

1 Minutes of the
2 Bountiful City Council Meeting
3 City Council Chambers
4 January 11, 2011 - 7:00 p.m.
5

6 Present: Mayor: Joe L. Johnson
7 Council Members: Beth Holbrook, John Marc Knight, Fred
8 Moss, Scott Myers and Thomas Tolman
9 City Manager: Tom Hardy
10 City Attorney: Russell Mahan
11 City Engineer: Paul Rowland
12 City Recorder: Kim J. Coleman
13 Planning/RDA Director: Aric Jensen
14 Department Heads: Allen Johnson, Power
15 Tom Ross, Police
16 Recording Secretary Nancy Lawrence
17

18 Official Notice of this meeting had been given by posting a written notice of same and an
19 Agenda at the City Hall and providing copies to the following newspapers of general circulation:
20 Davis County Clipper, Deseret News, and Salt Lake Tribune and on the Utah Public Notice
21 Website.
22

23 Mayor Johnson welcomed those in attendance, recognizing the attendance of Centerville
24 City Mayor, Ron Russell. The pledge of allegiance to the flag was lead by Ben Rasmussen, Boy
25 Scout from Troop 621. Councilman Tolman offered the prayer/thought.
26

27 Mayor Johnson reported that he was recently invited to serve as moderator for the
28 Geography Bee at Valley View Elementary. He then recognized Sydney Hansen (6th grader who
29 won the competition) and her parents, as well as Beverly Ward. He commented on Sydney's
30 confidence, as well as that of other contestants, and said he was comfortable that the youth
31 coming up to take over the responsibilities of government will be well prepared. On behalf of
32 the Council and City, he congratulated Sydney.
33

34 **APPROVAL OF MINUTES**

35 Minutes of the regular City Council meeting held December 14, 2010 were presented and
36 Councilman Tolman motioned for approval, as written. Councilman Moss seconded the motion
37 and Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".
38

39 **EXPENDITURES AND EXPENSES APPROVED**

40 Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000
41 for the following periods, with totals as noted: December 2-8, 2011 (\$384,304.03); December 9-
42 15, 2011 (\$1,086,712.45); December 16-22, 2011 (\$393,439.63); and December 23-29, 2011
43 (\$1,277,808.97). The staff responded to questions, following which Councilman Moss made a
44 motion to approve the expenditure reports, as presented. Councilwoman Holbrook seconded the
45 motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and
46 Tolman voted "aye".
47

1 **YOUTH COUNCIL REPORT**

2 Matt Simmons (Youth Council Community Service representative) and Rebecca Neilsen
3 (Service Chair) were in attendance to report on recent and upcoming activities of the Youth
4 Council. Rebecca reported that the Youth Council went to Joy Luck for their Christmas party
5 and that it was a lot of fun. Matt said they will be attending the “Day with the Legislators” on
6 January 26th and are looking forward to that.

7
8 **PRESENTATION BY CENTERVILLE MAYOR REGARDING**
9 **PERFORMING ARTS CENTER PROJECT**

10 Mayor Johnson recognized Mayor Ron Russell, Centerville, who was in attendance, to
11 give a presentation on the new performing arts center project which is located in Centerville.
12 Mayor Johnson noted that this facility was funded by 90% of the RAP tax and Centerville RDA
13 funds. Mayor Russell reviewed that the idea of a joint venture for development of a performing
14 arts center was first discussed 10-15 years ago. The past five years the discussion and efforts
15 became more serious and through cooperation of Bountiful, Davis County, and Centerville, the
16 project is almost complete. The building will be 100% complete on January 17th. Tours for the
17 public will begin January 24 and continue every Monday through February 7, 2011. Tours will
18 be conducted from 6 - 9:00 p.m. and will start every 10 minutes. Tours are free, but must be
19 reserved by calling the box office (801.298.1302). A grand opening gala will be held February
20 12th and the public is invited.

21
22 **REPORT ON MOSQUITO ABATEMENT DISTRICT - DUANE GARDNER**

23 Duane Gardner from the Mosquito Abatement Board, was in attendance to give a yearly
24 report on the activities of the District. He reviewed that the mission of the Abatement District is
25 to (1) rid the communities of the nuisance of mosquitoes; and (2) for health issues, particularly as
26 it relates to West Nile Virus. Budgeting has been complicated due to: cost increases to comply
27 with transparency law, permits for Clean Water Act, 32 seasonal employees who want to have
28 retirement benefits, and erection of a weather tower. He credited Gary Hatch with successful
29 operation of the Mosquito Abatement District and summarized the programs and activities which
30 were carried out by this group, including a web site that had 32,000,000 hits in August 2010 and
31 a GPS system which is incorporated into the control measures being taken. Mayor Johnson
32 thanked Mr. Gardner for his report and for being a good friend to the City.

33
34 **MAYOR JOHNSON RE-APPOINTED TO ADMINISTRATIVE**
35 **CONTROL BOARD OF PERFORMING ARTS CENTER**

36 Mayor Johnson reported that it has been requested that he continue to serve on the
37 Administrative Control Board of the Performing Arts Center. Councilman Moss made a motion
38 that Mayor Johnson be re-appointed for a 4-year term, Councilman Knight seconded the motion
39 and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted
40 “aye”.

41
42 **JOHN CUSHING AND LOWELL LEISHMAN RE-APPOINTED TO**
43 **POWER COMMISSION**

44 Mayor Johnson reported that the Power Commission terms of John Cushing and Lowell
45 Leishman have expired. He has talked with both men and they are each willing to serve another
46 term. Councilman Moss made a motion to re-appoint John Cushing and Lowell Leishman to the

1 Power Commission for four-year terms. Councilman Myers seconded the motion and voting was
2 unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

3
4 **APPROVAL GIVEN TO PURCHASE REPLACEMENT TRUCK -**
5 **POWER DEPARTMENT**

6 Mr. Allen Johnson presented a request to the Council for permission to purchase a new
7 replacement truck for the Power Department. He explained that the truck being replaced is a
8 2003 Ford Ranger which was damaged beyond repair when it was parked on the side of the street
9 and was struck by another vehicle. It is the recommendation of staff and the Power Commission
10 that a 2011 XLT Ford Explorer be purchased, using the State Bid Contract from Ken Garff for
11 the purchase price of \$27,267.31. This is not a budgeted expenditure, but can be funded via
12 account 53-5300-1661-0500 (where a savings was made on a bucket truck) and the \$12,252
13 insurance settlement. Councilman Moss made a motion to approve the purchase, as
14 recommended. Councilman Knight seconded the motion and voting was unanimous in the
15 affirmative. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

16
17 **FINAL PLAT APPROVAL GRANTED TO INTEGRATED WELLNESS**
18 **CONDOMINIUMS, 470 N 500 W; NATE LECHTENBERG, APPLICANT**

19 Mr. Rowland presented the request of Nate Lechtenberg, representing Stout Construction,
20 for approval of a commercial condominium plat for the Integrated Wellness Center, currently
21 under construction at 470 North 500 West. It is the recommendation of staff and the Planning
22 Commission to grant final condo plat approval, subject to the following conditions:

- 23 1. Make redline corrections and provide a signed mylar.
- 24 2. Submit a current title report.
- 25 3. Payment of the following fees:
 - 26 a. Checking Fee \$100
 - 27 b. Recording Fee 120

28 Councilwoman Holbrook made a motion to grant final plat approval, as presented and
29 recommended. Councilman Myers seconded the motion and voting was unanimous.
30 Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

31
32 **ANNUAL MEETING SCHEDULE APPROVED**

33 Mayor Johnson referred to the public notice outlining the proposed meeting schedule for
34 the 2011 calendar year, and asked the Council to vote regarding their approval/disapproval of the
35 schedule. Regular meetings are scheduled for the second and fourth Tuesdays of each month,
36 beginning promptly at 7:00 p.m. Redevelopment Agency Board of Directors meetings will take
37 place before City Council meetings, as needed, beginning at 6:45 p.m. The Council will NOT
38 meet on November 8 (election day). Councilman Knight made a motion to approve the meeting
39 schedule as presented. Councilwoman Holbrook seconded the motion. Voting was unanimous
40 with Councilpersons Holbrook, Knight, Moss, Myers and Tolman voting “aye”.

41
42 **COUNCIL VOTES TO APPROVE LINING STORM DRAIN PIPE IN**
43 **CAVE HOLLOW**

44 Mr. Rowland reviewed that the Council previously approved a Detention Improvements
45 Project at 2010 Cave Hollow to correct problems which resulted in a severely damaged 24" pipe
46 running under Wood Hollow and to make other improvements. Poulsen Construction Company
47 was contracted to do this work, and proceeded. However, unanticipated problems arose,

1 including the discovery that we could not see about 90 feet of the pipe, due to blockage. Poulsen
2 has proposed that the pipe be re-bored and then use an auger tool to loosen/crush/remove all of
3 the remaining blockage. As they remove their reaming tool for the last time, they will attach a
4 16" diameter HDPE (black plastic) pipe and pull it back in the damaged 24" CMP. With the
5 lining pipe in place, concrete grout is pumped in to fill the annular space between the old and
6 new pipe. This provides us with a clean lined pipe which should continue working for the next
7 50 years.

8
9 Poulsen has proposed extending their contract for \$35,230.00 to cover the cost of the
10 bore, ream, lining and grouting. It is the staff recommendation that this proposal be approved.
11 Discussion followed and then Councilman Myers made a motion to extend the contract of
12 Poulsen Construction Company by \$35,230.00. Councilwoman Holbrook seconded the motion
13 and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted
14 "aye".

15
16 **RELEASE OF BOND ON OAK HOLLOW ESTATES SBDVN. APPROVED**

17 Mr. Rowland reviewed that Oak Hollow Estates Subdivision originally started
18 development in a robust manner, but when the market declined in mid-2008, the developer
19 ultimately pulled off the project and did not return. The bonding company is willing to pay
20 \$17,520.00 for the unfinished part of the project. He referred to a Settlement Agreement and
21 Release and stated that it is the recommendation of staff that we approve the Settlement
22 Agreement and release the remainder of the bond and accept final responsibility for maintenance
23 of the subdivision. Councilwoman Holbrook made the motion to accept the bond settlement and
24 grant final acceptance as stated. Councilman Moss seconded the motion which carried
25 unanimously. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

26
27 **COUNCIL COMMITTEE REPORTS**

28 _____ None
29

30 **EXECUTIVE SESSION APPROVED**

31 The meeting adjourned to Executive Session at 8:12 p.m. on a motion made and seconded
32 by Councilpersons Moss and Holbrook, respectively. The purpose of the Executive is to discuss
33 pending litigation. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".
34

35 **Attendance at Executive Session**

36 Mayor Johnson
37 Councilmembers Holbrook, Knight, Moss, Myers and Tolman
38 Mr. Hardy.
39 Mr. Mahan
40

41
42 _____
43 JOE L. JOHNSON, Mayor

44
45 _____
46 KIM J. COLEMAN, City Recorder

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