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**Minutes of the  
BOUNTIFUL CITY COUNCIL  
December 9, 2014 – 6:00 p.m.**

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Present:	Mayor:	Randy C. Lewis
	Council Members:	Kendalyn Harris, Richard Higginson Beth Holbrook, John Marc Knight, John Pitt
	City Manager:	Gary Hill
	Assist. City Manager:	Galen Rasmussen
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	City Planner:	Chad Wilkinson
	Department Director's & Personnel	
		Brock Hill, Parks
		Tom Ross, Police
		Mark Slagowski, Water
	Recording Secretary:	Nikki Dandurand

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Official Notice of the Work Session and Regular 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, Standard Examiner, and on the Utah Public Notice Website.

**Work Session – 6:07 p.m. – 6:52 p.m.**  
**Planning Commission Room**

Mayor Lewis called the meeting to order, and welcomed those in attendance.

**TENNIS COURT USE POLICY DISCUSSION – MR. RUSSELL MAHAN & MR. BROCK HILL**

Mayor Lewis introduced and welcomed Dr. Ray Ward, representative elect. Mr. Mahan stated the only issue to be discussed is the use of city tennis courts and to get advice and guidance from the City Council. There are several public tennis courts within the City of Bountiful, with approximately 2-4 courts per park area. Mr. Mahan said the first question to consider is whether to open up the courts to commercial use by private teachers. Councilwoman Holbrook stated that the manner in which the Council proceeds with this action will show the direction in other sports. It was stated that the City does not allow anyone else to use City venues for free. Councilman Pitt noted that the courts were built for the citizens. Mr. Gary Hill stated that the main problem stems from individuals taking control of the courts and prohibiting the general public from playing. Councilman Knight mentioned the idea of sub-contracting with the Recreation Center to allow private teachers. Mr. Gary Hill stated that all the people operating privately need to provide a business license, insurance, need to be charged for their time on the courts, and a reservation time should be required.

Mayor Lewis stated that we do not want to make this a bigger issue than it needs to be. He suggested bringing in the individuals or businesses using the courts and having an open discussion about the

1 possibilities and consequences of using the City courts for business use. Councilman Higginson  
2 suggested the idea of posting a court use policy and that no one should be bullied off the courts. Mr.  
3 Mahan confirmed that Council is in favor of allowing business use, with permission, and the  
4 stipulations stated by Mr. Gary Hill. The Council suggested limiting courts to some private and some  
5 public; however the staff within the city is not enough to monitor this. Dr. Ray Ward commented  
6 that two things are not being done to accommodate the public. First, people are presenting  
7 themselves as part of a city run organization when they are not part of the organization; and second,  
8 no consequence exists for such conduct. Mr. Mahan stated he had received a letter from a North Salt  
9 Lake private party and attorney demanding enforcement of no commercial business in parks and that  
10 if this is not enforced then they would be allowed to use locations freely. The Council also made  
11 suggestions to charge reservations fees or similar to recoup some of the use of the courts, and to  
12 better handle reservations as we do for city pavilions. Mayor Lewis concluded that he would like to  
13 have an open discussion with the people to consider all options.

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15 The Work Session adjourned at 6:52 p.m. to move into Regular Meeting.

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17 **Regular Meeting – 7:00 p.m.**  
18 **City Council Chambers**  
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20 Mayor Lewis called the meeting to order at 7:00 p.m. and welcomed those in attendance.  
21 Hezekiah Calder, Boy Scout Troop 700, led the Pledge of Allegiance to the flag. City Attorney  
22 Russell Mahan gave a thought.

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24 **APPROVAL OF MINUTES**

25 Minutes of the November 25, 2014 City Council Meeting were presented. Councilman Pitt  
26 made a motion to approve and Councilman Higginson seconded the motion. Voting was unanimous  
27 with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

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29 **COUNCIL REPORTS**

30 Councilwoman Holbrook thanked the residents for attending and purchasing tickets to the Bar  
31 J Wranglers. Over 1100 tickets were pre-sold and it was a great performance. Mayor Lewis  
32 announced the last leg of the Tour of Utah will be held in Bountiful, August 2015. This is a major  
33 event nationwide and worldwide with a great opportunity for Bountiful to shine.

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35 **YOUTH COUNCIL REPORT**

36 Corinne Anderson reported that the Youth Council volunteered at the Bar J Wrangler concert  
37 and a food drive, and are looking forward to a leadership conference held at Utah State in March  
38 2015.

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40 Mayor Lewis recognized Ken Bullock, Executive Director of the Utah League of Cities and Towns.

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42 **CONSIDER APPROVAL OF WEEKLY EXPENDITURES > \$1,000 PAID November 20 & 27,**  
43 **2014**

44 Mayor Lewis presented the weekly summaries paid on November 20, 2014 for \$382,499.80 &  
45 November 27, 2014 for \$166,791.44. Councilwoman Harris inquired about the payout for the Bar J  
46 Wranglers. Councilwoman Holbrook responded that revenue from the ticket-sales of the concert

1 covers the Bar J Wranglers concert and most of the summer concerts as well. Councilman Knight  
2 moved to approve the reports, as presented, and Councilwoman Holbrook seconded the motion.  
3 Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting  
4 “aye”.

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6 **CONSIDER APPROVAL OF RAP TAX EXTENSION ORDINANCE 2014-24 – MR.**  
7 **RUSSELL MAHAN**

8 Mr. Mahan reported that at the recent election held in September, the RAP tax was re-  
9 authorized with an approval of 64% of the 11,000 voters that participated. This extension is good for  
10 10 years, upon expiration of the current tax. Councilwoman Holbrook made a motion to approve the  
11 ordinance and Councilman Pitt seconded the motion. Voting was unanimous with Councilpersons  
12 Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

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15 **CONSIDER APPROVAL OF THE PURCHASE OF A WATER DEPARTMENT SERVICE**  
16 **TRUCK AND UTILITY BED IN THE NOT-TO-EXCEED AMOUNT OF \$72,000.00 – MR.**  
17 **MARK SLAGOWSKI**

18 Mr. Slagowski stated that upon the approval of the purchase, there is a 10-12 week wait time  
19 to receive the truck. He is requesting the purchase be made as soon as possible to start this process  
20 and this is a budgeted item. The service truck body is \$70,000, with a specialized bumper not  
21 included. Mr. Slagowski is requesting the \$72,000 as a not-to-exceed amount. Councilman Pitt  
22 moved to approve the purchase of the service truck, and Councilwoman Harris seconded the motion.  
23 Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting  
24 “aye”.

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26 **ULCT TRANSPORTATION INIATIVE – MR. GARY HILL**

27 Mr. Hill stated road conditions within the state, as well as locally are a number one concern  
28 for residents. In addition, residents are looking for other means of transportation to include public  
29 transit, bike paths and trails. Mr. Ken Bullock, Executive Director of the Utah League of Cities &  
30 Towns, stated the current method for funding Utah’s roads, the gas tax, has not been increased since  
31 1995. He continued that the state of Utah is looking into different ways to transport people and not  
32 be so dependent on vehicles. The four key concerns are Transportation, Economic Development, Air  
33 Quality and Health Care. Mr. Bullock explained what each area can contribute or provide aid for this  
34 issue. Mr. Bullock encouraged the cities to work with their local legislative offices to increase the  
35 local option tax so Bountiful and the rest of Utah’s local governments can meet our local road and  
36 transportation needs for the future. Mr. Gary Hill commented to the Council that this is not an action  
37 item, just informational. The City would like to work with the League and other cities. There has  
38 been overwhelming support on this issue. Mayor Lewis added that this is a non-election year, so now  
39 is a good time to approach and inform the citizens.

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41 **DISCUSSION OF THE RE-SUBDIVISION POLICY – MR. RUSSELL MAHAN**

42 Mr. Mahan stated that this matter of the re-subdivision policy is only a discussion item, not an  
43 action item. Staff would like the City Council to give guidance on this issue. Resolution 2009-09  
44 established a policy against re-subdivision. This policy outlined specifically the importance of  
45 identifying where lots are larger than allowed by zoning. Open land with the city is under great  
46 pressure for development right now. Councilman Higginson stated that we should not be afraid of

1 higher density, if the current zoning allows subdivision, then it can be done. Councilwoman  
2 Holbrook agreed with Councilman Higginson on the matter he stated. She continued that the  
3 challenge pertains to property rights and how to smartly develop them within the zoning overlay. Mr.  
4 Mahan restated to Council the question of whether they want to continue with the current policy  
5 against re-subdivision. Councilwoman Harris commented that we should not rush this discussion or a  
6 decision as these plans impact many residents. Mrs. Jolyn Wilson took the podium and stated that the  
7 Val Verda area was originally established as an agricultural area and we need to look at creative ways  
8 to preserve it. She suggested a committee to help develop this area and to open other forms of  
9 discussion. Mayor Lewis expressed appreciation for Mrs. Wilson's comments and agreed it needs to  
10 be discussed further. Councilman Pitt inquired about all the livestock that is in the open areas. Mrs.  
11 Wilson has some animals. Mr. Mahan stated that there are two items related to the issues discussed  
12 coming to the Planning Commission in the next week, and then to Council next month. Mayor Lewis  
13 asked if this item could be postponed later in 2015. Councilwoman Holbrook asked if the Planning  
14 Commission can wait on their decision. Mr. Wilkinson commented that this is a very hot item right  
15 now and to postpone it would not be beneficial. There will not be a public hearing, so an invitation  
16 was made to the ladies here tonight that they are welcome to attend the Planning Commission  
17 meeting next week. Councilwoman Holbrook stated that there are existing zoning laws now, and we  
18 need to consider that. Mr. Gary Hill concluded that the existing policy is for the direction of staff and  
19 to enable the Planning Commission to make their recommendations.  
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21 Councilman Higginson made a motion to adjourn to a closed session to discuss the acquisition or sale  
22 of real property, pending litigation and/or to discuss the character and/or competency of an  
23 individual(s) (§ Utah Code 52-4-205). Councilman Pitt seconded the motion. Council members  
24 Harris, Higginson, Holbrook, Knight and Pitt all voted in favor of the decision. The regular meeting  
25 of City Council was closed at 8:42 p.m.  
26

27 **Attendees in Closed Session:**

28 Mayor Lewis

29 Council members: Harris, Higginson, Holbrook, Knight and Pitt

30 City Manager: Gary Hill

31 Assistant City Manager: Galen Rasmussen

32 City Attorney: Russell Mahan  
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