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Kenneth Romney

WEST BOUNTIFUL CITY

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City Council
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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, **MAY 5, 2015** IN THE CITY OFFICES AT 550 NORTH 800 WEST,
THE WORKSESSION WILL BEGIN AT **6:00 PM**,
THE REGULAR MEETING WILL BEGIN AT APPROXIMATELY **7:30 PM**

6:00 pm WORK SESSION

1. Discuss Budget for FY 2016

7:30 pm REGULAR MEETING

Invocation/Thought –James Bruhn

Pledge of Allegiance – Debbie McKean

1. Accept Agenda.
2. Public Comment (two minutes per person, or if a spokesperson has been asked to summarize comments for a group, five minutes will be allowed).
3. Consider Award of Waste Collection Services.
4. Consider Appeal of Conditional Use Permit for Stringham Farm Subdivision Flag Lots.
5. Budget Officer Filing of Fiscal Year 2015/2016 Tentative Budget.
6. Review Proposed Amendments to the Fiscal Year 2015/2016 Budget.
7. Engineering/Planning Commission Report.
8. Mayor/Council Reports.
9. Approve Minutes from the April 21, 2015 City Council Meeting.
10. 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 30, 2015.

MEMORANDUM



TO: Mayor & Council

DATE: April 28, 2015

FROM: Duane Huffman

RE: **Waste Collection Services - UPDATED**

The City's current contract for waste collection services expires July 1, 2015. As the City has used the same contractor since 2007, staff issued a Request for Proposals to ensure that residents receive the best value for the fees collected.

The City Council initially reviewed the proposals and staff report at the April 21, 2015 meeting. The Council asked staff to return with a more complete review of several service items, and invited the interested companies to provide 5-minute presentations at the upcoming May 5th meeting.

This updated report now includes the following:

1. A summary of each company's fleet, method of operation, and staffing, as explained in their proposals.
2. A one-page financial summary that shows the initial rates as well as the projected full cost over 5 years under different cost of living increase forecasts.

After continuing to review and analyze the information provided, staff has the following observations:

- A. Ace Disposal's proposal with the lower performance bond likely provides the best opportunity for the lowest costs to residents/rate payers.
- B. If the Council is concerned with the lower performance bond, Republic's proposal without the fuel surcharge likely provides the next best opportunity for the lowest costs to residents/rate payers.
- C. Staff does not have concerns with transitioning providers.
- D. Robinson Waste likely would provide the highest level of service to residents/rate payers at a cost lower than what is currently being paid, but higher than proposals based on the RFP.
- E. Each company likely has the capability to meet the City's service needs.

As mentioned above, the companies will have an opportunity to present at next week's meeting, and at that time they can provide any additional information or clarifications to staff's summary.

SUMMARY OF PROPOSALS

FLEET

- Size
 - **ACE DISPOSAL** – 42 side-load trucks available.
 - **WASTE MANAGEMENT** – 3 waste and 2 recycling trucks specifically assigned to city routes. 65 residential trucks total.
 - **REPUBLIC SERVICES** – 2 front-line trucks; 6 standby trucks; fleet of nearly 100 along Wasatch Front.
 - **ROBINSON WASTE** – 3 primary trucks assigned with 3 backups; total fleet of 30 trucks.
- Age
 - **ACE DISPOSAL** – Trucks range from 2006-2014 models.
 - **WASTE MANAGEMENT** – Of trucks assigned to city: two 2009s, two 2012s, one 2013.
 - **REPUBLIC SERVICES** – Front-line trucks: 2010; standby trucks: 2007-2010
 - **ROBINSON WASTE** – Primary trucks: 2014, 2013, 2015; backups: 2013, 2010, 2009.
- CNG
 - **ACE DISPOSAL** – 21 of 42 trucks equipped as CNG.
 - **WASTE MANAGEMENT** – “majority of the equipment used to provide service to City of West Bountiful will be operating using CNG” (3 out of 5 trucks?)
 - **REPUBLIC SERVICES** – front-line and standby trucks all listed as diesel.
 - **ROBINSON WASTE** – 2 out 3 primary trucks are CNG; 1 out of 3 backups are CNG

METHOD OF OPERATION

- Schedule
 - **ACE DISPOSAL** - Monday/Tuesday, Modified Sweep - three trucks at a time [two garbage and two recycle).
 - **WASTE MANAGEMENT** – Monday/Tuesday, same driver/route each week
 - **REPUBLIC SERVICES** – Monday/Tuesday
 - **ROBINSON WASTE** – Proposals does not state specifically, but states company “will continue to meet and exceed city expectations by performing all requirement detailed in the contract and scope of services”
- Time
 - **ACE DISPOSAL** – Begin at 7:00am, complete by 1:00pm (4 hours)
 - **WASTE MANAGEMENT** – Between 7:00am-7:00pm
 - **REPUBLIC SERVICES** – Between 7:00am-7:00pm
 - **ROBINSON WASTE** – Does not specify, but states that company operates “smaller routes”

STAFF

- Driver Experience/Training/Safety
 - **ACE DISPOSAL** – Safety manager with 19 years of experience; drivers use hands-free communication system to connect with dispatch center.
 - **WASTE MANAGEMENT** – All trucks equipped with spill cleanup kits; all employees screened through E-Verify; *Mission to Zero* safety program (drug/alcohol testing)
 - **REPUBLIC SERVICES** – Weekly safety meetings and safety program; routes and driver audited for safety; E-Verify; *Brass Ring* applicant tracking; random drug tests; ReSOP safety program;
 - **ROBINSON WASTE** – Regular inspections/audits of equipment, driving safety, performance, and customer service; takes into account school times when developing routes/schedules, safety manager with 12 years experience.
- Customer Service
 - **ACE DISPOSAL** – live, local individual to answer resident calls 24/7
 - **WASTE MANAGEMENT** – All calls received by 5:00 pm are responded to/resolved same day; out-of-state call center; customer out-dial system to notify residents.
 - **REPUBLIC SERVICES** – day after pick-up for missed cans; Salt Lake customer call center M-F 8:00am-5:00pm; complaints resolved within one business day
 - **ROBINSON WASTE** – 24/7 local customer service support; never had a delay in service in history of company; staff has direct contact with owner.

	WM Renewal	WM Bid	Republic 1	Republic 2 (F)	Ace 1	Ace 2 (B)	Robinson
INITIAL RATES							
Residential							
1st Can	4.83	4.61	4.42	4.14	4.45	4.20	4.75
2nd Can	1.99	1.99	1.79	1.79	2.50	2.50	2.50
Recyc	3.03	2.75	3.15	2.89	3.15	2.90	3.00
Dumpster	NA	45.00	39.00	39.00	75.00	75.00	55.00
Municipal							
1st Can	NA	4.61	6.00	6.00	4.45	4.20	4.75
2nd Can	NA	1.99	3.00	3.00	2.50	2.50	2.25
3 yard	NA	45.00	30.00	30.00	50.00	50.00	55.00
6 yard	NA	90.00	65.00	65.00	80.00	80.00	80.00
30 yard	154.63	150.00	130.00	130.00	150.00	150.00	150.00
FULL 5- YEAR RESIDENTIAL COST FORECASTS							
0% COLA (NA)	\$805,544	\$759,426	\$770,161	\$720,196	\$799,914	\$753,684	\$814,620
2% COLA	\$838,417	\$790,417	\$788,893	\$737,712	\$819,369	\$772,015	\$834,433
3% COLA	\$855,349	\$806,379	\$798,446	\$746,645	\$829,291	\$781,363	\$844,537
4% COLA	\$872,618	\$822,659	\$808,125	\$755,696	\$839,344	\$790,835	\$854,775
Current Customers	West Bountiful, Clearfield, Roy, Riverton		Washington Terrace, South Ogden, North Ogden		Centerville, Bountiful, Midvale		Farmington, Kaysville, Fruit Heights, Riverdale

MEMORANDUM



TO: Mayor & Council

DATE: April 30, 2015

FROM: Duane Huffman

RE: **Appeal of Conditional Use Permit for 735 W 1000 N**

On April 9, 2015, Wendell and Mary Wild provided a letter under the subject “Letter of Appeal Regarding Stringham Farm Subdivision.” The letter requests the City Council to consider five items in relation to the subdivision; three items related to a conditional use permit approved by the Planning Commission, and two items related to a subdivision application pending before the City Council.

Staff understands this letter to constitute an appeal of the conditional use permit approved by the Planning Commission at their meeting on March 24, 2015. Appeals from a decision of a land use authority are governed by City Ordinance 17.08.120. As the process for handling appeals is specific, staff strongly recommends that the Council defer Mr. and Mrs. Wild’s requests related to items not addressed in the conditional use permit (item 4 – walkway , item 5 – improvements on 1000 N) until after the conditional use permit is resolved.

This memo will briefly review the background of the conditional use permit, the appeal process, and issues for the City Council to consider in relation to the appeal.

BACKGROUND

On March 2, 2015, Wendell and Mary Wild applied for a conditional use permit for flag lots at their property at 735 W 1000 N in conjunction with a subdivision application for the same property that was filed in February. City Ordinance 17.24.030 designates flags lots as conditional uses for the R-1-10 zone, and as such, the Wild’s subdivision request was contingent upon receiving a conditional use permit.

City Ordinance 17.60 governs conditional use permits, and requires the Planning Commission to approve conditional uses if reasonable conditions can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use.

In determining how to handle the original subdivision request, the Planning Commission discussed some items related to the flag lots at their meetings on January 27, 2015 and February 10, 2015, and formally reviewed and considered the conditional use application at their meetings on March

10, 2015 and March 24, 2015, approving a permit at the March 24th meeting. The permit was signed and issued to Mr. and Mrs. Wild on April 1, 2015.

APPEAL PROCESS

City Ordinance 17.08.120 sets forth the requirements and process for appeals. Any appeal must be filed by written notice to the city recorder within 10 days after the land use authority's decision is issued. The Wild's appeal was received by the City on April 9, 2015, falling within the required timeframe.

The written notice of appeal is required to include the grounds for the appeal and any supporting documentation. Moving forward, the appellant cannot raise any issue not included in the written appeal. The Wild's original notice of appeal was supplemented with a clarifying letter submitted April 14, 2015, which includes additional explanations. Any party opposing the appeal may also file a written brief, and to date, the City has not received any opposing filings.

As the appellants, the Wild's bear the burden of proving that the Planning Commission erred in relation to the items in the appeal (address numbers, driveway, and fencing) brought up in the appeal. However, the standard of review is "de novo", meaning that the appeal authority is not required to give any deference to the Planning Commission's original findings or conclusions.

The City Council is designated as the appeal authority for any formal decision made by the Planning Commission. As an appeal authority, the City Council is required to respect the due process rights of the participants in the appeal. The appeal is required to be heard at a regular City Council meeting, with reasonable time provided to participants to present testimony, evidence, and arguments. The City Council may continue the hearing to a future meeting if needed.

Following the hearing, the Council may affirm, reverse, affirm in part or reverse in part, or modify the original decision of the Planning Commission, or it may send the matter back to the Planning Commission for further proceedings. Whatever the decision, it must be issued in writing and may only then be appealed to district court.

FLAG LOT CONDITIONAL USE PERMIT APPEAL

The conditional use permit (Permit) approved by the Planning Commission on March 24th included 10 conditions (Conditions) to mitigate reasonably anticipated detrimental affects of the proposed flag lots. These conditions were developed primarily based on a staff report that attempted to summarize potential detrimental effects discussed in previous Planning Commission meetings, and correlated options to address those effects. The Wild's appeal (Appeal) addresses three items that are related to several of the Conditions.

APPEAL #1 – ADDRESS NUMBERS

The Permit includes the following Condition:

“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.”

This Condition was based on the potential detrimental effect of first responders having difficulty locating the homes on the flag lots. The Permit does not address when these numbers need to be installed (at time of subdivision improvements or building permit for homes).

The Appeal states that the expense and difficulty of running power to the entrance of the properties, as well as coordinating the issue with future homeowners, makes the Condition to have the address numbers illuminated unreasonable.

Among many options, the City Council may:

- a) Uphold the Planning Commission’s Condition,
- b) Change the required “illuminated” to “reflective,”
- c) Inquire from the appellant as to whether solar lighting would be an option to avoid cost and confusion related to running power to the front of the properties,
- d) Clarify the timing of when this Condition must be completed.

APPEAL #2 – DRIVEWAY

The Permit includes the following Conditions:

“3. Flag lots require a dedicated fire access road. The [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] must be constructed at the same time as the street and other public improvements for the entire length of the [flag lot].

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 [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.”

These Conditions were included to address several potential detrimental effects, including: flag lots require a dedicated fire access road; flag lots do not have parking along the property frontage; if flag lots share a common driveway, the entire fire lane would be required with the construction of the first house, placing the entire financial burden for the access on to one property owner; the public works department will be required to use the driveway with heavy equipment to access the storm drain box across private property.

The Appeal makes several requests in relation to the driveway:

- A. That it not be designated as a fire access road;

Since the filing of the Appeal, the South Davis Fire Agency has made clear that the south portion of the driveway must be designated as a fire access road; however, as the exact location of homes have not been determined, there is still some question as to the northern boundary of the fire access road on the driveway. At this point, it is conceivable that it would run farther than the first 91 feet.

- B. That the concrete width be limited to 20 feet for the south portion of the driveway (91 feet in length);

As the south portion of the driveway must be designated as a fire access road, the very minimum width is 20 feet, with clear “no parking” signage on both sides. The Planning Commission felt that it was unreasonable to assume that there would be no parking on the concrete on the south portion of the driveway.

The south portion of the driveway (91 feet) would provide space for roughly 4 vehicles. Staff has prepared an alternative option that allows for two vehicles to park on the staff.

If it deems it reasonable for safety, the City Council may allow the width of the “fire access road” portion to be 20 feet rather than 26 feet, it may select the more limited option that allows for parking of two vehicles, or it may uphold the original 26 foot width requirement along the length of the south portion of the driveway.

- C. That the construction of the north portion of the driveway (100 feet in length) be limited to 12 feet in width;

As discussed above, there is still an open question of how far the 20 feet requirement of the fire access road must run.

Other than emergency vehicles, city public works vehicles and city contractors will need to use this portion of the driveway to access a storm drain box. In speaking with contractors, 12 feet is the very minimum width that could be used for the clean-out truck, and it does not leave any room for a boom arm if needed.

Depending on the final determination of the fire access road length, the City Council has the option of allowing the north portion of the driveway’s required width to be shortened from the current 26 foot requirement.

- D. That the north portion of the driveway be allowed to be constructed of other materials rather than 8-inch concrete (potentially asphalt, gravel, road base);

The Permit does allow for options other than 8-inch concrete by “a pavement design prepared by a licensed geotechnical engineer and approved by the city.”

The Planning Commission's primary concern was that heavy service or emergency vehicles would break the driveway when accessing the storm drain clean-out box, and that future homeowners would expect the City to be responsible for repairs. The clean-out trucks currently contracted by the City are rated 66,000 lbs.

The City's public works department shares the Planning Commission's concern on long term access for this area, with 8-inch concrete being the recommended surface for access to the storm drain clean-out box.

The City Council has the option to uphold, modify, or remove the requirement that the surface to the end of the property be 8-inch concrete or as otherwise designated by a geotechnical engineer.

- E. That the north portion of the driveway be installed with the homes and not with the subdivision improvements.

The Planning Commission was concerned with the financial burden of the first homeowner if they were required to build the full length of the driveway, rather than having the cost shared between the two lots. A counter feeling to this would be that the driveway's grade would be better set when the homes are built.

From a public works perspective, a functional surface needs to be in place as soon as the City has control of the storm drain improvements, and this functional surface could be something like gravel/road base. However, when homes go in, the public works department would like the long-term surface to be in place. Staff does not have a position on who should pay for the long-term surface (developer or homeowner).

The City Council may uphold the Planning Commission Condition that the entire length of the driveway be installed at the time of subdivision improvements or it may modify the condition as it deems reasonable.

APPEAL #3 – FENCING

The Permit includes the following Conditions:

- 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.

The Appeal requests that this fencing be determined and installed when the future homes go in, and proposes an option of performance bond to assure this. The Permit is not specific as to when

the fencing be installed, though it was clear in Planning Commission meetings that their intent was for the fence to go in with the subdivision improvements.

The Planning Commission was concerned with the adjoining non-flag lot homes being affected by vehicles driving up and down the “staffs,” and wanted to ensure fencing would be in place to block lights, sounds, etc.

The City Council may clarify the conditional use permit by specifying the timing of the fence installation or otherwise change the fencing requirement.

OTHER ISSUES RAISED IN APPEAL

The appeal also raises issues related to the large issue of the pending subdivision application, including the installation of a walkway and the timing of improvements along 1000 N. As these issues are not directly related to the conditional use permit, staff strongly recommends waiting to discuss these issues until after the formal appeal is resolved.

DOCUMENTS INCLUDED FOR REVIEW

1. Ordinance 17.08.120 “Appeal from decision of land use authority”
2. Original Conditional Use Application for Flag Lots
3. Site Map of Flag Lots
4. Staff Memo from 3-23-15 to Planning Commission
5. Conditional Use Permit as Issued by Planning Commission
6. Notice of Appeal from Wendell and Mary Wild
7. E-mail from Todd Smith, South Davis Fire Agency, Regarding Fire Access Road
8. Diagram Showing Parking Options on Flag Lot Staff

17.08.120 Appeal from decision of land use authority.

- A. Exclusive Procedure. Notwithstanding any provision of the Municipal Code to the contrary, any appeal from the decision of a land use authority administering or interpreting a land use ordinance or from a fee charged under this title in accordance with Utah Code Ann. § 10-9a-510, as amended, may be made only in accordance with the provisions of this section and any applicable section in Title 16. Any appeal from the decision of a land use authority administering or interpreting the city's geologic hazards ordinance may be made only in accordance with the provisions of this section, subject to applicable provisions of State law, including Utah Code Ann. § 10-9a-703(2), as amended. Only those decisions in which a land use authority has applied a land use ordinance to a particular application, person, or parcel may be appealed to the appeal authority.
- B. Appeal Authority. The City Council will serve as appeal authority for purposes of any appeal from a decision of the zoning administrator, planning commission, or other land use authority under this title. The appeal authority will respect the due process rights of each of the participants in the appeal proceedings. If the City Council has acted as the land use authority regarding the subject matter of the appeal, there shall be no appeal authority and any appeal shall be made to district court in the manner provided by law.
- C. Time of Appeal. The city, a board or officer of the city, or any person adversely affected by a land use authority's decision administering or interpreting a land use ordinance may file a written notice of appeal with the city recorder within ten (10) days after the land use authority's decision is issued. All appeal rights are waived if the notice of appeal is not filed within that time frame.
- D. Notice of Appeal-Contents. The notice of appeal shall contain a brief statement of all alleged grounds for appeal, including every theory of relief the adversely affected party can raise in district court, together with any supporting documentation and legal argument. The appellant waives any ground, theory, or argument not raised in the notice of appeal. Unless the appeal authority orders otherwise for good cause, the appellant will be precluded from presenting as evidence at the appeal hearing any document or other information that is not included in the notice of appeal.
- E. Response to Notice of Appeal. At its option, the city or any party opposing the appeal may file a written brief, together with any supporting documentation, responding to the notice of appeal prior to the appeal hearing. Failure to file a responsive brief or submit supporting documentation will not preclude the party from responding to the notice of appeal at the appeal hearing.
- F. Burden of Proof. The appellant bears the burden of proving that the land use authority erred.
- G. Standard of Review. The appeal authority shall determine the correctness of the land use authority's decision interpreting or applying a land use ordinance. The appeal authority shall

review de novo the evidence and arguments on appeal, without deference to any findings or conclusions of the land use authority.

- H. Hearing on Appeal. The appeal authority will hear the appeal at a regular City Council meeting, scheduled at the convenience of the council. The city will provide notice of the hearing to the appellant and any party that has filed a responsive brief. At the hearing, each party will be allowed a reasonable time, as determined by the appeal authority, to present evidence, by way of live testimony and documentary evidence (including affidavits), and arguments supporting the party's position. In the interest of fairness, the appeal authority, in its discretion, may continue the hearing to another City Council meeting or allow the parties to submit supplemental materials addressing any information raised at the hearing.
- I. Final Decision. Following the hearing the appeal authority may affirm, reverse, affirm in part and reverse in part, or modify the decision of the land use authority; or the appeal authority may remand the matter to the land use authority for further proceedings. The written decision of the appeal authority constitutes a final decision and will be binding on all parties when issued.
- J. Further Appeal. The city, a board or officer of the city, or any person adversely affected by the decision of the appeal authority may appeal to district court as provided by law.



CONDITIONAL USE PERMIT APPLICATION

West Bountiful City
PLANNING AND ZONING
550 N 800 W, West Bountiful, UT 84087
Phone: (801) 292-4486 Fax: (801) 292-6355
www.westbountiful.utah.gov

PROPERTY ADDRESS: 735 WEST 1000 NORTH WEST BOUNTIFUL 84087

PARCEL NUMBER: 06 037 0024 ZONE: R 1 10 DATE OF APPLICATION: 3-2-15

Name of Business: _____

Applicant Name: WENDELL W. WILD AND MARY M. WILD

Applicant Address: 735 WEST 1000 NORTH WEST BOUNTIFUL, UTAH 84087

Primary phone: 801-295-4924 CELL 801-663-3324 Fax Number: _____

E-mail address: wwild25@comcast.net

Describe in detail the conditional use for which this application is being submitted. Attach a site plan which clearly illustrates the proposal. A separate sheet with additional information may be submitted if necessary.

REQUEST FOR TWO FLAG LOTS

The Applicant(s) hereby acknowledges that they have read and are familiar with the applicable requirements of Title 17.60 of the West Bountiful City Code, pertaining to the issuance of Conditional Use Permits. If the applicant is a corporation, partnership or other entity other than an individual, this application must be in the name of said entity, and the person signing on behalf of the Applicant hereby represents that they are duly authorized to execute this Application on behalf of said entity.

Fee must accompany this application - \$20 for Residential Zone, \$50 for Business Zone

I hereby apply for a Conditional Use Permit from West Bountiful City in accordance with the provisions of Title 17, West Bountiful Municipal Code. I certify that the above information is true and correct to the best of my knowledge.

Date: 3-2-15

Applicant Signature: Wendell Wild Mary M Wild

FOR OFFICIAL USE ONLY

Application Received Date: 3-2-15

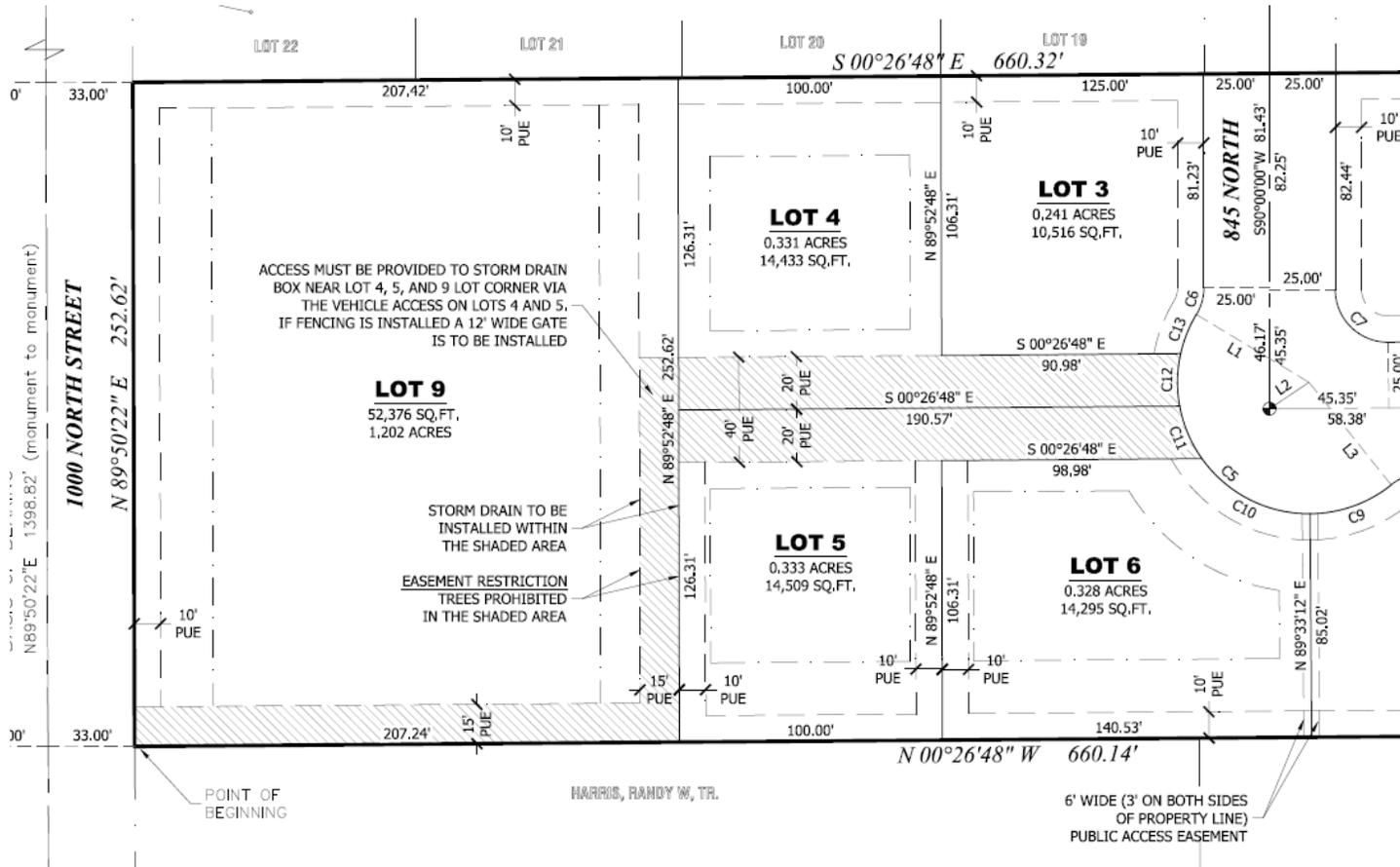
Permit Number: 15-003

Application Fee Received Date: 3-2-15

Permit Approval Date: _____

Fee: \$20 Residential \$50 Commercial

FLAG LOTS PLAT



MEMORANDUM



TO: Planning Commission

DATE: March 19, 2015

FROM: Ben White

RE: **Flag Conditional Use Permit for Stringham Farm Subdivision**

The Planning Commission deliberated the reasonably anticipated detrimental effects of the proposed flag lots in the planned Stringham Farm Subdivision at its March 10th meeting. Ultimately, the issue was tabled for further discussion.

In this memo, staff has summarized the potential detrimental effects from the flag lots as previously discussed and has drafted a list of possible conditions for mitigation. More than one Mitigating Measure may be appropriate to alleviate each Negative Impact. Following the list, the memo ends with language for inclusion in any potential motion to approve the permit.

The developer has also provided a letter regarding the possible conditions discussed at the last meeting. It follows this memo.

REASONABLY ANTICIPATED DETRIMENTAL EFFECTS

Detrimental Effect 1: It is difficult for persons and emergency responders to find the appropriate house when it is not visible from or located on the public street.

- a) The address numbers will be made of a durable material and displayed in a prominent permanent location next to the staff driveway.
- b) The displayed address numbers will be illuminated

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

- a) The driveway must be made from a material other than black bituminous asphalt so it is more distinguishable from the public street, e.g., light colored concrete.
- b) Permanently installed lights must be placed along the driveway so the driveway is better lit and resembles a street less.

- c) Two flag lots cannot have adjacent staffs accessing the public street. This requires the reconfiguration of the proposed Stringham Farms Subdivision.
- d) Install a fence down the center of the combined staff driveway eliminating the similarity to the road.

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

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

Detrimental Effect 4: Flag lots do not have parking along the property frontage. Many visiting persons are reluctant to park on private property, particularly on private property where the parking area is not visible from the public street.

- a) The access to a flag lot(s) must have a driveway/staff at least 26' wide to allow for parking.
- b) Lighting along the driveway will improve visibility and safety for emergency responders and pedestrians walking along or accessing the flag lot driveway staff.

Detrimental Effect 5: If flag lots share a common driveway, the entire fire lane would be required with the construction of the first house, placing the entire financial burden for the access on to one property owner.

- a) The 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.

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

- a) An 8-inch thick concrete driveway over 8-inch thick compacted base course is required to prevent public works vehicles from damaging the private driveway. This access must be extended to within five feet of the storm drain box.

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

- a) 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.

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

- a) 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.

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

- a) A non-transparent fence must be maintained along the outside edges of the flag staff access driveway. The fence must be six feet in height, except that the first thirty (30) linear feet from the subdivision roadway must comply with the front yard fencing requirements for the R-1-10 zone. Lighting will be provided and maintained along the fences.
- b) The fence in item 9(a) must be installed with the installation of public improvements.
- c) A side yard setback equal to the twenty feet (20') required for a corner lot is required on the two lots adjacent to the flag lot staffs (Lots 3 and 6).

Detrimental Effect 10: When two flag lots are proposed with adjacent flag lot staffs, it leads to neighbor disputes.

- a) A shared access is permitted but both flag lots will be subject to a recorded cross-access and maintenance agreement in a form acceptable to the City.
- b) Each flag lot must have its own separate access driveway from the other flag lot. Each access must meet the minimum fire department access requirements and parking requirements as determined separately.
- c) Each flag lot must have its own separate access and be separated from the adjoining flag lot by a six foot (6') non-transparent fence, except that the thirty feet adjacent to the public street must comply with front yard fencing requirements for the R-1-10 zone.

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

- a) Each flag lot staff must contain a minimum of seven (7) feet of landscaped area to accommodate utility services, space for garbage cans in the street and flared drive approaches.

LANGUAGE FOR POTENTIAL MOTIONS

Based on the conditions adopted above, a Motion to approve will include the reasons for the conditions and include the following findings:

1. Subject to the foregoing conditions, the proposed flag lots 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; and
2. The foregoing conditions will mitigate the reasonably anticipated detrimental effects of the flag lots and accomplish the purposes of the City's land use ordinance.



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

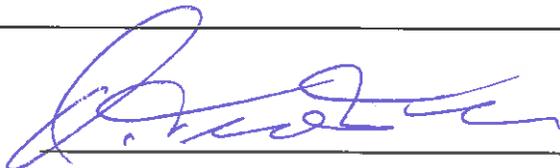
Name of Business: Stringham Farm Subdivision – Flag Lots
Applicant Name: Wendell & Mary Wild
Applicant Address: 735 W 1000 North, West Bountiful, UT 84087
Primary phone: 801-295-4924/cell 801-663-3324
E-mail address: WWild25@comcast.net

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

3-30-15
 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
 Application Fee Received Date: 3/2/2015

Planning Commission Meeting Date: 3/24/15
 Approval Date: 3/24/2015

April 14, 2015

West Bountiful City Mayor and Council
550 North 800 West
West Bountiful, Utah 84087

Re: Letter of Appeal Regarding Stringham Farm Subdivision

Dear Mayor and City Council:

We wanted to express our appreciation for being able to discuss our concerns with the City Attorney Stephen Doxey and City Engineer Ben White. Our discussion centered around the Conditional Use Permit and the recommended actions by staff and the West Bountiful City Planning Commission with regards to our development, Stringham Farm.

We ask for your consideration regarding the following items:

- Item #1. On the Conditional Use Permit it states that “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.” We tried to request that the numbers may be reflective and not necessarily illuminated. The installation may not be at the same time as other improvements, but put on the plat to be completed as a part of the bond with the construction of the home.

Reason for appeal: Expense is a concern for this requirement. It could be difficult running power to the entrance of the lane and coordinating that requirement with both property owners. Solar powered may be a possibility, but a reflective house number should be adequate as well.

- We are requesting of the South Davis Metro Fire Agency that the staff driveway to the flag lots not be dedicated as a fire access road. With that acknowledgement from them, we ask that the concrete driveway width be approved at (20) feet. The length of this section of concrete drive from the street to lots 4 and 5 is approximately (91) feet. The thickness of the concrete and the amount of sub-base material will be determined by a licensed geotechnical engineer and approved by the City. The remaining distance to the north, which is within (5) feet of the storm drain box is approximately (95) feet. This section of right-of-way will be at least (12) feet wide and constructed of a material which will support the weight of heavy maintenance equipment. Such material could be concrete, asphalt, road base or gravel, and need not be constructed until homes are completed. This will likely be included in the construction bond of the homes constructed on lots 4 and 5.

Reason for appeal: Functionally a (26) feet wide lane is not necessary for ingress and egress to the two flag lots. The current requirement makes it nearly as wide a city street, which could be confusing to other drivers thinking it is a continuation of the city street instead of a lane. The Fire District originally approved the (20) feet design. Cost is a concern for the added width requirement.

- Fencing of the roadway into lots 4 and 5 will be determined by the affected property owners and will comply with the city's fencing ordinance. Fencing will be installed as homes are completed and may be tied to a performance bond with the City.

Reason for appeal: The requirement to install the fence along the lane in conjunction with subdivision improvements may not allow individual property owners a choice in the type, color and material used in the fence which will be a part of their lot as well.

- We are disappointed at the city's insistence that there be a walkway into the LDS Church parking lot. Conceptually the idea is great, being a good neighbor and providing an additional way to and from church for folks in the area, however, we maintain that the challenges this presents outweigh the benefits.

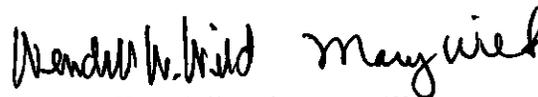
Reason for appeal: Mary and I as members of the LDS Church believe that this access places the church in a rather vulnerable position. It opens their property up to more than just a way to and from church, but a main thoroughfare between all roads east through to 800 West as well as the reverse direction. This scenario places them in a position of greater liability which they have been very opposed to in the past. A great impact is also placed on us to provide the easements which will be split between two lots. We will bear the cost of constructing and fencing the walkway. It will be difficult marketing these lots which will be encumbered by potential liability to those homeowners, noise, the invasion of privacy, snow removal, cars regularly dropping off and picking up people in front of their home, etc. Thus, the impact is not only on us, but several others in that neighborhood. The interpretation of City Code (16.12.050) requiring a mid-block public access is very debatable based on the completion of the proposed development.

- We request a deferral on the installation of improvements along the frontage of our property on 1000 North Street, which would consist of curb, gutter and sidewalk.

Reason for appeal: The requirement to construct these improvements will require altering the existing historical stream. It is believed that the landscaped creek adds to the character of the home and area. It is suggested that such a deferral remain in place until the property transfers ownership or a special improvement district project addresses enclosing Barton Creek along 1000 North Street.

Your consideration on these items will be appreciated.

Kindest regards,


Wendell and Mary Wild

From: Todd Smith <tsmith@sdmetrofire.org>

Date: April 29, 2015 at 2:38:39 PM MDT

To: "'wwild25@comcast.net'" <wwild25@comcast.net>, Dave Powers <dpowers@sdmetrofire.org>

Cc: "Von R. Hill" <vrhill@hillargyle.com>

Subject: RE: Information for West Bountiful City Regarding - Wild Property Development Flag Lots - 735 W 1000 N, West Bountiful

Dear Mr. Wendell Wild,

After reviewing the Wild Project development, it was determined that the requirements for the dedicated fire access road cannot be changed. The flag lot's driveway is considered a fire apparatus access road, and it shall have an unobstructed width of not less than 20 feet, exclusive of shoulders and an unobstructed vertical clearance of not less than 13 feet 6 inches. If the road width is 20 feet wide, then "No Parking" shall be posted on both sides of the road so that a clear width is always maintained with 20 feet wide. It is my understanding that the city is requiring a road width of 26 feet wide so that there is parking allowed only on one side of the road, while maintaining the minimum width of 20 feet wide required by the International Fire Code 2012 and South Davis Metro Fire Agency for fire department access. If the fire apparatus access road is changed to 26 feet wide, then you are allowed to park on one side of the road only, but will be required to put up "No Parking" signs on one side of the road. Parking will only be allowed on the side of the road that is not marked with those approved signs. I have attached a copy of my plan review for the site plan with the IFC 2012 code references for your records. If you have any questions please feel free to contact me any time.

Fire Inspector Todd Smith
South Davis Metro Fire Agency
tsmith@sdmetrofire.org
801-510-0017 Cell
801-677-2407 Office

PLAN REVIEW & COMMENTS
SOUTH DAVIS METRO FIRE AGENCY

PROJECT: WILD PROPERTY	ADDRESS: 735 W 1000 N WB, UT 84087
CONTACT PERSON: Ben White	PHONE: 801-292-4486 ext 108
EMAIL: BWhite@wbcity.org	FAX: 801-292-6355
DEVELOPER: Wendell Wild	PHONE: 801-663-3324
EMAIL: wwild25@comcast.net	FAX:
FIRE MARSHAL: Dave Powers	PHONE: 801-677-2412
EMAIL: dpowers@sdmetrofire.org	FAX: 801-677-0166
REVIEWED BY: Todd Smith <i>Todd Smith</i>	PHONE: 801-677-2407
EMAIL: tsmith@sdmetrofire.org	FAX: 801-677-0166

2012 IBC, IFC, & current NFPA Standards used for review

This review does not imply that all conditions were identified, and does not annul requirements identified by said codes.

DATE: April 29, 2015

OCCUPANCY: IRC/IFC

TYPE OF CONST.:

#STORIES:

FIRE SPRINKER:

Fire Flow:

Hydrants Needed:

FIRE DEPARTMENT REVIEW COMMENTS

General Comments:

1. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exception: The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where:

1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with [Section 903.3.1.1](#), [903.3.1.2](#) or [903.3.1.3](#).
 2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.
 3. There are not more than two Group R-3 or Group U occupancies. **(IFC 503.1.1)**
2. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with [Section 503.6](#), and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). **(IFC 503.2.1)**

Project Name:
Wild Property
735 W 1000 N
West Bountiful, Utah 84087

3. The *fire code official* shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations. **(IFC 503.2.2)**
4. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. **(IFC 503.2.3)**
5. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an *approved* area for turning around fire apparatus. **(IFC 503.2.5)**
6. Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words NO PARKING—FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. **(IFC 503.3)**
7. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in [Section 503.2.1](#) shall be maintained at all times. **(IFC 503.4)**
8. Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

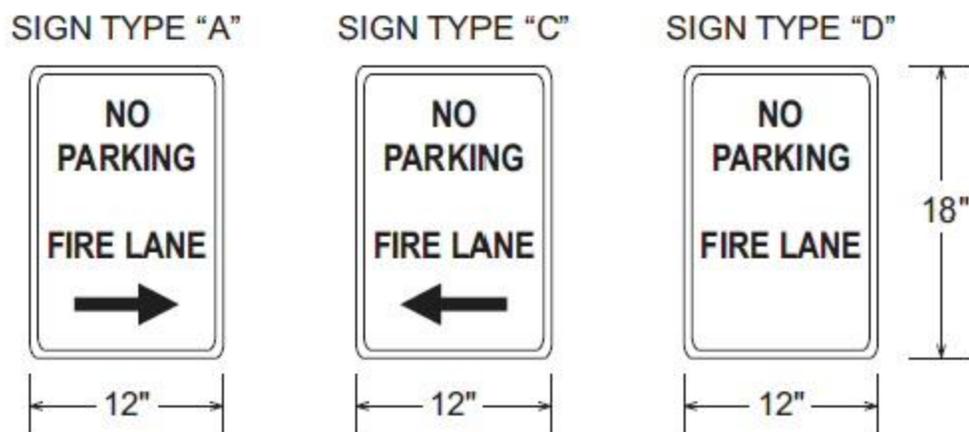
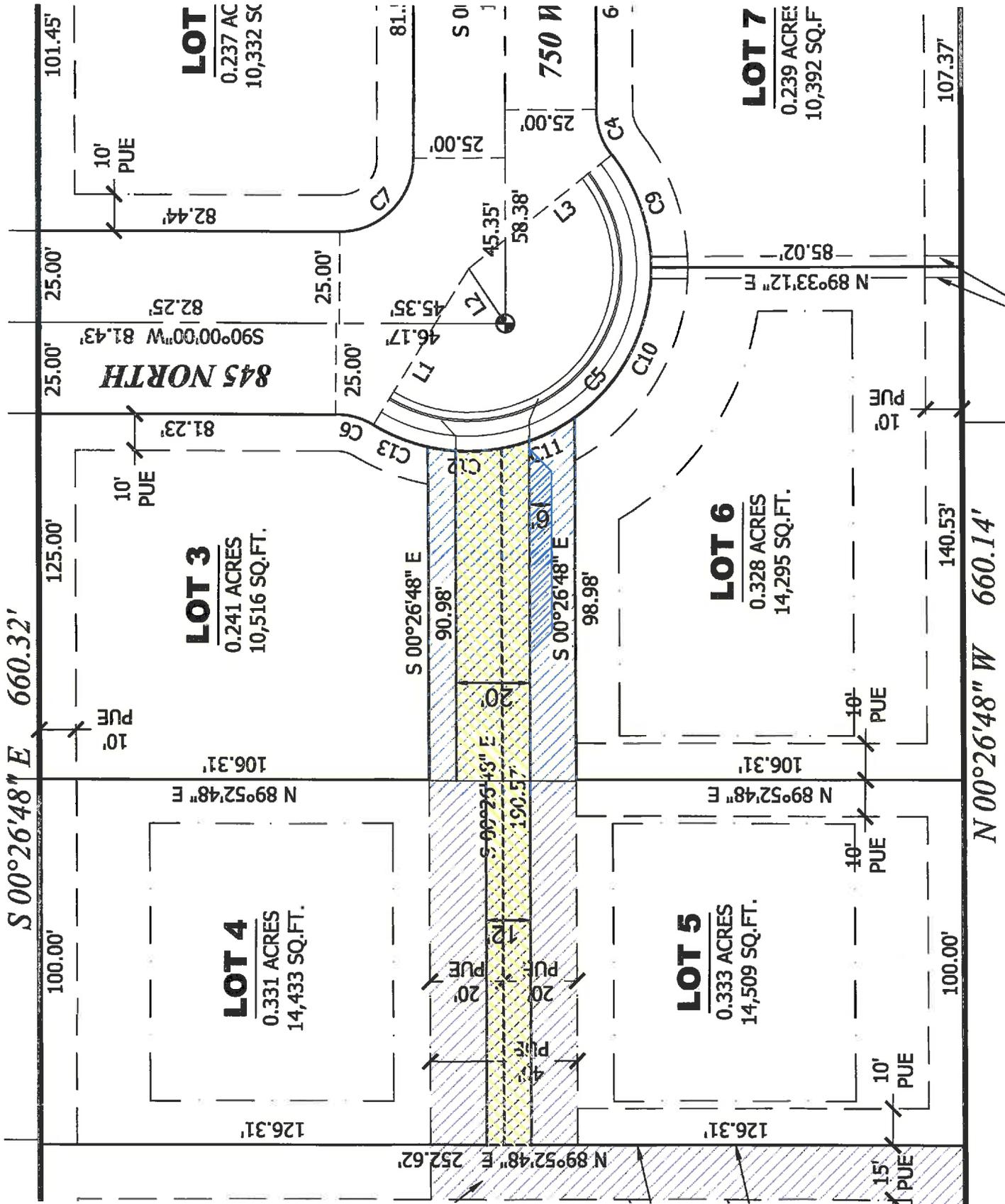


FIGURE D103.6 FIRE LANE SIGNS (IFC Appendix D D103.6 Examples of No Parking Signs)

9. Fire lane signs as specified in Section D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6096 to 7925 mm). **(IFC Appendix D D103.6.1 Roads 20 to 26 feet in width)**
10. Fire lane signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7925 mm) and less than 32 feet wide (9754 mm). **(IFC Appendix D D103.6.2 Roads more than 26 feet in width)**



1 **West Bountiful City** **PENDING** **April 28, 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 April
5 24, 2015 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **April 28, 2015, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

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

14

15 **MEMBERS EXCUSED:** Vice Chairman Terry Turner.

16

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

19

20 **VISITORS:** Sheena McFarland, James Houchins, David
21 McFarland.

22 The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Hopkinson.
23 Ben White gave a prayer.

24 **I. Accept Agenda.**

25 Chairman Denis Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as
26 presented. Alan Malan seconded the motion. Voting was unanimous in favor among members
27 present.

28 **Business Discussed:**

29 **II. Consider Conditional Use Application from Sheena McFarland to build an 8 foot tall**
30 **fence between her home at 860 North 800 West and a LDS Chapel driveway.**

31 Included in the Commissioner packets was a memorandum dated April 24, 2015 from Ben White
32 regarding permission to construct a fence taller than 6' at 860 N 800 West, a Conditional Use
33 Permit application from Sheena McFarland and a site plan/photo of property.

34 The memorandum from Ben White included the following:

- 35 • Reference to language in Municipal Code Section 17.16.100 regarding fences taller than
36 6 feet.
- 37 • Desire for Ms. McFarland to build a fence for privacy reasons 8 feet tall between her
38 property and the LDS Church parking lot like the property owner east in the Pages Circle
39 cul-de-sac.
- 40 • Staff comments regarding the situation.

41 Chairman Hopkinson asked Ms. McFarland to take the stand and introduce herself. Chairman
42 Hopkinson invited staff to introduce the application.

43 Ben White explained the desire that Ms. McFarland has to construct an eight foot high fence to
44 divide her property from the LDS Church driveway. Ben White stated that in 2007 there was a
45 request to build an 8 ft. fence at the property east of Ms. McFarland's property.

46 Chairman Hopkinson asked for the Commissioner's questions/comments:

47 Mike Cottle asked if the fence she desires to build is the same as what her neighbor has in place
48 currently.

49 Alan Malan asked if she had talked to the LDS church. He would like to have the same style of
50 fence built as an extension of the current one. Ms. McFarland is working through those details.

51 Chairman Hopkinson informed Ms. McFarland that Mr. Smith placed that type of fence to
52 withstand the strong winds we get and for aesthetic looks.

53 Ms. McFarland intends on building a vinyl fence with metal reinforcements to withstand high
54 wind gusts. She is currently getting bids and not yet sure if she can afford the same style of
55 fencing that the Smith's have in place but is willing to use the same color of fence as Mr.
56 Smith's.

57 **ACTION TAKEN:**

58 **Alan Malan moved to approve the construction of an 8 ft fence as allowed in section**
59 **17.16.100 with the following conditions: that it be the same materials, look and style type of**
60 **fence that is currently in place to the east, that the 8 foot fence stops at the front of the**
61 **house, and that she obtain something in writing from the LDS Church to remove the**
62 **existing fence and a maintenance agreement. This approval is based on the affirmative**
63 **finding of adjacent incompatible land use. Laura Charchenko seconded the motion and**
64 **some discussion took place regarding the type of fence that should be built by the**
65 **applicant.**

66 **A friendly amendment to the motion was made by Corey Sweat to change the first**
67 **condition to give the property owner the option to use any material that will withstand**

68 gusts of 100 miles per hour and be aesthetically the same color. In addition, the applicant
 69 must bring the options to the Planning Commission for final approval. Laura Charchenko
 70 seconded the friendly amendment.

71 **Roll Call Vote was taken:**

72 **Corey Sweat – Aye**

73 **Laura Charchenko- Aye**

74 **Alan Malan- Aye**

75 **Mike Cottle- Aye**

76 **Denis Hopkinson - Aye**

77

78 **III. Conditional Use permit Application for 1481 N 1050 West**

79 Commissioner's packet included a memorandum dated April 24, 2015 from Ben White regarding
 80 a Conditional Use application for 1481 North 1050 West from Mason Green for a detached
 81 garage to be constructed taller than 20 feet and more than one story, a Conditional Use permit
 82 application and a site plan.

83 The memorandum included the following:

- 84 • Desire for Mason Green to allow a detached garage to be constructed that is taller than 20
 85 feet and more than one story high.
- 86 • Reference to Municipal Code section 17.20.060 making provisions for accessory
 87 structures to be taller than 20 feet and more than one story subject to affirmative finding
 88 and any conditions imposed by the Planning Commission with a list of noted items
 89 regarding the said property.
- 90 • List of affirmative finding in Municipal Code Section 17.60.030 in order to issue a
 91 permit.

92 Applicant could not be present at this meeting. Applicant asked for this item to be tabled if
 93 there were any concerns in approving this application.

94 Ben White showed the Commission the said property on Google Earth. Some discussion took
 95 place regarding the property and the requested structure.

96 Mr. White stated that unless there are considerable changes, he sees no reason why they
 97 could not approve the application this evening.

98 **Commissioner comments included:**

- 99 • Alan Malan does not like the upper window that looks into his neighbor's home.
- 100 • Mike Cottle was concerned with any issues the neighbor to the east may have. He feels
 101 that the neighbor should be notified regarding the construction of this building.
- 102 • Denis Hopkinson would prefer to have the applicant present.

103

104

105 **ACTION TAKEN:**

106 **Corey Sweat moved to table the approval of the application in order to have the applicant**
107 **present, and to provide time to notify the neighbor to the east of the applicant's structure**
108 **request. Mike Cottle seconded the motion.**

109 **Roll Call Vote was taken:**110 **Corey Sweat – Aye**111 **Laura Charchenko- Aye**112 **Alan Malan- Nay**113 **Mike Cottle- Aye**114 **Denis Hopkinson - Aye**

115

116 **Action Item:** Denis Hopkinson will contact the neighbor to the east in regards to this structure.

117

118 **IV. Staff Report**

- 119 • Ben reported that at the next meeting there will be a Public Hearing to consider a 2 lot
120 Subdivision on Porter Lane.
- 121 • Stringham Farms appeal will be heard at one of the next two City Council meetings.
- 122 • Holly has applied for a Conditional Use permit to build an Air Monitoring System off of
123 1100 West to the South of the EPA monitor. The request is for a 160 foot tall tower that
124 will monitor the air from the ground up.
- 125 • Update on 400 North project.
- 126 • Information regarding 800 West in front of Holly.
- 127 • Update on 725 West project. It should be paved by the 15th of May.
- 128 • Denis reported that there may be a home built soon in the Alice Acres Subdivision.
129 Corey reported that there is water building on the properties along the back of the
130 development.

131

132 **V. Approval of Minutes for March 24, 2015**

133

134 **ACTION TAKEN:**

135 **Corey Sweat moved to approve of the minutes dated March 24, 2015 as presented. Laura**
136 **Charchenko seconded the motion and voting was unanimous in favor among those**
137 **members present.**

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VI. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:45 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.

.....

The foregoing was approved by the West Bountiful City Planning Commission on May 12, 2015, by unanimous vote of all members present.

Cathy Brightwell - City Recorder

1 Minutes of the West Bountiful City Council meeting held on **Tuesday, April 21 , 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, James Bruhn,
7 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), Patrice Twitchell (Finance Clerk)

12
13 **VISITORS:** Alan Malan, Beth Holbrook

14
15 Mayor Romney called the work session meeting to order at 6:08 pm.

16
17 1. Discuss Budget for FY 2016.

18
19 Duane Huffman reviewed the budget process to date and described each proposed increase in
20 the current draft of the General Fund. Highlights and items for follow-up are listed below.

21
22 Misc. Revenue - Check on Youth Council fundraisers and expenses.

23 Contributions & Transfers - Arts Council – Should it come out of RAP tax?

24 Legislative (City Council) -There was no interest in spreading the costs across other city funds.

25 Seminars will be budgeted for 3 attendees at the fall and spring ULCT conferences.

26 Miscellaneous supplies will be increased to cover meals for work sessions.

27 Administrative – Salaries include 2% annual increases. There was discussion about including
28 police department increases at same or different level. Duane will prepare models showing
29 2% and 4%. More of Recorder salary was moved from Planning Dept. to better reflect
30 actual work.

31 - Correct City Administrator classification for Workman's Comp.

32 - Health insurance increased \$11k for the entire fund.

33 - Codification of ordinances with online functionality includes a one-time fee and an
34 annual fee. Will be able to add meeting minutes, resolutions, and policies/procedures.

35 - Shelves, cabinets and desk in work area between Duane and Cathy's offices will
36 provide a place to keep Code books, Plat book and a workspace. Staff would also like
37 to add a desk in the back file room.

38 Non-departmental – There wasn't any interest in spreading property and liability insurance
39 across other funds.

40 - Election expenses include primary and general, and voter info pamphlet.

41 - Newsletter reduced - changed to quarterly. **Need to increase based on actuals.**

42 General Govt. Buildings - A/V upgrades for Council chambers. Discussed TV screens vs.
43 projectors with additional screens.

44 - Phone system software out of date, phones breaking - need to upgrade. **Get better
45 number.**

46 - Switch outside lights to LED.

- 47 - Paint interior of City hall and fix tile. Discussed how/if to fix tile and settling of the
48 building.
49 - Marquee – Not currently included in the budget. May need to replace down the road if
50 it breaks again. It is outdated, parts are not available.
51 Planning/Zoning – Still researching compensation. Stipend increase or monthly fee? Currently
52 they get \$33/meeting (\$66 for Chairman). Suggested an increase to \$50/meeting.
53 Police Dept. – Discussed proposed increases/decreases. Questions about large increase in
54 Community Policing. It was dropped when Chief Hixson first started with the City and he
55 has regretted it. Includes suckers for school kids, Christmas cards, Halloween glow sticks,
56 challenge coins, retirement party for Lt. Hamilton, challenge coins, etc.
57 Streets
58 - Capital outlay - plow blade on 1 ton (\$7.5k), roadside tractor (\$43k) Duane reviewed a
59 map showing what we use the tractor for including mowing and grading. Could do both
60 with one machine but not the one we have. The current one is too small but has value;
61 would probably trade in or sell. New One ton truck (\$25k – split with water dept.) to
62 replace the flat bed dump truck used for water breaks, etc. The old one is 1995 and has
63 had many problems.
64 Class C Road Projects - Add more to street maintenance, include crack sealing, striping and
65 slurry seal. If new sales tax for street maintenance passes, city will be bound by
66 maintenance of effort requirements.
67 Parks – increase seasonal employee pay to cover extending the season and increased salary
68 since we've had so much trouble finding people.
69 - Additional fertilizer and additional fuel for mowing.
70 - Additional holiday lights for city hall
71 - New park mower (\$13.5k). We have spent \$8,000 over past few years to maintain old
72 the one.
73 Transfers, Other – Project a 4% increase in sales tax sharing for Commons & Gateway.

74
75 Mr. Huffman asked if there was anything else Council would like to see other than what we've
76 talked about above. There was discussion about sidewalk and curb needed along 800 West from 1000
77 North to 400 North, and setting aside money annually for a general sidewalk fund. The average cost
78 is \$5k per home; suggested an annual amount of \$30k.

79
80 ***Budget discussion recessed for regular meeting at 7:30 pm, and resumed at 9:40 pm.***

- 81
82 Golf Fund – Revenues - Maintain similar to this year.
83 Expenses – need to increase cart paths on several holes.
84 - Additional cart maintenance to preserve the life of our fleet.
85 - Fire resistant cabinet for fuel in Cart barn and Maintenance shop.
86 - Increase advertising.
87 - Irrigation face plates – **Need more info.**
88 - New trash cans/ball washer.
89 - Increase fertilizer
90 - New Ice machine for Café.
91 - Replace outdated computer for Dallas, used for Leagues.
92 - Merchandise display tables not currently included.

- 93 - Replace tables and chairs in the café (chairs are a safety issue with nails/tacks coming
94 through seats). This will be included in the next draft.
95 - Lease new fairway mower (\$53k). It is usually better to buy, but in this case lease is
96 better. Lifetime of mower, if properly maintained, is probably 12-15 years.
97

98 There was discussion about the payment to the water/solid waste fund of \$19k. Should it come
99 out of golf fund or general fund? Council discussed the goal of cleaning up the issue once and for all
100 so we don't have to talk about it every year. Council member Bruhn would like staff to put together a
101 proposal to fix this issue.

102 Council member Enquist asked if we can finish the soffit and fascia on the cart barn. Duane
103 assured him it will be finished this fiscal year.

104 Council member Preece talked about the Long drive event and how it can benefit the City. He
105 said the city hasn't put any money into the event in the past and asked if we can discount or waive
106 greens fees for the tournament on Friday, when the pros golf.
107

108 *Budget discussion adjourned at 10:15 pm. It will continue at a future meeting.*
109
110

111 The Worksession meeting was adjourned to the Regular meeting which Mayor Romney called to
112 order at 7:35 pm. Mark Preece gave an Invocation, and the Pledge of Allegiance was led by James
113 Bruhn.
114

115 **1. Accept Agenda**

116 **MOTION:** *Debbie McKean moved to approve the agenda as posted. James Bruhn*
117 *seconded the Motion which PASSED by unanimous vote of all members*
118 *present.*
119
120

121 **2. Public Comment – None**
122

123 **3. Consider Award to of Waste Collection Services.**
124

125 Mr. Huffman explained that the City decided to issue a Request for Proposal this year to make
126 sure it was receiving the best services at the best price. Four contractors submitted proposals. Staff
127 checked references and was pleased with the reviews of each contractor. He then discussed a few of
128 the differences between the Proposals including fuel and cost of living surcharges.

129 Mayor Romney explained that the current contract expires June 30, so if there are questions or
130 anyone feels they need more time to study the proposals, the decision can be tabled.

131 Council member Ahlstrom asked if there are differences in the quality of equipment they will
132 use. He said the comparison on price is very good but he does not have a good sense on the other
133 issues and would like to focus on fleet make-up, quality of drivers and drivers' records. Additional
134 time to review these issues may be beneficial.

135 Council members Enquist and McKean said he would like more time to review the proposals.

136 Mayor Romney suggested the potential contractors come to the next meeting prepared to make
137 a 5 minutes presentation.

138 **MOTION:** *Debbie McKean moved to table the Award of Waste Collection Services to a*
139 *future meeting. James Bruhn seconded the Motion which PASSED by*
140 *unanimous vote of all members present.*

142 **4. Continuation of budget discussions from work session. (9:40pm)**

143 *See continuation of notes above under Worksession Item #1*

144 **5. Award to West Bountiful for Best Tasting Water in the State by Rural Water Association**
145 **of Utah.**

146
147 Dale Pearson, Executive Director of the Rural Water Association of Utah and Scott Anderson,
148 President of the Board of Directors of the Rural Water Association of Utah, presented the “Best
149 Tasting Water in the State” Award to Blake Anderson and the West Bountiful Public Works
150 department. They congratulated the City on the quality of its water and the quality of its employees,
151 and discussed how difficult the competition is for this Award. They commended Blake on his hard
152 work over the years as a member of the Rural Water Association, and invited him to go to Washington
153 DC next year, at their expense, for the National Best Water competition.

154 **6. Mayor/Council Reports.**

155
156 Mayor Romney talked about several issues coming up. He said the School District is still
157 trying to decide whether to propose a bond for new and remodeled schools. The County is still trying
158 to decide whether to implement the local option sales tax this year for transportation.

159 The Fire Agency is continuing its discussion about forming a district. Becoming a taxing
160 district for capital improvements only might be an option. Some are concerned about losing some
161 control, but mayors will continue to be on the Board to have a say in decisions. Without district
162 status, they have no bonding options, and Centerville needs a new fire station. They also can't
163 refinance existing bonds.

164
165 James Ahlstrom has no report.

166
167 Mark Preece talked about the Great Shakeout and said it gave EmPAC an opportunity to
168 identify a lot of strengths and weaknesses. Chief Hixson added that the main focus was
169 communication and we had lots of good radio testing. They recognized EmPAC and CERT members,
170 especially Alan Malan, Jason Meservy and Duane Hughes for their participation.

171 The Sewer district voted to continue forward with methane gas recovery, so they will be
172 paying for a feasibility study. It will be built at their south plant.

173
174 James Bruhn reported that at the next Wasatch Integrated meeting, they will be voting on price
175 increases. He said it will not effect cans but will increase the price on dumpsters, which we use twice
176 a year for our Spring and Fall clean-ups.

177

178 Debbie McKean said newsletter articles are coming in for the May edition. Applications for
179 the Independence Day parade are also coming in. She said she wants to talk to Blake Anderson about
180 being in the parade and spraying water along the route, cheering the Best Tasting Water in the State.
181

182 Kelly Enquist reported that the ULCT conference in St. George last week was good and he got
183 a lot of good, timely information including police officer body cameras, new and different
184 technologies, records retention, legal issues, and attended a Wild land fire seminar.

185 He asked about adding traffic patrols to monitor traffic along 1100 West and Pages Lane
186 during the 400 North bridge closure, and asked about the process to have the police do Vacation
187 checks on properties while owners are gone.
188

189 **7. Approval of Minutes from the April 7, 2015 City Council Meeting.**

190

191 **MOTION:** *James Bruhn moved to approve the minutes from the April 7, 2015 meeting*
192 *as presented. Debbie McKean seconded the Motion which PASSED by*
193 *unanimous vote of all members present.*
194

195 **8. Executive session pursuant to Utah Code Annotated 52-4-205(c), to discuss pending or**
196 **reasonably imminent litigation.**

197

198 **MOTION:** *Debbie McKean moved to go into Executive Session at 8:45pm. James Bruhn*
199 *seconded the Motion which PASSED by unanimous vote of all members*
200 *present.*
201

202 **MOTION:** *Debbie McKean moved to end the Executive Session and go back to the*
203 *Regular meeting at 9:30pm. James Bruhn seconded the Motion which*
204 *PASSED by unanimous vote of all members present.*
205

206 **17. Adjourn**

207 **MOTION:** *James Bruhn moved to adjourn this meeting of the West Bountiful City*
208 *Council at 10:15pm. Kelly Enquist seconded the Motion which PASSED by*
209 *unanimous vote of all members present.*
210

211

212

213 *The foregoing was approved by the West Bountiful City Council by unanimous vote of all members*
214 *present on Tuesday, May 5, 2015.*
215

216

217

218

Cathy Brightwell (City Recorder)