

**Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
January 28, 2003 - 7:00 p.m.**

Present: Mayor: Joe L. Johnson  
Council Members: Barbara Holt, R. Fred Moss, John Pitt, J.  
Gordon Thomas and Thomas Tolman  
City Manager: Tom Hardy  
City Attorney: Russell Mahan  
City Engineer: Paul Rowland  
Admin. Services Director: Galen Rasmussen  
Department Representatives: Neal Jenkins, Parks/Rec.  
George Sumner, Fire  
David Wilding, Water/Sewer  
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 Councilwoman Holt offered the invocation. Anthony Dibb, visiting Boy Scout, led the pledge of allegiance to the flag.

**MINUTES OF DECEMBER 17, 2002 AND JANUARY 14, 2003 APPROVED**

Minutes of the regular City Council meetings held December 17, 2002 and January 14, 2003 were presented and unanimously approved with one change to the December 17<sup>th</sup> minutes. Councilman Thomas motioned for approval, Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

**EXPENDITURES AND EXPENSES APPROVED  
FOR PERIOD JANUARY 9-22, 2003**

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the Period January 9 - 22, 2003 in the amount of \$860,220.06. Following discussion of several of the items, Councilman Pitt motioned to approve the report as presented. Councilman Moss seconded the motion and voting was unanimous with Councilpersons Holt, Moss, Pitt, Tolman and Thomas voting "aye".

**PAUL SUMMERS APPOINTED TO POWER COMMISSION**

Mayor Johnson reported that Paul Summers, a civil engineer and extremely capable person who has previously served on the Planning Commission, has expressed a willingness to serve on the Power Commission. The Mayor then recommended that he be appointed to a four-year term. Councilman Moss motioned to uphold the recommendation of the Mayor. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

**INTRODUCTION OF HISTORICAL PRESERVATION COMMISSION  
MEMBERS**

Councilman Tolman reviewed that one of his campaign goals was to revive the Historical Preservation Commission and at the invitation of the Mayor, the following members were recognized:

Darwin Anderson, Chairman  
Lloyd Carr, Business and Finance Chairman  
Elaine Holbrook, Secretary

and the following members: Sandy Inman, Barbara Manfull (not in attendance), Joyce Benard, Matt Larsen and Youth Commission Members Shelby and Cole Peterson. It was noted that Councilmen Tolman and Pitt will also serve on the Commission and the Mayor will be an ex-officio member.

Mr. Anderson reviewed his background interests in historical preservation matters, and the goals of the Historical Commission, which include reconstructing and updating the written history of Bountiful, developing programs where artifacts can be collected and identified, and identifying a program and facilities where historical artifacts can be housed and conserved. Councilman Tolman requested that \$5,000 be allocated from the Council Contingency Fund to the Historical Commission as seed money to get the Commission “up and running”. Following discussion, he made a motion to this effect, Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted “aye”.

#### **BOUNTIFUL FIRE DEPARTMENT RECOGNIZED BY UTAH FIRE RESCUE ACADEMY**

Alan Joos, Certification Officer for the State Fire Academy, was in attendance to recognize the Bountiful Fire Department for the voluntary training opportunities which have been completed by the firefighters. He stated that Bountiful’s Fire Department is one of the first to have participated in the training programs and is the fourth in the State to be recognized. Seven levels of training have been completed including both individual and departmental preparedness. Mr. Joos also expressed appreciation to Chief Sumner for his service on the Certification Council. It was noted that all training time is voluntary (without pay) and involves 200-300 hours by the volunteers. A plaque was presented to Chief Sumner, and the Mayor recognized firefighters in attendance and expressed appreciation for their professionalism and dedication.

#### **APPROVAL GIVEN TO INTER-LOCAL AUTOMATIC AID FIRE AGENCY AGREEMENT**

Chief Sumner reviewed that Bountiful Fire Department has been meeting with and discussing the option of Automatic Aid with the South Davis Fire District and is now ready to present a final Agreement to the Council for approval. He explained that *Automatic Aid* is separate from and not intended to replace existing *mutual aid* agreements. Approval of the Automatic Aid Agreement will improve speed, efficiency and effectiveness, especially in the critical first few minutes of an emergency incident and is recommended by staff. Chief Sumner stated that the two departments will work as a single department for emergencies, with an orderly transfer of command to the “local” department as soon as possible. Following discussion, Councilman Thomas made a motion to accept the Interlocal Agreement for Automatic Aid with South Davis Fire District, as presented and discussed. Councilman Tolman seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted “aye”.

#### **RESTAURANT SERVICES AT BOUNTIFUL**

**RIDGE GOLF COURSE AWARDED TO WESTERN FOOD SERVICE**

Mr. Jenkins reported that seven companies were sent proposals to bid on the Restaurant lease for the Bountiful Ridge Golf Course. Four vendors responded, with the basis for their proposals being the 2002 calendar year food sales (\$150,000). It is the recommendation of staff that the proposal of Western Food Service be accepted. This proposal offers a guaranteed \$25,000 a year or 15% of gross revenues, whichever is greater. (15% of \$150,000 = \$22,500). The Council discussed the proposals, following which Councilman Pitt motioned to award the one-year lease to Western Food Service, as recommended. Councilman Thomas seconded the motion. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

**APPROVAL GIVEN FOR HILLS CONSTRUCTION TO INSTALL FLUORIDATION EQUIPMENT**

Mr. Wilding reviewed that the Council approved the expenditure of \$112,000 on fluoridation equipment in December, with the understanding that the equipment would be installed in-house. Since that time the project has been rethought and it is the recommendation of staff that the current well house contractor, Hills Construction, be authorized to purchase the equipment and do the installation. Because of Hills' familiarity and connections with material and equipment suppliers, they are able to purchase the equipment cheaper than the City could. In addition, they have installed (or are in the process of installing) similar equipment for other entities and it is felt that the work can be completed with integrity and in a capable, more timely fashion. The total increase to the existing contract with Hills Construction would be \$86,600 and would include four other sites, in addition to the 1<sup>st</sup> East Well and the Shop Well. Following discussion, Councilman Thomas motioned to approve awarding the fluoridation installation contract to Hills Construction. Councilman Tolman seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

**FINDINGS OF FACT ADOPTED RE: APPLICATION FOR REZONING - 92 West Center and 68, 72, and 94 N 100 W**

Mr. Mahan reviewed that at the last meeting of the Council, a public hearing was held to consider the rezoning request of Russell Newbold and others for the property at 92 West Center and 68, 72 and 94 North 100 West to be rezoned from R-3-13 to C-R. The Council voted to deny this request, and Mr. Mahan recommended that the Findings of Fact regarding this action be adopted. Councilwoman Holt motioned for adoption, as recommended. Councilman Thomas seconded the motion. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

**PRELIMINARY APPROVAL GRANTED TO PINE CIRCLE SBDVN, 700 E 900 N**

Mr. Rowland explained that the proposed Pine Circle Subdivision (700 East 900 North) is located on a large previously un-subdivided piece of ground with a single house and contains 1.80 acres. The proposal is to subdivide the ground so that the one existing single family house will be on one of the proposed lots. The Planning Commission has reviewed the proposal and sends a favorable recommendation to the Council for preliminary subdivision approval, with the following conditions:

1. Design of the public improvements to meet Bountiful City Standards.
2. All requirements of the City Ordinances be met in the preparation of the final construction plans and the Final Plat.

3. The extra strip of land on the east side of the new cul-de-sac be eliminated from the plat to avoid confusion as to its status.
4. Lots 3 and 4 be approved with a 20-foot front setback (for the purpose of allowing them to stay a little farther from the four houses which back on to this property).

Following discussion and based on the recommendation of the Planning Commission and staff, Councilman Moss motioned to grant preliminary subdivision approval to Pine Circle Subdivision. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

#### **CONCEPTUAL APPROVAL GRANTED FOR LOT SPLIT AT 3123 SOUTH CREST VIEW CIRCLE**

Mr. Rowland reviewed that in light of the Council's recent decision to establish a policy restricting the splitting of lots in existing subdivisions, this proposal is being presented for conceptual approval prior to any great amount of time or money or effort being expended. The existing lot is double fronting (Crest View Circle and Orchard Drive) and contains 20,000 square feet (100' x 200'). The area is in the R1-6.5 zone which requires only 6,500 sf for the minimum lot area with 70 feet of frontage. Based on the fact that this lot has the ability to be split with the newly created lot having frontage on an existing street (Orchard Drive), away from all of the neighbors and both new lots exceed the minimum requirements of the zone, the Planning Commission sends a favorable recommendation for the lot to be split. Following discussion, Councilwoman Holt motioned to uphold the recommendation of the Planning Commission and grant conceptual approval for the lot split. Councilman Moss seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

#### **UPDATE ON NEW FIRE STATION DESIGN**

Bill Gould, Pasker Gould Ames and Weaver, was in attendance and reviewed the drawings and scale model of the new fire station. It was noted that the plans have undergone several revisions to bring the project into focus with the budget. However, Chief Sumner stated that he felt the revised plans will meet the needs of the fire department and the community for the life of the building. Discussion focused on the new location for the adjoining City park, and Chief Sumner explained that it was felt that the tennis courts and parking area would provide a protective buffer for children playing in that park.

#### **REVIEW LEGISLATION - STREAMLINED SALES TAX PROPOSAL**

Mr. Hardy reviewed that software capabilities have made it possible to calculate and track sales tax on internet sales without undue complication and legislation is being proposed for sales tax on internet and catalog sales. This will require approval not only by the State, but in a Federal setting to provide for implementation. He explained that taxes would be collected based on point of delivery, with 2001 being the baseline year and cities would be guaranteed their baseline amount the first year the new law is implemented. Any increase over the baseline amount would be distributed on the basis of population.

The meeting adjourned at 8:45 p.m. on a motion made and seconded by Councilman

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

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JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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