

Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, January 17, 2012 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

MEMBERS PRESENT: Mayor Kenneth Romney, James Ahlstrom, Mark Preece, James Bruhn, Debbie McKean. Dave Tovey was excused.

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

VISITORS: Bud Ingles, Ty Hoskins, Ed Swanke, Scott Strong, Kelly Enquist, Terry Olsen, Laura Charchenko, Neil Paget, Alan Malan.

Called to Order: Mayor Romney called this meeting to order at 7:31 pm.

Invocation/Thought – James Ahlstrom gave an invocation.

Pledge of Allegiance was led by Debbie McKean.

1.  
Accept Agenda

Mayor Romney suggested skipping Item 2 as it will be covered in Item 4.

MOTION: Debbie McKean moved to accept the Agenda, skipping Item 2.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting was as follows:  
James Ahlstrom – Aye  
Mark Preece – Aye  
James Bruhn – Aye  
Debbie McKean – Aye

2.  
Introduction and Board/Committee  
Appointment of City Council Members.

Covered in Item 4.

3.  
Public Comment

Bud Ingles – Mr. Ingles presented a document to the council, which he summarized, stating that on July 19, 2011, the city met with Holly Oil regarding a zone ordinance. In the meeting, the Mayor stated a concern residents would get the impression that Holly was expanding, which they had promised not to do. Holly clarified to the Mayor that they were not planning to expand. A press release has come out stating that Holly Oil has announced an expansion. If Holly expands, their property taxes will be reduced and residents' taxes will increase. Mr. Ingles is also concerned because 500 South and the west side of 1100 West would be good locations for businesses, which would tidy up the area and provide revenue to the city. He believes a large majority of residents support Holly's promise to never expand. To support his statement, Mr. Ingles

1 provided copies of the minutes from July 19, 2011, a Dear Neighbor letter  
2 from Lynn Keddington, and the press release.  
3

4 Mayor Romney responded briefly, stating the council has seen the press  
5 release, but have received no communication from Holly. Regarding Mr.  
6 Ingles' remarks regarding 500 South, the intent of the C-H zone is to allow  
7 commercial space along 500 South.

8 Ty Hoskins – a resident on 559 West, is starting a new business, based on  
9 a study that Harvard conducted in 2008 to reduce use of pesticides,  
10 herbicides, and use of water. They experimented with using compost on  
11 Harvard Yard. In April, they took a core sample and found a 3 inch root  
12 base. By September, water needs had been reduced significantly and there  
13 was a 14 inch root base. Mr.Hoskins wants to put out a public service  
14 announcement stating that composting on grass will break up clay and  
15 reduce water needs. He left some literature to give to Public Works and  
16 the Green Space Coordinator.  
17  
18

19 4.  
20 City Council Board and  
21 Committee Appointments.  
22

23 Mayor Romney –

- 24 • James Bruhn will serve on the Public Works Committee, the Arts  
25 Council, the Parks and Trails Committee, the Public Safety  
26 Committee, and will represent the city on the Waste Board.
- 27 • Mark Preece will serve on the Communications Committee, the  
28 Historical Commission, the Parade Committee, and will represent  
29 the city at DUED.
- 30 • Dave Tovey will serve on the Golf Committee, the Public Safety  
31 Committee, the Parks and Trails Committee, and will serve as  
32 representative to the Youth Council.
- 33 • James Ahlstrom will serve on the Public Works Committee, the  
34 Finance Committee, and will attend the Wasatch Front Regional  
35 Council.
- 36 • Debbie McKean will serve on the Communications Committee, the  
37 Finance Committee, the Golf Committee, will serve as chair of  
38 Independence Day activities in the park, and will represent council  
39 at the Planning Commission meetings.  
40  
41

42 5.  
43 Discussion and Review of  
44 City Park Master Plan  
45

46 Ben White – displayed a birds-eye view of the city park plan, which has  
47 not changed since last fall, except a trail has been revised. He asked  
48 council for comments regarding improvements that should be made.  
49 Debbie McKean stated parents have expressed that it is difficult to watch  
50 children playing at both toys, so the toys should be closer together. Some  
51 parents want a splash pad. Parents had requested the trails where they can  
52 push strollers. The tennis courts will be phased in. James Bruhn said the  
53 Arts Council wants the outdoor stage as soon as possible. Mark Preece  
54 said that there is a short opportunity to use the RAP tax, and so far they  
55 are re-doing the stage and adding the baseball diamond. He hoped for  
56 more information on costs, which would make it easier for them to  
57 determine priorities. Ben stated the overall plan will cost \$1.6 million, but  
58 he needs to refine the breakdowns. \$500,000 is already planned for  
59 replacing the irrigation system. Mark asked if a further breakdown could  
60 be prepared for the first budget work session. James Ahlstrom stated he  
61 was glad they had an overall figure so they cannot over-budget on random  
62 projects that only get talked about. Debbie said she would look for a

1 project list that was made three years ago. One or more work meetings  
2 will be planned regarding park projects.

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4  
5 6.  
6 Consider Approval of Contract for  
7 Construction of Third Baseball Field  
8 to Paget Enterprises Inc. With a  
9 Project Budget of \$50,000.

10  
11 Ben White – had asked last year for a \$40,000 budget based on the cost of  
12 building the third ball field. The third field will cost more than the first  
13 two because it needs to be raised 12 to 18 inches, which alone will cost  
14 \$12,000 for material and \$1,000 for drainage. He recommends they  
15 approve the contract for \$47,379, and approve a total of \$50,000 to allow  
16 for purchase by the city of bleachers and benches, which were not  
17 included in the contract. Kelly Enquist stated the Parks Committee is in  
18 favor of accepting the bid. In response to a questions as to when the  
19 irrigation would go in, Ben stated the diamond will go in before the new  
20 irrigation. The infield will not be affected by work on the sprinkling  
21 system.

22  
23 MOTION: Mark Preece moved to approve the contract with Paget  
24 Enterprises, Inc. for construction of the third baseball field, with a project  
25 budget of \$50,000.

26  
27 SECOND: James Ahlstrom seconded the Motion.

28  
29 PASSED: Voting was as follows:  
30 James Ahlstrom – Aye  
31 Mark Preece – Aye  
32 James Bruhn – Aye  
33 Debbie McKean – Aye  
34  
35

36 7.  
37 Discuss and Consider Award of  
38 Park Bowery Stage Extension Contract.

39  
40 Ben White – solicited bids from contractors and presented a summary to  
41 the council. During the process he compared what was included in the  
42 lower bids. MC Green had the lowest bid, which included replacing part  
43 of the concrete. Other bidders proposed taking down the whole stage.  
44 Ben wants to add \$800 to MC Green's bid to match the amount of  
45 concrete work proposed on the other bids. He recommends awarding the  
46 stage extensions to MC Green for \$14,429, with a project budget of  
47 \$15,000. James Ahlstrom asked what would happen if the cost of the  
48 project extended beyond the amount that was originally bid. Ben said with  
49 bidding out the work a set price is established for additional work from the  
50 beginning. Any additions to expense would need to come before council.  
51 The Parks Committee have requests from residents for other projects, but  
52 the third diamond and the stage are the only projects that have been  
53 promised so far.

54  
55 MOTION: James Bruhn moved to award the Park Bowery Stage  
56 Extension Contract to MC Green for \$14,429, with a project budget of  
57 \$15,000.

58  
59 SECOND: James Ahlstrom seconded the Motion.

60  
61 PASSED: Voting was as follows:  
62 James Ahlstrom – Aye

1 Mark Preece – Aye  
2 James Bruhn – Aye  
3 Debbie McKean – Aye  
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8 8.  
9 Discussion on Allowing Temporary  
10 (Political) Signs on Public Property,  
11 Including Park Strips.  
12

13 Ben White – this issue was discussed last fall and staff and legal counsel  
14 were asked to do more research. Steve Doxey stated he found the city has  
15 discretion in allowing signs. There was discussion regarding the fact that  
16 homeowners do not like signs on their lawns, and usually end up moving  
17 the signs to the park strips; If safety issues are being considered, the city  
18 currently allows signs other than political that would present the same  
19 issues. On the other hand, they cannot make rules specifically for political  
20 signs as they would violate freedom of speech. There is also the  
21 possibility for unintended consequences if they approve political signs on  
22 park strips, such as having to allow signs in the park and other public  
23 areas. James Bruhn stated his position being signs should not be allowed  
24 on park strips, as did the Mayor. Debbie stated that residents should have  
25 the right to determine whether or not the approve of a sign in front of their  
26 house, but she thought the issue should be reviewed further by the  
27 Planning Commission. Mayor Romney directed the issue to the Planning  
28 Commission.  
29

30 9.  
31 Consider Approval of  
32 Ordinance 339-12.  
33

34 *AN ORDINANCE AMENDING TITLE 2, ADMINISTRATION AND*  
35 *PERSONNEL OF THE WEST BOUNTIFUL MUNICIPAL CODE BY*  
36 *INCLUDING CHAPTER 2.64, APPEALS, TO DEFINE THE*  
37 *ADMINISTRATIVE APPEALS PROCESS.*  
38

39 Steve Doxey – as part of the appeals process of non-land use appeals, it is  
40 necessary for the appellant to exhaust administrative remedies before the  
41 issue can go to court. Therefore, the city needs an administrative process  
42 in dealing with these appeals. This was discussed in the last meeting, and  
43 council had indicated they wanted a de novo standard of review so the  
44 appeal would not just be a repetition of the initial application. A timeline  
45 would be provided allowing the city time to review arguments prior to a  
46 hearing. James Ahlstrom had worked with Mr. Doxey in revising the  
47 ordinance, and stated he was pleased with the results.  
48

49 MOTION: James Ahlstrom moved to approve Ordinance 339-12 with  
50 changes proposed by legal counsel.  
51

52 SECOND: Debbie McKean seconded the Motion  
53

54 PASSED: Voting by roll call was as follows:

55 James Ahlstrom – Aye  
56 Mark Preece – Aye  
57 James Bruhn – Aye  
58 Debbie McKean – Aye  
59  
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62

1 10.  
2 Consider Approval of  
3 Ordinance 340-12  
4

5 *AN ORDINANCE AMENDING CHAPTER 17.34, RESIDENTIAL*  
6 *DISTRICT R-1-10, OF THE WEST BOUNTIFUL MUNICIPAL CODE BY*  
7 *INCLUDING CHILD DAY CARE OR NURSERY AS A CONDITIONAL*  
8 *USE.*

9  
10  
11 Ben White – in 2000, the city re-wrote the code and since that time, the  
12 code has been formally published three times. Child care was never  
13 included in the R-1-10 zone, where child care facilities already exist. Ben  
14 could not conclude it was excluded by mistake, so a public hearing was  
15 held with the Planning Commission. There was no public input and the  
16 Planning Commission recommended to the City Council that child care  
17 facilities be approved as a conditional use in the R-1-10 zone.

18 MOTION: Mark Preece moved to approve Ordinance 340-12 amending  
19 the R-1-10 zone to include Child Care.

20  
21 SECOND: Debbie McKean seconded the Motion.

22  
23 PASSED: Voting by roll call was as follows:

24 James Ahlstrom – Aye  
25 Mark Preece – Aye  
26 James Bruhn – Aye  
27 Debbie McKean – Aye  
28  
29

30 11.  
31 Planning Commission Report.

32  
33 Debbie McKean – at the last meeting, they had the public hearing  
34 regarding child care. Denis Hopkinson did an excellent job in orienting  
35 the new commissioners. He asked that all commissioners be added to the  
36 city email. They discussed protocol regarding the alternate member, who  
37 can participate in discussions but sits at the podium and votes only when  
38 filling in for another member.

39  
40 12.  
41 Police Report  
42

43 Chief Hixson – the report in the packet was incorrect due to a computer  
44 error. He is currently receiving applications for the Alcohol Task Force.  
45 The switch to Bountiful Dispatch has gone well. He has received  
46 administrative pages on his phone for large incidents that have occurred in  
47 any of the other cities. He participated in a debriefing with the staff  
48 regarding the windstorm. They discussed what had and had not worked.  
49 They all agreed to set up quarterly emergency preparedness meetings with  
50 the community and to make organizational efforts.

51  
52 A notable case was the restored Camaro which had been stolen and was  
53 recovered in West Bountiful. There was a multi-city pursuit in which the  
54 suspect was apprehended. However, he made bail before they realized he  
55 had charges, including rape, against him. He will probably end up being  
56 deported.

57  
58 Council members commented they liked having their packets delivered to  
59 their homes by the officers as it gives them an opportunity to get to know  
60 them personally.  
61  
62

1 13.  
2 Finance Report

3  
4 Heidi Voordeckers – on the budget report ending December 2011, they are  
5 \$209,000 ahead of last year. Most savings have been in the police  
6 department and in court costs. She provided a budget calendar to the  
7 council. She is tentatively planning a budget retreat for all day on  
8 February 18. Work sessions will also be held before each council  
9 meeting. Debbie McKean asked a question regarding salaries in the  
10 streets budget, and Heidi stated the wages in Public Works are out of  
11 proportion because they have not yet done some allocations. Debbie also  
12 asked if the seasonal employees included the three usually hired for the  
13 golf course. Heidi stated she was waiting for a breakdown between the  
14 golf course and parks and a hiring plan from Marcus. Heidi stated the golf  
15 course's decline in revenue is consistent for this time of year.  
16

17  
18 14.  
19 Engineers Report

20  
21 Ben White –

- 22 • The 400 North and 1100 West water line projects are out for bid.  
23 He will bring recommendations to the next council meeting. He is  
24 under time constraints for getting these projects done.
- 25 • He will do a final review of the road project design on Monday,  
26 and bids will then go out.

27  
28 15.  
29 Administrative Report

30  
31 Craig Howe –

- 32 • \$4.1 million in losses state-wide from the windstorm have been  
33 reported to FEMA, with \$1 million reported by the county, which  
34 is high enough to qualify for FEMA relief. They have forwarded  
35 their request to the governor, who will forward it to the President,  
36 after which it will go to FEMA. At that time, FEMA will ask for  
37 documentation. Much of the cost limit was met from volunteer  
38 work. FEMA representatives were impressed with the clean-up  
39 efforts.
- 40 • Millie Fletcher, principal at the elementary school, has retired, and  
41 a new principal has taken her place, Jone Sun.
- 42 • Craig wants to upgrade the website so it will be easier to get  
43 information out. He and Heidi are looking at web designers.
- 44 • The golf course has been using the Course Trends website in  
45 exchange for two tee times. They are changing the arrangement to  
46 one tee time. Kelly Enquist has found sponsors for the golf score  
47 cards. They are trying to upgrade the point-of-sale system at a cost  
48 of less than \$3,000. There has been discussion about the punch  
49 card passes and gift cards. Their current vendor has them already  
50 built into their software, but the city wants better control.
- 51 • Next year they will be discussing an upgrade to the financial  
52 computer system as part of the budget.

53  
54 16.  
55 Approval of Minutes of  
56 January 3, 2012  
57 City Council Meeting

58  
59 Council asked that corrections be made to Page 3 Line 24, Page 4 Line 27,  
60 and Page 5 Line 2.  
61

MOTION: Mark Preece moved to approve the minutes of the January 3, 2012 city council meeting with noted changes.

SECOND: James Ahlstrom seconded the Motion.

PASSED: Voting was as follows:  
James Ahlstrom – Aye  
Mark Preece – Aye  
James Bruhn – Aye  
Debbie McKean – Aye

17.  
Mayor/Council Reports.

- Debbie McKean – the newsletter will go out tomorrow. There needs to be a discussion included on the next agenda regarding the actual dates for the Independence Day celebrations to avoid conflicting with Centerville’s parade. She also wants to make a proposal regarding a community enhancement program. These may also be scheduled as part of a work session.
- James Bruhn – nothing to report.

10:00 pm.

MOTION: James Bruhn moved to extend the city council meeting for five minutes.

SECOND: James Ahstrom seconded the Motion.

PASSED: Voting was as follows:  
James Ahlstrom – Aye  
Mark Preece – Aye  
James Bruhn – Aye  
Debbie McKean – Aye

- Mark Preece – attended a DUED meeting today. They went to the DATC Entrepreneurial Center. He is working on getting a parade chair.
- James Ahlstrom – nothing to report.
- Mayor Romney – he wants a golf committee meeting planned as soon as possible. Regarding Holly Oil, he received calls from citizens regarding the press release, and he wants to make sure as things progress, council and administration will reach out and get citizens involved. As far as Holly’s promise not to expand, they actually promised not to expand their footprint. They can expand into the rest of their present footprint with certain permits. Craig said the permits must come from DAQ. These permits will be discussed in open meetings held by DAQ that citizens should attend.

18.  
Closed Meeting

Not necessary.

19.  
Possible Action  
Following Closed Meeting

Not necessary.

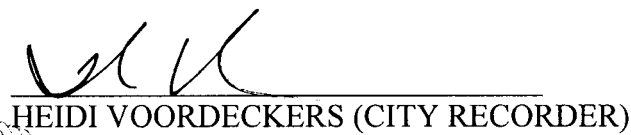
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2  
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5 20.  
6 Adjourn  
7 10:12 pm

8  
9 MOTION: James Bruhn moved to adjourn City Council meeting.

10  
11 SECOND: Mark Preece seconded the Motion.

12  
13 PASSED: Voting was as follows:  
14 James Ahlstrom – Aye  
15 Mark Preece – Aye  
16 James Bruhn – Aye  
17 Debbie McKean – Aye

18  
19  
20  
21   
MAYOR KENNETH ROMNEY

22   
HEIDI VOORDECKERS (CITY RECORDER)



NATHALIE ELLINGSON (SECRETARY)