Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, March 6, 2012 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

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

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

VISITORS: Terry Olsen, Lynnette Larson, Kelly Enquist, Trent Larson.

Called to Order:

Mayor Romney called this meeting to order at 7:32 pm.

Invocation/Thought – Invocation by James Ahlstrom.

Pledge of Allegiance led by James Bruhn.

1. Accept Agenda

MOTION: Debbie McKean moved to accept the Agenda.

SECOND: Dave Tovey seconded the Motion.

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

2. Public Comment

Alan Malan – Bountiful City is putting together a museum about South Davis County, which will be located between the old cabin and the art center in Bountiful. The museum will be interactive. They have raised $1 million so far.

Introduction of Vader – Vader is a German Shepherd who was donated to the West Bountiful Police Department from another agency. Additional donations have been received to accommodate Vader’s veterinary care, food, and outfitting our police vehicle. He is about three years old and had been certified; however, a thyroid condition took him out of service for about eight months. Officer Boyle is getting him trained again, and the goal is to certify him in everything across the board.

3. Employee of the Month

Chief Hixson – Officer Liz Bogdan was dispatched to the Country Inns and Suites on a call regarding a suspicious marijuana smell in one of the rooms. She made contact with the occupants of the room and they were eventually all arrested. Seven pounds of marijuana and several ounces of methamphetamine were recovered, along with a large amount of cash.

The case grew to involve several states. For her good work and investigation, she received a certificate and a gift card to Texas Roadhouse.
4. Consider Approval of Ordinance
341-12, an Ordinance Amending
Section 17.40.030, Definitions,
of the West Bountiful Municipal Code

When the Farm Animal Ordinance was revised, some definitions were left out. A new list was developed and a copy was presented to council with the new definitions highlighted.

MOTION: James Ahlstrom moved to approve Ordinance 341-12, Section 17.40.030, Definitions, of the West Bountiful Municipal Code, which had been left out of the Farm Animal Ordinance.

SECONED: Debbie McKeen seconded the Motion.

PASSED: Voting by roll call was as follows:
James Ahlstrom – Aye
Mark Preece – Aye
James Bruhn – Aye
Dave Tovey – Aye
Debbie McKeen – Aye

5. Consider Final Approval of
Skiddy Subdivision – Lynette and
Trent Larson

Ben White – The Larsons reviewed the February 17, 2012 memo that had been discussed in the February 21, 2012 meeting, which listed the recommendations for improvements prior to approval. These included: piping the drainage ditch on 400 North with 36" pipe so it matches up with UDOT’s pipes; installing curb and gutter or giving the city the option to execute a delayed improvement later; providing a title report within thirty days of the recording of the subdivision documents; provide improvement drawings for staff to review and approve; and, deeding water rights to the city.

The memo was revised February 29, 2012 with staff recommending that at least 4 acre-feet of water right remain with the property so the owners can continue to use the well there, with council to decide if the Larsons should deed the remaining rights to the city. Because the process is time consuming, council may decide to leave the water rights as they currently exist. After some discussion, Mayor Romney recommended, since water rights laws change frequently, they not pursue deeding the water rights as it would not be worth the time spent. Ben also recommended that should the storm drain along 1100 West need to be replaced, it should be a city obligation since it is an existing storm drain pipe. Because it is worn out, curb or sidewalk improvements should not be built on top of the pipe without first replacing the pipe. He also recommended waiving the storm drain impact fees, which will offset the applicant’s cost of putting in the storm drain on 400 North.

There was some discussion regarding curb and gutter. James Ahlstrom stated it is his opinion that there is actually no requirement for curb and gutter under the small subdivision ordinance. He recommended they eventually change the ordinance to require curb and gutter by default, then
give property owners the option to ask the Planning Commission to waive the requirement on an individual basis.

MOTION: James Ahlstrom moved to approve the Skiddy Subdivision to include the following provisions from the February 29, 2012 memo: Requirement of 36” pipe installed on 400 North and waive the impact fees; no requirement of curb and gutter now or a deferral agreement; provide title report and improvement drawings as required by Council; a construction bond posted for 120% of construction costs; and, no requirement to deed water rights.

SECOND: Debbie McKean seconded the Motion.

DISCUSSION: Mayor Romney stated the ordinance does allow the city to require the party who pulls the building permit to put in curb and gutter, Ben asked if the motion passes as it is, if the Council wanted to require a home builder to put in curb and gutter. Mayor Romney was concerned that a builder would not understand why a curb and gutter is required on a building permit but was not required for approving the subdivision. Dave Tovey asked to amend the motion to state that Ben requires a deferral agreement for a building permit, and attach it to the deed. James Ahlstrom stated it should be understood from reading the ordinance. He declined to amend the Motion.

PASSED: Voting by roll call was as follows:
- James Ahlstrom – Aye
- Mark Preece – Aye
- James Bruhn – Nay
- Dave Tovey – Aye
- Debbie McKean – Aye

6. Planning Commission Report

Debbie McKean –
- They approved the first ADU request, by Mr. Robert Jackson, since the ADU ordinance was changed last year;
- The next Planning Commission meeting will include a public hearing for Carbone subdivision (the Widdison home);
- Chairman Denis Hopkinson led a discussion regarding the farm animal conditional use process. The staff was directed to compile their suggestions to be discussed at the next Planning Commission meeting. James Ahlstrom recommended they discuss impact of conditional use on neighboring properties. Debbie stated they have four applications already. Changes to the conditional use permit ordinance will be drafted for March 27th, and a public hearing will be required for those changes.

7. Engineers Report

Ben White –
- The construction being done by Holly Oil on 800 West is nearly completed.
- The 1100 West waterline is underway; the work and the road closures are moving a little south each day.
- The 400 North storm drain in front of the Mitchells’ at 1200 West was approved at the last Planning Commission meeting, and that work will start next week.
At the last City Council meeting, a resident had complained about the flooding on his street, which was caused by a water valve that could not be shut off. They plan to replace all the valves in one day so only half of the city will be without water for one day.

He has had ongoing discussions with Mayor Romney regarding the storm drain on 1000 West. The mayor recommended that if money is available, they should use it to fix the leaks there. A contractor told Ben the cost would be about $15,000. Mayor Romney asked him to send out for bids.

Craig Howe –

- With changing fees at the golf course, they are working on a system of validating residents before they pay the resident discount fee by asking for ID showing they live in West Bountiful, or the desk could be provided with a list of the utility customers;
- The city is asking for disaster compensation so they can plant up to 60 trees to replace those lost in the windstorm;
- There has been difficulty with the city email, and the council members have not been able to get emails from residents. The administration is looking at alternative providers and changing their domain name, but that may not work. Craig recommended the council members publish their private email addresses and all members agreed.

9. Approval of Minutes for the February 18, 2012 Budget Retreat and the February 21, 2012 City Council Meeting

James Bruhn asked for a change on page 6 of 11, changing it to show James Ahlstrom seconded the motion.

MOTION: James Ahlstrom moved to approve the minutes for the February 18, 2012 budget retreat and the February 21, 2012 council meeting.

SECOND: Mark Preece seconded the Motion.

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

10. Mayor/Council Reports

Debbie McKean – the newsletter will be mailed tomorrow. The Fourth of July in the Park is shaping up; activities are being scheduled and confirmed. There will be a slide for the children. All children’s activities will be free up to 10 tickets, except food. The Parks and Trails meeting was cancelled, and will resume in April.
Dave Tovey – he attended a Public Safety Committee meeting. The Easter Egg Hunt will be put on by the Youth City Council and they are currently planning their trip to the Youth Council Retreat in Logan, which is in March. They have started work on the parade.

James Bruhn – Wasatch Integrated is going to summer hours, 7:00 am to 7:00 pm, on March 12th. They are looking at buying additional buffer property to prevent development too close to the waste facility. The burn plant will shut down in May for some upgrades.

Mark Preece – the parade committee is meeting with the Youth Council tomorrow. He has already met with the youth to help them get organized.

James Ahlstrom – the Golf Committee finalized the lease with Stephanie for the upcoming year. He praised the farm animal ordinance story that Kathy did for the newsletter. He spoke to the Wasatch Front Regional Council.

Mayor Romney – work is ongoing to clear damages done by the windstorm. Budget updates look good; the Finance Committee met and discussed the golf course and parks. Debbie asked the Mayor to find out when West Bountiful Night at the rec center will take place so she can put it in the newsletter. There will be a concert at City Hall this Friday night.

11. Closed Meeting, if Necessary, for Reasons Allowed by State Law 9:00 pm.

MOTION: Debbie McKean moved to go to a closed session in order to discuss the character, professional competence, or physical or mental health of an individual.

SECONd: James Bruhn seconded the Motion.

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

10:29 pm
MOTION: James Bruhn moved to adjourn the closed session.

SECONd: Debbie McKean seconded the Motion.

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

12. Possible Action Following Closed Meeting, Including Appointments to Boards and Commissions.

Not necessary.
13. Adjourn
10:29 pm

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
   Dave Tovey – Aye
   Debbie McKean – Aye

MAYOR KENNETH ROMNEY

HEIDI VOORDECKERS (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)