

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

Those in attendance:

MEMBERS: Mayor Ken Romney, Council members James Ahlstrom, James Bruhn, Kelly Enquist, Debbie McKean, and Mark Preece

EXCUSED:

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Chief Todd Hixson, Steve Maughan (Public Works Director), Ben White (City Engineer), Cathy Brightwell (City Recorder/ Secretary)

VISITORS: Alan Malan, Conrad Jenson, Renee Lewis, Don Guymon, Gary Jacketta, John Thackery

Mayor Romney called the work session to order at 6:00 pm.

Pages Lane Road Project Site Visits.

The group met at city hall and then traveled to Pages Lane for site visits to look at several areas of interest for the upcoming project. They visited nine properties which highlight issues such as trees, fences, elevation of sidewalks, impacts to driveways and landscaping, etc. Following the site visit, the meeting reconvened at city hall.

The issues identified on the site visit were discussed; for example, potential options for the size of park strips, bike lanes on one or both sides of the road, how best to deal with the existing deferral agreement, trees, sprinkler replacement and running sleeves under sidewalks, replacing landscaping, and adding top soil so it's not road base.

Staff was instructed to develop additional options related to the placement of sidewalk and the narrowing of the road for review at future meetings.

A resident meeting will tentatively be scheduled for September 29.

The work session adjourned at 7:30pm.

Mayor Romney called the regular meeting to order at 7:40 pm.

Invocation/thought – James Bruhn offered a thought; Debbie McKean led the Pledge of Allegiance.

1. Accept Agenda

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

2. Public Comment.

Renee Lewis, 696 W 200 North, is a 7 year resident of West Bountiful. She spoke of her concern regarding the potential development of the property known as Pony Haven to senior housing. She said her family loves living here but one problem young family's face is that many are outgrowing their homes and hoping for larger affordable homes in the same area. They were disappointed to learn that the current developer wants to build housing for seniors which may not be a good fit as she believes it is better suited for young families. She suggested the council ask the community what they want done with the area.

Mayor Romney explained that nothing has been approved and suggested she watch planning commission and city council meeting agendas in order to follow the progress of the development.

At this time the meeting recessed for the purpose of holding a Redevelopment Agency meeting, with a Motion from Mark Preece, a second by Debbie McKean, and unanimous vote of all members present. The City Council meeting reconvened at 7:50 pm with a Motion from James Bruhn, second from Debbie McKean, and unanimous vote of all members present.

3. Consider Purchase Approval for One-Ton Dump Truck.

Duane Huffman referenced the staff memo and confirmed that this item was previously included as part of the budget process.

MOTION: *James Ahlstrom moved to approve the purchase of a one ton dump truck. James Bruhn seconded the Motion which passed by unanimous vote of all members present.*

The vote was recorded as follows:

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

4. Consider Amended and Restated Water Service Agreement with Holly Refining & Marketing Company – Woods Cross LLC.

Mr. Huffman explained that Holly Refinery and the City entered into a Water Service and Connection agreement in 2011 to increase the supply of water as well as improvements to the 500 South water line. These improvements were needed in case of an emergency at the refinery where a

large amount of water would be required. To help offset the costs for these improvements; Holly agreed to pay \$500k after each improvement was completed.

Since 2011, the City met the new demand for water through a cooperative agreement with Bountiful City after an unsuccessful attempt to construct new well. While a new well will still be pursued, the Bountiful City connection meets the needs as contemplated in the original agreement. In addition more information is now available regarding the needed scope of improvements to the line along 500 South.

To acknowledge these small deviations, the original agreement has been amended and restated in the draft for consideration tonight. The new agreement will have Holly immediately paying the City the \$500k for the development of the new water supply, and the intent is to move forward with the 500 South water line improvements in the next construction season.

MOTION: *James Bruhn moved to approve the Amended and Restated Water Service Agreement with Holly Refining & Marketing Company – Woods Cross LLC. Debbie McKean seconded the Motion which PASSED with a vote of 4-0.*

The vote was recorded as follows:

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

5. Consider License Agreement – Additional Trail Infrastructure (DRGW Trail) with the Utah Transit Authority.

Mr. Huffman explained the proposed agreement with the Utah Transit Authority (“UTA”) related to the connection between the DRGW (Prospector Rail) trail and the new restroom at Lakeside Golf Course. The agreement also cleans up access rights to the connection of the DRGW trail and the DSB trail, and includes a previous request by the City to install fencing along the DRGW trail and golf course.

In exchange for these new licenses, UTA requested that the City’s maintenance obligation along the DRGW right-of-way be expanded so that the City would have full maintenance responsibilities for the corridor. In the earlier 2009 agreement, the City resisted full maintenance responsibilities due to UTA’s long neglect to the area.

In the final negotiated agreement, a compromise was reached where UTA agrees to only transfer additional maintenance obligations to the City once an area has been cleared of existing vegetation and trees.

Regarding timing, UTA says they will begin clearing out the trail corridor relatively soon. We plan to begin putting in an access trail to the restroom, beginning from the golf course side.

MOTION: *James Bruhn moved to approve the License Agreement – Additional Trail Infrastructure (DRGW Trail) with the Utah Transit Authority. Mark Preece seconded the Motion which PASSED with a vote of 5-0.*

The vote was recorded as follows:

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

6. Consider Cooperative Agreement with Utah Department of Transportation to Construct Landscaping and Monument Sign at the I-15/500 S Interchange.

Mr. Huffman explained that this is a simple agreement whereby UDOT agrees to provide \$50,600 towards the project. While not stated in the agreement, this is the money left over from the “betterment” funding for the recent I-15 project. Roughly \$26,000 from the 400 North project and \$24,600 from the 500 South project.

MOTION: *James Bruhn moved to approve the Cooperative Agreement with UDOT to construct landscaping and monument sign at the 500 South/I-15 interchange. James Ahlstrom seconded the Motion which PASSED with a vote of 5-0.*

The vote was recorded as follows:

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

7. Consider Maintenance Agreement with Utah Department of Transportation to Cover Landscaping Improvements at the I-15/500 S Interchange.

Mr. Huffman explained that as the landscape improvements and monument sign referenced in the previous item will be placed on UDOT right-of-way, this Maintenance Agreement is required stating the City will abide by UDOT regulations for the design and installation of the improvements, as well as agree to maintain the area once the improvements are in place.

He added that we are still working out details with Bountiful but UDOT needs these agreements signed so they can close out their I-15 budget. If we find that we cannot come to agreement with Bountiful, we can cut back the project or scrap it and return UDOT’s funding.

Two changes have been made to the Agreement. The dates will be moved back to next year, and Mr. Doxy has made some clarifications.

MOTION: *James Bruhn moved to approve the UDOT Maintenance Agreement as modified to Cover Landscaping Improvements at the I-15/500 S Interchange. James Ahlstrom seconded the Motion which PASSED with a vote of 5-0.*

The vote was recorded as follows:

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

8. Consider Public Improvement Deferral Agreement for Property at 1141 West 400 North (Skiddy Subdivision, Lot 2).

Ben White explained that the Turville family has applied for a building permit to construct a home on Lot 2 of the Skiddy subdivision. He reminded Council that shortly after the subdivision was approved in 2012, a public improvement deferral agreement was granted for Lot 1, the property on the corner of 400 North and 1100 West. The discussion at that time addressed issues about when would be the most appropriate time to install street improvements; how unsightly and difficult it is to maintain unconnected portions of sidewalk; and the impact to the improvements if the city wants to change the layout of the street to include an equestrian trail in our more rural and less developed areas.

This lot does not currently have a deferral like the one on the corner. The building permit for the home is pending so staff needs to know what to do.

There was discussion about the options, and the benefits to doing the improvements all at the same time.

MOTION: *Debbie McKean moved to approve the Public Improvement Deferral Agreement for the property at 1141 W 400 North (Skiddy Subdivision). Mark Preece seconded the Motion which PASSED with a vote of 5-0.*

The vote was recorded as follows:

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

9. Continued Discussion on Personnel Policy Re-Draft.

Council member McKean suggested handling this item in a future work session.

MOTION: *James Ahlstrom moved to set a work session later this month to continue the discussion on the Personnel Policy re-draft. Kelly Enquist seconded the Motion which PASSED by unanimous vote of all members present.*

10. Engineering/Planning Commission Report.

Ben White reported that Ovation homes came to Planning Commission with a conceptual plan to build senior housing on the Pony Haven property. They have proposed a concept with 42 single family homes with smaller frontage, rear, and side yards than required for the R-1-10 zone. Under current zoning, the property would accommodate 30 - 10,000 sf lots. Their proposal also includes connecting the two east/west stub roads on the north end of the property but they do not plan to use the stub in the middle of the property on the east side. He added that an HOA would maintain front yards and plow sidewalks and driveways.

It was explained to the developer that pursuant to our PUD Ordinance, they now have to demonstrate the benefits to the community and meet other requirements of the Ordinance to get bonus density for the PUD. The Planning Commission adamantly told them the second east road stub would need to go through. There was also discussion about Section 17.68.130 of the Municipal Code and its restrictions to modify side yard setbacks. The developer said that he believed the problem could be handled with a development agreement.

Staff asked them to provide all necessary information before a public hearing is scheduled. They said they would be visiting neighbors in the area and we have had feedback that they have done that. Mayor Romney added that he has visited several of their properties; they look nice and are well kept, but it may be difficult to qualify for all bonuses under the current ordinance.

UDOT – 400 North project. Mr. White met with UDOT today to discuss their upcoming construction plans. They will install concrete from 800 West to east of Main Street. They have had a lot of problems keeping the road in good condition because of soft soils; on-going maintenance is also less with concrete. They propose to break the project into 3 phases. First will be 500 West to the corner east of Main Street, 470 N (April-June); the second will be I-15 to 500 West (June 1-mid July), third will be I-15 to 800 West (July 24-Sept. 30). We may want to ask them to swap so we can make sure Pages Lane is done before 400 North is closed.

Mr. Huffman reported that the UDOT Transportation commission is meeting this month and it might be good time to talk with them about some of our issues. The biggest issues are timing for road closure.

11. Administrative Report.

Mr. Huffman reported that the deadline has passed related to residents submitting arguments for or against the RAP tax ballot question. He stated that the City's current intent is to follow Bountiful's practice from last year's election in developing the necessary voter information pamphlet and newsletter notice, which will be considered at the next city council meeting.

Also at the next meeting will be the public hearing related to the creation of a fire district. Leaders from the South Davis Metro Fire Agency will be here for the hearing, with information for attendees. The purpose of the new district is to fund new capital needs and refinancing of existing debt. Preliminary numbers suggest that an eventual tax rate will lead to about a \$12-15 property tax increase per home.

12. Mayor/Council Reports.

James Ahlstrom – no report.

Mark Preece reported that interviews concluded and the new Youth City Council is in place. They will be sworn in at the next city council meeting.

The Sewer district has signed all paper work to begin construction for the methane gas reclamation project.

James Bruhn – The Waste Energy facility's new Unit B is up so both units are running. They are now able to sell more steam to Hill AFB. This has been a big project; about \$10 million.

Debbie McKean – Arts council will meet this week. They are looking for names for new members.

Kelly Enquist talked about mosquito spraying. He added that he is glad to see the progress being made at the Park. In response to his question, Ben White confirmed that the everything should be done by the end of September.

Mayor Romney – no report.

13. Approval of Minutes from the August 18, 2015 City Council Meeting.

MOTION: *James Bruhn moved to approve the minutes from the August 18, 2015 meeting. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

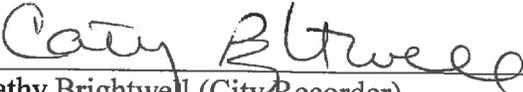
14. Possible Executive Session for the Purpose of Discussing Items as Allowed, Pursuant to Utah Code Annotated 52-4-205.

There was no need for an Executive session.

15. Adjourn

MOTION: *James Bruhn moved to adjourn this meeting of the West Bountiful City Council at 8:50 p.m. James Ahlstrom seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council on Tuesday, September 15, 2015.


Cathy Brightwell (City Recorder)

