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**Minutes of the
Bountiful City Council Meeting
City Council Chambers
March 10, 2009 - 7:00 p.m.**

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Present:	Mayor:	Joe L. Johnson
	Council Members:	Beth Holbrook, John Marc Knight, R. Fred Moss, Scott Myers and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	City Recorder:	Kim J. Coleman
	Planning Director:	Aric Jensen
	Department Reps:	Gary Blowers, Streets/Sanitation Kent McComb, Golf Pro Tom Ross, Police
	Recording Secretary:	Nancy Lawrence

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, Deseret News, and Salt Lake Tribune.
22

23 Mayor Johnson called the meeting to order at 7:00 p.m, following which Wyatt Frazier
24 (visiting Boy Scout) led the pledge of allegiance to the flag. Councilman Knight offered the
25 prayer/thought.
26

27 **APPROVAL OF MINUTES**

28 Minutes of the City Council meetings held February 10, 2009 and February 24, 2009
29 were presented and unanimously approved with a correction made to the February 10th minutes
30 on a motion made by Councilman Tolman and seconded by Councilman Moss. Councilpersons
31 Holbrook, Knight, Moss, Myers and Tolman voted “aye”.
32

33 **EXPENDITURES AND EXPENSES APPROVED**

34 Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000
35 for the following periods, with respective totals: February 12-18, 2009 (\$377,131.23); February
36 19-25, 2009 (\$1,248,484.59); and the Summary of Expenditures and Expenses for February,
37 2009 totaling \$3,493,004.88. Following a short discussion, Councilwoman Holbrook motioned
38 to accept the expenditure reports as presented. Councilman Knight seconded the motion and
39 voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted
40 “aye”.
41

42 **YOUTH COUNCIL REPORT**

43 Brandon Crouch, Youth Council City Manager, reported that the Youth Council will
44 travel to Logan this Friday to participate in the USU Youth Council Leadership Conference. In
45 addition to demonstrating effective meeting practices, they will compete against other Youth
46 Councils. Upcoming activities of the Youth Council include the Bunny Hop at the 400 North

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3 park. Brandon also read a resolution which the Youth Council adopted expressing opposition to
4 the proposed co-generation power plant west of Bountiful City, affirming that it would have a
5 negative impact on the air quality of the area in general.
6

7 **LEASE BETWEEN GOLF COURSE RESTAURANT**
8 **AND WESTERN FOODS RENEWED**

9 Kent McComb, golf pro, reviewed that Western Foods Service has had the concession
10 lease agreement at Bountiful Ridge Golf Course for the last five (5) years and the period of the
11 lease agreement has come to an end. He said that Western Foods has done a good job meeting
12 the staff expectations and reviewed some of those specific expectations. It is the staff
13 recommendation that Bountiful renew the lease agreement with Western Foods for the period of
14 three (3) years, renewable for a second three (3) year period upon mutual agreement of both
15 parties. The total annual fee shall be the greater of either (a) an annual fee of \$25,000, or (b)
16 15% of Concessionaire’s annual gross sales. Following a brief discussion, Councilman Moss
17 made a motion to renew the lease agreement as recommended. Councilman Myers seconded the
18 motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman
19 voted “aye”.
20

21 **PURCHASE OF TABLES/CHAIRS FOR GOLF COURSE**
22 **PAVILION APPROVED - MITY-LITE COMPANY**

23 Mr. McComb reported that with the improvements which have been made at the golf
24 course pavilion, it is necessary to purchase tables, chairs, and transport carts. The Mity-Lite
25 Company currently has the State Contract for these items and he recommended the purchase of
26 26 tables, 180 chairs, and 7 carts to be used for storage and distribution of tables and chairs,
27 totaling \$12,874.05 (including shipping and handling). Councilman Myers motioned to approve
28 this purchase, Councilwoman Holbrook seconded the motion and voting was unanimous.
29 Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.
30

31 **PRESENTATION BY DAVIS COUNTY ECONOMIC**
32 **DEVELOPMENT - MARLIN ELDRED AND KENT SULSER**

33 Mr. Sulser introduced Marlin Eldred who recently joined the Davis County Economic
34 Development department. Mr. Eldred gave a snap shot of the activities regarding economic
35 development for the past year – a collective effort between the County, cities, and private
36 entities. Activities were based on a plan developed by an 80-member advisory council and
37 included business park development, business renewal and expansion, recruitment, assistance
38 with development, a commitment to the economic development plan and to the quality of life
39 issues.
40

41 It was noted that Wilf Somerkorn left the County last year. The department’s main focus
42 is to serve as a tool throughout Davis County dedicated to developing strategies which will be
43 beneficial throughout the County. They will be meeting with all cities, the City Planners in
44 particular, to determine where they can help. They will be working to identify property that
45 qualifies for the EEC Utah package (six sites have currently been identified in Davis County) and
46 expressed a willingness to assist with the marketing building blocks.

1 **PRELIMINARY AND FINAL COMMERCIAL SITE PLAN**
2 **APPROVAL REQUESTED, BUT POSTPONED, FOR OFFICE/STORAGE**
3 **BUILDING - 220 W CENTER ST.**

4 Mr. Jensen reviewed previous action and discussion regarding the office/storage building
5 proposed by David Cable at 220 West Center Street. He said that the Planning Commission
6 reviewed this item on March 3, 2009, and it comes to the Council with a recommendation for
7 preliminary and final site plan approval, subject to the following conditions:
8

- 9 1) Allow a reduction of required setbacks to no more than 0.5 feet from the north and east
10 property lines because a landscape buffer is not needed on those sides, approximately 30% of
11 the site will be in landscaping, and because the public interest is better served by allowing the
12 property owner to create a more viable project.
13
14 2) The applicant shall provide a landscaping plan meeting staff's approval prior to building
15 permit approval or May 1, 2009, whichever is first.
16
17 3) The site grading and drainage plan is revised to the satisfaction of City staff.
18
19 4) A six foot high, solid screening wall shall be constructed along the west property line and a
20 dumpster enclosure of similar materials shall be constructed, as shown on the redline plans.
21

22 Mayor Johnson noted that he was concerned about the impact that this "enlarged storage
23 unit" would have in the residential neighborhood and he suggested that the project receive further
24 study to see what could be done to make the development more aesthetically pleasing to the
25 neighborhood. After further discussion, Councilman Myers made a motion to postpone action
26 tonight and that additional information be provided regarding the elevations and other drawings,
27 to be brought back to the Council at the next meeting. Councilwoman Holbrook seconded the
28 motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman
29 voted "aye".
30

31 **REVIEW OF KERN RIVER PIPELINE PROPOSALS**

32 Mr. Hardy reviewed that the Kern River gas pipe line from Wyoming to California was
33 proposed in the late 1980's and construction began in the early 1990's. The demand for gas has
34 increased in California, and since the initial pipeline was constructed, a second 36-inch diameter
35 pipeline has been put in parallel along the entire route from Wyoming to California, with the
36 exception of a 28-mile section that goes through the mountains east of Bountiful. Kern River is
37 now proposing to construct the "missing link" along a corridor which is principally the existing
38 corridor of the current line. In January Kern River proposed five different alternatives for this
39 tie, two of which involved Bountiful. The three routes that did not involve Bountiful were
40 discarded, leaving the "preferred" route (predominantly paralleling the existing pipe in the
41 existing right-of-way) and an alternate route which would take the pipeline down the natural gas
42 corridor used by Mountain Fuel to Bountiful Boulevard and along the Boulevard from just north
43 of the temple to south of the Eaglewood Golf Course.
44

1 Mr. Hardy noted that there was considerable opposition at the time the original pipeline
2 was constructed, and he anticipated that Bountiful citizens would be especially oppositional to
3 the Bountiful Boulevard proposal. He said that Kern River has not provided any information on
4 the background criteria for selecting the preferred and alternative routes. Chris Bias, Kern River
5 project director, reviewed the safety record and mitigation measures of Kern River over the past
6 decades, and a lengthy discussion followed regarding the proposed location of the 28-mile
7 pipeline. Recognizing that Bountiful citizens would be very upset with the Bountiful Boulevard
8 proposal, Mr. Hardy suggested that this alternative be discarded prior to the two Open Houses
9 scheduled for Bountiful residents in March. Mr. Bias responded that Kern River would most
10 likely not discard either option prior to the open houses because “some people would rather see it
11 on a road than on a mountain” and that the two options would have to be left on the table.
12 Councilman Moss made the following motion: Based upon the information given by the
13 Company (Kern River) that it is contemplating a preferred and an alternate route, the Bountiful
14 City Council (1) requests that Kern River Gas Transmission Company remove the Bountiful
15 Boulevard pipeline alternative from consideration, and (2) states the Council’s firm opposition to
16 any such route. Councilman Myers seconded the motion which carried unanimously. Mayor
17 Johnson and Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.
18

19 **CONSIDER EXTENSION OF HISTORICAL**
20 **COMMISSION AGREEMENT**

21 _____ Mr. Hardy reviewed that the Bountiful Historical Commission and the City entered into
22 an agreement on April 9, 2007 which called for certain milestones to be met with regard to fund-
23 raising and Bountiful’s financial participation in the proposed construction of a Bountiful
24 Historical Museum. The timeline of the original agreement is running out and the Bountiful
25 Historical Foundation has not met its target; however, because significant progress has been
26 made and inasmuch as the economy has taken a down-turn, the Historical Commission is
27 requesting an extension to the agreement.
28

29 Mr. Hardy recommended that the Council give consideration to extending the agreement
30 for two additional calendar years, effective March 10, 2009, that the Foundation report to the
31 Council every 12 months, and if the additional \$500,000 (approximately) has not been raised by
32 March, 2011, the terms of the agreement as set forth in 2007 allow for the City to terminate the
33 agreement. He further recommended that the Foundation consider a “Plan B”, which may be a
34 smaller, more modest facility if minimal fund-raising takes place.
35

36 Dean Collinwood, Foundation director, stated that the two-year extension was requested
37 due to the severe status of the economy, with the hope that economic conditions will improve.
38 He noted that there is strong support for the museum, however, the amount that citizens are
39 willing to pledge has diminished. Following discussion and a report from Lloyd Carr,
40 Foundation treasurer, Councilman Tolman made a motion to approve the two-year extension to
41 the Agreement between Bountiful City and the Historical Commission/Foundation.
42 Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons
43 Holbrook, Knight, Moss, Myers and Tolman voted “aye”.
44

DISCUSSION RE: GASB 45 FINANCIAL REPORT

Mr. Hardy referred to the report he had prepared for the Council regarding GASB 45 and alternatives to look at the liabilities incurred by the City to have a City-funded medical insurance program for employees who retire from Bountiful City at age 55, with 30 years service, or at age 60 with 25 years service. To be in compliance with GASB 45, the City must acknowledge the liability that it assumes for up to ten years of medical insurance premium of retired employees. The potential future retiree cost is \$1.7 million. While the retirement benefit is desirable for employees, with the continual increase in the cost of medical insurance premiums, it is not fiscally responsible for the City to continue with this program. He also noted that at the current time, the City is legally required to pay all accrued vacation upon resignation or retirement and subject to meeting normal retirement rules and regulations, the employee is also allowed to convert 20% of accrued sick leave up to 288 hours as part of a retirement benefit.

The Council expressed concern about the impact the change of policy could have on retiring employees and following a lengthy discussion, the matter was tabled for additional study, to be brought back to the Council in two weeks.

COUNCIL COMMITTEE REPORTS

Councilwoman Holbrook reported that the Air Force Band will be coming to the Concert in the Park series on June 5th. Admission is free. Other concerts will be scheduled June 19, July 14 and August 17.

The meeting adjourned at 9:09 p.m. on a motion made by Councilman Knight and seconded by Councilwoman Holbrook. Voting was unanimous with Councilpersons Holbrook, Knight, Moss, Myers and Tolman voting “aye”.

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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