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Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
June 28, 2011 - 7:00 p.m.

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Present: Mayor: Joe L. Johnson  
Council Members: Beth Holbrook, John Marc Knight, Fred Moss, Scott Myers  
and Thomas Tolman  
City Manager: Tom Hardy  
City Attorney: Russell Mahan  
City Engineer: Paul Rowland  
City Recorder: Kim J. Coleman  
Admin. Services Dir.: Galen Rasmussen  
City Treasurer: Mark McRae  
Planning/RDA Director: Aric Jensen  
Department Heads: Gary Blowers, Streets/Sanitation  
Allen Johnson, Power  
Tom Ross, Police  
Alan West, Information Systems  
Recording Secretary: Nancy Lawrence

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

Mayor Johnson called the meeting to order at 7:10 p.m., following a meeting of the Traffic Safety Committee. Shauna Andrus led the pledge of allegiance to the flag, following which Councilman Myers offered the prayer/thought.

**APPROVAL OF MINUTES**

Minutes of the regular City Council meeting held June 14, 2011 were presented, and Councilwoman Holbrook motioned for approval, as written. Councilman Moss seconded the motion and Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

**PRESENTATION OF CERTIFICATE OF EXCELLENCE IN  
FINANCIAL REPORTING – 2009-10 FISCAL YEAR**

Mr. Hardy reported that the City of Bountiful was awarded a Certificate of Excellence in Financial Reporting for the 2009-10 Fiscal Year and he presented the Mayor with the certificate. Mr. Hardy explained that this is the highest award that is given for a Comprehensive Annual Financial Report and said that this is the 30<sup>th</sup> consecutive year that the City has received this award, the longest time of any city in the State of Utah. The award recognizes that the financial reports meet the highest standards of transparency and accuracy. Mr. Hardy recognized Mr. Coleman and his assistant, Ralph Hill, who are responsible for the financial reports.

1 **COUNCIL REPORTS**

2 Richard Watson, chairman of the Bountiful Community Service Council, reported that the  
3 Concert in the Park this past week was outstanding, and he encouraged everyone to attend these  
4 concerts. The next concert will be on July 15<sup>th</sup> (“Bountiful’s Got Talent”), and Carmen Rasmussen will  
5 be featured on July 29<sup>th</sup>. Tryouts for “Bountiful’s Got Talent” will be tomorrow night (June 15).  
6 Councilwoman Holbrook thanked Mr. Watson for his efforts on behalf of the Concert in the Park series  
7 and also encouraged attendance.  
8

9 **YOUTH COUNCIL REPORT**

10 Nate Blackhurst (Davis County Fair Representative) and Katie Beal (Youth Arts Representative)  
11 were in attendance and reported on past and upcoming events. During the past two weeks the Youth  
12 Council assisted with the Car Show and the Concert in the Park. They will be participating in the West  
13 Bountiful and Centerville 4<sup>th</sup> of July parades, riding on an older Bountiful fire truck, and they are  
14 planning a service project to clean up the Old Mill site prior to July 24<sup>th</sup> tours. They will also be helping  
15 with Summerfest in August.  
16

17 **RECOGNITION OF RETIRING CITY EMPLOYEES**

18 **Sgt. Scott Isakson:** Chief Ross recognized Scott Isakson who will retire after 37 years of  
19 service with the Bountiful Police Department. Sgt. Isakson served in many capacities, including  
20 administration, patrol, detectives, technical services, SWAT team, and elementary school resource  
21 officer. The Chief said he did an outstanding job in all assignments, was a hard worker, and he was  
22 committed and dedicated to protecting and serving the citizens of Bountiful. Mr. Hardy praised Sgt.  
23 Isakson as a dedicated, honest, loyal employee who strived to be the best officer he could be – and he  
24 accomplished that. Chief Ross asked Scott’s wife, Carrie, to join him at the podium and she was  
25 presented with flowers as a token of appreciation for her support to Scott and his career. Scott read a  
26 prepared statement of appreciation and thanked the City and the Police Department for all that he gained  
27 as an employee. He concluded by reading “Scotty -- isms” and the Mayor then presented him with a  
28 check as a token of appreciation on behalf of the City.  
29

30 **Dave Wilding:** Mr. Hardy introduced Dave Wilding, who is retiring after serving as  
31 superintendent of the Water / Sewer department for the past 24 years. Prior to that, he worked as  
32 assistant City Engineer. His engineering expertise was credited for leading the development of the  
33 Water Department as the City has grown. Mr. Hardy praised him for his technical work and the  
34 wonderful job he has done. Mr. Rowland expressed appreciation for the excellent manner in which Mr.  
35 Wilding carried out his responsibilities and he stated that he will certainly miss him. Dave’s wife  
36 (Jeannie) acknowledged that Dave has had a wonderful career with the City and she is looking forward  
37 to having him home. Mayor Johnson expressed appreciation for all that Mr. Wilding has done, and he  
38 presented him with a check as a token of appreciation on behalf of the City. Dave stated that it was a  
39 pleasure to work for Bountiful City and he thanked this Council and previous councils and  
40 administrators for their support. He expressed appreciation for the staff he has worked with and noted  
41 that Mark Slagowski (newly appointed Water Department Superintendent) and Brett Eggett were most  
42 helpful and that the system would not run without guys like them and all of the Water Department.  
43 Mark Slagowski then thanked Dave for all that he has taught him and wished him well on his retirement.  
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1 **WEEKLY EXPENDITURES AND EXPENSES APPROVED**

2 Mayor Johnson presented the reports for expenditures and expenses greater than \$1,000 for the  
3 following time periods, with respective totals: June 2-8, 2011 (\$466,343.94), and June 9-15, 2011  
4 (\$344,511.77). Councilman Moss motioned to approve the reports, as presented. Councilwoman  
5 Holbrook seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss,  
6 Myers and Tolman voted “aye”.

7  
8 **APPROVAL GIVEN TO PURCHASE NEW PUBLIC ADMINISTRATION SOFTWARE**

9 Mr. West reviewed that Bountiful City has been using an accounting software package from  
10 New World Systems (NWS) for almost twenty years. New World’s AS/400 is being replaced by their  
11 recently developed .NET system and NWS has strongly encouraged existing customers to migrate to this  
12 new Microsoft server-based product. This led the City to study other software options and several  
13 vendors were contacted; four proposals were received by the City. After thoroughly researching the four  
14 proposals, it is the recommendation of staff to purchase the “Munis” Accounting Software Package from  
15 Tyler Technologies. This package includes: Accounting, Payroll, Utility Billing, Vehicle Maintenance,  
16 Community Development, Permitting, etc. The necessary funds (\$571,347) have been included in the  
17 approved 2011-12 budget. The budget includes software (\$488,561), travel expenses (\$47,286), and  
18 computer hardware – servers (\$35,500). Mr. West noted that the hardware purchase will upgrade the  
19 network servers and would have been necessary regardless of which vendor was chosen.

20  
21 Councilman Moss said that this purchase was thoroughly reviewed during the budget process.  
22 Councilman Knight motioned to approve the proposal from Tyler Software Solution (\$535,847) and the  
23 purchase of new servers (\$35,500), totaling \$571,347.00. Councilman Myers seconded the motion and  
24 voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

25  
26 **APPROVAL GIVEN TO PURCHASE TWO PICKUP TRUCKS –**  
27 **WATER DEPARTMENT**

28 Mr. Slagowski explained that with the retirement of Dave Wilding, the Water Department is  
29 without a truck for the new construction supervisor because Dave’s truck was not city-owned. He also  
30 stated that the department needs to purchase another truck for the production supervisor because the  
31 existing truck is in need of so much work, it will cost more to fix it than to replace it. Bids were  
32 requested, and inasmuch as local dealers will give the State Contract pricing, it is recommended that the  
33 following purchases be made:

34 Dodge Ram 2500 Crew Cab 4x4 (3/4 ton to be used for towing)	\$26,260
35 From Larry Miller Dodge	
36 Ford F-150 Crew Cab 4x4 (from Willey Ford)	24,454

37  
38 Mr. Slagowski said that \$52,000 was included in the budget and the excess will be used to purchase  
39 liners for the beds. Councilman Myers made a motion to accept the proposals as presented,  
40 Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Holbrook,  
41 Knight, Moss, Myers and Tolman voted “aye”.

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43 **PURCHASE OF POWER POLES APPROVED**

44 Allen Johnson reported that the inventory of wood poles at the Power Department is running low  
45 and bids were requested to purchase 34 poles. It is the recommendation of staff and the Power  
46 Commission to award the bid to low bidder, McFarland Cascade, in the amount of \$23,998.00.

1 Councilman Moss motioned to accept the bid from McFarland, as recommended. Councilman Myers  
2 seconded the motion which carried unanimously. Councilpersons Holbrook, Knight, Moss, Myers and  
3 Tolman voted “aye”.

4  
5 The Mayor and Mr. Hardy commented on the planned outage at the 138 Substation this past  
6 Sunday, noted how smoothly it went, and expressed gratitude for the Power Department.

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8 **APPROVAL GIVEN TO EXTEND CONTRACT WITH ASPLUNDH –**  
9 **POWER DEPARTMENT**

10 Mr. Johnson reviewed that the 2011-2012 Power Department budget includes funding for two  
11 full-time outside crews to trim trees from the power lines. He said that Asplundh Tree Expert Company  
12 has agreed to extend our current contract through the fiscal year 2011-2012 at their current rate. They  
13 have held this rate since June 2008. The total cost per hour (labor/equipment and supplies) is  
14 \$117.84/hour. It is the recommendation of staff and the Power Commission to extend the Asplundh  
15 contract at the quoted price of \$117.84 per hour per crew for a not-to-exceed amount of \$520,000.00.  
16 Councilman Moss made a motion to this effect, Councilman Myers seconded the motion and voting was  
17 unanimous, with Councilpersons Holbrook, Knight, Moss, Myers and Tolman voting “aye”.

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19 **PRELIMINARY AND FINAL APPROVAL GRANTED TO JOE AND**  
20 **BETTE EGGETT SBDVN, PHASE 5 – 1388 EAST 1700 SOUTH**

21 Mr. Rowland presented the request for preliminary and final approval of Phase 5 of the Joe and  
22 Bette Eggett Subdivision at 1388 East 1700 South. This is a single lot which was originally given  
23 preliminary approval in 1993 when the subdivision was initially approved and the developer later  
24 decided to develop in phases. He said it is the recommendation of staff and the Planning Commission  
25 to grant preliminary and final approval, as requested, with the following conditions:

- 26 1. Payment of all fees  
27 2. Submit a current title report  
28 3. Correction of minor errors on the subdivision plat.

29  
30 Councilwoman Holbrook made a motion to grant preliminary and final approval to Phase 5 of the Joe  
31 and Bette Eggett Subdivision, as recommended. Councilman Moss seconded the motion and voting was  
32 unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

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34 **PUBLIC HEARING TO CONSIDER AMENDING ORDINANCE RE:**  
35 **PROPERTY AT 2084 SOUTH ORCHARD DRIVE**

36 Mr. Jensen reviewed that in 2007 the property owners at 2084 South Orchard Drive successfully  
37 rezoned the subject property to the Mixed-Use zone, which allows a mix of residential and commercial  
38 uses within a development. A condition of development was that 25 percent of the residential units  
39 could not be constructed until **after** construction of the commercial building had been started. The  
40 owners are now requesting permission to complete the residential units prior to building the commercial  
41 unit. This request has been studied by staff and the Planning Commission and comes to the Council  
42 with a positive recommendation, subject to five new provisions as listed in the Planning Department  
43 Staff Report dated June 28, 2011. He also noted that the staff has concerns about adding additional  
44 commercial square footage at this time.

1 Mr. Jensen explained that all of the property owners were not able to attend the meeting this  
2 evening and would like to do so prior to action being taken. Therefore, he requested that the Mayor go  
3 ahead with the public hearing, but delay a decision until a future meeting, to be rescheduled (at the  
4 owners request) on September 27<sup>th</sup>.

5  
6 The Mayor opened the public hearing at 8:12 p.m. Eleanor Braden, Orchard Hollow, asked if it  
7 would be possible to develop the entire project as residential, expressing concern about traffic dangers if  
8 developed commercial. Jeffrey Coleman, 2045 Penman Lane, reported that construction was not  
9 properly supervised when the first units were built and as neighbors they had issues with dust, water,  
10 erosion, etc. Gary PendeGraf, 2057 South Penman, echoed the concerns of Mr. Coleman and he  
11 requested that the City be more vigilant in enforcement of issues related to construction. Gretchen  
12 Becker, 2115 Penman Lane, said that when the existing residential units were built, a pile of dirt was  
13 pushed against her fence/property which has still not been removed. She requested that this be taken  
14 care of. There were no further comments and the Mayor closed the hearing at 8:25 p.m. Mr. Rowland  
15 was asked to please follow up with the unresolved issues of the initial residential development.

16  
17 Councilman Tolman made a motion to continue this matter to September 27<sup>th</sup> for further  
18 consideration. Councilwoman Holbrook seconded the motion and voting was unanimous.  
19 Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

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21 **LIQUOR CONSUMPTION LICENSE AND BEER LICENSE**  
22 **APPROVED FOR SMEDLEY MANOR RESTAURANT – 305 NO. MAIN**

23 Mr. Hardy presented the request of Smedley Manor, Inc. for a Liquor Consumption License and  
24 a Beer License for the restaurant at 305 North Main. He said this request comes with a positive  
25 recommendation from the Police Department, noting that no variances are required. Councilman Myers  
26 motioned to approve the requests, Councilman Moss seconded the motion and voting was unanimous.  
27 Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

28  
29 **RESOLUTION NO. 2011-05 ADOPTED RE: GASB 54**

30 Mr. Hardy explained that one of the requirements of the City is to follow procedures as outlined  
31 and directed by the Governmental Accounting Standards Board (GASB). GASB has implemented a  
32 new procedure which the City must conform with, as outlined in Resolution No. 2011-05 entitled, A  
33 RESOLUTION IMPLEMENTING GASB 54 AND ESTABLISHING A POLICY FOR FUND BALANCE CATEGORIES,  
34 ORDER OF SPENDING, AND AUTHORITY TO ASSIGN FUND BALANCES. He reviewed the resolution and  
35 recommended that it be approved. Councilman Tolman made a motion to adopt Res. No. 2011-05, as  
36 presented. Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons  
37 Holbrook, Knight, Moss, Myers and Tolman voted “aye”. Mr. Hardy noted that this will not change the  
38 budget process, just the way we treat it at year end.

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40 **COUNCIL VOTES TO APPROVE CHANGES IN INVESTMENT POLICY**

41 Mr. McRae reviewed with the Council that the City has followed an investment policy which  
42 was last updated in 2002. He said it is recommended that the policy be updated to bring it up to Code  
43 related to safety (requires a certified investment advisor approved by the Council), liquidity (allows  
44 investments over three years based on when funds may be needed), and allows for competitive rates of  
45 interest based on the amount of the investment. In general, all larger term instruments will be restricted  
46 to Federal agencies. The policy meets all State codes and it is staff recommendation to approve it.

1 Councilman Moss made a motion to accept the changes in the investment policy, as explained.  
2 Councilman Tolman seconded the motion and voting was by a majority. Councilwoman Holbrook  
3 recused herself from the vote as an employee of Zion’s Bank. Councilmen Knight, Moss, Myers and  
4 Tolman voted “aye”.

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6 **INVESTMENT SERVICES WITH ZION’S BANK APPROVED**

7 Pursuant to the changes in investment policy, Mr. McRae said it is the recommendation of staff  
8 to enter into an Agreement with Contango Capital Advisors to serve as the City’s investment advisor. It  
9 is understood that investments must be made according to guidelines of the City’s investment policy and  
10 regular reports will be provided to the City. There is no time limit on the Agreement and it can be  
11 cancelled within 30 days of notice. Councilman Moss made a motion to accept the Investment  
12 Management Agreement between Contango Capital Advisors and Bountiful City. Councilman Knight  
13 seconded the motion which carried unanimously. Councilmen Knight, Moss, Myers and Tolman voted  
14 “aye”; Councilwoman Holbrook abstained.

15

16 **RELEASE OF EASEMENT APPROVED AT 477 EAST 3550 SOUTH**

17 Mr. Rowland presented the request of Brad Call for the easements to be released between two of  
18 his lots for the purpose of constructing a swimming pool. He said that all of the utility companies  
19 involved have approved this request and signed the Release Form. It is staff recommendation to release  
20 the utility easement at 477 East 3550 South. Councilman Knight made a motion to this effect,  
21 Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Holbrook,  
22 Knight, Moss, Myers and Tolman voted “aye”.

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24 **TRAFFIC SAFETY COMMITTEE RECOMMENDATION TABLED**

25 Mr. Tolman requested that the Traffic Safety Committee matter regarding the intersection of  
26 2600 South and 200 West be tabled for two weeks to permit further research.

27

28 The meeting adjourned at 8:45 p.m. on a motion made by Councilman Myers and seconded by  
29 Councilwoman Holbrook. Voting was unanimous with Councilpersons Holbrook, Knight, Moss, Myers  
30 and Tolman voting “aye”.

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JOE L. JOHNSON, Mayor

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KIM J. COLEMAN, City Recorder

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