

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

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

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City Recorder
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City Engineer
Ben White

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CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A WORK SESSION
AT 6:00 PM AND A REGULAR MEETING AT 7:30 PM,
ON TUESDAY, APRIL 18, 2017, AT CITY HALL, 550 N 800 WEST**

Work Session @ 6:00 pm

FY 2018 Budget Development.

Regular Meeting @ 7:30 pm

Invocation/Thought – James Ahlstrom; Pledge of Allegiance – Mark Preece

1. Accept Agenda.
2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).
3. Consider Ordinance 392-17, An Ordinance Adopting Changes to WBMC 17.68, Planned Unit Developments.
4. Consider Ordinance 393-17, An Ordinance Rezoning the Property East of the 800 West Railroad Tracks on the North Side of 500 South from Commercial General to Commercial Highway and Amending the City's Zoning Map.
5. Consider Award to Keddington & Christensen, LLC., for Financial Audit Services for Fiscal Year 2017.
6. Consider Purchase Approvals for Pump Station Motor (\$11,452.00) and Parks Mower (\$16,382.86).
7. Police Report.
8. Public Works/Engineer Report.
9. Administrative Report.
10. Mayor/Council Reports.
11. Approve Minutes from the March 21, 2017 Meeting.
12. Executive Session for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205.
13. Adjourn.

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

This agenda was posted on the State Public Notice website, the City website, emailed to the Mayor and City Council, and sent to the Clipper Publishing Company on April 13, 2017.

Minutes of the West Bountiful City Council meeting held on Wednesday, April 18, 2017 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, Cathy Brightwell (City Recorder), Ben White (City Engineer), Steve Maughan (Public Works Director)

GUESTS: Alan Malan, Steven Rowley, Cody Keddington, David Clayton, John Janson

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

James Ahlstrom offered a prayer; Mark Preece led the Pledge of Allegiance.

1. Accept Agenda.

MOTION: *James Bruhn Moved to Accept the Agenda as posted; Andy Williams Seconded the Motion which PASSED by Unanimous Vote of all Members Present.*

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

No public comments were offered.

3. Consider Ordinance 392-17, An Ordinance Adopting Changes to WBMC 17.68, Planned Unit Developments.

Duane Huffman presented a redraft of the Planned Unit Development (PUD) ordinance. He reminded Council that in May of 2016, a six month moratorium was placed on new PUD applications to allow time to study how PUDs could better meet the land use purposes unique to West Bountiful. The City engaged the services of Mr. John Janson as a PUD consultant, held joint work meetings with the City Council and Planning Commission, held several Planning Commission meetings, and held a public hearing to receive public input.

The draft prepared by Mr. Janson was modified by Planning Commission to address several issues they felt were important. This recommended draft makes the following changes from the current city code.

1. Creates a PUD Overlay Zone, to reaffirm the discretion the City has in approving a PUD.
2. Clarifies the Rezone/PUD process (both for the rezone and subdivision processes).
3. Specifies standards which are to be included in all PUD applications.
4. Makes explicit the need for a Development Agreement that ultimately acts as the guiding document for an approved PUD.
5. Establishes minimum areas for PUDs based on specific underlying zones (20 acres in A-1; 15 acres in R-1-22; 10 acres in R-1-10).
6. Simplifies the consideration and awarding of density bonuses.
7. Clarifies that in the future the City will not accept payments in lieu of improvements for density bonuses.
8. Limits density bonuses to no more than 20% above base density (from 35%).
9. In general, allows more flexibility for the City to approve variations for standard subdivision/land use regulations, but does retain current standards for side yard setbacks.

There was discussion about several of the changes; specifically, the change in density bonus percentage, the express restriction on payment in lieu of improvements, the designation of minimum property size by zone, and the inability to modify side yard setbacks.

Council member Ahlstrom raised concerns about limiting flexibility with items 5, 7, 8, and 9. He stated he does not want anything that limits the ability to make the best decision by the Council and believes flexibility allows the Council to make the best decision on a case by case basis. For example, Council would never have to go above 20% density bonus but leaving it at 35% would provide more flexibility in cases where it might be appropriate. Payment in lieu of improvements is not ideal but in some cases, it may be the best way to provide public improvements to benefit the City. He added that having restrictions causes the Council to go through more hoops when approval of a PUD is discretionary anyway and the Council has the ability to set limits. He commented that this recommendation looks like a reaction to a previous PUD experience and believes the City needs to apply regulations more broadly rather than focusing on one bad experience.

Mayor Romney commented that the Ovation Homes project was deemed to be beneficial to the city so Council looked for way to make it work. Many citizens wanted it. It was a unique property with unique problems. Do we want our hands tied in the future? He added that he likes the side yard setback restriction because even with smaller lots homes do not feel as cramped together.

Mr. Janson was asked to provide his opinion on the draft. He agreed that it limits flexibility. He believes it gets back to the values exercise conducted last year that showed that rural feel and community improvements were very important, especially to the planning commission and this draft reflects their concerns to keep the city more rural. Regarding the payment in lieu provision, he said there are other cities that accept payment in lieu. Regarding setbacks, he said some cities allow flexibility by setting a percentage that can be changed and in some cases give authority to staff to approve setback changes up to 10 percent – not limited to PUDs.

Mr. Huffman recommended that whichever way they decide to go, they make the language explicit regarding the payment in lieu issue. He asked for direction on how to modify the proposal so that a new Ordinance can be prepared for approval. There was discussion about how to handle applications that may come in before the new Ordinance is finalized. Mr. Huffman and Mr. Doxey cited the Pending Ordinance Doctrine.

Mayor Romney asked for a straw poll on items 7, 8 and 9 to see where members stand on the draft. Regarding #7 – Payment in Lieu of improvements, Council members Ahlstrom, Preece, Williams and Enquist would like the restrictive language removed. Regarding #8 – Limit density bonus to 20%, Council members Ahlstrom and Preece would like it back to 35%, Bruhn and Enquist prefer 20%, and Council member Williams is okay with either one. Regarding #9 – Restrict side yard setbacks, Council members Ahlstrom and Preece would like the restriction removed, Bruhn and Enquist prefer it to stay, and Council member Williams does not feel strongly either way.

Staff will bring back a draft for consideration at the next meeting. While not officially sending it back to planning commission, the draft should be shared with them to get their opinions and comments.

MOTION: *Kelly Enquist made a Motion to table this item and to have staff bring back revisions based on the discussion above. James Bruhn Seconded the Motion Which Passed by Unanimous Vote of All Members Present*

4. Consider Ordinance 393-17, Ordinance Rezoning the Property East of the 800 West Railroad Tracks on the North Side of 500 South from Commercial General to Commercial Highway and Amending the City's Zoning Map.

Ben White explained that Stone Creek Investment, LLC., owns the property at 756 W 500 South, just east of the Union Pacific Railroad tracks, which currently contains one small office-warehouse building with vacant land on the east and west. They would like to construct a building to the west that includes a warehousing component. Warehousing is a conditional use in the C-H zone but is not permitted in the C-G zone, so they have requested the property to be rezoned from C-G to C-H.

The planning commission considered the request and held a public hearing. They recommend splitting the zone through the property so that the warehouse building can be built on the west side but warehousing will not be allowed on the east side of the property.

Ben explained that the property was originally broken out into different parcels but the owner combined them into one before making the zoning request. To adopt the planning commission's recommendation would mean re-subdividing the property to avoid having two zones in one parcel.

David Clayton, architect for the owner, said they would prefer to have the entire property rezoned to C-H so they can proceed with construction.

MOTION: *James Bruhn made a Motion to Adopt Ordinance 393-17 Rezoning the Entire Property at 756 W 500 South from Commercial General to Commercial Highway and Amending the City's Zoning Map. Andy Williams 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 Award to Keddington & Christensen, LLC., for Financial Audit Services for Fiscal Year 2017.

Duane Huffman provided background on the decision to put the City's annual financial audit services out to bid for Fiscal Year 2017. He explained there is a value to having a fresh set of eyes every few years; we have been with our current company since 2011.

After reviewing the five proposals received, staff recommends awarding to Keddington & Christensen, LLC. While this award is for FY2017, there is an option to renew and the cost is a savings over our current agreement.

MOTION: *Andy Williams made a Motion to Award to Kennington & Christensen, LLC., Financial Audit Services for Fiscal Year 2017. 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

6. Consider Purchase Approvals for Pump Station Motor (\$11,452.00) and Parks Mower (\$16,382.86).

During the course of the year, two needs have arisen that require the Council's consideration and if approved will eventually require either a reduction of planned expenditures or an amendment to the current year's budget. The City's procurement code requires that purchases of \$10,000 or more first be approved by the City Council.

The 800 West Storm Water Pump station collects storm water from the Golden West subdivision and pumps it into the adjacent canal. For the purpose of redundancy and cases of high water volume, the pump station has two pumps and motors. Recently, it was determined that one pump needs to be replaced for a cost of \$11,452.

The City is currently down one large mower for the Parks department and staff recommends purchasing a Hustler Super Z Hyper Drive Vanguard 60” mower and a 21” commercial hand mower this year for a total cost of \$16,382.86.

MOTION: *James Bruhn made a Motion to Approve a Pump Station Motor (\$11,452.00) and Parks Mowers (\$16,382.86). Andy Williams Seconded the Motion Which PASSED by Unanimous Vote of all Members Present.*

9. Police Report.

Chief Hixson provided March statistics and updates. Officer Scheese has continued to do a good job after being released from field training.

All the officers have been issued Narcan and trained on how to administer it to a person that has overdosed on Opioids.

The EmPAC meeting for this month has been canceled. They held a flagger certification training class earlier this month.

Officer VanWagoner, the school liaison, conducted a school lockdown drill at West Bountiful Elementary school; this was the second drill this school year. Davis County School district is considering revamping its lockdown guidelines. Chief Hixson will sit on the committee.

The annual Earthquake Shakedown drill on Thursday, April 20 will include radio checks with the police department, public works and CERT.

10. Engineering Report/ Public Works.

Ben White –

- Hamlet Homes is looking at a possible PUD for the property on Porter Lane and 1100 West. It does not look like it will include a density bonus – only lot size flexibility due to challenges with the property.
- We have two projects currently out to bid – Asphalt Overlay and City Hall Roof Membrane Replacement.
- We have developed an alternative to a pump station for Ovation Homes. We will be meeting with them to discuss to pros and cons.

Steve Maughan –

- Questar’s gas pipeline project is going strong; it is a daily chore to keep eyes on them. They are working on 1450 W and Millbridge Lane, and will hit 400 North heavy this week. The project is expected to continue all summer.
- Ovation Homes is doing basic grading and setting up SWPPS. Next week we should see equipment moving in.
- Nate is participating in a Storm Water coalition.
- We have received calls/emails from several residents regarding the cross walk on 1000 N at 700 W. They are concerned that cars are not slowing down and have asked for additional striping and signs. Chief watched it today and there were 5-7 kids in the morning and 10-15 in the afternoon although it was a rainy day. He will monitor it on nice days for a couple weeks and he and Steve will check out different options for signage.

11. Administrative/Finance Report.

- Our RFP for Property, Liability & Worker’s Compensation Insurance was due today. We received 4 proposals which is one more than we received for the last RFP in 2014. We will be reviewing proposals for several weeks and Duane invited any council members who would like to be involved to let him know. He reminded them that the Proposers are restricted from talking with anyone associated with the City about their bids.
- The Compensation Study/Review is underway. Employees have been interviewed and job descriptions are being finalized. We hope to have something back in several weeks.
- Because the budget meeting for this week was canceled, a special budget meeting is scheduled for next Wednesday, April 26th at 7:00 pm.
- Duane reminded Council that the Candidate filing period is June 1 – June 7 from 8:00 am to 5:00 pm during the work week.

12. Mayor/Council Reports.

Kelly Enquist reported that the ULCT spring conference was informative. He also reported that Mosquito Abatement has had only 9 requests for spraying in West Bountiful – compared to 107 in Syracuse. This is the earliest they have ever had to spray. They are meeting with elementary school 4th graders to educate them about mosquitoes.

Andy Williams reported the Youth City Council’s annual Easter egg scrambler was very successful. They even had a drone taking pictures. It is much better since it was moved to City Park. He added that they are still looking for a Youth Mayor for next year.

James Bruhn reported that he also enjoyed the ULCT conference. He confirmed that city council has adopted rules by which to hold its meetings – “West Bountiful City Council Rules of Order and Procedure” (Res. 331014).

He also mentioned that he had citizens contact him to complain about the zip line being out of service and suggested that we keep extra parts on hand in the future it is down for only a short period of time. Steve Maughan agreed it was a good idea.

Mark Preece reported that South Davis Sewer District had special meeting recently regarding the methane recovery project; construction should begin soon.

James Ahlstrom asked when the money will come from Ovation Homes and how the City plans to use it. Duane responded that they will pay the money when the plat is recorded and part of the money will be used to connect residents west of the subdivision to the new drainage system. Councilman Ahlstrom commented that he is still interested in pursuing pickleball courts in the Birnam Woods area.

13. Approve Minutes from the March 21, 2017, City Council Meeting.

MOTION: *James Bruhn Moved to Approve the Minutes of the March 7, 2017 meeting as corrected. Mark Preece seconded the Motion which PASSED by Unanimous Vote of All Members Present.*

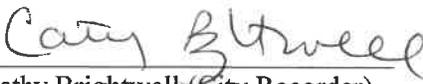
14. Executive Session For The Purpose of Discussing Items Allowed Pursuant to UCA, 52-4-205 (x)

There was no Executive Session.

15. Adjourn.

MOTION: *James Ahlstrom moved to adjourn this meeting of the West Bountiful City Council at 9:28 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, May 2, 2017.


Cathy Brightwell (City Recorder)

