

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, MAY 2, 2017, AT CITY HALL, 550 N 800 WEST**

Work Session @ 6:00 pm

FY 2018 Budget Development.

Regular Meeting @ 7:30 pm

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

1. Accept Agenda.
2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).
3. Consider Awarding Recreation, Arts, and Parks Master Planning Services to Landmark Design for \$19,840.
4. Discuss Potential Amendment to 2016 Development Agreement with Capital Reef Management, LLC for The Cottages at Havenwood Subdivision.
5. Consider Approval for Audio/Visual Improvements to the Council Chambers.
6. Consider Asphalt Overlay Project Award.
7. Budget Officer Filing of Fiscal Year 2017/2018 Tentative Budget.
8. Consider Tentative Adoption of the Fiscal Year 2017/2018 Budget and Set Public Hearing.
9. Consider Ordinance 392-17, An Ordinance Adopting Changes to WBMC 17.68, Planned Unit Developments.
10. Public Works/Engineer Report.
11. Administrative Report.
12. Mayor/Council Reports.
13. Approve Minutes from the April 18, 2017 Meeting.
14. Executive Session for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205.
15. 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 27, 2017.

Minutes of the West Bountiful City Council meeting held on Wednesday, May 2, 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), Paul Holden (Director of Golf)

GUESTS: Alan Malan, Eric Eastman, Corey Sweat, Mark Vlastic, Joel Dodge, Kevin Ingram, Daniel Kartchner, Peter Plaizier, Brad Frost, Craig Jacobsen, Burke Peterson, Jessica Peterson

Work Session – FY 2018 Budget Development

Mayor Romney called the Budget Work session to order at 6:05pm.

Duane Huffman introduced issues related to the Tentative Budget.

Capital Projects – planned for late winter 2017, early spring 2018.

- Pages Lane #2 – 800 W to 1100W – will include curb, gutter, sidewalk on both sides of the road. Estimated at \$740,000 Total. We are hoping to include a \$500k UDOT grant, leaving \$120k (Water), and \$120k (Streets).
- Jessi’s Meadow Road Rebuild – Estimated at \$575,000 (Streets)
- Transportation funding Review – discussed Class C funds, Proposition 1, Property taxes, and Impact fees and how they will affect the projects.
- Culinary Well – would like to carry over \$1m for future well.
- City Building & Maintenance includes HVAC, parking lot, council chairs, conference room TV/monitor, exterior LED lights.
- Park – repairs to large bowery roof and city hall bowery, cabin repairs, replace tables. The Council asked that the work on the bowery behind city hall be delayed until more is known about the school construction. Funding for the cabin will also be removed until a better long-term plan is developed.

General Fund

Items included:

New officer	\$80,500 (assumes officer starts mid August)
Police vehicle	\$14,000
Public Works yard	\$250,000 (transfer to capital fund)
Backhoe	\$45,600 (split)

Used Snow plow	\$50,000 (<i>Steve just found a used 2008 plow with 11k miles that Harrisville City is selling for \$70k, which includes a spreader and 11' plow blade. It is in very good condition with a good maintenance history – another city is looking at it too.</i>) All council members agreed it was a good deal and authorized staff to move forward with the purchase.
Snow plow repairs	\$10,500
Loader	Revenue will be \$74,500 (split), new purchase \$77,900 (split) for a net of approximately \$4k
PW vehicle	\$17,500 (split)
ICMA Conference	\$3,000 for Duane to attend ICMA conference
Tablets/Computers	\$5,000 - tablets for council and 2 replacement computers
Microsoft office	\$6,500 - need to update all computers from Office 2007 to Office 2016
Park Large bowery	\$4,300 - repair ceiling
City hall bowery	\$2,500 – new roof - discussed how new school may affect bowery. Decided to wait another year.
Park tables	\$4,700 – continue to replace old tables.
Cabin repairs	\$3,500 – Discussed finding others with an interest in the cabin.

General Fund Balances:

- Fund balance increase \$160,200
- Fund balance is currently 26.6% of revenue
- Still to be determined-
 - Compensation plan
 - Final property tax rate
 - Fire assessment

*Projected ending fund balance of \$1,019,000

Golf Fund:

Irrigation	\$20,000 (tbd)
Carts (10)	\$7,000
Cart path maintenance	\$20,000
Drainage	\$8,000
Part time staff	\$2,000
Education (Paul/Dallas)	\$5,100

Recommend - Transfer \$50k from RAP and \$35,000 from General Fund to golf.

RAP

Transfer \$50,000 to Golf Fund
Building up the fund balance should give us \$250k at end of FY-2018.

Parks impact fees

Master planning
Projected to end FY-18 with \$50k

Between the two we should have \$300k available at the end of next year.

General Discussion:

The fund balance is required to be less than 25%. Additional funding can be transferred to capital funds, but they should be tied to specific projects. But, because of volatility of sales tax, Duane recommends keeping the fund balance at a high level.

He explained that he will present the Tentative Budget at the regular meeting tonight with a public hearing recommended in early June.

The work session recessed at 6:50 pm

Regular Meeting

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

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

1. Accept Agenda.

MOTION: James Bruhn Moved to Accept the Agenda as posted; Mark Preece 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).

Corey Sweat, resident – He wants to see the PUD ordinance approved more in line with the planning commission recommendation. As a commissioner, he stated that a lot of time and thought was spent on their draft including consideration of public comment. He believes the three changes being considered push things too far. ‘Payment in lieu’ is bad policy, and the City does not need any more density so the limits on percentage and zone they recommended are good. He concluded by saying he does not think the Council should spend \$20k on a Parks Master Plan when there are people in the city that can do it.

Eric Eastman, resident – He agrees with Mr. Sweat regarding the Parks Master Plan. There is enough talent in the City to form a committee for RAP. He also had a question regarding Ovation Homes. Was a similar proposal presented early on how to deal with storm water and if so, why was it rejected? He wants to be assured that it is feasible before considering elimination of the pump

station. Mr. Eastman also asked about timing for the proposed A/V upgrades and asked if the resident art work should be removed prior to construction. There is also a Concert scheduled for June 9 in the Chambers, and he asked that the construction be scheduled around the Concert.

Joel Dodge, resident – He raised concerns about Questar’s pipeline project due to Questar’s plan to install the new lines through his backyard. He was concerned that he did not receive more notice, and when he went to Questar’s website link from the City website the old plan is still listed which he believes is deceptive. Steve Maughan commented that he meets with Questar almost daily and they have been through multiple designs and keep changing their plans so it is difficult to know what they are doing. They were trying to get out of resident back yards, but it now appear they have determined that it is too cost prohibitive. Mr. Dodge was surprised that the easements were only 5 feet from his home, which will be very disruptive.

Jessica Peterson, resident – She is a real estate attorney and asked why the construction has to go through their back yard when it would be beneficial and less of a burden to the City and residents if were in the road. She encouraged the City and Questar to continue discussions.

Burt Peterson, resident – He is a Questar engineer. He said it is cost prohibitive for Questar to go through the road only because West Bountiful would require a complete rebuild of the road. They prefer to go through the streets so they can do it piece by piece rather than resident yards which are more difficult now and to access for future maintenance. He has been told by others at Questar that the problem is with West Bountiful’s unreasonable requirements. Duane Huffman responded that information regarding the City’s requests was inaccurate, and it would be best to have Questar present to explain their decisions. Council member Bruhn commented that Questar is also going through his property and have removed several trees. He has been told they will be there for 3-4 months.

Mayor Romney agreed there is no simple solution but suggested Mr. Huffman attempt to set up a meeting with Questar so residents can get more information.

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

Duane Huffman explained that the City previously issued a Request for Proposals for Recreation, Arts, and Parks master planning services to determine needs now and in the future. The intent was to methodically investigate and prioritize current and projected needs to avoid misallocating resources or taking much longer than would otherwise be needed to provide benefit from RAP funding to the community. With proper planning, the City will also be in a much better position to work with future developers on potential new facilities that result from growth on the City’s west side. At the last meeting, City Council requested more information and a presentation from Landmark Design explaining what they plan to do.

Mark Vlastic, owner of Landmark Design, shared a power point presentation that described their plans to comprehensively look at the City’s needs now and in the future to make sure funding is

well spent. Why Landmark? They bring many years of experience with this type of project, are ten minutes down the road, and excel at public involvement; leveraging social media, current technology with traditional methods for the best results. He reviewed the history of the firm and noted they have done impact fee studies, general plans, demographic analyses, etc. He added that visioning requires effectively reaching out to the public which will include internet survey, social media, and workshops. He gave examples of other projects and the savings they have resulted from proper planning.

The Mayor said he has struggled with it but when he considered that the City will collect close to \$3M in RAP tax over the next ten years he believes it is worth it to spend less than 1% to do it right. It will be good to get ahead of the game as we consider future west side development. He concluded that even if it only helps us with one project, it will be worth it. He asked for comments from council.

Council member Williams said initially he thought we could do it ourselves but as we have gotten more into it, he's not sure we would do an adequate job covering such a large scope. We have a lot of money to deal with and we need to make sure we do it right.

Council member Ahlstrom believes it will help us determine the need for things like pickleball courts, dog parks, etc.

Council member Enquist appreciated the information but thinks the studies are focused on much larger communities. He believes we have good people in our community and recommends giving it to planning commission to work on as part of the general plan update with help from the arts council. It cost a lot of money and he is not in favor. He added that we have paid a lot of consultants recently and he does not think it's necessary.

Mr. Ahlstrom responded that it is a lot of money but he is not convinced we could do it as well as this company; we would miss out on their expertise. He added that he would like to see the planning commission still be involved.

There was some discussion about the previous company hired to help with park planning in 2009.

MOTION: *Kelly Enquist made a Motion not to Award the Recreation, Arts, and Parks Master Planning Services to Landmark Design for \$19,840. James Bruhn Seconded the Motion Which Failed with a Vote of 2-3.*

The vote was recorded as follows:

James Ahlstrom – Nay
James Bruhn – Aye
Kelly Enquist – Aye
Mark Preece – Nay
Andy Williams – Nay

MOTION: *James Ahlstrom made a Motion to Award the Recreation, Arts, and Parks Master Planning Services to Landmark Design for \$19,840. Mark Preece Seconded the Motion Which Passed with a vote of 3-2.*

The vote was recorded as follows:

James Ahlstrom – Aye
James Bruhn – Nay
Kelly Enquist – Nay
Mark Preece – Aye
Andy Williams – Aye

4. Discuss Potential Amendment to 2016 Development Agreement with Capital Reef Management, LLC, for The Cottages at Havenwood Subdivision.

Duane Huffman introduced discussion on an option that would eliminate the need for the planned storm water vault/ pump station at the approved Cottage at Havenwood subdivision by instead piping the water down 1950 N, across 800 W, and directly into the canal. Until recently, this option had not been approved by Davis County. As the current storm drain is detailed in the development agreement with the developer, this change would require an amendment to that agreement.

Council member Ahlstrom asked if this option addresses storm water needs for less money and requires less maintenance in the long term. Mr. Huffman confirmed both in principle, with the caveat that costs will depend on bids from contractors.

There was discussion that the lift station at 1950 N and 800 W would remain because it serves Golden West subdivision. Also, Davis County would not require the 48” bypass across 800 West if the City’s pump station were piped to discharge on the west side of 800 West.

Craig Jacobsen stated that the County has confirmed they will accept this proposal saving significantly from current costs. He said his company is excited because there is no down side risk – it will only be better for everyone and they appreciate the second chance and opportunity to fix some things. He discussed their original PUD that was approved for 39 lots with payment of \$140k. It has been a long and difficult process. He noted that in a meeting a year ago, they talked about a pump station but did not know at that time how onerous and expensive it would be. They estimate a \$200k pump station and \$200k bypass. With this new proposal the water is taken care of and all parties benefit including neighboring homes that can tie into the new pipe.

Mr. Jacobsen offered the following Proposal on behalf of Capital Reef Management, LLC.

- 1) Agree in principle to implement the new storm water infrastructure;
- 2) Eliminate the 800 West bypass;
- 3) Pay the City to assume construction of the storm water infrastructure, which is preliminarily believed to be close to or less than \$200k. Capital Reef will pay \$205k and if it can be done for less, the City can keep it. Also pay the City \$25 for work done in

lieu of bypass. For storm water, this totals \$230k. Also Capital Reef is comfortable giving back the \$7,500 the City agreed to contribute to the pump station.

- 4) Amend Development agreement to give one more lots where the pump facility was going to be built on 1950 West. He said Capital Reef has already fully paid for the density bonus and facilities that benefit the City in addition to retaining the development's water. Even with an extra lot there would be some green space left. With this, Capital Reef will provide a global release of claims against the City.

Other outstanding issues include fees. He said they have paid \$43k in inspection fees, (3% of the bond) which is something they have never experienced. Usually the bonds are based on numbers provided by the developer not numbers prepared by the City. They have so far paid \$54,550 in fees to West Bountiful which is a lot when compared to a 20 lot project recently completed in West Haven where the fees were \$2k; another 25 lot project where the fees were \$9k; and in the final stages of approval for 43 lots in Layton with fees of \$5k fees. He said if they get the extra lot, they will not contest fees.

There was discussion about the proposal, a global release, and the company's desire to start building by the end of July or early August.

In order to move quickly the City would not be able to go through its normal bidding process. Staff could ask 3-4 contractors to submit bids quickly although this time of year usually brings higher prices and contractors have limited availability.

Due to the threat of litigation and the proposal of a release, Council member Ahlstrom recommended that the Council move into to closed session to discuss the proposal.

MOTION: *James Ahlstrom made a Motion to Move into Closed Session in the Police Training Room for the Purpose of Discussing Pending or Imminent Litigation pursuant to Utah Code Annotated 52-4-205 (c). James Bruhn seconded the Motion which passed.*

The vote was recorded as follows:

James Ahlstrom – Aye
James Bruhn – Aye
Kelly Enquist – Aye
Mark Preece – Aye
Andy Williams – Aye

MOTION: *James Bruhn made a Motion to Adjourn the Closed Session Meeting at 9:42 p.m. James Ahlstrom Seconded the Motion Which Passed by unanimous vote of all members present.*

Mayor Romney stated that the Proposal offered by Mr. Jacobsen was discussed in closed session. Council members made the following comments:

Council member Ahlstrom said he is on board with everything except he is not sure if \$25k is the right amount for the 800 W issue; it needs to be researched more. Regarding the extra lot, he wants it to be left as open space. Our attorney will work with Mr. Jacobsen to make the appropriate changes and include a global release.

Council member Preece said he has concerns with the City doing the work to relieve them of liability but it is probably ok. He does not support an extra lot, but everything else is ok.

Council members Enquist and Bruhn agree.

Council member Williams also agrees. He said extra lots had already been added against the recommendation of the planning commission so another one is not appropriate.

Mayor Romney asked Steve Doxey to work with Mr. Jacobsen to a draft an amendment to the development agreement.

Mr. Frost commented that there are 125 on a waiting list to get into this wonderful community.

A five minute break was taken.

5. Consider Approval for Audio/Visual Improvements to the Council Chambers.

This proposal will update the audio/visual equipment in the council chambers so they work properly and meet the current and future needs of the City including improved presentation and sound capabilities for city council, planning commission and arts council.

There was some discussion on timing and scope.

MOTION: *James Bruhn made a Motion to Approve the Proposal from Performance Audio for Audio/Visual Improvements to the Council Chambers for \$26,246.61. Andy Williams Seconded the Motion Which Passed by Unanimous Vote of All Members Present*

6. Consider Asphalt Overlay Project Award.

Ben White explained that staff solicited bids to construct an asphalt overlay on several roads this coming year. Out of the eight bids received, staff is recommending Black Forest Paving, LLC as the lowest, responsible bidder with a total bid of \$177,513 to complete the work. They are a relatively new company, but the owners are long time players in the local asphalt market and are well respected. The overall project is expected to take approximately one week and must be completed by September 22, 2017.

MOTION: *Mark Preece made a Motion to Award the Asphalt Overlay Project to Black Forest for \$177,513. James Bruhn Seconded the Motion Which Passed by Unanimous Vote of All Members Present*

7. Budget Officer Filing of Fiscal Year 2017/2018 Tentative Budget.

Duane Huffman, as Budget Officer presented the FY 2017-2018 Tentative Budget.

8. Consider Tentative Adoption of the Fiscal Year 2017/2018 Budget and Set Public Hearing.

MOTION: *James Bruhn made a Motion to Adopt the Tentative Fiscal Year 2017/2018 Budget and Set a Public Hearing for June 6, 2017. James Ahlstrom Seconded the Motion Which Passed by Unanimous Vote of All Members Present.*

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

At the April 18, 2017 meeting, the City Council considered the planning commission's draft ordinance that re-writes the current West Bountiful Municipal Code 17.68 - PUDs. After some discussion at that meeting, changes were requested to the draft related to 17.68.020(K) – Payment in Lieu, 17.68.090 – Density Bonus, and 17.68.100(c) – Side Yard Setbacks.

MOTION: *James Bruhn made a Motion to Adopt Ordinance 392-17 – Planned Unit Developments in the Form Initially Proposed by Planning Commission. Kelly Enquist Seconded the Motion Which Passed with a Vote of 3-2.*

The vote was recorded as follows:

James Ahlstrom – Nay
James Bruhn – Aye
Kelly Enquist – Aye
Mark Preece – Nay
Andy Williams – Aye

10. Engineering Report/ Public Works.

Ben White – Three potential developments may be coming to the City – first, the Hamlet Homes rezone project at 1100 West and Porter Lane is trying to get off ground. Their immediate obstacles are the contaminated ground in the center of the property and dead end streets that are too

long to meet Code. Second, the McKean property currently for sale consisting of 5 acres on the west side of 800 West just north of 1000 North. And third, property just south of Millbridge owned by Onion Patch Security, which consists of approximately 50 acres in the A-1 zone.

Mr. White added that he is still working with UTA and Centerville regarding road upgrades and public improvements for 640 West with the goal of adding curb, gutter and sidewalk.

Steve Maughan – Questar gas is busy working on their pipeline project around town and continue to make design changes.

Public Works is busy with road shouldering, filling pot holes, and changing out meter back flow setters this week in Charnell subdivision.

Due to citizen concerns regarding children crossing 1000 North at 700 West walking to and from school, we put in crosswalk signs.

He also talked about several service projects including a large one by the Larry H. Miller Company that had had employees planting trees and laying wood chips at the Park that they paid for. Valor Martial Arts Academy and a local Stake project also helped out around town.

11. Administrative/Finance Report.

Duane Huffman – nothing to report.

12. Mayor/Council Reports.

Kelly Enquist – nothing to report.

Andy Williams – Youth City Council is finishing up their year and will be requesting applications this summer for the next term.

James Bruhn – Wasatch Integrated is getting closer to shutting down its Layton facility so the are holding job fairs to help the 35 employees being let go. He asked that anyone knowing of city openings let them know. He briefly discussed proposed rate changes which may help recoup some costs from Ogden area residents using the facility. He said the increased rates should not affect us.

Mark Preece – nothing to report.

James Ahlstrom – nothing to report.

13. Approve Minutes from the April 18, 2017, City Council Meetings.

MOTION: *James Bruhn Moved to Approve the Minutes of the April 18 meeting. James Ahlstrom seconded the Motion which PASSED by Unanimous Vote of All Members Present.*

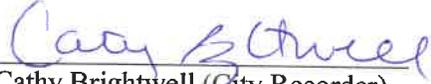
14. Executive Session For The Purpose of Discussing Items Allowed Pursuant to UCA, 52-4-205

There was no additional Executive Session.

15. Adjourn.

MOTION: *James Ahlstrom Moved to Adjourn this Meeting of the West Bountiful City Council at 9:40 p.m. James Bruhn seconded the Motion which PASSED by Unanimous Vote of all Members Present.*

The foregoing was approved by the West Bountiful City Council on Tuesday, May 16, 2017.


Cathy Brightwell (City Recorder)

