Mayor
James Behunin

City Council
James Bruhn
Debbie McKean
Kenneth Romney
Cheryl Searle
Valerie Shaw

West Bountiful City

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City Administrator
Wendell W. Wild

Recorder/Admin. Assist.
Beverly Haslam

Chief of Police
Randy W. Lloyd

CITY COUNCIL AGENDA

NOTICE IS HEREBY GIVEN THAT WEST BOUNTIFUL CITY WILL HOLD THE REGULARLY SCHEDULED CITY COUNCIL MEETING ON TUESDAY JANUARY 29, 2008, 7:00 P.M. - 550 NORTH 800 WEST, WEST BOUNTIFUL, UTAH.

AGENDA AS FOLLOWS:

Invocation/Thought (Limit 2 minutes please)
Pledge of Allegiance - Cheryl Searle

1. Accept Agenda
2. Public Comment (Two minutes per person or if a spokesperson who has been asked by a group to summarize their comments, five minutes will be allowed).
3. Appointment to Arts Council.
4. Engineer's Report on Water Line/Storm Drain Projects.
5. Resolution #230-08 Depository Services Resolution for West Bountiful City.
   (This Resolution allows us to change our Depository Services from First National Bank of Layton to US Bank (located in our community).
6. Report on Duplex/4-Plex - 357 North 800 West
7. Report on Group Home in Olsen Farm Subdivision
8. Golf Course Advisory Board Recommendations/Consider Golf Course Café Lease Agreement
9. 2007-2008 Budget Review.
10. Planning Commission Report.
11. City Administrator Report.
12. Mayor/City Council Reports.
13. Approval of minutes of previous meetings.
14. Adjournment

NOTE: One or more items on the agenda may be considered in a closed session if the content of the discussion meets the criteria described in Section 52-4-204 of the Utah State Code.

According to the American's with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify Beverly Haslam, City Recorder of West Bountiful City, twenty four (24) hours before the meeting.
Any resident or property owner in West Bountiful City may request to offer a prayer or thought at the City Council meetings. Please notify Beverly Haslam, City Recorder of West Bountiful City of this desire, twenty four (24) hours before the meeting.

Certified and sent to Clipper Publishing Company 01/25/07

Minutes of the regular session of the City Council of West Bountiful City held on Tuesday January 29,2008 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

MEMBERS PRESENT: Mayor James Behunin,James Bruhn, Debbie McKean,Kenneth Romney, Cheryl Searle, Valerie Shaw

STAFF PRESENT: WendellWild(CityAdministrator),Beverly Haslam(City Recorder),Randy Lloyd (Police Chief),Matt Collier(City Engineer),Jami Zigich(Secretary)

VISITORS: Eric Eastman,Dennis Hopkinson,Kelle Enquist,Conway Hansen, Alan Malan, Wendy Green, Dianne Smith

Called to Order

This session of the regularly scheduled West Bountiful City Council meeting was called to order at 7:00 pm by Mayor James Behunin. Mayor Behunin welcomed those in chambers noting that everyone seemed to be adjusting to the new 7 o'clock starting time.

Mayor Behunin stated that James Bruhn Council member would offer an invocation with Cheryl Searle of council following with leading the Pledge of Allegiance.

Upon conclusion of the innnvocation and reciting of the Pledge of Allegiance Mayor James Behunin moved directly to the Acceptance of the Agenda.

1.
Accept Agenda

James Behunin Mayor of West Bountiful reviewed the printed agenda noting that item #3 Appointment to Arts Council would be moved to #9A due to conflicting schedule with the new appointee.

Debbie McKean City Council member made motion that the Agenda be accepted with noted changes addressed by the mayor.

Cheryl Searle Council member second the motion

Mayor Behunin called for a vote, the motion passes unanimously.

2.
Public Comment

Mayor James Behunin inadvertly skipped the Public Comment portion of the meeting at this time

3.
Appointment to
Arts Council

Moved to item #9A as approved by Council

4.

Engineer's Report on
Water Line/Storm Drain
Projects

Upon the acceptance of the Agenda Mayor James Behunin moved directly to item #4, Report on Water Line/Storm Drain projects.

Mayor Behunin asked Matt Collier West Bountiful City Engineer to please come forward and explain this agenda item.

Matt Collier City Engineer stood before the council to explain and answer questions regarding the memo included in the City Councils meeting binders.

Addressing Council members Matt Collier West Bountiful City Engineer informed that the waterline project on 1100 West and 500 South was recently inspected and the contractor, Nix Construction, had been given notice of substantial completion. The inspection generated a punch list of items that Nix must finish before final completion will be issued.

Matt Collier of city staff stated that while it is frustrating that this project went over budget all of the changes made were in the cities best interest and were necessary to provide the city with a reliable and successful waterline.

Debbie McKean Council member asked how did this happen, what were the exact problems that caused such a huge budget difference?

Mr Collier City Engineer answered stating that it was due to unexpected repairs ran into while attempting to fix a portion of the pipes.

Mayor James Behunin stated that as he understood there were several problems that were run into during the project, due to the fact pipelines were laid 50 years ago and at several points the crews ran into ghost lines.

Council member Valerie Shaw stated that this was very concerning and why had the city not done previous inspections of city maps.

Ken Romney of Council, stated the city maps would not at that time show the pipeline laterals even if they were made available for inspection.

City Engineer Matt Collier went on to state that one area of the existing water line was leaking and instead of going over or under the pipeline they went through it.

Mr Collier went on to state we felt it would save time to go through the line rather than try to repair it.

Matt Collier further stated that going through the pipeline may have saved time, but cost the city more because we had to cut through the pipe, grout it and then seal the bottom half of the line.

Cheryl Searle West Bountiful City Council member inquired of Mr Collier, if this was such a huge over expenditure why was it not brought back before the council?

Mrs Searle went on to state that this issue was brought before the

council for budgeting revisions as stated in meeting minutes on September 18,2007 and was approved with great apprehension and now the budget is well over that revision, why?

Mr Collier answered stating that there were asphalt issues that totaled about $24,000 that were unexpected.

Council member Ken Romney expressed great concern stating that the amount charged was about three times what he would typically pay for a similar job.

Mr Romney went on to state concern of how the finished asphalt looks and feels, voicing the probability that the whole road would have to be resurfaced

Discussion was ensued amongst council members and staff voicing concern about but not limited to, the quoted asphalt price, how much work and cost of West Bountiful City Public Works personnel, the price of parts paid by the city, and where the extra money was coming from.

Mayor James Behunin brought the meeting back to order by asking Council member Ken Romney to please research with Mr Collier some of the concerns of council regarding this project and be prepared to give a report of findings to Council at the next regularly scheduled meeting.

Council member Ken Romney affirmed he would look into the issues.

Council member Debbie McKean once again asked where is the overage for this project coming from?

Matt Collier of staff replied that he was working with Brian Passey City Finance Director, to possibly use the capitol improvement funds.

Mayor James Behunin brought the discussion to close, stating that this is another budgeting issue that should not have to be dealt with.

Moving forward with the Agenda, it was brought to the Mayors attention that the time for Public Comment had been skipped over.

Mayor James Behunin apologized to those in chambers and asked if there were any issues that needed to be brought forward?

No one came forward for Public Comment.

5.
Resolution #230-08
Depository Services Resolution
for West Bountiful City

Mayor James Behunin stated that Agenda Item #5, a resolution to change city banking services would be explained by Wendell Wild City Administrator.

West Bountiful City Administrator Wendell Wild informed council that a number of years ago there were some problems with local banking so the city had decided to designate First National Bank of Layton as the city's financial institution.

Mr Wild went on to state that the city feels it is now time to change

and use a bank located in our community.

Wendell Wild City Administrator concluded by stating, we now propose this resolution for said change in banking facilities.

Mayor James Behunin ask of Mr Wild if this change would have any fiscal impact on the city.

Wendell Wild replied to the mayors question, stating no, that it was very likely the change would save the city money.

Debbie McKean West Bountiful City Council member made motion that Resolution #230-08 a resolution changing West Bountiful City's Depository Service from First National Bank of Layton to U.S. Bank be adopted.

James Bruhn Council member second the motion.

Mayor Behunin called for a vote, motion passed.

#6
Report on Duplex/ 4 Plex
357 North 800 West

Mayor Behunin turning to Wendell Wild City Administrator once again asking for explanation and update for this issue.

Before turning the floor to Mr Wild Mayor Behunin stated that this issue would remain on the agenda until it was resolved.

Wendell Wild City Administrator then stated that City Staff and Police Department Personnel have been in communication with residents of this complex and other neighbors in the area, because of the conditions that exist in these facilities, contact has also been made with the Davis County Health Department and the City's Prosecuting Attorney to solicit their assistance in resolving the poor living conditions and the unsightly nature of the structures and yards.

Furthering his statement Mr Wild of West Bountiful indicated that another site visit will be made the week of January 28,2008 to document the existing conditions of the complex with photos and a report to the City's Prosecuting Attorney for possible legal charges against the property owner.

Mr Wild went on to state that the Prosecuting Attorney knows the owner personally and will try to mitigate the situation.

Valerie Shaw City Council member inquired of Mr Wild if the owner was aware of the investigation that was taking place?

Mr Wild replied to Mrs Shaw's question in the affirmative.

Mayor James Behunin commented to Mr Wild that council and himself wanted to be kept completely posted on this issue.

7.
Report on
Group Home in
Olsen Farm Sub Division

Moving to Item #7 on the Agenda, Report on Group Home in Olsen Farm Sub Division, Mayor James Behunin stated that, West Bountiful City staff as well as the city police department has been trying to contact the property owner, and has had no response.

Mayor Behunin furthered his comments by saying they are working with legal council for the city to enforce the updated city code regarding group homes.

Mr Behunin stated that letters had been sent to the occupants and they have a time limit for response. Furthering his update Mr. Behunin voiced that the city is taking all steps necessary to make sure that there truly is a group home established at the residence.

City Administrator Wendell Wild stated that after establishing the fact that there is a group home on the property, that legal action could be pursued against both the occupants and the property owner.

Mayor Behunin concluded the update stating the neighbors are quite anxious for a resolution of the situation, and that this item too would stay on the agenda until a resolution is met.

Before moving to the next Agenda item, Mayor Behunin asked if the appointee to the Arts council had arrived, she had not so Mr Behunin moved to item #8 of Agenda.

8.
Golf Course Advisory Board Recommendations/Consider Golf Course Café Lease Agreement

Mayor Behunin announced item #8 of Agenda, finding one from the golf board was present.

Ken Romney Council member noted that he had heard from Kent Bond Chair of the Golf Board stating that he may be late.

Debbie McKean Council member stated that discussion could take place because of printed documentation.

Mayor James Behunin stated that he would prefer to have the golf board available during the discussion.

Mayor Behunin moved forward with the agenda

9.
2007 - 2008
Budget Review

Mayor Behunin addressed this agenda item stating that the Council had received preliminary budget documentation and he urged the Council members to be familiar with it for the Public Budget Hearing set for the February 19,2008 meeting

City Administrator Wendell Wild stated that Brian Passey City Finical Director could not be here this evening because of conflicting meetings with North Salt Lake. Mr Wild stated that Mr Passey was preparing for the February 19,2008 meeting.

Mr Wild of staff went on to say that the issue of the Porter Lane

Waterline would be covered in the budget documentation and that staff is in contact with the Division of Water Resources and may be able to acquire a low interest loan to help cover some of the costs of the project.

Cheryl Searle of Council stated that the Council should be kept up to date on this issue and would hope to have complete documentation of it and other issues before the budgeting meeting.

Wendell Wild City Administrator assured Mrs Searle that all documentation would be available.

Mayor Behunin brought this discussion to a close asking if there were any other questions?

Moving forward with agenda Mayor Behunin was made aware that the new appointee to the Arts Council had entered chambers.

9A
Moved from item 3
Appointment to Arts Council

Mayor Behunin of West Bountiful City stated that the City Council regards the Arts Council as one of the elite commissions of the city.

Mayor Behunin went on to state that the City and Council truly appreciate all the Arts Council does to recognize the talent of West Bountiful. The mayor concluded his comments by asking City Council member Debbie McKean to address the new appointment.

Debbie McKean Council member started comments stating that Diane Smith Chairman of the Arts Council was in chambers and thanked her for all her on going efforts.

West Bountiful Council members, City Staff, and Mayor joined Mrs McKean in thanking Diane Smith.

West Bountiful City Council member Debbie MCkean then introduced the new Arts Council member Tiffany Allen resident of West Bountiful and made formal motion to appoint Tiffany Allen to the West Bountiful City Arts Council for a 3 year term.

Motion was second by City Council member Cheryl Searle.

Mayor James Behunin asked for a vote on the motion.

Motion passes with all members voting in favor.

Tiffany Allen new member of Arts council was congratulated and welcomed by all.

Mayor Behunin quickly moved to next agenda item.

10.
Planning Commission Report

James Behunin West Bountiful City Mayor approached Agenda item #10 Planning Commission Report commenting that he personally felt very bad over the whole situation of signs and sign size that Larry H Miller had to deal with.

Mr Behunin went on to state that in the future he would hope that ordinances would be well looked into before a misunderstanding such as this would not occur again.

Wendell Wild City Administrator then stated that he to felt bad about the whole Miller misunderstanding, but that in the end all issues were resolved and both the City and Miller Corporation were satisfied.

Mr Wild went on to address the issue of the Draw home located near the Larry H Miller dealership.

Furthering his comments Mr Wild stated that Mr Miller had been willing to immediately install blinds in the Draw home, and had contacted the lighting company who will be installing a shield to the lights to protect other nearby residences from lighting at the dealership.

Mr Wild went on to state that in addition to taking care of the lighting problem. Mr Miller had purchased the Draw home, helping them find a new home that was satisfactory to their wants and needs.

Mr Wild City Administrator also stated that Mr Miller concluded by stating that Mr Miller had gone way beyond the call of duty.

City Council member James Bruhn questioned what would be happening with several of the properties that had been purchased by Mr. Miller.

Wendell Wild replied that it was his understanding that the buildings would be demolished as Miller had the salvage rights.

Asking for further comments or questions Mayor Behunin moved on with the agenda.

10A
Golf Course Advisory
Board Recommendations
Consider Golf Course Café
Lease Agreement

Mayor James Behunin stated that the Golf Course is a very valuable asset for the city and the Council welcomed Mr Kent Bond chairman of the Golf Advisory Committee, who would be explaining some exciting recommendations.

Kent Bond Chairman of the West Bountiful Golf Committee addressed council stating that all proposals were printed and in their binders.

Mr Bond went on to state that the board was suggesting that a 25% to 30% discount rounded to the nearest dollar be given on golf carts and range balls to the residents of West Bountiful City. Residency will be confirmed by presenting a valid drivers license.

Mayor Behunin stated that golf pro Mike Bicker was available for questions and that he would like to hear comment from him as to his feelings of the proposal.

Mike Bicker thanked the council for the opportunity and stated that a lot of thought had gone into this recommendation and that he felt it would only benefit the city. Mr Bicker went on to state that strict restrictions would be followed so as not to have the resident discount abused.

Mr Kent Bond then went on further to propose to council that they consider the recommended lease of Janet Barmore and Stephanie Smith for the Sunshine at Lakeside Café,stating firmly that this was an opportunity that they should not let pass by.

Open discussion then ensued amongst council members, staff and chamber visitors regarding both proposals, topics discussed but not limited to included discount rates, number of West Bountiful residents that use golf course, punch pass discounts, reliability of café lessees, quality of food, around the year availability of café and possibility of café catering and rental of club house

Mayor Behunin brought the discussion to a conclusion asking for a formal motion.

Debbie McKean of Council made motion that the West Bountiful City Council accept the recommendation from the golf board that a residency discount be offered to West Bountiful residents on range balls and golf rounds, and an additional motion be made to accept and approve the lease agreement for the "Sunshine at Lakeside" café , both pending review of, Legal Advisors and signature of City Administrator and Mayor.

Ken Romney City Council member second the motion

Mayor Behunin called for a vote, motion passes

Resuming and moving forward with the printed agenda Mayor James Behunin looked to Mr Wendell Wild for the City Administrator Report.

11.
City Administrator Report

Mr Wild West Bountiful City Administrator stated that most issues had been covered previously by agenda

Furthering his comments Mr Wild stated that work and negotiations were continuing with UDOT, UTA and property owners at the 400 North Crossing and should be resolved shortly.

Wendell Wild conclude his Administrative report stating that final decisions had been made regarding the quite zone issue and that should be in place by late April.

Mayor Behunin thanked Mr Wild for his report and gave his approval stating that having the quite zone issue resolved was a very good thing.

12.
Mayor/ City Council
Reports

Moving quickly forward with Agenda, Mayor Behunin advised council that he had received a letter asking from the "United Neighbors" organization requesting nominations for a stellar neighbor or member of the community, and requested that members get those nominations to him.

Mr Behunin went on to state he had met with developers of the Texas Roadhouse Restaurant and other Commons projects, advising the council that there are signage issues still being dealt with and proposals have been made to all parties, and they are just awaiting the responses from those proposals.

Updating Council on the Rocky Mountain Power issue, Mayor Behunin stated that once again a big majority of the city was without power for a large portion of time. Addressing the issue with Rocky Mountain Power they had said it was because of the wind and large dead trees, the power company has assured the Mayor that they will be trimming trees within the city to rectify the problem.

Cheryl Searle City Council member stated that she had contacted Rocky Mountain Power regarding the power outage and received the same response.

Valerie Shaw of Council voiced concern that elementary students had been kept at school all day with no power, and questioned how this situation was set into the emergency preparedness plan?

James Bruhn City Council member had no report noting his embarrassment over the Miller signage issue and hoped the problem had been solved so the city would not have to have another incident as this.

Debbie McKean of council reported that the City Youth Council had participated in the State Youth Legislator and that a great experience was had by all involved.

McKean went on to update council on the parks committee progression with projects regarding the park including that all seems to be fine with liability issues of the train and the committee is very excited in regards to this issue.

Debbie McKean concluded her remarks stating that the final proof of the newsletter was back, so mailing would be forthcoming, that a proposal was in the works for this year "only" to have the 4th of July Parade in the evening due to an ecclesiastical conflict with some residents. A final question was proposed as to when the Elected Official Training would be.

Wendell Wild City Administrator stated he would get registration information in Council members boxes right away.

Cheryl Searle of Council stated that she to was involved in the Youth Legislator experience, it being very successful and educational for the youth involved.

Mrs Searle stated that the Emergency Preparedness Committee would be meeting the end of February with its main focus to make all citizens prepared for a 72 hour emergency.

Mayor Behunin inquired of Mrs. Searle if she would have a representative of Rocky Mountain Power address the council at the next meeting.

Cheryl Searle of council responded she would make the invitation.

Concluding Mayor and Council reports, Mayor Behunin moved forward.

13.
Approval of Minutes

Motion was made by Cheryl Searle of Council that the previous West Bountiful City Council Meeting minutes be approved for December 4,2007 and December 18,2007with amended corrections.

Ken Romney seconded the motion.

Calling for a vote by Mayor Behunin, motion carried.

14.
Adjournment

Council member Ken Romney made motion that this session of the West Bountiful City Council be adjourned.

James Bruhn Council member second the motion

Voting was unanimous

Meeting adjourned at 9:40 pm

MAYOR JAMES BEHUNIN

BEVERLY HASLAM (CITY RECORDER)

JAMI ZIGICH (SECRETARY)