Minutes of the meeting of the City Council of West Bountiful City held on Tuesday, April 19, 2011 at West Bountiful City Hall, Davis County, Utah

Those in Attendance

MEMBERS PRESENT: Mayor Kenneth Romney, James Bruhn, Valerie Shaw, Mark Preece, John Baza and Dave Tovey.

STAFF PRESENT: Craig Howe (City Manager), Heidi Voordecker (City Recorder), Ben White (City Engineer), Chief Randy Lloyd, Nathalie Ellingson (secretary).


Mayor Kenneth Romney called this meeting to order at 7:40 pm.

Invocation/Thought: James Bruhn gave a thought on character, author unknown. Pledge of Allegiance was led by Mark Preece.

1. Accept Agenda

Mayor Romney suggested moving Item 4 to 2a, and Item 16 to 4.

MOTION: James Bruhn moved to accept the agenda with suggested changes.

SECOND: Mark Preece seconded the Motion.

PASSED: Voting was as follows:

Mark Preece – Aye
Valerie Shaw – Absent
James Bruhn – Aye
John Baza – Aye
Dave Tovey – Aye

2. Public Comment

Doug Lane asked about work that is going on at the ball diamonds, because it appears that once the contract work was done, the work has stopped. He asked when the part time help was going to be hired. Craig said that Public Works is completing the interviews.

Gary Spillman stated he thought the number of police officers in West Bountiful was high, yet the city does not have enough money to fix pipes. Chief Lloyd commented that one reason there are more officer than in the past is because the city has a legal obligation to police the Commons, and it takes at least seven officers to have 24/7 coverage. Currently the city has nine officers. Mayor Romney suggested to Mr. Spillman and all residents that they attend the budget work sessions and the town hall meetings so they can have some insight as to how the city goes about funding various projects and setting priorities.
Mr. Kedington presented an update on projects at Holly Refinery. The safety enclosures for the two buildings that are remaining on the property are 80% completed. For the buildings that are being moved to the west of the tracks, the DOT required a traffic study. The study has been completed and reviewed, and a meeting has been scheduled with the DOT. Holly is asking for two private roads. Their attorneys have spoken with Ben White regarding zoning changes to 500 South.

There are two projects they will be doing that are required by the EPA. The first is a venting reduction project for which they will be coming to the city sometime in July for a building permit. The second is a wet gas scrubber which will be to take fine particulates out of the air. It has to be completed in 2012, so they will be asking for building permits in July or August.

They are doing bio-diesel blending and ethanol blending. By 2012, 100% of gasoline will be blended with ethanol.

They just closed on a purchase of 7 acres of property by 1100 West from Mr. Christensen. They will lease a south part of the property back to him.

Conrad Jensen – To address concerns that may have arisen from an ABC News report regarding HF (hydrofluoric acid), Mr. Kedington asked Mr. Jensen to talk about Holly’s use of HF. HF is used as a catalyst in creating high octane gasoline, and is a common refinery process. HF is also used as a refrigerant, a tarnish remover, and other manufacturing uses.

HF is highly corrosive and the gas coming off it is toxic. HF can cause skin burns and the gas can cause pneumonia. The burns can go all the way to the bone. Initial treatment is immediate washing with water of the affected area for at least ten minutes. Further treatment is an application or injection of calcium gluconate. Staff at Lakeview Hospital, all county EMTs, and all temporary contractors at Holly have been trained on the treatment of HF burns.

The containers of HF at the Holly Refinery are surrounded by walls of water. The acid is highly soluble in water, and is absorbed
into the waste water system and neutralized. All pipes, joints and
valves that carry HF get frequent regular inspections, which are
done visually, by x-rays, and by sonograms. The water system
surrounding the containers is tested annually.

Gary Spillman – presented a petition that he has circulated and has
been signed by 65 residents regarding a drainage problem in the
Golden West subdivision. The petition states that the city failed to
provide an adequate drainage system when the homes were built.
Since their homes were built, the residents have had to do
improvements to their homes to fix or prevent damage from
flooding, which have been costly and have not always worked.
None of these improvements have been funded by the city.
Currently the drainage is a health hazard because part of the water
comes from Pony Haven, and is contaminated from the horses.
Also, the dampness in the homes leads to black mold and pools of
water breed mosquitos. Mr. Spillman's main issue is that the city
did not tell them there was a high water table when they bought
their homes, and feels the city should be responsible for the
financial loss to the residents. He also wants the city to give the
residents a time frame as to when the drainage issues will be fixed.
Similar comments were also offered by residents John Trimming,
Scott Burningham, and Leone Tibbits. Pumps that were installed
by the city in 1985 do not seem to ever be running.

Ben responded he agrees there is a problem that affects several
subdivisions and is caused by surface and ground water. He and
Mr. Spillman have discussed possible solutions in the past. He
stated the pumps are always on. He can make further
improvements to control surface water, but ground water is a more
difficult issue.

Mayor Romney stated the city has been working with Pony Haven
regarding their property for several years. He stated a French drain
along their property would be a good solution, but if the city had to
cover the cost, which Ben estimates would be about $300,000, they
do not currently have the money in the budget. He emphasized the
importance of all the residents who have concerns to attend the
budget work sessions and the town hall meetings.

Since the council had only been made aware of the issue that
evening, they decided to do some research in the next few weeks.
While they cannot undo mistakes that have been made in the past,
they will see what can be done.

Bonnie Campbell, Youth Activities Chairman for Bountiful Elks
Lodge #2442, sent a proclamation and a cover letter regarding the
designation of Youth Week. She asked that the proclamation be
signed and sent back to her by April 28th.
MOTION: Valerie Shaw moved to approve a Youth Week Proclamation, designating the week of May 1, 2011 as Youth Week.

SECOND: Dave Tovey seconded the Motion.

PASSED: Voting was as follows:
Mark Preece – Aye
Valerie Shaw – Aye
James Bruhn – Aye
John Baza – Aye
Dave Tovey – Aye

6. Consider Contract Award to CRS Engineering for the Preparation of the 400 North Road Construction Environmental Clearance Document

Ben White – Since the 400 North project is being funded with federal money, it has to go through an environmental clearance. Ben met with UDOT representatives and the Wasatch Front Regional Council about the process and they provided a short list of consultants. Ben recommends awarding the project to Caldwell Richards Sorenson. They came up with the lowest bid and the other companies had restrictions in their bids.

MOTION: John Baza moved to accept staff’s recommendation to award the environmental clearance project to Caldwell Richards Sorenson.

SECOND: Dave Tovey seconded the Motion.

PASSED: Voting was as follows:
Mark Preece – Aye
Valerie Shaw – Aye
James Bruhn – Aye
John Baza – Aye
Dave Tovey – Aye

7. Consider Approval of Ordinance 326-11, Making Changes to Title 10 of the West Bountiful Municipal Code

Ben White – the staff has been working on various parts of the city ordinances, cleaning up grammatical errors and changing some of the language so the ordinances are more concise. In the process, they suggest putting in language that permits no u-turns on 400 North between 800 West up to the east boundary of the city. They will post signs which will state no u turns and will cite the ordinance number.

MOTION: Valerie Shaw moved to approve changes to Title 10 of the West Bountiful Municipal Code.

SECOND: Mark Preece seconded the Motion.
PASSED: Voting by roll call was as follows:

Mark Preece – Aye
Valerie Shaw – Aye
James Bruhn – Aye
John Baza – Aye
Dave Tovey – Aye

8. Discussion on Changes to Title 12, Streets, Sidewalks, and Public Places, of the West Bountiful Municipal Code

Ben White – in the process of cleaning up the language in Title 12, the staff has sorted out the changes to Item 17 that have been made over the years and have moved them to the relevant paragraphs. They also want council to consider the issue of who is responsible for trees that are in parking strips throughout the city. Some new rules are being added to the ordinance. Primarily, any tree put in by a property owner needs to be maintained by the property owner, but the city needs to have authority to tell the owner if a tree has to be removed. Ben wants council to have time to look at the changes and to research the Salt Lake City ordinance regarding trees in parking strips. He will bring the ordinance back to council in two weeks.


Ben White – the Planning Commission reviewed revisions to Title 17 – Zoning and to Title 16 – Subdivisions. The subdivisions discussion was regarding fees related to water rights and inspections. Public hearings have been scheduled for May 10th.

10. Engineers Report

Ben White –

- He discussed the slurry seal problems with Intermountain Slurry. The company has had problems with a lot of their work since July. They will come back and make some repairs between May 10 and May 15.
- He looked at the intersection on 400 North by the school, and it merits a three way stop. They could put in the stop signs as part of the waterline project. There has been some disagreement among residents about putting in stop signs, so the Mayor suggested council members look at the intersection and see what they think.
- Ben wants to put in a few more signs at the parks and on the trails stating dogs must be on leashes.
- He is issuing a separate road repair package and hiring a contractor for indefinite delivery on curbs and gutters.
- He is requesting funds to fix a pump station on 800 West which is worn out. It should be fixed now to prepare for possible flooding when the weather warms up.
In anticipation of flooding, sand and sand bags are available behind City Hall. The county is not overly concerned about flooding because the infrastructure has been improved since 1983.

Chief Randy Lloyd outlined four cases of which two were thefts, one was sexual abuse and sexting, and one was a death of natural causes that occurred in a home.

In the last council meeting there was some discussion about officers’ use of vehicles. In 2006, Chief Lloyd suggested a charge to officers for additional mileage but the city council turned it down. He has been looking into policies in various cities and has worked out some proposals. Mayor Romney asked council members to review Chief Lloyd’s proposals.

Heidi Voordecker – 75% of the year has lapsed and as of the end of March, the city is right on target. They are $81,000 ahead from the previous year in the general fund.

MOTION: James Bruhn moved to extend the meeting until 10:30 pm

SECOND: Mark Preece seconded the Motion.

PASSED: Voting was as follows:
  Mark Preece – Aye
  Valerie Shaw – Aye
  James Bruhn – Aye
  John Baza – Aye
  Dave Tovey – Aye

The meeting with the school district is scheduled for May 16 at 8:00 am in the old district building on the third floor.

The date they had decided on for the Trinity tour did not work out so they need to come up with some new dates.

The town hall meeting is scheduled this Thursday, and the next two meetings will be May 19 and June 16.

The school district approved the agreements for the joint CDA, West Bountiful’s CDA, and Woods Cross’s CDA.

The information regarding sandbags is posted on the marquee and the website. People are instructed to bring their own shovels.

The webmail system has been repaired. The email has been configured so it looks the same on Microsoft 2007 as it does at the office.
Mark Preece – the Parade Committee is going forward with their plans. Several new homes are going into the historical area. Newsletter articles are due Wednesday.

Valerie Shaw – stated she appreciated hearing the residents’ concerns regarding Golden West, but the council had not been given any information ahead of time, and there was no discussion in this meeting. She would like more information regarding individual homes, and she suggests speaking with Steve Doxey.

James Bruhn – asked Craig how often garbage cans are being replaced throughout the city. Craig responded it is done weekly, and sometimes daily. If a can needs to be replaced on garbage day, Waste Management will take care of it. The Arts Council presented a Friday performance to a packed house. They are having a difficult time finding someone to chair for Fourth of July at the park.

John Baza – nothing to report, but just commented he likes the community.

Dave Tovey – A Neighborhood Watch meeting held last week was well attended. He asked Craig to instruct him in sending group emails so he can email the Neighborhood Watch group when someone sees something. For their next meeting, which will be in July, they will try to get donations from businesses and hold a barbecue. The Youth City Council is doing the Egg Hunt/Food Drive on Saturday at 10:00 am.

Mayor Romney – He and Craig attended church services at the Washington Heights Church. Church members are signing up for the service projects, several of whom are from Hill Air Force Base. West Bountiful has submitted 13 to 16 projects so far. Craig will be meeting with a group at HAFB on Wednesday.

MOTION: Mark Preece moved to approve minutes from March 29, 2011 Budget Work Session, April 5, 2011 Budget Work Session, and April 5, 2011 City Council Meeting

SECONED: John Baza seconded the Motion.

PASSED: Voting was as follows:
Mark Preece – Aye
Valerie Shaw – Aye
James Bruhn – Aye
John Baza – Aye
Dave Tovey – Aye
17. Closed Meeting, if necessary, for reasons allowed by State Law

MOTION: James Bruhn moved to go to closed session to discuss the character, professional competence, or physical or mental health of an individual.

SECOND: John Baza seconded the Motion.

PASSED: Voting was as follows:
- Mark Preece – Aye
- Valerie Shaw – Aye
- James Bruhn – Aye
- John Baza – Aye
- Dave Tovey – Aye

18. Possible Action Following Closed Meeting

Not necessary.

11:28 pm

MOTION: James Bruhn moved to close the closed meeting and go to council meeting.

SECOND: Dave Tovey seconded the Motion.

PASSED: Voting was as follows:
- Mark Preece – Aye
- Valerie Shaw – Aye
- James Bruhn – Aye
- John Baza – Aye
- Dave Tovey – Aye

19. Adjournment

11:30 pm

MOTION: John Baza moved to adjourn the meeting.

SECOND: Mark Preece seconded the Motion.

PASSED: Voting was as follows:
- Mark Preece – Aye
- Valerie Shaw – Aye
- James Bruhn – Aye
- John Baza – Aye
- Dave Tovey – Aye

MAYOR KENNETH ROMNEY
HEIDI VOORDECKERS (CITY RECORDER)

NATHALIE ELLINGSON (SECRETARY)