

**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** **AMENDED**

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A  
REGULAR MEETING AT 7:30 PM ON TUESDAY, DECEMBER 18, 2018  
AT CITY HALL, 550 N 800 WEST**

*Invocation/Thought – James Bruhn; Pledge of Allegiance – Andy Williams*

1. Approve the Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Public Hearing Regarding an Amendment to the Pages Lane Meadow Subdivision Plat Consolidating Lots 8 & 9 and Revising the Associated Public Utility Easements.
4. Consider an Amendment to the Pages Lane Meadow Subdivision Plat Consolidating Lots 8 & 9 and Revising the Associated Public Utility Easements.
5. Consider Final Plat Approval for the Ferlin 2-Lot Subdivision at 918 W Porter Lane Consisting of 2.5 Acres.
6. Consider Resolution #446-19 Reappointing Denis Hopkinson to the Planning Commission and Alan Malan to the Emergency Preparedness Advisory Committee.
7. Discuss and Consider Authorizing Letter of Support for County-wide Transportation Sales Tax.
8. Public Works/Engineering Report.
9. Police Report.
10. Administrative Report.
11. Mayor/Council Reports.
12. Consider Approval of Minutes from the December 4, 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 December 13, 2018.*

**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](http://www.WBCity.org)

**City Recorder**  
Cathy Brightwell

**City Engineer**  
Ben White

**Public Works Director**  
Steve Maughan

## **NOTICE OF PUBLIC HEARING**

A public hearing will be held by the West Bountiful City Council at its regular meeting on Tuesday, December 18, 2018 at the City offices, 550 N 800 West, beginning at 7:30 pm, or as soon thereafter as dictated by the agenda.

The purpose of the hearing is to receive public input on an amendment to the Pages Lane Meadow Subdivision Plat consolidating lots 8 and 9 into one lot and revising the associated public utility easements.

All interested parties are invited to participate in the hearing.

Cathy Brightwell  
City Recorder



# MEMORANDUM

**TO: Mayor and City Council**

**DATE: December 13, 2018**

**FROM: Ben White, City Engineer**

**RE: Pages Lane Meadow Subdivision Amendment**

---

## Summary

Mason Green owns lots 8 and 9 of the Pages Lane Meadow Subdivision. Lot 9 is a flag lot behind Mr. Green's house located on lot 8. The Greens' desire to join the two lots into one and eliminate the public utility easement along the common lot line. The lot line and subject easements are depicted in red ink on the attached drawing. There are two actions under consideration with this request. (1) vacate the public utility easement; (2) amend the subdivision plat to join lots 8 and 9 into one lot. If this is approved, Mr. Green could then proceed with plans to construct an accessory structure in a location that is currently restricted due to the configuration of the flag lot line and easements.

## Process

Utah State Code Section 10-9a-608 and 609.5 annotated outline a process where a municipal land use authority may amend or vacate a subdivision plat and adjust easements and right of ways. Per state code, staff has provided written notice to affected entities which includes utility companies and quasi-governmental agencies, and published notice of a public hearing.

## Analysis and Proposed Changes

1. No new lots are created with this amendment.
2. The remaining lot meets the minimum requirements for their R-1-22 zone.
3. The public utility easement arrangement is acceptable to staff.
4. Weber Basin is requiring that the unused irrigation service for the flag lot be terminated in the park strip so only one service lateral is available for one lot.

Staff is recommending approval to vacate the public utility easement along the common lot line of lots 8 and 9 and amending the subdivision plat subject to the requirement to terminate the unused irrigation service for the current lot 9.



# MEMORANDUM



**TO:** Mayor and City Council  
**DATE:** December 13, 2018  
**FROM:** Ben White  
**RE:** Ferlin Subdivision – Final Plat

---

Rick and Lori Ferlin have applied for a 2-lot subdivision at approximately 918 West on the north side of Porter Lane. The property is in the A-1 zone. One of the two lots is a flag lot which received a Conditional Use Permit from the Planning Commission in August of this year.

## Property History

The land under consideration was originally part of a larger parcel owned by Jeff and Paul Tingey. In 2015 they submitted a subdivision application to divide the larger parcel into two, but quickly discontinued the process and instead filed an improper lot line adjustment with the county to connect the eastern half of the property to a lot owned by Mr. Paul Tingey in the adjacent Birnam Woods Subdivision. Based on comments made by the Tingey's at the time, this was clearly done to avoid the subdivision process and the associated fees and required improvements. Due to this action, staff considers the parcel to the east (and Mr. Tingey's lot in Birnam Woods) to have an illegal status. The remaining land is what is now owned by the Ferlins. Staff believes that the Ferlin property has legal status. This history provides useful perspective regarding certain improvements such as sidewalk.

## Planning Commission Recommendation

Planning Commission recommend approval for the subdivision with the following recommendations:

1. **Street Light:** The Planning Commission recommended the developer install one street light near the driveway entrance to the proposed flag lot. Two street lights were installed at the Porter Lane street corners in the Birnam Woods subdivision and three street lights have been installed on Porter Lane in the Kinross subdivision.
2. **Secondary Water:** Weber Basin secondary water is not immediately available to the property. Secondary water will need to be extended to provide service to the development.
3. **Street-side Improvements:** The Planning Commission recommended the deferment of curb, sidewalk, and associated improvements. Rational for this recommendation included the finding that there is not existing curb immediately adjacent to the proposed development and that the property is in the A-1 zone whereas other nearby property with curb is in the R-1-10 or R-1-22 zones. However, street-side improvements terminate on the property east of the original parcel that was improperly divided. If this land was properly subdivided in 2015, it would likely have had the required improvements.

The requirement for curb, sidewalk and other public improvements and their eligibility for deferment is found in municipal code section 16.20.020. Per the code, curb and other public

improvements are eligible for deferment upon specific findings why the City's interests are better served by deferring the construction.

Due to the Planning Commission's recommendation for deferral, the property owners have not provided a road improvement design. Should the City Council find otherwise, a design approved by staff would need to be prepared. A motion to table the subdivision application until the design is complete is an option. A motion to approve the subdivision subject to the design approval by staff could also be appropriate.

Additional items to be completed prior to recording the plat include:

4. Water rights will need to be deeded to the city or payment of water right fee.
5. Title report review by the city attorney with no objectional entries.
6. Payment of impact and inspection fees.
7. Post appropriate improvement bonds
8. Approval by Weber Basin for the secondary water service design



Open Space

N129,386.04  
E108,996.29

S89°59'59"W

346.56'

15.97'  
136.93'  
S00°23'23"E

169.23'

147.15'  
177.34'

West Corner  
Station 13, T.2N.,  
W., S.L.B. & M.  
Monument Found  
29,256.64  
07,732.67

U.P. & P. Pole  
Entry 107114, Book 4, Page 517

S89°39'32"E

(Section Line)

1,264.57'

350.04'

Point of  
Beginning  
N129,248.11  
E108,997.22

Power Pole

Ferlin  
Lot B  
≈ 60,831 sq'  
1.4 acres

623.75'

Proposed Flag  
Lot

Rocky Mtn. Pipeline Easement  
Entry 2239555, Book 4351, Page 803

Lot 1  
2.5263 Acres

Lot 2  
2.5442 Acres

James Hadlow Property

Mtn. States Telephone Easement  
Entry 124490, Book 40, Page 180

488.22'

Existing Wire Fence

155'

N01°48'56"W

Proposed  
Subdivision/Flag  
Lot Plan

S00°23'23"E

Existing Wire Fence

Existing Wire Fence

Existing Wire Fence

Existing Wire Fence

11.92'

Ferlin  
Lot A  
≈ 43,710 sq'  
1 acre

30' wide  
Driveway

- 918 West -

- 902 West -

Mtn. States Telephone Easement  
Entry 124490, Book 40, Page 18

155'  
Frontage

N128,760.90  
E109,000.54

S89°01'25"E

10 ft. Wide P.U.E.

S89°01'25"E 177.4'

Road Dedication  
878 Sq.Ft.

Existing Wire Fence

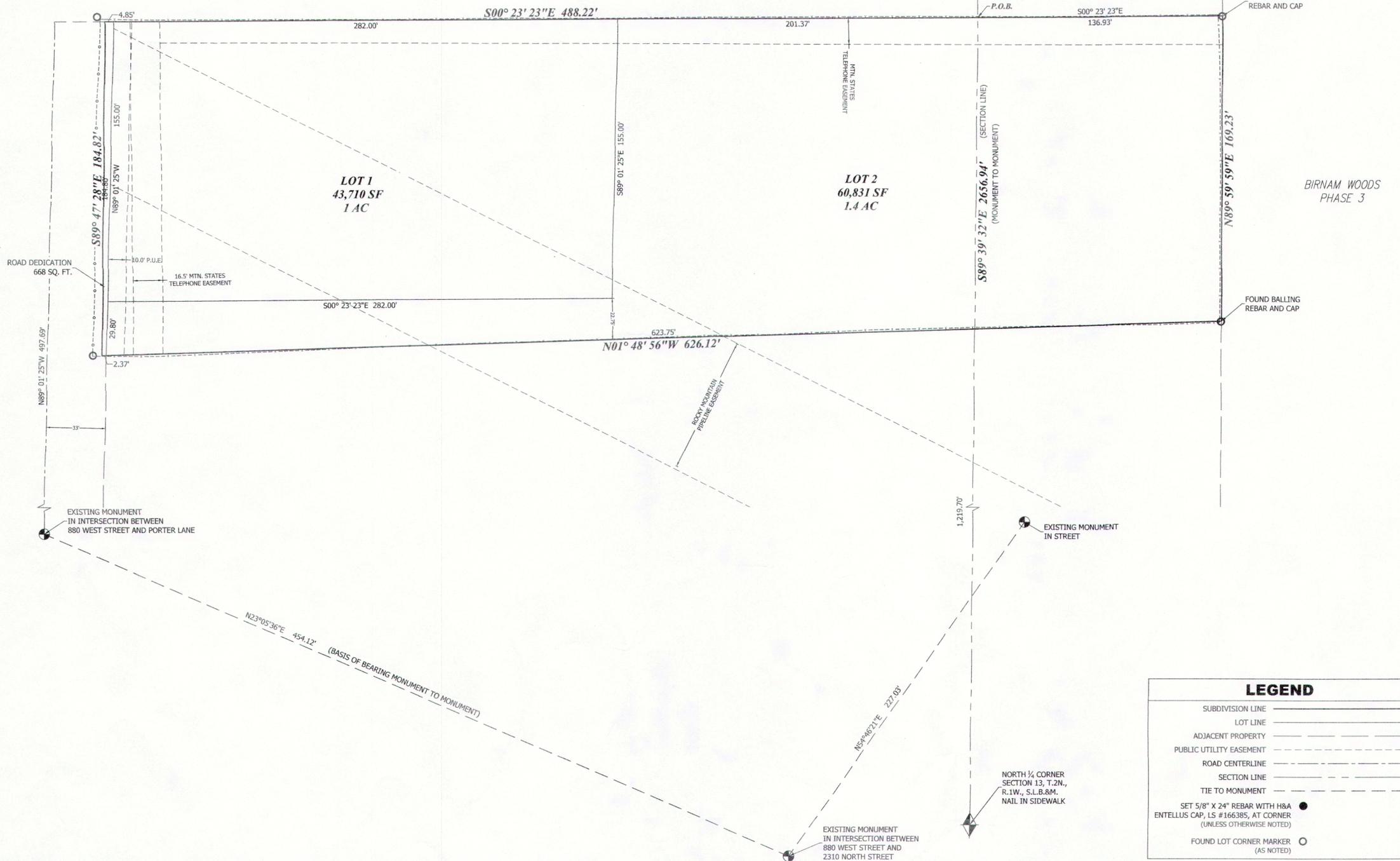
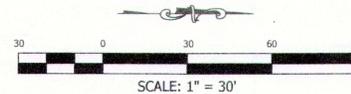
362.16'

363.07'

S89°01'25"E

**FERLIN SUBDIVISION**  
 LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, T.2N., R.1W., S.L.B.&M.  
 WEST BOUNTIFUL CITY, DAVIS COUNTY, UTAH  
 NOVEMBER 2018

NORTHWEST CORNER  
 SECTION 13 T.2N.,  
 R. 1W., S.L.B. &M.



**SURVEYOR'S CERTIFICATE**

I, VON R. HILL, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NO. 166385 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS I HAVE MADE AN ACCURATE SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREWITH AND PURSUANT TO SAID TRACT OF LAND HEREAFTER TO BE KNOWN AS TINGEY SUBDIVISION, AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AS SHOWN ON THIS PLAT.



VON R. HILL DATE 26 Nov 2018

**DESCRIPTION**

BEGINNING AT A POINT ON AN EXISTING WIRE FENCE WHICH IS SOUTH 89°39'32" EAST 1264.57 FEET ALONG THE SECTION LINE FROM THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE SOUTH 00°23'23" EAST 488.22 FEET ALONG SAID WIRE FENCE; THENCE SOUTH 89°47'28" EAST 184.82 FEET ALONG AN EXISTING WIRE FENCE ON THE NORTH SIDE OF PORTER LANE; THENCE NORTH 01°48'56" WEST 626.12 FEET TO A POINT ON THE SOUTH BOUNDARY OF THE BIRNAM WOODS PHASE 3 SUBDIVISION; THENCE SOUTH 89°59'59" WEST 169.23 FEET ALONG SAID SOUTH BOUNDARY OF PHASE 3; THENCE SOUTH 00°23'23" EAST 136.93 FEET ALONG AN EXISTING WIRE FENCE TO THE POINT OF BEGINNING.

CONTAINS 2.40 ACRES.

**OWNER'S DEDICATION**

KNOWN ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAME TO BE SUBDIVIDED INTO PRIVATE LOTS, HEREAFTER TO BE KNOWN AS TINGEY SUBDIVISION, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND AND PUBLIC UTILITY EASEMENTS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER ENCUMBRANCES ON THE DEDICATED STREET, PARCELS, AND PUBLIC UTILITY EASEMENTS WHICH WILL INTERFERE WITH DEDICATED PUBLIC USE.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

RICK FERLIN \_\_\_\_\_

LORI FERLIN \_\_\_\_\_

**ACKNOWLEDGMENT**

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ THERE PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, RICK AND LORI FERLIN, WHO BEING BY ME DULY SWORN DID SAY THAT HE/SHE ARE THE SIGNERS OF THE OWNERS DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE/SHE SIGNED IT FREELY AND VOLUNTARILY FOR THE USES AND PURPOSES MENTIONED.

NOTARY PUBLIC: \_\_\_\_\_

RESIDENCE: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**LEGEND**

- SUBDIVISION LINE \_\_\_\_\_
- LOT LINE \_\_\_\_\_
- ADJACENT PROPERTY \_\_\_\_\_
- PUBLIC UTILITY EASEMENT \_\_\_\_\_
- ROAD CENTERLINE \_\_\_\_\_
- SECTION LINE \_\_\_\_\_
- TIE TO MONUMENT \_\_\_\_\_
- SET 5/8" X 24" REBAR WITH H&A ENTELLUS CAP, LS #166385, AT CORNER (UNLESS OTHERWISE NOTED) ●
- FOUND LOT CORNER MARKER (AS NOTED) ○

181 North 200 West, Suite #4  
 Bountiful, UT 84010  
 Phone 801.298.2236  
 www.Entellus.com  
 PROJECT #1714001  
 11/14/2018 SJT

**CITY ENGINEER**  
 RECOMMENDED FOR APPROVAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
 WEST BOUNTIFUL CITY ENGINEER \_\_\_\_\_

**PLANNING COMMISSION**  
 RECOMMENDED FOR APPROVAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE PLANNING COMMISSION OF WEST BOUNTIFUL CITY.  
 CHAIRMAN \_\_\_\_\_

**CITY ATTORNEY**  
 RECOMMENDED FOR APPROVAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
 WEST BOUNTIFUL CITY ATTORNEY \_\_\_\_\_

**WEST BOUNTIFUL CITY COUNCIL**  
 PRESENTED TO THE CITY COUNCIL OF WEST BOUNTIFUL CITY, UTAH, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT WHICH TIME THIS PROJECT WAS APPROVED AND ACCEPTED.  
 CITY RECORDER ATTEST: \_\_\_\_\_  
 MAYOR: \_\_\_\_\_

**DAVIS COUNTY RECORDER**  
 ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
 FILED FOR RECORD AND RECORDED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
 AT \_\_\_\_\_ IN BOOK \_\_\_\_\_ OF \_\_\_\_\_  
 COUNTY RECORDER: \_\_\_\_\_  
 BY: \_\_\_\_\_ DEPUTY

# WEST BOUNTIFUL CITY

## RESOLUTION #446-18

### A RESOLUTION REAPPOINTING DENIS HOPKINSON AS CHAIRMAN OF THE PLANNING COMMISSION, AND ALAN MALAN TO THE EMERGENCY PREPAREDNESS ADVISORY COMMITTEE

**WHEREAS**, Utah Code Annotated 10-9a-301 requires each municipality to establish a planning commission by Ordinance; and,

**WHEREAS**, Chapter 2.36, Planning Commission, of the West Bountiful Municipal Code requires that members of the planning commission shall be appointed by the Mayor, with the advice and consent of the City Council; and,

**WHEREAS**, the West Bountiful City Council established the Emergency Preparedness Advisory Committee (“EmPAC”) by adoption of Ordinance #354-14; and

**WHEREAS**, the terms of Denis Hopkinson, current Chairman of the Planning Commission, and Alan Malan, current member of EmPAC, expire effective December 31, 2018.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of West Bountiful that it consents to the Mayor’s appointment of following individuals and respective terms:

<u>Appointee</u>	<u>Office</u>	<u>Term Expires</u>
Denis Hopkinson	Planning Commission Chairman	December 31, 2021
Alan Malan	EmPAC	December 31, 2022

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

Passed and approved by the City Council of West Bountiful City this 18th day of December 2018.

\_\_\_\_\_  
Kenneth Romney, Mayor

<u>Voting by the City Council:</u>	<u>Aye</u>	<u>Nay</u>
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember Williams	_____	_____
Councilmember Preece	_____	_____

ATTEST:

\_\_\_\_\_  
Cathy Brightwell, City Recorder

**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](http://www.WBCity.org)

**Recorder**  
Cathy Brightwell

**City Engineer**  
Ben White

**Public Works Director**  
Steve Maughan

XX/XX/XXXX

Davis County Commission  
61 South Main Street  
Farmington, Utah 84025

Honorable Commissioners:

After careful consideration, the West Bountiful City Council has requested that I express to you our support for the adoption of the 3<sup>rd</sup> quarter cent sales tax for transportation. This was a particularly difficult decision due to our perception that West Bountiful City does not currently stand in need of significant projects that would fall into the scope of this funding; however, we feel an obligation to support what is best for communities county-wide.

Levying taxes is one of the most difficult decisions we are ever called upon to consider, and while it is tempting to avoid new taxes at all costs, our city has experienced negative long-term effects when leaders have failed to adjust revenues to meet unavoidable needs in infrastructure. With that in mind, the following points lead us to our decision to express support for this tax:

- Vehicle technology and driving habits are changing, leading to an inadequacy in fuel taxes. With the old primary way of collecting revenue for transportation falling short, one could consider this new levy more of a tax shift than a new tax.
- In finding ways to fairly collect revenue for transportation, sales taxes seem preferable to property taxes, as they are more closely tied to economic activity in the county, and they are more fairly shared by those outside of our county that we welcome in on a day-to-day basis.
- It is our hope that at some point soon the state legislature will allow this new funding source to also be used for maintenance of existing transportation infrastructure, which will always be an on-going need of every community in the county.

Thank you for your service and your thoughtful attention to this matter. We strongly believe that we all work with the same purpose in mind – serving the best interests of the residents and business in our area.

Sincerely,

Mayor Ken Romney and the West Bountiful City Council

# *WEST BOUNTIFUL CITY POLICE DEPARTMENT*

Todd L. Hixson  
Chief of Police

550 North 800 West  
West Bountiful, Utah 84087  
Office 801- 292-4487/Fax 801 – 294-3590

Kenneth Romney  
Mayor

## **West Bountiful City Council Report December 18, 2018**

Statistics are from November 2018; the other information reported is collected between council meetings.

### **Crossing Guards**

Doing a great job.

### **Personnel**

Officer Spencer Scheese completed two years with West Bountiful on December 19<sup>th</sup>.

We are beginning a background on another volunteer reserve officer. We also have another person that is still in the police academy that wants to be a reserve officer for us.

### **EmPAC**

EmPAC meeting will be held quarterly unless there is urgent business that needs attending. The next meeting will be February 19, 2018

Our EmPAC/CERT trailers were displayed at the Syracuse City Safety Fair on December 8th.

### **General Information**

The West Bountiful Police coloring contest is underway. It closed December 19<sup>th</sup>.

Officers continue to put parking notices on vehicle for winter parking violations.

The radar speed limit signs are in.

# West Bountiful Police Department

## Department Summary

11/1/2018 to 11/30/2018

### Arrests

**6**

Adult	6	100.0%
-------	---	--------

### Activities

**1,171**

Admin	177	15.1%
Assist	140	12.0%
Community Relations	10	0.9%
Fires	1	0.1%
Investigation	84	7.2%
Patrol	108	9.2%
Property	3	0.3%
Security	300	25.6%
Service Call	62	5.3%
Suspicious Activity	28	2.4%
Traffic	246	21.0%
Vehicle Accident	12	1.0%

### Shift Time and Percent Accounted

1139 hr. 15 min. **48.9%**

### Reports

**206**

CITATION REPORT	49	23.8%
INCIDENT REPORT	95	46.1%
OFFICER INFORMATION	59	28.6%
POLICE VEHICLE IMPOUND	3	1.5%

# Department Summary

## Crime Offenses

38

---

ASSAULT	1	2.6%
BURGLARY	2	5.3%
COUNTERFEITING	1	2.6%
DAMAGE PROPERTY	2	5.3%
DANGEROUS DRUGS	5	13.2%
FAMILY OFFENSE	3	7.9%
FRAUD	2	5.3%
PRIVACY VIOLATIONS	2	5.3%
STOLEN VEHICLE	1	2.6%
THEFT	9	23.7%
TRAFFIC OFFENSE	8	21.1%
WARRANT SERVICE	2	5.3%

## Accidents

13

## Citation Violations

64

---

DUI	1	1.6%
Fix it	3	4.7%
Misdemeanor	4	6.3%
Traffic	45	70.3%
Warning	11	17.2%

1 **West Bountiful City**  
2 **Planning Commission Meeting**

3 **PENDING- Not Yet Approved**

4 *Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website,*  
5 *on the West Bountiful City website, and at city hall on December 7, 2018 per state statutory requirement.*

6  
7 Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, December 11,  
8 2018 at West Bountiful City Hall, Davis County, Utah.

9 **Those in Attendance:**

10 **MEMBERS PRESENT:** Alan Malan, Corey Sweat, Laura Charchenko, Mike Cottle, and Council member  
11 Kelly Enquist

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

13 **MEMBERS EXCUSED:** Chairman Denis Hopkinson, Dee Vest (alternate)

14 **VISITORS:** Gary Jacketta, Rick and Lori Ferlin

15 The Planning Commission Meeting was called to order at 7:30 pm by Commissioner Sweat. Mike Cottle  
16 offered a prayer.

17 **1. Accept Agenda**

18 Corey Sweat reviewed the agenda. Mike Cottle moved to accept the agenda as presented and Laura  
19 Charchenko seconded the motion. Voting was unanimous in favor among all members present.

21 **2. Public Hearing Regarding Proposed Modifications to WBMC Title 16 - Subdivisions, to**  
22 **Address Conflicts with State Law, Clarify Process, and Make Housekeeping Changes.**

23 Ben White introduced the proposed modifications to WBMC Title 16 for the public hearing.

24 **ACTION TAKEN:**

25 *Alan Malan moved to open the Public Hearing Regarding Proposed Modifications to WBMC Title*  
26 *16- Subdivisions, to Address Conflicts with State Law, Clarify Process, and Make Housekeeping*  
27 *Changes at 7:35 pm. Laura Charchenko seconded the motion and voting was unanimous in favor.*

28 There was no Public Comment

29 **ACTION TAKEN:**

30 *Laura Charchenko moved to close the Public Hearing at 7:36 pm. Mike Cottle seconded the motion*  
31 *and voting was unanimous in favor.*

32

33

34           **3.       Consider Final Plat Approval for Ferlin Subdivision at 918 Porter Lane.**

35       Commission packets included a memorandum dated December 7, 2018 from Ben White regarding Ferlin  
36       Subdivision-Final Plat with an attached site plan.

37       **The memorandum included the following information:**

38       Rick and Lori Ferlin have applied for a 2-lot subdivision at approximately 918 West on the north side of  
39       Porter Lane. The property is within the A-1 zone. One of the two lots is a flag lot which received a  
40       Condition Use Permit from the Planning Commission in August of this year. Due to existing utility  
41       easements, the two homes will be placed in the same general area whether the subdivision is  
42       constructed with a flag lot or not.

43  
44       Below is a summary of points of interest. The items in bold text need to be addressed by the Planning  
45       Commission.

- 46  
47       • The proposed lots meet the minimum requirements for a subdivision. But while not a  
48       requirement for the subdivision, the houses must comply with the fire code for access and fire  
49       protection at the time of building permit application.
- 50       • The property is encumbered by multiple overhead and underground utility easements.
- 51       • Two street lights were installed at the street corners of the Birnam Woods subdivision and three  
52       street lights have been installed with the Kinross subdivision. **There is approximately 700 feet**  
53       **between the street lights in the two subdivisions.** If a new street light is recommended, staff  
54       suggests it be located near the flag lot driveway.
- 55       • Weber Basin secondary water is not immediately available to the property. **Service from Weber**  
56       **Basin needs to be finalized prior to recording the plat.**
- 57       • **Staff is recommending that curb and sidewalk be installed as part of this application.**

58  
59       Items to be completed prior to recording the plat include:

- 60  
61       • **Water rights will need to be deeded to the city or payment of water right fee.**
- 62       • **Title report review by the city attorney with no objectional entries.**
- 63       • **Payment of impact and inspection fees.**
- 64       • **Post appropriate improvement bonds**

65  
66       Staff is requesting the Planning Commission direct the applicant regarding a new street light. Also, the  
67       following three options exist for the curb and sidewalk recommendation:

- 68       • Make a recommendation to City Council that curb and sidewalk not be installed.
- 69       • Recommend that curb be installed and that a design be submitted to the city for review prior to  
70       final plat consideration by the City Council.
- 71       • Table the application until a curb and sidewalk design can be reviewed by the Planning  
72       Commission.

73  
74       Ben White introduced the Ferlin Subdivision and showed the site plan on an overhead map. Ben noted  
75       that due to the existing utility easements in his opinion this site plan is the best use of the land.

76       Questions for the Commission tonight included street lighting and discussion on whether to require curb  
77       and gutter. Mr. White informed the Commission that there is a light at the west side of Birnam Woods

78 and the east side of Kinross Estates leaving approximately 700 ft that does not have street lighting. City  
79 guidelines recommend one light per 300-350 feet. Regarding curb and sidewalk, Mr. White showed on  
80 the map that sidewalk exists to the west end of Birnam Woods on the north side of the street and to the  
81 east side of Kinross Estates on the south side of the road. He believes the best time to require  
82 improvements is at the time of subdividing although there is no curb or sidewalk immediately to either  
83 side of this property.

84 **Commissioner Comments:**

85 **Corey Sweat** asked if there was prior discussion requiring a street light when the conditional use was  
86 granted for the flag lot. He feels that for safety reasons a street light should be required.

87 **Alan Malan** feels there should be a street light required and wants the curb and gutter to be a  
88 requirement.

89 **Laura Charchenko** feels that a street light should be included for safety standards regardless of the  
90 subdivision size. Regarding the curb and gutter, she feels this area should be completed for safety, but  
91 would be okay with holding off for a year or two because of all the construction in the area. Laura asked  
92 if there are deferral agreements in place for the existing properties next to the Ferlin property. Ben was  
93 not sure but noted that deferral agreements are hard to call due.

94 **Mike Cottle** concurred regarding the street light and wants the address sign for the flag lot to be  
95 illuminated. He asked who would be responsible for putting in the curb and gutter on the properties  
96 that do not have them currently. He does not see why we would require it when the others in the area  
97 are not done. Ben responded that it is likely the city would have to pay for future curb and sidewalk for  
98 the properties not being developed. Mike asked where the water would flow to if curb and gutter were  
99 installed. Ben explained that there would be a catch basin.

100 **Mr. Ferlin** desires not to put the curb and gutter in because the surrounding properties do not currently  
101 have curb and gutter. He believes it will look bad by creating an island of curb and gutter.

102 **Councilmember Enquist** would like to keep things uniform in regard to the street lighting and would like  
103 to see similar lights used here as are being used at Birnam and Kinross. He added that he does not like  
104 having just an island of curb and gutter and does not mind deferring it.

105 Some discussion took place regarding installing secondary water. Ben White pointed out the locations  
106 of stub-ins in the area for Weber Water and which ones he believes will provide the best service.

107 **ACTION TAKEN:**

108 ***Laura Charchenko moved to approve the final plat for the Ferlin 2-lot subdivision located at 918***  
109 ***Porter Lane with the following conditions: a street light is required to be located near the flag lot***  
110 ***driveway; secondary water needs to be available to the property and be finalized prior to***  
111 ***recording the plat; the requirement for curb, gutter and sidewalk be deferred at this time by***  
112 ***deferral agreement; water rights need to be deeded to the City or a payment received for water***  
113 ***right fees; title report needs to be reviewed by the City Attorney with no objectional entries; and***  
114 ***improvement bonds need to be posted appropriately. Mike Cottle seconded the motion and***  
115 ***voting was unanimous in favor.***

116

117 **4. Discuss Rear Yard Setbacks.**

118 Commissioner packets included a memorandum from Duane Huffman on December 7, 2018 regarding  
119 Rear Yard Setbacks and Covered Patios.

120 The opinion (letter) the Planning Commission forwarded to the City Council regarding covered patios  
121 within the rear setback was discussed at several city council meetings. The general line of questions  
122 they struggled with is, how is a deck encroaching into the setback different than a covered patio? Is  
123 there a place for both? They directed staff to take the matter back to Planning Commission for further  
124 evaluation, to hold a public hearing, and make a recommendation on how best to make regulations for  
125 decks and patio roofs consistent.

126  
127 **History and Purpose of Rear Yard Setbacks**

128 A rear yard setback is the distance between a structure and the rear property line, and we generally  
129 discuss it in terms of the main structure. The reasoning behind rear yard setbacks appears to have  
130 morphed over time:

- 131 • Required rear yard setbacks were likely first related to sanitation and waste disposal.
- 132 • With the development of better public sewers and waste collection and the growth of land use  
133 planning, setbacks were justified as follows:
- 134 • “In general, the purpose of setbacks is to ensure that the use of a property does not infringe on  
135 the rights of neighbors, to allow room for lawns and trees, for light and sunshine in the home, for  
136 space for recreation outside the home, and to serve as filtration areas for storm water run-off.”  
137 Calvert County, MD.
- 138 • There is also evidence to suggest that some setbacks are required to try to create an open or rural  
139 aesthetic.
- 140 • Could not find any technical basis for when different setback lengths should be employed. Cities  
141 and neighborhoods decide on the lengths based on their own goals related to privacy, open space,  
142 neighborhood characteristics, etc.

143  
144 A table was included which displayed research on rear yard setbacks of neighboring cities.

145

REAR	Bountiful	WX	NSL	Cent.	Layton	W. Point	West Bountiful
House	20'	30'	25'	20'	30'	25-30' (1)	30'
Decks	10' (2)				20'		20' CUP

149 (1) If front setback is 25 rear must be 30, or if front is 30 rear can be 25.

150 (2) Decks with permanent roof or canopy, open on 3 sides, not longer than 1/2 the width of main dwelling.

151  
152 The city’s current code on rear yard setbacks requires an attached covered patio to be 30’ away from  
153 the rear property line, and an un-attached covered patio could be 5’ away from the house and 6’ away  
154 from the rear property line.

155  
156 Decks are one exception to main structure setbacks in the city’s code. A deck may encroach into a rear  
157 yard setback with a conditional use permit meeting the following criteria:

- 158 • The entire deck is at least twenty (20) feet from the rear property line;
- 159 • The deck is no closer to a side lot line than the minimum required side yard or street side yard  
160 setback for the main structure;
- 161 • The deck does not encroach more than 200 square feet into the setback area;
- 162 • The floor of the deck is no higher than the highest finished floor of the main structure;
- 163 • The portion of the deck that extends into the rear yard setback is not covered;

- 164           • The railing is no more than forty-eight (48) inches high and is less than twenty-five percent  
165           (25%) transparent; and  
166           • The deck satisfies other conditions required by the planning commission.  
167

168 West Bountiful City has allowed a deviation from the rear yard setback requirements through a planned  
169 unit development. The rear setback for all lots in the Cottages at Havenwood is 15'. Now that most  
170 homes are built in this development, it is a good opportunity for the city to review how these setbacks  
171 impact the neighboring homes to the east and west.  
172

### 173 **Covered Patio Options**

174 Working on the premise that a setback change might be desirable, the City Council discussion centered  
175 on the following options with a modified option A as probably the most desirable:

- 176           A. Provide covered patios the same allowances currently codified for decks, with the  
177           addition of height limitation of something like 10'-15'.  
178           B. Allow any portion of a main structure to follow the deck model, but with an additional  
179           height restriction. Under this scenario, the language specific to decks could be removed.  
180           C. Consider amending all rear yard setbacks to 25' or 20'.  
181

### 182 **Comments from Commissioners:**

183 **Mike Cottle** wanted to know where the 30-foot setback standards came from. Councilmember Enquist  
184 responded that he thinks it came from wanting to match the front setbacks.

185 **Alan Malan** feels it is because of aesthetics and the desire to keep the rural feel with space between  
186 properties. He supports establishing some criteria that could be used for a covered deck with height  
187 limits).

188 **Corey Sweat** is not interested in changing the current setbacks but is willing to address the covered  
189 patio issue similar to how decks have been addressed.

190 Some discussion took place regarding the open space that the 30-foot setback standard keeps and some  
191 possible criteria that could be used regarding covered decks. Ben White stated that staff needs a good  
192 set of criteria and guidelines so they can stand firm in the decisions they make to grant approvals. He  
193 noted that the Commission needs to address what the impact will be and why it will make the  
194 difference.

195 Councilmember Enquist would like to see some site examples showing what the impact would be by  
196 changing the setback requirements.

197 Corey Sweat suggested this item be put on the next agenda for further discussion and asked staff to  
198 draft some language and create some site examples for their review.  
199

### 200           **5. Consider Proposed Modification to WBMC Title 16-Subdivisions.**

201 Ben White and Cathy Brightwell pointed out the changes that have been made to this final draft  
202 document as requested in the previous meeting.

203 Some discussion and suggestions were made regarding 16.12.040(B) Lots on page 9. Commissioner  
204 Sweat does not like having the word "normal" because it is too subjective and suggested deleting the

205 language “which would be unusable for normal purposes” in the original language highlighted in yellow.  
206 Ben White showed an example on Google Earth in defense of keeping the language as is so there is  
207 some latitude to deal with unique situations. Commissioner Malan provided the alternate language  
208 highlighted in blue, “Lots shall not contain peculiarly shaped elongations of normally unusable area to  
209 provide necessary square footage of area, lot width, or frontage.” Further discussion took place. It was  
210 noted that “peculiar” means “odd” so making that change may help people understand the section  
211 more easily. The document will be sent to Legal Counsel and City Council with both suggestions.

212 Changes that were made in the document from the last meeting were reviewed and approved.

213 Corey Sweat asked if there were any further changes or suggestions. Laura Charchenko suggested  
214 switching the order of items B. and C. in 16.12.040 to make it flow better.

215 **ACTION TAKEN:**

216 *Laura Charchenko moved to approve the proposed modifications to WBMC Title 16-Subdivisions as*  
217 *presented and discussed switching the order of items B. and C. in Section 16.12.040 and send both*  
218 *suggestions for Section B. language as discussed to Legal Counsel and City Council for their review.*  
219 *Alan Malan seconded the motion and voting was unanimous in favor.*

220

221 **6. Staff Report**

222 **Ben White:**

- 223 • Atwater Subdivision was approved in the last City Council meeting.
- 224 • Moderate Income Housing Report is required every two years and includes a thorough review of  
225 our General Plan with updates as necessary. This item will be on the agenda in January.
- 226 • There will be **No Planning Commission** meeting until January8

227 Mike Cottle noted that there are yard signs all around our City that are placed illegally and asked what  
228 the city can do about them. Ben White invited them to pull them if they are illegal and bring them to  
229 City Hall. Commissioner Cottle also noted that last week in one of his realtor meetings they talked about  
230 affordable housing and the changes made by Bountiful city to allow people rent out their basements and  
231 ADU’s. He asked if the city has plans for something similar. Ben White explained that we have allowed  
232 that in our City for some time as long as the property meets the ADU requirements.

233

234 **7. Consider Approval of Minutes from November 27, 2018 meeting.**

235 **ACTION TAKEN:**

236 *Alan Malan moved to approve of the minutes of the November 27, 2018 meeting as corrected. Laura*  
237 *Charchenko seconded the motion and voting was unanimous in favor.*

238

239

240

241



**PENDING – Not Yet Approved**

Minutes of the West Bountiful City Council meeting held at 7:32 p.m. on **Tuesday, December 4, 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 (City Engineer), Steve Maughan (Public Works Director), Cathy Brightwell (Recorder)

**VISITORS:** Alan Malan, Mike Cottle, Justin Atwater, Marcus Arbuckle, Janet Smith

Mayor Romney called the regular meeting to order at 7:30 pm. Mark Preece provided an invocation; James Bruhn led the Pledge of Allegiance.

**1. Approve Agenda**

**MOTION:** *James Bruhn made a Motion to approve the revised agenda, changing item 4 by deleting “Deeded as Street Right-of-Way” and replacing it with “of Land.” 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 Comments.

**3. Public Hearing Regarding Potential Sale of .065 Acres of Land at 167 N 1450 West.**

Duane Huffman explained that the homeowner to the west, Al Jones, deeded a portion of this property to the city with the intent of it becoming street right of way. The road has shifted slightly so the proposal is to give a portion back to him.

**MOTION:** *Mark Preece made a Motion to Open the Public Hearing. James Bruhn seconded the Motion which PASSED by unanimous vote of all present.*

No public comments were made.



92 Mr. Arbuckle said other cities have similar results, and they can all be corrected without much  
93 difficulty. He said they had no difficulties performing the audit and did not find any incidence of  
94 fraud.

95 Mr. Huffman commented on each of the areas raised in the report. 1) Internal controls are  
96 mostly related to more formal accounting practices. He agreed we need to improve but on a day to  
97 day basis we are doing well. He said for the past twenty years the city has relied on auditors to help  
98 close out our books; so, he may propose having a CPA to help us in the future. 2) We did the math  
99 wrong in calculating the treasurer's bond. 3) Impact fee requirements changed, and we will get the  
100 reporting fixed. 4) Fund balance – the difference between what we collected and what we budgeted  
101 in property tax was off because of when the county remitted taxes, which seems to be different every  
102 year.

103 Overall, he said we are on better financial footing than ever before. Even the golf course  
104 covered its operating expenses although we transferred some funds for capital projects.

105 As there were no questions from council members, Mayor Romney thanked Mr. Arbuckle and  
106 commented that it is nice we have some money to stay on schedule for needed capital projects.

107  
108 **6. Consider Final Plat for Atwater Estates 12-lot Subdivision at 1811 N 800 West**  
109 **Consisting of 4.64 Acres.**

110  
111 Ben White described the 12-lot subdivision currently known as the Grover Family Property.  
112 It is located within the R-1-10 zone and consists of 12 lots that all meet the minimum size and width  
113 for the zone. The planning commission spent a lot of time on street lights and mailboxes and will be  
114 working on guidelines for the post office regarding where the city would like them to go in  
115 subdivision developments.

116  
117 Mr. White explained that when the city rebuilt 800 West, stubs for water/sewer were put in with the  
118 expectation of future development; about half of the stubs will be used. There was discussion about  
119 the gas easement on the west edge of the development which is not as intrusive as it is in  
120 developments farther to the south as it is partially in the area behind these lots.

121  
122 Below is a summary of points of interest. The items 4-12 need to be addressed prior to recording  
123 the final plat.

- 124
- 125 1. There are two existing street lights with one additional proposed street light at the Grover  
126 Court corner.
  - 127 2. The Planning Commission recommended the group mailbox be located on the easterly lot  
128 corner of Lots 7 and 8.
  - 129 3. Staff has a complete set of construction drawings and a geotechnical report for the  
130 development available for review.
  - 131 4. Drainage for the subdivision will discharge into the DSB canal without detention. Davis  
132 County has given a tentative approval, but final approval is still pending. **A flood control**  
133 **permit issued by Davis County Public Works is required.**
  - 134 5. The construction of the two cul-de-sacs will necessitate cutting into 800 West for utility  
135 service. Permission to cut into 800 West was previously granted during a June city council  
136 meeting. **The excavation permit fee for the road cut will need to be paid prior to**  
137 **excavating in the existing asphalt.**

- 138       6. **The development is required to reimburse the city for the service laterals used which**  
139       **were previously installed with the hope of minimizing 800 West street cuts when the**  
140       **property developed.**  
141       7. **The construction drawings need to be revised to correct a drainage issue on the two**  
142       **cul-de-sac entries and other minor improvement drawing corrections.**  
143       8. **Water rights will need to be deeded to the city.**  
144       9. **Title report review by the city attorney with no objectional entries.**  
145       10. **Payment of impact and inspection fees.**  
146       11. **Post appropriate improvement bonds**  
147       12. **Design approval by Weber Basin, South Davis Sewer and Davis County Public Works.**

148       Mr. Atwater, the developer, was asked when construction will begin and responded it would be as  
149       soon as the snow melts.

150  
151               **MOTION:**    *James Ahlstrom made a Motion to Approve the Final Plat for Atwater*  
152               *Subdivision subject to the satisfactory completion of items 4-12 in the staff*  
153               *report listed above. Andy Williams seconded the Motion which PASSED by*  
154               *unanimous vote of all present.*  
155

156       **7. Consider Resolution # 444-18, A Resolution Adopting the 2018 Biennial Moderate-**  
157       **Income Housing Element Review Report.**  
158

159               State law requires that every two years municipalities conduct a review of the moderate-  
160       income housing plan element in their general plan, and report on its findings. Once approved, the  
161       draft report will be submitted to the Housing and Community Development Division of Workforce  
162       Services (HCDD) and posted on the city website as required.

163               Based on the data provided by the U.S. Census Bureau, the 1, 3, and 5-year estimates of the  
164       American Community Survey, and the Utah Affordable Housing Forecast Tool from HCDD, West  
165       Bountiful appears to have adequate moderate-income housing. These results consider Woodhaven  
166       trailer park, the age and size of homes, and that many residents have lived in their homes for a long  
167       time so do not have a mortgage – making them affordable, among other factors.

168               The report on page 9 includes questions from the U.S. Department of Housing and Urban  
169       Development’s “Questionnaire for HUD’s Initiative on Removal of Regulatory Barriers,” which is  
170       perplexing because they are not related to law, but rather best practices of federal agencies that look  
171       at housing.

172               Mr. Huffman reviewed some of the steps West Bountiful has taken to meet its moderate-  
173       income housing plans which include allowing flag lots, planned unit developments, and accessory  
174       dwelling units. There was some discussion about the current restrictions not allowing multi-family  
175       dwellings and the minimum lot size of 10k square feet. He noted that no one has asked for multi-  
176       family housing which the general plan contemplates in certain corridors, such as 500 West and 500  
177       South.

178               Mr. Huffman noted that the city’s responsibilities do not end with the biennial report. State  
179       law requires cities and counties to include a five-year moderate-income housing element in the  
180       comprehensive general plan and update it every two years, which must be completed by mid-summer  
181       2019. He added there are many different groups working on these issues right now addressing them  
182       from different perspectives.

183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224  
225  
226  
227

**MOTION:** *Andy Williams made a Motion to Approve the 2018 Biennial Moderate-Income Housing Report. James Bruhn seconded the Motion which PASSED by unanimous vote of all present.*

**8. Discuss and Consider Authorizing Letter of Support for a County-wide Local Option Sales Tax for Transportation.**

Duane Huffman shared the handout from Wasatch Front Regional Council regarding the 3<sup>rd</sup> Quarter Local Option Sales Tax for Transportation.

There are currently four “local option” transportation sales taxes authorized by state code. These options are referred to as “quarters” (meaning quarters of a percent not calendar quarters). Davis County has imposed the first, second and fourth quarters. The third quarter is available for imposition by the county.

The third quarter is a tool for local governments to receive funding for regionally prioritized transportation needs in their communities, including projects identified in the Regional Transportation Plan – the Wasatch Choice 2050, and Utah’s Unified Transportation Plan. It is expected that imposing the third quarter sales tax would total approximately \$12.6M annually countywide and the county commission has until June 30, 2022 to impose it.

Mr. Huffman explained that the funds go into a county-wide pot, and is ultimately administered by the county commission, with the advice of the Council of Governments (made up of the mayors in the county).

Mayor Romney said nothing requires the council to take any action. It is likely that the county commission, with its two new commissioners, will take some direction from cities. He asked the council for their thoughts.

There was discussion on the issue. Is city support important? If we don’t support it, will the city be left out in the cold? Should we join other cities’ efforts to show consensus?

Mayor Romney said inaction does not mean opposition. He believes the county will try to be fair in how the money is distributed.

There was agreement to hold off for now and do more homework with contacts with the county.

**9. Discuss Rear-yard Setbacks and Covered Patios in Residential Zones.**

Duane Huffman reviewed the history and purpose of rear yard setbacks. His research indicates that rear setbacks were likely first related to sanitation and waste disposal, then to ensure that the use of a property does not infringe on the rights and neighbors, to allow room for lawns and trees, for light and sunshine in the home, for space for recreation outside the home, to serve as filtration areas for storm water run-off, and to create an open or rural aesthetic although rural “feel” may come more from front and side yard setbacks. He was unable to find any science behind the actual numbers; cities and neighborhoods decide on the lengths based on their own goals related to privacy, open space, neighborhood characteristics, etc.

There was discussion about rear setbacks of neighboring cities. Comparing similar zones West Bountiful is 30 ft., Bountiful – 20 ft., Centerville – 20 ft., North Salt Lake – 25 ft., Woods Cross – 30 ft.

228 Mr. Huffman explained that the city's code on rear yard setbacks allows an attached covered  
229 deck to encroach 10-ft. into a 30-ft. setback with a conditional use permit if it meets certain criteria.  
230 There was discussion about the differences, if any, between deck floors and patio covers.

231 Based on a resident's desire for an attached covered patio that would encroach into the 30 ft.  
232 rear setback, the planning commission recently reviewed the issue at city council's request and a  
233 majority believed no changes to code should be made based on their concerns with potential  
234 intrusions on neighboring properties and the slippery slope of setback exceptions.

235 If the council decides additional consideration is warranted, Mr. Huffman provided 3 possible  
236 options: 1) Provide covered patios the same allowances currently codified for decks, with an  
237 additional height limitation; 2) Allow any portion of a main structure to follow the deck model, with  
238 an additional height restriction; 3) Consider amending all rear yard setbacks to 25 ft. or 20 ft.

239 Several council members supported option 1 stating there is minimal intrusion to neighbors,  
240 and it is inconsistent to treat decks and patio roofs differently. The planning commission will be  
241 asked to reconsider the issue, hold a public hearing, and make a recommendation on how best to  
242 make regulations for decks and patio roofs consistent.

243

244 **10. Discuss Implementation of Previously Recorded Extension for Off-site Improvements**  
245 **Agreement (Deferral Agreement) for 780 W 1600 North.**

246

247 Duane Huffman explained that for several years the city council has allowed developers, by  
248 recorded deferral agreement, to delay the installation of curb, gutters, sidewalk, etc., for small  
249 subdivisions to prevent creating islands of improvements on otherwise unimproved streets.

250 A recently requested building permit for a vacant lot on 800 W just north of Pages Lane  
251 justifies requiring the property owners for both the vacant lot and the adjacent lot to complete the  
252 required improvements now that they will connect to improvements installed by the city since the  
253 original subdivision occurred.

254 No action is needed; staff is bringing this to the council's attention for discussion purposes  
255 due to it being the first time the city may be exercising its rights in a deferral agreement.

256 There was discussion and agreement that the city treated them fairly when they asked for the  
257 deferral, now it is fair to require the improvements.

258

259 **11. Public Works/Engineering Report**

260

261 Steve Maughan-

- 262 • Highgate is continuing to build their roads. Have talked with them about weather issues but  
263 they are still hoping to put curb in if the weather stays dry. They were working on waterline  
264 tie-ins and found an unmarked 10 in. petroleum line on 1100 West.
- 265 • Pages Ln project is wrapping up odds and ends and once fencing is finished, they will wrap up  
266 for the season and come back next year to complete punch-list items and the overlay.
- 267 • Mtn View Estates – working on three waterline tie-ins; they still want to get curb and gutter in  
268 this year. We have been dealing with them daily on the mud situation on 1100 West.
- 269 • Pot-holing Jessi's Meadow in design preparation for next year's construction.
- 270 • Replacing a broken slide at city park.
- 271 • Computer room air conditioner needs to be replaced and has been ordered.
- 272 • Crew is out working a main line water break tonight at 700 N 1050 West.
- 273 • The International plow is in shop with electrical and hydraulic issues.
- 274 • Back-up generator has been repaired.

275 Ben White-

- 276 • Next week planning commission will consider final plat for the Ferlin 2-lot subdivision on  
277 Porter Lane west of Birnam Woods.
- 278 • Received six proposals for concept designs for the west yard. There was discussion about  
279 establishing a review committee – Council members Williams, Enquist, and Bruhn indicated  
280 they would like to be on the review committee; Mr. Huffman explained it was more  
281 appropriate to limit council participation to two.
- 282 • Our well is down for few months so beginning next week we will draw water from our  
283 connection with Bountiful as we're almost out of our allotment from Weber Basin.
- 284 • Test well on 400 North - expect to put it out to bid in February with drilling in May. Total  
285 process will be about 1 ½ to 2 years.

287 **12. Administrative Report (Duane Huffman)**

- 288
- 289 • Met today with North Salt Lake, Woods Cross, and Bountiful regarding library services in  
290 South Davis County and the future of the South Branch in Bountiful. If anyone has ideas or  
291 knows anyone that wants to provide input, please let Duane know. Ideas at the meeting  
292 included a large regional library with kiosks/mobile story time located around the area with  
293 the goal of bringing library services out to the cities rather than building/maintaining separate  
294 buildings.

295 Also, is there a need to focus more on senior services? Several of the cities have  
296 popular senior activities that we may want to consider in the future. Diverging demographics  
297 – aging in place vs Ovation type adult living - may necessitate a change in the type of  
298 activities. For example, if a new clubhouse is built at the golf course, it could be a multi-use  
299 building that could include senior uses.

301 **13. Mayor/Council Reports**

302

303 Kelly Enquist – Asked if we could contact UDOT for the lights to be replaced on the Pages  
304 Lane underpass east of the railroad tracks. He also talked about neighbors west of city park concerned  
305 about security lighting at night. Mr. Huffman responded that the issue of adding light at the park was  
306 discussed at the staff meeting this morning. He asked the council to let him know if they are  
307 interested in security lighting only around the playgrounds or if they prefer full lighting including  
308 light posts around the walking path.

309 Council member Enquist also asked about the café at the golf course. Duane said an RFP for a  
310 concessionaire is due December 21. Mr. Ahlstrom mentioned he spoke with the previous  
311 concessionaire who said he had a few problems in the past including freezer issues and needed a mop  
312 sink. Should we think about readjusting the pay structure? There was discussion about the difficulty  
313 of finding someone who could do a good job and make it work and the problems with getting large  
314 tournaments due to limited restaurant space.

315

316 James Ahlstrom – How much would it cost to extend the golf course building north and east  
317 to make a larger restaurant? Ben White said he will pull out old ideas/budgets.

318

319 Andy Williams – Youth Council did a great job with Christmas on Onion St. There were a lot  
320 of people enjoying the activities while they waited to see Santa. They have good agenda ideas for  
321 upcoming meetings and want to focus on how to make the world better.

322  
323  
324  
325  
326  
327  
328  
  
329  
330  
331  
332  
333  
334  
335  
336  
337  
  
338  
339  
  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354

James Bruhn – no report.  
Mark Preece – no report.

**14. Consider Approval of Minutes from the November 20, 2018 City Council Meeting.**

**MOTION:** *James Ahlstrom made a Motion to approve the November 20, 2018 City Council meeting minutes as presented. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

**15. Executive Session, if necessary, for the Purpose of Discussing Items Allowed Pursuant to Utah Code Annotated 52-4-205(1)(a).**

Executive Session was not necessary.

**16. Adjourn Meeting.**

**MOTION:** *James Bruhn made a Motion to adjourn this meeting of the West Bountiful City Council 9:45 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 December 18, 2018 by unanimous vote of all members present.*

---

Cathy Brightwell (City Recorder)