

1 Minutes of the regular meeting of the City Council held May 13, 1998 at 7:00 p.m. in
2 the Council Chambers of the City Hall, Bountiful, Utah.

3
4 Present: Mayor: John R. Cushing
5 Council Members: Samuel R. Fowler, Barbara Holt, Alan A.
6 Johnson, Stewart Knowlton and C.
7 Harold Shafter
8 City Manager: Tom Hardy
9 City Attorney: Russell Mahan
10 City Engineer: Paul Rowland
11 Administrative Services Dir.: Galen Rasmussen
12 City Recorder: Kim Coleman
13 City Treasurer: Mark McRae
14 Department Heads: Dick Duncan, Streets/Sanitation
15 Jerry Lemon, Fire
16 John Miller, Recreation
17 Paul Rapp, Police
18 Alan West, Information Systems
19 Jerry Wilson, Parks
20 Recording Secretary: Nancy T. Lawrence
21

22 Official Notice of this meeting had been given by posting a written notice of same and
23 an Agenda at the City Hall and providing copies to the following newspapers of general
24 circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.
25

26 Mayor Cushing called the meeting to order, following which Councilwoman Holt led
27 the pledge of allegiance to the flag. The invocation was offered by Councilman Fowler.
28

29 Minutes of the regular meeting of the City Council held May 6, 1998 were presented
30 and unanimously approved as corrected on a motion made by Councilman Johnson and seconded
31 by Councilman Shafer.
32

33 **EXPENDITURES AND EXPENSES APPROVED**
34 **FOR PERIOD MAY 1-7, 1998**

35 Mayor Cushing presented the Expenditures and Expenses with total disbursements for
36 the period May 1-7, 1998 in the amount of \$276,752.22. Following a short discussion, these
37 expenditures were unanimously approved as presented on a motion made by Councilman Fowler
38 and seconded by Councilwoman Holt.
39

40 **ORD. NO. 98-4 ADOPTED: VACATING LOTS IN BRIDLEWOOD**
41 **SOUTH ESTATES SBDVN, PHASE 2; FINAL APPROVAL OF**
42 **BRIDLEWOOD SOUTH ESTATES SBDVN., PHASE 2 AMENDED**

43 Mr. Mahan explained that State law mandates that when property is removed from a
44 subdivision, notice must be given and an ordinance adopted. He reviewed ordinance No. 98-4
45 entitled AN ORDINANCE VACATING LOTS 211 THROUGH 214 FROM THE
46 BRIDLEWOOD SOUTH ESTATES SUBDIVISION PHASE 2 IN BOUNTIFUL, DAVIS
47 COUNTY, UTAH, AND RELEASING THE EASEMENTS THEREON. He said that the
48 purpose of vacating these lots is to permit them to become available in a new subdivision,
49 Bridlewood South Estates, Phase 3. The petitioner has obtained written approval from everyone
50 entitled to notice of a hearing; there is no opposition to the proposal.
51

52 Mr. Rowland further explained that this change will better accommodate the

1 topography of both Phase 2 and Phase 3. The Planning Commission and staff recommend
2 adoption of the ordinance and final approval of Bridlewood South Estates Subdivision, Phase 2
3 Amended.

4
5 Councilwoman Holt made a motion to adopt ord. No. 98-4 as presented and
6 recommended and to grant final approval to Bridlewood South Estates Subdivision, Phase 2,
7 amended. Councilman Knowlton seconded the motion and voting was unanimous.

8
9 **FINAL APPROVAL GRANTED TO BRIDLEWOOD SOUTH ESTATES**
10 **SUBDIVISION, PHASE 3**

11 Based on the discussion of the previous item, Councilwoman Holt made a motion to
12 grant final approval to Bridlewood South Estates Subdivision, Phase 3, as presented, subject to
13 the following conditions:

- 14
15 1. Posting of a site improvement letter of credit and guarantee as outlined
16 in the bond letter.
17 2. Payment of subdivision fees as outlined in the bond letter.
18 3. Payment of underground power fees as required by Bountiful Light and
19 Power.
20 4. Completion of the corrections on the subdivision plans.
21 5. All building pads required to drain to the street as per the Uniform
22 Building Code.

23
24 Councilman Johnson seconded the motion and voting was unanimous.

25
26 **APPROVAL GIVEN TO RELEASE EASEMENT AT**
27 **1469 AND 1483 EAST BARTON CREEK LANE**

28 Mr. Rowland explained that an individual wants to buy two lots in order to make a large
29 lot and is requesting that the easement be released to permit construction of a driveway over the
30 common property line at 1469 and 1483 East Barton Creek Lane. All utilities have been
31 contacted and have given approval and it is the recommendation of staff to approve the easement
32 release. Councilwoman Holt made a motion to approve the release of easement as presented.
33 Councilman Fowler seconded the motion and voting was unanimous.

34
35 **BID FROM COOPERS AND LYBRAND, LLP**
36 **APPROVED FOR INDEPENDENT AUDIT**

37 Mr. Rasmussen explained that Requests for Proposals were sent to nine companies to
38 perform the independent audit for the City and three firms responded. These RFP's
39 were evaluated in terms of (1) a local presence and national resources, (2) several years
40 of extensive larger-city audit experience, (3) the ability to help our city with future
41 anticipated changes in financial reporting proposed by the Governmental Accounting
42 Standards Board, and (4) lowest cost consistent with the previous three factors. This
43 evaluation was performed by the City Recorder, Deputy Recorder and Mr. Rasmussen
44 and it is their recommendation that the second
45 lowest cost bid, received from Coopers & Lybrand, LLP for a yearly cost of \$43,900 be
46 accepted. This bid also includes an option to renew for each of the succeeding four additional

fiscal years at bid prices as indicated; and subject to satisfactory performance and approval by the Mayor and City Council. Hours and fees for the year ending June 30, 1998 and the four years ending June 30, 2002 are:

	<u>Estimated Hours</u>	<u>Maximum Fee*</u>
June 30, 1998	650	\$ 43,900
June 30, 1999	580	45,900
June 30, 2000	580	48,000
June 30, 2001	580	50,300
June 30, 2002	580	<u>52,600</u>
5-Year Total		<u>\$ 240,700</u>

*Including out-of-pocket costs

Following discussion, Councilman Fowler made a motion to accept the bid from Coopers and Lybrand, as presented and recommended. Councilwoman Holt seconded the motion and voting was unanimous.

**RES. NO. 98-3 RE: ADOPTION OF 457 DEFERRED
COMPENSATION PLAN - ICMA RETIREMENT CORP.**

Mr. Hardy explained that the City has had a 457 Deferred Compensation Plan for many years through the State Retirement system and through Great Western Life (Denver). The firefighters are now desirous of switching their 457 program from Great western Life to the ICMA Retirement Corporation (which presently services the City's 401-K program). This will permit more employee input on how the money will be invested. There is no cost to the City for this 457 program (unless the City wishes to contribute). This matter has been reviewed by the Administrative Department and the Fire Department and comes with their recommendation. Councilman Johnson made a motion that the 457 deferred compensation plan be adopted with ICMA Retirement Corporation as the administrator, and that this be implemented through adopted of Res. No. 98-3. Councilman Shafter seconded the motion and voting was unanimous.

**APPROVAL GIVEN TO ISSUE EXCISE TAX
REVENUE BONDS FOR 400 NORTH PROJECT**

Mr. Hardy reviewed that the "Utah Local Road Improvement Program" utilizes the issuance of excise tax revenue bonds that are guaranteed by gas tax revenues which the City receives from the State. Bountiful receives approximately \$1.3 million per year in gas tax revenues and it is proposed that the City issue Excise Tax Revenue Bonds for a five-year period (pledging payments of \$307,000 per year for the next five years) to pay for the construction, design engineering, and inspection of the 400 North project, recently awarded to M.C. Green. The interest rate on these bonds is 4.6%, which is approximately one (1) percent less than what the City can invest its funds for in the State Treasurer's investment pool. It would, therefore, be cost effective for the City to bond for this project.

Jason Burningham, representing the bond agent, stated that tonight's business is to approve the issuance of the bonds, and he will be before the Council again when exact figures are available and final terms will be set. Following a brief discussion, Councilman Knowlton

1 made a motion to adopt Resolution No. 98-4, which provides approval for the bond issuance.
2 Councilwoman Holt seconded the motion and voting was unanimous.

3 **REVIEW OF GENERAL, CAPITAL AND**
4 **DEBT SERVICE FUNDS IN 1998-99 BUDGET**

5 Mr. Hardy presented the Tentative 1998-99 Fiscal year Operating and Capital Budget
6 with revenues and expenses balanced at \$42,734,882, less Intra-City transfers of <\$8,932,213>,
7 resulting in a net budget of \$33,802,669. He noted that the over-all budget is up approximately
8 1.7 percent over last year. The Debt Service fund has only one bond issue, which is completely
9 paid for by the state through the lease of the Court building. He summarized majors points of the
10 budget, noting that the three largest departmental budgets in the General Fund budget are the
11 Police (\$3.57 million), Fire (\$2.07 million), and Streets (\$4.65 million). The Capital
12 Improvements fund has a total of \$4.13 million, a major portion of which goes to the Street
13 Department. Individual projects have been reviewed in Committee for each department.
14

15 Mayor Cushing asked if there were any questions on the budget and a brief discussion
16 followed regarding the replacement of capital equipment. There were no questions from the
17 public and no official action by the Council.
18

19 **COUNCIL COMMITTEE REPORTS**

20 Councilman Johnson invited the other Council members to attend the official induction
21 ceremony for the Youth City Council tomorrow evening at 7:00 p.m.
22

23 Councilwoman Holt reported that yesterday she attended an “Envision Utah” meeting
24 and noted that there will be a request of the cities for “one-time” money for the purpose of
25 addressing public awareness issues. The City will be asked to donate money for this project and
26 a decision will need to be made within a few weeks. Councilwoman Holt noted that if growth
27 trends continue, in the year 2050 the Davis/Weber/Box Elder area population will be 932,000 at
28 2 percent increase; or 1,627,000 at a 5 percent increase. The purpose of “Envision Utah” is to
29 assist in orderly growth.
30

31 **EXECUTIVE SESSION TO DISCUSS**
32 **PENDING LITIGATION**

33 At the request of the Mayor, Councilman Johnson made a motion to adjourn to
34 executive session at 7:47 p.m. for the purpose of discussing pending litigation. Councilman
35 Fowler seconded the motion which carried unanimously and the Council adjourned.
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37 **Attendance at Executive Session**

38 Mayor Cushing
39 Councilpersons Shafter, Johnson, Holt, Fowler, and Knowlton
40 Mr. Hardy
41 Mr. Mahan
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43
44

JOHN R. CUSHING, Mayor

1
2 KIM COLEMAN, City Recorder
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