

**Minutes of the
Bountiful City Council Meeting
City Council Chambers
February 10, 2004 - 7:12 p.m.**

Present:	Mayor:	Joe L. Johnson
	Council Members:	Richard Higginson, Barbara Holt, R. Fred Moss, John S. Pitt, and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	Administrative Director:	Galen Rasmussen
	City Engineer:	Paul Rowland
	Dept. Representatives:	Clifford Michaelis, Power Neal Jenkins, Parks and Recreation
	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 7:12 p.m. (following a meeting of the Redevelopment Agency) and welcomed those in attendance. Jordan Tilley, Boy Scout from Troop 346, led the pledge of allegiance to the flag, following which Councilman Higginson offered the prayer/thought.

MINUTES APPROVED FOR PAST MEETING

Minutes of the regular City Council meeting held January 27, 2004 were presented and approved as written on a motion made by Councilman Pitt and seconded by Councilman Tolman. Voting was unanimous with Councilpersons Higginson, Holt, Moss, Pitt, and Tolman voting "aye".

**WEEKLY EXPENDITURES AND/OR MONTHLY
EXPENDITURE REPORTS APPROVED FOR PERIOD
JANUARY 15 TO FEBRUARY 4, 2004 AND JANUARY
SUMMARY OF EXPENDITURES**

Mayor Johnson presented the following reports of Expenditures and Expenses Greater than \$1,000: period January 15, 2004 to February 4, 2004 in the amount of \$2,111,398.03 and the Summary of Expenditures and Expenses for January, 2004 in the amount of \$3,470,164.76. The staff responded to questions, following which Councilman Moss made a motion to accept the financial reports as presented. Councilwoman Holt seconded the motion and voting was unanimous with Councilpersons Higginson, Holt, Moss, Pitt, and Tolman voting "aye".

**RENEWAL OF LEASE FOR GOLF COURSE
RESTAURANT APPROVED**

Mr. Jenkins reviewed that last year the golf course entered into a one-year lease agreement with Western Food Services to lease the restaurant at the golf course. The lease was based on a one-year trial period and Western Food has done a good job in meeting the expectations of staff. It is, therefore, recommended by staff that the lease agreement be renewed for five years. In response to questions from the Council, Mr. Jenkins verified that the lease is identical to the one approved last year, with the exception of the time period. Following a short discussion, Councilman Pitt motioned that the lease renewal be approved as presented. Councilman Moss

seconded the motion and voting was unanimous with Councilpersons Higginson, Holt, Moss, Pitt and Tolman voting "aye".

**REPLACEMENT POWER PURCHASE PROGRAM -
PRESENTATION BY POWER DEPARTMENT**

Mr. Michaelis narrated a PowerPoint presentation designed to inform the Mayor and Council of power resources currently being used by the City and the future outlook of those resources. He defined high load and low load hours and then reviewed the system loads for the month of July, 2003 as an example of how the resources are scheduled. Firm resources used for base loading include the Colorado River Storage Project (CRSP), and Idaho Power (recently acquired by Sempra). Non-firm resources are San Juan, Intermountain Power Project (IPP), and Deseret Generation and Transmission (DG&T). In addition to these resources, the city-owned hydros at Pineview and Echo, the UAMPS power exchange pool, and diesel generation at the plant provide the ability to cover periods of high demand. He reviewed the rules for using pool resources (where we can either purchase or sell power) and noted that UMPA is considering becoming a member of that power exchange.

Mr. Michaelis noted that the CRSP rate increase has been included in the budget and the 30 percent decrease in the CRSP allotment (due to the drought) became effective in October, 2003. An Idaho rate increase also took affect in January, 2004. The water level at both Pineview and Echo is lower than normal, but it is hopeful that both reservoirs will fill prior to the summer season. Mr. Michaelis expressed concern about the increase in costs of coal and natural gas and the impact that will have on our plant generation. He explained the nature of the call-back feature of the IPP contract, following which he presented the following staff recommendations:

- (1) That the IPP allotment be put back to California for the 2004 summer season.
- (2) That the City purchase short-term power for the summer season to replace the CRSP cutback to meet the load.
- (3) That the City watch power prices for the winter season in order to prepare for decisions by June of this year.

Mr. Michaelis stated that resource picture is good for the situation we are in, but the drought is affecting us dramatically and could push us into a rate increase. Mayor Johnson thanked Mr. Michaelis for his presentation and he complimented him for his presence in the local/region and national power presence.

**AGREEMENT FOR SID ADMINISTRATION
APPROVED - RENAISSANCE TOWNE CENTRE**

Mr. Hardy reviewed that, in conjunction with the Special Improvement District associated with the Renaissance Towne Centre, it is recommended that the firm of Lewis, Young, Robertson and Burningham, Inc. be retained to provide support relating to the financial and legal administration of the Special Improvement District bonds. He reviewed that the Utah Special Improvement District Act allows for ongoing administrative expenses to be recouped as part of the assessment payments made by property owners. And, subsequently, the City authorized and adopted, as part of the Assessment Ordinance, the imposition of .50% SID administration fee to defray those costs. It is the recommendation of staff that the Agreement for Special Improvement

District Administration between the City and Lewis, Young, Robertson and Burningham, Inc. be approved. In response to a question from the Mayor, Mr. Hardy stated that the fee being charged is standard in the industry. Councilwoman Holt made a motion to approve the Agreement as recommended. Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, Pitt, and Tolman voted “aye”.

**PRELIMINARY AND FINAL SITE PLAN APPROVAL
GRANTED FOR SINGLE FAMILY BUILDING PARCEL -
2175 WOOD HOLLOW WAY**

Mr. Rowland reviewed that when Maple Hills Phase 2 Subdivision was approved in the mid 1970's, several large areas that were included as part of the subdivision were not designated as building lots, rather “condominium areas”. Over the past 25-plus years, these areas have been divided up into individual building parcels. This site plan is coming before the City Council because the zoning ordinance requires that all building in the residential foothill zone that is on lots or parcels which are not part of an approved subdivision, require review and approval by the Planning Commission and the City Council. The Planning Commission has reviewed the site plan and sends a favorable recommendation to the City Council, subject to the following conditions:

1. All regulations of the Foothill Ordinance be followed including the limitations for cuts, fills and non-use of ground over 30%.
2. Provide a geotechnical report showing any structural modifications necessary to build so close to the edge of the canyon.
3. Payment of the following fees:

Storm Water Impact Fee	Based on \$2,100.00/acre	\$3,033.62
Water Connection	(1) 1-inch meter	4,451.00 plus asphalt patch
Power Fees as determined by the Power Department		
Building Fees per the International Building Code		

Councilwoman Holt made a motion to grant preliminary and final site plan approval, as presented and recommended. Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons Higginson, Holt, Moss, Pitt, and Tolman voting “aye”.

**ORDINANCE ADOPTED RE: MORATORIUM ON
MULTI-FAMILY DEVELOPMENTS**

Mr. Mahan explained that it will take the City Council about six weeks to consider and adopt new regulations for multi-family developments. He suggested that in the meantime a moratorium be imposed prohibiting any further applications or approvals in order to prevent last-minute applications for disfavored site plans. He reviewed Ordinance No. 2004-01 entitled AN ORDINANCE ADOPTING A ZONING REGULATION IMPOSING A SIXTY-DAY MORATORIUM PROHIBITING THE GRANTING OF, OR THE ACCEPTING OF APPLICATIONS FOR MULTI-FAMILY STRUCTURES OR DEVELOPMENTS IN THE MULTI-FAMILY DISTRICTS OF THE CITY, and recommended that it be adopted. The Council discussed this matter, following which Councilman Higginson motioned that Ord. No. 2004-01 be adopted, as recommended. Councilwoman Holt seconded the motion. Voting was unanimous with Councilpersons Higginson, Holt, Moss, Pitt, and Tolman voting “aye”.

COUNCIL COMMITTEE REPORTS

At the request of the Mayor, Mr. Hardy gave an update on the potential of participating with Utopia for fiberoptic residential service. He reviewed that to make it economically feasible, fiberoptic cable is normally installed in high density areas with commercial development which requires high speed transactional activity. It is not economical to put it in single family developments. The City presently has access to fiberoptic cable looped between the Police, Fire, and administration networks, allowing high speed data exchange. DSL is presently available from Qwest and Comcast is near completion of their work in the City which will also provide DSL. Utopia is proposing that a fiberoptic cable will provide three services: (1) digital cable TV; (2) high speed internet service line; and (3) a digital quality phone service. He said that Bountiful has looked at Utopia. However, a wireless wide band technology, WIFI, is presently being developed which appears to be the "wave" of the future. With this in mind, it is the recommendation of staff to watch both mediums, and if desired, Bountiful can join with Utopia on the "second round". He noted that he feels supportive of the concept of Utopia's proposal, but doesn't feel comfortable in a contractual obligation at this time. (He said that Utopia is still two to three years out from providing the proposed services).

Mr. Hardy then gave a brief review of recent legislative action and the negotiations between the City and the County Commissioners.

At 8:35 p.m. the meeting adjourned to the Planning Conference room for Study Session. This action was taken on a motion made and seconded by Councilmen Moss and Higginson, respectively. Voting was unanimous with Councilpersons Higginson, Holt, Moss, Pitt, and Tolman voting "aye".

The City Council Study session reconvened at 8:40 p.m. and Mr. Mahan reviewed the proposed amendments to the Planned Unit Developments in the hospital Zone and proposed changes to the multi-family residential zone. No official action was taken. John Blosch, developer, and Troy Burnett, Salt Lake Board of Realtors, were in attendance and provided input. Following Mr. Mahan's review and the discussion, Mayor Johnson reviewed that this matter will come back to the Council in two weeks, and the Council will hopefully be ready to make a decision, then go to a public hearing on March 23, 2004.

The Study Session to review goals for the year (as listed on the Agenda) was postponed to March 2, 2004, at 7:00 p.m..

Mr. Rowland requested that a Traffic Safety Committee meeting be held and it was also scheduled for March 2, 2004 at 6:00 p.m.

The meeting adjourned at 9:40 p.m. on a motion made by Councilman Higginson and seconded by Councilman Moss.

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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