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 MARCH 4, 2008, 7:00 P.M. - 550 NORTH 800 WEST, WEST BOUNTIFUL, UTAH.

AGENDA AS FOLLOWS:

Invocation/Thought (Limit 2 minutes please)
Pledge of Allegiance - James Bruhn

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. Dianne Smith - Presentation of Arts Council Brochure.
4. Consider Ordinance #300-08 adopting Chapters 16 and 17 of the West Bountiful Municipal Code Revision as recommended by the Planning Commission.
5. 2008-2009 Budget Schedule Review.
6. Consider Moratorium on PUD (Planned Unit Development) Districts within West Bountiful City as recommended by the Planning Commission.
7. Engineer's Report - Waterline Improvements.
8. Consider changes in the Golf Course Administration.
9. Planning Commission Report.
10. City Administrator Report.
11. Mayor/City Council Reports.
12. Approval of minutes of previous meetings.
13. 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.

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Minutes of the regular session of the City Council of West Bountiful City held on Tuesday March 4,2008 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:Beverly Haslam(City Recorder),Randy Lloyd (Police Chief),Matt Collier(City Engineer),Mike Eggett(City Staff),Jami Zigich(Secretary)

STAFF EXCUSED: Wendell Wild (City Administrator)

VISITORS:Tamara Smith,Janene Whaley,Terry Olsen, Dianne Smith, Jeff Lund, Kelly Enquist, Mike Bicker, Vicky Bicker, George Biada

Called to Order

This Session of the West Bountiful City Council meeting was called to order promptly at 7:00pm by Mayor James Behunin.

Mayor Behunin Welcomed those in Chambers, Council members and City staff. Mayor Behunin stated that City Administrator Wendell Wild was sick and would be excused from this session.

Mayor Behunin stated that as always the meeting would be started with a prayer and the Pledge of allegiance.

City Council member Debbie McKean offered the prayer followed by Council member James Behunin leading those in attendance in the pledge.

1.
Accept Agenda

Mayor Behunin read thru the printed agenda with no changes.

Debbie McKean of Council made motion that the agenda be accept as

printed with the exception of item 7. Engineers Report Waterline Improvements be moved to item 3A as to not have to keep the City Engineer thru out the entirety of the agenda.

Council member Ken Romney second the motion.

Mayor Behunin called for a vote on the motion of Agenda Acceptance with noted changes. Motion passed in favor.

2.
Public Comment

Mayor Behunin stated the rules for public comment as outlined on the printed agenda, and then asked if any citizens would like to address the council.

Janine Whaley of 788 West 2300 North West Bountiful, stood to address council.

Ms. Whaley stated that she was very distraught and was appealing to the Council for help with a flood situation that continued to blight her home.

Ms Whaley handed out a printed packet to Council, with a time line including flood dates and statements of action taken. Included in the packet were also pictures of flood damage that had occurred at her residence.

West Bountiful resident Janine Whaley purchased her home in June of 2001 and the home had been flooded 22 times in 7 years.

Ms Whaley stated that this situation has been going on for seven years and the City of West Bountiful has been aware of the situation from the very beginning.

Ms Whaley further stated that she was still dealing with extreme flooding each winter and the damage to her house from mold and mildew makes it intolerable to occupy at times.

Concluding her comments Janine Whaley said in researching into this problem she and professionals have concluded that two drains for three blocks are just not adequate.Further stating that a proper system should have been installed when the city allowed the housing development.

Debbie McKean West Bountiful City Council member ask West

Bountiful resident Janine Whaley if and when she had contacted City Officials and if so what was the response and action.

Ms Whaley answered Council member McKean stating that she had contacted City Administrator Wendell Wild as far back as April of 2006 and numerous times since and had also contacted the Mayor via e-mail.

Janine Whaley furthered her response to Mrs McKean stating that as stated in her print out to the council she did not feel either were very accommodating.

Cheryl Searle of Council inquired of Ms Whaley if contact with the City had been made each time the flooding had occurred?

Ms Whaley responded that each time flooding had occurred the city had been told, but she had received no city assistance.

Debbie McKean inquired of home owner Janine Whaley when she had purchased the home and when it was built?

Ms Whaley responded that she had purchased the home in 2001 and that the home was built in 1980 or 1981.

City Council member Ken Romney inquired if Mrs Whaley's neighbors had basements in their homes.

Mayor James Behunin interjected that at this time he was sure that it was against City Code to have basements.

Beverly Haslam City Recorder stated that the ordinance of no basements had been passed at this time.

James Behunin of West Bountiful stated that he was sure this home should not have been built with a basement.

Mr. Behunin inquired of Matt Collier City Engineer if he had any details about this situation.

Matt Collier West Bountiful City Engineer responded that he had observed the situation and had seen the sump pump working,furthering Mr Collier stated that with the ground water levels he would like to look and see if the drainage pipes were getting plugged and also check yard boxes to see if tree roots and debris may have some impact on the situation.

City resident Tammy Smith then addressed the City Council stating that this area was always flooding not to the extent of Janines home but all residents of the neighborhood had experienced flooding.

Elaine Arbuckel West Bountiful resident also stated to council that this problem had been reoccurring since 1991, reported to the city and nothing had been done.

Janine Whaley West Bountiful resident once again stated that the flooding happens every spring and that two drains for three blocks is just not adequate and that she believes the city should have installed a proper system for this housing development.

Mayor Behunin noting the time being well over public comment allotment, inquired of Matt Collier City Engineer if he and the City Public Works department would access the situation and see if the City could help or if the City had any responsibility regarding the issue.

Matt Collier City Engineer responded to the Mayor that he would access the situation in a timely manner and report back to Mayor and Council.

Janine Whaley home owner asked if she could get a copy of the findings.

Closing the discussion Mayor James Behunin assured Ms Whaley that the city would be communicating with her on the issue.

Mayor Behunin asked if there were others who wanted to make public comment.

Jeff Lund of West Bountiful stated that he and his neighbors were anxiously awaiting the environmental report done on Holly Oil and enquired of the time line of it being completed.

Mayor James Behunin looked to Dennis Hopkinson seated in Chambers who serves on the Environmental Impact Committee, asking if he would respond to the question.

Dennis Hopkinson of the Environmental Impact Committee stated that the study was complete that data was being complied and that the results would be available by the early part of April.

Jeff Lund West Bountiful resident thanked Mr Hopkinson and stated

that those living near Holly Oil are looking forward to the information.

Mr Lund went on to state that he would like to respond to two issues regarding the much talked about City budget. Mr Lund went on to inform that he felt there was something wrong if the Golf Course was not contributing to the general fund.

Furthering his statements Mr Lund stated that he thought far to much money was spent having our own City Police Force and his opinion was to join forces with Bountiful City and the Sheriffs office to form an agency as the Fire Department had.

The Mayor of West Bountiful James Behunin thanked Mr Lund for his comments and stated they would be addressing the Golf Course issues moving forward with the agenda.

3.
Dianne Smith
Presentation of Arts Council
Brochure.

Mayor Behunin moved forward with the printed agenda introducing Dianne Smith Chairman of West Bountiful Arts Council and thanking her and those on the council for all they do.

Dianne Smith West Bountiful Resident and Chairman of the Arts Council stated that a little over a year ago representatives from cities throughout South Davis county joined together to form the South Davis History,Art, Culture Consortium.

Mrs Smith went on to state that the Consortium petitioned the Utah Office of Museum Services for grant money to produce a brochure to educate visitors and residents of the history and art locations available to visit in the South Davis area.

Dianne Smith stated that the grant monies were made available and a lot of hard work had gone into the brochure that she was now presenting to the Council.

Furthering her comments Mrs Smith stated that each Council member was given a brochure, she would like to draw their attention to the back cover page and the complementary gift offer for visiting six locations mentioned.

Diane Smith concluded her remarks by stating that the brochure would be available in different locations in South Davis County, including here at the City Offices.

Council member Debbie McKean inquired of Dianne Smith if she would be willing to write an article for the city newsletter announcing the brochure.

Dianne Smith confirmed with Mrs McKean that she would get her a short article.

Chairman of the Arts Council Dianne Smith further stated that it would be well to let council know that the Arts Council is finishing up their by laws and would be bringing them before council for approval.

A greater concern was brought to the attention of the Council by Mrs Smith as she stated that included in the bylaws would be the approved usage of the $10,000 Sound System stored within the City building.

The Arts Council Chairman expressed concern, that often times the building was not secured, another concern was not knowing who was using the equipment and how it was being taken care of.

Council member Cheryl Searle stated that the equipment was in a locked room and that only those who had key approval could access it. Mrs Searle went on to state that a great addition to the equipment were the installation of wheels to the piano, making it easier for moving.

Dianne Smith further voiced her concern that often times on holidays and week-ends the City building is not locked, which caused concern not only for the sound equipment but more so for the local artist displays.

City Recorder Beverly Haslam stated it had come to City Staff attention that sometimes the building was not secured. This problem had occurred because the re-programming of the locks had not taken place with the change of daylight savings time.

Beverly Haslam of City staff assured that the issue had been addressed and that she would re-address it.

Arts Council Chairman Diane Smith thanked Council for their time and support.

Thanking Dianne Smith once again Mayor Behunin moved forward with the agenda.

— Secretary Note of Change: The format for City Council Meetings minutes from this point will change to include content and motion, if more in depth information is needed the audio record of each public meeting is available. JZ

4.
Consider Ordinance #300-08
adopting Chapters 16 and 17 of
the West Bountiful Municipal
Code Revision

Mike Eggett West Bountiful City staff member presented Municipal Code revision- Chapters 16 and 17 - recommending that the City Council support changes to the West Bountiful Municipal Code as recommended by the Planning Commission, subject to legal review as desired by council.

MOTION: City Council member Debbie McKean made motion that Ordinance 3000-08, Municipal Code - Titles 16 and 17 Revision, an ordinance amending titles 16 and 17 of the West Bountiful Municipal Code be enacted.

SECONDED: James Bruhn

PASSES: motion passes unanimously

5.
2008-2009
Budget Schedule Review

Mayor James Behunin and City Council members discussed the proper and most complete way of getting a good picture of the needs of the City for the 2008-2009 Budget

A memorandum was introduced by City Recorder Beverly Haslam from Brian Passey City Finance Director asking that Budget workshop meetings be held on Thursdays.

Thursday May 27,2008 at 7pm was specified as a special work session with all departments being prepared to share with the council a specific needs list and proposed budget.

6.
Consider Moratorium on PUD
(Planned Unit Development)
Districts within West Bountiful City
as recommended by the
Planning Commission

George Biada Planning commissioner introduced and discussed the criteria of the Planning and Zoning recommendation for a PUD Moratorium.

MOTION: Ken Romney City Council member made motion that a City wide Moratorium on all new PUD developments be enacted, until the revision of City Ordinance 17.68 has gone through the standard approval process and the proposed moratorium be terminated upon the official implementation of the new PUD Ordinance or after six months which ever comes first.

SECOND: James Bruhn

PASSES: motion passes unanimously

7.
Engineer's Report Waterline
Improvements

City Engineer Matt Collier distributed and presented recommendations for the overall Waterline Improvement plan for West Bountiful City.

Matt Collier stated from West Bountiful City General Plan updated 2007"Public utilities and infrastructures serve as the foundation for a successful City. Although these services are typically taken for granted, their condition has a major impact on the quality of life for residents in the City. As such the manner in which these services are developed and maintained in the future will help determine the success of the City in meeting its citizens needs.

Mr Collier detailed the Porter Lane proposed waterline and the 400 North and 1000 North proposed waterline replacement, stating that city staff was seeking funding in the form of State and Federal grants along with looking into the options of low interest loans.

8.
Consider Changes in Golf
Course Administration.

Mayor James Behunin presented and discussed his recommendations

of the changes to take place at the Golf Course so as to remedy the concerns brought forth during the Cities Annual State Audit.

West Bountiful City's Director of Golf Mike Bicker distributed and presented his recommendations of changes to be made in the functions of Golf Course Employees and the Pro Shop.

City Council members asked questions and discussed solutions with members of the Golf Board, City Staff Members and the Mayor.

MOTION: Ken Romney made motion that because of the content of the topic, that 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, and moved that the Council move to close session.

SECONDED: Debbie McKean

PASSED: Voting was unanimous to move to Close Session at 9:05pm.

MOTION: Council member Cheryl Searle moved to adjourn the closed session.

SECONDED: Ken Romney

PASSES: Voting was unanimous

Closed Session was Audio Recorded

MOTION: Ken Romney made motion at 9:50pm to re-open the regular scheduled West Bountiful City Council meeting.

SECONDED: Cheryl Searle seconded the motion.

PASSES: voting was unanimous.

Discussion of consideration of changes in Golf Course Administration continued with Mayor,Council, Staff and Visitors in Chambers participating.

MOTION: Debbie McKean Council member made motion that the

current contract between West Bountiful City and Golf Pro Mike Bicker be terminated, and that a new contract be made with Mr Bicker including recommended wages and incentives. That the City assume the responsibilities of the Pro- Shop and that the City will purchase the inventory of the Pro- Shop upon the recommendations of the Golf Board. That the Golf Board bring a proposed contract and business plan complete with goals, before the Council on March 27,2008 for further approval.

SECONDED: Cheryl Searle

PASSES: voting was unanimous

MOTION: Council member Ken Romney made motion to extend this session of the West Bountiful City Council meeting to 10:30pm

SECONDED: Cheryl Searle

PASSES: Voting was unanimous

9.
Planning Commission Report

The Mayor referred the Council to the printed Planning Commission Minutes.

10.
City Administration Report

No report due to the excused absence of the City Administrator Wendell Wild due to illness.

11.
Mayor/City Council
Reports

Mayor James Behunin:

- The Conference of Cities and Towns
- Legal Counsel on RDA signage
- Holly tax
- Syro Steel - Trinity clean-up

Council member James Bruhin:

- no report

Council member Debbie McKean:

- Changes in 4th of July Celebration dates
- March 22 Easter Egg Hunt
- West Bountiful Youth Council Conference March 13,14,15
- Report of success of West Bountiful Night at the Recreation Center.

Council member Ken Romney:

- Researching and investigating different options with the Holly Oil Tax situation.

Council member Cheryl Searle:

- no report

Council member Valerie Shaw :

- no report

12
Approval of Minutes of previous meeting.

MOTION: Debbie McKean Council member made motion to approve the previous meetings minutes as per corrections given.

SECONDED: Ken Romney

PASSES: voting was unanimous

13.
Adjournment

MOTION: Ken Romney made motion to close this session of the West Bountiful City Council.

SECONDED: Debbie McKean

PASSES: Voting was unanimous

This session of the West Bountiful City Council adjourned at 10:45pm

MAYOR JAMES BEHUNIN

BEVERLY HASLAM (CITY RECORDER)

JAMI ZIGICH (SECRETARY)

WEST BOUNTIFUL CITY CORPORATE SEAL DAVIS COUNTY UTAH