

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 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.

MEMORANDUM



TO: Mayor & Council

DATE: April 14, 2017

FROM: Staff

RE: **Planned Unit Development (PUD) Ordinance**

This memo presents a draft PUD Ordinance for the Council's consideration. The ordinance as presented is similar to the current West Bountiful Municipal Code 17.68, but there have been enough changes (in text and structure) that a complete re-draft is in order.

Background

On May 17, 2016, the City Council placed a six month moratorium on new PUD applications to allow time to study how PUDs could better meet the land use purposes unique to West Bountiful. Since that time, 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 on March 14, 2017 to received public input on the Planning Commission's draft.

Proposed Draft

The re-drafting had two primary goals: (1) clarify process of reviewing, approving, and implementing PUDs; and (2) review and determine what level of flexibility would be most appropriate in regards to key elements such as density bonuses, size of projects, and variations from other standard development requirements.

The current draft as recommended by the Planning Commission 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. Provides clarification regarding 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.
9. In general, allows more flexibility for the City to approve variations for standard subdivision and land use regulations, but does retain current standards for side yard setbacks.

The City Council may accept the recommendation of the Planning Commission, make changes as it determines appropriate, or refer the draft back to the Commission for additional modifications.

WEST BOUNTIFUL CITY

ORDINANCE #392-17

**AN ORDINANCE ADOPTING CHANGES TO WBMC 17.68,
PLANNED UNIT DEVELOPMENTS**

WHEREAS, Utah Code Annotated § 10-9a, 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 City conducted a study of how Planned Unit Developments can better meet the land use purposes set forth in *Utah Code Ann.* § 10-9a-102 focusing on good land use principles, including public safety, health, and welfare; protecting the tax base; securing economy in governmental expenditures; protecting both urban and nonurban development; and conformity with the West Bountiful City General Plan, and

WHEREAS, the West Bountiful Planning Commission held a public hearing on March 14 , 2017, to consider proposed changes to the Planned Unit Development ordinance and received no objection to the proposed changes; and,

WHEREAS, following the public hearing, the West Bountiful Planning Commission unanimously voted to recommend to the City Council adoption of the proposed changes to WBMC 17.68.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT SECTIONS 17.68 OF THE WEST BOUNTIFUL MUNICIPAL CODE BE MODIFIED AS SHOWN IN ATTACHED EXHIBIT A:

Adopted this 18th day of April, 2017. This ordinance will become effective upon signing and posting.

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

Chapter 17.68 Planned Unit Development Overlay Zone (PUD)

- 17.68.010 Purpose and Intent
- 17.68.020 Rezone Application Requirements
- 17.68.030 Development Agreement
- 17.68.040 Base Density
- 17.68.050 Lots
- 17.68.060 Area
- 17.68.070 Uses
- 17.68.080 Ownership
- 17.68.090 Density Bonus Considerations
- 17.68.100 Design
- 17.68.110 Considerations
- 17.68.120 Approval
- 17.68.130 Subdivision Processing
- 17.68.140 Limitations on Application

17.68.010 Purpose and Intent.

The purpose of the Planned Unit Development (“PUD”) Overlay zone is to provide flexibility for the development of larger properties as well as those that have significant impediments to traditional development in the underlying zone. A PUD is a residential development planned as a whole, connected project. It incorporates a clear development theme which includes the elements of usable open spaces, diversity of lot sizes and/or housing design, amenities that reflect a rural community, enhanced streetscapes, and attractive entrances as part of the design.

West Bountiful City supports development that is creative and serves a purpose beyond the simple division of land. A PUD should benefit the City overall as well as the residents of the development in terms of such items as: usable open space, higher quality development, diverse housing types, and enhanced rural character. The purpose of a PUD is not to increase density, but to increase the quality of life in the community. In order to increase the quality of life in West Bountiful City, the City is willing to allow clustering or additional density of dwelling units in exchange for appropriate amenities.

A PUD may be allowed at the discretion of the City Council following a recommendation of the Planning Commission in any agricultural or residential zone. Denial of a PUD shall not result in a takings claim against the City because no applicant shall be denied the right to develop property by satisfying all of the requirements of Title 16 and all other chapters of this Title. The City Council need not provide detailed findings or reasons for denial of a PUD since its decision is legislative.

The owner, or authorized agent, of a proposed PUD shall apply for and secure approval of the proposed PUD Overlay Zone in accordance with this Chapter before a subdivision application for the PUD can be submitted. The requirements of this PUD Overlay Chapter are intended to be in addition to the other requirements of this Title, and rely on, but do not necessarily strictly adhere to, the requirements of the underlying zone.

Subsequent to an approved rezone and development agreement, any development that satisfies the requirements of this Chapter may be considered for approval for a PUD subdivision under the requirements of Title 16, Subdivisions, and other requirements of Title 17. In the case of conflicting requirements of this Chapter and Title 16, Subdivisions, and Title 17, Zoning, this Chapter combined with the approved development agreement, shall govern.

17.68.020 Rezone Application Requirements

An application for a rezone to a PUD Overlay shall be accompanied by:

- A. A written description of how the subject property and the rezone application meet the intent of this zone, including the design theme proposed, as well as the means in which it furthers the City's goal of continuing the rural theme into the future.
- B. A conceptual development plan. This plan must be drawn to scale and show property boundaries, proposed uses, proposed lots, and proposed roads.
- C. Conceptual building elevations, materials, and commitments to architectural features.
- D. Proposed, typical street cross sections addressing the width of street pavement, park strips and sidewalks, type of curb and gutter, park strip landscaping, street lighting and street furniture.
- E. A written description of the recreational amenities.
- F. If applicable, a density bonus justification addressing the criteria found in Section 17.68.090.
- F. A detailed description of the flexibility being requested over traditional development in the current zone.
- G. A conceptual improvement plan for all amenities and public improvements, including storm drainage.
- H. A draft development agreement to be considered concurrently with the rezone that commits in writing to the concepts described above. See Section 17.68.030.

I. Project expectations – all PUD requests will include the following:

1. Parking. Garages and Parking Lots. Each dwelling unit in a PUD shall include at least a two (2) car garage constructed in accordance with West Bountiful City building standards. In addition, every PUD shall provide for adequate off-street parking of vehicles (including recreational vehicle parking, unless specifically excluded in the Development Agreement and CCRs).

All parking spaces, parking areas, and driveways shall be hard surfaced and properly drained. Large expanses of asphalt should be reduced and broken into smaller parking lots. Parking lots should include ample landscaping to buffer cars from neighboring properties.

2. Attractive Elevations. Variety and Architecture. Structures in the PUD must include, at a minimum, the following design elements:
 - a. A variety of elevations, roof types (e.g., mansard, hip, gabled, traditional), colors, materials, and other architectural features must be incorporated into the housing units so as to eliminate or greatly reduce the impression of tract housing.
 - b. The appearance of garage doors must be mitigated. Side entry garages that do not face public streets, garage doors that are recessed from the front of the structure, front elevations where the overall width of the building is at least twice the width of the garage or other creative solutions, such as windows, carriage door style, and/or color coordination, are highly encouraged.
 - c. Dwellings with the same or similar elevations, façade, exterior design, or appearance generally should not be placed adjacent to each other or across the street from dwellings with the same or similar characteristics.
3. Upgraded Materials. The materials used to construct the structures in a PUD will represent an upgrade from typical construction practices. At a minimum, all residential structures within a PUD will include at least eighty (80) percent hard surface exterior materials (exclusive of windows and doors) defined as brick, stucco, stone, stacked stone, simulated/composite wood concrete siding, or similar materials. The applicant must present samples of proposed materials to the City for review in connection with approval of the PUD Overlay Zone.
4. Vehicular and Pedestrian Access. Adequate vehicular and pedestrian access must be provided. A traffic impact study may be required, as part of the preliminary PUD Overlay plan, to project auto and truck traffic generated by the uses proposed. The traffic impact study shall be prepared by a registered traffic engineer, unless otherwise expressly waived by the City. The traffic study shall include, at a minimum, an analysis of on-site circulation, capacities of existing streets, the number of additional trips which will be generated, recommended traffic flow enhancements, origin/destination studies and peak traffic generation movements.

- J. Project considerations – all PUD requests will include the following, as applicable:
1. Open spaces. Preservation, maintenance and ownership of all open spaces within the development shall be accomplished by either:
 - a. Dedication of land to the City as a public park or parkway system; or
 - b. Creation of a permanent, open space easement on and over private open spaces to guarantee that the open space remains perpetually as open space or as an agricultural or recreational use, as the case may be, with ownership and maintenance being the responsibility of a corporation or other association established with articles of association and bylaws or similar rules, which are satisfactory to the City.

The applicant shall submit an improvement plan indicating the landscaping, trails, facilities, and other amenities proposed in the development. The applicant will be required to complete all improvements in accordance with the development agreement and applicable ordinances and standards. Furthermore, if any open space area is anticipated to be dedicated to the City, the landscaping materials, irrigation system and other improvements shall be completed in accordance with any design or improvement standards adopted by West Bountiful City.

2. Connection with Trails. Any PUD that is traversed by or connected to a City or regional trail will be required to install the trail connection or extension, consistent with all applicable ordinances and improvement standards of West Bountiful City.
 3. Non-residential structures. Any proposed nonresidential structures, such as recreational amenities, should be complementary to the surrounding and historic architecture in terms of scale, massing, roof shape, exterior materials, etc. Such structures should not create masses out of proportion to the residential structures in the development and surrounding neighborhoods, but should be scaled down into groupings of smaller attached structures, that imitate single family home design or incorporate features that are consistent with the historical or rural characteristics of the City.
 4. Signage. Entry feature signage, if any, should help unify the project and provide a positive image. Signage for any nonresidential community buildings within the PUD should be part of a coordinated signage system for the entire PUD project. Natural materials such as wood, stone, rock, and metal with external illumination are encouraged for all development-specific signs. The size, location, design and nature of signs, if any, and the intensity and direction of area or floodlighting (down lighting only) shall be detailed in the application. The size and location of signage shall conform to the requirements and guidelines for monument signage from Chapter 17.48 of this Title unless modifications are approved as part of the PUD Overlay.
- K. General Contributions. The City, as part of the approval of a PUD Overlay, shall review any contributions, as specified in the Development Agreement, which may include, but are not limited to one or more of the following:

1. Dedication of land for public park purposes.
2. Dedication of land for public school purposes.
3. Dedication of land for public road right-of-way purposes.
4. Construction of, or addition to, roads servicing the proposed project when such construction or addition is reasonably related to the traffic to be generated.
5. Installation of required traffic safety devices.
6. Reservation of areas containing significant natural, environmental, historic, archeological or similar resources.

Payment in lieu of any of the above requirements cannot be accepted and will disqualify the application.

17.68.030 Development Agreement

"Development Agreement" means an agreement negotiated and entered into by the City with a property owner and/or developer, pursuant to a proposed development within the City. The Agreement must (1) specify the existing subdivision and land use standards that will be changed in the PUD Overlay Zone and (2) detail the amenities and other benefits being provided to the City and its residents.

The Development Agreement shall run with the land and be binding on all successors and assigns of the property owner or developer; however, each Development Agreement must include a clause that allows the City to re-zone the property and withdraw from the Development Agreement if a subdivision plat consistent with the Development Agreement is not recorded within a specific timeframe.

17.68.040 Base Density

The base density for each PUD Overlay Zone is the density that would be permitted in the zone in which the proposed development is located if the development were completed as a regular subdivision under Title 16 with each lot containing a minimum buildable area of thirty feet by fifty feet (30' X 50') while meeting the size and width requirements of the underlying zone.

A density bonus may be considered as described in Section 17.68.090.

17.68.050 Lots

Because the lot sizes in a PUD are flexible, a building footprint shall be indicated on each lot, identifying the buildable area of the lot and the required setback area for the lot. If the City Council determines it is important that an average size dwelling, in comparison with other dwellings in the general vicinity, be constructed on the proposed lots, it may require the buildable area of the lots to be increased.

Although flexibility in lot arrangement is a feature of a PUD, the lots in the development will be reviewed to ensure that the lots can be used for their intended purpose. Each lot should accommodate a dwelling compatible with other dwellings in the development and access should be provided in a reasonable manner. Lots in a PUD should not be designed in a manner that creates odd-shaped lots to simply obtain additional lots.

17.68.060 Area.

No application for a Planned Unit Development Overlay Zone shall have an area less than:

1. Twenty (20) acres of land in the B-U/A-1 zone,
2. Fifteen (15) acres of land in the R-1-22 zone,
2. Ten (10) acres of land in the R-1-10 zone.

17.68.070 Uses.

Only residential uses and accessory uses are allowed.

17.68.080 Ownership.

The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.

17.68.090 Density Bonus Considerations.

An applicant for a Planned Unit Development Overlay Zone may be eligible for a density bonus based on the value the City Council places on proposed amenities provided in the project. Density in excess of the Base Density may be considered for projects which satisfy the intent of the requirements, as determined by the City, of one or more of the density bonus amenities listed below. The bonus is granted, as determined by the City Council, in the rezoning/development agreement process. A density bonus shall not exceed twenty (20) percent above the Base Density.

Amenities for a particular project may vary from those of another project because of the project type and market for which the project is being built. Types of amenities may include, but are not limited to, substantial landscaping; public tennis or pickle ball courts; trails; equestrian facilities; recreation facilities; parks; permanent open space; common useable agricultural or farming open spaces; or other similar features. Open spaces lacking a particular use/function or requiring a high level of maintenance do not contribute to justifying a density bonus. Such open spaces shall be privately maintained through the PUD. The City shall consider the total project and the proposed amenities, and determine the amount of density bonus, if any, a project may receive. When figuring total project density, the number of lots will always be rounded down to the nearest lot.

A density bonus shall always be at the option of the City. If the City determines that a density bonus is not appropriate in a certain area, the bonus will not be given. Additionally, the City may limit the number of additional lots allowed in a certain project.

The following list of amenity categories shall be considered by the City for a density bonus in a PUD Overlay Zone. The Council may grant up to a 20% density bonus based on one or more of these categories. If a project receives a density bonus, the Base Density will be multiplied by the percentage granted to determine the additional units. Such calculations that result in fractional density results will

be rounded down to the nearest whole number. In order to determine total project density, the City shall add all additional units to the Base Density.

To be considered for a density bonus, the amenities shall add value to the project and result in a more desirable project for the community as defined below. Developers are expected to provide amenities beyond those found in typical subdivisions to receive a bonus, based on the overall project quality and the following:

A. Rural site design and features

The City will consider an innovative site plan which promotes rural characteristics and preserves natural features of the site. To qualify for a density bonus, the overall site plan should incorporate rural design features such as, but not limited to: horse pasture, crop cultivation, community gardens, orchards, open space for grazing of animals, preservation of open irrigation ditches or their enhancement, unique curb/gutter and sidewalk configurations, deeper and varied setbacks, and historical materials with a rural architectural theme.

B. Substantial Public Benefit

The City will consider a density bonus if the project provides substantial public benefit through public facilities (such as park dedication, trail system, or other recreational facilities) that are both unique in character from other City facilities and serve the needs of an area greater than the immediate development. No density increase for substantial public benefit may be approved unless the public facilities provided are considered an enhancement of the typically required street improvements, sidewalks or trails, public recreational amenities, utilities, drainage facilities, and contribute to the rural theme of the area.

17.68.100 Design.

The City shall require such arrangements of structures and open spaces within the site development plan as necessary to ensure that adjacent properties will not be adversely affected as described below.

- A. Density.** Density of land use shall in no case be more than twenty (20) percent higher than allowed in the underlying zoning district.
- B. Arrangement.** Where feasible, the least height, density of buildings and uses, and/or greater setbacks shall be arranged around the boundaries of the development.
- C. Specific regulations.** Lot area, width, front and rear yard requirements, height, density, and coverage regulations shall be determined through approval of the rezone and development agreement and guided by the existing underlying zone. Minimum side yard setbacks cannot be changed as part of a PUD.

17.68.110 Considerations.

In carrying out the intent of this Chapter, the City shall consider the following principles:

- A. It is the intent of this Chapter that site and building plans for a PUD shall be prepared by a designer or team of designers having professional competence in urban planning as proposed in the application. The City may require the applicant to engage such professional expertise as a qualified designer or design team.
- B. It is not the intent of this Chapter that control of the design of a PUD by the City be so rigidly exercised that individual initiative is stifled and substantial additional expense incurred; rather, it is the intent of this Chapter that the control exercised be the minimum necessary to achieve the purposes of this Chapter.

17.68.120 Approval.

Rezoning to the PUD Overlay may be allowed in any agricultural or residential zoning district upon Planning Commission recommendation and City Council approval through the rezone process. All such rezone requests shall be accompanied by a development agreement and the other submittals required under this Chapter.

17.68.130 Subdivision Processing.

Only PUD subdivisions previously approved for a rezone with an approved development agreement shall be allowed in this zone. All PUDs developed under the PUD Overlay Zone shall be processed using the subdivision process of Title 16, except as expressly modified by this Chapter.

A. Relationship of PUD to this Title and Other Development Ordinances of West Bountiful City.

This Chapter is intended to be supplementary to the other provisions of this Title. Unless specifically indicated in this Chapter, all requirements of this Title and all other development ordinances of West Bountiful City must be satisfied with the following exceptions:

- 1. The frontage and lot area requirements may be modified for all lots, pads, or parcels within the Planned Unit Development except those located directly across a public street from a development that satisfies the standard frontage requirements of Title 17, Zoning.
- 2. The density of the development shall be calculated based on Sections 17.68.040 and 17.68.090.

B. Phasing.

All residential subdivisions with more than ten (10) lots, pads, parcels, or units shall include a phasing plan that specifies the timing of public improvements and residential construction. This plan must be submitted to the Planning Commission at or before the submission of the Preliminary Plat.

The phasing plan shall include the number of units or parcels to be developed in each phase; the approximate timing of each phase; the timing of construction of public improvements and subdivision amenities to serve each phase, whether onsite or offsite; and the relationship between the public improvements in the PUD subdivision and contiguous land previously subdivided and yet to be subdivided. A developer may request a revision of the phasing plan,

which may be necessary due to conditions such as changing market conditions, inclement weather or other factors. Should a developer fail to install amenities in a particular phase, the City may withhold building permits on the next phase until the missing amenities are installed.

C. Landscaping.

Landscaping, fencing and screening of the uses within the site and as a means of integrating the proposed development into its surroundings, shall be planned and presented in detail to the Planning Commission for approval, together with other required plans for the development. A planting plan showing proposed tree and shrubbery plantings shall be prepared for the entire site to be developed. A grading and drainage plan shall also be submitted to the Planning Commission with the PUD subdivision.

D. Guarantees and Covenants.

In addition to a development agreement, adequate guarantees shall be provided for permanent retention and maintenance of all open space areas before final plan approval can be granted.

1. Open Space Guarantees: The City shall require the preservation, maintenance and ownership of all open space through one or more of the following:
 - a. Dedication of the land as a public park or parkway system.
 - b. Dedication of the land as permanent open space on the recorded plat.
 - c. Granting the City a permanent open space easement on the private open spaces to guarantee that the open space remain perpetually in recreational or agricultural use, with ownership and maintenance being the responsibility of a residential corporation or association.
 - d. Through compliance with the provisions of the Condominium Ownership Act, as outlined in Utah Code Annotated, Title 57, as amended, which provides for the payment of common expenses for the upkeep of common areas and facilities.

In the event the common open space and other facilities are not maintained in a manner consistent with the approved final PUD subdivision plan, the City may at its option cause such maintenance to be performed and assess the costs to the affected property owners or responsible corporation or association.

2. Security for Improvements: In order to ensure that the PUD subdivision will be constructed to completion in an acceptable manner, the applicant shall provide security as outlined in Title 16. Such security shall cover the completion of offsite improvements, including, among other things, landscaping, sprinkling or irrigation systems, drives, storm drains, street surfacing, parking areas, sidewalks, curbs and gutters.
3. Covenants, Conditions and Restrictions for private amenities/improvements:

The applicant for any PUD subdivision shall, prior to the conveyance of any unit, submit to the City a declaration of covenants, conditions and restrictions relating to the project, which shall become part of the final development plan and shall be recorded to run with the land. The declaration shall include management policies which shall set forth the quality of maintenance that will be performed, and shall specify the party responsible for such maintenance within the development. The declaration shall also contain, at a minimum, the following:

- a. The establishment of a corporation or other association responsible for all maintenance, which shall levy the cost thereof as an assessment to each unit owner within the development.
- b. The establishment of a management committee, with provisions setting forth the number of persons constituting the committee, the method of selection, and the powers and duties of the committee; and including the person or entity with property management expertise and experience who shall be designated to manage the maintenance of the common areas and facilities in an efficient and quality manner.
- c. The method of calling a meeting of the members of the corporation or other association, with the members thereof that will constitute a quorum authorized to transact business.
- d. The manner of collection from unit owners for their share of common expenses, and the method of assessment.
- e. The establishment of an initial reserve fund for the corporation or other association, to adequately cover maintenance and operation expenses until such time as the corporation or association is fully operational and self-sustaining.
- f. Provisions as to percentage of votes by unit owners which shall be necessary to determine whether to rebuild, repair and restore or sell property in the event of damage or destruction of all or part of the project.
- g. The method and procedure by which the declaration may be amended.
- h. The declaration required herein, any amendments thereto, and any instrument affecting the property or any unit therein, are subject to approval by the City and must be recorded with the County Recorder.



MEMORANDUM

TO: Mayor and City Council
DATE: April 13, 2017
FROM: Ben White
RE: 500 South Rezone Request from C-G to C-H

Mr. Scott Garner (Stone Creek Investment, LLC) owns the property at 756 W 500 South, just east of the Union Pacific Railroad tracks. The property currently contains one small office-warehouse building with vacant land on the east and the west. Mr. Garner recently obtained a Conditional Use Permit to construct an office building on the property to the east. He also desires to construct a building to the west that includes a warehousing component. Warehousing is a conditional use in the C-H (Commercial Highway) zone but is not permitted in the C-G (Commercial General) zone. Therefore, Mr. Garner is requesting that his property be rezoned from C-G zone to C-H zone.

A public hearing was held on March 28, 2017 to receive public comment on the request. Hearing Notices were sent to all property owners on the north side of 500 South between the railroad and the interstate. The office complex property owner (Sky Properties) to the east requested that his property not be rezoned, but had no objection to the Garner property zone change.

The recommendation by the Planning Commission was to split the zone through the Garner Property. For a split zone to be effective, the property must be in two parcels. The rationale by the Planning Commission was that they felt that warehousing was an appropriate use against the railroad right of way, but wanted to limit its use in the area.

The following motions could all be appropriate:

1. Motion to table the item if additional information or consideration is necessary.
2. Motion to approve the rezone request as recommended by the Planning Commission.
3. Motion to deny the rezone request.
4. Motion to recommend the rezone request with a boundary different from the one recommended by the Planning Commission. For instance,
 - a. To include all the property owned by Mr. Garner.
 - b. To include additional properties besides the Garner property.

WEST BOUNTIFUL 500 SOUTH REZONE AREA

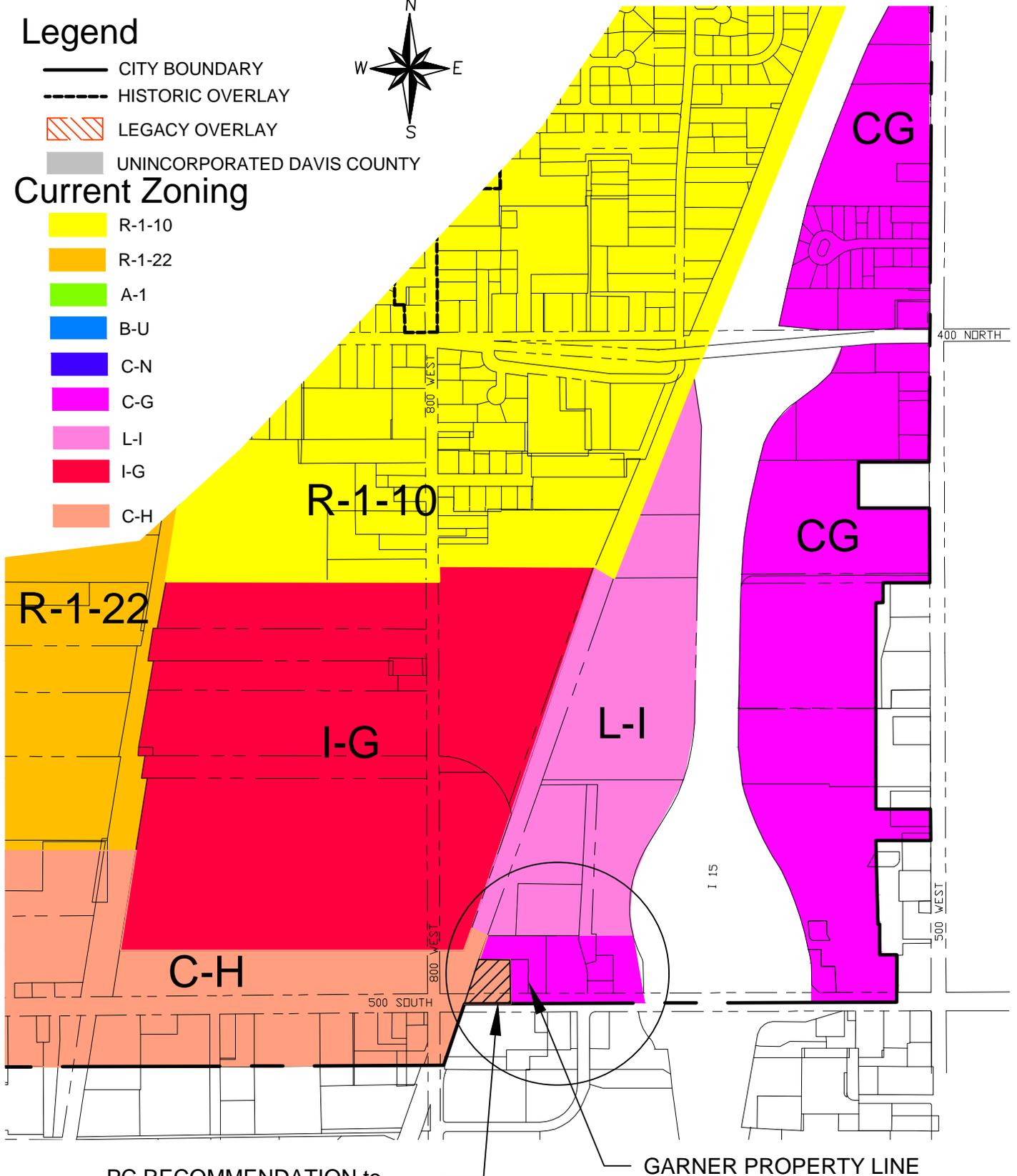
Legend

-  CITY BOUNDARY
-  HISTORIC OVERLAY
-  LEGACY OVERLAY
-  UNINCORPORATED DAVIS COUNTY



Current Zoning

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



PC RECOMMENDATION to
REZONE AREA from C-G to C-H

GARNER PROPERTY LINE

REVISED 4/13/17

WEST BOUNTIFUL CITY

ORDINANCE #393-17

AN ORDINANCE REZONING THE PROPERTY EAST OF THE 800 WEST RAILROAD TRACKS ON THE NORTH SIDE OF 500 SOUTH AT 756 W 500 SOUTH (Parcel 06-049-0249) FROM COMMERCIAL GENERAL (C-G) TO COMMERCIAL HIGHWAY (C-H) AND AMENDING THE CITY ZONING MAP TO REFLECT THE CHANGE

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, an Application to Rezone the property at 756 W 500 South (Parcel 06-049-0249) was submitted by Scott Garner representing Stone Creek Investment, LLC; and,

WHEREAS, the West Bountiful City Planning Commission held public hearings, after proper notice, on March 28, 2017, and recommends approval of the applicant’s request; and,

WHEREAS, the City Council finds that the parcel described below should be changed from the C-G Commercial General District to the C-H Commercial Highway District.

NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL THAT THE PROPERTY DESCRIBED BELOW BE CHANGED TO THE C-H COMMERCIAL DISTRICT AND THE WEST BOUNTIFUL ZONING MAP BE AMENDED TO REFLECT THE CHANGE.

06-049-0249:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF 500 SOUTH STREET, SAID POINT BEING N 89°50'04" E 509.41 FT ALONG THE CENTER LINE OF 500 SOUTH STREET & N 00°09'56" W 61.00 FT FROM THE MONUMENT MARKING THE INTERSECTION OF THE CENTER LINE OF SAID 500 SOUTH STREET & OF 800 WEST STREET, SAID MONUMENT BEING S 00°28'49" E 547.15 FT ALONG THE 1/4 SECTION LINE TO SAID CENTER LINE OF 500 SOUTH STREET & S 89°50'04" W 198.34 FT ALONG SAID CENTER LINE FROM THE NORTH 1/4 CORNER OF SECTION 25-T2N-R1W, SLB&M; & RUNNING THENCE S 89°50'04" W 226.42 FT ALONG SAID NORTHERLY LINE TO AN ANGLE POINT; THENCE S 87°33'21" W 99.22 FT TO THE INTERSECTION OF SAID NORTHERLY RIGHT-OF-WAY LINE & THE EASTERLY RIGHT-OF-WAY LINE OF AN EXISTING RAILROAD; THENCE N 19°01'26" E 27.52 (FT) ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF THAT PROPERTY QUIT-CLAIMED TO THE UTAH TRANSIT AUTHORITY (UTA), RECORDED AS E# 2575184 BK 5175 PG 1001; THENCE ALONG THE BOUNDARY OF SAID UTA PROPERTY THE FOLLOWING THREE (3) COURSES: (1) S 70°58'31" E 14.00 FT, (2) N 19°01'29" E 18.00 FT, (3) N 70°58'31" W 14.00 FT TO SAID EASTERLY RIGHT-OF-WAY LINE; THENCE N 19°01'26" E 140.78 FT ALONG SAID EASTERLY RIGHT-OF-WAY LINE; THENCE N 89°50'04" E 264.33 FT TO A POINT ON THE EXTENSION OF A LINE 2.00 FT DISTANT FROM & PARALLEL TO AN EXISTING BUILDING; THENCE S 00°09'56" E 172.00 FT ALONG SAID PARALLEL LINE & ITS EXTENSION TO THE NORTHERLY RIGHT-OF-WAY LINE OF 500 SOUTH STREET & THE POINT OF BEGINNING. CONTAINING 1.161 ACRES

This ordinance will become effective upon signing and posting.

Adopted this 18th day of April, 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



MEMORANDUM

TO: Mayor & Council
DATE: April 13, 2017
FROM: Duane Huffman
RE: **Financial Audit Services**

This memo recommends that the Council select Keddington & Christensen, LLC as the firm to conduct the financial audit services for the Fiscal Year ending June 30, 2017. The City would have the option on continuing services for FY 2018 and FY

Background

As required by state law, bonding arrangements, and general best practices, West Bountiful City commissions an annual independent audit of its financial statements by a Certified Public Accountant. The audit and associated services are vital to ensuring that funds are properly accounted and that the City Council and administration have an accurate picture of the City's financial health.

Since 2011, the City has contracted with Karren, Hendrix, Stagg, Allen & Company for audit services at a cost of \$10,000/year.

RFP Results

On March 7, 2017, West Bountiful City issued a "Request for Proposals to Provide Audit Services." The following table summarizes the proposals received:

Firm	Location	FY 17	FY 18	FY19	3-year Total
KHSA (current)	SLC	\$8,000	\$8,000	\$8,000	\$24,000
Rees & Hughes	Cedar City	\$9,000	\$9,000	\$9,000	\$27,000
Gilbert & Stewart	Provo	\$8,500	\$9,250	\$10,000	\$27,750
Keddington & Christensen	SLC	\$9,400	\$9,400	\$9,400	\$28,200
Ulrich & Associates	Ogden	\$13,000	\$13,390	\$13,790	\$40,180

Staff's evaluation of the proposals consisted of the following criteria:

A. Technical Factors

1. Responsiveness of the proposal in clearly stating an understanding of the audit services to be performed.

- a. Appropriateness and adequacy of proposed procedures.
 - b. Reasonableness of time estimates and total audit hours.
 - c. Appropriateness of assigned staff levels.
2. Technical experience of the firm.
 3. Qualifications of staff.
 4. Size and structure of firm, considering the scope of the audit.
 5. Geographic location of key personnel and responsible office.
 6. Municipal client references.
- B. Cost of the Audit

Staff carefully reviewed each of these proposals, and believes that each firm is qualified to meet the minimum requirements of the RFP. While the criteria for review was not explicitly weighted, staff did place an emphasis on the technical experience, staffing levels, and client references of each proposal.

Based on these criteria, staff recommends the proposal from Keddington & Christensen, LLC as representing the best value for the City's current needs. This proposal (a) is competitive from a cost perspective; (b) is from a firm with a high level of experience, expertise, and resources; and (c) would provide a "fresh set of eyes" on the City's financials.

MEMORANDUM



TO: Mayor & Council
DATE: March 16, 2017
FROM: Duane Huffman
RE: **Purchase Approvals – Pump and Mowers**

The City's procurement code requires that purchases of \$10,000 or more first be approved by the City Council.

During the course of the year, two needs have arisen that require the Council's consideration. If approved, these purchase will eventually require either a reduction of planned expenditures or an amendment to the current year's budget.

800 W Storm Water Pump/Motor

The storm water pump station located at 1950 N and 800 W collects storm water from the Golden West subdivision and pumps it into the adjacent canal. For the purpose redundancy and for cases high water volume, the pump station has two pumps and motors. Recently one pump was required to be removed for servicing, and the City learned that it needs to be replaced. Enclosed is a quote for this work to be performed by Nickerson Company, Inc. for \$11,452.00. The City would generally seek multiple quotes for this level of expenditure, but (1) based on the very limited number of local companies that perform this work, (2) the fact that the pump is already in possession of Nickerson and moving it would increase costs, and (3) the need to move quickly to limit have the pump station operate as designed, staff recommends that the Council approve this expenditure as presented.

Park Mower

As discussed at the recent budget work station, the City is currently down one large mower. Rather than waiting for the new budget year, staff recommends the purchase of the following equipment (prices are under state contract).

- \$15,382.87 – Item 934927 - HUSTLER SUPER Z HYPER DRIVE, 37HP, VANGUARD FI, 60" VX4 DECK AND ACCESSORIES (see quote)
- \$999.99 – Croft - HRC2163HXA – HOQW – 21 in Commercial Mower



Estimate

Nickerson Company, Inc.
 P.O. Box 25425
 2301 West Indiana Ave.
 Salt Lake City, UT 84125

Customer:	Bountiful City		4/7/2017
Attention:	Steve Maughan		
Pages:	2		
Estimate No.	Job Quote 17-105 12DL-CCVT		
Job #:	17-105		
Phone:	801-381-1870		
Fax:			
E-mail:	smaughan@wbccity.org		
Conditions of service:	Repair Lead times 3-4 Weeks		
Qty	Item	Unit	Extension
1	Pull & T&I	Drive to Bountiful, remove motor pull the pump, return the pump to Nickerson for a Tear down and Inspection	\$ 1,053.00 \$ 1,053.00
1	Option 1	Work recommended to	\$ 10,120.00 \$ 10,120.00
		Work recommended to restore 12DL CCVT pump to OEM, Sand blast pump, replace all Shafts to Motor, line & Bowl, replace tension assembly, replace the Nut and Jam nut, replace 2ea bowl bearing, replace 1 oil tube bearing, replace 2ea shaft couplings, reassemble pump coat with Tar Epoxy, replace the basket strainer. Drive to Bountiful city to reinstall the pump and motor. Note: Repair motor to OEM, Balance rotor assembly, 1 upper bearing 1 lower thrust bearing replace external cooling fan, recondition .Time to repair motor aprox. 4-5 weeks.	\$ -
			\$ -
		ADD New motor cost to Option 1.	\$ -
1	Option 2	New US Motor WP1 10 HP Premium Efficient 3/230/460 60Hz, Approx. 1-2 weeks from Factory	\$ 279.00 \$ 279.00
			\$ -
			\$ -
			\$ -
	NOTE:	This is only an estimate, no additional labor or parts are included.	
		Price does not include sales tax, installation, discharge piping, electrical controls or wiring	
	Freight:		INCLUDED
	Tax		NOT INCLUDED
	Total Price:		\$ 11,452.00
	Shipment:		
	FOB:		

Terms: Net 30 Days
 Quoted By:

Estimate Good For 30 Days
 Justin Isaksen

Phone: 801-973-8888
 Fax: 801-973-8267



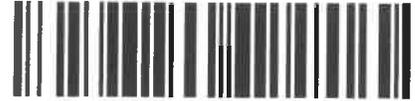
Invoice

10/26/2016

UNITED SERVICE & SALES, INC.

UNITED SERVICE & SALES, INC.
 2808 S MAIN ST
 SALT LAKE CITY, UT 84115
 Phone: (801) 485-5770
 Fax: 801-485-5774
 Email: sales@unitedserviceandsales.com

S51593



Bill To:

WEST BOUNTIFUL CITY
 550 NO. 800 W.
 WEST BOUNTIFUL, UT 84087

Customer: WEST BOUNTIFUL CITY

Ship To:

WEST BOUNTIFUL CITY
 550 NO. 800 W.
 WEST BOUNTIFUL, UT 84087

Contact: WEST BOUNTIFUL CITY

Notes

BRAD ROWBERRY
 801-231-1306

Seller	Payment Terms	Shipping Terms	Carrier	Ship Service	Requested Ship Date
Brad	NET 30	Prepaid & Billed	Will Call		10/19/2016

Item #	Type	Number / Description	Unit Price	Qty Ordered	Total Price
1	Sale	934927 - HUSTLER SUPER Z HYPER DRIVE, 37HP VANGUARD FI, 60" VX4 DECK	\$ 11,666.13	1 ea	\$ 11,666.13
2	Sale	113722 - HUSTLER 60" MULCH KIT	\$ 297.34	1 ea	\$ 297.34
3	Sale	603167 - FLEX FORK SUPER Z	\$ 263.00	1 ea	\$ 263.00
4	Sale	932103 - BAC-VAC, CATCHER	\$ 2,659.20	1 ea	\$ 2,659.20
5	Sale	113903 - HUSTLER 60" ADAPTER BAC-VAC	\$ 497.20	1 ea	\$ 497.20

Subtotal:	\$ 15,382.87
Sales Tax:	\$ 0.00
Total:	\$ 15,382.87
Paid:	\$ 0.00
Balance Due:	\$ 15,382.87

Approval: _____ Date: _____
 ALL RETURNS SUBJECT TO 20% RESTOCK FEE
 OVERDUE INVOICES ARE SUBJECT TO LATE CHARGES

CROFT

SALES • SERVICE • PARTS



530 W 1500 S
Woods Cross, UT 84087

Phone: 801-295-4141

www.croftnow.com

WORK ORDER

95373

All equipment sales are final
Prepayment is required on S.O. Parts
No returns on S.O. Parts

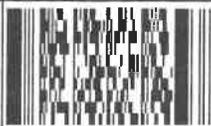
Bill To				Ship To			
West Bountiful City 550 N. 800 W. West Bountiful, UT: 84087							
Contact	Customer Tax Number	Phone	Alt Phone	PO Number	Transaction		
		(801) 292-4486	(801) 381-1868		Estimate		
Counter Person	Sales Person	Estimate Date	Reference	Department			
Chris Talbot	Chris Talbot	04/13/17	95373	Counter			

Model	Line	Description	Ordered	B/O'd	Shipped	List	Net	Amount
HRC2163HXA	HOQW	21in Commercial Mower	1		1	\$1,249.99	\$999.99	\$999.99

Invoice Total	\$999.99
Sales Tax	\$0.00
Grand Total	\$999.99

Unpaid balances after 30 days are subject to a 2% monthly service charge.
 If paying by credit card you agree to pay according to your credit card issuer agreement.
 All equipment left over 30 days will be charged a \$1.00 per day storage fee.
 For best performance and easy starting use fuel that is within 1 - 2 months old. Ask us about preparing equipment for storage over 2 months.

Notes:



Customer acknowledges receipt thereof:

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.

Crossing Guards

No Information to Report

Personnel

Officer Scheese has continued to do a good job after being released from field training.

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

EMPAC

EmPAC meeting was held on April 18, 2017.

EmPAC hosted a flagger training to certify members of our CERT group in the event they are needed to assist with directing traffic during an event.

General Information

The new body camera system continues to be installed. The antenna, wiring and server are in place. The technical portion of the installation will be completed soon.

Officer Van Wagoner (school liaison) conducted another school lockdown drill at West Bountiful Elementary on March 24, 2017.

West Bountiful Police Department

Department Summary

3/1/2017 to 3/31/2017

Arrests	18	
Adult	17	94.4%
Juvenile	1	5.6%

Activities	1,536	
Admin	214	13.9%
Assist	145	9.4%
Community Relations	9	0.6%
Deaths	1	0.1%
Investigation	68	4.4%
Patrol	169	11.0%
Property	1	0.1%
Security	496	32.3%
Service Call	77	5.0%
Suspicious Activity	44	2.9%
Traffic	311	20.2%
Vehicle Accident	1	0.1%

Shift Time and Percent Accounted	1484 hr. 48 min.	48.8%
---	-------------------------	--------------

Reports	293	
CITATION REPORT	113	38.6%
INCIDENT REPORT	110	37.5%
OFFICER INFORMATION	63	21.5%
POLICE VEHICLE IMPOUND	7	2.4%

Department Summary

Crime Offenses

51

ASSAULT	2	3.9%
COUNTERFEITING	1	2.0%
DAMAGE PROPERTY	2	3.9%
DANGEROUS DRUGS	9	17.6%
FAMILY OFFENSE	1	2.0%
FRAUD	3	5.9%
LIQUOR	1	2.0%
PRIVACY VIOLATIONS	5	9.8%
PUBLIC PEACE	2	3.9%
SEX OFFENSE	1	2.0%
STOLEN PROPERTY	1	2.0%
STOLEN VEHICLE	3	5.9%
THEFT	6	11.8%
TRAFFIC OFFENSE	7	13.7%
WARRANT SERVICE	7	13.7%

Accidents

9

Citation Violations

143

DUI	1	0.7%
Fix it	28	19.6%
Misdemeanor	24	16.8%
Traffic	69	48.3%
Warning	21	14.7%

1 **Minutes of the West Bountiful City Council meeting held on Wednesday, March 21, 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), Paul Holden (Golf Director)

12
13 **GUESTS:** Alan Malan, Kirk Nord, Eric Eastman

14
15
16 Mayor Romney called the FY 2018 Budget Worksession to order at 6:10 pm.

17
18 Duane Huffman explained tonight's work session will primarily focus on the General fund.
19 There may be a need to amend FY 17 budget for some items to be discussed later.

20
21 General Fund Overview: Projected income of \$4.1m, \$3.68m total expenditures, with fund balance
22 of \$1.47m

23
24 1st Draft Assumptions – General Fund

25 Revenue:

- 26
- 2% sales tax growth (current is 4%)
 - Property tax is steady (balancing new growth and Holly depreciation).
 - Updates to Municipal Energy, Telecom, Franchise, and Hotel taxes (3 yr averages)
- 27
28
29

30 Expenditures

- 7% health insurance increase (\$16k)
 - Merit increases - 2%-regular employees, 4%-police (\$21k) – could change based on current compensation study.
 - Fire Board - 10% increase (\$58k) – not likely due to creation of district.
 - RDA Salaries - shift back to general fund (\$15k)
 - Election(s) – (\$13k) assumes primary
 - Council i-Pads (\$3k)
 - New police officer (\$80k)
 - Streets vehicles maintenance/back-up cameras (\$5k)
 - Snow plow maintenance (\$10k)
 - Street striping increase (\$7k)
 - Parks summer help pay (\$3k)
 - Parks grounds – wood chips, sand, etc. (\$3k)
 - Park utilities - increased secondary water, heated rest room, etc. (\$4k)
- 31
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- 45 • Parks improvements – tables, boweries (includes the one behind city hall), cabin - (\$15k).
46 There was some discussion about the cabin – repair/refurbish, move, demolish? Staff will
47 do more research.
48 • Parks equipment – large mower (\$16k), hand mower (\$1k) - may be better to do now
49

50 Also, remaining GF items:

- 51 • Compensation Plan is underway - expect proposal in April
52 • Public Works equipment/vehicles – replacement plan?
53 • Parks equipment
54 • Council chambers Audio/Visual – still collecting proposals, (split FY17 & FY18)
55 • City hall maintenance
56 • Storm drain capital
57 • Public Works yard capital
58

59 Public Works Equipment

- 60 • City owns:
61 ○ Backhoe – 2004 (worth maybe \$25k each, one is usually at golf course)
62 ○ Backhoe – 2005
63 • City leases/buyback
64 ○ Loader: \$127k/\$149k, Sept. 1, expired
65 Caterpillar: \$155k/\$169k
66 ○ Backhoe: \$900/year, June 21, expired
67 There was discussion about needs and options
68 • Interested
69 ○ Buy vs. Lease, backhoe - \$85k, vacuum trailer -\$60k will need in next few years – it's
70 too small, mini-excavator -\$65k
71

72 PW Vehicles

- 73 • Original idea was to flip every 5 years; very low repairs
74 • New trucks – est. \$37k
75 • Current fleet – There was discussion about options to handle current fleet including
76 replacing Steve's and giving the double cab to Parks so they can carry more people.
77

78 Parks Equipment

- 79 • VenTrack tractor (\$20k). Still exploring before a recommendation is made. Can be used on
80 400 N and 500 S as snow blower, snow sweeper, and rough cut deck = total with options is
81 \$30k. Discussion about using impact fees – must have minimum 10 year life to qualify
82

83 Current Year Amendments:

- 84 • Parks mowers - \$17k
85 • 1100 W sidewalk (Holly) - \$60k - was a negotiated amount with Century Link. Holly will
86 do \$220k in improvements, including storm drain. The road is dangerous with no sidewalk,
87 especially with Legacy trail detour.
88 • 800 W Storm drain

- 89 • Pages Lane Project – still talking to Advanced Paving to close out project
- 90 • Salt for plows

91
92 Other Budget items for FY2018 to consider:

- 93 • Jessi's Meadow roads
- 94 • 660 West – street and water line
- 95 • Pages Lane – west side to 1100 West – working with UDOT for grant

96
97 Golf Course Clubhouse

98 There was discussion about options for studying expansion or rebuilds. Hard to invest in the
99 current structure, but building new can be very expensive in terms of return on investment.

100 Options also include separate study or include it as part of Parks Master Plan? Mayor Romney
101 suggested finding an architect with golf course experience to get an idea of the scope of such a
102 project. Would expect it to have cart storage under, pro shop on main floor, and banquet space
103 above. Should we start investigating? Staff was directed to get going with additional research.

104
105 Work session adjourned at 7:15 pm.

106
107 -----

108
109 Mayor Romney called the regular meeting to order at 7:30 pm.

110
111 Kelly Enquist offered a prayer; James Ahlstrom led the Pledge of Allegiance.

112
113 **1. Accept Agenda.**

114 *MOTION: Mark Preece Moved to Accept the Agenda as posted; James Bruhn*
115 *Seconded the Motion which PASSED by Unanimous Vote of all Members*
116 *Present.*

117
118 **2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a**
119 **group).**

120
121 Eric Eastman, representing Arts council, said he is pleased to see the Parks Master Plan on
122 the agenda. He reviewed the proposal and Landmark looks like they will generate interest and do a
123 good job. He asked that Arts Council be able to provide input on proposals.

124
125 **3. Consider Resolution 413-17, A Resolution Approving an Interlocal Cooperation**
126 **Agreement with Davis County to Provide Election Services for the 2017 Municipal**
127 **Elections.**

128

129 Duane Huffman explained that this Resolution was requested by the County which now
130 requires an interlocal agreement to provide election services. It covers fees the County will charge
131 to cover expenses for a Primary municipal election, if needed, and a General municipal election.
132

133 **MOTION:** *Andy Williams made a Motion to Adopt Resolution 413-17 Approving an*
134 *Interlocal Cooperation Agreement with Davis County to Provide Election*
135 *Services for the 2017 Municipal Elections. James Bruhn Seconded the*
136 *Motion Which Passed.*

137 The vote was recorded as follows:
138 James Ahlstrom – Aye
139 James Bruhn – Aye
140 Kelly Enquist – Aye
141 Mark Preece – Aye
142 Andy Williams – Aye
143

144 **4. Consider Resolution 414-17, A Resolution Adopting Updates to Public Works**
145 **Construction Standards.**

146 Ben White explained that Construction Standards and Specifications were last updated in
147 2014 and upon review by staff it appeared that another update was in order. There are a few
148 additions to this draft that cross the line between construction standards and land use development
149 requirements so the planning commission held a public hearing on March 14, 2017. One such
150 item requires a street lighting plan as part of a development. The updates provide more detail on
151 these and other standards.

152 Construction Standards are to be approved by resolution of the city council before they
153 become effective (WBMC 16.20.020).
154

155 **MOTION:** *James Bruhn made a Motion to Approve a Resolution Adopting Updates*
156 *to Public Works Construction Standards. Mark Preece Seconded the*
157 *Motion Which Passed.*

158 The vote was recorded as follows:
159 James Ahlstrom – Aye
160 James Bruhn – Aye
161 Kelly Enquist – Aye
162 Mark Preece – Aye
163 Andy Williams – Aye
164

165 **5. Consider Ordinance 391-17, An Ordinance Adopting Changes to WBMC 17.88.140,**
166 **Wireless Telecommunications – Standards for Antennas and Antenna Support**
167 **Structures Which Allow Increased Height for Cell Towers.**

168 Ben White recapped the issue which was discussed in a previous meeting. Representatives
169 from Verizon Wireless approached the City regarding the installation of a new tower near the area
170 between 1200 N and the Jessi's Meadows subdivision. City staff believes that given issues of
171 access, power lines, and future development, the undeveloped Jessi's Meadows Park would be the
172 best location for such a tower. Verizon would itself want a 100' tower that they would use to its
173 full capacity.

174 With the help of a wireless tower consultant, City staff believes that there is a need for
175 wireless coverage in that area by additional carriers. This additional capacity may be met by
176 building a taller tower (120 ft.) or by the future installation of additional towers near the same
177 area. As one tower with an additional 20' may be preferable to multiple towers, and as one tower
178 on city property with multiple carriers would best maximize revenues for residents of the City,
179 amendments to WBMC 17.88.140 have been proposed to allow towers on *city property* to be built
180 to a height of 120 feet.

181 The Planning Commission held a public hearing on March 14 and received no objections
182 to the proposed changes, and unanimously voted to recommend the City Council adopt the
183 attached proposal as presented.

184 Ben shared that planning commission wanted it look like water tower.

185

186 **MOTION:** *James Bruhn made a Motion to Adopt Ordinance 390-17 Adopting*
187 *Changes to WBMC 17.88.140, Wireless Telecommunications – Standards*
188 *for Antennas and Antenna Support Structures Which Allow Increased*
189 *Height for Cell Towers. Andy Williams Seconded the Motion Which*
190 *Passed.*

191 The vote was recorded as follows:

192 James Ahlstrom – Aye

193 James Bruhn – Aye

194 Kelly Enquist – Aye

195 Mark Preece – Aye

196 Andy Williams – Aye

197

198 **6. Consider Resolution 415-17, A Resolution Approving a Franchise Agreement with**
199 **Comcast of Wasatch, Inc.**

200

201 Duane Huffman explained that Comcast of Wasatch, Inc., desires to continue to provide
202 construction and operation of a cable system in West Bountiful City and the City believes it is in the
203 best interest of the public to renew a nonexclusive franchise agreement.

204 Kirk Nord, an attorney for Comcast explained the current agreement with the City has
205 expired and needs to be renewed. New provisions were added to meet requirements of the FCC.
206 They removed some sections about the City's ability to get public access stations, which has not
207 been practical and added language to deal with relocations, etc. He also clarified that new overhead
208 power lines are not allowed in most cases, and the franchise fee does not change. This agreement
209 only applies to video - not telecommunications such as internet or phone.

210
211
212
213
214

MOTION: *James Bruhn made a Motion to Approve Resolution 415-17 Approving a Franchise Agreement with Comcast of Wasatch, Inc. Mark Preece Seconded the Motion Which Passed.*

215
216
217
218
219
220
221

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

222
223

7. Consider Awarding Recreation, Arts, and Parks Master Planning Services to Landmark Design for \$19,840.

224
225
226
227

Duane Huffman reviewed the need for recreation, arts, and parks (RAP) comprehensive planning and proposed contracting with Landmark Design for these services. The City's Park Impact Fees facility plan is based on a level of investment approach, and does not identify specific infrastructure needs or plans, projected resources, and maintenance costs.

228
229
230

Without methodically investigating and prioritizing current and projected needs, the City risks misallocating resources or taking much longer than would otherwise be needed to provide benefit from RAP funding and new development.

231
232
233
234
235

There was discussion about options and price. The Council is concerned about spending without a guarantee of solid results. Eric Eastman commented from the audience that he has seen these kinds of studies before and was not surprised by the price. A good master plan would keep the City going for a long time and is a good way to make sure we are covering all bases and finding innovative ways to spend available funds; it would be money well spent.

236
237
238

Mayor Romney said he also struggled with the price but calculated it to be one half of 1% of RAP. If we get one good idea from it, it will be worth the price. With a comprehensive plan, we would be in a better position to tell developers what we want/need especially on the west side.

239
240
241

As several council members and Mr. Huffman will be absent from the next meeting, it was suggested that Landmark Design be invited to discuss the proposal further at a future council meeting.

242
243
244
245

MOTION: *James Bruhn Moved to Table this Issue until the April 18 meeting. Andy Williams Seconded the Motion which PASSED by Unanimous Vote of all Members Present.*

246
247

8. Consider Purchase Approval for GPS Equipment.

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249

This year's budget included \$20,000 in the Water fund to purchase GPS equipment. This survey-grade equipment is intended to obtain elevations and alignments during project design; map

250 critical infrastructure during installation and repair work, including the water lines, joints, valves,
251 meters, and hydrants; and map and inventory other city assets such as irrigation systems, traffic
252 signs, storm drain infrastructure, sidewalk repairs, etc. This equipment could have saved \$10K on
253 last year's Pages Lane project.

254 The City's procurement code requires that purchases of \$10,000 or more first be approved
255 by the City Council.

256
257 **MOTION:** *James Bruhn made a Motion to Approve the Purchase for GPS Equipment.*
258 *Mark Preece Seconded the Motion Which PASSED by Unanimous Vote of*
259 *all Members Present.*

260 **9. Police Report.**

261
262 Chief Hixson provided February statistics and updates. The EmPAC meeting scheduled for
263 tonight was cancelled due to the City Council work session, Officer Scheese will complete
264 field training and be released to full duty on March 23, and in conjunction with the Attorney
265 General's office and multiple law enforcement agencies across the state, we served two
266 search warrants to seize the contents of illegal gaming machines in our city at the gas station
267 at 560 W 500 South and the Down Under Club.

268
269 **10. Engineering Report/ Public Works.**

270
271 Ben White –

- 272 • Ovation Homes has received bids from contractors and is preparing to start
273 construction.
- 274 • Met with Questar – they are still investigating pipeline locations so haven't finalized
275 their plans except for the golf course. Duane added that we have told them we prefer
276 a master excavation plan rather than doing one at a time. They have a right to be in
277 the right-of-way but must meet our criteria. We also discussed closing streets for
278 parking and setting barricades with no activity (e.g., 1100 W). They also need to
279 communicate better with residents when work will be done on private property.

280
281 Steve Maughan –

- 282 • Questar – will continue to talk with their people in field about the above items and
283 watch their progress closely.
- 284 • As a separate project on 1200 North and 1100 West, Questar is replacing old lines
285 that will tie into the new line (4' steel lines).
- 286 • We will start in the near future to change out meter setters to back-flow protection
287 setters. We plan to start in the Charnell subdivision and will send letter to residents.
288 We have a mandate from the State requiring ten percent/year upgraded to backflow

289 protection setters for those that are unprotected. We have been doing this in new
290 subdivisions and anything we have done in the past five years.

- 291
- We are also working hard on Trail maintenance.
 - In preparation for Overlays we have cored holes in the road to determine how thick
292 the asphalt is.
- 293
294

295 **11. Administrative/Finance Report.**

- 296
- Working on RFPs – one for Audit services is due March 28. Insurance RFP will be
297 posted this week and will be due April 18.
 - Duane will miss the next city council meeting due to the UCMA conference.
- 298
299

300 **12. Mayor/Council Reports.**

301

302 Kelly Enquist – Mosquito spraying is underway. With all the moisture we have had, the
303 season started early – they are overwhelmed with spray requests. Mosquito Abatement is short 21
304 part time employees. The Maloy family concert sponsored by the Arts Council last week was a
305 great performance. He also reported that a cyclist hit the gates on Prospector trail. Steve Maughan
306 commented that we have left one side open and one closed to give bikes and strollers more room.

307

308 Andy Williams reported Youth City Council spent its last meeting stuffing eggs for the
309 Easter Egg Scramble. They are also trying to find a volunteer for next year's YCC Mayor but so far
310 no interest from members.

311

312 James Bruhn asked about how street lights are monitored. Steve Maughan responded that
313 the police department night shift helps us and we rely a lot on residents. It usually takes 2-3 weeks
314 for replacement.

315

316 Mark Preece reported that South Davis Sewer District is having a special meeting on March
317 28 to finish up the Methane Recovery project which has been a super project.

318

319 James Ahlstrom – no report.

320

321 Mayor Romney reported on the Fire Board capital improvement program. They are
322 considering a new location in Centerville instead of rebuilding in place, other station work, and
323 manpower issues. Early projections could be \$35-50 per year per household for a tax increase for
324 capital. If the entire district converted to a property tax, West Bountiful residents could be impacted
325 \$130-150, which is the lowest of all cities. West Bountiful could lower property tax to offset the
326 increase. They are looking at different options and scenarios.

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13. Approve Minutes from the March 7, 2017, City Council Meeting.

MOTION: *James Ahlstrom Moved to Approve the Minutes of the March 7, 2017 meeting as corrected. James Bruhn 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 Bruhn moved to adjourn this meeting of the West Bountiful City Council at 8:58 p.m. James Ahlstrom seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council on Tuesday, April 18, 2017.

Cathy Brightwell (City Recorder)