

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 COUNCIL MEETING

THE WEST BOUNTIFUL CITY COUNCIL WILL HOLD A REGULAR MEETING AT 7:30 PM, ON TUESDAY, SEPTEMBER 20, 2016, AT THE CITY HALL, 550 N 800 WEST

6:15 pm Work session (beginning at Lakeside Golf Course)
Tour of Prospector Trail

7:30 pm Regular Meeting

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

1. Accept Agenda.
2. Swearing in of 2016-2017 West Bountiful Youth City Council.
3. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).
4. Consider Request for Code Interpretation by Mr. and Mrs. Price for Home Addition at 1163 N 725 W.
5. Consider Variance Request (if needed) by Mr. and Mrs. Price for Home Addition at 1163 N 725 W.
6. Consider authorization of \$15,000 for storm pipe plan for drainage of water under the Prospector Trail onto Lakeside Golf Course.
7. Consider Ordinance 379-16, An Ordinance Repealing and Replacing WBMC 12.04.020 Regarding The Responsibility for Repair of Certain Street Improvements.
8. Consider Resolution 395-16, A Resolution Adopting A Storm Water Management Plan.
9. Consider Ordinance 380-16, An Ordinance Modifying WBMC Section 13.30 – Storm Water Management.
10. Consider Ordinance 381-16, An Ordinance Modifying WBMC Chapter 15 – Building & Construction.
11. Consider Ordinance 382-16, An Ordinance Modifying WBMC Chapter 16 – Subdivisions.
12. Public Works Report.
13. Engineering Report.
14. Administrative Report.
15. Mayor/Council Reports.
16. Approve Minutes from the September 6, 2016, City Council Meeting.
17. Executive Session for the Purpose of Discussing Items Allowed, Pursuant to Utah Code Annotated 52-4-205.
18. Adjourn.

Individuals needing special accommodations during the meeting should 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 September 15, 2016.

Minutes of the West Bountiful City Council meeting held on Wednesday, September 20, 2016 at West Bountiful City Hall, 550 N 800 West, Davis County, Utah.

Those in attendance:

MEMBERS: Mayor Ken Romney, Council members James Ahlstrom, Kelly Enquist, James Bruhn, Mark Preece, and Andrew Williams

STAFF: Duane Huffman (City Administrator) and Steve Doxey (City Attorney), Police Chief Todd Hixson, Paul Holden (Director of Golf), Ben White (City Engineer), Steve Maughan (Public Works Director), Cathy Brightwell (Recorder)

VISITORS: Alan Malan, Brandon Wood, Justin Wood, Ginnette Wood, Preston Huggard, Sadee Pack, Aupera VanHuizen, Hallie Anderson, Ellie Jensen, Jake Jensen, Alex Evans, Tonya Boswell, Mary Stephenson, Audrey Stokes, Matthew Stokes, Madeline Stokes, Jason Nielsen, Jennifer Nielsen, Madison Nielsen, Ethan Till, Zac Boswell, Dana Marie & Jared Huggard, Ryan Pack, Michelle VanHuizen, Madison Parker, Boswell family, Carson Young, David Young, Bryce Cindrich, Rockwell Eggett, Cindy Price, Craig Price, Heather Cindrich, Kelly Nee

Work session at 6:15 pm

Mayor and Council met at Lakeside golf course to take a tour of the Prospector trail. During the tour, the Council discussed general maintenance of the areas to the east and west of the asphalt path. Staff will be more aggressive with weed killer and mowing to ensure that the right-of-way will remain in a condition that will allow on-going maintenance. On the section north of Porter Lane, the Council briefly discussed possible uses for the property between the trail and the street.

Regular Meeting at 7:30 pm

Mayor Romney called the meeting to order at 7:30 pm

Invocation/Thought – James Ahlstrom offered a thought; Mark Preece led the Pledge of Allegiance.

1. Accept Agenda.

Agenda will stay as proposed except we will break for executive session at 9pm and resume remainder of meeting after executive session, if necessary.

MOTION: *James Bruhn Moved to Accept the Agenda As Proposed. Andy Williams Seconded the Motion which PASSED by Unanimous Vote of all Members Present.*

2. Swearing in of 2016-2017 West Bountiful Youth City Council.

Mayor Romney gave the Oath of Office to the 2016-2017 West Bountiful Youth City Council.

Officers include: Mayor - Justin Wood, Mayor pro tem - Ellie Jensen, Secretary - Rockwell Eggett, Recorder - Madison Parker, Treasurer - Konner Larsen, Co-publicity head - Hallie Anderson, Co-publicity head - Madeline Stokes, Web administrator - Carson Young
Historian - Sadee Pack, Historian - Michelle Van Huizen

General members include: Zachary Boswell, Bryce Cindrich, Alex Evans, Preston Huggard, Jake Jensen, Madison Neilson, Brandon Wood

3. Public Comment (two minutes per person, or five minutes if speaking on behalf of a group).

No public comments were made.

4. Consider Request for Code Interpretation by Mr. and Mrs. Price for Home Addition at 1163 N 725 W.

Duane Huffman summarized the issue and referred to the meeting packet memo. The house was constructed around 1978, and sits farther back from the front lot line and at a different angle than is shown on the original plans. This resulted in a portion of the house encroaching into what staff proposes to be the rear yard setback. Because the front lot line is circular, there could be different interpretations as to which lot line is considered the rear line. The Price's now desire to construct an addition to the home, but depending on how City Code is interpreted, the addition (as well as a portion of the existing home) would extend eleven feet two inches into the rear setback (including the deck).

There was discussion about the details of the home and lot layout. Mr. Price stated that they are actually asking for a correction as the home was inspected when built and it must have met the setbacks in place at that time. He added that what staff is now proposes as rear yard was likely designated as side yard at the time.

There was more discussion about the unique aspects of this situation and that whatever decision is made will be specific to this situation.

MOTION: James Ahlstrom made a Motion to treat the south property line as the rear yard; with this designation, the home has always been in compliance with setback requirements and the homeowners will be able to build their addition using the appropriate rear yard setbacks. This determination is

based on the unique and limited circumstances of this specific property. James Bruhn seconded the Motion which passed by unanimous vote of all members present.

5. Consider Variance Request (if needed) by Mr. and Mrs. Price for Home Addition at 1163 N 725 W.

Variance request is no longer needed

6. Consider Authorization of \$15,000 for Storm Pipe Plan for Drainage of Water Under Prospector Trail Onto Lakeside Golf Course.

Mayor Romney summarized the drainage issue affecting property along 800 West and Lakeside Golf Course when properties to the east irrigate. To fix the problem, the plan is to install a new 420 foot long storm drain pipe along hole #8, parallel to the Trail right of way. The proposed fix will eliminate flooding on the course and provide the ability to direct water into ponds. The City has obtained several bids for the project; Kapp Construction is the lowest.

To allow storm water to flow and prevent damage and loss of revenue at Lakeside, staff recommends proceeding with Kapp Construction for \$15,000.

MOTION: *James Ahlstrom made a Motion authorizing the \$15,000 expenditure for the Storm Drain Pipe plan. James Bruhn seconded the Motion which passed by unanimous vote of all members present.*

7. Consider Ordinance 379-16, An Ordinance Repealing and Replacing WBMC 12.04.020 Regarding The Responsibility for Repair of Certain Street Improvements

Duane Huffman summarized the issue and referred to previous council meeting discussions on the subject. This ordinance attempts to enact the consensus of discussions from the December 1, 2015 meeting which includes: 1. The City would cover repairs for what is deemed normal wear and tear; 2. Property owners would be responsible for 100% of the costs of removing trees or roots that have caused damage to sidewalk and curb; and 3. In cases where it is clear that the sidewalk has been damaged by act or omission such as trees, settled sprinkler lines, and heavy vehicles property owners would be required to participate in at least 50% of the costs.

There was discussion about the proposal and Duane commented that the proposed 50% resident contribution is quite generous compared to other cities and only applies to single family residences. He added that the proposal includes flexibility to extend payments for residents who can show financial need and provisions for those that qualify as poverty level.

There was more discussion about timing on repairs and priorities would be set based on available budget and the City's discretion.

MOTION: *Mark Preece Moved to Approve Ordinance 379-16, An Ordinance Repealing and Replacing WBMC 12.04.020 Regarding The Responsibility for Repair of Certain Street Improvements. Andy Williams seconded the Motion which PASSED.*

The vote was recorded as follows:

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

8. Consider Resolution 395-16, A Resolution Adopting a Storm Water Management Plan.

Ben gave a short summary of the issue and explained that the City is required to adopt the new Storm Water Management Plan by Resolution so it will be binding on the community.

MOTION: *James Ahlstrom Moved to Approve Resolution 395-16, A Resolution Adopting a Storm Water Management Plan. Andy Williams seconded the Motion which PASSED.*

The vote was recorded as follows:

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

9. Consider Ordinance 380-16, An Ordinance Modifying WBMC Section 13.30 – Storm Water Management.

MOTION: *James Ahlstrom Moved to Approve Ordinance 380-16, An Ordinance Modifying WBMC Section 13.30 – Storm Water Management. Kelly Enquist seconded the Motion which PASSED.*

The vote was recorded as follows:

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

10. Consider Ordinance 381-16, An Ordinance Modifying WBMC Chapter 15 – Building & Construction.

MOTION: *James Ahlstrom Moved to Approve Ordinance 381-16, An Ordinance Modifying WBMC Section Chapter 15 – Building & Construction. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

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

11. Consider Ordinance 382-16, An Ordinance Modifying WBMC Chapter 16 – Subdivisions.

Ben explained the changes including references to a hundred-year storm. There was some discussion on bonds and definitions of storm events.

MOTION: *James Ahlstrom Moved to Approve Ordinance 382-16, An Ordinance Modifying WBMC Section Chapter 16 - Subdivisions. James Bruhn seconded the Motion which PASSED.*

The vote was recorded as follows:

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

12. Public Works Report. (Steve Maughan)

- Pages Lane project is moving along. Landscaping is being done; they have laid sod and installed irrigation and should be done in next few weeks. Asphalt is scheduled for the end of next week.
- 500 South Water project is underway and they're moving along nicely. Kudos to MC Green - it is a joy to work with an experienced contractor with the right equipment and knowledgeable employees.
- Safety/Preparedness fair is this Saturday at WXHS. We plan to take our loader over to display.
- We are exercising water valves around town and cleaning storm drain boxes.

- Council member Bruhn thanked Steve for the clean-up on Porter Lane – it looks better than it has in years, and thanked Steve for his all around good work.

13. Engineering Report (Ben White)

- Planning Commission – at its last meeting granted a setback reduction (3 ft.) for a new owner on 500 South that owns the property from Bountiful Collision to the RR tracks.

14. Administrative Report (Duane Huffman).

- Police report was unintentionally left out of packet; will add it to the next meeting.
- Duane and Ben met with the new PUD expert to go over what the City is looking for. He recommends a joint work session with planning commission on October 18.

15. Mayor/Council Reports.

Mayor Romney mentioned an email went out regarding Weber water on Pages Lane and its affect on water pressure. Weber Basin said they will go door to door and modify sprinklers if necessary.

There is a fence complaint regarding the north side of the church on 600 West. Apparently it was installed above the ground so it may be a few inches higher than the allowed 6 feet.

James Ahlstrom suggested the City consider putting in pickle ball courts and parking on the property west of Prospector trail and north of Porter Lane. He would like staff to get estimates as part of our RAP tax wish list as there is large demand for pickle ball.

Mark Preece – the new Youth Council will be great; they are ready to get busy and will help out at the South Davis Safety fair on Saturday.

The Sewer Board is progressing smoothly with the Methane Recovery project and a public hearing is coming up; bonds can be issued by year end. He and other members of the Board will be travelling to Denver to tour a private methane recovery facility.

James Bruhn reported on the Utah League of Cities and Towns conference. He said he attended a class on state contracts and was surprised to find that there are hundreds of items available in state contracts. In addition to lower prices, many contracts come with longer warranties.

Andy Williams reported that planning commission had spent a lot of time on the storm water issues and was happy to pass them on to city council. He mentioned they are still looking at ordinance changes for yards and fences and made a suggestion to drive around town and look at

corner lot fences to have a better idea of the issue when it comes forward from planning commission.

He also asked if we should be considering nominations for the Beyond the Badge recognition program. Chief Hixson provided input and thanked Council for their support.

Kelly Enquist reported that the Mosquito Abatement board when to a hanger in Ogden to tour the facility where the spraying operation is located. They heard interesting stories of spraying incidents, etc.

The EmPAC meeting was good; guests included Ed Swanke and Heather Gardner. They are looking for volunteers to help at Preparedness fair on Saturday, and discussed neighborhood watch programs.

In response to questions, Chief Hixson reported that Officer Breeze is gone and they have received applications for 20 qualified applicants and will begin the interview process soon. He talked about the great response we get when displaying our EmPAC/CERT Trailer at various fairs. Regarding Neighborhood Watch, he reported that signs have been put up around 1100 West south of the golf course. We are working to put together a collaborative process that works for everyone.

16. Approve Minutes from the September 6, 2016, City Council Meetings.

MOTION: *James Ahlstrom Moved to Approve the Minutes from the September 6, 2016 City Council Meetings. James Bruhn seconded the Motion which PASSED by Unanimous Vote of All Members Present.*

17. Executive Session for the Purpose of Discussing Items Allowed, Pursuant to Utah Code Annotated 52-4-205.

MOTION: *James Ahlstrom Moved to go into Executive Session in the Police Training Room to discuss pending or reasonably imminent litigation. James Bruhn seconded the Motion which passed.*

The vote was recorded as follows:

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

MOTION: *James Bruhn moved to close the executive session at 10:05pm. Andy Williams seconded the Motion which PASSED by unanimous vote of all members present.*

18. Adjourn.

MOTION: *Andy Williams moved to adjourn this meeting of the West Bountiful City Council at 10:07 p.m. James Ahlstrom seconded the Motion which PASSED by unanimous vote of all members present.*

The foregoing was approved by the West Bountiful City Council on Tuesday, October 18, 2016.


Cathy Brightwell (City Recorder)

