

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Debbie McKean
Mark Preece

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

City Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

CITY COUNCIL MEETING

THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING ON TUESDAY, **APRIL 7, 2015** IN THE CITY OFFICES AT 550 NORTH 800 WEST, BEGINNING AT **7:30 PM**

Invocation/Thought –Mark Preece, Pledge of Allegiance – James Ahlstrom

1. Accept Agenda.
2. Public Comment (two minutes per person, or if a spokesperson has been asked to summarize comments for a group, five minutes will be allowed).
3. Public Hearing – To Receive Input on Proposal to Increase Compensation for Elected and Statutory Officers (City Council and City Recorder).
4. Consider Ordinance 372-15, An Ordinance Amending the Compensation of City Council Members and City Recorder, and Reaffirming the Compensation for Mayor and City Treasurer.
5. Consider Request from David Smith to Have Live Music at City Park on April 18, 2015.
6. Consider Ordinance 371-15, An Ordinance Adopting Modifications to Section 17.56.030, Allowing Changes to Non-Complying Structures.
7. Consider Approval of Cooperative Agreement for Transportation Alternatives Program (TAP) Funding with Utah Department of Transportation.
8. I-15 Update – Nathan Peterson, UDOT.
9. Discuss Placing RAP Tax On November Ballot, and Submitting Notice of Intent Letter to Davis County Commissioners.
10. Consider Approval of Purchase for Café Hood System Replacement.
11. Discuss and Consider of Bids for Golf Course/ Restroom Project.
12. Discuss Proposed Stringham Farm Subdivision.
13. Planning Commission/Engineering Report.
14. Administrative Report.
15. Mayor/Council Reports.
16. Approve Minutes from the March 17, 2015 City Council Meeting.
17. Adjourn.

Individuals needing special accommodations during the meeting should contact Cathy Brightwell 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 April 2, 2015.

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Debbie McKean
Mark Preece

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

PUBLIC HEARING NOTICE

A public hearing will be held by the West Bountiful City Council on Tuesday, April 7, 2015 beginning at 7:30 p.m. (or as soon thereafter as agenda allows) at the City offices, 550 N 800 West, West Bountiful.

The purpose of the hearing is to receive public comment regarding a proposal to increase the compensation of the elected and statutory officers of West Bountiful as follows:

City Council	\$ 2,348/yr.
Recorder	\$ 3,205/yr.

All interested parties will be given an opportunity to be heard. Written comments may be submitted prior to the hearing.

Cathy Brightwell
City Recorder



MEMORANDUM

TO: City Council

DATE: April 2, 2015

FROM: Duane Huffman

RE: Compensation Ordinance for Elected and Statutory Officers

At the City Council's strategic planning meeting on February 17, 2015, a wage study was presented that compared salaries of city officials with other those in comparable cities. The analysis showed that the compensation paid to the City Council is the lowest in south Davis County and roughly half that paid to the council of nearby comparable cities. In addition, the City Recorder position is paid 17% below prevalent market wages.

To begin the process of adjusting the Council and Recorder's compensation, the Council passed the motions described in UCA 10-3-818 at the March 17th meeting, which motions included setting a public hearing for the council meeting planned for April 7, 2015.

After the Council receives input at the public hearing, it can then amend or adjust compensation by the adoption of an ordinance (Ordinance 372-15 has been drafted for this purpose). Staff recommends that for clarification and future reference this ordinance also outline the compensation levels of the other statutory positions (Mayor and City Treasurer).

For reference for Tuesday's meeting, the following tables briefly outline the research on compensation for the Council and City Recorder.

Position	Current Annual Comp	Market Average	Recommendation
City Council	\$2,458	\$4,685	\$4,800 ^a
City Recorder	\$38,885	\$46,741	\$42,090 ^b

a) Recommendation is to match lowest city in south Davis County.

b) Recommendation is to lag market by 10% based on length of service.

WEST BOUNTIFUL CITY

ORDINANCE #372-15

AN ORDINANCE AMENDING THE COMPENSATION OF CITY COUNCIL MEMBERS AND CITY RECORDER, AND REAFFIRMING THE COMPENSATION FOR MAYOR AND CITY TREASURER

WHEREAS, Utah Code Annotated § 10-3-818, as amended, authorizes the City's governing body to fix, change or amend the compensation of any elective or appointive officer; and,

WHEREAS, the City Council approved a motion to review the compensation level for Council members and the City Recorder at their March 17, 2015 meeting; and,

WHEREAS, the City Council approved a motion noting its intention to change the compensation level for Council members and the City Recorder at their March 17, 2015 meeting, and set a public hearing for the April 7, 2015 meeting; and,

WHEREAS, the City Council held a public hearing at the April 7, 2015 meeting at which all interested persons were given an opportunity to be heard; and,

WHEREAS, the City Council finds it necessary to amend the compensation level of the City Council and the City Recorder to ensure that individuals receive fair and competitive compensation; and,

WHEREAS, the City Council finds value in reaffirming, as part of the same ordinance, the compensation levels for the Mayor and City Treasurer:

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT THE FOLLOWING COMPENSATION LEVELS BE SET FOR THE MAYOR, CITY COUNCIL, CITY RECORDER, AND CITY TREASURER:

1. Mayor (*no changes*) –
 - a. Monthly Compensation: \$793.33 (\$9,520 annual)
 - b. Meeting Stipend for Council Meetings and Other Official Non-Compensated Board/Council Meetings: \$25 per meeting
 - c. Vehicle Allowance: \$250 per month

2. Council –
 - a. Monthly Compensation: \$400.00 (\$4,800 annual)
 - b. Meeting Stipend for Council Meetings and Other Official Non-Compensated Board/Council Meetings: \$25 per meeting
 - c. Vehicle Allowance: \$0

- 3. City Recorder –
 - a. Salary Range: \$38,885 - \$57,781 annual (*no change*)
 - b. Current Salary: \$42,090 – step 4
 - c. Eligible for annual merit increases and cost of living increases as approved and applied to other full-time employees.

- 4. City Treasurer (*no changes*) –
 - a. Salary Range: \$30,885 - \$45,402 annual
 - b. Current Salary: \$38,750 – step 12
 - c. Eligible for annual merit increases and cost of living increases as approved applied to other full-time employees.

This ordinance will become effective upon signing and posting.

Adopted this 7th day of April, 2015.

By:

Ken Romney, Mayor

Voting by the City Council:	<u>Aye</u>	<u>Nay</u>
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember McKean	_____	_____
Councilmember Preece	_____	_____

Attest:

Cathy Brightwell, City Recorder

MEMORANDUM



TO: Mayor and City Council

DATE: March 10, 2015

FROM: Cathy Brightwell

RE: Amplified Music at City Park

David Smith, has reserved the large bowery at City Park on April 18 for group picnic. As part of the event, .

Pursuant to Resolution 306-12, Facility Use Policy, amplified music is not permitted without prior written consent from City Council.

MEMORANDUM



TO: Mayor and City Council

DATE: April 1, 2015

FROM: Ben White

RE: Noncomplying Structures 17.56.030

The Planning Commission made a recommendation to City Council to modify Municipal Code Section 17.56.030 to allow noncomplying structures to encroach up to 20% into the required setback requirement or one half the distance the structure already encroached, whichever was less.

This item was discussed during the March 17, 2015 City Council meeting. From the discussion, there appeared to be a consensus among Council members to allow legally noncomplying structures to be enlarged with the same setback encroachment as what currently exists. Staff has revised paragraph 17.56.030.B(3) to reflect this provision. The other language in this section is the same as what was reviewed previously.

From: Dave Smith [mailto:dsmith6391@comcast.net]

Sent: Wednesday, March 18, 2015 9:09 PM

To: Cathy Brightwell

Subject: Re: Park reservation April 18, 2015

Cathy,

We have scheduled a live band. They are planning to play music that is suitable for a LDS ward get together. Nothing over the top, and nothing too loud. We were planning on them starting around 6:30 PM and expect them to play for a couple of hours or so. Naturally we want to be good neighbors and will be respectful of others.

Thanks for taking care of the approval process. I was unaware we needed it. Good thing we have the Mayor in the ward to keep us on the straight and narrow. Let me know if you have any additional question.

Thanks,
Dave

17.56.030 Additions, enlargements and moving.

- A. A building or structure occupied by a nonconforming use or a building or structure noncomplying as to height, area or yard regulations shall not be added to or enlarged in any manner, or moved to another location on the lot, except upon issuance of a permit as provided in subsection (B) of this section.
- B. The planning commission, after public hearing, may issue a permit authorizing a building or structure occupied by a nonconforming use or a building or structure noncomplying as to height, area, or yard regulations to be added to, enlarged, or moved to a new location on the lot if the commission finds:
 - 1. That the proposed change will not be inconsistent with the purposes of this title or the policies expressed in the city's general plan;
 - 2. That the proposed change will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity of the nonconforming use or noncomplying structure; and
 - 3. *In the case of an addition to or enlargement of a building or structure which is noncomplying as to yard regulations, but which was legally complying at the time of construction, that the addition or enlargement will encroach into the applicable yard setback no more than the noncomplying structure encroaches into the same setback.*
- C. The planning commission may attach conditions, such as landscape or buffering requirements, to any permit authorized under this section in order to mitigate the detrimental effects of the proposed change or otherwise achieve the purposes of this title.
- D. This section shall not be used or construed to permit the encroachment of an addition or enlargement into any yard setback in which a noncomplying building or structure is not located.

WEST BOUNTIFUL CITY

ORDINANCE #371-15

AN ORDINANCE AMENDING THE WEST BOUNTIFUL LAND USE ORDINANCE TO ALLOW EXCEPTIONS TO HEIGHT, AREA OR YARD REGULATIONS FOR NONCOMPLYING STRUCTURES SUBJECT TO CERTAIN FINDINGS

WHEREAS, Utah Code Annotated § 10-9a, also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Zoning Ordinances; and,

WHEREAS, the West Bountiful City Planning Commission held a public hearing on March 10, 2015 to consider a recommendation giving them authority to issue a permit authorizing a building or structure occupied by a nonconforming use or a building structure noncomplying as to height, area or yard regulations to be added to, enlarged, or moved if the Commission makes certain findings; and,

WHEREAS, following the public hearing, the West Bountiful Planning Commission unanimously voted to recommend to the City Council that the proposed language be adopted.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT SECTION 17.56.030 BE MODIFIED AS SHOWN IN ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this 17th day of March, 2015.

By:

Ken Romney, Mayor

Attest:

Cathy Brightwell, City Recorder

Voting by the City Council: Aye Nay

Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember McKean	_____	_____
Councilmember Preece	_____	_____

MEMORANDUM



TO: Mayor and City Council

DATE: April 1, 2015

FROM: Ben White

RE: UDOT Funding Grant Agreement

Last fall the City made an application to UDOT for \$215,000 funding assistance to construct bike lanes along Pages Lane from 400 East in Centerville to 800 West. UDOT has awarded the City a \$150,000 funding assistance. UDOT recognized that the scope of the project may need to be scaled back when we were not granted the full amount.

The project scope includes signage and pavement striping to add designated bike lanes from 400 East to I-15 through Bountiful and Centerville. The majority of the project cost is for the completion of curb and expanded asphalt roadway between I-15 and 800 West. In a recent City Council meeting where future capital projects were discussed, the City Council agreed to fund the shortfall as well as completing the pedestrian sidewalk on at least one side of the street.

The original intent was to construct this project during the 2015 construction season. But due to the delays with the 400 North overpass construction, this project has been postponed until next year.

The UDOT funding agreement being considered tonight is for monies from the Transportation Alternatives Program (TAP). The agreement is for UDOT to reimburse the City \$150,000 once the project is complete, so long as the City expends at least \$300,000 toward the improvements. The other stipulation is that the project begins at 400 East in Centerville. There are no Davis-Bacon wage requirements, Buy America or other requirements that often come with UDOT monies. Those are requirements when federal monies are involved. These funds are solely State funds, so those requirements are not imposed.

COOPERATIVE AGREEMENT

THIS COOPERATIVE AGREEMENT made and entered into this ____ day of _____, 20__, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as the “**UDOT**,” and the West Bountiful City, a political subdivision of the State of Utah, hereinafter referred to as the “**CITY**.”

WITNESSETH:

WHEREAS, The Transportation Alternatives Program (TAP) provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards; and

WHEREAS, it is the desire of the parties that the **CITY** construct and thereafter maintain a TAP Project on Pages Lane at the location(s) described as follows: The project is a multi-community bike lane from 400 East to 800 West and,

WHEREAS, **UDOT** intends to provide funds for the construction of TAP projects; and

WHEREAS, participation in the TAP projects will not require matching funds; and

THIS COOPERATIVE AGREEMENT is made to set out the terms and conditions where under said work shall be performed.

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

1. The **CITY** shall perform the necessary engineering, furnish all materials and perform the construction work described in this agreement either with its regular engineering and construction forces at the standard schedule of wages and working hours or upon appropriate solicitation in accordance with applicable laws and regulations by qualified contractors.

Transportation Alternative Program (TAP)
PIN 13361/PROJECT West Bountiful, Pages Lane
COOPERATIVE AGREEMENT WITH West Bountiful City
Charge ID No. 72090

2. All construction work performed by the **CITY** or its contractor shall conform to **UDOT's** standards. **CITY** construction may conform to local standards if they are equal to or greater than **UDOT's** standards.
3. All construction performed under this agreement shall be barrier free to wheelchairs at crosswalks and intersections according to state and local laws and regulations, including standards.
4. The **CITY** shall submit plans for the work covered by this agreement to **UDOT** Region One Program Manager for review and approval if the plans meet the requirements. Upon approval of the plans, and before commencing any construction within **UDOT's** highway right-of-way, the **CITY** or its contractor shall obtain a Right-of-Way Encroachment Permit from the Region One Encroachment and Permits Officer. The contact information is Jay Genereux, Region One Encroachment and Permits Officer, telephone number 801-620-1639.
5. The **CITY** will be reimbursed up to said amount as shown in this agreement if supporting documentation supports the costs to be reimbursed. Partial payments will be allowed as long as the **CITY** can show supporting documentation that items have been constructed and **CITY** funds were used for the construction of the project in the amount that is requested.
6. The total estimated cost of the TAP project including **CITY** participation is as follows:

This is a FY2015 Region One Transportation Alternative (TAP) project in West Bountiful. The project is a multi-community bike lane on Pages Lane from 400 East to 800 West. This bike lane will provide access to the Legacy Trail System. West Bountiful will phase this project from 400 East to I-15 to build with this agreement. The project value for this phase of the project is estimated at \$300,000, making the \$150,000.00 contribution for the UDOT a 50% match for this phase of the total project.

Total Project Value	\$428,476.00
UDOT Participating Amount	\$150,000.00

7. Upon completion of the project, the **CITY** will furnish to the **UDOT** a statement certifying the amount of State funds expended, verification of **CITY** participation amounts and certification that the project was completed in

Transportation Alternative Program (TAP)
PIN 13361/PROJECT West Bountiful, Pages Lane
COOPERATIVE AGREEMENT WITH West Bountiful City
Charge ID No. 72090

accordance with the standards and specifications adopted for the project by this cooperative agreement.

8. **UDOT** shall have the right to audit all cost records and accounts of the **CITY** pertaining to this project. For purpose of audit, the **CITY** is required to keep and maintain its records of work covered herein for a minimum of three (3) years after completion of the project.
9. If for any reason, the **CITY** has not commenced construction of said project within a two (2) year time period from **UDOT** Region One's approval of the TAP project, the **CITY** will relinquish the grant allocation or refund the funds already paid to the **CITY** for the project. Upon commencement of the construction, the **CITY** agrees to complete the construction in an expeditious manner and in a reasonable timeframe. Should the **UDOT** determine that the work is not proceeding in an expeditious manner and upon thirty (30) days written notice, it may withdraw said grant and require the **CITY** to refund any portion of the grant funds not expended for approved items at the time of withdrawal.
10. Upon completion of the work covered by this cooperative agreement, the **CITY** shall, either directly or by ordinance, cause any improvements covered by this cooperative agreement to be maintained, renewed and/or repaired to perpetuate a secure and non-hazardous pedestrian facility. Said maintenance is to include snow removal.
11. This agreement does not and is not intended to confer any rights or remedies upon any person than the parties.
12. This agreement may be executed in counter parts by the parties.
13. Each party represents that it has the authority to enter into this agreement.
14. Each party agrees to undertake and perform all further acts that are reasonably necessary to carry out the intent and purposes of the agreement at the request of the other party.
15. Except for future permits issued to conduct work within **UDOT's** right of way, this agreement constitutes the entire agreement between the parties and supercedes any prior understandings, agreements or representations, either verbal or written.

Transportation Alternative Program (TAP)
PIN 13361/PROJECT West Bountiful, Pages Lane
COOPERATIVE AGREEMENT WITH West Bountiful City
Charge ID No. 72090

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed by its duly authorized officers as of the day and year first above written.

West Bountiful City, a political subdivision of the State of Utah

ATTEST:

By _____
Title

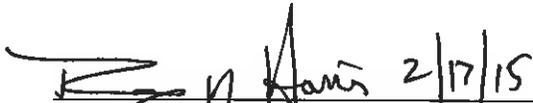
By _____
Title

(IMPRESS SEAL)

UTAH DEPARTMENT OF TRANSPORTATION

RECOMMENDED FOR APPROVAL:

APPROVED:


Region Program Manager


Region Director

APPROVED AS TO FORM:

APPROVED:

Renee Spooner
UDOT Legal Counsel

Division of Finance

MEMORANDUM



TO: Mayor & Council

DATE: April 2, 2015

FROM: Duane Huffman & Cathy Brightwell

RE: **RAP Tax Election Summary**

In July 2008, Resolution 233-08 authorized and approved the submission of a RAP Tax opinion question to residents of West Bountiful for the November 2008 election. Following a majority vote (1,307 to 948, or 58% to 42%) on the issue, the Council adopted Ordinance 306-08 imposing the 0.10% tax and adopting Chapter 3.10 implementing the RAP tax for a period of 8 years. The imposition of the RAP tax took effect April 1, 2009 and will expire in 2017.

To reauthorize the tax, the City Council must use the process outlined in UCA 59-12-1402, as follows:

1. Provide notice to the Davis County Commission of the City's intent to submit the opinion question to the residents of the city - UCA 59-12-1402(6)(a)(i).
2. Receive a written resolution passed by the County Commission that the county is not seeking to impose a county-wide RAP Tax - UCA 59-12-1402(6)(a)(ii).
3. Approve a resolution at least 75 days prior to the election authorizing an opinion question on the ballot for the 2015 municipal election (or the general election in 2016) – UCA 59-12-1402(1)(a)
4. The City will also provide notices and a voter information pamphlet as required by law.

Any RAP tax reauthorized after July 2011 will be levied for a period of 10 years, and authorized uses are as follows (UCA 59-12-1402(3):

- A. To finance cultural facilities, recreational facilities, and zoological facilities within the city.
- B. To finance ongoing operating expenses of:
 - a. Recreational facilities described above within the city or town, and
 - b. Botanical organizations, cultural organizations, and zoological organizations within the city.

If the City Council agrees that it is best to proceed with a ballot question in 2015, staff recommends proceeding now by authorizing the Mayor to sign a notice of intent letter to the County to begin the process.

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Debbie McKean
Mark Preece

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

City Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

March 31, 2015

To the Honorable Spencer J. Cox,
Lieutenant Governor of the State of Utah:

Please accept this written request by West Bountiful City to participate in the Election Day voter registration pilot project as established in 20A-4-108.

This application requests participation in the pilot project for the 2015 primary and general West Bountiful municipal elections that will be administered by the Davis County Clerk's office.

It is an uncertainty as to whether or not this pilot project will increase voter participation, but this illustrates one of the reasons we would request the opportunity to be involved in this project.

Other reasons we desire to participate include but are not limited to:

- Gather data on potential benefits and problems
- Gather data on participation
- Analyze impact on poll workers and administrative staff
- Identify and implement needed administrative procedures
- Develop and test needed technology
- Provide valuable research data to the Government Operation Interim Committee
- Participate in future discussions of possible permanent implementation

Respectfully,



Cathy Brightwell
City Recorder

MEMORANDUM



TO: Mayor & Council

DATE: April 2, 2015

FROM: Duane Huffman

RE: **Café Hood Expense for Lakeside Cafe**

The City's procurement policy requires that purchases greater than \$10K be approved by the City Council (City Code 3.20.070). This memo recommends the approval of the purchase/installation of a new hood system for the café at Lakeside Golf Course for \$24,694.40.

The City learned during the 2014 golf season that the current hood system at Lakeside needed to be updated to better conform to fire and safety codes. In addition, a better functioning hood system will help protect merchandise in the pro shop from odors associated with the café. City staff has extensively researched options for updating or replacing the hood system (for example, we looked into acquiring a hood from the old Burger King building), but it is clear that the only viable option is for a solution that includes a hood, fan, make up air, and fire suppression.

With this knowledge, the City requested plans of an appropriate scope from CaptiveAire, and used these plans to procure as many written quotes and possible. The City received 3 full quotes and a few partial quotes. Restaurant & Store Equipment Co. (RESCO) provided a quote that was the lowest complete bid and included the most complete service (e.g. some higher quotes excluded electrical work or roof repairs associated with the installation). Moreover, staff understands RESCO to be a reputable company with years of experience in this field.

Staff therefore recommends that the Council formally approve by motion the purchase/installation of the new hood system from RESCO, to be installed as soon as possible, for \$24,694.40. This funding would come from expected available resources in the Golf Fund.

MEMORANDUM



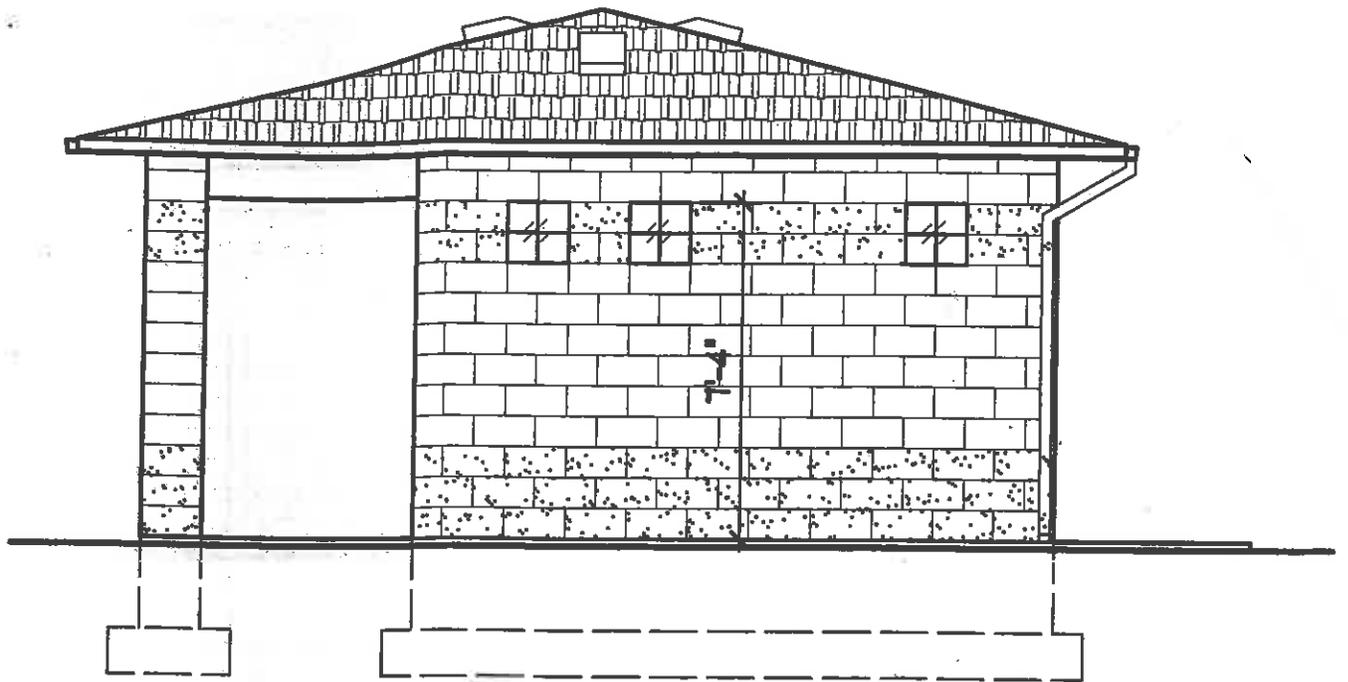
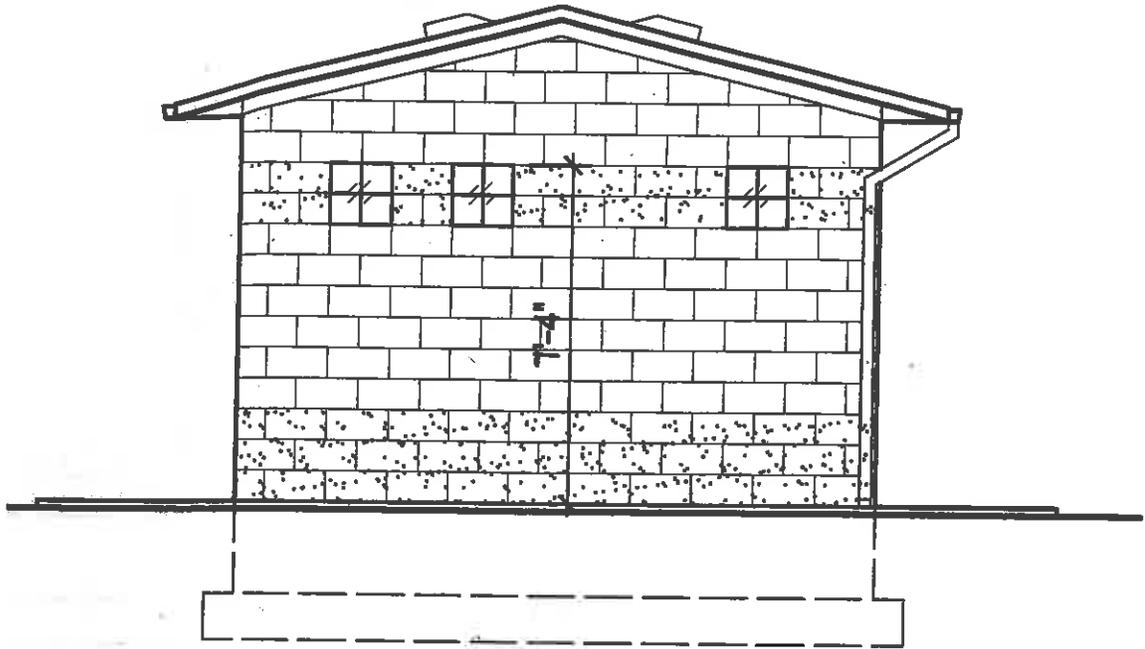
TO: Mayor and City Council
DATE: April 2, 2015
FROM: Ben White
RE: Golf Course Restroom Building

The City will receive bids from contractors at 2:00 p.m. on April 7th. The restroom design includes a masonry structure, asphalt shingles, a water fountain, flush valve toilets, electric hand dryer like the ones at the park and minimal heat so the restrooms can be open for a longer season without the risk of damage from frozen fixtures. Hot water is not included in the design. Included in the packet is a building floor plan and an elevation view.

Contractors were given a few bid additives for the City's consideration. The additives included:

1. Changing the partition walls from masonry to a phenolic (plastic) partition. Phenolic is what we have in the park restrooms.
2. Adding a mop sink (floor sink) in the plumbing chase/storage area.
3. Adding masonry privacy walls extending out by the restroom doors.
4. Adding an overhang/covered porch area on the roof and changing the roof style from a gable to a hip style. (Both options are shown in the elevation view)

The bid documents indicate that an award by the City would be based on the additive items which the City selected. Staff will present a tabulated list of the bids at the meeting.



MEMORANDUM



TO: Mayor and City Council
DATE: April 1, 2015
FROM: Ben White
RE: Stringham Farm Subdivision Final Plat

The Stringham Farm Subdivision is a nine lot subdivision located in the R-1-10 zone that includes one lot with an existing house that fronts on to 1000 North Street, six lots on the 845 North and 750 West Street extensions, and two flag lots. The Planning Commission recommended approval in the March 24th meeting. A Conditional Use Permit (CUP) was also approved for the flag lots during the March 24th meeting.

The recommendation to approve the final plat contained the following conditions. Staff comments are included in italics.

1. The conditions specified in the Conditional Use Permit must be met. Any conditions which would affect future property owners should also be noted on the plat. *The construction drawings and the plat have been updated to reflect the conditions of the Permit. The Flag Lot Conditional Use permit is also included. One requirement of the CUP was that the cross access/maintenance agreement be reviewed and approved by the City.*
2. Easements are identified on the plat. A storm drain is proposed to be constructed along the south and west boundaries of lot 9 and it discharges into the existing ditch along 1000 North Street. Because of the proposed storm drain pipe, Public Works is requiring that trees be restricted from being planted in the easement and existing trees be removed. Also access to the storm drain manhole on the north side of the Lot 4, 5 and 9 lot corner must be maintained. *The appropriate notes have been added to the construction drawings and the plat.*
3. Show the buildable areas on at least Lots 4, 5, and 6 to identify the permissible house orientations. *The buildable areas are identified on the plat.*
4. According to City Code a mid-block public access walkway would be required when blocks exceed 800 feet, a mid-block walkway is to be provided. The City code requires that the walkway be ten feet wide (16.12.050). The City has four existing similar walks already; (1) to Birnam Woods Park is 10' wide and the property is owned by the city (2) to the City Park off 2050 N and is 8' wide and owned by the city (3) walkway off 1490 N over to bridge over the DSB canal is 7' wide and owned by the city (4) walkway to the elementary school off 750 W is 6' wide and is privately owned with a public access easement. The recommendation and condition of the Planning Commission was that a 6' wide public access walkway and easement be required along the Lots 6 and 7 lot line. But if access from the church was not granted within twelve months, then the access was not to be constructed and the City is to vacate the easement.
5. Engineering corrections on the construction drawings be completed.
6. Approval from the South Davis Metro Fire Department and the South Davis Sewer District has been obtained. Final approval by Weber Basin should be received.
7. Final approval is conditioned upon payment of any outstanding fees, executing bond agreements and development agreement prior to plat recordation.



West Bountiful City

550 N 800 W,
West Bountiful, UT 84087
Phone: (801) 292-4486

www.wbcity.org

CONDITIONAL USE PERMIT

CUP #: 15-003

APPROVAL DATE: 3/24/2015

PROPERTY ADDRESS: 735 West 1000 North

PARCEL NUMBER: 06-037-0024

ZONE: R-1-10

Name of Business: Stringham Farm Subdivision – Flag Lots

Applicant Name: Wendell & Mary Wild

Applicant Address: 735 W 1000 North, West Bountiful, UT 84087

Primary phone: 801-295-4924/cell 801-663-3324

E-mail address: WWild25@comcast.net

This Conditional Use Permit is granted subject to the following conditions:

1. Display contrasting and illuminated address numbers mounted on a durable material in a prominent and permanent location next to the staff driveway to help emergency responders locate the property.
2. Staff driveway must be made from a material other than black asphalt so it can be distinguished from the public street, preferably a light colored concrete.
3. Flag lots require a dedicated fire access road. The staff driveway will be at least twenty-six (26) feet wide to allow for parking along the staff driveway.
4. A full width of the driveway/staff must be constructed at the same time as the street and other public improvements for the entire length of the flag lot staff.
5. An eight (8) inch thick concrete driveway over eight (8) inch thick compacted base course is required to prevent public works vehicles and emergency responders from damaging the private staff driveway. This access must be extended to within five (5) feet of the storm drain box located on Lot 9. In lieu of the 8" thick concrete, a pavement design prepared by a licensed geotechnical engineer and approved by city would be acceptable.
6. A single catch basin located in the northwest corner of Lot 3 must be installed. A detailed grading and drainage design for each flag lot will be required as part of the building permit application. Upon review by city staff, additional drainage measures may be required.
7. The front and rear yard orientations are to be identified on the plat to reflect the orientation of the majority of the neighboring properties. The front and rear yards on the flag lots will be along the east and west property lines.

- 8. A non-transparent fence must be maintained along the outside edges of the flag staff driveway beyond thirty feet from the public street. The fence must be six feet in height, except fencing within the first thirty (30) linear feet from the subdivision roadway must comply with the front yard fencing requirements for the R-1-10 zone.
- 9. Shared access of the staff driveway is permitted for lots four (4) and five (5) but both flag lots will be subject to a recorded cross-access and maintenance agreement in a form acceptable to the City.
- 10. Each flag lot staff must contain a minimum of five (5) feet of landscaped area to accommodate utility services, space for garbage containers and flared drive approaches

Date

O. Terry Turner, Vice Chair-Planning Commission

I have previously applied for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I understand that approval of this Permit is subject to the conditions listed above and I agree to comply with said conditions.

Date: _____

Applicant Signature: _____

FOR OFFICIAL USE ONLY

Application Received Date: 3/2/2015

Planning Commission Meeting Date: 3/24/15

Application Fee Received Date: 3/2/2015

Approval Date: 3/24/2015

1 **West Bountiful City** **PENDING** **March 24, 2015**
2 **Planning Commission**

3 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice
4 website and the West Bountiful City website, and sent to Clipper Publishing Company on March
5 23, 2015 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **March 24, 2015, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

11 **MEMBERS PRESENT:** Vice Chairman Terry Turner, Alan
12 Malan, Laura Charchenko, Mike Cottle and Corey Sweat
13 (Alternate). Councilmember Kelly Enquist

14

15 **MEMBERS EXCUSED:** Chairman Denis Hopkinson

16

17 **STAFF PRESENT:** Ben White (City Engineer), Cathy
18 Brightwell (City Recorder), and Debbie McKean (Secretary)

19

20 **VISITORS:** Wendell Wild

21 The Planning Commission Meeting was called to order at 7:30 p.m. by Vice Chairman Turner.
22 Mike Cottle gave a prayer.

23 **I. Accept Agenda.**

24 Vice Chairman Turner reviewed the agenda. Laura Charchenko moved to accept the agenda as
25 presented. Alan Malan seconded the motion. Voting was unanimous in favor among members
26 present.

27 **Business Discussed:**

28 **II. Consider Conditional Use Application for Flag Lots in Stringham Farm Subdivision**

29 This item was tabled from the previously scheduled Planning Commission meeting in order to
30 gather more information, study out the pros/cons regarding flag lots and the impact they may
31 have in this area, and to possibly meet with the City Council for a work session. The City
32 Council declined having a work meeting with the Planning Commission as was suggested at the
33 last meeting.

34 Included in the Commissioner packets was a memorandum dated March 19, 2015 from Ben
35 White regarding Flag Conditional Use Permit for Stringham Subdivision, a letter dated March
36 19, 2015 from Wendell and Mary Wild with a plot plan.

37 The memorandum from Ben White stated that the Planning Commission tabled this item to have
38 time to deliberate the reasonably anticipated detrimental effects of the proposed flag lots in this
39 development.

40 Staff provided a list of potential detrimental effects of the flag lots as previously discussed and
41 drafted a list of mitigating factors that may help with the negative effects of flag lots.

42 Vice Chairman Turner opened the floor to discussion. Commissioners reviewed each of the
43 following items and their conclusion to fixing the detrimental effects after discussion were as
44 follows:

45 **Detrimental Effect 1:** Difficult for persons/emergency responders to locate the house when it is
46 not visible from or located on a public street.

47 **Solution:** Display contrasting colored material and illuminated address numbers on durable
48 material in a prominent permanent location next to the staff driveway to help emergency
49 responders locate the property.

50 **Detrimental Effect 2:** Flag lot staffs are located in a 90 degree street corner. The driveways
51 will be approximately the same width as the road and resemble a street extension creating a
52 safety issue for vehicle drivers on 750 West and persons on the private property.

53 **Solution:** Driveway must be made from a material other than black asphalt so it can be
54 distinguished from the public street, preferably a light colored concrete.

55 **Detrimental Effect 3:** Flag lots require a dedicated fire access road.

56 **Solution:** Access to the flag lots for emergency vehicles and equipment must be maintained,
57 subject to applicable fire code regulations, including a minimum of a twenty foot wide fire
58 access. Other fire department requirements may be required as a condition of a building permit
59 approval.

60 *Planning Commission decided to delete detrimental effect #3 and blend it with detrimental effect*
61 *#4 in order to resolve the suggested negative issue requiring a dedicated fire access road.*

62 **Detrimental Effect 4:** Flag lots do not have parking along the property frontage. Visitor may
63 be reluctant to park on private property where parking is not visible from the public street.

64 **Solution:** The staff driveway to the flag lot must be a maintained as a dedicated access for
65 emergency vehicles/equipment, and pavement will be at least twenty-six (26) wide for parking
66 and/or other conditions imposed by the Fire Department.

67 **Detrimental Effect 5:** Flag lots share common driveway so the entire fire lane would be
68 required with the construction of the first house which places the entire financial burden for the
69 access on to one property owner.

70 **Solution:** A full width of the driveway/staff must be constructed at the same time as the street
71 and other public improvements for the entire length of the flag lot staff.

72 **Detrimental Effect 6:** Storm drain design for the subdivision has a proposed public storm drain
73 pipe to be laid directly under the flag lot driveway/staff with a storm drain clean out box located
74 at the opposite (north) end of the flag lot. This requires the public works department to access
75 the storm drain box across private property with heavy equipment.

76 **Solution:** An 8 inch thick concrete driveway over 8 inch thick compacted base course is
77 required to prevent public work vehicles from damaging the private driveway. The access must
78 be extended to within five feet of the storm drain box. Or a pavement design done by a geo
79 technical engineer design the load and follow their recommendations.

80 **Detrimental Effect 7:** The flag lots will make it difficult for storm water to drain away from the
81 properties.

82 **Solution:** A single catch basin located in the northwest corner of Lot 3 must be installed. A
83 detailed grading and drainage design for each flag lot will be required as part of the building
84 permit application. Upon review by city staff, additional drainage measures may be required.

85 **Detrimental Effect 8:** Flag lots have a greater impact on neighboring property's privacy than
86 lots fronting on public streets.

87 **Solution:** The front and rear yard orientations are to be identified on the plat to reflect the
88 orientation of the majority of the neighboring properties. The front and rear yards on the flag
89 lots will be along the east and west property lines.

90 **Detrimental Effect 9:** Flag lot driveways can create a negative impact on neighboring
91 properties including noise, light, privacy and safety.

92 **Solution:** A non-transparent fence must be maintained along the outside edges of the flag staff
93 access driveway. The fence must be six feet in height, except that the first thirty (30) linear feet
94 from the subdivision roadway must comply with the front yard fencing requirements for the R-1-
95 10 zone. Lighting will be provided and maintained along the fences. Fences must be installed
96 with the installation of public improvements.

97 *Following discussion, the consensus was to eliminate the requirements (1) to include lighting*
98 *along the fence, and (2) to install fencing the first thirty (30) feet from the roadway.*

99 **Detrimental Effect 10:** When two flag lots are proposed with adjacent flag staff, it leads to
100 neighbor disputes. As stated earlier, lighting will not be required.

101 **Solution:** Shared access of the staff driveway is permitted but both flag lots will be subject to
 102 a recorded cross-access and maintenance agreement in a form acceptable to the City.

103 **Detrimental Effect 11:** Water meters are not to be located in paved areas, there must be
 104 sufficient room along the flag lot frontage for water and other utility services.

105 **Solution:** Each flag lot staff must contain a minimum of five (5) feet of landscaping area to
 106 accommodate utility services, space for garbage cans in the street and flared drive approaches.

107
 108 **ACTION TAKEN:**

109 **Corey Sweat moved to approve the Conditional Use Application for Flag Lots in Stringham**
 110 **Farm Subdivision with the following conditions:**

- 111 1. *Display contrasting and illuminated address numbers mounted on a durable material in a*
 112 *prominent and permanent location next to the staff driveway to help emergency*
 113 *responders locate the property.*
- 114 2. *Staff driveway must be made from a material other than black asphalt so it can be*
 115 *distinguished from the public street, preferably a light colored concrete.*
- 116 3. *Flag lots require a dedicated fire access road. The staff driveway will be at least twenty-*
 117 *six (26) feet wide to allow for parking along the staff driveway.*
- 118 4. *A full width of the driveway/staff must be constructed at the same time as the street and*
 119 *other public improvements for the entire length of the flag lot staff.*
- 120 5. *An eight (8) inch thick concrete driveway over eight (8) inch thick compacted base course*
 121 *is required to prevent public works vehicles and emergency responders from damaging*
 122 *the private staff driveway. This access must be extended to within five (5) feet of the*
 123 *storm drain box located on Lot 9. In lieu of the 8" thick concrete, a pavement design*
 124 *prepared by a licensed geotechnical engineer and approved by city would be acceptable.*
- 125 6. *A single catch basin located in the northwest corner of Lot 3 must be installed. A detailed*
 126 *grading and drainage design for each flag lot will be required as part of the building*
 127 *permit application. Upon review by city staff, additional drainage measures may be*
 128 *required.*
- 129 7. *The front and rear yard orientations are to be identified on the plat to reflect the*
 130 *orientation of the majority of the neighboring properties. The front and rear yards on the*
 131 *flag lots will be along the east and west property lines.*
- 132 8. *A non-transparent fence must be maintained along the outside edges of the flag staff*
 133 *driveway beyond thirty feet from the public street. The fence must be six feet in height,*
 134 *except fencing within the first thirty (30) linear feet from the subdivision roadway must*
 135 *comply with the front yard fencing requirements for the R-1-10 zone.*
- 136 9. *Shared access of the staff driveway is permitted for lots four (4) and five (5) but both flag*
 137 *lots will be subject to a recorded cross-access and maintenance agreement in a form*
 138 *acceptable to the City.*
- 139 10. *Each flag lot staff must contain a minimum of five (5) feet of landscaped area to*
 140 *accommodate utility services, space for garbage containers and flared drive approaches*

141

142 *Subject to the foregoing conditions, the proposed flag lots will not be detrimental to the health,*
 143 *safety, or general welfare of persons residing or working in the vicinity, or injurious to property*
 144 *or improvements in the vicinity and the foregoing conditions will mitigate the reasonably*
 145 *anticipated detrimental effects of the flag lots and accomplish the purposes of the City's land use*
 146 *ordinance.*

147 **Laura Charchenko seconded the motion and voting was by Roll Call and the motion**
 148 **passes by a 4 to 1 vote.**

149 **Corey Sweat – Aye**

150 **Laura Charchenko- Aye**

151 **Alan Malan- Nay**

152 **Terry Turner – Aye**

153 **Mike Cottle- Aye**

154

155 **III. Consider Final Plat Approval for Stringham Subdivision**

156 Commissioner's packet included a memorandum dated March 30, 2015 (date error) from Ben
 157 White regarding Stringham Farm Subdivision Final Plat. The memorandum described the
 158 subdivision located in the R-1-10 zone and listed 8 conditions that should be included in the
 159 motion should the Planning Commission decides to grant final plat approval. In addition, it was
 160 staff's request that each of the conditions be included in the plat records.

161 Ben White reviewed each of the items listed in his memorandum with the Commissioners. Some
 162 discussion took place on each item.

163 Wendell Wild had concern with the mid-block walkway. If required, he was in favor of the 5-6
 164 foot wide path and felt the 10 foot path would encourage ATV use. He was concerned with who
 165 would be responsible to maintain the pathway as well as who would be responsible to construct
 166 it. He was also concerned with the liability and who it would fall upon, and the extra expense it
 167 would create for him. He felt like the traffic it would create along the homeowners properties
 168 may be a deterrent to those considering purchasing the property.

169 Some discussion took place regarding Mr. Wild's concerns.

170

171 **ACTION TAKEN:**

172 **Laura Charchenko moved to approve the Final Plat Approval for Stringham Farm**
 173 **Subdivision with the following conditions:**

174 *The seven traditional lots conform to the zoning lot area and width requirements. The two flag*
 175 *lots are addressed by conditional use and the Conditional Use Permit must be approved prior to*
 176 *subdivision approval and all conditions which would affect future property owners be noted on*
 177 *the plat.*

178 *Easements must be identified on the plat. Storm drain from the street must drain through the flag*
 179 *lots, along the west boundary of lot 9 discharging into the existing ditch along 1000 North Street*
 180 *and that trees be restricted from being planted in the easement and existing trees be removed*

181 *and that this be recorded as a tree free zone on the plat. Access to the storm drain manhole on*
 182 *the north side of Lot 5 and 9 lot line must be maintained.*

183 *That the buildable areas on at least lots 4, 5, and 6 be shown and identify the permissible house*
 184 *orientations.*

185 *A 6 foot mid-block walkway be placed on the easement of Lot 6 and 7 if access is granted by the*
 186 *Corporation of the President in which the cost of such would be upon the developer within a*
 187 *year. After one year the cost would be the city's burden to bear.*

188 *The suggested changes by the city engineer to the construction drawings, material specifications,*
 189 *depths and slopes of pipes be resolved.*

190 *Final design approval be obtained by Weber Basin.*

191 *Additional fees owed be paid and bond and development agreements be executed prior to plat*
 192 *recordation.*

193 *Street light must be constructed on the street corner of lot two (2).*

194

195 **Alan Malan seconded the motion and after some discussion regarding the pathway, a**
 196 **friendly amendment was made by Corey Sweat to allow a one year limitation for the City to**
 197 **vacate the public easement if a decision is not made by regarding the pathway. Alan Malan**
 198 **accepted the friendly amendment and a roll call vote was taken passing unanimously.**

199 **Corey Sweat – Aye**

200 **Laura Charchenko- Aye**

201 **Alan Malan- Aye**

202 **Terry Turner – Aye**

203 **Mike Cottle- Aye**

204

205 **IV. Staff Report**

206 **• Denis Hopkinson texted Cathy in regards to not attending tonight's meeting via phone as**
 207 **he was not in cell range.**

208 **• Next meeting may be cancelled if there is no public business in order to hold a City**
 209 **Council budget work session.**

210 **• 400 North construction will begin towards the end of April and will be longer than the**
 211 **original 90 days; the bridge will be built on site. There is a plan to build some turn lanes**
 212 **on 4th North and 5th West during the 400 North closure.**

213 **• Ben White shared that the Shopko area is under contract. Their parking is not within our**
 214 **current code for a business their size and that has held things up a bit. He stated that we**
 215 **may need to review our parking code because it is quite outdated.**

216

217

218 **V. Approval of Minutes for March 10, 2015**

219

220 **ACTION TAKEN:**

221 **Corey Sweat moved to approve of the minutes dated March 10, 2015 with changes. Alan**
222 **Malan seconded the motion and voting was unanimous in favor among those members**
223 **present.**

224

225 **VI. Adjournment**

226

227 **ACTION TAKEN:**

228 **Laura Charchenko moved to adjourn the regular session of the Planning Commission**
229 **meeting at 9:35 pm. Alan Malan seconded the motion. Voting was unanimous in favor.**

230

231

232

233 The foregoing was approved by the West Bountiful City Planning Commission on April 14

234 , 2015, by unanimous vote of all members present.

235 _____

236 Cathy Brightwell - City Recorder

237

238

239

1 Minutes of the West Bountiful City Council meeting held on **Tuesday, March 17, 2015** at West
2 Bountiful City Hall, 550 N 800 West, Davis County, Utah.

3
4 Those in attendance:

5
6 **MEMBERS:** Mayor Kenneth Romney, Council members James Ahlstrom (absent), James
7 Bruhn, Kelly Enquist, Debbie McKean, Mark Preece

8
9 **STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Chief Todd
10 Hixson, Ben White (Engineer), Paul Holden (Golf Director), Steve Maughan (Public Works
11 Director), Cathy Brightwell (City Recorder/ Secretary)

12
13 **VISITORS:** Alan Malan, Corey Sweat

14
15
16 Mayor Romney called the work session to order at 6:35 pm.

17
18
19 **Continue discussion of Personnel Policy Manual re-draft.**

20
21 Council member McKean began by asking why “Mayor or designee” was removed from areas
22 throughout the re-draft. Duane Huffman explained that the re-draft was crafted in such a way so as
23 to match city ordinances and practices, and that staff would continue to consult regularly with the
24 Mayor and Council on significant personnel issues.

25
26 The Council then picked-up the review of the re-draft at section 3-6, regarding the amount of comp
27 time employees could accrue. After a lengthy discussion of the pros and cons of further capping
28 comp time accruals, including the idea of including a statement of intent to normally keep accruals at
29 less than 80 while leaving the regular cap at 240, this item was added to a list of potential items that
30 may require mini-votes to resolve differences prior to final approval

31
32 The Council then moved on reviewing the following sections:

33
34 3.6.3 Emergency call-outs – There was a question regarding whether the emergency call-out pay
35 would apply to an employee that is “on-call” at the time of the call-out.

36 3.7 Payment on Separation – No changes discussed.

37
38 4.1 Worker’s Comp - There was some discussion as to the contracted medical provider the city
39 uses. Mr. Huffman committed to researching if it was tied to the City’s workers’
40 compensation insurance. No other changes discussed.

41 4.2 Social Security – No changes discussed.

42 4-3 Medical Ins. – No changes discussed.

43 4-4 LTD – No changes discussed.

44 4-5 COBRA – No changes discussed.

45 4-6 Employee Retirement – No changes discussed.

46 4-7 Employee Golf – No changes discussed.

47

48 Section 5 – LEAVE AND HOLIDAYS

49 5-1 Breaks and Meal Periods – No changes discussed.

50 5-2.1 Holidays – No changes discussed.

51 5-2.2 Holiday pay – No changes discussed.

52 5-3.1 Annual Leave – There was again discussion about an appropriate cap for annual leave
53 accrual. This will be discussed more at a later meeting.

54

55

56

57 Mayor Romney called the regular meeting to order at 7:34 pm. James Bruhn gave an Invocation,
58 and the Pledge of Allegiance was led by Mark Preece.

59

60 **1. Accept Agenda**

61

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

65

66 **2. Public Comment**

67

68 Dawn Smith - 801 Vintage Cir. – Ms. Smith expressed concerned about the 400 N bridge
69 closure as part of the I-15 project, especially as it will affect children attending Bountiful Jr. High.
70 She proposed alternatives such as constructing the bridge off-site and moving it in place. Mayor
71 Romney explained that the City had discussed issues with the closure with UDOT, but their
72 constraints limited what could be done. He also said that the City had been in contact with the
73 School District, and that they have plans in place to help children reach the school. Mr. Huffman
74 committed to helping Ms. Smith contact both UDOT and the School District.

75

76 Megan Smith – 801 Vintage Cir. – Ms. Smith is a student at West Bountiful Elementary, and
77 she reported that horses on a property behind the school were treated very poorly. Chief Hixson will
78 explore the situation.

79

80 **3. Consider Extension of Off-Site Improvements Agreement for Neal Hamilton,**
81 **Stringham Subdivision, Lots 1 and 2**

82

83 Ben White explained that Stringham Estates subdivision, at 1200 North and 1100 West, was
84 created in 2002, and included an agreement to defer off-site improvements for ten years. In 2011,
85 the Agreement was extended for another ten years with certain triggers listed. Mr. Hamilton owns
86 lots 1 and 2 and has applied for a building permit, which is one of the triggering events listed in the
87 agreements. The owner has requested that the curb, sidewalk and additional asphalt that are
88 required by the terms of the agreement be deferred until a future date. If curb and sidewalk were
89 installed now, it would be the only curb and sidewalk presently along 1200 North. Staff recommends
90 approval of the deferral but would like the ditch piped along the front of the property now which will

91 match adjoining properties. If approved, the Agreement to Modify the Extension For Off-Site
92 Improvement Agreement extends the timeframe for when the surface improvements would be
93 required for a term of twenty (20) years or until the City requires the improvements whichever is
94 first. Piping the ditch on both lots will be required now as a condition of the pending building
95 permit.

96 **MOTION:** *Debbie McKean moved to extend the Off-Site Improvements Agreement for*
97 *Neal Hamilton, Stringham Estates Subdivision, Lots 1 and 2, subject to*
98 *attorney review. Mark Preece seconded the Motion which PASSED.*
99

100 The vote was recorded as follows:

101 James Ahlstrom – absent
102 James Bruhn – Aye
103 Kelly Enquist – Aye
104 Debbie McKean – Aye
105 Mark Preece – Aye
106

107 **4. Consider Request From The Munden's at 2095 N 800 West Regarding Public**
108 **Improvements.**
109

110 Ben White explained that the Munden's own this property on the southwest corner of Porter
111 Lane and 800 West. The City will be working on a storm drain project along the Munden's north
112 property line. The new storm drain is directly under the existing curb alignment, so the curb must be
113 removed to install the storm drain. The existing sidewalk and curb have been dysfunctional for
114 years due to its alignment and being overgrown with weeds. The City made the decision earlier this
115 year not to replace the curb and sidewalk as part of this project.

116 The Munden's are concerned that if the public improvements are not done as part of the
117 project, they may be responsible for them down the road. There was discussion about potential
118 future development and the high volume of pedestrian traffic coming off the trail with little room to
119 walk.

120 The Munden's explained they have cleaned up yard, and would like sidewalk and curb
121 installed, preferably diagonally from where the asphalt is to the entrance of the trail, with no park
122 strip. Even though it will still be city owned, the Munden's will take care of the triangle area inside
123 the sidewalk. There was discussion about the additional cost and it was suggested it be added to the
124 total cost of the project.

125 **MOTION:** *James Bruhn moved to approve a new 6 ft. wide sidewalk and curb at the*
126 *corner of Porter Lane and 800 West at a diagonal to meet with the trail head*
127 *on Porter Lane. Debbie McKean seconded the Motion which PASSED.*
128

129 The vote was recorded as follows:

130 James Ahlstrom – Absent
131 James Bruhn – Aye

132 Kelly Enquist – Aye
133 Debbie McKean– Aye
134 Mark Preece – Aye
135

136 **5. Consider Resolution #362-15 Establishing the Jessi’s Meadows Special Assessment**
137 **Area.**
138

139 Mr. Huffman introduced the item by referencing the memo included in the packet for the
140 meeting. The proposed special assessment area will allow the Homeowners Association to dissolve
141 while providing the means for its responsibilities to be met (path/landscape). Following the public
142 hearing, the City received two protests from the 40 lots. The area will be funded by a \$300/yr
143 assessment plus the remaining fund balance held by the HOA.

144 Council member Bruhn asked if the owner of the lot adjacent to the subdivision on the south
145 end of the subdivision had been included, as he had extended the path in front of his property. Mr.
146 Huffman explained that his lot could not be included without re-starting the entire process, and as
147 such, recommended that issues with the path in front of his property be handled separately.

148 **MOTION:** *James Bruhn moved to adopt Resolution 362-15 establishing the Jessi’s*
149 *Meadow Special Assessment Area, noting that after reviewing the two*
150 *protests no changes would be made to the original proposal. Debbie*
151 *McKean seconded the Motion which PASSED.*
152

153 The vote was recorded as follows:
154 James Ahlstrom – Absent
155 James Bruhn – Aye
156 Kelly Enquist – Aye
157 Debbie McKean– Aye
158 Mark Preece – Aye
159

160 **6. Consider Request From Chuck Gilmore To Have Amplified Music at City Park On**
161 **July 31, 2015.**

162 **MOTION:** *Debbie McKean moved to approve the request from Chuck Gilmore to have*
163 *amplified music at City Park on July 31, 2015. James Bruhn seconded the*
164 *Motion which PASSED by unanimous vote of all members present.*
165

166 *Council member Ahlstrom arrived at the meeting*
167

168 **7. Consider Ordinance 371-15, An Ordinance Adopting Modifications to Section**
169 **17.56.030, Allowing Changes to Non-Conforming Structures**

170 Ben White explained that as a result of the City Council denying a variance request for an
171 addition to a very old home that did not comply with current yard regulations, the planning
172 commission was directed to develop language to deal with the issue.

173 The planning commission discussed various options over several meetings and held a public
174 hearing on March 10, 2015. They have recommended language to the city council that allows some
175 flexibility for modifications to structures that were legally conforming at the time of their
176 construction, but due to changes in the Code, are now considered nonconforming. They also added a
177 mechanism for the planning commission to impose mitigating conditions similar to a conditional use
178 process.

179 Council member Bruhn does not support the proposed percentage limitation and gave an
180 example of a subdivision that was built with eight foot side yard setbacks. If someone in that
181 subdivision wants to extend the side of their home they wouldn't be able to, and he wants to make
182 sure they don't have problems in the future. He supports maintaining the same encroachment they
183 already have.

184 Following discussion on the issue, there was consensus to remove the percentage restrictions
185 and change B.3. to allow the enlargement or addition to encroach into the applicable yard setback no
186 more than the noncomplying structure encroaches into the same setback.

187
188 **MOTION:** *Kelly Enquist moved to table the item and review new proposed language at*
189 *the next meeting. Mark Preece seconded the Motion, which PASSED by*
190 *unanimous vote of all members present.*

191
192 **8. Discuss Prospector Trail Tree Proposal.**

193
194 Mr. Huffman explained that this proposal was the result of direction staff received after the
195 Council reviewed and rejected bids for a fence along the Prospector trail. Council member Preece
196 asked if the neighbors who had come to complain about the proposed fence would be happy with
197 this, and the consensus was that they would be much happier with green trees in place of a fence.
198 Mr. Huffman added that a recent quote for planting the trees came in at about \$12k in addition to the
199 cost of the trees themselves. He will also check on whether the trees come with a warranty, as well
200 as working with the tree programs of Bountiful Power and Holly. The Council was in agreement to
201 move forward with acquiring and planting the trees to protect the trail.

202
203 **9. Consider Increases in the Compensation Paid to Members of the City Council and City**
204 **Recorder of West Bountiful City**

205
206 Mr. Huffman explained the process to amend or adjust compensation for elected officials and
207 statutory officers. There was discussion about how long the current city council compensation had
208 been in place and it is thought that no changes have been made for some time. Staff will research
209 the issue.

210 **MOTION:** *James Ahlstrom moved to review and consider the compensation of the*
211 *Council and Recorder for the purpose of determining whether or not it*
212 *should be adopted, changed, or amended. Mark Preece seconded the*
213 *Motion which PASSED.*

214
215 The vote was recorded as follows:
216 James Ahlstrom – Aye

217 James Bruhn – Aye
218 Kelly Enquist – Aye
219 Debbie McKean– Aye
220 Mark Preece – Aye
221

222 **MOTION:** *Mark Preece moved to set a public hearing to be held at 7:30 pm, or as soon*
223 *thereafter as the agenda allows, on April 7, 2015 at the city offices to*
224 *provide an opportunity for interested persons to comment on the*
225 *compensation proposal presented in the memo. James Ahlstrom seconded*
226 *the Motion which PASSED.*
227

228 The vote was recorded as follows:
229 James Ahlstrom – Aye
230 James Bruhn – Aye
231 Kelly Enquist – Aye
232 Debbie McKean– Aye
233 Mark Preece – Aye
234

235 **10. Police Report**

236 Chief Hixson reported on March activities. He said that after contacting surrounding
237 agencies, they were able to clear out all of the bikes from the evidence room. The bikes are being
238 donated to the Children’s Justice Center (“CJC”) where a scout group will clean them up and sell
239 them to raise money for the CJC.

240 The Chief also noted that there have been multiple counterfeit \$50 and \$100 bills passed in
241 the city of the past two weeks. Officer Breeze is distributing letters to local businesses making them
242 aware of this trend.

243 Chief Hixson reported that the grant money from Holly for the EmPAC trailer has been used
244 and the trailer is close to being complete. They have purchased several cases of Meals Ready To Eat
245 (“MREs”) to use in case of an emergency, and we purchased two additional radio frequencies to be
246 assigned to the police department and public works. At their next meeting, EmPAC will discuss and
247 make plans for the Great Utah Shakeout scheduled for April 16.
248

249 **11. Planning Commission/Engineering Report**

250
251 Ben White reported that 400 North construction is now expected to happen in mid April. He
252 added that we are working on landscape design with UDOT and Bountiful for the 500 South
253 interchange. The Porter Lane storm drain should get started soon pending UTA right-of-way grants.

254 The Planning Commission, last week, approved language for non-complying structures;
255 approved a conditional use permit for a 23 ft high garage in R1-10. The property on 550 West backs
256 up to the train tracks and freeway and the garage will not adversely affect neighbors. The
257 Commission also approved a Conditional Use permit for the Stringham Farms flag lots and after a
258 long discussion it got tabled. They want to hold a work session with city council to discuss the
259 issues related to the flag lots and the subdivision. We have not had any word back from the Church
260 regarding the walkway from 750 West. The developer stated he does not want the path to the church

261 primarily because the lots are too small. Staff is working to prepare a list of potential detrimental
262 effects and mitigating factors associated with the flag lots for the next meeting.

263

264 **12. Administrative/Finance Report**

265

266 Mr. Huffman briefly reviewed a financial summary for the year. In addition, he suggested the
267 Council plan for a special meeting and a full regular meeting in April to review draft budgets for
268 next year.

269 Mr. Huffman also reported that staff is preparing to use several enforcement provisions from
270 the new nuisance ordinance this spring.

271 Mr. Huffman committed to sending out information to the Council regarding the spring Utah
272 League of Cities and Towns conference in St. George next month.

273

274 **13. Mayor/Council Reports**

275

276 James Ahlstrom – no report.

277

278 Mark Preece reported that the Youth City Council will order *I heart WB* shirts; they are
279 looking into setting up their own Retreat; and are in the process of filling 5000 eggs for the Easter
280 Egg Scramble on April 4. He noted that Cathy Brightwell is helping them to conduct their meetings
281 more like city council, with formal agendas, motions, minutes and recordings. Council member
282 McKean suggested they may want to shadow city council members to learn more about what they
283 do.

284

285 James Bruhn described the good meeting and lunch they had with school district and school
286 officials, and passed on a letter from a concerned citizen.

287 He asked if discussion of RAP tax would be on the next agenda. There was discussion about
288 the pros and cons of doing it this year versus next year, and most felt it would be better to do it this
289 year. RAP Tax will be on the next meeting agenda.

290 Mr. Bruhn added that the city was probably a little short-sighted with the Birnam Woods
291 ditch; it should have continued on the north side of the trail to the pipe that goes under the Legacy
292 trail.

293

294 Debbie McKean reported that Arts Council is working on the July 4th parade. She asked
295 council member Preece to see if the Youth Council could have Olaf and the Easter bunny ride in the
296 parade and be at the Park afterwards.

297 She asked what happened to the information Lewis, Young, Robertson, and Burningham was
298 going to send after our economic development work session. Duane Huffman will follow-up with
299 them.

300

301 Kelly Enquist said he enjoyed the meeting at the elementary school yesterday. They walked
302 through and took assessment of the conditions. They also received a stack of great letters from
303 students.

304 He added that he received a citizen complaint about safety concerns on the Orville Ryver
305 property at the bottom of Porter Lane.

306

307 Mayor Romney talked about the transportation tax recently passed by the legislature. He
308 said the County may wait a year to implement it.

309

310 **14. Approval of Minutes from the March 3, 2015 City Council Meeting.**

311

312 **MOTION:** *James Ahlstrom moved to approve the minutes from the March 3, 2015*
313 *meeting as presented. James Bruhn seconded the Motion which PASSED*
314 *by unanimous vote of all members present.*

315

316 **15. Adjourn**

317

318 **MOTION:** *James Ahlstrom moved to adjourn this meeting of the West Bountiful City*
319 *Council at 9:48 pm. James Bruhn seconded the Motion which PASSED by*
320 *unanimous vote of all members present.*

321

322

323

324 *The foregoing was approved by the West Bountiful City Council by unanimous vote of all*
325 *members present on Tuesday, April 7, 2015.*

326

327

328

329 _____
Cathy Brightwell (City Recorder)