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**Minutes of the  
BOUNTIFUL CITY COUNCIL**

August 22, 2017 – 6:30 p.m.

Present: Mayor Randy Lewis  
Councilmembers Kendalyn Harris, Richard Higginson, Beth Holbrook,  
John Marc Knight, John Pitt  
City Manager Gary Hill  
Asst. City Manager Galen Rasmussen  
City Attorney Clinton Drake  
City Planner Chad Wilkinson  
Asst. City Engineer Lloyd Cheney  
City Recorder Shawna Andrus

Department Directors/Staff:

Asst. Streets/Sanitation Dir. Charles Benson  
Information Systems Director Alan West  
Parks Director Brock Hill  
Power Director Allen Johnson  
Parks Staff Geno Flanary  
Bruce Sweeten  
Annette Nelson  
Recording Secretary Nikki Dandurand

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Official notice of the City Council Meeting was given by posting an Agenda at City Hall and on the Bountiful City Website and the Utah Public Notice Website and by providing copies to the following newspapers of general circulation: Davis County Clipper and Standard Examiner.

**Work Session – 6:30 p.m.**  
**Planning Conference Room**

Mayor Lewis welcomed those in attendance and called the session to order at 6:30 p.m.

**CEMETERY STATUE DISCUSSION – MR. GALEN RASMUSSEN**

Mr. Rasmussen provided a PowerPoint presentation that included the background and current status of this project. This project started as a citizen initiative, with the City matching up to \$40,000. There is currently enough money to fund the statue and as more money is donated, it will reduce the amount the City will pay. City representatives, including cemetery staff and citizen volunteers visited the cemetery previously and decided on three site options with different plot allowances. Once the contract is approved, the project should be completed in approximately two months. Councilman Pitt suggested a walkway up to and around the statue, so people will have a path and not walk on headstones. Mr. Brock Hill stated that based on the lots available and the rate they are used, this section of the cemetery will be filled in about eight years. Mr. Gary Hill stated there is room now if expansion is needed. Councilman Higginson stated that the decision does not need to be made now and it can be adjusted as necessary. Mayor Lewis asked what is needed from the Council tonight.

1 Mr. Rasmussen replied just the okay to proceed with the contract. Councilman Pitt asked if cemetery  
2 staff can hold off selling the closest plots to the statue. Mr. Brock Hill stated the plots are sold in  
3 chronological order, with the area being full in approximately eight years. Mr. Rasmussen stated  
4 they will bring back a contract at the next Council meeting.  
5  
6

7 **Regular Meeting – 7:05 p.m.**  
8 **City Council Chambers**  
9

10 Mayor Lewis called the meeting to order at 7:05 p.m. and welcomed those in attendance.  
11 Chad Wilkinson, City Planner, led the Pledge of Allegiance; President James Maguire, Bountiful East  
12 Stake, gave an opening prayer.  
13

14 **PUBLIC COMMENT**

- 15 • Kate Bradshaw – excited for new dog leash ordinance
- 16 • Jerri Smith – 313 W. 2350 S. - requesting solar speed limit signs on her street, repave  
17 the road
- 18 • Reed B. – appreciates the new dog leash ordinance, would still like a dog free zone in  
19 the parks
- 20 • Gary Davis – concerned with dog leash ordinance, Concerts in the Park issues, golf  
21 ball purchases, cell tower generator, fix name of old Colonial Square  
22

23 **APPROVE MINUTES OF PREVIOUS MEETING – AUGUST 8, 2017**

24 Mayor Lewis presented the minutes from the previous meeting. Councilwoman Harris moved  
25 to approve the minutes and Councilman Higginson seconded the motion. Voting was unanimous  
26 with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.  
27

28 **COUNCIL REPORTS**

29 Councilman Pitt gave condolences to the Jenkins family, as Neal (former Bountiful City Parks  
30 & Recreation Director) and his wife, Elaine, were killed in a boating accident over the weekend.  
31 Mayor Lewis also noted that the previous Woods Cross Police Chief, Paul Howard, also passed  
32 away.  
33

34 **CONSIDER APPROVAL OF WEEKLY EXPENDITURES > \$1,000 PAID JULY 31,**  
35 **AUGUST 1, 7 & 8, 2017**

36 Mayor Lewis presented the expenditure reports and asked for a motion to approve.  
37 Councilwoman Harris asked about the Golf Course consultation. Mr. Gary Hill replied that the  
38 preliminary report is complete and will be presented in about a month to the Council. Councilman  
39 Higginson moved to approve the weekly expenditures and Councilwoman Harris seconded the  
40 motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt  
41 voting “aye”.  
42

43 **CONSIDER APPROVAL OF EASEMENT RELEASES AT RENAISSANCE TOWNE**  
44 **CENTER, PAD A AND AUTHORIZING THE MAYOR TO SIGN THE RELEASE**  
45 **DOCUMENTS – MR. LLOYD CHENEY**

46 Mr. Wilkinson stated the commercial/residential mixed use building that has been proposed

1 and approved for the empty building pad at the Renaissance Towne Center PUD on the north side of  
2 the medical building does not exactly match the pad that was proposed on the original subdivision  
3 plat in 2005. These two small encroachments do not affect any existing or proposed utilities so there  
4 is no problem with releasing the blanket utility easement in these two areas. Mr. Broadhead has  
5 already received the necessary approvals and all of the utility companies have signed off on the  
6 release. Councilman Higginson moved to approve the easement release and Councilwoman Harris  
7 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,  
8 Knight and Pitt voting “aye”.

9  
10 **CONSIDER APPROVAL OF THE FIRST AMENDED DEVELOPMENT AGREEMENT**  
11 **WITH TOWN CENTER, LLC - MR. CLINTON DRAKE**

12 Mr. Drake stated that Mr. Bruce Broadhead contacted the City on behalf of Town Center,  
13 LLC, seeking clarification as to whether the Pad “A” portion of the Renaissance Town Centre  
14 Development had direct access to the parking structure/garage. The Development Agreement allows  
15 for such access and nothing is prohibiting it. Mr. Drake noted that the review provided for a few  
16 minor changes which are provided to the Council in red line form. Councilman Pitt moved to  
17 approve the easement release and Councilman Higginson seconded the motion. Voting was  
18 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

19  
20 **CONSIDER APPROVAL OF LEASE AGREEMENT BETWEEN BOUNTIFUL CITY AND**  
21 **VERIZON WIRELESS FOR INSTALLATION OF COMMUNICATIONS EQUIPMENT AT**  
22 **THE BOUNTIFUL CITY PARK AT APPROXIMATELY 200 WEST AND 400 NORTH –**  
23 **MR. CLINTON DRAKE**

24 Mr. Drake stated that the Bountiful City Council recently approved a cell tower site for  
25 Verizon Wireless just north of the South Davis Recreation Center in Bountiful City Park  
26 (approximately 650 North 200 West). The lease agreement sets forth the terms of the use of the cell  
27 tower site. The lease agreement is nearly identical to the lease agreement recently approved by the  
28 Bountiful City Council for communications equipment at the Bountiful Ridge Golf Course. There is  
29 also a signature line for the South Davis Recreation Center to acknowledge the tower. Councilman  
30 Higginson made a motion to approve the purchase and Councilwoman Holbrook seconded the  
31 motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt  
32 voting “aye”.

33  
34 **CONSIDER APPROVAL OF ORDINANCE 2017-08 ADOPTING THE PROPOSED**  
35 **CHANGES TO THE MUNICIPAL CODE ALLOWING DOGS IN ALL CITY PARKS “ON**  
36 **LEASH” ONLY – MR. BROCK HILL**

37 Mr. Hill stated this item has been discussed in previous meetings. The proposed changes  
38 would allow dogs to be in all City parks and open spaces “on leash” only, with added item 8-2-129  
39 (c)(3), referencing they are not allowed in water, playground equipment, etc. Those areas are still  
40 restricted. Mr. Drake also mentioned that the ordinance prohibits the tethering of dogs. The dog(s)  
41 have to be under direct control of the owner. Mr. Hill mentioned the dog waste concern and  
42 recommended the help of resident Kate Bradshaw for a good resource. Councilman Pitt was glad to  
43 read point (c)(5) concerning immediate removal of animal waste and made a motion to approve  
44 Ordinance 2017-08 and Councilman Knight seconded the motion. Councilwoman Holbrook asked if  
45 the dog waste receptacles would have signs to accompany them, or if signs could possibly be posted  
46 for the playground areas as well. Mr. Hill stated the City’s current signs just say they are not

1 allowed. The City will need to change/update all the signs, but the purchase of the waste cans should  
2 provide signage. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight  
3 and Pitt voting “aye”.

4  
5 **CONSIDER APPROVAL OF A PROXIMITY VARIANCE AND BEER LICENSE FOR**  
6 **ICHIBAN SUSHI LLC, 595 WEST 2600 SOUTH, ZENG LIN, APPLICANT – MR. CHAD**  
7 **WILKINSON**

- 8 • **PUBLIC HEARING**
- 9 • **ACTION**

10  
11 Mr. Wilkinson stated the applicant is requesting a proximity variance and beer license for the  
12 property located at 595 W. 2600 South in the former Ho Ho Gourmet location. The property is  
13 located within 600 feet of an established preschool and is accessed by a vehicle entrance within 200  
14 feet of an existing church so a proximity variance is required in order for the City to approve an  
15 alcohol license at this location. The Code allows for a variance to the proximity standards subject to  
16 approval by the City Council at a public hearing.

17  
18 ***PUBLIC HEARING:***

19 OPEN – 7:35 p.m.

20 -Gary Davis – no objection, good location

21 -Vaun Andrus – asked if only beer/wine will be sold. Mr. Wilkinson replied that no  
22 other liquor will be allowed

23 CLOSED - 7:37 p.m.

24  
25 Councilman Pitt asked if the restaurant’s open hours will overlap with the preschool hours.  
26 Mr. Wilkinson said yes, because the restaurant is open for lunch, but the owners were made aware of  
27 the public hearing tonight. Councilwoman Holbrook made a motion to approve the license and  
28 Councilman Knight seconded the motion. Councilpersons Harris, Higginson, Holbrook and Knight  
29 voted “aye”, Councilman Pitt voted “nay.” The license was passed with a 4-1 approval.

30  
31 Councilwoman Holbrook made a motion to move into a Canvass Board Meeting, Councilman  
32 Pitt seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,  
33 Knight and Pitt voting “aye”.

34  
35 **CONSIDER APPROVAL OF THE 2017 PRIMARY ELECTION RESULTS AS PREPARED**  
36 **BY THE DAVIS COUNTY CLERK/AUDITOR’S OFFICE. (A SPECIAL MEETING WILL**  
37 **BE HELD ON AUGUST 29<sup>TH</sup> FOR THE CANVASS IF ALL BALLOTS HAVE NOT BEEN**  
38 **ACCOUNTED FOR BY MEETING TIME ) – MS. SHAWNA ANDRUS.**

39 Mayor Lewis asked for a motion to convene as the Bountiful City Canvass Board, and that  
40 motion was made by Councilwoman Holbrook and seconded by Councilman Pitt with  
41 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye.” Following the vote the  
42 Mayor turned the time over to Ms. Andrus. Ms. Andrus stated that a canvass is when the legislative  
43 body of the government entity approves the outcome of the election. There was a 40% voter turnout  
44 which was an improvement from the last primary election in 2013 that had only an 11% voter  
45 turnout. The climate and method of the voting has helped with this increase. Listed are the  
46 candidates, in random order as prescribed by the Lieutenant Governor’s Master Ballot Position List,

1 with the number of votes each received. The two candidates with the most votes for Mayor will be  
2 on the November ballot, as well as the four candidates with the most votes for City Council. The  
3 official canvass results will be posted on Bountiful City's website and votes by precinct are available.  
4 There were some ballots which could not be counted for various reasons. Councilwoman Holbrook  
5 asked how the County verifies signatures. Ms. Andrus replied that they compare with the residents  
6 driver's license and if needed, they attempt to contact the citizen. Ms. Andrus also stated that this  
7 election is not eligible for a recount. Councilman Pitt made a motion to approve the election results  
8 and Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons  
9 Harris, Higginson, Holbrook, Knight and Pitt voting "aye". Councilwoman Holbrook then moved to  
10 reconvene as the City Council and Councilman Higginson seconded the motion. Voting was  
11 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting "aye".  
12

13 **CONSIDER APPROVAL OF THE ANNUAL TYLER TECHNOLOGIES SOFTWARE**  
14 **MAINTENANCE CONTRACT IN THE AMOUNT OF \$75,691.73 – MR. ALAN WEST**

15 Mr. West stated this contract is worth about \$500,000, but the City is fortunate to only pay  
16 about 12% of that. Through this maintenance agreement we receive all updates and enhancements to  
17 the Munis software. The contract also provides full access to Tyler's technical support staff to resolve  
18 issues or get general processing help. Councilwoman Holbrook stated this is a highly critical part of  
19 running the City and expressed appreciation to the Information Technology Department.  
20 Councilwoman Holbrook made a motion to approve the contract and Councilman Higginson  
21 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,  
22 Knight and Pitt voting "aye".  
23

24 **CONSIDER APPROVAL OF THE PURCHASE OF A ONE TON CAB AND CHASSIS**  
25 **FROM KEN GARFF DODGE AND A NINE FOOT DUMP BODY FROM WILLIAMSEN-**  
26 **GODWIN FOR THE STORM WATER DEPARTMENT IN THE TOTAL AMOUNT OF**  
27 **\$38,087 – MR. GARY BLOWERS**

28 Mr. Charles Benson, filling in for Mr. Blowers, stated the next following items have all been  
29 through the budget process and are ready for approval. The Storm Water Department would like to  
30 replace a one ton dump truck. The truck is used year round for storm water system maintenance and  
31 street sign maintenance. Councilman Higginson was impressed the cost came in so close to the  
32 budget amount. Councilman Higginson made a motion to approve the purchase and Councilwoman  
33 Harris seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,  
34 Holbrook, Knight and Pitt voting "aye".  
35

36 **CONSIDER APPROVAL OF THE PURCHASE OF A ONE TON CAB AND CHASSIS**  
37 **FROM PERFORMANCE FORD AND A NINE FOOT DUMP BODY FROM WILLIAMSEN-**  
38 **GODWIN FOR THE STREETS DEPARTMENT IN THE TOTAL AMOUNT OF \$42,730 –**  
39 **MR. GARY BLOWERS**

40 Mr. Benson stated this truck will be used for year round road maintenance and towing heavy  
41 equipment, mostly by the street patching crew. Councilman Knight made a motion to approve the  
42 truck purchase and Councilman Higginson seconded the motion. Voting was unanimous with  
43 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting "aye".  
44

45 **CONSIDER APPROVAL OF THE PURCHASE OF A USED OIL DISTRIBUTOR TRUCK**  
46 **FROM LEGACY EQUIPMENT IN THE AMOUNT OF \$105,000 – MR. GARY BLOWERS**

1 Mr. Benson stated the current truck has a 1981 chassis and was rebuilt in 1995 by City staff.  
2 This truck is a crucial piece of equipment needed for paving our roads. Three bids were received and  
3 staff recommends the low bid from Legacy Equipment. Councilwoman Holbrook asked about the  
4 life span of these types of trucks. Mr. Benson replied approximately 10-15 years. Councilman  
5 Higginson made a motion to approve the truck purchase and Councilman Pitt seconded the motion.  
6 Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting  
7 “aye”.

8  
9 **CONSIDER APPROVAL OF THE PURCHASE OF TWO MVA138 SUBSTATION**  
10 **AUTOTRANSFORMERS FROM VIRGINIA TRANSFORMER COPORATION IN THE**  
11 **AMOUNT OF \$1,470,448 – MR. ALLEN JOHNSON**

12 Mr. Johnson stated that staff met with the Power Commission this morning, and all purchases  
13 are recommended for approval. There are two major projects. One is to replace the first transformer  
14 in Spring 2018 and the other transformer in the Fall of 2018. Councilwoman Holbrook asked what  
15 the difference is between owing cost and purchase price listed on the staff report. Mr. Johnson  
16 explained and stated that they are most interested in the efficiency cost. Councilwoman Holbrook  
17 made a motion to approve the transformer purchase and Councilman Higginson seconded the motion.  
18 Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting  
19 “aye”.

20  
21 Councilman Higginson asked what the Power Department has spent on maintenance in the  
22 last ten years. Mr. Johnson replied that close to \$45 million has been spent, which is higher than  
23 normal because of the extensive pole replacement, transformers and station upgrades.  
24 Councilwoman Holbrook also mentioned this information has been presented to the candidates as  
25 well.

26  
27 **CONSIDER APPROVAL OF THE PURCHASE OF FIVE SIEMENS 46 KV CIRCUIT**  
28 **BREAKERS FROM ELECTROTECH IN THE AMOUNT OF \$188,050 – MR. ALLEN**  
29 **JOHNSON**

30 Mr. Johnson stated ElectroTech was the low bid for these items. Councilwoman Holbrook  
31 made a motion to approve the purchase and Councilman Higginson seconded the motion and asked  
32 where ECI is located. Mr. Johnson responded in Colorado. Voting was unanimous with  
33 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

34  
35 **CONSIDER APPROVAL OF THE BID FROM CACHE VALLEY ELECTRIC IN THE**  
36 **AMOUNT OF \$301,607 FOR LINE CONSTRUCTION FOR THE PHASE 7 TRANSMISSION**  
37 **LINE REBUILD – MR. ALLEN JOHNSON**

38 Mr. Johnson stated that this area runs between the Recreation Center and the Northwest  
39 Substation (east of Viewmont High School). This section will include four steel poles and ten  
40 wood poles, as well as a conductor for that section of line. Cache Valley Electric was the low  
41 bid. Councilwoman Holbrook made a motion to approve the bid and Councilman Higginson  
42 seconded the motion and asked where the infrastructure is analyzed in the system. Mr. Johnson  
43 responded that they have identified all the sections and can only take one loop out at a time. Voting  
44 was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

1 **CONSIDER THE PURCHASE OF 10 WOOD POLES FROM MCFARLAND CASCADE IN**  
2 **THE AMOUNT OF \$27,120 – MR. ALLEN JOHNSON**

3 Mr. Johnson stated one section of transmission line in the lower loop has not been rebuilt and  
4 reconducted. It is identified as Phase 7 and will require the replacement of fourteen poles between  
5 the Recreation Center and the Northwest Substation (which is located to the east of the Viewmont  
6 High School football field). This section will include four steel poles and ten wood poles. The four  
7 steel poles have already been ordered. We use the butt treated poles because they hold up very well  
8 in our area and are safer for the linemen to climb. Councilwoman Harris asked if it would be more  
9 cost effective to treat our own poles. Mr. Johnson replied that it would not. Treating the poles is  
10 very labor intensive. Once these poles are no longer available, the Department will look for other  
11 options. Most of the wood poles are located in residents' back yards. Councilman Higginson also  
12 commented that due to our changing climate, these butt treated poles are needed. Mr. Johnson noted  
13 that there is a 50 year life span for each pole. Councilwoman Holbrook made a motion to approve  
14 the poles purchase and Councilman Higginson seconded the motion. Voting was unanimous with  
15 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting "aye".

16  
17 **CONSIDER APPROVAL OF THE PURCHASE OF ACSR OVERHEAD CONDUCTOR**  
18 **WIRE FOR THE PHASE 7 TRANSMISSION LINE REBUILD FROM NORTHERN POWER**  
19 **IN THE AMOUNT OF \$23,000 – MR. ALLEN JOHNSON**

20 Mr. Johnson stated this wire is for the Phase 7 rebuild as well. While the bid from Northern  
21 Power is the highest, they are the only bid that will be able to meet the delivery date and keep the  
22 project on schedule. Councilwoman Holbrook made a motion to approve the wire purchase and  
23 Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons Harris,  
24 Higginson, Holbrook, Knight and Pitt voting "aye".

25  
26 **CONSIDER APPROVAL OF THE PURCHASE OF 46 TRANSFORMERS FROM**  
27 **NORTHERN POWER – ERMCO IN THE AMOUNT OF \$86,516 – MR. ALLEN JOHNSON**

28 Mr. Johnson stated that the inventory of pad mount transformers is running low and it needs  
29 to be replenished. The transformers will be used to replace damaged or leaking transformers on the  
30 system and for future construction projects throughout the City. On February 20, 2017, the Council  
31 awarded a bid for transformers to Anixter representing GE/Prolec. Their quote included an 8-10  
32 week delivery. We are now at 27 weeks and still have not received all of those transformers and are  
33 now aware that GE/Prolec is having problems meeting promised delivery dates. These new  
34 transformers will be purchased and placed into inventory until needed. Councilwoman Harris asked  
35 if we are using the same company. Mr. Johnson replied no. The GE/Prolec transformers are good  
36 ones, but the inventory is too low to wait any longer for their delivery. Councilman Pitt asked if it is  
37 a backlog or supply issue. Mr. Johnson replied that most likely the company took in too many bids  
38 because they were a great price and now they cannot build them fast enough. GE makes good  
39 transformers and we could possibly go back to them for more in the future, but right now we need  
40 transformers now to continue the project. Councilwoman Holbrook made a motion to approve the  
41 purchase and Councilman Higginson seconded the motion. Voting was unanimous with  
42 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting "aye".

43  
44 Mayor Lewis asked for a motion to adjourn the regular session of City Council and move into  
45 an RDA meeting. Councilman Higginson made a motion to adjourn the regular meeting and

1 Councilwoman Holbrook seconded the motion. Voting was unanimous with Councilpersons Harris,  
2 Higginson, Holbrook, Knight and Pitt voting "aye".

3

4 The regular session of the City Council was adjourned at 8:12 p.m.

5

6



Mayor Pro Tem John Pitt



City Recorder