

**Minutes of the
Bountiful City Council Meeting
City Council Chambers
January 27, 2004 - 7:00 p.m.**

Present:	Mayor:	Joe L. Johnson
	Council Members:	Richard Higginson, Barbara Holt, R. Fred Moss and Thomas Tolman
	Councilman:	John Pitt (arrived at 8:35 p.m.)
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	City Recorder:	Kim J. Coleman
	Department Head:	George Sumner, Fire
	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 welcomed those in attendance. John McKay, Boy Scout from Troop 586, led the pledge of allegiance to the flag, following which Mr. Hardy offered a thought/prayer.

MINUTES APPROVED FOR TWO PAST MEETINGS

Minutes of the special City Council meeting held January 5, 2004 and the regular meeting held January 13, 2004 were presented and approved as written on a motion made by Councilman Tolman and seconded by Councilman Higginson. Voting was unanimous with Councilpersons Higginson, Holt, Moss, and Tolman voting "aye".

**WEEKLY EXPENDITURES AND/OR MONTHLY
EXPENDITURE REPORTS APPROVED FOR DECEMBER
AND JANUARY PERIODS**

Mayor Johnson presented the following reports of Expenditures and Expenses: period January 1 - 14, 2004 (totaling \$908,496.83) and the December 2003 Summary of Expenditures and Expenses in the amount of \$5,047,926.24. The staff responded to questions, following which Councilwoman Holt made a motion to accept the financial reports as presented. Councilman Moss seconded the motion and voting was unanimous with Councilpersons Higginson, Holt, Moss and Tolman voting "aye".

**REPORT BY ROTARY CLUB RE: ANNUAL
CRUISIN' THE BOULEVARD COATS FOR KIDS EVENT**

Werner Ruummele, president of the Bountiful Rotary Club, introduced Chris Simonsen, director of the Cruisin' the Boulevard Coats for Kids event. Mr. Simonsen said he was glad to be able to thank the City on behalf of the Rotary Club for the cooperation given in granting use of the Bountiful Park to hold the Cruisin' the Boulevard event and the support of the Police, Fire and Parks departments. The purpose of this event was to raise money to be used to purchase coats, mittens and boots for needy children. He explained how children were identified (via school principals, PTA representatives and teachers) and that K-Mart was a partner in the project by

selling the merchandise at just above cost. Vouchers were given to the mothers of the children

and then the child assisted in shopping for the new coat, boots, and mittens.

This year's date for the Cruisin' the Boulevard event will be May 15, 2004. A "thank you" meeting will also be held on February 26, 2004 for those in the community who have donated time, money or products for last year's event. He invited the Mayor and Council and others who may be interested to join them at this meeting at Christopher's. One of the purposes of the meeting is for a teacher to report of the experience he/she had in participating in this project. Mr. Simonsen also shared a personal experience he had in which a very grateful parent expressed appreciation for coats given to her children.

**APPROVAL GIVEN FOR RENEWAL OF QWEST
TELECOMMUNICATIONS SITE LEASES**

Mr. Mahan reviewed that Qwest has requested to renew two leases for second five-year terms for cellular telecommunications towers. One is for a stealth application of an antenna atop a light pole at 1802 East 1800 South (per the terms of the lease agreement, the fee will increase from \$500 to \$575 per month). The second lease is for a co-location on the police tower that is owned by Sprint. The monthly fee for this lease will increase from \$350 to \$402.50. After a short discussion, Councilman Higginson motioned to approve renewal of the two leases for Qwest with authorization for the Mayor to sign. Councilwoman Holt seconded the motion. Voting was unanimous with Councilpersons Higginson, Holt, Moss, and Tolman voting "aye".

**APPROVAL GIVEN FOR SPECIAL EVENT
PERMIT - ST. OLAF'S**

Mr. Hardy presented the request of St. Olaf's for a Local Consent Single Event Permit for Saturday, May 15, 2004, from 6:00 p.m. to 11:00 p.m. He explained that the Utah Department of Alcoholic Beverage Control issues the license to serve alcohol, subject to approval of the Single Event Permit by the City. Based on the good record which St. Olaf's has had in the past, Mr. Hardy recommended that this request be approved. Councilman Moss made a motion to this effect, Councilman Higginson seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, and Tolman voted "aye".

**PRELIMINARY AND FINAL SUBDIVISION APPROVAL
GRANTED FOR VIEWMONT VIEW CONDO CONVERSION,
1130 NORTH 200 WEST, DAN WIGHT, APPLICANT**

Mr. Rowland presented the request of Dan Wight for approval to convert his four-unit apartment building into a four-unit condominium complex. He explained the proposed changes, including lengthening the parking stalls, providing a van accessible handicap stall and one visitor stall. This request has been reviewed by the Planning Commission and comes with a favorable recommendation for preliminary and final subdivision approval, subject to the following conditions:

1. Make minor corrections to the plat and provide a mylar copy of the plat for the Mayor's signature.
2. Provide a current title report.
3. The condominium plat will not be recorded until the parking changes have been made and approved by staff. (As per drawings).

Councilwoman Holt made a motion to grant preliminary and final subdivision approval, as presented. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss, and Tolman voted “aye”.

**FINAL SUBDIVISION RE-APPROVAL OF LEWIS PARK
PHASE 4 SUBDIVISION**

Mr. Rowland reviewed that the final approval for Lewis Park Subdivision, Phase 4, lapsed one year after it was granted, even though the work on the cul-de-sac was completed. Inasmuch as a re-approval process was needed, the Lewis’ decided to change the plat by eliminating the five lots fronting on 400 East Street. These lots are on a steep slope, down from the road and excess fill from other areas is being used to build them up. This process is not yet completed and inasmuch as the lots are unbuildable at the present time, the Lewis’ do not wish to record them as subdivision lots.

The Planning Commission has reviewed the request for re-approval of Lewis Park Subdivision Phase 4 (9 lots) and sends a favorable recommendation to the Council, subject to the following conditions:

1. Final review and correction of the subdivision plans.
2. Provide a current title report.
3. Compliance with all other City ordinances and standards.

Following a short discussion, Councilman Higginson made a motion to grant final subdivision RE-approval of Lewis Park Phase 4. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss and Tolman voted “aye”.

**PRELIMINARY AND FINAL SITE PLAN APPROVAL
GIVEN TO RESTAURANT - 305 NORTH MAIN**

Mr. Rowland explained that Phil Jessee has purchased the Smedley house at 305 North Main Street along with the vacant property to the west and would like to build a sit-down restaurant by remodeling and adding on. He is proposing 104 seats, which will require 35 parking spaces. There is sufficient room for this parking. He stated that the Planning Commission reviewed the request and recommends that it be approved, subject to the following conditions:

1. Fencing be provided along the west and northwest property lines where the site abuts residential properties.
2. Provide 7-ft. wide easements along the south, west and northwest property lines. Provide a 20-ft. wide easement along the centerline of the creek channel. All easements must be recorded prior to the issuance of a building permit.
3. Provide a dumpster enclosure which matches the building construction per ordinance.
4. Pay all required fees: Culinary water impact and connection fee per fixture count.
Sewer Impact fee, per final fixture count.
5. Replace all existing damaged curb and gutter and sidewalk along the 300 North frontage. All drive approaches per Bountiful City Standards.
6. All buildings must meet the requirements of the IBC and City ordinances.

Councilman Tolman requested that the Historical Commission be given the opportunity to photograph and take measurements prior to remodeling of the building. He suggested that the operation of the restaurant might include photos and text displaying the historical significance of the building. Councilman Tolman then motioned to grant preliminary and final site plan approval for the proposed restaurant at 305 North Main Street. Councilman Higginson seconded the motion which carried unanimously. Councilpersons Higginson, Holt, Moss and Tolman voted “aye”.

COUNCIL COMMITTEE REPORTS

Councilwoman Holt reported that she was pleased that Fire Chief George Sumner had taken the time to prepare an editorial in the Clipper. She then read the editorial which addressed the issue of paramedic services for Bountiful.

COUNCIL ADJOURNS TO CONFERENCE ROOM FOR STUDY SESSION; EXECUTIVE SESSION APPROVED

At 7:50 p.m. Councilman Higginson made a motion to adjourn to the Planning Conference Room for the purpose of discussing development recommendations on the RDA project and to review goals for the year. He also moved to approve an executive session for the purpose of considering the acquisition of real property. Councilman Moss seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Moss and Tolman voted “aye”.

Attendance at Executive Session:

Mayor Johnson
Councilpersons Higginson, Holt, Moss, Pitt and Tolman
Mr. Hardy
Mr. Mahan
Mr. Rowland
Mark Franc

CONSIDER DEVELOPMENT RECOMMENDATIONS ON RDA PROJECT WITH WEST BOUNTIFUL

The meeting re-convened at 7:56 p.m. in the Planning Conference Room. Mr. Hardy briefly described the proposed RDA project being pursued by West Bountiful in the north area of Bountiful west of 500 West (Highway 89). Councilman Moss expressed concern that there are no firm plans from West Bountiful which demonstrate a theme or “flavor” for the project and he said that it appears to be a lot of roof tops and asphalt parking. Positive and negative examples of commercial developments were discussed. Although the project is in West Bountiful, it will front on Highway 89, which appears to be a part of Bountiful City. Mr. Hardy noted that in order to soften the mass of the buildings, a basic theme is required – which takes time, effort and expense. Concern was also expressed that when the east side of Highway 89 develops, it would be well for continuity and/or harmony on the two sides. Mr. Mahan stated that he will prepare a statement, similar to what West Bountiful wants, for the next Planning Commission meeting. A short discussion followed regarding the parking problem along Highway 89 near Burt Brothers (2885 South) and Mr. Hardy suggested that this matter be taken to the Traffic Safety Committee.

The meeting adjourned to executive session at 8:35 p.m. (Councilman Pitt arrived at this time) and reconvened into public meeting at 9:32 p.m.

STUDY SESSION TO REVIEW GOALS FOR THE YEAR

Mr. Rowland explained that off-road users are anxious to help define a trail in the area by the "B" which can be used for their recreational purposes. They are considering working with the Forest Service to fence off a designated area. Some of the property affected is privately owned and discussion focused on the possibility of having the property owners execute a Release of Easement. Mr. Rowland noted two key points: the Forest Service is willing to assist with funding of this project, but cannot spend money on privately owned property. And second, by defining a line for the road, the off-road vehicles will be contained in a specific area and prevent its expansion in the future. It was noted that, although the property involved in this matter is not within City limits, the problems which arise from use of the hillside do affect Bountiful citizens.

The meeting officially adjourned at 10:00 p.m.

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

* * * * *