

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

Minutes of the Bountiful City Council Meeting

City Council Chambers
June 12, 2007 - 7:00 p.m.

23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

Present:	Mayor:	Joe L. Johnson
	Council Members:	Barbara Holt, Scott Myers, and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	City Recorder:	Kim J. Coleman
	Planning/RDA Dir.:	Aric Jensen
	Department Reps:	Gary Blowers, Streets Allen Johnson, Power Tom Ross, Police Jerry Wilson, Parks
	Administrative Intern:	Jeff Jensen
	Recording Secretary:	Nancy T. Lawrence
Excused:	Councilman:	Richard Higginson 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 7:00 p.m. following which Taylor Stone, visiting Boy Scout, led the pledge of allegiance to the flag. Councilman Myers offered the prayer/thought.

MINUTES APPROVED FOR TWO MEETINGS

Minutes of the Joint meeting of the City Council and Power Commission held April 24, 2007 and the regular meeting of the City Council held May 8, 2007 were presented and unanimously approved, as written, on a motion made by Councilman Myers and seconded by Councilwoman Holt. Voting was unanimous with Councilpersons Holt, Myers and Tolman voting "aye".

EXPENDITURE REPORTS APPROVED FOR THREE PERIODS

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the following periods, with totals as noted: May 10-17, 2007 (\$1,014,427.70), May 18-23, 2007 (\$719,036.30), and May 24-30, 2007 (\$1,400,253.16). Following a brief discussion, Councilman Tolman made a motion to approve the three reports, as presented. Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holt, Myers and Tolman voted "aye".

RECOGNITION OF RETIRING EMPLOYEE – CLIFFORD MICHAELIS, POWER DEPARTMENT DIRECTOR

Mayor Johnson acknowledged the retirement of Clifford Michaelis who has been at the

1 Power Department for the past 34 years, serving as Director since 1983. Mr. Hardy referred to
2 the Retirement Open House which was held for Mr. Michaelis several weeks ago and stated
3 that it was amazing to see how many people came to honor him. He noted that there were
4 many officials from around the State who served in other municipalities and power
5 organizations, including Utah Association of Municipal Power Systems (UAMPS) and
6 Intermountain Power Project (IPP) and that it was apparent that he has had a significant impact
7 on the power industry in the State. Mr. Hardy characterized Mr. Michaelis as a peacemaker
8 who had guided organizations through difficult times, getting people to the table and keeping
9 them there until a deal could be struck. He praised him for leading by example and following
10 leadership willingly. In summary, he stated that he (Mr. Hardy) could not ask for a better
11 department head, supervisor, manager, director and individual, citing Mr. Michaelis' qualities
12 of dignity, integrity and honesty.

13
14 Mr. Michaelis stated that he has loved working for Bountiful City and Bountiful City
15 Light and Power and that it will be difficult to leave the daily associations which he has
16 enjoyed with the City, but that the friendships will always last. He said he is looking forward
17 to serving a mission with his wife, Joyce, in Johannesburg, South Africa. Mrs. Michaelis said
18 that leaving will be hard, and stated that this has been a wonderful career and as a family they
19 have been blessed. She referred to character traits described by Mr. Hardy and stated that he is
20 like that at home, too. Mayor Johnson expressed personal appreciation to Mr. Michaelis and
21 presented him with a gift certificate on behalf of the City.

22
23 **ORD. NO. 2007-07 RE: FIRE CODE ADOPTED**

24 Mr. Mahan explained that the Utah Fire Prevention Board has adopted the current
25 edition of the International Fire Code, 2006 edition, as the official fire code of the State of
26 Utah, and each political subdivision must comply with the State fire code. He recommended
27 that the Council adopt Ordinance No. 2007-07, entitled AN ORDINANCE ADOPTING THE
28 INTERNATIONAL FIRE CODE, 2006 EDITION. Councilman Myers made a motion to this effect,
29 Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Holt,
30 Myers and Tolman voted "aye".

31
32 **COUNCIL ADOPTS ORD. NO. 2007-08 RE: FLOOD DAMAGE**
33 **PREVENTION**

34 Mr. Mahan reviewed that the Federal government has mandated that cities throughout
35 the United States, including Bountiful City, adopt a Flood Damage Prevention Ordinance. In
36 compliance with this mandate, Ordinance No. 2007-08 provides for Title 6, Chapter 16 to be
37 added to the Code. He recommended that this ordinance, entitled AN ORDINANCE AMENDING
38 THE BOUNTIFUL CITY CODE TO ESTABLISH A FLOOD DAMAGE PREVENTION ORDINANCE be
39 adopted. Councilwoman Holt motioned to adopt the ordinance, as recommended. Councilman
40 Myers seconded the motion and voting was unanimous. Councilpersons Holt, Myers and
41 Tolman voted "aye".

42
43
44 **PUBLIC HEARING TO CONSIDER ADOPTING ORD. NO. 2007-09**
45 **RE: VACATING PUBLIC STREET, 1000 NO EAST OF 500 WEST**

46 Mr. Mahan explained that when the freeway came through the intersection of 500 West

1 1000 North, changes were made which created a very small piece of ground which had been
2 part of the dedicated roadway and was no longer being used. It has been used by the neighbors
3 as a parking lot and can continue to be used this way. It is the staff recommendation that the
4 City vacate the street easement as it no longer serves a public purpose.
5

6 Mayor Johnson opened the public hearing regarding this issue at 7:23 p.m. No one
7 spoke to the issue and the hearing was closed. Councilman Tolman made a motion to adopt
8 Ordinance No. 2007-09 entitled "AN ORDINANCE VACATING A PORTION OF 1000 NORTH STREET
9 EAST OF 500 WEST STREET IN BOUNTIFUL, DAVIS COUNTY, UTAH. Councilwoman Holt
10 seconded the motion which carried unanimously. Councilpersons Holt, Myers and Tolman
11 voted "aye".
12

13 **PUBLIC HEARING TO REOPEN 2006-07 BUDGET; ADOPT ORDINANCE**

14 Mr. Hardy reviewed that it was necessary to open the 2006-07 budget for the purpose
15 of recognizing unanticipated expenses and revenues. He reviewed the changes (by fund) as
16 shown in the proposed ordinance, and noted that the revenues and expenses were balanced
17 following the changes. Mayor Johnson opened the public hearing to consider this matter at
18 7:27 p.m. There were no comments and the hearing was closed. A brief discussion followed
19 regarding the increase in fuel costs and its impact on the City. Councilwoman Holt then made
20 a motion to adopt Ordinance No. 2007-10 entitled AN ORDINANCE AMENDING THE BUDGETS OF
21 THE CITY OF BOUNTIFUL FOR THE FISCAL YEAR BEGINNING JULY 1, 2006 AND ENDING JUNE 30,
22 2007. Councilman Myers seconded the motion and voting was unanimous. Councilpersons
23 Holt, Myers and Tolman voted "aye".
24

25 **STOKER SCHOOL LEASE EXTENSION APPROVED -**
26 **UNIVERSITY OF UTAH**

27 Mr. Hardy reviewed that Stoker School has been successfully used by the University of
28 Utah as a Bountiful campus for some time and the University would like to renew the lease for
29 five years, beginning July 1, 2007 and ending June 30, 2012. He noted that the City needs to
30 consider making the building more energy efficient in an effort to reduce utility costs which are
31 the responsibility of the City. A short discussion of needed improvements took place.
32 Councilman Tolman motioned to approve the extension of the Lease Agreement with the
33 University of Utah, as discussed, in the amount of \$74,037.72, increased annually in July based
34 on the National Consumer Price Index for all Urban Consumers (CPI-U). Councilman Myers
35 seconded the motion and voting was unanimous. Councilpersons Holt, Myers and Tolman
36 voted "aye".
37

38 **PRELIMINARY AND FINAL APPROVAL GRANTED TO APRICOT**
39 **ORCHARD SUBDIVISION - 230 SO 1300 EAST**

40 Mr. Rowland presented the request of Kelly Rasmussen for final approval of the
41 Apricot Orchard Subdivision, formerly referred to as the Fadel property, at approximately 230
42 South 1300 East. He said that the Planning Commission has reviewed the request for this 3-lot
43 development and sends it to the Council with a favorable recommendation, subject to the
44 following exception and conditions:
45

46 Exception

1 The cul-de-sac at 250 South Street be constructed with an 84-ft. diameter cul-de-sac with no
2 sidewalk and with the curb and gutter constructed at the property line.

3
4 Conditions

- 5 1. Pay and meet all bonding and fee requirements
6 2. Correct redlines as necessary
7 3. Prepare a complete set of construction plans for the road work
8 4. Replace all damaged walk and curb and gutter along 1300 East up to 100 percent
9 5. Provide a current title report.

10
11 There was a brief discussion regarding the need for a cul-de-sac, following which
12 Councilwoman Holt motioned to grant preliminary and final approval, as recommended.
13 Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holt,
14 Myers and Tolman voted “aye”.

15
16 **AMENDED SITE PLAN FOR RILEY COURT APPROVED -**
17 **505 SOUTH 100 EAST**

18 Mr. Jensen reviewed the request of Marv Blosch to amend the site plan for the Riley
19 Court development to facilitate a conversion from senior apartments to an independent living
20 center. This will entail constructing a common area and four additional units to the east. The
21 request has been reviewed by staff and the Planning Commission and comes to the Council
22 with a favorable recommendation from both, as follows;

23
24 That the Council approve the amended Riley Court site plan with the changes shown in redline
25 by staff and with the conditions that this is not a civil site plan, and that the applicant
26 still has to receive site plan approval for the addition to Riley Court, the modifications
27 proposed on 200 East, and for the development of the two other properties owned by
28 the applicant that were not a part of the original Riley Court development.

29
30 Councilman Myers made a motion to grant approval, as recommended. Councilwoman Holt
31 seconded the motion and voting was unanimous. Councilpersons Holt, Myers and Tolman
32 voted “aye”.

33
34 **PRELIMINARY AND FINAL APPROVAL GRANTED TO**
35 **BUCKLEY SUBDIVISION - 1285 NO 200 WEST**

36 Mr. Rowland presented the request of Tom Buckley for preliminary and final approval
37 of a 2-lot subdivision located at approximately 1285 North 200 West. He stated that the
38 Planning Commission has reviewed this request and recommended that it be approved, subject
39 to the following conditions:

- 40 1. Pay Storm Water Impact fee of \$1,989.36
41 2. Pay checking and recording fee of \$250.00
42 3. Correct redlines as necessary
43 4. Provide a current title report.

44 Councilwoman Holt made a motion to grant preliminary and final approval to the Buckley
45 Subdivision, Councilman Tolman seconded the motion and voting was unanimous.
46 Councilpersons Holt, Myers and Tolman voted “aye”.

1
2 **PRELIMINARY AND FINAL SITE PLAN APPROVED FOR**
3 **ORCHARD DRIVE BUSINESS COMPLEX - MATT CARTER, APPLICANT**

4 Mr. Jensen presented the request of Matt Carter for preliminary and final site plan
5 approval for the proposed Orchard Drive business complex located at 2084 South Orchard
6 Drive. He noted that last month the Council approved the development plan and rezone for
7 this property to the MXD-R zone. The proposed project includes commercial property on the
8 front and 20 residential units in the rear. It is the recommendation of staff and the Planning
9 Commission that preliminary and final commercial and multi-family site plan approval be
10 granted, subject to the following conditions:

- 11
- 12 1. Pay the water fee as shown in this report
 - 13 2. Pay all other fees and required bond
 - 14 3. Provide a complete landscape plan
 - 15 4. Move dumpster to west side of parking lot
 - 16 5. Construct patios and/or decks meeting City Ordinance and install concrete filled
17 steel bollards on western end of driveway to prevent runaway vehicles
 - 18 6. Make redline revisions
 - 19 7. Meet all the requirements of Ordinance 2007-04 (the rezone to MXD-R)
 - 20 8. Waive storm water impact fee (applicant will provide two detention basins on
21 site)
- 22

23 Councilwoman Holt made a motion to grant preliminary and final site plan approval, as
24 recommended and Councilman Myers seconded the motion which carried unanimously.
25 Councilpersons Holt, Myers and Tolman voted “aye”.

26
27 **PUBLIC HEARING TO REVIEW 2007-08 BUDGET**

28 Mr. Hardy presented the 2007-08 Fiscal Year Budget for the City of Bountiful, with
29 revenues and expenses balanced at \$54,176,228.00. He noted that the budget is lower than last
30 year’s budget by approximately \$11 million, due in large part to the capital projects which
31 were done last year using City reserve funds. He stated that the 2007-08 budget doesn’t
32 include any proposed increases in property taxes or water, garbage or storm water rates. It
33 does include a 2 percent rate increase for power, necessitated by increased costs of power
34 production. The budget includes four new positions (two in the police department for the
35 Problem Oriented Policing unit, one in the parks department and one in the vehicle
36 maintenance area). It also includes a 3.5% cost of living adjustment for all full-time personnel
37 as well as funding for merit increases for the 20 percent of the employees in the City who are
38 eligible to receive them.

39
40 Mr. Hardy stated that the 2007-08 fiscal year budget is funded primarily through user
41 fees and charges (\$31.4 million, or 58 percent of the budget); and \$12.9 million (24%)
42 municipal taxes imposed by the City. Reserves (7 percent), Other (5 percent), Leases (2
43 percent) and earned interest (4 percent) account for the remainder of the budget revenues.
44

45 Mr. Hardy then reviewed proposed expenditures, with operation and maintenance in the
46 amount of \$41,778,267.00 (77%); capital projects of \$8,490,733 (16%); \$1,713,193 (3%) to

1 reserves; and \$2,194,035 (4%) to other funds. His powerpoint presentation included a
2 comparison of the Bountiful City budget with other like municipalities and he reviewed the
3 distribution of taxes based on household income. He summarized that sales tax accounts for
4 47% of the tax revenue, 25% is from franchise taxes, 18% comes from property taxes, and 10%
5 from gasoline taxes.

6
7 At 8:21 p.m. the Mayor opened the hearing to receive comments on the budget. There
8 were none and the hearing was closed. The budget will be adopted at the next regular meeting
9 (June 19, 2007) subject to receipt of the tax rate from Davis County officials. Councilwoman
10 Holt mentioned that the budget hearing is one of her favorite meetings because the preparation
11 of the budget represents that the staff is not only concerned about providing the best service,
12 but with the least amount of money. She praised the staff for their integrity and that they are
13 responsible in spending taxpayer dollars.

14
15 **COUNCIL COMMITTEE REPORTS**

16 Mayor Johnson referred to the car show (sponsored by the Rotary Club) which was
17 held last week and he thanked all departments who were involved. He noted that funds from
18 this event are used to provide "Coats for Kids" and that the event was very successful.

19
20 Mayor Johnson reminded the Council that the Utah League of Cities and Towns will be
21 meeting September 12-14, 2007 and he encouraged them to calendar this event. Councilman
22 Tolman noted that he has been working with the League and will be doing a presentation
23 regarding the importance of solving problems within the community.

24
25 The Mayor noted that Councilman Tolman is working with Zion's bank to determine if
26 the building can be restored to look the way it was prior to remodeling, and he also noted that
27 the City is working toward acquiring land for soccer in conjunction with North Salt Lake and
28 Salt Lake City.

29
30 The meeting adjourned at 8:28 p.m. on a motion made by Councilman Tolman and
31 seconded by Councilwoman Holt. Councilpersons Holt, Myers and Tolman voted "aye".
32
33
34

35 JOE L. JOHNSON, Mayor
36
37
38
39

40 KIM J. COLEMAN, City Recorder
41

42 * * * * *
43
44
45