

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 Engineer
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CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A WORK SESSION
AT 6:30 PM AND A REGULAR MEETING AT 7:30 PM ON
TUESDAY, FEBRUARY 20, 2018 AT CITY HALL, 550 N 800 WEST**

Work Session at 6:30 pm

Consider Proposed Compensation Plan for West Bountiful City Employees.

Regular Meeting at 7:30 pm

Invocation/Thought – Kelly Enquist; Pledge of Allegiance – James Ahlstrom

1. Approve the Agenda.
2. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).
3. Request by Brandon George to place a “Little Free Library” at City Park as part of his Eagle Scout Project.
4. Consider 3rd Amendment to the Development Agreement between Capital Reef Management, LLC and West Bountiful City dated May 3, 2016.
5. URMMA Council Training.
6. Consider Resolution 430-18, A Resolution Approving the Second Amendment to the 2016 Interlocal Cooperation Agreement Between Davis County and City of West Bountiful for Animal Control Services.
7. Consider Resolution 431-18, A Resolution Extending the 2016 Interlocal Cooperation Agreement for the Davis Metro Narcotics Strike Task Force.
8. Police Report.
9. Engineering/Public Works Report.
10. Administrative.
11. Mayor/Council Reports.
12. Approve Minutes from the February 6, 2018 City Council Meeting.
13. Executive Session for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205.
14. Adjourn.

Those needing special accommodations for the meeting can contact Cathy Brightwell at 801-292-4486 24-hrs prior to the meeting.

This agenda was posted on the State Public Notice website, the City website, emailed to the Mayor and City Council, and sent to the Clipper Publishing Company on February 16, 2018.

Minutes of the West Bountiful City Council meeting held at 7:30 p.m. on **Tuesday, February 20, 2018** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

MEMBERS: Mayor Kenneth Romney, Council members James ABruhn, Kelly Enquist, Mark Preece, Andy Williams

STAFF: Duane Huffman (City Administrator), Steve Doxey (City Attorney), Chief Todd Hixson, Ben White (Engineer), Steve Maughan (Public Works Director), Cathy Brightwell (City Recorder/ Secretary)

EXCUSED: James Ahlstrom

VISITORS: Paul Johnson, Alan Malan, Gary Jacketta,

Mayor ProTem Preece called the work session to order at 6:30 pm. As Mayor Romney is running a few minutes late, the agenda will be modified to begin with regular agenda item 5.

URMMA Council Training (Regular Agenda Item 5)

Duane Huffman introduced Paul Johnson to conduct Land Use Training on behalf of Utah Risk Management Mutual Association (URMMA).

Mr. Johnson began by explaining that municipal discretion is largely gone. He gave several examples of land use lawsuits. Ordinances must be clear; if it is ambiguous, it will be construed in the property owner's favor. Landowners have a constitutional right to use their property as they wish unless it is clear in ordinances that they cannot have a particular use. A land use restriction does not prohibit a use if a reasonable, well-informed person could interpret it to allow the use.

He recommended the city review its land use ordinances and remove language that requires interpretation such as "in the sole discretion of," "compatible with," "in keeping with the character of the neighborhood," "...any other conditions imposed by planning commission," etc.

Mr. Johnson then discussed conditional use permits and urged the city to eliminate them when possible. It is better to make them permitted uses with standards and conditions built into ordinance, or to make them non-permitted.

There was discussion about group homes, which include drug, alcohol and sober living facilities, and how they must be allowed pursuant to state and federal law, as recovering addicts are defined as disabled. He suggested our ordinances be reviewed and updated, if necessary.

He also explained that the public gets a say when legislative changes are being considered, such as zoning and other land use ordinance changes, but once the ordinance is in place or a property is zoned for a particular use, neighbor's opinions cannot sway a decision.

He concluded by encouraging caution with what is said in emails and texts. The Government Records Access and Management Act (GRAMA) defines publicly held emails and texts as “records” making them public and available upon request with few exceptions.

Mayor Romney thanked him for his presentation and suggested a similar training be scheduled with the planning commission.

Consider Compensation Plan

Duane Huffman introduced the discussion by reviewing cost projections based on different proposed policies. The intent of the projections is to provide a way to compare the policies, not necessarily to predict what the actual costs will be because personnel changes are constant.

As discussed in past meetings, the proposed policies generally include either an option where employees are brought up to “midpoint” and then held until they receive value-related increases, or a more traditional step/grade where satisfactory employees move at a pre-determined pace. Annual inflation increases are built into the pay ranges for both scenarios.

The pros of the mid-point option include flexibility and the ability to allocate funding to match value. The cons of the mid-point option include possible morale issues related to compression, perceived fairness issues, and employees not having a clear path over years of service.

The pros of the step/grade option include the clarity and relative ease of administration for both management and employees. The cons include the inflexibility, the value on longevity above other measures, and the cost.

Mayor Romney has talked with department heads, and he wants them to be open with their opinions about how the proposed policies could affect the city’s workforce.

7:30 p.m. Break for regular meeting

8:50 p.m. Return to work session

After re-starting the work session, there was discussion about the need to have a good policy to provide structure and transparency, but there still needs to be flexibility.

The council and the department heads continued to discuss the possible pros and cons of the different compensation methods. While the flexibility of the mid-point option was seen as good, the possible effects on employee morale are worrisome. However, the comparable costs associated with the step/grade were viewed as too high.

Duane proposed bringing back a modified step and grade that would do the following: Stretch the length to 17 steps; move mid-point to step 6; include only pay ranges for senior management (similar

to mid-point option). The consensus was that this would likely be a good way to balance flexibility/structure as well as better control costs.

Duane closed by briefly reviewing his thoughts related to mayor/council compensation. He proposes setting it at the median levels for cities in Davis County, and adjusting them with inflation each year along with the standard pay scale. The consensus was to review and include this as part of the FY 19 budget process.

Mayor Romney called the meeting to order at 7:37 pm. Kelly Enquist gave an Invocation, and the Pledge of Allegiance was led by Mayor Romney.

1. Approve Agenda

MOTION: *Mark Preece made a Motion to approve the agenda after moving Item 5 – URMMA Council Training to 6:30 pm. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

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

No public comment.

3. Request by Brandon George to place a “Little Free Library” at City Park as part of his Eagle Scout Project.

As part of his eagle scout project Brandon George has requested to place a ‘Little Free Library’ at City Park or another location the city chooses. Brandon displayed the box he intends to use and said he plans to use PVC pipe to mount it off the ground. He recommends it be placed by the benches around the new playground area. Brandon will initially stock the box with his own books and place instructions on the box, so people understand how it works.

There was discussion about maintenance and he said the box will be painted with fifteen-year paint to help protect it from weather and sprinklers.

Council thought it was a good idea and asked him to work with Steve Maughan and Rocky Miller on the details. They clarified that if the box is vandalized, falls into a state of disrepair, or otherwise has problems, it will be removed at the city’s sole discretion.

4. Consider 3rd Amendment to the Development Agreement between Capital Reef Management, LLC and West Bountiful City dated May 3, 2016.

Capital Reef Management desires to install a sales trailer at Cottages at Havenwood to host prospective buyers. According to staff’s interpretation, none of the permitted or conditional uses in the R-1-10 zone are consistent with the commercial use of a marketing trailer. Capital Reef believes that

the use is allowed if considered accessory to the use of the property, and that language in their approved CC&Rs does not prohibit a sales office.

The developer and city staff recognize that an amendment to the development agreement is the fastest way to resolve this issue if the council desires to make the change.

Craig Jacobsen stated that his company did not anticipate any problem and was surprised when city staff questioned their ability to place a temporary sales trailer on the property. He said they need help marketing the property and a sales trailer will help significantly until the model home is completed. At that time, the trailer will be removed. He added that they are willing to agree to the city's request for off street parking by using the driveway on lot 2 to service the trailer on lot 1. He added that use of the marketing trailer will end within fifteen days after the model home is complete, or no later than June 30, 2018. Mr. Jacobson also proposed a compromise on the total time that the model home may be used, recommending that it terminate as a model after 18 months.

Mr. Doxey drafted and read language to reflect this discussion.

MOTION: *Andy Williams made a motion to approve the 3rd Amendment to the Development Agreement between Capital Reef Management LLC and West Bountiful City as discussed above. Mark Preece seconded the Motion which PASSED 4-0.*

The vote was recorded as follows:

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

5. URMMA Council Training

(See work session minutes above)

6. Consider Resolution 430-18, A Resolution Approving the Second Amendment to the 2016 Interlocal Cooperation Agreement Between Davis County and West Bountiful for Animal Services.

In July 2016, the city adopted a new interlocal agreement for animal control services with Davis County that contemplated annual payment adjustments based on costs, city use, and capital needs. This amendment is for calendar year 2018 and reflects a total cost increase over previous years with a total due annual cost of \$13,149.97. Staff continues to recommend participation with the county as the most efficient method of providing animal control.

Mr. Huffman explained that the city's proportional use went up slightly and the county's budget increased. There was discussion about the increase and a request by council to come back with more information.

MOTION: *Andy Williams made a Motion to table Resolution 430-18. Kelly Enquist seconded the Motion which PASSED by unanimous vote of all members present.*

7. Consider Resolution 431-18, A Resolution Extending the 2016 Interlocal Cooperation Agreement for the Davis Metro Narcotics Strike Force.

Chief Hixson explained that for the DMNSF to qualify for certain federal funding, it is necessary to document an extension for the current interlocal agreement.

MOTION: *James Bruhn made a Motion to approve Resolution 431-18 as presented. Andy Williams seconded the Motion which PASSED 4-0.*

The vote was recorded as follows:

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

8. Police Report.

Chief Hixson provided his monthly report.

- He praised the city's crossing guards who do a great job; are stable and always show up as scheduled.
- Reported that Officer Flint is doing well as he progresses through his three-month field training.
- Working on budget for next year.

9. Engineering/Public Works Report

Ben White –

- Ironwood Development has the property south of Hamlet Homes under contract. They have proposed a 35-lot subdivision with all lots meeting the minimum 0.5 acre size. He discussed several small issues but stated that without connecting to Hamlet on the north they will have a 2000-foot dead end street which means they cannot move forward until Hamlet has recorded its plat.
- Also met with Ironwood, Hamlet and Mr. Straatman to discuss how best to handle storm water detention in the area. It would be helpful for the three property owners to work together than to deal with the requirements individually.
- UDOT is trying to solve accident problems on 500 West between 400 North and 500 South and would like ideas, e.g., adding medians, eliminating access points, adding turn lanes, move and/or add a light, etc. There have been 300 accidents in this stretch between 2010 and 2017. Council member Enquist suggested more crosswalks as there is only one in the entire stretch. Mayor Romney suggested exploring the idea of a dedicated left turn light at 100 North.

- 640 West Project is out to bid and should be ready for award at the next city council meeting.

Steve Maughan –

- Crew has been busy plowing snow.
- Installing sample water testing stations in remote areas to help with required testing twice a month.

10. Administrative/Finance Report

Duane Huffman

- Working on an appeal related to GRAMA request denial.
- Received word that we will be getting the language from Sewer District shortly related to our purchase of property.

11. Mayor/Council Reports

James Ahlstrom – Absent.

Mark Preece – The expected finish date for the new recovery plant has been extended to July 19 due to construction delays. Funds have been approved so they can move forward without further delays.

James Bruhn – Wasatch Integrated is trying to get bids for a new transfer station.

Andy Williams – Youth council completed their draft revisions to their bylaws which they will present at the next council meeting.

Kelly Enquist – Mosquito Abatement has been scheduling training to all elementary schools in the District; West Bountiful Elementary has not yet responded.

Mayor Romney – Held interviews for the Planning Commission alternate vacancy.

12. Approval of Minutes from the February 6, 2018 City Council Meetings.

MOTION: *James Bruhn made a Motion to approve the February 6, 2018 city council minutes as presented. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

13. Executive Session for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205.

An Executive session was not held.

14. Adjourn Meeting.

MOTION: *James Bruhn made a Motion to adjourn this meeting of the West Bountiful City Council at 9:55 pm. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council by unanimous vote of all members present on Tuesday, March 1, 2018.



Cathy Brightwell (City Recorder)

