THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A WORKSESSION AND REGULAR MEETING ON TUESDAY, JANUARY 20, 2015 IN THE CITY OFFICES AT 550 NORTH 800 WEST AT 7:30 PM

7:30 pm REGULAR MEETING:

Invocation/Thought – James Bruhn
Pledge of Allegiance – Debbie McKean

1. Accept Agenda.
2. Public Comment (two minutes per person) or if a spokesperson has been asked by a group to summarize their comments, five minutes will be allowed.
3. Consider Approval of a Setback Variance for Property at 688 W 400 N.
5. Discuss 2015 Construction Projects.
9. Mayor/Council Reports.
10. Approval of Minutes from the January 6, 2015 City Council Meeting.
12. Adjourn.

According to the American’s with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should contact Cathy Brightwell, City Recorder, at (801) 292-4486.

This agenda was posted on the State Public Notice website, the City website, emailed to the Mayor and City Council, and sent to the Clipper Publishing Company on January 15, 2015.
Clint and Christy Straatman have a requested a variance for property they own at 688 W 400 North. A variance is “a waiver or modification of the requirements of a land use ordinance as applied to a parcel of property that [the applicant] owns.” Utah Code Ann. § 10-9a-702(1). Specifically, the Straatmans desire to build an addition to their 125-year old home that would encroach one foot into the required side yard. The existing house is 5’6” from the west side property line; the proposed addition at the rear of the house would be nine feet (instead of the minimum of ten feet) from the property line.

The standard for obtaining a variance under state law and our ordinance (which mirrors the state statute) is found in Utah Code Ann. § 10-9a-702, and West Bountiful Municipal Code § 17.08.130, a copy of which is attached. The Straatman’s bear the burden of proving that each of five conditions justifying a variance has been met. Per city and state law, all five criteria must be met for approval to be possible.

As our ordinance requires the Council to issue a written decision on the variance request, sample motions and written decisions approving and denying the request will be provide for the Council’s consideration.
WEST BOUNTIFUL MUNICIPAL CODE

17.08.130 Variances.

A. Any person or entity desiring a waiver or modification of the requirements of this title as applied to a parcel of property that he owns, leases, or in which he holds some other beneficial interest may apply to the City Council, acting as the appeal authority, for a variance from the terms of the ordinance.

B. The City Council may grant a variance only if:
   1. Literal enforcement of the provisions of this title would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the city’s land use ordinances;
   2. There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district;
   3. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zoning district;
   4. The variance will not substantially affect the general plan and will not be contrary to the public interest; and
   5. The spirit of the land use ordinance is observed and substantial justice is done.

C. In determining whether or not enforcement of the provisions of this title would cause unreasonable hardship under Subsection B(1), the City Council may not find an unreasonable hardship unless the alleged hardship:
   1. Is located on or associated with the property for which the variance is sought; and
   2. Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

D. In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under Subsection B(1), the City Council may not find an unreasonable hardship if the hardship is self-imposed or economic.

E. In determining whether or not there are special circumstances attached to the property under Subsection B(2), the City Council may find that special circumstances exist only if the special circumstances:
   1. Relate to the hardship complained of; and
   2. Deprive the property of privileges granted to other properties in the same zone.

F. The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

G. Variances run with the land.

H. The City Council may not grant a use variance.

I. In granting a variance, the City Council may impose additional requirements on the applicant that will:
   1. Mitigate any harmful effects of the variance; or
   2. Serve the purpose of the standard or requirement that is waived or modified.

J. The City Council shall issue a written decision, including findings, with respect to the request for variance. The written decision will be final when issued, and may thereafter be appealed to district court in accordance with applicable law.
688 W 400 N

ADDICTION

125 YR OLD HOUSE

9'

5.5'
West Bountiful City Council,

I am writing this letter to ask for a variance for our remodel.

Our house has some peculiar issues that are not common to many homes in our neighborhood. It was built 5'6" from the residence to the west of us, it has more exterior doors than bedrooms, it was built in 1890, and a detached garage was added that is 6' to the west of the east side of the house which makes it hard to park 2 cars in it. These issues are limiting us with the dimensions of the remodel. We love the old style of our home and want to maintain the appearance as best we can. Our addition will have a steep roof line and colors to blend in with the existing structure.

The plan for the remodel is to add a bedroom and bathroom. The setback on the remodel is 9' from our west side neighbor. We have a window that is 9'8" from the property line and to comply with the 10' ordinance we would have to build in the middle of the window. This would not look good and be impossible to do. If we could move the addition to the east we would but the garage is already 6' into the existing house (not sure why they did that?) So we are strapped with available room.

Following the city 10' setback would cause us unreasonable hardship. We would like to have substantial property rights and still observe the spirit of the land use ordinance.

Thank you for your time and feel free to call anytime with questions.

Clint and Chrisy Straatman
WEST BOUNTIFUL CITY

ORDINANCE #368-15

AN ORDINANCE AMENDING CHAPTER 12.16 OF THE WEST BOUNTIFUL CITY CODE TO ADOPT SNOW REMOVAL REGULATIONS

WHEREAS, Utah Code Annotated § 10-8-23, as amended, authorizes the City to regulate and control the use of sidewalks including the removal of weeds, litter, snow and ice; and,

WHEREAS, requiring the removal of snow, ice, hail and sleet from sidewalks in a timely manner, and prohibiting depositing snow and other material in the gutter or street benefits the public health, safety and welfare of the community; and,

WHEREAS, the West Bountiful City Council finds the public interest is best served by prohibiting obstructions to the free use and enjoyment or free passage of streets and sidewalks.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT CHAPTER 12.16 BE AMENDED AS INDICATED IN THE ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this ___ day of January, 2015.

By:

____________________________________
Ken Romney, Mayor

Voting by the City Council: Aye Nay
Councilmember Ahlstrom ___ ___
Councilmember Bruhn ___ ___
Councilmember Enquist ___ ___
Councilmember McKean ___ ___
Councilmember Preece ___ ___

Attest:

____________________________________
Cathy Brightwell, City Recorder
TITLE 12 STREETS, SIDEWALKS AND PUBLIC PLACES

Chapter 12.16 USE OF STREETS AND SIDEWALKS

Sections:

12.16.010 General provisions.

A. It is unlawful for any person to destroy, deface or in any manner damage any public street or sidewalk.

B. It is unlawful for any person to drag, tow or otherwise convey upon the streets of the City any stumps, trees, junk, machinery, or other matter in a manner which damages the street or which causes more than ordinary wear upon the street.

C. It is unlawful for any person to cause or allow an obstruction to the free use and enjoyment or the free passage of streets and sidewalks, except as expressly authorized by City ordinance.

12.16.020 Depositing material on streets and sidewalks.

A. It is unlawful for any person intentionally or carelessly to throw, cast, put onto, drop or permit to fall from a vehicle and remain in any street, gutter, sidewalk or public place any stones, gravel, sand, coal, dirt, ice, snow, manure, garbage, leaves, lawn or hedge clippings or rubbish of any kind, or any other substance.

B. It is unlawful to obstruct the sidewalks, crosswalks, or streets of this city. However, the city engineer may grant special permission to place obstructions on sidewalks or streets when necessary to improve the same or to provide protection during the course of any construction.

C. Exception. Temporary covering of concrete to prevent breakage while traversing over the concrete with heavy equipment during construction and/or improvement projects on adjoining property is allowed.

E. Penalty for violation of this section: see Section 1.16.010.
12.16.30 Snow Removal

A. It is an infraction for the owner, occupant, lessor, or agent of any property abutting a paved sidewalk to fail, refuse, or neglect to remove, or have removed, from such paved sidewalk all ice, snow, hail, or sleet within twenty-four (24) hours of its accumulation.

B. It is an infraction for any person removing snow from any sidewalk, driveway, or other property, to deposit snow, dirt, leaves or any other material in the gutter or street.

C. It is an infraction to blow, shovel or plow snow from private property onto a public street or right of way.
Chapter 12.16 USE OF STREETS AND SIDEWALKS

Sections:

12.16.010 General provisions.

12.16.020 Depositing material on streets and sidewalks prohibited.

12.16.030 Snow removal

12.16.010 General provisions.

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B. It is unlawful to obstruct the sidewalks, crosswalks, or streets of this city. However, the city engineer may grant special permission to place obstructions on sidewalks or streets when necessary to improve the same or to provide protection during the course of any construction.

C. Exception. Temporary covering of concrete with dirt to prevent breakage while traversing over the concrete with heavy equipment during construction and/or improvement projects on adjoining property is allowed.

E. Penalty for violation of this section: see Section 1.16.010.
12.16.30 Snow Removal

A. It is an infraction for the owner, occupant, lessor, or agent of any property, abutting a paved sidewalk to fail, refuse, or neglect to remove, or have removed, from such paved sidewalk, all ice, snow, hail, or sleet within twenty-four (24) hours of its accumulation.

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C. It is an infraction to blow, shovel or plow snow from private property onto a public street or right of way.
## 2015 Construction Projects

<table>
<thead>
<tr>
<th>Project</th>
<th>Description</th>
<th>Resident Participation</th>
<th>Funding Sources</th>
<th>Budgeted</th>
<th>Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>725 W</td>
<td>Reconstructed road and replace water main/service laterals from 3200 N to 1550 N on 725 W. Some sidewalk/curb/gutter.</td>
<td>City will pay for cement work needed by water-line work. Residents may participate at 50% for additional work.</td>
<td>$150,000 Water Fund, $100,000 Water Impact, $100,000 Streets Property Tax</td>
<td>Yes</td>
<td>January</td>
<td>In progress</td>
</tr>
<tr>
<td>Pages Ln</td>
<td>Replaced water main/service laterals and service line from 500 W to 800 N on Pages Ln. UDOT funding to expand road for bike lanes. (asphalt, curb and gutter).</td>
<td>City will pay for cement work as part of bike lanes. Residents may participate at 50% for additional work.</td>
<td>$125,000 Water Fund, $200,000 Water Impact, $75,000 Streets Impact, $150,000 UDOT, $75,000 Storm Drain Implant (Prospect Trail)</td>
<td>Partial</td>
<td>March/April</td>
<td>In progress</td>
</tr>
<tr>
<td>300 Was/Porter Ln Storm</td>
<td>Installing 425 feet of 16 inch pipe to cover ditch and increase capacity under the Prospect Trail.</td>
<td>None</td>
<td>$75,000 Storm Drain Impact</td>
<td>Yes</td>
<td>January</td>
<td>In progress</td>
</tr>
<tr>
<td>1100 W Storm</td>
<td>Replacing 300 feet of storm drain from 100 N to 400 N W at west side of 1100 W. 330 N Driveway sink hole</td>
<td>$75,000 Storm Drain Impact</td>
<td>Yes</td>
<td>February</td>
<td>Funding sources: - Storm drain construction window.</td>
<td></td>
</tr>
<tr>
<td>1200 N Storm Drain</td>
<td>Install new storm drain on property south of 1200 N.</td>
<td>$325,000 UDOT</td>
<td>No</td>
<td>Funding sources: - Storm drain construction window.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prospector Trail Fence</td>
<td>Replacing trail to protect users from golf balls.</td>
<td>$60,000 RAP or Parks Impact, $65,000 for whole length</td>
<td>Partial</td>
<td>Funding sources: - Storm drain construction window.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trail/Golf Restroom</td>
<td>Restroom near N2 and N8 tee boxes and the Prospector Trail.</td>
<td>$120,000 RAP or Parks Impact</td>
<td>Yes</td>
<td>Funding sources: - Storm drain construction window.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park Way Equipment</td>
<td>Install new playground equipment. Still need to determine footprint.</td>
<td>$120,000-$150,000 - RAP or Parks Impact</td>
<td>No</td>
<td>Funding sources: - Storm drain construction window.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Some water meters are in or near drive approaches. Leave old curb/walk/sidewalk.

*UDOT grant came in less than hoped. Potential project back to N2 will include curb/gutter, could spend $30,000 more to put sidewalk on one side.

*Will increase water to the west. Additional $30,000 for sidewalk, curb, gutter.

*Utility impacts still unknown. Fall is best construction window.

*Funding sources: - Storm drain construction window.
NEW CURB (YELLOW)

BIKE LANE STRIPING (RED)

PAGES LANE
400 EAST TO 800 WEST
REPLACE WATER AND ASPHALT
CONSTRUCT CURB AND BIKE LN
West Bountiful City Council Report January, 2015

Statistics reported are December, 2014; the other information reported is collected between council meetings reports.

Reserve-Officer Program

It is anticipated we will be able to focus on hiring reserves in the near future.

Alcohol Officer Program

We hired Eric Braegger as a part time alcohol officer. Eric was a full time officer for Draper PD. He retired from full time law enforcement September, 2014. His desire is to still be a part of the law enforcement community and that is his reason for wanting to work for West Bountiful. This fills all the available alcohol enforcement positions.

Crossing Guards

Crossing Guard are doing a great job.

Personnel

We hired two new officers to fill the vacant positions. Officer Quintin Grillone and Officer Mark Zollinger have both been given police officer positions. Quintin has already completed his field training and is currently assigned to the graveyard shift. Mark is just out of the police academy and will start February 2, 2015. He will be on field training for three months.

The West Bountiful Police K9 program has been suspended indefinitely. This program was very valuable to the police department in many areas; however, we are unable to sustain this program with current staffing issues and believe, at this time, it is in the best interest of the police department not to pursue continuing with the program.

EMPAC

The December meeting was cancelled due to busy schedules. The January meeting will be held on Wednesday, January 21, 2015 at 5:30 P.M.
General Information

Chief Hixson, Sgt. Erekson, Officer Wilkinson, and Officer Jacobson each attend the New York City police officer's funerals. Officers Wilkinson and Jacobson attended Officer Ramos' funeral and Chief Hixson and Sgt. Erekson attended Officer Liu's funeral. This was a humbling experience. We sent a letter to jetBlue on behalf of the police department thanking them for their kindness. (See attached letter)

Chief Hixson has served on the DCLEAA board for the past two years. This year the chief is the President of the Association.

We are being audited by the Bureau of Criminal Identification. They audit agencies every three years to make sure each agency is not abusing or incorrectly using the information from their database.

Lt. Hamilton's vehicle sustained some minor damage when she was pulling into her garage.

Officer Wilkinson's vehicle was in the shop having the transmission repaired under warranty. While there the driver side door was damaged. We are working with the dealership to have it repaired.
January 7, 2014

JetBlue Airways Corporation Corporate Office
2701 Queens Plaza N,
Long Island City,
New York 11101

CEO David Barger,

As a small police department in Utah, we cannot begin to express the gratitude we have for you and your entire organization. The kindness and support shown to law enforcement across the country was above and beyond what anyone could have imagined. The generosity of JetBlue allowing police officers to fly free of charge to New York, on two separate occasions, for Officer Ramos and Officer Liu’s funerals made it possible for many police officers to attend the funerals that most certainly would not have otherwise been able to attend. Our organization was able to send two police officers to each funeral; I was one of those police officers. Although I am certain I will not be able to fully express how this experience has touched me I would like to express some of my thoughts.

The national climate towards law enforcement is not very favorable right now. It has significantly affected me in a personal way that I am unable to describe. My officers and I have a sincere love of our community and those that we serve. We genuinely strive to provide the best customer service to those that have entrusted us to protect them. We hold each other accountable and are always looking for ways to improve what we do. When I left for New York I was at the lowest point of professional happiness I have ever experienced during my career. From my perspective, I just could not understand the hatred towards law enforcement and even more confused with the desire of people wanting to cause us harm over it.

Upon arrival in New York, we were greeted by two of the greatest NYPD officers. They went out of their way to make us feel welcome and show their gratitude even going as far as giving us a small tour of the area. Throughout the time we spent in New York we spoke with police officers, deputies, and state and federal law enforcement from across the country. We made friends and heard their stories about how the negative climate towards law enforcement has made them feel. It helped me understand that my officers and I were not alone; our family of blue is much bigger than we realize and we are all suffering together. I was able to find strength in other officers that will help me get through these difficult times.
Your airline made it possible for me to visit the 911 memorial. I was humbled and heartbroken, many times finding it difficult to fight back the tears that wanted to come out. I was actually standing on the site that I had seen so many times on television. The power of that moment was indescribable and will stay with me the rest of my life.

I have unfortunately attended several police officer funerals during my career. On this occasion, I was there for Officer Liu’s funeral. The sheer magnitude of the funeral and the circumstances surrounding it was like nothing I have ever experienced before. I was honored just to be a part of it, to know that in some way, even if only by my insignificant presence, I was able to show support to the family of Officer Liu and the New York Police Department.

When I returned to Utah and took time to reflect on the experiences of New York, I discovered that JetBlue’s act of kindness made it possible for me to begin to heal. I am now holding my head high again and have found a new energy to continue forward. I am able to share this experience with my officers allowing them feed off of my experience. I am not able to speak for other police officers, but I find it difficult to believe that many others have not been touched in a similar way.

I am hoping by sharing this with you it helps you have a small understanding of the impact made on the law enforcement community. The effects of this experience are far reaching and have personally touched us not only in our professional lives, but our personal lives as well.

With Sincere Gratitude,

Todd L. Hixson
Chief of Police
West Bountiful City

Kenneth Romney
Mayor
West Bountiful City
West Bountiful Police Department
Department Summary
12/1/2014 to 12/31/2014

<table>
<thead>
<tr>
<th>Arrests</th>
<th>17</th>
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<tr>
<td>Adult</td>
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<tr>
<td>Juvenile</td>
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<table>
<thead>
<tr>
<th>Activities</th>
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<tbody>
<tr>
<td>Admin</td>
<td>128</td>
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<tr>
<td>Assist</td>
<td>102</td>
</tr>
<tr>
<td>Community Relations</td>
<td>6</td>
</tr>
<tr>
<td>Investigation</td>
<td>33</td>
</tr>
<tr>
<td>K-9</td>
<td>25</td>
</tr>
<tr>
<td>Patrol</td>
<td>68</td>
</tr>
<tr>
<td>Property</td>
<td>4</td>
</tr>
<tr>
<td>Security</td>
<td>212</td>
</tr>
<tr>
<td>Service Call</td>
<td>30</td>
</tr>
<tr>
<td>Suspicious Activity</td>
<td>20</td>
</tr>
<tr>
<td>Traffic</td>
<td>163</td>
</tr>
<tr>
<td>Vehicle Accident</td>
<td>6</td>
</tr>
</tbody>
</table>

Shift Time and Percent Accounted
1479 hr. 45 min. 33.9%

<table>
<thead>
<tr>
<th>Reports</th>
<th>147</th>
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</thead>
<tbody>
<tr>
<td>CITATION REPORT</td>
<td>35</td>
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<tr>
<td>INCIDENT REPORT</td>
<td>45</td>
</tr>
<tr>
<td>OFFICER INFORMATION</td>
<td>51</td>
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<tr>
<td>POLICE VEHICLE IMPOUNDED</td>
<td>5</td>
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## Department Summary

### Crime Offenses

<table>
<thead>
<tr>
<th>Offense</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault</td>
<td>1</td>
<td>2.0%</td>
</tr>
<tr>
<td>Burglary</td>
<td>2</td>
<td>4.0%</td>
</tr>
<tr>
<td>Damage Property</td>
<td>5</td>
<td>10.0%</td>
</tr>
<tr>
<td>Dangerous Drugs</td>
<td>11</td>
<td>22.0%</td>
</tr>
<tr>
<td>Death/Injury</td>
<td>1</td>
<td>2.0%</td>
</tr>
<tr>
<td>Family Offense</td>
<td>1</td>
<td>2.0%</td>
</tr>
<tr>
<td>Fraud</td>
<td>1</td>
<td>2.0%</td>
</tr>
<tr>
<td>Juvenile Status Offenses</td>
<td>1</td>
<td>2.0%</td>
</tr>
<tr>
<td>Public Peace</td>
<td>2</td>
<td>4.0%</td>
</tr>
<tr>
<td>Sex Offense</td>
<td>1</td>
<td>2.0%</td>
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<tr>
<td>Theft</td>
<td>7</td>
<td>14.0%</td>
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<tr>
<td>Traffic Offense</td>
<td>13</td>
<td>26.0%</td>
</tr>
<tr>
<td>Warrant Service</td>
<td>4</td>
<td>8.0%</td>
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</table>

### Accidents

<table>
<thead>
<tr>
<th>Count</th>
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<tbody>
<tr>
<td>12</td>
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</table>

### Citation Violations

<table>
<thead>
<tr>
<th>Type</th>
<th>Count</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fix It</td>
<td>2</td>
<td>3.8%</td>
</tr>
<tr>
<td>Misdemeanor</td>
<td>20</td>
<td>37.7%</td>
</tr>
<tr>
<td>Traffic</td>
<td>27</td>
<td>50.9%</td>
</tr>
<tr>
<td>Warning</td>
<td>4</td>
<td>7.3%</td>
</tr>
</tbody>
</table>
West Bountiful City Planning Commission

Posting of Agenda - 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 January 9, 2015 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, January 13, 2015, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Alan Malan, Mike Cottle, and Corey Sweat (Alternate). Councilmember Kelly Enquist.

MEMBERS/STAFF EXCUSED: Laura Charchenko and Terry Turner.

STAFF PRESENT: Ben White (City Engineer), Cathy Brightwell (Deputy Recorder), and Debbie McKean (Secretary).

VISITORS:

The Planning Commission Meeting was called to order at 7:35 p.m. by Chairman Hopkinson. Mike Cottle gave a prayer.

I. Accept Agenda

Chairman Hopkinson reviewed the agenda. Alan Malan moved to accept the agenda as presented. Corey Sweat seconded the motion. Voting was unanimous in favor among members present.

Business Discussed:

II. Discussion of Density definition clarifications in Title 17

Included in the Commissioner’s packets was a memorandum from Ben White, dated January 9, 2015 regarding Density Definitions with a new redlined draft attached that states the desired changes discussed in the last Planning and Zoning meeting. The memorandum notes that the
Chairman Hopkinson reviewed the memo and draft included in the Commissioner’s packet. Ben White appreciated the comments given at the last planning meeting stating it helped him to come up with the proposed draft that is before them today. He feels that the draft before them is a good one and meets the needs of this issue. He pointed out that the proposed 1000 square feet is arbitrary but has put value to each lot.

Having missed the December 9th meeting, Corey Sweat read the minutes and feels like the document presented tonight is clean, well written and easy to read. He really appreciates and likes this version of the document.

Alan Malan said that in 17.04.030 Definitions he would include the additional language, “setback” after easements. He also suggested that on page 2, 17.68.040, “each lot containing a minimum of 1000 square feet of buildable area, be changed to read, containing a minimum of 30’ X 30’.

Mike Cottle liked the changes.

Chairman Hopkinson commented what a great job Ben has done. He suggested that the size of the footprint be a minimum of what is in a R-1-10 zone and would like to see it increased to 30’ X 50’.

Corey Sweat agreed it was better to have a bigger size and liked the 30’ X 50” suggestion.

ACTION ITEM:

All were pleased with the document as it was modified. Chairman Hopkinson recommended that staff bring back a final draft for review at the next meeting and then to move forward to Council for final approval.

III. Land Use case review- Ben White

Ben White introduced a case from Salt Lake City. Man purchase property to convert into a boarding house. He had not applied for a permit. City comes and shuts him down. Language in their ordinance created some misunderstandings that created some appeals and disgruntled neighbors feeling he was not in compliance with the city ordinance. Mr. White’s point in sharing this case was that when we put language into a document it is important what language we put in and what language we leave out.

IV. Staff Report

- Ben White informed the Commission that Wendell Wild will be bringing a proposal to subdivide his property in the near future. A copy of the proposed site plan for the
Wendell Wild subdivision was included in the Commissioner’s packet and consists of 8 quarter acre lots on the rear portion of his property.

- Cathy Brightwell informed the Commission that they will have a conditional use permit at the next scheduled meeting. The first meeting in February may be canceled for a Council Retreat.

V. Approval of Minutes for December 9, 2014

ACTION TAKEN:

Corey Sweat moved to approve of the minutes dated December 9, 2014 as corrected. Alan Malan seconded the motion and voting was unanimous in favor among those members present.

VI. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:12 pm. Corey Sweat seconded the motion. Voting was unanimous in favor.

The foregoing was approved by the West Bountiful City Planning Commission on January 27, 2015, by unanimous vote of all members present.

_____________________________
Cathy Brightwell - City Recorder
West Bountiful City Finance Report

As of Nov 30, 2014 (42% of the Year)

The following tables provide a snapshot of the City's financial status as of Nov. 30, 2014. The following are items of note (highlighted in yellow on the tables below):

Line 4: After the October Financial Report, an error was found that listed this account at a much higher sum. This error has now been corrected.

Line 8: General Fund revenues continue to exceed budgeted projections.

Line 30: As noted previously, a budget amendment may be needed to correct an error during budget drafting.

Line 32: As noted previously, a budget amendment may be needed to account for the City's unplanned participation in the seal coat of the Legacy Trail.

Line 71: An error was discovered during the last report that showed expenditures for this line as higher than the actual. This error has been corrected.

Line 72: A review of past years shows that this line has been traditionally unbudgeted for part-time range staff. A budget amendment will likely be needed.

Line 87: As of the end of November, revenues at Lakeside exceeded expenditures by $45,650.

As a general note – it is customary for the City to perform inter-fund transfers at the end of the year; hence some capital projects will show large expenditures without balancing revenues.

<table>
<thead>
<tr>
<th>General Fund Revenues</th>
<th>Prior YTD</th>
<th>Current YTD</th>
<th>Budget</th>
<th>YTD % of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Taxes</td>
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<td>3 Intergovernmental</td>
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<thead>
<tr>
<th>General Fund Expenditures</th>
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<th>Current YTD</th>
<th>Budget</th>
<th>YTD % of Budget</th>
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<td></td>
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<td>YTD % of Budget</td>
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<td>Budget</td>
<td>YTD % of Budget</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----------</td>
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<td></td>
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<td>$2,983</td>
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</table>
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.

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.


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
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.

The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, January 20, 2015.
351 Cathy Brightwell (City Recorder)