AMENDED 01/02/09

CITY COUNCIL AGENDA

NOTICE IS HERBY GIVEN THAT WEST BOUNTIFUL CITY WILLHOLD THE REGULARLY SCHEDULED CITY COUNCIL MEETING ON TUESDAY JANUARY 6, 2009 AT 7:30 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. 7:30 (Or as soon thereafter as the agenda will allow) Public Hearing to discuss the imposition of a temporary land use restriction Ordinance.
4. Announcement of Citizen of the Year/Officer of the Year.
5. Consider adoption of Ordinance 307-09 - AN ORDINANCE ESTABLISHING TEMPORARY RESTRICTIONS REGADING LAND USE APPLICATIONS IN PORTIONS OF THE AGRICULTURAL (A-1) AND LIGHT INDUSTRIAL (L-I0) ZONING DISTRICTS.
6. Consider changing speed Limit on 1200 North from 30 MPH to 25 MPH.
7. Consider approval of Holly Refinery repay agreement.
8. Resolution #242-09 – Authorizing 3 positions: Acting City Administrator, Planning & Zoning/Enforcement Officer, Accountant I.
9. Planning Commission Report (No meeting held).
10. Administrative Report.
11. Mayor/Council Reports.
12. Approval of minutes of previous meeting.
13. Adjournment.

According to the American's with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should contact Beverly Haslam (City Recorder) – 292-4486.

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 Clipper Publishing Company on 1/2/09

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Minutes of the regular session of the City Council of West Bountiful City held on Tuesday January 6,2009 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

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

MEMBERS EXCUSED: Cheryl Searle

STAFF PRESENT: Craig Howe(Acting City Administrator),Randy Lloyd(Police Chief),Jami Zigich(Secretary)

STAFF EXCUSED: Beverly Haslam(City Recorder),Michael Eggett(City Staff)

VISITORS:

Called to Order

The regular session of West Bountiful City Council was called to order by Mayor James Behunin at 7:35pm, with Mayor Behunin apologizing for the delay of the meeting due to technical set up difficulties.

Mayor James Behunin announced that Council member James Bruhn would offer the invocation with Council member Debbie McKean following by leading the Pledge of Allegiance.

1.
Accept Agenda

Mayor James Behunin presented the printed agenda to those in Chambers, adding to agenda item #4 Announcement of Citizen of the Year/Officer of the Year, also adding Honored Marriages

MOTION: Council member Debbie McKean made motion to accept agenda as posted with the Mayors recommended addition.

SECOND: the motion was seconded by Council member Valerie Shaw

PASSES: Voting was unanimous in favor

2.
Public Comment

Mayor James Behunin opened the meeting for Public Comment.

West Bountiful resident Terry Olsen stepped forward to address the Council with concern, stating that on New Years Eve, during midnight celebrations some of his neighbors were doing fireworks which caused problems with his animals (horses).

Mr Olsen went on to state that it took him at least 40 minuets to calm down his animals not because of the sight or sound but because of the smell. Mr Olsen was just bringing awareness to the Council and asking for suggestions of how to take care of the situation.

3.
7:30 Public Hearing
to discuss the imposition of a
temporary land use restriction
Ordinance

MOTION: Council member Debbie McKean made motion to open the scheduled public hearing for the temporary land use restriction ordinance.

SECOND: Motion was seconded by Council member James Bruhn

PASSES: Voting was unanimous in favor

Mayor Behunin asking Acting City Administrator Craig Howe to briefly explain the restriction being asked for.

Acting City Administrator Craig Howe briefly explain that in the Cities southwest corner, the City is in the process of studying ways to promote beneficial and appropriate development adjacent to and near recently complete Legacy Parkway, while minimizing any adverse impacts of such development, therefore asking for the restriction ordinance for a

6 month period.

No citizens came forward to speak in the public hearing.

MOTION: Council member Debbie McKean made motion to close the public hearing.

SECOND: Valerie Shaw of Council seconded the motion

PASSES: Voting was unanimous in favor

4.
Announcement of Citizen of the Year/
Officer of the Year/ Utah Commission
on Marriage Recognitions

Council member Valerie Shaw announced that in conjunction with the Bountiful Elks Community Award Program the City was proud to announce and honor as Police Officer of the Year Trent Wass and as Citizen of the Year Terry Olsen.

Council member James Bruhn further recognized the following in conjunction with the Utah Commission on Marriage.
Gold Medal Marriage award to Rich and Marilee Hullinger
Longest Marriage Couple Award to Ken and Lola Olsen
Valorous Military Couple Award to Michael and Bonnie Sorenson

5.
Consider adoption of
Ordinance 307-09
AN ORDINANCE ESTABLISHING
TEMPORARY RESTRICTIONS
REGARDING LAND USE APPLICATIONS
IN PORTIONS OF THE AGRICULTURAL
(A-1) AND LIGHT INDUSTRIAL (L-I)
ZONING DISTRICTS

Mayor James Behunin asked for a motion regarding Agenda item 5

MOTION: Council member Debbie McKean made motion to adopt

Ordinance No. 307-09 an ordinance establishing temporary restrictions regarding land use applications in portions of the agricultural (A-1) and light industrial (L-1) zoning districts for a period of 6 months.

SECOND: Council member Ken Romney seconded the motion.

Citizens assembled in Chambers asked for personal privilege of explanation of the Resolution

A lengthy explanation ensued amongst Council members, City Staff and Citizens in Chambers, discussion included but was not limited to.
- that the zoning was in place
- that the resolution was being proposed to protect citizens.
- that there is a relief process if a citizen needs to build during the moratorium.
- that during the moratorium re-evaluation of mapping needed to take place
- the Mayor of Woods Cross and the Mayor Behunin are communicating about the situation for a positive outcome.
- all concerned citizens are urged to attend Planning and Zoning meetings for input.

Mayor Behunin called for a verbal vote.

VERBAL VOTING:
Ken Romney - yes
Valerie Shaw - yes
Debbie McKean - yes
James Bruhn - yes

PASSES : Motion passes unanimously

6.
Consider changing speed limit on 1200 North from 30MPH to 25MPH

Mayor James Behunin opened agenda item 6 stating he had asked residents of 1200 North to come to voice concerns and reasons for the proposed request.

Citizens Melanie Vest, Carolyn Cox, Robert Cox, Daren Bromley, and Steven Schmidt stated the following issues for wanting the speed limit

changed:
- children safety is number one concern
- no sidewalks in neighborhood
- signage issues
- livestock in danger
- golfers in danger
- not a lot of officer patrol
- speeding is major issue

The following suggestion where made by Council members and City Staff.
- that better signage will be looked into
- to let officers know when would be a good time to patrol
- to turn in license plate numbers of offenders to officers

MOTION: Council member Valerie Shaw made motion to change speed limit on 1200 North from 30MPH to 25MPH

SECONDED: Motion was seconded by Council member James Bruhn

PASSES: Voting was unanimous in favor

7.
Consider Approval of
Holly Refinery repay agreement

Mayor James Behunin opened agenda item 7 to Council for questions and concerns stating that all documentation had been included in binders and that City Attorneys were satisfied with the document before them.

A brief discussion ensued amongst Council members and City Staff regarding the following issues.
- Exhibit B, B intent of policies and procedures
- Holly Oil wanting own inspectors
- the reassurance that the City Attorneys have approved of the documents

City Staff assured in the affirmative of the listed issues.

MOTION: Debbie McKean of Council made motion to approve Tax Refund Payment Agreement to Holly Refinery and Marketing Company as presented to Council and approved by City Attorneys.

SECONDED: Council member Ken Romney seconded the motion

PASSES: Voting was unanimous in favor

8.
Resolution #242-09
Authorizing 3 positions
Acting City Administrator,
Planning and Zoning/ Enforcement
Officer, Accountant I

Mayor James Behunin briefly stated that with former City Administrator Wendell Wild retiring the majority of all the responsibility of the Cities day to day activities have fallen on Craig Howe.

Mayor Behunin further stated and recommended that the council approve the opening of the following positions:
- Acting City Administrator - to be filled by Craig Howe
- Planning and Zoning/ Enforcement Officer - to be filled by Mike Eggett
- Accountant I - to be opened for application

A brief discussion ensued amongst Council members and Craig Howe asking of his feelings and the Cities financial position to create the positions?

Craig Howe of City Staff was affirmative of the much needed help and stated that the City has the funds to fund the positions.

MOTION: Council member Valerie Shaw made motion to adopt Resolution #R242-09, a resolution authorizing three (3) full time positions for staffing for West Bountiful City, And authorizing City Staff to advertise for the Accounting I position.

SECOND: Ken Romney of Council seconded the motion.

PASSES: Voting was unanimous in favor

9.
Planning Commission
Report

No meeting held

10.
Administration Report

Acting City Administrator Craig Howe reported and discussed the following:
- The Warrior Coat Drive will be on January 20th with coats to be collected at the City Offices
- Sale tax report showed a decline with some businesses struggling
- The City has requested several tax audits.
- a tax audit showed that the City had come out with a positive outcome with several months of LOWES missing tax
- Golf report had been included in binders showing revenue up for the season
- Please be aware and read thru documents included in binders under tab 10 regarding Lot 4 of Eggett Acres - the issue would be on the next agenda for decision making.

11.
Mayor/City Council
Reports

Mayor James Behunin reported and discussed the following:

- issues regarding the Co-Gen Plant, including that the City has not received any application for building permit, the current zoning, City requirements for a buffer zone, January 13 Public Comment Meeting at Woods Cross City
- water rights issues, dried up wells, investigations ensuing into these issues.
- Trinity Steel meeting about environmental issues improvements that are upcoming.

Council member James Bruhn reported and discussed:

- no Planning Commission meeting held
- suggested that a work session be held to discuss some of the upcoming Council issues

Council member Debbie McKean reported and discussed:

- Beautification Committee Chair resigned, the new chair will be Ed Swanke
- the Independence Day parade Chair will be Terry Olsen

be contacted a

Council meml

Council meml

- Trails Comm
members, sev
trails, ATV us Council will be held Thursday
land issues :les will be accepted until Thursday
- Council men were given Christmas from the City Elf Tree
balls hitting p
- Thank You tve a copy of the newsletter schedule
- please keep (
CoGen Plant. Romney reported and discussed:

fé would not be available for catering the Cities

11.
Approval of minuets
of previous meeting

roof of the City Hall, suggesting that the builder
d for roof warranty and repair.

yl Searle was excused from meeting
MOTION: Co
December2,2(rie Shaw reported and discussed:

SECOND: Ke eting was attended by City Staff and Committee
ies were discussed, equestrian trails, walking
PASSES: Votisues of where funding is coming from and wet

estioned the Golf Course liability issue of golf
12.
Adjournment

personal property
works with snow removal issues
MOTION: Coupdated on all issues regarding the Holly Oil and
session of Wes

mber Debbie McKean made motion to approve
Council Meeting minuets with said changes

ey of Council seconded the motion

unanimous in favor

mber Ken Romney made motion to adjourn this
iful City Council meeting.

- School Com
- City Newsle
- FYI over 12(
this year
- Everyone sh

Council meml

- that the Suns
Staff winter p
- the issue of tl

SECOND: Council member Valerie Shaw seconded the motion

PASSES: Voting was unanimous in favor

This session adjourned at 9:25pm

MAYOR JAMES BEHUNIN

BEVERLY HASLAM (CITY RECORDER)

WEST BOUNTIFUL CITY CORPORATE SEAL DAVIS COUNTY UTAH

JAMI ZIGICH (SECRETARY)