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**Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
June 20, 2006 – 7:00 p.m.**

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Present:	Mayor	Joe L. Johnson
	Council Members	Richard Higginson, Barbara Holt, R. Fred Moss, John Pitt, Thomas Tolman
	City Manager	Tom Hardy
	City Attorney	Russell Mahan
	City Engineer	Paul Rowland
	City Recorder	Kim Coleman
	Department Rep.	Gary Blowers, Street Dept. Neal Jenkins, Parks & Rec.
	Recording Secretary	Ellen Call

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 7:02 p.m., following which Councilmember Pitt led the pledge of allegiance to the flag and Councilman Tom Tolman offered the prayer/thought.

**MINUTES OF MAY 23, 2006 AND JUNE 6, 2006 APPROVED**

Minutes of City Council meeting held May 23, 2006, along with a paragraph to be inserted, as well as minutes of the meeting held June 6, 2006, were presented. Both sets of minutes were approved as corrected on a motion by Councilman Higginson, seconded by Councilman Tolman. Voting was unanimous with Councilmembers Higginson, Holt, Moss, Pitt, and Tolman voting “aye”.

**EXPENDITURES AND EXPENSES APPROVED FOR  
JUNE 1-7 AND JUNE 8-14, 2006, AND MAY SUMMARY**

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the periods June 1-7, 2006 (\$193,828.21) and June 8-14, 2006 (\$1,014,452.78) and the Summary of Expenditures for the month of May, 2006 in the amount of \$3,504,150.77. Councilman Pitt motioned to approve the reports as presented, Councilman Higginson seconded the motion and voting was unanimous. Councilmembers Higginson, Holt, Moss, Pitt, and Tolman voted “aye”.

**CONTRACT AWARDED FOR GREEN WASTE GRINDING**

Gary Blowers reported that Bob’s Tree Service has been doing the green waste grinding at the landfill for several years. Their quote for continuing the service this year is \$425 per hour, which is the same as we paid last year – there was no increase for the increased cost of fuel. Their service has been good, and inasmuch as their bid is considerably lower than the other bid received, it is recommended that the contract with Bob’s Tree Service be renewed. Councilman

1 Tolman made a motion to accept the bid at \$425 per hour, seconded by Councilman Higginson,  
2 and voting was unanimous with Councilmembers Higginson, Holt, Moss, Pitt, and Tolman  
3 voting “aye”.

4  
5 **CONTRACT AWARDED FOR ROAD PAINT STRIPING**

6 Gary Blowers recommended awarding this year’s contract for road striping to the low  
7 bidder, Interstate Barricade for \$27,815.35. He noted that the actual cost may vary, depending  
8 on the work done, using the unit prices listed. Councilman Higginson made a motion to award  
9 the contract to Interstate, seconded by Councilmember Holt, and voting was unanimous.  
10 Councilmembers Higginson, Holt, Moss, Pitt, and Tolman voted “aye”.

11  
12 **CONTRACT AWARDED FOR ROAD SALT SUPPLY**

13 Mr. Blowers explained that with rising fuel prices, the cost for road salt has increased  
14 considerably. Three quotes were received for salt delivered to our facility, and they recommend  
15 accepting the bid from Broken Arrow at \$16.90 per ton. With the fuel surcharge, this represents  
16 an increase of \$1 per ton from last year. The Street Department will use Cargill and Morton for  
17 a backup in case Broken Arrow cannot supply the amount of salt needed during an extended  
18 storm or other emergency. Councilman Moss made a motion to accept the bid from Broken  
19 Arrow at \$16.90 per ton, seconded by Councilman Higginson, and voting was unanimous.  
20 Councilmembers Higginson, Holt, Moss, Pitt, and Tolman voted “aye”.

21  
22 **HOUSEHOLD HAZARDOUS WASTE CONTRACT AWARDED**

23 This year’s annual household hazardous waste collection has been set for Saturday,  
24 October 14, which will coincide with the fall cleanup the week of October 9-13. Mr. Blowers  
25 explained that the state contract for Onyx has been extended, and their cost for hazardous waste  
26 disposal remains the same as last year, with a fuel surcharge added. It is estimated that the  
27 surcharge will be approximately \$2 to \$3 per barrel. He recommended awarding the bid to Onyx  
28 Environmental Service, who has provided this service for Bountiful City in the past. The actual  
29 cost is based on the waste received from the residents each year, and based on past experience,  
30 \$36,000 has been budgeted for this event.

31  
32 Councilman Moss suggested sending out a flyer to Bountiful residents, encouraging them  
33 to take their hazardous waste to the burn plant in Layton, which is open every day throughout the  
34 year. Mr. Blowers said they felt we should provide this service again this year inasmuch as the  
35 program has been well utilized in the past and it keeps the hazardous materials out of the landfill.  
36 He will prepare a flyer to distribute to those who bring their hazardous waste in during the  
37 collection in October, giving details of alternative disposal options. Councilman Moss made a  
38 motion to award the contract to Onyx Environmental Service to handle the hazardous waste  
39 service this year, seconded by Councilman Pitt, and voting was unanimous. Councilmembers  
40 Higginson, Holt, Moss, Pitt, and Tolman voted “aye”.

41  
42 **SLURRY SEAL CONTRACT AWARDED**

43 Paul Rowland explained that the price of asphalt has risen due to a number of factors.  
44 The main supplier is in Sinclair, Wyoming – none is produced locally. The Sinclair plant has no  
45 stockpile and has substantially decreased its production. Everyone has increased their price

1 because of the limited supply, and the asphalt is being rationed. As a result, Bountiful City will  
2 have to reduce its paving program by 15% in order to stay within the budget, and the paving  
3 schedule is currently being re-evaluated to see what areas can be removed from this year's  
4 program.  
5

6 Morgan Paving was the low bidder for our annual slurry seal projects, with a unit price of  
7 \$0.63/square yard. However, because of the price increases that the asphalt industry has  
8 experienced, they are requesting a price increase on their bid to \$0.765/square yard. They have  
9 done this work for the city for the last two years and have completed the work in a very efficient  
10 and professional manner, and it is the recommendation of staff that the City Council accept their  
11 requested revision to the unit price for slurry seal work. Councilman Pitt made a motion to  
12 award the bid to Morgan Paving at their revised unit price of \$0.765/s.y., seconded by  
13 Councilman Tolman, and voting was unanimous. Councilmembers Higginson, Holt, Moss, Pitt,  
14 and Tolman voted "aye".  
15

16 Mr. Rowland said that, as a result of the changes in Sinclair's production, prices will  
17 undoubtedly experience another substantial increase, probably in mid-2007. He said he would  
18 re-evaluate the city's paving program and may have to ask for an increase in the budget in order  
19 to keep the streets in good condition.  
20

#### 21 **PURCHASE OF TURF AERATOR APPROVED FOR GOLF COURSE**

22 Chuck Goode, Golf Course Superintendent, received bids on a small turf aerator to  
23 replace the 1988 model currently in use, and requested approval to purchase the equipment from  
24 the low bidder, Rocky Mountain Turf, for \$13,255 with trade-in. This exceeds the \$12,000  
25 amount budgeted, but there will be funds available in the golf course budget prior to the end of  
26 the year to cover it. The purchase was unanimously approved on a motion by Councilman Pitt,  
27 seconded by Councilman Higginson. Councilmembers Higginson, Holt, Moss, Pitt, and Tolman  
28 voted "aye".  
29

30 Councilman Higginson asked for an update on the construction of the pond at the golf  
31 course. Mr. Hardy explained that it is presently on hold, inasmuch as bids have been too high.  
32 However, some of the work can be done "in house" to relieve the budget and help move the  
33 project along.  
34

#### 35 **RESOLUTION 2006-03 ADOPTED SETTING TAX RATE**

36 Tom Hardy reviewed Resolution 2006-03, A RESOLUTION SETTING THE TAX RATE AND  
37 LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF BOUNTIFUL, UTAH, MADE  
38 TAXABLE FOR THE YEAR 2006. He noted that the rate, set by Davis County at .001119, will raise  
39 \$10,000 more than last year, and that the budget is balanced with this rate. Councilmember Holt  
40 motioned to adopt Resolution 2006-03 setting the tax rate for the year 2006, Councilman Moss  
41 seconded the motion, and voting was unanimous. Councilmembers Higginson Holt, Moss, Pitt,  
42 and Tolman voted "aye".  
43

#### 44 **ORD. 2006-04 ADOPTED AMENDING 2005-06 BUDGET**

45 Tom Hardy presented Ordinance No. 2006-04, AN ORDINANCE AMENDING THE BUDGETS OF

1 THE CITY OF BOUNTIFUL FOR THE FISCAL YEAR BEGINNING JULY 1, 2005 AND ENDING JUNE 30, 2006, in  
2 the amounts and figures shown. A motion was made by Councilman Higginson to adopt  
3 Ordinance 2006-04, seconded by Councilman Pitt, and voting was unanimous. Councilmembers  
4 Higginson, Holt, Moss, Pitt, and Tolman voted “aye”.

5  
6 **2006-07 BUDGET ADOPTED BY ORD. 2006-05**

7 Tom Hardy presented Ordinance No. 2006-05, AN ORDINANCE ADOPTING A BUDGET FOR THE  
8 CITY OF BOUNTIFUL FOR THE FISCAL YEAR BEGINNING JULY 1, 2006 THROUGH JUNE 30, 2007. BUDGET  
9 PREPARED AND PRESENTED PURSUANT TO THE UNIFORM FISCAL PROCEDURES ACT FOR UTAH CITIES,  
10 INCLUDING ESTIMATES OF ANTICIPATED REVENUES, APPROPRIATIONS FOR EXPENDITURES, ADJUSTED  
11 COMPENSATION SCHEDULES FOR CITY OFFICERS AND EMPLOYEES, AND THE SETTING OF USER FEES FOR  
12 CITY FACILITIES AND SERVICES. He explained that this ordinance adopts the budget that was  
13 presented after the public hearing, and includes a 3.5% cost-of-living increase for personnel.  
14 Mr. Hardy commended the staff and Council members for their work on the budget, and  
15 recommended that it be adopted. Councilman Pitt made a motion to accept the budget as  
16 prepared for the 2006-07 fiscal year by adopting Ordinance 2006-05, Councilman Higginson  
17 seconded the motion and voting was unanimous with Councilmembers Higginson, Holt, Moss,  
18 Pitt, and Tolman voting “aye”.

19  
20 **RES. 2006-04 ADOPTS CHESTERFIELD, IDAHO AS SISTER CITY**

21 Tom Tolman asked the Council members to consider Resolution 2006-04, A RESOLUTION  
22 ADOPTING CHESTERFIELD, IDAHO, AS A HISTORIC SISTER CITY WITH THE CITY OF BOUNTIFUL. He  
23 explained the reason for his recommendation is that early settlers in Bountiful were relocated to  
24 Chesterfield and were referred to in early church histories as “a small colony from Bountiful”,  
25 and therefore formed a link to our city. He invited everyone to join together on Saturday, July 8  
26 for a visit to the town of Chesterfield. A motion to adopt Resolution 2006-04 was made by  
27 Councilman Higginson, seconded by Councilman Tolman, and voting was unanimous.  
28 Councilmembers Higginson, Holt, Moss, Pitt, and Tolman voted “aye”.

29  
30 **STORM WATER REQUIREMENTS MODIFIED BY ORDINANCE 2006-06**

31 Todd Christensen explained that one of the requirements in the Storm Water Discharge  
32 Permit is to implement a program to control runoff and pollution created from developments and  
33 construction sites. Changes in the state regulations mandate that any construction site that  
34 disturbs one acre or more of land needs a Storm Water Permit, and this includes most building  
35 lots in Bountiful City. It is the staff recommendation that Ordinance 2006-06, AN ORDINANCE  
36 AMENDING THE BOUNTIFUL CITY CODE TO MODIFY THE CITY’S STORM WATER ORDINANCE, be adopted  
37 to assure that the municipal storm water discharge permit requirements are met. Councilman  
38 Tolman made a motion to adopt the ordinance as presented, seconded by Councilmember Holt.  
39 Councilman Higginson clarified that those who apply for a permit must show the steps they will  
40 take to reduce pollutants in the storm drain system. The vote was unanimous in favor, with  
41 Councilmembers Higginson, Holt, Moss, Pitt, and Tolman voting “aye”.

42  
43 **MODIFICATION MADE TO LEGACY PARKWAY AGREEMENT**  
44 **FOR RE-LOCATION OF LANDFILL FACILITIES**

45 As a follow-up to the April 11, 2006 presentation on the Legacy Parkway by UDOT and

1 Bountiful City's concern with the pedestrian crossing by the landfill, Paul Rowland reported that  
2 he had met with UDOT again to review their plans. They have agreed to separate the highway  
3  
4 about 100 feet from the tunnel and the frontage road, and will place sufficient signage to make  
5 the crossing more noticeable and safer for pedestrian traffic.  
6

7 Mr Rowland reviewed that four years ago Bountiful City and UDOT entered into an  
8 interlocal agreement for the relocation of the landfill facilities that would be displaced by the  
9 Legacy Parkway. UDOT was to have their design-builder replace the facilities to our  
10 satisfaction at the State's expense. UDOT has now changed their construction method, and has  
11 requested that Bountiful City take over the design and construction management of the  
12 relocation, and accordingly they have made an amendment to the original agreement to reflect  
13 this change. Both Paul Rowland and Russell Mahan have reviewed the amendment and found it  
14 satisfactory.  
15

16 Mr. Rowland said that Bountiful City will have access to the landfill via Pages Lane until  
17 the work is completed and the frontage road open, and recommended that the agreement be  
18 approved and the Mayor be authorized to sign for the city. The amendment states that the  
19 estimate for the work is \$1.3 million, but should the actual design, construction, and inspection  
20 costs exceed that amount, UDOT will cover the actual cost.  
21

22 Councilman Higginson made a motion to approve the modification to the Legacy  
23 Parkway Utilities Agreement between UDOT and Bountiful City as explained. Councilmember  
24 Holt seconded the motion and voting was unanimous, with Councilmembers Higginson, Holt,  
25 Moss, Pitt, and Tolman voting "aye".  
26

27 **ORDINANCE 2006-07 APPROVED**  
28 **ADOPTING REVISED LAND USE ORDINANCE**

29 Russell Mahan explained that the revised land use ordinance has been discussed at  
30 length, and changes were made based on comments during the discussions. He reviewed the  
31 alternatives to be considered for adoption with the revised ordinance, and each was discussed:  
32

33 **Alternative 1.** Density in the residential foothill overlay zone is changed to 3  
34 units per acre, 11,000 square feet as the minimum lot size, and 5,000 square feet  
35 as the minimum buildable area. Calculations based upon average lot slope are  
36 repealed.  
37

38 **Alternative 2.** Existing lot frontages of 65 feet and lot size of 6500 square feet  
39 are continued as a conforming use in RM multi-family residential zone.  
40

41 **Alternative 3.** The current multi-family densities of 13 and 25 units per acre are  
42 continued, and 16 is changed to 19, rather than the proposed densities of 12, 18  
43 and 24 units per acre.  
44

45 **Alternative 4.** Any proposed subdivision and/or planned unit development in

1 the foothill overlay zone shall require conditional use approval, which should be  
2 considered contemporaneously with the subdivision or PUD approval.

3  
4 The Planning Commission recommends that the revised ordinance be adopted as written,  
5 with Alternatives 2, 3, and 4, but not with Alternative 1. Mr. Mahan proposed further discussion  
6 on Alternative 1, and provided the Council members with suggested language to be considered  
7 concerning a Mountain PUD Zone and Overlay Zone, which is not now included in the  
8 ordinance. Councilmember Holt said the Planning Commission will continue to discuss the  
9 matter, and explained that the controversial issue is not density, but buildability of the lots.

10  
11 Councilman Moss made a motion to adopt Ordinance 2006-07, adopting the revised land  
12 use ordinance with Alternatives 2, 3, and 4 and without Alternative 1, with the understanding  
13 that it would be studied further. Councilman Higginson seconded the motion, and said he would  
14 like the City Council to have the opportunity to be included in the study session. Voting was  
15 unanimous, with Councilmembers Higginson, Holt, Moss, Pitt, and Tolman voting "aye".

16  
17 **COUNCIL COMMITTEE REPORTS**

18 Councilman Pitt reminded the Council that the Relay for Life will be held this coming  
19 Friday and Saturday at Viewmont High School, and will feature a "reunion" of the Extreme  
20 Home Makeover volunteers and Youth Council. He also expressed his thanks for those who  
21 participated in the annual cleanup of the Kimball Mill Monument.

22  
23 Councilman Pitt requested a meeting with the downtown merchants regarding the trees  
24 that were to be taken out. Tom Hardy said that after the summer events were over the trees  
25 would be marked and removed in about September or October when the flower beds are cleaned  
26 out.

27  
28 Councilman Moss suggested that the Mac's building on Orchard Drive be used for the  
29 Bountiful Performing Arts Center. Tom Hardy said he would check with the owners to see if  
30 they are interested in selling.

31  
32 Meeting adjourned at 8:32 p.m. by unanimous vote on a motion by Councilman  
33 Higginson, seconded by Councilman Moss.

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38 JOE L. JOHNSON, Mayor

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42 KIM J. COLEMAN, City Recorder

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