

Minutes of the West Bountiful City Council meeting held on **Tuesday, April 7, 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: Steve Doxey (City Attorney), Chief Todd Hixson, Ben White (Engineer), Paul Holden (Golf Director), Steve Maughan (Public Works Director), Cathy Brightwell (City Recorder/ Secretary)

EXCUSED: Duane Huffman (City Administrator),

VISITORS: Alan Malan, Lucile & Eric Eastman, Tiffany Allen, Dave Asay and Nathan Peterson (UDOT), Wendell Wild

Mayor Romney called the regular meeting to order at 7:31 pm. Mark Preece gave an Invocation, and the Pledge of Allegiance was led by James Ahlstrom.

1. Accept Agenda

Mayor Romney explained that the UDOT presenters had arrived early due to a change in their schedule and suggested they be moved up on the agenda.

MOTION: *James Ahlstrom moved to approve the agenda moving item #8 up to follow item #3. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

2. Public Comment

Lucile Eastman, representing the Arts Council, commented that they are working hard to prepare for the Independence Day celebration. Because of the great job they did a couple of years ago, their enthusiasm, and general contribution to the event, the Youth Council was asked to help out again this year. She said their response was discouraging. They told the Arts Council that they are a voting body enacted by city ordinance, similar to the City Council, and members discuss and vote on projects they want to participate in. They also explained that their terms run concurrently with the school year, leaving summer activities difficult to cover. While a few members indicated they would be happy to help out, the Youth Council told the Arts Council that they probably would not be able to take responsibility for specific projects.

Mrs. Eastman noted that the Arts Council was asked to coordinate the Independence Day events; they did not volunteer. She said they are all busy but they love their community and love serving this community. She said they need help with the Park activities following the parade, and thought this was a good way for the youth of the city to learn to serve. She also requested the city council help with events, and contact her if they know anyone who might be willing to help out.

The activities run from about 11:30 am to 2:00 pm and each venue, for example, bounce house, fish pond, pie-eating, etc., needs a volunteer to man the event and keep it organized.

Mayor Romney assured her that they will make sure there are enough people to help out. Council member McKean added that she is frustrated with youth in general – not just youth council not wanting to get involved, and she believes it is the responsibility of the city council to help our youth learn how to serve their community.

Tiffany Allen, also a member of the Arts Council, said she is here representing herself. She explained that she was the one that met with the Youth Council and is concerned about the things the youth are being taught. She said she wants the community at large to realize we all have a responsibility, because we live here and are citizens here, to take care of each other when these opportunities come around. We have the “right” to be responsible. She noted that most volunteers within the community fall under the 80/20 rule and she would like to see if we can change it.

3. Public Hearing – To Receive Input on Proposal to Increase Compensation for Elected and Statutory Officers (City Council and City Recorder).

MOTION: *Debbie McKean moved to open the public hearing. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

Eric Eastman, a previous city council member, asked how long it had been since the fees were raised. Mayor Romney responded that it had been a very long time, and we were not able to find any records to tell us exactly how long it had been. Mr. Eastman said he supports the increase whole heartedly.

Alan Malan commented that he does not have a problem with the increase but does not like the way the law is written. He believes it is a conflict of interest to raise your own salary.

MOTION: *James Bruhn moved to close the public hearing. Debbie McKean seconded the Motion which PASSED by unanimous vote of all members present.*

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.

There was discussion about when the changes would take effect and it was determined they would become effective immediately upon signing and posting, which will be tomorrow, April 8. There was also discussion about changing the timing of city council paychecks. Instead of getting paid quarterly as they have been, council members will begin receiving monthly paychecks, per state law.

MOTION: *James Ahlstrom moved to approve Ordinance 372-15. Mark Preece 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 – Aye

5. **Consider Request From David Smith To Have Amplified Music at City Park On April 18, 2015.**

MOTION: *Debbie McKean moved to approve the request from David Smith to have amplified music at City Park on April 18, 2015. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

6. **Consider Ordinance 371-15, An Ordinance Adopting Modifications to Section 17.56.030, Allowing Changes to Non-Complying Structures.**

Ben White explained that at its last meeting, the City Council asked staff to make modifications to the draft recommended by the planning commission. He said when making those changes, Mr. Doxey realized the language was still confusing and made additional changes to clarify section B.3.

MOTION: *James Bruhn moved to approve Ordinance 371-15 with the changes described by Steve Doxey. 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 – Aye

7. **Consider Approval of Cooperative Agreement for Transportation Alternatives Program (TAP) Funding with Utah Department of Transportation.**

Ben White explained that the City made an application to UDOT for \$215,000 in matching funding assistance to construct bike lanes along Pages Lane from 400 East in Centerville to 800 West. He noted that UDOT will require the project begin at 400 East in Centerville moving west. We will have to stripe Centerville roads as part of our project. 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 is for monies from the Transportation Alternatives Program (TAP) for UDOT to reimbursement the City \$150,000 once the project is complete, so long as the City expends at least \$300,000 toward the improvements. Legal counsel wants to clean up language in paragraph 6.

MOTION: *James Ahlstrom moved to approve a Cooperative Agreement for Transportation Alternatives Program (TAP) Funding with the Utah Department of Transportation with changes to paragraph 6 by Mr. Doxey. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

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

8. I-15 Update – Nathan Peterson, UDOT.

Nathan Peterson, the UDOT Project Manager for the I-15 Project, reviewed Project scope and goals, and provided updates. He said the project is still expected to be complete in July. He talked about the changes to 400 North which include better pedestrian access, wider shoulders and wider sidewalks.

There were questions about the length of the project being extended due to issues with the soil under the bridge, but Mr. Peterson explained that no changes to the design have been made so the contractor is still obligated to meet the original deadline. He said they had considered changing the plans which would have lengthened the project, but decided against it.

Mr. Peterson said they are still planning to add dedicated right turn lanes at 400 North and 500 West during the bridge closure, and explained they are still in negotiations with one property owner to get that done.

He closed by saying everything is on schedule to be complete the end of July, except some landscaping. They appreciate the efforts of the City, and he added that Ben White has been great to work with.

9. Discuss Placing RAP Tax on November Ballot, and Submitting Notice of Intent Letter to Davis County Commissioners.

Mayor Romney explained that the RAP tax extension can be placed on the ballot this year or next year. There was discussion about the benefits of tying it to city council elections so it could be better explained as part of their campaigns. Even though the turn-out may be higher in the 2016 Presidential election, it was thought that voters may be less educated on the topic without local involvement. Council member McKean commented that we will be highlighting RAP tax in next month's newsletter explaining what it is and what we have done with it.

MOTION: *Mark Preece moved to go forward with the RAP tax opinion question as part of the 2015 municipal election and to have the Mayor send a Letter of Intent to the Davis County Commission, as required by state law. Debbie*

McKean seconded the Motion which PASSED by unanimous vote of all members present.

10. Consider Approval of Purchase for Café Hood System Replacement.

The City learned during the 2014 golf season that the current hood system at Lakeside needs 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 from the café. The City received 3 full quotes and few partial quotes for a new system. Restaurant & Store Equipment Co. (RESCO) provided the lowest complete bid and included the most complete service, and staff understands them to be a reputable company with years of experience in this field.

Pursuant to the City's procurement policy requiring purchases greater than \$10k to be approved by the City Council, staff recommends \$24,694.40 be approved for the purchase and installation of a new hood system for the café at Lakeside Golf Course.

MOTION: James Ahlstrom moved to approve the purchase and installation of a new hood system for \$24,694.40. Debbie McKean seconded the Motion which PASSED by unanimous vote of all members present.

11. Discuss and Consider of Bids for Golf Course/Restroom Project.

Ben White explained that five bids were received earlier in the day for the Golf Course Restroom project. 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. Bids were broken out to show a base bid and four additives including 1) partitions, 2) mop sink, 3) CMU privacy walls, and 4) hip roof. Ben noted that the bids came in higher than staff expected but are very consistent and competitive. In response to questions, Ben estimated the cost would increase approximately \$30k if access is provided to the Prospector Trail.

Mayor Romney asked council members to provide their thoughts about which additives, if any, to include and their preference about adding Trail access to the restrooms. He said his recommendation is to go with the base bid. The mop sink would be nice and the overhang from the hip roof will protect the drinking fountain and soda machine and provide cover in inclement weather, but they do not affect the quality.

Debbie McKean would prefer to wait to make a decision until after we get the bids back on the Park equipment to make sure there is enough money, but if we go forward now she supports building the restroom but is strongly opposed to connecting it to the Trail. She is concerned about liability when people are "invited" onto the golf course.

James Ahlstrom recommends both the hip roof and the mop sink. He supports access to the Trail and gave examples of other courses that permit access from surrounding trails and believes it is

a common practice. A gate from the Trail will be closed at night and the restrooms will be locked providing additional protection.

Mark Preece supports using the restroom for both the Trail and the golf course; it provides more bang for our buck. Regarding the bids, he prefers using the base bid.

James Bruhn definitely wants to connect the restroom to the trail when spending this much money. He believes it needs to be used for a dual purpose. He said he is not sure the roof is worth the price. He asked Paul Holden his opinion and Paul said the hip roof is preferable.

Kelly Enquist said that he does not feel the city receives enough value for the cost of the restrooms. He is not sure there is a great need for a restroom in that location as there are fewer walkers on south end of trail.

There was discussion about funding options including Park Impact fees, and/or RAP tax. RAP can be used whether or not it is connected to the Trail, and Impact fees only if it is part of the Trail. Both funding sources can be used for Park playground equipment, another upcoming project.

MOTION: *James Ahlstrom moved to approve the lowest responsible bidder for the Restroom building project to include a hip roof and mop sink, provide access to the Prospector Rail trail, and fund the project from Park Impact fees as much as possible, minimizing the need to use RAP tax. James Bruhn seconded the Motion which PASSED by a vote of 3-2.*

The vote was recorded as follows:

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

12. Discuss Proposed Stringham Farm Subdivision.

Ben White summarized the activity associated with the Stringham Farm subdivision since it was filed. 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 its March 24th meeting. A Conditional Use Permit was also approved for the flag lots during the March 24th meeting. Ben provided a memo with the seven conditions recommended by Planning Commission for final plat approval. He noted that the Subdivision is up for discussion rather than approval because the appeal period for the Conditional Use Permit is still running.

Mayor Romney asked Wendell Wild how he feels about the conditions. Mr. Wild responded that he felt the two flag lots would be beneficial and enhance the unique aspects of this subdivision, and he is very disappointed with the decisions made by the planning commission. He said he is not happy with several of the conditions and the process. Mr. Wild added that if he had not already expended the funds he had, they would have gone back to the cul-de-sac proposal. Mayor Romney explained that because the city council is the appeal authority for conditional use permits, they purposely stayed out of the process while the planning commission was working on it. Council

member Ahlstrom stated that he was not involved in any discussions with planning commission; his only discussion about the subdivision was with Mr. Wild when Mr. Wild called him shortly after making the initial filing.

There was discussion about the easement for a path to the Church property to the west of the subdivision. Mr. Wild is opposed to it. Council member Ahlstrom said he wants the path regardless of what the Church says today. He does not like the one year sunset provision that was recommended by the Planning Commission, and believes it should not be considered as a negotiable item. The mid-block path requirement is an ordinance provision that City Council has the authority to require. Questions about when it should go in, who will build it, and who will maintain it were discussed. Several council members want to see the path go in now. The idea is to break up the block and they believe it will be an advantage to the City to have it.

Mr. Wild also commented on condition #5 in the Conditional Use Permit. He explained that Mark Green, with M.C. Green Construction, wrote a letter stating he felt six inches of concrete would be appropriate for the flag staff driveway, but the Planning Commission still required eight inches. This requirement included a provision for a licensed geotechnical engineer to design a pavement section which would meet the load requirements.

Steve Doxey suggested that he and Ben White meet with the Developer to discuss the status of the application and the developer's options.

13. Planning Commission/Engineering Report

Ben White said the Planning Commission report was covered above as part of the Stringham Farm subdivision discussion.

The 725 West project is well underway. The main water line is complete, laterals will be built soon, then the excavation for the road construction. Steve Maughan added that residents have been happy and all comments positive. The project should be complete in about 4 weeks.

We have been meeting with UDOT regarding I-15 landscaping and entry signs. The City Council previously decided not to improve fences across I-15 on 400 North, so we will apply the extra money to the 500 South beautification. We can let UDOT do it, or we can take the cash and probably do it for less working with Bountiful on our own plan. If we decide to do it that way, the landscaping will not be constructed as part of the I-15 project, but by us afterward. We have about \$30k from 400 North, Bountiful will add about \$30k and there is about \$20,000 available from 500 South for a total of about \$80k to go toward 500 South landscaping and entry signage.

There were questions about the Park playground equipment RFP and why we included a dollar amount rather than letting the vendors respond with prices. Council member McKean said it seems odd and not the way we usually do it. Ben responded that in this situation it is probably better to ask for their best ideas, based on the footprint size and target group, and let them tell us what would work best. If we do not include a dollar amount, vendors will not know what size of play equipment we are interested in. Each respondent will give us 3 options for surface materials; it will at least give us a starting point. Goal is to have proposals back by early May.

14. Administrative/Finance Report

There will not be a budget meeting next week.

15. Mayor/Council Reports

James Ahlstrom – no report.

Mark Preece reported that at the last Youth Council meeting, they talked about the Arts Council request for help on the 4th of July. He said the Arts Council representative told the kids they have to help. YCC explained to her that they have the right to vote not to participate. They do a lot for the City especially at Christmas and Easter. He said some of the kids want to help and will be at the Park although not all of them can make it. The YCC terms run concurrent with the school year so many of the kids work or are on vacation, etc. He said he would like to see them help out too but they should not be told what they have to do.

The Easter Egg scramble went well and everyone liked the Easter bunny. They thought having it at the Park was great; they had lots of room for all the kids. He added that the “I heart WB” shirts are in and the kids will be selling them as a fundraiser.

Council member Preece added that the Sewer district has decided to go ahead with the feasibility study for methane recovery.

James Bruhn reported that Wasatch Integrated bids are coming in higher than expected for the trommel screen.

He added that there was a meeting with the school district and UDOT earlier today and they were told UDOT had agreed to install a 6 foot wide sidewalk all the way across the overpass including over railroad tracks. He said they are asking for increased police presence around the school when 400 North closes to protect kids when cars turn around at the closure.

Debbie McKean reported that articles are due on April 15 for the next newsletter. She added that Mosquito Abatement may have to downsize projects because bids are coming in so high. There was discussion about mosquito spraying and how helpful it was at the golf course last year.

Independence Day activities are beginning; the first parade application came in today. She said they are considering including hot rod cars and tractors at the Park.

Mrs. McKean added that she appreciates the Youth City Council and all they do. The attitude with the Arts Council comes from not feeling appreciated. They are a very dedicated group that loves their community and puts their heart into what they do. It would help a lot to have Council attend their concerts.

Kelly Enquist asked what is happening with Alice acres. After being dormant for a long time, some dirt is now being moved. Ben White said they are putting in power, and public works served them notice that they need to get the dirt moved. He asked about power poles being set in Olsen Ranches. He said he has never seen this before in a subdivision. Ben explained that Rocky Mountain Power will not cross the gas line so they have to use poles.

Mr. Enquist commented that there is a lot of dumping at the 400 North underpass and suggested signs be placed to remind the public not to do it. Steve Maughan said a lot of the waste comes from the overpass above. He added that his crew cleans it up a couple times a year.

Mayor Romney commented that he appreciate what everyone does, and thanked staff for their hard work. He added that he is pleased with the work being done on 725 West and thinks it looks good.

16. **Approval of Minutes from the March 17, 2015 City Council Meeting.**

MOTION: *James Bruhn moved to approve the minutes from the March 17, 2015 meeting as presented. Debbie McKean seconded the Motion which PASSED by unanimous vote of all members present.*

17. **Adjourn**

MOTION: *Debbie McKean moved to adjourn this meeting of the West Bountiful City Council at 10:55pm. Kelly Enquist 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, April 21, 2015.

Cathy Brightwell
Cathy Brightwell (City Recorder)

