

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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West Bountiful, Utah 84087

City Recorder
Cathy Brightwell

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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, OCTOBER 15, 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. Tail Gate Subdivision at 140 S 1100 W.
4. West Bountiful General Plan Update – Moderate Income Housing, Transportation, and General Provisions.
5. Ordinance 417-19, An Ordinance Requiring Conditions Outlined in an Accessory Dwelling Unit Conditional Use Permit be Recorded with the County Recorder.
6. Ordinance 418-19, An Ordinance Changing Certain Land Use Fees in the West Bountiful Consolidated Fee Schedule.
7. Minutes from the October 1, 2019 City Council Meeting.
8. Police Report.
9. Public Works/Engineering Report.
10. Administrative Report.
11. Mayor/Council Reports.
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 twenty-four hours 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 October 10, 2019.

1
2 Minutes of the West Bountiful City Council meeting held on **Tuesday, October 15, 2019** at West
3 Bountiful City Hall, 550 N 800 West, West Bountiful, Davis County, Utah.

4
5 Those in attendance:

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

8
9 **STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Ben White
10 (City Engineer), Steve Maughan (Public Works Director), Chief Todd Hixson, Dallas Green
11 (Director of Golf), Cathy Brightwell (Recorder)

12
13 **VISITORS:** Gary Jacketta, Alan Malan, Dennis Vest - family, David Goudy
14

15
16
17 Mayor Romney called the regular meeting to order at 7:34 pm. James Ahlstrom provided a thought
18 from Martin Luther King Jr., "injustice anywhere is a threat to justice everywhere." Mark Preece
19 led the Pledge of Allegiance.

20
21 **1. Approve Agenda**

22
23 **MOTION:** *Mark Preece made a Motion to approve the agenda as presented. James*
24 *Bruhn seconded the Motion which PASSED by unanimous vote of all*
25 *members present.*

26
27 **2. Public Comment – two minutes per person, or five minutes if speaking on behalf of a**
28 **group.**

29
30 No Public Comment.

31
32 **3. Tail Gate Acres Subdivision at 140 S 1100 West.**

33
34 Jack Williams is proposing a four-lot subdivision on his 11.37-acre property just south of
35 the recently approved Highgate Estates subdivision on 1100 West. All four lots contain at least one
36 acre. Lot 1 was constructed as a flag lot more than thirty years ago. With the creation of Highgate
37 subdivision, the entire north line of Lot 1 is now adjacent to a street right of way. Lot 2 has nearly
38 sixty feet of road frontage, with more than the required eighty-five feet at the front yard setback.
39 Lot 3 contains 3.85-acre with access from 1450 West and includes a turnaround. Lot 4 contains
40 1.13-acres in the B-U zone which is considered a commercial lot.

41 Ben White summarized the details of the subdivision. Underground improvements are in.
42 The waterline was constructed years ago to provide service to the auto auction property. The only
43 water line work required is to stub services to Lots 3 and 4. Applicant is asking to defer putting in
44 some of the sidewalk on 1450 West as he is not sure when he plans to sell and he wants to preserve
45 as much pasture land as possible. Ben also noted that there is an accessory structure straddling the
46 Lot 1 and Lot 2 property line which must be removed as a condition of recordation. There are also
47 two existing structures on Lot 2 which will need to be removed as a condition of a building permit
48 on that lot.

49 There was discussion about the temporary turn-around and a desire to require payment now
50 with city taking responsibility to complete it when necessary rather than a future homeowner. Ben
51 said the other option is to put a note on the plat and whoever owns the property at the time 1450
52 West goes through is responsible to convert the turn-around.
53

54 **MOTION:** *James Ahlstrom made a Motion to approve the final plat for Tail Gate Acres*
55 *subject to providing a title report with no objectionable entries; payment of*
56 *inspection fee and storm water impact fee; posting of the appropriate*
57 *improvement bonds; executing an improvement agreement with the City; and*
58 *deeding the required water rights to the City. Andy Williams seconded the*
59 *Motion.*

60 *James Bruhn offered an amendment to collect funds to remove the turn-*
61 *around up front and the city will be responsible to complete the improvement*
62 *when appropriate. The homeowner will be responsible for the landscaping.*
63 *The amendment was accepted by Mr. Ahlstrom and Mr. Williams and the*
64 *Motion PASSED.*
65

66 The vote was recorded as follows:

67 James Ahlstrom – Aye Kelly Enquist – Aye
68 James Bruhn – Aye Andy Williams – Aye
69 Mark Preece - Aye
70

71 **4. West Bountiful General Plan Update – Moderate Income Housing, Transportation,**
72 **and General Provisions.**
73

74 West Bountiful City’s last full General Plan update concluded in 2007. While state law
75 does not require that the full plan be updated after any set number of years, it is recommended
76 that it be updated every 8-10 years. Additionally, in 2018, the legislature required that a city
77 adopt by December 1, 2019 a land use element, a transportation and traffic circulation element,
78 and a plan to provide a realistic opportunity to meet the need for additional moderate-income
79 housing within the next five years.

80 The planning commission has spent the past six plus months reviewing, editing and revising
81 the Plan section by section and held a public hearing on October 8, 2019.

82 There was discussion on sections of the documents. Council members made several
83 suggestions and staff was directed to make changes and bring the document back for consideration.
84

85 **5. Ordinance 417-19, An Ordinance Requiring Conditions Outlined in an Accessory**
86 **Dwelling Conditional Use Permit be Recorded with the County Recorder.**
87

88 Accessory Dwelling Units (ADUs) are a conditional use in all residential zones. The
89 planning commission practice has been to place a condition in permits that a new property owner
90 must file for a new Conditional Use Permit when a new owner purchases an ADU approved
91 property. The principal purpose for the requirement is so that the new owner is made aware of
92 the rules associated with ADUs. However, in some cases, a new homeowner is unaware that they
93 must file, and they are not familiar with the requirements associated with an ADU.

94 Planning Commission held a public hearing on October 8th 2019 and is recommending
95 that the conditions outlined in the ADU Conditional Use Permit be recorded with County
96 Recorder, so the title report clearly provides notice to all future owners of the ADU requirements.
97

98 **MOTION:** *James Ahlstrom made a Motion to Adopt Ordinance 417-19 Requiring the*
99 *Conditions Outlined in an ADU Conditional Use Permit be Recorded with*
100 *the County Recorder. Mark Preece seconded the Motion which PASSED by*
101 *unanimous vote.*

102
103 The vote was recorded as follows:

104 James Ahlstrom – Aye Kelly Enquist – Aye
105 James Bruhn – Aye Andy Williams – Aye
106 Mark Preece - Aye
107

108 **6. Ordinance 418-19, An Ordinance Changing Certain Land Use Fees in the West**
109 **Bountiful Consolidated Fee Schedule.**
110

111 Planning Commission is recommending the following changes to the City’s Land Use fees.
112 A public hearing was held on October 8, 2019.

- 113 • Lot Line Adjustment fee deleted. Lot line adjustments do not require approval from the
114 city. The fee is obsolete.
- 115 • New fee for Subdivision Plat Amendments. Amending subdivision plats take staff time
116 including preparing and sending notices to affected entities.
- 117 • Recording Fees are updated to reflect an increased recording cost at the County.
- 118 • Rezone fee clarified to include municipal code text changes.
- 119 • Sign Permit – flat fee. Nearly all wall mounted signs require the same amount of effort to
120 review permits and the installation regardless of the size of the sign. A flat fee per sign is
121 a more equitable calculation than a percentage of the overall sign cost.
- 122 • Solar Building Permit – The solar energy industry has streamlined their design and
123 construction techniques such that a “one size fits all” is an equitable means to calculate a
124 building permit fee. Staff is suggesting a flat fee for solar building permit applications
125 regardless of the size of the overall solar array.
- 126 • Water Use Fee for Construction – reducing to \$50 to match the current water rate.

127
128 **MOTION:** *Andy Williams made a Motion to Adopt Ordinance 418-19 as proposed.*
129 *Mark Preece seconded the Motion which PASSED by unanimous vote.*

130 The vote was recorded as follows:

131 James Ahlstrom – Aye Kelly Enquist – Aye
132 James Bruhn – Aye Andy Williams – Aye
133 Mark Preece – Aye
134
135

136 7. **Approve Minutes from the October 1, 2019 City Council Meetings.**
137

138 **MOTION:** *James Bruhn made a Motion to Approve the Minutes from October 1, 2019*
139 *as corrected. Andy Williams seconded the Motion which PASSED by*
140 *unanimous vote of all members present.*
141

142 8. **Police Report.**

- 143 • New reserve officers are doing well; Officer Horstman has been assigned as the school
- 144 liaison following Officer VanWagoner's departure.
- 145 • The next EmPAC meeting will be held in November.
- 146

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

- 148 • Fall clean-up continues through Saturday.
- 149 • Weber Basin is shutting down their irrigation lines today.
- 150 • Atwater Estates is pressure testing culinary water lines; bacteria testing probably next
- 151 week. Once testing is complete, they can connect to our system.
- 152 • Highgate Estates concrete should be done this week except around the rock wall on
- 153 1450 W and Millbridge Lane.
- 154 • Sidewalk project - 1100 West will be paved tomorrow and storm drain work next week.
- 155 • Pump testing has not begun on the new well. They are now cleaning and flushing in
- 156 preparation for the testing. There was discussion about long term needs; does the city
- 157 keep Stone Creek well as back-up? The real decision will be the next time more repairs
- 158 are needed to Stone Creek.
- 159 • Still working with the school on several improvements. Fire department has some
- 160 concerns with the access through city hall parking lot.
- 161

162 10. **Administrative Report.**

- 163 • New public works yard – working on newsletter information; it is a bigger task than
- 164 expected. Collecting sample RFPs for construction manager, general CMGC, and we
- 165 reached out to some real estate people to provide an idea of value of nearby city
- 166 property.
- 167 • Financial auditors were here last week and provided a draft which looks good.
- 168 • Next city council meeting is cancelled as it falls on Election day. Not aware of any
- 169 business to require a special meeting at this point.
- 170

171 11. **Mayor/Council Reports.**
172

173 Kelly Enquist – No report.
174

175 Andy Williams – Youth Council is collaborating with Viewmont High School and working
176 on a “Free to Be” project for getting info to their peers via a video they plan to make.
177

178 Council member Williams also addressed his frustration with the anonymous flyer
179 distributed in the city that contained misinformation about how he and others had voted on
180 issues. He said there has been no vote on the issues raised nor would he have voted the way

181 portrayed in the flyer. He said it has been a nuisance requiring him to spend significant time
182 talking to concerned residents.

183
184 James Bruhn – Arts Council had good event last week with a local Cowboy poetry night.

185
186 Mark Preece – Summarized an issue potentially impacting the South Davis Sewer District.
187 A large tract of land southwest of North Salt Lake is being considered for development.
188 Because Salt Lake City can't get sewer to them, North Salt Lake suggested annexing the
189 land into their city. Salt Lake County has voted not to allow the annexation, so now it is on
190 hold. Regular Sewer Board meeting is this week.

191
192 James Ahlstrom – Addressed the flyer mentioned by Council member Williams. He said it
193 goes beyond uninformed and inaccurate – it is dishonest. He said it is very frustrating and
194 he will counter in his own material. He said this is a good group of candidates who he
195 respects. He added that in the future he would like to see a return to a more focused,
196 moderated Meet the Candidates Night with questions and answers that allows the public to
197 better understand the positions of the candidates.

198
199 Mayor Romney – Woods Cross has received a proposal to annex and develop a portion of
200 unincorporated land north of 500 South and Redwood Rd., which is just south of the West
201 Bountiful boundary. There is a preliminary sketch of what is proposed which includes
202 multi-family homes, with the largest lots at 8k sq. ft. The proposal would require two access
203 points across property that they do not have. The mayor of Woods Cross indicated the
204 proposal probably would not be approved in its current form, but he did not say what they
205 would consider. The Smiths have made it clear over the years that they do not want to be
206 part of West Bountiful. Mayor Romney stressed to Woods Cross that it would not be good
207 to have residential so far from their other residential properties and it would leave an island
208 of unincorporated Davis County. We told them it could harm us and asked to be involved
209 when they have more information. It is wise to work as cooperatively as possible with them.

210
211 **12. Executive Session for the Purpose of Discussion Items as Allowed Pursuant to UCA**
212 **52-4-205(1)(f).**

213
214 An Executive Session was not held.

215
216 **13. Adjourn.**

217
218 **MOTION:** *James Bruhn made a Motion to Adjourn this meeting of the City Council at*
219 *9:34 p.m. James Ahlstrom seconded the Motion which PASSED by*
220 *unanimous vote of all members present.*

221
222
223 *The foregoing was approved by the West Bountiful City Council on November 19, 2019 by*
224 *unanimous vote of all members present.*



225
226 *Cathy Brightwell*
Cathy Brightwell (City Recorder)