

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

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City Recorder
Cathy Brightwell

City Engineer
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Public Works Director
Steve Maughan

CITY COUNCIL MEETING

THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD ITS REGULAR MEETING
ON TUESDAY, NOVEMBER 4, 2014, BEGINNING AT 7:30 PM
IN THE CITY OFFICES AT 550 NORTH 800 WEST.

Invocation/Thought by Invitation
Pledge of Allegiance – James Ahlstrom

1. Accept Agenda.
2. Public Comment (two minutes per person) or if a spokesperson has been asked by a group to summarize their comments, five minutes will be allowed.
3. Consider adoption of Resolution 352-14 “A Resolution Appointing Nathan Southerland to the West Bountiful Arts Council.”
4. Consider Ordinance 367-14 “An Ordinance Codifying And Making Technical Changes to Existing Impact Fee Ordinance.”
5. Consider letter to Centerville City regarding West Centerville Neighborhood Plan.
6. Discuss re-draft of the West Bountiful Personnel Policy.
7. Engineering/Planning Commission Report.
8. Administrative Report.
9. Mayor/Council Reports.
10. Approval of Minutes from the October 7, 2014 City Council Meetings.
11. Executive session pursuant Utah Code 52-4-205 (c) to discuss pending or reasonably imminent litigation.
12. Adjourn.

According to the American’s with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should contact Cathy Brightwell, City Recorder, at (801) 292-4486.

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 30, 2014.

WEST BOUNTIFUL CITY

RESOLUTION #352-14

A RESOLUTION APPOINTING NATHAN SOUTHERLAND TO THE WEST BOUNTIFUL CITY ARTS COUNCIL

WHEREAS, the West Bountiful City Council established the West Bountiful City Arts Council by adoption of Ordinance #360-14; and,

WHEREAS, pursuant to the above referenced Ordinance, the Mayor shall appoint least six (6) and no more than twelve (12) voting members, with the advice and consent of the City Council; and,

WHEREAS, there are currently nine appointed members on the Council;

NOW THEREFORE, BE IT RESOLVED by the City Council of West Bountiful City that it consents to the Mayor’s appointment of Nathan Southerland to the West Bountiful Arts Council with a term expiring December 31, 2017.

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

Passed and approved by the City Council of West Bountiful City this 4th day of November, 2014.

Ken Romney, Mayor

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

ATTEST:

Cathy Brightwell, City Recorder

WEST BOUNTIFUL CITY

ORDINANCE #367-14

***AN ORDINANCE CODIFYING AND MAKING TECHNICAL CHANGES
TO THE EXISTING IMPACT FEE ORDINANCE***

WHEREAS, West Bountiful City has legal authority, pursuant to Title 11, Chapter 36a Utah Code Annotated, as amended (“Impact Fees Act” or “Act”), to impose Impact Fees as a condition of development approval, which impact fees are used to defray capital infrastructure costs attributable to growth activity; and,

WHEREAS, the City Council held public hearings on March 18, 2013 to receive input and consider approval and adoption of a proposed Park Impact Fee Facilities Plan and the Park Impact Fee Enactment; and,

WHEREAS, following public hearings, the City Council adopted Ordinance 351-13 implementing such impact fees, and,

WHEREAS, the Council desires to re-codify Chapter 3.22 Impact Fees, of the West Bountiful Municipal Code to incorporate the fees adopted in Ordinance 351-13 and make technical changes, including modifications to be consistent with current State Law provisions related to Impact Fees Act (11-36a); and

WHEREAS, this re-codification is not changing or adding any impact fee that did not previously exist prior to adoption of Ordinance 351-13.

***NOW, THEREFORE BE IT ORDAINED BY THE WEST BOUNTIFUL CITY COUNCIL
THAT THE FOLLOWING RECODIFICATION OF CHAPTER 3.22 IMPACT FEES, OF
THE WEST BOUNTIFUL CITY CODE BE ADOPTED AS REFLECTED IN
ATTACHMENT A.***

This ordinance will become effective upon signing and posting.

By:

Ken Romney, Mayor

Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	_____	_____
Councilmember Bruhn	_____	_____
Councilmember Enquist	_____	_____
Councilmember McKean	_____	_____
Councilmember Preece	_____	_____

Attest:

Cathy Brightwell, City Recorder

Chapter 3.22 IMPACT FEES

Sections:

3.22.010 Purpose.

3.22.020 Definitions

3.22.030 Impact Fee Analysis

3.22.040 Impact Fee Calculations

3.22.050 Maximum Allowable Impact Fee Schedules

3.22.060 Fee Exceptions and Adjustments

3.22.070 Appeal Procedure

3.22.080 Miscellaneous

3.22.010 Purpose

This impact fee ordinance is promulgated pursuant to the requirements of the Impact Fees Act, *Utah Code Ann. § 11-36a-101, et seq.*, as amended (the "Act"). This ordinance establishes impact fees within the West Bountiful City-wide service area, describes certain capital improvements to be funded through impact fees, provides a schedule of impact fees for differing types of land-use development, and provides procedures for challenging and appealing impact fees.

3.22.020 Definitions

Except as otherwise defined in this chapter, words and phrases that are defined in the Act shall have the same definitions as used in this chapter. The following words and phrases shall have the following meanings:

- A. **"Development activity"** means any construction or expansion of a building, structure or use, any change in use of a building or structure, or any change in the use of land that creates additional demand and need for public facilities. Development activity includes residential and commercial uses that involve connection to the City's water system or utilization of the City's storm water, parks and recreation, or public safety systems.
- B. **"Development approval"** shall have the same definition as in the Act, and includes any written authorization from the City that authorizes the commencement of development activity.
- C. **"City"** means West Bountiful City, a local political subdivision of the State of Utah.

- D. **“Impact fee”** means a payment of money imposed upon development activity as a condition of development approval to mitigate the impact of the new development on public infrastructure. “Impact fee” does not include a tax, a special assessment, a building permit fee, a hookup fee, a fee for project improvements, or other reasonable permit or application fee.
- E. **“Impact fee analysis”** means the written analysis of each impact fee required by Section 11-36a-303 of the Act.
- F. **“Impact fee facilities plan”** means the City’s plan, if any, required by Section 11-36a-301 of the Act.
- G. **“Project improvements”** means site improvements and facilities that are (i) planned and designed to provide service for development resulting from a development activity; (ii) necessary for the use and convenience of the occupant or users of development resulting from a development activity; and (iii) not identified as a system improvement. “Project improvements” do not include “system improvements” as defined below.
- H. **“Proportionate share”** means the cost of public facility improvements that are roughly proportionate and reasonably related to the service demands and needs of any development activity.
- I. **“Public facilities”** means only the following impact fee facilities that have a life expectancy of 10 or more years and are owned or operated by or on behalf of the City, another local political subdivision, or a private entity within or for the benefit of property within the West Bountiful City-wide service area: (i) water rights and water supply, treatment, storage, and distribution facilities; (ii) wastewater collection and treatment facilities; (iii) storm water, drainage, and flood control facilities; (iv) municipal power facilities; (v) roadway facilities; (vi) parks, recreation facilities, open space, and trails; (vii) public safety facilities; or (viii) environmental mitigation as provided in Section 11-36a-205 of the Act.
- J. **“Reasonable Capital Projects Plan”** means the City’s plan, if any, allowed as an alternative to the impact fee facilities plan under Section 11-36a-301(3) of the Act.
- K. **“Service area”** refers to a geographic area designated by the City based on sound planning or engineering principles in which a defined set of the City’s public facilities provides service. The service area for purposes of this chapter includes all areas within the jurisdictional boundaries of the City.
- L. **“System improvements”** means (i) existing public facilities that are: (A) identified in the impact fee analysis; and (B) designed to provide services to service areas within the community at large; and (ii) future public facilities identified in the impact fee analysis that are intended to provide services within the West Bountiful City-wide service area. “System improvements” do not include “Project improvements” as defined above.

3.22.030 Impact Fee Analysis

- A. **Impact Fee Analysis.** The City has prepared an impact fee analysis for the culinary water, storm water, parks & recreation, and public safety impact fees that identifies the impact upon the individual systems required by the development activity and demonstrates how those impacts on system improvements are reasonably related to the development activity, estimates the proportionate share of the costs of impacts on system improvements that are reasonably related to the development activity and identifies how the impact fees are calculated.
- B. **Proportionate Share Analysis.** As part of the impact fee analysis, the City has prepared a proportionate share analysis analyzing whether or not the proportionate share of the costs of public facilities is reasonably related to the new development activity. The proportionate share analysis identifies the costs of existing public facilities, the manner of financing existing public facilities, the relative extent to which new development will contribute to the cost of existing facilities and the extent to which new development is entitled to a credit for payment towards the costs of new facilities from general taxation or other means apart from user charges in other parts of the City.
- C. **Impact Fee Facilities Plan.** The City has developed an impact fee facilities plan for the City's culinary water, storm water, parks & recreation, and public safety systems. The impact fee facilities plan has been prepared based on reasonable growth assumptions for the service area, and analyzes the general demand characteristics of current and future users of the systems. The Impact fee facilities plan identifies the impact on system improvements created by development activity and estimates the proportionate share of the costs of impacts on system improvements that are reasonably related to new development activity.

3.22.040 Impact Fee Calculations

- A. **Ordinance Enacting Impact Fees.** This chapter sets forth an impact fee schedule in accordance with the impact fee analysis.
 - 1. **Elements.** In calculating the impact fee, the City has included the construction costs; land acquisition costs; costs of improvements; fees for planning, surveying, and engineering services provided for and directly related to the construction of system improvements; and debt service charges if the City might use impact fees as a revenue stream to pay principal and interest on bonds or other obligations to finance the cost of system improvements.
 - 2. **Adjustments.** The standard impact fee may be adjusted at the time the fee is charged to respond to unusual circumstances in specific cases; or a request for a prompt and individualized impact fee review for the development activity of the state, a school district, or a charter school and an offset or credit for a public facility for which an impact fee has been or will be collected; and to ensure that impact fees are imposed fairly.
 - 3. **Adjustment Based on Developer Data.** In calculating the impact fee to be imposed on a particular development, the City may adjust the amount of the impact fee based upon studies and data submitted by the developer.

4. **Previously Incurred Costs.** To the extent that new growth and development will be served by previously constructed improvements, the City's impact fee may include outstanding bond costs related to existing culinary water, storm water, parks & recreation, and public safety improvements. These costs may include all projects included in the impact fee facilities plan or reasonable capital projects plan, as the case may be, which are under construction or completed but have not been utilized to their capacity, as evidenced by outstanding debt obligations.
- B. **Developer Credits.** A credit against impact fees may be required or allowed only in the following circumstances:
1. A developer, including a school district or a charter school, may receive a credit against or proportionate reimbursement of an impact fee if the developer:
 - a. dedicates land for a system improvement;
 - b. builds and dedicates some or all of a system improvement; or
 - c. dedicates a public facility that the City and the developer agree will reduce the need for a system improvement.
 2. A credit against impact fees is required for any dedication of land for, improvement to, or new construction of, any system improvement provided by the developer if the facilities are system improvements, or are dedicated to the public and offset the need for an identified system improvement.
- C. **Impact Fee Accounting.** The City will establish separate interest-bearing ledger accounts for each type of public facility for which an impact fee promulgated in accordance with the requirements of the Act deposited in the appropriate ledger account. Interest earned on each fund or account shall be segregated to that account. Impact fees collected prior to the effective date of this chapter need not meet the requirements of this section.
1. **Reporting.** At the end of each fiscal year, the City shall prepare and transmit a report in accordance with Section 11-36a-601 of the Act..
 2. **Impact Fee Expenditures.** The City may expend impact fees covered by this chapter only for system improvements that are (i) public facilities identified in the City's impact fee facilities plan or reasonable capital projects plan, as the case may be; and (ii) of the specific public facility type for which the fee was collected.
 3. **Time of Expenditure.** Impact fees collected pursuant to the requirements of this chapter are to be expended, dedicated or encumbered for a permissible use within six years of the receipt of those funds by the City, unless the City Council otherwise directs. For purposes of this calculation, the first funds received shall be deemed to be the first funds expended.
 4. **Extension of Time.** The City may hold previously dedicated or unencumbered fees for longer than six years if it identifies in writing (i) an extraordinary and compelling reason

why the fees should be held longer than six years and (ii) an absolute date by which the fees will be expended.

- D. **Refunds.** The City shall refund any impact fees paid by a developer, plus interest actually earned when (i) the developer does not proceed with the development activity and files a written request for a refund; (ii) the fees have not been expended or encumbered; and (iii) no impact has resulted. An impact that would preclude a developer from a refund may include any impact reasonably identified by the City, such as sizing, paying for, or installing facilities based in whole or in part upon the developer’s planned development activity even though the facilities may be utilized in the future by another development.
- E. **Other Impact Fees.** To the extent allowed by law, the City Council may negotiate or otherwise impose impact fees and other fees different from those currently charged. Those charges may, in the discretion of the City Council, include reductions or increases in impact fees, all or part of which may be reimbursed to the developer who installed improvements that service the land to be connected with the City’s system.
- F. **Additional Fees and Costs.** The impact fees authorized hereby are separate from and in addition to user fees and other charges lawfully imposed by the City, and other fees and costs that may not be included as itemized component parts of the Impact Fee Schedule.
- G. **Fees Effective at Time of Payment.** Unless the City is otherwise bound by a contractual requirement, the impact fee shall be determined from the fee schedule in effect at the time of payment in accordance with the provisions of this chapter.
- H. **Imposition of Additional Fee or Refund after Development.** Should any developer undertake a development activity such that the ultimate density or other impact of the development activity is not revealed to the City at the time of application, or the impact fee is not initially charged against all units or the total density within the development, the City shall be entitled to charge an additional impact fee to the developer or other appropriate person covering the density for which an impact fee was not previously paid.

3.22.050 Maximum Allowable Impact Fees Schedule

Culinary Water Impact Fee Schedule

<u>Water Meter Size</u>	<u>Fee</u>
¾"	\$ 5,804
1"	\$ 8,126
1½"	\$ 10,448
2"	\$ 16,833
3"	\$ 63,849
4"	\$ 81,262
6"	\$121,884

Fire Impact Fee Schedule (Ord. 349-12)

	<u>Fee</u>
Combined Residential per Unit/Room	\$ 471

(includes single family, multi-family, and nursing/assisted Living)

	<u>Fee</u>
Non-Residential (per 1,000 sq ft)	
Hotel/Motel	\$ 428
General Commercial	\$ 240
Office	\$ 114
School/Education Centers	\$ 350
Churches/Meeting places	\$ 106
Industrial	\$ 25

Parks and Recreation Impact Fee Schedule (Ord. 351-13)

<u>Development Type</u>	<u>Fee</u>
Single Family Residential	\$ 2096
Multi-Family Residential/unit	\$ 775

Police Impact Fee Schedule

<u>Zone</u>	<u>Unit</u>	<u>Fee</u>
Residential	Dwelling:	\$ 142.52
Non-Residential	Acre/1,000 sq.ft.	\$ 16.06

Roadway Facilities Impact Fee Schedule

<u>Land Use Category</u>	<u>Unit</u>	<u>Fee</u>
Single Family Resident	Dwelling	\$ 2,999.28
Multi-Family Resident	Dwelling	\$ 2,099.50
Commercial (C-G, C-H)	1,000 sq.ft. bldg space	\$ 899.79
Neighborhood Commercial (C-N)	1,000 sq.ft. bldg space	\$ 1,079.75
Industrial (L-I, I-G)	1,000 sq.ft. bldg space	\$ 1,049.75

Storm Water Drainage Impact Fee Schedule

<u>Units</u>	<u>Lot Size (sq.ft.)</u>	<u>Fee</u>
Rural Density	40,000	\$ 2,120.02
Low Density	20,000	\$ 1,325.01
Medium Density	10,000	\$ 1,007.01
Commercial (C-G, C-H, C-N)	per 1,000	\$ 225.25
Industrial (I-G, L-I)	per 1,000	\$ 190.80

3.22.060 Impact Fee Exemptions and Adjustments

- A. **Waiver for “Public Purpose”.** The City Council may authorize, on a project-by-project basis and subject to the Act, exemptions or adjustments to the impact fee rate structure for development activity the City Council determines to be of such benefit to the community as a whole to justify the exemption or adjustment. Such development activity may be attributable to tax-supported agencies, low income housing, or facilities of a temporary nature.

- B. **Procedure.** Applications for exemptions or adjustments are to be filed with the City at the time the applicant first requests the extension of service to the applicant's development or property.

3.22.070 Appeal Procedure

- A. **Application.** The appeal procedure provided in this chapter is subject to any contrary requirements of the Act, and applies to challenges to the legality of impact fees and to the interpretation or application of those fees. By way of illustration, in addition to the legality of the impact fee schedule, calculation of the amount of the impact fee due will also be subject to this appeal procedure.
- B. **Declaratory Judgment Action.** Any person or entity residing in or owning property within the City and any organization, association or corporation representing the interests of persons or entities owning property within the City may file a declaratory judgment action challenging the validity of an impact fee.
- C. **Request for Information Concerning the Fee.** Any person or entity required to pay an impact fee may file a written request for information concerning the fee with the City. The City will provide the person with the impact fee analysis, the impact fee facilities plan, and any other relevant information relating to the impact fee within two (2) weeks after receipt of the request for information.
- D. **Challenge after Payment of the Impact Fee.** Any person or entity that has paid an impact fee may challenge the fee by filing:
 - 1. An appeal to the City Council as provided in this section;
 - 2. A request for arbitration as provided in Section 11-36a-705 of the Act; or
 - 3. An action in district court as allowed by applicable law.
- E. **Appeal to the City Council.** Subject to the provisions of the Act, any person or entity that has paid an impact fee imposed by the City may challenge whether the City complied with the notice requirements or other procedural requirements of the Act for imposing the impact fee, or may challenge the impact fee, by filing a written notice of appeal within thirty (30) days after the person or entity pays the impact fee.
 - 1. **Hearing.** The City Council will hold an informal hearing not sooner than five (5) nor more than twenty-five (25) days after the notice of appeal is filed.
 - 2. **Decision.** After the conclusion of the informal hearing, the City Council, by majority vote, shall affirm, reverse, or take other action with respect to the challenge as the City Council deems to be appropriate in light of the City's policies and procedures and any applicable law, rule or regulation. The decision of the City Council will be issued within thirty (30) days after the date the notice of appeal was filed. In light of this time restriction, the City shall not be required to provide more than three (3) working days' prior notice of the time, date and location of the informal hearing, and the

inconvenience of the hearing to the challenging party shall not serve as a basis of appeal of the City's final determination.

- F. **Denial Due to Passage of Time.** Should the City, for any reason, fail to issue a final decision on a written challenge to an impact fee, its calculation or application, within thirty (30) days after the filing of that challenge with the City, the challenge shall be deemed to have been denied and any affected party to the proceedings may seek appropriate judicial relief from such denial.
- G. **Judicial Review.** Any party to the administrative action who is adversely affected by the City's final decision may file an action in district court as allowed by applicable law.

3.22.080 Miscellaneous

- A. **Severability.** The provisions of this chapter are severable, and the invalidity or unenforceability of any provision shall not affect the remaining provisions, which shall remain in full force and effect.
- B. **Effective Date.** Except as otherwise specifically provided herein, this chapter shall not repeal, modify or affect any impact fee of the City in existence as of the effective date of this ordinance. All impact fees established, including amendments and modifications to previously existing impact fees, after the effective date of this chapter shall comply with the requirements of this chapter.

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

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Recorder
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Date

Mayor Paul Cutler and City Council
Centerville City
250 N. Main Street
Centerville, UT 84014

RE: West Centerville Neighborhood Plan

Dear Mayor Cutler and Council Members:

We understand that Centerville is in the process of contemplating a transition from industrial uses to new transit-oriented housing and commercial uses for the area east of Legacy Parkway and south of Parrish Lane. West Bountiful City and its residents have a strong interest in the outcome of this planning process, and we wish to extend our sincere thanks for the invitations and involvement we have had to this point.

We well know that any type of development brings with it issues, challenges, and potential concerns. We have had multiple residents communicate to us their concerns about the planned development and ask us to represent them in communicating with our counterparts at Centerville City those concerns with the hope of working toward solutions to mitigate potential negative impacts from development.

To continue to build on our strong relationship, cooperate with your planning process, and find solutions that will work well for both of our communities, we respectfully wish to put forward the following observation and invitation:

- West Bountiful City residents are highly concerned with the potential impact on the quality-of-life if the level of high-density housing is greatly expanded in the West Centerville Neighborhood. Potential negative impacts focus on issues of increased vehicular traffic and parking, strains on community services (police, parks, schools), and changes in the feel and comfort of quiet neighborhoods.

- At the appropriate time, we respectfully request to have our Planning Commission participate in a joint meeting with the Centerville City Planning Commission and to have a joint meeting between our city councils. The purpose of these meetings would be to help make everyone aware of potential concerns and work jointly towards solutions.

Again, let us emphasize our respect for your processes and rights in land use development and offer our thanks for West Bountiful's inclusion to this point in the West Centerville Neighborhood Plan. We believe that our communities share strong ties and interests in making our corner of Davis County the wonderful place that it is for families and businesses. We look forward to our continued strong relationship.

Sincerely

Mayor Ken Romney and the West Bountiful City Council

10-23-14 draft

MEMORANDUM



TO: Mayor and Council

DATE: 10-30-14

FROM: Duane Huffman, City Administrator

RE: Personnel Policy Re-Draft

This memo introduces a new draft of the West Bountiful City Personnel Policy. Rather than editing the current policy, staff undertook a complete re-draft. This memo is divided into two sections: Goals of the Redraft, and Explanation of Proposed Changes.

Due to the size and the scope of the policy, I recommend that the review process begin with a general discussion that outlines areas where the Council would like more information and/or discussion.

Goals of the Re-Draft

The current personnel policy is outdated, cumbersome, and generally ineffective. In undertaking the re-draft, staff worked toward the following primary goals:

- a) Update policies as needed to comply with Federal, State, and City laws.
- b) Significantly reduce the length of the overall policy by simplifying sections as needed and removing overly complicated or unneeded portions.
- c) Organize the policy such that supervisors and employees can easily and intuitively reference it.
- d) Add or amend sections to assist with the overall management of personnel.

Table of Changes

In general, I recommend reading and analyzing the new draft on its own merits. However, I also recognize that there is interest in understanding how the new draft differs from what is currently in place. The following table attempts to itemize proposed edits/changes by reviewing items as they appear in order of the current policy.

Current Policy	Proposed Re-Draft	Differences
Preface, pages 2-3	General Policy/Disclaimer, page 1	Shortened and updated
Section I: Equal Employment, Page 4	Section 2-1, page 2	Shortened and updated
Section II: Protection From Contractor, page 5	Removed	More appropriate for a procurement policy than personnel
Section III: Employee Hiring, pages 5-12	Section 2, pages 2-3	<ul style="list-style-type: none"> - Detailed recruitment, selection, and placement portions removed - Requires City Administrator (CA) to ensure adequate notice and fair and reasonable selection process (flexibility) - Mayor/Council hire all department heads, CA and Police Chief hire all other positions (within budget) - Adds required Veterans preference policy - Volunteer section removed
Sections IV & V: Alcohol/Drugs, pages 12-22	Section 9, pages 18-22	<ul style="list-style-type: none"> - Clarifies that no employee may have a detectable amount of alcohol or illegal drugs or be impaired by medication while at work or while on-call. - Clarifies that all new hires will be drug tested (current practice). - Changes the definitions of “Safety Sensitive Positions” (those subject to random testing) to now include law enforcement, and all public works, parks, and golf course maintenance positions – those that drive frequently or operate equipment. - Clarifies and updates drug testing protocols.
Section VI: Sexual/Gender Harassment, pages 23-27	Section 7, pages 16-18	General updates and clarifications
Section VII: Employee Conduct, pages 28-34	Sections 10-12, pages 20-24	<ul style="list-style-type: none"> - Removed portions on “Professionalism”, “Personal Contacts”, “Telephone Contacts”, “Correspondence”, “Press Relations”, “Attendance”, “Appearance”, “Outside Activities”, “Purchasing”, and “Credit Cards.” - New ethics section (Section 12-2) covers privileged information, confidentiality, and gifts.

		<ul style="list-style-type: none"> - Smoking portion (Section 10) updated to include all tobacco products. - New ethics section also details disclosure requirements and clarifies what constitute improper gifts, including meals and golf from vendors. - Updated Secondary Employment – may no longer have two separate jobs for the city. - Updated Electronic Devices and Political Activities policies. - New policies on personal electronic devices and personal social media participation (12-4). - New Driver Qualification policy (12-1). - New Workplace Violence policy (Section 11)
Section VIII: Disciplinary Action, pages 35-42	Section 13, pages 28-30	<ul style="list-style-type: none"> - Clarifies and updates types of disciplinary procedures. - City Council disciplines department heads - CA disciplines other employees - Appeals (dismissal, demotion with less pay, and suspension for more than 2 days) go to Hearing Officer (Administrative Law Judge) rather than appeal board made up of other employees and council members. - Updated causes for discipline found in Employee Conduct Section 12-5
Section IX: Grievance Procedures, pages 42-44	Section 14, pages 30-31	<ul style="list-style-type: none"> - Simplifies general grievance policy
Section X: Termination of Employment, pages 45-49	Section 6, pages 14-16	<ul style="list-style-type: none"> - Simplifications and general updates
Section XI: Record Keeping, pages 50-53	Removed	<ul style="list-style-type: none"> - No need to have this type of information in a general manual for all employees
Section XII: Performance Evaluations, pages 52-57	Section 2-4, page 3	<ul style="list-style-type: none"> - While the city has improved conduction performance evaluations over the last year, there is a history of ignoring this section. The proposed draft replaces the details with the sentence requiring the CA to develop and implement a performance evaluation system that provides an objective measurement of job

		performance.
Section XIII: Employment Classifications/Compensation, pages 58-63	Section 1, pages 1-2 and Section 3, pages 3-6	<ul style="list-style-type: none"> - Clarifies employee classifications. - Lists employees to be appointed by Mayor/Council - Updates legal definition of part-time - Requires Direct Deposit - Updates work week to better correlate with police schedules - Lists employees exempt from FLSA Overtime - Caps department head overtime at 80 hours - Updates and clarifies FLSA comp time policies - Adds section on Emergency Call Out pay/comp time - Holiday Pay deleted and moved to section on Holiday Leave (5-2) - Holiday Leave added for full-time golf course employees
Section XIV: Salary Planning, pages 64-67	Removed	- This policy has only been adhered to off and on by the City over the years. Deleting it will provide more flexibility as we continue to ponder long-term solutions.
Section XV: Payroll Administration, pages 68-69	Removed	- The City has not followed this section in relation to public safety officers and everything else is covered more simply throughout the compensation/benefits sections of the new draft.
Section XVI: Reimbursable Expenses, pages 70-71	Removed	- This material belongs in a travel/purchasing policy
Section XVII: Benefits, pages 72-76	Section 4, pages 6-9	<ul style="list-style-type: none"> - Workers Comp use and administration updated - General updates related to other insurance coverage - Clarifies specific employees may be exempted from URS participation - Replaces employee golf policy with statement that Council will set spate policy from time to time - Removes ignored continuing education section (still working on replacement)
Section XVIII: FMLA, pages 77-78	Section 5-10, pages 13-14	- Updates and more explanation on use

Section XIX: Leaves of Absence (very poetic), pages 79-86	Section 5, pages 9-14	<ul style="list-style-type: none"> - Abandonment of position changed from 3 days to 1 (Section 6-5) - Annual leave in excess of 240 hours forfeited on Feb 28 instead of whenever cap is exceeded - Maternity Leave section removed – covered under FLMA - LTD Bridge Leave section removed – unneeded in policy - Military Leave updated to no longer have the city cover the difference in pay during required National Guard training (employee can use annual leave or comp time) - Administrative Leave policy updated - Leave with pay that is not FMLA to be covered in general by Mayoral approval
Section XX: General Safety, pages 87-88	Removed	Basic safety standards unneeded in personnel policy, may be in departmental policies
Section XXI: Utah OSHA, pages 89-90	Removed	Unneeded in personnel policy, some portions may be appropriate in departmental policies
Section XXII: Confined Space Entry, page 90	Removed	Unneeded in personnel policy, may be appropriate in departmental policies
Section XXIII: Disaster Response Planning, pages 91-94	Removed	Unneeded in personnel policy. City should have a separate Emergency Response Plan
NEW	Section 8: Prohibition Against Harassment/Discrimination	New policy to prohibit harassment/discrimination against protected classes

**West Bountiful City
Planning Commission**

October 14, 2014

Posting of Agenda - The agenda for this meeting was posted on the State of Utah Public Notice website and the West Bountiful City website, and sent to Clipper Publishing Company on October 9, 2014 per state statutory requirement.

Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday, October 14, 2014, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance:

MEMBERS PRESENT: Chairman Denis Hopkinson, Terry Turner, Alan Malan, Mike Cottle, Laura Charchenko, and Corey Sweat-alternate.

MEMBERS/STAFF EXCUSED: Kelly Enquist (City Council)

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

VISITORS:

The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Hopkinson. Mike Cottle offered a prayer.

I. Accept Agenda

Chairman Hopkinson reviewed the agenda. Laura Charchenko moved to accept the agenda as discussed. Alan Malan seconded the motion. Voting was unanimous in favor.

Business Discussed:

II. Training Video- Elected Official/Land Use Webinar: The Role of Planning Commission

Changes were made to the training session, The Elected Official/Land Use Webinar: The Role of Planning Commission. In its stead, Ben White gave an interesting presentation to the Planning Commission. He presented various cases from the State Website/Property Ombudsman. Cases presented were similar to some things that could happen in our city. He noted it is important to take care in choosing the things we put into place. He stated that we sometimes live with the things we choose for a long time. Mr. White shared cases of grandfathering examples, of illegal rezoning, appropriate appealing time periods, imposing standards beyond what is set in our code,

conditional use permits that run with the land and expire upon sale of the land, misinformation in preliminary plans and appeal process case. Chairman Hopkinson would like Mr. White to continue to bring those types of cases to the Commission on a regular basis to keep them up to speed on instances that could/do occur in our city.

III. Discussion of General Plan Proposed Update Process.

Chairman Hopkinson introduced this item regarding our Cities General Plan and the need to review and keep it updated. He explained the process that it takes to collect ideas from the citizens and neighborhoods in order to get their ideas on what the city should look like 5 to 10 years from now. It takes several years to compile information enough to put the General Plan into material form by professionals to have it approved. The process is directed by professional planners working with a committee of citizens, elected/appointed officials and staff to compile their desires for our General Plan.

Chairman Hopkinson informed the Commission that there is pressure coming forth to change things from a bedroom community to a more urbanized community. While some changes need to be made it is important that we set the plan to reflect the desires of our community in order to give direction to our city staff as developers come forth presenting their plans for development.

It will be the Planning Commission's opportunity in the near future to review the current General Plan to update it. There will be meetings and work sessions involved, public input and citizen surveying, etc. He assigned the Commission to read through the General Plan found on the City website and become familiar with it so they can be prepared to bring their comments and suggestions.

Ben White inquired how the Commission desired to proceed and how much they desired to do before bringing the professional in for help and guidance. Mr. White noted that currently, there has not been a budget set aside for this expenditure, but we can look into getting one.

Ben will get CD's or paper copies for their review if they so desire. He noted that he needs to keep track of any paper copies that are borrowed. He informed them that there is a copy of the General Plan on City Website but it may be better to use the CD. Mr. White will also include a copy of the city ordinance so they can use it for reference.

Chairman Hopkinson informed the Commission that the Mayor desires some ordinances to be reviewed and updated in the times that do not have a lot of business items on the agenda.

IV. Staff Report

- Ben White informed the Commission regarding developing around the Equestrian Center and their desire to do some rezoning. There is a push for higher density in that area.
- Burger King and Wingers have been vacant. Wingers will be razed and another 6,000 square foot building in its place; and the same for the Burger King building. He is not sure of what type of businesses will be in those buildings.
- I-15 overpasses will be closed late February, first of March for 90 days.
- Mr. White reported that the 500 South water line is being worked on. He warned all to avoid that area in the early morning.

- Cathy Brightwell reported that the new finance clerk, Patrice Twitchell is working out great. She had the opportunity to work with Heidi last Friday, and she seems to love what she is doing and has caught on quickly.
- Ms. Brightwell reported that Safe Halloween will be on Friday, October 31st at 5:00 p.m. sponsored by the Youth Council and Police Department.

V. Approval of Minutes of August 12, 2014.

ACTION TAKEN:

Laura Charchenko moved to approve of the minutes dated August 12, 2014 as presented. Alan Malan seconded the motion and voting was unanimous in favor among those members present.

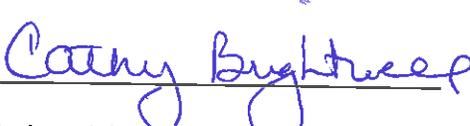
VI. Adjournment

ACTION TAKEN:

Alan Malan moved to adjourn the regular session of the Planning Commission meeting. Mike Cottle seconded the motion. Voting was unanimous in favor. The meeting adjourned at 8:27 pm.

.....

The foregoing was approved by the West Bountiful City Planning Commission on October 28, 2014, by unanimous vote of all members present.


Cathy Brightwell – City Recorder



1 **West Bountiful City** **PENDING** **October 28, 2014**
2 **Planning Commission**

3 **Posting of Agenda** - The agenda for this meeting was posted on the State of Utah Public Notice
4 website and the West Bountiful City website, and sent to Clipper Publishing Company on
5 October 24, 2014 per state statutory requirement.

6 **Minutes of the Planning Commission meeting of West Bountiful City held on Tuesday,**
7 **October 28, 2014, at West Bountiful City Hall, Davis County, Utah.**

8

9 **Those in Attendance:**

10

11 **MEMBERS PRESENT:** Chairman Denis Hopkinson, Terry
12 Turner, Alan Malan, Laura Charchenko, and Corey Sweat-alternate

13

14 **MEMBERS/STAFF EXCUSED:** Mike Cottle, Kelly Enquist
15 (City Council)

16

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

19

20 **VISITORS:** Mark Preece (City Council), Eric Eastman

21 The Planning Commission Meeting was called to order at 7:30 p.m. by Chairman Hopkinson.
22 Chairman Hopkinson offered a prayer.

23 **I. Accept Agenda**

24 Chairman Hopkinson reviewed the agenda. Terry Turner moved to accept the agenda as
25 discussed. Alan Malan seconded the motion. Voting was unanimous in favor.

26 **Business Discussed:**

27 **II. Discussion of West Centerville Neighborhood Plan- Councilmember Preece**

28 Included in the Commissioner's packet was a memorandum dated October 23, 2014 from Cathy
29 Brightwell/Ben White regarding West Centerville Neighborhood Plan along with a draft copy of
30 a letter that will be sent to Mayor Paul Cutler and Centerville City Council from West Bountiful
31 Mayor and City Council and a copy of a flyer from Centerville City regarding information about
32 the development and advertising an open house that has since passed. The packet also included a
33 three page handout with attached site plan of the proposed area from Centerville City with

34 information from a Strategic Property Owners Meeting held on October 16, 2014 and a report
35 from a survey taken regarding the development.

36 The memorandum included the following information:

- 37 • Centerville began considering a General Plan amendment last May that consists of mixed
38 development including office, retail, gas/convenience stores and multi-family dwellings.
39 This development is located in West Centerville (east of Legacy Parkway and south of
40 Parrish Lane).
- 41 • The project is implementing a Transit Oriented Development area that would include a
42 future transit stop for the Frontrunner.
- 43 • Several proposals are being considered, however one such proposal would consist of high
44 density residential development for up to 7000 residents.
- 45 • This project has a huge impact on West Bountiful.
- 46 • Some West Bountiful citizens have become greatly involved.
- 47 • Two meetings have been set regarding this issue: Wednesday, November 12- Public
48 Hearing at the Planning Commission level; Wednesday, November 19- Special Planning
49 Commission Meeting and Public Hearing
- 50 • West Bountiful Mayor and Council will send a letter to Centerville Mayor and Council
51 asking for a meeting that would help our two cities work jointly toward a solution for this
52 project.

53 Chairman Hopkinson invited Councilmember Preece to give us an update and information
54 regarding the West Centerville proposed development which is proposing high density housing
55 for upwards of 7000 people. Mr. Hopkinson invited the Commissioner's to look at a site plan
56 regarding the development and where our city boundaries intersect. Mr. White noted that the
57 rear yards of the properties on 2350 North are in West Bountiful and the Landscaping Business
58 to the north begins the boundary of Centerville City.

59 Chairman Hopkinson explained that the existing complex of housing is nowhere near the density
60 that this new project would have. Storage Units would be removed in order to create
61 development. This is not planned to be a low income housing development.

62 Councilmember Preece informed the Commission that some of these apartments would have 3
63 bedrooms with 2 parking stalls per unit, unlike the apartment complex by the movie theatres that
64 only allow one parking space per unit. Mr. Preece explained how the development came to the
65 table. He stated that in their current Master Plan this type of housing was not planned. The drive
66 for this type of development comes from Centerville planners wanting a Frontrunner Station in
67 this area. In order to qualify for that station there has to be enough housing in the area to make
68 for the demand. Councilmember Preece referred to a graph that shows how the development
69 would benefit the city. He noted that Centerville could potentially increase their population by
70 40%.

71 UTA was represented at the open house that Centerville held. Mr. Preece was told by UTA that
72 this area would not qualify for a stop for several reasons. He stated that even with 7000 people
73 they would still not consider a stop at this location.

74 Mr. Preece reported that one of the proposals is for mixed use and the business side of the plan
75 could bring another 4,000 people to the area commuting back and forth from work. This is a
76 huge impact on our city.

77 Mr. Preece reported that Centerville does not seem interested in including us in the planning
78 stages at all. He does not have much hope that they will listen to our concerns. The letter
79 drafted from our Mayor and Council will be reviewed on Tuesday night and then sent to
80 Centerville in hopes that they will desire to meet with us and include us in the planning process.

81 Some discussion took place regarding some of the West Bountiful properties abutting
82 Centerville. Councilmember Preece stated that many West Bountiful residents are upset over
83 this proposed development.

84 Chairman Hopkinson stated that we can raise impact issues of safety, health and welfare that
85 affect our community, and the impact development will have on our school and parks. He
86 referred to some of the other communities that have had great impact on cities in a negative way
87 because of their large development.

88 Councilmember Preece stated that a lot of West Bountiful citizens have sent passionate letters
89 regarding their negative feelings about this large of a development. Chairman Hopkinson
90 encouraged everyone to support the public hearing meetings that are being held.

91

92 **III. Discussion of General Plan Proposed Update Process.**

93 Chairman Hopkinson asked staff for their update regarding this process. Ben White reminded
94 that the real focus for the General Plan is on land use and everything else falls into place from
95 there. Mr. Hopkinson would like to develop a recommended timetable for the City Council to
96 consider.

97 Each Commissioner received a CD of the General Plan last week. Mr. Hopkinson asked the
98 Commission how they felt as they have reviewed the General Plan:

- 99 • **Corey Sweat** has begun reading through the Master Plan but would like to review it at
100 least a couple of times before he states his opinion.
- 101 • **Terry Turner** hopes that the process includes a macro prospective. He needs to further
102 study it to make sure of what changes he would suggest.
- 103 • **Laura Charchenko** has read through the General Plan and would like to know if it is
104 necessary to rework the plan or do we just need to tweak it a bit. She is in awe of how
105 much time and effort it must have taken to develop such a document.
- 106 • **Alan Malan** wants to see the Blended Use Zone language put into the General Plan. He
107 pointed out that we should get a mission statement and possibly update the theme of the
108 current General Plan.
- 109 • **Chairman Hopkinson** suggested that maybe we just need to do some tweaking including
110 the addition of the Blended Use zone that has been added since the last updated General

111 Plan. He encouraged the Commission to continue to study the General Plan and see what
112 direction they would like to take this.

113

114 **IV. Land Use Case Review – Ben White**

115 Mr. White shared two legal cases on Referendums; Legislative versus Administrative decisions.
116 He gave examples of the Public overturning decisions made by the legislative body by vote of
117 ballot. Referendums have a place in the system but can be dangerous when people are using
118 emotions and lack of knowledge to override a decision.

119

120 **V. Staff Report**

- 121 • **Cathy Brightwell** informed the Commission that the next scheduled meeting will be
122 November 25th since t November 11th is a scheduled holiday.
- 123 • **Chairman Hopkinson** asked Ben White to look into all the signage that has been put up
124 in the north Commons area. He noted that it has become excessive.

125 **VI. Approval of Minutes of August 12, 2014.**

126

127 **ACTION TAKEN:**

128 **Laura Charchenko moved to approve of the minutes dated October 14, 2014 as presented.**
129 **Alan Malan seconded the motion and voting was unanimous in favor among those**
130 **members present.**

131

132 **VI. Adjournment**

133

134 **ACTION TAKEN:**

135 **Alan Malan moved to adjourn the regular session of the Planning Commission meeting.**
136 **Laura Charchenko seconded the motion. Voting was unanimous in favor. The meeting**
137 **adjourned at 8:28 pm.**

138

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141 The foregoing was approved by the West Bountiful City Planning Commission on October 28, 2014, by
142 unanimous vote of all members present.

143

144 _____

145 Cathy Brightwell – City Recorder

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147

1 Minutes of the West Bountiful City Council meeting held on **Tuesday, October 7, 2014** at West
2 Bountiful City Hall, 550 N 800 West, Davis County, Utah.

3
4 Those in attendance:

5
6 **MEMBERS:** Mayor Kenneth Romney, Council members James Bruhn, Kelly Enquist,
7 Debbie McKean, Mark Preece

8
9 **EXCUSED:** Council member James Ahlstrom

10
11 **STAFF:** Duane Huffman (City Administrator), Steve Doxey (City Attorney), Ben White
12 (City Engineer), Todd Hixson (Police Chief), Cathy Brightwell (City Recorder), Steve
13 Maughan (Public Works Director), Patrice Twitchell (Finance Clerk)

14
15 **VISITORS:** Alan Malan, Chuck Allison, Gene Mietchen

16
17
18 Mayor Romney called the meeting to order at 7:30 pm. Kelly Enquist offered a prayer, and the
19 Pledge of Allegiance was led by Debbie McKean.

20
21 **1. Accept Agenda**

22
23 **MOTION:** *Debbie McKean moved to approve the agenda. James Bruhn seconded*
24 *the Motion which PASSED by unanimous vote of all members present.*

25
26 Mayor Romney announced that Council member James Ahlstrom is ill and will not be attending this
27 evening's meeting. Duane introduced Patrice Twitchell, the City's new finance clerk.

28
29 **2. Public Comment**

30
31 No comment

32
33 **3. Consider Public Improvement Reimbursement Agreement with the Horrocks at 997 W**
34 **1600 North.**

35 Duane Huffman summarized discussion from previous meetings regarding filling in gaps in
36 public improvements, specifically, curb, gutter and sidewalk, around the city. Staff was instructed at
37 the last meeting to prepare a Reimbursement Agreement for the Horrocks' whereby the City will
38 initially cover the cost of installing the improvements in front of their home at 997 W 1600 North,
39 and the Horrocks will reimburse the City over a period of 5 years at 0% interest. Any similar
40 reimbursement arrangements will be on a case by case basis, but the specific issues on this property
41 give cause for entering into an Agreement.

42 Steve Doxey explained this does not give the City secured status in bankruptcy, etc. He said
43 if that were to happen we would do what we could to get the money owed. Mr. Doxey added that
44 the Agreement will be recorded against the property and although it is not a lien, it will be "due on

45 sale” so the City will be paid if the property is transferred or sold before the debt is paid in full. He
46 suggests adding a new section 6.f. to include a joint/severable clause to deal with multiple owners.

47 Duane clarified that the Horrocks will be responsible for 100% of the curb and gutter
48 construction costs, and the city will cover the asphalt patch and storm drain costs. There was
49 discussion about the drainage issues on the property and whether the improvements would fix the
50 problem. Ben White explained the curbing and additional storm drains catch basins will help with
51 drainage.

52 Council member McKean stated these residents did not create the problem, the development
53 around them did, but she does not like lending taxpayer money so she cannot support the Agreement.

54
55 **MOTION:** *Mark Preece moved to approve the Public Reimbursement agreement*
56 *with the Horrocks at 997 W 1600 North, adding a new 6.f. as drafted by*
57 *Steve Doxey. Kelly Enquist seconded the Motion which PASSED by a*
58 *vote of 3-1.*

59
60 The vote was recorded as follows:

61 James Ahlstrom – Absent
62 James Bruhn – Aye
63 Kelly Enquist – Aye
64 Debbie McKean – Nay
65 Mark Preece – Aye
66

67 **4. Discussion on asphalt/sidewalk options related to a potential Special Assessment Area**
68 **for the Jessi’s Meadow Subdivision.**

69 Duane Huffman reviewed previous discussions when the City considered the creation of a
70 special assessment for the Jessi’s Meadow subdivision to cover the responsibilities of the current
71 Homeowner’s Association, including the option of replacing the current asphalt path with sidewalk,
72 relieving the HOA/residents of the on-going responsibility to maintain the path. The estimated cost
73 was approximately \$300,000, but it has become apparent that because the amount is relatively small,
74 the City will not be able to obtain external financing at reasonable rates/terms. Instead of a 20-25
75 year term, banks are only willing to go 10 years resulting in costs residents cannot bear.

76 Duane offered three options for consideration. Option 1 - internally finance the costs of the
77 new sidewalk; Option 2 – instead of replacing asphalt, maintain the existing path, spreading the costs
78 out over time; and Option 3 – re-evaluate the concept of creating a special assessment area. If the
79 HOA dissolves, each homeowner would be responsible to maintain the path on their property.
80

81 The Council asked staff for estimates on how much work the asphalt path needs immediately
82 and the costs associated with that work. Ben White estimated that the trail probably needs \$4K-\$5K
83 worth of work now.

84 Mayor Romney stated that he understood that long-term maintenance of the path will be
85 problematic, but that is probably the only workable solution at this point. Council member Bruhn
86 stated that he would like to see the path kept in place while we ultimately work towards replacing it
87 with the sidewalk. Council member Preece suggested that perhaps the sections in poorest condition
88 could be replaced with sidewalk while the rest of the path remains asphalt.

89
90 HOA representatives, Gene Mietchen and Chuck Allison think residents will be accepting to
91 the proposal of shifting back to maintaining the asphalt.

92 The consensus was to move forward with a modified version of option B, planning for
93 maintenance of the asphalt path but replacing sections with sidewalk as needed and when possible.
94 Duane reviewed the public notice requirements including timeframes for a public hearing, with a
95 goal of having something in place in early 2015.

96 **5. Consider purchase of 2012 Ford Explorer for \$12,000.00.**

97 Chief Hixson explained his request to purchase a 2012 Ford Explorer that is currently leased
98 by the City, which has low mileage and is in good condition. As part of the \$12,000 purchase, a
99 City-owned 2008 Ford Explorer in the spare vehicle fleet will be traded-in. It is aging and should no
100 longer be in service. Trade in value is estimated at \$6,500. The difference will be paid from the police
101 department's current budget, most of which is coming from savings in the costs of this year's new
102 vehicle leases and fuel reimbursements from the officers.

103

104 **MOTION:** *Mark Preece moved to approve the purchase of the 2012 Ford Explorer*
105 *for \$12,000. James Bruhn seconded the Motion which PASSED by*
106 *unanimous roll call vote of all members present.*

107 The vote was recorded as follows:

108 James Ahlstrom – Absent

109 James Bruhn – Aye

110 Kelly Enquist – Aye

111 Debbie McKean – Aye

112 Mark Preece – Aye

113

114 **6. Consider adoption of Resolution 351-14 “A Resolution Amending the West Bountiful**
115 **City Personnel Policy to Add a Driver Qualification Policy.”**

116 Duane Huffman explained that the City's vehicle and liability insurer (Utah Local
117 Government Trust) recommends that cities adopt a policy that allows the screening of employees'
118 motor vehicle records on an on-going basis, and based on the results, prohibiting individuals that
119 present undue risk from driving while on city business. The adoption and implementation of such a
120 policy is required to receive a 5% rebate on our premium through their Trust Accountability
121 Program.

122 In response to questions, Duane clarified that the policy applies to all employees who drive in
123 city vehicles or personal vehicles on city business, and includes on and off-duty driving records. He
124 added that this policy is not meant to target any existing employee.

125 He recommends the review period in the initial proposal be changed from 2 years to 18
126 months because it seems more appropriate for our staff size.

127
128 **MOTION:** *Debbie McKean moved to adopt Resolution #351-14 amending the West*
129 *Bountiful City Personnel Policy to add a Driver Qualification Policy*
130 *changing the review term from 2 years to 18 months. James Bruhn*
131 *seconded the Motion which PASSED by unanimous roll call vote of all*
132 *members present.*

133 The vote was recorded as follows:

134 James Ahlstrom – Absent
135 James Bruhn – Aye
136 Kelly Enquist – Aye
137 Debbie McKean – Aye
138 Mark Preece – Aye
139

140 7. Public Works Report

141 Steve Maughan provided a brief summary of Public Works activities.

- 142 • The 500 South water line is back under construction now that our water connection
143 with Bountiful is up. Blake is working nights to keep an eye on construction. Both
144 water tanks are full. The City well was restarted. Samples are clean, so it was turned
145 into the system today in anticipation of turning down our Weber Basin feed so we
146 will just be running through the Bountiful connection.
- 147 • Jake Taylor is exercising hydrants and putting on new valve boxes; he has done about
148 200 so far.
- 149 • The Chase subdivision on Pages Lane finally got their paving patchwork done.
- 150 • 800 West – We weren't happy with the paving work on the north end, so we required
151 the contractor to fix it. It is much better than it was. Inspection of the road shows
152 they gave us more asphalt than designed so it may last longer. They should be
153 finished this week then they will perform a seal coat.
- 154 • Curb and gutter is scheduled for Olsen Ranches tomorrow. The first lift of asphalt
155 will be placed this fall but they may need to wait until spring for the final.
- 156 • Snow plow trucks are being prepped for winter. We got a new plow blade for the 1
157 ton which puts us in better shape for cul-de-sacs, plus having an extra employee will
158 help us cover winter better. So far, we do not have a contractor this year to help us
159 with cul-de-sacs; it is tough to contract with someone when we don't know how much
160 snow we'll have.
- 161 • Alice Acres – The contractor has told us he's finished so we will get with the
162 developer to get the sidewalks put back together now that the water services are
163 complete. Ben added that the subdivision plat has still not been recorded.
- 164 • Birnam Woods – The rain stopped us from grading and we'll try to get a bulldozer
165 from M.C. Green now that the area is drying out.

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8. Administrative Report

Duane Huffman reported that our Audit is scheduled for the week of October 27.

He also said the Utah Local Government Trust had a representative here last Friday morning conducting a safety inspection of all our facilities including the trail, parks, golf course, and city buildings. There were no significant issues. Once he receives their report he will share it with everyone. He commended department heads for keeping their areas in good shape.

Patrice Twitchell is doing well, and Heidi Voordeckers will be here Friday to help with training.

9. Mayor/Council Reports

Kelly Enquist said he received a question about bike races/marathons and our level of liability when they use volunteers. Chief Hixson said race organizers sometimes call us to let us know their plans, but we have no approval process – everyone acts at their own risk. Duane gave an example of the recent WB Elementary school race and said when they called for permission we asked them for a copy of their certificate of insurance and asked them to add us as an additional insured, which is similar to what UDOT requires. If we're concerned, we could set up a policy with detailed requirements. Kelly asked if we should require their volunteers to be certified and a minimum age to help with traffic. Mayor Romney shared some examples of recent accidents. Duane commented that from a liability standpoint, we either want no involvement or a lot of involvement. Currently we are taking a position that they are on their own. Concerns with traffic issues are different than liability issues, and bike riders are a little different than runners/walkers.

Debbie McKean. Arts Council will present Cowboy poetry this Friday which is always very good. She said Nathan Sutherland would like to be appointed to the Arts Council. She attended Utah Mosquito Abatement Assn board training today.

James Bruhn said he got a question from a resident asking if road repairs are approved based on who lives on that road. He said he assured them decisions are made based on the need of the road and condition of water lines.

Mark Preece reported on the West Centerville neighborhood meeting and said West Bountiful had the majority of attendees at the open house. Several West Bountiful residents have been writing letters complaining about the proposal for high density residential development. He suggested the Council write a letter to Centerville addressing the comments. Duane Huffman agreed to draft a letter. Duane suggested a joint Council meeting might be helpful. The last Neighborhood meeting is scheduled for Thursday, October 14.

Youth Council is meeting this Thursday and they are making plans for their annual Safe Halloween event.

Mayor Romney. We need to follow-up with Holly on the status of the berm.

10. Approval of Minutes from the September 10, 2014 and September 16, 2014 City Council Meetings.

