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
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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 WILLHOLD THE REGULARLY SCHEDULED CITY COUNCIL MEETING ON TUESDAY AUGUST 18, 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 – 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. Consider Lucille Eastman for appointment as Arts Council Chairman
4. Appointment of alternate member to the Planning Commission.
5. Report on Ordinance for combined mail boxes, location requirement.
6. Update on Legacy Trail maintenance and UDOT drainage issues (Cory Pope)
7. Engineer Report – 10th North Water Line, - Progress on sidewalk issues.
8. Discussion on the possibility of a survey regarding a recycling program.
9. Appointment of Election Judges.
10. Police Report.
11. Financial Report.
12. Planning Commission Report.
13. Administrative Report – D&RG Trail Ribbon Cutting, Sign Ordinance Amendment.
14. Mayor/Council Reports.
15. Approval of minutes of previous meeting.
16. Closed Session - Discuss the character, professional competence or physical or mental health of an individual.
17. Consider appointment of City Administrator
    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 August 14, 2009.

Minutes of the special session of the City Council of West Bountiful City held on Tuesday, August 4, 2009 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

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

STAFF PRESENT: Craig Howe (City Administrator), Heidi Voordecker (Accountant), Randy W. Lloyd (Police Chief), Ben White, (City Engineer), Nathalie Ellingson (secretary).

VISITORS: Alan Malan, Kent Bond, Eric and Lucile Eastman, Kathy Smith, Ed Smith, George Biada, Melissa and Nick Baker, Mark Preece, James Ahlstrom, Teresa Thomas, Doug Lane.

Called to Order:

Mayor James Behunin of West Bountiful City called this session to order at 7:31 pm.

Invocation was given by Debbie McKean.

Pledge of Allegiance was led by James Bruhn.

1.
Accept Agenda

MOTION: Debbie McKean moved to accept the August 18, 2009 Agenda as written.

SECOND: Valerie Shaw seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

2.
Public Comment

Doug Lane, resident at 900 West and Pages Lane commented he wanted more neighborliness in the community, and he presented council with a box of home-grown vegetables.

Kathy Smith of the Layton City Council asked for West Bountiful's participation in Constitution Day, which was established by law in 2004. A county-wide event is planned at Northridge High School at 7:00 p.m., with bands, choirs and a speaker. She asked that West Bountiful help promote the event and contribute $100 towards expenses. She made arrangements to have it included in the newsletter.

Kent Bond expressed concern about the expense of the current lawsuit with Mannheim and feels the outcome will not justify the expense. He asked council members to talk with Mannheim to try

to reach a solution. The question was raised as to whether council had voted previous to the City pursuing legal action. Ken Romney will review the record.

George Biada thanked council for their support of the Planning Commission.

3.
Consider Lucile Eastman for Appointment as Arts Council Chairman

Debbie McKean – the former chair, Diane Smith, is on an LDS mission with her husband, and the Arts Council has unanimously decided to ask Lucile Eastman to take the position, and she has accepted. Debbie mentioned some of the events that the Arts Council has brought to West Bountiful in recent years.

MOTION: Debbie McKean moved to appoint Lucile Eastman as chairman of the West Bountiful Arts Council.

SECOND: Cheryl Searle seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

4.
Appointment of Alternate Member of the Planning Commission

Mayor Behunin – An alternate member for the Planning Commission was needed to fill in for conflicting schedules and to be ready to fill possible vacancies. The Mayor wishes to appoint Ed Smith as a second alternate member. Ed lives on 200 North, in a part of town most affected by future development. He would bolster communication to the community. Ken Romney stated he has known Ed for a long time and he is trustworthy.

MOTION: James Bruhn moved to appoint Ed Smith as an alternate member of the Planning Commission.

SECOND: Ken Romney seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

5.
Report on Ordinance for Combined Mailbox Location Requirement

Ben White – the Postal Service wants to eliminate mail delivery in cul de sacs and on dead end streets. They prefer group mailboxes be placed at the ends of these areas. The City is concerned about these mailboxes being placed on busy streets, creating safety concerns for residents retrieving their mail. Ben has reviewed the city ordinances and has found no mention of mailboxes.

He indicated the Postal Service provides some latitude as to the design of the boxes. The city could request boxes that open on both sides. Cheryl Searle was concerned about the appearance of the boxes located in historical districts, and requested that someone from the Historic Commission be involved in planning mailboxes. Both Debbie McKean and Ken Romney stated that public safety should override convenience for postal workers.

Kent Bond stated the Postal Service had worked with him when they installed boxes at Sky Park Airport, with favorable results.

Alan Malan had talked with the Postmaster when mailboxes went in at the Knighton subdivision, and also to the supervisor in Denver. The supervisor indicated that the Post Office works with cities according to their ordinances.

Mayor Behunin asked for recommendations from the Planning Commission in drafting an ordinance regarding mailboxes.

6.
Update on Legacy Trail Maintenance and UDOT Drainage Issues .

Cory Pope is the Regional Director at UDOT, and the Legacy Highway is part of his system. He addressed the concerns with drainage and maintenance. In regards to the drainage issue, he showed a slide of the area of 1200 North. The water flows from southeast to northwest, and 1200 North has created a barrier. This has created a wetland on the south side which should not be there, and the area designated as wetland is dry. They are examining methods to alleviate this condition.

Next he addressed the repairs and maintenance along the trial. He acknowledged that the flooding under the 500 South underpass and in other areas are engineering issues and not maintenance. Repairs to prevent flooding would be very costly.

Valerie Shaw stated as long as conditions exist, she is not willing to sign the maintenance agreement between the cities and UDOT. Ken Romney asked whose responsibility it was to maintain the trail up until the signing of the agreement. Cory responded it was the responsibility of the cities. Council indicated the City was not aware of this.

Mayor Behunin stated that he has spoken with Stuart Adams at UDOT, who has shown interest in the problem. The Mayor will use his connections to keep the issue at the forefront.

7.
Engineering Report – 1000 North Water Line – Progress on Sidewalk Issues.

Ben White stated the project is in the last couple of days of laying the line. The holes will remain open for about three weeks while the pipes are being disinfected. He has told the engineers to be mindful of children walking to and from school.

Regarding sidewalks, Ben stated that the City is looking at 90% funding from UDOT when they rebuild 400 North between 800 West and 1100 West, and put in curbs, gutters and sidewalks. This is scheduled in 2015, but he anticipates it could be earlier.

There was discussion as to the safety of children walking to and from school in this area. Debbie McKean will address this safety issue and also the holes on 1000 West at the parents meeting at the school.

8.
Discussion on the Possibility of a Survey Regarding a Recycling Program

Mayor Behunin wants a feeling of the community's views in regards to recycling, and asked if council wants to put together a list of recycling options which residents can check off while they are waiting to vote at the November election. It would not be part of the formal election.

9.
Appointment of Election Judges

Beverly Haslam – the appointed judges have been judges in the past and are knowledgeable of election procedures. One new member is Peggy Tullis. Bev will have a training session for Peggy and to update the other members.

10.
Police Report

Chief Randy W. Lloyd presented highlights from the Month End Report for the month of July. There were 2488 arrests, three of which were DUIs. There have been 41 since the first of the year. This is higher than surrounding cities. He referred to a newspaper article that stated crime was up 248% in West Bountiful since 1999. Because crime is so low to begin with, that number represents an increase of only two or three crimes in a year. Also, West Bountiful has added a business district.

Coming up a week from Saturday, there will be a bicycle ride and half-marathon walk/run. Legacy Parkway will be closed from 5:00 am until 1:00 pm. He mentioned he may have to pay one or two officers overtime to cover this event.

500 South from 800 West to 1100 West will be closed from this coming Friday night at 6:00 pm until Monday morning while the tracks are being torn out.

Mayor mentioned concern about the north end of West Bountiful being an easy get-away area , where criminals can go into Centerville and onto the freeway from there. He asked about the possibility of surveillance cameras. Debbie McKean suggested neighborhood watches.

11.
Financial Report

Heidi Voordecker – July turned out on average. They are developing new processes for purchasing and approving payments. Sales tax is down 11% from last year. There is an increase in traffic tickets, fees, and building permits. They are receiving the third payment from Davis Justice Court, and they are not what was projected. They plan to review the software to see that revenue is being recognized properly. There has been a 25% decrease in insurance premiums.

Mayor Behunin asked about a report of legal and engineering expenses. He would like one even if the amount is -0-. She will present a report at the second meeting of the month for the previous month.

12.
Planning Commission Report

James Ahlstrom – Sign Ordinance should be on the next agenda, and is in the packet for council's review. The next meeting will be the last before the moratorium expires. The new ordinance is more detailed. Representative from the sign company attended the last Planning Commission meeting, and are looking forward to talking with council members at the next council meeting. Mayor Behunin asked that council be ready to vote on the ordinance by the first meeting in September.

13.
Administrative Report –
D&RG Trail Ribbon Cutting
and Sign OrdinanceAmendment

Craig Howe – Completion of the trail is expected by the end of this month. He has been asked to consider a ribbon cutting ceremony. A suggested date for the ceremony was Founders Day, which is September 12th. Mayor Behunin suggested a Name the Trail Contest.

Other items –

- Craig Howe visited with the Division of Air Quality.

- There was a question regarding property taxes because valuations have decreased, but and actual amount of tax has increased. Ken Romney said this could be due to formulas for certified tax rates and property valuations, which are very complex, and and a new law provides for increase taxes without truth in taxation. Mayor Behunin would like them to talk about a way to refund the increases.
- The cities met regarding the Interlocal Agreements with UDOT, and none of the city managers are comfortable with it at present.
- Craig and Chief Lloyd visited Verizon Wireless Center concerning new technologies in terms of surveillance, laptops and cell phones, and they could give a better rate.
- A few calls have come in about water bills since the new meters have been put in, mostly due to the tiered rate.

14.
Mayor/Council Report .

Debbie McKean – the Movie in the Park went well, but there was a positive test for West Nile virus, and people were warned to use repellant. Reminder of Founders Day, and passed out forms to participate in a 5K race. GSBS is starting the software program for the parks. Ben, Blake, Rocky, Mike and Debbie looked at some parks in Roy and at Hill Air Force Base and have gotten some good ideas.
James Bruhn asked if any more residents on Porter have signed up for water, and Craig stated there are two more.
Ken Romney visited the golf course with the golf board, and they are meeting tomorrow to review the results.
Mayor Behunin will meet with the principal of the elementary school regarding the Name the Trail contest and safety issues. He wants to discuss putting in an ampitheater possibly behind the school using RAP tax. He spoke with Steve Doxey regarding the conflict of interest issues that arose in the last meeting. Steve spoke with the Utah League, who said minor conflicts are alright as long as there is full public notice. In that spirit, the Mayor mentioned he may have James Bruhn do some maintenance work for the City, and will provide full disclosure before this happens.

MOTION: Debbie McKean moved to extend Council Meeting until 10:30 pm..

SECOND: Valerie Shaw seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

Mayor Behunin wanted it on record that the City is leasing some property to Valerie Shaw at market rates. There will be a Meet the Candidate night on September 2nd at 7:00 pm.

15.
Approval of Minutes of
Previous Meeting

MOTION: Ken Romney moved to approve the minutes from City Council Meeting held August 4, 2009.

SECOND: Debbie McKean seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

16.
Closed Session

Discuss the character, professional competence or physical or mental health of an individual.

MOTION: Debbie McKean moved to go to closed session.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

MOTION: Debbie McKean moved to close closed session.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

17.
Consider Appointment of
City Administrator

Craig Howe has been working as Acting City Administrator. Mayor Behunin asked Council to approve him for City Administrator.

MOTION: Debbie McKean moved to appoint Craig Howe as City Administrator.

SECOND: James Bruhn seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

18.
Adjournment
10:35 p.m.

MOTION: Ken Romney moved to adjourn the meeting.

SECOND: James Bruhn seconded the motion..

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye
James Bruhn – Aye
Debbie McKean – Aye
Cheryl Searle – Aye

MAYOR JAMES BEHUNIN

BEVERLY HASLAM (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)

WEST BOUNTIFUL CITY CORPORATE SEAL DAVIS COUNTY UTAH