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Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
January 8, 2013, 7:00 p.m.

6 Present: Mayor: Joe L. Johnson  
7 Council Members: Richard Higginson, Beth Holbrook, John Marc Knight,  
8 Fred Moss and Thomas Tolman  
9 City Manager/Attorney: Russell Mahan  
10 City Engineer: Paul Rowland  
11 City Recorder: Kim J. Coleman  
12 Planning/RDA Director: Aric Jensen  
13 Department Heads: Allen Johnson, Power  
14 Tom Ross, Police  
15 Jerry Wilson, Parks  
16 Recording Secretary: Nancy Lawrence  
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19 Official Notice of this meeting had been given by posting a written notice of same and an  
20 Agenda at the City Hall and providing copies to the following newspapers of general circulation:  
21 Davis County Clipper, Standard Examiner, and on the Utah Public Notice Website.  
22

23 Mayor Johnson called the meeting to order at 7:00 p.m., and welcomed those in attendance.  
24 Rylan Clements, visiting Boy Scout, led the pledge of allegiance to the flag and Councilwoman  
25 Holbrook offered the prayer.  
26

27 **APPROVAL OF MINUTES**

28 Minutes of the regular City Council meeting held December 11, 2012 were presented and  
29 approved as written. Councilman Tolman motioned to approve the minutes, Councilwoman  
30 Holbrook seconded the motion and voting was unanimous with Councilpersons Higginson,  
31 Holbrook, Knight, Moss and Tolman voting “aye”.  
32

33 **COUNCIL REPORTS**

34 Councilwoman Holbrook reported that the Bountiful Community Service Council is  
35 working on the Summer Concert Series for this coming summer and she recognized Brad Johnson,  
36 the Chairman of the Council, for his dedication and hard work in this capacity.  
37

38 **YOUTH COUNCIL REPORT**

39 Aubrey Black (Youth Mayor) and Sarah Black (Community that Cares representative)  
40 reported on Youth Council activities, including the “end of the World” stomp, the “Angel Tree”  
41 project, planning for future service projects, and their anticipated visit to the Legislature.  
42

43 **WEEKLY EXPENDITURES APPROVED FOR**  
44 **TWO PAYMENT DATES AND MONTHLY SUMMARY**

45 Mayor Johnson presented the Reports for Expenditures and Expenses paid on December 10,  
46 2012 (\$260,888.73); December 17, 2012 (\$343,383.28); December 24, 2012 (\$940,637.28);  
47 December 31, 2012 (\$70,617.04); and the Summary for the Month of November, 2012 in the  
48 amount of \$450,974.05 (Capital Outlay) and \$4,763,227.60 (Expenses). Following a brief  
49 discussion, Councilman Higginson made a motion to accept and approve the expenditures, as given.

1 Councilman Moss seconded the motion which carried unanimously. Councilpersons Higginson,  
2 Holbrook, Knight, Moss and Tolman voted “aye”.

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4 **ANNUAL MEETING SCHEDULE APPROVED FOR 2013**

5 Mr. Mahan reviewed that the State Code requires that public notice be given for the meeting  
6 schedule for the year (2013). He reviewed the Public Notice, noting that the Council has been  
7 meeting on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays at 7:00 p.m. and this seems to work well for all concerned. It  
8 was also noted that the City Council may meet as a Redevelopment Agency Board of Directors and  
9 that these meetings will be scheduled before City Council meetings as needed. There will NOT be  
10 a City Council meeting on July 23<sup>rd</sup>, or December 24<sup>th</sup>. In addition to the regular meetings, the City  
11 Council may meet in special session as needed. Councilman Moss made a motion to adopt the  
12 proposed meeting schedule, Councilman Higginson seconded the motion and voting was  
13 unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

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15 **PAUL SUMMERS APPOINTED TO POWER COMMISSION**

16 Allen Johnson reported that Commissioner Ralph Mabey has served faithfully on the Power  
17 Commission for many years and has requested that he not be considered for reappointment. It is the  
18 recommendation of Mayor Johnson and Allen Johnson that Paul Summers be appointed to the term  
19 previously filled by Mr. Mabey. Mr. Summers’ background and skills were reviewed, following  
20 which Councilman Knight made a motion that he be appointed to serve on the Power Commission.  
21 Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons  
22 Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

23  
24 **RES. NO. 2013-01 APPROVED RE: LAND-USE APPEAL FEES**

25 Mr. Mahan explained that when the Administrative Law Judge was appointed in the  
26 December 11, 2012 meeting, he had mentioned that a fee schedule would be brought back to the  
27 Council in a future meeting. He reviewed Resolution No. 2013-01 entitled **A RESOLUTION**  
28 **ESTABLISHING A LAND-USE DECISION APPEAL FEE.** Mr. Mahan stated that the purpose of this fee is  
29 to cover the cost of a contracted legal service, not performed by a City employee. The appeal  
30 process (*de novo*) provides that the same review will be given as in the original hearing (requiring  
31 public notice for land use decisions). The appellate pays the costs of the hearing. Councilwoman  
32 Holbrook made a motion to adopt Resolution No. 2013-01, Councilman Higginson seconded the  
33 motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and  
34 Tolman voted “aye”.

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36 **STAFF AND COUNCIL CALENDARING ITEMS**

37 Mayor Johnson referred to the draft of the Request for Proposals as related to RDA and  
38 development of the downtown area. He asked the Council to submit any concerns or observations  
39 to Mr. Jensen. As a “starter”, Councilman Moss suggested that the request be more specific and  
40 perhaps include a request for “billable rates”.

41  
42 Mayor Johnson reminded the group of Local Officials Day at the State Capitol on January  
43 28<sup>th</sup>.

44  
45 At the request of the Mayor, Mr. Rowland gave a status report on the new City Hall  
46 building. A meeting is being held tomorrow where the schedule will be preliminarily set in place

1 and there will be coordination with the demolition contractor. The first bid package should be ready  
2 before Spring.

3  
4 The Mayor thanked Chief Ross for the police presence which is in Bountiful elementary,  
5 junior high, and high schools. Bountiful is the only city in the County that has officers at the  
6 elementary schools. Mayor Johnson reported that Superintendent Bowles (Davis School District)  
7 expressed a great deal of appreciation for the presence of police in our local schools.

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9 **CLOSED MEETING TO DISCUSS PENDING LITIGATION**

10 Mayor Johnson noted that a closed meeting has been scheduled this evening for the purpose  
11 of discussing pending litigation. At 7:43 p.m. Councilman Higginson made a motion to adjourn to  
12 the closed meeting. Councilwoman Holbrook seconded the motion and voting was unanimous.  
13 Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted “aye”.

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15 **Attendance at Closed Meeting**

- 16 Mayor Johnson
- 17 Councilpersons Higginson, Holbrook, Knight, Moss and Tolman
- 18 Russell Mahan
- 19 Paul Rowland
- 20 Aric Jensen

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26 JOE L. JOHNSON, Mayor

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30 KIM J. COLEMAN, City Recorder

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