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# Minutes of the Bountiful City Council Meeting

City Council Chambers  
May 26, 1999 -7:00 p.m.

6 Present: Mayor: John R. Cushing  
7 Council Members: Samuel R. Fowler, Barbara Holt, Stewart  
8 Knowlton and C. Harold Shafter  
9 City Manager: Tom Hardy  
10 City Attorney: Russell Mahan  
11 City Engineer: Paul Rowland  
12 City Treasurer: Mark McRae  
13 Planning/RDA Director: Blaine Gehring  
14 Department Head/Repre.: Jerry Lemon, Fire Chief  
15 Allen Johnson, Supt. of Generation/Power  
16 Recording Secretary: Nancy T. Lawrence  
17

18 Official Notice of this meeting had been given by posting a written notice of same and  
19 an Agenda at the City Hall and providing copies to the following newspapers of general  
20 circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.  
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22 Mayor Cushing called the meeting to order at 7:00 p.m., following which  
23 Councilwoman Holt led the pledge of allegiance to the flag. The invocation was offered by  
24 Councilman Knowlton.  
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26 **APPROVAL OF MINUTES**

27 Minutes of the regular City Council meeting held May 19, 1999 were presented and  
28 unanimously approved as written on a motion made by Councilman Shafter and seconded by  
29 Councilman Knowlton. Councilpersons Fowler, Holt, Knowlton, and Shafter all voted "Aye".  
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31 **EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS**  
32 **APPROVED FOR PERIOD MAY 14-20, 1999**

33 Mayor Cushing presented the report of Expenditures and Expenses Greater than \$1,000  
34 with total disbursements for the period May 14-20, 1999 in the amount of \$678,354.28. This  
35 report was unanimously approved on a motion made by Councilman Fowler and seconded by  
36 Councilwoman Holt. Councilpersons Fowler, Holt, Knowlton, and Shafter all voted "Aye".  
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38 **CONSIDER PRELIMINARY AND FINAL SITE PLAN**  
39 **APPROVAL FOR GREAT HARVEST BREAD PARKING LOT**

40 This item delayed to a future meeting.  
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42 **PRELIMINARY AND FINAL SITE PLAN APPROVAL**  
43 **GRANTED TO REMODEL OF DAN EASTMAN BUILDING,**  
44 **190 NORTH MAIN STREET - AL HESS/MARV BLOSCH, DEVELOPERS**

45 Mr. Gehring reviewed the proposed remodeling project of Al Hess and Marv Blosch at  
46 190 North Main Street (the old Dan Eastman property) and noted that the Council was  
47 familiarized with this project in the preliminary stages when approval was given for an RDA loan.  
48 The Planning Commission has reviewed the request for approval and recommends to the Council  
49 that preliminary and final approval be granted, subject to the following conditions:

- 1 1. Provide 7-ft. utility easements along the  
2 street frontages which the city may not have at the present time.
- 3 2. Obtain all necessary demolition and  
4 building permits for the remodel.
- 5 3. A separate site plan approval for the future  
6 office building will be required at the time it is built.

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8 Al Hess was in attendance and reported that they expect to close on the property next week and  
9 will be actively involved in the remodel within a month. Councilwoman Holt made a motion to  
10 grant preliminary and final site plan approval as presented. Councilman Shafter seconded the  
11 motion and voting was unanimous. Councilpersons Shafter, Johnson, Holt, Fowler, and  
12 Knowlton voted "aye".

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14 **FINAL CONDOMINIUM APPROVAL GRANTED TO**  
15 **PAGES PLACE CONDOS, PHASE I - 350 W. PAGES LANE**

16 Mr. Rowland reviewed that one of the preliminary requirements set on the Pages Place  
17 condominium development required the developer to provide a deed showing that several  
18 properties were combined into one. Inasmuch as the developer has experienced delays in  
19 accomplishing this, the project has been reduced to only the portion that is in Bountiful City  
20 limits. The Planning Commission has reviewed this plan and sends a favorable recommendation  
21 to the Council to approve it, subject to the following conditions:

- 22 1. Payment of all required fees, including  
23 power fees, posting of an acceptable bond or letter of credit and guarantee, and  
24 signing of a Development Agreement with the City.
- 25 2. Correction of the few errors on the  
26 construction drawings.
- 27 3. Recording of a Condominium Plat with  
28 the County Recorder according to the laws of the State of Utah when the foundation  
29 locations have been set and can be accurately located.

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32 Discussion followed regarding the proposed continued development which includes property in  
33 Centerville City limits, following which Councilwoman Holt made a motion to grant final  
34 condominium approval for Pages Place Condominiums, as presented. Councilman Fowler  
35 seconded the motion and voting was unanimous. Councilpersons Shafter, Johnson, Holt, Fowler,  
36 and Knowlton voted "aye".

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38 **APPROVAL GIVEN TO PURCHASE 4 STEEL POLES FOR**  
39 **PHASE 3, 46 KV TRANSMISSION LINE - POWER DEPT.**

40 Mr. Johnson reported that bids were opened for the purchase of four steel poles to be  
41 installed under Phase III of the 46 Kv upgrade project. The bids were reviewed by the Power  
42 Commission, SSR Engineering and staff for adherence to specification requirements, and it is  
43 recommended that the low bid from Thomas and Betts (represented locally by Strong and  
44 Associates) be accepted. The amount of the bid is \$46,620 and consideration was given for  
45 exceptions which were noted on the bid documents. Mr. Johnson noted that this is a budgeted  
46 amount in the 1999-2000 Fiscal Year budget. Councilman Fowler made a motion to approve the  
47 bid as presented and recommended. Councilman Shafter seconded the motion and voting was  
48 unanimous. Councilpersons Shafter, Johnson, Holt, Fowler, and Knowlton voted "aye".

49 **PUBLIC HEARING TO CONSIDER ORD. NO. 99-12\***  
50 **RE: TEMPORARY CLASSROOMS FOR PRIVATE SCHOOLS**

51 Mr. Gehring explained that the City zoning ordinance does not contain a provision for a  
52 private school to utilize a temporary classroom, as is done in the public schools. After reviewing

1 this matter, it seems reasonable for private schools to use similar temporary facilities as do the  
2 public schools. An ordinance was prepared and reviewed by the Planning Commission and comes  
3 to the City Council with a favorable recommendation.  
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5 At 7:21 p.m. Mayor Cushing opened the public hearing to consider the proposed  
6 ordinance. There were no comments and the hearing was closed. Councilwoman Holt made a  
7 motion to adopt ord. No. 99-12 entitled AN ORDINANCE ADDING SECTION 14-14-120 TO  
8 THE BOUNTIFUL CITY ZONING ORDINANCE ALLOWING THE PLACEMENT OF  
9 TEMPORARY CLASSROOMS AT PRIVATE ELEMENTARY AND SECONDARY  
10 SCHOOLS. Councilman Fowler seconded the motion and voting was unanimous.  
11 Councilpersons Shafter, Johnson, Holt, Fowler, and Knowlton voted "aye".  
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13 *\*NOTE: At the May 19, 1999 City Council meeting, Ordinance No. 99-12 was approved,*  
14 *allowing a zone change from R-3-13 to P-O for property on the northwest and northeast corners*  
15 *of 400 North Main Street. However, the Clipper published the wrong time for the public hearing,*  
16 *so proper notification was not considered to have been given. As a result, the Ordinance No. 99-*  
17 *12, noted in this paragraph, was not considered valid. The City Attorney said to re-use that*  
18 *number for the next ordinance to be approved. As a result, Ordinance No. 99-12, allowing the*  
19 *placement of temporary classrooms at private elementary and secondary schools, was adopted as*  
20 *noted in these minutes of May 26, 1999.*  
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#### 22 **REPORT ON SOUTH DAVIS SEWER DISTRICT - ARNELL HEAPS**

23 Arnell Heaps, Bountiful's representative on the South Davis Sewer District (District)  
24 reported that the District is financially strong and that the manager (Dal Wayment) and staff are  
25 doing an excellent job. Major activities which have recently been accomplished are: (1) new  
26 regulations have been adopted for grease traps for restaurants and vehicle repair shops which are  
27 intended to reduce sewer line problems; (2) legislation has been approved which changes the  
28 composition of the Board to allow for shrinkage in the unincorporated area of the County. Each  
29 municipality will have one appointed seat on the Board and if the unincorporated area of the  
30 County is less than 5 percent of the total district, there will be two Board seats elected at large;  
31 (3) the joint compost project with the Bountiful City Landfill has been very successful; and (4) a  
32 final settlement has been reached with Syro Steel in a pre-treatment program and the District  
33 received \$100,000 from that settlement.  
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35 Future plans for the District include (1) re-evaluating local limits for heavy pollutants;  
36 (2) evaluating the use charges for industrial customers (an initial study indicates that residential  
37 users are subsidizing the industrial customers); and (3) consideration of the purchase of additional  
38 wetlands for future expansion. Mr. Heaps noted that both plants have been in operation for 45  
39 years. Mr. Hardy asked if any decisions had been made regarding water re-use and Mr. Heaps  
40 responded that this matter is still under study. Mayor Cushing thanked Mr. Heaps for his service  
41 on this Board.  
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#### 45 **REPORT ON MOSQUITO ABATEMENT DISTRICT - RICHARD LEWIS**

46 Richard Lewis, Bountiful's representative on the Mosquito Abatement District, humored

1 the Council by telling them he had both good and bad news. The bad news was that due to the  
2 excellent water year, there is a great number of mosquitoes this season. The good news is that  
3 they will only last until November. Mr. Lewis reviewed that in 1997 the Mosquito Abatement  
4 Board elected to increase the tax rate 100 percent in an effort to construct a new building. He  
5 reported that the building has been completed and is paid for and it is the hope of the Board to  
6 drop the tax rate back this fall to where it previously was ~\$3.50/property. He reviewed the  
7 following general categories of the budget for the coming year: Labor, \$200,000; chemicals,  
8 \$100,000; and plane spraying, \$85,000. There are 13 full-time employees and two part-time who  
9 provide the fogging service. Plans are being considered for water control in areas such as the  
10 Duck Club. Mr. Lewis displayed a container which showed mosquitoes in the larvae and pupae  
11 stages and noted that the District provides a 45-minute educational program for the elementary  
12 schools. Mr. Hardy and the Mayor expressed appreciation to Mr. Lewis for his service on the  
13 Board and for the services of the District.

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15 **APPROVAL GIVEN FOR UPGRADE OF WATER**  
16 **TREATMENT PLANT CONTROL SYSTEM**

17 Mr. Rowland explained that as plans were being made to upgrade the inlet piping at the  
18 water treatment plant, it also became apparent that there was a need to upgrade the plant control  
19 system. Aqua Engineering, the consultant used for help on the piping work, was asked to submit  
20 a proposal identifying estimated costs for the upgrade, including engineering of the control  
21 system. Their proposal has been considered and it is the recommendation of staff to approve the  
22 engineering services of Aqua Engineering in the amount of \$15,300.00. Following a short  
23 discussion, Councilman Knowlton made a motion to approve the proposal from Aqua  
24 Engineering as presented. Councilman Fowler seconded the motion and voting was unanimous.  
25 Councilpersons Shafter, Johnson, Holt, Fowler, and Knowlton voted “aye”.

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27 **COUNCIL SETS NOTICE OF HEARING TO CONSIDER**  
28 **ASSESSMENT OF PROJECT IMPROVEMENT FEES - HIGHLAND OAKS SBDVN.**

29 Mr. Mahan requested that a Notice of Hearing be set for 7:00 p.m. on June 16, 1999 to  
30 consider assessment of project improvement fees on Highland Oaks Subdivision. He explained  
31 that due to delays in the completion of public improvements, the letter of credit posted by the  
32 developers was called by the City, most of the improvements have been completed, but the final  
33 asphalt overlay remains to be done. Councilman Fowler made a motion to set the hearing as  
34 requested. Councilman Shafter seconded the motion, and voting was unanimous. Councilpersons  
35 Shafter, Johnson, Holt, Fowler, and Knowlton voted “aye”.

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37 The Council took a 10-minute break at this point.

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39 **CONSIDER FIRE DISTRICT CONSOLIDATION STUDY**  
40 **AND PROPOSAL - NSL MAYOR DIXON**

41 Mayor Jim Dixon, North Salt Lake, reviewed the background of the South Davis Fire  
42 District, noting that it is actually a department because it does not have taxing authority. The  
43 “District” is funded by contributions from each participating municipality and responds to  
44 directives from each of those municipalities. The South Davis Fire District provides service for  
45 North Salt Lake, West Bountiful, Woods Cross, Centerville, and the unincorporated area of south  
46 Davis County. Mayor Dixon stated that North Salt Lake is considering creating a taxing district

1 to support fire protection services and they are approaching the other south-end cities to  
2 determine their interest in this effort. He noted that it makes sense for the cities to join together to  
3 benefit from the advantages of economies of scale, both financially and in manning the stations.  
4 He reviewed a proposed budget which would support two men per station in three stations, and  
5 then pointed out increases which would support additional personnel in up to five stations. He  
6 explained that if this proposal is considered favorably, the procedure to implement the Fire  
7 District would be to put the issue on the ballot in November. Mayor Dixon pointed out that there  
8 should not be any financial impact to property owners, because the tax could be shifted from the  
9 city to the district. It was noted that if there was one fire district in the south end of the county,  
10 there would be a better possibility of providing paramedic service from the fire department.

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12 Chief Brent Argyle, South Davis Fire Department, explained that OSHA requires at least  
13 two 2-man teams be present prior to entering a burning structure and a unified south-end district  
14 would provide greater flexibility in meeting this mandate. He also noted that South Davis Fire  
15 Department has an excellent working relationship with the Bountiful Fire Department, which will  
16 continue regardless of the outcome of this discussion.

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18 Mayor Cushing expressed appreciation to Mayor Dixon and Chief Argyle for their time  
19 in this meeting and for extending the invitation to join in a fire district. He noted that there are  
20 advantages both ways for Bountiful and the staff and Council will discuss the issue in detail and  
21 move ahead in making a timely decision.

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23 **COUNCIL COMMITTEE REPORTS**

24 Mayor Cushing reported that he had been approached by the Historical Society regarding  
25 the possibility of Bountiful assisting in the sale of a book authored by Glen Leonard. In the past,  
26 items related to the history of the City have been sold by Ellen Call, administrative assistant to the  
27 Mayor and City Manager, and Ellen has expressed a willingness to sell this book. The matter was  
28 briefly discussed, and Dora Flack, Bountiful Historical Committee, agreed to determine the  
29 number of books to be purchased by the Historical Committee, for resale through Ellen's office.

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31 The meeting adjourned at 8:30 p.m. on a motion made by Councilwoman Holt and  
32 seconded by Councilman Fowler.

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37 JOHN R. CUSHING, Mayor

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41 KIM J. COLEMAN, City Recorder

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