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**Minutes of the  
Bountiful City Council  
City Council Chambers  
December 10, 2013, 7:00 p.m.**

6 Present: Mayor: Joe L. Johnson  
7 Council Members: John Marc Knight, Richard Higginson, Beth  
8 Holbrook, Fred Moss, and Thomas Tolman  
9 City Manager: Gary Hill  
10 City Attorney: Russell Mahan  
11 City Engineer: Paul Rowland  
12 Admin. Services Dir.: Galen Rasmussen  
13 Planning/RDA Director: Aric Jensen  
14 Department Heads: Gary Blowers, Streets  
15 Allen Johnson, Power  
16 Tom Ross, Police  
17 Jerry Wilson, Parks  
18 Recording Secretary: Nancy Lawrence  
19  
20 Newly elected officials: Mayor Randy Lewis  
21 Councilman John Pitt  
22 Councilwoman Kendalyn Harris

24 Official Notice of this meeting had been given by posting a written notice of same and an  
25 Agenda at the City Hall and providing copies to the following newspapers of general circulation:  
26 Davis County Clipper, Standard Examiner, and on the Utah Public Notice Website.  
27

28 Mayor Johnson called the meeting to order at 7:00 p.m., and welcomed those in  
29 attendance. Councilman Tolman led the pledge of allegiance to the flag and Mr. Hill offered the  
30 prayer/thought.  
31

32 **MINUTES APPROVED FOR NOVEMBER 19, 2013 MEETING**

33 Mayor Johnson presented the City Council minutes of November 19, 2013 for approval.  
34 Councilman Tolman motioned to approve the minutes as written. Councilman Higginson  
35 seconded the motion and voting was unanimous. Councilpersons Knight, Higginson, Holbrook,  
36 Moss and Tolman voted “aye”.  
37

38 **COUNCIL REPORTS**

39 Councilwoman Holbrook reported that the Bar J Wrangler concert was a great success  
40 and that she looks forward to this group returning to Bountiful every year. She said that the  
41 Youth Council was very helpful in setting up and transporting props and she expressed  
42 appreciation to them.  
43

44 **YOUTH COUNCIL REPORT**

45 Councilman Knight noted that the Youth Council had a great time assisting with the Bar J  
46 Wrangler concert and tomorrow they will be doing some Christmas caroling.  
47

1 **EXPENDITURES APPROVED FOR OCTOBER 2013 SUMMARY**  
2 **AND THREE NOVEMBER 2013 DATES**

3 Mayor Johnson presented the October 2013 Budget Summary and Expenditure Report  
4 and the weekly expenditure reports for November 11, 18, and 25, 2013. Following a discussion  
5 on the timing of capital expenditures, Councilman Knight made a motion to approve the  
6 following expenditures: Summary of October, 2013 (\$3,713,387.35 expenses, plus capital outlay  
7 of \$635,765.98, totaling \$4,349,153.33); November 11, 2013, \$130,929.43; November 18, 2013,  
8 \$289,488.65; and November 25, 2013, \$989,678.47. Councilman Higginson seconded the  
9 motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and  
10 Tolman voted “aye”.

11  
12 **ORD. NO. 2013-09 ADOPTED RE: ZONE CHANGE – 588 WEST 2600 SOUTH,**  
13 **BRIGHTON HOMES APPLICANT**

14 Mr. Rowland reported that Brighton Homes has requested a zone map amendment from  
15 General Commercial (CG) to Heavy Commercial (CH) for the purpose of conducting vehicle  
16 sales on their property at 588 West 2600 South. This request has been reviewed by the Planning  
17 Commission and staff and comes with a positive recommendation. It was noted that some of the  
18 business will be internet sales.

19  
20 At 7:15 p.m. Mayor Johnson opened the public hearing to consider this request. There  
21 were no comments from the audience and the hearing was closed. Mr. Rowland explained that if  
22 the zone change is approved, the site plan will be coming to the City Council at a later time.  
23 Councilwoman Holbrook motioned to adopt Ordinance No. 2013-09 entitled, AN ORDINANCE  
24 AMENDING THE ZONING MAP OF BOUNTIFUL CITY FROM GENERAL COMMERCIAL (CG) TO HEAVY  
25 COMMERCIAL (CH) FOR THE PROPERTY LOCATED AT 588 WEST 2600 SOUTH, as recommended.  
26 Councilman Tolman seconded the motion and voting was unanimous. Councilpersons  
27 Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

28  
29 **APPROVAL GIVEN TO PURCHASE IRRIGATION SOFTWARE FOR**  
30 **GOLF COURSE**

31 Mr. Wilson explained that the irrigation system at the golf course is 20 years old and as  
32 new controllers are purchased, they are not compatible with the older software. The ten year  
33 capital plan includes replacement of the controllers, but the software will also need to be  
34 upgraded. The City has received a quote from RMT Equipment (the Rain Bird distributor in  
35 Utah) for a Rain Bird Cirrus Software upgrade for \$14,375.00 with a three-year Global Service  
36 Plan that includes MI Control Software for \$6,250 for a total purchase of \$20,625.00. The FY  
37 2014 budget includes \$25,000 for this purchase. It is the recommendation of staff to purchase  
38 the new software, as noted. Councilman Knight made a motion to approve the software  
39 purchase, as explained, from RMT Equipment. Councilman Higginson seconded the motion and  
40 voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted  
41 “aye”. Councilman Moss recommended that lightning arrestors be purchased and installed as  
42 part of the upgrade process, to help in reducing the damage to the controllers.

43  
44 Mr. Wilson took this opportunity to thank the Council and Mayor for all of their help  
45 over the years. He will be retiring soon and noted that he will miss his association with the City.  
46

1 **UDOT MASTER UTILITY AGREEMENT APPROVED**

2 Mr. Allen Johnson reviewed that UDOT is planning to begin construction next March on  
3 some I-15 overpass rebuilds from North Salt Lake to Farmington. They have not finalized the  
4 project design because they are doing a design build project. It is anticipated that 500 South will  
5 be impacted and that the project boundaries could include the intersection of 500 West 500 South  
6 and existing power facilities. The 2600 South upgrade may also impact the intersection at 2600  
7 South Highway 89; and there could be similar issues at 400 North 500 West. UDOT has  
8 requested that we sign a “Master Utility Agreement” now, and later when the design for each  
9 portion of the project is completed, we will need to sign a “Supplemental Agreement”.

10  
11 The “Master Utility Agreement” defines the coordination efforts between UDOT, the  
12 Design Build Contractor, and the City. It also identifies how our relocation work will be  
13 scheduled and what work the City will be doing and what the Contractor will be doing. UDOT  
14 will pay all costs. This matter has been reviewed by the staff and Power Commission and comes  
15 to the Council with a recommendation to approve. Councilman Moss made a motion to approve  
16 the Master Utility Agreement, as recommended. Councilman Higginson seconded the motion  
17 and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman  
18 voted “aye”.

19  
20 **RIGHT OF WAY RELEASE APPROVED AT 855 WEST 500 SOUTH,**  
21 **DOUG SMITH, APPLICANT**

22 Mr. Johnson explained that Douglas Smith has requested the release of a 20-foot wide  
23 right-of-way which was granted to Bountiful City in 1961 for a transmission line and wood pole  
24 structure and for access to the line at approximately 855 West 500 South. The easement is no  
25 longer needed and it is the recommendation of staff and the Power Commission that it be  
26 released. Councilman Moss made a motion to this effect, Councilman Knight seconded the  
27 motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and  
28 Tolman voted “aye”.

29  
30 **CONSIDERATION OF PLOWER PLANT UNIT #8 REMOVAL**  
31 **FROM SERVICE**

32 Mr. Johnson reviewed that the No. 8 diesel/natural gas generation unit was installed in  
33 1986. New emissions regulations set forth by the Environmental Protection Agency (EPA), for  
34 which we must be accountable by January 1, 2015, will require an expenditure of approximately  
35 \$1.7 million. In addition, some general maintenance items which would need to be done within  
36 the next 13 months would cost an additional \$46,500 for parts plus labor and testing. With the  
37 three turbine generation units and the power contracts which are currently in place, we anticipate  
38 very few opportunities, if any at all, to run the No. 8 unit for load shedding during 2014. It has  
39 value for serving as a black start-up unit; however, that would require the maintenance  
40 expenditures.

41  
42 It is the recommendation of staff and the Power Commission that we permanently  
43 remove Unit No. 8 from service as of the end of 2013, and notify the Utah Division of Air  
44 Quality that this unit will no longer be used. Staff also recommends that we advertise the unit  
45 for sale. It is anticipated that it can generate \$500,000 if sold for parts. Councilman Moss made  
46 a motion to remove Unit No. 8 from the generation plant and let the Division of Air Quality

1 know that we will not be running it. Councilman Higginson seconded the motion which carried  
2 unanimously. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

3  
4 **APPROVAL GIVEN TO PURCHASE PROGRAMMABLE LOGIC**  
5 **CONTROLLER (plc) FOR POWER DEPARTMENT**

6 Mr. Johnson explained that as part of the power plant upgrade, a Programmable Logic  
7 Controller (PLC) was installed. This equipment communicates with the Solar Turbine control  
8 packages and enables the Solar equipment to connect to the power grid through the Central  
9 Substation. It also facilitates other communications associated with the plant. When the initial  
10 plant upgrade package was installed, it did not include a redundant PLC. It is the  
11 recommendation of staff and the Power Commission that a redundant PLC be purchased through  
12 Electrical Consultants, Inc. (ECI) in the amount of \$15,000.00. He noted that the redundant PLC  
13 could protect the City from the possible loss of generation capability, the loss of alarm systems,  
14 and the loss of historical records. Councilman Moss motioned to approve the purchase of the  
15 PLC from ECI as recommended. Councilwoman Holbrook seconded the motion and voting was  
16 unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

17  
18 **CONTRACT WITH CHASE PAYMENTECH FOR MERCHANT**  
19 **SERVICES APPROVED**

20 Mr. Rasmussen reviewed that five City departments accept credit cards as a customer  
21 convenience. The current point-of-sale merchant services are provided by WorldPay. The fees  
22 associated with WorldPay have been reviewed and it is the recommendation of staff that the City  
23 change the credit/debit card merchant services to Chase Paymentech which currently is under the  
24 State of Utah contract. Anticipated monthly savings would range from 5 percent to 9 percent,  
25 depending on the month. It is the recommendation of staff to approve a State of Utah contract  
26 for Merchant Services with Chase Paymentech. Councilman Knight made a motion to this  
27 effect, Councilwoman Holbrook seconded the motion and voting was unanimous.  
28 Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

29  
30 **PRELIMINARY AND FINAL APPROVAL GRANTED TO**  
31 **HELEN B. JENSEN SBDVN., 3139 SO. CRESTVIEW CIRCLE**

32 Mr. Rowland presented the request of Sergay Liston for preliminary and final *reapproval*  
33 of the Helen B. Jensen Subdivision. This approval was granted in October, 2008, but lapsed  
34 after one year because the plat was not recorded. It is the recommendation of staff and the  
35 Planning Commission that preliminary and final approval be granted, subject to the following  
36 conditions:

- 37 1. The sidewalk and a circular/turn-around drive shall be constructed in conjunction  
38 with the construction of a dwelling on the new lot.  
39 2. The new dwelling shall have a minimum 30’ setback from Orchard Drive to provide  
40 for the circular driveway and to provide more separation from the street.  
41 3. An easement in favor of Lot 2 (which is a new lot) shall be provided along the north  
42 or south line of Lot 1 for the new sewer lateral.  
43 4. The applicant shall provide a current Title Report and pay all fees.  
44

45 Following a brief discussion, Councilwoman Holbrook made a motion to grant preliminary and  
46 final approval to the Helen B. Jensen Subdivision, as recommended. Councilman Higginson

1 seconded the motion and voting was unanimous. The owner affirmed that an easement for  
2 irrigation water is included. Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman  
3 voted “aye”.

4  
5 **COUNCIL VOTES TO CONDITIONALLY AWARD BID TO**  
6 **WIND RIVER EXCAVATION TO FILL THE EXCAVATION**  
7 **SITE AT CITY HALL**

8 Mr. Rowland reported that with the suspension of the New City Hall project, proposals  
9 have been solicited from four contractors to fill the excavation at the former City Hall/BDAC  
10 site. It is recommended by staff that Wind River Excavation be awarded the contract for unit  
11 prices proposed in the amount of \$48,360.94. Councilman Moss asked why this project be done  
12 now; and why don’t we wait to see if more fill dirt will be donated in an effort to decrease the  
13 costs. He motioned to wait until spring. Mr. Hill said they were hopeful of getting the hole  
14 filled as quickly as possible to minimize liability on the part of the City. Councilman Higginson  
15 seconded the motion which was followed by a lengthy discussion, which included the fact that a  
16 study will be done in the meantime which evaluates the needs for a New City Hall.

17  
18 Mr. Rowland suggested, and Councilman Moss restated his motion, that the contract  
19 could be approved based on the unit prices with the stipulation that between now and April 1<sup>st</sup>,  
20 2014 we will contact qualified contractors to bring in clean fill dirt and also with the stipulation  
21 that the unit price from Wind River Excavation (based on unit prices not to exceed \$48,360.94)  
22 be good until April 30, 2014. If they don’t keep the unit price, we would re-bid. Councilman  
23 Higginson seconded this motion which carried unanimously. Councilpersons Higginson,  
24 Holbrook, Knight, Moss and Tolman voted “aye”.

25  
26 **CONTRACT WITH GSBS FOR BOUNTIFUL CITY HALL USE**  
27 **AND NEEDS ANALYSIS STUDY APPROVED**

28 Mr. Rowland reviewed that the Council directed the staff to solicit proposals from  
29 interested professionals that are able to perform a full Use and Needs Analysis of the existing  
30 City Hall building. A selection committee was formed who received proposals from contractors  
31 and then narrowed down the proposals to two firms. Based on this selection process, GSBS  
32 Architects of Salt Lake City and JRCA Architects, also of SLC, were interviewed and it is the  
33 recommendation of the selection committee that GSBS Architects be selected to perform the  
34 study at a cost not to exceed \$32,000.00. Following a brief discussion, Councilman Higginson  
35 made a motion to approve the contract with GSBS as recommended. Councilwoman Holbrook  
36 seconded the motion which carried unanimously. Mr. Rowland noted that the study will provide  
37 information relative to the 10-year plan. Councilpersons Higginson, Holbrook, Knight, Moss  
38 and Tolman voted “aye”.

39  
40 **RELEASE OF EASEMENT APPROVED AT 571 EAST 550 NORTH,**  
41 **GARY WRIGHT APPLICANT**

42 Mr. Rowland presented the request of Gary Wright for a public utility easement to be  
43 released at 571 East 550 North. Mr. Rowland reported that this request has been reviewed by the  
44 Engineering and Power departments and comes to the Council with a positive recommendation.  
45 Councilman Moss motioned to release the easement as requested, Councilman Knight seconded  
46

1 the motion and voting was unanimous with Councilpersons Higginson, Holbrook, Knight, Moss  
2 and Tolman voting “aye”.

3  
4 **BEER LICENSE APPROVED FOR VILLAGE FOOD MART 2,**  
5 **1525 NORTH MAIN STREET, ARSHI SINGH**

6 Mr. Jensen presented the request of Village Food Mart 2 (Arshi Singh), 1525 North Main  
7 Street, for a beer license for this property. The property is located within the existing Village on  
8 Main mixed-use development. Mr. Jensen said that the request has been reviewed by the  
9 Business Licensing and Police Departments and comes to the Council with a positive  
10 recommendation. Councilman Tolman motioned to grant approval to the request for the beer  
11 license, as presented and recommended. Councilwoman Holbrook seconded the motion and  
12 voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted  
13 “aye”.

14  
15 **ORD. NO. 2013-10 APPROVED RE: CONSTRUCTION CODES AND**  
16 **CITY MANAGER ADMINISTRATIVE PROVISIONS**

17 Mr. Mahan reviewed that the City makes routine updates of its ordinances to reflect  
18 changes in practices or to incorporate amendments to standards such as Construction Codes.  
19 This process has taken place as it relates to Construction Codes and administrative provisions  
20 and management responsibilities of the City Manager and it is the recommendation of staff that  
21 Ord. No. 2013-10, entitled AN ORDINANCE AMENDING THE BOUNTIFUL CITY CODE TO REVISE  
22 CONSTRUCTION CODE AND CITY MANAGER ADMINISTRATIVE PROVISIONS be adopted. Following a  
23 short discussion, Councilman Higginson motioned to adopt Ord. No. 2013-10, as presented.  
24 Councilman Knight seconded the motion and voting was unanimous. Councilpersons  
25 Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

26  
27 **STAFF AND COUNCIL CALENDARING ITEMS**

28 Mr. Mahan noted that there will be a special City Council meeting at noon on Monday,  
29 January 6, 2014 to conduct the final business of 2013 and to swear in three newly elected  
30 members of the Council.

31  
32 At 8:52 p.m. Councilman Tolman made a motion to adjourn. Councilwoman Holbrook  
33 seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight,  
34 Moss and Tolman voted “aye”.

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JOE L. JOHNSON, Mayor

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42 \_\_\_\_\_  
43 KIM J. COLEMAN, City Recorder

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