

Minutes of the West Bountiful City Council meeting held on Tuesday, November 17, 2015 at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

MEMBERS: Mayor Pro Tem Mark Preece, Council members, James Bruhn, Kelly Enquist, and Debbie McKean

EXCUSED: Mayor Romney, Council member James Ahlstrom (ill)

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Ben White (City Engineer), Sgt. Brandon Erikson, Paul Holden (Golf Director), Patrice Twitchell (Finance/Secretary)

VISITORS: Alan Malan, Andy Williams, Chief Jeff Bassett, Tim Rees, Gary Jacketta, Brittney Webster

Mayor Pro Tem Preece called the regular meeting to order at 7:32 pm.

Invocation/thought – James Bruhn; Pledge of Allegiance – Mark Preece.

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.*

2. Public Comment

Alan Malan suggested that the Council not act on agenda item #6 (Fire Service Area Resolution), as it is of such importance that all council members and the Mayor should be present.

3. Presentation of Financial Audit for the Fiscal Year ending June 30, 2015.

Tim Rees, independent auditor from Karren, Hendrix, Stagg, Allen & Company, presented the completed audit for the fiscal year ending June 30, 2015. He thanked the city staff for their cooperation during the audit. The audit team reviewed records and found everything to be in material compliance. He explained that new pension liability regulations added to the audit's complexity, but had no real effect on the City's financial position. Audited financials show the City in good standing.

Council member McKean asked how the pension liability was calculated, and Mr. Rees answered that the calculation was dependent on retirement age and longevity of employment. Duane

Huffman explained that the liability actually rests with the Utah Retirement System, and it was their actuaries that determined the full figures with the City allocating it among the City's funds.

Mr. Huffman briefly pointed the Council to pages in the audit report that provide information on major city funds such as the General Fund and the Golf Fund. Due to timing of payments, year-to-year property taxes appear to have fallen, but this should be made up in the current year.

4. Public Hearing Regarding Ordinance 374-15, An Ordinance Adopting the 2015 West Bountiful Municipal Code.

MOTION: *James Bruhn moved to open the Public Hearing Regarding Ordinance 374-15, An Ordinance Adopting the 2015 West Bountiful Municipal Code; Making Technical Changes; Severability; and Providing an Effective Date. Debbie McKean seconded the Motion which PASSED by unanimous vote of all members present.*

Mr. Huffman explained that staff has worked with a contractor to transition the City's code to a new web-based platform, which will improve access and management of the code moving forward. The City has traditionally re-codified the complete code every 10-15 years, and staff recommends doing so now so that the City has a definitive starting point as we begin a new tracking process for changes. Many hours of staff and contractor work went into trying to ensure nothing was left out. The only changes in the presented code are technical in nature, but as the code includes land use ordinances, a public hearing was scheduled prior to adoption.

Councilmember Bruhn asked how the City could be sure that nothing was left out. Mr. Huffman responded that we cannot be completely sure, but if an adopted ordinance has been lost since the last re-codification, it is not serving the City anyway. The Council can re-adopt any ordinance in the future that it feels is in the best interest of the City if something has inadvertently been left out.

Mr. Alan Malan expressed his concern about the potential for missing ordinances in new re-codification.

MOTION: *Kelly Enquist moved to close Public Hearing. Debbie McKean seconded the Motion which PASSED by unanimous vote of all members present.*

5. Consider Ordinance 374-15, An Ordinance Adopting the 2015 West Bountiful Municipal Code; Making Technical Changes; Severability; and Providing an Effective Date.

MOTION: *Debbie McKean moved to Adopt Ordinance 374-15, An Ordinance Adopting the 2015 West Bountiful Municipal Code; Making Technical Changes; Severability; and Providing an Effective Date. Kelly Enquist seconded the Motion which PASSED.*

The vote was recorded as follows:

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

6. **Consider Resolution 373-15, A Resolution of the City Council of West Bountiful City, a municipal corporation of the State of Utah, approving the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services to the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of south Davis County, and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency to the Service Area created hereby.**

Mr. Huffman provided a brief explanation of the proposal to create a new entity for fire/EMS services that would now have taxing authority. The current fire agency has significant capital needs, and rather than each member entity going through a separate taxing process, the Board recommended that a fire district be given taxing authority. He referenced that the new entity will be governed by elected officials from each member entity and will have an administrative review committee made up of city managers/administrators to help with the budget process.

Chief Bassett stated that upon the creation of the district, ownership land and buildings for fire stations currently owned by member cities will be transferred to the new district. He indicated that Davis County, North Salt Lake, and Woods Cross adopted the ordinance earlier in the day. No formal protests for the creation of the district have been received by any of the member entities.

MOTION: *James Bruhn moved to Adopt Resolution 373-15, A Resolution of the City Council of West Bountiful City, a municipal corporation of the State of Utah, approving the creation of a Service Area for the provision of fire protection, emergency medical response, paramedic, emergency response services, ambulance services and related services to the cities of Bountiful, Centerville, North Salt Lake, West Bountiful, Woods Cross and the unincorporated area of south Davis County, and the transfer of the responsibilities and operations of the existing South Davis Metro Fire Agency to the Service Area created hereby. Kelly Enquist seconded the Motion which PASSED.*

The vote was recorded as follows:

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

7. Consider Award of the 1200 North Storm Drain Project to Hughes General Contractors for the Amount of \$174,650.50.

Mr. White explained the project and construction process. UDOT agreed approximately 18 months earlier to pay \$125,000 to help fund this project. A necessary permit from the Army Corp of Engineers has been obtained. The plan is for the project to start soon and be completed by February 2016. Staff is very pleased with bid prices for this project.

MOTION: *Kelly Enquist moved to Award the 1200 North Storm Drain Project to Hughes General Contractors for the Amount of \$174,650.50. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

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

8. Engineering/Planning Commission Report.

Mr. White reported on 3 items; playground equipment at the park is nearly complete, with a few missing parts planned to be installed by the end of this week. The design of the Pages Lane project is moving forward, and the City is currently collecting consent forms to enter private property so that we can repair driveways, landscaping, etc. So far we have about 50% of the needed forms. The Planning Commission is scheduled to hold a public hearing on November 24, for Ovation Homes' proposed PUD on Pages Lane.

9. Police Report.

Sgt. Erekson, representing Chief Hixson, referred the Council to the November 2015 Police report attached to the meeting packet and stated that he is available to answer any questions.

Council member Bruhn had a question about the fire alarms not working at the elementary school. Mr. Huffman stated that it is his understand that the Fire Agency conducted a test at the school and that all of the fire alarm systems were properly functioning.

10. Administrative Report.

Mr. Huffman reminded the Council of the municipal training by Utah League of Cities & Towns on February 6, 2016, in Salt Lake City. Council member-elect Andy Williams will be attending.

UTA has given notice that they have completed their work to clear the prospector trail corridor. Staff is preparing a response contesting that the necessary work is incomplete based on their inspection from earlier in the day.

Staff recently met with the Johansen/Thackeray group in regards to sales tax sharing. No new progress was made, other than those in attendance agreed to drop the question of the origin of the sales tax projection used, as the developers would no longer suggest that an extension of sales tax sharing should be provided because the developers relied on city forecasts. A cost/benefit analysis is ongoing and should be complete in a couple of weeks.

Mr. Huffman has begun the process of reviewing justice court options with North Salt Lake.

Finally, Mr. Huffman asked the Council to begin thinking about dates and locations for a Council retreat for a strategy session early next year.

11. Council Reports.

Kelly Enquist – Nothing to report.

Debbie McKean- Great Arts Council concert on Friday. The Arts Council requests that the July 4th celebration commence on Friday the 1st (fireworks) and Saturday the 2nd (parade). All agreed to these dates.

The Mosquito Abatement facility expansion is almost completed.

Mark Preece –South Davis Sewer board meeting and EmPAC meeting on Wednesday, November 18.

James Bruhn - At the recent Wasatch Integrated Waste meeting, budgets were reviewed, and it is estimated that landfill life expectancy is now 27 years. Post closure liability of landfill needs \$8 million to cap and maintain, and the district is on track with \$5,490,000 in the post closure account. The new entrance road is waiting on UDOT to open, and the new thrift store plans to open in the spring.

12. Approval of Minutes from the October 20, 2015 City Council Meeting.

MOTION: *James Bruhn moved to approve the minutes from the October 20, 2015 meeting. Kelly Enquist seconded the Motion which PASSED by unanimous vote of all members present.*

13. 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.

14. Adjourn

MOTION: *Kelly Enquist moved to adjourn this meeting of the West Bountiful City Council at 8:45 p.m. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council on Tuesday, December 1, 2015.



Cathy Brightwell (City Recorder)

