THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 1, 2018 AT CITY HALL, 550 N 800 WEST

7:30 p.m. Regular Meeting

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. Consider Resolution 435-18, A Resolution Appointing Paul Maloy as Youth City Council Advisor.
5. Budget Officer Filing of Fiscal Year 2018/2019 Tentative Budget.
9. Mayor/Council Reports.
10. Approve Minutes from the April 17, 2018 City Council Meetings.
11. Executive Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
12. Adjourn.

Those needing special accommodations 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 April 26, 2018.
WEST BOUNTIFUL CITY

RESOLUTION #435-18

A RESOLUTION APPOINTING YOUTH CITY COUNCIL ADVISOR

WHEREAS, the West Bountiful City Council established the West Bountiful Youth City Council by adoption of Ordinance #403-18; and,

WHEREAS, pursuant to the above referenced Ordinance, the Mayor, with the advice and consent of the City Council, shall appoint youth advisors to four-year terms to assist with efforts of the Youth City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City that it consents to the Mayor’s appointment of Paul Maloy as Youth City Council Advisor with a term ending April 30, 2022.

EFFECTIVE DATE. This resolution shall take effect immediately upon passing.

Passed and approved by the City Council of West Bountiful City this 1th day of May, 2018.

___________________________________
Ken Romney, Mayor

Voting by the City Council:  AYE   NAY
Councilmember Ahlstrom  _____   _____
Councilmember Bruhn  _____   _____
Councilmember Enquist  _____   _____
Councilmember Preece  _____   _____
Councilmember Williams  _____   _____

ATTEST:

_________________________________
Cathy Brightwell, City Recorder
Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, April 24, 2018 at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Mike Cottle, Alan Malan, Laura Charchenko, Dee Vest (alternate), and Council member Kelly Enquist

MEMBERS EXCUSED: Corey Sweat

STAFF PRESENT: Ben White (City Engineer), Cathy Brightwell (Recorder), Debbie McKean (Secretary)

VISITORS: No visitors

The Planning Commission Meeting was called to order at 7:30 pm by Chairman Hopkinson.

Mike Cottle offered a prayer.

1. Accept Agenda

Chairman Hopkinson reviewed the agenda. Mike Cottle moved to accept the agenda as presented. Alan Malan seconded the motion. Voting was unanimous in favor among all members.

2. Discuss Proposed Amendment to WBMC 16.20.020 Regarding Secondary Water for Subdivisions and Set a Public Hearing.

Commissioner packets included a memorandum dated April 19, 2018 from Ben White regarding Secondary Water Requirements for Subdivisions. Memorandum included a current draft of the proposed language with a reminder of the 6-month moratorium imposed on new subdivision applications while the City does a review of requirements for secondary water in new developments. Staff suggested inserting language in the municipal code section 16.20.020 Public Improvements regarding some house keeping changes for inspection fees.

Ben White reviewed the proposed language which has been reviewed by legal counsel. He also introduced the fee schedule related to the next agenda item.
Denis Hopkinson would like a reference to be included in the language for the fee schedule. He would also like to strike the word “appropriate” from the language.

Alan Malan concurred with Chairman Hopkinson’s suggestions. He would also like to include the “City’s approval” as language along with the secondary water district’s approval. A public hearing will be scheduled for May 22, 2018.

3. Discuss Proposed Changes to West Bountiful Consolidated Fee Schedule Regarding Subdivision Inspection Fees and Set Public Hearing.

Commissioners received a memorandum from Ben White and Cathy Brightwell dated April 24, 2018 regarding the Review of Uses by Zone. State law requires cities to approve their construction standards by ordinance and the related fees for land use to be adopted by ordinance as well.

Mr. White researched the fee schedule for cities in Utah that are similar to West Bountiful. He explained some of what he found. Staff is still proposing the graduated fee schedule that was presented to them at the last meeting.

Mike Cottle stated that when he was working with a developer a few years ago they commented how outrages West Bountiful fees are. Ben White answered that some of our fees are high and we are not like other cities. Impact fees are high because of the dynamics of our City and the fees that we are responsible to pay to provide services. Chairman Hopkinson responded that part of the reason they are so high is to monitor the impact of development in our city. Ben explained in detail some other reasons our fees are high in comparison to surrounding cities.

Chairman Hopkinson would like to keep a single fee for an even playing field and add a minimum fee. Ben White explained how he came up with the graduated scale and the reasoning behind it. Some discussion took place regarding the difference of graduated vs. set fee. Mr. White included hours of service and impact to infrastructure to arrive at the minimum fee charged. The public hearing will be set for May 22, 2018 for fee schedules after the proposed language change for secondary water for subdivisions is heard by the public.

Alan Malan feels like a straight percentage is more fair than a graduated fee.

Dee Vest asked if the $1800 minimum is a good base fee. Mr. White responded to the positive.

4. Discuss Changes to Permitted and Conditional Uses in Title 17, Residential Zones.

Commissioners received a Memorandum from Ben White and Cathy Brightwell dated April 24, 2018 regarding permitted and conditional uses in residential zones. The memorandum included information on the following:

   a. Day Care/Pre-school
   b. Model Homes
c. Sales Trailers

d. Construction Trailers

Ben White reviewed the information included in his memorandum with the Commissioners. He included requirements from State Code and the minimum criteria for consideration of our City Code. He invited the Commission to review his suggestions and give their input on what ideas they may have.

Some discussion took place regarding allowing home occupation businesses to hire employees under the Home Occupation permit. Cathy Brightwell pointed out that this would need to be a huge policy change throughout the code. Ben White noted the huge impact this would be to the community. Some discussion took place regarding some pros and cons of conditions and reasons to make the change.

Dee Vest feels there is a difference in full-time vs seasonal/part-time employees and sees no harm in allowing some seasonal/part-time employees for daycare. Ben White would rather not include it in code. Commissioner Vest inquired about the City’s liability to not have employees included in the code vs if employees were unknown to the City. Ben White stated that the City is not liable either way.

Councilman Enquist pointed out a situation that occurred in our City years ago with a Home Occupation and the great impact it was to the neighborhood with traffic coming and going.

Alan Malan referred to #6, Pre-schools, in the memorandum under criteria to be considered. He feels the suggested restriction is unreasonable. Ben White explained that a pre-school is different than a day care and it is in State Code. Mr. Malan understood and recommended our language refer to State Code so we don’t have to keep changing the language. He inquired about what a CCL background screening is and do we have to require it. Ms. Brightwell explained the process to obtain a certification for Daycare/Preschool Home Occupation permits.

Mr. White presented the Model Homes new language which in part he took from other City’s codes. Some discussion took place regarding the suggestions and ideas shared about the direction to go with the language of Model Homes, Sales Trailers and Construction Trailers by zone.

Mike Cottle asked what the major complaints are regarding Model Homes. Mr. White answered that there are not a lot of complaints regarding model homes but Sales trailers are different. Staff desires to have guidelines for their use.

Alan Malan spoke regarding the hours of operation and suggested the hours begin 7am and go to dusk. Laura Charchenko suggested we use the same hours as are allowed for construction.

Mr. Malan feels that Item #6 under Model Homes regarding lighting is ambiguous. Staff will adjust the language accordingly.
Ben White desires to have black and white criteria to be met so Staff can tell citizens what they are or are not permitted to do regarding their business. Staff will incorporate the desired changes discussed this evening and bring back the new language to the next meeting.

5. Discuss Setbacks in Residential Zones

Commissioner packets included a memorandum dated April 20, 2018 from Ben White regarding Setbacks. Memorandum included the following information:

- Zone Setback Comparisons for City in Davis County area.

Ben White introduced a comparison of setbacks per zone with surrounding cities as listed in his memorandum. He stated that the City Council requested that the Planning Commission review residential setbacks and provide rational for them. Some discussion took place and the Commission made some recommendations for Staff to take back to City Council for their consideration.

6. Staff Report

Ben White:

- Hamlet Homes has broken ground and is scheduled to begin sewer today. It is possible they will begin construction in May. The development to the south cannot be developed unless Hamlet Homes is constructed. Both developers are working together.

- Could see some construction on 500 West this summer and may see a protected turn light by Costco due to high traffic accident, and it is very likely that a right-hand turn lane at Center Street going northbound on 500 West.

Cathy Brightwell:

- Youth City Council applications are due the end of the month. This program will now be running year-round.

- Finalizing the agreement with the Sewer District and it has been subdivided and ready for the Public Works Department.

10. Consider Approval of Minutes from April 10, 2018.

ACTION TAKEN:

Laura Charchenko moved to approve of the minutes of the April 10, 2018 meeting as presented. Alan Malan seconded the motion and voting was unanimous in favor.
11. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting at 8:47 pm. Laura Charchenko seconded the motion. Voting was unanimous in favor.

The foregoing was approved by the West Bountiful City Planning Commission on May 8, 2018 by unanimous vote of all members present.

Cathy Brightwell – City Recorder
Minutes of the West Bountiful City Council meeting held at 7:30 p.m. on **Tuesday, April 17, 2018** at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

**MEMBERS:** Mayor Kenneth Romney, Council members James Ahlstrom, James Bruhn, Kelly Enquist, Mark Preece, and Andy Williams

**STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Police Chief Todd Hixson, Ben White (Engineer), Steve Maughan (Public Works Director), Paul Holden (Golf Director), Josh Virostko (Golf Superintendent), Cathy Brightwell (Recorder)

**VISITORS:** Alan Malan, Eric & Lucile Eastman, Jason Meservy, Jim Child, Jamie & Joe Cook, Matthew Cooper, Greg Garza, Aidan Roberts

**Budget Work Session:**

Mayor Romney called the work session to order at 6:06pm.

Duane Huffman presented the departmental proposals for FY2019 broken out by Fund as summarized below.

**GENERAL FUND**

- Pay scale for inflation – new compensation policy intends annual updates
  - 2017 CPI 2.2%
  - 2018 CPI forecast: 1.7%
  - 1% = $19,800, 1.5% = $29,600, 2% = $39,600

- Health/Dental/LTD/Life/ADD = 1.6% increase in premiums

- Legislative – Council wage increase from $4,800 to $6,800/year; Mayor from $9,500 to $12,500 = $13,000 annual increase

- General/Building
  - IT Services – RFP issued. Expect 10% increase plus will need to upgrade to Windows 10 and replace some computers over two years that are not compatible.
  - Liability insurance - $2k increase
  - Animal Control - $1.5k
  - Bountiful Power Repayment - $73k
  - City Hall parking lot/cement - $34.5k
  - Youth Council – small budget increase?
  - Arts Council - increase $500. Check into double donation for Davis Arts Council.
- Police Department
  - Crossing guard - $6k increase for wages (currently $8-$11/shift - propose $15/shift).
  - Operations - $24.5k increase
  - Server - $10k
  - New vehicle - $50k (may start shifting to trucks as they hold value better).

- Fire
  - $72.6k increase (9%)– total increase of $635k for all cities (4%)

- Street Maintenance
  - School zone solar powered sign (did one last year, want to do one more) - $3.3k
  - Crack seal – increase of $20k
  - Side walk maintenance - $5k increase
  - Hydraulic hose machine - $6k ($4k – General fund, $2k Water fund)
  - Loader
    - Will sell the one we bought in FY18 for $171K
    - Buy new one for $158k (50/50 General fund/Water fund)

- Street Projects
  - 1100 W sidewalk – fill in gap from Mill Creek canal to 200 N - $70k
  - Seal coat - Pages Ln.-2016 project, 400 N, and 2017 projects
  - Jessi’s Meadow full reconstruction - $600k

- Parks Department
  - $1k training increase
  - July 4th – spent more last year - $18k FY18, 12k FY17, budgeting $13k FY19?
  - Holiday lights –
    - Propose to focus a bigger display on large pine tree instead of lighting all trees – safety and cost.
    - Discussed banners that can be used for multiple holidays. Will develop a proposal/estimate May need to include boom… 800 W – 400 to Pages
  - Cabin repair - $3k based on 1 yr old bid to repair to safe condition, not restore.
  - Open space mower - $15k, or small tractor with attachments (broom, snow blower, etc.) - $25-30k
  - for BW, 400 N, trailheads where roadside mower can’t be used. Tractor more versatile
  - Service truck to replace Rocky’s 2013 - $40k. Expect to get $20k from his old truck so net is $20k

GENERAL FUND balance - $1,455,400 which is $274k over the limit. Includes $205k in restricted road funds and Ovation Homes contribution of $160,100 (General Fund), $38,500 (Storm Drain) = $198,600

WATER FUND
- Maintenance
  - Water lines - $3k
  - Water tank - $5k (heaters)
  - Pumping - $3k
- Resetters - $10k backflow prog
- Training - $1.8k
- Weber Water - expect increases
- Share of hydraulic hose machine and loader
- Vac trailer - $75k

GOLF FUND

- Seasonal/part-time wages
  - Pro shop - bump up from $8-$9 to $10-$12/hr range = $5.2k
  - Maintenance – mechanic and irrigation to $14/hr, mowers to $10-$12/hr.
- Weber Water?
- 18th tee cart path - $8k
- New service truck – New truck doesn’t need to be outfitted other than mats and liner. Keep old one because no resale value.
- Ball shed - $3.5k – probably prefab
- Range ball washers - $3k
- Mop sink for cafe - ? (health dept has been after us for several years)
- $42k deficit (after planned $35k from General Fund)

What’s Left?

Parks Projects

- Ovation homes contribution?
- Restroom/snack shack – est. at lease $200k – considering budget amendment to begin process this year.
- Lighting for security around playground, shade, tables/small boweries
- Sand/seed mixture over park to level off grass – need minimum ¼ inches - $20k sand alone. Should be done each year for 3 years
- West Yard

Duane will come back with better budget numbers for top dressing, tractor, cabin, tree lighting, and restroom/snack shack at next meeting.

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Regular Meeting:

Mayor Romney called the regular meeting to order at 7:35 pm. James Bruhn gave an Invocation, and the Pledge of Allegiance was led by Andy Williams.

1. Approve Agenda

MOTION: Mark Preece made a Motion to approve the agenda as presented. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.
2. **Introduce and Conduct Oath of Office for Police Officer Kassie Cook.**

Mayor Romney introduced new police officer Kassie Cook and conducted the Oath of Office.

3. **Recognize and Thank Jim Child for his Display of Art in Council Chambers.**

Mayor Romney thanked Jim Child for sharing his photographs with the city by displaying them in the council chambers for the past year and presented him with a Certificate of Appreciation. Mr. Child thanked the Council and commented that he served as mayor years ago and understands how difficult it is to manage the city. He thanked them for all their hard work and dedication to make West Bountiful such a wonderful place to live. As appreciation, he is donating one of pictures to the city.

He also thanked Chief Hixson for taking care of his officers. He commented that when he was mayor officers did not make enough money to live in our community, and appreciates the support the council and city give the police department.

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

There was no public comment.

Mayor Romney shared a letter he received from the Centerville Police Chief stating how much they appreciated the help they received from residents Jason Meservy and Mark Larson during their recent gas leak.

5. **Consider Request from DEV Group, LLC, for Relief from the Temporary Regulations Restricting New Subdivision Applications Concerning Secondary Water.**

Bountiful Pasture, LLC has accepted a purchase offer from DEV Group, LLC for the 23.68-acre parcel of land just south of the proposed Kinross subdivision and north of the DSB canal. DEV Group intends to subdivide the land for a residential development.

Ordinance 401-18, adopted in March of this year, temporarily restricts new subdivision applications while the city works to clarify requirements for providing secondary water in new developments, but allows potential developers to request relief from the restrictions under certain conditions.

Mark Garza, on behalf DEV Group, submitted a Request for Relief on March 30, 2018 stating they fully intend to provide secondary water to the proposed development. They intend to work with Mr. Brodsky from Hamlet Homes to install a secondary water system that benefits both developments.

Mr. White said staff supports the request under the following conditions:

1) As part of any subdivision, the developer must provide a public improvement design for both on-site and any necessary off-site improvements that will provide secondary water to each proposed lot.
2) Designs and construction of any necessary secondary water improvements will be in accordance with West Bountiful City and Weber Basin’s standard construction requirements and practices.

Mr. Huffman reminded Council that this development cannot move forward until Hamlet Homes records the final plat for Kinross Estates. Without the adjacent development to the north, this subdivision cannot meet city requirements.

**MOTION:** *James Ahlstrom made a motion to waive the restrictions of Ordinance 401-18 subject the conditions listed above. Andy Williams seconded the Motion which PASSED.*

The vote was recorded as follows:

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

6. **Consider Authorization of Interlocal Agreement Between South Davis Sewer District and West Bountiful City for the Purchase of a Portion of Land on 1200 North East of Legacy Parkway.**

City Council approved a purchase agreement last December to purchase land from South Davis Sewer on 1200 North with the intent of building a new public works shop. We recently received a proposed agreement from South Davis Sewer selling West Bountiful the land “as is.”

**MOTION:** *James Bruhn made a Motion to Authorize the Mayor to Execute the Interlocal Agreement between South Davis Sewer District and West Bountiful City for the purchase of land on 1200 North east of Legacy Parkway. Andy Williams seconded the Motion which PASSED.*

The vote was recorded as follows:

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

7. **Consider Approval for a Small Subdivision (2 parcel) on 1200 North for Land Owned by the South Davis Sewer District and Being Purchased by West Bountiful City (approximately 1410 W 1200 N)**

With South Davis Sewer District agreeing to sell West Bountiful City 5.37-acres of their property, at approximately 1410 W 1200 North, approval of the subdivision is in order. Planning
Commission held a public hearing, as required, in January of this year. In place of a subdivision plat, the Record of Survey together with the certification will be submitted to Davis County for recordation.

Additionally, staff recommends the deferral of public improvements such as curb and sidewalk to a future date when city council determines they are desirable.

MOTION: Andy Williams made a Motion to approve the two-parcel subdivision at approximately 1410 W 1200 North with deferral of public improvements.

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

8. Consider Ordinance 403-18, An Ordinance Establishing the West Bountiful City Youth Council.

Duane Huffman explained that this Ordinance codifies the Youth City Council and sets out how advisors are appointed.

Council member Williams expressed the City’s appreciation for the years of service provided by Tonya Boswell.

MOTION: James Ahlstrom made a Motion to Adopt Ordinance 403-18 Establishing the West Bountiful Youth City Council. Mark Preece seconded the Motion which PASSED.

The vote was recorded as follows:

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

9. Consider Ordinance 404-18, An Ordinance Amending WBMC Title 17 Clarifying Child Care and Nursery as Home Occupations in Residential Zones.

Within each residential zone, there is a list of permitted and conditional uses. Staff and planning commission are in the process of reviewing all uses listed to ensure they are sufficiently clear and in line with the city’s intent for each zone. Currently, “child day care or nursery” is listed in each of the city’s residential zones.

Staff and Planning Commission believe it would be prudent to add clarifying language stating that the child care use in residential zones is only appropriate as a home occupation. A public hearing
was held on April 10, 2018. While additional recommendations may be coming, this was a more immediate need and staff recommends this stop gap measure.

MOTION:  *James Ahlstrom made a motion to add clarifying language in each of the City’s residential zones that Child Care or Nursery can only be offered pursuant to Chapter 5.28 Home Occupations. 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

10. **Police Report - Chief Hixson**

- West Bountiful’s crossing guards continue to be excellent.
- Officer Brian Flint has completed field training and is doing well on his own.
- Officer Kassie Flint is doing well with field training.
- EmPAC is considering changing its meetings from monthly to quarterly.
- The Great Shakeout is Thursday, April 19.
- Recognized Jason Meservy for agreeing to be West Bountiful’s resident representative on a new Davis County School District committee to help with policy in active shooter situations.
- There continues to be interest in and demand for our CERT trailer. He provided a list of locations/events it is scheduled for: 4 in March, 3 in April, 1 in June, 2 July, and 3 in September.

11. **Public Works Report - Steve Maughan**

- A 400 North overpass joint and concrete barrier on the north side has cracked. UDOT will inspect and take care of the problems.
- 1100 West – Holly’s work is temporarily stalled while working on road elevation issues. Hope to see progress soon.
- Preconstruction meeting today for Manors at McKean Meadows. Main sewer has been installed; work on roads to start next week.
- Still trying to hire seasonal help; advertised on marquee and in paper.
- Roadside mowing began today.
- Re-grading, trimming trees and landscaping around the 400 North water tank to help with maintenance.
12. Administrative - Duane Huffman

- Continuing contact with Union Pacific; expect a response this week regarding the fence on the east side of City Park.
- Meeting tomorrow with Holly Frontier, Chief Hixson, and Chief Bassett to discuss communication during emergencies.
- Spent significant time last week with SDMFA helping select contractors for the new Centerville fire station.

13. Mayor/Council Reports

Kelly Enquist – 1) Mosquito Abatement is looking to hire 4 night sprayers. The pay is $12/hr and averages 20 hours per week. 2) He asked if there is anything we can to improve the asphalt transitions at railroad crossings; they are horrible speed bumps. 3) Received a complement for the police department from a resident for good night patrols. They stopped and notified a resident when he left his garage door open.

James Bruhn – New arts council member, AnJanette Broderick is also a PTA member and said they would like to do joint venture with the city on the bowery. There was discussion about preliminary plans for building the new elementary school and probable impact to the bowery.

Andy Williams – YCC is collecting applications for the next term. They haven’t received many so please encourage everyone to join.

Mark Preece – Sewer district is meeting this week and holding a public hearing on the proposal to increase rates by double. The methane recovery project is going very well and is producing algae. The already have a 6-year contract with a group from Atlanta to buy the algae. EmPAC is working on a Rapid Network Neighborhood Assessment program.

James Ahlstrom – He supports the increase in sewer rates and has been surprised how low they have been over the years.

Mayor Romney – SDMFA hired a construction manager and architects to start design on the new Centerville fire station. Land has been purchased and the existing property has been sold. John Miller plans to retire from South Davis Rec center after 41 years, so a RFP will be going out to replace him.

14. Approve Minutes from the March 26, 2018 and April 3, 2018 City Council Meetings.

MOTION: James Bruhn made a Motion to approve the March 26 and April 3, 2018 City Council meeting minutes. James Ahlstrom seconded the Motion which PASSED by unanimous vote of all members present.
15. Executive Session for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205. (personnel)

No executive session was needed.


MOTION: James Bruhn made a Motion to adjourn this meeting of the West Bountiful City Council at 8:28 pm. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.

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

Cathy Brightwell (City Recorder)