

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Andrew Williams

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CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A
REGULAR MEETING AT 7:30 PM, ON TUESDAY,
MAY 17, 2016, AT THE CITY HALL, 550 N 800 WEST**

7:30 PM – Regular Meeting:

Invocation/Thought – James Bruhn; Pledge of Allegiance – Andy Williams

1. Accept Agenda.
2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).
3. Consider Ordinance 378-16, An Ordinance Rezoning Property Located at 1014 West Pages Lane from R-1-22 to R-1-10 and Amending the West Bountiful Zoning Map.
4. Consider Ordinance 377-16, An Ordinance Establishing Temporary Restrictions Regarding Land Use Requests in Connection with Planned Unit Developments.
5. Consider Resolution 389-16, A Resolution Approving the 2016 Interlocal Cooperation Agreement Between Davis County and City of West Bountiful for Animal Services.
6. Consider Tentative Amendment for Fiscal Year 2015/2016 Budget and Set Public Hearing.
7. Engineering/Public Works Report.
8. Police Report.
9. Administrative Report.
10. Mayor/Council Reports.
11. Approve Minutes from the April 26, 2016 and May 3, 2016 City Council Meetings.
12. Executive Session for the Purpose of Discussing the Character, Professional Competence, or Physical or Mental Health of an Individual, Pursuant to Utah Code Annotated 52-4-205(1)(a).
13. Adjourn.

Individuals needing special accommodations during the meeting should contact Cathy Brightwell at (801)292-4486 twenty-four hours prior to the meeting.

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 12, 2016.

Minutes of the West Bountiful City Council meeting held on Tuesday, May 17, 2016 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, Mark Preece, and Andrew Williams

EXCUSED: Council member James Ahlstrom, Steve Doxey (City Attorney)

STAFF: Duane Huffman (City Administrator), Ben White (City Engineer), Chief Todd Hixson, Steve Maughan (Public Works Director), Paul Holden (Director of Golf), and Cathy Brightwell (City Recorder/Secretary)

VISITORS: Alan Malan, Terry Olsen, James Behunin, Eric Eastman

Mayor Romney called the regular meeting to order at 7:35 pm.

James Bruhn offered a prayer; the Pledge of Allegiance was led by Andy Williams.

1. Accept Agenda.

MOTION: *James Bruhn moved to approve the agenda as corrected. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

2. Public Comment.

Eric Eastman - 620 W 1950 North, commented on the proposed moratorium on PUDs. He believes the current ordinance is well written and suggested that if the City had stuck to the principles and details of it, the Ovation Homes PUD would not have been approved; Ovation is a square peg in a round hole. Mr. Eastman asked to be involved in the proposed study; he wants to make sure that if there are changes the City does not end up with something worse than it has now. Mayor Romney responded that Mr. Eastman will be on a list to be included with any study, and clarified that any study is not intended to result in a large rewrite. Mr. Huffman added that as a land use ordinance, most of the work will be at the Planning Commission level.

James Behunin – 925 W 1490 North, commented that he agrees with Mr. Eastman. The City has a good PUD ordinance and it needs to rely on staff to hold developers to what it says and not get too crazy to adapt to developers wishes. He said the City has dealt with proposals on the west side several times and successfully stopped developers from pushing the ordinance too far. He said the City needs places for elderly to retire to, and it may be good to have some diversity in zoning in the city. He added he believes it is important for the City to use the monetary contribution from Ovation Homes on issues tied to the development so it doesn't look like the City was bought off.

3. Consider Ordinance 378-16, An Ordinance Rezoning Property Located at 1014 W Pages Lane from R-1-22 to R-1-10 and Amending the West Bountiful Zoning Map.

Council member James Bruhn declared a conflict of interest as he owns real property that may be affected by the request.

Ben White reviewed the Planning Commission's discussion, the history of how the zoning request came about, public hearing comments, and the Planning Commission's recommendation. The current 2.5 acre parcel is located in both the R-1-22 and R-1-10 residential zones. The property immediately to the east is R-1-10, and the properties immediately to the north and west are R-1-22. From an administrative perspective, it is not good to have multiple zoning designations on a single property. However, when those situations exist, the more restrictive zoning ordinance applies to the entire parcel, in this case, generally the R-1-22 zone is consider the more restrictive zone in regards to density. To clarify the property's status, Mr. Olsen is requesting to rezone his entire property to R-1-10. Mr. Olsen also has a subdivision application pending for the property but the rezone request does not affect it at this time.

There was a discussion about how this request might impact neighboring properties and future requests for zone changes.

Mayor Romney asked council members for their opinions.

Councilmember Williams said his only concern is that it might set a precedent and open doors where he would prefer they not be opened – he is a little hesitant to support it. Mr. Huffman commented that no legal precedent would be set.

Council member Bruhn said he is fine with the zone change and thinks it makes sense to take it all the way to 1100 West which would include his property. Mayor Romney said the developed properties between Mr. Olsen's and 1100 West are already developed as R-1-22 so why change it now? Mr. Bruhn said that even if the Christensen's are not interested in changes now, they or their children may sell in the future and the rezone would be more desirable; they could also combine with the Olsen property to make deeper lots.

Council member Preece said he does not have any big problems with it and suggested that if it is allowed the Christensen's may want to be involved in the future.

Mayor Romney said he wants to be sensitive to property rights and knows density is an important issue in West Bountiful and asked if the issue should be studied more.

Mr. Olsen took the podium and explained that the planned lot currently in the R1-10 zone is not the only lot he wants to build on. He talked about the north parcel being unbuildable and the need to add good land to bad land to make it sellable. He added that down the road he would like to further subdivide the property. In response to questions, he explained that when Olsen Farms subdivision went in as R-1-10, his land was split on both sides of the Christensen property so the west side piece was traded for the new R-1-10 piece on the east side to enhance his land and make it nicer and buildable.

Mr. Huffman stated they do not have to make a decision tonight; the rezoning does not affect the current subdivision request.

MOTION: *Kelly Enquist Moved to Approve Ordinance 378-16, An Ordinance Rezoning Property Located at 1014 West Pages Lane from R-1-22 to R-1-10 and Amending the West Bountiful Zoning Map accordingly. James Bruhn seconded the Motion which PASSED 3-1.*

The vote was recorded as follows:

James Ahlstrom – Absent
James Bruhn - Aye
Kelly Enquist – Aye
Mark Preece – Aye
Andrew Williams - Nay

4. Consider Ordinance 377-16, An Ordinance Establishing Temporary Restrictions Regarding Land Use Requests in Connection with Planned Unit Developments.

There was no discussion.

MOTION: *Kelly Enquist Moved to Approve Ordinance 377-16, An Ordinance Establishing Temporary Restrictions Regarding Land Use Requests in Connection with Planned Unit Developments. Andy Williams seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Absent
James Bruhn - Aye
Kelly Enquist – Aye
Mark Preece – Aye
Andrew Williams – Aye

5. Consider Resolution 389-16, A Resolution Approving the 2016 Interlocal Cooperation Agreement Between Davis County and City of West Bountiful for Animal Services.

Mr. Huffman reviewed the memorandum included with the meeting materials. In 2015, the County contacted cities to express their concerns with how the funding was structured. Since that time the County and all of the cities have jointly negotiated a new funding structure, and with it, a new interlocal agreement. Under the new proposed agreement, the cities will jointly be responsible for 50% of the costs of animal control services, minus any fees received, and will also contribute to a capital improvement fund. City representatives will now participate in a budget

committee for animal control. For West Bountiful, the proposed rates are almost identical to the current rates.

Chief Hixson was asked to comment on the new process of fielding calls from residents and handling some issues themselves. He said these measures have been successful and reduced our costs but it has ruffled feathers because Animal Control Services relies heavily on this money for their operations. Before that, it seemed like they came out for everything plus follow-up visits that we were charged for. He did clarify that we do call them when we need them.

MOTION: *Andy Williams Moved to Adopt Resolution 389-16, A Resolution Approving the 2016 Interlocal Cooperation Agreement Between Davis County and City of West Bountiful for Animal Services. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Absent
James Bruhn - Aye
Kelly Enquist – Aye
Mark Preece – Aye
Andrew Williams – Aye

6. Consider Tentative Amendment for Fiscal Year 2015/2016 Budget and Set Public Hearing.

Mr. Huffman reviewed the memorandum for the recommended changes to the current fiscal year budget. He went through the list of changes memo and answered questions about specific line items. He explained that these amendments are not being approved tonight, the City is making them public in preparation of the public hearing, and the Council will consider approval following the hearing.

MOTION: *Mark Preece Moved to Adopt Tentative Amendments for Fiscal Year 2015/2016 Budget and set a Public Hearing on June 7. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

7. Engineering/Public Works Report.

Ben White (Engineering):

- The 800 West sidewalk project (CDBG) should finish this week. We originally scheduled the project for July but the contractor asked to move it up so we were not able to coordinate moving the poles on such short notice; they will be moved at a later time.

- Pages Lane construction is moving slowly due to Century Link and Questar. Their delays are affecting the schedule and the chance that it will not be finished by July 2 for the parade. When asked about the competency of the contractor, Mr. White said their finished product is good but their methods may not be the same as other contractors – they are not as efficient as past contractors but the end result will be good.
- Representatives from the Devereaux family are exploring options for their family property on 1450 W 201 North.

Steve Maughan (Public Works):

- Spending a lot of time overseeing projects which is putting us behind in other areas, such as roadside mowing, filling pot holes, etc.
- Stringham Farms is finishing up concrete work. There are issues with asphalt on 1000 North so it will need to be replaced.
- Park irrigation should wrap up this week. The contractor had been working here part-time and will now work full time to finish up the project.
- Ground sterilizer was reapplied to the Prospector Trail. Tree limbs broken in the recent wind storm that fell on and along the Trail will be cleaned up.

8. Police Report

Chief Hixson reviewed his monthly report.

- This is Law Enforcement Appreciation week; he suggested that if you see an officer, please thank them for all they do.
- Officer Braegger has resigned his position as a part-time Alcohol Enforcement officer to take a position as Security Director at Lakeview Hospital.
- We have hired Jeremy Godfrey to fill the vacant full-time officer position. He comes to us from Grantsville with just over two years of experience. He will begin his field training on May 30.
- We will select an officer during the next month to fill the vacant Detective position. We fluctuate between 30-50 active cases and look forward to getting caught up.

9. Administrative Report.

Duane Huffman reported that our new summer intern, Isaac Wutkee, is working with us and Woods Cross through August. He is helping us develop policies regarding cell phones and travel.

There is a Land Use Training for Appointed and Elected officials on Saturday, June 11. He highly recommends both the planning commission and city council attend if possible.

Health care open enrollment is next week and we will have a meeting with employees to go over their options.

An executive session is scheduled for tonight to talk about professional competence of specific employees.

11. Mayor/Council Reports.

James Ahlstrom - Absent

Mark Preece – The EmpPAC meeting was earlier tonight; discussed the safety fair in July.

James Bruhn – Wasatch Integrated has recently held three extra meetings primarily to consider a request from Weber County to join Wasatch Integrated. Currently their transfer station operates in the red and they are having a hard time making it work. Wasatch would not landfill any of Weber's garbage, their garbage would still be transferred out, and the waste energy facility is already at capacity, currently we burn half of our trash and send half to the landfill, so we could not take any more.

Andy Williams – no report.

Kelly Enquist – provided an update on the recent Mosquito Abatement meeting. They are fully staffed for spraying; calls for West Bountiful have been lower than normal. He also mentioned they have mosquito eating fish available to the public, and six used ATVs for sale. He also talked about how they use vending machines for equipment tracking.

Mayor Romney reported that the Fire Agency is going through their budgeting process and they discussed how appeals of property taxes can impact what cities pay to the Fire Agency. They are exploring a proposal that would make payments retroactive to the fire agency if that happens so cities aren't charged for money they didn't receive. They plan to put something together to formalize the policy that allotments would be recalculated in those situations.

12. Approval of Minutes from the April 26, 2016 and May 3, 2016 City Council Meeting.

MOTION: *James Bruhn Moved to Approve the Minutes from the April 26 and May 3, 2016 Meetings. Mark Preece Seconded the Motion Which PASSED by Unanimous Vote of All Members Present.*

13. Executive Session for the Purpose of Discussing the Character, Professional Competence, or Physical or Mental Health of an Individual, Pursuant to Utah Code Annotated 52-4-205(1)(a).

MOTION: *Mark Preece Moved to Go Into Executive Session at 9:10 pm in the Police Training Room for the Purpose of Discussing the Character, Professional Competence, or Physical or Mental Health of an Individual, Pursuant to Utah Code Annotated 52-4-205(1)(a). Andy Williams seconded the Motion which PASSED.*

The vote was recorded as follows:

James Ahlstrom – Absent
James Bruhn - Aye
Kelly Enquist – Aye
Mark Preece – Aye
Andy Williams - Aye

MOTION: *James Bruhn Moved to Adjourn the Executive Session and Return to the Regular Meeting at 10:04 pm. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

14. Adjourn.

MOTION: *Kelly Enquist moved to adjourn this meeting of the West Bountiful City Council at 10:05 p m. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council on Tuesday, June 7, 2016.


Cathy Brightwell (City Recorder)



