

Mayor
Kenneth Romney

WEST BOUNTIFUL CITY

City Administrator
Duane Huffman

City Council
James Ahlstrom
James Bruhn
Kelly Enquist
Mark Preece
Andrew Williams

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355
www.WBCity.org

City Recorder
Cathy Brightwell

City Engineer
Ben White

Public Works Director
Steve Maughan

CITY COUNCIL MEETING

**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.

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

Those in attendance:

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

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

VISITORS: Gary Jacketta, Alan Malan, Dennis Vest - family, David Goudy

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

1. Approve Agenda

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

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

No Public Comment.

3. Tail Gate Acres Subdivision at 140 S 1100 West.

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

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

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

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

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

The vote was recorded as follows:

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

4. West Bountiful General Plan Update – Moderate Income Housing, Transportation, and General Provisions.

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

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

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

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

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

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

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

The vote was recorded as follows:

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

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

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

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

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

The vote was recorded as follows:

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

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

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

8. **Police Report.**

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

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

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

10. **Administrative Report.**

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

11. **Mayor/Council Reports.**

Kelly Enquist – No report.

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

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

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

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

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

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

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

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

An Executive Session was not held.

13. Adjourn.

MOTION: *James Bruhn made a Motion to Adjourn this meeting of the City Council at 9:34 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 November 19, 2019 by unanimous vote of all members present.



Cathy Brightwell
Cathy Brightwell (City Recorder)