Mayor
James Behunin

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

West Bountiful City

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City Administrator
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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 SEPTEMBER 2, 2008 AT 7:30 P.M. - 550 NORTH 800 WEST, WEST BOUNTIFUL, UTAH.

AGENDA AS FOLLOWS:

Invocation/Thought (Limit 2 minutes please)

Pledge of Allegiance - Ken Romney

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. Introduction of new Police Officers.

4. 7:45 (Or as soon thereafter as the agenda would allow) Public Hearing - Consideration of the Capital Facilities Plan and Impact Fee Analysis - Up-date of West Bountiful City Impact Fees.

5. CONSIDERATION FOR ADOPTION OF ORDINANCE #302-08 FIXING AND PRESCRIBING A POLICY FOR ESTABLISHING IMPACT FEES AND ADOPTING REASONABLE CAPITAL FACILITIES PLANS FOR THE PROVISION OF CULINARY WATER, STORM WATER DRAINAGE, ROADWAY, PARKS & RECREATION, AND PUBLIC SAFETY (POLICE) FACILITIES PROVIDED BY WEST BOUNTIFUL CITY WITHIN THE CITY-WIDE SERVICE AREA.

6. CONSIDERATION FOR ADOPTION OF RESOLUTION #235-08 AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN $5,500,000 AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE BONDS, SERIES 2008 OF WEST BOUNTIFUL CITY, UTAH FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE SERIES 2008 BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE SERIES 2008 BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE SERIES 2008 BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE SERIES 2008 BONDS MAY BE SOLD PROVIDING FOR THE PUBLICATION OF A NOTICE OF PUBLIC HEARING AND BONDS TO BE ISSUED PROVIDING FOR THE RUNNING OF A CONTEST PERIOD AND RELATED MATTERS.

7. Water Rate Increase Discussion.

8. Resolution #236-08 A RESOLUTION AUTHORIZING AN EMPLOYER PICK-UP OF EMPLOYEE RETIREMENT CONTRIBUTIONS.

9. Discussion on the PUD (Planned Unit Development) Ordinance as recommended by the Planning Commission (Possibly set date for Public Hearing on the PUD Ordinance).

10. Discussion of proposed public opinion survey regarding curbside recycling.

11. City Administrator Report

12. Mayor/Council Report.

13. Approval of Minutes of previous meeting.

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.

***** I CERTIFY THAT THIS AGENDA HAS BEEN POSTED, DELIVERED TO THE CITY COUNCIL AND SENT TO THE CLIPPER PUBLISHING COMPANY 08/29/08**

Minutes of the regular session of the City Council of West Bountiful City held on Tuesday September 2, 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: Wendell Wild(City Administrator), Craig Howe(Deputy City Administrator),Beverly Haslam(City Recorder),Randy Lloyd(Police Chief),Jami Zigich(Secretary)

VISITORS: Jason Meservy, Sherie McCleary, Erik McCleary, Jeff Lund, Kelly Enquist,Alan Malan, Ryan Morton, Matt Collier, Wendy Green

Called to Order:

Mayor James Behunin called the session to order noting the new time of 7:30pm as approved by Council last meeting asking that the notification marque be changed to reflect the new time.

Mayor Behunin recognized and announced Boy Scout Eric McCleary attending this evening would open the session reciting the Scout Oath. Immediately following Ken Romney led those in attendance in the Pledge of Allegiance.

1.
Accept Agenda

Mayor James Behunin reviewed the printed agenda.

MOTION: Council member Debbie McKean made motion that the agenda be accepted as printed tabling item #3 Introduction of new Police Officers and item #13 Approval of previous meeting minutes.

SECOND: Council member Ken Romney seconded the motion

PASSES: voting was unanimous

2.
Public Comment

Mayor Behunin moved directly to Agenda item #2 opening the floor for public comment

Eric McCleary Boy Scout and resident of West Bountiful expressed his appreciation for the lowering of the golf fees for the residents of West Bountiful.

Jeff Lund resident of West Bountiful and regular attendee of the City Council Meetings once again brought to the attention of the Council that their had been no contact or movement with Holly environmental study.

Ryan Morton West Bountiful resident brought before the Council once again the issue of a detached garage on his property in which he received a permit for in 2004 and could not finish, now he can complete the project but can't resolve the issue with the City. Mr Morton further explained he is very concerned with safety of the trenches with the recent rain, he fears a cave in involving the trenches.

Mayor James Behunin urged Mr Morton to meet with City Administrator Wendell Wild to try and resolve the issue.

Kelly Enquist West Bountiful resident stood before Council asking an infrastructure question - as to the policy of road repair, what the procedure was and who does the check off of finished repair?

Wendell Wild City Administrator, Mayor James Behunin,and Matt Collier City Engineer all responded stating that there is policy and procedure for digging and a check off list to ensure complete satisfaction from the City.

Council member Ken Romney suggested the City adopt the policy of what is taken out cannot be used to refill.

3.
Introduction of new
Police Officers

Item tabled to next meeting

4.
7:45pm Public Hearing

Consideration of the Capital Facilities Plan and Impact Fee Analysis- Update of West Bountiful City Impact Fees

MOTION: Council Member Debbie Mckean made motion that the Public Hearing begin in the issue for a policy for establishing impact fes and adopting reasonable capital facilities plans for the provision of culinary water, storm water drainage, roadway, parks and recreation, and public safety(police) facilities

SECOND: Council member Cheryl Searle second the motion

PASSES: Motion passed unanimously

Mayor James Behunin introduced Jason Burningham of Lewis, Young, Robertson and Burningham Inc. For presentation and explanation of West Bountiful City - City Wide Impact Fees

Jason Burningham consultant for West Bountiful City handed out a printed presentation to Council, Staff, and those in Chambers, and then orally presented the document.

ADDENDUM TO MINUTES #1
West Bountiful City, Utah
Discussion Outline
City Wide Impact Fees

ADDENDUM TO MINUTES #2
Comparative Residential Impact Fees
South and Central Davis County Utah

Discussion ensued regarding different accepts of West Bountiful City City Wide Impact Fees included but not limited to:
- discussion regarding park updates of what could be updated and

what could not
- issues regarding the passing of the RAP tax and its impact on the issue.
- issues regarding lease with Rocky Mountain Power and the land in use.
- the time frame around the bond issues
- the issues involving commercial versus residential
- the need of clarification of the Police impact fees

Residents speaking on issues during the public hearing were: Alan Malan and Dennis Hopkinson

MOTION: Council member James Bruhn made motion to close the public hearing regarding Impact fees at 9:05pm

SECOND: Cheryl Searle of Council seconded the motion.

PASSES: motion passes unanimously

5.
Consideration for adoption of Ordinance #302-08

Jason Burningham of Lewis, Young, Robertson and Burningham lead the discussion of Ordinance #302-08 referring to bond books made available to Council members, City Staff and those in attendance in Chambers

NOTE: Bond Book : West Bountiful City
City Wide Impact Fees, Ordinance
No. 302-08 September 2008
available for review thru City Recorder Beverly Haslam

Discussion among Council members, City Staff, residents of West Bountiful in attendance, and Lewis, Young, Robertson and Burningham representatives ensued including but not limited to the following topics:
- the justification of the fees
- why so far behind and the long term plan to overcome the situation again
- the issue of fees for the newly annexed residents on Porter Lane

MOTION: council member Cheryl Searle made motion to adopt Ordinance #302-08 an Ordinance fixing and prescribing policy for establishing impact fees and adopting reasonable capital facilities plans for the provision of culinary water, storm water drainage, roadway, parks and recreation, and public safety (police) facilities provided by West Bountiful City within the City - wide service area.

SECOND: Ken Romney of council seconded the motion

PASSES: voting was unanimous in favor

6.
Consideration for adoption of Resolution#235-08

Jason Burningham financial advisor of Lewis, Young, Robertson, Burningham Inc. Disbursed printed document to Council members and those in attendance in Chambers.

ADDENDUM TO MINUTES #3
$3,780,000
West Bountiful City, Davis County, Utah
Water Revenue Bonds Series 2008

A brief discussion occurred with Mr. Burningham and Council members regarding the water rate increase.

MOTION: Council member Cheryl Searle made motion of a resolution

authorizing the issuance and sale of not more that $5,500.000 aggregate principal amount of water revenue bonds, series 2008 of West Bountiful City, Utah; fixing the maximum aggregate principal amount of the series 2008 bonds, the maximum number of years over which the series 2008 bonds may mature, the maximum interest rate which the series 2008 bonds may bear, and the maximum discount from par at which the series 2008 bonds may be sold; providing for the publication of a notice of public hearing and bonds to be issued; providing for the running of a contest period; and related matters.

SECOND: Debbie McKean of Council seconded the motion

PASSES: motion passes unanimously

7.
Water Rate Increase

Jason Burningham Financial Advisor to West Bountiful led discussion and entertained questions of Council members regarding water rate increases.

Discussion from Council included but was not limited to:

- the possibility of a general increase across the board
- the problem of some residents without secondary water
- what about a tiering water rate increase

Mayor James Behunin asked of Jason Burningham if he could prepare a water rate increase schedule by the September 16,2008 meeting for review by Council. Mr Burningham acknowledge that he would prepare the document.

MOTION: Council member Ken Romney made motion for a 5 minute break , extending the meeting to 10:15pm

SECOND: James Bruhn second the motion

PASSES: Motion passes unanimously

Council member Valerie Shaw asked to be excused for the remainder of the meeting because of pending family issues.

After the designated five minute break Mayor James Behunin reconvened the session

8.
Resolution #236-08

MOTION: Council member Debbie McKean made motion to pass

Resolution #236-08 for approval

MOTION FAILS: lack of second

Mayor James Behunin asked Deputy City Administrator and Financial Advisor Craig Howe to give information regarding Resolution #236-08

Craig Howe of City staff briefly summarized the resolution stating it was mainly a "house keeping" issue that the resolution needs to be signed and filed with the state for IRS issues.

MOTION: Debbie McKean made motion to adopt Resolution #236-08 a resolution authorizing an employer pick-up of employee retirement contributions.

SECOND: Motion was seconded by Council member James Bruhn

PASSES: Motion passes unanimously, noting that Council member Shaw was not present for voting

9.
Discussion on the PUD (Planned Unit Development) Ordinance as recommended by the Planning Commission

Mayor Behunin asked if Dennis Hopkinson of the Planning and Zoning Commission would briefly speak to this agenda item.

Dennis Hopkinson stated that a lot of thought and time had been spent with wording and research of the document the Council had before them, and it would take some time to digest and gain knowledge of.

Mr Hopkinson stated that the Planning and Zoning Commission would hope that the Council would set a public hearing for review of the residents of West Bountiful, before adoption of the Ordinance.

MOTION: Debbie McKean of Council made motion to set a Public Hearing for the residents of West Bountiful to review the proposed PUD Ordinance, that hearing be set for October 7,2008 at 8:15pm

SECOND: Ken Romney of Council seconded the motion

PASSES: Voting was unanimous noting that Council member Shaw was absent.

10.
Discussion of proposed public opinion survey regarding curbside recycling

Mayor James Behunin stated that the letter and document included in the binder materials, was strictly informational, to let Council know that he was putting the residents to work to complete the survey on curb side recycling. The mayor concluded that all data received would be shared with the Council, Staff and Residents.

11.
City Administrator Report:

Wendell Wild City Administrator reported and discussed:

- that the paving is being completed on 8th West ahead of schedule
- that the issue of up keep of the Rails to Trails is still being sorted out
- that the Franchise Agreement with Rocky Mountain Power regarding Pages Lane and the Olsen Farm 7 Development is near completion
- Mr Wild distributed the Arts Council combo pin to all those present

MOTION: Council member Ken Romney made motion to Adjourn.

MOTION FAILS: for lack of second

MOTION: Council member James Bruhn made motion to extend Council meeting to 10:30pm

SECOND: Council member Debbie McKean seconded the motion

PASSES: Voting was unanimous of those in attendance.

12.
Mayor/ Council Reports

Mayor James Behunin reported that it was good to be briefed on the Holly Oil incident

Council member James Bruhn reported and discussed:

- That the utility work on 660 West just south of 10 North still needs to be inspected before sign off.
- informed that the Planning Commission is considering going to a five member Commission

Council member Debbie McKean reported and discussed:

- newsletter distribution
- that the Arts Class being offered is a great opportunity
- urged everyone to go see the Founders Day Musical
- please visit the Farmers Market
- the School Community Council Meeting has been scheduled

Council member Ken Romney reported and discussed:

- positive feedback from the Beautification Letters that had been sent out.

Council member Cheryl Searle reported and discussed:

- residents had notified her of safety a issue for school children, no cross walk at 10th North and 700 West - and that she would like someone to address the issue with the scheduled meeting with the school superintendent.

Council member Valerie Shaw had been excused early.

13.
Approval of Minutes

Agenda item had been tabled previous

14.

West Bountiful
City Council Meeting

Sept. 2,2008

Adjournment.

MOTION: Council member Cheryl Searle made motion to adjourn this session of the regularly scheduled City Council meeting.

SECOND: Council member James Bruhn seconded the motion

PASSES: voting was unanimous of Council members present

Meeting adjourned at 10:37pm

MAYOR JAMES BEHUNIN

BEVERLY HASLAM (CITY RECORDER)

WEST BOUNTIFUL CITY CORPORATE SEAL DAVIS COUNTY UTAH

JAMI ZIGICH (SECRETARY)