

**Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
October 30, 2001 - 7:00 p.m.**

Present:	Mayor	John R. Cushing
	Council Members:	Samuel R. Fowler, Barbara Holt, Alan Johnson, John S. Pitt, and J. Gordon Thomas
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Admin. Services Dir.:	Galen Rasmussen
	City Recorder:	Kim Coleman
	Department Reps:	Neal Jenkins, Parks/Recreation Terry Thompson, Streets/Sanitation 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 Cushing called the meeting to order at 7:00 p.m. He then led the pledge of allegiance to the flag, following which Councilman Johnson offered the invocation.

**MINUTES APPROVED FOR OCTOBER 9, 2001**

Minutes of the regular City Council meeting held October 9, 2001 were presented and unanimously approved as written on a motion made by Councilman Pitt and seconded by Councilwoman Holt. Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voted "aye".

**EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS**

**APPROVED FOR PERIOD OCTOBER 4-24, 2001**

Mr. Rasmussen presented the report of expenditures and expenses greater than \$1,000 for the period October 4-24, 2001 in the amount of \$1,893,024.84. The staff responded to questions, following which this report was unanimously approved on a motion made by Councilman Fowler and seconded by Councilman Thomas. Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voted "aye".

**DISCUSS SOUTHVIEW CIRCLE PUD**

Michelle Wise, representing residents of the Southview Circle PUD (developed in the unincorporated area of Davis County in 1986), reviewed with the Council the problems that have occurred over the past 12 years as they relate to the retention basins (one owned by Bountiful City and one owned commonly by Bountiful and the other Southview Circle property owners)

and the private street which services the properties. (It was noted in the discussion that a formal PUD organization has never existed and property owners work together to resolve maintenance issues). In summary, their issues are: Bountiful has done little to maintain their retention basin and other property, private property has been damaged by City employees, and the lack of a clear channel between the City retention basin and the one that is owned commonly results in other maintenance problems. As a result of lack of resolution of these problems over the years, the property owners presented the following proposal to the City in an attempt to find a permanent solution:

- 1) The street would be deeded to the City and would be maintained by the City;
- 2) Each property owner would agree to maintain their own property and the adjoining portion of the commonly-owned retention basin;
- 3) The City would maintain their own retention basin;
- 4) The five property owners would pour a concrete gutter to allow for the drainage from the commonly held retention basin to flow to the street into the storm drain system;
- 5) The City would pour concrete in front of their lot;
- 6) The five property owners would maintain the remainder of the common property;
- 7) The City would repair the curb that was damaged by the City.

A lengthy discussion of the problems and the proposed solution presented by the property owners followed. Mayor Cushing thanked the residents for their time and indicated that the proposal would be reviewed with the intent to provide a response to the citizens by the next meeting (November 13<sup>th</sup>). Ms. Wise noted that although the residents have not acted like a PUD, if they are to be considered one, then the City would also be a part of that unit as the owner of the retention basin on Lot 6.

**PRESENTATION BY DAVIS SCHOOL DISTRICT**  
**RE: BOND ELECTION**

Supt. Darrell White, Davis School District, stated that the School District is on the last year of a five-year plan for building construction and improvements. This necessitates looking to the future regarding growth and enrollment in the District. As a result of an increase in the birth rate and growth through development, it is projected that there will be an additional 12,000 students by the end of this decade. It is also projected that Davis county will reach build-out between 2020 and 2025. In addition to studying growth and enrollment, an effort is also made to protect the investment of physical assets of the District – presently valued at approximately \$1 billion. Having reviewed the projected enrollments and maintenance and repair needs, a financial plan was developed which includes bonding for \$190,000,000. These bonds would be issued in seven segments, minimizing the debt load and resulting in the total debt of the District never exceeding \$166,000,000. (The debt is presently \$115,000,000). Supt. White emphasized that the proposed bonds would not create a tax rate increase. He asked for the support of citizens and officials for the bond issue which will be placed before the public in a bond election on February 5, 2002.

**PRESENTATION OF COMPREHENSIVE ANNUAL**  
**FINANCIAL REPORT (CAFR) - PRICEWATERHOUSECOOPERS**

Mayor Cushing welcomed Jason Combes (Audit Manager) and Craig Sellers (Audit Senior), auditors from PriceWaterhouseCoopers, and mentioned that the Finance Committee had met earlier this afternoon with the auditors. Mr. Combes stated that an unqualified opinion had been issued for the audit and he complimented the City on the quality of the accounting staff. He

said that the manner in which the records had been kept made for an efficient audit process. Mr. Hardy also recognized the staff, led by Kim Coleman and Ralph Hill, and complimented them for an excellent job. He said that the audit was completed much earlier this year than in the past.

Mr. Hardy mentioned that the auditors had raised some very valid issues in the meeting with the Finance Committee related to things which can be improved and areas of potential weakness. He said that very careful notes were taken so that the City can respond to the issues and they will not appear on the audit next year. He thanked the auditors for their thoroughness, professionalism and objectivity. Mr. Coleman also recognized the auditors and thanked them for helping the City improve their financial record keeping.

**BID FOR 400 NORTH PARK PLAYGROUND EQUIPMENT APPROVED**

Mr. Jenkins reported that the playground equipment at the 400 North park is 18 years old and this year's budget provides for replacement of that equipment. Three quotes were received and it is the recommendation of staff to accept the low bid from Boyce Recreation in an amount not to exceed the budgeted amount of \$35,000.00. The equipment will be ready for use next spring. Councilwoman Holt motioned to approve the bid from Boyce Recreation as presented. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voted "aye".

**PURCHASE OF NEW TRUCK FOR MAINTENANCE DEPT. APPROVED**

Mr. Jenkins reported that the current fiscal year budget includes \$18,000 to replace a 1986 Chevrolet truck. It is staff recommendation that the State bid be used to purchase a Dodge truck in the amount of \$15,264.35, plus a towing package, heavy duty rear and front suspension, and an upgraded interior. This brings the total amount to \$18,085.35. There are sufficient funds in another account to cover the overage of \$85.35. Councilwoman Holt made a motion to approve the purchase of the truck, with options, as presented. Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voted "aye".

**FINAL ACCEPTANCE GIVEN TO LEWIS PARK SBDVN, PHASE I**

Mr. Rowland reported that the developers of Lewis Park Subdivision Phase 1 have completed all of the site improvements as required by the City. It is staff recommendation that the Council grant final acceptance of said subdivision, and approve the release of the remaining 10 percent of the bond; and that the City assume responsibility of maintenance and upkeep of the improvements. Councilman Thomas made a motion to this effect. Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voted "aye".

**SUMMERWOOD PHASE 1 AND PHASE 2 GIVEN FINAL ACCEPTANCE**

Mr. Rowland reported that Summerwood Phase 1 and Phase 2 have been completed by the developers as required by the City. It is recommended by staff that the Council grant final acceptance of these subdivisions and approve release of the remaining 10 percent of the bond. The City will take over the responsibility of maintenance and upkeep of the City streets and release the developers of any further obligations. Councilman Thomas motioned to grant final

acceptance as recommended. Councilman Johnson seconded the motion. Voting was unanimous with Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voting "aye".

**PRELIMINARY AND FINAL APPROVAL GRANTED TO TEMPLE RIDGE PHASE 2 (AMENDING TEMPLE RIDGE SUBDIVISION)**

Mr. Rowland reviewed that Temple Ridge Subdivision was amended to mitigate problems resulting from serious ground failure on lots 8, 9, and 10. The amended plat was approved by the City Council on February 17, 1999, and a plat was prepared and signed by the owners. For some reason, however, the plat was never recorded and the subdivision has been dormant for the last several years. City ordinance requires that all approved subdivisions must have a complete plat recorded at the County Recorder's office within 12 months of the date of approval or all prior approvals are rendered void. This has happened with this subdivision.

The developer of Temple Ridge Phase 2 has requested that the plat be re-approved so that lots can be sold and the subdivision can be completed. This matter has been reviewed by staff and the Planning Commission and comes with a favorable recommendation to the Council, subject to the same conditions that were placed on the original plat's approval and subsequent conditions placed as a result of construction and repair of the slide. Following a short discussion, Councilman Thomas motioned to grant preliminary and final re-approval for Temple Ridge Phase 2 (amending Temple Ridge Subdivision). Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voted "aye".

**APPROVAL GIVEN TO CONVEY VAL VISTA PLAY AREA TO ADJACENT LANDOWNERS**

Mr. Rowland explained that when the County approved Val Vista Subdivision, they thought it would be a good idea to put a triangular play area in the center of all of the subdivision, contiguous to all lots. The area was never used for play and it has become a neglected weed patch where grass clippings are dumped. In the summer it is a fire hazard and no one wants to take responsibility for upkeep.

It is proposed that the play area be divided among the adjacent property owners. Mr. Rowland noted that three property owners opted out, but the remaining 22 owners are willing to accept title and expand their back yards to take over and care for the ground. All owners have signed an agreement which provides that the City and County will convey title at no cost and the property owners will accept ownership and thereafter care for the ground. Following discussion, Councilman Thomas made a motion to approve dividing of the playground property in the manner indicated on the plat, as explained by Mr. Rowland. Councilman Johnson seconded the motion which carried unanimously. Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voted "aye".

**CONSIDER OLYMPIC TORCH RELAY THROUGH BOUNTIFUL**

Mayor Cushing reported that a SLOC committee member contacted Mayor Cushing regarding the Olympic torch relay which will pass through Bountiful on February 9<sup>th</sup>, entering Bountiful at 6:00 a.m. at 2600 South and Highway 89. It will proceed east past South Davis Junior High, turn north on Orchard Drive past Bountiful High School, and then go west on 500 South to the west City limits. Mr. Hardy, Police Chief Rapp, and the Mayor met with the representative from SLOC and the City Council has been given the opportunity to decide what can be done to commemorate this and make an appropriate celebration.

Suggestions for activities included participation of school groups along the route, fire works, and a pass-through of the Bountiful High School football field. Following discussion, the Mayor requested that the Parks and Recreation Committee spearhead this event and a meeting was scheduled after the field trip next Monday.

### **COUNCIL COMMITTEE REPORTS**

Councilman Thomas presented literature on Red Ribbon Week, sponsored by the Elks Club, noting that this campaign will be conducted in all Bountiful area schools. He also reported that Bountiful is now a chartered member of the Utah Community of Promise, a division of the American Community of Promise.

Councilman Thomas reported that the Bountiful Community Service Council is getting ready to put the signs in the parks and will be coordinating with the City staff to complete this project. Several Eagle scouts are also involved with this project.

Councilman Pitt thanked the City staff for their support of the annual Pumpkin Patch activity, sponsored by the Youth Council. He said that the event was very successful and that approximately \$4,100 was raised. He specifically thanked Mr. Jenkins and his staff for their support of this program.

Councilman Pitt thanked those who helped with the opening ceremonies for 200 West Street, mentioning those from the Power Department and others who helped to get the street open and ready. He reported that the businesses were grateful for the acknowledgment and help from the City.

### **EXECUTIVE SESSION TO DISCUSS PROPERTY ACQUISITION**

At the request of Mayor Cushing, Councilman Johnson made a motion to adjourn to executive session for the purpose of discussing the acquisition of real property. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Johnson, Pitt and Thomas voted "aye".

The open meeting adjourned at 8:40 p.m.

(Continued to page 6)

**Attendance at Executive Session**

Mayor Cushing

Councilmembers Fowler, Holt, Johnson, Pitt and Thomas

Mr. Hardy

Mr. Mahan

Mr. Rowland

Clifford Michaelis

JOHN R. CUSHING, Mayor

KIM J. COLEMAN, City Recorder

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