Minutes of the West Bountiful Special City Council meeting held on Tuesday, October 6, 2015 at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

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

EXCUSED: Council member James Ahlstrom

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

VISITORS: Boy Scout Troop 280 members Ryan Morton, Kyle Hilton, Jake Andresen, Carter Stowell, A.J. Wilkins, and Alan Malan, Andy Williams, Fire Chief Bassett

Mayor Romney called the regular meeting to order at 7:30 pm.

Invocation/thought – Members of Boy Scout Troop 280 led the Pledge of Allegiance, and recited the Scout Oath and Scout Law.

1. Accept Agenda

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

Public Comment

No comment.


MOTION: James Bruhn moved to appoint poll workers listed above for the 2015 General Election and allow the Election Official to fill any vacancies that may arise between now and Election Day. Mark Preece seconded the Motion which passed by unanimous vote of all members present.
3. Discuss Resident Participation in Sidewalk Replacement and Tree Removal.

Duane Huffman presented a memo related to property owner responsibilities for the costs of repairing sidewalks and removing trees when needed, pursuant to Section 12.04.020 of the City Code.

This issue has come up due to several recent reported instances of falls, including cases where injuries were involved. He explained that we recently completed a sidewalk inventory that revealed at least 153 areas of raised sidewalk. Trip hazards were identified and painted orange to prevent accidents. In many instances, damage is caused by tree roots in the park strip although there are also at least 19 trees on private property causing damage.

There was discussion about balancing the difference between sidewalk damage with directly attributable causes (trees, vehicles, etc) vs. damage from normal wear and tear. It was suggested that if damage was caused by natural causes not due to anyone’s fault, the city should fix the damage.

Grinding versus sidewalk replacement was also discussed. Grinding may be a good option for situations where the displacement is not too great and is not likely to continue in the near future.

Steve will talk with companies who do grinding to get more information.

There was consensus to have the city move forward this year to get a unit price for concrete. Based on available budget, we will prioritize and methodically address areas of dangerous sidewalk.

To begin, the city will fix sidewalk damage not attributed to property owner causes, and the city will bear 100% of the cost. We will also work to alert residents to their responsibility if the sidewalk has been damaged by trees or other similar causes, and give them a year or two to prepare for the financial impact. We will also begin the process of amending the current ordinance to clarify resident obligations when the sidewalk has been damaged by an attributable cause (current ordinances read that residents could be held responsible for 50% of the cost regardless of the cause).

4. Engineering/Planning Commission Report. (Ben White)

a. Pages Lane Project - Staff is still working on designs for the project. The plan is to have a design ready to present to the Council in two weeks. He asked if there were any outstanding issues.

There was some discussion about how to handle residents who would prefer retaining walls vs. fill brought into their yard to slope up to the new sidewalk. Staff will prepare the bid documents with the slope option, but we may be able to work with individual residents once we know a cost difference.

The property on the corner of 800 W and Pages with a deferral agreement related to sidewalk improvement was also discussed, as to whether it was fair to require this property to pay for improvements. More discussion will take place at future meetings.

b. Park Update – A playground preconstruction meeting is scheduled for Thursday. The Council was reminded that the playground area had been re-designed to save several large trees and even included one left in the playground area. That tree now has shown signs of significant decay and we believe it could be a hazard so it will be removed before the playground is installed. New
trees (tulip trees) are being ordered; they are on the state forestry list of desirable trees, are quick
growing, and disease resistant. Because of demand they are difficult to get.
Steve Maughan added that in an effort to keep existing trees healthy, we will work with a
contract arborist, who is more specialized than our staff, to take care of them.

c. Planning commission meeting review – Ovation homes is still working on their proposal.


Financial report –
- First quarter sales tax revenues are 2% below last year. Because we projected they would
increase 3% in the budget, there is a negative 5% difference between budget and actuals.
Staff is researching reasons for the discrepancy including some lost businesses, and a
couple companies from whom it appears we have not received taxes. If the trend
continues we may need to make budget adjustments.

- Property taxes are also below budget. We have not received normal summer payments.
Holly may be appealing its personal property tax amounts which could be causing the
delay.

- Building permits are up 50% from this time last year.

Mr. Huffman will have a summary at the next meeting itemizing park resources, along with a
fully detailed financial report. He said the budget looks good and department heads are doing a good
job managing their budgets. Mayor Romney asked him to check on fire impact fee payments to the
Fire Agency.

Mr. Huffman also reported that it appears FY15 (2014-2015) had the golf course’s highest
revenues on record. In response to questions, Paul Holden said the Cafe is doing well. They liked
their first season at Lakeside and were busier than expected. He expects them to continue next year.
Paul said there have been some concerns from golfers with not having a quick, inexpensive meal
available, which they have now addressed.

Miscellaneous – the November 3rd city council meeting will be cancelled for the election.
Instead, council members and their spouses have been asked to judge a school project at West
Bountiful elementary school. Staff will double check, but this type of event will likely not require
open meeting notices.

A work session is being planned for the October 20th meeting to discuss sales tax sharing at
the Commons. Mr. Thackeray would like an opportunity to talk in an informal setting. Mr.
Huffman is working on a report related to the history of this issue. To accommodate schedules, the
work session may need to begin at 5:30.

UTA has hired a contractor to clear all vegetation on the Prospector Rail trail. They have
been asked to limit closures of the trail to areas and times they are working. We have also clarified
that we expect them to clear the trail - not mow it. They plan to be finished in two weeks.

Ivory Homes has asked to meet with staff this Friday regarding development on the Plum
property (Equestrian center).
6. Mayor/Council Reports.

Mark Preece – YCC is planning a training retreat at the end of month. South Davis Sewer has called a special meeting to discuss alternative fuel process.

James Bruhn – Wasatch Integrated is in the process of converting its recycle facility to a thrift store and will hire special needs individuals to refurbish and sell items. Their new entry/access road is waiting for UDOT to install a traffic light before it can open. The new road will allow users to access the facility without driving through residential areas.

Council member Bruhn discussed the Planning Commission’s recent approval of a seven foot fence for Terry Nilson where his property abuts the city park. He is concerned that the plans show a one foot space between the ground and the bottom of the fence, and also would like to have him put the nice side of the fencing on the Park side. There was discussion about whether our ordinance gives us authority to tell him how or what to build. It is unclear what he plans to do as he has not yet filed his building permit for the fence.

Debbie McKeen attended the mosquito conference in Provo. She said it was a great conference and she was impressed with their trustee training. She gave a copy of the training manual to Duane.

Arts Council is looking to fill a vacancy and has someone interested.

July 4, 2016 is on Monday – and there was discussion about when to hold the fireworks and parade. It was suggested that she find out when Centerville plans to hold their parade so a decision can be made at the next meeting.

She also raised a concern about the chains around the monument by the playground at the Park. The chains attract children and could potentially cause injuries when they play on them. She suggested we remove them. Steve Maughan will take a look at it.

Mayor Romney reminded members to be at the school to judge school projects on November 3rd at 7 pm. and added they are welcome to bring their spouse.

RAP tax – he asked if members are individually promoting the RAP tax. They were reminded that they are free to support it on an individual level but not as a city.

There was a house fire last week on 725 West. Chief Bassett reported that the first fire engine arrived in 6 minutes, and the second arrived in 8 minutes. West Bountiful benefits from having 3 surrounding fire stations.

7. Approval of Minutes from the September 15, 2015, and September 29, 2015 City Council Meetings.

MOTION: Kelly Enquist moved to approve the minutes from the September 15, 2015 and September 29, 2015 meetings. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.
8. 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.

9. Adjourn

MOTION: James Bruhn moved to adjourn this meeting of the West Bountiful City Council at 10:25 PM p.m. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.

The foregoing was approved by the West Bountiful City Council on Tuesday, October 20, 2015.

Cathy Brightwell (City Recorder)