

**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**  
Cathy Brightwell

**City Engineer**  
Ben White

**Public Works Director**  
Steve Maughan

## CITY COUNCIL MEETING

**THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD ITS  
REGULAR MEETING AT 7:30 PM ON TUESDAY, FEBRUARY 19, 2019  
AT CITY HALL, 550 N 800 WEST**

*Invocation/Thought – James Ahlstrom; Pledge of Allegiance – Mark Preece*

1. Approve the Agenda.
2. Public Comment - two minutes per person, or five minutes if speaking on behalf of a group.
3. Consider Ordinance 413-19, An Ordinance Granting an Electrical Utility Franchise and General Utility Easement to Rocky Mountain Power.
4. Discuss Planning Commission's Recommended Changes to Zoning and Setback Requirements for Residential Patio Covers, Decks and Accessory Structures.
5. Presentation and Discussion on Fiscal Year 2019/2020 Budget
6. Consider Purchase Approval – Police Vehicles
7. Police Report.
8. Public Works/Engineering Report.
9. Administrative Report.
10. Mayor/Council Reports.
11. Consider Approval of Minutes from the February 5, 2019 and February 12, 2019 City Council Meetings.
12. Executive Session for the Purpose of Discussing Items Allowed Pursuant to UCA § 52-4-205.
13. 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 February 15, 2019.*

Minutes of the West Bountiful City Council meeting held on **Tuesday, February 19, 2019** 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 (City Recorder), Dallas Green (Director of Golf)

**VISITORS:** Alan Malan, Gary Jacketta, Denis Hopkinson, Steve Rush

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Mayor Romney called the regular meeting to order at 7:31 pm. James Ahlstrom provided an invocation; Mark Preece led the Pledge of Allegiance.

**1. Approve Agenda**

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

**2. Public Comment - Two minutes per person, or five minutes if speaking on behalf of a group.**

There were no comments from the public.

Mayor Romney commented that he has heard from several citizens regarding the expiration of the truck ban on Legacy Parkway currently scheduled for the end of this year. Sen. Weiler introduced a bill to extend the ban for two and one-half years, but the bill did not make it out of committee. Another bill has been introduced by Rep. Melissa Ballard calling for a five-year extension of the ban to study the issues. Several other cities have passed resolutions in support of these bills and the Council of Governments (COG) will discuss the issue at their meeting on February 20. Due to the proximity of Legacy Parkway to our city, several residents have also asked the city to pass a supportive resolution, and other groups like the Davis Chamber are supporting it. Mayor Romney said he has asked staff to prepare a Resolution for consideration at the next city council meeting.

**3. Consider Ordinance 413-19, An Ordinance Granting an Electrical Utility Franchise and General Utility Easement to Rocky Mountain Power.**

Duane Huffman explained that West Bountiful City's last franchise agreement with Rocky Mountain Power (RMP) ran from 2008 to 2018, and staff from both entities have diligently and

patiently worked over many months to update the agreement. He stated that the city has a very good working relationship with RMP, and that changes city staff recommended had more to do with setting a precedent for other utilities than specific problems with RMP.

One of the most significant changes in the agreement is in Section 13.1 “Duty to Relocate.” City staff believe that this new wording, which staff will work to include in future agreements with entities like CenturyLink, will help improve the city’s ability to complete road/water projects in a timely manner. Mr. Huffman thanked RMP for their cooperation and hard work in finalizing this agreement.

Mr. Steve Rush from RMP agreed that the process took longer than they expected but the end product is better than the original. He thanked Mr. Huffman for his cooperation.

**MOTION:** *James Ahlstrom made a Motion to Approve Ordinance 413-19 Granting an Electrical Utility Franchise and General Utility Easement to Rocky Mountain Power. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

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

#### **4. Discuss Planning Commission’s Recommended Changes to Zoning and Setback Requirements for Residential Patio Covers, Decks and Accessory Structures.**

Ben White explained that after several months of research and debate, the planning commission reached consensus and held a public hearing on recommended changes to zoning and setback requirements for residential patio covers, decks, and accessory structures. As stated in a letter from the planning commission to the city council, “on a point by point basis, the opinions of the commissioners were far from unanimous but represent a collective compromise by all commissioners to maintain the delicate balance zoning provides while considering public input and best practices for the city.”

Tonight’s review of the proposal is for discussion purposes only so staff can get a better understanding of city council’s positions and legal counsel can complete a final review.

Mr. White walked the council through the proposed changes.

- The planning commission found that there is a similarity between decks, which are currently allowed to encroach into the rear setback, and covered patios, which are not. However, they are not comfortable with a ten-foot encroachment so changed it to five feet for both decks and covered patios.
- The distance between accessory and main structures is proposed to change from ten feet to eight feet.
- Language regarding private streets is deleted as private streets are prohibited in Title 16 – Subdivisions.
- Clarification that the street side yard can be included in determining the percent of allowable area in a rear yard.
- Specific heights are recommended in each of the residential zones.

- Window and lighting requirements for accessory structures is a compromise to minimize potential impacts to neighboring properties while allowing a property owner to construct a taller building. Planning Commission asked council and legal counsel to consider a better term than ‘neighboring properties’ in their deliberations.

The specific regulations proposed above eliminate the option for conditional use but instead provide hard and fast regulations that must be followed.

There was discussion on several of the proposals and Ben explained the thinking behind the proposals. Overall the council was supportive of the recommendations but asked staff to put together a draft that included a step-back option for accessory structures that results in higher buildings being farther from property lines especially on corner lots.

Planning Commission chairman, Denis Hopkinson, commented that they had a lot of discussion about accessory buildings based on recent complaints and putting in hard numbers instead of allowing the conditional use process was a struggle but there was consensus that it would be better for the majority of the city.

Mayor Romney thanked planning commission for their hard work and was happy to see the conditional use option going away.

## **5. Presentation and Discussion on Fiscal Year 2019/2020 Budget.**

Duane Huffman provided a first look at next year’s budget.

### **Big picture (preliminary)**

- General Fund: FY-19 is currently projected to end with \$800K surplus; FY-20 is projected to have operating surplus of \$275K – not including capital expenditures or transfers
- Public Works Yard Fund: – FY-19 ending balance \$1.2M
- RAP/Parks: FY-20 available: \$500K + \$130K (after new restroom at park)
- Water Fund: FY-20 available: \$5M
- Streets Fund: FY-20 available: \$750K-\$1M
- Storm Water Fund: \$100K (mostly from impact fees and some from monthly residential fee). This fund continues to be underfunded. When there are storm water needs as part of a capital project, money comes from General Fund
- Golf Fund: FY-20 cash: \$200K which relatively high compared to fund’s history; initial operating budget is projected to be in red about \$50K
- Debt: City Hall = \$971K, Water = \$3M

### **Large Issues**

- Public Works facility – cost study underway with overall ideas of how to use the space, cost, etc. City won’t have information to decide next steps until May.
- Streets/Water projects:
  - 800 West (completely replace road - to include water, streets, storm water, sidewalk - break into 3 phases: #1-400 N to 1000 N, #2-1000 N to Pages Ln, #3-400 N to 500 S)
  - Porter Lane (800 W to 600 W) will be street only.
  - Porter Lane (west end) can use Dominion money to help.
- Well – finalizing site
- Golf clubhouse – potential to ask the architects hired for public works master plan to provide ideas for clubhouse, e.g., expansion vs. rebuild, feasibility, etc.

- Additional police officers

**Medium Issues**

- Equipment: mini excavator/police and public works vehicles
- School bowery-replace roof?, pickleball-in front of new school?, Charnell park upgrades?
- City hall phone system – outdated, need new equipment and lines.
- Golf tee boxes/material storage
- Development inspections – looking for options on the best way to inspect new development.

Mr. Huffman encouraged feedback and asked if there are any other issues to be included. Council member Bruhn said he would like to see the Onion Parkway trail completed to 800 W; it currently ends at approximately 690 West. He said he has talked with property owners and they are willing to give the city an easement and would want a privacy fence along the trail.

**Budget Prep timeline:**

- March – FY-19 review and propose amendments
- April 2 - Work session on FY-20 budget (*will move to sometime after spring break*)
- April 16 – Work session on FY-20 budget
- May 7 – Present/adopt Tentative Budget
- June 4 – Public Hearing
- June 4 or June 18 – Adopt final budget.

**6. Consider Purchase Approval – Police Vehicles.**

Chief Hixson explained that last September the council authorized the purchase of one Ford Explorer Police Interceptor and the equipment needed to make it patrol ready, as originally budgeted. However, when the department tried to place the order, they were told Ford could not accept orders until 2019.

After re-evaluating the department's needs and resources, they are instead requesting the purchase of two new vehicles to replace the 2013 and 2014 Ford Explorers. These vehicles are scheduled to be replaced during the FY19/20 budget year and will be used by the chief and assistant chief, so they do not require the same level of equipment. The net cost to the city will remain below the originally budgeted \$50,000 as the 2013 and 2014 Ford Explorers and 2010 Dodge Charger will be disposed of. Chief Hixson added that this proposal provides the fleet we need now and starts us down the path we want for our future fleet.

**MOTION:** *James Ahlstrom made a Motion to Approve the Purchase of a 2019/2020 Ford Explorer and a 2019/2020 Ford F150 with necessary equipment, as proposed. Mark Preece seconded the Motion which PASSED by unanimous vote of all members present*

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

- Held interviews for the open officer position today. There were four qualified candidates interviewed; two stood out.
- EmPAC quarterly meeting was held tonight. Next one will be May 21.
- DARE graduation last month was a great event. Kudos to Officer VanWagoner.

**8. Public Works/Engineering Report**

Ben White –

- Highgate Estates wants to amend their recently recorded plat. They want to separate the two lots they combined back into separate 1-acre lots. Because the plat has already been recorded, this request must first go back to planning commission for a recommendation.

Steve Maughan –

- Mountain View Estates is still working on utilities – pressure testing water lines, taking bacteria samples, and installing rear yard drains. They are working with Weber Basin and Davis County to find the best way to get secondary water around the canal. They found a new 12-ft gas easement where a rear yard drain was planned that had not appeared on the plat, and because the gas lines were laid on the edge of the easement the easement may need to be expanded.
- Highgate re-chlorinated and flushed water lines after mud got in the line and new samples will be taken.
- There was an early morning fire at the Ryver property on Porter Lane and an hour later we had a water leak a block away in Birnam Woods. We found that the valve bolts had rotted which should not have happened to twenty-year-old bolts.

**9. Administrative Report (Duane Huffman) –**

- Several staff members will tour the North Ogden Public Works facility tomorrow. Up to two city council members are welcome to join.
- Council member Preece and Duane attended a meeting with Union Pacific regarding trains blocking intersections. Council member Preece will provide a report.

**10. Mayor/Council Reports**

Mayor Romney – provided a brief summary of the pending moderate-income housing legislation and efforts to get support of a compromise bill.

Kelly Enquist – He heard from members of the Centerville City Council thanking West Bountiful for allowing Duane to help them through the selection process for a new city manager. They were very appreciative and said he did a great job.

Andy Williams – YCC meeting did not have a quorum or advisor at the beginning of the last meeting so they decided to cancel the business meeting and fill Easter eggs. They ended up having twelve members by the time they got busy on the eggs so were able to get about 2000 eggs filled. Teresa Romney has resigned as advisor so we are looking for someone to help Paul.

James Bruhn – Wasatch Integrated implemented a \$2/can rate increase that will impact us as a city. Mr. Huffman noted that we may be able to absorb the increase at least for a test year. Wasatch also approved a \$20m bond for a recycling facility.

Mark Preece – The open house at the south sewer recycling plant went well but he had to miss it so if anyone wants to get a private tour with Director Dal Wayment they can join him. Mayor Romney and Council member Williams indicated interest.

Train crossings meeting – it appeared that Union Pacific cared very little about the problem of trains blocking main thoroughfare intersections. Brigham City had camera documentation to help make their case which was helpful. The problem is not easy to fix as we have three rail companies serving our area. There is talk about legislation implementing time limits, but Union Pacific didn't seem to take it very seriously although they were not eager to make the legislator attending the meeting mad. The new inland port is of great interest to Union Pacific.

James Ahlstrom – No report.

**11. Consider Approval of Minutes from the February 5, and February 12, 2019 City Council Meetings.**

**MOTION:** *James Ahlstrom made a Motion to approve the City Council meeting minutes as presented for February 5 and February 12, 2019. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

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

There was no Executive Session.

**13. Adjourn Meeting.**

**MOTION:** *James Ahlstrom made a Motion to adjourn this meeting of the West Bountiful City Council at 9:33pm. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

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*The foregoing was approved by the West Bountiful City Council on March 5, 2019 by unanimous vote of all members present.*

  
Cathy Brightwell (City Recorder)

