

**Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
February 25, 2003 - 7:05 p.m.**

Present:	Mayor:	Joe L. Johnson
	Council Members:	Barbara Holt, 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 Dir:	Blaine Gehring
	Department Heads:	Clifford Michaelis, Power Paul Rapp, Police Terry Thompson, Streets/Sanitation
	Recording Secretary:	Nancy T. Lawrence
Excused:	Councilman:	R. Fred Moss

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 7:05 p.m. following a meeting of the Municipal Building Authority. Mr. Coleman led the pledge of allegiance to the flag, following which Councilman Pitt offered the invocation.

**MINUTES OF FEBRUARY 11, 2003 APPROVED**

Minutes of the regular City Council meeting held February 11, 2003 were presented and unanimously approved as amended on a motion made by Councilman Pitt and seconded by Councilwoman Holt. Voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting "aye".

**EXPENDITURES AND EXPENSES APPROVED FOR  
JANUARY AND FEBRUARY PERIODS**

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the Period January 30 - February 5, 2003 (\$140,499.07) and the Period February 6 - 12, 2003 totaling \$706,980.52. The staff responded to questions, following which Councilman Thomas motioned for approval. The motion was seconded by Councilman Pitt and carried unanimously with Councilpersons Holt, Pitt, Thomas and Tolman voting "aye".

**PRESENTATION OF 2002 ANNUAL REPORT - POLICE DEPARTMENT**

Chief Rapp reviewed the mission statement of the Police Department – to provide the highest quality of service, insure public safety, and treat each person with dignity and respect. He then narrated a slide presentation which gave a comparative summary of the past four years in the areas of (1) requests for service, (2) crimes against persons, (3) crimes against property, (4) burglary comparisons, and (5) arrests comparisons for both adults and juveniles. He discussed statistics relating to the eight major offenses (homicide, rape, robbery, assault, burglary, vehicle theft, larceny and arson), and stated that with the exception of retail thefts and car prowls, reported crime is the same or at lower levels than past years. He noted that this is a statistical variance from

what other cities in Utah and states around the country are seeing. He stated that the School Resource Officer programs continue to be highly effective in crime reduction programs. Chief Rapp concluded by expressing appreciation to the Mayor and City Council for their support in helping to achieve the level of performance that was experienced this past year.

**CONTRACT WITH ERM-ROCKY MOUNTAIN, INC  
EXTENDED FOR 2003 CALENDAR YEAR - GROUND WATER  
MONITORING SERVICES**

Mark Franc, assistant City Engineer, reviewed that ongoing ground water monitoring is required to comply with the Class I Solid Waste Landfill Permit. This monitoring has been contracted out and for the past year has been performed by ERM-Rocky Mountain, Inc. Because of the required statistical analysis of groundwater data any variation in procedures can cause perceived changes in the groundwater quality. Therefore, as much consistency as possible is desirable in collecting and analyzing samples. ERM-Rocky Mountain, Inc. has agreed to maintain the same pricing structure for the work as they had last year. If the State testing requirements remain the same as last year, the fees for the coming year will total approximately \$16,000.00. It is the recommendation of staff that the Council extend our current contract with ERM-Rocky Mountain, Inc. to perform groundwater monitoring services at the Bountiful Sanitary Landfill for the 2003 calendar year. Councilwoman Holt made a motion to this effect, Councilman Thomas seconded the motion . Voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting “aye”.

**STORM WATER MANAGEMENT PLAN APPROVED**

Mr. Franc reviewed that the application for the second phase of the mandated storm water management program must be submitted by March 10, 2003. He reviewed the steps that need to be completed in order to receive the permit, which include implementation of a Storm Water Management Plan, submitting a Notice of Intent, and paying the annual fee of \$1,200.

Mr. Franc explained that Bountiful City has been an active participant in the Davis County Storm Water Coalition which has met on a regular basis for the purpose of coordinating ideas and efforts to come into compliance with the required storm water regulations. The coalition has identified the following elements which can be addressed more efficiently as a group:

1. Public participation and involvement
2. Public education and outreach
3. County wide storm drainage mapping
4. Employee training
5. Common ordinances

Mr. Franc explained that upon approval of the Storm Water Management Plan, the Mayor will sign the NOI that Bountiful City will submit to the Utah Department of Environmental Quality Division of Water Quality (DEQ-DWQ) for coverage under the State General Permit for Storm Water Discharges. In addition, because the City and Davis County Public Works are agreeing to work together on some of the elements of the required program, the City and County will sign a section in each other’s NOI indicating joint implementation of certain elements of the SWMPs. He said that it is the recommendation of staff to approve the Bountiful City Storm Water Management Plan as presented. Councilman Thomas motioned for approval and Councilman Tolman seconded the motion. Voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting

“aye”.

**AMENDMENTS TO IPA ORGANIZATION AGREEMENT  
APPROVED - POWER DEPARTMENT**

Mr. Michaelis recognized Reed Searle who was in attendance representing the Intermountain Power Agency (IPA) and he noted that Bountiful is one of 23 participants in this Agency. He explained that in connection with the ongoing efforts to prepare for the possible construction of a third generating unit at the existing Intermountain Generating Station site, IPA has prepared (and the IPA Board of Directors has approved) proposed amendments to the Organization Agreement by which IPA was established. Each of the twenty-three IPA member cities who are parties to this organization will need to approve the proposed amendments, which fall into four categories: (1) participation in the third unit, (2) term extension, (3) remove outdated provisions, and (4) clean-up. Mr. Michaelis summarized the proposed amendments and stated that it is the recommendation of staff and the Power Commission that the City Council approve the amendments, as presented, through adoption by resolution. Following discussion, Councilman Pitt motioned to adopt Resolution No. 2003-02 as presented. Councilwoman Holt seconded the motion and voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting “aye”.

**APPROVAL GRANTED FOR SOLAR TURBINE  
MAINTENANCE - POWER DEPARTMENT**

Mr. Michaelis reported that the City scheduled with Solar Turbines, Inc. to work with City personnel to perform the annual maintenance on the Solar turbine engine for a total cost of \$4,825.00. Once the annual maintenance was started, additional problems were discovered including bad fuel injectors, the generator needed to be realigned with the turbine wheel, and the back-up oil pump would not run for the fifty minutes as required should there be an emergency stop without normal AC power. It is the request of staff and recommended by the Power Commission, that approval be given to purchase the six new injectors, sheer bolts, drive assembly, Solar labor and parts for a sum of \$25,146.50. The Plant Equipment Repair Account has a budget of \$25,000. Mr. Michaelis noted that Solar has taken responsibility for the back-up oil system and is working on a new design and upgraded parts and we will receive a credit for the new drive assembly (\$3,625.26) when they get the replacement equipment and the drive is shipped back to them. Councilman Thomas motioned to approve this expenditure, and Councilman Pitt seconded the motion. Voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting “aye”.

**CLASS “D” BEER LICENSE APPROVED FOR WESTERN  
FOOD SERVICE (GOLF COURSE) AND CHINA STAR RESTAURANT**

Mr. Gehring presented the requests of Western Food Service (at Bountiful Ridge Golf Course) and China Star Restaurant (1171 South 500 West) for a Class “D” beer license. This license provides for beer on draft or original containers, with consumption on the premises. Both establishments have been reviewed by the Police Department and each comes with a recommendation for approval. Councilwoman Holt motioned for approval, Councilman Pitt seconded the motion and voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting “aye”.

**FINAL APPROVAL GRANTED TO OLD PINE**

**SBDVN., 725 E. 900 N.**

Mr. Rowland reported that the developers of the Old Pine Subdivision (725 East 900 North) have completed the final plat and construction drawings and are requesting final approval

for this new 5-lot development. It is the recommendation of staff and the Planning Commission that final subdivision approval be granted, subject to the following conditions.

1. Make minor corrections to the plat map.
2. Posting of the required bond and payment of the required fees and executing a Development Agreement with the City.
3. Supply a current title report for the property.
4. All development work be done according to Bountiful City requirements and standards.

Based on the recommendation of staff and the Planning Commission, Councilwoman Holt motioned to grant final subdivision approval, as presented, for Old Pine Subdivision. Councilman Tolman seconded the motion and voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting “aye”.

**DEVELOPMENT AGREEMENT BETWEEN CITY  
AND MBA AND TOWN CENTER, LLC APPROVED**

Mr. Hardy presented the Development Agreement between Bountiful City, Bountiful Municipal Building Authority (MBA), and Town Center, LLC which had been reviewed prior to this meeting in the MBA meeting. Councilman Thomas made a motion to approve this Agreement and authorize the Mayor and City Recorder to sign it. Councilman Tolman seconded the motion and voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting “aye”.

**COUNCIL COMMITTEE REPORTS**

There were no reports from the Council.

Mr. Hardy noted that there will be conflicts of schedule next month, and it was determined that the next City Council meeting be held Thursday, March 13, 2003 at the regular time.

**EXECUTIVE SESSION**

The meeting adjourned to executive session at 8:35 p.m. for the purpose of discussing the acquisition of real property. Councilman Tolman made the motion which was seconded by Councilwoman Holt. Voting was unanimous with Councilmembers Holt, Pitt, Thomas and Tolman voting “aye”.

**Attendance at Executive Session:**

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

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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