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Minutes of the  
BOUNTIFUL CITY COUNCIL  
June 24, 2014 – 6:03 p.m.

5 Present: Mayor: Randy C. Lewis  
6 Council Members: Kendalyn Harris, John Marc Knight, John Pitt, Richard  
7 Higginson  
8 Assist. City Manager: Galen Rasmussen  
9 City Attorney: Russell Mahan  
10 City Engineer: Paul Rowland  
11 Assist. Engineer: Lloyd Cheney  
12 City Recorder: Kim Coleman  
13 Department Director's & Personnel:  
14 Mark Slagowski, Water  
15 Gary Blowers, Streets  
16 Brock Hill, Parks  
17 Allen Johnson, Power  
18 Tom Ross, Police  
19 Recording Secretary: Nikki Dandurand  
20  
21 Excused: City Manager: Gary Hill  
22 Council Member: Beth Holbrook  
23 City Planner: Chad Wilkinson  
24

25 Official Notice of both the Work Session and Regular Meeting had been given by posting a  
26 written notice of same and an Agenda at the City Hall and providing copies to the following  
27 newspapers of general circulation: Davis County Clipper, Standard Examiner, and on the Utah  
28 Public Notice Website.  
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**Work Session – 6:03 p.m. – 6:57 p.m.**  
**Planning Commission Room**

33 Mayor Lewis called the meeting to order, welcomed all those in attendance, and excused  
34 Councilwoman Holbrook.  
35

36 **RAP TAX DISCUSSION - MR. GALEN RASMUSSEN**

37 Mr. Rasmussen stated that the RAP tax was voter approved in November 2007, and  
38 implemented in April 2008, with currently 90% of the revenue going to the Centerpointe Theatre in  
39 Centerville and the remaining 10% to other uses within Bountiful City. Councilman Higginson  
40 recounted that the initial vote included five or six other entities that were involved in the voting, with  
41 only a 51% approval vote. Close to 2 million dollars has since been collected. In 2016, the RAP tax  
42 will expire. The City would like to re-authorize this tax for a 10-year period to accommodate future  
43 arts/parks projects within the City of Bountiful, with 80% going towards park improvements and 20%  
44 up to Council discretion. A resolution will be on the 8 July, 2014, City Council agenda to  
45 accommodate the County's timeframe for new ballot opinion questions. Councilman Higginson  
46 inquired if the County has the option of NOT approving the resolution first. City Attorney, Rusty  
47 Mahan responded that they can reject the resolution if there was a similar question posed from the

1 County which there is not at this time. Council members asked if there is leniency in the wording of  
2 the ballot question. Mr. Mahan again responded that the words can be revised. Councilman Knight  
3 asked what the initial wording was for the ballot question for Centerpointe Theatre. Can we be more  
4 specific? Mr. Rasmussen suggested a public information packet with information pertinent to the tax  
5 and the way it will be used. Councilman Knight agreed, and also suggested using email, social  
6 media, etc. to fully convey the story of what positive impacts this will have in the City.  
7 Councilwoman Harris stated that if 80% of the funds are going towards park projects, then “parks”  
8 needs to be used first in the ballot and the information packet. She is comfortable letting the renewal  
9 of the RAP Tax go on the ballot to let the voters decide. Mr. Rasmussen concluded that other steps  
10 are necessary to complete the ballot question, so timing is important. Council members agreed that to  
11 adopt and produce a public information packet will be helpful, fixing the wording for the ballot  
12 question in order to be very clear with the residents as to what the continuance of this tax will be.  
13 Councilman Higginson did caution that no one should be advocating this item on City budget or time.  
14

### 15 **UTA PRESENTATION OF THE LOCALLY PREFERRED ALIGNMENT**

16 UTA representative Howe Johnson presented a Power Point presentation illustrating the  
17 progress and alternatives for the need of further expansion into Davis County for transit. UTA  
18 conducted a study in the 2008-2010 timeframe that ended with negative publicity. They have since  
19 been working with the cities to re-evaluate the needs of the people and work together to form a better  
20 solution. There were several different points to consider in this, such as mobility, access and choice  
21 development, revitalization, growth and serving the markets. There is a much greater need for  
22 intermediate trips and closer walk access than a commuter rail. Two alternatives were presented.  
23 Alternative A included an enhanced bus route consisting of 12.1 miles. The recommended  
24 Alternative B is the BRT (Bus Rapid Transit) with fixed byways and 11.8 miles which would tie in  
25 with the airport line as well. The next step is the NEPA (National Environmental Policy Act)  
26 process. Councilman Higginson asked if one-way fares would be priced like bus fares. A chart  
27 showed a significant increase in the fares, but also included O & M plus capital. Councilman Pitt  
28 made a few remarks that the features of a fixed by-way are good and we could see a dramatic  
29 increase in ridership vs. light rail. The fixed by-way/guide-way would be identified with curb,  
30 concrete, etc. and be the center lane, with four auto lanes (two each way) on the sides. It can be  
31 decided in the next phase. This would further enhance the availability and timeliness of the bus line.  
32 Developers look at the transit lines when building for the investment value of the property. Mayor  
33 Lewis asked if the numbers are on the conservative end. Mr. Johnson responded that the ridership  
34 modeling is based on thousands of computer-generated models and use actual model data.

35 Mr. Mahan asked what is being accomplished tonight and Mr. Johnson responded that the  
36 resolution tonight is to endorse the route. UTA is asking for support from local governments.  
37 Councilman Higginson inquired if costs would be cut if other cities (ie. Centerville, Farmington)  
38 would join. Would it make sense to wait until further cities to the north endorse this as well? Mr.  
39 Johnson responded that we should continue the dialogue with other cities, let them know that  
40 Bountiful has come to a decision to proceed and would like to have other cities join. Councilman Pitt  
41 asked Mr. Johnson if this study can be segmented so that other areas can be pursued without waiting  
42 on city approvals. Councilman Higginson asked for the current resolution to be read, and concluded  
43 that it needs work and different wording. Mr. Mahan responded that it can be reworded to satisfy  
44 the needs of the City. Mayor Lewis added that if the resolution passes, then we need to encourage  
45 cities north of Bountiful to participate in future causes. The City asked that UTA go back to  
46 Centerville, in particular, and send a clear message that we have passed the resolution and would like

1 to move forward with their help. Mayor Lewis concluded that we can maintain good communication  
2 with Centerville in this pursuit. The Work Session adjourned at 6:57 p.m. to move to Regular  
3 Meeting.

4  
5 **Regular Meeting – 7:01 p.m.**  
6 **City Council Chambers**  
7

8 Mayor Lewis called the meeting to order at 7:01 p.m. and welcomed those in attendance.  
9 Skyler Backman, Boy Scout Troop 211, led the Pledge of Allegiance to the flag. Mike Youngberg,  
10 previous Lion’s Club President, provided a personal thought.

11  
12 **COUNCIL REPORTS**

13 Councilwoman Harris inquired on the status of the utility building at the park. Mr. Paul  
14 Rowland replied that they were able to solicit additional bids and work has already begun. They  
15 hope to finish before Handcart Days. Councilman Higginson also inquired about the completion of  
16 the playground equipment. Brock Hill replied that the new budget will be effective in a few weeks,  
17 so additional equipment will be purchased at that time. Mr. Hill estimates as early as 3 months to the  
18 end of year for the final equipment to be installed. Councilman Pitt was pleased to see Grant Bailey  
19 Orthodontics breaking ground in Bountiful this week.

20  
21 **APPROVAL OF MINUTES**

22 Minutes of the May 27, 2014 City Council Meeting were mentioned, as they will be re-  
23 approved with the changes made by Councilwoman Harris at the 8 July, 2014, Council meeting. The  
24 June 10, 2014 Council Meeting minutes were then presented. Councilman Higginson made a motion  
25 to approve and Councilman Pitt seconded the motion. Voting was unanimous with Councilpersons  
26 Harris, Knight, Higginson and Pitt voting “aye”.

27  
28 **YOUTH COUNCIL REPORT**

29 None

30  
31 **EXPENDITURES APPROVAL FOR TWO PERIODS IN MAY; FEBRUARY, MARCH AND**  
32 **APRIL 2014 BUDGET SUMMARY & EXPENDITURE REPORTS**

33 Mayor Lewis presented the Reports for Expenditures and Expenses for June 5, 2014  
34 (\$164,832.25) and June 12, 2014 (\$213,857.44). Mayor Lewis also presented the Budget Summary  
35 & Expenditure Reports for February, March and April 2014 as follows: February expenditures =  
36 \$3,634,989.90 and capital = \$381,956.91, March expenditures = \$3,576,732.47 and capital =  
37 \$146,956.91, April expenditures = \$3,962,189.60 and capital = \$327,143.08. Councilman Higginson  
38 motioned to approve the reports, as presented. Councilwoman Harris seconded the motion. Voting  
39 was unanimous with Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

40  
41 **ROTARY CLUB CAR SHOW REPORT - MR. PAUL SUMMERS, ROTARY CLUB**  
42 **PRESIDENT**

43 Mr. Summers reported that the car show was a great success with over 400 entries, 100 being  
44 new entries. Mr. Summers thanked the Mayor, City departments, and the Youth Council for  
45 volunteering and so many others for the success of this event. All agreed it was a fantastic time.

1 **CONSIDER APPROVAL OF RESOLUTION 2014-10, ADOPTING A UTA LOCALLY**  
2 **PREFERRED ALTERNATIVE - MR. RUSSELL MAHAN**

3 Mr. Mahan reviewed the resolution from the Work Session and read the resolution as it will  
4 read on the ballot. Councilman Pitt stated that with this resolution being approved, the City needs to  
5 reach out to Centerville and reiterate the importance and urgency of pushing forward on this project.  
6 Councilman Knight made a motion to approve Ordinance 2014-10 as read and Councilman Pitt  
7 seconded the motion. Voting was unanimous with Councilpersons Harris, Knight, Higginson and Pitt  
8 voting “aye”.

9  
10 **CONSIDER APPROVAL OF A CONSTRUCTION CONTRACT WITH PARKIN**  
11 **CONSTRUCTION COMPANY FOR THE PICKLEBALL COURT RENOVATION AT**  
12 **TWIN HOLLOW PARK IN THE AMOUNT OF \$12,689.00 - MR. BROCK HILL**

13 Mr. Hill stated that pickle ball is fast becoming a very popular sport in the city. Currently  
14 there are two pickle ball courts and one tennis court at Twin Hollows Park. Two bids were received  
15 for converting the tennis courts into four additional pickle ball courts, with Parkin Construction  
16 submitting the lowest bid (without the fencing option). The funds will be taken from the Council  
17 Contingency fund. Councilman Higginson inquired if Parkin was satisfied with the no-fence option,  
18 and Mr. Hill answered they are. Mr. Hill replied that other fencing options will be considered at a  
19 future date. Councilman Pitt made a motion to approve the pickle ball court renovation, and  
20 Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons Harris,  
21 Knight, Higginson and Pitt voting “aye”.

22  
23 **CONSIDER APPROVAL OF THE PURCHASE OF 42,000 SQUARE FEET OF SOD NOT**  
24 **TO EXCEED THE AMOUNT OF \$16,040.00 FOR CITY HALL PARK - MR. BROCK HILL**

25 Mr. Hill reported that a lot of work has been going on in the empty front lot of City Hall. Due  
26 to upcoming events, it is recommended that we purchase and install sod so the site can be available  
27 for use during these events. Other methods such as seeding or hydro-seeding would not allow  
28 enough time for grow-in and would leave the lot unusable for upcoming events. All American Sod  
29 Farms was the only company able to meet quantity and schedules. Councilman Higginson asked if  
30 tables, benches, etc. would be purchased also. Mr. Hill replied “not at this time.” Councilman  
31 Higginson made a motion to approve the purchase of sod from All American Sod Farms in the  
32 amount not to exceed \$16,040.00, and Councilman Pitt seconded the motion. Voting was unanimous  
33 with Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

34  
35 **CONSIDER ORDINANCE 2014-10 AMENDING THE CITY CODE TO PROVIDE FOR**  
36 **ADMINISTRATIVE APPEALS TO GO TO AN ADMINISTRATIVE LAW JUDGE - MR.**  
37 **RUSSELL MAHAN**

38 Mr. Mahan stated that the Council is serving in a quasi-judicial role within the city to hear  
39 appeals. This proposed ordinance would allow an impartial licensed attorney to serve as an  
40 Administrative Law Judge to hear appeals and consider each matter, leaving the Council free to act  
41 more fully in its policy role. Mr. Mahan continued that a fixed \$250.00 charge would be assessed for  
42 the services as a city fee to regulate the public in their appeals. The Planning Commission fees are  
43 already covered by the Land Use Ordinance. Councilman Higginson stated that this fee is not a  
44 revenue builder, but a set fee and a good idea. Councilman Pitt was in agreement. Councilman  
45 Knight added that the good news is this process is not used very much. Councilman Higginson  
46 suggested the removal of the wording “show cause to remove” from the proposed ordinance in

1 regards to a situation where the Council may wish to remove the judge. Council agreed. Councilman  
2 Higginson made a motion to approve all matters of Ordinance 2014-10, and Councilman Knight  
3 seconded the motion. Voting was unanimous with Councilpersons Harris, Knight, Higginson and Pitt  
4 voting “aye”.

5  
6 **CONSIDER APPROVAL OF THE APPOINTMENT OF MR. GLENN BRONSON AS THE**  
7 **BOUNTIFUL CITY ADMINISTRATIVE LAW JUDGE - MR. RUSSELL MAHAN**

8 Mr. Mahan presented Mr. Glenn Bronson’s name as the new Administrative Law Judge for a  
9 term of two years, to be paid as an hourly position. Councilwoman Harris made a motion to approve  
10 this position and Councilman Higginson seconded the motion. Voting was unanimous with  
11 Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

12  
13 **CONSIDER APPROVAL OF THE ROAD STRIPING BID FROM PECK STRIPING IN THE**  
14 **AMOUNT OF \$45,377.99 - MR. GARY BLOWERS**

15 The Street Department is asking for approval for striping on 4<sup>th</sup> East, painting double yellow  
16 lines. Five bids were presented with Peck Striping as the lowest. Councilman Higginson inquired if  
17 these were unit prices or not to exceed. Mr. Rowland replied that these are unit prices and all  
18 approved in the budget. Councilman Higginson made a motion to approve the bid and  
19 Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris,  
20 Knight, Higginson and Pitt voting “aye”.

21  
22 **CONSIDER APPROVAL OF VEOLIA ES TECHNICAL SOLUTIONS TO PROVIDE THE**  
23 **HAZARDOUS WASTE COLLECTION SERVICES FOR THE FY 2015 BUDGET YEAR,**  
24 **AND THROUGH 2018 (THE REMAINING EFFECTIVE TIME OF THE STATE**  
25 **CONTRACT) - MR. GARY BLOWERS**

26 The Sanitation Department will conduct the 22<sup>nd</sup> Annual Household Hazardous Waste Event  
27 on October 11, 2014. They are recommending using the State of Utah Contract with Veolia ES  
28 Technical Solutions for the collection and disposal of the waste during the event and to extend the  
29 Council’s approval through 2018, which is the remaining effective time of the State contract.  
30 Councilman Knight made a motion to approve this item and Councilman Higginson seconded the  
31 motion. Voting was unanimous with Councilpersons Harris, Knight, Higginson and Pitt voting “aye”  
32

33 **CONSIDER APPROVAL OF THE RE-APPOINTMENT OF MICHAEL ALLEN AND VON**  
34 **HILL AS PLANNING COMMISSIONERS - MR. RUSSELL MAHAN**

35 Mr. Mahan stated that Mr. Allen and Mr. Hill’s commission terms will expire on July 1, 2014.  
36 Both have indicated the desire to continue their positions on the Planning Commission Board.  
37 Councilman Higginson stated that both men are well versed and good members to serve on the  
38 Commission. Councilwoman Harris inquired if these are paid positions. Mr. Mahan replied yes,  
39 \$25/per board meeting. Councilman Higginson made a motion to approve these positions and  
40 Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris,  
41 Knight, Higginson and Pitt voting “aye”  
42

43 **CONSIDER APPROVAL OF THE PROPOSAL FROM GSBS ARCHITECTS TO DO A**  
44 **BUILDING NEEDS ANALYSIS IN THE AMOUNT OF \$128,785.00 - MR. LLOYD CHENEY**

45 Mr. Cheney stated that the end value is a little shocking to see, but this initial study is needed  
46 and the study does not have to go any further than we need it to go. The money is available in the

1 Capital Project, Fund account. Councilwoman Harris inquired if this was for Stoker school and Mr.  
2 Cheney responded that this includes any facility. Councilman Pitt made a motion to approve the  
3 analysis and Councilman Higginson seconded the motion. Voting was unanimous with  
4 Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

5  
6 **CONSIDER APPROVAL OF AN EASEMENT RELEASE REQUEST AT 260 SOUTH MOSS**  
7 **HILL DRIVE, MARK HUTCHINGS, APPLICANT - MR. PAUL ROWLAND**

8 Mr. Rowland asked for the approval of an easement release on Mr. Hutchings’ property for  
9 the construction of a detached garage. Councilman Higginson made a motion to approve the release  
10 and Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris,  
11 Knight, Higginson and Pitt voting “aye”.

12  
13 **CONSIDER APPROVAL OF THE GUN RANGE FOREST SPECIAL USE PERMIT – MR.**  
14 **ALLEN JOHNSON**

15 Mr. Johnson stated the current Special Use Permit has expired and, to continue supplying  
16 power to the gun range, we need to renew our existing permit. This permit will expire in December  
17 2064 and costs \$316.44 per year. Mr. Johnson explained this is just the power on the range itself, not  
18 to use the range. Council inquired if this yearly fee is passed onto the users of the range. Mr.  
19 Johnson replied that it is not passed directly to the range and the fee amount floats from year to year.  
20 Mayor Lewis inquired if the City has any permanent commitment to this contract. Mr. Johnson  
21 replied that we are not in a locked agreement and can cancel at any time. Councilman Knight asked  
22 if there were any future changes to the gun range that we need to be aware of. Mr. Johnson said “not  
23 at this time.” Councilwoman Harris made a motion to approve the permit and Councilman Higginson  
24 seconded the motion. Voting was unanimous with Councilpersons Harris, Knight, Higginson and Pitt  
25 voting “aye”.

26  
27 **CONSIDER APPROVAL OF A PROPOSAL FROM JRCA ARCHITECTS IN THE**  
28 **AMOUNT OR \$21,000.00 TO UPGRADE THE MAIN OFFICE AND WAREHOUSE**  
29 **BUILDING FOR THE POWER DEPARTMENT – MR. ALLEN JOHNSON**

30 Mr. Johnson stated that the main office and warehouse building are in need of extensive  
31 upgrades to meet code requirements. Two architects submitted bids for this upgrade; JRCA  
32 Architects was the low bid in the amount of \$21,000.00. The second bid was \$43,700.00. The  
33 money is budgeted in the 2015 budget. Councilwoman Harris asked how old the existing building is.  
34 Mr. Johnson stated “over 65 yrs. old.” Councilman Higginson made a motion to approve the bid  
35 from JRCA Architects, and Councilman Pitt seconded the motion. Voting was unanimous with  
36 Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

37  
38 The meeting was adjourned at 8:18 p.m., with Councilwoman Harris making the motion and  
39 Councilman Higginson seconding. Voting was unanimous with Councilpersons Harris, Knight,  
40 Higginson and Pitt voting “aye”.