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Minutes of the Bountiful City Council Meeting City Council Chambers September 14, 2004 - 7:00 p.m.

Present: Mayor: Joe L. Johnson
Council Members: Richard Higginson, Barbara Holt, John S. Pitt
and Thomas Tolman
City Manager: Tom Hardy
City Attorney: Russell Mahan
City Engineer: Paul Rowland
City Recorder: Kim J. Coleman
Planning/RDA Director: Aric Jensen
Department Representatives: Neal Jenkins, Parks/Recreation
Clifford Michaelis, Power
Paul Rapp, Police
George Sumner, Fire
Recording Secretary: Nancy T. Lawrence
Excused: Councilman : R. Fred Moss

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.

Mayor Johnson called the meeting to order at 7:05 p.m., following a meeting of the Redevelopment Agency, and welcomed those in attendance. Chief Rapp led the pledge of allegiance to the flag, following which Mr. Jensen offered the prayer/thought.

MINUTES APPROVED FOR THREE COUNCIL MEETINGS

Minutes of the City Council meetings held July 27, 2004, August 10, 2004 and August 24, 2004 were presented and approved with one correction on the August 24th minutes. The motion was made by Councilman Higginson and seconded by Councilwoman Holt. Voting was unanimous with Councilpersons Holt, Higginson, Pitt, and Tolman voting "aye".

WEEKLY EXPENDITURES APPROVED FOR THREE PERIODS

Mayor Johnson presented the Weekly Expenditure and Expense Report for the Periods August 12-25, 2004 (\$2,375,017.14) and August 26 - September 1, 2004 (\$389,460.49) and the Summary for July in the amount of \$3,175,726.45. Following a brief discussion period, these reports were unanimously approved on a motion made by Councilman Pitt and seconded by Councilwoman Holt. Councilpersons Holt, Higginson, Pitt, and Tolman voted "aye".

BID AWARDS APPROVED FOR PARKS AND RECREATION DEPARTMENTS

Mr. Jenkins presented the following staff recommendations for purchases for the Parks and Recreation departments:

Recreonics: Diving Board Stands - Recreation Center. Bids were received from two vendors and it is staff recommendation to approve the low bid from Recreonics for replacement of the low dive stands in the amount of \$10,577.79 (including anchor sets and shipping and handling). Although a new recreational complex is planned, Mr. Jenkins explained that a safety issue is involved and that this equipment can be used in the new complex. Councilman Pitt

1 motioned to approve this purchase, Councilman Higginson seconded the motion and voting was
2 unanimous. Councilpersons Holt, Higginson, Pitt, and Tolman voted “aye”.

3
4 **Leaf Sweeper - Parks Department.** This year’s budget includes \$25,000 for a leaf
5 sweeper to replace the 1987 Jacobsen sweeper. Two bids were received and it is recommended
6 that the low bid from Rocky Mountain Turf for a Smithco Sweeper in the amount of \$23,102.00 be
7 accepted. Councilman Pitt motioned to approve this purchase and Councilman Higginson
8 seconded the motion. Voting was unanimous with Councilpersons Holt, Higginson, Pitt, and
9 Tolman voting “aye”.

10
11 **Triplex Greens Mower - Golf Course.** A replacement greens mower was included in the
12 budget to replace the 1983 greens mower. Three bids were received and the low bid from Rocky
13 Mountain Turf for a Greens King 4-Plus (gas) mower is recommended. Mr. Jenkins explained that
14 the greens mowers are “passed down” in the department when they can no longer be used on the
15 greens. Councilman Pitt made a motion to approve the purchase of the greens mower in the
16 amount of \$17,735.00, which is within budget. Councilman Higginson seconded the motion and
17 voting was unanimous. Councilpersons Holt, Higginson, Pitt, and Tolman voted “aye”.

18
19 **Sand Trap Rake - Golf Course.** A replacement rake is included in the budget for a new
20 sand trap rake to replace a 1993 bunker rake. Four bids were received, and following a
21 demonstration of all equipment, it is the staff recommendation to accept the bid from Turf
22 Equipment for a Toro bunker rake in the amount of \$11,286.00. Although this was not the low
23 bid, it was considered far superior for the conditions at our golf course. Councilman Pitt made a
24 motion to approve this purchase, Councilman Higginson seconded the motion and voting was
25 unanimous. Councilpersons Holt, Higginson, Pitt, and Tolman voted “aye”.

26
27 **POLICE DEPARTMENT REQUESTS APPROVED**

28 Chief Rapp presented the four following requests, recommended by staff, for approval by
29 the Council:

30
31 **Purchase of Three Replacement Patrol Vehicles.** The 2004-05 police budget includes
32 the purchase of three new police patrol vehicles. In anticipation of this purchase, Sergeant Kilpack
33 contacted Willey Ford (Bountiful dealer) and was extended a one-time offer to purchase 2005
34 Crown Victoria models (highly favored by police officers) with all of the incentives that will be
35 given under State bid in October 2004. By purchasing now and not waiting until October when
36 the State bid comes out, delivery will be more expeditious. With incentives factored in, the
37 purchase price/vehicle is \$23,679.00, for a total expenditure of \$71,037.00. This does not include
38 trade-in value which has yet to be determined. Following discussion, Councilwoman Holt made a
39 motion to approve the purchase of three police vehicles from Willey Ford, as presented and
40 recommended. Councilman Higginson seconded the motion. Voting was unanimous with
41 Councilpersons Holt, Higginson, Pitt, and Tolman voting “aye”.

42
43 **Approval to Implement New Police Officer III Position.** In an effort to provide
44 advancement opportunities for police personnel and to reduce the number of officers who leave the
45 department, it is the recommendation of the Public Safety Committee to approve a new position of
46 Police Officer III. Chief Rapp reviewed the requirements for achieving this rank, including
47 educational requirements which radiate upward through the rank of Lieutenant. It is anticipated

1 that the net affect on this year's budget would be approximately \$20,000 additional expenditure.
2 Councilman Higginson made a motion to approve the new rank structure, Councilwoman Holt
3 seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Pitt and
4 Tolman voted "aye".

5
6 **Approval of Physical Fitness Policy.** Chief Rapp reviewed that one of his long-term
7 goals has been to implement a physical fitness requirement for police officers in Bountiful City.
8 The department, in conjunction with Professor Jack Loughton of Weber State University, has
9 defined a fitness program which includes a validation study, implementation over an 18-month
10 period, test standards and a compliance test. Officers have three tries to pass the fitness test (over
11 a 90-day period) before being deemed unfit for sworn duty. The first annual required compliance
12 test is proposed for October, 2006.

13
14 Mayor Johnson expressed concern that an older officer who brings the benefit of wisdom,
15 experience, etc. to the department might be unable to pass the fitness test. Discussion followed
16 and the Chief indicated that he was confident that all officers have the ability to pass the test,
17 particularly with almost two years to "get in shape". Councilman Pitt motioned to approve the
18 Physical Fitness Policy as presented and discussed. Councilwoman Holt seconded the motion and
19 voting was unanimous. Councilpersons Holt, Higginson, Pitt, and Tolman voted "aye".

20
21 **Purchase of Building Security Hardware.** Chief Rapp reviewed that this year's budget
22 includes a security upgrade to the existing security system at the Police Department. It is the staff
23 recommendation to approve the quote from Automated: Electronic Security for two external
24 cameras, digital records capable of 240 Gigabytes, three monitors, and ancillary equipment in the
25 amount of \$20,155.50. Councilman Higginson made a motion to approve this purchase, as
26 presented. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons
27 Holt, Higginson, Pitt, and Tolman voted "aye".

28
29 **PURCHASE APPROVED FOR BUCKET TRUCK - POWER DEPARTMENT**

30 Mr. Michaelis reported that this year's budget includes replacement of Unit #12, a 1985
31 Chevrolet double bucket truck. A used truck has been located and it is the recommendation of
32 staff and the Power Commission to approve its purchase. The truck is a 2004 International with an
33 Altec Model AM55 aerial two-man lift. The truck has approximately 2,671 miles and the aerial
34 lift has approximately 10 hours of use. The asking price for the truck is \$119,500, plus the
35 addition of items reviewed by Mr. Michaelis in the amount of \$22,360 bringing the total purchase
36 to \$141,860.00. The amount budgeted was \$160,000.00. Councilman Tolman made a motion to
37 approve the purchase of the double bucket truck, as explained. Councilman Higginson seconded
38 the motion and voting was unanimous with Councilpersons Higginson, Holt, Pitt and Tolman
39 voting "aye".

40
41 **BEER LICENSE PREVIOUSLY APPROVED**

42 When the Agenda was prepared it included approval to issue a beer license to Smith's
43 MarketPlace. As this matter was researched, it was determined that the license was approved in
44 May, 2004.

45
46 **RES. NO. 2004-09 ADOPTED RE: SEWER CLOSURE FUND**

47 Mr. Hardy reviewed that ownership of the sewer infrastructure, along with a sum of

1 money, was transferred to South Davis Sewer Improvement District in January, 2004. The City
2 continued to collect monthly sewer fees through June 30, 2004. The divestiture was completed as
3 of June 30, 2004 and it is now necessary to remove all remaining balances and close the accounts
4 in the Sewer Fund. Since the Sewer Fund originally came from the Water Fund, it is proposed that
5 all remaining assets and liabilities of the Sewer Fund, in the total net amount of \$3,035,099.31 be
6 transferred to the Water Fund and this be officially done by adoption of Resolution No. 2004-09,
7 entitled A RESOLUTION APPROVING THE TRANSFER OF ALL REMAINING ASSETS, LIABILITIES, AND
8 EQUITY FROM THE BOUNTIFUL CITY SEWER FUND TO THE WATER FUND, EFFECTIVE JUNE 30, 2004.
9 Councilman Higginson made a motion to adopt Res. No. 2004-09 as presented. Councilwoman
10 Holt seconded the motion and voting was unanimous. Councilpersons Holt, Higginson, Pitt, and
11 Tolman voted “aye”.

12
13 **PRELIMINARY AND FINAL SUBDIVISION APPROVAL**
14 **GRANTED TO COONS SUBDIVISION - 1275 NO 400 EAST**

15 Mr. Jensen reviewed that Doug Coons is proposing a two-lot subdivision at approximately
16 1275 North 400 East. The property is NOT part of an existing subdivision and is approximately
17 0.5 acres in size. The Planning Commission has reviewed this request and recommends (together
18 with staff), that preliminary and final subdivision plat approval be granted, subject to the following
19 conditions:

- 20 1. Any outstanding fees be paid.
21 2. Utilities be installed as per the request of the City Engineer
22 3. The derelict cellar be removed and filled prior to recording of the
23 subdivision plat.

24
25 Councilman Tolman noted that this property contains historical native plants and he
26 requested that an effort be made to save those plants. Councilwoman Holt made a motion to grant
27 preliminary and final subdivision approval, as presented. Councilman Higginson seconded the
28 motion which carried unanimously. Councilpersons Higginson, Holt, Pitt and Tolman voted
29 “aye”.

30
31 **PRELIMINARY AND FINAL APPROVAL GRANTED**
32 **FOR AMENDED SITE PLAN - DESERET FIRST CREDIT UNION**

33 Mr. Jensen presented the request of Deseret First Credit Union (400 South Main) for
34 approval to expand their existing site to include additional parking stalls and drive-thru lanes and a
35 new ATM machine. These improvements would be located on an adjacent parcel of land which
36 has been purchased. The staff and Planning Commission have reviewed this request and
37 recommend approval subject to the following conditions:

- 38
39 1. Any outstanding fees be paid.
40 2. The dumpster enclosure match the exterior project fence.
41 3. The minor grading change be made to Staff’s approval.

42
43 Following discussion, Councilwoman Holt made a motion to grant preliminary and final amended
44 site plan approval, as recommended. Councilman Pitt seconded the motion which carried
45 unanimously with Councilpersons Higginson, Holt, Pitt and Tolman voting “aye”.

46
47 **APPROVAL GIVEN TO EXTEND COP CONTRACT**
48 **TO INCLUDE REPAIR OF SUMMERWOOD DRIVE**

1 Mr. Rowland reviewed that over the past several years there have been continual patching
2 and repairs on portions of Summerwood Drive because of the heavy construction truck traffic and
3 the presence of an over-abundance of water in the subgrade. This project was included in this
4 year's budget, but planned for as late in the season as possible to give time for the water in the
5 base to dry out. The project will include removal of the asphalt and about 12" of the underlying
6 soils. Then, a drain system will be installed down both sides of the road to catch excess water and
7 keep the base dry. The new road will then be constructed to accommodate heavy traffic loads with
8 a geotextile fabric over the native soil, 8-inches of good road base material and 4 inches of new
9 asphalt. Inasmuch as a qualified contractor is currently working with the City and there would not
10 be enough time to go through the bidding process and complete the work by October 15th (the
11 deadline for asphalt work), it is the staff's recommendation that the Council accept the proposal of
12 COP Construction to excavate Summerwood Drive between Oxford Way and Hidden Lake Drive
13 and extend their existing contract by \$60,153.50, using the unit prices in their proposal.
14 Councilman Tolman made a motion to this effect. Councilwoman Holt seconded the motion
15 which was favored unanimously. Councilpersons Holt, Higginson, Pitt, and Tolman voted "aye".
16

17 **APPOINTMENTS MADE TO POWER COMMISSION**
18 **AND PLANNING COMMISSION**

19 Mayor Johnson reported that Keith Barton and his wife have been called to serve an LDS
20 mission and it will be necessary to appoint someone to fill his unexpired term. The mayor
21 recommended that **Jed Pitcher**, who was on the **Power Commission** from 1992-1998, be
22 approved to fill this vacancy for the remainder of the term (until January 15, 2006). Councilman
23 Pitt made a motion to this effect, Councilman Tolman seconded the motion and voting was
24 unanimous with Councilpersons Holt, Higginson, Pitt, and Tolman voting "aye".
25

26 Larry Rigby has recently moved from Bountiful and it is recommended that **Kirt Peterson**,
27 a land appraiser, be appointed to fill the unexpired term on the **Planning Commission** (until July
28 1, 2005). Councilwoman Holt motioned to approve this appointment and Councilman Higginson
29 seconded the motion. Voting was unanimous with Councilpersons Holt, Higginson, Pitt, and
30 Tolman voting "aye".
31

32 **RES. NO. 2004-10 ADOPTED RE: INTERLOCAL COOPERATIVE AGREEMENT**
33 **ESTABLISHING SOUTH DAVIS METRO FIRE AGENCY**

34 Mayor Johnson reviewed that administrators from Woods Cross, North Salt Lake, West
35 Bountiful, Centerville, Bountiful and the unincorporated area of the County have worked together
36 to draw up an interlocal agreement which would establish the South Davis Metro Fire Agency.
37 The purpose of this agency would be to provide fire protection, EMS and First Responder services.
38 He noted that boundaries between jurisdictions will no longer be meaningful and will provide for
39 more efficient use of manpower and equipment, as well as providing a higher level of service.
40

41 Mayor Johnson summarized the content of the interlocal agreement and said it is hoped
42 that it can be fully adopted by the end of the month. This agreement will provide for the
43 centralized fire district agency until a fire district (which has taxing authority) can be formed.
44 Chief Sumner expressed his support of creating the fire district and he indicated that this agency
45 will do everything it can to make sure all citizens and cities understand that "we are one fire
46 department". The Council discussed the agreement and how it would affect dispatching. Chief
47 Sumner explained that the police chiefs (where dispatching currently takes place, together with the

1 County Sheriff's office) are very positive about working out a successful dispatch function.
2 However, final details will not be transacted until the fire agency is created. Councilman
3 Higginson made a motion to adopt Res. No. 2004-10 entitled A RESOLUTION OF THE BOUNTIFUL
4 CITY COUNCIL APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION
5 AGREEMENT AMONG BOUNTIFUL CITY, CENTERVILLE CITY, DAVIS COUNTY, NORTH SALT LAKE
6 CITY, WEST BOUNTIFUL CITY AND WOODS CROSS CITY, PROVIDING FOR COOPERATIVE ACTION AND
7 ESTABLISHING AN INTERLOCAL ENTITY TO PROVIDE FIRE AND EMERGENCY MEDICAL SERVICES FOR
8 SAID CITIES AND A PORTION OF THE UNINCORPORATED AREA OF DAVIS COUNTY, UTAH. Councilman
9 Pitt seconded the motion and voting was unanimous with Councilpersons Higginson, Holt, Pitt and
10 Tolman voting "aye".

11
12 **COUNCIL COMMITTEE REPORTS**

13 Mayor Johnson reminded the Council that the Utah League of Cities and Towns will meet
14 tomorrow in Salt Lake City and he encouraged attendance.

15
16 Mr. Rowland reported that the Council had asked about the status of the restaurant which
17 will soon open at 305 North Main. He said that he talked with the owner yesterday and October
18 15th has been set as the opening date.

19
20 At 8: 58 p.m. the meeting adjourned to executive session for the purpose of discussing
21 pending litigation. Councilman Higginson made the motion and Councilman Tolman seconded it.
22 Voting was unanimous with Councilpersons Higginson, Holt, Pitt and Tolman voting "aye".
23

24 **Attendance at Executive Session**

25 Mayor Johnson
26 Councilpersons Higginson, Holt, Pitt and Tolman
27 Mr. Hardy
28 Mr. Mahan
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33 JOE L. JOHNSON, Mayor
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38 KIM J. COLEMAN, City Recorder
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