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Minutes of the Bountiful City Council Meeting City Council Chambers August 10, 2004 - 7:00 p.m.

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| Present: | Mayor | Joe L. Johnson |
| | Council Members: | Richard Higginson, Barbara Holt, R. Fred Moss and Thomas Tolman |
| | City Manager: | Tom Hardy |
| | City Attorney: | Russell Mahan |
| | City Engineer: | Paul Rowland |
| | City Recorder: | Kim J. Coleman |
| | Planning Director: | Aric Jensen |
| | Department Representatives: | Neal Jenkins, Parks and Recreation Allen Johnson, Power George Sumner, Fire |
| | Recording Secretary: | Nancy T. Lawrence |
| Excused: | Councilman: | John S. Pitt |

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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. Nathan Powell led the pledge of allegiance to the flag, following which Councilman Higginson offered the prayer/thought. The mayor noted that action items that were not covered in the July 27th meeting due to lack of a quorum will be included with tonight's agenda items.

MINUTES OF JULY 13, 2004 APPROVED

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

WEEKLY EXPENDITURES APPROVED FOR THREE PERIODS

Mayor Johnson presented the Weekly Expenditure and Expense Report for the following periods: July 1-14, 2004 (\$1,529,235.13); July 15-21, 2004 (\$231,189.99); July 22-28, 2004 (\$1,600,877.72); and the Summary for June, 2004 in the amount of \$5,375,234.09. Following discussion, Councilman Higginson made a motion to approve the expenditure reports as presented. Councilman Moss seconded the motion and voting was unanimous with Councilpersons Higginson, Holt, Moss, and Tolman voting "Aye".

DOUG KILLAM RECOGNIZED ON RETIREMENT

Neal Jenkins recognized Doug Killam who is retiring from the buildings maintenance department after working with the City for 25 years. Mr. Jenkins noted several major accomplishments which were initiated/supervised by Doug and stated that he was "very dedicated to the City and one of the best team players" he has had the opportunity to work with. In addition

1 to completing his own responsibilities, Mr. Jenkins stated that Doug was always willing to help in
2 other departments also.

3
4 Mr. Killam commented that he would miss his association with fellow employees and he
5 expressed appreciation for Mr. Jenkins as a supervisor and for the support and backing
6 which he received from him. He also thanked the City Manager and elected officials for standing
7 behind the employees. In conclusion, he thanked his wife for her support. Mayor Johnson
8 presented Mr. Killam with a gift certificate as a token of appreciation from the City and wished
9 him well on his retirement.

10
11 **PURCHASE OF COPY MACHINE FOR RECREATION**
12 **CENTER APPROVED**

13 Mr. Jenkins reported that the budget for the Recreation Center includes a new copy
14 machine to replace the 8-year-old machine presently being used. Quotes were obtained from two
15 vendors and it is the recommendation of staff to accept the lower quote from Toshiba for an E-
16 Studio 4511 in the amount of \$11,926.00. The amount budgeted was \$15,000.00. Following a
17 brief discussion, Councilman Higginson motioned to approve the purchase of the copy machine, as
18 recommended. Councilwoman Holt seconded the motion and voting was unanimous with
19 Councilpersons Higginson, Holt, Moss, and Tolman voting "Aye".

20
21 **BUILDING UPGRADES APPROVED FOR POWER DEPARTMENT**

22 **New Roof.** Mr. Johnson reported that bids were requested from five companies for a new
23 roof for the Power Department building. He said that this project was unanticipated and was not
24 included in this year's budget. However, due to major leaks, it is necessary to complete this work.
25 It is the recommendation of staff to accept the low bid from Roof-Rite in the amount of
26 \$31,800.00. This includes a 25-year shingle warranty. The expense will be funded from the
27 Office and Warehouse Maintenance Expense account. Councilman Moss motioned to approve the
28 roof expenditure, Councilman Higginson seconded the motion and voting was unanimous.
29 Councilpersons Higginson, Holt, Moss, and Tolman voted "Aye".

30
31 **New Carpet.** Mr. Johnson said that new carpet for the Power Department was included in
32 the current year budget and quotes were received from three vendors. It is the recommendation of
33 staff to accept the low bid from Allman's Discount Carpets in the amount of \$10,500.00, which is
34 within budget. Councilman Moss motioned to approve the bid from Allman's Discount Carpets as
35 recommended. Councilman Tolman seconded the motion and voting was unanimous with
36 Councilpersons Higginson, Holt, Moss, and Tolman voting "Aye".

37
38 **RES. NO. 2004-08 ADOPTED RE: MITIGATION PLAN FOR NATURAL**
39 **HAZARDS/DISASTERS**

40 Mr. Hardy explained that under Federal law, all jurisdictions that want FEMA funds after a
41 disaster must have an official mitigation plan. In relationship to this requirement, it is
42 recommended that Bountiful City adopt Resolution No. 2004-08 entitled, **A resolution adopting**
43 **the Wasatch Front Regional Council Natural Hazard Pre-Disaster Mitigation Plan as**
44 **required by the Federal Disaster Mitigation and Cost Reduction Act of 2000.** Mr. Hardy
45 reported that the plan has been reviewed by the Fire Chief and that the City has already tried to
46 plan for natural disasters. Councilman Higginson made a motion to adopt Resolution No. 2004-
47 08, as recommended. Councilwoman Holt seconded the motion which carried unanimously.

1 Councilpersons Higginson, Holt, Moss, and Tolman voted “Aye”.

2
3 **AMENDED PRELIMINARY AND FINAL SITE PLAN**
4 **APPROVED FOR LDS WARDHOUSE - 3300 SO 800 WEST**

5 Mr. Jensen presented the request of the LDS Church for preliminary and final institutional
6 site plan approval for the proposed LDS warehouse at 3300 South 800 West. He noted that this
7 request was reviewed earlier this year and additional parking was recommended (above and
8 beyond City standards). In the meantime, the ordinance has been changed such that institutional
9 uses can now seek approval for sites with at least 30% non-impervious surface (rather than the
10 40% previously required). Mr. Jensen said that this request was reviewed by the Planning
11 Commission and comes to the Council with a positive recommendation, subject to the following
12 conditions:

- 13
14 1. Any outstanding engineering and/or site plan issues be corrected to staff’s satisfaction.
15 2. Any outstanding fees be paid.

16
17 Following discussion, Councilwoman Holt made a motion to approve the site plan as
18 recommended. Councilman Higginson seconded the motion and voting was unanimous.
19 Councilpersons Higginson, Holt, Moss, and Tolman voted “Aye”.

20
21 **PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED**
22 **TO BOUNTIFUL COMMUNITY CHURCH FOOD PANTRY**

23 Mr. Jensen presented the request of the Bountiful Community Church for an ancillary
24 building to be used as a food pantry. He said that there was a lot of discussion on this item when it
25 came before the Planning Commission due to concerns regarding the appearance of the steel
26 building and that it would look out of place in a residential neighborhood. The Commission
27 recommended that the applicant find alternative exterior treatments that could be used to make the
28 construction look more like the surrounding residential uses and the application was tabled.

29
30 In a subsequent meeting, the Planning Commission recommended that preliminary and
31 final approval be granted to the site plan of the BCC Food Pantry, subject to the following
32 conditions:

- 33
34 1. This site plan will supersede the area represented on any site plan that may currently
35 exist for the overall church site.
36
37 2. The food pantry building and associated parking lot are an integral part of the overall
38 church campus and therefore may not be sold, divided, leased, or operated
39 independently. The City recommends accomplishing this through a quitclaim deed
40 process.
41
42 3. Amend the landscaping plan for the areas to include additional trees on the north and
43 west sides of the pantry building, to staff’s satisfaction.
44
45 4. Relocate the existing overhead power line as required by Bountiful Power and provide
46 necessary easements prior to issuance of a Building Permit.

- 1 5. Address natural gas and phone requirements.
- 2 6. Payment of the following fees:
- 3 a. Storm Water Impact Fee (0.18 acres at \$2,350 per acres) = \$ 420.80
- 4 b. One-inch water service and impact = 2,658.00
- 5 c. Sewer Impact Fee to SD Sewer
- 6 d. Building Permit Fees per valuation
- 7
- 8 7. Provide upgraded exterior treatments to the building consisting of at least a 3-foot high
- 9 masonry wainscot around the entire building and textured treatments around the doors
- 10 and windows, to be completed within 12 months of the issuance of a building permit.
- 11
- 12 8. Locate a man-door within 20 feet of the dock doors to provide a second fire exit.
- 13
- 14 9. Make other minor revisions to the site plan to staff's satisfaction.
- 15

16 Councilwoman Holt commented on the good that is accomplished through the operation of the
17 BCC food pantry and she said she was pleased to make a motion for approval for the conditions as
18 listed. Councilman Tolman seconded the motion which carried unanimously. Councilpersons
19 Higginson, Holt, Moss, and Tolman voted "Aye". Chuck Swallow, BCC, reported that last month
20 the food pantry fed 355 families (1,170 individuals).

21
22 **ORD. NO. 2004-13 ADOPTED RE: MISCELLANEOUS**
23 **CHANGES TO ZONING ORDINANCE**

24 At 7:40 p.m. Mayor Johnson re-opened the public hearing continued from the meeting of
25 July 27, 2004 regarding proposed miscellaneous changes to the zoning ordinance, as outlined in
26 Ordinance No. 2004-13 entitled AN ORDINANCE AMENDING THE BOUNTIFUL CITY ZONING
27 ORDINANCE TO (1) ESTABLISH A "SUNSET PROVISION" FOR SITE PLAN APPROVALS, (2) CHANGE THE
28 STANDARDS FOR DEVELOPMENT IN ALL R-3 (MULTI-FAMILY) ZONES, (3) ELIMINATE SELF-STORAGE
29 UNITS AS A PERMITTED USE IN THE CH (HEAVY COMMERCIAL) ZONE, (4) ELIMINATE SELF-STORAGE
30 UNITS AS A CONDITIONAL USE IN THE CG (GENERAL COMMERCIAL) ZONE, (5) AMEND THE STANDARDS
31 FOR FENCES SURROUNDING RECREATIONAL USES, AND (6) ELIMINATE TEXT REGARDING PRIOR
32 CREATED LOTS. Mr. Jensen stated that over the past few months the Planning Commission has
33 studied and made proposed changes to the zoning code and he reviewed those changes. Following
34 discussion by the Council, Councilwoman Holt made a motion to adopt Ordinance No. 2004-13, as
35 presented. Councilman Moss expressed concern about Section 6 regarding "prior created lots" and
36 the fact that review by the Board of Adjustment makes the process more difficult than would be
37 the case without the ordinance revision. Councilman Tolman seconded the motion which carried
38 by a majority. Councilpersons Higginson, Holt and Tolman voted "Aye", and Councilman Moss
39 voted "Nay".

40
41 **CONSIDER PRELIMINARY AND FINAL APPROVAL OF**
42 **SUBDIVISION PLAT FOR HIDDEN HOLLOW CIRCLE PUD**

43 This item was tabled.

44
45 **TES CONTRACTORS, INC. AWARDED BID FOR**
46 **LEWIS PARK DRIVE STORM DRAIN**

47 Mr. Rowland reported that bids were opened on July 20th for installation of a section of

1 storm drain line in Lewis Park Drive. He said that two houses in Lewis Park Subdivision have
2 experienced basement flooding from a variety of sources, including improper grading of yards,
3 over watering of landscaping and the high porosity of the soil. In an effort to eliminate this
4 problem, the homeowners have the option to put in a drainage sump, but they do not have
5 anywhere to pump the water. (If discharged into the gutter, it will result in a “mossy mess in the
6 summer and an ice skating rink in the winter”). Thus, the need for a section of storm drain line in
7 that area. Two contractors submitted bids and it is the recommendation of staff to approve the low
8 bid from TES Contractors, Inc. in the amount of \$35,385.00. Mr. Rowland said that he checked
9 references for the Murray-based company and good recommendations were received. Councilman
10 Moss made a motion to approve the bid from TES, based on unit prices, contingent upon neighbors
11 participating in a general solution to the neighborhood water drainage problem. Councilman
12 Higginson seconded the motion and voting was unanimous. Councilpersons Higginson, Holt,
13 Moss, and Tolman voted “Aye”.

14
15 **TRAFFIC SAFETY COMMITTEE ITEMS CONSIDERED**

16 Mr. Rowland reported that the neighborhood has changed in the area of 200 West 1500
17 South and there are just a few children who cross in that area. Based on a recommendation from
18 the Police Department, it is recommended that the crossing guard no longer be used at this
19 intersection. Due to a change in school boundaries, there are also very few children who cross at
20 1800 South Orchard and it is recommended that the crossing guard at that location be eliminated.
21 Councilman Tolman made a motion to this effect, Councilman Higginson seconded the motion and
22 voting was unanimous. Councilpersons Higginson, Holt, Moss, and Tolman voted “Aye”.

23
24 Mr. Rowland also reported that the Community Council of Millcreek Junior High had
25 requested a light and a reduced speed zone at 200 East 500 South. However, this is not on the
26 planned school access route and it is the recommendation of staff that the children (approximately
27 9 students) go up to 400 East to cross 500 South. He said he would make the contact with the
28 school Community Council on this item.

29
30 **INCREASE IN AMBULANCE RATES APPROVED**

31 Mr. Hardy reviewed that it has been the policy of the City Council to adopt ambulance
32 rates based on the Utah Bureau of Emergency Medical Services (BEMS). These rates have been
33 increased and it is proposed that the City adopt the new rate schedule. He reviewed the old and
34 new rates, and noted that these are the only fees charged by Bountiful City Fire Department.
35 Following a short discussion, Councilman Higginson motioned to adopt the rate changes as
36 presented. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons
37 Higginson, Holt, Moss, and Tolman voted “Aye”.

38
39 **PROPOSED INTERLOCAL AGREEMENT FOR FIRE**
40 **SERVICE CONSOLIDATION REVIEWED**

41 Mr. Hardy explained that the South Davis mayors have been studying the possibility of
42 consolidating the fire departments and it is now at point where the vehicle for accomplishing this
43 goal must be determined. He said that there is not enough time to put a taxing district together
44 prior to the November election. However, an Interlocal Agreement can be formed as an
45 intermediate step for formation of the fire district, with terms and conditions being determined by
46 the cities.

1 Mr. Hardy reviewed a preliminary draft of an Interlocal Agreement which addressed the
2 services which would be included, budget-related items, definition of sole provider, membership
3 of neighboring cities not originally included, contractual vs tax obligations, board membership and
4 related issues (duties, length of terms, committees, etc., fiscal responsibility), use of existing
5 facilities and equipment and proposed new facilities, and termination issues. Mr. Hardy reviewed
6 the time line necessary to get the District functioning by January 1, 2005, which included
7 formation of the District and the Interlocal Agreement in place, application for a paramedic
8 program, ordering of paramedic vehicles and equipment, and personnel hired. He said that there
9 will be an impact on the budget and he briefly reviewed that matter. He noted that the “down
10 side” of consolidation will be surrendering autonomy and control of what has been a fine tradition
11 in Bountiful. He also noted that the Fire Department has been a great asset in that they have
12 helped other departments when there was a need (snow removal, putting up the “bubble”, etc.) and
13 this will be missed.
14

15 Chief Sumner stated that although the six full-time firemen are doing an excellent job,
16 consolidation will permit an increase in personnel and the overall impact will be improved fire
17 (and paramedic) service. Mayor Johnson noted that the increased cost of the District (the result of
18 picking up the cost of paramedics) will mandate a budget adjustment with something else being
19 given up. Councilman Moss asked who would be dispatching and Mr. Hardy said that the goal is
20 to have a consolidated dispatch system by December 2005, however there has not been serious
21 discussion on this matter at this point. Mayor Johnson requested that the Council be honest and
22 forthright in their assessment of the proposed consolidated fire district and let him know their
23 feelings as soon as possible.
24

25 **COUNCIL COMMITTEE REPORTS**

26 The Mayor reviewed that the Utah League of Cities and Towns will be meeting September
27 15 - 17, 2004 in Salt Lake City and to let Ellen know if they plan to attend.
28

29 The Mayor thanked all who worked hard on the Recreation District, noting that it passed
30 by 249 votes. He said that the support groups will be re-convened to look at where we are and
31 assess the final plans.
32

33 It was noted that Summerfest begins tomorrow and the basic schedule of events was
34 reviewed. Mr. Hardy reminded the group that Main Street will be closed from Center Street to 200
35 South all day tomorrow and into the night for the dance.
36

37 The meeting adjourned at 9:27 p.m. on a motion made by Councilman Higginson and
38 seconded by Councilwoman Holt. Councilpersons Higginson, Holt, Moss, and Tolman voted
39 “Aye”.
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44 _____JOE L. JOHNSON, Mayor
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KIM J. COLEMAN, City Recorder

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