

*The agenda for this meeting was posted on the State of Utah Public Notice website and the West Bountiful City website, and sent to Clipper Publishing Company on December 31, 2014 per state statutory requirement.*

Minutes of the West Bountiful City Council meeting held on **Tuesday, January 6, 2015** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

**MEMBERS:** Mayor Kenneth Romney, Council members James Ahlstrom, James Bruhn, Kelly Enquist, Debbie McKean, Mark Preece

**STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Todd Hixson (Police Chief), Paul Holden (Golf Director), Steve Maughan (Public Works Director), Cathy Brightwell (City Recorder/ Secretary)

**VISITORS:** Chad Turner, Michelle Strong, Alan Malan, Cade Parker, Eric Montenegro, Zachary Hoskins, Kaden Johnson, Josh Ferlin, Chase Strasrypka, Cason Izatt, Mark McCleery, Mike Call, Chad Feinauer, Corey Sweat

Mayor Romney called the **Work session** portion of the meeting to order at 6:05 pm.

**1. Discuss Wage Study.**

Mayor Romney explained that during the last budget session, Council talked about wage adjustments so he asked Duane Huffman to put together a study he felt was applicable to our city. The intent is informational, but also to make recommendations.

Mr. Huffman reviewed a chart he prepared listing each full time position salary and comparing it to an average using salaries from Wasatch Front, South Davis, or comparable cities based on what he felt was most applicable to each position. He then developed numbers reflecting a market lag of -15%, -10%, and -5%. He explained the data came from a compensation website called Technology Net; a company many cities pay into to track and compare their salaries. The comparison shows that of 23 total employees, 5 are at or above the market, 8 are between 7% and 14% below market, and 10 are at least 15% below market, which includes all police officers.

The Mayor talked about each Level proposed in the handout. Level 0 is status quo; Level 1 brings positions to roughly 10% below market; Level 2 focuses on police officer positions and two other far lagging positions; and Level 3 makes adjustments to only police officer positions.

There was discussion about the study, the different proposals, and what the cost would be. Duane explained that current year salary expenses came in lower than budgeted. With funds available, he recommended changes be made now rather than waiting until July. Duane stated that it is generally acceptable for new employees to lag the market but not by 23%.

Mayor Romney asked how best to move forward. What should our goals be? There was general discussion about where salaries should be and the importance of keeping good employees, although salary is not the only factor people consider when deciding to leave. Council member Enquist said that once everyone is in line, raises could be given across the board to keep them in line. Council member Bruhn gave an example of situations at Wasatch Integrated that when

employees are above the average salary level, they are given bonuses rather than salary increases to avoid perpetuating the problem.

Council member McKean feels like they need to look at the overall picture and have a closed session to talk about specific performance issues. She suggested a strategy session to look at the needs of the entire city.

The Mayor said times have changed; the City is growing up. He believes we have great employees who are doing more than was required in the past, especially police officers dealing with new requirements and a new environment. He asked if we are fully staffed. Duane responded that ideally we could use another police officer and a golf mechanic, but that any such proposal in that regard would necessitate a serious budget discussion. Chief Hixson added that the department currently has 40 active cases to investigate but they don't have time. Risk management and liabilities require us to do these things and do them right.

Council member Bruhn asked how City Council salaries compare to other cities. Council member McKean also asked about employee incentive programs.

At an upcoming strategy retreat meeting, Duane will bring back specific comparisons with a few comparable cities, and council salary information.

## **2. Discuss Personnel Policy Manual Re-draft.**

Duane Huffman reminded everyone that the Personnel Policy manual has been completely re-drafted making it impossible to have a redline version for comparison. He explained that the Manual is intended to be a rule book, not a how-to manual. Limiting the detail of what is in it minimizes our liability. It will be part of an employee handbook.

Council member McKean would like an introduction welcoming employees and including the City's mission, values, etc. Duane said those sections could be part of the overall employee handbook, not necessarily part of the personnel policies.

There was discussion about appointed officials and exempt employees and who has rights to appeal firing. There was also discussion about full-time and part-time definitions and how many minimum hours should be listed for each. Duane clarified that our Seasonal employees are temporary and not included in these definitions.

Discussion was completed through Section 2, and will continue at a later meeting.

## **3. Discuss 2015 Construction Projects.**

725 West road reconstruction and replacement of water main/service laterals from 1100 N to 1550 N. What do we want to do with cement? There are sections of crumbling curb, cracked sidewalk, etc. If we offer to split the cost with residents as we have done in the past, do we leave whatever is functional for residents who don't want to pay 50%? The sidewalk is worse than on 700 West and the drive approaches are poured with the curb so when the street is excavated, it is likely we will end up with broken curb. There was discussion about how to handle these issues but because each property is different, Mayor Romney concluded we will have to use discretion on a case by case basis. This project will go to bid soon.

Pages Lane – replace water main/service laterals and overlay the road from 550 W to 800 W. UDOT will provide some funding for curb/gutter with the purpose of creating new bike lanes,

but not the full amount requested so we will have to kick in \$75k to complete the curb/gutter and extend asphalt.

There was discussion about adding additional sidewalk to fill in the gaps. Ben White said it will cost approximately \$30k to add sidewalk on the south side of the road, and it was agreed that it is important to do. Regarding the north side, Ben said he thinks it will run about \$45k. He was asked to bring back an estimate of what it would cost to complete the entire sidewalk on both sides.

Duane Huffman reminded them that 400 North will be closed in the spring for 90 days, so we will not go out to bid on this project until we know when 400 North will reopen.

There was agreement to add sidewalk on the south side with an expected cost of \$30k. A decision on the north side will wait until better numbers are available.

**800 West/Porter Lane storm drain** – install 425 feet of 36” pipe at the southwest corner of Porter Lane and 800 West to cover the ditch and increase capacity under the Prospector trail. Funding will come from \$75k in storm water impact fees. Replacing curb/gutter/sidewalk would add \$30k which could come from streets capital improvement fund. There was discussion about whether it should be installed in the same alignment or not at all.

The discussion was cut short due to the time, and will be continued at the next meeting.

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Mayor Romney called the **Regular meeting** to order at 8:03 pm. Council member Preece was excused for this portion of the meeting.

Boy Scouts Kaden Johnson recited the Scout oath, Tate Evans recited the Scout law, and Eric Montenegro led the Pledge of Allegiance. All were from Troop 1039.

**1. Accept Agenda**

**MOTION:** *Debbie McKean moved to approve the agenda as written. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

**2. Public Comment**

Corey Sweat - 1078 W 600 North, asked if anyone knows about Holly projects south of 500 South. Duane Huffman said we have heard that Holly has talked with Woods Cross about potential activity in the area but we have not been contacted. Mayor Romney suggested it may be part of their efforts to increase their buffer zone. He said they have been buying property and then they lease it out to businesses allowed in that zone. He added that they are building a fire training facility in the old trailer park area on the south side of the road, but he knows nothing more.

Mike Call – asked what is the intent with Trinity? Are they moving? Mayor Romney responded that the last we heard they are very content staying in their current location. Council member Ahlstrom added that he also has heard that they have no intention of moving.

**3. Presentation by Chad Turner regarding Community Help for West Bountiful Elementary School.**

Chad Turner, representing the PTA, Community Council, and a group of parents from West Bountiful Elementary school, thanked the Council for allowing him to be here. He explained they have been working for 3 years to build a case for the School Board that they need a new school because the current one is dilapidated and provides a difficult learning environment for the 620-640 students attending the school. He said they have an opportunity to send a letter to the school district to get on a potentially upcoming bond and they need community support.

Mr. Turner showed a short video that included pictures of students forced to hold PE in the hallway due to fallen ceiling tiles; security system is not up to par; the gymnasium, used for PE and as a cafeteria, is not large enough; the stage does not have ADA access; tables fold up onto the wall but if not tightened properly they can fall. Last year the janitor broke his hip when tables fell. He stated there are also architectural problems. All outside doors open directly to hallways, with no vestibule, making it difficult to maintain temperatures. The HVAC is not efficient. It gets very cold in the winter causing students to wear coats in class, and gets very hot in spring and fall forcing kids to take water bottles to class to stay hydrated. He gave an example of a light fixture falling in a kindergarten class room, but luckily it happened over the weekend so it was cleaned up before children were in the room. Things are really falling apart and we are lucky that there haven't been serious injuries.

Mr. Turner described the kitchen refrigerators that are unable to maintain temperatures so they have to reload and unload the contents every day. Day lighting is also a problem. Each class has only one window limiting sunlight. The exterior walls are part of a metal panel system about 1 inch thick, which is not efficient for heating. Gaps have been stuffed with Styrofoam to help limit the outside air coming in. There is not enough room for students to eat at tables so in many cases they are crammed in sideways, and the number of students in the lunchroom exceeds fire code. Windows are single pane, non-tempered. Parking and student drop-off is a problem, and the parking lots present a safety concern, and there are no drinking fountains outside the building.

Mr. Turner presented a new phasing proposal that would allow them to build parts of a new school while still using the current school. In addition, the proposal provides a designated front door, which is currently a big problem, and would provide an access driveway from 800 W to 400 N as well as room for additional parking. Michele Strong added that they have had problems getting support for a new building behind the current playground, and believes this proposal will be more acceptable. The first phase would be to build a new gymnasium. Currently, there is no place to meet. Parents and students can't fit into the gym so they can't hold science fairs or other group activities. It would also allow them to run PE all day and not be forced to work around the lunch schedule.

Mr. Turner said they would like support from council and the ability to use the City's website and newsletter as a way to get the message out. He said their previous efforts had the School District listing them as #2 for schools in need in the County, but they have now received word that they may

not make it on Bond. He shared their frustration that they have been quiet for too long waiting for promises that haven't been met.

Duane Huffman said he understands it is important to be on the bond and recommends at this stage the Council should focus on the deplorable conditions, safety issues, etc., rather than addressing how the problem should be handled. There is some sensitivity with how the City, as a government body, engages in discussion about bonds, but we can do things like inviting school district members to tour the school with the city council members, and other ways to raise awareness of the need. The group can prepare an article for the newsletter that directs readers to their social media sites.

Council member Enquist asked how the school stands with regard to technology. Mr. Turner responded that net books have been donated by Holly in two grades, but internet only works in pockets throughout the school. He said most schools are able to provide net books to all their students.

Mayor Romney thanked Mr. Turner and Mrs. Strong for the work they have put into this.

**4. Consider approval of Resolution 354-15, A Resolution Updating Construction Design Standards for West Bountiful City.**

Ben White explained that the City's construction standards have not been updated since 2011 and since that time there have been a few changes in the industry, state requirements, and staff preferences, and he proposes it is time to formally update the standards we use. He summarized the proposed changes and discussion followed.

Council member Enquist asked about the high density mineral bond seal coat being proposed and if there was still only one supplier of the material. Ben White responded that was still the case but he expects there to be more once construction season begins. He clarified that the requirement is tied to a specification not a provider. Steve Maughan added that he has been extremely pleased with the new seal material; snow comes off the road easier because it doesn't absorb as much. He said it has made a huge difference in plowing.

**MOTION:** *James Bruhn moved to approve Resolution 354-15, A Resolution Updating Construction Design Standards for West Bountiful City. Debbie McKean seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye  
James Bruhn – Aye  
Kelly Enquist – Aye  
Debbie McKean – Aye  
Mark Preece – absent

**5. Discuss and consider appointment of Judy Lever as Hearing Officer.**

Duane Huffman explained that the appeal provisions of the newly adopted nuisance ordinance call for appeals to be conducted by a hearing officer. Staff advertised for letters of interest from qualified individuals earlier this year. In response, a letter of interest was received from Judy F. Lever. Ms. Lever meets the criteria of being legally trained, has experience in conducting similar hearings on behalf of the City of Holladay, and understands the role and responsibilities of a hearing officer.

In response to questions from the Council, Mr. Huffman stated he received very little response to the ad, he expects very little activity, there is no retainer tied to the position, and Ms. Lever has offered a good fee proposal. Steve Doxey added that he has appeared before her and she has good experience. He recommends a multi-year term when considering appointment.

**MOTION:** *James Ahlstrom moved to consent to the Mayor's appointment of Judy Lever to a four year term as hearing officer pursuant to the terms included in her proposal and documented by Mr. Huffman. Debbie McKean seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye  
James Bruhn – Aye  
Kelly Enquist – Aye  
Debbie McKean – Aye  
Mark Preece – absent

**6. Consider approval of purchase of wetland credits.**

Duane Huffman distributed a memo explaining that in preparation for storm water improvements on city-owned property located on 1200 N, the Council commissioned a wetland study which found that the projected location of the storm water pipe requires wetland mitigation for 0.44 acres. In lieu of performing wetland mitigation on the property itself, the City has the option of purchasing wetland “credits” that supply the funding needed to mitigate other wetland areas. These credits come at less expense than would be needed to perform the mitigation and relieve the City from 5 year’s worth of monitoring and reporting.

The cost of purchasing the credits is approximately \$9500, which is close enough to the \$10k threshold requiring approval by City Council that staff has brought the issue up for approval.

**MOTION:** *James Ahlstrom moved to approve the purchase of approximately \$9500 in Wetland Credits for the City's property on 1200 North. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye  
James Bruhn – Aye  
Kelly Enquist – Aye

Debbie McKean– Aye  
Mark Preece – absent

**7. Engineering Report**

Ben White reported that the 500 South water line under I-15 is complete, and they are now working on 400 North. His best information is that the overpass will still close late February, early March for 90 days. He added that UDOT hopes to use the down time to enlarge the 500 West/500 South intersection. There was discussion about how best to notify residents and golfers of the closure and alternate routes.

Wendell Wild will likely propose new 8 lot subdivision abutting Moss Farms. He will be coming in with a formal application in the next several weeks.

**8. Administrative Report**

Duane and Steve have begun preliminary discussions with Waste Management. They are expected to submit a written renewal proposal this week. Council member Ahlstrom thinks it is a good idea to seek competitive bids even if they submit a good proposal.

Duane was contacted by the new West Bountiful baseball president, Kyle Peters, about setting up a meeting to discuss a 2015 Use agreement.

Our credit rating report went well; West Bountiful will maintain its A+ rating.

For the next city council meeting, we are tentatively planning to have a golf report, a variance request, and another work session, beginning at 6:30, to continue discussions on the personnel policy manual and 2015 Projects. He is also working on putting together a retreat for Council.

**9. Mayor/Council Reports**

James Ahlstrom – no report

James Bruhn – no report

Debbie McKean reported there was no Arts council meeting last week due to the holiday so they will meet this Thursday. The Event on Friday is a showing of the new Bob Adventures -Trash Day movie.

Kelly Enquist asked what the requirements are for keeping sidewalks clear on City owned property. He also commended public works on doing a good job plowing the recent storm.

Mayor Romney reported several issues of residents blowing their snow into the road, especially after it had been plowed. Duane Huffman said he is not aware of the City ever enforcing it. Steve Maughan added that it is a problem and he would appreciate any help he can get to educate residents. There was discussion about whether the City should take a more proactive role and the consensus was that it should. The Chief and Duane will research the issue and come back to Council with a proposal.

10. **Approval of Minutes from the December 16, 2014 City Council Meeting.**

**MOTION:** *James Bruhn moved to approve the minutes from the December 16, 2014 meeting as presented. Debbie McKean seconded the Motion which PASSED by unanimous vote of all members present.*

11. **Executive session pursuant to Utah Code Annotated 52-4-205(d), to discuss the purchase, exchange, or lease of real property.**

**MOTION:** *James Ahlstrom moved to go into Executive Session in the police department training room pursuant to Utah Code Annotated 52-4-205(d), to discuss the purchase, exchange, or lease of real property at 9:15 pm. Debbie McKean seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye  
James Bruhn – Aye  
Kelly Enquist – Aye  
Debbie McKean – Aye  
Mark Preece – absent

**MOTION:** *James Ahlstrom moved to close Executive Session pursuant to Utah Code Annotated 52-4-205(d), to discuss the purchase, exchange, or lease of real property at 9:35 pm. Debbie McKean seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Aye  
James Bruhn – Aye  
Kelly Enquist – Aye  
Debbie McKean – Aye  
Mark Preece – absent

12. **Adjourn**

**MOTION:** *James Bruhn moved to adjourn this meeting of the West Bountiful City Council at 9:38 pm. James Ahlstrom seconded the Motion which PASSED by unanimous vote of all members present.*

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*The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, January 20, 2015.*

*Cathy Brightwell*  
Cathy Brightwell (City Recorder)

