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Minutes of the Bountiful City Council Meeting Wednesday, February 10, 1999

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Present:	Mayor	John R. Cushing
	Council Members	Samuel R. Fowler, Barbara Holt, Alan A. Johnson, and C. Harold Shafter
	City Manager	Tom Hardy
	City Attorney	Russell L. Mahan
	City Engineer	Paul Rowland
	Admin. Services Director	Galen Rasmussen
	City Planner	Blaine Gehring
	Recording Secretary	Nancy T. Lawrence
	Department Head	Neal Jenkins, Parks and Recreation Dave Wilding, Water/Sewer
Excused:	Councilman:	Stewart Knowlton

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, Deseret News, and Salt Lake Tribune.

Mayor Cushing called the meeting to order in the Council Chambers, and welcomed those in attendance. Councilman Johnson led the pledge of allegiance and Councilman Shafter offered the invocation.

Minutes of the regular meetings of the City Council held January 27, 1999 and February 3, 1999 were unanimously approved as amended on a motion made by Councilman Johnson and seconded by Councilman Shafter.

EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS APPROVED FOR PERIOD FEBRUARY 1-4, 1999

Mayor Cushing presented the report of Expenditures and Expenses Greater than \$1,000 with total disbursements for the period February 1-4, 1999 in the amount of \$180,396.89. This report was approved unanimously on a motion made by Councilman Shafter and seconded by Councilman Fowler.

U.S. WEST LEASE OF POLICE TOWER APPROVED

Mr. Mahan reviewed that the City requires that telecommunications towers must be constructed in such a way as to accommodate the co-location of other telecommunication antenna on the same pole. US West has entered into an agreement to occupy the co-location on the tower owned by Sprint (which is also used by the Police Department) and it is necessary for them (US West) to also enter into an agreement with the City to lease an area on the ground beside the tower for a utility box. This is a five-year lease at \$350 per month, increasing over 5-year increments of time. Mr. Mahan stated that this agreement is similar to others entered into in the past and he recommended that it be approved. Councilman Fowler made a motion to approve the lease as presented, Councilwoman Holt seconded the motion and voting was by a majority. Councilman Johnson stated that he retired from U.S. West and he abstained from

1 voting.

2
3 **ORD. NO. 99-4 RE: LASER POINTERS ADOPTED**

4 Mr. Mahan explained that some firearms are equipped with laser pointers which indicate
5 a target area. He reviewed several newspaper articles which substantiated the need for an
6 ordinance which prohibits the directing of laser pointers at police officers and other law
7 enforcement officials and recommended that an ordinance be adopted. Councilman Johnson
8 made a motion that ord. No. 99-4, entitled AN ORDINANCE PROHIBITING THE
9 DIRECTING OF A LASER POINTER AT LAW ENFORCEMENT OFFICERS, be adopted.
10 Councilman Shafter seconded the motion and voting was unanimous.

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12 **PUBLIC HEARING TO CONSIDER REZONE PETITION –**
13 **AREA BETWEEN 400 NORTH AND 500 SOUTH AND 100 EAST TO 400 EAST**

14 Mr. Gehring reviewed that more than 70% of the residents of the area currently zoned r-2
15 and R-3-16, which runs from approximately 100 East to 400 East from 500 South to 400 North,
16 have petitioned to have this area rezoned R-1-6.5(D). The primary reason for this petition is to
17 preserve the large number of remaining single family homes by not allowing further
18 development of multiple-family uses in the area. He explained that all uses presently legal in
19 this area will continue to be legal under a new ordinance passed in December.

20
21 One issue that has been raised is which zoning is appropriate for the homes and
22 properties facing onto 500 South. Inasmuch as the properties across the street south (south side
23 of 500 South) are zoned R-3-13 (multiple family), and the 500 South frontage lends itself better
24 to multiple family zoning, it has been suggested that a small strip of property along the north side
25 of 500 South be zoned R-3-13 to match the zoning on the south side of 500 South.

26
27 He said that the Planning Commission has reviewed the petition, and based on the
28 request of the property owners, as well as preserving the historical nature of the area and
29 providing an area of affordable housing, it is their recommendation to rezone the total area, as
30 explained and shown on the exhibits.

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32 At 7:20 p.m. Mayor Cushing opened the public hearing. The following individuals spoke
33 in favor of the re-zone: Dale Anderson (255 East 400 South), Daisy Gale (407 South 200 East),
34 Jim Jones (257 South 100 East), Dan Dobbin (417 south 100 East), Tamlyn Fillmore (453 North
35 400 East), Sara Johnson (383 East 200 South), LaRae Durtschi (208 North 200 East), Karla
36 McNeal (261 East 100 South), Varena Terrero (255 East 300 South), Mont Mickelson (560
37 Brentwood Circle), and Darla Nelson (400 South 250 East). Their position was based on the
38 following issues: (1) maintaining the integrity of their single-family neighborhood with its
39 pioneer heritage, (2) preserving an area that is affordable for those who wish to purchase homes
40 but have a lower income, (3) reducing multi-family developments which result in increased
41 traffic, thus providing a more safe environment for children, (4) limiting growth in Bountiful and
42 (5) maintaining property values for homes which have been remodeled.

43
44 Steven Pope (196 East 400 North) requested that 400 North not be included in the
45 proposed zone to permit him to develop his property multi-family. Debbie Schmidt (163 East

1 400 South) and Kelly Newman (Agent) asked questions regarding frontage on 500 South street
2 and traffic consequences related to development. Alex Lawrence (681 Northridge Drive) stated
3 that he was planning to develop a portion of the affected property (between 500 and 400 South
4 on 200 East) in town homes (individually owned) and he noted that this would provide an
5 opportunity for home ownership at an affordable price. He proposed that the zone boundary be
6 changed to permit the majority to have a zoning change, but the corner he is working with to
7 remain multi-family. Mike Wright (763 East 250 North) supported the position of Mr.
8 Lawrence. Sara Cullimore (Farmington) spoke in opposition to the rezone, favoring an increase
9 of multi-family homes. Blaine Butler (197 East 500 South) requested that the north side of 500
10 South be eliminated from the proposed change and that his property not be divided through a
11 zone change. Marc Mascaro (counsel for the Duffin family, opponents of the zone change)
12 requested that the southern portion of the property included in the proposed zone change (south
13 side of 400 South to 500 South) be left multi-family. He pointed out that development of this
14 area in multi-family units would provide a good buffer between 500 South and the single-family
15 neighborhood.
16

17 The Mayor closed the public hearing at 8:25 p.m. Councilwoman Holt stated that the
18 Planning Commission was unanimous in its recommendation to change the zoning of the subject
19 property. The one area of concern in their discussion was the north side of 500 South Street and
20 where to draw the south boundary of the new single-family zone. She made a motion to adopt
21 ord. No. 99-5, changing the zoning of the area to R-1-6.5, except for lots facing 500 South,
22 which would be changed to R-3-13. This ordinance, entitled AN ORDINANCE AMENDING
23 SECTION 14-2-102 OF THE BOUNTIFUL CITY CODE BY AMENDING THE OFFICIAL
24 ZONING MAP OF BOUNTIFUL CITY TO REZONE PROPERTY LOCATED
25 APPROXIMATELY BETWEEN 400 NORTH AND 500 SOUTH AND BETWEEN 100 EAST
26 AND 400 EAST FROM R-2 AND R-3-16 TO R-1-6.5(D), was adopted by a unanimous vote,
27 with Councilman Fowler providing the second to the motion.
28

29 **1999-2000 BUDGET CALENDAR APPROVED**

30 Mr. Hardy presented the proposed 1999-2000 Budget Timetable and stated that it was
31 basically the same document as previously discussed by the Council. He pointed out two minor
32 changes and then recommended that it be adopted. The schedule provides for a budget retreat
33 with department heads and the city manager in February and departmental/Council committee
34 discussion through April 2, 1999. The department budgets would be reviewed in Council
35 meetings in April. Adoption of the tentative budget by the Council is scheduled for April 28,
36 1999. Beginning May 5, 1999, the proposed budgets for the general fund and capital projects
37 fund would be reviewed by the Council and the final adoption would be June 9, 1999. He made
38 a special plea for the Council to be in attendance at the budget-related meetings between April
39 12 and 23. Councilman Johnson made a motion to approve the budget calendar as presented.
40 Councilman Shafter seconded the motion and voting was unanimous. Councilwoman Holt
41 expressed appreciation for the opportunity that the Council is having to meet with the
42 departments to learn more of their function and operation.
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1 **BID APPROVED FOR IRRIGATION SYSTEM -**
2 **STOKER SCHOOL SOCCER FIELD**

3 Mr. Jenkins reported that bids were received from three vendors for an automatic
4 irrigation system on the soccer field south of Stoker School. It is the recommendation of staff to
5 approve the low bid from Turf Sprinkler in the amount of \$15,155.00. The budget includes
6 \$12,500 for this project and the additional can be covered with savings which have resulted in
7 the concrete and fence repair account in the capital budget. Councilman Johnson made a motion
8 to approve the bid as presented. Councilman Fowler seconded the motion and voting was
9 unanimous.

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11 **PURCHASE OF GENERATOR FOR WATER**
12 **DEPARTMENT APPROVED**

13 Mr. Wilding explained that in the process of reviewing the system as it relates to the Y2K
14 plan, it was determined that a generator is needed to serve as an emergency power source
15 capable of operating any of the well or booster pumping stations. A used generator has been
16 located in Texas (from Taylor Equipment) and Gene Birkenfeld (from the Power Department)
17 has checked it out and found it to be in very good shape. It is the recommendation of staff to
18 purchase this unit at a cost of \$23,000.00, subject to it passing the load test and oil sample test
19 which is being done by the Cummins dealer. Originally this expenditure was planned for the FY
20 2000 budget. However, finding a suitable generator later in the year may be difficult, if not
21 impossible as the year 2000 comes closer. Following a brief discussion, Councilman Shafter
22 made a motion that the generator be purchased as recommended, pending results of the tests.
23 Councilwoman Holt seconded the motion and voting was unanimous.

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25 **UPGRADE FOR WATER TREATMENT PLANT APPROVED**

26 Mr. Wilding reviewed that the Water Department has been working with a consulting
27 engineer and a plan has been prepared to modify the inlet piping at the Mill Creek Canyon
28 treatment plant. This modification will allow for more control of the inlet pressure and flow, and
29 ultimately help to achieve a longer contact time for the chlorine disinfectant which is added at
30 this point. Bids were requested for the equipment and piping and it is the recommendation of
31 staff that the proposal from Scott Rogers of Aqua Engineering be approved. The cost of the
32 materials, electrician and engineering services will be \$36,215.00. This will be funded from the
33 Water Replacement Fund (Machinery and Equipment account) which includes \$60,000
34 earmarked for water treatment and replacement. Mr. Wilding stated that most of the installation
35 for this project will be done in-house. Following a short discussion, Councilman Fowler made a
36 motion to approve this expenditure as explained. Councilman Johnson seconded the motion and
37 voting was unanimous. Mayor Cushing requested that Mr. Wilding apprise Councilman
38 Knowlton of this action.

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40 The meeting adjourned at 8:50 p.m. on a motion made by Councilman Fowler and
41 seconded by Councilwoman Holt.

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44 JOHN R. CUSHING, Mayor
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2 KIM J. COLEMAN, City Recorder
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