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Minutes of the Bountiful City Council Meeting City Council Chambers May 10, 2005 - 7:10 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 Manager: Tom Hardy
City Attorney: Russell Mahan
City Engineer: Paul Rowland
Admin. Services Director: Galen Rasmussen
Planning/RDA Director: Aric Jensen
Department Representative: Neal Jenkins, Parks and Recreation
Terry Thompson, Streets/Sanitation
Recording Secretary: Nancy T. 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.

Mayor Johnson called the meeting to order at 7:10 p.m. following the Swearing In Ceremony of the Bountiful Youth Council and welcomed those in attendance. Kevin Martin led the pledge of allegiance to the flag, following which Mr. Jensen offered the prayer/thought.

MINUTES APPROVED FOR APRIL 26, 2005

Minutes of the regular City Council meeting held April 26, 2005 were presented and approved as written on a motion made by Councilman Higginson and seconded by Councilwoman Holt. Voting was by a majority with Councilpersons Higginson, Holt, Moss, and Tolman voting "aye"; Councilman Pitt abstained due to absence from the subject meeting.

WEEKLY EXPENDITURES APPROVED FOR APRIL AND MAY PERIODS

Mayor Johnson presented the Weekly Expenditure and Expense Report for the Period April 21, 2005 to May 4, 2005 in the amount of \$1,364,856.52, and the Summary of Expenditures for the Month of April, 2005 totaling \$3,355,547.90. The Mayor called for questions, and following discussion these expenditures were unanimously approved on a motion made by Councilman Pitt and seconded by Councilman Moss. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted "aye".

APPROVAL GIVEN TO PURCHASE EQUIPMENT FOR STREET DEPARTMENT

Mr. Thompson reported that this year's budget included \$228,500 for new 10-wheel dump trucks. However, used vehicles have been located and it is recommended by staff that three used trucks with plows and salters be purchased in the amount of \$200,000 (two 2001 International tandem dump trucks and one 2001 International bobtail dump truck – all with plow and salter). The trucks were owned by Salt Lake County and are of the same configuration as the trucks purchased in the past. He stated that all of the Salt lake County trucks which the City has purchased have given excellent service and are well-liked by the operators and mechanics. Councilman Higginson

1 expressed appreciation for efforts to be conservative with the budget and he motioned to approve
2 the truck purchase as presented. Councilman Tolman seconded the motion and voting was
3 unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

4
5 **BOB’S TREE SERVICE AWARDED CONTRACT**
6 **FOR GREEN WASTE GRINDING FOR BUDGET YEAR 2006**

7 Mr. Thompson reported that two proposals for green waste grinding for the 2006 budget
8 year were received and it is the recommendation of staff to award the contract to Bob’s Tree
9 Service. The bid from this company is \$425/hour, which may need to be adjusted upward due to
10 increases in fuel costs. It was suggested that the beginning and ending fuel costs could be
11 compared and a surcharge approved if necessary. Councilman Tolman made a motion to accept the
12 green waste grinding proposal from Bob’s Tree Service at \$425 per hour (based on \$15,300 for
13 9,000 cubic yards in 36 hours) plus a surcharge on gasoline when the \$70,000 budgeted amount is
14 reached. Councilman Higginson seconded the motion and voting was unanimous. Councilpersons
15 Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

16
17 Mr. Thompson reported that the revenue received from selling compost (processed green
18 waste) breaks even with the costs for processing. However, the savings in space in the landfill
19 provides a great economic benefit to the City.

20
21 **PUBLIC HEARING TO CONSIDER RESOLUTION 2005-02 -**
22 **LEASING PROPERTY TO SO. DAVIS RECREATION DISTRICT**

23 At 7:25 Mayor Johnson opened the hearing to consider leasing the City property at 400
24 North 200 West to the South Davis Recreation District where the proposed new recreation complex
25 will be built, and to approve the lease by adoption of Resolution No. 2005-02. Mr. Hardy reviewed
26 that this resolution addresses the lease of the land (while the existing facility is kept open), as well
27 as leasing the existing recreation facility so that it can be demolished and taken down at the
28 appropriate time. Information regarding the demolition process and environmental issues was
29 reviewed, following which the Mayor called for input from those in attendance. There were no
30 public comments. In response to a question from Councilwoman Holt, Mr. Mahan verified that he
31 felt the interests of the City are protected in this proposed action. Councilman Higginson made a
32 motion to adopt Res. No. 2005-02 entitled A RESOLUTION APPROVING THE LEASING OF XXX ACRES
33 OF CITY LAND TO THE SOUTH DAVIS RECREATION DISTRICT FOR A PERIOD OF FIFTY YEARS, SUBJECT
34 TO THE TERMS STATED WITHIN THE LEASE. Councilwoman Holt seconded the motion which carried
35 unanimously. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

36
37 **APPROVAL GIVEN TO RESIDENTIAL SITE PLAN - KEVIN MOWER**
38 **APPLICANT (966 EAST HIGHLAND OAKS DRIVE)**

39 Mr. Jensen reported that Kevin Mower is proposing a residential dwelling more than 200
40 feet from a public street at 966 East Highland Oaks Drive. In previous action, a lot line adjustment
41 was approved to allow the property lines to follow the driveway up the hill to create a more gentle
42 slope. The Planning Commission, Fire Marshall, and Planning/Engineering staff have reviewed the
43 plans submitted by Mr. Mower and recommend that residential site plan approval be granted,
44 subject to the following conditions:

- 45 1. A fire engine turnaround be built as drawn on the site plan.
46 2. A fire hydrant serving all three lots be located in the area indicated by the Fire Marshall

- 1 as shown on the overall site plan.
2 3. A sprinkling system be installed in the home.
3 4. All outstanding fees be paid.
4 5. Record a utility easement to extend the width of the driveway to the fire hydrant
5 following the water line.
6

7 In response to a question from the Council, Mr. Jensen indicated that this subdivision was approved
8 prior to recent changes to the Hillside Ordinance. Councilwoman Holt made a motion to grant
9 residential site plan approval for Kevin Mower (966 East Highland Oaks Drive). Councilman
10 Tolman seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss,
11 Pitt and Tolman voted "aye".
12

13 **PRESENTATION OF RECONNAISSANCE LEVEL**
14 **SURVEY OF PLAT A - KORRAL BROSCHINSKY**

15 Councilman Tolman reported that a matching grant was awarded to the City through the
16 State Historical Office which was used to provide a reconnaissance level survey of Plat A. Korral
17 Broschinsky was hired to do this project and she was in attendance to share the results with the
18 Council. Ms. Broschinsky noted that completion of the survey has qualified Plat A to be
19 designated as an Historical District and it is going to be placed on a National registry of historical
20 sites. This will take place in June, 2005.
21

22 It was noted that 889 properties were surveyed, of which 168 were designated eligible for
23 signature, with another 352 eligible at the contributory level. The remaining properties were
24 ineligible due to alterations which had been made. Ms. Broschinsky shared portions of the study
25 with a Powerpoint presentation as she reviewed the historical periods of Plat A. She then reviewed
26 the benefits to the community by being placed on the National registry. At the conclusion, Mayor
27 Johnson thanked Ms. Broschinsky and Councilman Tolman for this accomplishment.
28

29 **DWIGHT PETERSON AND SONS EXCAVATING, INC**
30 **AWARDED BID FOR 2005 WATER LINE CONTRACT**

31 Mr. Rowland reported that bids were received from four companies for the 2005 Water Line
32 Contract. Water mains and service laterals will be installed at various locations in the City, as well
33 as in subdivisions. It is the staff recommendation that the bid of Dwight Peterson and Sons
34 Excavating, Inc. be approved and a contract awarded in the amount of \$437,594.75 using the unit
35 prices in their proposal. Councilman Higginson made a motion to this effect, Councilman Tolman
36 seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and
37 Tolman voted "aye".
38

39 **RE-FINAL APPROVAL GRANTED TO ORCHARD LANE**
40 **SUBDIVISION, 850 EAST 550 NORTH**

41 Mr. Rowland explained that Orchard Lane Subdivision (formerly D.U. Subdivision and
42 Kingston Subdivision) at 850 East 550 North was previously granted final approval, but due to
43 problems in clearing up the boundary with the neighboring property owners which exceeded the
44 one-year time constraint, the subdivision must be granted final approval a second time. The matter
45 has been thoroughly reviewed by the Planning Commission and staff and a recommendation for
46 RE-final approval comes to the Council with the following conditions:

1. Because no onsite storm water detention is available, payment of the standard storm drain impact fee will be required.
2. Exclude Parcel A and Lot 7 from the proposed subdivision plat and re-number lots 8-14 to lots 7-13. (*This recommendation was made by the Planning Commission to avoid creating small pieces of land which are not legal lots within the subdivision*).
3. Remove the trailer/mobile home from Lot 12.
4. Post a bond, pay the fees and sign a development agreement as required by ordinance.
5. Provide a construction site runoff plan.
6. That the City Council request the developer to install sewer and water stubs into the small non-platted areas (formerly Parcel A and Lot 7) to accommodate potential future development of adjacent lots.

Councilman Moss made a motion to grant RE-final approval to Orchard Lane Subdivision, with the conditions recommended. Councilman Higginson seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

**PARKIN CONSTRUCTION AWARDED CONTRACT
TO CONSTRUCT PARK IMPROVEMENTS AT TOLMAN (ROCKET) PARK**

Mr. Rowland reported that three companies submitted proposals for the construction of the park improvements at Tolman (Rocket) Park and it is the recommendation of staff to award the contract to the low proposal from Parkin Construction (based on unit prices) in the amount of \$217,814.00. These improvements are scheduled to be mostly finished before July 1, 2005, with playground equipment being installed later. Councilman Tolman made a motion to approve the contract with Parkin Construction as recommended. Councilman Pitt seconded the motion which carried unanimously. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

**FINAL SBDVN. APPROVAL GRANTED TO CALL
MEADOWS PUD PHASE 3, BRIAN KNOWLTON**

Mr. Rowland presented the request of Brian Knowlton for final subdivision approval of Call Meadows PUD Phase 3. He noted specifically that Mr. Knowlton is requesting one small deviation from the approved site plan and that is to slightly change the footprint of Building 13, further improving the site distance at the corner. He explained that this is a small enough change that it does not require reapproval of the site plan, and in fact is an improvement to the layout and circulation.

The plans have been reviewed by the Planning Commission and staff and come to the City Council with a recommendation for approval, subject to the following conditions:

1. Complete the road through the Pages Place Condominium development.
2. No construction other than foundation work may occur on Buildings 13, 14, and 15 until the asphalt road is completed.
3. Post bond for all improvements and pay all of the applicable fees.
4. Submit a current title report.

Councilwoman Holt made a motion to grant final subdivision approval, as recommended. Councilman Moss seconded the motion and voting was unanimous with Councilpersons Higginson, Holt, Moss, Pitt and Tolman voting “aye”.

**RES. NO. 2005-03 ADOPTED RE: POLICIES CONCERNING
EMPLOYMENT REFERENCES**

Mr. Mahan explained that the City Policy and Procedures Manual deals with giving

1 references for current or past employees. He recommended that it be modified to be more realistic
2 and then he reviewed §406 and the proposed changes. Councilman Higginson made a motion to
3 adopt Resolution No. 2005-03, entitled A RESOLUTION AMENDING SECTION 406, EMPLOYMENT
4 REFERENCES, OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR THE CITY OF
5 BOUNTIFUL. Councilman Moss seconded the motion which carried unanimously. Councilpersons
6 Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

7
8 **TENTATIVE BUDGET FOR 2005-06 FISCAL YEAR ADOPTED**

9 Mr. Hardy explained that State law requires that the tentative budget for the coming fiscal
10 year be adopted at the first meeting of the City Council in the month of May. It is the intent of the
11 City that the public hearing will be on June 14, 2005; however this is contingent on getting the
12 appropriate tax rate from Davis County officials. Final adoption is scheduled for June 21, 2005 at a
13 special meeting of the City Council.

14
15 The total budget for FY 2005-06 is \$52,845,446, up from the current year. He reviewed
16 highlights of the proposed budget, including construction of a new Water Department office
17 building and additional storage for Sanitation and Parks. Major reconstruction of 200 West from
18 400 North to 1600 North is also budgeted. The proposed budget does not include a tax increase,
19 but a few minor increases will be made in fees at the golf course. There will be an increase in
20 Power rates of six (6) percent, effective July 1, 2005 to offset loss of revenue due to drought-related
21 higher energy costs. Open and Close fees at the cemetery will be adjusted to provide for one
22 additional person who will help with Saturday burials. A minor increase will be included in the
23 processing fees for subdivision and site plans (Planning Department). The budget includes a
24 three (3) percent cost-of-living increase and a 10 percent increase in health care costs.

25
26 Mr. Hardy noted that the budget will be reviewed in more detail at the public hearing on
27 June 14, 2005. In the meantime, citizens are welcome to review the proposed budget at City Hall or
28 on the Web site. Mayor Johnson thanked Mr. Hardy and the staff for the outstanding job they have
29 done in putting the budget together and he asked for comments. Councilman Pitt indicated that he
30 would like to have further discussion regarding the arts, museum, etc. Councilwoman Holt praised
31 the department heads for holding the line and not raising taxes, while still providing good services
32 and being reasonable with citizens.

33
34 Councilman Higginson made a motion to adopt the Tentative Budget for Fiscal Year 2005-
35 06 and to set the public hearing for June 14, 2005 at 7:15 p.m. He also motioned to approve re-
36 opening the 2004-05 budget at 7:30 p.m. on June 14th. Councilman Tolman seconded the motion
37 which carried unanimously. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

38
39 **REQUEST FOR VETERANS MEMORIAL DISCUSSED**

40 Councilman Tolman explained that Russell Jones, president of the Booster Club for the
41 Clearfield ROTC group, is proposing to do a monument at the Bountiful cemetery which would
42 honor military veterans. This year marks the 150th anniversary of the cemetery and Mr. Jones
43 would like to have the monument completed prior to Memorial Day activities. He described how
44 the monument would look and indicated that he has acquired complete funding for the project. He
45 requested permission to erect a 5'x3' granite monument near the flag pole at the entrance to the
46 cemetery which would have a tribute to veterans engraved on it. Following a lengthy discussion,

1 Councilman Moss made a motion to grant approval, subject to staff review and approval of the
2 design of the monument and its text and artwork. Councilman Pitt seconded the motion, and
3 requested that lighting be installed to permit flying the flag 24 hours/day. Councilman Moss
4 amended his motion to include installation of the lighting and the motion carried unanimously.
5 Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted “aye”.

6
7 **DAN GEORGE REQUEST**

8 Dan George was in attendance and requested that he be able to keep the current 400 North
9 address that is attached to the property where he will construct his new chiropractic/professional
10 building. Mr. Hardy indicated that this request has been discussed with the staff and they have no
11 problem with it. Following discussion, Councilman Pitt noted that the general orientation of the
12 building is toward 200 West and he made a motion to maintain the 200 West address.
13 Councilwoman Holt seconded the motion which carried unanimously. Councilpersons Higginson,
14 Holt, Moss, Pitt and Tolman voted “aye”.

15
16 **COUNCIL COMMITTEE REPORTS**

17 Councilman Higginson reported that the Community Service Council has requested that the
18 City fund the continuance of the Uniting Neighbors program. He explained that the major focus of
19 this group is to provide emergency preparedness training. He suggested that this allocation be
20 made from the Contingency Fund. Training is scheduled May 21, 2005 at the Bountiful Heights
21 Stake Center. Councilman Higginson motioned to approve this funding, Councilwoman Holt
22 seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and
23 Tolman voted “aye”.

24
25 Mayor Johnson reported that the matter of a County-wide Strike Force was discussed by the
26 mayors and the Council of Government this week. It was determined that there should be a Strike
27 Force and the existing chairman (from Layton PD) was charged with the responsibility of preparing
28 a budget to be discussed in the next COG meeting. It is anticipated that the per/person fee charged
29 to smaller cities will be increased; this increase will be used to replace Federal grant money if it is
30 not renewed.

31
32 Councilman Pitt thanked the Council for their support at the Swearing In ceremony for the
33 Youth Council.

34
35 Inasmuch as the meeting was long and it was rather late, the group consented to postpone
36 the study session regarding the Arts and Museum alternatives and funding to the next meeting.
37 Councilman Tolman passed out information which he had prepared so that the Council could
38 review it prior to discussion.

39
40 At 9:21 p.m. Councilman Tolman made a motion to adjourn. Councilman Moss seconded
41 the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman
42 voted “aye”.

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45 JOE L. JOHNSON, Mayor
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KIM J. COLEMAN, City Recorder

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