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Minutes of the Bountiful City Council Meeting City Council Chambers July 10, 2007 - 7:00 p.m.

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Present:	Mayor:	Joe L. Johnson
	Council Members:	Richard Higginson, Barbara Holt, R. Fred Moss, Scott Myers and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Admin. Services Dir.:	Galen Rasmussen
	Planning Director:	Aric Jensen
	Department Rep:	Gary Blowers, Street Allen Johnson, Power Kent McComb, Golf Course Pro Tom Ross, Police Jerry Wilson, Parks
	Administrative Intern:	Jeff Jensen
	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 which Jacob Hunt, visiting Boy Scout, led the pledge of allegiance to the flag. Aric Jensen offered the prayer/thought.

APPROVAL OF MINUTES DELAYED

Minutes of the regular meeting of the City Council held June 19, 2007 will be presented at the next regular meeting for approval.

EXPENDITURES AND EXPENSES APPROVED FOR THREE PERIODS IN JUNE

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the following periods, with corresponding totals: June 7-13, 2007 (\$339,616.06); June 14 - 20, 2007 (\$776,365.26); and June 21-27, 2007 (\$1,837,786.37). Following discussion, the three reports were unanimously approved on a motion made by Councilman Higginson and seconded by Councilman Moss. Councilpersons Higginson, Holt, Moss, Myers and Tolman voted "aye".

FARLEY SOWARD APPOINTED CHAIRMAN OF THE BOUNTIFUL COMMUNITY SERVICE COUNCIL

Councilman Tolman recommended that Farley Soward be appointed as chairman of the Bountiful Community Service Council to fill that vacancy. Mr. Soward has been a resident for 17 years and served on the Community Service Council three years. Councilman Higginson noted

1 that he has donated an inordinate amount of time in serving Bountiful and the community and
2 supported the recommendation. Councilman Tolman made a motion to appoint Mr. Soward as
3 chairman, effective tonight. Councilman Myers seconded the motion and voting was unanimous.
4 Councilpersons Higginson, Holt, Moss, Myers and Tolman voted "aye".
5

6 **REPORT ON PLANS FOR EMERGENCY PREPAREDNESS**

7 **FAIR - AUGUST 25, 2007**

8 Mr. Jeff Jensen reported that an insert will be included with the utility bills advertising the
9 Emergency Preparedness Fair which will be held August 25, 2007. The event will be held in the
10 Bountiful High School Field House, and presentations will be made by the South Davis Metro Fire
11 Agency and several other agencies. There will be approximately 30 booths where participants can
12 get information and/or product related to emergency preparedness. It was suggested that
13 representatives from the hospitals could also participate. Residents will learn the specifics of
14 emergency preparedness as it relates to their homes, including utility shut-off, protection of
15 valuables, food storage and rotation, 72-hour kit preparation, financial and insurance
16 considerations, living wills, etc. The subject of "where people go" in an emergency was brought
17 up and this matter will receive focus for the emergency fair.
18

19 **BID FOR NEW GOLF CARTS AWARDED TO HIGHLAND GOLF**

20 Kent McComb, Golf Course Pro, reported that this year's budget included eleven new
21 electric golf carts, and it is recommended that they be purchased from Highland Golf Company
22 (who currently holds the State contract) in the amount of \$40,018.00. With an allowance for trade-
23 in and including sand and seed bottles, the net amount of the bid is \$31,526.00. (The amount
24 budgeted was \$32,500.00). Councilman Myers motioned to approve the purchase of the eleven
25 golf carts. Councilman Higginson seconded the motion and voting was unanimous.
26 Councilpersons Higginson, Holt, Moss, Myers and Tolman voted "aye".
27

28 **ROAD STRIPING BID AWARDED TO INTERSTATE**
29 **BARRICADE**

30 Mr. Blowers reported that bids were received from three vendors for this year's contract for
31 road striping and it is recommended that the bid be awarded to the low bidder, Interstate Barricade,
32 in the amount of \$24,119.35. This is based on unit pricing. Councilman Higginson made a motion
33 to award the bid to Interstate as recommended. Councilman Tolman seconded the motion and
34 voting was unanimous. Councilpersons Higginson, Holt, Moss, Myers and Tolman voted "aye".
35

36 **APPROVAL GIVEN TO PURCHASE NEW 10-WHEEL TRUCK -**
37 **STREET DEPARTMENT**

38 Mr. Blowers stated that this year's budget includes the purchase of a new 10-wheel truck,
39 with dump bed, hydraulics, salter and plow (\$167,000 budgeted). It is the recommendation of staff
40 to purchase the 10-wheel dump truck from Lake City (who has the State contract) and the
41 equipment package from AG Truck Equipment (who also has the State contract). The total
42 amount for the vehicle and equipment totals \$156,088.56. Councilman Moss motioned to approve
43 the purchase as requested. Councilwoman Holt seconded the motion and voting was unanimous
44 with Councilpersons Higginson, Holt, Moss, Myers and Tolman voting "aye".

1
2 **PURCHASES APPROVED FOR POWER DEPARTMENT**

3 Mr. Johnson presented the following requests for purchases for the Power Department:
4

5 **Boring for three-phase Service on 1000 North.** Bids were received from three vendors
6 to bore from 264 West to 466 West along the north side of 1000 North for the purpose of installing
7 three-phase service to a new cabinet shop (Brad Hutchings, owner). It is the recommendation of
8 staff to accept the low bid from Sorensen Construction in the amount of \$29,295.00. Based on the
9 recommendation of staff and the Power Commission, Councilman Moss motioned to accept the
10 bid from Sorensen Construction, as presented. Councilman Higginson seconded the motion and
11 voting was unanimous. Councilpersons Higginson, Holt, Moss, Myers and Tolman voted “aye”.
12

13 **Power Plant Roof Repair.** Mr. Johnson explained that the roof repair at the power plant
14 has been completed; however there was more extensive damage than originally anticipated. This
15 resulted in an additional charge and the need for approval from the Council. T & W Wilson Spray
16 Urethane completed the original work (\$8,100.00) and it is recommended that an additional
17 \$2,175.00 be approved. Bids were requested at the point the additional work was necessary and
18 the bid from Wilson is the low bid. Councilman Moss motioned to approve the bid from Wilson,
19 as presented. Councilman Higginson seconded the motion and voting was unanimous in the
20 affirmative. Councilpersons Higginson, Holt, Moss, Myers and Tolman voted “aye”.
21

22 **Cable Supply Purchase.** Underground high voltage primary cable is needed for inventory
23 and for new construction projects, and bids were requested from three vendors for this purchase.
24 Two dealers responded and it is recommended that the low bid from Northern Power Equipment
25 for Okanite cable be approved in the amount of \$82,647.50. Mr. Johnson noted that the amount
26 could change for the actual lengths on the reels and the current metal adjustments at the time the
27 purchase order is approved and sent. Bid prices are firm for 60 days from the bid opening,
28 excluding metals adjustments. Councilman Moss made a motion to approve this purchase,
29 Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Higginson,
30 Holt, Moss, Myers and Tolman voted “aye”.
31

32 **Purchase of Vehicle for Director.** Mr. Johnson explained that the 2007-08 budget
33 includes the purchase of a new vehicle for the director. This is needed because the past director
34 was on a car allowance program rather than using a city-owned vehicle. It is the recommendation
35 of staff and the Power Commission to purchase a 2008 XLT Ford Explorer from Ken Garff at the
36 state bid price of \$21,068.30. The amount budgeted for this purchase was \$25,000.00.
37 Councilman Moss motioned to approve the purchase of the vehicle for the director, Councilwoman
38 Holt seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss,
39 Myers and Tolman voted “aye”.
40

41 **Cooling Tower Replacement.** Mr. Johnson explained that the existing cooling tower for
42 generator #8 is now 20 years old and in need of replacement. Bids were received from two
43 contractors and it is recommended by staff and the Power Commission to award the bid to the low
44 bidder, Holbrook and Associates, Inc. for a Marley cooling tower, in the amount of \$73,844.00.
45 The amount budgeted was \$75,000.00. Councilman Moss made a motion to approve this bid,
46 Councilman Higginson seconded the motion and voting was unanimous. Councilpersons
47 Higginson, Holt, Moss, Myers and Tolman voted “aye”.
48

49 **PUBLIC HEARING TO CONSIDER ZONE MAP AMENDMENT -**
50 **ORDINANCE NO. 2007-12**

Aric Jensen reviewed that a request has been received for a zone map amendment for a

1 parcel of land located at approximately 1290 North 200 West in Bountiful, approximately 0.415
2 acres. The subject property is essentially an island of single family zoning surrounded by more
3 intense high school and multi-family uses, and it is the recommendation of the Planning
4 Commission, via Ordinance No. 2007-12, to change the zone from R-4 to RM-13. The property is
5 immediately north of the land that was rezoned RM-13 last year.

6
7 At 7:40 p.m. the Mayor opened the public hearing to consider this zone map amendment.
8 There were no public comments and the hearing was closed. Councilwoman Holt stated that she
9 felt the re-zone makes sense, and she made a motion to adopt Ordinance No. 2007-12 entitled AN
10 ORDINANCE AMENDING THE BOUNTIFUL CITY ZONING MAP TO CHANGE THE ZONE DESIGNATION OF
11 THE PROPERTY LOCATED AT 1290 NORTH 200 WEST IN BOUNTIFUL, UTAH, FROM R-4 (SINGLE-
12 FAMILY RESIDENTIAL) TO RM-13 (RESIDENTIAL MULTI-FAMILY). Councilman Higginson
13 seconded the motion which carried unanimously. Councilpersons Higginson, Holt, Moss, Myers
14 and Tolman voted “aye”.

15
16 **REQUEST FOR PRELIMINARY AND FINAL APPROVAL TO**
17 **JENNA RAE SBDVN., 3083 SOUTH 100 WEST DELAYED TO**
18 **FUTURE AGENDA**

19 Mr. Rowland explained that this request will be postponed to the next available agenda to
20 provide for proper legal notice.

21
22 **FINAL COMMERCIAL SITE PLAN APPROVED FOR**
23 **AMERICA WEST BANK, 641 SO 500 W**

24 Mr. Aric Jensen reported that the Planning Commission reviewed the request of America
25 West Bank for final commercial site plan approval for a bank building to be constructed at 641
26 South 500 West. Following due consideration, it was the recommendation of the Planning
27 Commission that final commercial site plan approval be granted, subject to the following
28 conditions:

- 29 1) Provide the City with UDOT letter of approval prior to commencing construction.
- 30 2) Provide a landscaping plan meeting City Ordinance and Staff approval prior to
31 commencing construction.
- 32 3) Construct a 6-foot high open style (not chain link) fence meeting Staff approval along
33 the east boundary of the entire property.
- 34 4) Receive lot line adjustment approval.

35
36 Councilman Higginson made a motion to grant final commercial site plan approval, as
37 recommended. Councilman Myers seconded the motion and voting was unanimous.
38 Councilpersons Higginson, Holt, Moss, Myers and Tolman voted “aye”.

39
40 **APPROVAL GIVEN FOR MUELLER PARK ROAD**
41 **STORM DRIVE REPLACEMENT**

42 Mr. Rowland reviewed that there are sink holes in the back yard of several properties along
43 Mueller Park Road. The City has initiated a project to resolve this problem, and bids were
44 received from four vendors to replace the damaged corrugated metal pipe drain line coming out of

1 the bottom end of Cave Hollow. Four bidders responded and it is the recommendation of staff to
2 accept the proposal from Slippery Rock Constructors to replace the damaged drain line and award
3 the contract for \$126,040.85, using unit prices. Councilman Higginson made a motion to award
4 the bid as recommended, Councilman Tolman seconded the motion and voting was unanimous.
5 This project is in the storm water budget and is within budget. Councilpersons Higginson, Holt,
6 Moss, Myers and Tolman voted “aye”.

7
8 **RES. NO. 2007-03 ADOPTED SETTING CERTIFIED**
9 **TAX RATE FOR 2007**

10 Mr. Hardy reported that the certified tax rate has been received from Davis County
11 (\$0.000912 on each dollar of assessed valuation of real and personal property) and he
12 recommended that the Council approve it. Following a short discussion and upon clarification
13 from the staff, Councilman Higginson made a motion to approve the tax rate and adopt Resolution
14 No. 2007-03 entitled, A RESOLUTION SETTING THE TAX RATE AND LEVYING TAXES UPON ALL REAL
15 AND PERSONAL PROPERTY IN THE CITY OF BOUNTIFUL, UTAH, MADE TAXABLE FOR THE YEAR 2007.
16 Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Higginson,
17 Holt, Moss, Myers and Tolman voted “aye”.

18
19 **RES. NO. 2007-04 ADOPTED RE: BOUNDARY ADJUSTMENT**
20 **WITH NO. SALT LAKE (SO. DAVIS METRO FIRE)**

21 Mr. Hardy explained that the South Davis Metro Fire Agency will be building a new fire
22 station west of the Wood museum. In an effort to provide for a more orderly development it is
23 proposed that the boundary line between North Salt Lake and Bountiful be adjusted, as described
24 in Resolution No. 2007-04. This matter has been reviewed by both cities and it is the
25 recommendation of staff to adopt Resolution No. 2007-04 entitled A RESOLUTION STATING THE
26 PRELIMINARY INTENT OF THE BOUNTIFUL CITY COUNCIL TO ADJUST ITS BOUNDARY WITH THE CITY
27 OF NORTH SALT LAKE AS TO TWO PARCELS OF LAND CONTAINING APPROXIMATELY 6.8 ACRES IN THE
28 VICINITY OF 700 EAST ON EAGLEWOOD DRIVE IN NORTH SALT LAKE. Councilman Higginson made
29 a motion to adopt Resolution No. 2007-04, Councilwoman Holt seconded the motion and voting
30 was unanimous. Councilpersons Higginson, Holt, Moss, Myers and Tolman voted “aye”.

31
32 Mr. Mahan recommended that the Council approve an Interlocal Agreement between
33 Bountiful and North Salt to define the position of each municipality. Based on Mr. Mahan’s
34 recommendation, Councilman Higginson then made a motion to approve the Interlocal Agreement.
35 Councilman Myers seconded the motion and voting was unanimous. Councilpersons Higginson,
36 Holt, Moss, Myers and Tolman voted “aye”.

37
38 **COUNCIL COMMITTEE REPORTS**

39 Councilman Higginson reported that citizens have contacted him regarding the need for
40 additional back boards for the tennis courts and he asked if this matter could be addressed. Mr.
41 Wilson reported that seven new back boards have recently been installed at two City parks.
42 Discussion followed regarding the design of those tennis courts which include a concrete retaining
43 wall as part of the tennis court. Following discussion, it was noted that consideration will be given
44 to include back boards in the design of new courts.

1
2 Councilwoman Holt stated that she would like the City Council to consider a ban on
3 fireworks, with the exception of the City-sponsored show in conjunction with the July 24th
4 celebration. This recommendation was discussed at length, and although there was
5 acknowledgment of severely intense fire danger, consideration was tendered toward the impact
6 this ban would have on merchants who have relied on the sale of fireworks, on individual citizens
7 who have already purchased their fireworks, and on the ability to properly advise residents of the
8 City of the proposed ban. A major part of the discussion focused on boundary lines, east of which
9 fireworks would be banned.

10
11 In anticipation of action on this item, an ordinance had been prepared entitled AN
12 ORDINANCE PROHIBITING THE DISCHARGE OF FIREWORKS WITHIN THE CITY OF BOUNTIFUL FROM
13 JULY 21 THROUGH SEPTEMBER 30, 2007. Councilwoman Holt made a motion to ban fireworks this
14 year from July 21 through September 30, and that Ordinance No. 2007-13 be adopted to enact this
15 action. Councilman Higginson seconded the motion which failed for lack of a majority.
16 Councilpersons Holt and Tolman voted “aye” and Councilmen Higginson, Myers and Moss voted
17 “nay”.

18
19 Mayor Johnson recommended that approval be given for Councilman Moss to serve as a
20 representative to IPA, along with Allen Johnson. Councilman Higginson made a motion to this
21 effect, Councilman Myers seconded the motion and voting was unanimous. Councilpersons
22 Higginson, Holt, Moss, Myers and Tolman voted “aye”.

23
24 Councilman Moss requested that discussion on fireworks be re-opened and he made a
25 motion that there be a ban on fireworks above Davis Boulevard south of 400 North and above 900
26 East north of 400 North. Councilman Myers seconded the motion which carried unanimously.
27 Councilpersons Higginson, Holt, Moss, Myers and Tolman voted “aye”. Councilman Higginson
28 requested that the staff place signs notifying residents of this restriction at major intersections.

29
30 At 9:07 p.m. Councilwoman Holt made a motion to adjourn to executive session for the
31 purpose of discussing litigation. Councilman Moss seconded the motion and voting was
32 unanimous. Councilpersons Higginson, Holt, Moss, Myers and Tolman voted “aye”.

33
34 **Attendance at Executive Session**

35 Mayor Johnson
36 Councilpersons Higginson, Holt, Moss, Myers and Tolman
37 Mr. Hardy
38 Mr. Mahan
39 Mr. Rowland

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

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