

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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CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD
A REGULAR MEETING AT 7:30 PM
ON TUESDAY, JULY 17, 2018 AT CITY HALL, 550 N 800 WEST**

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

1. Approve the Agenda.
2. Community Recognition for July 4th Celebration: Ron & Carol Bangerter – Grand Marshals; Don Curtis – Veteran of the Year; Debbie McKean – Citizen of the Year; Hallie Anderson – Youth of the Year; Ron & Shelly Murphy – Parade Chairs; Matt & Aly Bown – Parade Coordinators.
3. Public Comment.
4. Public Hearing to Receive Input
5. Consider Approving the Moss Farm Estates Plat D, which amends Moss Farm Estates lots 207, 208 and 304 and a portion of Eggett Acres Lot 4 together with the proposed modifications to the public utility easements.
6. Consider Ordinance #409-18 An Ordinance Amending WBMC 6.28.070 and WBMC 12.24 Related to Park Regulations and Dogs in Public Places.
7. Consider Decision on Appeal by Vaughn Nelson of Staff's Letter of Determination Regarding Carport at 1050 W 700 N.
8. Police Report
9. Public Works/Engineering Report.
10. Administrative Report.
11. Mayor/Council Reports.
12. Consider Approval of Minutes from the June 19, 2018 City Council Meeting.
13. Executive Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
14. 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 August 7, 2018.

Minutes of the West Bountiful City Council meeting held at 7:30 p.m. on **Tuesday, July 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), Todd Hixson (Police Chief), Ben White (Engineer), Steve Maughan (Public Works Director), Cathy Brightwell (Recorder)

VISITORS: Alan Malan, Vaughn & Brittany Nelson, Jessica Pitt, Kim & Debbie McKean, Ron & Carole Bangerter, Steff Clark, Dan Murphy, Hallie Anderson, Chad & Tiffany Coleman, Curtis & Boyd Gerber, Tyler & Lori Vanderstek, Gary Jacketta, Don Curtis, Ed Swanke

Mayor Romney called the regular meeting to order at 7:35 pm. Curtis Gerber, Boy Scout Troop 1029, recited the Boy Scout Oath; Tyler Vanderstek, Boy Scout Troop 219, led the Pledge of Allegiance.

1. Approve Agenda

MOTION: *Kelly Enquist made a Motion to approve the agenda as posted. James Bruhn seconded the Motion which PASSED by unanimous vote of all members present.*

2. Community Recognition for July 4th Celebration: Ron & Carol Bangerter – Grand Marshals; Don Curtis – Veteran of the Year; Debbie McKean – Citizen of the Year; Hallie Anderson – Youth of the Year; Ron & Shelly Murphy – Parade Chairs; and Matt & Aly Bown – Parade Coordinators.

Mayor Romney introduced and commended the recipients for their participation in the July 4th Celebration and their support of the community and presented each with a Certificate of Appreciation. Ron & Shelly Murphy and Matt & Aly Bown were not able to be at the meeting this evening.

3. Public Comment.

Stephanie Clark - 781 N 1100 W – stated she is here to talk about cars driving too fast on 1100 West. She has five small children and is concerned about the speed of vehicles going down the

street and semi-trucks from surrounding construction areas rumbling the windows in her home as they drive by.

She said that in the past the police have tried using the speed trailer and increasing patrols, but nothing seems to be slowing traffic. She believes a cross walk might be appropriate to deal with the issue since it is frightening to cross the road as it is. She admitted she's not sure if a cross walk would slow traffic but would like to try it. She added she has also seen some cross walks that are elevated which would force cars to slow down and they can be removed in winter for snow plows.

Jessica Pitt - 731 N 1100 W – stated she is also concerned about cars speeding in front of her home and has seen some pretty terrifying things. Because she is on the west side of the road, her kids must cross the street to get to the designated bike lane. She would also like to see a cross walk – either the removable kind suggested by Stephanie or one with solar powered flashing lights.

Brittany Nelson - 1050 W 700 N – stated she is also concerned. Her kids had to cross the street to get to preschool and to play with their friends which is scary because the road is so difficult to get across. She believes that flashing lights might be the best answer. She priced solar powered signs and they are about \$1,500 each but well worth the price in her opinion.

Council member Ahlstrom asked why they are bringing this issue now. Ms. Pitt responded that most of them have only been living here four-five years and their children are now at an age where they want to get out and about. He asked where specifically on 1100 West was the biggest problem. She answered that it is primarily from 400 North to Jessi's Meadow Drive.

Chad Pullman - 740 N 1100 W – said he lives on the east side of the road and on two different occasions he has seen cars driving down the bike lane thinking it's a second driving lane.

Ed Swanke said he has thirty children in the area around his house and the city needs to do something to help these people; things like signage, speed bumps, additional patrols by police would help. He thanked Council for their time.

Mayor Romney agreed there is a concentration of children on 1100 West between 700 North to just south of Jessi's Meadow Drive. He has talked with staff about options and has identified several poles where signage can be placed. The city is looking into cross walks and other solar powered options. He assured them there will be some signage going up fairly quickly while we are looking at other options. He asked for email addresses from residents, so we can keep in touch.

4. Public Hearing to Receive Input on the Proposed Moss Farm Estates Plat D, which amends Moss Farm Estates lots 207, 208 and 304 and a portion of Eggett Acres Lot 4 together with the proposed modifications to the public utility easements.

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.*

Ben White explained that State code requires a public hearing to amend a plat and modify public utility easements. Written public notice was provided to affected entities, which includes utility companies and quasi-governmental agencies.

The property owners of Moss Farm Estates lots 207 and 304 (lots 401 and 402 on the modified plat) desire to modify the property boundary separating their properties; relocate utility

easements from the rear property line of lots 207 and 208 to the rear boundary of proposed lot 402; and reduce the west easement from ten feet to five feet. Lot 208 (now labeled as 403) is included to provide future flexibility for a lot boundary adjustment between lots 402 and 403.

Alan Malan asked for clarification of the issue. Ben White explained that the new lot 401 also previously owned the strip of property between the school and the homes on 700 North (a portion of Eggett Acres lot 4). Now lot 401 is being extended 30 feet and the rest of the property will become part of lot 402.

MOTION: *James Bruhn made a Motion to Close the Public Hearing. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

5. **Consider Moss Farm Estates Plat D, which amends Moss Farm Estates lots 207, 208 and 304 and a portion of Eggett Acres Lot 4 together with the proposed modifications to the public utility easements.**

MOTION: *Mark Preece made a Motion to Amend the Moss Farm Estates Plat D as Proposed with a Finding that Good Cause Exists for the Plat Amendment and Modification of the Easements and No Person will be Materially Injured. James Bruhn seconded the Motion which PASSED unanimously.*

The vote was recorded as follows:

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

6. **Consider Ordinance #409-18, An Ordinance Amending WBMC 6.28.070 and WBMC 12.24 Related to Park Regulations and Dogs in Public Parks.**

Duane Huffman reviewed the ordinance requested by Council at its last meeting which changes city code to allow dogs on leashes in city parks. Based on previous expenditures, staff estimates it will cost between \$3,000 to \$5,000 for dog waste stations and new signage, and additional on-going yearly expenses for the waste bags are estimated between \$500 - \$1,000.

Mr. Huffman explained that while reviewing the existing Park ordinance he took the opportunity to draft and include some updates to address regulations for activities that are dangerous to persons or property and to include trails and trailheads which are not part of the current ordinance. The draft labeled Option 1 is the more detailed draft that includes these updates. The draft labeled Option 2 includes only the changes allowing dogs on leashes and requiring the immediate removal and disposal of dog feces or waste.

Chief Hixson asked that the language including trails and trailheads be left in as they have had issues with people sleeping at trail heads and vehicle break-ins. He stated that there are three trailheads in the city and one is in the county.

There was discussion about whether the additional detail in Option 1 went too far. Some were concerned that they need more time to think about and discuss the new issues raised in the proposed ordinance, including allowing horses on trails. Mr. Huffman suggested that if they are not ready to move forward on the more comprehensive regulations, they can go with Option 2 now and consider the other regulations at a later time.

Mayor Romney commented that he has gone back to the Park to talk with people and there seems to be a majority that do not object to dogs as long as they are on leashes. Some raised concern about having picnics with food left out when dogs are roaming but the leash restriction should avoid those problems. He added that if we do this, enforcement must be stepped up.

Chief Hixson stated that in order for this to work, the police needs everyone to help. Citizens need to call to let the police know when they see dogs off-leash. Officers can patrol the Park as time permits but it is not a priority.

There was discussion that Public Works employees spend the most time at the Park and whether is it appropriate for them to talk to patrons violating the rules. Steve Maughan explained that most of them are young seasonal employees and he does not feel they should be confronting people but has no problem with them calling the police when they see an issue.

The city will include information on the changes via newsletter, website, social media, etc.

MOTION: *James Ahlstrom Made a Motion to Adopt Ordinance #409-18, Option 2. Kelly Enquist seconded the Motion which PASSED with a vote of 3 in favor and 2 against.*

The vote was recorded as follows:

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

7. Consider Decision on Appeal by Vaughn Nelson of Staff's Letter of Determination Regarding Carport at 1050 W 700 North.

Steve Doxey reviewed the proposed draft decision which addresses the appeal by Vaughn Nelson of staff's decision that his carport at 1050 W 700 North encroaches into the property's west side yard setback and is therefore and illegal structure.

Mr. Doxey provided two versions of the decision - one includes a restriction that the use of the carport cannot change in the future; the second version does not include the restriction.

The Council finds that sufficient evidence was presented to conclude the carport was approved as constructed in both the building permit and inspection process and is not an illegal structure. However, the Council does not find justification for any further encroachment into the setback; therefore, the carport's footprint, as measured by the existing posts, may not be expanded.

MOTION: *Andy Williams Made a Motion to Approve the Proposed Decision with no Restrictions on How the Space Can Be Used in the Future. Mark Preece seconded the Motion which PASSED unanimously.*

The vote was recorded as follows:

James Ahlstrom – Aye

Mark Preece – Aye

James Bruhn – Aye

Andy Williams - Aye

Kelly Enquist – Aye

8. **Police Report (Chief Hixson)**

- Received notice today from Marijon Borschel that she will no longer be able to work as a full-time crossing guard, but she will be available to fill in as an on-call guard. He praised her as an amazing person that has been with the city for nearly thirty-two years. The kids all love her even though she follows and enforces the rules. He said he is considering replacing her with a person who could do the crossing guard job and be an on-call part-time secretary to also cover Mischelle's time-off.
- Sergeant Adams is celebrating twenty years with West Bountiful.
- Recently held the City's first annual physical training test for officers.
- Patrols have been increased on 1100 W to watch for speeding and large trucks – there have been 2 traffic stops in the last hour. Recently talked with a vendor for solar-powered signs. Agree with earlier comments that we are a changing community and dealing with growth. The issue is not just speeding, there are also a lot more vehicles on the road. He encouraged residents to call the police when there is a need; time is divided but we are here to serve and protect the community.

9. **Public Works/Engineering Report –**

Ben White

- Next week is Pioneer day so no planning commission meeting but if Mountain View Estates is ready for their final plat, a meeting may be held on July 31. They have started excavation. One remaining issue is to add a walkway to the Onion Parkway trail. Council member Bruhn said he would like to see two walkways to the trail, if possible.

Steve Maughan

- Construction – Holly sidewalk is substantially complete
- Our project on 640 W is substantially complete but the area in front of the new storage shed property still needs to be done. The new street light covers the crosswalk nicely.
- Kinross construction is moving quickly. They are placing curb and gutter on Porter Lane and 1000 W and they just got permission to cross the gas lines to place other utilities. Their contractor seems to be doing a fantastic job.

- McKean subdivision in the process of crossing 800 W with storm drain pipe, and their culinary water testing has not cleared yet. They will chlorinate and re-flush the pipes to see if anything is blocking the line. They can't figure out why the west end keeps coming back bacteria positive, but the east end is clean
- Pages Lane construction is slowly underway. Weber Basin hopes to get in next week to put in 350 feet of new line on the south side beginning at 800 W.
- Dominion Energy patched their trench on 2200 North. They will be back to edge mill (July 22-23) and overlay (July 25-28) 830 W, 400 N from 1100 W to the west end, and 1450 W from the canal to 400 N.
- Highgate Estates has cut the roads and Windriver (contractor) will begin storm drain soon.

10. Administrative Report - Duane Huffman

- Installation of the new fence along the train tracks at city park will start in 2 weeks. The city has agreed to contribute a portion of the cost.
- Plan to have updated personnel policy ready for review at an upcoming meeting.

11. Mayor/Council Reports

Kelly Enquist asked Steve Maughan to take a look at 1100 W going north from 400 N. It looks like someone's tailgate was open and they dropped gravel all the way down the road.

Planning commission approved a conditional use permit for a garage that was less than 10 feet from the home which made him think that if either of those structures had cantilever walls, they would nearly touch. He suggested we may want to look into this.

James Bruhn – Construction on Pages Lane is moving slowly. He brought in his mailbox which had been smashed by one of the contractors. On Friday they cut in half a 100-pair phone line.

He thanked everyone involved in the July 4th celebration. There were huge crowds for the parade, at the park, and for the fireworks – it was a good event.

Mark Preece reported on the Sewer District board meeting. When they started the methane recovery project, Questar was the gas company and chose not to get involved. Now Dominion is upset they weren't involved from the beginning and they want to buy in to it. Construction is starting to ramp up. Companies like Nestles, Stouffers, etc., will be bringing in 150 tons of waste. BYU came up with super bugs that will be one-third faster than what we have and create more methane. There is national and international interest in this project – it is a huge win all the way around.

James Ahlstrom reported that there is tree and shrub overgrowth along the 400 N off ramp behind Arella, etc., blocking signage and it doesn't look good as an entrance into the city.

Andy Williams – Youth Council had a good time in the parade. Things are going well, and Paul and Teresa are doing a great job.

Mayor Romney – Fire department has been busy with fires in area.

12. Approve Minutes from the June 19, 2018 City Council Meeting.

MOTION: *James Bruhn made a Motion to approve the June 19, 2018 City Council meeting minutes. James Ahlstrom 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(c), strategy sessions to discuss pending or reasonably imminent litigation.

No Executive session was held.

14. Adjourn Meeting.

MOTION: *Andy Williams made a Motion to adjourn this meeting of the West Bountiful City Council at 9:30pm. 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 August 7, 2018 by unanimous vote of all members present.

Cathy Brightwell
Cathy Brightwell (City Recorder)

