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**Minutes of the
Bountiful City Council Meeting
City Council Chambers
March 14, 2006 - 7:00 p.m.**

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Present:	Mayor:	Joe L. Johnson
	Council Members:	Richard Higginson, Barbara Holt, R. Fred Moss, 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
	Staff Engineer:	Todd Christensen
	Recording Secretary:	Nancy T. Lawrence
Excused:	Councilman:	John Pitt

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 which Michael Kamerath, visiting Boy Scout from Troop 1538, led the pledge of allegiance to the flag. Councilwoman Holt offered the prayer/thought.

MINUTES OF FEBRUARY 14, 2006 APPROVED

Minutes of the regular City Council meeting held February 14, 2006 were presented and unanimously approved as written on a motion made by Councilman Tolman and seconded by Councilman Higginson. Voting was unanimous with Councilmembers Higginson, Holt, Moss and Tolman voting "aye".

EXPENDITURES AND EXPENSES APPROVED FOR PERIODS FEBRUARY 9-15, 2006 AND FEBRUARY 16-22, 2006

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the periods February 9-15, 2006 in the amount of \$316,012.83 and February 16-22, 2006 totaling \$1,283,471.08. The staff responded to questions following which Councilman Higginson motioned to approve the expenditure reports as presented and Councilman Moss seconded the motion. Voting was unanimous with Councilmembers Higginson, Holt, Moss and Tolman voting "aye".

VIEWMONT HIGH SCHOOL WRESTLING TEAM RECOGNIZED FOR STATE CHAMPIONSHIP - 3RD CONSECUTIVE YEAR

Mayor Johnson recognized the Viewmont High School Wrestling team, coaches and principal and invited them to come before the podium to be recognized. He read a proclamation which outlined the outstanding qualities of the team and coaches, proclaiming their capture of the 5A State Wrestling Championship for the third year in a row. Bart Thompson (head coach), Scot Tennis (principal) and two team captains reviewed standards which the team implements in their practice, competition, and overall daily activities. The team motto is "Determination, dedication,

1 and domination.”

2
3 Mayor Johnson reminisced that he did his student teaching at Viewmont High School and
4 later had the pleasure of working with Coach Thompson. The Mayor called attention to the
5 Resolve in the proclamation of a continued expectation for this same high standard for many years.
6 He congratulated the team and expressed appreciation to them for the caliber of students that they
7 are.

8
9 **ROTOMILLING SERVICES 2006 CONTRACT AWARDED**
10 **TO COUGHLIN COMPANY, INC.**

11 Mr. Rowland reported that Coughlin Company, Inc. has proposed to extend their contract
12 for rotomilling services for a second consecutive year. The contract was first awarded in 2004 and
13 their proposal price reflects no increase from that original contract. Bid prices are based on a unit
14 price per square yard, and Mr. Rowland estimated the total for this year would be \$15,000 to
15 \$20,000 (significantly lower than two years ago). Staff recommends approval of this proposed
16 extension. After a short discussion, Councilman Higginson motioned to accept the proposal from
17 Coughlin, Co., Inc. as presented. Councilwoman Holt seconded the motion and voting was
18 unanimous. Councilmembers Higginson, Holt, Moss and Tolman voted “aye”.

19
20 **CONTRACT FOR CONSTRUCTION OF PARK**
21 **RESTROOM AWARDED TO THOMAS LUND CONSTRUCTION**

22 Mr. Rowland reported that bids were opened on February 21, 2006 for construction of a
23 new masonry restroom to replace the existing facility at Twin Hollow (Cheese) Park. Two bids
24 were received and it is the recommendation of staff to accept the low bid from Thomas Lund
25 Construction in the amount of \$35,680.00. Councilman Moss made a motion to award the bid as
26 recommended. Councilman Higginson seconded the motion which carried unanimously with
27 Councilmembers Higginson, Holt, Moss and Tolman voting “aye”.

28
29 **CONTRACT FOR LANDFILL GROUND WATER**
30 **MONITORING AWARDED TO ERM ROCKY MOUNTAIN, INC.**

31 Todd Christensen, staff engineer, reviewed that one of the requirements of the operation of
32 the landfill is to provide groundwater monitoring. He stated that the City has retained a consultant
33 who performs the work of obtaining the ground water samples and sends them to a lab for analysis.
34 The results are then reported back to the City. Because of the required statistical analysis of
35 groundwater data, any variation in procedures can cause perceived changes in the groundwater
36 quality. Therefore, it is desirable to achieve as much consistency as possible. This, together with
37 the offer of the existing monitoring company (ERM-Rocky Mountain) to maintain the same
38 pricing structure for the coming year as this past year, leads to the recommendation of staff to
39 extend the current contract with ERM-Rocky Mountain, Inc. to perform groundwater monitoring
40 services at the Bountiful Sanitary Landfill for 2006. Discussion followed regarding results of
41 sampling over the past years. Councilman Higginson made a motion to approve extending the
42 contract of ERM-Rocky Mountain, Inc. for 2006 and Councilman Tolman seconded the motion.
43 Voting was unanimous with Councilmembers Higginson, Holt, Moss and Tolman voting “aye”.

44
45 **ESI ENGINEERING, INC. AWARDED CONTRACT FOR**
46 **PROFESSIONAL SERVICES - LANDFILL MODIFICATIONS**

47 Mr. Christensen reported that with the re-commencement of the Legacy Parkway project,

1 the landfill must undergo some changes. The Parkway is planned to go right over where the
2 current scales, shop, and compost pad are currently located and these facilities must be re-located.
3 UDOT has requested that the City of Bountiful perform project administration for these changes
4 (with costs to be reimbursed by UDOT) and the City is currently in the process of getting an
5 agreement with UDOT to do this work. ESI Engineering, Inc. started the design work for the
6 landfill modifications (prior to the project being shut down) and it is the recommendation of staff
7 that this firm be retained to provide the engineering services for the new landfill improvements.
8

9 ESI's proposal was discussed and Councilman Moss indicated that the rates are reasonable
10 and are presented as a "Not to Exceed" figure of \$30,000.00. Councilwoman Holt motioned to
11 approve the professional services agreement with ESI Engineering as discussed. Councilman
12 Moss seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss,
13 and Tolman voted "aye".
14

15 **PRELIMINARY AND FINAL APPROVAL GIVEN**
16 **TO THUNDER MOUNTAIN SBDVN., PHASE I**

17 Mr. Rowland presented the final plat for the first phase of Thunder Mountain Subdivision
18 (one lot at 100 North 1375 East) and stated that the Planning Commission and staff have reviewed
19 the preliminary and final plats and recommend approval, subject to the following conditions:
20

- 21 1. Post a bond and pay the required fees per the bond letter which is being prepared.
- 22 2. The street improvements be completed with the first phase including the extension
23 of utilities into the future lots.
- 24 3. Provide a current title report.
- 25 4. Make minor corrections to the plat and construction drawings.
26

27 Councilwoman Holt made a motion to grant preliminary and final approval subject to the
28 conditions listed above. Councilman Higginson seconded the motion which carried unanimously.
29 Councilpersons Higginson, Holt, Moss and Tolman voted "aye."
30

31 **PRELIMINARY AND FINAL PLAT APPROVAL GRANTED**
32 **TO VILLAGE ON MAIN STREET (PEG DEVELOPMENT)**

33 Mr. Rowland reviewed that PEG Development has completed and submitted the final
34 subdivision plat for the Village on Main Subdivision (1500 North Main Street) and is requesting
35 final subdivision plat approval. He noted that the subdivision consists of six lots. The Planning
36 Commission has reviewed this request and sends a favorable recommendation to the Council for
37 preliminary and final plat approval, subject to the following conditions:
38

- 39 1. Provide final wording for the Public Utility Easements on the plat.
- 40 2. Finalize and post the bond per the bond letter.
- 41 3. Sign a Development Agreement with the City.
- 42 4. Obtain permission from UDOT to work in their right-of-way.
43

44 Mr. Rowland noted that the developer is retaining control over the architecture of all plans
45 that come into this subdivision. Following discussion, Councilwoman Holt made a motion to grant
46 preliminary and final plat approval for Village on Main Street, subject to the conditions as
47 presented. Councilman Moss seconded the motion and voting was unanimous. Councilpersons
48 Higginson, Holt, Moss and Tolman voted "aye."

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PRELIMINARY APPROVAL GRANTED TO OAK HOLLOW ESTATES (JONATHAN HARDY, APPLICANT)

Mr. Rowland presented the plat for Oak Hollow Estates Subdivision, 3550 South Canyon Estates Drive (29 lots) and stated that the developer is requesting preliminary approval. The Planning Commission has reviewed this request and sends a favorable recommendation to the Council, along with staff, to grant preliminary approval subject to the following conditions and exceptions:

Conditions:

1. Because no onsite storm water detention is available, payment of the standard storm drain impact fee will be required at \$2,100 per acre.
2. Show preliminary grading for the cul-de-sac.
3. Bring all existing sidewalk and curb and gutter into compliance with City standards.
4. Provide additional retaining walls or other acceptable means to prevent further raveling of the steep slope onto Indian springs Road, the extent of which will be defined by the City Engineer.
5. Pay for or provide a complete overlay of Canyon Estates Drive and 3550 South along the frontage of the subdivision.
6. Post a bond, provide a current title report, pay the fees and sign a development agreement as required by ordinance.
7. Provide a construction site runoff plan.

Exceptions:

1. Allow double fronting lots for lots 2, 3, 4, 5, 11, 12, 21, 22, and 23 as shown on the submitted preliminary plat.

Following a short discussion, Councilwoman Holt made a motion to grant preliminary subdivision approval of Oak Hollow Estates, with conditions and exceptions as presented. Councilman Higginson seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss and Tolman voted "aye."

PRELIMINARY AND FINAL SITE PLAN GRANTED FOR BOUNTIFUL PUBLIC WORKS FACILITY (BOUNTIFUL CITY, APPLICANT)

Mr. Rowland presented the preliminary plans for the new facilities which have been approved for the Street and Sanitation Department (garage), the new Water Department headquarters and a new evidence storage building for the Police. He said that the staff and Planning Commission have reviewed these plans and recommend preliminary and final site plan approval. Councilman Tolman made a motion to grant preliminary and final site plan approval, as recommended. Councilman Higginson seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss and Tolman voted "aye."

HOGAN AND ASSOCIATES AWARDED CONTRACT FOR CONSTRUCTION OF WATER DEPARTMENT HEADQUARTERS AND ASSOCIATED BUILDING PROJECTS

Mr. Rowland reviewed that over the past several weeks the members of the Water Committee and staff have reviewed proposals from candidates to act as Construction

1 Manager/General Contractor for the new water department headquarters and the other building
2 projects associated with it. Eight proposals were narrowed down to three finalists who were
3 interviewed last week. Hogan and Associates, second lowest bid, was selected based on the
4 group's review of Hogan's previous experience, their knowledge of local conditions, past
5 experience in working with them, the experience of the team that they will be using to do the
6 work, etc., as well as their fee proposal. The total fees for this portion of the project are \$262,800
7 and a Guaranteed Maximum Price will be negotiated with Hogan. It is the recommendation of
8 staff that the Council accept the proposal of Hogan and Associates to be the contract
9 manager/general contractor for the Water Department headquarters building and associated
10 construction, and authorize the Mayor to sign the contract. Councilwoman Holt made a motion to
11 this effect, Councilman Higginson seconded the motion and voting was unanimous.
12 Councilpersons Higginson, Holt, Moss, and Tolman voted "aye."
13

14 **OMNIBUS ORD. NO. 2006-02 ADOPTED RE: TECHNICAL**
15 **REVISIONS THROUGHOUT THE CODE**

16 Mr. Mahan reviewed the proposed Omnibus Ordinance No. 2006-02 , entitled AN
17 ORDINANCE AMENDING THE BOUNTIFUL CITY CODE TO IMPLEMENT CHANGES IN STATE LAW, AND
18 ADOPT MINOR TECHNICAL REVISIONS THROUGHOUT THE CODE. He noted that most changes were
19 made to implement changes which have been made in State law. A new provision (to prohibit the
20 construction of outdoor wooden skateboard ramps) was included in the text of the proposed
21 ordinance, but following discussion, it was the consensus of the Council to strike the skateboard
22 section from the proposed ordinance. Action regarding the skateboard issues was delayed pending
23 a field trip by the Council. Councilman Higginson made a motion to adopt Ordinance No. 2006-
24 02 (striking the skateboard provision). Councilwoman Holt seconded the motion and voting was
25 unanimous. Councilpersons Higginson, Holt, Moss, and Tolman voted "aye."
26

27 **EXECUTIVE SESSION APPROVED**

28 At 8:40 p.m. Councilman Higginson made a motion to adjourn to Executive Session for the
29 purpose of discussing property acquisition. Councilman Moss seconded the motion and voting
30 was unanimous. Councilpersons Higginson, Holt, Moss and Tolman voted "aye."
31

32 **Attendance at Executive Session**

- 33 Mayor Johnson
- 34 Councilpersons Higginson, Holt, Moss and Tolman
- 35 Mr. Hardy
- 36 Mr. Mahan
- 37 Mr. Rowland
- 38 Mr. Jensen

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41 _____JOE L. JOHNSON, Mayor
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44 KIM J. COLEMAN, City Recorder
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