Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, September 18, 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/Auditor), Cathy Brightwell (Deputy Recorder), Ben White (City Engineer), Steve Doxey (City Attorney), Chief Todd Hixson, Nathalie Ellingson (secretary).

VISITORS: Scott Budge, Jason Meservy, Brad Lewis, Chris Marsden, Brandee Nadauld, Tonya Howard Boswell, Blythe, Taylor Sexton, Gavin Nadauld, Jared Hair, Rick Everett, Becky and Steve Johnson, Alison Behunin, Megan Paget, Karl Paget, Jamie DeJong, Jennah Prince, Dave Smith, Jake Maloy, Derek Marsden, Ethan Till, Sarah Williams, Ammon Williams, Andrew Gerber, Boyd Gerber, Laura Charchenko, Alan Malan, Dennis Vest.

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

Invocation/Thought – Boy Scout Troop 19 recited the Scout Oath and Scout Law. Pledge of Allegiance was led by one of the scouts of Troop 19.

1. Accept Agenda

Debbie McKean suggested moving public comment to Item 4a.

MOTION: Debbie McKean moved to accept the agenda moving public comment to 4a.

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

2. Public Comment

Moved to 4a.

3. Employee of the Month

Craig Howe presented Steve Maughan as the August 2012 Employee of the Month. He joined the city’s Public Works department in the position of manager. He has brought common sense and a wealth of knowledge and abilities to the position. He has remained dedicated throughout the many projects that are underway.

4.
Mayor Romney commended Brayden Wilcox for his service as Youth Mayor for the past year, and presented him with a plaque for Youth Citizen of the Year.

Mayor Romney next presented Tonya Boswell as the Youth Council Advisor and Dave Tovey as the Council Member Representative. He swore in Teresa Romney as the Youth Council Mayor for 2012-2013, then the remaining council members, who were all present. The officers of the Youth Council are as follows:

Megan Nadauld – Mayor Pro Tem          Katana Bieln – Secretary
Ethan Till – Treasurer                 Kazley Gordon – Publicity
Carter Johnson – Publicity             Taylor Sexton – Historian
Andrew Gerber – Web Administrator     Jamie DeJong – Recorder

Members are:
Alison Behunin, Ammon Williams, Aubrey Ahlstrom, Dani Rose, Derek Marsden, Gavin Nadauld, Jacob Maloy, Jared Hair, Jennah Prince, Megan Paget, Nathan Wainwright, and Kimmy Mills, Advisor.

4a. Public Comment

Kelly Enquist – During the last week, he went golfing at two courses in the South Davis area and one in Salt Lake. He hadn’t been to Lakeside since last year and when he saw it this year he was not impressed. In spite of comments that the golf course is improving, he saw there is a water shortage, there are spiders in the joints of the club house, the parking lot is littered, and there are holes in the parking lot. Also he pointed out that on the website, the golf course is listed as a Salt Lake golf course. He also commented on the DSB trail. He heard there was a naming contest but he does not feel the trail is ready to open. There is a steep dropoff on the side away from the canal, which needs to be graded, and there is also a lot of cleanup that needs doing. Steve Maughan responded stating they are meeting with the DSB contractor next week.

Steve Johnson – has lived at 804 West 2350 North for 25 years. His back yard is on the Centerville border, and the lot adjacent to his back yard is commercial. The owner is adding onto his building. Mr. Johnson has been having trouble finding out about Centerville ordinances regarding areas between residential and commercial property. Craig Howe said he would speak with Centerville’s city manager about it.

5. Consider Extension of Stringham Subdivision Improvement Agreement – 1165 West 1200 North.

Ben White – The property is located in the Stringham Subdivision. Ten years ago they put a deferment agreement in place. The property is up for sale and the deferment agreement expired as of 2012. The property owner wants to extend the agreement for another ten years. The council members agreed that they should renew the agreement, but there was a question as to whether new owners of properties that already have agreements attached are aware of those agreements, considering the city may decide at any time they want the work done. This type of agreement would not always come up on a title search. Mayor Romney suggested the
staff keep a log of the agreements and when they come due, inform the current property owners.

MOTION: James Ahlstrom moved to extend the Stringham Subdivision Improvement Agreement for another ten years.

SECOND: Dave Tovey 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

6. Consider Approval of Extension for Off-Site Improvement Agreement – Skiddy Subdivision

Ben White – There has already been much discussion regarding the improvements on 400 North and 1100 West. The Robinson family has applied for a building permit to build on their property in the Skiddy Subdivision, and the city needs to decide about required improvements. The people in the subdivision are asking for a delay, and they do not want curb and gutter. James Bruhn said they should not put off the improvements on that corner because all the surrounding area will have curb and gutter. Debbie McKeen thought if new builders did not have three to five years to do the improvements, it could affect their decision to build at all. Ben said he wants to make a time line of all the agreements along 1100 West, and then they should require complete improvements on all the properties or none of the properties. James Ahlstrom said the general plan calls for eventually widening the road, and they may not want curbs and gutters in place before then. Ben said they also need to consider if they want to put in an equestrian walkway on one side. James Bruhn said a storm drain needs to go in on 1100 West first, so curb and gutter could go in on 400 North now, and then 1100 West could be done after the storm drain is in. Mayor Romney said if work is delayed, they need to make sure the homeowners know that the work will eventually be required. James Ahlstrom said that consistency is important, and they should be consistent in requiring improvements, but also consistent in giving people time to plan. If the city wants the whole street done at once, they would need to do a special improvement district because they do not have agreements for every house.

MOTION: James Ahlstrom moved to approve the extension of the Off-Site Improvement Agreement – Skiddy Subdivision, and require improvements pursuant to Section 15.08.050, Building Permits, of the West Bountiful Municipal Code.

SECOND: Debbie McKeen seconded the Motion.

PASSED: Voting by roll call was as follows:
- James Ahlstrom – Aye
- Mark Preece – Aye
- James Bruhn – Nay
- Dave Tovey – Aye
- Debbie McKeen – Aye
7. Consider Approval of Ordinance 350-12, an Ordinance Amending Sections 17.16.080, 17.20.080, and 17.24.080 (Farm Animal Regulations) of the West Bountiful Municipal Code.

Mayor Romney – a work session was held two weeks ago, and the following changes were made to the most recent version of the farm animal ordinance: decrease the points on medium animals, but no decrease on miniatures/pygmy animals; with each conditional use application, the staff will notify adjacent neighbors that an application has been filed; and, offspring/dependent animals will have no points until 9 months of age. There was a discussion on the definition of a pasture and a corral. Cathy Brightwell explained that there are many different situations throughout the city where a single definition of pasture/corral would not apply, and it was decided to leave any language out referring to pasture/corral.

MOTION: Mark Preece moved to approve Ordinance 350-12 amending Sections 17.16.080, 17.20.080, and 17.24.080 of the West Bountiful Municipal Code.

SECOND: Debbie McKean seconded the Motion.

PASSED: Voting by roll call was as follows:

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

8. Consider Notice of Award to M.Y. Enterprises for 800 West Curb Replacement Project.

Ben White – On the northeast corner of the intersection of 600 West and Pages Lane, the asphalt is wearing away, and there is always a pool of water. The curb should be replaced with a 4-inch high curb because the area is so flat. The city budgeted $50,000 for a salt shelter, but we currently do not have a location to build one. He suggests taking $7,000 from that project and using it to replace the curb.

MOTION: James Bruhn moved to approve Notice of Award to M.Y. Enterprises for the 600 West curb replacement project.

SECOND: Dave Tovey seconded the Motion.

PASSED: Voting was as follows:

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


Cathy Brightwell – they discussed the request from Pam Nichols to combine two adjoining parcels. They also finished the by-laws, and those
10. Engineers Report

Ben White –
- The washout construction is to begin at the golf course shortly.
- The DSB is not quite finished.
- The curb and gutter will go in on the next couple of days at the 800 West intersection.
- In previous discussions of putting in a storm drain at the Rapp property, a problem came up regarding connecting a 30-inch pipe to a 15-inch pipe. Ben has solved the problem and wants to get the storm drain in before winter. The cost would be $15,000.
- They are expanding the driving range, which will involve rerouting a ditch, taking out some trees, and sod work. Mayor Romney displayed a map showing the plan. He believes the cost to do this work will be worth it in marketing. They are working on putting together a tournament along with a driving range event.

11. Police Report

Chief Todd Hixson –
- Statistics on the report will include some from September.
- The alcohol enforcement officers have been working on field training. They have both made arrests for alcohol violations and other offenses. They have covered shifts, as well.
- Someone tipped over the radar trailer and battery fluid leaked out. They do not know yet if there is any electrical damage.
- Detective Smith and Officer Bogdan have finished their first years and received annual reviews.
- Reserve officer Chris Cope has been with the department for a year now, but his training is taking longer since he cannot commit full time to the department.
- The school crossing guard program is in compliance to state law – they have new cones and the guard wears a reflective vest or coat. The crossing guard is outstanding and the kids love her.
- Officer Boyle and Vader finished certification. They have served search warrants and Vader has found narcotics.
- Chief Hixson has made a conditional offer to Kevin Erskine. He was in the Air Force, has gone through the police academy, and will be an outstanding addition.
- Staff meetings are planned for this month – a meeting of the supervisors, and then a meeting of the complete staff.
- Holly Frontier had an incident (the news reported it was a refinery in Woods Cross). Chief Hixson was notified at home by an off-duty officer who saw it occur. He made further contacts and was able to assist with the cleanup. He was impressed at how the health, police and fire departments worked together to get everything done. Their primary concern was public safety.
- There was some discussion regarding establishing the West Bountiful Youth Court again. Chief Hixson said juvenile arrests are down, but other cities could get involved. Sgt. Rasmussen is in charge of public relations, including youth court.

12. Finance Report
Heidi Voordecker – They are two months into the fiscal year, and everything is tracking status quo. Golf course revenues have been disappointing, and the course is taking extra efforts to determine where sales are dropping off. Because of the many capital projects in progress, the line by line year-to-date comparison might not track as expected, and Heidi offered to answer any questions regarding these differences.

13. Administrative Report

Craig Howe –
- There will be a DUED bus tour tomorrow morning, which will go all over the county.
- The Utah League of Cities and Towns had a convention last week. They are holding an essay contest on “Why I Like My Community.” Craig took a sample to the school. The school could win $1,000.
- Lynn Kedington from Holly Frontier will be available on October 16 to present a follow-up of the event they had.
- A bid was put out some time ago for janitorial services for the city building and the golf course buildings. The bids were rated and a new service was selected.
- A contest has been held for the elementary students to name the new trail. The winner will be announced on Saturday, September 21 at 2:00 pm, where there will be an activity for the elementary kids beginning at the intersection of the Prospector trail and the DSB trail. They will walk down the Prospector trail to the golf course, and the driving range area will be shut down for about an hour so activities for the kids can be held there.
- There will be a golf course meeting on Thursday
- Craig attended several fire district meetings. They have been trying to refund bonds, but it will not work for the district because the County will be bonded to their limit for the next two. The city managers held a discussion with Carl Hendrickson, legal counsel for the fire district.

14. Approval of Minutes of the
July 17, 2012 and August 21, 2012
City Council Meetings.

A person’s name was misspelled on Page 8 of the August 21 minutes.

MOTION: Debbie McKean moved to approve minutes of the July 17, 2012 and August 21, 2012 City Council meetings, with noted change to the August 21 minutes.

SECONED: 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
Debbie McKean – A timeline was displayed on the walls of the council room which had been done by Jackie Miller. Debbie suggested having the charts framed and professionally exhibited. The charts were found in Jackie’s house after she passed away. Also, Debbie reported that the newsletter has gone out.

Dave Tovey – The Youth Council is doing a service project on September 29.

James Bruhn – The LDS Sixth Ward did a cleanup on a section of the trail. He attended the Utah League of Cities and Towns conference and was impressed by a talk on absolute honesty.

Mark Preece – A CERT class will be held Thursday night.

10:00 pm

MOTION: James Ahlstrom moved to extend the meeting to 11:00 pm.

SECOND: James Bruhn seconded the Motion.

PASSED:

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

James Ahlstrom – He attended the Finance Committee meeting. They discussed the bonds, and authorized Jason Burningham to go forward with the private offering. The bond will be paid off in 2026, and they will realize a net savings of 282,000. He attended the League of Cities and Towns conference. David Church reminded them of the need for an ordinance that specifies rules of order that are easier for the public to understand than the Roberts Rules of Order. There were also some ethics and conflicts of interest ordinances discussed that default to the state system, which has complicated procedures, if the city does not have its own procedures in place. Additionally, James stated that ordinances must be easy for the public to understand. He commented that the appearance of the garage on the Phipps property has improved 100%. Also, he would like a chance to meet all the police officers. Chief Hixon stated they would plan something to which the council would be invited.

Mayor Romney – He asked the council to let residents know he is doing research and an evaluation on the well project.

10:15 pm.

MOTION: Debbie McKean moved to go to the police briefing room for a closed session for the purpose of holding a strategy session to discuss pending or reasonably imminent litigation and discuss the character, professional competence or physical or mental health of an individual.

SECOND: James Bruhn seconded the Motion.

PASSED:

James Ahlstrom – Aye
Mark Preece – Aye
James Bruhn – Aye
Dave Tovey – Aye
Debbie McKean – Aye
17. Closed Meeting

MOTION: James Bruhn moved to adjourn the closed session.

SECOND: Dave Tovey seconded the Motion.

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

18. Possible Action Following Closed Meeting

Not necessary

19. Adjourn 12:25 pm

MOTION: James Bruhn moved to adjourn City Council meeting.

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

[Signatures]

MAYOR KENNETH ROMNEY

HEIDI VOORDECKERS (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)