

**Minutes of the
Bountiful City Council Meeting
City Council Chambers
August 13, 2002 - 7:00 p.m.**

Present:	Mayor ProTempore:	R. Fred Moss
	Council Members:	Barbara Holt, John S. Pitt, J. Gordon Thomas and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Dir. of Admin. Services	Galen Rasmussen
	Planning/RDA Director:	Blaine Gehring
	Department Reps:	George Sumner, Fire Terry Thompson, Streets/Sanitation
	Administrative Intern:	Ken Baird
	Recording Secretary:	Nancy T. Lawrence
Excused:	Mayor:	Joe Johnson

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 ProTem Moss called the meeting to order at 7:00 p.m., following which Councilwoman Holt led the pledge of allegiance to the flag. The invocation was offered by Councilman Thomas.

MINUTES APPROVED FOR TWO JULY MEETINGS

Minutes of the regular City Council meetings held July 9, 2002 and July 30, 2002 were presented for approval and unanimously approved, with one amendment to the July 9th minutes. The motion for approval was made by Councilwoman Holt and seconded by Councilman Tolman.

**EXPENDITURES AND EXPENSES APPROVED FOR
PERIOD JULY 18 - 31, 2002**

Mayor ProTem Moss presented the Report of Expenditures and Expenses Greater than \$1,000 for the Period July 18-31, 2002 in the amount of \$1,439,427.19. The staff responded to questions, following which Councilman Thomas motioned to approve the report as presented. Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**CONTRACT FOR HOUSEHOLD HAZARDOUS WASTE
COLLECTION AWARDED TO ONYX ENVIRONMENTAL SERVICE**

Mr. Thompson reported that bids were requested for disposal of the materials collected on the annual Household Hazardous Waste Collection Day. Onyx Environmental Service has been awarded the State contract and it is the staff recommendation to award the bid to this company. Mr. Thompson stated that this company was used last year and their services were very good. He said that participation last year was much higher than budgeted and the budget for this year has been increased to \$36,000.00. He said that if the cost (based on number of 55-gallon drums collected) exceeds the budgeted amount, the overage could be covered within his department. Following discussion, Councilman Pitt made a motion to approve the contract with Onyx as proposed, recognizing that the amount might be greater than \$36,000.00. Councilwoman Holt

seconded the motion which carried unanimously. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted "aye".

FINAL ACCEPTANCE GIVEN TO BOUNTIFUL RIDGES, PHASE 2

Mr. Rowland reported that the developers of Bountiful Ridges Phase 2 (Richard Moffatt and the Boyer Co.) have completed all of the site improvements as required by the City and the one-year warranty period is over. He recommended that the Council grant final acceptance of this subdivision and approve release of the remaining 10 percent of the bond, and that the City take over the responsibility of permanent upkeep and maintenance of the streets. Councilwoman Holt made a motion to this effect, Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted "aye".

COUNCIL SUPPORTS ADDING CROSSING GUARD AT 500 SO DAVIS BOULEVARD

Councilman Pitt reviewed that the Community Council at Oak Hills Elementary School has requested consideration of a crossing guard at 500 South Davis Boulevard for a number of years. The request has come before the Traffic Safety Committee again this year. In presenting their request, they have included information regarding the number of students who arrive at this intersection from all directions, and the service of neighbors in this area to assist students in safely crossing the streets. He reviewed the nature of the street in this area (with a slight hill which limits sight distance). Discussion followed regarding the effective date if this request was approved, which requires consideration of hiring a person, and placing signs, and lights. Mr. Hardy stated that the total cost per crossing guard is approximately \$5 - 6,000.00, with one-time capital costs of approximately \$5,000.00. The Council expressed support for this request with funding from the Council Contingency Account. Councilwoman Holt emphasized that parents would need to continue to monitor the pedestrian traffic on Davis Boulevard and not expect the crossing guard to be the watch person for both Davis Blvd. and 500 South.

Councilman Pitt motioned to approve a crossing guard for 500 South Davis Boulevard, with continued cooperation between the community and the City to determine the best solutions as far as routing, with the funding issue and timetable to be determined, with the hope that it could be done this year. Councilwoman Holt seconded the motion which carried unanimously. Mr. Hardy stated that the staff will report back to the Council when this matter has been studied. Lloyd Allen, Oak Hills Community Council representative expressed appreciation for the support by the Council and noted that although there may not be a perfect solution for the problems at this intersection, the hope of the school community is to make progress. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted "aye".

PUBLIC HEARING TO CONSIDER AMENDING ZONING ORDINANCE RE: STORAGE OF TRASH, GARBAGE AND JUNK VEHICLES

Mr. Gehring reviewed that the City has a growing problem of junk cars and other unsightly materials being stored in yards and carports in residential zones. In an effort to respond to complaints from citizens regarding this problem, he has worked with the City Attorney, City Prosecutor and the Code Enforcement Officer to create some new provisions which will help to better enforce and prosecute (when necessary) such problems. He said that the Planning Commission has reviewed the proposed changes and are supportive. At the suggestion of the

Planning Commission, additions were made to allow vehicles under repair or restoration to be stored in an enclosed garage without requiring an exception permit. Mr. Mahan pointed out that most of the changes are a tightening up of what has been previously permitted.

A lengthy discussion followed regarding the distinction of a hobbyist who restores vehicles and other situations where stored vehicles appear just be junk. It was noted that one man's treasure is another man's junk and efforts to make a distinction between the two, which could be enforced, were discussed. Councilman Tolman noted that six months (as provided in the proposed ordinance) is no where enough time to restore a vehicle. He suggested that the time period included in the proposed ordinance for the permit for a vehicle under restoration be extended to one year. Councilwoman Holt suggested that the ordinance be adopted as written, with the idea that if a problem arises, a change could be made.

At 8:02 p.m. the public hearing was opened and Lisa Harrison stated that her neighbors have an abandoned car. She said that she is hopeful that the ordinance could give her some relief. She also noted that if you were aware that your neighbor is a "hobbyist", you would probably be more understanding of the situation. She stated that one year to complete a restoration seems like a long time. The hearing was closed at 8:05 p.m. Following discussion, Councilman Tolman made a motion to adopt Ordinance No. 2002-15 entitled AN ORDINANCE PROHIBITING THE PARKING, STORING OR RETAINING OF UNREGISTERED, INOPERATIVE, DISMANTLED, WRECKED, AND/OR ABANDONED VEHICLES AND/OR VEHICLE PARTS ON PUBLIC AND/OR PRIVATE PROPERTY, as written. Councilman Pitt seconded the motion which carried unanimously. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted "aye".

COUNCIL ADOPTS ORD. NO. 2002-16 RE: SUBDIVISION APPROVAL

Mr. Mahan reviewed Ordinance No. 2002-16, entitled AN ORDINANCE AMENDING THE BOUNTIFUL CITY CODE TO REVISE THE PROVISION CONCERNING ONE YEAR APPROVAL FOR SUBDIVISIONS, which provides a provision to extend the one-year limit if the City Council has made a recommendation based on good cause. This matter comes to the Council with staff recommendation for approval. Councilman Thomas made a motion to adopt Ord. No. 2002-16, as presented. Councilman Tolman seconded the motion which carried unanimously. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted "aye".

TRAFFIC SAFETY COMMITTEE ITEMS APPROVED

Mr. Rowland reported that the Traffic Safety Committee met July 30th and recommend to the Council that the following action be taken:

1. **School Crossing Across David Blvd. At North Canyon Road.** This request includes painting the intersection with the appropriate School Crossing and providing proper warning signs. It does **not** include a crossing guard or flashing warning signs.
2. **Extending the "No Parking" area along 550 North at 150 East.** The home owner at 117 East 550 North has requested that the "No Parking" area along the north side of 550 North Street be extended at least one additional lot due to the curve in the street and the large number of cars parked in front of the apartments on the south side of the street.

Following a short discussion, Councilman Thomas motioned to approve the recommendations from the Traffic Safety Committee, as presented. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted "aye".

CONTRACT FOR ASPHALT TRAIL AT BOUNTIFUL POND TABLED

Mr. Rowland reported that bids were received from five contractors to perform the work of constructing an 8' wide asphalt paved trail at the Bountiful Pond south of the landfill. Star Paving, the low bidder, withdrew their bid based on an error in calculation of unit prices. The other contractors have not yet been contacted and it is the staff recommendation that action on this matter be tabled.

TOM LUND CONSTRUCTION AWARDED CONTRACT TO CONSTRUCT FLOATING PIER AT BOUNTIFUL POND

Mr. Rowland reviewed that a fishing pier which will improve the accessibility and quality of fishing has been incorporated into the plans for the Bountiful Pond. Bids were opened August 5, 2002 to perform the work of constructing the aluminum floating pier and it is the recommendation of staff to approve the low bid from Thomas Lund Construction in the amount of \$31,771.00. He also noted that consideration has been given to constructing an additional pier and he recommended that the contractor be considered for the second pier, if it is decided upon. Councilman Pitt motioned to award the contract to Tom Lund Construction, as presented. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted "aye".

FIRE CHIEF SUMNER BRIEFS COUNCIL ON AUTOMATIC AID PROPOSAL

Chief Sumner recognized members of the Fire Department who were in attendance and then narrated a slide presentation regarding staffing of the fire stations and deployment to various types of emergencies. He noted that with "automatic aid", Bountiful Fire Department and South Davis Fire Department would always help the other agency when on a fire call (instead of "when called" as presently exists with "mutual aid"). He explained fire suppression benefits of automatic aid, reviewed costs and the value benefits of automatic aid, and encouraged support of the Council for this proposal. He emphasized that automatic aid would improve speed, efficiency, effectiveness, and safety at the fire scene, as well as providing depth for manning the stations for other calls.

This concept has been discussed with South Davis Fire Department and he requested support from the Council for this program and a go-ahead to begin drafting an Inter-Local agreement. Discussion followed regarding incident management, liability at the scene, etc. Chief Sumner indicated that these issues would be addressed in the Inter-Local Agreement. Councilman Thomas made a motion that approval be given for Chief Sumner to proceed with this proposal and that the draft be presented to the Council in the future. Councilman Pitt seconded the motion which carried unanimously. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted "aye".

COUNCIL COMMITTEE REPORTS

Mr. Hardy reviewed that the Public Safety Committee is invited to go through the selection of an architectural firm for the new fire station and he stated that the staff will meet tomorrow night (Wednesday, August 14th) at 5:30 p.m. and interviews will begin at 5:30 p.m.

As a matter of information, Mr. Hardy apprised the Council that the bid which was awarded to A-Core for concrete work included the prices submitted on the bid from M.C. Green (the unit prices were inadvertently switched on the report to the Council). The unit prices which were approved were those of M.C. Green, and the bid has been awarded to *low bidder, M.C. Green.*

Councilman Pitt reported that the Bountiful City Merchants met in a quarterly meeting to discuss the National Main Street Center Alliance. He said there was a “lively” discussion and he saw a shift from the City being the motivation and catalyst to the merchants taking that role. They discussed events associated with the upcoming seasons and Christmas which would strengthen their businesses. They are unanimously in favor of sidewalk displays and appreciate the additional signage which has been approved. They also expressed approval of having Sidewalk Days on the same weekend as Summerfest, stating that the two events support each other.

Admission to Summerfest was discussed and it was suggested that attendees should be able to come and go once their daily admission has been paid (perhaps through the use of a hand stamp).

Mr. Hardy asked the Council to let Mr. Gehring know if they are planning to attend the upcoming Certified Planning Seminar and he also asked the Council to let him know if they plan to attend the Utah League of Cities and Towns conference September 11-13 and the National League of Cities and Towns conference in December.

Mr. Gehring reported that the Utah Main Street conference will be held October 3-4, 2002. The RDA will be selecting Bountiful merchants to attend this conference and Mr. Gehring invited the Council to attend also. Bountiful has been allotted space for four attendees.

Councilman Tolman called attention to the historical documents displayed on easels in the Council Chambers. He explained that they were used on the street during the Sidewalk Days/Summerfest activities and received considerable positive attention. He also requested that the council members give names to him of persons who might be willing to serve on the Historical Committee.

The meeting adjourned at 9:10 p.m. on a motion made by Councilman Tolman and seconded by Councilwoman Holt. Councilpersons Holt, Pitt, Moss, Thomas, and Tolman voted “aye”.

R. FRED MOSS, Mayor Pro Tempore

KIM J. COLEMAN, City Recorder

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