Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, October 16, 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), Cathy Brightwell (Deputy 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 7:35 pm.

Invocation/Thought – Austin Stucki gave the Scout Oath and Jordan Ricks from Troop 520 gave the Scout Law.

Pledge of Allegiance was led by Matt Frame from Troop 665.

1. Accept Agenda

MOTION: Debbie McKean moved to accept the agenda.

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

No comments.

3. Employee of the Month

Kelly Class – Natalie McKean, an employee at the golf course, continuously exceeds standards of her position, accepts new assignments and helps everyone. She is steadfast and cheerful, calm, positive and timely. She is a self-starter and a great asset to the golf course.
4. Holly Frontier – Conrad Jensen

Mr. Jensen presented an update on the event that happened at the refinery on August 30, 2012. At 6:45 pm, the top seam of a heavy oil (similar to motor oil) tank broke and the tank split open. Pressure that had built up inside the tank escaped through the top, sending oil droplets into the wind, which carried them southeast. Employees followed the plume and it fell out about 2 1/2 miles away, close to Chelsea Drive in Bountiful. No one was injured due to the event. Some drivers of convertibles on the freeway got oil on them but they were checked by Holly’s nurse and were okay.

The West Bountiful and Woods Cross police were on hand, as well as the South Davis Metro Fire Department, UDOT, and Union Pacific. Material and water were tested by the Department of Environment Quality and Water Quality, Davis County Health, and OSHA, and no impact was found. Holly has been in contact with property owners who have made close to 405 claims due to damage from the oil, checking to make sure everything is done to their satisfaction. There are approximately two dozen claims still pending. The refinery also replaced the sod behind the animal hospital for the safety of the animals.

Mr. Jensen was asked how much material was lost, and he explained that they determined a lot of what escaped was water. They are going to review the appropriate standards to see if they can make improvements to the tanks, as some do contain harmful material. They will report to the council on those improvements.

5. Golf Report – Kelly Class

Mr. Class reported that income was down from the prior year, more than likely due to the construction on 400 North, and the Groupon discounts that were run last year. The greens were aerified earlier than usual this year so the greens would have time to heal. Also, two groups did not return this year because they did not like golfing around mowers. Due to the good weather, they have had 166 off-season rounds this year.

There was some discussion regarding advertising the golf course with signs, which are very expensive, and text message advertisements, about which there were complaints. The golf committee will discuss issues such as the mowing in their meetings.

6. Consider Approval of Resolution 300-12, a Resolution Modifying the 2009 Bylaws of the West Bountiful Planning Commission

Mayor Romney explained to the public the function of the Planning Commission. The revisions and modifications included all those discussed at the recent work meeting, and they have been reviewed by Steve Doxey.

MOTION: James Ahlstrom moved to approve Resolution 300-12 modifying the 2009 bylaws of the West Bountiful Planning Commission.

SECOND: James Bruhn 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

7. Consider Approval of Resolution 301-12, a Resolution Establishing a Consolidated Fee Schedule for the City of West Bountiful.

MOTION: Debbie McKean moved to approve Resolution 301-12 establishing a consolidated fee schedule for the City of West Bountiful.

SECOND: James Ahlstrom seconded the Motion.

DISCUSSION: Cathy Brightwell made two clarifications: on page 2 regarding garbage cans, it was changed to “replacement fee;” on page 11, the unpermitted use of fire hydrants is a “per occurrence”, not a “daily” fee.

Alan Malan noted the water rates on page 10 indicate that the commercial rate for a ½” meter is lower than residential rate, which is due to more gallons allowed for the first $63. They will check the ordinance where the rates were taken from to make sure the same amount is reflected in both places.

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.C. Green and Sons, Inc. in the Amount of $26,822 for the Storm Drain Reconstruction Project at 1151 West 400 North.

Ben White – He stated he had reservations about his recommendation because there were only three bids. The project involves piping from a larger pipe to a smaller pipe, and the drain has holes in it, so they want to get the work done before the wet season in the spring. The council discussed extending the bidding for two more weeks to see if they get a better price. Ben stated that some companies wanted to bid but they were currently too busy. However, in two weeks or so they may have crews ready for this project. Mayor Romney pointed out they want to get it done before spring, but the work can be done through the winter. Steve Maughan said they could extend the window for completion through the end of April.

MOTION: James Ahlstrom moved to postpone awarding the contract and bid out again with an extension of the project window by three months.

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
9. Consider Approval of Disposal of Surplus Property

Craig Howe – A list was provided to council of items that the city does not need or are no longer useful. In the past, surplus items have been auctioned. It was recommended that any auction be advertised in the newsletter, on the marquee, and possibly on the utility bills. It was discussed that a set procedure has never been put into place for pricing and disposing of surplus property. Council talked about the staff establishing a procedure regarding the first nine items on the list (including some broken lawn mowers and golf carts), and then using their discretion to dispose of the rest, which is obsolete and broken computer equipment.

MOTION: James Ahlstrom moved to approve the disposal of the first nine items on the Surplus Property list after a procedure has been established and provided to the council members via email, and disposal of the remaining items at the staff’s discretion.

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

10. Consider Approval of Offsite Improvement Maintenance Agreements for Property Owners Duncan and Larson.

Ben White – He presented a draft agreement for the two existing properties located on the 1490 North Street temporary bubble or cul-de-sac. The Ranches at Lakeside subdivision is planning to extend the street, eliminating the need for the bubble. The current plan is to extend the sidewalks across the bubble on each side, creating temporary easement areas on each side. The agreement is to determine costs associated with improvements within the temporary easement areas.

The immediate plan was to leave the temporary easements until either the homeowner or the city decides to make a change. If the homeowner wants to remove the easement improvements, they bear the cost of the removal and reconstruction of new improvements. If the city decides to do the same, it would be responsible for the improvements, but the homeowner would be responsible for landscaping the former easement area.

James Ahlstrom stated the term “improvement” needs to be better defined in the agreement since the term carries out through the agreement. Also, it was his opinion that the planning commission potentially was in error by not requiring an improvement bond for future improvements from the original owner, but it was inequitable to make the homeowner bear the cost of landscaping if the city decides to change the improvements. There was a discussion about providing a cash allowance to the homeowner to be used specifically for landscaping. Ben suggested the city agree to put in the following minimum improvements: sod, sprinklers, and drive approaches.

The current homeowners were told the bubble was temporary, but there was never any discussion about the cost. Neither homeowners wish a
change, nor is the City obligated to make a change. However, a future homeowner may request it.

As of now, the two homeowners will be responsible for keeping the sidewalks closest to their property cleared of snow. The snowplows will more than likely clear them as they go through the bubble, but the homeowners need to make sure they are clean.

MOTION: James Ahlstrom moved to approve the Offsite Improvement Maintenance Agreements for property owners Duncan and Larson, with clarification of the improvements discussed and the agreement revised to read that should the City decide to make improvements to align with the street, the City should bear the cost and make an allowance to the property owners to use for landscaping.

SECOND: Debbie McKean moved to approve the Motion.

DISCUSSION: Some council members argued that if the bubble had not existed, the homeowners would have had that area to landscape anyway. They were reluctant to vote on the motion until a specific dollar amount was specified for the allowance. The staff clarified they would allow $2,500 for sod and irrigation, and the city had always been planning to include driveway extensions in their improvement costs.

AMENDED MOTION: James Ahlstrom amended the Motion to place a cap on the allowance for sod and irrigation at $2,500 and the city engineer would determine the exact amount for each lot. The engineer’s estimate will go into the agreement at today’s dollars.

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

11.
Planning Commission Report

A public hearing was held and the Ranches at Lakeside subdivision was approved for 15 new homes on lots 1/2 acre or larger. They are working through the cul-de-sac, drainage and water rights. They are using the soil report from the Pages Lane subdivision. Mayor Romney suggested if they approve basements they need a better soil sample. Ben stated he would not approve basements because this is a drought year, and a sample would not reflect the condition of the soil in a wet year. He is confident the current soil sample is good as long as they do not approve basements. Ben will be bringing a lot line adjustment from Frank Chase to the next council meeting.

12.
Public Works Report

Steve Maughan – He provided an overview to the council of projects that have been accomplished since he started.
- They are working on replacing the valves so water to large portions of the city will not need to be shut down in the event of a leak. He is working on a maintenance schedule for valves.
- A sanitary survey is planned for the water system November 7th. He will also provide samples for a disinfection byproducts test after the lines have been flushed. Flushing fire hydrants will be
difficult because of being limited to the water allotment from Weber Basin.

- The storm drain drop boxes are getting cleaned out before it snows. There was flooding at 200 North and 800 West caused by tree roots, which they cut out from the drain.
- Steve has scheduled a company to patch the larger holes in the streets.
- The addition of the new trails has strained the maintenance schedule of the public works department, and the community service projects that have been organized have been a great help. The DSB trail, which has been named the Onion Parkway Trail, is nearly done, and it is currently being used.
- Construction has begun on the equipment washout facility at the golf course. Traffic on 400 North should not be affected.
- The construction on the west end of 400 North is nearly complete and the landscaper is ready to start work on the west end from 1100 West to the old railroad tracks. The curb and gutter on the east end is well underway; the south side will be done this week. Steve expects the paving to be done by the end of next week; however, the street will remain closed until late November. James Ahlstrom was concerned about a sign east of the on-ramp stating that the closure of 400 North begins just after the end of the ramp.
- Steve stated that his part-time employee, Nate, is a good self-starter.

13. Police Report

Chief Hixson – the statistics report is from the month of September, but his comments are current.

- Officer Chris Cope has been offered a position with the highway patrol.
- Officer Erskine has completed CVO training.
- He has an outline of the supervisor meeting and the staff meeting he held with his department, in case any council members want to see it. Both meetings were very successful.
- They are working on clearing up old cases dating back to 2007.
- He is implementing an alcohol compliance check program. They send underage people to buy alcohol under cover. The city has not established graduating penalties for places with several violations. He has looked at other cities, and has not found any consistency. He asked the council to look at the ordinance.
- For public relations, they had an officer eat lunch with the elementary school kids. During the construction in front of the school October 2-5, police cars were stationed there to ensure safety, and the officers interacted with the kids. Also, on Walk Your Child to School Day, officers handed out pencils to the kids.
- Chief Hixson commented this has been an amazing year for him since he joined the department.

10:00 pm

MOTION: James Ahlstrom moved to extend the meeting until 10:30 pm

SECOND: Debbie McKean seconded the Motion.

PASSED: Voting was as follows:
    James Ahlstrom – Aye
    Mark Preece – Aye
    James Bruhn – Aye
14. Finance Report

Heidi Voordeekers – As of the end of September, the first quarter of the fiscal year is complete. The golf course revenue was surprisingly flat, but that was explained in Kelly’s report. Sales tax revenues for the month were surprisingly flat, but was seen statewide. General fund revenues, however, are still in line with budgeted figures. Most of the audit field work has been done, and the Audit Committee met just before this meeting for a final review of year-end financial reports. Unclaimed property (stale dated checks) are due to the state in the next month. Also, Heidi will work with Ben on outstanding park impact fees collected since the last update. Cathy, Heidi and Michelle completed the annual records management training and certification, and Heidi and Cathy attended the business license conference where they received much good info on licensing fee structures throughout the state.

15. Administrative Report

Craig Howe –

- He recognized Steve Maughan and Todd Hixson’s contribution to the city this past year.
- City managers will look at the 2013 fire district budget. They are visiting with attorneys from the unified districts in Salt Lake.
- Craig gave council members a paper showing the NIMS website and training requirements. The NIMS training should be done by the end of the year, per Chief Hixson.
- When the Onion Parkway Trail was dedicated, Debbie asked for some signs such as are on the Prospector trail. The signs that are about $200 each.
- Craig emailed a golf equipment maintenance plan to council two weeks ago, asking for their input. Some indicated they had not received it, so he will email it again. Staff would like to issue the RFP by the end of the week.


Changes were suggested in the closed meeting discussion on September 4th, the ethics and conflict of interest ordinance discussion on September 18th, and the October 2nd minutes need to show Steve Doxey not present.

MOTION: Debbie McKeen moved to approve the minutes for the September 4, 2012 Work Session, the September 18, 2012 City Council Meeting, and the October 2, 2012 Work Session, 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 – She is working on the newsletter and needs all the articles by Friday.
Mark Preece – nothing to report.
James Ahlstrom – A large group came to the last golf board meeting. They discussed the need for repairs to the driveway and golf cart paths. They are hoping to get bids out so this work can be done in conjunction with work needed at the park.

18. Closed Meeting

Not necessary

18. Possible Action Following Closed Meeting

Not necessary

19. Adjourn

10:30 pm

MOTION: James Ahlstrom moved to adjourn City Council meeting.
SECOND: Debbie McKeen 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)