

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,
FEBRUARY 21, 2017, AT CITY HALL, 550 N 800 WEST**

Invocation/Thought –Andy Williams; Pledge of Allegiance – Kelly Enquist

1. Accept Agenda.
2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).
3. Consider Ordinance 386-17, An Ordinance Amending the Zoning Map, and Annexing Certain Real Property and Extending the Corporate Limits of West Bountiful City.
4. Discuss issues related to potential cell tower at Jessi's Meadow Park.
5. Consider Resolution 408-17, A Resolution Approving the Amendment to the 2016 Interlocal Cooperation Agreement Between Davis County and the City of West Bountiful for Animal Control Services.
6. Consider Ordinance 387-17, An Ordinance Amending the Government Records Access and Management Provisions of the West Bountiful Municipal Code.
7. Consider Ordinance 388-17, an Ordinance Modifying Timeframes for Recording Subdivisions.
8. Consider Ordinance 389-16, An Ordinance Amending WBMC Title 17 Related to Residential Setback and Fencing Regulations.
9. Consider tentative adoption of 1st Amendment to the Fiscal Year 2016/2017 Budget and Set Public Hearing.
10. Police Report.
11. Public Works/Engineer Report.
12. Administrative Report.
13. Mayor/Council Reports.
14. Approve Minutes from the February 7, 2017 Meeting.

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 February 16, 2017.

MEMORANDUM



TO: Mayor and City Council

DATE: December 14, 2016

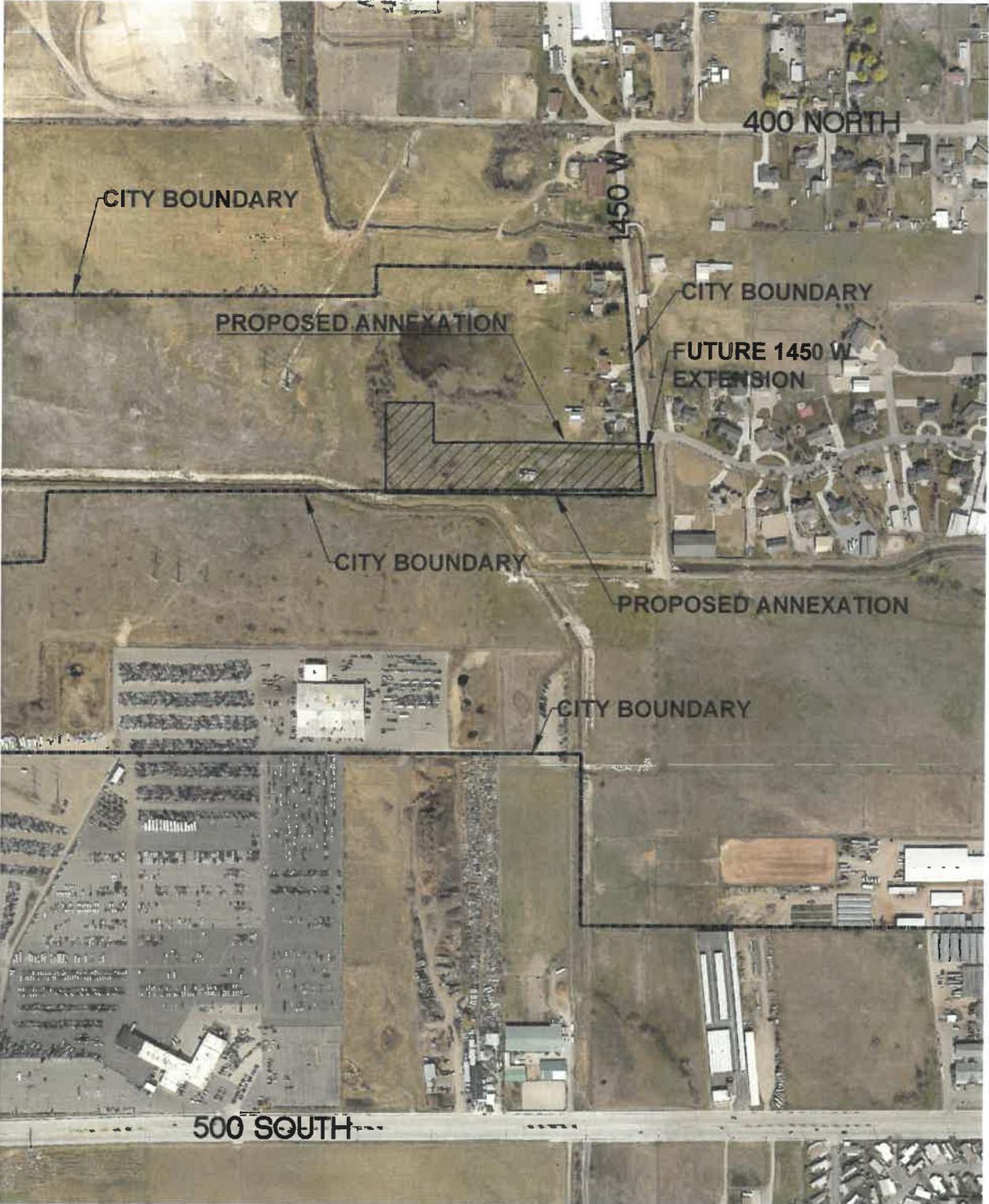
FROM: Ben White

RE: Approximately 161 N 1450 West Annexation Petition

Al and Candice Jones filed an Intent to Annex with the City on August 30th. Staff proceeded to prepare and distribute notices to all affected parties which included all property owners who own property along 1450 West, nearby owners in Mill Creek Meadows subdivision and property owners of undeveloped property to the south. A public hearing was held with the Planning Commission on October 11th to provide a forum for affected parties to ask questions and obtain additional information. The Devereaux family considered annexing, but ultimately decided to wait. So the annexation is for the Jones' 5 acre parcel only.

The Jones' parcel is south and west of the 1450 West Millbridge Lane intersection. It is contiguous to the current city boundary on the south and the east as shown on the attached exhibits.

In December, the City Council accepted the Annexation Petition. The City did not receive any objections to the annexation during the public comment period following the petition acceptance. The annexation requirements outlined in Utah State Code 10-2-406 annotated have been fulfilled. The City Council may now take formal action to annex the property.



1450 WEST ANNEXATION

WEST BOUNTIFUL CITY

ORDINANCE #386-17

AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP, ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE LIMITS OF WEST BOUNTIFUL CITY, UTAH

WHEREAS, a Annexation Petition was received from Albert and Candice Jones for their property located at approximately 161 North 1450 West; and

WHEREAS, the real property consists of approximately 4.61 acres and lies contiguous to the corporate boundaries of West Bountiful; and

WHEREAS, on October 11, 2016, the Planning Commission held a public hearing and determined that it was in the best interest of the community to annex the described parcels; and

WHEREAS, the City Council received notice of Certification of the Petition on January 9, 2017; and

WHEREAS, the City Recorder caused Public Notice to be published once a week for three consecutive weeks in the Davis County Clipper beginning January 12, 2017; and

WHEREAS, the City did not receive written protests to the annexation, which covered a majority of the total private land area within the entire area proposed for annexation, properties within 300 feet of the property, and affected entities.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT PURSUANT TO UTAH CODE 10-2-416,

1. The Real Property, which is more particularly describe in Paragraph 2, below is hereby annexed to West Bountiful, Utah and the corporate limits of West Bountiful, Utah are hereby extended accordingly.
2. The Real Property is described as follows:
06-033-0061

BEGINNING AT A POINT ON THE EXISTING LIMITS OF WEST BOUNTIFUL CITY, SAID POINT BEING SOUTH 00°05'15" WEST 1207.14 FEET ALONG SECTION LINE AND NORTH 88°20'15" EAST 441.87 FEET AND NORTH 02°15'15" EAST 260.04 FEET AND SOUTH 89°19'45" EAST 1214.36 FEET FROM THE WEST QUARTER CORNER OF SECTION 23, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 89°19'45" EAST 924.08 FEET ALONG THE EXISTING LIMITS OF WEST BOUNTIFUL CITY TO THE WESTERLY RIGHT-OF-WAY LINE OF 1450 WEST STREET; THENCE NORTH 05°02'19" WEST 194.09 FEET ALONG SAID WESTERLY LINE AND EXISTING LIMITS;
THENCE NORTH 89°22'00" WEST 729.96 FEET;
THENCE NORTH 00°05'15" EAST 137.19 FEET;
THENCE NORTH 89°16'45" WEST 176.76 FEET;
THENCE SOUTH 00°05'15" WEST 330.00 FEET TO THE POINT OF BEGINNING.
(BASIS OF BEARING IS NORTH 89°50'50" EAST 2636.24 FEET BETWEEN SAID WEST QUARTER CORNER AND THE CENTER OF SAID SECTION 23), CONTAINS 4.610 ACRES.

3. The zoning map of West Bountiful City shall be amended to include the Real Property as described in Paragraph 2, above as shown on Exhibit A.
4. The Real Property described in Paragraph 2, above, shall be classified as being in the Blended Use District in accordance with the provisions of Title 17 of the West Bountiful Municipal Code.
5. All uses existing within the annexation area that are considered to be legally conforming to Davis County's current zoning and regulations are considered to be illegally non-conforming to West Bountiful City's BU and restrictions and regulations.
6. All uses existing within the annexation area that are considered to be illegally non-conforming to Davis County current zoning restrictions and regulations are considered to be illegally non-conforming to West Bountiful City's BU and restrictions and regulations and continued enforcement of the non-conforming action will be pursued.
7. A certified copy of this Ordinance and an original plat setting forth the property so annexed shall be filed with the County Recorder of Davis County, Utah by the City Recorder.

This ordinance will become effective upon signing and posting.

Adopted this 21st day of February, 2017.

By:

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

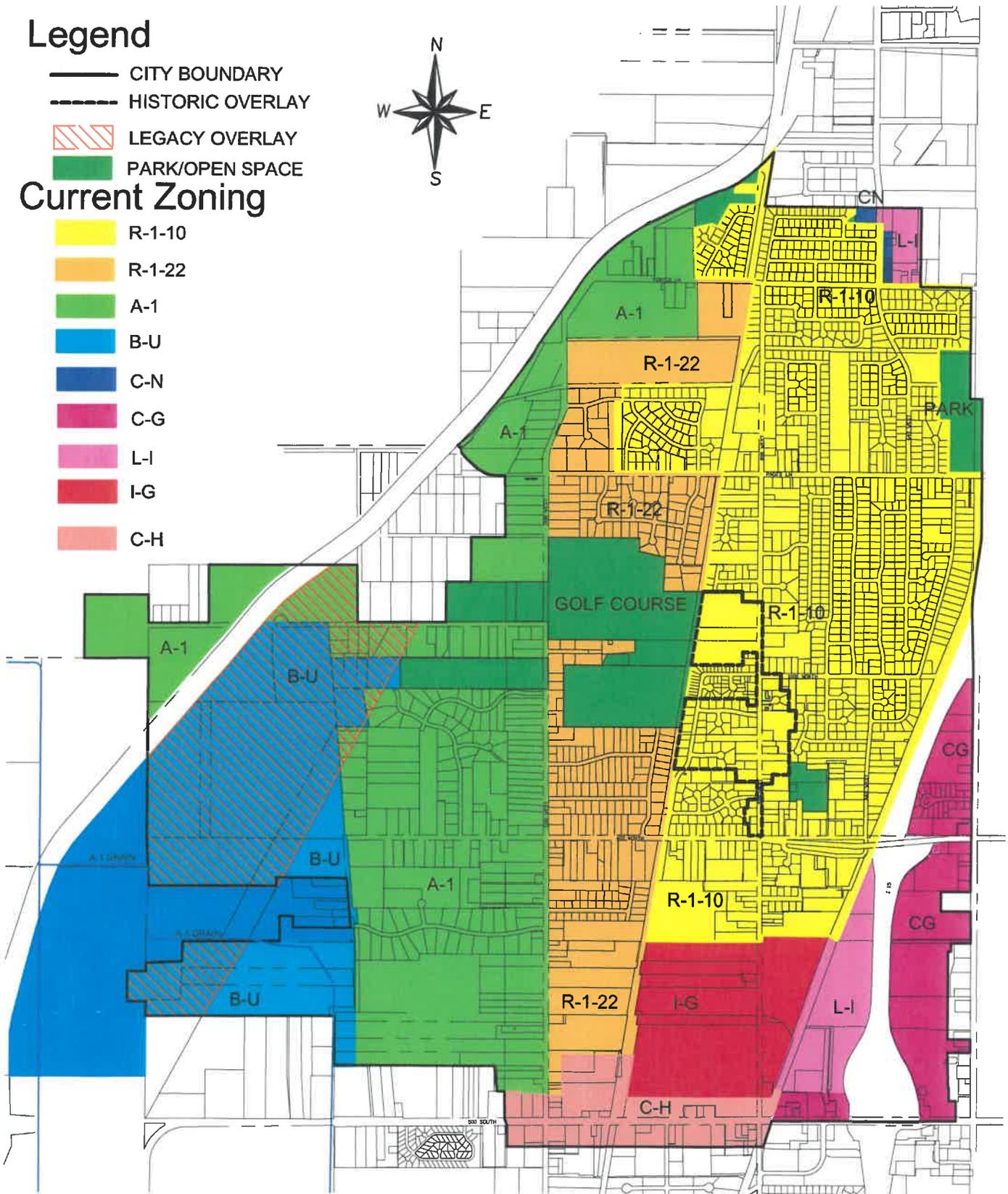
WEST BOUNTIFUL CURRENT ZONING MAP

Legend

-  CITY BOUNDARY
-  HISTORIC OVERLAY
-  LEGACY OVERLAY
-  PARK/OPEN SPACE

Current Zoning

-  R-1-10
-  R-1-22
-  A-1
-  B-U
-  C-N
-  C-G
-  L-I
-  I-G
-  C-H



MEMORANDUM



TO: Mayor and City Council

DATE: February 16, 2017

FROM: Duane Huffman

RE: **Cell Phone Tower – Jessi’s Meadows Park**

This memo summarizes issues related to a proposed cell phone tower at the undeveloped Jessi’s Meadow Park. Staff believes that negotiations with Verizon are now to the point where an agreement can be drafted for the Council’s consideration, but before doing that, it is important for the Council to provide input on the following areas: (A.) Location, (B.) Height, and (C.) Revenues.

Background

West Bountiful City was contacted by a firm representing Verizon in late 2015 concerning the potential of locating a cell phone tower on city property off 1200 N. Staff and our consultants believe that Verizon is attempting to build capacity to better serve Legacy Parkway and expected future development. Verizon is limited in their location options in this area based on: City Code requiring them to locate first on city property if possible, wetlands, and high-voltage power lines. An illustration of the facility that Verizon would like to construct is attached as exhibit 1.

Location

Rather than the City-owned property off 1200 N, Staff recommends that the tower be located on the undeveloped Jessi’s Meadow Park and be accessed through the West Yard. This location will meet Verizon’s requirements, and will leave the remaining property open for future use and development. Cell towers are common in public parks if in the future the City further develops the Jessi’s Meadow Park. Exhibit 2 displays the proposed location.

Height

In working with a national cell tower consultant, the City believes that additional carriers have a need or will soon have a need to also add capacity in this area. For this reason, Staff recommends that the Council consider allowing a tower up to 120’ in height at this location. Verizon is currently seeking a 100’ tower, which at most would allow for one additional carrier. If this tower is built at 100’ rather than 120’, we believe it is likely that there will need to be additional towers in the area, which will add further clutter and may not benefit the City. A change to City Code would be required to allow a 120’ tower, and the Planning Commission is in the process now of considering a recommendation in this regard. Below is a table showing how this tower would compare in height to other tall structures in the area.

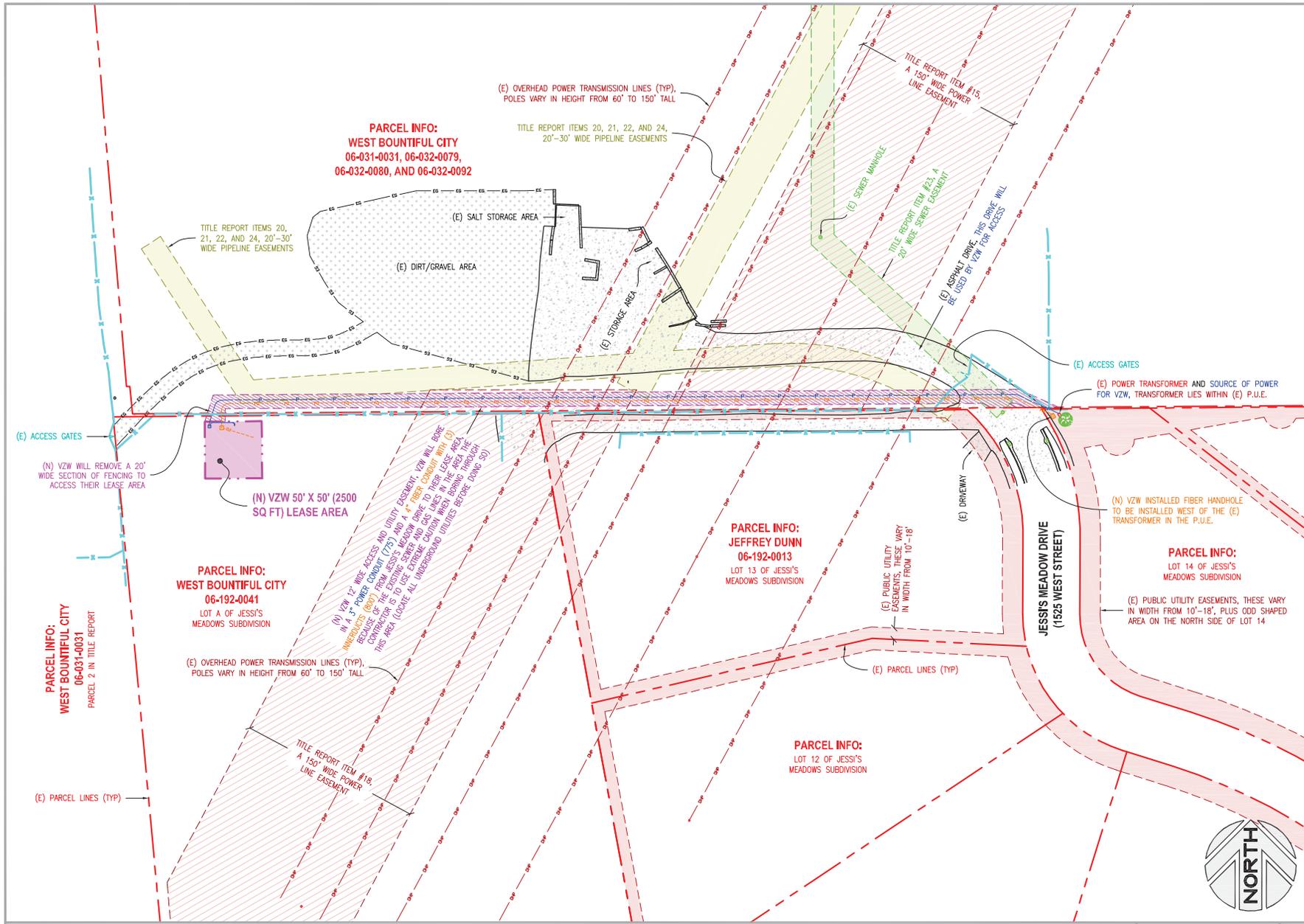
| | |
|---------------------------|------|
| Originally Proposed Tower | 100' |
| Current Proposed Tower | 120' |
| High-Voltage Power Line | 140' |
| Holly Refinery Scrubber | 200' |

Revenues

As the City is still in final negotiations with Verizon, staff is not comfortable disclosing potential lease revenue figures in open session, but at this point can provide the following:

- The use of the consultant has helped to nearly double the base amount from Verizon.
- Allowing for additional carriers may double total amount collected.

As stated previously, Staff believes that the current proposal, with a 120' tower on the Jessi's Meadows Park is ready to move forward to have an agreement finalized and move forward, and any input from the Council would be most valuable before proceeding.



VERIZON WIRELESS
 9656 SOUTH PROSPERITY ROAD
 WEST JORDAN, UTAH 84088



UTAH MARKET OFFICE
 5710 SOUTH GREEN STREET
 SALT LAKE CITY, UTAH 84123

CORPORATE OFFICE
 3115 SOUTH MELROSE DRIVE, SUITE #110
 CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
 CHECKED BY: DAN T

| REV | DATE | DESCRIPTION |
|-----|------------|------------------|
| 1 | 01.30.2017 | REVISIONS PER DT |
| 0 | 04.20.2016 | ZONING DRAWINGS |

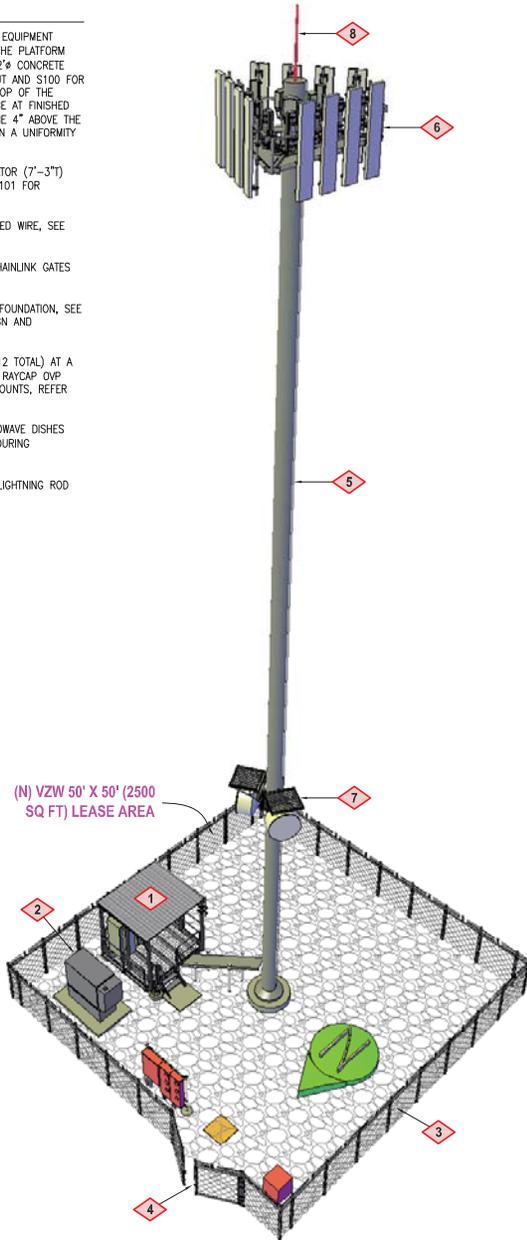
SAL - CHOCOLATE
 NW SEC 23, T2N, R1W
 550 NORTH 800 WEST
 WEST BOUNTIFUL, UTAH 84087
 -- RAWLAND SITE --

SHEET TITLE
OVERALL SITE PLAN

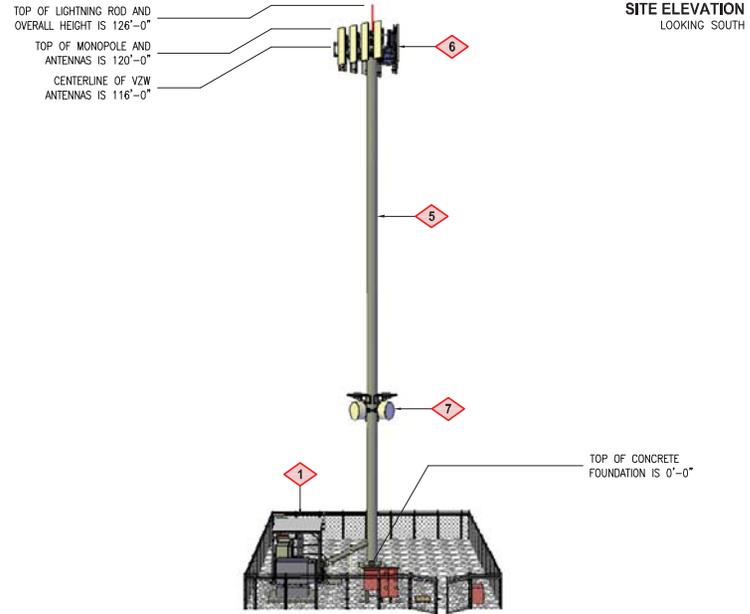
SHEET NUMBER
C100

KEYED NOTES

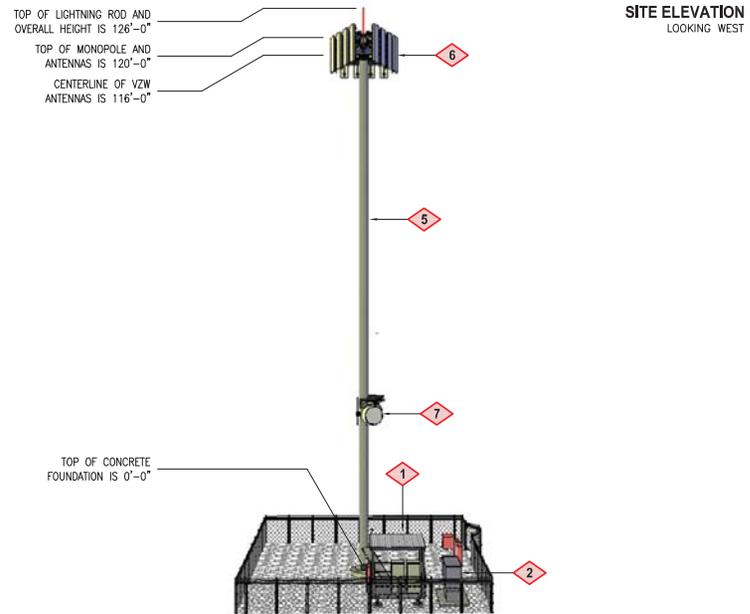
- 1 VZW WILL INSTALL A 9'-4" X 11' PRE-FAB EQUIPMENT PLATFORM WITH CANOPY (11'-4"± TALL). THE PLATFORM WILL SIT UPON AND BE ANCHORED TO (4) 2'± CONCRETE PIERS. SEE C301/1 FOR EQUIPMENT LAYOUT AND S100 FOR THE PIER FOUNDATION INFORMATION. THE TOP OF THE CONCRETE LANDING FOR THE STEPS MUST BE AT FINISHED GRADE AND THE TOP OF THE PIERS MUST BE 4" ABOVE THE TOP OF THE CONCRETE LANDING TO MAINTAIN A UNIFORMITY BETWEEN THE LANDING AND THE STEPS.
- 2 VZW S0030 30KW EXTERNAL DIESEL GENERATOR (7'-3"±) WITH A LEVEL 2 SOUND ENCLOSURE, SEE C101 FOR ADDITIONAL INFORMATION.
- 3 VZW 6' TALL CHAINLINK FENCING WITH BARBED WIRE, SEE C302/3.
- 4 VZW 12' WIDE SITE ACCESS, (2) 6' WIDE CHAINLINK GATES WITH BARBED WIRE, SEE C302/4.
- 5 VZW 120' TALL MONOPOLE WITH CONCRETE FOUNDATION, SEE TOWER MANUFACTURER DRAWINGS FOR DESIGN AND SPECIFICATIONS.
- 6 VZW 8' TALL ANTENNAS, (4) PER SECTOR (12 TOTAL) AT A 116' CENTERLINE WITH (12) RRR'S AND (2) RAYCAP OVP BOXES TO BE MOUNTED TO THE ANTENNA MOUNTS, REFER TO VZW RF CONFIGURATION SHEET.
- 7 VZW CONTRACTOR TO INSTALL (2) 6'± MICROWAVE DISHES (HEIGHT, AND AZIMUTH TO BE DETERMINED DURING CONSTRUCTION).
- 8 VZW CONTRACTOR TO INSTALL THE 6' TALL LIGHTNING ROD AS SUPPLIED BY TOWER MANUFACTURER.



SITE ELEVATION
SOUTHEAST VIEW



SITE ELEVATION
LOOKING SOUTH



SITE ELEVATION
LOOKING WEST



VERIZON WIRELESS
9656 SOUTH PROSPERITY ROAD
WEST JORDAN, UTAH 84088



UTAH MARKET OFFICE
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CORPORATE OFFICE
3115 SOUTH MELROSE DRIVE, SUITE #110
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

| REV | DATE | DESCRIPTION |
|-----|------------|------------------|
| 1 | 01.30.2017 | REVISIONS PER DT |
| 0 | 04.20.2016 | ZONING DRAWINGS |

SAL - CHOCOLATE
NW SEC 23, T2N, R1W
550 NORTH 800 WEST
WEST BOUNTIFUL, UTAH 84087
-- RAWLAND SITE --

SHEET TITLE
SITE ELEVATIONS

SHEET NUMBER
C200

MEMORANDUM



TO: Mayor & Council
DATE: February 16, 2017
FROM: Duane Huffman
RE: **Animal Control Agreement Amendment**

In July of 2016 the City adopted a new interlocal agreement for animal control services with Davis County. The new agreement contemplated annual payment adjustments based on costs, city use, and capital needs.

The attached resolution is for the cost amendment for the 2017 calendar year. The table below compares the costs from 2016 to 2017.

| Animal Control Costs | | |
|------------------------|-------------------|--------------------|
| | 2016 | 2017 |
| General Animal Control | \$7,236.31 | \$9,153.70 |
| Wildlife | \$1,519.25 | \$1,184.50 |
| Capital Needs | \$590.10 | \$646.64 |
| Total | \$9,345.66 | \$10,984.84 |

Despite the cost increase, staff continues to recommend participation with the County as the most cost efficient method of providing animal control, and hence recommends the adoption of the amendment.

WEST BOUNTIFUL CITY

RESOLUTION #408-17

A RESOLUTION APPROVING THE AMENDMENT TO THE 2016 INTERLOCAL COOPERATION AGREEMENT BETWEEN DAVIS COUNTY AND THE CITY OF WEST BOUNTIFUL FOR ANIMAL CONTROL SERVICES

WHEREAS, local government entities are authorized by the Utah Interlocal Cooperation Act, *Utah Code Ann. § 11-13-101, et seq.*, to enter into agreements with each other, upon a resolution to do so by respective governing bodies; and

WHEREAS, the West Bountiful City Council met in a regular session on February 21, 2017 to consider, among other things, amending the interlocal cooperation agreement between Davis County and West Bountiful City; and,

WHEREAS, the parties previously entered into a 2016 Inter-local Cooperation Agreement for Animal Control Services, which is labeled Davis County Contract No. 2016-256, and by which the County agreed to provide animal services to the City, the term of which shall run f through December 31, 2020.

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City that Amendment No. 1 found in Exhibit A is hereby adopted and amends said sections of Davis County Contract No. 2016-256.

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

Passed and approved by the City Council of West Bountiful City this 21st day of February, 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, Recorder

AMENDMENT NO. 1 TO INTERLOCAL COOPERATION AGREEMENT FOR ANIMAL SERVICES

This Amendment No. 1 to Interlocal Cooperation Agreement for Animal Services (this “Amendment No. 1”) is made and entered into as of January 1, 2017, by and between Davis County, a political subdivision of the state of Utah (the “County”), and West Bountiful City, a municipal corporation of the state of Utah (the “City”). The County and the City may be collectively referred to as the “Parties” herein.

RECITALS

This Amendment No. 1 is made and entered into by and between the Parties based, in part, upon the following recitals:

- A. In 2016, the Parties entered into an *Interlocal Cooperation Agreement for Animal Services*, which is labeled by the County as Contract No. 2016-256 (the “Agreement”); and
- B. The Parties, through this Amendment No. 1, desire to modify certain terms and/or provisions of the Agreement.

Now, based upon the foregoing, and in consideration of the terms set forth in this Amendment No. 1, the Parties do hereby agree as follows:

- 1. **Exhibit A of the Agreement is replaced in its entirety with the Exhibit A below:**

EXHIBIT A

The City’s 2017 calendar year obligation to the County for service calls, excluding calls for wild nuisance animal pick up and/or euthanization:

| <u>Title/Category</u> | <u>Subtitle/Subcategory</u> | <u>Amount</u> |
|---|-----------------------------|---------------------------|
| Budgeted 2017 Expenditures by Davis County for Animal Care and Control: | Personnel: | \$1,630,576 |
| | Operating: | \$316,581 |
| | Capital Equipment: | \$42,900 |
| | Allocations: | + 105,490 |
| | Total Expenditures: | \$2,095,547 |
| Projected 2017 Revenues of Davis County Animal Care and Control: | Licenses: | \$220,000 |
| | Shelter Fees: | \$190,000 |
| | Surgical Fees: | \$45,000 |
| | Wildlife Fees: | \$37,929 |
| | Donations: | + \$11,500 |
| | Total Revenues: | \$504,429 |
| Projected 2017 Expenditures Less Projected 2017 Revenues: | | \$2,095,547 |
| | | - \$504,429 |
| | | \$1,591,118 |
| Combined Cities’ 50% Obligation: | | \$1,591,118 |
| | | x 0.50 |
| | | \$795,559 |
| Average of the City’s Total Billable Calls for 2015 and 2016: | | 122 |
| Average of Combined Cities’ Total Billable Calls for 2015 and 2016: | | 10,604 |
| The City’s 2016 Usage Rate: | | 122/ 10,604 1.1506% |

| <u>Title/Category</u> | <u>Subtitle/Subcategory</u> | <u>Amount</u> |
|---|-----------------------------|---------------|
| The City's 2017 Calendar Year Obligation to the County: | | \$9,153.70 |

The City shall pay the foregoing calendar year obligation to the County on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

The City's 2017 calendar year obligation to the County for
wild nuisance animal pick up and/or euthanization calls or services:

| <u>Title/Category</u> | <u>Frequency/Amount</u> |
|--|-------------------------|
| The City's Wildlife Calls for 2016: | 46 |
| Cost to City for Each Wildlife Call in 2016: | \$25.75 |
| The City's 2017 Calendar Year Obligation to County for Wildlife Calls: | \$1,184.50 |

The City shall pay its calendar year obligation to the County for wild nuisance animal pick up and/or euthanization calls or services on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

The City's 2017 calendar year obligation to the County for
the capital projects fund regarding the Shelter:

| <u>Title/Category</u> | <u>Amount</u> |
|--|---------------|
| Total of Capital Projects Fund Regarding the Shelter: | \$562,000.00 |
| Combined Cities' Portion of the Capital Projects Fund Regarding the Shelter: | \$281,000.00 |
| 2017 Obligation of the Combined Cities: | \$56,200.00 |
| The City's 2016 Usage Rate: | 1.1506% |
| The City's 2017 Calendar Year Obligation to the County: | \$646.64 |

The City shall pay the foregoing calendar year obligation to the County on a monthly basis and within thirty calendar days of receipt of a monthly invoice from the County.

2. **Continuing Effect of the Agreement.** Except to the extent specifically modified by this Amendment No. 1, the terms and conditions of the Agreement shall remain in full force and effect.
3. **Counterparts.** This Agreement may be executed in counterparts, each of which shall be deemed an original, and all such counterparts shall have the same force and effect as original signatures.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment No. 1 to be signed by their duly authorized representatives on the dates indicated below.

| | |
|--|--|
| <p>DAVIS COUNTY</p> <p>By: _____ Chair, Board of Davis County Commissioners Date: _____</p> <p>ATTEST:</p> _____ Davis County Clerk/Auditor Date: _____ <p>APPROVED AS TO FORM AND LEGALITY:</p> _____ Davis County Attorney's Office Date: _____ | <p>WEST BOUNTIFUL CITY</p> <p>By: _____ Mayor Date: _____</p> <p>ATTEST:</p> _____ City Recorder Date: _____ <p>APPROVED AS TO FORM AND LEGALITY:</p> _____ City Attorney Date: _____ |
|--|--|

MEMORANDUM



TO: Mayor & Council

DATE: February 16, 2017

FROM: Duane Huffman, Cathy Brightwell

RE: Proposed Changes to GRAMA Ordinance

This memo explains recent changes to the State's records laws, and reviews related proposed changes to City Code.

Background

The 2015 Legislature changed the appeals process in the Governmental Records Administration and Management Act (GRAMA) as it relates to political subdivisions. These changes directly affect local governments that have an established GRAMA appeals process by ordinance, such as West Bountiful. Previously, Utah Code authorized local governments to establish a local appeals board composed of the governing body or some other construction appointed by the governing body. Local appeals board decisions were appealed to District Court.

The new law no longer allows the local appeals board to be the legislative body. It provides criteria for appointing a board comprised of residents or it can be the chief administrative officer (city administrator in the case of West Bountiful City). The State Code also added a requirement that appellants of the local appeal authority's decision have the option of appealing to the state records committee or district court.

Under WBMC 2.56.050, the city council is currently designated as the board to hear appeals of GRAMA decisions.

Proposed Changes

As West Bountiful City receives very few GRAMA requests, staff does not recommend appointing a board, and therefore believes the option of having the city administrator hear appeals is preferable.

Additionally, based on suggestions from the Utah City Recorder Association and other municipalities, staff recommends clarifying that GRAMA requests be submitted on a standard city form, and that the city: (1.) require payment of past fees before processing a new request, and (2.) require advanced payment if the fees are expected to exceed \$50. These changes are precautionary at this point, as West Bountiful has not experienced any recent problems related to these changes.

WEST BOUNTIFUL CITY

ORDINANCE #387-17

**AN ORDINANCE AMENDING THE GOVERNMENT RECORDS
ACCESS AND MANAGEMENT PROVISIONS OF THE
WEST BOUNTIFUL MUNICIPAL CODE**

WHEREAS, *Utah Code Ann.* § 63G-2-701 authorizes the City’s governing body to adopt an ordinance or policy in compliance with the Government Records Access and Management Act, *Utah Code Ann.* § 63G-2-101, *et seq.*, as amended (“**GRAMA**”); and,

WHEREAS, in 2015 GRAMA was amended to modify the appeals process as described in *Utah Code Ann.* § 63G-2-701(4-7) and to make certain other changes; and,

WHEREAS, the City Council finds that it is in the best interest of the City and its residents to adopt certain changes in the City’s Government Records Access and Management ordinance consistent with changes in GRAMA.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT CHAPTER 2.56 OF THE WEST BOUNTIFUL CITY CODE BE MODIFIED AS REFLECTED IN ATTACHMENT A.

This ordinance will become effective upon signing and posting.

Adopted this 7th day of February, 2017.

By:

Ken Romney, Mayor

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

Attest:

Cathy Brightwell, City Recorder

Chapter 2.56 GOVERNMENT RECORDS MANAGEMENT AND ACCESS

Sections:

2.56.010 State Act Adopted

2.56.020 Retention Schedule

2.56.030 Records Officer

2.56.040 Records Requests

2.56.050 Fees

2.56.060 Appeals

2.56.010 State Act Adopted.

All government records of the City shall be maintained, classified and accessed in accordance with the Utah Government Records Access and Management Act, *Utah Code Ann. § 63G-2-101, et seq.*, as amended (“the Act”).

2.56.020 Retention Schedule.

All government records of the City shall be retained in accordance with the Utah Municipal General Records Retention Schedule, as created and retained by the Utah Division of Archives and Records Service, which is hereby adopted by reference as the West Bountiful City Records Retention Schedule.

2.56.030 Records Officer.

The city recorder is appointed as records officer of the City to oversee and coordinate records access, management and archives activities. The records officer will work with the Utah Division of Archives and Records Service in the care, maintenance, scheduling, designation, classification, disposal, and preservation of City records.

2.56.040 Records Requests.

Any person requesting a record shall file a written Government Records Access and Management Request form as provided by the City. Such request shall be submitted to the records officer and processed in accordance with the Act and this chapter.

2.56.050 Fees.

The following apply with respect to fees:

- A. The City may charge reasonable fees to cover the actual cost of providing a record consistent with Section 63G-2-203 of the Act. Such fees shall be adopted and set forth in the City's Consolidated Fee Schedule.
- B. The City may require payment of past fees and future estimated fees before beginning to process a request if the fees are expected to exceed fifty dollars (\$50.00) or if the requester has not paid fees from previous requests. Any prepaid amount in excess of fees due shall be returned to the requester.

2.56.050 Appeals.

- A. Any person aggrieved by a decision of the city's classification of a record or by the city's response to a record request may appeal the determination within thirty (30) days after notice of the city's action to the city administrator by filing a written notice of appeal in the manner provided in Section 63G-2-403 of the Act.
- B. The City Administrator shall make a determination on the appeal within the time periods set forth in Section 63G-2-401 of the Act. The city administrator shall send written notice of his or her determination to all participants and shall include a statement that the requester has the right to appeal a denial to either the state records committee under Section 63G-2-403 or district court under Section 63G-2-404 of the Act.

MEMORANDUM



TO: Mayor and City Council
DATE: February 15, 2017
FROM: Staff
RE: Subdivision approval time period

Title 16 stipulates that a final plat approval is void if the plat is not recorded within six months of the approval date by the City Council.

The City has approved a few small subdivisions in the last year that have not yet been recorded. It is amazing how fast time can pass. The subdivisions include:

| | |
|--|-----------------------------------|
| Terry Olsen on Pages Lane was approved | June 7, 2016 by City Council |
| Brandon Jones on 800 W was approved | November 15, 2016 by City Council |
| Mike Youngberg on 660 W was approved | January 5, 2017 by City Council |

Of the subdivisions listed above, the first one has expired without being recorded and the second one is half way through the allotted six month time frame.

The Planning Commission is recommending that the approval time frames for preliminary and final plats be twelve (12) months with the possibility of a six (6) month extension. Upon additional review by Staff, it was necessary in the Waiver for Small Subdivision section to make it consistent.

WEST BOUNTIFUL CITY

ORDINANCE #388-17

***AN ORDINANCE ADOPTING MODIFICATIONS TO
WBMC TITLE 16 – RECORDING OF SUBDIVISIONS***

WHEREAS, Utah Code Annotated § 10-9a-101 et seq., also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Zoning and Subdivision Ordinances; and,

WHEREAS, the West Bountiful Planning Commission considered modifications to timeframes associated with recording subdivision plats; and

WHEREAS, the West Bountiful Planning Commission held a properly noticed Public Hearing on February 14, 2017, on the proposed changes, and unanimously voted to recommend the City Council adopt the language proposed in Exhibit A.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT THE WEST BOUNTIFUL MUNICIPAL CODE 16.16.030 AND 16.28.070 BE MODIFIED AS SHOWN ON THE ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this 21st day of February, 2017.

By:

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

16.16.030 Final Plat

- A. Purpose. The purpose of the final plat is to require formal approval by the planning commission and city council before a subdivision plat is recorded in the office of the Davis County recorder. The final plat and all information and procedures relating to it shall in all respects be in compliance with the provisions of this section. The final plat and construction plans shall conform in all respects to those regulations and requirements specified during the preliminary plat procedure.
- B. Filing Deadline, Application and Fees. A complete A application for final plat approval shall be made within **twelve (12)** months after approval or conditional approval of the preliminary plat by the planning commission. This time period may be extended one time for up to ~~twelve (12)~~ **six (6)** months for good cause shown if subdivider petitions the planning commission for an extension prior to the expiration date. The subdivider shall file an application for final plat approval with the city on a form prescribed by the city, together with three copies of the proposed final plat and three copies of the construction drawings. At the same time, the subdivider shall pay to the city an application fee as set periodically by the city council.
- O. Expiration of Final Approval. If the final plat is not recorded within ~~six (6)~~ **twelve (12)** months from the date of city council approval, such approval shall be null and void. This time period may be extended by the city council for up to an additional ~~six- (6)~~ **month** period for good cause shown. The subdivider must petition in writing for this extension prior to the expiration of the original six months. No extension will be granted if it is determined that it will be detrimental to the city. If any of the fees charged as a condition of subdivision approval have increased, the city may require that the bond estimate be recalculated and that the subdivider pay any applicable fee increases as a condition of granting an extension.

16.28.070 Drainage Plan

- D. Final approval of the drainage plan will be given at the time of preliminary subdivision or development approval. No subdivision plat or development plan will receive final approval without acceptance of the drainage plan.
- E. If the final plat is not recorded within ~~six-twelve (612)~~ months from the date of city council approval, the drainage plan approval will be null and void. This time period may be extended by the city council for up to an additional ~~six- (6)~~ month period for good cause shown. The subdivider must petition in writing for this extension prior to the expiration of the original six (6) months. No extension will be granted if it is determined that it will be detrimental to the city. If any of the fees charged as a condition of subdivision approval have increased, the city may require that the bond estimate be recalculated and that the subdivider pay any applicable fee increases as a condition of granting an extension.

MEMORANDUM



TO: Mayor and City Council

DATE: February 16, 2017

FROM: Ben White

RE: Yard Regulations and Fences

Background

Last summer staff became aware of a significant inconsistency related to setbacks in our zoning code. The issue related specifically to corner lots. One section of the code identified two front yards on corner lots which would require a 30' setback from each street. Another area of the code required a 30' front yard setback and a 20' setback on the side yard facing the street.

Planning Commission

The Planning Commission held a public hearing on December 27, 2016, and over several months spent considerable time and effort discussing the merits of various development scenarios. This discussion also resulted in proposed changes for fencing.

A summary of the recommendation by the Planning Commission includes:

- Additional definitions have been added for consistency (street side yard, main structure, accessory structure and setback);
- 20' side yard setbacks for all structures that require a building permit;
- 6' privacy fencing is permissible in street side yards; and
- Small structures (less than 200 square feet in area and less than 9' tall) are allowed in the 20' street side yard provided they are constructed behind the house.

The attached drawings help to identify the yards and acceptable construction scenarios.

WEST BOUNTIFUL CITY

ORDINANCE #389-17

***AN ORDINANCE AMENDING WBMC TITLE 17 TO ADDRESS
SETBACKS AND FENCING IN RESIDENTIAL ZONES***

WHEREAS, Utah Code Annotated § 10-9a-101 et seq., also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Zoning Ordinances; and,

WHEREAS, the West Bountiful Planning Commission indentified inconsistencies related to setback and fencing requirements in residential zones, and

WHEREAS, the West Bountiful Planning Commission held a properly noticed public hearing on December 27, 2016, to consider necessary and appropriate modifications; and,

WHEREAS, following the public hearing, the West Bountiful Planning Commission unanimously voted to recommend to the City Council adoption of amendments to the A-1, R-1-22, and R-1-10 residential districts.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT SECTIONS 17.04.030, 17.16.050, 17.16.100, 17.20.050, 17.20.100, 17.24.050, AND 17.24.100 BE MODIFIED AS SHOWN IN ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this 21st day of February, 2017.

By:

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

17.04.030 Definitions.

Building, Accessory, or Structure, Accessory. “Accessory building” or “accessory structure” means any building or structure on a lot that is other than or ancillary to the main building or structure.

Building, Main, or Structure, Main. “Main building” or “main structure” means the principal or primary building or structure on a lot for purposes of the lot’s principal use.

“Lot Line” means a property boundary line, whether straight or otherwise, on a lot.

Lot Line, Front. “**Front lot line**” means for an interior lot, the lot line adjoining the street; for a corner lot or through lot, the front lot line is -the lot line -adjoining a street that most nearly faces the front of the main building on the lot. In cases where this designation is ambiguous, the zoning administrator shall designate the front lot line.

Lot Line, Rear. “**Rear lot line**” means, ordinarily, that line of a lot which is opposite and most distant from the front lot line. In the case of a triangular or gore-shaped lot, a line ten (10) feet in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where this designation is ambiguous, the zoning administrator shall designate the rear lot line.

Lot Line, Side. “**Side lot line**” means any lot boundary line that is not a front or rear lot line. However, this does not apply to any yard fronting on a street, which is by definition a front lot line or a street side lot line.

Lot Line, Street Side. “Street side lot line” means the lot line adjoining a street that is not designated as the front or rear lot line.

“Setback” means the distance between a lot line and a structure on the lot. Setbacks are measured from the lot line to the nearest foundation or column. For a main structure in any residential district, a maximum two-foot cantilever that does not extend to the ground, such as a bay window or chimney, is allowed in the setback area.

“**Yard**” means a required open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as permitted elsewhere in this title.

Yard, Front. “**Front yard**” means a space on the same lot with a building, between the front line of the building and the front lot line, and extending across the full width of the lot. The “depth” of the front yard is the minimum distance between the front lot line and the front line of the building. ~~(Note: On a corner lot there are two front yards.)~~

Yard, Rear. “**Rear yard**” means a space on the same lot with a building, between the rear line of the building and the rear lot line, and extending the full width of the lot; provided that in a corner lot, the rear yard extends only from the side lot line to the street side yard. The “depth” of the rear yard is the minimum distance between the rear lot line and the rear line of the building.

Yard, Side. “**Side yard**” means a space on the same lot with a building, between the side line of the building and the side lot line and extending from the front yard to the rear yard. The “width” of the side yard is the minimum distance between the side lot line and the side line of the building. ~~(Note: Corner lots do not have two side yards.)~~

Yard, Street Side. “**Street side yard**” means the space on the same lot with a building, between the side line of the building and the street side lot line and extending from the front yard to the rear lot line. The “width” of the street side yard is the minimum distance between the street side lot line and the side line of the building..

17.xx.050 Yard regulations.

The following yard regulations apply in the *residential district “R-1-10, R-1-22, A-1”*:

A. Minimum Setbacks.

1. **Front yard.** The minimum front yard setback for all structures is thirty (30) feet, except as otherwise allowed in this code.
2. **Side yard.**
 - a. The minimum side yard setback for all main structures is ten (10) feet for any one side, with a combined total of twenty-four (24) feet for both sides.
 - b. On a corner lot, the minimum street side yard ~~facing the street shall not be less than side yard~~ setback for a main structure is twenty (20) feet.
 - c. ~~The minimum side yard setback for~~ accessory structures may be erected within ~~shall be six (6) feet, or three (3) feet of the street side lot line if: if built to fire code standards, unless otherwise approved as a conditional use by the planning commission.~~
 - i. The accessory structure is set back from the front lot line farther than the rear line of the main structure;
 - ii. Istwo hundred (200) square feet or less;
 - iii. Has a maximum height of nine (9) feet measured from the lowest finish ground level to the highest part of the roof; and
 - iv. Complies with other requirements of this code.
 - d. Accessory Structures larger than two hundred (200) square feet and taller than nine (9) feet may be constructed within the street side yard if the structure meets the minimum street side yard setback for main structures and complies with other requirements of this code.
 - e. The minimum side yard and street side yard setback for accessory structures is six (6) feet, or three (3) feet if built to fire code standards, unless otherwise approved as a conditional use by the planning commission.
3. **Rear yard.**
 - a. The minimum rear yard setback for a main structure is thirty (30) feet.

- b. The minimum rear yard setback for accessory structures is six (6) feet, or three (3) feet if built to fire code standards, unless otherwise approved as a conditional use by the planning commission.
- c. A deck may encroach into a rear yard setback only with a conditional use permit meeting the following criteria:
 - i. The entire deck is at least twenty (20) feet from the rear property line;
 - ii. The deck does not encroach more than 200 square feet into the setback area;
 - iii. The floor of the deck is no higher than the highest finished floor of the main structure;
 - iv. The portion of the deck that extends into the rear yard setback cannot be covered;
 - v. The railing cannot be more than forty-eight (48) inches high and must be less than twenty-five (25%) non-transparent; and
 - vi. The deck satisfies other conditions required by the planning commission.

17.xx.100 Fence requirements.

- A. Fences and walls ~~and hedges~~ may not exceed six feet in height within any required rear yard or interior side yard. Notwithstanding the foregoing, the planning commission may approve the erection of a fence to a height greater than six feet within any required rear yard or interior side yard upon a showing that the increased height is reasonably necessary to protect the property from an adjacent incompatible land use.
- B. Notwithstanding any other provision of this Title, no fence, wall, or hedge may exceed four (4) feet in height within any front yard setback. ~~and within~~ Within any front yard setback, no fence, wall or hedge may exceed two (2) feet in height within three (3) feet of any street line right of way or inside of sidewalk (whichever is closer to the primary building on the lot), ~~no fence, wall or hedge may exceed two (2) feet in height. Within any front yard setback, no fence, wall, or hedge may exceed two (2) feet in height within three (3) feet of any street right of way or sidewalk (whichever is closer to the primary building on the lot).~~
- C. ~~For the purpose of this section, single shrub planting shall not constitute a hedge if the closest distance between the foliage of any two plants is and remains five (5) feet.~~ When a fence or wall is located along a property line separating two lots and there is a difference in the grade of the properties on the two sides of the property line, the fence or wall may be erected or allowed to the maximum height permitted as measured from the higher grade.
- D. Clear view of intersecting streets. In all districts which require a front yard, no obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty (40) feet from the intersection of the street lines, except pedestal type identification signs and a reasonable number of trees pruned so as to permit unobstructed vision of traffic.

MEMORANDUM



TO: Mayor & Council
DATE: February 16, 2017
FROM: Duane Huffman
RE: **Proposed Budget 1st Amendments for Fiscal Year 2016-2017**

The attached budget tables show changes recommended for the current fiscal year.

The process for the consideration and adoption of these changes is identical to that of a standard budget adoption. The steps are as follows:

1. Tentatively adopt changes;
2. Set Public Hearing;
3. Provide notice of public hearing and make tentative changes available for public inspection;
4. Hold Public Hearing;
5. Make modifications to changes as desired after receiving public input and vote on final adoption of amendment.

**Proposed Amendment #1 - General Fund
Fiscal Year 2016/2017**

| Acct | Acct.Name | Actual 2013-14 | Actual 2014-15 | Actual 2014-16 | ORIGINAL 2016-17 | 1st Amend 2016-17 | Note |
|--|------------------------------------|-------------------|-------------------|-------------------|---------------------|----------------------|--|
| GENERAL FUND | | | | | | | |
| INTERGOVERNMENTAL REVENUE | | | | | | | |
| 10-33-310 | CLASS 'C' ROAD FUNDS | 171,853 | 181,241 | 174,748 | 195,500 | 195,500 | |
| 10-33-320 | GRANTS - STATE | 9,767 | 12,206 | 13,201 | 2,600 | 2,800 | Actual Collection |
| 10-33-340 | GRANTS - FEDERAL | 25,890 | 443 | 23,648 | - | - | |
| 10-33-345 | GRANTS - COUNTY/OTHER | - | 25,000 | - | - | - | |
| 10-33-380 | STATE LIQUOR FUND ALLOTMENT | 9,508 | 8,401 | 8,012 | 8,400 | 9,200 | Actual Collection |
| INTERGOVERNMENTAL REVENUE Total | | 217,018 | 227,290 | 219,610 | 206,500 | 207,500 | |
| FINES AND FORFEITURES | | | | | | | |
| 10-35-510 | FINES & FORFEITURES | 83,642 | 88,501 | 50,299 | 80,000 | 55,000 | Based on previous year and current collections |
| FINES AND FORFEITURES Total | | 83,642 | 88,501 | 50,299 | 80,000 | 55,000 | |
| MISCELLANEOUS REVENUE | | | | | | | |
| 10-36-600 | INTEREST EARNED - GENERAL | 4,180 | 10,861 | 34,878 | 5,000 | 5,000 | |
| 10-36-611 | INTEREST EARNED - OTHER/TRUST | 1,116 | 18 | 27 | - | - | |
| 10-36-630 | YOUTH COUNCIL FUNDRAISER | 100 | 78 | 509 | - | - | |
| 10-36-640 | SALE OF FIXED ASSETS | 14,500 | - | - | - | - | |
| 10-36-650 | FACILITY RENTAL | 160 | 50 | 1,089 | - | - | |
| 10-36-685 | ADVERTISING REVENUE | 160 | 40 | - | - | - | |
| 10-36-690 | MISC. REVENUE | 37,340 | 20,984 | 13,512 | 8,000 | 22,000 | ULGT Dividen; PEHP Rebate; Intership Scholarship |
| MISCELLANEOUS REVENUE Total | | 57,556 | 32,031 | 50,015 | 13,000 | 27,000 | |
| CONTRIBUTIONS AND TRANSFERS | | | | | | | |
| 10-38-800 | TRANSFERS FROM WATER FUND | - | - | - | - | - | |
| 10-38-805 | TXFR FROM CAPITAL IMPROVEMENT FUND | 135,000 | - | 5,823 | - | - | |
| 10-38-810 | JULY 4TH DONATIONS/FEES | 6,000 | 6,000 | - | - | - | |
| 10-38-820 | K-9 DONATIONS | - | - | - | - | - | |
| 10-38-860 | CONTRIBUTIONS - PRIVATE | - | - | - | - | - | |
| 10-38-870 | TXFR'S FROM RAP TAX FUND | 14,200 | 4,500 | 4,500 | 4,500 | 4,500 | |
| 10-38-894 | TXFR'S FROM CAP PROJECTS | - | - | - | - | - | |
| 10-38-895 | TXFR'S FROM STREET IMPACT FEES | - | - | - | - | - | |
| 10-38-896 | TXFR'S FROM CAPITAL STREETS | 7,500 | - | - | - | - | |
| 10-38-897 | FROM POLICE FACILITIES FUND | 2,165 | 2,165 | 2,015 | 2,165 | 2,165 | |

**Proposed Amendment #1 - General Fund
Fiscal Year 2016/2017**

| Acct | Acct.Name | Actual 2013-14 | Actual 2014-15 | Actual 2014-16 | ORIGINAL 2016-17 | 1st Amend 2016-17 | Note |
|--|---------------------------------|-------------------|-------------------|-------------------|---------------------|----------------------|---|
| 10-38-898 | TRANSFERS FROM PARK IMPACT FEE | 4,090 | - | - | - | - | |
| 10-38-899 | CONTRIBUTIONS - FUND BALANCE | 60,509 | - | - | - | 740,091 | Required to fund settlement and other changes |
| 10-38-900 | CONTRIBUTIONS - CLASS C BALANCE | - | - | - | - | - | |
| 10-38-901 | CONTRIBUTIONS - BOND PROCEEDS | - | - | - | - | - | |
| CONTRIBUTIONS AND TRANSFERS Total | | 229,464 | 12,665 | 12,338 | 6,665 | 746,756 | |
| TOTAL GENERAL FUND REVENUE | | 4,084,902 | 3,633,595 | 4,861,622 | 4,284,427 | 5,014,518 | |

ADMINISTRATIVE

| | | | | | | | |
|-----------------------------|--------------------------------|----------------|----------------|----------------|----------------|----------------|--------------------------|
| 10-43-110 | SALARIES & WAGES | 103,977 | 115,264 | 131,033 | 136,511 | 136,511 | |
| 10-43-114 | SALARIES & WAGES - TEMP/P-TIME | 12,302 | 11,970 | 13,943 | 13,000 | 13,000 | |
| 10-43-125 | LONG TERM DISABILITY | 648 | 681 | 783 | 800 | 800 | |
| 10-43-130 | RETIREMENT | 20,820 | 20,164 | 25,015 | 24,141 | 24,141 | |
| 10-43-131 | GROUP HEALTH INSURANCE | 26,113 | 23,649 | 27,366 | 27,081 | 27,081 | |
| 10-43-132 | WORKERS COMP INSURANCE | 242 | 795 | 1,377 | 2,000 | 2,000 | |
| 10-43-133 | FICA TAXES | 9,176 | 9,668 | 12,041 | 11,438 | 11,438 | |
| 10-43-134 | ALLOWANCES - VEHICLE | 2,200 | 2,400 | 2,400 | 2,400 | 2,400 | |
| 10-43-210 | BOOKS, SUBSCRIPT, MEMBERSHIPS | 5,099 | 4,727 | 4,719 | 5,000 | 5,000 | |
| 10-43-230 | TRAVEL | - | 4,362 | - | - | - | |
| 10-43-240 | OFFICE SUPPLIES & EXPENSE | 4,920 | 4,362 | 4,143 | 5,000 | 5,000 | |
| 10-43-241 | POSTAGE | 1,878 | 1,729 | 1,359 | 2,000 | 2,000 | |
| 10-43-250 | EQUIPMENT SUPPLIES & MAINT | 6,032 | 6,764 | 7,597 | 6,000 | 6,000 | |
| 10-43-311 | CONSULTING SVCS - COMPUTER | 10,691 | 8,803 | 9,456 | 12,500 | 12,500 | |
| 10-43-312 | CONSULTING SVCS - GENERAL | - | - | - | - | - | |
| 10-43-330 | EDUCATION AND TRAINING | 2,078 | 1,440 | 3,047 | 2,000 | 2,000 | |
| 10-43-440 | BANK CHARGES | 12,041 | 12,792 | 13,732 | 12,000 | 12,000 | |
| 10-43-610 | MISCELLANEOUS SUPPLIES | - | - | - | - | - | |
| 10-43-620 | MISCELLANEOUS SERVICES | 1,030 | - | 1,863 | 2,200 | 12,200 | Compensation Consulstant |
| 10-43-621 | ADVERTISING | 1,402 | 2,917 | 2,091 | 3,000 | 3,000 | |
| 10-43-740 | CAPITAL OUTLAY - EQUIPMENT | - | 7,876 | - | 12,000 | 12,000 | |
| 10-43-741 | CAPITAL OUTLAY - SOFTWARE | - | 299 | - | - | - | |
| ADMINISTRATIVE Total | | 220,649 | 236,302 | 261,967 | 279,070 | 289,070 | |

**Proposed Amendment #1 - General Fund
Fiscal Year 2016/2017**

| Acct | Acct.Name | Actual 2013-14 | Actual 2014-15 | Actual 2014-16 | ORIGINAL 2016-17 | 1st Amend 2016-17 | Note |
|-------------------------------|--------------------------------|-------------------|-------------------|-------------------|---------------------|----------------------|------------|
| NON-DEPARTMENTAL | | | | | | | |
| 10-50-110 | SALARIES & WAGES-EXITING EMPLY | 12,627 | 5,114 | 5,311 | - | - | |
| 10-50-132 | WORKERS COMP INSURANCE | - | 5,335 | - | - | - | |
| 10-50-133 | FICA TAXES - OTHER PAY | - | 19,569 | - | - | - | |
| 10-50-282 | TELEPHONE-CELL | 5,841 | 5,335 | 6,582 | 5,000 | 5,000 | |
| 10-50-309 | COMPUTER NETWORK SERVICES | 19,580 | 19,569 | 21,952 | 22,400 | 22,400 | |
| 10-50-310 | AUDITING FEES | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | |
| 10-50-311 | ATTORNEY FEES | 42,561 | 47,419 | 46,992 | 43,000 | 103,000 | Legal Fees |
| 10-50-312 | AUTOMOBILE INSURANCE | 8,653 | 7,783 | 8,406 | 7,800 | 7,800 | |
| 10-50-313 | BUILDING INSPECTIONS | 17,850 | 26,001 | 38,014 | 25,000 | 25,000 | |
| 10-50-509 | PROPERTY INSURANCE | 10,972 | 11,064 | 20,166 | 11,000 | 11,000 | |
| 10-50-510 | LIABILITY INSURANCE | 41,373 | 33,428 | 24,411 | 34,000 | 34,000 | |
| 10-50-511 | INSURANCE BONDING | 2,660 | 2,660 | 2,604 | 2,500 | 2,500 | |
| 10-50-608 | EMERGENCY PREPAREDNESS CMTTE | 13,297 | 8,383 | 3,062 | 3,000 | 3,000 | |
| 10-50-610 | EMERGENCY SUPPLIES | 114 | - | - | 2,000 | 2,000 | |
| 10-50-611 | ELECTION EXPENSES | 5,812 | - | 5,363 | - | - | |
| 10-50-612 | WEST BOUNTIFUL ARTS COUNCIL | 2,738 | 5,259 | 3,485 | 4,500 | 4,500 | |
| 10-50-613 | ECONOMIC DEVELPOMENT | - | - | - | - | - | |
| 10-50-614 | CITY NEWSLETTER EXPENSES | 6,639 | 6,069 | 5,774 | 5,500 | 5,500 | |
| 10-50-616 | YOUTH COUNCIL EXPENSES | 1,742 | 4,150 | 4,384 | 5,200 | 5,200 | |
| 10-50-617 | YOUTH COURT EXPENSES | - | 979 | - | - | - | |
| 10-50-618 | HISTORICAL COMM PROJECTS | 666 | 250 | 605 | 2,500 | 2,500 | |
| 10-50-619 | COMMUNITY ACTION PROGRAMS | 10 | - | - | 500 | 500 | |
| 10-50-620 | ANIMAL CONTROL | 11,540 | 8,990 | 4,507 | 10,000 | 10,000 | |
| 10-50-622 | DAVIS ART CENTER DONATION | 500 | - | 500 | 500 | 500 | |
| 10-50-623 | SPECIAL COUNSEL | - | - | - | - | - | |
| 10-50-631 | EMPLOYEE INCENTIVE | 1,007 | 979 | 1,218 | 1,000 | 1,000 | |
| 10-50-740 | CAPITAL OUTLAY - EQUIPMENT | - | - | - | - | - | |
| 10-50-741 | CAPITAL OUTLAY - SOFTWARE | - | - | - | - | - | |
| NON-DEPARTMENTAL Total | | 216,182 | 202,453 | 213,338 | 195,400 | 255,400 | |

**Proposed Amendment #1 - General Fund
Fiscal Year 2016/2017**

| Acct | Acct.Name | Actual 2013-14 | Actual 2014-15 | Actual 2014-16 | ORIGINAL 2016-17 | 1st Amend 2016-17 | Note |
|---------------------------------------|--------------------------------|---------------------------|---------------------------|---------------------------|-----------------------------|------------------------------|--|
| <u>PLANNING AND ZONING</u> | | | | | | | |
| 10-53-110 | SALARIES & WAGES | 35,176 | 20,777 | 23,859 | 24,260 | 24,260 | |
| 10-53-125 | LONG TERM DISABILITY | 194 | 192 | 129 | 200 | 200 | |
| 10-53-130 | RETIREMENT | 5,622 | 5,775 | 3,663 | 3,715 | 3,715 | |
| 10-53-131 | GROUP HEALTH INSURANCE | 6,277 | 5,464 | 3,647 | 3,557 | 3,557 | |
| 10-53-132 | WORKERS COMP INSURANCE | 70 | 65 | 29 | 100 | 100 | |
| 10-53-133 | FICA TAXES | 2,583 | 2,478 | 1,768 | 1,856 | 1,856 | |
| 10-53-310 | ORDINANCE ENFORCEMENT | - | - | - | - | - | |
| 10-53-311 | PROFESSIONAL PLANNERS | - | 103 | - | - | 4,500 | PUD Consultant |
| 10-53-330 | EDUCATION & TRAINING | - | - | - | 200 | 200 | |
| 10-53-610 | MISCELLANEOUS EXPENSES | 145 | 103 | 29 | 1,000 | 1,000 | |
| 10-53-620 | COMMISSION FEES | 3,500 | 2,660 | 5,356 | 5,760 | 5,760 | |
| PLANNING AND ZONING Total | | 53,567 | 37,514 | 38,479 | 40,648 | 45,148 | |
| <u>CLASS "C" ROAD PROJECTS</u> | | | | | | | |
| 10-61-270 | CLASS C STREET LIGHTS | - | - | - | - | - | |
| 10-61-310 | PROFESSIONAL SERVICES | - | - | - | - | - | |
| 10-61-410 | ROAD REPAIRS | 38,797 | 35,629 | 40,829 | 50,000 | 50,000 | |
| 10-61-413 | STREET STRIPING | 10,173 | 11,342 | 11,474 | 11,500 | 11,500 | |
| 10-61-625 | SIDEWALK REPLACEMENT | 3,517 | 777 | 13,490 | 14,000 | 14,000 | |
| 10-61-730 | OVERLAY CITY STREETS | - | - | - | - | - | |
| 10-61-731 | CRACK SEALANT | 8,200 | 10,050 | 10,975 | 10,000 | 10,000 | |
| 10-61-735 | SLURRY SEAL | 81,373 | 114,818 | 5,347 | 110,000 | 211,000 | Previous year project/funding rolled into current year |
| 10-61-740 | CAPITAL OUTLAY | - | - | - | - | - | |
| CLASS "C" ROAD PROJECTS Total | | 142,060 | 172,615 | 82,116 | 195,500 | 296,500 | |
| <u>DEBT SERVICE</u> | | | | | | | |
| 10-85-815 | PRINC.-SALES TX BOND-CITY HALL | 112,000 | 115,000 | 118,000 | 115,000 | 115,000 | |
| 10-85-825 | INT.-SALES TX BOND-CITY HALL | 40,002 | 37,343 | 34,613 | 37,400 | 37,400 | |
| 10-85-836 | DEFEASED BOND | - | - | (1) | - | - | |
| 10-85-835 | AGENT-SALES TX BOND-CITY HALL | 1,500 | 1,100 | 1,100 | 3,600 | 5,600 | Arbitrage Report |
| DEBT SERVICE Total | | 153,502 | 153,443 | 153,712 | 156,000 | 158,000 | |

**Proposed Amendment #1 - General Fund
Fiscal Year 2016/2017**

| Acct | Acct.Name | Actual 2013-14 | Actual 2014-15 | Actual 2014-16 | ORIGINAL 2016-17 | 1st Amend 2016-17 | Note |
|---|--|---------------------------|---------------------------|---------------------------|-----------------------------|------------------------------|----------------------------|
| TRANSFERS, OTHER | | | | | | | |
| 10-90-800 | TRANSFERS TO CIP FUND | - | - | - | 380,000 | - | Removed to fund settlement |
| 10-90-810 | TRANSFERS TO CAPITAL STREETS | - | 328,500 | 212,500 | - | - | |
| 10-90-815 | TRANSFERS TO STREETS PROJECTS - PROP ONE | - | - | - | - | - | |
| 10-90-820 | TRANSFERS TO STORM UTILITY | - | - | 55,000 | - | - | |
| 10-90-850 | TRANSFERS TO GOLF FUND | 86,473 | - | 393,411 | - | - | |
| 10-90-899 | APPROP INCREASE - FUND BALANCE | - | - | - | 174,409 | - | Removed to fund settlement |
| 10-90-914 | S/TAX PYMTS TO BTFL - COMMONS | 113,423 | 122,215 | 120,514 | 127,585 | 127,585 | |
| 10-90-915 | S/TAX PYMTS TO BTFL - GATEWAY | 67,097 | 65,383 | 52,976 | 67,035 | 67,035 | |
| 10-90-916 | S/TAX PYMTS TO DVPR: COMMONS | 338,678 | 365,226 | 208,093 | - | 1,107,000 | Settlement Agreement |
| TRANSFERS, OTHER Total | | 605,671 | 881,324 | 1,042,493 | 749,029 | 1,301,620 | |
| GENERAL FUND REVENUE TOTALS | | 4,084,902 | 3,686,756 | 4,861,622 | 4,284,427 | 5,014,518 | |
| GENERAL FUND EXPENDITURE TOTALS | | 3,774,819 | 3,678,970 | 3,970,695 | 4,284,427 | 5,014,518 | |
| INCREASE/(DECREASE) FUND BALANCE | | 310,083 | 7,786 | 890,927 | 0 | 0 | |

General Fund Overview

| | Actual 2010-11 | Actual 2011-12 | Actual 2012-13 | Actual 2013-14 | Actual 2014-2015 | Actual 2015-2016 | Final 2016-2017 | 1st Amend 2016-2017 |
|-------------------------------|-------------------|-------------------|-------------------|-------------------|---------------------|---------------------|--------------------|------------------------|
| OPENING FUND BALANCE | \$ 442,977 | \$ 665,980 | \$ 819,406 | \$ 1,047,076 | \$ 1,292,399 | 1,300,184 | 1,741,186 | 1,741,186 |
| REVENUES | | | | | | | | |
| Property Tax | 591,494 | 1,068,194 | 1,008,091 | 1,021,561 | 708,193 | 1,935,091 | 1,306,500 | 1,306,500 |
| Sales Tax | 1,130,560 | 1,206,852 | 1,237,674 | 1,331,835 | 1,366,648 | 1,471,801 | 1,763,241 | 1,763,241 |
| Other Taxes | 426,049 | 416,848 | 456,275 | 486,370 | 501,146 | 576,694 | 597,000 | 597,000 |
| License and Permits | 73,384 | 89,972 | 206,553 | 101,861 | 119,965 | 157,692 | 93,200 | 93,200 |
| Fines and Forfeitures | 137,655 | 92,990 | 77,169 | 83,642 | 88,501 | 50,299 | 80,000 | 55,000 |
| Other | 377,328 | 265,196 | 431,470 | 446,515 | 278,679 | 247,044 | 238,200 | 253,200 |
| Contributions and Transfers | 13,189 | 33,837 | 2,294,769 | 33,251 | 17,544 | 41,420 | 11,665 | 11,665 |
| Total Revenues | 2,749,658 | 3,173,890 | 5,712,002 | 3,505,035 | 3,080,676 | 4,480,040 | 4,089,806 | 4,079,806 |
| EXPENDITURES | | | | | | | | |
| Personnel | 1,173,362 | 1,081,025 | 1,260,226 | 1,283,783 | 1,286,452 | 1,387,376 | 1,484,624 | 1,484,624 |
| Contract Services | 177,241 | 194,216 | 188,611 | 176,386 | 186,149 | 201,970 | 203,300 | 267,800 |
| Operating | 568,528 | 807,228 | 513,992 | 654,258 | 655,086 | 598,505 | 773,960 | 884,960 |
| Capital | 117,423 | 51,767 | 572,065 | 488,902 | 27,915 | 95,873 | 295,200 | 295,200 |
| Fire | 329,774 | 371,762 | 398,817 | 416,408 | 435,345 | 490,766 | 580,313 | 580,313 |
| Debt Service | 160,328 | 162,628 | 2,128,951 | 153,502 | 153,443 | 153,713 | 156,000 | 158,000 |
| Transfers Out | - | 351,840 | 421,669 | 86,473 | 328,500 | 660,911 | 380,000 | - |
| Loan Forgiveness/Settlement | | | | | | 449,924 | | 1,107,000 |
| Total Expenditures | 2,526,655 | 3,020,464 | 5,484,332 | 3,259,712 | 3,072,890 | 4,039,038 | 3,873,397 | 4,777,897 |
| ENDING FUND BALANCE | 665,980 | 819,406 | 1,047,076 | 1,292,399 | 1,300,184 | 1,741,186 | 1,957,595 | 1,043,095 |
| Reserved for Class "C" Roads | 146,798 | (20,489) | 79,896 | 109,689 | | 117,143 | 117,143 | 16,143 |
| Reserved for Debt Service | 162,287 | 162,487 | - | | | | | |
| Reserved for Other | | | | 12,478 | 24,511 | 8,645 | | 8,645 |
| Less Due from other Funds | 449,924 | 449,924 | 452,250 | 456,149 | 457,117 | | | |
| AVAILABLE FUND BALANCE | (93,029) | 227,484 | 514,930 | 714,083 | 818,556 | 1,615,398 | 1,840,452 | 1,018,307 |

42.2% 38.9% 47.9% 25.6%

WEST BOUNTIFUL CITY POLICE DEPARTMENT

Todd L. Hixson
Chief of Police

550 North 800 West
West Bountiful, Utah 84087
Office 801- 292-4487/Fax 801 - 294-3590

Kenneth Romney
Mayor

West Bountiful City Council Report February 21, 2017

Statistics are from January, 2017; the other information reported is collected between council meetings.

Reserve Officer Program

No Information to Report

Alcohol Officer Program

No Information to Report

Crossing Guards

No Information to Report

Personnel

Officer Scheese continues to do well on field training. He has completed two month months.

EMPAC

EmPAC meeting was held on February 21, 2017. We have schedule a flagger training class for March 30th. CERT members may be called upon to help direct traffic during an incident. This will provide them training on how to most effectively accomplish this and reduce liability. We will be inviting other city Personnel/CERT members to attend if they desire. They will have to cover the cost of the tuition on their own.

General Information

The new body camera system has been ordered.

Justice Assistance Grant reporting has been completed and the check received by the city.

West Bountiful Police Department

Department Summary

1/1/2017 to 1/31/2017

| | | |
|----------------|-----------|-------|
| Arrests | 29 | |
| Adult | 26 | 89.7% |
| Juvenile | 3 | 10.3% |

| | | |
|---------------------|--------------|-------|
| Activities | 1,221 | |
| Admin | 214 | 17.5% |
| Assist | 109 | 8.9% |
| Community Relations | 7 | 0.6% |
| Deaths | 1 | 0.1% |
| Investigation | 55 | 4.5% |
| Patrol | 122 | 10.0% |
| Property | 2 | 0.2% |
| Security | 320 | 26.2% |
| Service Call | 82 | 6.7% |
| Suspicious Activity | 20 | 1.6% |
| Traffic | 281 | 23.0% |
| Vehicle Accident | 8 | 0.7% |

| | | |
|---|-------------------------|--------------|
| Shift Time and Percent Accounted | 1137 hr. 14 min. | 59.9% |
|---|-------------------------|--------------|

| | | |
|------------------------|------------|-------|
| Reports | 242 | |
| CITATION REPORT | 103 | 42.6% |
| INCIDENT REPORT | 95 | 39.3% |
| OFFICER INFORMATION | 38 | 15.7% |
| POLICE VEHICLE IMPOUND | 6 | 2.5% |

Department Summary

Crime Offenses

76

| | | |
|--------------------------|----|-------|
| ASSAULT | 2 | 2.6% |
| BURGLARY | 1 | 1.3% |
| CITY CODES | 1 | 1.3% |
| DAMAGE PROPERTY | 2 | 2.6% |
| DANGEROUS DRUGS | 17 | 22.4% |
| DEATH/INJURY | 1 | 1.3% |
| FAMILY OFFENSE | 7 | 9.2% |
| FRAUD | 1 | 1.3% |
| JUVENILE STATUS OFFENSES | 2 | 2.6% |
| OBSTRUCTION POLICE | 1 | 1.3% |
| PRIVACY VIOLATIONS | 2 | 2.6% |
| PUBLIC PEACE | 3 | 3.9% |
| SEX ASSAULT | 1 | 1.3% |
| THEFT | 11 | 14.5% |
| TRAFFIC OFFENSE | 19 | 25.0% |
| WARRANT SERVICE | 5 | 6.6% |

Accidents

13

Citation Violations

131

| | | |
|-------------|----|-------|
| DUI | 1 | 0.8% |
| Fix it | 33 | 25.2% |
| Misdemeanor | 21 | 16.0% |
| Traffic | 56 | 42.7% |
| Warning | 20 | 15.3% |

1 **Minutes of the West Bountiful City Council meeting held on Wednesday, January 17, 2017 at**
2 **West Bountiful City Hall, 550 N 800 West, Davis County, Utah.**

3
4 Those in attendance:

5
6 **MEMBERS:** Mayor Ken Romney, Council members James Ahlstrom, Kelly Enquist,
7 James Bruhn, Mark Preece, and Andrew Williams

8
9 **STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Police Chief
10 Todd Hixson, Cathy Brightwell (City Recorder). Ben White (City Engineer), Steve
11 Maughan (Public Works Director)

12
13 **GUESTS:** Alan Malan, Eric Eastman, Denis Hopkinson, Tina Maughan, Chief Jeff Bassett,
14 James Behunin, Larry & Lucille Wilkinson, Jeff Wilkinson, Kathy Wilkinson, Jonell
15 Murray, Jan & Denny Castleton, Karie & Steve Beyer, Brian McKenzie, Brad Frost, Nate
16 Reeve, Craig Jacobsen, Curtis Koch, Alan Arbuckle, Karlyne Arbuckle, Mark James

17
18
19 Mayor Romney called the regular meeting to order at 7:34 pm.

20
21 James Bruhn gave a thought; Andy Williams led the Pledge of Allegiance.

22
23 **1. Accept Agenda.**

24
25 **MOTION:** *James Bruhn Moved to Accept the Agenda as posted. Mark Preece*
26 *Seconded the Motion which PASSED by Unanimous Vote of all Members*
27 *Present.*

28
29
30 **2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a**
31 **group).**

32
33 Kathy Wilkinson, resident, commented on Ovation Homes. She said several of her
34 neighbors have had to leave town because they needed a single-level home and none were available
35 in West Bountiful. She believes it is important to have this development in the City. A year ago
36 they submitted a petition supporting the project and enthusiasm has not gone down – it may even
37 have gone up.

38 Eric Eastman, resident, commented that the city has a history of not allowing dense housing
39 which is good, and in the past a developer was forced to go R-1-10 instead and ended up making a
40 lot of money. He hopes West Bountiful will continue to be garden spot in the state. He added that
41 he believes it was a mistake to allow this type of subdivision on this property but has faith that the
42 city council will make the developer live up to every detail that he agreed to earlier.

44 **3. Consider Final Plat Approval for The Cottages at Havenwood PUD Subdivision at 690**
45 **W 1600 North.**

46
47 Ben White summarized the history and status of this subdivision application. An ordinance
48 and associated Development Agreement were approved on May 3, 2016 allowing a Planned Unit
49 Development (PUD). The Agreement modifies certain requirements/standards in WBMC Title 16
50 Subdivision and Title 17 Zoning. Mr. White then discussed the three conditions recommended by
51 planning commission as part of their final plat approval. 1) Correct remaining engineering
52 comments on the construction drawings; 2) The concrete street surface necessitated by the storm
53 drain pipe design on 800 West be extended in straight lines across the street which will make it look
54 more like a cross walk for the safety of trail users rather than at angles as proposed by developer;
55 and 3) The developer provide the City Council a backyard fence plan with a concrete stem wall as
56 an alternative to the proposed rock retaining wall for their consideration. The planning commission
57 considered the rock retaining wall against the perimeter fence an unsafe installation.

58 Craig Jacobson, representing Ovation Homes, commented that this has been a difficult
59 process on both sides and they want to go forward. He provided some history and agreed that they
60 are subject to the development agreement and beyond that, Titles 16 and 17. However, he believes
61 some things are being considered that are not in the development agreement, and may go beyond
62 construction standards for the R-1-10 zone. He provided some examples.

63 1) Regarding the 800 West Bypass, Section 4g of the Agreement says that \$42,500 is
64 identified for storm water enhancements. The required Bypass has features that benefit other parties
65 and the developer is being asked to bear the full burden. Mr. Jacobson believes that if it was
66 determined those requirements went beyond containing the project's water, the \$42,500
67 contribution should be used to help. Mr. Jacobson also does not believe a straight concrete
68 alignment on 800 W can be imposed at this point in the process.

69 2) Section 4i of the Development Agreement – Landscape Improvements, requires perimeter
70 fencing; it says nothing about rock or concrete walls. The planning commission unanimously asked
71 the city council to consider both rock and concrete options, but did not make a finding that it was
72 unsafe although one member commented that he thought it was. If the City wanted a specific fence
73 arrangement, it should have been included in the Agreement. The Developer may want to use
74 cement in certain places but believes many buyers will prefer rock because it is more attractive. The
75 Developer will talk with buyers and find out what they want. He provided a picture of an existing
76 rock retaining wall along the east property.

77 Council member Ahlstrom said he did not see a concrete wall as an explicit requirement.
78 Mayor Romney said the only concern he has is drainage to the west; storm water must be retained
79 on the property, and the council should consider long term drainage needs. He is not sure the City
80 can require concrete, but it does not want neighbors complaining about water. Council member
81 Bruhn said he believes it is a safety hazard. Planning Commission Chairman Hopkinson said the
82 recommendation was intended to deal with a public safety issue, not drainage – he stated the

83 Commission wanted the discussion to happen. Mr. Frost responded that they do not want residents
84 to fall and get hurt, and it is their obligation as a builder to do what is best for each property and
85 weigh each buyer's preferences/needs. He believes the water is easily maintained; water will not go
86 to neighbors' properties.

87 Mr. Jacobson continued with his list of items not required by the Agreement/Standards by
88 listing: 3) Item 7 on the Staff memo says limits on home designs will be reviewed as part of the
89 building permit application, i.e., colors, adjacent identical houses, etc. Section 4j – Architectural
90 Standards of the Agreement mentions nothing about color selections being part of the building
91 permit process. Buyers select colors after the building permit has been issued so it cannot be part of
92 the building permit process. The Developer has an incentive to make sure it looks nice. He asked
93 for clarification that it not be required.

94 Ben White explained that the eight items listed in this section of his memo were only
95 intended to summarize items in the Agreement. He does not plan to look at colors as part of the
96 building permit process, but will look at materials, height, size, etc.

97 4) Mr. Jacobson believes that Engineering Standards (Section 3 of Staff memo) has new
98 requirements that were not included in the Agreement or previous reviews. He stated that the
99 Developers were told their plans would not go to planning commission until everything was final
100 and complete, then additional requirements were presented to planning commission and now even
101 more, requiring significant expense. For example, Section 3.a. requires asphalt paving of 3" asphalt
102 over 8" base course and 12" sub-base material. The Developer's engineers believe this is not
103 necessary. A geo tech study, which was very site specific, has been done and plans have been
104 updated with the geo technical engineer's recommendation that 3" asphalt and 12" base is
105 sufficient; Mr. Jacobson believes the base course proposed by staff is in excess of what was
106 required in the Agreement.

107 Mr. White explained that the requirement does not exceed the city's standard, but is in fact
108 the exact standard in the City's Design Standards; it is something required of anyone building in the
109 R-1-10 district and the standard was provided to the Developer last year, and a note to that point has
110 been included in every review.

111 In summary, Mr. Jacobson stated that the process has been very detailed and arduous with
112 each submittal being reviewed resulting in more requests and many re-submittals. At some point
113 the Developer has to be able to move forward and not continue to go back and forth another couple
114 months. These new requirements are expensive, e.g., 800 West bypass will be over \$140k, and the
115 pump station \$160-170k. The Developer is willing to build what the city wants, but they are
116 looking for fairness and asking the city to consider some kind of contribution towards these
117 improvements, such as waivers of impact fees.

118 There was more discussion about the conditions and what could and should be required.
119 Council member Ahlstrom asked Mr. Jacobson if he agrees that if the city council finds that
120 something is required in either City Code or the Development Agreement, they have no discretion –
121 they need to do it. Mr. Jacobson agreed but said they believe they have been asked to do more. He

122 suggested the project move forward, get it approved and then possibly reconvene to talk about how
123 to make it work from a fairness stand point.

124

125 ***MOTION:*** *James Ahlstrom made a Motion to give final plat approval to The*
126 *Cottages at Havenwood PUD Subdivision with the following conditions adopted*
127 *from planning commission recommendations, with a Finding that these*
128 *conditions are mandated as part of the Development Agreement, WBMC Titles*
129 *16 and 17:*

130

131 ***1. Fencing - A rock wall be used with no requirement of a concrete stem wall.***
132 ***Developer is encouraged to be open to concrete stem wall to address safety***
133 ***concerns.***

134 ***2. 800 West Concrete - the straight concrete alignment will be required with***
135 ***compensation of actual excess costs not to exceed \$5,000 unless increased by***
136 ***city council at a future time.***

137 ***3. Engineering Standards –***

138 ***a) The asphalt pavement design section needs to be modified to meet the***
139 ***minimum city requirements (3” asphalt over 8” base course and 12”***
140 ***sub-base material).***

141 ***b) The storm drain trench detail on sheet 15 of 17 needs to be corrected.***
142 ***The text in the detail is fairly accurate to communicate the***
143 ***requirements, but the pictorial detail does not convey the same message.***
144 ***The thickness of the concrete (6” over the pipe and 9” in all other road***
145 ***areas) needs to remain. A concrete control joint plan should be***
146 ***provided as well.***

147 ***c) The 800 West design (sheet 15) needs to include grading elevations and***
148 ***the construction limits for the proposed street resurfacing (both***
149 ***concrete and asphalt). The design expectation is for a smooth road and***
150 ***not a speed bump. The design requirement is that a change in slope***
151 ***greater than one percent (1%) will not be allowed in any section. The***
152 ***design needs to also include the locations where the curb and sidewalk***
153 ***must be replaced to match the new road grade elevations. The water***
154 ***line design needs to meet the City’s minimum construction standards.***
155 ***The construction drawings show the water line on top of the storm***
156 ***drain line. In many of these locations, the required water line cover***
157 ***and separation from other utilities cannot be achieved per the***
158 ***standards, and.***

159 ***d) Installation of three stop signs.***

- 160 4. *A title report with no objectionable entries needs to be submitted and*
161 *reviewed by staff.*
162 5. *The monies required in the Development Agreement, storm drain impact fee,*
163 *inspection fee and the water right fee must also be paid.*
164 6. *Appropriate bonds must be in place.*
165 7. *A Storm Water Management Plan must be submitted by the contractor and*
166 *approved by the city storm water inspector.*
167 8. *All bends and elbows on the culinary water system require the approval of the*
168 *public works department.*
169 9. *Developer must provide material submittals for construction quality assurance*
170 *purposes.*
171 10. *Submit material testing results to the City during construction as they occur*
172

173
174 (A five minute break was taken.)
175

176 **4. Presentation on Changes to Election Process by Curtis Koch, Davis County**
177 **Clerk/Auditor and Brian McKenzie, Asst. Deputy Clerk-Elections.**

178
179 Curtis Koch, Davis County Clerk & Auditor, explained that the County is implementing
180 Vote by Mail (“VBM”) as the sole method for all future elections that they administer, including
181 this year’s municipal elections that they are contracted to perform. He introduced Brian McKenzie,
182 Chief Deputy Clerk, who talked in more detail about what led to their decision not to offer
183 traditional machine voting but instead a hybrid voting method. VBM (hybrid) uses mail ballots as
184 the primary form but maintains one vote center in each city on Election Day. Every voter will get a
185 ballot in the mail and can either mail it, drop it in a drop box at the city prior to the election, or
186 come in to the city on Election Day to vote in person.

187 Mr. McKenzie explained that they decided to make this change because their machines and
188 software are reaching their end of life and are no longer supported. In 2014, knowing they would
189 have to replace their machines, the county decided to test VBM, and it was a success! Feedback
190 indicates that voters like, and take advantage of, the opportunity to check-out candidates and issues
191 online while they are completing their ballots which results in better informed voters.

192 In 2015, over half the cities in Davis County utilized VBM with increases noted in voter
193 turnout. The County VBM is a safe and secure system. The biggest issue for cities is cost. One
194 reason for the higher cost is that ballots are mailed to 100% of the population rather than only those
195 that come in to vote. Based on feedback, the benefits include a better experience for voters, more
196 people get involved, and better voter engagement; in the last election the County’s Voter website
197 exploded as soon as ballots were mailed. Another benefit to cities is that the County offers a team of
198 election experts well versed in poll worker training, election code review, etc., that are available to
199 administer the election process.

200 Mayor Romney asked what they have learned in the last couple of VBM elections. Mr.
201 McKenzie responded that the biggest issue in 2014 was that they under estimated in-person voter
202 turnout. There were 30-45 minute waits at several locations. They are now better at projecting; the

203 2016 election was projected to have 15% in-person voters and there were 14.8% county-wide. For
204 the 2017 Municipal election, they expect 18-20% to vote at polling locations, and expect those
205 numbers to come down slightly each year. Polling locations are great especially for those who
206 cannot vote by mail, need help, missed a ballot, or just prefer the in-person experience.

207 Mr. Huffman commented that his intention is to move forward with the County's VBM offer
208 unless he hears otherwise from Council.

209
210

211 **5. Consider Resolution 407-17, A Resolution Authorizing the Issuance and Sale of Not**
212 **More Than \$3,500,000 Aggregate Principal Amount of Water Revenue Refunding**
213 **Bonds, Series 2017; and Related Matters.**

214 Jason Birmingham reviewed the history of the City's water bonds. The purpose is to refund
215 in advance of the call date of certain maturities of the City's Water Revenue Bonds, Series 2009 for
216 an economic savings. Tax-exempt refunding bonds will be issued to take advantage of historically
217 low interest rates and generate savings to the City. Par amount of Series 2017 Refunding Bonds is
218 estimated to be \$3,025,000 with a final maturity date of February 1, 2029; no new money will be
219 included in the Series 2017 Refunding Bonds.

220 The City will realize approximately \$175 - \$195k of net present value savings, with an
221 average annual savings of approximately \$17 - \$18k.

222 Mr. Birmingham is recommending the No Call option, meaning the City will not have
223 another chance at refunding before the bonds are retired. The new rates will lock on February 23,
224 2017 with final Resolution approval projected for the March 7 meeting.

225
226

227 ***MOTION: Andy Williams made a Motion to Adopt Resolution 407-17, A Resolution***
228 ***Authorizing the Issuance and Sale of Not More Than \$3,500,000***
229 ***Aggregate Principal Amount of Water Revenue Refunding Bonds, Series***
230 ***2017; and Related Matters. Mark Preece seconded the Motion which***
231 ***passed.***

232 The vote was recorded as follows:

233 James Ahlstrom – Aye

234 James Bruhn – Aye

235 Kelly Enquist – Aye

236 Mark Preece – Aye

237 Andy Williams – Aye

238
239

240 **6. Executive Session For The Purpose of Discussing Pending Litigation Pursuant to Utah**
241 **Code Annotated, 52-4-205 (c).**
242

243 **MOTION:** *James Ahlstrom Moved to Go Into Executive Session in the Police Training*
244 *Room for the Purpose of Discussing Pending Litigation. Andy Williams*
245 *seconded the Motion which passed.*

246 The vote was recorded as follows:
247 James Ahlstrom – Aye
248 James Bruhn – Aye
249 Kelly Enquist – Aye
250 Mark Preece – Aye
251 Andy Williams – Aye
252

253 **MOTION:** *Kelly Enquist Moved to close the Executive Session at 9:59 pm. James*
254 *Bruhn seconded the Motion which passed by unanimous vote of all*
255 *members present.*
256

257 *The regular meeting re-convened at 10:00pm.*
258

259 **7. Consider February 2, 2017 Settlement and Release Agreement between and among**
260 **Johansen-Thackeray Commercial Real Estate Services, L.C., West Bountiful**
261 **Commons Partners, West Bountiful City Redevelopment Agency, and West Bountiful**
262 **City.**
263

264 **MOTION:** *Mark Preece made a Motion to Adopt the February 2, 2017 Settlement and*
265 *Release Agreement between and among Johansen-Thackeray Commercial*
266 *Real Estate Services, L.C., West Bountiful Commons Partners, West*
267 *Bountiful City Redevelopment Agency, and West Bountiful City. James*
268 *Bruhn seconded the Motion which passed 4-1.*

269 The vote was recorded as follows:
270 James Ahlstrom – Nay
271 James Bruhn – Aye
272 Kelly Enquist – Aye
273 Mark Preece – Aye
274 Andy Williams – Aye
275
276

277 **8. Consider Second Amendment to Participation Agreement, amending the 2004**
278 **Participation Agreement between and among Johansen-Thackeray Commercial Real**
279 **Estate Services, L.C., West Bountiful Commons Partners, West Bountiful City**
280 **Redevelopment Agency, and West Bountiful City.**
281

282 **MOTION:** *Kelly Enquist made a Motion to Approve the Second Amendment to*
283 *Participation Agreement, amending the 2004 Participation Agreement*
284 *between and among Johansen-Thackeray Commercial Real Estate*
285 *Services, L.C., West Bountiful Commons Partners, West Bountiful City*
286 *Redevelopment Agency, and West Bountiful City. James Bruhn seconded*
287 *the Motion which passed by 4-1.*

288
289 The vote was recorded as follows:
290 James Ahlstrom – Nay
291 James Bruhn – Aye
292 Kelly Enquist – Aye
293 Mark Preece – Aye
294 Andy Williams – Aye

295
296 **9. Recess to RDA Meeting.**

297
298 **MOTION:** *Andy Williams Moved to Recess the City Council Meeting to a West*
299 *Bountiful Redevelopment Agency Meeting at 10:02 p.m. James Bruhn*
300 *seconded the Motion which PASSED by Unanimous Vote of All Members*
301 *Present.*

302
303 *The City Council Meeting Reconvened at 10:10 pm.*

304
305 **10. Public Works/Engineering Report.**

306
307 Ben White –

- 308 • The Planning Commission will hold a public hearing next week on a new request from
309 Hamlet Homes to rezone the property at the corner of Porter Lane and 1100 West from
310 A-1 to R-1-22. They are also working on new PUD language, Setbacks and Fencing
311 requirements in residential zones, and construction standards.
312 • The required notice requirements have been met so the Annexation Request from Al
313 Jones on 1450 West will be on the next city council agenda.

314
315 Steve Maughan –

- 316 • Staff has been working on water leaks at the Elks Lodge for about a year. They were
317 using 750k gal/month but water was not surfacing anywhere. They finally hired
318 company to find the leak in December, and then another leak was found in January
319 causing usage of 460k/gal/month. They ran a temporary line to the building and the
320 water meter has been relocated from the sidewalk and will be tied in later this week.
321 UDOT will replace the hole in the sidewalk when they finish the road.
322 • Recent rain and snow brought drainage issues to the city including a property off 800 W
323 and 1400 North. We took hydraulic pumps to help out by pumping water to the west
324 over the Prospector trail and to the street. Water is now being pumped to the gutter.
325 Talked with neighbor, Jed Christensen, and he has agreed to help repairing his grading

326 so that water does not leave his property and by allowing Mr. Kevin Beyer to cross his
327 property to tie in to an existing drain line to the south.

- 328 • The City's storm drain system is working well with all this water.
- 329 • Canyon Pipeline (Questar's contractor) is busy around the city with several crews pot
330 holing, etc., to prepare for pipeline work. We will be watching them closely.
- 331 • 1995 TopKick was in the shop again but is working now. The dash could not be fixed as
332 it is obsolete and parts are not available. The Sterling 10 wheeler got front end work
333 done. It is in good shape.

334
335 Council member Williams asked how best to monitor all these projects, e.g., Ovation Homes
336 construction and Questar pipeline. Staff responded that they are reviewing options, but in general
337 no major projects are scheduled for this calendar year, allowing for additional time to oversee the
338 outside work.

339 Council member Bruhn asked about the road cut on 400 North in front of Alice Acres. It
340 does not look like they used hot patches. Steve explained that they did, and it looked good initially,
341 but now it is starting to show due to the asphalt shrinking at different rates. We will crack seal this
342 year.

343 Council member Enquist asked if the City has received payment from Holly for the well.
344 Mr. Huffman said we have. There was discussion about whether there are any outstanding issues
345 related to the expansion agreement, and Mr. Huffman noted the 800 West road repairs and 1100 W
346 sidewalk.

- 347
348 **10. Administrative/Finance Report.**
- 349 • Duane Huffman provided a printed finance report highlighting issues and noting items
350 that will be included in a proposed budget amendment at the next meeting.
 - 351 • The ULCT Spring conference will be April 5-7 in St. George. Council members Enquist
352 and Bruhn stated they planned to attend.
 - 353 • Mr. Huffman asked if the Council was comfortable with the compensation planning
354 proposal he previously distributed. He was told to move forward with it.
 - 355 • The golf staff expect to open golf course this week, likely on Thursday although it will
356 be walking only due to the wet ground.
 - 357 • We have been working with Verizon on a cell phone tower in Jessi's Meadow Park.

358
359 **11. Mayor/Council Reports.**

360
361 Kelly Enquist – Mosquito Abatement meeting is coming up.

362
363 Andy Williams – Reported that the Youth Council is busy stuffing Easter eggs. They also
364 distributed flyers throughout the city regarding their service project to make food packs. He added

365 that he has been impressed with how well they are organized and how efficiently Youth-Mayor
366 Justin Wood moves through the agenda.

367
368 James Bruhn – Reported on the Wasatch Integrated Board meeting. They are still working
369 to get Hill AFB to change its mind about producing their own steam. Arts Council concert is on
370 Friday.

371
372 Mark Preece – Reported on the Sewer board meeting – the methane recovery project is
373 moving well. Bonds should be issued shortly. DEQ will be a major lender.

374
375 James Ahlstrom – no report.

376
377 Mayor Romney – Reported that he offered the new Independence Day parade chairman a
378 punch pass to the golf course.

379
380 **12. Approve Minutes from the January 17, 2016, City Council Meeting.**

381 **MOTION:** *James Bruhn Moved to Approve the Minutes both as presented. Mark*
382 *Preece seconded the Motion which PASSED by Unanimous Vote of All*
383 *Members Present.*

384
385 **14. Adjourn.**

386
387 **MOTION:** *James Bruhn moved to adjourn this meeting of the West Bountiful City*
388 *Council at 10:34 p.m. Mark Preece seconded the Motion which PASSED*
389 *by unanimous vote of all members present.*

390
391 -----
392
393 *The foregoing was approved by the West Bountiful City Council on Tuesday, February 21, 2017.*

394
395
396 _____
397 Cathy Brightwell (City Recorder)