

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

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

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City Recorder
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Ben White

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CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A
REGULAR MEETING AT 7:30 PM, ON TUESDAY, JUNE 6, 2017,
AT CITY HALL, 550 N 800 WEST**

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

1. Accept Agenda.
2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).
3. Presentation by Debbie McKean Regarding Independence Day Celebration.
4. Public Hearing to Receive Comments on Amendments to the Fiscal Year 2016-2017 Budget.
5. Public Hearing to Receive Comments on the Budget for Fiscal Year 2017-2018.
6. Consider Resolution 416-17, A Resolution Enacting the 2nd and Final Amendments to the Fiscal Year 2016-2017 Budget.
7. Consider Resolution Enacting the 2nd and Final Amendments to the Fiscal Year 2016-2017 Budget.
8. Consider Relocation and Reimbursement Agreement with Century Link QC to Place Fourteen New Poles and Transfer Approximately 2000 feet of Existing Aerial Cable to the New Poles Near the East Right-of-Way on the East Side of 1100 West Between 500 South and Mill Creek in West Bountiful.
9. Consider Award of 2017 Property, Liability, and Workers Compensation Insurance. (Packet Information Pending)
10. Consider Approval of Five-Year Lease of 20 Yamaha Golf Carts for \$13,999.60/year. (Packet Information Pending)
11. Public Works Report.
12. Administrative Report.
13. Mayor/Council Reports.
14. Approve Minutes from the May 11, 2017, May 16, 2017 and May 23, 2017 City Council Meetings.
15. Executive Session for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205.
16. 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 June 1, 2017.

Minutes of the West Bountiful City Council meeting held on Wednesday, June 6, 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, and Mark Preece

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Police Chief Todd Hixson, Cathy Brightwell (City Recorder), Steve Maughan (Public Works Director)

EXCUSED: Council member Andy Williams, City Engineer Ben White

GUESTS: Alan Malan, Eric and Lucile Eastman, Heather Gardner, Debbie McKean, Kay Hamilton

Mayor Romney called the regular meeting to order at 7:40 pm.

Mayor Romney offered a prayer; Kelly Enquist led the Pledge of Allegiance.

1. Accept Agenda.

MOTION: *Kelly Enquist Moved to Accept the Agenda as discussed; James Bruhn 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).

Eric Eastman, resident - Speaking on behalf of the Arts Council, he shared that the art in the Chambers will be switched out for Jim Child's wildlife photographs. Mr. Child will present a slide show and tell stories about the photos Friday evening at 7pm. Mr. Eastman also had questions about when pending minutes are available so he can monitor the progress of Ovation Home's development. *They are available on the website as part of meeting packets the Friday before each meeting.*

Heather Gardner, resident - Regarding the budget, she had questions about golf course projected revenues and whether the city bonded to build the course. Mr. Huffman went over the golf course budget and explained revenues are difficult to project given critical factors like weather. Contributions and transfers from the General Fund and RAP have helped with capital projects and to

enable the golf course to stay in the black and build up a small fund balance. He added that the City has bonded twice for the golf course; first when it was purchased and again when it was expanded to a full 18 hole course. These bonds have been retired/paid off, now the only debt the golf course has are capital leases to own equipment such as mowers and golf carts.

Mrs. Gardner also commented that citizens are concerned about the poor lighting along 800 West between City Hall and neighborhoods, and 830 West on Porter Lane going to Legacy Parkway. They would like to see it improved. Mayor Romney said it is helpful to know what areas citizens have concerns about.

Kay Hamilton, resident – Regarding the Trails in the city, she said she is grateful for them but ever since the city and UTA resolved their differences, everything is gone along the edges of the trails, including roses, trees, etc. It was much prettier when it was more native; now it is just a weed fest. Not sure why other cities have been able to keep vegetation along their portions of the trail. She added that she would love to see the land for sale north of Onion Parkway trail remain open space with trees and animals and suggested the City buy it.

Steve Maughan responded that his crew has kept the area sprayed to get rid of thistle and broadleaf plants while encouraging the grass to grow up to trail. He said it is difficult to get rid of the vegetation we don't want and get nice grasses to grow, but with time it will come. He told her she can call him anytime to discuss it. Mayor Romney added that as development comes, we can encourage them to leave open space along trails in those areas.

3. Presentation by Debbie McKean Regarding Independence Day Celebration.

Debbie McKean talked about the upcoming Independence Day celebration and went over the assignments for each council member. She commended the parade chair, Jana Slagowski, for doing an excellent job. Food vendors will include Apollo Burger, El Morro and World's Greatest Corn Dogs. She will coordinate ordering candy for city participants. The budget allows for two boxes per council member. Candidates for the upcoming election cannot use city candy if they plan to campaign during the parade. Recognition will go to Melissa Cochran – Citizen of the Year, Halvert & Amy Olsen - Grand Marshals, Glen Davis – Honorary Veteran, Justin Wood – Youth of the Year.

Mrs. McKean also gave an update on the progress of updating the blue history book. She said work on it has slowed down since she got a new job, but it is still in progress. Renate Allen has written a portion on CERT. Mayor Romney thanked Debbie for all her hard work on this project.

4. Public Hearing to Receive Comments on Amendments to the Fiscal Year 2016-2017 Budget.

Duane Huffman pointed out final changes in the proposed FY17 budget. Initially the RAP Master Planning project was to come out of next year's budget but we've already started so an amount was moved to the current fiscal year. Another change in today's draft increased the contribution to the West Yard fund up to \$440k keep the fund balance at 25%. There is a chance property taxes will come in higher than we are allowed to budget for so this will give us the capacity to transfer funds – only if there is excess.

MOTION: *James Bruhn made a Motion to open the public hearing. Mark Preece seconded the Motion which passed by unanimous vote of all members present.*

There were no public comments.

MOTION: *Mark Preece made a Motion to close the public hearing. James Bruhn seconded the Motion which passed by unanimous vote of all members present.*

There was discussion to amend the agenda to consider the adoption of FY 2017 Budget Amendments (item 6) before moving to the next public hearing.

MOTION: *James Bruhn made a Motion to move Agenda Item 6 to follow Item 4 . Mark Preece seconded the Motion which passed by unanimous vote of all members present.*

6. Consider Resolution 416-17, A Resolution Enacting the 2nd and Final Amendments to the Fiscal Year 2016-2017 Budget.

MOTION: *James Bruhn made a Motion to Adopt the 2nd and Final Amendments to the Fiscal Year 2016-2017 Budget. Mark Preece seconded the Motion which passed.*

The vote was recorded as follows:

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

5. Public Hearing to Receive Comments the Budget for Fiscal Year 2017-2018.

MOTION: *Mark Preece made a Motion to open the public hearing. James Bruhn seconded the Motion which passed by unanimous vote of all members present.*

There were no public comments.

MOTION: *James Bruhn made a Motion to close the public hearing. Mark Preece seconded the Motion which passed by unanimous vote of all members present.*

Mayor Romney asked if there were any other issues to address before considering the new budget.

Duane Huffman explained that the most recent budget includes a Certified Tax Rate for property taxes which changes the budget amount from \$1,246m to \$1.271m. He then went on to describe recent changes in state law regarding personal property value growth that affects the City's tax rate and revenue collection.

Property tax revenues collected by cities have been designed to remain flat each year except for new growth or tax increases (truth in taxation). Aside from new growth, if real property values increase due to market inflation, the system is designed to lower the rates to keep the overall revenues collected flat unless there is an approved tax increase. West Bountiful has experienced significant new growth from personal property values related to the expansion at Holly Frontier, and this new growth resulted in increases in property tax revenues collected.

The 2016 Legislature adopted H.B. 25 "Property Tax Changes" which dictated that new personal property will no longer be considered new growth when determining the property tax revenue the City is eligible to receive and essentially lock-in 2016 values, and any new personal property will be treated just as market inflation is treated for real property.

One of the effects of this change is that as personal property continues to grow, other tax payers will realize a decrease in their tax rate, for example if a home value increases at the County's average 7% from \$290K to \$310K, the property owner could see a decrease of \$36 in property taxes.

Mr. Huffman suggested the Council may want to consider the idea of keeping the amount paid by a homeowner flat or nearly flat, which would essentially capture the revenue lost from the removal of personal property growth. The rate could be adjusted so that the average homeowner would continue to pay a slightly smaller annual fee; for example, \$268/yr would go to \$260/yr instead of \$232/yr, giving the city an additional \$200k for its capital needs. Another implication is related to how city assessments are calculated for the South Davis Metro Fire District. In the past, West Bountiful's assessment increased due to the personal property valuations, and the City was able

to fund these increases because of the new revenue growth; however, moving forward, the City will not receive additional revenue.

Mayor Romney asked if we really know how this will impact our budget and impact capital improvement plans. We need to get input from residents to see if they prefer a \$40/yr tax decrease and let the city deal with the reduced future revenues. We have to option to approve the current tentative budget or table it and get more information on impacts to residents and to the City.

Mayor Romney asked for input from members of the audience on this issue and on the proposed budget.

Eric Eastman had questions about the Parks budget. In response, he was told the City decided to wait to rebuild the bowery behind city hall until we know more about upcoming school construction, and repairs to the log cabin had been removed from the budget.

Mr. Eastman commented that he appreciates the current city council and the way they can work together and even when they disagree have found way to do it without being disagreeable.

Brady Tracy asked how this new tax issue affects Holly. Duane explained that under the new arrangement, they are scheduled to pay relatively less than they would have. Brady said his family was forced to shut down its business due to being taxed on each and every piece of equipment.

Heather Gardner asked about projected revenues in the Golf Fund. Mr. Huffman reviewed the budget worksheet and talked about revenue swings being common in the golf industry. He also pointed out bond payments. He explained it is difficult to run a public golf course profitably regardless of good management because it is so dependent on factors such as weather. This is why private courses are very expensive and can only be afforded by a few.

Mrs. Gardner also asked how the \$80k for a new police officer is broken out. Mr. Huffman reviewed the components of the total expense.

Lucile Eastman asked what the motivation was for legislature to make changes to the tax law. Mr. Huffman said he was not sure of all the details but it appeared some of it had to do with a landside Kennecott had to deal with a few years ago and all the new personal property they had to purchase which had a big impact on taxes they pay.

She said the City needs to be careful how it is presented to the public. She recalled the uproar when water and garbage rates were increased but very few thank yous when the rates were later dropped. She suggested it be presented as a tax increase that will not increase rates, i.e., no change to what is currently being paid.

7. Consider Resolution Enacting the 2nd and Final Amendments to the Fiscal Year 2016-2017 Budget.

Mayor Romney said he believes the Truth in Taxation issues need more consideration. We need to better understand how it will impact capital improvements and things like fire assessment. We need to look at what is right and fair to everyone and get residents involved.

MOTION: *James Ahlstrom made a Motion to table a decision on the Fiscal Year 2018 Budget, but allow Chief Hixson to begin advertising for the new police officer position. Mark Preece seconded the Motion which passed*

The vote was recorded as follows:

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

8. Consider Relocation and Reimbursement Agreement with Century Link QC to Place Fourteen New Poles and Transfer Approximately 2000 feet of Existing Aerial Cable to the New Poles Near the East Right-of-Way on the East Side of 1100 West Between 500 South and Mill Creek in West Bountiful.

Duane Huffman explained this agreement is tied to a project to widen and place improvements on 1100 West between 500 South and the canal (at approximately 100 N). Holly will pay for all improvements as part of their earlier expansion, except the moving of Century Link poles which the City will pay for (maximum of \$60k). This agreement resolves a long standing dispute with Century Link.

MOTION: *James Ahlstrom made a Motion to approve the Relocation and Reimbursement Agreement with Century Link QC. James Bruhn Seconded the Motion Which Passed by Unanimous Vote of All Members Present*

9. Consider Award of 2017 Property, Liability, and Workers Compensation Insurance.

Duane Huffman explained that review of the bids has taken longer than anticipated. The outside party the City has hired should have a recommendation soon.

MOTION: *James Ahlstrom made a Motion to table consideration of the Award of 2017 Property, Liability, and Workers Compensation Insurance. Mark Preece Seconded the Motion Which Passed by Unanimous Vote of All Members Present*

10. Consider Approval of Five-Year Lease of 20 Yamaha golf Carts for \$13,999.60/year.

Duane Huffman explained this item is not ready for consideration. Council member Bruhn asked if the twenty carts are all in addition to current inventory and Mr. Huffman responded that ten replace expiring leases and ten will be new taking us to a total of seventy.

MOTION: *Mark Preece made a Motion to Table Consideration of the Five-Year Lease of 20 Yamaha golf Carts for \$13,999.60/year. James Ahlstrom Seconded the Motion Which Passed by Unanimous Vote of All Members Present*

11. Public Works.

Steve Maughan

- Road repairs in preparation for overlays in July include filling pot holes and soft spots.
- Street sweeping and street striping – will do some that were seal coated now and then other areas in the city later in the summer. Will repair the sidewalk at Jessi's Meadow and 1100 West.
- Wrapping up odds and ends of Pages Lane project which include repairing a walkway for Christy Morrison, and Chris Hogan drainage.
- Two new drinking fountains have been installed at the Park; one at the snack shack and one by the large bowery. There was a leak under the concrete at the fountain by the snack shack that had to be repaired. Another drinking fountain will be installed between the new playground and basketball court.
- Questar project is still ongoing. They have a 24" line completed on 1450 W but they will need to open the trench at 400 North so it has become necessary to close 1450 West so they can bore other 8" line. They are planning on a 3 week closure.
- Installation of the new audio/visual system in council chambers will begin the week of June 26 and is expected to take 4-5 days.

12. Administrative/Finance Report.

Duane Huffman

- Candidate Filing period closes tomorrow. So far we have two candidates for Mayor and four for city council. If we get any more, a Primary election will be required.
- Would like to schedule a worksession at the next meeting to discuss compensation issues. *Neither the Mayor nor Council member Ahlstrom is available.*

- If we decide to move forward with Truth in Taxation, budget approval will be delayed until it is complete in August.
- We have begun to explore banking options as we have not been overly excited about fees, etc., with our current provider.

11. Mayor/Council Reports.

Kelly Enquist

- Asked about enforcement options for non-compliance/illegal structures. Duane explained we have a history of poor enforcement. When we become aware of a situation, we ask the resident to address the issues. We are now looking at putting “certificates of non-compliance” on properties. Residents can also pursue on their own enforcement. There was discussion about several options and the need to come up with a plan to discuss at a future meeting. Councilman Enquist said other cities have code enforcement officers that identify issues and deal with them.

James Bruhn

- Still having extra meetings of Wasatch Integrated to discuss what to do regarding outstanding issues related to the burn plant closure. Employees have been let go and we are soliciting bids for demolition. It will become a transfer station.

Mark Preece

- CERT bought new trailer to carry new tables and chairs for spontaneous volunteer management and events. Discussion about where it should be stored, possibly in one of the police department parking stalls.

James Ahlstrom

- Asked for an update on the status of the RAP Master planning committee. Duane responded that the committee is being organized and surveys will be distributed to the public, including at the July 4th event.
- He talked about church access paths and will follow-up regarding our request for a path from Stringham Farms subdivision.

Mayor Romney

- Asked how much sand would it take to smooth out uneven areas in the grass at the Park. This is something we may want to look at; would need to be done consistently for several years.

12. **Approve Minutes from the May 11, 2017, and May 16, 2017, and May 23, 2017 City Council Meetings.**

MOTION: *James Ahlstrom Moved to Approve the Minutes of the May 11, 2017, and May 16, 2017, and May 23, 2017 meetings. James Bruhn seconded the Motion which PASSED by Unanimous Vote of All Members Present.*

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

No Executive Session was needed.

14. **Adjourn.**

MOTION: *James Ahlstrom Moved to Adjourn this Meeting of the West Bountiful City Council at 9:43 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, June 20, 2017.


Cathy Brightwell (City Recorder)

