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Minutes of the Bountiful City Council Meeting City Council Chambers April 13, 2004 - 7:00 p.m.

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

Excused: City Manager: Tom Hardy

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 7:00 p.m. and Councilman Pitt offered the prayer/thought. Christopher Reynolds, visiting Boy Scout, led the pledge of allegiance to the flag.

APPROVAL OF MINUTES

Minutes of the regular City Council meeting held March 23, 2004 will be presented for approval at a future meeting.

WEEKLY EXPENDITURES AND/OR MONTHLY EXPENDITURE REPORTS APPROVED

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the Period March 11-31, 2004 in the amount of \$1,771,474.37 and the Summary of Expenditures for March (\$3,915,019.36). The staff responded to questions, following which these reports were unanimously approved on a motion made by Councilman Moss and seconded by Councilwoman Holt. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted "aye".

APPROVAL GIVEN TO PURCHASE DUMP TRUCK FOR GOLF COURSE

Mr. Jenkins reported that money was included in the budget to purchase a dump truck for the golf course to replace a 1986 truck presently being used. He requested approval to purchase a new truck from Butterfield Ford in the amount of \$31,399.00 using the State bid. Councilman Pitt motioned to approve this purchase, Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted "aye".

REPAIR OF POOL DECK APPROVED

Mr. Jenkins reviewed that several years ago there were problems with the pool deck being too slick and the Council approved repair by placing a coating over the deck to add traction. During that year, there were several areas where the product was not adhering to the deck and the

1 contractor attempted to fix those areas. The coating failed in many places, and although this work
2 was warrantied for one year, the contractor went out of business shortly thereafter.
3

4 Due to extreme liability, it is the recommendation of staff to have the coating removed from
5 the deck and return it to a cement only surface. Bids have been requested from two companies and
6 it is the recommendation of staff to approve the low bid of \$23,210 from CDC Restoration and
7 Construction for this repair. This would come from the Reserve for Replacement fund. Following
8 discussion, Councilwoman Holt motioned to approve the deck repair as presented. Councilman
9 Tolman seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss,
10 Pitt and Tolman voted "aye".
11

12 **FINAL SITE PLAN APPROVED FOR NEIGHBORHOOD**
13 **POOL - 4531 SO SPRING MEADOW DRIVE**

14 Mr. Jensen reported that Bountiful Meadows Community Pool Association received a
15 conditional use permit and conceptual approval last year for a small neighborhood pool to be
16 located at 4531 South Spring Meadow Drive. The pool is proposed to serve approximately 60
17 families from the Bountiful Meadows, Summerwood and Eaglewood areas. The owners are now
18 ready to proceed and have requested final site plan approval. The staff has reviewed the request
19 and recommend final site plan approval with the condition that any outstanding fees be paid, and
20 with the findings that it is consistent with the approved conceptual site plan and conditional use
21 permit and meets the criteria for a final site plan.
22

23 Mr. Rowland noted that the Planning Commission, as part of the approval process,
24 recognized that there is not sufficient parking for this facility, per ordinance regulations. However,
25 under the circumstances that the patrons who use the pool live within walking distance, this was felt
26 to be acceptable. Following discussion, Councilwoman Holt made a motion to grant final site plan
27 approval for Bountiful Meadows Community Pool Association as presented. Councilman Tolman
28 seconded the motion which carried by a majority. Councilman Moss expressed concern about the
29 parking and voted "nay". Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted "aye".
30

31 **REPAIR OF # 8 GENERATOR APPROVED -**
32 **POWER DEPARTMENT**

33 Mr. Michaelis explained that the generator for the #8 unit failed on March 27, 2004 due to a
34 metal air deflector breaking off inside the generator and shorting out the generator stator windings.
35 The unit is insured through the boiler and machinery policy, which carries a \$10,000 deductible. It
36 will be necessary to fund the entire expense and then the insurance company will repay up to the
37 deductible. This unit is important for the summer loading and the insurance company is agreeable
38 to using the local shop of General Electric Company to repair this unit. The estimated cost for the
39 rewind is \$205,000 and should take six to seven weeks. It is the recommendation of the Power
40 Commission and staff to award the repair bid to General Electric Company in the amount of
41 \$205,000 (which includes a one-year warranty). Councilman Moss made a motion to this effect,
42 Councilman Higginson seconded the motion and voting was unanimous. Councilpersons
43 Higginson, Holt, Moss, Pitt and Tolman voted "aye".
44

45 **UNDERGROUND BORING BID AWARDED TO**
46 **FOUR SEASONS AND AMERICOM**

47 Mr. Michaelis reported that bids were opened on March 26, 2004 for five underground wire

1 installations. In an effort to minimize the concern of the property owners with regard to disturbing
2 the existing landscaping, directional boring bids were solicited. Five companies responded and it is
3 the recommendation of staff and the Power Commission that the projects be awarded to the low
4 bidders, as follows:

5				
6	Four Seasons	Project 1	\$11,029.00	
7		Project 2	3,042.00	
8		Project 3	<u>3,087.00</u>	\$17,158.00
9				
10	Americom	Project 4	\$ 3,200.00	
11		Project 5	<u>6,240.00</u>	<u>9,440.00</u>
12				
13	Total Cost			<u>\$26,598.00</u>

14
15 Councilman Higginson motioned to approve awarding the bids to Four Seasons and Americom as
16 presented. Councilman Moss seconded the motion and voting was unanimous. Councilpersons
17 Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

18
19 **PURCHASE OF TRUCK SERVICE BODY APPROVED**
20 **POWER DEPARTMENT**

21 Mr. Michaelis reviewed that the Council recently approved the purchase of two new trucks—
22 one for the line crews and one for the technicians—which have been ordered. The line crew truck
23 needs a new service body and quotes were received from two vendors. It is the recommendation of
24 staff and the Power Commission to accept the proposal from A & G Trucking in the amount of
25 \$12,320.00. Councilman Moss motioned to accept the bid of A & G Trucking, as presented.
26 Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Higginson,
27 Holt, Moss, Pitt and Tolman voted “aye”.

28
29 **REPAIR OF N.E. TRANSFORMER TAP CHANGER APPROVED**

30 Mr. Michaelis explained that last July there was a major failure with the load tap changer
31 (LTC) on the transformer at the Northeast substation. This was the second major failure in the last
32 four years. The transformer was sent to Virginia Transformer in Pocatello, Idaho to replace the
33 LTC for the sum of \$97,000.00. When the transformer was disassembled, other damages were
34 found which will require that the transformer be completely rewound at an additional cost of
35 \$75,000.00. With this rewind, the entire transformer will be in like new condition and be covered
36 with a two year warranty. The estimated scheduled delivery of the transformer is the first of July.
37 Mr. Michaelis noted that the portable transformer will be used to cover the summer load.
38 Following discussion, Councilman Moss made a motion to approve the additional repair costs of
39 \$75,000 for the LTC repair. (This is not a budgeted item and will need to be funded from the
40 Emergency Equipment Reserve fund). Councilman Higginson seconded the motion and voting was
41 unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

42
43 **ORD. NO. 2004-05 ADOPTED RE: APPEAL BOARD**

44 Mr. Mahan reviewed that the State Legislature recently passed Senate Bill 23 which permits
45 the City Council to be designated as the Appeals Board. In the past there was a separate Appeal
46 Board, composed of employees and councilpersons. Mr. Mahan recommended that the Council be
47 designated as the Appeals Board, and that the previously existing five-member board composed of

1 employees and Council members be done away with. He presented Ord. No. 2004-05 entitled AN
2 ORDINANCE AMENDING THE BOUNTIFUL CITY CODE TO DESIGNATE THE
3 BOUNTIFUL CITY COUNCIL AS THE CITY APPEAL BOARD, AND REPEALING
4 INCONSISTENT PROVISIONS. Councilwoman Holt motioned to adopt Ord. No. 2004-05,
5 Councilman Higginson seconded the motion and voting was unanimous. Councilpersons
6 Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

7
8 **RES. NO. 2004-02 ADOPTED TO AMEND CITY POLICIES**
9 **RE: APPEAL BOARD**

10 Mr. Mahan reviewed Resolution No. 2004-02 which amends personnel policies and
11 procedures related to the change of the appeals board membership. He noted that Ordinance No.
12 2004-05 (just adopted by the Council) provides for the City Council to serve as the Appeals Board,
13 which will eliminate one step in the appeals procedure. Based on adoption of that ordinance, he
14 recommended that Res. No. 2004-02 entitled A RESOLUTION AMENDING THE PERSONNEL
15 POLICIES AND PROCEDURES MANUAL RELATING TO THE APPEAL BOARD be adopted.
16 Councilman Higginson made a motion to this effect and Councilman Moss seconded the motion
17 which carried by a majority. Councilpersons Higginson, Holt, Moss and Tolman voted “aye”.
18 Councilman Pitt voted “nay”.

19
20 **RES. NO. 2004-03 RE: 911 MONTHLY CHARGE ADOPTED**

21 Mr. Mahan noted that fees charged by the City are set by resolution and he explained that
22 the fee currently charged for emergency telephone service is \$.53; however, as of July 1, 2004 the
23 approved fee is \$.65. Of the \$.65, State statute requires that \$.05/month be passed on to the State.
24 The additional \$.12 will be used for existing needs and for the Reserve and Repair account used for
25 dispatch needs – upgrading consoles, software, etc. Allocation of these funds will be discussed
26 during the budget sessions. Councilman Pitt motioned to adopt Resolution No. 2004-03 entitled A
27 RESOLUTION ADOPTING AN INCREASE IN THE 911 EMERGENCY TELEPHONE
28 SERVICE MONTHLY LEVY ON EACH LOCAL EXCHANGE SERVICE SWITCHED ACCESS
29 LINE FROM 53 CENTS TO 65 CENTS. Councilman Higginson seconded the motion and voting
30 was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

31
32 **ORD. NO. 2004-06 ADOPTED: DEFINITION OF LOWEST**
33 **RESPONSIBLE BIDDER**

34 Mr. Mahan explained that over the years the term “lowest responsible bidder” was used in
35 the State Code concerning which bidder should be awarded public construction projects. However,
36 the term was never defined. The 2003 Legislature adopted a law permitting cities to establish
37 criteria for making the determination of which was the lowest responsible bidder in a given
38 situation. The proposed ordinance (written by Mr. Mahan and reviewed by the City Manager, and
39 engineering, power, water and street departments) is an effort to establish Bountiful’s criteria for
40 “lowest responsible bidder”. It is the recommendation of staff that Ord. No. 2004-06 entitled “AN
41 ORDINANCE ESTABLISHING CRITERIA FOR DETERMINING THE “LOWEST
42 RESPONSIVE RESPONSIBLE BIDDER” be adopted. Councilman Pitt made a motion to this
43 effect. Councilman Higginson seconded the motion which carried unanimously. Councilpersons
44 Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

45
46 **CONTRACT AWARDED FOR RECONSTRUCTION OF**
47 **1800 SOUTH FROM MAIN STREET TO ORCHARD DRIVE**

1 Mr. Rowland explained that bids were opened today for the complete reconstruction of 1800
2 South Street from Main to Orchard Drive. The utility work for this project was begun last year with
3 the installation of the new sanitary sewer trunk line and a portion of the water main line upgrade.
4 The irrigation company has also been busy upgrading their lines and services along the road. The
5 reconstruction project will include removing the curb and gutter, sidewalk and asphalt and
6 replacing with new.

7
8 The low bid was submitted by a company that the City has not worked with in the past and
9 Mr. Rowland indicated that he had not yet called references regarding the company. Inasmuch as
10 this will be a very sensitive project and there will be a critical need to work harmoniously and
11 effectively with citizens along the route, he said he would prefer to check the references prior to
12 awarding the bid. He requested that the Council meet on April 21st at 3:45 p.m. (prior to the budget
13 committee meeting already scheduled at 4:00 p.m.) for the purpose of awarding this bid.

14
15 **INSURANCE PROPOSALS APPROVED FOR LIABILITY,**
16 **PROPERTY AND WORKER’S COMPENSATION COVERAGE**

17 Mr. Mahan reviewed that Bountiful City maintains a predominantly self-insured program
18 for liability, property and workers’ compensation coverages, with excess insurance for large risks.
19 The daily management of the insurance program is under the direction of himself (City Attorney),
20 and he also functions as Risk Manager. The City’s insurance program is put out for competitive
21 proposals about every three years to ensure that premiums and coverages stay competitive.

22
23 Four insurance brokers responded to a request for proposals and it is the recommendation of
24 staff to retain the services of Olympus Insurance Agency, as follows:

25		
26	States Self-Insurer’s RRG (excess liability)	\$109,046
27	Midwest Employer’s (excess Workers’ Comp)	22,279
28	Travelers (property)	129,303
29	Great American (excess DIC)	32,723
30	Chubb (boiler and machinery)	40,458
31	Ohio Casualty Group (employee blanket bond)	1,713
32		

33 Following a short discussion, Councilman Moss motioned to approve the proposal from Olympus
34 as presented. Councilman Tolman seconded the motion which carried unanimously.
35 Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

36
37 **COUNCIL COMMITTEE REPORTS**

38 Councilman Pitt reported that the annual Bunny Hop had a good turn-out with
39 approximately 300 children participating.

40
41 Mayor Johnson commented that the Youth Council event at Utah State University was an
42 outstanding event and Councilman Pitt thanked the Mayor for his support. He also noted that the
43 new officers of the Youth Council will be sworn in during May 2004.

44
45 Mayor Johnson said that a public hearing will be held on May 25, 2004 at 6:00 p.m. to
46 consider the proposed Recreation District. He said that the mayors met with the County
47 Commissioners today. They have adopted a resolution with the intent to create a special service

1 district. He reviewed the process for creating the district which hopefully will be on the ballot in
2 August.

3
4 Councilman Tolman reported that May 15, 2004 is the tentative date for opening the
5 Historical Museum building (in conjunction with the old car show and parade).

6 The meeting adjourned at 8:47 p.m. on a motion made by Councilman Higginson and
7 seconded by Councilman Tolman. Voting was unanimous with Councilpersons Higginson, Holt,
8 Moss, Pitt and Tolman voting "aye".

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13 JOE L. JOHNSON, Mayor
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17 KIM J. COLEMAN, City Recorder
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