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2 Minutes of the meeting of the City Council of West Bountiful City held on Tuesday,  
3 April 19, 2011 at West Bountiful City Hall, Davis County, Utah  
4

5  
6 Those in Attendance

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

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

13  
14 VISITORS: Sandi Smith, Alan Malan, Wendy Hughes, Andrew  
15 Trumbo, Lynn Keddington, Conrad Jensen, Gail Zesiger, Harold  
16 Zesiger, Eric T. Tibbitts, Leona M. Tibbitts, Robert Rey, Kelly  
17 Enquist, Gary Spillman.  
18

19  
20 Mayor Kenneth Romney called this meeting to order at 7:40 pm.  
21

22 Invocation/Thought: James Bruhn gave a thought on character, author unknown.  
23 Pledge of Allegiance was led by Mark Preece.  
24

25 1.  
26 Accept Agenda

27  
28 Mayor Romney suggested moving Item 4 to 2a, and Item 16 to 4.  
29

30 MOTION: James Bruhn moved to accept the agenda with  
31 suggested changes.  
32

33 SECOND: Mark Preece seconded the Motion.  
34

35 PASSED: Voting was as follows:

36 Mark Preece – Aye  
37 Valerie Shaw – Absent  
38 James Bruhn – Aye  
39 John Baza – Aye  
40 Dave Tovey – Aye  
41

42  
43 2.  
44 Public Comment

45  
46 Doug Lane asked about work that is going on at the ball diamonds,  
47 because it appears that once the contract work was done, the work  
48 has stopped. He asked when the part time help was going to be  
49 hired. Craig said that Public Works is completing the interviews.  
50

51 Gary Spillman stated he thought the number of police officers in  
52 West Bountiful was high, yet the city does not have enough money  
53 to fix pipes. Chief Lloyd commented that one reason there are  
54 more officer than in the past is because the city has a legal  
55 obligation to police the Commons, and it takes at least seven  
56 officers to have 24/7 coverage. Currently the city has nine officers.  
57 Mayor Romney suggested to Mr. Spillman and all residents that  
58 they attend the budget work sessions and the town hall meetings so  
59 they can have some insight as to how the city goes about funding  
60 various projects and setting priorities.  
61  
62

- 1 2a.  
2 Introduction of Youth  
3 Citizen of the Year –  
4 Ashlie McConkie

5  
6 Beverly Haslam, who works with the Youth Court, read Debbie  
7 McKean's statement regarding Ashlie. She has served as Youth  
8 Mayor, she has been an outstanding youth leader in the community,  
9 she is self-motivated and responsible. Her zest for life is  
10 inspirational. Bev added that she has set a great example at the  
11 Youth Court for both the offenders and the judges. Ashlie has  
12 served with the Youth Council for four years. Dave Tovey, who  
13 serves as council representative to the Youth Council, also  
14 commended Ashlie on her leadership.

- 15  
16  
17 3.  
18 Report from Holly Refinery –  
19 Lynn Keddington

20  
21 Mr. Keddington presented an update on projects at Holly Refinery.  
22 The safety enclosures for the two buildings that are remaining on  
23 the property are 80% completed. For the buildings that are being  
24 moved to the west of the tracks, the DOT required a traffic study.  
25 The study has been completed and reviewed, and a meeting has  
26 been scheduled with the DOT. Holly is asking for two private  
27 roads. Their attorneys have spoken with Ben White regarding  
28 zoning changes to 500 South.

29  
30  
31 There are two projects they will be doing that are required by the  
32 EPA. The first is a venting reduction project for which they will be  
33 coming to the city sometime in July for a building permit. The  
34 second is a wet gas scrubber which will be to take fine particulates  
35 out of the air. It has to be completed in 2012, so they will be  
36 asking for building permits in July or August.

37  
38 They are doing bio-diesel blending and ethanol blending. By  
39 2012, 100% of gasoline will be blended with ethanol.

40  
41 They just closed on a purchase of 7 acres of property by 1100 West  
42 from Mr. Christensen. They will lease a south part of the property  
43 back to him.

44  
45 Conrad Jensen – To address concerns that may have arisen from an  
46 ABC News report regarding HF (hydrofluoric acid), Mr.  
47 Keddington asked Mr. Jensen to talk about Holly's use of HF. HF  
48 is used as a catalyst in creating high octane gasoline, and is a  
49 common refinery process. HF is also used as a refrigerant, a  
50 tarnish remover, and other manufacturing uses.

51  
52 HF is highly corrosive and the gas coming off it is toxic. HF can  
53 cause skin burns and the gas can cause pneumonia. The burns can  
54 go all the way to the bone. Initial treatment is immediate washing  
55 with water of the affected area for at least ten minutes. Further  
56 treatment is an application or injection of calcium glutinate. Staff  
57 at Lakeview Hospital, all county EMTs, and all temporary  
58 contractors at Holly have been trained on the treatment of HF  
59 burns.

60  
61 The containers of HF at the Holly Refinery are surrounded by  
62 walls of water. The acid is highly soluble in water, and is absorbed

1 into the waste water system and neutralized. All pipes, joints and  
2 valves that carry HF get frequent regular inspections, which are  
3 done visually, by xrays, and by sonograms. The water system  
4 surrounding the containers is tested annually.  
5

6  
7 4.  
8 Golden West discussion  
9

10 Gary Spillman – presented a petition that he has circulated and has  
11 been signed by 65 residents regarding a drainage problem in the  
12 Golden West subdivision. The petition states that the city failed to  
13 provide an adequate drainage system when the homes were built.  
14 Since their homes were built, the residents have had to do  
15 improvements to their homes to fix or prevent damage from  
16 flooding, which have been costly and have not always worked.  
17 None of these improvements have been funded by the city.  
18 Currently the drainage is a health hazard because part of the water  
19 comes from Pony Haven, and is contaminated from the horses.  
20 Also, the dampness in the homes leads to black mold and pools of  
21 water breed mosquitos. Mr. Spillman’s main issue is that the city  
22 did not tell them there was a high water table when they bought  
23 their homes, and feels the city should be responsible for the  
24 financial loss to the residents. He also wants the city to give the  
25 residents a time frame as to when the drainage issues will be fixed.  
26 Similar comments were also offered by residents John Trimming,  
27 Scott Burningham, and Leone Tibbitts. Pumps that were installed  
28 by the city in 1985 do not seem to ever be running.  
29

30 Ben responded he agrees there is a problem that affects several  
31 subdivisions and is caused by surface and ground water. He and  
32 Mr. Spillman have discussed possible solutions in the past. He  
33 stated the pumps are always on. He can make further  
34 improvements to control surface water, but ground water is a more  
35 difficult issue.  
36

37 Mayor Romney stated the city has been working with Pony Haven  
38 regarding their property for several years. He stated a French drain  
39 along their property would be a good solution, but if the city had to  
40 cover the cost, which Ben estimates would be about \$300,000, they  
41 do not currently have the money in the budget. He emphasized the  
42 importance of all the residents who have concerns to attend the  
43 budget work sessions and the town hall meetings.  
44

45 Since the council had only been made aware of the issue that  
46 evening, they decided to do some research in the next few weeks.  
47 While they cannot undo mistakes that have been made in the past,  
48 they will see what can be done.  
49

50  
51 5.  
52 Consider Adoption of  
53 Youth Week Proclamation,  
54 Designating the Week of  
55 May 1, 2011 Youth Week  
56

57 Bonnie Campbell, Youth Activities Chairman for Bountiful Elks  
58 Lodge #2442, sent a proclamation and a cover letter regarding the  
59 designation of Youth Week. She asked that the proclamation be  
60 signed and sent back to her by April 28<sup>th</sup>.  
61

1 MOTION: Valerie Shaw moved to approve a Youth Week  
2 Proclamation, designating the week of May 1, 2011 as Youth  
3 Week.

4  
5 SECOND: Dave Tovey seconded the Motion.

6  
7 PASSED: Voting was as follows:

8 Mark Preece – Aye  
9 Valerie Shaw – Aye  
10 James Bruhn – Aye  
11 John Baza – Aye  
12 Dave Tovey – Aye  
13

14  
15 6.  
16 Consider Contract Award to  
17 CRS Engineering for the  
18 Preparation of the 400 North Road  
19 Construction Environmental  
20 Clearance Document  
21

22 Ben White – Since the 400 North project is being funded with  
23 federal money, it has to go through an environmental clearance.  
24 Ben met with UDOT representatives and the Wasatch Front  
25 Regional Council about the process and they provided a short list  
26 of consultants. Ben recommends awarding the project to Caldwell  
27 Richards Sorenson. They came up with the lowest bid and the  
28 other companies had restrictions in their bids.  
29

30 MOTION: John Baza moved to accept staff's recommendation to  
31 award the environmental clearance project to Caldwell Richards  
32 Sorenson.  
33

34 SECOND: Dave Tovey seconded the Motion.  
35

36 PASSED: Voting was as follows:

37 Mark Preece – Aye  
38 Valerie Shaw – Aye  
39 James Bruhn – Aye  
40 John Baza – Aye  
41 Dave Tovey – Aye  
42  
43

44 7.  
45 Consider Approval of  
46 Ordinance 326-11,  
47 Making Changes to Title 10  
48 of the West Bountiful Municipal Code  
49

50 Ben White – the staff has been working on various parts of the city  
51 ordinances, cleaning up grammatical errors and changing some of  
52 the language so the ordinances are more concise. In the process,  
53 they suggest putting in language that permits no u-turns on 400  
54 North between 800 West up to the east boundary of the city. They  
55 will post signs which will state no u turns and will cite the ordinance  
56 number.  
57

58 MOTION: Valerie Shaw moved to approve changes to Title 10 of  
59 the West Bountiful Municipal Code.  
60

61 SECOND: Mark Preece seconded the Motion.  
62

1 PASSED: Voting by roll call was as follows:

2 Mark Preece – Aye

3 Valerie Shaw – Aye

4 James Bruhn – Aye

5 John Baza – Aye

6 Dave Tovey – Aye

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11  
12 8.

13 Discussion on Changes to  
14 Title 12, Streets, Sidewalks,  
15 and Public Places, of the  
16 West Bountiful Municipal Code

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

30  
31  
32  
33 9.

34 Planning Commission Report.

35  
36 Ben White – the Planning Commission reviewed revisions to Title  
37 17 – Zoning and to Title 16 – Subdivisions. The subdivisions  
38 discussion was regarding fees related to water rights and  
39 inspections. Public hearings have been scheduled for May 10th.

40  
41  
42  
43 10.

44 Engineers Report

45 Ben White –

- 46 • He discussed the slurry seal problems with Intermountain  
47 Slurry. The company has had problems with a lot of their  
48 work since July. They will come back and make some  
49 repairs between May 10 and May 15.
- 50 • He looked at the intersection on 400 North by the school,  
51 and it merits a three way stop. They could put in the stop  
52 signs as part of the waterline project. There has been some  
53 disagreement among residents about putting in stop signs,  
54 so the Mayor suggested council members look at the  
55 intersection and see what they think.
- 56 • Ben wants to put in a few more signs at the parks and on  
57 the trails stating dogs must be on leashes.
- 58 • He is issuing a separate road repair package and hiring a  
59 contractor for indefinite delivery on curbs and gutters.
- 60 • He is requesting funds to fix a pump station on 800 West  
61 which is worn out. It should be fixed now to prepare for  
62 possible flooding when the weather warms up.

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11.  
Police Report

- 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.

12.  
Finance Report

- 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 Voordeckers – 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.

10:00 pm

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

13.  
Administrative Report

Craig Howe –

- 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.

1 14.  
2 Mayor/Council Reports

3  
4 Mark Preece – the Parade Committee is going forward with their  
5 plans. Several new homes are going into the historical area.  
6 Newsletter articles are due Wednesday.

7  
8 Valerie Shaw – stated she appreciated hearing the residents’  
9 concerns regarding Golden West, but the council had not been  
10 given any information ahead of time, and there was no discussion  
11 in this meeting. She would like more information regarding  
12 individual homes, and she suggests speaking with Steve Doxey.

13  
14 James Bruhn – asked Craig how often garbage cans are being  
15 replaced throughout the city. Craig responded it is done weekly,  
16 and sometimes daily. If a can needs to be replaced on garbage day,  
17 Waste Management will take care of it. The Arts Council  
18 presented a Friday performance to a packed house. They are  
19 having a difficult time finding someone to chair for Fourth of July  
20 at the park.

21  
22 John Baza – nothing to report, but just commented he likes the  
23 community.

24  
25 Dave Tovey – A Neighborhood Watch meeting held last week was  
26 well attended. He asked Craig to instruct him in sending group  
27 emails so he can email the Neighborhood Watch group when  
28 someone sees something. For their next meeting, which will be in  
29 July, they will try to get donations from businesses and hold a  
30 barbecue. The Youth City Council is doing the Egg Hunt/Food  
31 Drive on Saturday at 10:00 am.

32  
33 Mayor Romney – He and Craig attended church services at the  
34 Washington Heights Church. Church members are signing up for  
35 the service projects, several of whom are from Hill Air Force Base.  
36 West Bountiful has submitted 13 to 16 projects so far. Craig will  
37 be meeting with a group at HAFB on Wednesday.

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39  
40 15.  
41 Approval of Minutes for the  
42 March 29, 2011 Budget Work  
43 Session, April 5, 2011 Budget  
44 Work Session, and April 5, 2011  
45 City Council Meeting

46  
47 MOTION: Mark Preece moved to approve minutes from March  
48 29, 2011 Budget Work Session, April 5, 2011 Budget Work  
49 Session, and April 5, 2011 City Council Meeting

50  
51 SECOND: John Baza seconded the Motion.

52  
53 PASSED: Voting was as follows:  
54 Mark Preece – Aye  
55 Valerie Shaw – Aye  
56 James Bruhn – Aye  
57 John Baza – Aye  
58 Dave Tovey – Aye

59  
60 16.  
61 Moved to Item 4

62

1 17.  
2 Closed Meeting, if necessary,  
3 for reasons allowed by State Law

4  
5 MOTION: James Bruhn moved to go to closed session to discuss  
6 the character, professional competence, or physical or mental  
7 health of an individual.

8  
9 SECOND: John Baza seconded the Motion.

10  
11 PASSED: Voting was as follows:

12 Mark Preece – Aye  
13 Valerie Shaw – Aye  
14 James Bruhn – Aye  
15 John Baza – Aye  
16 Dave Tovey – Aye  
17

18  
19  
20 18.  
21 Possible Action Following  
22 Closed Meeting

23  
24 Not necessary.

25  
26 11:28 pm

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

29  
30 SECOND: Dave Tovey seconded the Motion.

31  
32 PASSED: Voting was as follows:

33 Mark Preece – Aye  
34 Valerie Shaw – Aye  
35 James Bruhn – Aye  
36 John Baza – Aye  
37 Dave Tovey – Aye  
38

39 19.  
40 Adjournment  
41 11:30 pm

42  
43 MOTION: John Baza moved to adjourn the meeting.

44  
45 SECOND: Mark Preece seconded the Motion.

46  
47 PASSED: Voting was as follows:

48 Mark Preece – Aye  
49 Valerie Shaw – Aye  
50 James Bruhn – Aye  
51 John Baza – Aye  
52 Dave Tovey – Aye  
53

54  
55  
56  
57 \_\_\_\_\_  
58 MAYOR KENNETH ROMNEY

59 \_\_\_\_\_  
60 HEIDI VOORDECKERS (CITY RECORDER)

61 \_\_\_\_\_  
NATHALIE ELLINGSON (SECRETARY)