

**Minutes of the
Bountiful City Council Meeting
City Council Chambers
May 27, 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
	Planning/RDA Director:	Blaine Gehring
	Dept. Representatives:	Neal Jenkins, Parks and Recreation Clifford Michaelis, Power Terry Thompson, Streets/Sanitation 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 Councilman Moss offered the opening prayer. Jonathan Pineault, visiting Boy Scout from Troop 220, led the pledge of allegiance to the flag. Mayor Johnson praised Mr. Hardy for the fine presentation he made regarding consolidation of the Fire District and he thanked Mr. Hardy for his efforts on that matter.

MINUTES OF MAY 6, 2003 and MAY 13, 2003 APPROVED

Minutes of the regular City Council meetings held May 6, 2003 and May 13, 2003 were presented and unanimously approved, with corrections being made to the May 13th minutes. Councilman Thomas motioned for approval and Councilman Tolman seconded the motion. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**EXPENDITURES AND EXPENSES APPROVED FOR
PERIOD MAY 8-21, 2003**

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the Period May 8-21, 2003 in the amount of \$506,656.42. Following discussion, Councilman Moss motioned to approve these expenditures. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**PAT PARRISH AND BRENT RUSSON AWARDED
SERVICE AWARDS - BOUNTIFUL COMMUNITY SERVICE COUNCIL**

Ron Gardner, Chairman of the Bountiful Community Service Council, reviewed that the purpose of the BCSC is to identify, develop, and expand volunteerism in the community. In the process of doing that, he said it is appropriate to honor those who participate in this volunteerism. He and the Mayor then presented awards to Pat Parrish, Brent Russon, and the Bountiful Elks Lodge (Bonnie Campbell, Exalted Ruler of Lodge 2442) in recognition of their service to the

community. Ms. Parrish is considered by many as a “silent angel” through her service to the Jubilee Center Rescue Mission, the Bountiful Food Bank, and the Davis County Women’s Shelter. Mr. Russon was recognized for his service in Sertoma, the Bountiful Chamber of Commerce, his church, as the Utah State Disaster coordinator for FEMA, director of the State Funeral Directors association, a member of the Viewmont High School Community Council, and a past president and member of the BCSC.

Ms. Campbell was instrumental in acquiring the existing building. The Elks Lodge has worked consistently to better the community, including sponsor of Boy Scout Troop 220, entertaining at local hospitals, sponsor of scholarships, Boy State, and assistance for the handicapped and mentally challenged at their Boys Camp cabin. The Bountiful Elks Lodge has won many awards for youth activities, the most recent being first place for Community Image.

Ms. Campbell and Bill Searle, on behalf of the Elk’s Lodge, presented the City with a new United States flag for the Planning Conference Room.

UPDATE ON MOSQUITO ABATEMENT DISTRICT

Gary Hatch, Director of the Mosquito Abatement District, stated his purpose in meeting with the Council was to give an update on the issues associated with the West Nile Virus. This disease, which can be fatal, is carried by mosquitoes from wild birds to humans. He explained the tracking process which is conducted weekly to determine if there are infected birds and/or mosquito carriers in Utah. He also reviewed the measures which are being taken by the District to keep mosquito population at lower levels. He said that Arden Jenson, Bountiful’s representative on the Mosquito Abatement Board, has helped in getting this information to the newspaper.

REPORT BY VCBO ON RECREATION CENTER PLAN

Brent Tippetts, representing VCBO, reviewed the report for the proposed new Recreation Center. The Report included proposed features included in the Complex, with a conceptual cost analysis broken down by area. All soft costs plus construction total \$20,908,000. This includes the design, testing services, special inspections, a 10 percent contingency, and \$19 million for construction. The Report also goes through the proposed phased construction with consideration of current structures and their need for continual access as long as possible. The plan also provides for a second ice sheet (NOT included in the cost), if at some future point it would be needed.

Mayor Johnson asked about restrooms for the bowery and Mr. Tippetts indicated that this feature would be added. Mr. Jenkins noted that this would be a separate contract from the Recreation Center. Mr. Tippetts said that the project would take 12-14 months to construct, making it at least 1 1/2 years out *as soon as a decision is made to proceed forward*. In response to a question regarding the proposed skate park, Mr. Tippetts said it would be better if the skate park came in after the rest of the project was completed (due to the location of existing pool). Mr. Hardy noted that the skate park is not part of the proposed Recreation Center, although it is included in the site plan. The next step will be for users and representatives from other cities to put together a plan for financing the project. Mr. Tippetts recommended that the design be broken into two to three contracts to allow for flexibility in financing and construction and the Mayor asked Mr. Hardy to assume responsibility for that phasing.

YOUTH OF PROMISE PRESENTATION

Margaret Brough, representing the Youth of Promise organization, reviewed the inception of that organization, designed to provide opportunities for service and subsequent recognition to those who participate. The Utah chapter of Youth of Promise has chosen to honor victims of the 911 terrorist attack through the creation of a Memorial Garden Monument. Utah State University has donated property and the project is designed to grow to include Utah soldiers who died in the Iraq conflict. The cost of the project is anticipated to be over \$200,000 and Ms. Brough solicited the support of the Council in advertising the project to help make citizens aware. Financial and in-kind donations will be accepted and a production "From the Ashes" will be featured on July 1st at the Layton Commons Park amphitheater. All proceeds from the production will go to the monument.

CONTRACT WITH TWIN "D" INC. EXTENDED

Mr. Wilding explained that it is necessary for the Sewer Department to contract for sewer maintenance services (video inspection, related jet cleaning, etc.) to accomplish the annual routine maintenance work. Twin "D" Inc., Sewer and Drain Service has been used to complete this work since 1995 and provided very satisfactory work. He requested that the contract with Twin "D" be extended at current contract pricing, for the 2003-2004 budget year. The budget includes \$55,000 to perform inspection and related cleaning and repair work. Councilman Thomas motioned to approve extension of the contract, as recommended, not to exceed \$55,000. It was noted that the amount can be controlled by monitoring the amount of work done and not going over the budgeted amount. Councilman Tolman seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

ALLES AND ASSOCIATES AWARDED BID FOR ELECTRONIC POWER RELAYS - POWER DEPARTMENT

Mr. Michaelis reviewed that the existing Supervisory Control and Data Acquisition (SCADA) system at the Power Department has been used for the past 20 years and it is the recommendation of staff and the Power Commission to replace this system and to upgrade the existing protection systems at the Northeast, Northwest, and Southwest substations. Bids were requested and it is recommended that the bid be awarded to Alles and Associates in the amount of \$42,224. This price reflects the elimination of several cables which will be manufactured in-house and the elimination of the Remote I/O Module which is not needed at this time. Following a brief discussion, Councilman Moss motioned to award the bid to Alles and Associates, as recommended. Councilwoman Holt seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

APPROVAL GIVEN TO PURCHASE NEW VEHICLE FOR POWER DEPARTMENT

Mr. Michaelis reported that two vehicles were included in this year's budget for replacement, totaling \$88,000. However, with a re-assessment of present needs, the staff and Power Commission recommend that these vehicles not be replaced until the next budget year and that a new vehicle be purchased to be used by the Meter Reading Division. It is proposed that a 2003 Ford Ranger be purchased from Butterfield Ford at the State bid price of \$16,807. Councilman Moss motioned to approve this purchase and Councilwoman Holt seconded the motion. Voting was unanimous with Councilpersons Holt, Moss, Pitt, Thomas and Tolman voting "aye".

DAKOTA CONTRACTORS AWARDED BID FOR MAPLE HILLS DRIVE GABION WALL PROJECT

Mr. Rowland reported that bids were opened for the removal and replacement of the gabion wall along Maple Hills Drive. The bids have been reviewed and it is the recommendation of staff to award the bid to Dakota Contracting in the amount of \$113,840.00, on the condition that all references for the contractor be checked out. Following a short discussion, Councilman Pitt motioned to accept the recommendation of staff and award the bid to Dakota Contractors. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**CUTTING EDGE PAVEMENT PRODUCTS AWARDED
BID FOR ROTOMILLING SERVICES**

Mr. Rowland reviewed that Cutting Edge Pavement Products, Int'l. was the contractor who performed the rotomilling services this past year. He reviewed the 2002 bid prices (which reflected that Cutting Edge was considerably lower than the competition) and stated that Cutting Edge has offered to extend their contract, at the same unit prices, for the 2003-04 budget year. It is the recommendation of staff that this extension be approved. Councilman Moss motioned to extend the contract of Cutting Edge Pavement Products, as recommended, not to exceed \$11,500.00. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**FINAL APPROVAL GRANTED TO ECKMAN SUBDIVISION,
275 NORTH 700 EAST**

Mr. Rowland reported that the Planning Commission has reviewed the five-lot subdivision of Larry and Randy Eckman at 275 North 700 East and recommends that it be given final approval, subject to the following exceptions and conditions:

Exceptions:

1. No sidewalk be required.
2. The cul-de-sac be allowed to have a 70' diameter rather than the standard 84' diameter and that the property line be right at the back of curb.

Conditions:

1. Posting the site improvement bond and payment of subdivision fees as required in City Ordinance.
2. Signing a Development Agreement with the City.
3. Payment of underground power fees as determined by the Power Department.
4. Submit a final title report for the entire property.
5. Make the final minor corrections to the Plat and submit a final signed plat ready for recording.

Councilwoman Holt motioned to grant final subdivision approval, as recommended. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**PRELIMINARY APPROVAL GRANTED TO HIDDEN LAKE OF
SUMMERWOOD PHASE 7 (also called Hidden Hollow at Hidden Lakes PUD)**

Mr. Rowland reviewed that the request for preliminary approval of Hidden Lake of Summerwood Phase 7 is a continuation of the conceptual plan which was presented to the Council

several weeks ago. Concerns of the Council have been addressed and it is the recommendation of staff and the Planning Commission that preliminary approval be granted, subject to the following exceptions and conditions:

Exceptions:

1. Approximately 100 feet where cuts and fills exceed 10 feet.
2. Use of ground exceeding 30% slope to provide for road crossing (Lot 704 and the north end of the private drive that connects to Hidden Lakes Drive).

Conditions:

1. All areas that are cleared of natural vegetation shall be replanted with an appropriate vegetation to prevent erosion. These plans shall be compatible with the existing vegetation. Plans showing the landscape areas and necessary sprinkling systems must be submitted for review.
2. A complete geotechnical investigation of the road (prior to final approval), and in particular the area near Hidden Lake Drive, be conducted to verify stability of the existing ground, the type of mechanical retaining that will be needed and the pavement design to withstand the traffic loads.
3. The Developer construct a sidewalk on at least one side of the road.
4. Payment of all required fees and the posting of bonds.

At the request of the Council, Mr. Rowland clarified that the PUD status will result in the homeowners being responsible for all street maintenance, including overlaying, repairing, curb/gutter repairs, and snow removal. This PUD status must be reflected on the deed to the property. Mr. Hardy noted that this status is not readily apparent to a buyer; however, it is on the title and will be disclosed at the time of closing. Following discussion, Councilwoman Holt motioned to grant preliminary approval to Hidden Hollow at Hidden Lakes PUD, as recommended. Councilman Tolman seconded the motion which carried by a majority. Councilwoman Holt, Councilman Moss, and Councilman Tolman voted "aye". Councilmen Pitt and Thomas voted "nay".

**FINAL APPROVAL GRANTED TO CALL MEADOWS PUD PHASE 2
1800 NORTH 200 WEST – BRIAN KNOWLTON, DEVELOPER**

Mr. Rowland reported that the second phase of Call Meadows is now ready to construct and the plans have been reviewed by the Planning Commission. It is the recommendation of the Planning Commission and staff that final plat approval be granted to Call Meadows PUD, Phase 2, with the following conditions:

1. Provide a current title report
2. Make minor corrections to the plat.
3. Record the amended Condominium Declaration with the plat.

Councilwoman Holt motioned to grant final subdivision approval, as recommended, to Call Meadows PUD, Phase 2. Councilman Moss seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

**PRELIMINARY SITE PLAN APPROVAL GRANTED TO
LOCK IT UP STORAGE UNITS - 620 S 200 W**

Mr. Gehring reviewed that Dan Nixon, owner of the old Anderson Lumber property, received a conditional use permit from the Planning Commission in March to develop the property at 620 South 200 West into a two-level storage unit facility, with 1,300 units ranging from 4' x 4' to 12' x 30'. He reviewed the plans and stated that it is the recommendation of staff and the Planning Commission to grant preliminary site plan approval, subject to the following conditions:

1. All fencing and fencing elements be no taller than 6 feet as per City ordinance.
2. Provide easements over the full width of the north, south, east, and west drives, a 15' wide easement over the water line from 200 West to the locking gate, a 10' wide easement along the entire south property line and four foot-wide easement along the west property line. All easements must be recorded prior to the issuance of any permits, including demolition.
3. Revise the plans showing the relocated fire lines, hydrants and redlined changes needed for the storm drain.
4. Prepare a description and submit a request to vacate the easement currently covering the existing sewer and storm drain line.
5. Prepare and present complete final color elevations of all buildings submitted for approval at Final.
6. Pay all required fees: culinary water line; storm drain impact fee at \$2,100 per acre.
7. UDOT approval required for all work with the drive approaches.
8. Work with the Building Official and Fire Marshall to see that the buildings meet separation and exiting requirements.
9. All buildings must meet the requirements of the IBC and City ordinances.
10. Landscaping plans be revised to remove trees from the area between building B and the creek to provide access to the overhead power lines by the Power Department.
11. No outside storage allowed as part of the Commercial storage.

Discussion followed regarding the use of this property and how the input from the neighbors (who opposed an apartment complex) resulted in this final use. Although the Council and Mayor expressed that this is not an ideal use, either in the best interest of the City or the neighborhood, the project meets zoning regulations and the owner is entitled to this use. Councilwoman Holt motioned to approve the project, as presented, and that a recommendation be sent on to the Planning Commission that consideration of aesthetics of the building be considered when final approval is requested. Councilman Pitt seconded the motion which carried unanimously. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted "aye".

RESOLUTION OF SUPPORT FOR LEGACY PARKWAY ADOPTED

Mayor Johnson reviewed that the Council of Governments has suggested that each city adopt a resolution of support for the Legacy Parkway project. He reviewed a proposed Resolution which affirms the need for the Parkway and presents concrete facts regarding wetlands issues and major traffic issues. Councilman Thomas motioned to approve the resolution supporting the need

for the construction of the Legacy Parkway. Councilman Moss seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

PROPOSAL BY COUNCILMAN PITT TO ESTABLISH A FUND-RAISING COMMITTEE DISCUSSED

Mr. Hardy reviewed that two weeks ago the Council had considered a veterans memorial project and funding for that project. In conjunction with this, Councilman Pitt had suggested that a fund-raising committee could be organized, composed of citizens, for the purpose of doing fund-raising that could be used for various worthwhile projects. The central idea would be that businesses and individuals would not be contacted repeatedly with requests for contributions. The fund-raising committee would represent the entire community, and all areas of interest would be considered. The City’s involvement would be to assist in bringing this group together initially.

Councilman Moss stated that he was opposed to the City being involved at all. He acknowledged that a formally organized funding group could be effective, but reiterated that this was not a function of City government. Councilwoman Holt also voiced opposition to the City Council being involved with fund raising. Councilman Pitt referred to a fund raising organization that Sylvia Mabey participates in and he said he would discuss the nature of that organization and bring further information back to the Council.

COUNCIL VOICES OPPOSITION TO PROPOSED FAA FLIGHT PLAN

Mr. Hardy reported that the FAA has proposed an additional flight pattern alternative which would come over the top of Bountiful and then turn west for landing at the International Airport. All flight plans presently in place go north or south over uninhabited terrain and turn over the Great Salt Lake, accessing the airport from the west. Salt Lake City has gone on record in opposition to the proposed alternative flight plan and it is recommended that Bountiful also oppose this plan, except in the case of an emergency. Following discussion, Councilman Moss motioned that staff be instructed to prepare a resolution of opposition to the proposed FAA flight plan. Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Pitt, Thomas and Tolman voted “aye”.

ENTERPRISE FUND BUDGET REVIEW

Mr. Hardy reviewed the proposed Enterprise Funds Budget, noting that what appears to be major increases in many funds operating and maintenance accounts is the re-alignment of capital expenditures required by GASB 34. Several main points that were made include the following:

- The Storm Water Utility Fund will be underwritten \$150,000
- The Water Operating Fund has decreased which reflects less use of water due to conservation measures.
- The Sewer Fund reflects that the City is pulling money out of the Replacement Fund faster than it is being replaced, which becomes an issue as consolidation with the South Davis Sewer District is considered.
- The Light and Power Fund (which accounts for 40% of the total budget) is balanced; however, it contains no significant repayment provisions. This fund has very little

included for Capital Projects for the coming year.

- The Golf Course budget includes a rate increase for both greens fees and cart rental after January 2004. The 2002-03 budget year will end at an approximate break-even point.
- The Recreation fund is subsidized approximately 20 percent, with operating and maintenance costs being a little high due to the age of the facility. There are no major capital projects planned in anticipation of a new Recreation Center being constructed.
- The Landfill is in good shape financially and a contribution to the Replacement Reserve account is included.

Mr. Hardy concluded his presentation by reviewing the Internal Service Fund budgets and the proposed Schedule of Fees and Charges. The public hearing on the complete budget will be held June 10, 2003.

There were no Committee Reports and the meeting adjourned to Executive Session at 9:55 p.m. for the purpose of discussing pending litigation. Councilman Pitt made the motion to adjourn, Councilman Moss seconded the motion and voting was unanimous. 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. Mahan
Mr. Rowland
Mr. Wilding

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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