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 McKeen. Dave Tovey was excused.

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


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 McKeen.

1. Accept Agenda

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

MOTION: Debbie McKeen 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 McKeen – 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
provided copies of the minutes from July 19, 2011, a Dear Neighbor letter from Lynn Kedlington, and the press release.

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

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

4. City Council Board and Committee Appointments.

Mayor Romney –

- James Bruhn will serve on the Public Works Committee, the Arts Council, the Parks and Trails Committee, the Public Safety Committee, and will represent the city on the Waste Board.
- Mark Preece will serve on the Communications Committee, the Historical Commission, the Parade Committee, and will represent the city at DUED.
- Dave Tovey will serve on the Golf Committee, the Public Safety Committee, the Parks and Trails Committee, and will serve as representative to the Youth Council.
- James Ahlstrom will serve on the Public Works Committee, the Finance Committee, and will attend the Wasatch Front Regional Council.
- Debbie McKean will serve on the Communications Committee, the Finance Committee, the Golf Committee, will serve as chair of Independence Day activities in the park, and will represent council at the Planning Commission meetings.

5. Discussion and Review of City Park Master Plan

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

6. Consider Approval of Contract for
Construction of Third Baseball Field
to Paget Enterprises Inc. With a
Project Budget of $50,000.

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

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

SECOND: James Ahlstrom seconded the Motion.

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

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

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

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

SECOND: James Ahlstrom seconded the Motion.

PASSED: Voting was as follows:
James Ahlstrom – Aye
8. Discussion on Allowing Temporary (Political) Signs on Public Property, Including Park Strips.

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


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

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

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

SECOND: Debbie McKean seconded the Motion

PASSED: Voting by roll call was as follows:

James Ahlstrom – Aye
Mark Preece – Aye
James Bruhn – Aye
Debbie McKean – Aye
10. Consider Approval of Ordinance 340-12

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

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

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

SECOND: Debbie McKean seconded the Motion.

PASSED: Voting by roll call was as follows:

James Ahlstrom – Aye
Mark Preece – Aye
James Bruhn – Aye
Debbie McKean – Aye


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

12. Police Report

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

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

Council members commented they liked having their packets delivered to their homes by the officers as it gives them an opportunity to get to know them personally.
13. Finance Report

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

14. Engineers Report

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

15. Administrative Report

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

16. Approval of Minutes of January 3, 2012

City Council Meeting

Council asked that corrections be made to Page 3 Line 24, Page 4 Line 27, and Page 5 Line 2.
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.
MOTION: James Bruhn moved to adjourn City Council meeting.
SECOND: Mark Preece seconded the Motion.

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

MAYOR KENNETH ROMNEY

HEIDI VOORDECKERS (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)