

**Mayor**  
Kenneth Romney

# WEST BOUNTIFUL CITY

**City Administrator**  
Duane Huffman

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

550 North 800 West  
West Bountiful, Utah 84087

Phone (801) 292-4486  
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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 19, 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 Budgets for FY 2015 and 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. Davis County Commission - Receive Information From Citizens and Provide a Question and Answer Forum for Davis County Matters.
4. Bountiful Davis Arts Center Update.
5. Consider Request From Viewmont High School for Amplified Music at City Park on May 29.
6. Consider Proclamation Declaring June 10, 2015 as Arbor Day in West Bountiful.
7. Consider Issuing Decision for Appeal of Conditional Use Permit for Stringham Farm Subdivision Flag Lots.
8. Consider Approval of Pathway Pavement Project at Birnam Woods Park.
9. Discuss Justice Court Services.
10. Engineering/Planning Commission Report.
11. Mayor/Council Reports.
12. Approve Minutes from the May 5, 2015 City Council Meeting.
13. Executive Session, pursuant to Utah Code 52-4-205(c), to discuss pending or reasonably imminent litigation, and (d) to discuss the purchase, exchange, or lease of real property.
14. 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 May 14, 2015.*

Keana Fawcett  
S.B. Business Officer  
Viewmont High  
120 W 1000 N  
Bountiful, UT 84010

May 4, 2015

West Bountiful City  
550 N 800 W  
West Bountiful, UT 84087

Dear Council Members,

I am the Business Officer at Viewmont High School. It is my responsibility to plan our end of year activity, the Spring Fling. This activity will take place on the 29<sup>th</sup> of May. Spring Fling usually contains fun games, sports, food, and amplified music. I understand that amplified music could be considered a disturbance to the community, but music is something the students at Viewmont quite enjoy. We were going to have our school's Battle of the Bands winner perform for the students at Spring Fling, as well as have some of the student's favorite songs played throughout the activity. We would not begin warming up for the Battle of the Band's winner until approximately 11 am. They would perform for about an hour and a half, and then we would amplify appropriate song requests from our students until around 3:30 pm. Could it be possible for us to get permission to play our music for this activity? If you could get back to me at your convenience, I would gratefully appreciate it. Thank you again for your time.

Sincerely,

Keana Fawcett  
S.B. Business Officer



# West Bountiful City

## Proclamation

### A PROCLAMATION OF THE WEST BOUNTIFUL CITY COUNCIL DECLARING JUNE 10, 2015 AS ARBOR DAY IN WEST BOUNTIFUL CITY.

**WHEREAS**, Arbor Day is now observed throughout the nation and the world, and

**WHEREAS**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs by moderating the temperature, produce oxygen and clean the air, and provide habitat for wildlife, and

**WHEREAS**, trees, properly planted and cared for, are a source of community environment that assist in mental and peaceful renewal, and

**WHEREAS**, having beautiful trees planted in our community is an important matter to our citizens.

**NOW THEREFORE**, I, Kenneth Romney, Mayor of West Bountiful City, on behalf of the City Council, do hereby proclaim June 10, 2015 as Arbor Day in West Bountiful City and urge all citizens to support efforts to protect our trees and woodlands, and further, we encourage all citizens to plant trees and promote the well being of present and future generations.

Dated this 19<sup>th</sup> day of May, 2015.

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Mayor Kenneth Romney

Attest:

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Cathy Brightwell (City Recorder)

**BEFORE THE CITY COUNCIL OF WEST BOUNTIFUL CITY  
STATE OF UTAH**

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*In re: Wendell and Mary Wild,*  
  
*Applicants.*

:  
:  
:  
:  
:

**Findings and Decision on Appeal from  
Decision of Planning Commission  
Granting Conditional Use Permit**

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Wendell and Mary Wild have appealed the decision of the West Bountiful City Planning Commission (the “*Planning Commission*”) granting a conditional use permit with respect to the proposed subdivision of their property located at 735 West 1000 North, West Bountiful, Utah.

The West Bountiful City Council (the “*Council*”) heard oral argument on the appeal at its regularly scheduled meeting on May 5, 2015. Mr. Wild appeared on his own behalf; the City was represented by staff, including City Administrator Duane Huffman. No witnesses were sworn, but Chief Jeff Bassett and Fire Inspector Todd Smith of the South Davis Metro Fire Agency (the “*Fire Agency*”) and Denis Hopkinson and Alan Malan, members of the Planning Commission, provided verbal information. Mr. Wild presented oral argument. The Council has considered the Wilds’ original Conditional Use Permit Application and written notice of appeal, as well as written information from the Fire Agency and a memorandum submitted by City staff.

Having considered the submissions and argument of the parties, and the documents in the file, and being duly informed in this matter, the Council makes the following findings and renders the following decision.

***Jurisdiction and Procedure***

1. The Council finds the application is properly before the City Council in its capacity as the City’s appeal authority designated to hear appeals from the decisions of the City’s

land use authority—in this case the Planning Commission. *See* West Bountiful Municipal Code (“*Municipal Code*”) § 17.08.120.B.

2. The Council accepts the written submissions of the parties as the record in this matter.

### ***Background Facts***

3. The Wild property (the “*Property*”) is located at 735 West 1000 North, West Bountiful, Utah. The Property is situated in the R-1-10 residential zoning district.

4. The Wilds propose to subdivide the Property into nine residential lots to be known as the Stringham Farm Subdivision (the “*Subdivision*”).

5. The proposed plat for the Subdivision provides for two flag lots (Lots 4 and 5) with street access through a lane over the two adjacent flag lot “staffs.” A copy of a relevant portion of the proposed plat showing the location of the flag lots, the adjacent Lots 3, 6 and 9, and the proposed public street through the Subdivision is attached as **Exhibit A**.

6. Flag lots are a conditional use in the R-1-10 residential zoning district under Section 17.24.030.F of the Municipal Code. The Wilds applied for a conditional use permit for the proposed flag lots in connection with their application for approval of the Subdivision.

7. The Planning Commission considered the Wilds’ application for conditional use permit at its March 24, 2015 meeting, and issued a conditional use permit dated March 30, 2015. The conditional use permit is the subject of the Wilds’ appeal.

### ***Issue on Appeal***

8. The sole issue on appeal is whether the Planning Commission erred in imposing certain conditions in connection with the issuance of the conditional use permit. Specifically, the issue is whether Condition Nos. 1, 3, 4, 5, and 8 relative to (a) illumination of address numbers for the flag lots, (b) the construction of the driveway accessing the flag lots, and (c) fencing of

the private lane, are reasonable in order to mitigate the anticipated detrimental effects of the flag lots. *See* Municipal Code § 17.60.040.A.

### *Analysis*

9. The Wilds bear the burden of proving that the Planning Commission erred in rendering its decision on the Wilds' application for conditional use permit. Municipal Code § 17.08.120.F; *Utah Code Ann.* § 10-9a-705.

10. The Council, as appeal authority, determines the correctness of the Planning Commission's decision interpreting or applying the land use ordinance. The Council reviews *de novo* the evidence and arguments on appeal, without deference to any findings or conclusions of the Planning Commission. Municipal Code § 17.08.120.G; *Utah Code Ann.* § 10-9a-707.

11. The Wilds assert that the conditional use permit imposes unreasonable conditions with respect to (a) the illumination of address numbers; (b) the width and construction of the driveway accessing the flag lots; and (c) fencing along the driveway. These conditions are discussed *seriatim* below.

#### **1. ADDRESS NUMBERS.**

12. The Wilds challenge Condition No. 1 of the conditional use permit, which states: "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." They request that the numbers be allowed to be reflective rather than requiring power for illumination to be run from the back of the flag lots the entire length of the private lane. They also request that installation of the numbers be tied to issuance of a building permit rather than approval of the subdivision.

13. The Council believes the Wilds' requests are reasonable. Members of the Fire Agency stated that the applicable Fire Code requires address numbers to be contrasting and

visible. It does not require illumination. Further, there is no need for the addresses to be in place until residences are built on the flag lots.

14. Accordingly, the Council reverses the Planning Commission's decision with respect to Condition No. 1, and directs that Condition No. 1 be modified as set forth below.

## **2. DRIVEWAY.**

15. Condition Nos. 2 through 5 impose requirements regarding the construction of a driveway from the street to approximately the north boundary of the flag lots. The Wilds challenge Condition Nos. 3 through 5 as unreasonable.

### **A. Driveway Width.**

16. The Wilds contend that Condition No. 3's requirement of a 26-foot wide driveway along the flag lot staffs is excessive since the Fire Agency requires only 20 feet of unobstructed access; moreover, that width could make the driveway appear confusingly like a continuation of the public street.

17. Mr. Wild submitted documents from the Fire Agency showing the need for fire lane access from the public street to a point 20 feet north of the terminus of the flag lot staffs (the "*Fire Lane*"). The Wilds do not challenge that requirement.

18. Council agrees with the Planning Commission that a 26-foot wide driveway is necessary for unobstructed access in the Fire Lane. The applicable Fire Code allows for a width of 20 feet if "No Parking" signs are placed and enforced on both sides of the Fire Lane. However, the Council finds that parking restrictions on a private lane are difficult and impractical to enforce. The Council will allow parking on one side of the Fire Lane, to be used according to a cross-access agreement between the owners of Lots 4 and 5. "No Parking" must be placed on the other side of the Fire Lane. No fence or other obstruction will be permitted within the driveway.

19. The Wilds request the Council to allow the driveway to be only 12 feet in width north of the Fire Lane (the “*North Portion*”). The Council agrees with the Planning Commission that access across the North Portion of Lots 4 and 5 is necessary for equipment to maintain the proposed storm drain box on Lot 9 of the Subdivision. However, the Council finds that 12 feet is too narrow to accommodate the maintenance equipment, and there is no practical way to avoid obstructions on the North Portion of the driveway unless the driveway width is increased. The Council concludes that the North Portion of the driveway should be at least 20 feet wide, tapering on both sides from the 26-foot width of the Fire Lane.

**B. Timing of Construction.**

20. With reference to Condition Nos. 4 and 5, the Wilds assert that the North Portion of the driveway need not be constructed until a building permit for Lot 4 or 5 is issued. The Council believes it would be difficult to fairly assess the costs of constructing the North Portion of the driveway—which transects Lots 4 and 5—between the property owners, who in all likelihood will build residences at different times. Accordingly, the Council finds that the entire length of the required driveway must be constructed along with the Subdivision improvements.

**C. Pavement Design.**

21. The Wilds propose to build the driveway according to a pavement design to be provided by a licensed geotechnical engineer, as allowed under Condition No. 5. The Planning Commission expressed concern that the pavement design must be sufficient for emergency and heavy maintenance equipment. The Council finds that whatever alternative pavement design is provided must be sufficient to accommodate a 75,000-pound vehicle in the Fire Lane and a 66,000-pound vehicle in the North Portion of the driveway.

### **3. FENCE.**

22. Condition No. 8 requires a non-transparent fence to be maintained along the outside edges of the fire lane access. The Wilds request that construction of the fence be deferred so the affected property owners may determine the materials.

23. The Council finds that construction of the fence is not reasonably necessary to mitigate the anticipated detrimental effects of the flag lots. The owners of Lots 3 and 6 should decide whether they want a fence along the edge of the flag lot staffs and, if so, how and when it is to be constructed. Accordingly, the Council reverses Condition No. 8 as unnecessary.

#### ***Findings***

24. The Council finds that the Wilds have satisfied their burden of proof in challenging Condition No. 1 requiring illumination of the address numbers for Lots 4 and 5.

25. The Council finds that the Wilds have not met their burden of proving that Condition Nos. 3 and 5 are unreasonable with respect to the required width of the driveway, both the Fire Lane and the North Portion. The Council clarifies that the Fire Lane must be 26 feet wide and the North Portion must be 20 feet wide to allow for unobstructed access of emergency and storm drain maintenance equipment.

26. The Council also clarifies that the entire length of the driveway must be constructed at the time Subdivision improvements are installed.

27. The Council finds that the pavement design for the driveway must meet the requirements of Condition No. 5. If an alternative pavement design is allowed, it must be sufficient to accommodate a 75,000-pound emergency vehicle in the Fire Lane and a 66,000-pound maintenance vehicle in the North Portion of the driveway.

28. The Council finds that the Wilds have met their burden of proof with regard to Condition No. 8. The requirement of a fence along both sides of the flag lot staffs, to be

constructed at the time Subdivision improvements are installed, is unreasonable and not necessary to mitigate anticipated detrimental effects of the flag lots.

### ***Decision***

Based upon the foregoing findings, the Council affirms in part and reverses in part the Planning Commission's decision. The Council authorizes and directs staff to prepare, and the Mayor to sign, a modified conditional use permit, which will supersede the conditional use permit dated March 30, 2015. All conditions of the modified permit will remain the same as in the original permit, except that Condition Nos. 1, 3, 4, 5, and 8 are hereby modified as follows:

1. Display contrasting and visible address numbers in accordance with applicable Fire Code requirements (the numbers may be of reflective materials rather than illuminated). The address number for each flag lot will be mounted on a durable material in a permanent location on the applicable side of the lane no more than three feet from the back of the sidewalk to help emergency responders locate the property. The address numbers may be installed after issuance of a building permit, but prior to occupancy.

3. Flag lots require a dedicated fire access road. The driveway over the flag lot staffs and twenty (20) feet beyond the north terminus of the staffs (collectively, the "***Fire Lane***") must be at least twenty-six (26) feet wide to allow for parking along one side of the Fire Lane. "No Parking" signs must be installed on the other side of the Fire Lane. No fence or other obstruction will be allowed in the driveway.

4. The full width of the driveway must be constructed at the same time as the street and other public improvements, from the street to within five (5) feet of the storm drain box located on Lot 9. The portion of the driveway situated north of the Fire Lane must be a minimum of twenty (20) feet in width, tapered from the width of the driveway over the Fire Lane.

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 driveway. In lieu of the eight (8) inch thick concrete, a pavement design prepared by a licensed geotechnical engineer and approved by the city would be acceptable; *provided*, that any such alternative pavement design must be sufficient to accommodate a 75,000-pound vehicle in the Fire Lane, and a 66,000-pound vehicle in the portion of the driveway situated north of the Fire Lane.

8. [Deleted.]

Any party aggrieved by the Council's decision is entitled to appeal to district court within thirty (30) days as provided in *Utah Code Ann.* § 10-9a-801.

DATED May 19, 2015.

WEST BOUNTIFUL CITY COUNCIL

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Ken Romney, Mayor

Attest:

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Cathy Brightwell, City Recorder

**EXHIBIT A**

*Depiction of Flag Lots*



# MEMORANDUM



**TO:** Mayor & Council

**DATE:** May 14, 2015

**FROM:** Duane Huffman

**RE:** **Birnam Woods Park Asphalt Path**

---

The Birnam Woods Park includes a 9-foot wide asphalt path that begins on 830 W and ends on 2400 N (approx. 1,500 feet in total length). Based on the age of the park, the path was in need of maintenance prior to the recent drainage improvements; however, the use of the northern portion of the path as an access for heavy trucks/equipment for the 2014 improvements have caused the path to fail in several sections. Of the \$75,000 budgeted for the drainage project, roughly \$40,000 remains available. This memo summarizes broad options for how to repair the path for the Council's consideration.

***OPTION 1: Pulverize & Pave***

This option would use special equipment to pulverize/grind down the current asphalt, grade the pulverized asphalt, and pave with 3" of new asphalt. Staff would recommend this treatment for approximately 90% of the path (12,000 sq.ft. of the path - see attached exhibit A).

This option would provide for the longest life of the current path design.

Kapp Construction has provided a change order to our current 725 W project to perform this work for \$30,600. Alternatively, the City could choose to use a formal bidding process to award the work.

***OPTION 2: Patch & Overlay***

This option would cut and remove the sections of the path in failure, patch these sections, and perform a thin overlay over the entire path. See exhibit B for an example of the sections to be removed.

While we do not have any hard costs on this option, staff estimates its cost to also be in the \$30K range.

***OPTION 3: Gravel***

If the Council feels that the use of the path does not necessitate pavement, the northern section of the path could be pulverized and left as a gravel trail.

This option would allow for flexibility in the future in case the use of the undeveloped portion of the park property changes, and would cost significantly less than options 1 and 2. However, it would require some on-going maintenance each year to make sure the path is properly graded.

***OPTION 4: Remove***

Similar to option 3, if the Council determines that the northern portion of the path is underused, it could consider removing the current path and not replacing it for now. We would need to seek further neighborhood and community input before moving forward with this option.

1 **West Bountiful City** **PENDING** **May 12, 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 May 8,  
5 2015 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**  
7 **May 12, 2015, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

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

15

16 **MEMBERS EXCUSED:**

17

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

20

21 **VISITORS:** Paul Tingey, Ted Tingey and Chris Gillespie.

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

24 **I. Accept Agenda.**

25 Chairman Denis Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as  
26 presented. Terry Turner seconded the motion. Voting was unanimous in favor.  
27

28 Business Discussed:

29 **II. Public Hearing to Receive Comment Regarding the Tingey Two Lot Subdivision at**  
30 **Approximately 920 West Porter Lane**

31 Included in the Commissioner packets was a memorandum dated May 7, 2015 from Ben White  
32 regarding Tingey Subdivision at 920 West Porter Lane with an attached site plan. The  
33 memorandum from Ben White included the following:

34 Tingey family owns 5 acres (A-1 Zone) just west of the Birnam Wood Subdivision they desire to  
35 divide into two parcels. Paul Tingey (property owner) who currently lives in Birnam Woods  
36 adjacent to this parcel will keep ownership of the east lot. The family has a buyer for the west  
37 2.5 acre lot.

38 Points to consider for discussion that were recommended by staff in this memorandum were: 78'  
39 wide gas easement that extends diagonally through the property, fire department may require an  
40 onsite fire hydrant as a condition of the building permit, depending on where the house is  
41 constructed, two accessory structures constructed on the property in recent years did not obtain a  
42 building permit from the city and appear to be encroaching on a gas line easement, the right of  
43 way line along Porter Lane needs to be established because from staff's research Birnam Woods  
44 was not constructed in the correct location, and finally, curb, gutter and sidewalk are required  
45 unless waived or deferred by the City Council.

46 Ben White gave a brief explanation of the application for the two lot subdivision desired by the  
47 Tingey family at 920 West Porter Lane.

48 Chairman Hopkinson was concerned with the requirement of the property lines. Ben White  
49 responded that he is still working through information he received from a neighbor in regards to  
50 the property boundary/street right of way not being correct. He will do further investigation on  
51 the matter. He should hopefully have things worked out by the next scheduled meeting.

52 **ACTION TAKEN:**

53 **Laura Charchenko moved to open the Public Hearing at 7:35 pm to receive comment**  
54 **regarding the Tingey two lot subdivision at approximately 920 West Porter Lane. Alan**  
55 **Malan seconded the motion and voting was unanimous in favor.**  
56

57 **PUBLIC COMMENT:**

58 Ted Tingey, son representing Martha Tingey, who is keeper of the trust. Property has been in the  
59 family for many years. It has been used as pasture and now they desire to sell a portion of it in  
60 order to care for their ailing mother who is the owner of the property. They hope to sell it as is  
61 and let the buyer do what they would like to do.

62 Paul Tingey, Ted's cousin, took the stand and stated that they are just changing owners and not  
63 developing the property at this time. He noted that there is some discrepancy of property lines.  
64 He spoke to the fact that the property was in the county when the out buildings were built and he  
65 did not need a permit from the city for the sheds. Property was annexed into the city against his  
66 will. The sheds will not interfere with the property. He added that he worked with the gas  
67 company to make sure they were okay with the buildings.

68

69 **ACTION TAKEN:**

70 **Terry Turner moved to close the Public Hearing at 7:45 pm. Mike Cottle seconded the**  
71 **motion and voting was unanimous in favor.**

72  
73 **III. Consider Conditional Use Application from Mason Green to Build a Garage in the R-1-**  
74 **22 Zone at 1481 North 1050 West More Than One Story and Taller Than 20 Feet High.**

75 Commissioner's packet included a Conditional Use Permit Application from Mason Green with  
76 attached updated site plans.

77 This item was on the last meeting agenda and was tabled because applicant could not be present.

78 Chairman Hopkinson asked Chris Gillespie, representing Mason Green, to take the stand and  
79 introduce himself. Chairman Hopkinson invited staff to introduce the application. Chairman  
80 Hopkinson reviewed the proposal with the Commissioners. Chairman Hopkinson reported that  
81 he was unsuccessful in contacting the neighbor to the east of the property to notify them of the  
82 desired structure.

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

84 **Alan Malan-** Stated that he is okay with the Conditional Use permit for a second story with an  
85 increased height of 3 feet above regulation of code. The window located on the north side  
86 concerns him because it is intrusive to the neighbor and he also noted he would not want it to be  
87 turned into living space. He would like to see skylights as an alternative.

88 **Laura Charchenko-** Did not have a problem with the height or window to the north.

89 **Terry Turner** – Chairman Hopkinson updated him from last meeting as he was absent. Mr.  
90 Turner had no concerns.

91 **Mike Cottle-** Feels that the neighbor should be contacted in regards to the window that will  
92 overlook their property. Chairman Hopkinson noted that this would not be a condition to reject  
93 this application.

94 **Corey Sweat** feels that conditions are being too intrusive to the citizen and suggested tabling the  
95 item again until the neighbor could be contacted. Chairman Hopkinson responded that should  
96 not be a reason for tabling this item.

97 Chairman Hopkinson asked Ben White to speak to the application request. Mr. White counseled  
98 that they do not need to include in the conditions a firewall on the east side of the dwelling  
99 because it is part of the building permit requirements.

100

101

102 **ACTION TAKEN:**

103 **Alan Malan moved to approve the conditional use permit for Mason Green at 1481 North**  
104 **1050 West to allow a structure to be built with the following conditions: that the window**  
105 **facing to the north not be in the plans because of privacy to the neighbors and replace with**  
106 **sky lights if desired, and that the additional 3 foot height be granted. Terry Turner**  
107 **seconded the motion and some discussion took place regarding the window issue.**

108 **Roll Call Vote was taken:**

109

110 **Laura Charchenko- Aye**

111 **Terry Turner- Nay**

112 **Alan Malan- Nay**

113 **Mike Cottle- Nay**

114 **Denis Hopkinson – Nay**

115 **Motion failed.**

116 Further discussion took place regarding the window issue.

117

118 **ACTION TAKEN:**

119 **Alan Malan moved to approve the conditional use permit for Mason Green's at 1481 North**  
120 **1050 West to allow a structure to be built that is two stories high and 3 ft above the city**  
121 **regulation with the following conditions: that privacy glass or translucent glass be used on**  
122 **the north facing window and that said window be fixed and non-opening. Mike Cottle**  
123 **seconded and a roll call vote was taken.**

124 **Roll Call Vote was taken:**

125

126 **Laura Charchenko- Nay**

127 **Terry Turner- Aye**

128 **Alan Malan- Aye**

129 **Mike Cottle- Aye**

130 **Denis Hopkinson – Nay**

131 **Vote passed 3 to 2.**

132

133 **IV. Discuss Tingey Subdivision Application At Approximately 920 West Porter Lane.**

134

135 Chairman Hopkinson noted the issues that were pointed out by staff regarding this application.  
 136 Some discussion took place regarding the noted issues in particular about the applicant's desire  
 137 to defer curb, gutter and sidewalk.

138 Ted Tingey addressed the Commission noting that the property is merely being sold and the  
 139 plans for that property are yet to be known and should be left up to the buyer of the property. He  
 140 feels he should not have to be mandated to do things with a property that he will not have  
 141 anything to do with.

142 Chairman Hopkinson responded that they are still the developer of the property and they need to  
 143 adhere to the subdivision standards that West Bountiful imposes. He explained some of the  
 144 reasoning behind the standards that have been set for curb, gutter and sidewalk.

145 Staff will work with Ted Tingey on the next steps to bring the application back for consideration.  
 146

## 147 **V. Staff Report**

### 148 **Ben White reported:**

- 149 • Pile driving on 400 North at night is complete. Pile driving is now being done during the  
 150 day.
- 151 • Last week Ben White received an email from UDOT regarding a project that would  
 152 replace the asphalt on 400 North from 800 West to Main Street with cement. City  
 153 Council is sending a note to UDOT expressing their disapproval of the project.
- 154 • 500 South is on its final schedule and will be done in about 1 month.
- 155 • UTA is updating their tracks and you will see some flaggers at work but the roadway is  
 156 not closed. May have to go around some barriers/fencing.
- 157 • New playground equipment is scheduled to be installed this summer.
- 158 • Carr Printing has closed/moved and interest has been expressed to put in indoor storage  
 159 units, which does not currently meet the zoning.
- 160 • New Owner of Shopko has signed up for utilities.
- 161 • Owners of Gateway are working on some designs and permits.
- 162 • Stringham Farm appeal was heard by City Council last week. Three of ten conditions  
 163 were appealed. City Council upheld the width of the concrete, signage without lights  
 164 were approved, and fencing will go with the property owners.

### 165 **Cathy Brightwell reported:**

- 166 • A class is being held in June on grandfathering. It is on a Tuesday and will be a full day.  
 167 City will pay for the class fee for any who would like to attend. Cathy will get them  
 168 more details through email.
- 169 • Municipal Elections this year. The Primary election, if needed, will be August 11<sup>th</sup> and  
 170 the General Election will be held in November on a City Council night. Both meetings  
 171 will need to be canceled.

172

173 **VI. Approval of Minutes for March 24, 2015**

174

175 **ACTION TAKEN:**

176 **Laura Charchenko moved to approve of the minutes dated April 28, 2015 as presented.**

177 **Alan Malan seconded the motion and voting was unanimous in favor among those**  
178 **members present.**

179

180 **VII. Adjournment**

181

182 **ACTION TAKEN:**

183 **Laura Charchenko moved to adjourn the regular session of the Planning Commission**  
184 **meeting at 9:00 pm. Alan Malan seconded the motion. Voting was unanimous in favor.**

185

186 .....

187

188 The foregoing was approved by the West Bountiful City Planning Commission on May 26, 2015, by  
189 unanimous vote of all members present.

190 \_\_\_\_\_

191 Cathy Brightwell - City Recorder

192



10-062  
 EXHIBIT  
 SHEET 2 OF 3

**RECONSTRUCT PATH  
 EXHIBIT A**

**BIRNAM WOODS PARK**



**WEST BOUNTIFUL CITY**  
 550 North 800 West  
 West Bountiful, UT 84087  
 Office: 801.292.4488 Fax: 801.292.6355  
 www.wbcity.org

NO.	DATE	REVISIONS	DRAWN BY	DATE
			BCW	5-14-15
			FILE NAME	
			EXHIBIT A	
			DATE	



1 Minutes of the West Bountiful City Council meeting held on **Tuesday, May 5, 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, Josh Cochran, Richard Hamik, TJ Atwood, Rod  
14 Wood, Ken Rasmussen, Reece Dadrille, Ben Moon, Caleb Hoggan, Taylor Thomas, Denis  
15 Hopkinson, Gary Jacketta, Todd Smith, Dave Powers, Jeff Bassett, Wendell Wild

16  
17 Mayor Romney called the work session meeting to order at 6:15 pm.

18  
19 1. Discuss Budget for FY 2016.

20  
21 Duane Huffman reviewed the budget process to date and described each proposed increase in  
22 the current draft of the Funds not yet covered. Highlights and items for follow-up are listed below.

23  
24 Jessi's Meadow Assessment Fund

25 *Revenue* - This is a new Fund resulting from the discontinuance of the Jessi's Meadow  
26 homeowner's association and the associated transfer of funds to the City. There is approximately \$11k  
27 in revenue and beginning next year similar annual amounts will be collected.

28 *Expenses* - \$5k maintenance expense has been put in as a placeholder until we determine what the  
29 actual expense will be. There was discussion about who will do the lawn maintenance and because  
30 the bids came in similar to the in-house expense, we will contract the work out.

31  
32 Streets Impact Fee Fund - Plan to use \$40k development impact fees plus the \$110k fund balance to  
33 pay for the Pages Lane project.

34  
35 Storm Drain Impact Fee Fund - This fund has been combined with the Storm Water Utility Fund that  
36 should have been together before.

37  
38 Police Facility Impact Fees Fund - \$2k debt service on police station in city hall building.

39  
40 Park Impact Fees Fund - Capital outlay for trail rest room FY15 and Park improvements FY16.

41  
42 Capital Improvement Fund - As this fund is not specific to any currently planned project, intent is to  
43 zero it out.

44

45 Streets Capital Improvement Fund – Had \$238k in balance, and will collect \$212k. Plan to spend  
46 \$125k for 725 West, \$475k for 660 West and Pages Lane. Plow, tractor, and 1-ton truck will also  
47 come out for \$75.5k.

48  
49 RDA Fund will be adopted separately.

50 *Revenue* is collected from tax increments in the Redevelopment Area.

51 *Expenses* come from 3 employees (City Administrator, Police Chief, Finance Clerk) allocated to  
52 the RDA, including a percentage of their salaries and associated expenses. The travel expense line  
53 item is a portion of the vehicle allowance for the Mayor. Professional fees go to LYRB for annual  
54 reports. Meeting stipends for attendance at RDA meetings have been coming out of General Fund, but  
55 should move to RDA.

56  
57 RAP Fund –  
58 FY15

- 59 - The \$100k for trail restroom – moved to Park Impacts Fund;
- 60 - Transfer to fund annual amount for Arts Council added;
- 61 - Budgeted \$50k for trail netting, but trees are only \$30k;
- 62 - Budgeting error – Park equipment (gator) purchased was to come completely out of this fund  
63 rather than split with the General Fund;
- 64 - Birnam Woods park drainage was supposed to come out of RAP so will also transfer;
- 65 - Added funds to cover the overlay of Legacy Trail,
- 66 - Will need to add funds to cover electrical issues at snack shack.

67  
68 FY16

- 69 - 200k for Park Improvements;
- 70 - Transfer to General fund for Arts Council;
- 71 - Would have approximately \$200k left in fund balance.

72  
73 There was discussion about the need to move the West Yard and potentially the Public Works  
74 Shop in the future. Steve Maughan commented that it would be nice to have the Shop and the Yard  
75 together for convenience of equipment and supplies, e.g., salt, etc., and that the current Yard location  
76 is not ideal. He would like to see a larger Shop so the equipment, including snow plows, can all be  
77 kept inside. Council member McKean noted that there has been discussion in the past about moving  
78 public works and using their existing location for arts and community events, so that RAP funding  
79 could potentially be used to help with the project. It was suggested that a capital projects fund could  
80 be created to begin saving money for it.

81 There was additional discussion about other potential projects including replacing the roof on the  
82 bowery behind city hall, and improvements at Charnell Park.

83  
84 Water Fund

85 *Revenues* - Impact fees of \$80k are expected, and have been correctly posted unlike storm water.  
86 We are also expecting a 1% increase in water sales.

87 *Expenses* – there was discussion about how employees' salaries are split between the funds.  
88 Public works employees' salaries are allocated based on the amount of time they spend on water as  
89 well as Ben White and Mindi Tullis. Public works splits their time out on their timesheets each pay  
90 period based on how many actual hours they spend on water, which is very cumbersome. This

91 exercise was initially set up to analyze hours but may not be necessary any longer. Council members  
92 agreed that after 5-6 years, it is probably not necessary to continue.

- 93
- 94 - There was question as to what is included in the Miscellaneous Expense line. Staff will double
  - 95 check and report back;
  - 96 - Capital outlay-Equipment includes new tools, Hydrant Saver for \$9.5k, Confined Space Blower
  - 97 for \$2.5k, and Water Incubator for \$1.9k. Discussed replacement of old hydrants throughout the
  - 98 city. They cost about \$4500 each. We have been setting aside money to replace them so they are
  - 99 all working now, although a couple may not shut off.
  - 100 - Capital Projects – Pages Lane and 660 West.
  - 101 - Capital Outlay-Equipment includes a new 1-ton truck to be split with General Fund (\$25k each).
  - 102 - We plugged in \$1m as a placeholder for a new well.
  - 103 - 500 South waterline replacement project needs to be added. Holly agreed to pay for a portion of
  - 104 it as part of agreement - \$500K for a new source of water and \$500K to replace waterline on 500
  - 105 South.

106  
107 Total for Water Fund this year \$ 3.3m.

108  
109 Solid Waste Fund

110 Rates were raised last year because we had not been covering cost. Now we are projected to  
111 collect \$371k at the end of FY15. We do not expect any increase in tipping costs, although dumpster  
112 costs will go up for our clean-ups. At the end of FY16, we are projected to be \$35k in the black.  
113 There was discussion about options including moving some to the west yard project fund, decreasing  
114 rates or implementing new clean-up options like picking up old tires.

115  
116 Storm Drain Utility Fund

117 *Revenues* – We originally projected that we would collect \$125k but will likely only get \$97k.

118 *Expenses* – We increased the time allocation for one employee.

- 119 - \$1,000 for trailer maintenance;
- 120 - Capital Outlay projects include \$100k for 1100 West and \$120k for 1200 North projects. These
- 121 estimates are old so we may need to check inflation and possibly increase amounts.

122  
123 Special Capital Project Funds

- 124 - 900 West - \$53k expenses.
- 125 - 800 West – budgeted \$740k, costs were \$674.
- 126 - 725 West – estimates are the same as budgeted figures this year.
- 127 - Pages Lane – budgeted \$500k last year but the project was not done because of UDOT closing
- 128 400 North. We have included it in this year’s budget but may have delays again due to
- 129 UDOT. We are projecting \$800k, but may need to check inflation costs.
- 130 - 660 West projected at \$600k.
- 131 - Birnam Woods project moved to RAP.
- 132 - 1100 West storm drain belongs in the Storm Water Fund.

133  
134  
135  
136

137 Duane Huffman discussed a handout describing Golf Fund Loan Options.

138  
139 Option A - 1 year, 2 fund plan. The General fund pays off Solid Waste and the RAP Fund pays  
140 off Water Fund. This is the most aggressive option.

141  
142 Option B - 2 year, General Fund plan. The FY16 General Fund pays off the total Solid Waste  
143 amount and makes one year payment for water. In FY17, the General Fund pays off the remaining  
144 Water balance.

145  
146 Option C - 2 year, 2 fund plan. The General Fund pays half of Solid Waste in FY16 and half in  
147 FY17. The RAP Fund pays half of water in FY16 and half in FY17.

148  
149 There were no immediate questions so Mayor Romney asked the Council to review the options  
150 and be prepared for further discussion at the next meeting.

151  
152 *The Work session adjourned to the Regular City Council meeting at 7:22 pm.*

153 -----

154  
155 Boy Scout Eli Moon gave the Boy Scout Pledge, and Caleb Hoggan led the Pledge of Allegiance

156  
157 **1. Accept Agenda**

158  
159 **MOTION:** *Debbie McKean moved to approve the agenda as posted. James Bruhn*  
160 *seconded the Motion which PASSED by unanimous vote of all members*  
161 *present.*

162  
163 **2. Public Comment – None**

164  
165 **3. Consider Award to of Waste Collection Services.**

166  
167 Mayor Romney invited the four Waste Collection respondents to give a short presentation.

168  
169 Ace Disposal – Phil Martin, explained that the company is local and family owned. The  
170 founder still works and his son is the general manager. Their customer service center is in West  
171 Valley with a 24/7 answer policy. He noted that they have a new regional center in Clearfield making  
172 it convenient to serve West Bountiful from either location. He added that they take great pride in  
173 being a green company and he described their fleet. Regarding employees, he said they use E-verify,  
174 and randomly drug test. He said they recognize the importance of making the change as transparent as  
175 possible, so they will keep the same schedule as currently used.

176 Waste Management – Beth Holbrook began by distributing a general handout about her  
177 company. She said as the current provider, it is very important to them to continue serving West  
178 Bountiful. Waste Management believes in investing in the community and she reminded Council that  
179 they provided the blue carts up front when recycling began and let the city paid them back after  
180 recycling started. She noted that they have enhanced their customer service by adding a local person,

181 Jenny Reynolds, to handling local consumer service issues. She gave some history of their level of  
182 service and described their fleet explaining that maintenance and safety are huge priorities for them.  
183 She also pointed out they use E-verify and provide good training for their employees.

184 Republic – TJ Atwood, operations manager for the Ogden division, explained that he handles  
185 the territory from North Salt Lake to Tremonton. His company currently has eight municipalities and  
186 services 26k homes. He stated safety is their number one priority and described their fleet and  
187 maintenance schedule. He talked about the great reviews they get for customer service because they  
188 believe they are not in the waste business, but in the customer service business. They provide local  
189 customer service and focus on follow-up.

190 Robinson - Josh Cochran explained that their company started in 1989 and is locally owned  
191 and operated. They serve nine municipalities and Hill Air Force base. He claimed that what sets them  
192 apart from competitors is their service level. He noted that they have been awarded contracts even  
193 when not the lowest bid because of their highly rated customer service. He said they view themselves  
194 as an extension of the city and work hard to see that customers have no complaints.

195 Mayor Romney commented that all the companies were good and the City couldn't go wrong  
196 with any of them. He asked for council member comments.

197 Council member Ahlstrom asked each company if the bond requirement was lower, would  
198 their prices have been lower. They all responded affirmatively. He added that he had concerns about  
199 comparing proposals that were not "apples to apples."

200 Council members agreed the companies were all high quality companies offering similar  
201 services so price becomes more important.

202  
203 **MOTION:** *James Bruhn moved to Award the City's Waste Collection Services to Ace*  
204 *Disposal. Mark Preece seconded the Motion.*

205  
206 *Discussion on the Motion followed regarding the requested bond level, whether*  
207 *the lower bond proposal from Ace was sufficient, and whether it was*  
208 *appropriate to deviate from the RFP.*

209  
210 **Voting on the Motion was recorded as follows:**

211 James Ahlstrom Nay  
212 Mark Preece Aye  
213 James Bruhn Aye  
214 Debbie McKean Nay  
215 Kelly Enquist Aye  
216

217 **4. Consider Appeal of Conditional Use Permit for Stringham Farm Subdivision Flag Lots.**  
218

219 Mayor Romney explained that the City Council is the Appeal Authority for the conditional use  
220 permit issued by the Planning Commission on March 24, 2015 granting flag lots for this subdivision  
221 with certain Conditions. The appeal constitutes a "de novo" review so no deference must be given to  
222 the earlier findings or conclusions, rather the Council will take a fresh look at the issues raised in the  
223 appeal which include lighting, driveway, and fencing. The remaining issues listed in the Wild's letter

224 were not part of the conditional use approval and should be considered at a later time. He also shared  
225 that updated information was received from the South Davis Metro Fire Agency today.

226 Duane Huffman reviewed the history of the case which began when the Wilds applied for a  
227 conditional use permit for flag lots at their property located at 735 W 1000 North in conjunction with  
228 a subdivision application for the same property that was filed in February. He discussed the Council's  
229 options and noted that a final written decision will be prepared by Mr. Doxey and approved at a later  
230 meeting.

231 The Mayor invited Wendell Wild to the podium to make comments supporting his claims.  
232 Regarding the driveway, he addressed Condition 3 that the driveway be at least twenty-six (26) feet  
233 wide to allow for parking on a dedicated fire access road, Condition 4 that the full width of the  
234 driveway must be constructed at the same time as the street and other public improvements for the  
235 entire length of the flag lot, and Condition 5 that the driveway must consist of eight inch thick  
236 concrete over eight inch thick compacted base course material to prevent public works vehicles and  
237 emergency responders from damaging the private driveway.

238 Mr. Wild argued that a driveway width of 20 feet is adequate and meets fire code. He believes  
239 the size of the lots will provide adequate parking areas for Lots 4 and 5 so parking will not be  
240 necessary along the driveway and he suggests "no parking" signs be installed.

241 There was discussion about the likelihood of residents and guests parking along the driveway  
242 regardless of signage especially with little to no available parking on the cul-de-sac, and questions  
243 about who would be responsible to enforce the parking restrictions.

244 Mr. Wild then addressed the thickness of concrete. He is concerned with the eight inch fill and  
245 concrete requirements and does not believe they are necessary for fire trucks and storm drain vacuum  
246 trucks. He distributed a letter from M.C. Green & Sons dated March 24, 2015, and a letter from  
247 AGEK, dated April 6, 2015 that talked about road depth options. He asked about how far the fire lane  
248 continues up the driveway. He wondered if with sufficient road base, the extended portion needs to be  
249 concrete. He said he does not dispute the fire lane extending twenty feet beyond the north sides of  
250 Lots 3 and 6, but would like the remainder of the driveway to the storm drain box to be asphalt or  
251 other materials that meet the requirements for a 66k pound truck.

252 Lighting – Condition 1 - Mr. Wild argues it is not necessary to have an address sign at the  
253 entrance of the lane with illuminated house numbers. He believes reflective, contrasting house  
254 numbers are sufficient.

255 Fence – Condition 8 - Mr. Wild is not opposed to fencing but is concerned that a future  
256 homeowner may want a different type of fence, and is not sure how to decide the type and color when  
257 the fence is supposed to go in at the time of development. He proposes waiting for the owner to select  
258 the fence, and in response to a question, responded that he would be fine to have the developer bond  
259 for it.

260 Ken Rasmussen, a neighbor to the subdivision inquired why a fence is required. Duane  
261 Huffman showed him a diagram explaining where the fence has been proposed.

262  
263

264 The Council discussed the items raised by Mr. Wild as described below.

265

266 1. Address/ Numbers – Representatives from the fire department were asked about  
267 illuminated address numbers. They responded that the Fire Code requires premises to have  
268 reflective, contrasting numbers 6” high, visible from the street; anything beyond that is up  
269 to the City Council. There was discussion about difficulty finding the homes on lots 4 and  
270 5 in the dark especially in medical emergencies when there is no other way to locate the  
271 home.

272 *There was consensus to construct one sign on each side of the driveway, no more than*  
273 *three feet from the back of the sidewalk. Address numbers must comply with the fire code.*

274

275 2. Driveway – There was discussion about how thick the driveway needs to be in the area  
276 beyond the 113 foot fire lane. With eight inches of gravel base, most thought that asphalt  
277 would be ok in this space, unless an engineered design is provided to support something  
278 different.

279 There was much discussion about the width of the driveway. Steve Maughan  
280 responded to questions that a storm drain vacuum truck needs a minimum of fourteen feet,  
281 but that assumes no vehicles are parked around it.

282 *There was consensus to require a twenty-six foot wide driveway for the full length of*  
283 *the fire lane, then drop back to twenty feet tapered with a clean transition, hard base all*  
284 *the way, centered between the two properties. The fire lane will be built with eight inches*  
285 *of concrete over eight inches of course fill material. The driveway beyond the fire lane may*  
286 *be built with asphalt over eight inches of gravel base. This requirement can change if the*  
287 *City agrees to a recommendation from a licensed geotechnical engineer that*  
288 *accommodates a 75k pound fire truck in the fire lane and 66k pound storm drain vacuum*  
289 *truck in the portion of the driveway north of the fire lane. The driveway will be installed*  
290 *with the subdivision. A cross-access and maintenance agreement will be recorded to*  
291 *identify where parking is allowed and to prohibit fences within the driveway.*

292

293 Ben White asked that that these requirements be recorded on the plat in case a homeowner  
294 wants to make changes later. They need the requirements to be clear.

295

296 3. Fence along the driveway – After discussion, *there was consensus that a fence along the*  
297 *driveway between lots 3 and 6 is not required.*

298

299 **MOTION:** *James Ahlstrom moved to have the City Attorney prepare findings of fact and*  
300 *conclusions of law consistent with the consensus reached tonight. Mark*  
301 *Preece seconded the Motion which PASSED by unanimous vote of all*  
302 *members present.*

303

304 Council thanked the Planning Commission for doing a good job anticipating and considering  
305 all the issues. There was discussion about flag lots in general and the need to begin work on an  
306 ordinance to address generic flag lot requirements.

307 *The meeting recessed for a 5 minute comfort break.*

308

309 **5. Budget Officer Filing of Fiscal Year 2015/2016 Tentative Budget.**

310

311 Duane Huffman explained that as the City's Budget officer he is required to present a tentative  
312 budget to the Council. Once adopted, the tentative budget becomes the draft used to develop a final  
313 budget and requires a public hearing.

314 **MOTION:** *James Bruhn moved to adopt the FY2015-2016 Tentative budget and set a*  
315 *public hearing for June 2, 2015. Mark Preece seconded the Motion which*  
316 *PASSED by unanimous vote of all members present.*

317

318 **6. Review Proposed Amendments to the Fiscal Year 2015/2016 Budget.**

319

320 Mayor Romney pointed out an error in the description above - that the proposed amendments  
321 were to the 2014/2015 Budget, not the 2015/2016 Budget. Mr. Huffman explained that the  
322 amendments need to be adopted after a public hearing is held and the specific amendments will be  
323 discussed at a work session prior to the hearing.

324 **MOTION:** *Debbie McKean moved to set a public hearing for June 2, 2015 to adopt*  
325 *proposed amendments to the Fiscal Year 2014/2015 budget. James Bruhn*  
326 *seconded the Motion which PASSED by unanimous vote of all members*  
327 *present.*

328

329 **7. Engineering/Planning Commission Report.**

330

331 Planning Commission granted a conditional use permit last week for an 8 foot fence to be built  
332 on the north side of a LDS Church parking lot/driveway to match a similar fence approved several  
333 years ago. They also considered a conditional use permit for an accessory building higher than 20 feet  
334 in Jessi's Meadow but tabled it as the applicant was not available to answer questions. At their next  
335 meeting, they will discuss a 2 lot subdivision proposal just west of Birnam Woods on Porter Lane.  
336 The application has some issues to be resolved.

337 Ben White also announced that a CDBG grant for \$30k was approved to complete the portions  
338 of sidewalk on the west side of 800 West that were not completed with last year's grant. It is not clear  
339 whether the improvements can be completed this year or next year.

340 He added that he recently got word that UDOT is preparing to go to bid on improvements to  
341 400 N, from 800 W to Main St, next year that will include replacing the asphalt with concrete. The

342 Council discussed asking UDOT not to do it next year because city has been disrupted enough with  
343 400 North closures.

344 The 725 West water line is completely done, the road has been excavated, and we expect it to  
345 be paved within 2 weeks.

346 The Porter Lane storm drain project is still underway, and the construction of the new  
347 restroom at the golf course has been started..

348 **8. Mayor/Council Reports.**

349  
350 Mayor Romney – Received a complaint regarding pile driving.

351 He reminded the Council that state law allows the Council to remove a person from the  
352 meeting by 2/3 vote for disorderly conduct, not that there has been any need for something like that  
353 recently.

354 He noted that the budget process has gone well so far, and asked the Council to review the golf  
355 course loan options so we can lay out timetable.

356 He asked staff to get us options on RAP tax ballot language so we can get it ready.

357 Finally, he noted that the Council will talk about local sales tax option for transportation in the  
358 future.

359  
360 James Ahlstrom – He inquired about the request from Mr. Thackeray to address the Council.  
361 Mr. Huffman responded that he is tentatively on the agenda for June 2.

362  
363 Mark Preece - No report.

364  
365 James Bruhn reported that Wasatch Integrated will be some raising fees. It should not impact  
366 the City except for dumpsters. The incinerator is down. They have been nursing it along but needed  
367 to wait to fix it until Hill AFB signed their proposal so they would have money. Everything is going to  
368 the landfill until can be rebuilt – it is very expensive to fix.

369 He has noticed several street lights are out around the city, including in Olsen Farms. What is  
370 the best way to get them fixed? Chief Hixson noted that the night officer will make a list of all the  
371 lights out.

372  
373 Debbie McKean – Thanks to Council member Preece we had a quick turnaround getting the  
374 summer newsletter printed; it will go in the mail tomorrow. Friday's Arts Council event is the Youth  
375 concert spotlighting the city's talented musicians. It is always very good, and the Arts Council would  
376 appreciate city council's support by attending the event. At the Arts Council meeting on Thursday,  
377 we will continue to prepare for the July 4<sup>th</sup> celebration. She gave each council member an assignment  
378 for that Saturday's activities, and reminded them they are responsible to make arrangements for their  
379 own cars in the parade. She also discussed council shirts for the event and they decided to go with the  
380 great discount Paul Holden's was able to get through Nike, all in the same color.

381  
382 Kelly Enquist is on a committee of south Davis County cities addressing a catastrophic fire  
383 plan for the area and asked Chief Bassett to summarize the project. Chief Bassett explained that the  
384 state does not fund expenses incurred as part of catastrophic fires and gave an example of high cost  
385 resulting from helicopters being called in to address emergencies. He believes there is a chance that  
386 legislation will be adopted next year to help in these situations but cities may only be eligible to

387 receive funding if they have a community protection fire plan in place, so we want to make sure we  
388 are eligible.

389  
390 **9. Approval of Minutes from the April 21, 2015 City Council Meeting.**

391  
392 **MOTION:** *James Bruhn moved to approve the minutes from the April 21, 2015 meeting*  
393 *as presented. Debbie McKean seconded the Motion which PASSED by*  
394 *unanimous vote of all members present.*

395  
396 **17. Adjourn**

397 **MOTION:** *James Ahlstrom moved to adjourn this meeting of the West Bountiful City*  
398 *Council at 10:57pm. James Bruhn seconded the Motion which PASSED by*  
399 *unanimous vote of all members present.*

400  
401 -----

402  
403 *The foregoing was approved by the West Bountiful City Council by unanimous vote of all members*  
404 *present on Tuesday, May 19, 2015.*

405  
406  
407 \_\_\_\_\_  
408 Cathy Brightwell (City Recorder)