Mayor
James Behunin

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

West Bountiful City

550 North 800 West
West Bountiful, Utah 84087

Phone (801) 292-4486
FAX (801) 292-6355

City Administrator
Craig Howe

City Recorder
Beverly Haslam

Chief of Police
Randy W. Lloyd

CITY COUNCIL AGENDA

NOTICE IS HERBY GIVEN THAT WEST BOUNTIFUL CITY WILL HOLD THE REGULARLY SCHEDULED CITY COUNCIL MEETING ON TUESDAY FEBRUARY 3, 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 - Debbie McKean

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. Davis County Dispatch – Reverse 911 calls.
4. Discussion - Drainage Ordinance/Drainage problems within the City.
5. Resolution 246-09 – CONSIDERATION FOR ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF WEST BOUNTIFUL CITY, UTAH (THE"ISSUER"), FINALIZING THE TERMS AND CONDITIONS OF THE ISSUANCE AND SALE BY THE ISSUER OF ITS WATER REVENUE BONDS, SERIES 2009 IN THE AGGREGATE PRINCIPAL AMOUNT OF APPOXIMATELY **$4,755,000;** AWARDING AND CONFIRMING THE SALE OF SAID SERIES 2009 BONDS; AUTHORIZING THE EXECUTION BY THE ISSUER OF A GENERAL INDENTURE OF TRUST, FIRST SUPPLEMENTAL INDENTURE OF TRUST, BOND PURCHASE AGREEMENT, AND OTHER DOCUMENTS REQUIRED IN CONNECTION THERWITH; RATIFYING THE PREPARATION, DISTRIBUTION, AND APPROVING OF A PRELIMINARY OFFICIAL STATEMENT AND APPROVING A FINAL OFFICIAL STATEMENT AND OTHER DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTION CONTEMPLATED BY THIS RESOLUTON; PROVIDING A SERVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND RELATED MATTERS.
6. Discussion of 800 West realignment.
7. Planning Commission Report.
8. Administrative Report – Proposed 2nd amendment to the Participation Agreement. UDOT drainage situation on Legacy Parkway Trails.
9. Mayor/Council Reports.
10. Approval of minutes of previous meeting.
11. 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 1/30/09

West Bountiful City
Council Meeting
Feb. 3 2009

1.
Called to Order

Mayor James Behunin called the Feb. 3, 2009 meeting of the West Bountiful City Council to order at 7:30 p.m.

Members Present:

Debbie McKean, Cheryl Searle, James Bruhn, Valerie Shaw. Ken Romney was excused.

Staff Present:

Craig Howe (City Administrator), Randy Lloyd (Chief of Police). Beverly Haslam (City Recorder) excused.

2.
Accept Agenda:

Mayor Behunin reviewed the agenda for the council members and asked that item #5 be moved up on the agenda to item 3A in order to accommodate Jayson Burningham's schedule.

Debbie McKean moved to accept the agenda for the Feb. 3, 2009 meeting with moving item 5 to item 3A. James Bruhn seconded the motion and voting was all in favor.

3.
Public Comment

None

3A
Water Bond Report

Jayson Burningham of Lewis, Young, Robertson and Burningham was present to present to the council members the status of the 2009 Water Bond Series. Mr. Burningham stated he and the administrative staff of West Bountiful have been working on the Bond action for several months and now can present some very good findings and good news related to our Water Revenue Bond. Mayor Behunin has been directly involved in the pricing of these Bonds because of his unique knowledge on this. Mr. Burningham also thank Craig Howe for his work and effort toward the bonding issue and as a result of the culmination effort of the administrative staff, we were able to obtain a rating of A+, and ultimately being able to obtain Municipal Bond Insurance which really saved the day as it was presented in the marketplace.

Mr. Burningham went on to explain the interest rate analysis and stated in comparison the treasury notes have been historically yielding 4.6% . The benchmark rate has been at 4.81 & 4.88 % West Bountiful ended up performing much better with a 3.94% interest rate on the Water Bond Series 2009. (See page 3 of the Bond Document for comparable Interest information). Mr. Burningham explained that the fact that the city was well prepared with a Capital Improvement Plan and had looked at water rates and adjusted those rates, the City's credit was viewed as substantial. The overall strength of the City made for a better position to receive the A+ rating.

The par amount of the bond being $4,785,000.00 with reoffering a portion of those bonds as a premium of $16,000.00, giving the City $4,800,000.00 with $4,629,000.00 being set aside for construction. (See page 10 of Bond Document).

The matter before the city council is to approve the resolution finalizing the terms and conditions of the issuance and sale of the Water Revenue Bond.

Resolution 246-09
Motion of Floor

Cheryl Searle moved to approve Resolution #246-09 – Consideration for Adoption of a Resolution of the City Council of West Bountiful City, Utah (The "Issuer"), finalizing the terms and conditions of the issuance and sale by the issuer of its Water Revenue Bonds, Series 2009 In the Aggregate Principal amount of approximately $4,755,000.00; awarding and confirming the sale said series 2009 Bonds; authorizing the execution by the issuer of a general indenture of trust, first supplemental indenture of trust, Bond Purchase Agreement, and other documents required in connection therewith; ratifying the preparation, distribution, and approving of a preliminary official statement and approving a final official statement and other documents required in connection therewith; authorizing the taking of all other actions necessary to the consummation of the transaction contemplated by this resolution; providing a severability clause; providing an effective date; and related matters. Debbie McKean seconded the motion and voting was unanimous in favor. Motion is passed.
Closing for the Bond will be Tuesday March 10, 2009.

3.
Davis County Dispatch

Sgt. Brent Peters of Davis County Sheriff's Office was present to explain he reverse 911 calls received by residence of Olsen Farm Estates in connection with the Silver Eagle Refinery fire last month. Sgt. Peters apologized for not being present for the last council meeting and stated he was unaware that he was on the agenda. Sgt. Peters is the Davis County Emergency Coordinator and stated he is very much aware of what has taken place with the refinery fire. Mr. Peters explained the City Watch system which is a brother to the reverse 911 system and on the night of January 12, 2009, a request was received from the South Davis Metro Fire District. The first call was for 335 homes to be notified but as the fire intensified there was additional numbers added to the request so there was 1,864 calls made with a 56% success rate, meaning just under 1,000 homes were contacted.

When Sgt. Peters got word of mix up on the calls, he contacted the company that had provided the county with the program and found out that there was not an update included in the contract. The last time the program was updated was January of 2000. Mr. Peters explained how duplicate numbers are registered in the program.

The County now is taking action to get the program updated four times as year. A message will now be used to identify each home and if that home is affected by the emergency and a voice message will be included to instruct the citizens if they are to evacuate and the evacuation location.

Sgt. Peters explained that unlike what the media had reported, the system did not fail but rather over reacted doing just what is was

than if there was an emer
The citizens will be notifi
Newsletter. Sgt. Peters al
and that this frequency co
sons including advertising not being updated put out more calls

4.

Drainage Ordinance

Mike Eggett reported that tter is error of the side of safety and
of 1725 West and 1950 N nt for some it was better that way
ing for at least four of the y and they had not been notified.
oval berm constructed on City Watch program through the
allow the water to flow pr plained the AM1700 radio station
table in the area. The floc e used by the City for various rea-
water table. pecial events.

A Special Improvement D nd Matt Collier had visited the area
ago in order to take care c where there has been severe flood-
ditch which runs on the n lents in that area. There has been an
side of the street has very ony Haven property which does not
water is not reaching the ly. This situation raised the water
basements are caused by the higher

Rex Strand was present a
ditch on the north side of
pumps but as the homes s
covered up parts of the op t was put into place several years
ter does not flow. water problems in the area. The
side of the properties on the north
water flowing through it. The
Council member Bruhn s
and Mr. Strand had looke s at 800 West and 1950 North.
Mr. Smith thought he coul
flow more freely. Mr. Bru ted that at one time there was a
area would not be interest mes that carried the water to the
in the original SID twenty d resold the residents there had
tch or built over top of it so the wa-

In answer to the Mayor's
in the budget to implemen
are now $130,000.00 in th o the issue and stated Mike Smith
gested we look at the stor e ditch and the water problem and
customer each month does dge the ditch to make the water
lso stated that the citizens in that
another SID, they had participated
Mayor Behunin suggested
project in the opening of t years ago and it did not work.
amount we are looking at
ion as to whether there was money
Discussion continued on w system, Craig Howe stated we
comments from the audier in the storm drain fund and sug-
Behunin suggested the citi in fees. The $1.75 we charge each
the council members in or seem to be covering the actual cost.

nclude funds for the storm drain
dget. Matt Collier stated the
d be approx. $160,000.00.

rates and storm drain issues with
d the council members. Mayor
attend a meeting with a couple of
come up with a solution.

supposed to do but the sy
that was necessary.

Debbie McKean stated it
even though it was incon

6.

800 West Realignment

Craig Howe explained the maps showing the realignment of 800 West. The maps show a loop coming off just before Holly Oil Refinery going east over the railroad tracks along what would be a new ramp of I-15, over Millcreek next to the tracks, coming down 500 South. We have approached Senator Bennett to perhaps acquire funding for the infrastructure. The project costing approximately 2,500,000.00. Paul Hurst and Matt Collier have offered, At no cost to us, the preparation of documents to send to Senator Bennett for a proposal to seek funding. These documents would include: Research on traffic study, Right of Way adjustments, utility investigations, alignment exhibits, discussion of safety issues as well as estimated costs.

In exchange for all of the preliminary work, CRS is asking that they be the engineers for the project if it were to be funded. Again the preliminary work is at no cost to the City but a risk for CRS in case the project is not funded.

Mr. Howe explained this is brought up as an information item and no action is requested at this time. Mayor and other Council members felt strongly that approval should be given and the movement should begin.

Mayor Behunin explained how the closer of the 800 West Street and access to Woods Cross came about. UTA needed the right of way for FrontRunner. Without the road closer, there could not have been a FrontRunner track installed. Former Council members felt strongly that we should have a light at 700 West on 500 South. UDOT was not agreeable with that because of the close proximity to the interchange.

After some discussion on the reasoning behind vacating the road in front of Holly, it was decided that this item should come to the council on the next agenda for approval.

7.

Planning Commission Report

Councilman Bruhn reported that the Planning Commission held a work session to discuss the planning of the south west area of the City. Matt Collier has a future land use map with a mylar cover that will help the planning commission members in their review and design of the area. James Bruhn stated he received many calls from citizens wanting to be on the committee for the planning of this area. The planning commission will continue this review at the next scheduled planning meeting.

8.

City Administrator Report

Craig Howe reported that he is concerned about the maintenance of the Legacy Trail. The drainage is not sufficient to drain the water off the trail, thus we have a build up of water and ice. He is also concerned that the berm has caused a natural dam on 1200 North and there is water gathering there that was not there before. There was question and concern about who would be liable for any injury incurred if someone were to fall on the ice buildup. Mr.

Howe will be meeting with other City Managers/Administrators and hopefully UDOT in the near future to find a solution to these problems. Mr. Todd Jensen of UDOT is not in favor of attending a meeting but would be willing to meet on site. Information does not seem to be coming from UDOT.

Mr. Howe informed the council that he had met with Craig Smith who is the RDA Attorney. There will be a Taxing Entity Committee meeting coming up soon and Mr. Howe would like to have an RDA meeting to go over the 2nd Amendment to the Participation Agreement and re-establish the RDA Board before the TEC meeting.

Mike Eggett informed the council on House Bill 272. A bill that would allow the State to designate which sections of a scenic highway are scenic and which are not. Billboard companies have lobbied to get this bill passed so the billboards could be allowed in some areas of a scenic highway.

9.
Mayor /Council Reports

Mayor Behunin reported that at the Wasatch Integrated meeting, he found out that there was excess amount of card board stacked up that could not be sold and that the price of aluminum has gone done due to the lack of demand for these items, therefore to proceed with recycling at this time would not be advantageous.
The Mayor did state that we will still look at green waste recycling because of the demand for that. We will hold off on bins for other recycling material until things change.

Mayor Behunin also reported on the UTA bus route change stating we have FrontRunner but no way for some citizens to get to the station. The Mayor's suggestion would be to take the two routes that touch West Bountiful all the way down 8th West to the station. This route would continue on through Woods Cross. We need the people that use the Bus to attend the meetings to give input to the proposed routes.

Other items of the Mayor reported:

- Proposed Kern River Pipeline (stated we do not want that pipeline down 1600 North)
- The property on the south end 900 West possibly being sold in order to buy land for additional park space.

Valerie Shaw

Nothing to report but questioned if there had been a building permit issued for the additional work being on the home in Millcreek Meadows. A building permit has been issued.

Debbie McKean

Report as follows:

- Community Council will be held Feb. 25th
- Youth enjoyed their day at the State Legislature, having the Mayor join them for lunch.
- Beautification Chairman is anxious to get going and is looking at donated dumpsters to place around the city for clean up and well as a tire collection center.

- Concert on the 13th will be Cowboy Poetry and Western Music. Councilmember McKean encouraged the council to support this.
- Talked to Judge Jensen about the court issue and passed out a chart showing some of the court study findings. Invited the council to call her on other positive information.
- Thank Councilman James Bruhn for his work on the screen and the key board tray.

James Bruhn Report

Nothing to report.

Cheryl Searle Report

Council member Searle reported that the Historical Committee has just submitted the Local Government Review so they can possibly apply for Grants and receive revenue from that some money from that venue. The meeting with the attorneys did not work out because of scheduling issues and they will try again next week. Cheryl Searle reiterated the fact that the Youth Council heard some great speakers and really enjoyed their day at the Legislature.

Approval of Minutes

Valerie Shaw moved to approve the minutes of December 16, 2008, January 6. 2009 and January 20, 2009. James Bruhn seconded the motion and voting was unanimous in favor.

Adjournment

Valerie Shaw moved to adjourn the Feb. 3rd 2009 meeting. James Bruhn seconded the motion and voting was unanimous in favor.

Meeting adjourned at

Mayor James Belunin

Beverly Haslam, City Recorder