Minutes of the regular session of the City Council of West Bountiful City held on Tuesday,October 2, 2007, at West Bountiful City Hall, Davis County, Utah.

Those in Attendance

MEMBERS PRESENT: Mayor James Behunin, Debbie McKean, Cheryl Searle, Roy Johnson, and Don Lilyquist.

MEMBERS EXCUSED: Jeff Tingey

STAFF PRESENT: Beverly Haslam (City Recorder), Randy Lloyd (Police Chief), Jami Zigich (Secretary).

STAFF EXCUSED: Wendell Wild (City Administrator)

VISITORS:Valerie Shaw,Kelly Enquist,Eric Eastman,Terry Turner, AlanMalan,JamesBruhn,SallyBeyer,LynnKeddington,Craig Johnson,DeweyReagan,LeslieVanFrank,RichardRappaport,Jeff Lund,,KenRomney,M'KynziNewbold,RussNewbold,Cari Newbold,ReadHellewell,NathanLunt,MattCollier,Dennis Hopkinson,ClintBroderick,KrystalHawker,CindySteed,Rusty Steed,Sally Beyer,Karen Atwood,Matthew Bown,Joe Child,Terry Nani,Debbie Tripp,BJ Hawker,Nathan Long,Shawn Brock,Kelly Weston

Called to Order

The City Council Meeting was called to order at 7:30 p.m. Mayor Behunin requested a thought or invocation.Lane Beattie then offered an invocation. The Pledge of Allegiance was led by Cheryl Searle

1.
Accept Agenda

Mayor Behunin reviewed the agenda .Debbie McKean moved to accept the agenda as outlined.Cheryl Searle seconded the motion. Voting was unanimous in favor.

2..
Public Comment

Eric Eastman addressed the council giving a brief summary of the on going litigation concerning the 14 acres of land set aside in 2001 for a wetlands/park.

Shawn Brock representing the golf advisory board ask the council for consideration to formally accept bids for Lakeside Café and Concessions, the current contract is soon to expire. In addition the advisory board informed the council that fifteen to twenty thousand

dollars would be requested for much needed improvements in the café Improvements would include painting,carpet,tables,chairs and general improvement to the patio area.

Kelly Weston stood in concern of the so called "black hole" neighborhood located at 600 West 1300 North. The concern is the amount of power outages in the area. Contact has been attempted with Rocky Mountain Power with no response back. The neighborhood just wants to know if the city can do something.

Mayor Behunin responded that there are several neighborhoods and business areas where this is happening. The mayor has contacted the Public Service Commission and needs to have a record of events which he has started keeping, but urged that if anyone had record of previous events, he would appreciate receiving the information.The mayor assured that it is an issue that is being dealt with.

BJ Hawker informed the council that he was there representing the Eagle Glenn Circle neighborhood and that he would like to take the extra time designated for a group of citizens. Mr Hawker addressed the council with concerns regarding a home in the cul-de-sac that has now been turned into a business called, Rooms for Recovery a transitional house for recovering alcoholics The main concerns of the neighborhood are,1)that it is not acceptable according to city code to have this type of business in a residential neighborhood,2)there is a definite security, safety problem,3) theproperty values may be effected. Mr Hawker went on to say that the city was informed over two months ago of the issue and has not responded.

Terry Mitchell,Matt Bown,and Cari Newbold,reinterated regarding the neighborhood especially noting that this is a family area with lots of children and that the family environment is deteriorating because of the business.

Mayor Behunin assured the citizens that steps had been taken and that it sometimes takes longer because of legal issues, but the council is well aware of the situation and is acting on it.

Chief Randy Lloyd also noted that they will check the neighborhood on a more frequent basis.

3.
Chief Randy Lloyd
Swearing in of new officer

Chief Randy Lloyd introduced the new West Bountiful Police Officer Steven Robert ~~Lawerence.~~ Larson.

Mayor James Behunin administered the formal oath.

Council congratulated the new officer.

4.
Presidential Volunteer Award
Bre Dickson

Councilwoman Debbie McKean awarded Bre Beattie Dickson the Presidential Volunteer Award for her outstanding leadership in the cities 4th of July Celebration.It was noted of the steady improvement of the celebration, credited to Mrs Dickson. The award included a certificate, letter and pin from President George Bush.

Council congratulated and thanked Bre for her outstanding service.

5.
Holy Refinery Discussion
Nathan Long

Nathan Long of 186 North 1000 West thanked council for putting this issue on the meeting agenda, for open discussion. Mr Long stated that there were key issues that he and the citizens of this neighborhood were concerned about. Noise about Holly is an ongoing issue, but most importantly the dangerous conditions concerning the refinery, that the neighborhood is subject to on a daily basis.

Mr Long went on to address the danger issue making specific about when the plant loses power, the sour water problems, and air quality.

In support of the neighborhood complaints of air quality an independent study was completed, the documentation and findings of the study were given in hard copy form to the council by Mr Long.

Mayor Behunin ask Dennis Hopkinson of the city planning commission to make comments to the issues that Mr Long had brought forward.

Mr Hopkinson stated that he had been meeting with a task force and the Holly refinery group to address the said issues and felt that very positive progress was being made.Currently there are ongoing studies of water,air,oil,and soil. After twelve weeks of studies and sampling the data will be gathered and discussed. Mr Hopkinson indicated that

this situation may look like in a short time there is no progress but long term there will be big progress.

Lynn Kennington of Holly Refinery Group took the floor at the request of the mayor. Mr Kennington assured the council that the Holly group is very concerned about safety and health issues, and adhere to many agencies regulations to be able to stay in production

Kennington detailed in regards to a safety alert system they are working on with the city emergency preparedness group along with Chief Lloyd and the Davis County Sheriffs's Department on a emergency warning system.

Air quality is an issue that Holly monitors on a daily basis and is happy to be a part of the ongoing studies that were indicated by Mr Hopkinson.

In conclusion Mr Kennington related the time line for the new construction, the landscaping projects underway as requested by the council and reiterated that the Holly Group has an ongoing commitment to the city and its citizens.

Chief Randy Lloyd made a brief comment on the new emergency warning system stating that it will be an effective communication tool for all.

Mayor James Behunin then concluded the discussion thanking all who participated and insured that the council will be actively involved.

6. Consider relocation of Billboard Sign in West Bountiful Commons
Armand Johansen

Mayor Behunin informed council that Mr Johanson had met with him previous to the meeting and agreed that there were some outstanding questions regarding the issue and until these questions had been addressed the council would not be acting on the matter.

Armand Johansen stood to verify the Mayors statement and to ask for permission for Mr Reagan to address the council briefly as he was not aware of the previous discussion.

Mr Reagan of Reagan Sign addressed the issue of the size of the signs at both the Commons and Kennedy sites giving hard copy documentation to the council.

Discussion ensued on the different sign sites and styles.

Mike Watkins from Mike and Sterling Flooring told the council that when the sign for the business was erected they made sure they were in compliance with all city ordinances and they would hope that the sign of discussion would not block in anyway the businesses current sign.

The mayor then asked Mr Reagan if he would supply the council with a revenue appraisal for the sign in question.

Mr Reagan replied he would have to confer with counsel.

Legal counsel for Reagan Sign stood to clarify with the mayor what he was requesting.

Mayor Behunin restated his request and brought the discussion to a close.

Motion was made by council member Roy Johnson to go directly to Agenda item #8 and continue with approved agenda before moving to closed session Debbie McKean seconded the motion. Motion carried unanimously.

8.
Consider approval of
200 North Road Improvement
Project

Matt Collier of CRS advised the council that bids had been received for the 200 North Road Improvement Project. The lowest bid received was from Bowen Construction foe $340,979.80
which includes a contingency budget of $10,000.00. It is Mr Collier's recommendation that the contract be awarded to Bowen Construction.

Councilman Don Lilyquist made the motion that the 200 North Road Improvement Project contract be awarded to Bowen Construction for the amount stipulated in the bidding process.Debbie McKean seconded the motion. Mayor Behunin called for a vote, motion carried.

9.
Planning Commission
Report

Councilwoman Debbie McKean referred the council to the printed report from the Planning and Zoning Commission meeting stating that it was quite lengthy going until 11:45pm.

10.
Approval of minuets of previous meeting

Roy Johnson of council had minor changes to minuets in regard to names, but no content changes.

Debbie McKean made a motion to approve minuets of West Bountiful City Council Meeting dated Tuesday, September 18,2007 with changes previously stated.Cheryl Searle seconded the motion. Motion carried.

11.
City Administrative Report

Mayor James Behunin excused Wendell Wild, expressing concern for Mr Wilds health and informed council of his current health status.

Mayor Behunin went on to inform the council of issues discussed at city staff meeting that were pertinent.

A situation had surfaced with two to three citizens on 11th West, it was discovered that these individuals were illegally tapping into the water line and will be prosecuted.

Explained by Mayor Behunin was the redesign project of the city park. A Utah State University group has agreed to do the redesign project and will be working with Councilwoman McKean and her new parks committee.

Mayor Behunin updated the council that the city is earnestly trying to get the owners of unfinished garages to get them completed and in compliance with city code.

Reiterated by the mayor is the culinary water issue near or just off Porter Lane, it is a priority of the city administrator and crews to resolve this ongoing issue as soon as possible.

The issue of the standing water at the elementary school has been addressed with the Davis School District administrator John Swain and is on its way to being resolved were the concluding remarks by the mayor.

12.
Mayor and City Council Reports

Mayor James Behunin asked council members for individual reports

Roy Johnson had no comments.

Don Lilyquist reported that there would be a mock disaster drill conducted sometime this month, the exact date is not known. Mr Lillyquist explained that the committee is working with the local ecclesiastical leaders as neighborhood chairs so that all citizens would be involved. It was expressed that one thing from this mock drill was to find those that were CERT trained and those that might be willing to be trained.

Councilman Don Lilyquist also read from the minuets of the City Council Meeting dated June 19,2007 approving the moving of the Reagan sign to the Kennedy property, included a condition that if Mike and Sterling objected to the sign, the issue would be returned to the City Council.

Mayor Behunin asked that lessons learned be included in the city newsletter.

Debbie McKean advised the council that the new parks committee was now in place, the last Farmers Market of the season will be held on October 3,2007. McKean informed the council of the plans for Walk Your Child To School Day, council members,the mayor,and other city officials including the police department will be greeting the students as they arrive at school. Mrs McKean concluded with the announcement of the West Bountiful Youth Council's preparation for the October 31st Safe Halloween Activity.

Councilwoman Cheryl Searle brought up a concern of different committee meetings overlapping each other, she suggested the council work more closely on scheduling issues.

At the conclusion of the council reports the mayor asked that the council members move to Closed Session to proceed with agenda item 7) City Administrative Staffing Needs.

Council members moved to Closed Session at 9:50pm

Councilman Don Lilyquist made a motion to close the closed session of the meeting at 10:45 p. m. with Roy Johnson seconding the motion. Voting was unanimous.

MAYOR JAMES BEHUNIN

BEVERLY HASLAM (CITY RECORDER)

JAMI ZIGICH (SECRETARY)