

1 **Minutes of the**
2 **Bountiful City Council Meeting**
3 **City Council Chambers**
4 **August 7, 2007 - 7:00 p.m.**

5
6 Present: Mayor Joe L. Johnson
7 Council Members Richard Higginson, Barbara Holt, R. Fred
8 Moss, Scott Myers and Thomas Tolman
9 City Manager Tom Hardy (Arr. 8:04)
10 City Prosecutor J. C. Ynchausti
11 City Engineer Paul Rowland
12 Admin. Services Dir. Galen Rasmussen
13 Planning Director Aric Jensen (Arr. 9:05)
14 Department Reps. Tom Ross, Police
15 Jerry Wilson, Parks
16 Gary Blowers, Street
17 Administrative Intern Jeff Jensen
18 Recording Secretary Ellen Call
19

20 Official Notice of this meeting had been given by posting a written notice of same and an
21 Agenda at the City Hall and providing copies to the following newspapers of general circulation:
22 Davis County Clipper, Deseret News, and Salt Lake Tribune.
23

24 Mayor Johnson called the meeting to order at 7:00 p.m., following which a visiting Cub
25 Scout, R.J., led the pledge of allegiance to the flag. The prayer/thought was offered by
26 Councilman Higginson.
27

28 **MINUTES APPROVED**

29 Minutes of the regular meeting of the City Council held June 19, 2007 were unanimously
30 approved as written, and minutes of the regular meeting held July 10, 2007 were unanimously
31 approved as corrected on a motion by Councilman Higginson, seconded by Councilmember
32 Holt, with Councilmembers Higginson, Holt, Moss, Myers, and Tolman voting "aye."
33

34 **EXPENDITURES AND EXPENSES APPROVED**
35 **FOR FIVE PERIODS IN JULY**

36 Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000
37 for the following periods, with corresponding totals: June 28-July 4, 2007 (\$962,473.81); July 5-
38 11, 2007 (\$954,067.95); July 12-18, 2007 (\$620,023.23); July 19-25, 2007 (\$1,591,659.43); and
39 July 26-August 1, 2007 (\$206,507.21). Following discussion, the five reports were unanimously
40 approved on a motion made by Councilman Moss, seconded by Councilman Myers.
41 Councilmembers Higginson, Holt, Moss, Myers, and Tolman voted "aye."
42

43 **PURCHASE OF POLICE DEPARTMENT VEHICLES APPROVED**

44 Chief Tom Ross requested approval to purchase four replacement vehicles from Willey
45 Ford for the Police Department at a total cost of \$92,312, which is below the amount approved in

1 the 2007-08 budget. Two of the vehicles will be used for patrols, and the other two vehicles will
2 be used in the detective division. Councilman Myers made a motion to approve the purchases
3 requested by Chief Ross, seconded by Councilman Higginson, and voting was unanimous in
4 favor, with Councilmembers Higginson, Holt, Moss, Myers, and Tolman voting “aye.”

5
6 **JUSTICE ASSISTANCE GRANT APPROVED**

7 Chief Ross explained that Davis County and the cities of Layton, Bountiful, and
8 Clearfield intend to make a joint application for a Justice Assistance Grant (JAG) in the amount
9 of \$55,112, and he requested approval of an interlocal agreement between these entities for the
10 purpose of distributing the grant funds. Bountiful’s portion of the grant would be \$9,902, and
11 the Police Department will use the money to buy equipment to help reach the operational goals
12 of the department. Chief Ross asked for approval to purchase the equipment now out of their
13 own budget, then place the reimbursement in the General Fund when the grant money is
14 received. Application can be made for a JAG grant each year if desired. Councilmember Holt
15 made a motion to approve the grant as presented, seconded by Councilman Moss, and voting was
16 unanimous, with Councilmembers Higginson, Holt, Moss, Myers, and Tolman voting “aye.”

17
18 **DISPATCHER HARDWARE AND SOFTWARE APPROVED**

19 Chief Ross asked for approval to purchase hardware and software from Qwest in the
20 amount of \$187,014.97 to upgrade the existing E-911 phone system to a digital platform. A
21 grant was recently applied for and received from the State of Utah, Department of Public Safety,
22 911 Committee in the amount of \$121,560, which will be applied to the software purchase, so
23 Bountiful City will only be responsible for \$65,454.97 of the purchase price. However, the full
24 amount must be paid to Qwest up front, and approval is requested to expend the full amount now
25 with a 65% state reimbursement at completion of the installation. Councilman Higginson made
26 a motion to approve the purchase on these terms, seconded by Councilman Tolman, and voting
27 was unanimous with Councilmembers Higginson, Holt, Moss, Myers, and Tolman voting “aye.”

28
29 **PURCHASES APPROVED FOR STREET DEPARTMENT**

30 Gary Blowers presented the following requests for approval:
31

32 **Road Salt.** Bids were received for the purchase of road salt, and Broken Arrow was the
33 apparent low bidder at \$16.90 per ton, which is the same as last year’s price. Councilman
34 Higginson motioned to accept the bid from Broken Arrow, seconded by Councilman Myers, and
35 voting was unanimous in favor with Councilmembers Higginson, Holt, Moss, Myers, and
36 Tolman voting “aye.” Morton Salt (\$18.99/ton) will be used as a backup.

37
38 **Household Hazardous Waste Event.** Mr. Blowers reported that this year’s Household
39 Hazardous Waste collection is tentatively scheduled for October 13, 2007, in conjunction with
40 the fall cleanup which is scheduled for October 8-12. The state contract with Veolia
41 Environmental Service (formerly Onyx) will expire in September, and the Street Department
42 would like to schedule Bountiful City’s event before their contract expires. The cost for the
43 service will not go up, and the actual cost is based on the waste received. Councilman Tolman
44 made a motion to approve the Household Hazardous Waste event as proposed, by awarding the

1 contract to Veolia. The amount budgeted for this event is \$36,000. Councilman Higginson
2 seconded the motion and voting was unanimous with Councilmembers Higginson, Holt, Moss,
3 Myers, and Tolman voting “aye.”
4

5 **Green Waste Grinding at Landfill.** Mr. Blowers recommended that the green waste
6 grinding at the landfill for budget years 2008 and 2009 be awarded to Bob’s Tree Service at
7 \$425 per hour. They have provided this service in the past and have proven themselves to be
8 very reliable. The amount budgeted for this year is \$70,000. Councilman Higginson made a
9 motion to award the two-year contract to Bob’s Tree Service for the hourly rate quoted,
10 seconded by Councilmember Holt, and voting was unanimous with Councilmembers Higginson,
11 Holt, Moss, Myers, and Tolman voting “aye.”
12

13 Mayor Johnson noted that because of the Legacy Highway construction, access to the
14 landfill has been re-routed. Mr. Blowers explained that traffic will go west on 5th South, then
15 north on the frontage road.
16

17 **BID AWARDED FOR TENNIS COURT CONSTRUCTION**
18 **AT MUELLER PARK WEST PARK**

19 Paul Rowland reported that three bids were received for the construction of tennis courts
20 at the Mueller Park West Park. JCB & Sons was the apparent low bidder, and after an
21 investigation of their performance, the staff found that they were highly recommended and felt
22 they would be able to provide the quality of service that the City expects.
23

24 Jerry Wilson explained that there are now two tennis courts at the 1800 South park. The
25 small bowery east of the courts is old and crumbling, and it is their intent to demolish the bowery
26 and put two new courts in that location. A new bowery will be constructed closer to the
27 playground. They also intend to eliminate one of the tennis courts at the golf course in order to
28 make space for a new pavilion.
29

30 A citizen, Charmaine, asked if backboards could be installed for practice at the tennis
31 courts. Jerry Wilson answered that there is enough money in the budget to resurface the Tolman
32 Park tennis courts, and one full court there will be equipped with fiberboard backboards and one
33 also at the 1800 South park. They will not put backboards at the Fire Station park, but may put a
34 backboard at the Five-Points park after they are tested at the other parks. Charmaine also asked
35 if the city will be participating in upgrading the tennis courts at Viewmont High School, and she
36 was told that the city is a participant in a 50/50 grant with the school district, and will contribute
37 \$80,000 as their share of the matching funds for that purpose.
38

39 Councilman Myers made a motion to approve the proposal from JCB & Sons to construct
40 the tennis courts at the Mueller Park West Park for \$320,007.60, seconded by Councilman
41 Higginson, and voting was unanimous with Councilmembers Higginson, Holt, Moss, Myers, and
42 Tolman voting “aye.”
43
44

1 **BID AWARD FOR SMALL RIDING MOWER – PARKS DEPARTMENT**

2 This agenda item was canceled.

3
4 **CURBSIDE RECYCLING PROPOSED**

5 Dr. Ray Ward, a Bountiful resident, introduced 14-year-old Rachel Gimlich, also a
6 Bountiful resident, who spoke regarding the importance of recycling. She encouraged the
7 Council to adopt a recycling plan in order to preserve the environment for future generations.

8
9 Dr. Ward then introduced Jennifer Decker, City Council member from Woods Cross,
10 who gave a report on recycling in their city. Woods Cross recently studied the possibility of
11 recycling, and also polled their residents to determine if it would be supported. The informal
12 poll revealed that 89% were in favor and 11% were against, and people will recycle only if it is
13 convenient and affordable. She pointed out that few cities in Davis County recycle, and
14 encouraged Bountiful City to give it serious consideration.

15
16 Dr. Ward asked a series of questions and provided some answers:

17 (1) Do the residents of Bountiful want to have curbside recycling? He reported that
18 during the past two months while he has been researching the subject, they have obtained over
19 600 signatures of people who want it. He gave the petition to the City Council.

20 (2) Is curbside recycling something that is commonly provided by cities? He answered
21 that most of the cities, except those in Davis County, along the Wasatch Front already provide
22 curbside recycling.

23 (3) How much will it cost? That is dependent on how the program is structured (city-
24 wide, subscription basis, etc.).

25 (4) Why do we think it will work this time when it has failed in the past? His answer
26 was that times have changed since the last time it was tried. More cities are providing curbside
27 recycling, and it provides an opportunity to study their programs and determine what will and
28 will not work. There are also more providers of the service to choose from. In addition, he said
29 that the people have changed over the last 5-10 years, and most of those who have moved into
30 Bountiful have come from a city that provided curbside recycling and they are enthusiastic and
31 desire to continue.

32 (5) What is our request to the City Council? Dr. Ward asked that the City formally
33 consider adopting a curbside recycling program.

34
35 Mayor Johnson thanked Dr. Ward for his presentation and agreed that it is a good
36 request. He said he would like to take the matter back to the staff so they can analyze what has
37 happened in the past and come up with some alternatives. He recommended that the Council go
38 along with Dr. Ward's request, and leave it up to the staff to make the determination.
39 Councilman Higginson made a formal request that the City staff contact Waste Management for
40 an official proposal similar to that which Woods Cross has received, that they put a questionnaire
41 in with the utility bills, and that they let the people know that the Council members are not
42 opposed to recycling. He emphasized that there is no urgency to implement a recycling program,
43 and stated the need to explore the options and methodically go about finding the right program.

1 **BID AWARDED FOR ASPHALT PAVING AT**
2 **NEW WATER DEPARTMENT BUILDING**

3 Paul Rowland explained that the asphalt paving around the new Water Department
4 building was removed from the original plans during the value engineering process, with the idea
5 that it could be done by the City crews. It is now time for the paving to be done, and the City
6 crews have a full schedule, so bids were taken from paving contractors to do the work. Three
7 proposals were received, and staff recommends that Morgan Asphalt's bid of \$61,425.00 be
8 accepted, even though they are not the low bidder, because they are able to complete the job by
9 August 20. Mr. Rowland said that if the City were to do the work with their own crews, it would
10 probably cost about \$56,000 - \$59,000, but other scheduled projects would have to be delayed.
11 A motion was made by Councilman Tolman to accept the bid from Morgan Asphalt to do the
12 paving for \$61,425.00, seconded by Councilmember Holt, and voting was unanimous with
13 Councilmembers Higginson, Holt, Moss, Myers, and Tolman voting "aye."
14

15 **CONTRACT EXTENDED FOR**
16 **SIDEWALK TRIP HAZARD ELIMINATION**

17 Paul Rowland reported that Precision Concrete Cutting, who has performed the City's
18 sidewalk trip hazard elimination work for the last six years, has agreed to extend their contract
19 for another year with a 1.77% increase. Councilmember Tolman made a motion to extend the
20 contract with Precision Concrete Cutting and accept the unit price of \$14.35 per in-ft of cut, with
21 a total maximum cost of \$125,000. Councilmember Holt seconded the motion and voting was
22 unanimous with Councilmembers Higginson, Holt, Moss, Myers, and Tolman voting "aye."
23

24 **PRESENTATION ON NORTHERN UTAH**
25 **TRANSPORTATION ALLIANCE**

26 This agenda item was canceled.

27
28 Tom Hardy arrived at the meeting – 8:04 p.m.
29

30 **ORDINANCE 2007-14 APPROVED, VACATING A**
31 **PORTION OF VAL VERDA SUBDIVISION FOR**
32 **INCORPORATION INTO JENNA RAE SUBDIVISION**

33 Paul Rowland explained that it was necessary to vacate a portion of the Val Verda
34 Subdivision in order to incorporate it into a new subdivision, the Jenna Rae. Councilman
35 Higginson made a motion to approve Ordinance 2007-14, AN ORDINANCE VACATING THE SOUTH HALF
36 OF LOT 23, BLOCK 1, PLAT A FROM THE VAL VERDA SUBDIVISION IN BOUNTIFUL, DAVIS COUNTY, UTAH, AND
37 RELEASING THE EASEMENTS THEREON, FOR THE PURPOSE OF BEING INCORPORATED INTO THE NEW JENNA RAE
38 SUBDIVISION. Councilman Myers seconded the motion and voting was unanimous with
39 Councilmembers Higginson, Holt, Moss, Myers, and Tolman voting "aye."
40

41 **RESOLUTION 2007-05 APPROVED,**
42 **SETTING RAP TAX ELECTION**

43 Tom Hardy referred to a Performing Arts Center Feasibility Study given to each Council
44 member, which outlines the funding for a proposed regional arts facility that would be located in

1 Centerville. The principal funding would come from Centerville City, including the land,
2 parking, and \$6 million out of their RDA funds to go toward the project. Additional funding for
3 the envisioned \$16 million project would be generated through a RAP tax, which is allowed
4 under state law on a county-wide basis or city by city. Some South Davis cities have come
5 together to determine whether or not to refer the proposal to the citizens to vote on.

6
7 If approved the tax would impose a 1/10 of 1% tax on all purchases within the City of
8 Bountiful – or 10 cents on a \$100 purchase. This tax can only be imposed by a vote of the
9 people, and it would have to be renewed every eight years by a vote of the people. Mayor
10 Johnson pointed out that if passed, the tax money would be controlled by the cities and would be
11 specifically earmarked for a fine arts facility.

12
13 Councilmember Holt said she favors putting the issue to a vote of the people, but she
14 suggested that the position of the Council members should remain neutral. She emphasized the
15 need to encourage people to get out and vote, and to make sure that the facts are clearly
16 represented on all issues being placed on the ballot. Councilmember Holt then made a motion to
17 adopt Resolution 2007-05, A RESOLUTION SUBMITTING A BALLOT QUESTION TO THE RESIDENTS OF BOUNTIFUL
18 CITY REGARDING THE IMPOSITION OF A LOCAL SALES AND USE TAX OF ONE-TENTH OF ONE PERCENT (0.10%) ON
19 CERTAIN QUALIFYING TRANSACTIONS WITHIN THE CITY TO FUND A PERFORMING ARTS CENTER AND OTHER
20 RECREATIONAL AND CULTURAL FACILITIES AND ORGANIZATIONS. Councilman Higginson seconded the
21 motion, and voting was unanimous with Councilmembers Higginson, Holt, Moss, Myers, and
22 Tolman voting “aye.”

23
24 **FUNDING FOR FIRE STATION CAPITAL**
25 **IMPROVEMENTS DISCUSSED**

26 Tom Hardy reported that the South Davis Metro Fire Agency has opened their new fire
27 station on Redwood Road and 2600 South, replacing the station on 500 West which has been
28 torn down. There is another replacement station to be built on Eaglewood Drive east of Davis
29 Boulevard, replacing the station in the basement of North Salt Lake City Hall. Funding for this
30 new fire station will come from a loan, the amount of which is dependent upon whether
31 Bountiful will pay its share through impact fees or out of the current budget.

32
33 Bountiful’s proportional share of the cost for the new fire station is approximately 43%
34 of the total cost. Anticipating this, an estimated amount was budgeted in the capital projects
35 fund. Assuming that the cost of the building would be around \$3 million, Bountiful’s share
36 would be approximately \$1.4 million. In lieu of paying that lump sum up front, the Council
37 could impose a fire impact fee on all new development within Bountiful. However, Mr. Hardy
38 explained that after looking at the study that was done and realizing some of the hardships that
39 could occur from the imposition of such a fee, it was felt that all citizens should participate in
40 paying for public safety, and this station will serve both existing and new homes. It is therefore
41 recommended that budgeted money be used to pay for the new fire station rather than imposing
42 an impact fee on new development. The Council unanimously agreed with that opinion.

1 **REPORT ON FINDINGS REGARDING**
2 **PROPERTY TAX INCREASES**

3 Tom Hardy said that when the county tax notices were recently sent out, the City
4 received several calls from frustrated residents who didn't know where to turn for an
5 explanation. The assessments on property valuations in Bountiful went up considerably, forcing
6 significant increases in tax rates. The County's explanation was that Bountiful's assessments
7 hadn't gone up for a long time, and this year is just a "catch up."
8

9 Mr. Hardy has looked at the property tax increases in Bountiful and compared them with
10 other Davis County cities, and has met with the County regarding the matter. He then reviewed
11 his findings from the information he has received from the County. On the whole, Bountiful
12 went up around 30%, with commercial properties up 2% and residential properties up almost
13 40% – some up very little and some more than doubled.
14

15 He asked Jeff Jensen to explain the results of his research and the property values chart
16 which he had prepared. Jeff noted that in some areas the average land values showed a very
17 insignificant change, while the value of the buildings went up considerably. In other areas it was
18 just the opposite. His research covered random areas throughout the city, and indicated that
19 there was no standard method used for making the re-assessments. The consistency in the
20 valuations seemed to be lacking.
21

22 Mr. Hardy explained that in re-assessing property values, the County has two charges:
23 First they must appraise all property at market value, and second they must treat all properties
24 equal. Every year they must look at how much property values in general have gone up and
25 factor every home up by that amount. As the property values go up, then the truth-in-taxation
26 law dictates that the tax rate must be lowered by that same amount so that no taxing entity
27 receives more from those existing properties than they received the year before. It appears that
28 the way Bountiful's property values have gone up in comparison with other cities, Bountiful
29 citizens will be paying a higher percentage of county-wide taxes this year.
30

31 Galen Rasmussen provided a packet of information to the Council showing the assessed
32 taxable values for each of the Davis County cities from 1998 to 2007, and briefly explained his
33 findings with regard to re-appraisals, factoring, and new growth.
34

35 (Aric Jensen arrived – 9:05 p.m.)
36

37 After explaining the processes of factoring and re-assessing, Mr. Hardy said that he
38 would continue to meet with the county officials to try to resolve the inequity of property
39 valuations. Davis County Commissioner Millburn said that this is a new problem for them, too,
40 and the Commissioners are willing to take suggestions to help resolve the problem.
41

42 **PRELIMINARY SITE PLAN EXPLAINED**
43 **FOR IHC BUILDING EXPANSION**

44 Paul Rowland explained that IHC would like to continue with their project of adding to

1 their existing building at 400 North and Main Street. In order to accommodate increased parking
2 for this new addition, they are proposing parking on the south side of the street east of the
3 existing building on 300 North. They plan to landscape the entire area. Mr. Rowland said that
4 this is for the Council's information only.

5
6 **COUNCIL COMMITTEE REPORTS**

7 Councilman Higginson told the Council that a Parks, Recreation and Fine Arts
8 Committee meeting will be held prior to the next Council meeting (August 28 at 6:00 p.m.), and
9 he invited all Council members to attend.

10
11 **ADJOURN**

12 Council meeting adjourned to closed session by unanimous vote at 9:39 p.m. on a motion
13 by Councilman Higginson, seconded by Councilmember Holt, with Councilmembers Higginson,
14 Holt, Moss, Myers, and Tolman voting "aye."

15
16 **Attendance at Closed meeting**

17 Mayor Joe Johnson
18 Councilmembers Higginson, Holt, Moss, Myers, and Tolman
19 Thomas Hardy
20 Paul Rowland
21 J. C. Ynchausti

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26 JOE L. JOHNSON, Mayor

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31 KIM J. COLEMAN, City Recorder

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