Mayor
James Behunin

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

West Bountiful City

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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 HEREBY GIVEN THAT WEST BOUNTIFUL CITY WILL HOLD THE REGULARLY SCHEDULED CITRY COUNCIL MEETING ON TUESDAY NOVEMBER 17, 2009 AT 7:30 P.M. – 550 NORTH 800 WEST, WEST BOUNTIFUL CITY

AGEDNA AS FOLLOWS:

Invocation/Though (Limit 2 minutes please)

Pledge of Allegiance – Cheryl Searle

1. Accept Agenda
2. Public Comment (Two minutes per person) of if a spokesperson who has been asked by a group to summarize their comments, five minutes will be allowed.
3. Employee of the Month – 2 Min.
4. Citizen safety concerns for residential areas near Holly Refinery – Joseph Ingles - 10 Min.
5. Consider agreement for Professional Service Agreement for new Well - 5 Min.
6. Consider action to move ahead with the recycling program - 5 Min.
7. Water Rate discussion - 15 Min.
8. Engineer's Report - 5 Min.
9. Police Report. -5 Min.
10. Financial Report - 5 Min.
11. Planning Commission Report (No meeting held)
12. Administrative Report - 5 Min.
13. Mayor/Council Reports.
14. Approval of minutes of previous meeting.
15. Adjourn to RDA Meeting/TECs – 8:30 p.m.
16. Reconvene City Council Meeting.
17. Closed Session = Strategy session to discuss pending or reasonably imminent litigation.

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) – 801-292-4486

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 November 13, 2009.

Minutes of the meeting of the City Council of West Bountiful City held on Tuesday, November 17, 2009 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

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

STAFF PRESENT: Craig Howe (City Administrator), Heidi Voordeckers (Accountant), Ben White, (City Engineer), Randy Lloyd (Police Chief), Beverly Haslam (Recorder), Nathalie Ellingson (secretary).

VISITORS: Terry Olsen, Wendy Green, Justin Williams, Sandi Smith, Alan Malan, Teresa Thomas, Eric Eastman, Mark Preece, Kelly Enquist, George Biada, Kirk Simmonds, James Devereaux, Josh Jeppson.

Called to Order:

Mayor James Behunin of West Bountiful City called this meeting to order at 7:30 pm.

Invocation/Thought: Justin Packer gave the Scout Oath.

Pledge of Allegiance was led by Zack Williams.

1.
Accept Agenda

MOTION: Valerie Shaw moved to accept the agenda with Item 6, Consider Action to Move Ahead with Recycling Program, tabled until after discussion of Water Rates.

SECOND: Cheryl Searle seconded the Motion.

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

2.
Public Comment

No Comments

3.
Employee of the Month
for October

Craig Howe presented Matt Pratt as the first temporary employee to be honored. He has been in the Public Works department this summer and fall. He has been a good influence on all the people

he has worked with, and the department is better for his having worked there.

4.
Citizen Safety Concerns for Residential Areas near Holly Refinery – Joseph Ingles

Mr. Ingles passed out copies of a petition and summarized. He is asking the City to create a committee to study safety measures for neighbors of Holly Oil. Benefits of the study would be that Holly will know what safety measures to take, and both Holly and the City would avoid litigation. The second page of the petition showed a financial report of Holly Oil as of 9/30/2009, which showed that taking such measures would not hurt Holly Oil financially. The third and fourth pages were portions of a memorandum opinion relating to environmental health issues in California, in a court case in which Holly Oil had declined merging with Frontier Oil. Mr. Ingles suggested that the committee include a member of the school district, as well as the City.

Debbie McKean said there was the CARE committee which reviews safety issues regarding Holly Oil. They meet once a month and Mr. Ingles was invited to attend.

The Mayor, Craig Howe and the City Engineer, Ben White, discussed measures that are currently taken with Holly to monitor safety. The Mayor acknowledged the concerns of citizens because of the explosion at the Silver Eagle refinery. Mr. Ingles said his concern is that some guidelines be in place for future councils to use when approving future developments of Holly Oil.

It was decided that the City would consider who should respond to the petition and discuss further steps at the next meeting, when new information would be available from Holly Oil.

5.
Consider Agreement for Professional Service Agreement for new Well

Copies of the contract were included in the packets to council members for their review. Ben White recommended the contract, with a total cost schedule of $110,000 for services, be awarded to Forsgren & Associates so they can begin work on the first test well. The test well will be dug on City-owned property adjacent to the water tank located on 400 North. This property is next to a church, and the City is talking with the church about acquiring additional ground for possible future drilling.

MOTION: Ken Romney moved that West Bountiful City enter into a Professional Services Agreement for the new Well, for an amount not to exceed $110,000.

SECOND: Valerie Shaw seconded the Motion.

PASSED: Voting was as follows:
Ken Romney – Aye
Valerie Shaw – Aye

Debbie McKean – Aye
Cheryl Searle – Aye
James Bruhn – Aye

6.
Consider Action to move ahead
with the Recycling Program

Tabled.

7.
Water Rate Discussion

Heidi Voordeckers distributed information regarding the water rates to Council shortly before the meeting.

In 2008, the City Council worked with Lewis Young Robertson and Burningham ("Lewis Young") to develop a plan for the next 20 years for maintaining the fast-deteriorating water infrastructure of West Bountiful. As part of the plan, the City implemented a tiered rate and installed meters in order to increase revenue.

The first reading in June was a little under what was anticipated. As of now the City is not collecting enough revenue to cover the bond obligation. Projection included a 2 ½ % increase of new connections per year, and that has not happened. The initial increase schedule adopted was 6% per year increase through 2012, and a 25% increase in 2013 to cover the new well. Since the well is ahead of schedule, City Administration is recommending a one-time 40% increase at the beginning of 2010.

As of now the revenue is short about $10,000 per month. They are currently covering the shortfall by pulling interest from the bond.

Valerie Shaw suggested that Elise Letchenberg of Lewis Young meet with Council again and go over the figures. Cody Deeder, also with Lewis Young, was present. He had worked on other water rate projects but was not familiar with West Bountiful's project. He stated Elise would be willing to meet and address questions.

It was recommended that Council have a work session on December 3rd at 6:00 pm and then plan a public hearing on December 15th, before making any decisions regarding an increase.

8.
Engineer's Report

Ben White – At the end of the construction season, the City has stayed within budget on all engineering projects. He is studying the possibility of going ahead in the spring with the 400 North project without waiting for UDOT. There is enough in the water bond to cover the project.

15.

Adjourn to RDA Meeting/TEC
8:50 pm

MOTION: Debbie McKean moved to suspend agenda items before Item 15 and adjourn to the RDA Meeting.

SECOND: James Bruhn seconded the Motion.

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

Reconvene City Council
Meeting
9:15 pm

MOTION: Valerie Shaw moved to adjourn the RDA meeting and reconvene City Council Meeting.

SECOND: James Bruhn seconded the Motion.

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

17.
Closed Session – Strategy session
to discuss pending or reasonably
imminent litigation.
9:15 pm

MOTION: Valerie Shaw moved to suspend the Agenda Item order and move to Item 17, Closed Session.

SECOND: Ken Romney seconded the Motion.

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

MOTION: Ken Romney moved to end the Closed Session.

SECOND: Debbie McKean seconded the Motion.

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

MOTION: Debbie McKean moved to extend City Council Meeting 15 minutes.

SECOND: Ken Romney seconded the Motion.

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

9.
Police Report
10:25 pm.

Chief Randy Lloyd – summarized the police report included in Council members' packets. An investigation continued last month of a forgery and fraud case out of California until it was taken over by the FBI. They are currently working on a drug/burglary case that covers a large area. Regarding the posting for a new police officer, they have received 150 applications, and at present have narrowed it down to 35.

10.
Financial Report

Heidi Voordeckers –looked at the share of sales tax on actual revenues, which was down 9% last month. Gateway revenues were down due to closing of the movie theater. The golf course did well, with revenues down by only 1%. Expenses were down 2.3%.

11.
Planning Commission Report
(no meeting held)

No report.

12.
Administrative Report

Craig Howe – UDOT has indicated they are willing to carve out the old clover leaf area by 500 South on the northeast side for potential sale. There is an international company wanting to do some expansion, and he has seen a survey crew on the west side of that area. He hasn't heard back yet from UDOT on the trails agreement. The city managers met with the South Davis Metro Fire District and reviewed the budget before it was submitted to the Board.

13.
Mayor/City Council Reports

Debbie McKean – newsletter articles need to be turned in no later than Friday. The Christmas program is scheduled for December

7th, which will include a children's choir and a boutique. The Council will be invited to sing around the firepits. The Youth Council will meet this Thursday at 5:00 pm.

James Bruhn – asked about page 17 of the financial report which showed year-to-date totals of expenditures higher than last year's totals. Heidi said one month of billing was missing.

Mayor – as a member of the Board, met with the South Davis Metro Fire District to approve the budget. The Recreation Center approved $6,000 total for merit increases for all employees. Memberships continue to increase. Regarding development on the clover-leaf land, he stated the City would not have to share the revenue. He asked if Council wanted to put off the decision regarding recycling until work on the water rates was done. It was decided to include discussion of recycling in the work session on December 3rd. The mayor is hoping to get the CDA resolved.

Ken Romney – the Golf Board is meeting Wednesday at 7:00 pm. He said he thinks it prudent, when the report comes back from Holly Oil, to take an overall look at what to do as a City.

14. Approval of minutes of previous meetings

MOTION: James Bruhn moved to approve minutes of the City Council meeting held October 20, 2009.

SECOND: Debbie McKean seconded the Motion

DISCUSSION: Ken specified that on Line 3 of Page 10, 10% increase was specific to equipment.

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

MOTION: Debbie McKean moved to approve the minutes of the Special Meeting held November 10, 2009.

SECOND: Ken Romney seconded the Motion.

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

Adjournment
10:45 pm.

MOTION: James Bruhn moved to adjourn the City Council Meeting.

SECOND: Ken Romney seconded the Motion.

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

MAYOR JAMES BENNUNIN

BEVERLY HASLAM (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)

WEST BOUNTIFUL CITY CORPORATE SEAL DAVIS COUNTY UTAH