

**Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
June 24, 2003 - 7:00 p.m.**

Present:	Mayor:	Joe L. Johnson
	Council Members:	Barbara Holt, R. Fred Moss, John S. Pitt, Gordon Thomas, and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	City Recorder:	Kim J. Coleman
	Dept. Representatives:	Mark Franc, Engineering Blaine Porter, Fire Department George Sumner, Fire Department Terry Thompson, Streets/Sanitation
	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. and Councilman Tolman offered the opening prayer. Blaine Porter led the pledge of allegiance to the flag.

**MINUTES OF REGULAR CITY COUNCIL  
MEETINGS APPROVED - JUNE 10 AND 17, 2003**

Minutes of the regular City Council meetings held June 10 and June 17, 2003 were presented and unanimously approved as written. Councilman Tolman motioned for approval and Councilman Moss seconded the motion. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

**WEEKLY EXPENDITURES AND/OR MONTHLY  
EXPENDITURE REPORT APPROVED FOR PERIOD  
JUNE 12-18, 2003**

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the period June 12 - 18, 2003 in the amount of \$415,199.18. Following a short discussion, this report was approved on a motion made by Councilman Moss and seconded by Councilwoman Holt. Councilpersons Holt, Moss, Pitt, Tolman and Thomas voted "aye".

**RESOLUTION OF APPRECIATION PRESENTED  
TO DICK NOURSE - FIRE DEPARTMENT**

Chief Sumner reported that the City has implemented a program to have smoke alarms installed in every home in the City. Through a Federal grant and community volunteers, the program provides for personal visits to be made to every home in the City and smoke alarms to be installed within ten feet of all bedroom doors. Training of the volunteers is a critical component of the program and in an effort to make the training self-contained and not require a lot of manpower, a training video was made by Mark Rencher, fireman. The video, which was narrated by prominent newscaster and Bountiful resident Dick Nourse, was played for the Council. Following the video, Chief Sumner read the Resolution of Appreciation which recognized the generous

contribution that Mr. Nourse has made to Bountiful and to other charitable endeavors. The Mayor then presented Mr. Nourse with a framed copy of the Resolution. Mr. Nourse expressed appreciation for the opportunity to contribute this service.

**ENVIRO-PROGRESS, INC. AWARDED BID FOR GREEN WASTE GRINDING - LANDFILL**

Mr. Thompson reported that Enviro-Progress, Inc. was the low bidder for green waste grinding for compost at the Landfill and he recommended that their bid, not to exceed \$70,000 be approved as per unit prices. Councilman Thomas motioned to approve the Enviro-Progress bid at \$4.00 per ground yard for anything over 4,000 yards and \$4.25 per ground yard for anything under 4,000 yards. Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**PECK STRIPING AWARDED BID FOR PAINTING ROAD STRIPING**

Mr. Thompson reviewed the bids that were submitted for road striping for the 2003-04 fiscal year and recommended that the second low bid from Peck Striping be accepted. He explained that the rationale for taking the second low bid was because they have done the painting for the City in the past and the quality of their work and the durability of their paint outlasts the other companies. Councilman Pitt motioned to accept the bid from Peck Striping in the amount of \$12,307.67 (based on unit prices). Councilman Thomas seconded the motion and voting was unanimous with Councilpersons Holt, Moss, Pitt, Thomas and Tolman voting "aye".

**KELLER CONSTRUCTION AWARDED BID TO CONSTRUCT NEW FIRE STATION NO. 1**

Chief Sumner reported that bids were opened on June 17, 2003 for construction of the new Fire Station No. 1. Fourteen contractors responded and it is the recommendation of staff to award the bid to low bidder, Keller Construction, in the amount of \$2,886,000. He noted that Keller Construction is a fairly large construction company and references from other projects are very positive. Bill Gould, architect, reviewed the site plan with the Council, following which Councilman Pitt motioned to award the bid to construct the new fire station to Keller Construction, as recommended. Councilwoman Holt seconded the motion. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**INTERLOCAL AGREEMENT WITH DAVIS COUNTY APPROVED - RE: STORM WATER MANAGEMENT PLAN**

Mr. Franc reviewed that the City is required by Federal regulation to prepare and implement a Storm Water Management Plan in order to obtain a permit from the State to discharge water from the municipal storm water system. An application to the State Department of Environmental Quality has been submitted for the permit and in that application, the City indicated intent to enter into an interlocal agreement with Davis County and other municipalities who choose to participate in the County Stormwater Coalition. This agreement (being presented for approval at this time) allows the members to pool resources, share expertise, and avoid redundancy in programs that can easily and efficiently be shared. He said that the City Attorney has reviewed the Agreement and approves it as to form.

Mayor Johnson stated that Mr. Franc has taken the lead in this matter in the County and he

congratulated him for his efforts. Councilman Thomas motioned to approve the Interlocal Agreement with Davis County as explained. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**OMNIBUS ORDINANCE NO. 2003-09 ADOPTED**

Mr. Mahan reviewed that Ordinance No. 2003-09 is an omnibus ordinance which contains several unrelated items. He reviewed these items which included self-insurance for the City, business regulations, public works and property, and public health. He noted that Section 5-5-107 would prohibit the solicitation of sales or donations by people on the sidewalk from cars in traffic. He mentioned that the Fire Department personnel do a "fill the boot" fund raiser for United Way by doing this and would not be able to do it in the future if the ordinance is adopted.

Section 6-2-120 prohibits the use of streets and sidewalks as part of one's business. The proposal was generated as a result of complaints over the years of car repair places using the streets as part of their everyday work space. However, because of the conflict which would result for sidewalk sales, etc., it was the consensus of the Council that this item should be tabled for further study. Following discussion of other items in the proposed ordinance, Councilman Pitt made a motion to adopt Ordinance No. 2003-09 entitled AN ORDINANCE AMENDING THE BOUNTIFUL CITY CODE TO DECLARE THE CITY'S CONTINUING SELF-INSURANCE PROGRAM, PROHIBIT SOLICITATIONS IN PUBLIC STREETS, PROVIDE A MINIMUM DEPTH FOR BURIED UTILITY LINES, DEFINE "PUBLIC UTILITY EASEMENTS," AND ESTABLISH AN ACCOUNT SETUP FEE FOR SEWER CONNECTIONS, with Sections 5-5-107 and 6-2-120 being excepted and tabled for later discussion. Councilman Thomas seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**FINAL SITE PLAN APPROVAL GRANTED FOR  
LOCK IT UP STORAGE - 620 SO 200 WEST**

Mr. Rowland displayed the architect drawings for the proposed storage units at 620 South 200 West (old Anderson Lumber site) and reviewed that preliminary site plan approval from the City Council was conditional on (1) preparation of complete color elevations of all buildings being submitted at time of final approval; working with the Building Official and Fire Marshall to see that the buildings meet separation and exiting requirements; (3) landscaping plans being revised to remove trees to provide access to overhead power lines along the creek; and (4) no outside storage being allowed. These items have been addressed and the Planning Commission sends a favorable recommendation for final approval, subject to the following conditions:

1. Provide easements over the full width of the north, south, east and west drives. 15' wide easement over the water line from 200 West to the locking gate, 10' wide along the entire south property line and four foot wide along the west property line. All easements must be recorded prior to the issuance of any permits, including demolition.
2. Prepare a description and submit a request to vacate the easement currently covering the existing sewer and storm drain line.
3. Pay all required fees: Fire hydrant lines \$28,000.00

Storm drain impact fee	7,824.60
Culinary Connection fee	Not required if use existing culinary service
Sewer Connection fee	Not required if use existing sewer service
Building Permit fees	Calculated with the building permit

4. UDOT approval required for all work with the drive approaches.
5. Work with the Building Official and Fire Marshall to see that the buildings meet separation and exiting requirement.
6. All buildings must meet the requirements of the IBC and City ordinances.
7. All parking stalls inside the secured, fenced area to be painted as “Temporary Only” so they cannot be used for outside storage.
8. Provide additional screening shrubbery between the first three trees along the south side landscaping.
9. Ground cover shown on the landscaping plan in front of Building A be changed to grass.

Councilman Moss suggested that the screening trees be moved to the outside of the wall (not between the wall and the building) to make planting and maintenance easier and to make it more pleasing aesthetically. Discussion followed, but the suggestion was not incorporated into the plans. Councilwoman Holt made a motion to grant final approval to Lock It Up Storage Units, as recommended by the Planning Commission. Councilman Thomas seconded the motion which carried favorably. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”. Dan Nixon, owner, expressed appreciation for the good working relationship he experienced while working with the City staff.

**PRELIMINARY AND FINAL SITE PLAN APPROVAL  
GRANTED TO 10-UNIT APARTMENT COMPLEX, 200 W 1000 N**

Mr. Rowland reviewed the plans for a 10-unit apartment development at 200 West 1000 North (being developed by Kevin Broderick) and stated that the Planning Commission sends a favorable recommendation to the City Council for preliminary and final site plan approval, subject to the following conditions:

1. Complete exterior elevations with area calculations for the stone/brick versus siding/stucco be provided at the time of application for a building permit.
2. The entire south lot line to be fenced with a 6-foot solid barrier fence approved by the Planning Director.

3. A dumpster enclosure of material matching the exteriors of the buildings to be provided.
4. The street trees to be moved from the parkstrip to behind the sidewalk along both 200 West and 1000 North.
5. Provide one-way directional signs at the driveway entrances and directional arrows painted on the driveway.
6. Payment of the required fees, as follows:

Fire hydrants with main and 1" laterals	\$22,250.00
Water impact fees (due with building permits)	\$1,838.00 per 1" connection
Sewer impact fees (due with building permits)	1,556.00 per unit
Power fee per Bountiful Light and Power	
Storm Water Impact waived because of detention	
7. All building per IBC and City ordinance.
8. The west driveway be reduced in width to a minimum for backup from the garages to reduce the chance of it being used as a two-way access.

Following a brief discussion, Councilwoman Holt made a motion to grant preliminary and final approval to the 10-unit apartment development as presented and recommended. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

### **WORK SESSION TO DISCUSS RECREATION CENTER PLANS**

Mr. Hardy reported that Davis School District has expressed a willingness to be a partner with two gymnasiums and the recreational facility. He said that they like what VCBO (architect) has done in terms of the location of the facilities and their location. Following discussion with Jack Balling, it is felt prudent to move the skateboard park further to the south. Brenda Mills was in attendance and expressed interest in the location of the skateboard park. Mr. Hardy indicated that a meeting will be scheduled for neighboring residents to meet with the Parks and Recreation committee to give input on this matter. With a poll of the Council, a meeting with the Parks and Recreation Committee was set up for July 8<sup>th</sup> at 5 p.m. and it was noted that the Planning Commission members would be welcome to also attend this meeting. Mayor Johnson stated that financing for this project is an ongoing matter that he is working on.

### **COUNCIL COMMITTEE REPORTS**

Councilman Tolman, Historical Commission, reported on an incident in which he found materials of historical significance in a dumpster, including a list of the original pioneers that came to Bountiful, journals, records, letters, newspapers, and even a photograph of his great grandmother. He also reported that the Tolman family will be holding a reunion this Friday and Saturday which will involve 500 - 1,000 members in connection with the dedication of Tolman Park.

Councilman Pitt reported that the Handcart Days art exhibit will open tomorrow night with

activities from 6:00 to 9:00 p.m.

Mayor Johnson said that tomorrow night at 7:00 p.m. there will be a hearing at the Davis County courthouse regarding hillside uses.

**EXECUTIVE SESSION SCHEDULED**

The meeting adjourned to executive session at 9:08 p.m. for the purpose of discussing pending litigation. Councilman Moss made the motion and Councilwoman Holt seconded it. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**Attendance at Executive Session:**

Mayor Johnson  
Councilpersons Holt, Moss, Pitt, Thomas and Tolman  
Mr. Hardy  
Mr. Rowland  
Mr. Mahan

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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