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Minutes of the Bountiful City Council Meeting

City Council Chambers
June 9, 1999 - 7:00 p.m.

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Present:	Mayor:	John R. Cushing
	Council Members:	Samuel R. Fowler, Alan A. Johnson, Stewart Knowlton and C. Harold Shafter
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Administrative Services Dir.:	Galen Rasmussen
	City Recorder:	Kim Coleman
	Dep. City Recorder:	Ralph T. Hill
	City Treasurer:	Mark McRae
	Planning/RDA Director:	Blaine Gehring
	Department Heads:	Paul Rapp, Police Alan West, Information Systems
	Recording Secretary:	Nancy T. Lawrence
Excused:	Councilwoman:	Barbara Holt

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, following which he led the pledge of allegiance to the flag. The invocation was offered by Mr. Gehring.

APPROVAL OF MINUTES

Minutes of the regular City Council meeting held June 2, 1999 were presented and unanimously approved as corrected on a motion made by Councilman Shafter and seconded by Councilman Johnson. Councilpersons Shafter, Johnson, Fowler, and Knowlton voted "aye".

EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS APPROVED FOR PERIOD JUNE 1-3, 1999 and SUMMARY FOR MAY, 1999

Mayor Cushing presented the reports of Expenditures and Expenses Greater than \$1,000, with total disbursements for the Period June 1-3, 1999 in the amount of \$157,256.03 and the Summary of Expenditures and Expenses for the Month of May totaling \$2,375,694.78. There were no questions and both reports were unanimously accepted as presented on a motion made by Councilman Johnson and seconded by Councilman Fowler. Councilpersons Shafter, Johnson, Fowler, and Knowlton voted "aye".

MUNICIPAL CLERKS ASSOCIATION PRESENTS SCHOLARSHIP TO SHALAUN THIRIOT

Mayor Cushing introduced Julie Lee, Morgan City Recorder, President of the Utah Municipal Clerks Association. Ms. Lee explained that the Clerks Association selected Shalaun Thiriot, a member of the Bountiful City Youth Council and student from Bountiful High School, to receive a \$500 scholarship from the Clerks Association. She reviewed the criteria upon which

1 the selection was made and congratulated Shalaun on this achievement. Mayor Cushing
2 congratulated Shalaun and complimented her on her outstanding accomplishments, one of which
3 was receiving a presidential scholarship to the University of Utah. Jerry Medina, Utah
4 Municipal Clerks Association, was also in attendance in recognition of this honor.

5
6 **ORD. NO. 99-13 ADOPTED RE: AMENDING OF**
7 **1998-99 FISCAL YEAR BUDGET**

8 Mr. Hardy reviewed that the public hearing to consider opening the 1998-99 Fiscal
9 Year Budget was held last week and the Council voted to approve changes necessary to that
10 budget. He noted one more change which will be required in order to replace equipment in the
11 Sanitation Department and then recommended that Ord. No. 99-13 entitled AN ORDINANCE
12 AMENDING THE BUDGETS OF THE CITY OF BOUNTIFUL FOR THE FISCAL YEAR
13 BEGINNING JULY 1, 1998 AND ENDING JUNE 30, 1999 be adopted. Councilman Shafter
14 made a motion to adopt Ord. No. 99-13 as presented. Councilman Johnson seconded the motion
15 and voting was unanimous. Councilpersons Shafter, Johnson, Fowler, and Knowlton voted
16 “aye”.

17
18 **QUIT CLAIM DEED APPROVED FOR**
19 **OLD CITY HALL SHOP WELL - APPROX 150 NORTH MAIN STREET**

20 Mr. Hardy explained that the City has a well on Main Street between 100 and 200 North
21 (property most recently used by Dan Eastman dealership) which has not been used for more than
22 15 years. The State will permit the water rights associated with this well to be transferred to a
23 different well. Inasmuch as the property where the well and pumphouse are located can be
24 incorporated into the Main Street Investment development project and the property is not needed
25 by the City, Mr. Hardy recommended that the City quit claim the property to the developers.
26 Mr. Mahan clarified that the consideration for the transfer of the property will be that the
27 developers move ahead and develop the project as proposed, which will be a benefit to the City.
28 Councilman Knowlton made a motion to authorize the Mayor and City Recorder to quit claim
29 the deed to this property as explained, with the consideration being the benefit that the City will
30 receive as a result of the development of the property. Councilman Johnson seconded the
31 motion and voting was unanimous. Councilpersons Shafter, Johnson, Fowler, and Knowlton
32 voted “aye”.

33
34 **COUNCIL VOTES TO NOT PARTICIPATE IN**
35 **FIRE DISTRICT CONSOLIDATION PROPOSAL**

36 Mayor Cushing explained that the elected officials and staff have recently discussed the
37 proposal presented in last week’s meeting by North Salt Lake Mayor Jim Dixon for the
38 municipalities in the south end of Davis County to form a consolidated fire district. Although
39 there could be some economies of scale and efficiency through consolidation, he stated that there
40 were numerous negative aspects, with governance being the largest issue. With only one vote
41 (and approximately 50 percent of the population), Bountiful would have very little control over
42 costs and other issues.

43
44 The Mayor stated that it does not make sense at this time for Bountiful to consider
45 eliminating a debt-free department to join in the consolidated district. He emphasized, however,
46 that Bountiful is desirous of maintaining the Inter-local Joint Agreement which affirms a

1 cooperative effort with the South Davis Fire District. He also noted that he was hopeful that the
2 County will consider paramedic services by the City. Councilmen Johnson and Shafter voiced
3 support of the position of the Mayor, following which Councilman Fowler made a motion that
4 Bountiful decline participation in a consolidated fire district. Councilman Shafter seconded the
5 motion and voting was unanimous. Councilpersons Shafter, Johnson, Fowler, and Knowlton
6 voted "aye".

7
8 **PUBLIC HEARING TO CONSIDER ZONE CHANGE**
9 **FROM MULTIPLE FAMILY TO PROFESSIONAL OFFICE -**
10 **400 NORTH MAIN STREET**

11 At 7:25 p.m. Mayor Cushing opened the public hearing to consider changing the zone
12 of the property on the northwest and northeast corners of 400 North and Main Street from
13 multiple family (R-3-13) to Professional Office (P-O). Mr. Gehring explained that there had
14 been an error on the Notice that was given of the public hearing on May 19th (when the Council
15 previously considered this matter). Therefore, the action of the May 19th meeting is void and the
16 matter is before the Council as though it had never been acted on. He said that the rezone
17 request was discussed by the Planning Commission and it comes with a favorable
18 recommendation from that body.

19
20 Mayor Cushing called for input from those in attendance and Shanette Pace (17 East
21 400 North #30), president of the Park Place homeowners association, expressed concern that the
22 change of zone would create additional traffic and an unsafe environment for their property and
23 children. Steve Williams, petitioner for the change and resident of the subject property, said that
24 he has lived on the property since 1957 and has watched it change over the years. He reported
25 that he has had the property for sale for the past 18 months and has had only two or three parties
26 show interest. He has recently rented the home and has had problems with the type of renters
27 who have lived there. On the other hand, following the hearing on May 19th when he was of the
28 impression that the property would be rezoned and it was advertised P-O, he has received offers
29 from interested buyers. Parking and fence requirements were discussed and it was noted that all
30 properties involved in the rezone request are completely fenced; and if they were re-built, code
31 requirements would include a solid perimeter fence.

32
33 Stephanie Gale, Park Place resident, asked if the rezone would have a negative effect on
34 the property and it was noted that the property is presently surrounded by the school property
35 and commercial property. Following further discussion, Councilman Johnson made a motion to
36 approve the zone change, and that Ord. No. 99-14 entitled AN ORDINANCE AMENDING
37 SECTION 14-2-102 OF THE BOUNTIFUL CITY ZONING ORDINANCE BY AMENDING
38 THE OFFICIAL ZONING MAP OF BOUNTIFUL CITY TO REZONE PROPERTIES
39 LOCATED AT 407, 415, 455, 406 AND 442 NORTH MAIN STREET FROM R-3-13 TO P-O
40 be adopted. Councilman Shafter seconded the motion which carried unanimously.
41 Councilpersons Shafter, Johnson, Fowler, and Knowlton voted "aye".

42
43 **PRELIMINARY AND FINAL APPROVAL GRANTED**
44 **TO UNITED SHADOWS CONDOS - 32 EAST 300 SO.**

45 Mr. Rowland presented the request of Legrand Richter, developer, for a three-unit
46 condominium complex at 32 East 300 South, and stated that the Planning Commission has

1 reviewed the project and recommend approval, subject to the following conditions:

- 2
- 3 1. The exterior material on the building must conform to the Zoning Ordinance by
- 4 having not more than 50% of the exterior in siding.
- 5 2. A private patio for each unit needs to be provided as per the Zoning Ordinance.
- 6 3. Recording of a Condominium Plat with the County recorder according to the
- 7 laws of the State of Utah and the signing of a Development Agreement with the
- 8 City, posting of proper bond, or a Letter of Credit and Guarantee.
- 9 4. Show sewer line across the west side of the property and the new lateral into this
- 10 line.
- 11 5. Install a fire hydrant at the northeast property corner.
- 12 6. Provide 7-ft. easements along the south, east and north property lines and a
- 13 minimum 10-foot easement to cover the sewer line along the west property line.
- 14 7. Pay the following fees at the time the Building Permit is issued:
- 15 a. Water impact fee per 1" meter = \$2,588.00
- 16 b. Sewer impact fee (based on \$1,556.00/ERU)
- 17 c. Storm drain impact fee (if used) = \$2,100/acre X .289 acres = \$606.39)
- 18 d. New 6" fire hydrant
- 19 25' of 6" pipe @ \$20/ft. = \$ 500.00
- 20 6"x6" tap and valve = 1,438.00
- 21 6" hydrant = 2,061.00
- 22 Total fee for hydrant = \$ 3,999.00
- 23 e. Road patches based on actual size of patch
- 24 8. Landscaping to meet the City ordinance.
- 25 9. Provide enclosed trash container areas for garbage cans if the garage is not large
- 26 enough to store them.
- 27

28 Following discussion, preliminary and final condominium approval was granted, as
29 recommended, on a motion made by Councilman Johnson and seconded by Councilman Shafter.
30 Councilpersons Shafter, Johnson, Fowler, and Knowlton voted "aye".

31
32 **REVIEW OF POLICE DEPARTMENT**
33 **ANNUAL REPORT - CHIEF PAUL RAPP**

34 Chief Rapp presented the Bountiful Police Department Annual Report for the 1998
35 calendar year, summarizing statistics of the eight major offenses which are categorized by the
36 FBI. He stated that there is a downward trend in crime in the nation and Utah, and Bountiful's
37 crime rate is down 5 percent from 1997. There were no homicides in Bountiful in 1998, rape
38 and robbery showed no change from 1997, assaults, burglaries, and arsons decreased, and
39 vehicle theft and larceny showed increases. (It was noted that vehicle thefts are down
40 substantially compared with the years 1996 and 1995). There was a major decrease in gang
41 activity, with no gang-related assaults.

42
43 Crimes against persons and property have declined over the past three years. Although
44 adult arrests were higher than 1997, they were much lower than 1995-96, and juvenile arrests
45 have decreased dramatically since 1995. It was noted that the PROS program is receiving
46 national recognition and the resource officers in the high schools are providing very positive

1 results.

2

3 Mayor Cushing thanked Chief Rapp for his presentation and complimented him and the
4 Police Department for what they are accomplishing.

5

6 **OPERATIONAL REVIEW OF ADMINISTRATIVE SERVICES DEPARTMENT**

7 Mr. Rasmussen thanked the Mayor and Council for the opportunity of reviewing the
8 Administrative Services Department and explained that it is composed of three major areas: the
9 Treasury Department, Information Systems Department, and Administrative Department. He
10 reviewed background information about the directors of each department (Mark McRae,
11 Treasury; Alan West, Information Systems; and Kim Coleman, Administrative) and then briefly
12 explained the roles and responsibilities of each department. Key projects which are currently
13 being worked on include the Y2K project, upgrade of the City intranet and internet site,
14 upcoming municipal elections, and studies related to banking options, telecommunications
15 options and proposed financial reporting changes. He also mentioned projects and studies that
16 he and the other directors will be working on in the future.

17

18 Alan West and Roger Linnell reviewed the operations of the Information Systems
19 Department, the mission statement, and a brief background of the personnel in the department.
20 Mr. Linnell reviewed the LAN and WAN noting how the different components support the
21 administrative services department, as well as police, fire, and other City departments. The City
22 WAN is made up of two AS/400's, 80 Personal Computers, three file servers and five Cisco
23 routers. The WAN is enlarged through router connection with the State of Utah and the Internet.

24

25 Mr. McRae introduced (via the slide presentation) the members of the Treasury staff (5
26 full-time and 3 part-time) and explained their areas of responsibility, which include utility
27 billing, cash management, and the City Hall AS/400 computer. He also explained proposed
28 changes which will be implemented to improve the services of this department

29

30 Mr. Coleman, City Recorder, explained that the Finance/Recorder's Office is made up
31 of four full-time persons (including himself) and one half-time person, and directs the functions
32 of payroll, administration of employee benefits, accounts payable, general ledger accounting and
33 reporting, records management, municipal elections, audits, and assistance with preparation of
34 the budget. He summarized the responsibilities of each of these areas and then reviewed projects
35 that are being considered for future implementation. Mr. Rasmussen concluded the presentation
36 by thanking the elected officials for their support.

37

38 **COUNCIL COMMITTEE REPORTS**

39 None

40

41 **EXECUTIVE SESSION SCHEDULED**

42 At the request of the Mayor, Councilman Fowler made a motion to adjourn to executive
43 session at 9:23 p.m. for the purpose of discussing pending litigation. Councilman Shafter
44 seconded the motion which carried unanimously. Councilpersons Shafter, Johnson, Fowler, and
45 Knowlton voted "aye".

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JOHN R. CUSHING, Mayor

KIM J. COLEMAN, City Recorder

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