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Minutes of the
BOUNTIFUL CITY COUNCIL
June 10, 2014 – 7:01 p.m.

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

Official Notice of the 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.

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No Work Session

Regular Meeting – 7:01 p.m.
City Council Chambers

Mayor Lewis called the meeting to order at 7:01 p.m. and welcomed those in attendance. Zach Minor, Boy Scout Troop 453, led the Pledge of Allegiance to the flag and Bountiful resident, Susan Casper, offered an opening prayer.

COUNCIL REPORTS

Councilwoman Harris reported the STOMP on Main was a great success and thanked all City departments for their help. Councilman Higginson reported the Historical Society held their annual meeting where a new executive board was voted in and the Articles of Incorporation were reviewed. Chairman Dean Collinwood stepped down, with Chairman Sandy Inman replacing him. Also on the board are Tom Tolman, Lloyd Carr and Richard "Stick" Hill. The Historical Society is preparing for the Bus/Cemetery tours which will occur during Handcart Days. Councilman Knight stated the Car Show/Burn Out is this upcoming weekend. He invited all to come and support the Rotary and the City for this event. It will be held Friday night and Saturday. Councilman Pitt reported the Farmer's Market will open June 19, 2014.

1 **APPROVAL OF MINUTES**

2 Minutes of the May 27, 2014 City Council Meeting were presented and approved as written.
3 Councilman Knight made a motion to approve and Councilman Pitt seconded the motion. Voting
4 was unanimous with Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

5
6 **YOUTH COUNCIL REPORT**

7 None

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9 **EXPENDITURES APPROVAL FOR THREE PERIODS IN MAY**

10 Mayor Lewis presented the Reports for Expenditures and Expenses for May 8, 2014
11 (\$247,146.01), May 22, 2014 (\$193,103.58) and May 29, 2014 (\$1,198,849.12). Councilman Pitt
12 motioned to approve the May 8, 22 and 29, 2014 reports, as presented. Councilman Higginson
13 seconded the motion. Voting was unanimous with Councilpersons Harris, Knight, Higginson and Pitt
14 voting “aye”.

15
16 **WILLEY FAMILY RECOGNITION-MAYOR RANDY LEWIS**

17 Mayor Lewis acknowledged and thanked the entire Willey family for their constant and active
18 service in the community and area organizations. The Willey family supports the Davis Arts Council
19 and Gallery, Ronald McDonald house, various banking boards and numerous other city wide
20 organizations. The “Willey” car dealerships have been an icon in Bountiful. Mayor Lewis and
21 Councilmembers were appreciative and grateful for this great family.

22
23 **CONSIDER APPROVAL OF RESOLUTION 2014-09, ADOPTING THE 2014 CERTIFIED**
24 **PROPERTY TAX RATE & APPROVAL OF ORDINANCE 2014-08 AMENDING THE 2014**
25 **FISCAL YEAR BUDGET AND ADOPTING THE 2015 FISCAL YEAR BUDGET (WHICH**
26 **INCLUDES TRANSFERS FROM THE LIGHT & POWER FUND TO THE GENERAL**
27 **FUND IN THE AMOUNT OF \$2,380,000.00) AND RELATED MATTERS-MR. GALEN**
28 **RASMUSSEN**

29 Mr. Rasmussen presented the tentative budget, explaining all amendments, department
30 expenses, revenues, increases and adjustments to bring the budget into balance for the 2014-2015
31 fiscal year. Councilman Knight noted that the last property tax increase was in 2002, keeping all
32 current increases relative. The overall budget included no tax increase, storm water fee increase of
33 \$1/residence, current cemetery fee which increased in February, and municipal charges that are all-
34 inclusive. There will be a 12% increase in medical coverage for City employees, but as noted by
35 Councilman Knight and Gary Hill, this is a very small increase and very comparable to other large
36 cities with the same parameters. The majority of fees are in enterprise funds, with the total estimated
37 budget of approximately \$61.7 million, including internal transfers. Mr. Rasmussen reviewed the
38 current property tax with an example of a \$250,000 house, using various breakdowns and associated
39 taxes. Councilman Knight stated that although property tax is not a favored tax for any resident,
40 compared to other cities in Davis County, Bountiful’s rate remains one of the lowest and very
41 conservative.

42 Mr. Rasmussen went on to explain the annual transfer of monies from the Light & Power
43 Fund to the General Fund, in the amount of \$2,380,000.00. A similar transfer has been done annually
44 for over 25 years and is based on metered sales. The money is used to provide City services (i.e.
45 snow removal, Fire/911) to the public, non-profit entities and schools within the City’s boundaries.
46 Councilman Higginson made note that if this money was not available; the City would need to double

1 the property tax just to balance the budget year to year. Councilmen Knight and Pitt thanked Mr.
2 Rasmussen and his staff for the time and effort to prepare the budget.

3
4 Public Hearing opened at 7:40 p.m.

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6 -Bruce Hicks - 2026 Orchard Dr. - Mr. Hicks suggested a senior citizen discount or special
7 rate for those who are on disability, pensions and/or fixed incomes in lieu of the Power & Light
8 transfer. In return, he appreciates the fact that Bountiful has not raised property taxes in recent years.

9 -Faye Tholen - 2832 S. Wood Hollow Way - stated that the extra funds generated in this
10 transfer should stay with the utility department, rather than go to a general fund. Councilman Pitt
11 reassured her that this is a common statement from the citizens, but stated that the money in the
12 general fund is used for multiple departments and is a good use of money, with little impact on the
13 public. Councilman Knight stated that in Kaysville this transfer was not approved and Kaysville City
14 had to raise the property tax 104% to compensate for the loss of the money in the General Fund.
15 Councilmen Higginson and Knight both assured Ms.Tholen that the residents of Bountiful pay at or
16 below the standard power rate, continue to have a low property tax and, in fact, the money is returned
17 to the public in terms of the services stated earlier.

18 -Kate Bradshaw - 379 N. 650 E. - urged the Council not to be reliant on this energy source
19 and transfer alone; with energy standards constantly changing, new rules and regulations by the EPA
20 and other outside conflicts, the City needs to be vigilant in this process. She recommends more
21 “green” alternatives, which Councilman Higginson stated the City is already at a 30% renewable
22 status (with the national goal being 20% by 2020). The City also has reserves on hand.

23 -Steven Oberg - 985 Chelsea Dr. - asked if the City has looked at the return on power if this
24 transfer was not taken out. The City does not provide any incentives for alternatives, such as solar
25 panels, but does charge a set fee on the utility bill for their use.

26
27 Public Hearing closed at 8:02 p.m.

28
29 Councilman Pitt made a motion to approve Resolution 2014-09, adopting the Certified Property Tax
30 rate and Ordinance 2014-08, amending the fiscal year 2014 budget and adopting the prepared fiscal
31 2015 budget, as presented. Councilman Higginson seconded the motion. Voting was unanimous
32 with Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

33
34 **CONSIDER APPROVAL OF ORDINANCE 2014-09 ADOPTING RESTRICTIONS OF THE**
35 **USE OF FIREWORKS WITHIN CERTAIN AREAS OF THE CITY-MR. RUSSELL MAHAN**

36 Mr. Mahan noted that Chief Bassett of the South Davis Metro Fire Agency has issued a
37 statement recommending the adoption of restriction of fireworks in the named areas of Bountiful to
38 reduce any hazardous environmental conditions. Councilman Knight made a motion to approve
39 Ordinance 2014-09 as outlined and Councilman Higginson seconded the motion. Voting was
40 unanimous with Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

41
42 **CONSIDER APPROVAL OF CLASS A LICENSE TO SELL BEER AT ERNIE’S TRUCK**
43 **PLAZA, 2563 SOUTH MAIN, DON IPSON, APPLICANT-MR. CHAD WILKINSON**

44 There has been a change in ownership within this store and the current owner is applying for
45 this license. It has been an active license previously and is recommended for approval. Councilman
46 Pitt made a motion to approve this item and Councilman Higginson seconded the motion. Voting

1 was unanimous with Councilpersons Harris, Knight, Higginson and Pitt voting “aye”.

2
3 **CONSIDER APPROVAL OF SUBDIVISION AT INDIAN SPRINGS RIDGE, 551 EAST**
4 **INDIAN SPRINGS ROAD, BARRETT PROPERTIES, APPLICANT-MR. PAUL ROWLAND**

5 In September 2013, the Planning Commission and Council gave preliminary approval for a
6 four-lot, residential subdivision at the above address, with certain conditions to be met. The Quiet
7 Title action has been completed, Flood Control has given approval and all red lines have been
8 corrected. The Planning Commission has recommended the final approval for the site. Councilman
9 Higginson inquired about current permits and Mr. Rowland responded that they are current.
10 Councilman Higginson made a motion to approve this item and Councilwoman Harris seconded the
11 motion. Voting was unanimous with Councilpersons Harris, Knight, Higginson and Pitt voting
12 “aye”.

13
14 **CONSIDER APPROVAL OF A CONTRACT TO CONSTRUCT A UTILITY BUILDING AT**
15 **THE 400 NORTH PARK-MR. PAUL ROWLAND**

16 As part of the reconstruction work at the 400 North park, a utility building has been designed
17 as a new addition to the bowery, on the north side of the playground, as well as a floor for the
18 pavilion. Time constraints now present a problem, as Handcart Days is July 23, 2014. Bid Opening
19 was today, June 10, 2014. There were no proposals/bids received. An email from a contractor
20 provided an estimate of \$37,000, which will be considered the high bid. Mr. Rowland is requesting
21 that Council allow staff to start soliciting proposals and bids. Two contractors have been contacted
22 and should submit proposals by Thursday. Councilwoman Harris clarified that this request for
23 approval is only for the utility closet, not the pavilion floor. She continued that to rush the process
24 would result in more money spent. Councilman Higginson stated that the utility closet needs to be
25 erected and built in proper time for the Handcart Days to accommodate those using the facilities, as
26 well as meet the Health Department requirements. Councilman Pitt asked if there is a cap for this
27 project or budgeted amount, since there are no bids to compare. Mr. Rowland suggested using the
28 email estimate of \$37,000.00 as the cap. Councilman Higginson made a motion to approve the
29 request to solicit bids in a proper time frame and within the \$37,000 limit noted, and Councilman
30 Knight seconded the motion. Voting was unanimous with Councilpersons Harris, Knight, Higginson
31 and Pitt voting “aye”.

32
33 **CONSIDER RECOMMENDATION TO CITY COUNCIL TO EXTEND SITE PLAN**
34 **APPROVAL FOR AN ADDITIONAL SIX MONTHS AT RILEY COURT, 517 SOUTH 100**
35 **EAST, MARV BLOSCH, APPLICANT-MR. CHAD WILKINSON**

36 Mr. Blosch is requesting an extension of six months for the site plan at the above mentioned
37 address. Councilman Higginson made a motion to approve this item and Councilman Pitt seconded
38 the motion. Voting was unanimous with Councilpersons Harris, Knight, Higginson and Pitt voting
39 “aye”.

40
41 **CONSIDER APPROVAL OF BID FROM THE NICKERSON COMPANY TO REPAIR THE**
42 **3100 SOUTH 400 EAST BOOSTER STATION PUMP IN THE AMOUNT OF \$13,588.70-MR.**
43 **MARK SLAGOWSKI**

44 In April 2014 there was an operational accident which resulted in damage to a pump at the
45 3100 South Booster station. After looking into the repairs needed for the pump, it was determined
46 that the motor required maintenance as well. The Nickerson Company has provided an estimate of

1 \$13,496.00 for work on the motor, pump and reinstallation. This was a one-time accident and was
2 not accounted for in the current year's budget. The work for this repair is not expected to start until
3 July 2015, and will be budgeted, upon approval, for 2015. Councilman Higginson made a motion to
4 award the work to the Nickerson Company, as presented, for the amount of \$13,496.00.
5 Councilmember Harris seconded. Voting was unanimous with Councilpersons Harris, Knight,
6 Higginson and Pitt voting "aye".
7

8 **CONSIDER APPROVAL OF THE PURCHASE OF A TRACTOR AND ATTACHMENTS**
9 **FROM UNITED SALES AND SERVICE FOR THE CEMETERY IN THE AMOUNT OF**
10 **\$31,588.70-MR. BROCK HILL**
11

12 Mr. Hill is requesting the purchase of a new tractor and attachments, as the current one is over
13 40 yrs. old and the parts to maintain it are no longer available. The proposed bid is from United Sales
14 and Service, which is a State of Utah Contract purchase. Councilwoman Harris inquired about the
15 old tractor and its disposal. Mr. Paul Flanary, Cemetery Superintendant, responded that it could
16 possibly be auctioned off for parts, and/or ask other City departments if there is a need for the
17 attachments only, as the tractor will not be usable. Councilman Pitt made a motion to approve the
18 purchase of a new tractor and attachments, from United Sales and Service for a total cost of
19 \$31,588.70. Councilman Higginson seconded the motion. Voting was unanimous with
20 Councilpersons Harris, Higginson, Knight and Pitt voting "aye."
21

22 Councilman Higginson made a motion to adjourn the regular City Council meeting and move
23 to a closed session for the purpose of discussing the acquisition or sale of real property, pending
24 litigation and/or to discuss the character and competency of an individual(s) (Utah Code § 52-4-205).
25 Councilman Pitt seconded the motion. Council members Harris, Higginson, Knight and Pitt voted
26 "aye." The meeting was adjourned at 8:30 p.m. to move into Closed Session.
27

28 Closed Session started at 8:40 p.m. and ended at approximately 9:35 p.m.
29

30 Attendance at Closed Session:

31 Mayor Lewis
32 Council members Higginson, Knight, Pitt and Harris
33 City Manager, Gary Hill
34 City Attorney, Rusty Mahan
35 Assistant City Manager, Galen Rasmussen
36 City Planner, Chad Wilkinson
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Randy Lewis, Mayor
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45 Kim Coleman, City Recorder
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