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Minutes of the
Bountiful City Council Meeting
City Council Chambers
June 11, 2013, 6:30 p.m.

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Present:	Mayor:	Joe L. Johnson
	Council Members:	Richard Higginson, Beth Holbrook, John Marc Knight, Fred Moss, and Thomas Tolman
	City Manager:	Gary Hill
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	City Recorder:	Kim Coleman
	Admin. Services Director:	Galen Rasmussen
	Planning/RDA Director:	Aric Jensen
	Department Heads:	Gary Blowers, Streets Allen Johnson, Power Tom Ross, Police Jerry Wilson, Parks
	Recording Secretary:	Nancy Lawrence

Official Notice of this 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.

STUDY SESSION

Mayor Johnson called the meeting to order at 6:36 p.m., and welcomed those in attendance. Mr. Mahan welcomed Robert Higginson, a law student, who will be interning with the City this summer.

Mr. Jensen suggested two main considerations that the Council focus their discussion on regarding electronic message centers: (1) where the signs could be located (related to height, monument, etc.) and (2) the streets/areas of the City where they would be permitted. He noted that previous discussion had given consideration to Orchard Drive, 2600 South to Colonial Square, 500 South corridor to Main Street, 400 North between 200 West and Main Street, and 500 West St. Councilman Knight stated that he would prefer that there be no electronic message centers on 500 South and reasoned that the argument focused on “competition” is valid only when it is based on the capacity of a sign in any given area to compete for the attention of a passerby, *in that area*. He reasoned that if there were **no** electronic message centers on 500 South, all advertisers would be on the same standing.

Councilwoman Holbrook reviewed the considerations made by the Planning Commission and if electronic message centers were permitted in areas that were residential/ commercial mixed, that they should be limited to monument signs. Councilman Moss noted that the discussion should distinguish between a reader board type of sign and those with animation. Specific commercial situations were noted (500 South east of Main Street and 400 North between Main Street and 100 West) and the issue of placing a disadvantage on businesses.

1 At 7:05 p.m., Mr. Hill suggested that the discussion be continued at the end of the regular
2 meeting or another Study Session scheduled at a later time. With input from the group, it was
3 decided to continue the Study Session to June 25th, following the regular City Council meeting.
4 Based on this evening's discussion, the staff was directed to prepare a summary and tentative
5 language for the electronic message center ordinance. The Study Session concluded at 7:09 p.m.
6 on a motion made by Councilman Higginson and seconded by Councilwoman Holbrook. Voting
7 was unanimous with Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voting
8 "aye".
9

10 Mayor Johnson opened the regular City Council meeting at 7:11 p.m. Boy Scouts Josh
11 Hawkes, Ben Lewis, and Mathew () led the pledge of allegiance to the flag and Aric Jensen
12 offered the prayer/thought.
13

14 **APPROVAL OF MINUTES**

15 Minutes of the regular City Council meeting held May 28, 2013 and the Special Meeting
16 held June 3, 2013 were presented and approved as written. Councilman Moss motioned to
17 approve the minutes, Councilwoman Holbrook seconded the motion and voting was unanimous.
18 Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted "aye".
19

20 **COUNCIL REPORTS**

21 Councilwoman Holbrook reported that the upcoming Concerts in the Park series are
22 ready to kick-off and she asked Richard Watson (chairman) to give a brief update. Mr. Watson
23 referred to the schedule which is on the City web site and noted that the first concert will be next
24 week – "Bountiful's Got Talent". Channel 2 will be covering the event and there will be a truck
25 from the Bountiful Food Pantry accepting donations for that center. He mentioned other
26 upcoming concerts and Councilman Knight said that the Youth Council will be selling drinks
27 and hot dogs at the concerts. Councilwoman Holbrook thanked the Community Service Council
28 for the outstanding job they do and she invited anyone who would like to participate with that
29 group to meet with them on the second Saturday of each month at the Bun Basket at 8:00 a.m.
30

31 Councilman Moss noted that the "Coats for Kids" Car Show will be held this coming
32 Friday and Saturday at the 4th North Park.
33

34 Mayor Johnson said that the Interim Fire Chief for the South Davis Metro Fire
35 Department apprised him of the fact that there will be a controlled burn on the west side of
36 Centerville tonight (very late) and that, where possible, citizens can be informed and not be
37 alarmed by the fire. The burning will continue southward in Davis County for the next few days.
38

39 Mayor Johnson was complimentary of the maintenance done at the cemetery for the
40 Memorial Day weekend.
41

42 **YOUTH COUNCIL REPORT**

43 Councilman Knight noted that the new members of the Youth Council were sworn in at
44 ceremonies prior to this meeting. He reported that the dance which was co-sponsored by the
45 Youth Council this past Saturday was a great success. Chief Ross commented that if worthwhile
46 activities are planned and carried out, it gives the young people a great opportunity for a positive

1 form of entertainment. The Youth Council will also be assisting with the Car Show, Concerts in
2 the Park, and assisting other organizations in service projects. A service project of their own will
3 be to make trail improvements on the Great Western Trail, starting at the top of Holbrook
4 Canyon and continuing down to Scouts Flats.

5
6 **WEEKLY EXPENDITURES APPROVED FOR**
7 **MAY AND JUNE TIME PERIODS**

8 Mayor Johnson presented the Report for Expenditures and Expenses paid on May 27,
9 2013 (\$798,888.37) and June 3, 2013 (\$252,343.86). There were no questions. Councilman
10 Higginson made a motion to approve the financial reports, as presented. Councilman Tolman
11 seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight,
12 Moss and Tolman voted “aye”.

13
14 **CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN**
15 **FINANCIAL REPORTING PRESENTED**

16 Lisa Dudley, the Finance Director from Riverton City, was in attendance to present the
17 Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in
18 Financial Reporting to Bountiful City. She said this certificate is earned for the 2012
19 Comprehensive Annual Financial Report (CAFR) and represents a significant accomplishment
20 by the City. She recognized the efforts of Kim Coleman, Finance Director and Ralph Hill,
21 Assistant Finance Director, as well as elected officials and administrative staff. She explained
22 that this award recognizes going beyond the state and local GAAP requirements and it is
23 especially impressive that the City has achieved this award continuously since 1981. Mayor
24 Johnson thanked Ms. Dudley for presenting this certificate and he expressed appreciation for the
25 diligence of the staff.

26
27 **RES. NO. 2013-06 ADOPTED RE: ISSUANCE AND SALE OF SALES TAX**
28 **REVENUE BONDS, SERIES 2013**

29 Mr. Coleman reviewed that a bond refunding proposal was provided to the City by the
30 financial Advisory firm of Lewis Young Robertson and Burningham to issue new refunding
31 bonds, with an underlying sales tax revenue guarantee. The proceeds from the refunding bond
32 sale would be used to pay off the existing bond issued in 2003 by the Municipal Building
33 Authority to finance a public parking structure at the Renaissance Towne Center property. The
34 bonds would be issued at a lower rate of interest which would provide three years’ savings
35 equaling approximately \$22,000 per year (total savings of \$66,000) after all issuance costs are
36 deducted.

37
38 It is the recommendation of staff to adopt Resolution 2013-06, entitled: A RESOLUTION
39 OF THE CITY COUNCIL OF THE CITY OF BOUNTIFUL, UTAH (THE “ISSUER”), AUTHORIZING THE
40 ISSUANCE AND SALE OF NOT MORE THAN \$785,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX
41 REVENUE REFUNDING BONDS, SERIES 2013; FIX THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT
42 OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE
43 MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR, AND THE MAXIMUM DISCOUNT FROM PAR
44 AT WHICH THE BONDS MAY BE SOLD; DELEGATING TO CERTAIN OFFICERS OF THE ISSUER THE
45 AUTHORITY TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE BONDS WITHIN THE
46 PARAMETERS SET FORTH HEREIN; PROVIDING FOR THE PUBLICATION OF A NOTICE OF BONDS TO BE

1 ISSUED; PROVIDING FOR THE RUNNING OF A CONTEST PERIOD; AUTHORIZING AND APPROVING THE
2 EXECUTION OF A SUPPLEMENTAL INDENTURE, A BOND PURCHASE AGREEMENT, AND OTHER
3 DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AUTHORIZING THE TAKING OF ALL OTHER
4 ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS
5 RESOLUTION; AND RELATED MATTERS.
6

7 Jason Burningham, representing the financial consultants, responded to questions from
8 the Council and noted that although the sales tax is a guarantee, the revenue source is still the
9 same as the current bonds. He also pointed out that the quality of Bountiful's financial
10 management attracts potential purchasers. Following discussion, Councilman Higginson made a
11 motion to adopt Resolution No. 2013-06 and set a public hearing July 9, 2013 to consider the
12 issuance of the bonds. Councilman Knight seconded the motion and voting was unanimous.
13 Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted "aye".
14

15 **COUNCIL APPROVES INCORPORATION OF EVIDENCE TO**
16 **POLICE DEPARTMENT**

17 Chief Ross explained that State law requires the City Council to approve the
18 incorporation of evidence acquired by the Police back into the Police Department. He proposed
19 that a small document safe, a Lowe's gift card, and a mountain bike be approved for
20 departmental use. Councilman Moss motioned to approve this request, Councilwoman Holbrook
21 seconded the motion, and voting was unanimous. Councilpersons Higginson, Holbrook, Knight,
22 Moss and Tolman voted "aye".
23

24 **PRELIMINARY AND FINAL COMMERCIAL SITE PLAN APPROVED**
25 **FOR TIMBERMILL CUSTOM CARPENTRY, BRAD HUTCHINGS, APPLICANT**

26 Mr. Jensen presented the request of Brad Hutchings for preliminary and final commercial
27 site plan approval for a 5,600 sq. ft. accessory warehouse/manufacturing structure located in the
28 Heavy Commercial zone at 446 West 1000 North. This request has been reviewed by the
29 Planning Commission and comes to the Council with a positive recommendation from that body
30 and staff, with the following conditions:

- 31 1. Make any redline corrections
- 32 2. Pay any required fees

33 Following a brief discussion, Councilman Knight made a motion to approve the request for
34 Timbermill Custom Carpentry, as recommended. Councilman Higginson seconded the motion
35 and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman
36 voted "aye".
37

38 **AMENDED SITE PLAN APPROVED FOR RILEY COURT AND THE**
39 **PARK APARTMENTS INDEPENDENT LIVING CENTER, 517 & 555 SO. 100 EAST**

40 Mr. Jensen presented the request of Marvin Blosch to expand the existing Riley Court
41 independent living center by constructing a new addition to the east and by integrating the
42 adjacent Park apartments into the Riley Court facility. This request has been to the Planning
43 Commission and comes to the Council with a positive recommendation from that body, as well
44 as staff, for preliminary and final site plan approval, with the following conditions:

- 45 1. All conditions of the Conditional Use Permit are complied with,
- 46 2. Any and all redline corrections are completed prior to issuance of a building permit,

- 1 3. Any and all building and site improvements are constructed per the approved plans,
- 2 4. Any and all fees are paid.

3
4 The Mayor asked if the occupants of the complex are aware of this proposal, as well as
5 neighboring citizens, particularly with the change of elevations. Councilwoman Holbrook
6 indicated that the neighborhood is okay with the proposal. Councilwoman Holbrook then made
7 a motion to grant preliminary and final site plan approval, as recommended. Councilman
8 Higginson seconded the motion which carried unanimously. Councilpersons Higginson,
9 Holbrook, Knight, Moss, and Tolman voted "aye".

10
11 **RES.NO. 2013-07 ADOPTED RE: CERTIFIED PROPERTY TAX RATE FOR 2013**

12 Mr. Hill reviewed that the Tentative Budget for the fiscal year beginning July 1, 2013 and
13 ending June 30, 2014 was adopted May 6, 2013. He reviewed the major revenue and expense
14 categories for the proposed budget and noted that the budget is balanced between revenues and
15 expenditures. In addition to adopting the budget, it is necessary to set the certified tax rate and
16 levy taxes on all real and personal property in the City for the calendar year 2013. It is the staff
17 recommendation to adopt Resolution No. 2013-07, entitled A RESOLUTION SETTING THE TAX
18 RATE AND LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF BOUNTIFUL,
19 UTAH, MADE TAXABLE FOR THE YEAR 2013. This resolution sets the tax rate at .001063.
20 Councilman Higginson made a motion to this effect, Councilwoman Holbrook seconded the
21 motion and voting was unanimous with Councilpersons Higginson, Holbrook, Knight, Moss and
22 Tolman voting "aye".

23
24 **ORD. NO. 2013-03 ADOPTED RE: AMENDING THE 2013 FY BUDGET AND**
25 **ADOPTING THE 2014 FISCAL YEAR BUDGET**

26 At 8:15 p.m. Mayor Johnson opened the public hearing to consider amending the current
27 year budget; to make minor adjustments of the budget for the new fiscal year to account for the
28 effect of now available health insurance rates which are less than originally budgeted; and to
29 adopt the budget (which includes the amendments and adjustments just mentioned) along with
30 related rates, fees, taxes and compensation schedules.

31
32 Colleen Colton, resident and property owner, expressed concern that money is being
33 transferred from the Power Department to the General Fund. She also asked why the City is not
34 supporting energy-saving devices. Bruce Parkin clarified that originally the contribution from
35 the Power Department (1962-63) was a replacement or substitute for a State tax assessment
36 which would normally have been assessed on a capital project of a new private utility. The
37 public hearing was closed at 8:24 p.m.

38
39 Councilman Moss expressed appreciation for the different points of view and noted that
40 the contribution from the Power Department is equal to the amount collected from property tax.
41 The transfer from the Power Department provides for all residents in the City to contribute to the
42 operations of the City. Without the contribution from the Power Department, the tax rate would
43 have to be doubled. He explained that the Power Commission meets monthly to review the
44 operation of the Power Department, including all financial transactions. Councilman Knight also
45 pointed out the competition rates are over-all higher, and it was noted that Bountiful Power has
46 had programs to encourage energy-saving appliances.

1
 2 Following discussion, Councilwoman Holbrook made a motion to adopt Ordinance No.
 3 2013-03 entitled AN ORDINANCE AMENDING THE BUDGETS OF THE CITY OF BOUNTIFUL FOR THE
 4 FISCAL YEAR BEGINNING JULY 1, 2012, AND ENDING JUNE 30, 2013, AND ADOPTING A BUDGET FOR
 5 THE CITY OF BOUNTIFUL FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30,
 6 2014. THESE BUDGETS ARE PREPARED AND PRESENTED PURSUANT TO THE UNIFORM FISCAL
 7 PROCEDURES ACT FOR UTAH CITIES, INCLUDING ESTIMATES OF ANTICIPATED REVENUES,
 8 APPROPRIATIONS FOR EXPENDITURES, AND THE ADJUSTED COMPENSATION SCHEDULES FOR CITY
 9 OFFICERS AND EMPLOYEES. Councilman Higginson seconded the motion and voting was
 10 unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

11
 12 **RES. NO. 2013-08 ADOPTED TO SET USER FEES FOR CITY FACILITIES**
 13 **AND SERVICES**

14 In connection with adopting the budget, the Mayor requested adoption of Resolution No.
 15 2013-08, entitled A RESOLUTION SETTING THE UTILITY RATES AND USER FEES FOR CITY FACILITIES
 16 AND SERVICES EFFECTIVE JULY 1, 2013. Councilman Higginson motioned to adopt this
 17 resolution, Councilman Tolman seconded the motion and voting was unanimous.
 18 Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

19
 20 **STAFF AND CALENDARING ITEMS**

21 Mr. Hill explained that the contract with Waste Management for collecting recycleables
 22 has an option to extend two more times. He asked the Council if they wished to exercise the
 23 option to extend the existing contract or if they would like to re-bid this service. It was the
 24 consensus of the Council to re-bid.

25
 26 The meeting adjourned at 8:38 p.m. on a motion made by Councilman Moss and
 27 seconded by Councilwoman Holbrook. Voting was unanimous, with Councilpersons Higginson,
 28 Holbrook, Knight, Moss and Tolman voting “aye”.

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 33 _____
 34 JOE L. JOHNSON, Mayor

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 37 _____
 38 KIM J. COLEMAN, City Recorder

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