

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

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4 Those in attendance:

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

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9 **EXCUSED:** Council member James Ahlstrom

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

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

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

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

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24 **1. Accept Agenda**

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

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31 **Public Comment**

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33 No comment.

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35 **2. Approve Poll Workers Jennifer Cottle, Lucile Eastman, Leena Anderson, Christine**
36 **Harker, Arline Mann, Melissa Paschal, and Esther Miller for the General Election.**

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38 **MOTION:** *James Bruhn moved to appoint poll workers listed above for the 2015*
39 *General Election and allow the Election Official to fill any vacancies that*
40 *may arise between now and Election Day. Mark Preece seconded the*
41 *Motion which passed by unanimous vote of all members present.*

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44 **3. Discuss Resident Participation in Sidewalk Replacement and Tree Removal.**

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

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

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

57 Grinding versus sidewalk replacement was also discussed. Grinding may be a good option
58 for situations where the displacement is not too great and is not likely to continue in the near future.
59 Steve will talk with companies who do grinding to get more information.

60 There was consensus to have the city move forward this year to get a unit price for concrete.
61 Based on available budget, we will prioritize and methodically address areas of dangerous sidewalk.
62 To begin, the city will fix sidewalk damage not attributed to property owner causes, and the city will
63 bear 100% of the cost. We will also work to alert residents to their responsibility if the sidewalk has
64 been damaged by trees or other similar causes, and give them a year or two to prepare for the
65 financial impact. We will also begin the process of amending the current ordinance to clarify
66 resident obligations when the sidewalk has been damaged by an attributable cause (current
67 ordinances read that residents could be held responsible for 50% of the cost regardless of the cause).

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

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72 a. Pages Lane Project - Staff is still working on designs for the project. The plan is to have a
73 design ready to present to the Council in two weeks. He asked if there were any outstanding issues.
74 There was some discussion about how to handle residents who would prefer retaining walls vs. fill
75 brought into their yard to slope up to the new sidewalk. Staff will prepare the bid documents with the
76 slope option, but we may be able to work with individual residents once we know a cost difference.
77 The property on the corner of 800 W and Pages with a deferral agreement related to sidewalk
78 improvement was also discussed, as to whether it was fair to require this property to pay for
79 improvements. More discussion will take place at future meetings.

80

81 b. Park Update – A playground preconstruction meeting is scheduled for Thursday. The
82 Council was reminded that the playground area had been re-designed to save several large trees and
83 even included one left in the playground area. That tree now has shown signs of significant decay
84 and we believe it could be a hazard so it will be removed before the playground is installed. New

85 trees (tulip trees) are being ordered; they are on the state forestry list of desirable trees, are quick
86 growing, and disease resistant. Because of demand they are difficult to get.

87 Steve Maughan added that in an effort to keep existing trees healthy, we will work with a
88 contract arborist, who is more specialized than our staff, to take care of them.

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

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93 **5. Administrative Report/Financial Report.**

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Financial report –

- 96 • First quarter sales tax revenues are 2% below last year. Because we projected they would
97 increase 3% in the budget, there is a negative 5% difference between budget and actuals.
98 Staff is researching reasons for the discrepancy including some lost businesses, and a
99 couple companies from whom it appears we have not received taxes. If the trend
100 continues we may need to make budget adjustments.
- 101 • Property taxes are also below budget. We have not received normal summer payments.
102 Holly may be appealing its personal property tax amounts which could be causing the
103 delay.
- 104 • Building permits are up 50% from this time last year.

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

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

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

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

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

129 Ivory Homes has asked to meet with staff this Friday regarding development on the Plum
130 property (Equestrian center).

131 **6. Mayor/Council Reports.**
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133 Mark Preece – YCC is planning a training retreat at the end of month. South Davis Sewer
134 has called a special meeting to discuss alternative fuel process.
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136 James Bruhn – Wasatch Integrated is in the process of converting its recycle facility to a
137 thrift store and will hire special needs individuals to refurbish and sell items. Their new entry/access
138 road is waiting for UDOT to install a traffic light before it can open. The new road will allow users
139 to access the facility without driving through residential areas.

140 Council member Bruhn discussed the Planning Commission's recent approval of a seven foot
141 fence for Terry Nilson where his property abuts the city park. He is concerned that the plans show a
142 one foot space between the ground and the bottom of the fence, and also would like to have him put
143 the nice side of the fencing on the Park side. There was discussion about whether our ordinance
144 gives us authority to tell him how or what to build. It is unclear what he plans to do as he has not yet
145 filed his building permit for the fence.
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147 Debbie McKean attended the mosquito conference in Provo. She said it was a great
148 conference and she was impressed with their trustee training. She gave a copy of the training
149 manual to Duane.

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

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

154 She also raised a concern about the chains around the monument by the playground at the
155 Park. The chains attract children and could potentially cause injuries when they play on them. She
156 suggested we remove them. Steve Maughan will take a look at it.
157

158 Mayor Romney reminded members to be at the school to judge school projects on November
159 3rd at 7 pm. and added they are welcome to bring their spouse.

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

162 There was a house fire last week on 725 West. Chief Bassett reported that the first fire
163 engine arrived in 6 minutes, and the second arrived in 8 minutes. West Bountiful benefits from
164 having 3 surrounding fire stations.
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167 **7. Approval of Minutes from the September 15, 2015, and September 29, 2015 City**
168 **Council Meetings.**
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170 **MOTION:** *Kelly Enquist moved to approve the minutes from the September 15, 2015*
171 *and September 29, 2015 meetings. James Bruhn seconded the Motion*
172 *which PASSED by unanimous vote of all members present.*
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176 8. Possible Executive Session for the Purpose of Discussing Items as Allowed, Pursuant to
177 Utah Code Annotated 52-4-205.

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179 There was no need for an Executive session.

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181 9. Adjourn

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183 MOTION: *James Bruhn moved to adjourn this meeting of the West Bountiful City*
184 *Council at 10:25 PM p.m. Mark Preece seconded the Motion which*
185 *PASSED by unanimous vote of all members present.*
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189 *The foregoing was approved by the West Bountiful City Council on Tuesday, October 20, 2015.*

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193 Cathy Brightwell (City Recorder)
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