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Minutes of the Bountiful City Council Meeting City Council Chambers May 9, 2006 - 7:00 p.m.

Present: Mayor: Joe L. Johnson
Council Members: Richard Higginson, Barbara Holt, R. Fred Moss, John Pitt and Thomas Tolman
City Manager: Tom Hardy
City Attorney: Russell Mahan
City Engineer: Paul Rowland
Admin. Services Dir: Galen Rasmussen
Department Reps: Gary Blowers, Streets/Sanitation
Neal Jenkins, Parks/Recreation
Clifford Michaelis, Power
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 7:00 p.m., following a field trip to review the proposed site for a skateboard park. See minutes from that meeting, Exhibit I, appended. Gavin Plaizier, visiting Boy Scout from Troop 211, led the pledge of allegiance to the flag. Councilman Higginson offered the prayer/thought.

APPROVAL OF MINUTES POSTPONED TO NEXT MEETING

Minutes of the regular City Council meeting held April 25, 2006 will be presented for approval at the next regular meeting.

EXPENDITURES AND EXPENSES APPROVED FOR TWO PERIODS AND SUMMARY FOR APRIL, 2006

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the periods April 20-26, 2006 in the amount of \$1,735,878.67, and April 27 - May 3, 2006 totaling \$237,762.54; and the Summary of Expenditures for the Month of April, 2006 in the amount of \$3,829,257.22. Councilman Higginson motioned to approve the reports, as presented. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted "aye".

TERRY THOMPSON RECOGNIZED UPON RETIREMENT

Mayor Johnson acknowledged that Terry Thompson will be retiring from the City after 35 years of service. Mr. Hardy reviewed that Mr. Thompson started with the City when he was 21 and has worked up from mechanic in the Street Department to Superintendent of Streets and Sanitation. He reviewed the long list of responsibilities which are an integral part of Streets and Sanitation and noted that he has been the first to arrive at work in the morning and the last to leave at night. Mr. Hardy stated that the City has received absolute value for every penny which Terry has made, and he said he is a prime example of an excellent employee. He congratulated Terry on his retirement and expressed the hope that he (Terry) will maintain contact with the City in the future.

1 Mr. Thompson thanked everybody (Street/Sanitation department personnel, City
2 administrators, former and present Councils and Mayors, and employees from other City
3 departments) for their wonderful support over the years. He also expressed appreciation for the
4 supervisors he has worked with, noting that he has learned a lot from them. He said there couldn't
5 be a better city to work for and that he felt he was leaving his department in good hands. At the
6 Mayor's request, Mrs. Thompson expressed her feelings, stating that she is very proud of Terry
7 and appreciative that he has had such a good group of people to work with.
8

9 Mayor Johnson presented Terry with a gift certificate as a token of appreciation for his
10 years of service to the City.
11

12 **REPORT ON SOUTH DAVIS SEWER DISTRICT - ARNELL**
13 **HEAPS, BOARD MEMBER**

14 Mr. Heaps addressed the Mayor and Council and expressed appreciation for the assignment
15 to serve on the Board of the South Davis Sewer District. He said the organization has excellent
16 management and is responsive to the needs of the patrons that are served. He noted that
17 construction of the Legacy Highway will require some changes in the system and he referred to the
18 external audit which has just been completed. The Sewer District presently serves 85,000 units
19 and has the capacity to serve 100,000. It is anticipated that the system will not need growth
20 modifications until 2030. There are 21 full-time employees doing a marvelous job. The bonds
21 currently held by the Sewer District will be retired in 2008, leaving the District entirely free from
22 debt.
23

24 He said that acquisition of Bountiful's sewer system and the related maintenance and
25 upgrade work that followed went smoothly and as anticipated. Bountiful staff persons were very
26 cooperative and helpful in making the transition and he assured the Council that the District
27 collection system is in good condition. As new growth occurs in the South Davis area, re-use
28 water permits have been acquired. He explained a new technique which was used in repairing a
29 24-inch line in the Centerville area. The original estimate for this project was \$400,000, but by
30 using the high-tech procedures, the total cost was \$50,000. He praised Dal Wayment, the
31 manager/director of the Sewer District, recognizing his professionalism and expertise. Mr.
32 Wayment was in attendance and Mr. Hardy also took the opportunity to recognize his (Mr.
33 Wayment's) qualifications and dedication.
34

35 **TENTATIVE 2006-07 BOUNTIFUL CITY BUDGET ADOPTED**

36 Mr. Hardy presented the Tentative Operating and Capital Budgets for Fiscal Year 2006-07
37 and stated that as the City builds out, there is a need for maintenance and upgrading of the
38 infrastructure. The proposed budget (\$65,481,464) includes almost \$12 million of reserves for
39 capital projects, some of which will be repaid to the City via the Recreation District and Davis
40 School District. The Power Department is commencing an aggressive program to solve weak links
41 due to growth and aging of the system.
42

43 The proposed budget does not include any rate or fee increases, with the exception of a
44 proposed \$1 per 9-hole increase at the golf course, effective the next calendar year. Five new
45 employees are included in the budget – two in the Water Department and three new police
46

47 dispatchers in conjunction with taking over police dispatching for Woods Cross and No. Salt Lake

1 cities. These cities will reimburse for the cost of the dispatching.

2
3 Other major capital projects include rebuilding the landfill facilities due to the existing
4 structures being displaced by Legacy Highway. These expenses will be reimbursed by the Utah
5 Department of Transportation; however, the City will assume oversight for the work. The
6 proposed budget also includes \$1 million in capital improvements for the Parks Department,
7 including a new bowery at the 400 North Park.

8
9 The General Fund budget is up 1.1 percent. Closure of the existing Recreation Center will
10 eliminate the subsidy which was needed to maintain operation of that facility, thus reducing
11 expenses. The new Recreation District will be funded via property taxes of the South Davis cities.
12 Mr. Hardy stated that the budget is "tight" and he thanked the Council Committees for their
13 intensive review of the budget which is balanced and meets the needs of citizens. He
14 recommended that it be adopted and noted that the approval process will continue in the next open
15 meeting and will come before the Council and community for a public hearing and final adoption
16 on June 6, 2006. Mayor Johnson thanked the Council and staff for their diligence in putting this
17 budget together and he invited citizens who are interested to pick up a copy for review.
18 Councilman Pitt made a motion to adopt the Tentative 2006-07 Fiscal Year Budget, as presented.
19 Councilman Higginson seconded the motion and voting was unanimous. Councilpersons
20 Higginson, Holt, Moss, Pitt and Tolman voted "aye".

21
22 **WOOD POLE BID APPROVED - POWER DEPARTMENT**

23 Mr. Michaelis reported that bids were opened for 52 poles which range from thirty-five to
24 forty-five feet. Three vendors submitted bids and it is the recommendation of the Power
25 Commission and staff to accept the bid (high bid) from McFarland Cascade. This recommendation
26 is based on the fact that McFarland has a large pole yard in Ogden and the poles are in stock and
27 ready for delivery. Delivery time is critical, which results in an additional \$1,716.00 in the cost.
28 Following a brief discussion, Councilman Moss made a motion to approve the bid from McFarland
29 Cascade, as recommended, in the amount of \$26,228.00. Councilman Higginson seconded the
30 motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman
31 voted "aye".

32
33 **LEGACY PARKWAY AGREEMENT APPROVED**

34 Mr. Michaelis explained that with changes which have been made to the Legacy Parkway
35 project, it is necessary to modify the original agreement between Utah Department of
36 Transportation (UDOT) and Bountiful to reflect changes that result from using a design-build to a
37 design-bid-build project. Additional costs resulting from these changes will be borne by UDOT.
38 Mr. Michaelis stated that the proposed Amended Agreement comes with a positive
39 recommendation from staff and the Power Commission. Following a brief discussion, Councilman
40 Moss made a motion to approve the amendment to the Legacy Parkway Agreement. Councilman
41 Higginson seconded the motion which carried unanimously. Councilpersons Higginson, Holt,
42 Moss, Pitt and Tolman voted "aye".

43
44 **EXTENSION OF WATER MAIN LINE CONTRACT APPROVED**

45 Mr. Rowland reviewed that Dwight Peterson and Sons was awarded the contract for
46 installation of water mains last year. This year the City has a significantly reduced replacement
47 program and, except for a short piece in the new Oak Hollow subdivision, there is virtually no new

1 development work. Because two of the largest projects are already under way by Peterson
2 Construction, staff is requesting that the Council extend the contract of Peterson and Sons (with
3 some increases due to material price increases) using the unit prices in their proposal. The
4 recently bid 200 West reconstruction project includes some 6" and 8" water line and the prices
5 included on that bid are in line with the prices proposed by Peterson. Councilman Higginson made
6 a motion to accept the proposal of Dwight Peterson and Sons Excavating, Inc. for the 2006
7 Waterline Construction, as recommended. Councilman Tolman seconded the motion which
8 carried unanimously. Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted "aye".
9

10 **LEASE AGREEMENT WITH JEEP POSSE APPROVED**

11 Mr. Hardy explained that the Jeep Posse will be displaced from their current building with
12 construction of a new Water Department Building. He said that the City has had a long and
13 productive relationship with the Jeep Posse and then reviewed the building lease which has been in
14 place with the Jeep Posse. It is proposed that the Jeep Posse relocate to the building currently
15 being used by the Water Department and a proposed new lease has been drawn up. However,
16 there are elements of the proposed lease that the Jeep Posse would like to respond to.
17

18 Mick Smith, member of the Posse for many years and past commander (11 times),
19 reviewed contributions of the Posse to the City over the past 55 years and stated that it is funded
20 by its members with the mission to provide service to the City. Mr. Smith requested that the
21 Council modify the proposed lease to include the following: (1) that the length of the initial term
22 of the lease be changed to 20 years; (2) that the insurance requirement be provided by the City;
23 and (3) that the City provide utilities, except for telephone and gas heat. Following a thorough
24 discussion, the Council and Mayor expressed appreciation for the service provided by the Jeep
25 Posse and Councilwoman Holt made a motion that the three items requested by Mr. Smith be
26 included in the proposed Lease Agreement and that it be brought back to the Council for final
27 consideration. Councilman Higginson seconded the motion which carried unanimously.
28 Councilpersons Higginson, Holt, Moss, Pitt and Tolman voted "aye".
29

30 **MAYOR'S INSTRUCTIONS ON OPEN MEETING LAW**

31 At the request of the Mayor, Mr. Mahan reviewed that the 2006 Utah Legislature in House
32 Bills 14 and 16, amended state law concerning open meetings and executive sessions of the City
33 Council. The changes became effective May 1, 2006. Mr. Mahan reviewed the changes and
34 discussion by the Council followed. There was no official action on this item.
35

36 **COUNCIL COMMITTEE REPORTS**

37 Councilman Tolman thanked those who participated and supported the "Slow Down
38 Bountiful" campaign. He said the campaign went well and received positive responses.
39

40 Mr. Hardy noted that Robert Grammol, past Councilman, passed away and he expressed
41 appreciation for Mr. Grammol's faithful service to the City.
42

43 Mr. Hardy reported that bids were received from two contractors for concrete work and the
44 low bidder did not provide a bid bond, as required in the invitation to bid. He explained that the
45 bid bond could be obtained following an audit, and noted that the contractor has done work for the
46 City and is very reputable. He requested direction from the Council on this matter, and following
47 a thorough discussion, it was the consensus of the group to adhere to bid guidelines and award the

1 bid to the contractor that complied with bid specifications. The bids will be presented for approval
2 in two weeks.

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4 **EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION**

5 The Executive Session was cancelled.

6
7 At 8:55 p.m. Councilman Higginson made a motion to adjourn. Councilman Pitt seconded
8 the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt and Tolman
9 voted "aye".

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12 **See Exhibit I, appended, page 6.**
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EXHIBIT I

The City Council and staff went on a field trip Tuesday, May 9, at 6:00 p.m. The purpose of the field trip was to review the proposed location of a new skateboard park in the northwest corner of 400 North Park, on the north side of the parking lot proposed for the new South Davis Recreation District's Recreation Center. Present at the field trip were all City Council members, the Mayor, and the following staff members:

Tom Hardy, City Manager

Paul Rowland, City Engineer

Melinda Okerlund, Administrative Intern

Approximately 30 citizens interested in the skateboard park, most of whom were young people who are skateboarders

The meeting took place on site. A number of issues were discussed, including trying to fit the existing skateboard park layout proposed by Site Design onto the proposed site. It was noted that the proposed site would be within ten feet of the single-family residence to the north, and within 30 feet of condominiums to the north and east. It would be almost directly across the street from the crossing area for the Meadowbrook Elementary School.

Issues included proposed setbacks, landscaping, the possibility of sound walls, whether or not the skateboard park would be lighted, the possibility of a re-design to better accommodate the skateboard facility on the site, timing, and other skateboard issues generally.

It was noted that a decision would not be made, that the field trip was simply to get a "feel" for how the site could be utilized. One of the suggestions was that the city retain Site Design to come in and update its design based on the new proposed site, and that the city get additional information from other skateboard parks regarding setbacks, fencing, lighting, parking, noise, and other issues.

The field trip concluded at approximately 6:55 p.m., at which time the City Council left to return to City Hall for the regularly scheduled City Council meeting.

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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