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Minutes of the  
BOUNTIFUL CITY COUNCIL

November 13, 2018 – 6:00 p.m.

5 Present: Mayor Randy Lewis  
6 Councilmembers Kendalyn Harris, Richard Higginson, John Marc Knight,  
7 Chris Simonsen  
8 City Attorney Clinton Drake  
9 City Manager Gary Hill  
10 Asst. City Manager Galen Rasmussen  
11 City Planner Chad Wilkinson  
12 City Engineer Lloyd Cheney  
13 Finance Director Tyson Beck  
14 Asst. Finance Director David Burgoyne  
15 Power Director Allen Johnson  
16 Recording Secretary Maranda Hilton  
17 Parks Director Brock Hill  
18 Chief of Police Tom Ross  
19 Systems Analyst Greg Martin  
20 Programmer/Analyst Dan Urban

23 Excused: Water Director Mark Slagowski

24  
25 Official notice of the City Council Meeting was given by posting an Agenda at City Hall and on  
26 the Bountiful City Website and the Utah Public Notice Website and by providing copies to the  
27 following newspapers of general circulation: Davis County Clipper and Standard Examiner.  
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**Work Session – 6:00 p.m.**  
**Planning Conference Room**

32 Mayor Randy Lewis welcomed those in attendance, and called the session to order at 6:04  
33 p.m.  
34

35 **VETERANS PARK OPTIONS – MR. GARY HILL**

36 Gary Hill, City Manager, began by offering a brief history of the idea for a Veteran’s Park. A  
37 veteran’s park has been in discussion ever since they began considering a City plaza and Creekside  
38 Park, and the City Council has been supportive of this idea and commissioned a committee to find  
39 and evaluate potential locations for a veteran’s park in the past. In the meantime, an independent  
40 group has come together in support of finding a location and designing and building a veteran’s park.  
41 Mr. Hill turned the time over to members of this foundation to present to the Council their desire for  
42 and their plans to fund and build the park.

43 Mr. Eric Hattabaugh, Vice Chair of the Veteran’s Park Foundation, explained the reasons why  
44 Bountiful needs a Veteran’s Park. First, Bountiful is the second oldest community in Utah, with the  
45 second oldest cemetery in Utah (which holds persons who fought in the War of 1812, the Mexican  
46 War, the Civil War, the Indian Wars, the Spanish-American War, WWI, WWII, the Korean War, the  
47 Vietnam War, the Gulf Wars, and the Global War on Terror). Second, almost every city in Utah

1 currently has a tribute of some sort to their veterans, except Bountiful. It is the desire of the  
2 foundation that the veteran's park be a place to remember and honor those who have served our  
3 nation, those who are currently serving, and those who will serve in the future. It will be a hallowed  
4 place in the community that educates, inspires, and reminds citizens that freedom is to be appreciated,  
5 and that the men and women who serve, and their families should be respected. It will also be a place  
6 that inspires the youth of Bountiful toward the noble vocation of service in the military.

7 Julie Hattabaugh shared that the foundation has chosen the location directly North of City  
8 Hall as the place for the Veteran's Park in Bountiful. They feel that this location has many qualities  
9 that qualify it for the park, including; it will be a peaceful location where people can easily reflect and  
10 remember (it has the view of the mountains, the LDS temple, and a creek nearby), it is an easily-  
11 accessible (and visible) location well-suited for large gatherings and holding special services, it is  
12 close to local schools and therefore an ideal spot for educational field-trips, it is close to downtown  
13 and will draw out-of-town family and friends of veterans to the downtown area, it is large enough to  
14 accommodate the intended design of the park (sculptures, pathways, landscaping), it will blend into  
15 the existing City Hall campus and enhance it, and it has ample parking.

16 Rob Vandegrift, landscape designer, talked about his desire to design a beautiful, hallowed  
17 and unique park to honor veterans and their families. The design elements he wishes to use include a  
18 veteran's park welcome sign, a five-flag semi-circle (representing Army, Navy, Marines, Air Force,  
19 and Coast Guard), two sidewalks lined with donation bricks and benches and trees, a lawn  
20 berm/amphitheater for sitting and special programs, and a plaza with a dedicated place that honors  
21 POWs and MIAs. There will be individual monuments dedicated to each of the different wars and  
22 conflicts throughout the years, with special recognition given to all who gave the ultimate sacrifice,  
23 and also to all those currently serving. Each monument will have interactive stations with  
24 information about each war and inspirational stories about local heroes. The main focal point of the  
25 plaza will be a life-sized, one-of-a-kind bronzed statue of "Columbia" on a raised platform with a  
26 monument directly in front of the statue. An "hour walk" around the plaza will be lined with benches  
27 and more bronzed statues.

28 Sam Acevedo, local artist, talked about the elements, symbolism and casting process of the  
29 statue, "Columbia". Columbia is the symbolic personification of the United States, and she stands for  
30 freedom and the pursuit of liberty. She can be seen many places around the country, wearing different  
31 robes and headdresses (i.e., the Utah State Capitol Building and the Memorial Building in  
32 Philadelphia). Our Columbia will have elements that tie her more distinctly to Utah (Sego lily and  
33 wheat in her hair, a beehive on her bodice, a seagull and cherries). She will be looking down and  
34 holding five helmets on a bowed and heavy shelf, representing the weight of the service and sacrifice  
35 that has been given. The helmets are each different, representing different war helmets used  
36 throughout the years. They will be the WWI "brodie" helmet, WWII "steel pot" helmet, the Korean  
37 War helmet, the M1 with an ammo belt and dog-tags, and lastly the PASGT (an early Kevlar helmet  
38 representing our ongoing wars in the gulf). She will be about seven feet tall, cast in bronze, and only  
39 used in Bountiful. The idea was also given that displaying the clay prototype of the statue in a secure  
40 area/glass case might be useful in fundraising for the park.

41 Mike Eggett, President of JMR Construction, talked about the construction process for the  
42 park. Once the location is approved, they will use an architect to draw up plans and submit them to  
43 the City for approval. They are hoping to break ground in March 2019, using experienced local  
44 contractors and the highest quality materials available. They will not begin the construction process  
45 until the park is fully funded. Several companies have already expressed an interest in helping with  
46 the construction of the park.

1 In conclusion, Mr. Hattabaugh said the foundation has established a 501C3 nonprofit to help  
2 with the fundraising to cover the construction and maintenance costs of the park, and has organized a  
3 board of directors to oversee the future of the park. The entire park will be privately funded, and they  
4 hope to raise \$1.5M prior to starting construction (which will be enough to complete the park, and  
5 they expect will take about 18 months to raise) and have ongoing fundraising to purchase more  
6 bronze statues as possible to add to the park. The only request being made of the City is to help with  
7 basic lawn maintenance (mowing and edging). There are many volunteer organizations in Bountiful  
8 who will come together to plant flowers and to garden. They also hope to have funds set aside to pay  
9 for needed maintenance.

10 Mr. Hill talked about the City's recommendations and opinions about this location for the  
11 park. History has shown that inevitably over the years, a park donated to the City will become the  
12 responsibility of the City to maintain. Because of this, the City would want to be sure that the  
13 construction of the park is done in such a way that the maintenance of the park and its structures  
14 would not become a burden on its taxpayers. Anything built deserves to be maintained in a way that  
15 keeps it in a beautiful state, so the City would like the structures and elements of the park to be  
16 "maintainable". One issue about the location north of City Hall has to do with timing. City Hall will  
17 be under construction from April 2019 for about 12-18 months, with the north lawn likely being used  
18 as a staging area for materials and equipment. This would prohibit anything from being built in that  
19 area until after the City Hall renovation is complete. Another issue about this location relates to the  
20 RDA renewal of this area and its potential use as a mixed-use development site in order to generate  
21 revenue. There are also many undecided details regarding the improvement (and relocation) of the  
22 library and the Golden Years center which are adjacent to the park's proposed location. All of these  
23 things would contribute to and put constraints on the other surrounding projects. Many of these  
24 decisions are in the hands of Davis County and Bountiful doesn't have control over those decisions.  
25 But there are many pins that need to fall in place before the City is comfortable donating that land for  
26 the veteran's park. An updated underground HVAC system for the renovated City Hall may also  
27 change the possibility of a park on that location (but we would know by April about that option; and  
28 it might not be an issue at all). In conclusion, Bountiful City staff would be honored to maintain  
29 whatever was built and donated, and is happy to support the decision of the Council regarding the  
30 park.

31 Mayor Lewis thanked the foundation for their beautiful presentation and their hard work, and  
32 thanked City management for being able to show us the "big picture" involved in creating this park.  
33 He expressed his opinion that he wants this park to happen, and wants to make sure it happens at the  
34 right time and in the right way. He feels confident that the park will happen, and that it will be  
35 "Bountiful appropriate".

36 Councilwoman Kendalyn Harris said that she would also love to see this project happen, and  
37 that she knows it has been a desire of the residents of Bountiful for a long time as well. Taking our  
38 time and doing it right is also important.

39 Councilman Richard Higginson asked Mr. Hill about other preferred locations. Mr. Hill  
40 responded that the options for a park of this size on land the City already owns are quite limited.  
41 Previously considered sites were at Bountiful Cemetery (however the Veteran's group would prefer  
42 the park not be at a cemetery), a portion of the 4<sup>th</sup> North Park (the design would need to be much  
43 smaller), directly west of City Hall (this would take away prime redevelopment land), and Creekside  
44 Park (again, a smaller footprint would be necessary).

45 Councilman Chris Simonsen was recognized for his hard work and dedication for many years  
46 in organizing and bringing about this park. Closing remarks made by Councilman Knight were "let's

1 build the damn thing” and Councilman Simonsen said “it’s time we stopped talking, and just do it”,  
2 which were met with applause.

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5 **Regular Meeting – 7:00 p.m.**  
6 **City Council Chambers**  
7

8 Mayor Randy Lewis called the meeting to order at 7:11 p.m. and welcomed those in  
9 attendance. Tyler Moore, a Boy Scout from Troop 586 of Bountiful, led the Pledge of Allegiance;  
10 Craig Smith, counselor in the Val Verda Stake, gave a prayer.

11  
12 **PUBLIC COMMENT**

13 No public comments were made.  
14

15 **APPROVE MINUTES OF PREVIOUS MEETING – OCTOBER 23, 2018**

16 Mayor Lewis presented the minutes from the previous meeting on Oct 23, 2018 and asked for  
17 a motion to approve. Councilman Knight moved to approve the minutes and Councilman Simonsen  
18 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Knight and  
19 Simonsen voting “aye”.  
20

21 **COUNCIL REPORTS**

22 Councilman Knight commented on the Veteran’s presentation  
23

24 **YOUTH COUNCIL REPORT – ABBY CHILD & STRATTON TIDWELL**

25 Abby reported on the success of the Youth Council’s recent Halloween activity. It took place  
26 at North Canyon Park, and included activities and games for children in the community. They  
27 combined efforts with the North Salt Lake City Youth Council to put on this event. It was guessed  
28 that they had about 200 attendees. Stratton reported that the next upcoming activity will be a  
29 Christmas Party that will involve a “white elephant” gift exchange.  
30

31 **CONSIDER APPROVAL OF WEEKLY EXPENDITURES > \$1,000 PAID OCTOBER 22 &**  
32 **29, 2018, AND OF SEPTEMBER 2018 FINANCIAL REPORT**

33 Mayor Lewis presented the expenditures and September 2018 financial report and asked for a  
34 motion to approve. Councilman Higginson moved to approve the weekly expenditures and September  
35 2018 financial report and Councilwoman Harris seconded the motion. Voting was unanimous with  
36 Councilpersons Harris, Higginson, Knight and Simonsen voting “aye”.  
37

38 **CAFR AND INDEPENDENT AUDITOR PRESENTATION FOR FY2018 – MR. TYSON**  
39 **BECK**

40 Tyson Beck, Finance Director, presented the Fiscal Year 2018 Financial Report for the City  
41 of Bountiful to the Council, and explained that in so doing he was bringing all regulatory and  
42 statutory requirements to a close. He expressed appreciation for all of the people who help contribute  
43 to this report.

44 After reviewing the financial statements with the Finance Committee earlier that day, he was  
45 happy to report that FY2018 ended very well for the city. Each of the individual City funds ended  
46 with a positive fund balance, meaning that no funds are in a deficit position. Also, the net

1 incomes/losses for each fund were well within reasonable expectations. All cash balances and  
2 investment balances are in a healthy position, meaning that the City has what it needs to fulfill its  
3 operations and obligations, and should not be concerned.

4 Mayor Lewis asked Mr. Beck if he would take a moment to explain the CAFR  
5 (Comprehensive Annual Financial Report) and the awards that Bountiful has received in regards to  
6 this reporting. Mr. Beck explained that the CAFR is a specific classification of financial reporting  
7 under the Government Finance Officers Association (GFOA) which gives annual awards for financial  
8 reports that achieve a certain level of “excellence in financial reporting”. The City of Bountiful has  
9 earned this award for 37 consecutive years from the GFOA, making Bountiful the 4<sup>th</sup> longest  
10 consecutive award winning government entity in Utah.

11 Councilwoman Harris asked if there were any main takeaways the Council should be made  
12 aware of for FY2018. In response, Mr. Beck brought up the future of the Recycle Fund, which will be  
13 facing additional fees from the recycling company we use for the City. Our contract with them ended  
14 in November, and they cannot afford to renew it at the same rate we had previously. Decisions will  
15 need to be made to determine how to make up for those funds, whether to raise rates or subsidize the  
16 operation, etc. If uncorrected, the net loss in the recycle fund will become more aggravated. Gary  
17 Hill, City Manager, has a plan in place to address this concern and will be presenting it to the Council  
18 at a later date with the details. The plan will involve bridging the gap with funds from landfill fees for  
19 a number of years until the recycling industry catches up. This will ensure there is no increase to  
20 recycling costs for the residents of Bountiful

21 Mr. Beck also mentioned the Water and the Light and Power funds both showed great  
22 increases in FY2018, which were calculated increases approved in the latest budget. The increases  
23 are gaining the ground wanted to in order to drive infrastructure and increased operations for both of  
24 those entities, which also brought revenue increases as intended.

25 Gary Keddington, independent auditor, then explained the auditing process. He was happy to  
26 announce that there were no issues during the audit; the City was willing to make adjustments as  
27 needed and advised, he had easy access to the people and reports he needed in order to do a thorough  
28 job, there were no disagreements with management, etc. His findings are that the financial statements  
29 meet accounting standards as they should, and that the internal controls and processes used in the  
30 Finance Department are being correctly executed to produce accurate financial reports and  
31 statements. In the area of compliance, there was one finding that should be addressed; taxation of the  
32 use of personal use of City vehicles. City management is well aware of this issue and already  
33 working out ways to comply with IRS regulations. City vehicles are often taken home by the Power  
34 Director, Water Director and others, who need to be able to respond quickly to emergency calls for  
35 maintenance at all hours. There was also one issue found regarding budget compliance. The City had  
36 one instance of overspending due to needing to make an additional entry found during the audit. It  
37 was not due to an issue of mismanagement in the City.

38 Just as a note, this and previous years’ reports are available to the public, both on the City  
39 website and can be asked for in person at City Hall.

40  
41 **CONSIDER APPROVAL OF PURCHASE OF 2 ¾ TON PICKUP TRUCKS, A 1 ½ TON CAB**  
42 **AND CHASSIS, TRAFFIC SAFETY LIGHTS, AND A TRUCK BED – MR. MARK**  
43 **SLAGOWSKI**

44 Mr. Slagowski was excused so Councilman Knight presented to the Council the request of the  
45 Water Department to purchase vehicles, safety lights, and a truck bed. Councilman Knight moved to

1 approve and Councilman Higginson seconded the motion. Voting was unanimous with  
2 Councilpersons Harris, Higginson, Knight and Simonsen voting “aye”.

3  
4 **CONSIDER APPROVAL OF PURCHASE OF 80 WOOD POLES FROM MCFARLAND**  
5 **CASCADE – MR. ALLEN JOHNSON**

6 Allen Johnson, Power Director, gave a brief update on the status of the new transformer at the  
7 power station. The transformer is in route and expected to be here Monday, November 19 in the  
8 morning. Assembly will begin the Monday before Thanksgiving, and they expect to have the entire  
9 substation tested and up and running before Christmas.

10 In regards to the request to purchase poles, Mr. Johnson shared that the time has come to  
11 stock up on the inventory of power poles before the winter weather hits and because current stock is  
12 getting low. An independent company is currently going through the entire city to test each pole, and  
13 they have found seven poles that need to be replaced immediately, as well as about 35 poles that will  
14 need to be replaced shortly out of about 1,000 poles tested so far. McFarland Cascade is the only  
15 company that still sells “butt-treated poles”, which leave the upper portions of the pole untreated, soft  
16 wood. These are much easier for our linemen to climb and therefore much safer for the linemen. It is  
17 unknown how long McFarland will continue to offer this product, but until that time the City hopes to  
18 keep purchasing from them and keeping them in stock.

19 Councilman Knight moved to approve and Councilman Simonsen seconded the motion.  
20 Voting was unanimous with Councilpersons Harris, Higginson, Knight and Simonsen voting “aye”.

21  
22 **CONSIDER APPROVAL OF THE SELECTION OF ASCENT CONSTRUCTION AS THE**  
23 **CONSTRUCTION MANAGER/GENERAL CONTRACTOR FOR THE BOUNTIFUL CITY**  
24 **HALL REMODEL PROJECT – MR. LLOYD CHENEY**

25 Mr. Lloyd Cheney, City Engineer, presented to the Council his request to hire Ascent  
26 Construction as the construction manager/general contractor (CM/GC) for the Bountiful City Hall  
27 Remodel project. It is beneficial to bring a CM/GC on board at this point in the design process  
28 because they provide much needed help; they are very good at estimating the costs of construction,  
29 and vetting the processes and the materials to make sure things are streamlined. The committee  
30 accepted proposals from construction companies and selected two that they wanted to interview,  
31 Ascent and Hogan. After the interviews, the committee unanimously voted to recommend Ascent  
32 Construction to the Council for hire. One of the many reasons that determined their decision was the  
33 \$114,000 of saved money in fees. They also have a very impressive resume, especially on  
34 government buildings and schools. They have been very easy to work with in the past and the  
35 committee feels confident they will do a good job.

36 Mayor Lewis asked for a motion to approve. Councilman Higginson moved to approve and  
37 Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris,  
38 Higginson, Knight and Simonsen voting “aye”.

39  
40 **CONSIDER APPROVAL OF THE GUARANTEED MAXIMUM PRICE OF \$4,984,637**  
41 **FROM HOGAN CONSTRUCTION FOR THE CONSTRUCTION OF THE DOWNTOWN**  
42 **PLAZA – MR. LLOYD CHENEY**

43 Mr. Lloyd Cheney, City Engineer, started by expressing how much effort has gone into the  
44 process to get to this point. The committee has labored over every step in the design, the layout and  
45 every item proposed as part of the future downtown plaza, especially because there are budget issues  
46 involved. The Guaranteed Maximum Price (GMP) is proposed at \$4,984,637, with \$4.4M of that

1 being the construction costs (which is 10% higher than they originally anticipated). There are still  
2 some items of the design that are being worked out and decided (a water feature fountain and some  
3 seating walls for example), and there is an allowance set aside for those items. At this time it is  
4 important to move ahead so that Hogan Construction can sign contracts with their suppliers and  
5 subcontractors in order to guarantee lower prices.

6 Concern was expressed from the Council that they hoped that the right balance can be found  
7 between economizing and cost effectiveness and “greatness”. Mr. Cheney assured them that the  
8 committee has the exact same concerns, and have been working hard to make sure that the plaza is  
9 “classy” and that it complements our downtown area. The goal is to have it be a place that is loved  
10 and used by the residents.

11 Mayor Lewis asked for a motion to approve. Councilman Higginson moved to approve and  
12 Councilman Simonsen seconded the motion. Voting was unanimous with Councilpersons Harris,  
13 Higginson, Knight and Simonsen voting “aye”.

14  
15 **CONSIDER APPROVAL OF THE PURCHASE OF 13 MOTOROLA RADIOS IN THE**  
16 **AMOUNT OF \$33,745 – CHIEF TOM ROSS**

17 Chief Tom Ross addressed the Council requesting the purchase of 13 Motorola radios for  
18 police cars and the dispatch center. The purchase of these radios has been previously approved as part  
19 of the FY2019 budget for the Police Department. As an effort to update all analog radios to digital  
20 radios as required by federal law, 43 radios were purchased in FY2018, and these last 13 will now  
21 complete the transition to digital radios for the City of Bountiful.

22 Councilwoman Harris moved to approve and Councilman Higginson seconded the motion.  
23 Voting was unanimous with Councilpersons Harris, Higginson, Knight and Simonsen voting “aye”.

24  
25 **CONSIDER THE APPROVAL OF RESOLUTION 2018-13 AND THE INTERLOCAL**  
26 **AGREEMENT BETWEEN BOUNTIFUL CITY AND THE SOUTH DAVIS RECREATION**  
27 **DISTRICT FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF AN ICE**  
28 **RIBBON – MR. CLINTON DRAKE**

29 This issue was tabled until a further date.

30  
31 Mayor Lewis presented and asked for a motion to table this issue until a further date.  
32 Councilman Higginson moved to table and Councilwoman Harris seconded the motion. Voting was  
33 unanimous with Councilpersons Harris, Higginson, Knight and Simonsen voting “aye”.

34  
35 **DISCUSSION AND DETERMINATION OF THE PROCEDURE TO FILL THE VACANCY**  
36 **ON THE CITY COUNCIL – MR. CLINTON DRAKE**

37 Mr. Clinton Drake, City Attorney, started by stating that all City management and staff have  
38 been removed from the process of selecting a new Council member. The only people who will be  
39 involved next Tuesday at the special selection meeting will be himself, the City Recorder (Shawna  
40 Andrus) and the Recording Secretary (Maranda Hilton). As of right before this meeting 43  
41 applications have been given out and seven have been completed and returned, and we expect that to  
42 increase significantly by Thursday at 5:00 p.m. which is the deadline.

43 The process of selection will be a three part process; first, application review; second, the  
44 interviewing process; and third, the selection/voting. He asked that Council members review all  
45 applications prior to the night of selection. The applications will be provided to the Council as they  
46 are received, and copies will be provided to the Council the night of selection for use as well. In

1 regards to the interviews and voting, Mr. Drake asked the council for their input on how they feel that  
2 evening should be structured. His suggestions are to give each applicant three minutes to speak, and  
3 then to allow one minute for follow-up questioning each. The goals in creating this selection process  
4 have been transparency and fairness. To determine the order in which applicants will be interviewed,  
5 he felt they should pre-print each person's name on a slip of paper and pull the names out of a box at  
6 the selection meeting. After the interviews are complete, the council will have time to discuss their  
7 opinions. This will be for an undetermined amount of time. Finally, the Council members will use a  
8 voting sheet to mark down their top applicants. It was determined after some discussion that the  
9 number of applicants they vote for will be 15% (rounded up) of the total number of applicants. If  
10 there are 20 applicants, Council members will vote for their top three applicants, with their top choice  
11 receiving three points, their second receiving two points, and their third receiving one point. After  
12 voting is complete, there will be a 15 minute break in order to tally the points, and the top applicants  
13 names will then be displayed along with their point total on the screen. In the event of a tie, the  
14 Mayor's vote will be the tie-breaker.

15 Each applicant will have an informational sheet with the agenda and pertinent information on  
16 it given to them so that everyone knows what to expect and how the meeting will go.

17

18 The regular session of the City Council was adjourned at 8:32 p.m.

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\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Recorder