

**Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
August 27, 2002 - 7:00 p.m.**

Present:	Mayor:	Joe Johnson
	Council Members:	Barbara Holt, R. Fred Moss, John S. Pitt, J. Gordon Thomas and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Asst. City Engineer:	Mark Franc
	City Recorder:	Kim J. Coleman
	Department Reps:	Neal Jenkins, Parks/Recreation Clifford Michaelis/Power George Sumner, Fire Blaine Porter, Fire
	Recording Secretary:	Nancy T. Lawrence

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 Johnson called the meeting to order at 7:00 p.m., following which Mr. Rowland offered the invocation. Mr. Mahan led the pledge of allegiance to the flag.

**APPROVAL OF MINUTES DELAYED**

Minutes of the regular City Council meeting held August 13, 2002 will be presented for approval at the next regular meeting.

**EXPENDITURES AND EXPENSES APPROVED FOR THREE PERIODS**

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the following periods, with respective totals: Summary of July, 2002, \$3,409,024.84; August 1-7, 2002, \$532,119.26; and August 8-14, 2002, \$613,940.31. The staff responded to questions, following which Councilman Moss motioned to approve the reports as presented. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**FIRM OF PASKER GOULD AMES & WEAVER, INC.  
AWARDED DESIGN AND ENGINEERING CONTRACT  
FOR FIRE STATION #91 (Main Station)**

Chief Sumner introduced Blaine Porter, Deputy Fire Chief, who is coordinating the design phase of the Main Fire Station (Station #91) project. Mr. Porter reviewed that nine firms submitted letters of interest to provide design, engineering, drawings, preparation of bid documents and other services for the new fire station. This group was narrowed to four and each of the four made a 25-minute presentation to a Review Board composed of Chief Sumner, Paul Rowland, Tom Hardy Councilmen Moss and Thomas, Mayor Johnson and himself. It is the recommendation of the Review Board and the Bountiful City Fire Department that the contract for the design and engineering services be awarded to Pasker Gould Ames & Weaver (aka PGA& W). Their design service fee of 5.95% of construction costs is under the budget amount allocated. Bill and Lowell Gould, from PGA & W, were in attendance and expressed appreciation for the

opportunity to do a project “at home”. Following discussion, Councilman Thomas made a motion to award the design and engineering contract for #91 fire station as presented. Councilman Moss seconded the motion. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

**BID EXTENSION WITH RITER ENGINEERING FOR ELECTRIC METERS APPROVED**

Mr. Michaelis reviewed that in 1999 Riter Engineering was awarded a one-year bid for solid state residential meters at \$72.50 per meter. Riter extended that same price every year until June 30, 2002 and they have once again authorized the price extension to July 1, 2003. It is the recommendation of staff and the Power Commission to accept the price extension and approve the initial purchase of two pallets of meters (192 meters) for a total of \$13,920.00. The remaining four pallets will be purchased one pallet at a time throughout the remainder of the budget year. In response to a question from the Mayor, Mr. Michaelis explained that these remote meters are used in areas of the City where the water meter is not read. Councilman Moss motioned to approve the bid extension and purchases as presented. Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

**RESOLUTION OF SUPPORT RE: US BUREAU OF RECLAMATION PROJECTS APPROVED**

Mr. Michaelis explained that, at a time when water supplies are the lowest they have been in 65 years, it is the recommendation of staff and the Power Commission for the Council to go on record in support of the U.S. Bureau of Reclamation projects . He noted that Glen Canyon Dam at Lake Powell, and Flaming Gorge are excellent sources of clean, renewable hydroelectric energy which also meet the water needs of many users. He reviewed an open letter to the editor (for publication in local newspapers) and Resolution No. 2002-05 entitled “A Resolution Relating to the City of Bountiful’s Support of the U.S. Bureau of Reclamation Projects” and requested the support of the Council. Councilman Thomas motioned to support this action. Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

**COUNCIL VOTES TO ASSIST DAVIS COUNTY DEPARTMENT OF AGING SERVICES**

Dr. J. Richard Connelly, executive director of the Davis County Department of Aging Services, reviewed the services provided to senior citizens through the Department. He requested the assistance of the City in finding the individuals in Bountiful who are eligible for some of their services through the Older Americans Act, particularly those persons who have identified themselves (statistically but not by name) as being a minority over the age of 60, or classified “poverty” for those persons age 65 and older.

Discussion followed on how these individuals could be identified, without infringing on privacy rights. It was suggested that the Emergency Services Plan for the City could be reviewed, a request for individuals to identify themselves could be included in the utility billing, etc. and it was suggested that church groups and the Davis County Clipper might also assist in this effort. Councilman Tolman motioned to support the Department of Aging Services through the use of utility billing notices. Councilman Thomas seconded the motion and voting was unanimous.

**MILLER PAVING AWARDED CONTRACT**

**TO CONSTRUCT ASPHALT TRAIL - BOUNTIFUL POND**

Mr. Franc reported that bids were received from five contractors to construct an 8' wide asphalt paved trail at the Bountiful Pond. The lowest bid (from Star Paving) was withdrawn due to inaccuracies in calculating the bid. It is the staff recommendation to award the bid to Miller Paving at the unit price of \$11.57/ln.ft. at a total cost not to exceed \$58,500. He noted that to stay within budget, the length of the trail will be shortened or savings on other projects will be shifted to this project. Following discussion, Councilman Pitt motioned to approve the contract with Miller Paving as presented. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**APPROVAL GIVEN TO EXTEND CONTRACT FOR SECOND FLOATING FISHING PIER - BOUNTIFUL POND**

Mr. Franc reviewed that the City Council recently approved a contract with Thomas Lund Construction to build a floating aluminum fishing pier at the Bountiful Pond, and the possibility of a second pier was also discussed. Because the price received on the first contract was less than half of the amount budgeted, it is the recommendation of staff and the Division of Wildlife Resources that a second pier be installed. Following discussion, Councilman Pitt motioned to approve extending the contract of Thomas Lund Construction to include a second floating aluminum fishing pier at the Bountiful Pond. Councilwoman Holt seconded the motion. Councilman Thomas asked about the position of the City as it relates to liability for these improvements. Mr. Mahan said he would research the issue and report back to the Council in a memo. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**FINAL APPROVAL GRANTED TO HIDDEN LAKE AT SUMMERWOOD SBDVN, PHASE 3**

Mr. Rowland reported that Ron Marshall, developer, has requested final approval of Hidden Lake at Summerwood Subdivision, Phase 3. It is the recommendation of staff and the Planning Commission to approve this request, subject to the following conditions:

1. Posting of an acceptable bond, letter of credit or cash deposit as required by ordinance.
2. Signing of a Development Agreement with the City by the developer.
3. Payment of all required fees.
4. Completion of minor corrections on the plat and construction drawings. (Mr. Rowland noted that this item has already been completed).

Councilwoman Holt thanked Mr. Rowland for the time that he has taken to provide the additional drawing of this project, and then motioned to grant final approval, as presented. Councilman Moss seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**PRELIMINARY AND FINAL SUBDIVISION APPROVAL GRANTED TO CANYON OAKS SBDVN PHASE 2**

Mr. Rowland presented the request of Bruce Dickamore (developer) for preliminary and final subdivision approval for the Canyon Oaks Subdivision Phase 2 at 1800 South and 1200 East. This property was previously owned by the LDS Church and there are stubs for both sewer and storm drain in the northwest corner of the property, with water in the street. He explained the

proposed private collection system for storm runoff which will prevent runoff from affecting the houses along the street below. He said that this request has been considered by the staff and Planning Commission and comes with a favorable recommendation, subject to the following conditions:

1. Payment of the necessary fees and posting of a small bond to cover the costs of the laterals and storm collection system.
2. Provide a signed mylar copy of the final plat with a current title report.
3. Sign a Development Agreement with the City.
4. Provide a Construction Site Storm Water Pollution Prevention Plan. (Mr. Rowland noted that this plan has already been presented to the Engineering Department and approved).

Councilwoman Holt motioned to grant preliminary and final subdivision approval for Canyon Oaks Subdivision Phase 2, as presented. Councilman Thomas seconded the motion. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**REVISED SITE PLAN APPROVED FOR THE PARK APARTMENTS - 575 SO 100 E, MARV BLOSCH, DEVELOPER**

Mr. Rowland reviewed that the site plan for the Park Apartments was approved in May. However, since that time, the developer (Marv Blosch) has decided to use a different configuration for the driveway and to keep an existing garage (instead of replacing it). He presented the revised site plan and reported that it comes to the City Council with a favorable recommendation from the Planning Commission and staff, subject to the following conditions:

1. Provide a minimum of 16 screening trees along the rear lot line.
2. Riley Court and The Park must be tied together by deed or deed restriction so that the access driveway between Phase 1 and Phase 2 remains open and unobstructed at all times.
3. Garages in Riley Court and The Park are for the exclusive use of tenants and may not be rented for storage or non-tenant use.
4. The area at the rear of the units (east side) is very flat and will have difficulty draining. Positive drainage required.
5. The culinary water main line is required to tie into the Phase 1 line.
6. Provide utility easement over entire access driveway 7 feet wide along the street frontage and along the south and east property lines.
7. Payment of fees:
  - a. Storm drain impact fee (1.2 AC x 2,100/AC) \$2,520.00
  - b. 6" culinary main line (395' @ 25.00/ft) 9,875.00
  - c. Fire hydrant and connections --hydrant 2,130.00  
Tap & Valve 1,500.00  
Connect & Ext 500.00
  - d. Lateral & impact fee Per size  
Road patch Per actual patch size  
Sewer impact fee 16 units x \$1,556.00 24,896.00
8. Install 15" diameter RCP storm drain from development to existing Barton Creek inlet box on 100 East, per drawing.

Councilman Thomas asked how the positive drainage in Item 4 would be determined and Mr. Rowland explained that it will include grading, soil, landscaping, etc. Councilman Pitt motioned to give revised site plan approval for the Park Apartments, as presented. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

**CONCEPTUAL APPROVAL GRANTED TO  
KEITH DUERDEN SBDVN, 2475 SO BOUNTIFUL BLVD.**

Mr. Rowland presented the request of Keith Duerden for conceptual approval for a development prior to doing any work on preliminary and final engineering. He explained that the proposed 5-lot subdivision is located on the east side of Bountiful Blvd at 2475 South and contains 3.90 acres. The request has been reviewed by the Planning Commission and comes to the City Council with a unanimous recommendation for conceptual approval, subject to the fact that the preliminary and final plats must meet all of the requirements of the City’s subdivision and zoning ordinances.

Mayor Johnson expressed concern regarding the division of one large lot into several smaller lots, questioning if the change in density and nature of the neighborhood is the kind of direction that should be taken in the future in terms of land development. Discussion followed regarding property rights. Jack Balling, representing the developer, pointed out that this type of development has been going on for years, as long as the development meets the zoning ordinance as it relates to frontage, setbacks, sideyards, etc. Mayor Johnson requested that further consideration be given to property rights - both in terms of the subject property and that of surrounding property owners. Following discussion, Councilman Thomas motioned to grant conceptual approval to the proposed Keith Duerden Subdivision, as presented. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

**PRELIMINARY AND FINAL SITE PLAN APPROVAL  
GRANTED TO WASATCH RECREATION, 3171 SO MAIN**

Mr. Rowland reviewed that Wasatch Recreation rents and sells ATVs, snowmobiles and other such outdoor equipment. They have acquired a new site for their business, but need to make some modifications for parking and storage prior to the winter season. Their proposal has been reviewed by the Planning Commission and staff and comes to the City Council with a favorable recommendation, subject to the following conditions:

1. The existing home be brought up to any code requirements for commercial use, including but not limited to International Building Code and the Persons with Disabilities Act.
2. The first ten feet of landscaping across the front of the property be restricted to landscaping only and may not be used for outdoor display.
3. The landscaping buffer next to the proposed paved storage area on the north property line must be a minimum of 5 feet.
4. Provide 3 more street trees as required by ordinance.
5. Future commercial development of the rear portion of the site will require a new site plan approval.
6. UDOT approval will be necessary to allow the site to drain into Highway 89 storm

- drain.
7. Provide a dumpster with an enclosure to match the exterior material of the existing home.
  8. Pay required fees:
    - a. \$100 site plan review fee.
    - b. Building permit fees as required.

Councilwoman Holt made a motion to grant preliminary and final site plan approval for Wasatch Recreation, as presented. Councilman Tolman seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

#### **SINGLE EVENT PERMITS APPROVED FOR ST. OLAF'S MC NAMARA CENTER**

Mr. Hardy reviewed that St. Olaf's has requested a Local Consent Single Event Liquor Permit and a Single Event Beer Permit for Friday and Saturday, November 1 and 2, 2002 from 6 p.m. to 1 a.m. They will be holding their annual event where alcoholic beverages will be served. He noted that this event has been held annually for many years. Councilman Thomas asked about the potential liability of the City as it relates to drinking and driving. Mr. Hardy stated that it is the responsibility of the group to regulate themselves in a safe manner and he noted that there has never been a problem in the past. He recommended that the Council approve the request. Councilman Pitt made a motion to this effect, and Councilman Moss seconded the motion. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

#### **TURF EQUIPMENT CO. AWARDED BID FOR NEW GOLF COURSE MOWER**

Mr. Jenkins reported that bids were opened for the purchase of a rough mower for the golf course to replace a 1995 model mower. Four vendors were invited to bid; only one responded. Mr. Jenkins explained that the specifications for the mower are of a special design (with the ability to hang on slopes) and other features which are compatible with the terrain of the Bountiful Golf Course. He recommended that the bid from Turf Equipment Company, in the amount of \$26,400, be accepted (\$27,900 less trade-in of \$1,500). This amount is within budget and represents a reasonable increase over a purchase of the same model of mower in 1999 (at \$25,636.00). Councilman Pitt motioned to approve the purchase of the mower as recommended. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

#### **SITE DESIGN GROUP AWARDED BID FOR SKATEBOARD PARK PLANS**

Mr. Jenkins reported that three companies submitted bids to do the design for the proposed skateboard park. These bids were reviewed by the Parks and Recreation Committee, Mr. Hardy, Ken Baird (administrative intern), and Mr. Jenkins and it is the recommendation of that group that the bid be awarded to Site Design Group from Tempe, Arizona. He noted that this firm provided the plans for the skateboard parks in Logan and Park City and is re-knowned for their expertise in this area. Councilman Thomas asked if Bountiful youth will be included in the planning of the park and Mr. Jenkins said that two meetings will be held with residents. Councilman Pitt made a motion to approve Site Design Group for the design of the Bountiful skateboard park at a cost not to exceed \$25,000.00. Councilman Thomas seconded the motion which carried unanimously.

Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

**COUNCIL AUTHORIZES WORK ON 18<sup>TH</sup> HOLE**

Mr. Jenkins reviewed that when the 18<sup>th</sup> hole of the golf course was re-designed two years ago, the work was done incorrectly and has resulted in the 18<sup>th</sup> hole being worse than before it was re-designed. A local landscape architect has met with the Parks and Recreation staff and it has been determined that there is a problem with the soil that was brought into the golf course. It has been decided that, to remedy the problem, there is a need to re-design the slope, provide new soil, and new sod. The sod that is recommended will be shipped from California. The projected cost to re-do the 18<sup>th</sup> hole is as follows (approximately):

Soil	\$28,000.00
Sod	15,000.00
Irrigation system upgrades	2,000.00
Concrete	1,000.00
Drainage (gravel/pipe)	2,000.00
20% contingency/ \$60,000 architect fees	12,000.00

Mr. Jenkins stated that there is a sufficient balance in the Golf Course Future Development Fund to cover this project. Councilman Pitt made a motion to approve the expenditure of \$65,000 from the Golf Course Future Development fund for repair of the 18<sup>th</sup> hole. Councilman Thomas seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

**CONTRACT WITH M.C. GREEN & SONS EXTENDED - CALDER WELL BYPASS WATER LINES**

Mr. Rowland reviewed that MC Green was awarded the contract to install water lines at new subdivisions and various locations in the City; however, the bypass water lines for the Calder well were not included in the main contract due to a scheduling problem with a particular piece of property where a wedding was being held. Although the project was bid separately, there were irregularities in the two proposals which were received and the delays that would be caused in resolving them resulted in those bids being rejected. The wedding has taken place at the subject property and M.C. Green has extra manpower right now. At the request of the staff, M.C. Green has submitted a proposal in the amount of \$96,067.00 to complete the water lines for the bypass pump line from the Calder Well. (The original bid on this project was \$96,130.00). It is the staff recommendation to extend the contract of M.C. Green and Sons and accept the proposal at the unit prices listed. He noted that the new roadway improvements will be done in-house, thus creating a savings in the overall project. Councilman Moss made a motion to approve the extension of the contract with M.C. Green, as recommended. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

**COUNCIL COMMITTEE REPORTS**

Councilman Pitt extended appreciation to the City staff for hosting the Youth Council for Youth in Government day. He reported that the youth enjoyed their experience very much and he thanked the department heads, in particular, for their time and effort. He also reported that the Youth Council met last Wednesday at the Old Mill site for a clean-up project. The trimmings from

their project were stacked and picked up (within the same day) by Mr. Thompson from the Street Department. Mayor Johnson requested that the activities of the Youth Council be documented so that they can be included in a report to the State legislature.

Councilman Moss expressed concern about the ordinance which the Council passed in the last meeting regarding “junk” vehicles and vehicles being restored. He has had a number of phone calls from citizens and he suggested that persons who are restoring vehicles be given a one-year time frame (as opposed to the six-month condition listed in the ordinance). Discussion followed, and it was decided that inasmuch as no one has applied for a restoration permit (as provided by the ordinance to permit the vehicle to remain on the premise), and the fact that changing the ordinance would require a formal hearing process, it was the consensus of the Council to leave the ordinance as it is, and let the staff work with citizens to avoid problems where they are legitimately trying to restore a vehicle. Councilman Moss requested that the staff provide him with a copy of the new ordinance (passed last week) and the ordinance as it stood prior to making those changes.

The meeting adjourned at 9:12 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Moss. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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