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2 Minutes of the Meeting of the City Council of West Bountiful City held on Tuesday, June 18,
3 2013 at West Bountiful City Hall, Davis County, Utah.

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5
6 Those in Attendance

7 MEMBERS PRESENT: Mayor Pro Tem Mark Preece, James Bruhn,
8 Dave Tovey, Debbie McKean. Mayor Kenneth Romney and James
9 Ahlstrom were excused.

10
11 STAFF PRESENT: Heidi Voordeckers (Interim City Manager/City
12 Recorder/Auditor), Ben White (City Engineer), Cathy Brightwell (Deputy
13 Recorder), Steve Maughan (Public Works Director), Chief Todd Hixson,
14 Nathalie Ellingson (secretary).

15
16 VISITORS: Alan Malan, Kelly Enquist, Brandon Barnedt, Eric
17 Montaque, Bill Quick.

18
19
20 Called to Order: Mayor Pro Tem Mark Preece called this meeting to order at 7:30 pm.

21
22 Invocation/Thought – James Bruhn gave an invocation
23 Pledge of Allegiance led by Dave Tovey

24
25 1.
26 Accept Agenda

27
28 MOTION: Debbie McKean moved to accept the agenda.

29
30 SECOND: Dave Tovey seconded the Motion.

31
32 PASSED: Voting was as follows:
33 Mark Preece – Aye
34 James Bruhn – Aye
35 Dave Tovey – Aye
36 Debbie McKean – Aye

37
38 2.
39 Public Comment

40
41 Alan Malan – Reminded council of the ham radio club field day this
42 coming weekend and handed out a copy of the schedule to each member.

43
44 3.
45 Consider Approval of Resolution 310-13,
46 a Resolution Amending the Fiscal Year
47 2012-2013 Budget.

48
49 Heidi Voordeckers – The document in the packets is similar to the
50 document that has been approved at prior meetings, however there are
51 some additional budget modifications. The items in red had been
52 discussed and approved at prior Council meetings and the items in blue
53 show new changes which have not been approved yet. Modifications were
54 made to include the donation for the emergency preparedness trailer, to
55 true-up the engineering and public works salaries, and to put additional
56 funds into the street budget because of the heavy winter 2012-2013.

57
58 MOTION: James Bruhn moved to approve Resolution 310-13 amending
59 the fiscal year 2012-2013 budget.

60
61 SECOND: Debbie McKean seconded the Motion.
62

1 PASSED: The vote by roll call was as follows:

2 Mark Preece – Aye
3 James Bruhn – Aye
4 Dave Tovey – Aye
5 Debbie McKean – Aye
6

7 4.
8 Consider Approval of Resolution 311-13,
9 a Resolution Adopting the Fiscal Year
10 2013-2014 Budget and Certified Tax Rate
11 of .001946.

12 Heidi Voordeckers – The City recently received the tax rates from Davis
13 County and the budget has been updated to reflect this, otherwise all other
14 figures are the same as was presented at the last council meeting. Heidi
15 expanded the document to include some additional information and made
16 the budget more readable for the public. This updated document has been
17 posted on the City website.
18

19 MOTION: James Bruhn moved to approve Resolution 311-13 adopting
20 the fiscal year 2013-2014 budget and certified tax rate of .001946.
21

22 SECOND: Dave Tovey seconded the Motion.
23

24 PASSED: Voting by roll call was as follows:

25 Mark Preece – Aye
26 James Bruhn – Aye
27 Dave Tovey – Aye
28 Debbie McKean – Aye
29

30 5.
31 Consider Approval of Professional Services
32 Agreement for Computer and Network
33 Services With Executech.
34

35 Heidi Voordeckers – The RFP for Computer and Network Services closed
36 last month with three responses. There was one company, Executech LLC,
37 that offered a fixed monthly rate for service as requested in the RFP
38 document. Heidi and Chief Hixson met with Executech staff to review the
39 proposal and learn more about some of the proposed changes to the
40 existing network. The setup is simple, and the transition period while they
41 set up will be about 30 hours. The portion of the contract related to the
42 transition from the existing system has been set at a not-to-exceed amount
43 of \$3,000. The monthly fee includes off-site email hosting and back-up
44 services. The company president, Eric Montague, and Lex Watterson were
45 present and stated they propose 400 gigs of backup; cost per gig is \$.50.
46 Backup is done daily and there are 90 days for revisions and 90 days
47 deletion protection. In the end they will have three backups – hard drive,
48 internal server and offsite backup. Staff recommended approving the
49 contract tonight subject to legal review by the City Attorney, who had
50 some minor modifications regarding back ground check/finger printing
51 requirements.
52

53 MOTION: Dave Tovey moved to approve the professional services
54 agreement for computer and network services with Executech, subject to
55 legal review.
56

57 SECOND: Debbie McKean seconded the Motion.
58

59 PASSED: Voting was as follows:

60 Mark Preece – Aye
61 James Bruhn – Aye
62

Dave Tovey – Aye
Debbie McKean – Aye

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4 6.
5 Consider Approval of Ordinance 352-13,
6 an Ordinance Amending Section 2.16.10,
7 City Officers, of the West Bountiful
8 Municipal Code, Subsection D.1.,
9 Deputy Recorder.

10
11 Heidi Voordeckers – When implementing the position of Deputy Recorder
12 last year, the position was part time. On July 1, Cathy will be full time, so
13 the section of the Code prohibiting full time needs to be struck out. This
14 will make the position open to being either full or part-time in the future.

15
16 MOTION: James Bruhn moved to approve Ordinance 352-13 amending
17 Section 2.16.10, City Officers, of the West Bountiful Municipal Code,
18 Subsection D.1., Deputy Recorder.

19
20 SECOND: Debbie McKean seconded the Motion.

21
22 PASSED: Voting was as follows:
23 Mark Preece – Aye
24 James Bruhn – Aye
25 Dave Tovey – Aye
26 Debbie McKean – Aye
27

28 7.
29 Consider Approval of Change Order for the
30 Golf Course Parking Lot Rebuild to Include
31 Entry Fencing – Stapp Construction

32
33 Ben White – When planning the golf course parking lot, there were
34 originally questions as to the amount of concrete that would be needed.
35 The entrance to the parking lot will need rolling gates and stone columns.
36 The money for the change order is already part of the contingency amount
37 that was approved. They approached several contractors, including Stapp.
38 They received two bids which were close, but there was concern whether
39 the other company would be able to meet the required elevation. The staff
40 recommends awarding the change order to Stapp Construction.

41
42 MOTION: Dave Tovey moved to approve a change order to include entry
43 fencing for the golf course parking lot to Stapp Construction.

44
45 SECOND: Debbie McKean seconded the Motion.

46
47 PASSED: Voting by roll call was as follows:
48 Mark Preece – Aye
49 James Bruhn – Nay
50 Dave Tovey – Aye
51 Debbie McKean – Aye
52

53 8.
54 Discussion on Cell Tower Site Lease
55 and Letter of Intent Received From
56 Capital Telecom, LLC.

57
58 Ben White – Two years ago the city approved a lease agreement for a cell
59 tower on the 400 North water tank property. The lease agreement
60 included two one-year options. The lease expired this June without the
61 options being exercised. The city had inquiries regarding the site prior to
62 the expiration of the option, which is why the current agreement was

1 allowed to expire. Last week, the City received a letter of intent from one
2 of the interested parties, Capital Telecom. The proposed terms were
3 similar to those of the T-Mobil agreement but the footprint would be five
4 times larger, allowing for additional carriers. Ben and Heidi have
5 reviewed the terms and are working on a counterproposal. Capital
6 Telecom does not know yet if they will actually need such a large area.
7

8 The letter of intent stated rent would commence the first day of the month
9 following commencement of construction of the tower, and James Bruhn
10 suggested that is too open, so there was discussion as to when the rent
11 should start and if the dollar amount was optional. Heidi Voordeckers
12 said a new development is going in next to the tower area, so they will
13 need to find out how high the tower will be and communicate that to
14 Bountiful City.
15

16 Alan Malan said \$250 is low for each additional carrier to utilize the
17 tower, and suggested the rate should be \$600. Another visitor, Bill Quick,
18 had been in the business, and said he would call his former project
19 manager to find out the going rate. When the staff has received more
20 information, the council will discuss this further.
21

22 9.
23 Engineers Report
24

25 Ben White –

- 26 • Apologies to Chris Hogan because his subdivision adjustment
27 request was left off the agenda this week.
- 28 • A sink hole appeared at Pages Lane and 800 West. Public Works
29 is looking at it and has put in a blue stakes request.
- 30 • The I-15 rebuild will begin next year, which will include widening
31 400 North. The city plans to do water line upgrades while the
32 work is going on. UDOT will have an open house at Woods Cross
33 High School on June 27.
- 34 • Work on the north half of the golf course parking lot will begin
35 July 1 and should be completed in one month. Steve Maughan is
36 working out alternate parking.
- 37 • 400 North will be seal coated next week at nighttime, and it is due
38 to be finished next Thursday. There will be lane restrictions.
39 Rocky Mountain Power is moving power poles on Friday.
- 40 • Work on 700 West is moving along, but there have been
41 complaints about the dust. The contractor received notice
42 yesterday there will be a fine if the dust is not controlled. Debbie
43 McKean said there was some flooding at Pages Lane and 700
44 West. Ben said no homes were affected, and there could still be
45 flooding until asphalt and curbs and gutters are replaced.
- 46 • The parking lot at the city park should be done by the Fourth of
47 July. Some areas need patching, which will be done tomorrow by
48 Blue Diamond.
- 49 • There will be several public hearings in the near future regarding
50 vacating easements, beginning with the next meeting.
- 51 • Holly Oil will be making a conditional use permit request for
52 temporary parking east of 800 West. They also want the 1100
53 West entrance to be left turn only.
- 54 • A homeowner wants to build a garage on a 10-foot rear yard
55 easement. It is a drainage easement and Ben does not want to
56 vacate, but he is concerned about fairness to the homeowner.
57 Almost every other lot on the street has a building on the back yard
58 easements. Ben thinks the city could approve it if they make a
59 condition regarding drainage. He will talk to the owner.

- Bill Quick was able to contact his former manager and learned that the going rate is \$800 to \$1200 for an additional carrier using the cell tower.

10.
Planning Commission Report

Ben White – A two lot subdivision was proposed. A lot was in two parcels until the father died, when it was combined into one. Now the owner wants to sell one part. There will be a public hearing next week. The Commission discussed the curb and gutter issue with regard to the lot; also whether the two properties would comply with the length to width ratio stated in the code. James Bruhn suggested they should look at the ratio regulations because they do not apply to many properties in West Bountiful. The Commission granted a conditional use permit to Wade Workman for building a deck. They discussed modifying the code regarding decks. They also granted a conditional use permit for a preschool.

11.
Police Report

Chief Todd Hixson – Reserve Officer Erskine has been helping with shift coverage. A retirement party for Sgt. Rasmussen will be held July 15 between 12:00 and 2:00 pm. The council volunteered to help with refreshments. Chief Hixson has finished the LPO course; all supervisors will eventually attend the course. He is on task with making the changes to the staff structure. Training is an ongoing process. They are preparing to have one officer present at the long drive competition. The department participated in Special Olympics, a part of which ran through West Bountiful. The department plans to its involvement, especially with getting people out to cheer the competitors. The week of May 12 was Law Enforcement Appreciation Week, and the Chief expressed thanks for the treats that were brought in.

12.
Finance/Administrative Report

Heidi Voordeckers –

- Finance: The details for the period ending May 31 are included in the budget summary document. A detailed, quarterly report will be prepared for the period ending June 30th, but will not include fully audited figures. The personal property tax amount was a little less than anticipated, so Heidi will be contact the County to determine collections and if the Refinery improvements were being reflected.
- Administrative: It is the end of the fiscal year and all departments are closely watching their spending. Inventories for the Golf Course and Water Department need to be taken at the end of the month. The auditors have scheduled their first visit for July 3. They Mayor and Council are wrapping up the process for selecting a city manager. Special City Council meetings have been scheduled to complete the interview process. Cathy Brightwell is working on the election. Meet the Candidate Night will be held on July 30th. All voting, including early voting, will be electronic. Cathy has been doing an excellent job keeping the city website up to date, and we are testing making the council packets available on the website. Cathy has been making these changes from home because the website cannot be accessed with the city system. Executech will be fixing that problem.

1 13.
2 Mayor/Council Reports

3
4 Debbie McKean – The newsletter has gone out. She has gotten all
5 requests from council regarding cars, candy, and shirts for the parade. She
6 has color swatches they can pick from for their shirts. She attended the
7 Mosquito Abatement meeting. They are spraying the perimeter of the golf
8 course, so she asked Steve Maughan if the city is spraying the interior. He
9 said they are not, and he will talk to Mosquito Abatement. Gary Hatch is
10 planning visits to all the city councils. Mark Preece asked for a map
11 showing the no spray zones. The council will work on the no spray issue.

12
13 Dave Tovey – The youth council is working on the games at the park after
14 the July Fourth parade.

15
16 James Bruhn – He asked Steve Maughan about spraying for weeds along
17 the trail, and Steve said it had been done. Apparently a neighbor
18 complained because there was no warning about the spraying being done.

19
20 Mark Preece – Nothing to report.

21
22 14.
23 Approval of Minutes from June 4, 2013
24 City Council Meeting

25
26 MOTION: James Bruhn moved to approve the minutes from the June 4,
27 2013 city council meeting.

28
29 SECOND: Dave Tovey seconded the Motion.

30
31 PASSED: Voting was as follows:

32 Mark Preece – Aye
33 James Bruhn – Aye
34 Dave Tovey – Aye
35 Debbie McKean – Aye
36

37 15.
38 Possible Closed Meeting for the Purpose
39 of Discussing Items as Allowed, Pursuant
40 Utah Code Annotated 52-4-205.

41
42 MOTION: Dave Tovey moved to go to a closed meeting in the police
43 conference room for the purpose of discussing the character, professional
44 competence, or physical or mental health of an individual pursuant Utah
45 Code Annotated 52-4-205.

46
47 SECOND: Debbie McKean seconded the Motion.

48
49 PASSED: Voting by roll call was as follows:

50 Mark Preece – Aye
51 James Bruhn – Aye
52 Dave Tovey – Aye
53 Debbie McKean – Aye
54

55
56 16.
57 Possible Action Following Closed Meeting

58
59 MOTION: Debbie McKean moved to authorize Mayor Romney to sign
60 and enter into the separation agreement on behalf of West Bountiful.

61
62 SECOND: Dave Tovey seconded the Motion.

1
2 PASSED: Voting by roll call was as follows:
3 Mark Preece – Aye
4 James Bruhn – Nay
5 Dave Tovey – Aye
6 Debbie McKean – Aye
7

8 17.
9 Adjourn to RDA Meeting.

10
11 MOTION: Dave Tovey moved to go to the RDA meeting.

12
13 SECOND: Debbie McKean seconded the Motion.

14
15 PASSED: Voting was as follows:
16 Mark Preece – Aye
17 James Bruhn – Aye
18 Dave Tovey – Aye
19 Debbie McKean – Aye
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HEIDI VOORDECKERS (CITY RECORDER)



NATHALIE ELLINGSON (SECRETARY)


WEST BOUNTIFUL CITY
Statement Regarding Closed Meeting of City Council
June 18, 2013

STATE OF UTAH)
 : ss.
COUNTY OF DAVIS)

I, Mark Preece, hereby affirm as follows:

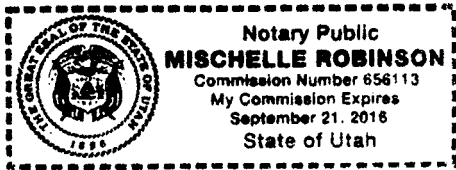
1. I am the mayor pro-tem of West Bountiful City, and make the following averments based on personal knowledge.
2. I presided at a duly noticed meeting of the West Bountiful City Council on June 18, 2013.
3. Upon motion and a unanimous vote, the City Council closed the meeting for the purpose of discussing the character, professional competence, or physical or mental health of an individual, as allowed under *Utah Code Ann.* § 52-4-205(1)(a).
4. Upon conclusion of that discussion, the Council resumed its open meeting.

DATED this 18 day of June, 2013.



Mark Preece, Mayor Pro-tem

SUBSCRIBED AND SWORN TO before me this 18 day of June, 2013.





Notary Public