

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

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

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

City Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD
ITS REGULAR MEETING AT 7:30 PM, ON TUESDAY,
JANUARY 3, 2017, AT 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 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.
7. Public Works/Engineer Report.
8. Administrative Report.
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.

MEMORANDUM



TO: Mayor & Council

DATE: December 29, 2016

FROM: Staff

RE: **Request from Mike and Tiffany Sowby for Former Water Impact Fee Rate**

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,

A handwritten signature in black ink, appearing to read "Mike Sowby". The signature is fluid and cursive, with a long horizontal stroke at the end.A handwritten signature in black ink, appearing to read "Tiffany Sowby". The signature is cursive and elegant, with a large loop at the end.

Mike & Tiffany Sowby

962 Porter Lane

West Bountiful, UT 84087

Mayor
Kenneth Romney

City Council
John Baza
George Biada
James Bruhn
Mark Procecc
Valerie Shaw

West Bountiful City

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355

City Administrator
Craig Howe

City Engineer
Ben White

City Recorder / Auditor
Heidi Voordeckers

City Treasurer
Mindi Tullis

Chief of Police
Randy W. Lloyd

Thomas G. Lund III
962 W Porter Lane
West Bountiful, Utah 84087-2403

February 25, 2010

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.

Impact Fees

| Meter Size | Previous Fees | Current Fees |
|------------|---------------|--------------|
| ¾" | \$2,697 | \$5,804 |
| 1" | \$3,784 | \$8,126 |
| 1 ½" | \$4,674 | \$10,448 |

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

| | |
|------|----------|
| ¾" | \$115.00 |
| 1" | \$150.00 |
| 1 ½" | \$385.00 |

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

From: Ben White
To: ["Mike Sowby"](#)
Cc: [Mindi Tullis](#)
Subject: Temporary Water Use
Date: Monday, December 05, 2016 4:34:00 PM

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 that 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.

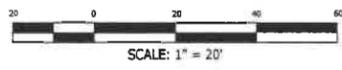
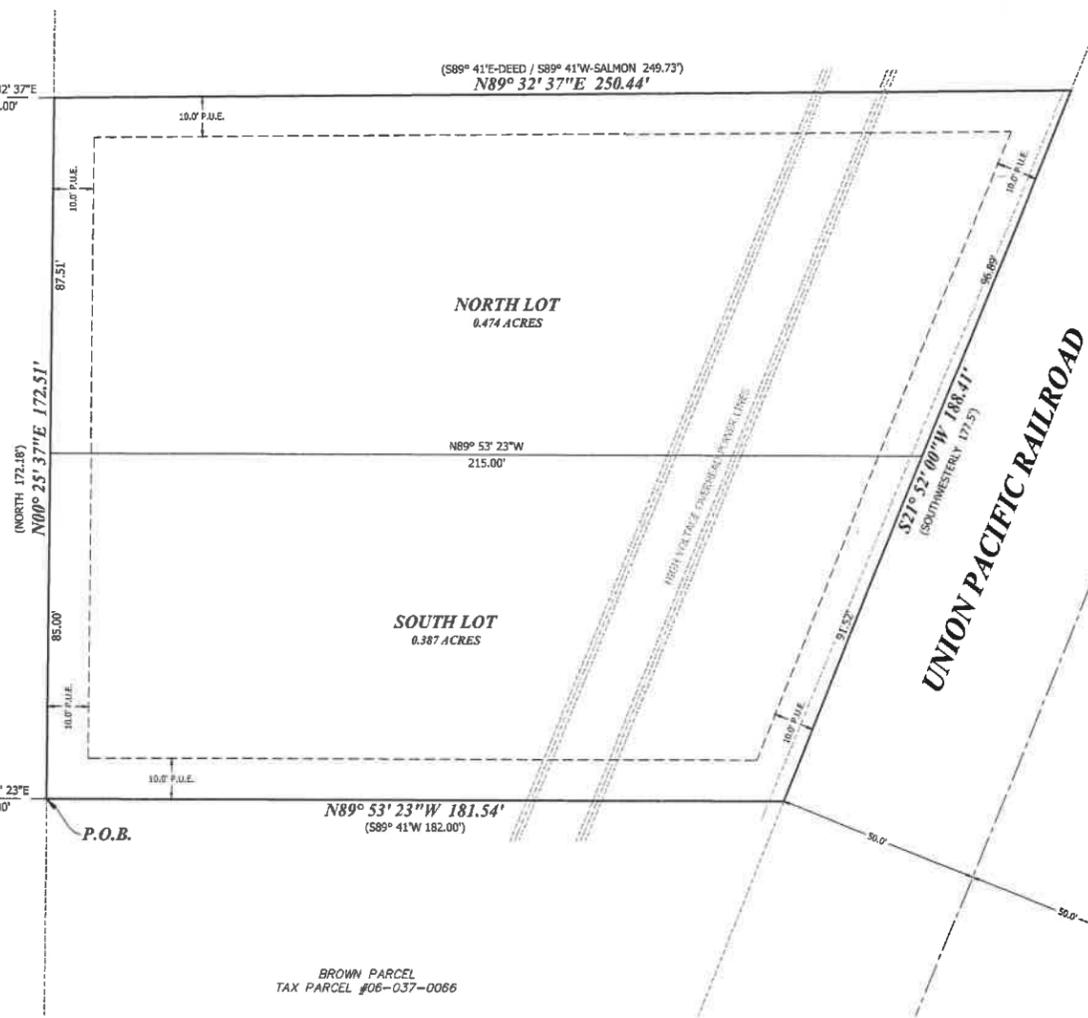
The request tonight is for Final Plat approval. The Deferral Agreement was the only condition of the Planning Commission. The only conditions staff would add is the payment of the fees for the new lot (water right fee, storm drain impact fee and the final plat fee); and providing a current title report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

MIKE YOUNGBERG SUBDIVISION

528 NORTH 660 WEST, TAX PARCEL # 06-037-0102
 LOCATED IN THE NORTHWEST 1/4 OF SECTION 24, T.2N., R.1W., S.L.B.&M.
 WEST BOUNTIFUL CITY, DAVIS COUNTY, UTAH
 DECEMBER 2016

CURVE P1 IN 660 WEST STREET,
 FOUND MONUMENT

660 WEST STREET



SURVEYOR'S CERTIFICATE

I, VON R. HILL, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 166385 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT, BY THE AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THE PLAT AND DESCRIBED BELOW, AND THAT I HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER TO BE KNOWN AS:

MIKE YOUNGBERG SUBDIVISION

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

VON R. HILL, UTAH PLS# 166385
 H&A ENTELLUS

BOUNDARY DESCRIPTION

ANY AND ALL INTEREST BEGINNING ON THE EAST LINE OF 660 WEST STREET, A 50 FOOT STREET, AT A POINT NORTH 24 RODS, WEST 90 RODS AND NORTH 402 FEET FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, WEST BOUNTIFUL, UTAH, AND RUNNING THENCE NORTH ALONG SAID STREET 172.18 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF PROPERTY CONVEYED IN 298-642, DAVIS COUNTY RECORDS; THENCE SOUTH 89°41' EAST 249.73 FEET TO A RAILROAD RIGHT OF WAY; THENCE SOUTHWESTERLY ALONG SAID RIGHT OF WAY 177.5 FEET, MORE OR LESS, TO A POINT NORTH 89°41' EAST OF POINT OF BEGINNING; THENCE SOUTH 89°41' WEST 182 FEET, MORE OR LESS TO POINT OF BEGINNING.

ALSO BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF 660 WEST STREET, SAID POINT BEING SOUTH 89°54'54" WEST 134.85 FEET ALONG THE SECTION LINE TO THE CENTER LINE OF 500 WEST STREET AND NORTH 00°11'46" WEST 396.06 FEET ALONG SAID CENTER LINE TO THE CENTER LINE MONUMENT AT THE INTERSECTION OF 500 WEST STREET AND 400 NORTH STREET AND SOUTH 89°23'45" WEST 1380.84 FEET TO THE CENTER LINE MONUMENT AT THE INTERSECTION OF 400 NORTH STREET AND 660 WEST STREET AND NORTH 00°25'37" EAST 402.27 FEET ALONG THE CENTERLINE OF 660 WEST STREET AND SOUTH 89°53'23" EAST 25.00 FEET FROM THE EAST QUARTER CORNER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, DAVIS COUNTY, UTAH, AND RUNNING THENCE NORTH 00°25'37" EAST 172.51 FEET ALONG SAID EAST LINE TO THE SOUTHWEST CORNER OF THE PROPERTY CONVEYED IN BOOK 298 AT PAGE 642, DAVIS COUNTY RECORDER'S OFFICE; THENCE NORTH 89°23'23" EAST 250.44 FEET ALONG THE SOUTH LINE OF SAID PROPERTY TO THE NORTHWESTERLY RIGHT OF WAY OF A RAIL ROAD; THENCE SOUTH 21°52'00" WEST 188.41 FEET ALONG SAID RAILROAD RIGHT OF WAY; THENCE NORTH 89°53'23" WEST 181.54 FEET TO THE EAST LINE OF 660 WEST STREET AND TO THE POINT OF BEGINNING, CONTAINS 0.860 ACRES.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS

MIKE YOUNGBERG SUBDIVISION

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT AND DEFEND AND SAVE THE CITY, HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, MAINTENANCE, AND OPERATION OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN FOR THE USE BY ALL SUPPLIERS OF UTILITY OR OTHER NECESSARY SERVICES.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND THIS ____ DAY OF _____, 20__.

MIKE YOUNGBERG

ACKNOWLEDGEMENT

ON THIS ____ DAY OF _____, 20__, THERE APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, MIKE YOUNGBERG, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

NOTARY PUBLIC: _____

RESIDENCE: _____

MY COMMISSION EXPIRES: _____

LEGEND

- PROPERTY LINE
- INTERIOR LOT LINE
- ADJACENT PROPERTY
- ROAD CENTERLINE
- SECTION LINE
- TIE TO MONUMENT

RECORD CALLS ()

SET 5/8" REBAR WITH H&A ENTELLUS CAP, LS #166385, AT CORNER (UNLESS OTHERWISE NOTED)

FOUND PROPERTY MARKER (AS NOTED)

BROWN PARCEL
 TAX PARCEL #06-037-0066

400 NORTH STREET

500 WEST STREET

EAST 1/4 CORNER, SEC. 24,
 T.2N. R.1W., S.L.B.&M.
 (CALCULATED FROM W.B. MON. PLAT)

NOTES:
 1. THERE IS A 10.0-FOOT PUBLIC UTILITY EASEMENT (P.U.E.) ALONG THE EXTERIOR SUBDIVISION BOUNDARY, AS SHOWN.



181 North 200 West, Suite #4
 Bountiful, Utah 84010
 Phone 801-298-2236

RECOMMENDED FOR APPROVAL
 APPROVED THIS ____ DAY OF _____, 20__
 WEST BOUNTIFUL CITY ENGINEER

RECOMMENDED FOR APPROVAL
 APPROVED THIS ____ DAY OF _____, 20__ BY
 THE PLANNING COMMISSION OF WEST BOUNTIFUL CITY.
 CHAIRMAN

RECOMMENDED FOR APPROVAL
 APPROVED THIS ____ DAY OF _____, 20__
 WEST BOUNTIFUL CITY ATTORNEY

WEST BOUNTIFUL CITY COUNCIL
 APPROVED THIS ____ DAY OF _____, 20__ BY
 THE WEST BOUNTIFUL CITY COUNCIL.
 CITY RECORDER ATTEST: _____
 MAYOR: _____

DAVIS COUNTY RECORDER
 ENTRY NO. _____ FEE PAID _____
 FILED FOR RECORD AND RECORDED THIS ____ DAY OF _____
 20__, AT _____ IN BOOK _____ OF _____
 COUNTY RECORDER _____
 BY _____

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:

| <u>Appointee</u> | <u>Term Expires</u> |
|--------------------|---------------------|
| Alan Malan | December 31, 2018 |
| Charles Kettenring | December 31, 2018 |
| Jason Meservy | December 31, 2020 |
| Mark Larson | December 31, 2020 |
| Renate Allen | December 31, 2020 |

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

| <u>Voting by the City Council:</u> | <u>Aye</u> | <u>Nay</u> |
|------------------------------------|------------|------------|
| Councilmember Ahlstrom | _____ | _____ |
| Councilmember Bruhn | _____ | _____ |
| Councilmember Enquist | _____ | _____ |
| Councilmember Preece | _____ | _____ |
| Councilmember Williams | _____ | _____ |

ATTEST:

Cathy Brightwell, City Recorder

MEMORANDUM



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:

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

For the Council's consideration at the January 3th meeting will be a resolution that provides options for different ways to add amenities and adjust fees.

WEST BOUNTIFUL CITY

RESOLUTION #405-17

**A 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: | <u>Aye</u> | <u>Nay</u> |
| Councilmember Ahlstrom | _____ | _____ |
| Councilmember Bruhn | _____ | _____ |
| Councilmember Enquist | _____ | _____ |
| Councilmember Preece | _____ | _____ |
| Council member Williams | _____ | _____ |

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.

1 **West Bountiful City** **PENDING** **December 27, 2016**
 2 **Planning Commission**

3

4 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice
 5 website and the West Bountiful City website on December 23, 2016 per state statutory
 6 requirement.

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

9

10 **Those in Attendance:**

11

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

15

16 **MEMBERS/STAFF EXCUSED:** Laura Charchenko, Corey Sweat

17

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

20

21 **VISITORS:** Mike Youngberg

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

24 **1. Accept Agenda**

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

28

29 **2. Public Hearing to Receive Comments on a Proposed 2-Lots Subdivision at 528 North**
 30 **660 West Designated as Trail's End Subdivision.**

31 **ACTION TAKEN:**

32 **Terry Turner moved to open the public hearing at 7:35 pm to receive comment a**
 33 **proposed 2-Lots Subdivision at 528 North 660 West Designated as Trail's End Subdivision.**

34 **Mike Cottle seconded the motion and voting was unanimous in favor among those present to**
35 **vote.**

36 **Public Comment:**

- 37 • No Public Comment

38 **ACTION TAKEN:**

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

41

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

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

46 Ben White explained that it is a simple 2 lot subdivision and meets all requirements for the
47 R-10 zone. Curb and sidewalk need to be considered. Mr. White searched county records back to
48 1980 and found one property to have a deferral agreement on the opposite side of the street. There
49 may be others that predate 1980.

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

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

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

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

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

67 **ACTION TAKEN:**

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

74

75 **4. Public Hearing to Receive Comments on Proposed Changes in Title 17 for Yards and**
76 **Fences in Residential Districts.**

77 **ACTION TAKEN:**

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

81 **PUBLIC COMMENT:** None

82 **ACTION TAKEN:**

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

85

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

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

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

93 All Commissioners reviewed and sustained the changes that were proposed.

94 **ACTION TAKEN:**

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

99 **6. Staff Report:**

100 **Ben White:**

- 101 • Ovation Homes will be coming before them in the next little while.
- 102 • Questar will be coming through our city and disrupting several areas this coming year.
- 103 • We have a rezone request from Hamlet Homes for a 25 acre piece of land on the northwest
- 104 side of our city. A public hearing is scheduled for the next Commission meeting.
- 105 • UDOT will be patching up the remaining open areas of 400 North with asphalt until spring
- 106 when they will replace it with cement.
- 107

108 **7. Approval of Minutes of dated December 13, 2016**

109

110 **ACTION TAKEN:**

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

113

114 **8. Adjournment**

115

116 **ACTION TAKEN:**

117 *Alan Malan moved to adjourn the regular session of the Planning Commission meeting at*
118 *8:25 pm. Terry Turner seconded the motion. Voting was unanimous in favor.*

119

120

121

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

124 _____

125 Cathy Brightwell – City Recorder

126

127

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.

11. Administrative Report (Duane Huffman).

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.

Cathy Brightwell (City Recorder)