 720,000 gallons in reserve for fire  
19 protection, and part of this can count as Holly's reserve. If Holly has a  
20 fire and the City only had 700,000 gallons of water stored, Holly would  
21 have a priority to the water. Holly agreed to pay the city a total of  
22 \$1,000,000, an amount arrived at by estimating the cost to construct  
23 1,100,000 gallons of storage. They will pay \$500,000 when the well is  
24 finished, and \$500,000 when the 500 South pipeline is finished.

25  
26 Mayor Romney asked if, after the completion of the new well, they would  
27 still need Weber Basin water. Ben stated they would need some during  
28 the summer months, but there would be no shortage in winter.

29  
30 MOTION: James Bruhn moved to approve the Water Service and  
31 Connection Agreement between West Bountiful and Holly Refining and  
32 Marketing Company.

33  
34 SECOND: John Baza seconded the Motion.

35  
36 PASSED: Voting was as follows:

37 Mark Preece – Aye

38 James Bruhn – Aye

39 John Baza – Aye

40 Dave Tovey – Aye

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45 5.  
46 Consider Approval of Basement  
47 Request for the Property  
48 Located at 1455 N. 550 W.

49  
50 Ben White – recently a request for a basement was approved by the city  
51 council and after much discussion on what should be required by the city.  
52 Another request has come before city council by Ken and ReNae  
53 Bangerter, who want to construct an addition to their home in which the  
54 downstairs level will be below street level. Council was asked to consider  
55 whether all homes which predated the “no basement” clause were eligible  
56 for a permit to build an addition below street level, as long as there were  
57 french drains installed and a *Notice of Building Restrictions* recorded with  
58 the deed; also if such permit requests needed to come before council.

59  
60 Mayor Romney stated he would not grant a permit for an existing home if  
61 it was in an area known to have chronic water problems. He asked if  
62 drainage improvements could be part of the requirements for a permit.

1 Ben wanted the ordinance clarified that all homes requesting basements  
2 should have drainage improvements, because there are enough requests  
3 that he does not want to go through the same conversations with each  
4 request. Mayor Romney asked for comments. John Baza suggested  
5 council should make a list for Ben of things they want to have in a revised  
6 ordinance. Dave Tovey said he did not like the idea of a city telling people  
7 if they can have a basement or not, but homeowners should not come to  
8 the city later to fix their water problems. Ben said residents know of the  
9 water problems in West Bountiful, but people moving in from another area  
10 may not.

11  
12 Mayor Romney asked Ben to prepare a list of what he would like council  
13 to change in the ordinance.

14  
15 MOTION: John Baza moved to approve the basement request for the  
16 property located at 1455 N. 550 W.

17  
18 SECOND: James Bruhn seconded the Motion.

19  
20 PASSED: Voting was as follows:

21 Mark Preece – Aye

22 James Bruhn – Aye

23 John Baza – Aye

24 Dave Tovey – Aye

25  
26  
27 6.  
28 Consider Approval of the  
29 Skiddy Corner Small Lot  
30 Subdivision

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

38  
39  
40 There was a lot of discussion about alleviating flooding in the subdivision  
41 and west of the subdivision, along 400 North. 400 North is a collector  
42 road and it will eventually be constructed as far as the equestrian center.  
43 Lynette Larsen and Rob Turville had consulted with a water engineer and  
44 they presented some of his findings. Ben also reviewed drain plans going  
45 west on 400 North. Ben wants to construct the storm drain to  
46 accommodate the flow rates indicated in the storm drain master plan and  
47 the street section to the City's standard section. Building the appropriate  
48 size pipe now will prevent the City from paying to replace an undersized  
49 pipe in the future.

50  
51 Ben then restated the recommendations regarding piped storm drains, curb  
52 and gutter, sidewalk, street lights, etc. and whether they can be required as  
53 part of a building permit; also, whether it would be appropriate to do a  
54 deferred improvement agreement and what the trigger should be. James  
55 Ahlstrom spoke for the Planning Commission, stating the ordinance  
56 regarding improvements is too vague. There is no specific language  
57 providing that improvements be part of a subdivision, but the ordinance  
58 taken as a whole can be interpreted that way. It is more clearly stated in  
59 Title 15 Building Permits than it is in Title 16 Subdivisions. Further, the  
60 city has never made a decision regarding the appearance of 1100 West and  
61 further west.  
62

1 It was recommended they table the decision until they have answered  
2 issues brought up in this session.

3  
4 MOTION: Dave Tovey moved to table approval of the Skiddy Corner  
5 Small Lot Subdivision until they have answers to questions raised in this  
6 session.

7  
8 SECOND: Mark Preece seconded the Motion.

9  
10 PASSED: Voting by roll call was as follows:

11 Mark Preece – Aye  
12 James Bruhn – Aye  
13 John Baza – Aye  
14 Dave Tovey – Aye  
15

16  
17 Dave Tovey was excused from the meeting.

18  
19 7.  
20 Consider Approval of 286-11,  
21 a Resolution Adopting the  
22 Allocation of Golf Course Funds.

23  
24 Heidi Voordeckers – The golf course has carried a negative balance for  
25 some time. In the first part of the decade the deficit stayed about the same  
26 but in recent years it has jumped to almost \$1,000,000. After the bond is  
27 paid, the golf course can begin returning the money, including interest,  
28 back into the funds from which they were borrowed. The new auditors  
29 want council to approve a resolution to state the allocation of the golf  
30 course fund loan. The funds would be paid back in a priority order, with  
31 the water fund first. A copy of the proposed resolution was provided for  
32 council.

33  
34 Mayor Romney told the public this issue had been discussed by council in  
35 a work session held before this meeting, and if anyone had questions, they  
36 were welcome to speak with him after the meeting.

37  
38 MOTION: John Baza moved to approve Resolution 286-11, Adopting the  
39 Allocation of Golf Course Funds.

40  
41 SECOND: James Bruhn seconded the Motion.

42  
43 PASSED: Voting was as follows:

44 Mark Preece – Aye  
45 James Bruhn – Aye  
46 John Baza – Aye  
47

48  
49 8.  
50 Engineers Report

51  
52 Pages Lane is open under the freeway to the frontage road. Staker Paving  
53 is doing an overlay for the roundabout, and that is the last work they will  
54 do this year. There will be an open house with the project designer on  
55 November 16<sup>th</sup>. He will discuss the impact on certain properties.  
56

57  
58 9.  
59 Administrative Report

60  
61 Craig Howe –

- 1 • The ongoing “yard sale” on 400 North was ended due to the efforts
- 2 of John Gallagher and Todd Hixson.
- 3 • Marcus Fenton has officially started work as the Green Space
- 4 Coordinator as of Monday. His responsibilities extend beyond the
- 5 golf course.
- 6 • The administration is continuing to focus on organizational
- 7 structures, policies and procedures, and planned work projects.
- 8 Work practices are being modified so they will have better ability
- 9 to capture costs of projects. The change is evolutionary rather than
- 10 revolutionary.
- 11 • Craig will be out of town November 14 through 21 so will not be
- 12 at the next council meeting.
- 13 • He emailed a Mechanic’s Report to each council member, and he
- 14 asked if they wanted printed reports in their council meeting
- 15 packets. They all said email was fine.
- 16
- 17
- 18

19 10.  
20 Planning Commission Report

21  
22 James Ahlstrom – there was high attendance at the public hearing for the  
23 farm animal ordinance, and they will revise the ordinance based on public  
24 comments. The next public hearing will be about outside storage in the  
25 new zone requested by Holly. Council will get a revision next meeting.  
26 James Bruhn commented that Sue Hales’ comment in the minutes was  
27 incomplete. Mayor Romney asked if they needed to clarify the curb and  
28 gutter issue before they finalize the appeal ordinance. Ben said the  
29 language in the subdivision ordinance will clarify the issue. They expect a  
30 lot of small subdivision requests in the future.

31  
32 11.  
33 Approval of Minutes for  
34 October 18, 2011 City  
35 Council Meeting

36  
37 MOTION: James Bruhn moved to approve the minutes for the October  
38 18, 2011 City Council Meeting.

39  
40 SECOND: Mark Preece seconded the Motion

41  
42 PASSED: Voting was as follows:

43 Mark Preece – Aye  
44 James Bruhn – Aye  
45 John Baza – Aye  
46

47  
48 12.  
49 Mayor/Council Reports

50  
51 Mark Preece – the Communications meeting will be next week.  
52 James Bruhn – attended a Wasatch Integrated Waste meeting. They are  
53 changing the burn unit to natural gas instead of diesel. An independent  
54 auditor looked over the facility and found it in good condition. He said it  
55 should last another 15 years.  
56 John Baza – nothing to report.  
57 Mayor Romney – Todd Hixson is doing well as the new Chief of Police.  
58

59  
60 13.  
61 Closed Meeting  
62

1 Not necessary

2  
3 14.  
4 Possible Action Following  
5 Closed Meeting

6  
7 Not necessary.

8  
9 15.  
10 Adjourn to RDA Meeting

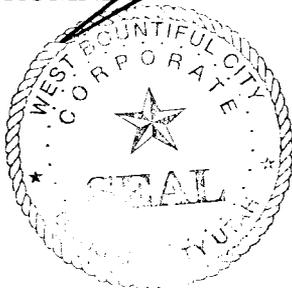
11  
12 MOTION: James Bruhn moved to adjourn the council meeting and go to  
13 the RDA meeting.

14  
15 SECOND: John Baza seconded the Motion.

16  
17 PASSED: Voting was as follows:  
18 Mark Preece – Aye  
19 James Bruhn – Aye  
20 John Baza – Aye

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27   
MAYOR KENNETH ROMNEY

28   
HEIDI VOORDECKERS (CITY RECORDER)



  
NATHALIE ELLINGSON (SECRETARY)