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**Minutes of the
Bountiful City Council Meeting
City Council Chambers
April 5, 2005 - 7:00 p.m.**

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Present: Mayor: Joe L. Johnson
Council Members: Richard Higginson, R. Fred Moss, John S. Pitt and Thomas Tolman
City Manager: Tom Hardy
City Attorney: Russell Mahan
City Engineer: Paul Rowland
Deputy City Recorder: Ralph Hill, Jr.
Planning/RDA Director: Aric Jensen
Department Representative: Paul Rapp, Police
Recording Secretary: Nancy T. Lawrence

Excused: Councilwoman: Barbara Holt

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. Chris Maxwell, visiting Boy Scout, led the pledge of allegiance to the flag, following which Councilman Tolman offered the prayer/thought.

MINUTES APPROVED FOR MARCH 22, 2005

Minutes of the regular City Council meeting held March 22, 2005 were presented and approved as written on a motion made by Councilman Higginson and seconded by Councilman Pitt. Voting was unanimous with Councilmen Higginson, Moss, Pitt, and Tolman voting “aye”.

WEEKLY EXPENDITURES APPROVED FOR ONE PERIOD

Mayor Johnson presented the Weekly Expenditure and Expense Report for the Period March 17 - 30, 2005 in the amount of \$1,409,549.63. The Mayor called for questions, following which these expenditures were unanimously approved on a motion made by Councilman Tolman and seconded by Councilman Moss. Councilpersons Higginson, Moss, Pitt, and Tolman voted “aye”.

**APPROVAL GIVEN TO RENEW INTERLOCAL COOPERATION
AGREEMENT WITH DAVIS METRO NARCOTICS STRIKE FORCE**

Chief Rapp responded to concerns which had been expressed by the Council in the last meeting regarding the disparity between the cash contributions made by smaller Davis County cities and the manpower contributed by larger agencies to the Davis Metro Narcotics Strike Force. He said that he had visited with Chief Keith (Layton city) and Lt. Allen Swanson (commander of the Strike Force) and it is their opinion that this disparity should be addressed. It is their recommendation that this matter be discussed by the Council of Governments, inasmuch as the

1 nature of the operation of the Strike Force could potentially involve all Davis County cities. He
2 reviewed the history of the Strike Force, which was created by four Davis County cities 23 years
3 ago, and his association involved as a board member, agent, or supervisor. He acknowledged that
4 not only is there a disparity in the funding of the Strike Force, but another disparity exists in the
5 number of cases present in the north and south end of Davis county.
6

7 Lt. Swanson, commander of the Strike Force, was also in attendance and he presented a
8 report which outlined the financial contributions of member cities (with smaller cities contributing
9 \$.50/person based on population), costs associated with the operations of the Strike Force,
10 (including clean-up of meth labs) and the number of cases worked. He indicated that a basis of
11 \$1.75/person would be a more fair contribution rate for smaller cities. The Strike Force is operated
12 on contributions from Davis cities and Federal grants (which are expected to be unavailable in the
13 near future).
14

15 Mayor Johnson spoke to the importance of the work of drug enforcement and indicated that
16 he would bring the matter to COG with the suggestion that a small committee be formed to review
17 the Interlocal Agreement (particularly the funding structure), as it relates to fairness between the
18 participating cities. At the suggestion of the Mayor and to support the cooperative spirit which has
19 recently been strengthened between Davis cities, Councilman Higginson made a motion to approve
20 the 2004 amended Interlocal Cooperation Agreement with the Davis Metro Narcotics Strike Force,
21 with the understanding that the disparities noted would be discussed by COG. Councilman Moss
22 seconded the motion and voting was unanimous with Councilmen Higginson, Moss, Pitt, and
23 Tolman voting "aye".
24

25 Chief Rapp indicated that additional case information is available for Council consideration
26 in a less public forum.
27

28 **FINAL SITE PLAN APPROVED FOR MEDICAL OFFICE/
29 COMMERCIAL BUILDING - DAN GEORGE, APPLICANT**

30 Mr. Jensen reviewed that the Council considered this request in the meeting of March 22,
31 2005 and referred it back to staff and the Planning Commission for modifications. The applicant,
32 Mr. Dan George (in attendance) has made the following changes to the plans and is again
33 petitioning the Council to grant approval:

- 34 1) The basement has been decreased from full-sized to 3/4 which will provide an assurance
35 that no more than 60 percent of the net usable space will be used for commercial and/or office
36 space.
- 37 2) The ground level signage and walkway are oriented toward 200 West Street, with only a
38 small split level entrance on the north side.
- 39 3) Although a corner site is allowed two pole signs (one on each frontage), the applicant has
40 agreed to limit his signage to one sign near the corner of 400 North 200 West.
41

42 The staff also recommends that the 200 West facade of the building be considered the
43 primary facade for calculating any wall signs (with current ordinances permitting an area up to 15%
44 of the primary facade, and up to 5% of one secondary facade to be used for signage).
45
46

1 Councilman Higginson recognized that Mr. George had given up a pole sign and added
2 additional landscaping which enhances the project and lessens its impact on the neighboring
3 residential community. Councilman Moss expressed concern that UDOT has not yet approved the
4 curb cuts and stated that this approval would be more appropriate prior to the project being brought
5 to the City for preliminary and final approval. After a short discussion, Councilman Higginson
6 made a motion to grant final site plan approval to the medical office and commercial building at
7 391 North 200 West, based on the following conditions and as recommended by staff and the
8 Planning Commission:

- 9 1. The total net floor area of the building shall not exceed 5,200 sq ft (the maximum
10 amount for 26 parking stalls).
- 11 2. Provide a permit from UDOT Region 1 showing permission for right-in right-out
12 access on to 400 North prior to issuance of a building permit.
- 13 3. Pay any required impact fees to Bountiful City Water and/or South Davis Sewer.
- 14 4. Record the deed restriction for the single pole sign and the 7' P.U.E. along 400 North
15 and along 200 West.
- 16 5. Pay required storm water impact fee: 0.567 acres x \$3,500.00/acre = \$1,984.50.

17 Councilman Pitt seconded the motion. Voting was unanimous with Councilmen Higginson, Moss,
18 Pitt, and Tolman voting "aye". Mr. George thanked Councilman Higginson, the Mayor, and Mr.
19 Hardy for the time they had taken to visit with his architect.
20

21 **RELOCATION OF HISTORICAL WILLEY CABIN DISCUSSED**

22 Councilman Tolman reviewed that the historical Willey cabin which is located in the 400
23 North park will need to be moved to accommodate the construction which will be taking place in
24 that area on the new recreation complex. He reviewed a handout which graphically and pictorially
25 depicted proposed locations. An addition to the existing Art Center which would permit the
26 building to service the arts, performing arts and historical committee was discussed and received
27 favorable consideration by the Council. In conjunction with centralizing these agencies on the City
28 campus, it was also suggested that the Willey cabin be placed on the landscape strip immediately
29 south of the existing art center building. Discussion focused on the specific location and site
30 improvements which would be necessary along with moving the cabin. Mr. Hardy indicated that
31 the minimum cost would be around \$10,000.00. Inasmuch as the contractors are anxious to have
32 access to the site where the cabin is presently located, Councilman Tolman made a motion that
33 approval be given to move the cabin, as shown on the drawings, with the City initially accepting
34 financial responsibility for the move and that the Recreation District be approached for assisting
35 with the costs. Councilman Higginson seconded the motion and voting was unanimous.
36 Councilmen Higginson, Moss, Pitt, and Tolman voted "aye".
37

38 **COUNCIL COMMITTEE REPORTS**

39 Councilman Pitt thanked the Parks Department for their excellent support which they gave
40 for the Bunny Hop (activity sponsored by the Youth Council at the 400 North Park), and requested
41 that Mr. Hardy pass his thanks on to Mr. Jenkins. He said that the event was a great success.
42

43 **EXECUTIVE SESSION APPROVED**

44 At the invitation of the Mayor, Councilman Higginson made a motion at 8:07 p.m. to
45 adjourn from open session to executive session for the purpose of discussing personnel.
46 Councilman Moss seconded the motion which carried unanimously. Councilmen Higginson, Moss,
47 Pitt and Tolman voted "aye".

48 **Attendance at Executive Session**

49 Mayor Johnson

50 Councilmen Higginson, Moss, Pitt and Tolman

1 Mr. Hardy
2 Mr. Mahan

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JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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