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 Request from Mike and Tiffany Sowby to Connect to Water System at Pre-2008 Water Impact Fee Rate.
4. Consider Final Plat Approval for Trail’s End Subdivision at 528 N 660 West.
5. Consider Resolution #404-17, A Resolution Appointing Members to the Emergency Preparedness Advisory Committee.
6. Consider Resolution #405-17, A Resolution Modifying the Fiscal Year 2017 Consolidated Fee Schedule for City Park Reservations.
9. Mayor/Council Reports.
10. Approve Minutes from the December 20, 2016, City Council Meeting.
11. Executive Session for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205.
12. 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 December 29, 2016.
This memo briefly reviews City Code and circumstances regarding Mr. & Mrs. Sowby’s enclosed request that they be allowed to pay the former culinary water impact fee for the property located at 962 W Porter Lane.

Background

- In May of 2007, the property now owned by the Sowbys was annexed into the City as part of a 90 acre annexation. At that time, there was no water line west of 800 W on Porter Lane.
- In September of 2008, the City updated culinary impact fees for a ¾” connection (standard home) from $2,697 to $5,804.
- In 2009 the City extended a 12” water main and laterals long the west end of Porter Lane and south along 1100 W. Current records suggest that the project cost $300K, though a letter to residents along Porter suggested that the cost may have been up to $800K.
- Between July of 2009 and October of 2010, there is record of 6 property owners along the west side of Porter Lane paying the pre-2008 water impact fee of $2,697. City staff is still researching records related to this, but it is believed that the Council felt that as property owners did not previously have a water line to connect to at the former rate, they should be given a limited opportunity to do so.
- In February of 2010, a letter was sent from the City Administrator Craig Howe to property owners along the west end of Porter, setting a final deadline of June 30, 2010 to connect at the pre-2008 rate. A copy of the letter sent to the property now owned by the Sowbys is enclosed.
- In September of 2012, the property owner (Anita Lund) at 942 W Porter Lane paid the current water impact fee of $5,804.

Issues for the Council’s Consideration

In reviewing the Sowbys’ request, staff recommends that the Council consider the following issues:

- This property had the same opportunity as others to connect at the pre-2008 rates, and the owner at the time chose not to.
• A neighboring property with nearly identical circumstance (less the change in ownership) has paid the current impact fees after previously deciding not to connect in 2009/2010.

• The current City Code for impact fees (WBMC 3.22) does not provide a clear way for the Council to grant the request. The Code allows for (1) appeals based on the fees not being properly developed/instituted, (2) adjustments based on public value, and (3) deferrals for non-residential/non-commercial limited use.

If the Council finds that it would be in the community’s best interest to allow a connection at rates other than those currently in place, it should direct staff to develop a modification to the current Municipal Code that can accomplish the Council’s intent while also ensuring that others are treated fairly.

Also enclosed for the Council’s information is an e-mail outlining the terms of the current temporary water connection to the Sowbys’ property.
December 20, 2016

West Bountiful City Council,

We recently purchased and moved our family to the Lund property located at 962 Porter Lane. Historically culinary water for this property has been provided by a well (#31-4721) located near the back of the property. For a number of reasons we are interested in connecting to West Bountiful City’s culinary water system. Since the property has changed hands we are requesting to connect at the rate which the residents on west Porter Lane were offered when the city made the improvements.

Thank you in advance for your consideration.

Warmly,

[Signatures]

Mike & Tiffany Sowby
962 Porter Lane
West Bountiful, UT 84087
Re: Porter Lane Water Line Project

Mr. Lund,

West Bountiful City has extended the capacity to obtain culinary water on the west end of Porter Lane continuing on to the north end of 1100 West. In discussions with the City Council, we feel that we have offered a reasonable time frame to connect to the culinary water system. This project cost all residents of the City over $800,000.

We are willing to extend the offer of prior impact fees through June 30, 2010. After that time, the offer shall expire and you will be required to pay whatever impact fees are in effect at the time that you connect. Following is the schedule of old and current impact fees for reference. While we have no current plans to increase impact fees in the future, it is possible that they may be raised at any time by action of the council after appropriate public hearings have been held.

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Previous Fees</th>
<th>Current Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>¾”</td>
<td>$2,697</td>
<td>$5,804</td>
</tr>
<tr>
<td>1”</td>
<td>$3,784</td>
<td>$8,126</td>
</tr>
<tr>
<td>1 ¼”</td>
<td>$4,674</td>
<td>$10,448</td>
</tr>
</tbody>
</table>

The Water Connection Fees which are in addition to the impact fees have remained unchanged at:

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Water Connection Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>¾”</td>
<td>$115.00</td>
</tr>
<tr>
<td>1”</td>
<td>$150.00</td>
</tr>
<tr>
<td>1 ¼”</td>
<td>$385.00</td>
</tr>
</tbody>
</table>

We hope that this information is helpful to you as you plan for your future culinary water needs.

Best Regards,

Craig S. Howe
City Administrator
Thank you for the phone call this afternoon. A "thank you" is always appreciated.

This email is meant as a follow up to our discussions and actions earlier today. The City does not have an "official" policy for circumstances such as yours. This email will be attached to our financial entries to explain the circumstances and decisions.

The Sowby family experienced a "water emergency" this morning when they discovered that their well in the home they recently purchased could not provide them water. In short, a tank than holds an estimated 6000 gallon volume and is believed to be fed from an artesian well was empty. Water is pumped from the tank to provide water to the house. The Sowby family needed time to research their water situation to determine if it were a better choice to connect permanently to the city's municipal water system or repair/up-grade their private system. So in an effort to assist the Sowby's with temporary water the City agrees to provide a temporary water connection without requiring the payment of the typical connection fee and impact fee on the following terms:
1. A $30 connect fee is paid which is equal to the amount charged any other resident when their water service is temporarily disconnected.
2. The City collect a $50 deposit which equals the amount assessed to any new customer.
3. The Sowby's pay the amount charged to persons such as contractors who request access to water temporarily from the city which is $5 per day and $2 per 1000 gallons used.
4. The connection is for a maximum of 30 days.
5. All municipal back flow requirements must be met which include a physical disconnection from a private water source and inspected by the city public works staff.

Ben White
West Bountiful City Engineer
801.292.4486
MEMORANDUM

TO: City Council
DATE: December 28, 2016
FROM: Ben White
RE: Trails End Subdivision - A 2 lot subdivision at 528 N 660 West

Mr. Youngberg has purchased a 0.85 acre parcel of ground on the east side of 660 West. The property currently has an adobe style construction home and a number of accessory buildings. Mr. Youngberg desires to remove the old house and divide the property into two lots.

Each lot meets the minimum width and area requirements for the R-1-10 zone. The lots will contain an adequate building pad even though there is an overhead power line easement in the rear yard. The east accessory building will need to be removed since it is over the property line. Staff can work with the property owner to bring the north accessory building in compliance if it is to remain.

A public hearing was held on December 27th in a regularly scheduled Planning Commission meeting where no public comment was received. The big question discussed by the Planning Commission was what to do about curb and sidewalk. The nearest curb on the same side of the street is 900 feet away and 500 feet away on the opposite side of the street. If sidewalk were constructed, it would be a “sidewalk to nowhere.” If curb were constructed, there could be unintended drainage consequences. The Planning Commission recommended approval of the subdivision with the condition that a Deferral Agreement be recorded for the construction of curb and sidewalk at a future date.

Staff researched what other Improvement Deferral agreements might exist for properties on 660 West. County records are only available via computer beginning in 1980. Staff found one agreement post 1980 and was told of one pre-1980. Staff did not complete a search of the older county records with the exception of the Eggett Acres 7 lot subdivision constructed on the west side of 660 and south of Moss Farm in 1977. From city records, it appears there was an attempt to have a deferral agreement for that subdivision, but the agreement was not recorded, nor a note added to the recorded plat. The result is without it being recorded, there are not deferral agreements for that subdivision.

The request tonight is for Final Plat approval. The Deferral Agreement was the only condition of the Planning Commission. The only conditions staff would add is the payment of the fees for the new lot (water right fee, storm drain impact fee and the final plat fee); and providing a current title report with no objectionable entries.
WEST BOUNTIFUL CITY

RESOLUTION #404-17

A RESOLUTION APPOINTING MEMBERS TO THE WEST BOUNTIFUL CITY EMERGENCY PREPAREDNESS ADVISORY COMMITTEE

WHEREAS, the West Bountiful City Council established the Emergency Preparedness Advisory Committee by adoption of Ordinance #354-13; and,

WHEREAS, pursuant to the above referenced Ordinance, the Mayor shall appoint five (5) voting members to serve staggered terms, with the advice and consent of the City Council; and,

WHEREAS, several of the members terms are expiring and need to be re-appointed.

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City that it consents to the Mayor’s appointment of the following individuals:

<table>
<thead>
<tr>
<th>Appointee</th>
<th>Term Expires</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alan Malan</td>
<td>December 31, 2018</td>
</tr>
<tr>
<td>Charles Kettenring</td>
<td>December 31, 2018</td>
</tr>
<tr>
<td>Jason Meservy</td>
<td>December 31, 2020</td>
</tr>
<tr>
<td>Mark Larson</td>
<td>December 31, 2020</td>
</tr>
<tr>
<td>Renate Allen</td>
<td>December 31, 2020</td>
</tr>
</tbody>
</table>

EFFECTIVE DATE. This resolution shall take effect immediately upon passing.

Passed and approved by the City Council of West Bountiful City this 3rd day of January, 2017.

___________________________________
Ken Romney, Mayor

Voting by the City Council: Aye Nay
Councilmember Ahlstrom    ___   ___
Councilmember Bruhn       ___   ___
Councilmember Enquist     ___   ___
Councilmember Preece      ___   ___
Councilmember Williams    ___   ___

ATTEST:

_________________________________
Cathy Brightwell, City Recorder
TO: Mayor & Council

DATE: December 29, 2016

FROM: Duane Huffman

RE: Bowery/Amenities Reservations and Fees

Earlier this year the Council discussed adding the two boweries near the new playground as well as the baseball fields, basketball court, and volleyball court to the list of available amenities for reservation at the City Park. Making these items available for reservation would not prevent them from generally being used on a first-come-first-serve basis, but would allow for their orderly use when groups are interested in ensuring their availability.

In addition to adding items to the list of available amenities for reservation, City Staff was asked to conduct research into the reservation fees being charged for similar amenities in neighboring cities. The following table displays what was found:

<table>
<thead>
<tr>
<th>City</th>
<th>Small Bowery Half Day</th>
<th>Small Bowery Full Day</th>
<th>Large Bowery Half Day</th>
<th>Large Bowery Full Day</th>
<th>Courts/Fields</th>
</tr>
</thead>
<tbody>
<tr>
<td>WBC</td>
<td>$15</td>
<td>$25</td>
<td>$50</td>
<td>$100</td>
<td>NA</td>
</tr>
<tr>
<td>NSL</td>
<td>$15-$45</td>
<td>$25-$55</td>
<td>$100-$120</td>
<td>$200-$240</td>
<td>NA</td>
</tr>
<tr>
<td>Woods</td>
<td>$25</td>
<td>$50</td>
<td>$50</td>
<td>$100</td>
<td>NA</td>
</tr>
<tr>
<td>Centerv.</td>
<td>$25</td>
<td>$25</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
<tr>
<td>Farmington</td>
<td>$25</td>
<td>$50</td>
<td>$55 est.</td>
<td>$110 est.</td>
<td>$2-$12/hr</td>
</tr>
<tr>
<td>Kaysville</td>
<td>$30</td>
<td>$45</td>
<td>$45</td>
<td>$60</td>
<td>$11-$15/hr</td>
</tr>
<tr>
<td>Fruit Heights</td>
<td>$10/hr</td>
<td>$10/hr</td>
<td>$10/hr</td>
<td>$10/hr</td>
<td>NA</td>
</tr>
<tr>
<td>Sunset</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$10-$20/hr</td>
</tr>
<tr>
<td>Clearfield</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$15/hr</td>
</tr>
</tbody>
</table>

For the Council’s consideration at the January 3rd meeting will be a resolution that provides options for different ways to add amenities and adjust fees.
WEST BOUNTIFUL CITY

RESOLUTION #405-17

RESOLUTION MODIFYING THE FISCAL YEAR 2017
CONSOLIDATED FEE SCHEDULE FOR CITY PARK RESERVATIONS

WHEREAS, the West Bountiful City Council has previously adopted a consolidated fee schedule that list fees for the reserved use of certain amenities at the City Park; and,

WHEREAS, changes in the nature and volume of patron use of these amenities necessitate the periodic review and update of fees; and,

WHEREAS, West Bountiful City residents contribute to the capital and maintenance costs both through property taxes as well as user fees; and,

WHEREAS, the fees collected and those projected to be collected from increase from amenity reservations fall far below the costs to maintain the City Park and its amenities:

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City that the West Bountiful Consolidated Fee Schedule for Fiscal Year 2017 be modified as reflected in Option ___ of the attached Exhibit A.

EFFECTIVE DATE. The fees set forth in this resolution shall take effect on J 6, 2017.

Passed and approved by the City Council of West Bountiful City this 5th day of January, 2017.

___________________________________
Ken R. Romney, Mayor

Voting by the City Council:

<table>
<thead>
<tr>
<th>Councilmember</th>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>Councilmember Ahlstrom</td>
<td>___</td>
<td>___</td>
</tr>
<tr>
<td>Councilmember Bruhn</td>
<td>___</td>
<td>___</td>
</tr>
<tr>
<td>Councilmember Enquist</td>
<td>___</td>
<td>___</td>
</tr>
<tr>
<td>Councilmember Preece</td>
<td>___</td>
<td>___</td>
</tr>
<tr>
<td>Council member Williams</td>
<td>___</td>
<td>___</td>
</tr>
</tbody>
</table>

ATTEST:

___________________________________
Cathy Brightwell, Recorder
Resolution 405-17 Exhibit A

Option 1
Retain current fee level; add the two small boweries near the new playground to the list of available amenities for reservation.
Small Boweries: Resident $15/half day, $30/full day; Non Resident $25/half day, $40/full day.
Large Bowery: Resident $50/half day, $100/full day; Non Resident $70/half day, $120/full day.

Option 2
Retain current fee level; add the two small boweries near the new playground and baseball/volleyball/basketball facilities to the list of available amenities for reservation.
Small Boweries: Resident $15/half day, $30/full day; Non Resident $25/half day, $40/full day.
Large Bowery: Resident $50/half day, $100/full day; Non Resident $70/half day, $120/full day.
Fields/Courts: Resident $10/hour; Non Resident $20/hour.

Option 3
Adjust current non-resident fee levels; add the two small boweries near the new playground and baseball/volleyball/basketball facilities to the list of available amenities for reservation.
Small Boweries: Resident $15/half day, $30/full day; Non Resident $40/half day, $80/full day.
Large Bowery: Resident $50/half day, $100/full day; Non Resident $115/half day, $200/full day.
Fields/Courts: Resident $10/hour; Non Resident $20/hour.

Option 4
Adjust all current fee levels; add the two small boweries near the new playground and baseball/volleyball/basketball facilities to the list of available amenities for reservation.
Small Boweries: Resident $25/half day, $50/full day; Non Resident $40/half day, $80/full day.
Large Bowery: Resident $80/half day, $160/full day; Non Resident $115/half day, $200/full day.
Fields/Courts: Resident $10/hour; Non Resident $20/hour.

Option 5
Adjust all current fee levels creating weekend pricing; add the two small boweries near the new playground and baseball/volleyball/basketball facilities to the list of available amenities for reservation.
Mon-Thur Small Boweries: Resident $15/half day, $30/full day; Non Resident $25/half day, $40/full day.
Fri-Sun Small Boweries: Resident $25/half day, $50/full day; Non Resident $40/half day, $80/full day.
Mon-Thur Large Bowery: Resident $50/half day, $100/full day; Non Resident $70/half day, $120/full day.
Fri-Sun Large Bowery: Resident $80/half day, $160/full day; Non Resident $115/half day, $200/full day.
Fields/Courts: Resident $10/hour; Non Resident $20/hour.
Postings of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website and the West Bountiful City website on December 23, 2016 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, December 27, 2016, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Vice Chairman Terry Turner, Alan Malan, Mike Cottle, and Andy Williams (Councilmember).

MEMBERS/STAFF EXCUSED: Laura Charchenko, Corey Sweat

STAFF PRESENT: Ben White (City Engineer), Cathy Brightwell (Recorder) and Debbie McKean (secretary)

VISITORS: Mike Youngberg

The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Denis Hopkinson. Chairman Denis Hopkinson offered a prayer.

1. Accept Agenda

Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented. Terry Turner seconded the motion. Voting was unanimous in favor among members present.


ACTION TAKEN:

Terry Turner moved to open the public hearing at 7:35 pm to receive comment a proposed 2-Lots Subdivision at 528 North 660 West Designated as Trail’s End Subdivision.
Mike Cottle seconded the motion and voting was unanimous in favor among those present to vote.

Public Comment:

- No Public Comment

ACTION TAKEN:

Mike Cottle moved to close the public hearing at 7:36 pm. Alan Malan seconded the motion and voting was unanimous in favor among those present to vote.

3. Consider Proposed 2-Lot Subdivision for Mike Youngberg at 528 N 660 West designated as Trails End Subdivision.

Commissioner packets included a memorandum from Ben White dated December 22, 2016 regarding Trails End Subdivision at 528 N 660 West, and a plat.

Ben White explained that it is a simple 2 lot subdivision and meets all requirements for the R-10 zone. Curb and sidewalk need to be considered. Mr. White searched county records back to 1980 and found one property to have a deferral agreement on the opposite side of the street. There may be others that predate 1980.

Mike Youngberg was invited to take the stand. He purchased the property and desires to clean it up. He wants to do something to clean up the edge the property along the road but feels like the curb, gutter and sidewalk may push water to places that it would not be desired like the abutting neighbors property.

Alan Malan feels like a deferral agreement should be put into place regarding curb, gutter, and sidewalk. Councilmember Williams agreed with Mr. Malan.

Terry Turner inquired about which accessory dwelling units will be taken down and which will remain standing. The house will definitely come down and the one that abuts the Railroad property because it does not meet code. He is not sure about the other buildings at this point. Mr. Turner felt the same as the other Commissioners regarding the curb, gutter and sidewalk on this property.

Mike Cottle does not feel that it should be required to put in the curb, gutter and sidewalk but if Mr. Youngberg would like to do so he should be able to. He does not want to cause problems for the abutting neighbors so he would like Mr. Youngberg to take all that into consideration. Mr. Youngberg agreed and will work closely with Ben White.

Mr. White explained some of the issues regarding deferral agreements and the likelihood of ever being able to activate them in the future.
ACTION TAKEN:

Alan Malan moved to forward to city council a recommendation to approve the final plat for the 2-lot Lot Subdivision for Mike Youngberg at 528 N 660 West designated as Trail’s End Subdivision with the following condition that a deferral agreement to install curb, gutter and sidewalk in the future as city conditions permit and that it be recorded on the plat. Mike Cottle seconded the motion and voting was unanimous in favor among those present to vote.


ACTION TAKEN:

Alan Malan moved to open the public hearing at 7:58 pm to receive comments on Proposed Changes in Title 17 for Yards and Fences in Residential Districts. Mike Cottle seconded the motion and voting was unanimous in favor among those present to vote.

PUBLIC COMMENT: None

ACTION TAKEN:

Mike Cottle moved to close the public hearing at 7:59 pm. Alan Malan seconded the motion and voting was unanimous in favor among those present to vote.

5. Consider Proposed Changes in Title 17 for Yards and Fences in Residential Districts.

Ben White noted that definition for “hedge” has been removed and will be dealt with on individual cases. He added that per earlier discussions language has been added regarding accessory buildings being limited to a height of 9 feet and size of 200 square feet within a street side yard.

Some discussion took place regarding language in Street Side Yards. It was decided to reword the last sentence in that section.

All Commissioners reviewed and sustained the changes that were proposed.

ACTION TAKEN:

Alan Malan moved to forward the proposed changes in Title 17 for Yards and Fences in Residential Districts to the City Council for their review and final approval after Staff sends a final draft of changes discussed. Mike Cottle seconded the motion and voting was unanimous in favor.
6. Staff Report:

Ben White:

- Ovation Homes will be coming before them in the next little while.
- Questar will be coming through our city and disrupting several areas this coming year.
- We have a rezone request from Hamlet Homes for a 25 acre piece of land on the northwest side of our city. A public hearing is scheduled for the next Commission meeting.
- UDOT will be patching up the remaining open areas of 400 North with asphalt until spring when they will replace it with cement.

7. Approval of Minutes of dated December 13, 2016

ACTION TAKEN:

Mike Cottle moved to approve of the minutes dated December 13, 2016 as presented. Terry Turner seconded the motion and voting was 3 in favor and 1 opposed.

8. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:25 pm. Terry Turner seconded the motion. Voting was unanimous in favor.

The foregoing was approved by the West Bountiful City Planning Commission on January 10, 2016, by unanimous vote of all members present.

_______________________________
Cathy Brightwell – City Recorder
Minutes of the West Bountiful City Council meeting held on Wednesday, December 20, 2016 at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

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

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

GUESTS: Alan Malan, Mike Sowby, James Booth, Karl & Stephen & Carolyn Scheese, Delwid Scheese, Clint Christoffersen, Kaydee McVay, Libbie Butterfield, Ben & Rachel Scheese, Mark James

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

Invocation/Thought – Mark Preece offered a prayer; James Bruhn led the Pledge of Allegiance.

1. Accept Agenda.

MOTION: James Ahlstrom Moved to Accept the Agenda as Posted. James Bruhn Seconded the Motion which PASSED by Unanimous Vote of all Members Present.

2. Swearing In of Spencer Scheese as West Bountiful Police Officer.

Mayor Romney introduced Officer Scheese and administered to him the Oath of Office.

3. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).

Mike Sowby, 962 Porter Lane, said that the purpose of his comments is, first, to thank Ben White and anyone else who was involved in helping his family with their recent water emergency. After moving into their new home they ran out of water in their well and the City stepped up with a temporary solution. Now, he said, they are in the process of finding a long term solution. He has asked to be on the agenda at the January 3rd city council meeting for consideration regarding a water connection at the old impact fee rate that was offered to neighbors on that street. If full current impact fees are required, he will need to look at other options including rehabilitation of his well.
4. Consider Acceptance of Annexation Petition by Al and Candice Jones For Their Property at Approximately 161 North 1450 West.

Ben gave a brief summary of the issue. The Jones’ purchased the property many months ago and requested annexation to the City. Planning commission held a public hearing to see if neighboring property owners wanted to join in the annexation. Because neighboring property owners were not interested or could not convince family members to go along, at this point the Annexation Petition is limited to the Jones’ property.

MOTION: Andy Williams Moved to Accept the Annexation Petition Described Above. James Bruhn Seconded the Motion which PASSED.

The vote was recorded as follows:
   James Ahlstrom – Aye
   James Bruhn – Aye
   Kelly Enquist – Aye
   Mark Preece – Aye
   Andy Williams – Aye

5. Consider Culinary Water Impact Fee Deferral Agreement for Don and Dorothy Zesiger for Property at 991 West 400 North.

MOTION: James Bruhn made a Motion to Approve the Culinary Water Impact Fee Deferral Agreement as described above. James Ahlstrom seconded the Motion which passed by unanimous vote of all members present.

6. Consider Purchase Approval for Two Police Vehicles for a Total of $25,700.

MOTION: James Ahlstrom made a motion to approve the purchase of two police vehicles as described above, noting that they were previously approved in this year’s budget. Mark Preece seconded the Motion which passed by unanimous votes of all members present.

7. Consider Bid Award for Golf Course Fence Project to Vinyl Industries for $24,374.

This project consists of installing three rail vinyl fencing along the golf course frontage for 1200 North and the east and west sides of 1100 West. Vinyl Industries submitted the lowest bid; the approved budget amount was $30,000. Duane Huffman commented that this approval deals only with the contract for Vinyl Industries, but we will need to spend more
on the project to attach material similar to chicken wire to the fence to prevent golf balls from going through in certain areas.

**MOTION:** *Kelly Enquist made a Motion to Award the Golf Course Fence Project to Vinyl Industries for the Golf Course Fence project in the amount of $24,374. Andy Williams seconded the Motion which passed by unanimous.*

8. **Consider Resolution 403-16, A Resolution Adopting the November 2016 Water Conservation Plan Update for West Bountiful City.**

**MOTION:** *Mark Preece made a Motion to Adopt Resolution 403-16 as described above. James Ahlstrom seconded the Motion which passed.*

The vote was recorded as follows:
- James Ahlstrom – Aye
- James Bruhn – Aye
- Kelly Enquist – Aye
- Mark Preece – Aye
- Andy Williams – Aye

9. **Police Report.**

Chief Hixson referred to his monthly report included in the meeting packet. He reported that Officer Spencer Scheese started yesterday so the Department is now at full staff, though Officer Scheese will be in field training for three months. He also reported that the December EmPAC meeting is canceled for the holidays.

Council member Williams asked the Chief if he had details about the garage fire on 725 West. Chief Hixson responded that the cause of the fire appears to be from a small space heater.

10. **Public Works/Engineering Report**

Steve Maughan reported that his crew has been through the entire city trimming trees that interfere with city snow plows. He said most residents were cooperative.

Ben White reported that the planning commission will hold a public hearing next week for a 2-lot subdivision for Mike Youngberg on 660 West. The existing home will be demolished.
He also mentioned that the old Woods home in front of Wood Haven on 500 South was demolished.


Duane Huffman reminded Council that the city offices will be closed the next two Mondays for the Christmas and New Year’s holidays.

He also commented that the press release on upgrading the City’s Fitch rating may not have a huge impact but could be favorable as we look at refinancing our bonds. The article gave a good summary of the City’s financial history over the last 6-7 years.

12. Mayor/Council Reports.

Kelly Enquist – No report.

Andy Williams – No report.

James Bruhn thanked staff for all the work they’ve done this year and wished everyone a Merry Christmas.

Mark Preece commented that the Staff Christmas party was great and thanked Mr. Huffman for doing a good job with it.

James Ahlstrom – No report.

Mayor Romney thanked staff and Council for their hard work and making this a good year.

13. Approve Minutes from the December 6, 2016, City Council Meeting.

MOTION: James Ahlstrom Moved to Approve the Minutes as presented. Andy Williams seconded the Motion which PASSED by Unanimous Vote of All Members Present.
14a. Executive Session For The Purpose of Discussing Pending Litigation Pursuant to Utah Code Annotated, 52-4-205 (c).

*MOTION:* James Ahlstrom Moved to Go Into Executive Session in the Police Training Room for the Purpose of Discussing Pending Litigation. Mark Preece seconded the Motion which passed.

The vote was recorded as follows:
- James Ahlstrom – Aye
- James Bruhn – Aye
- Kelly Enquist – Aye
- Mark Preece – Aye
- Andy Williams – Aye

*MOTION:* Kelly Enquist Moved to close the Executive Session. James Bruhn seconded the motion which passed by unanimous vote of all members present.

14b. Executive Session For The Purpose of Discussing The Competence, or Physical or Mental Health of an Individual Pursuant to Utah Code Annotated, 52-4-205(a).

*MOTION:* James Ahlstrom Moved to go into Executive Session in the Police Training Room for the Purpose of Discussing the character, professional competence, or physical or mental health of an individual. Andy Williams seconded the Motion which failed with a vote of 3-2.

The vote was recorded as follows:
- James Ahlstrom – Aye
- James Bruhn – Nay
- Kelly Enquist – Nay
- Mark Preece – Aye
- Andy Williams – Aye

*MOTION:* James Ahlstrom made a Motion to go into Executive Session for the Purpose of Discussing the character, professional competence, or physical or mental health of an individual clarifying that no direction will be provided tonight. Mark Preece seconded the Motion which passed.
The vote was recorded as follows:
James Ahlstrom – Aye
James Bruhn – Aye
Kelly Enquist – Aye
Mark Preece – Aye
Andy Williams – Aye

**MOTION:** James Bruhn Moved to close the Executive Session. James Ahlstrom seconded the motion which passed by unanimous vote of all members present.

15. Adjourn.

**MOTION:** James Ahlstrom moved to adjourn this meeting of the West Bountiful City Council at 9:40 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, January 3, 2017.

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Cathy Brightwell (City Recorder)