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Minutes of the Bountiful City Council Meeting

City Council Chambers
April 24, 2007 - 7:04 p.m.

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Present:	Mayor:	Joe L. Johnson
	Council Members:	Barbara Holt, Scott Myers, R. Fred Moss 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:	Jerry Wilson, Parks
	Recording Secretary:	Nancy T. Lawrence
Excused:	Councilman:	Richard Higginson

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 7:04 p.m. following a joint meeting with the Power Commission and welcomed those in attendance. Dan Ostler, visiting Boy Scout, led the pledge of allegiance to the flag. The prayer/thought was given by Mr. Coleman.

APPROVAL OF MINUTES

Minutes of the regular meeting of the City Council held March 27, 2007 were presented and approved as corrected on a motion made by Councilman Moss and seconded by Councilman Tolman. Voting was unanimous with Councilpersons Holt, Moss, Myers and Tolman voting "aye".

EXPENDITURES AND EXPENSES 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: March 29 - April 4, 2007 (\$812,609.70); April 5 - 11, 2007 (\$147,237.10); and Summary for March, 2007 (\$4,363,797.39). Councilman Tolman motioned to approve the three reports, Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Myers and Tolman voted "aye".

REPORT ON SOUTH DAVIS SEWER DISTRICT, ARNELL HEAPS

Arnell Heaps, Bountiful's representative on the South Davis Sewer District Board, presented a report to the Council on the operations and future plans of the Sewer District, which presently serves a population of approximately 85,000. The system is designed to serve 100,000, but the only opportunity for growth is east of its existing service area and property is being purchased in that area. Mr. Heaps, who serves as vice-chairman of the Board and is chairman of the Engineering Committee, stated that fees have not been raised since 1988 when it was raised to

1 \$5.00 per month. This is one of the lowest sewer fees in the State. Rate or tax increases are not
2 anticipated in the near future. This year's expenses include a bond payment of \$870,000 and the
3 bonds will be paid off next year with a payment of \$300,000.
4

5 Mr. Heaps discussed re-use capital costs and noted that the District is currently
6 participating in a filtering test operation. The maintenance shop at the south plant is being
7 expanded in 2007, which will reduce fuel costs associated with going to the north plant for south
8 plant maintenance operation requirements. Residential growth near the south plant may require
9 the implementation of disinfection methods to protect environmental resources. A new building
10 collection system has also been included in the 2007 budget. Mr. Heaps praised Dal Wayment (in
11 attendance), Director of the Sewer District, for his leadership and talents. In response to a
12 question from Mr. Hardy, Mr. Wayment stated that the tax rate is the same for all users, and is
13 based on the size of the property served. In response to a question from the Mayor regarding re-
14 use water, Mr. Wayment explained that costs associated with processing the water made it a more
15 expensive source than users were able to acquire from Weber Basin Water District, and therefore,
16 there was no demand for this resource.
17

18 **AGREEMENT WITH DAVIS SCHOOL DISTRICT APPROVED;**
19 **BOUNTIFUL JR. HIGH GYMNASIUM**

20 Mr. Mahan reviewed that Bountiful entered into an Agreement with the Davis School
21 District to provide a legal means for the parties to construct, manage and utilize a gymnasium and
22 other recreation facilities for the use and benefit of both parties. The gymnasium has now been
23 completed and the Agreement will provide for the South Davis Recreation District to assume the
24 operational responsibilities and duties from the City. The City will continue to collect the tax
25 increment which will be used to pay for construction of the facility. Upon the recommendation of
26 the City Attorney, Councilwoman Holt motioned to approve the Assignment Agreement, as
27 explained. Councilman Moss seconded the motion and voting was unanimous. Councilpersons
28 Holt, Moss, Myers and Tolman voted "aye".
29

30 **BID AWARDED FOR 2007 WATER LINE CONTRACT**

31 Mr. Rowland reviewed that bids were opened on April 17, 2007 for the installation of
32 water mains and service laterals at various locations throughout the city. This year's projects
33 include four replacement projects to go along with the street capital program, and the largest single
34 project will be the replacement of the 6-inch main with an 8-inch main from 1800 South to 2100
35 South on 400 East Street. He briefly reviewed the other projects and stated that it is staff
36 recommendation to accept the bid of Claude H. Nix Construction for the 2007 water line contract
37 at the unit prices presented, with a total contract amount of \$574,701.29. Councilman Myers made
38 a motion to award the bid as recommended. Councilman Tolman seconded the motion and voting
39 was unanimous. Councilpersons Holt, Moss, Myers and Tolman voted "aye".
40

41 **BID APPROVED FOR DEMOLITION OF INDOOR POOL**

42 Mr. Rowland reported that bids were received from nine contractors for the demolition of
43 the Indoor Pool building with an alternate for removal of the parking lot improvements. It is the
44 recommendation of staff to accept the low bid from Sundance Construction in the amount of
45 \$68,400.00, which includes the removal of the parking lot improvements. Following a brief

1 discussion, Councilman Tolman made a motion to award the bid as recommended. Councilman
2 Moss seconded the motion and voting was unanimous. Councilpersons Holt, Moss, Myers and
3 Tolman voted “aye”.

4
5 **PROPOSAL OF HOGAN CONSTRUCTION APPROVED**
6 **FOR CITY PARK BOWERY AND STAGE CONSTRUCTION**

7 Mr. Rowland reviewed that the Council was apprised in the April 10th meeting that there
8 was a lack of responsive bids to construct the park bowery and stage at the City park south of the
9 Recreation Center. At the direction of the Council he approached Hogan and Associates about
10 doing the work as a change order to the existing Bountiful Jr. High gym contract. The contractor
11 submitted a proposal to accept the proposal of Hansen Construction (submitted by Hansen to the
12 Council as an independent bid, but not being able to satisfy bond requirements) with additional
13 charges for general conditions, overhead and profit and the bond. It is the recommendation of staff
14 to accept this proposal from Hogan in the amount of \$623,660.00, with a completion date of July
15 3, 2007. Councilman Myers made a motion to approve this recommendation and Councilwoman
16 Holt seconded the motion. The motion carried unanimously with Councilpersons Holt, Moss,
17 Myers and Tolman voting “aye”.

18
19 **FINAL SITE PLAN APPROVAL GRANTED TO**
20 **COMMERCIAL DEVELOPMENT, 466 WEST 1000 NORTH;**
21 **BRAD HUTCHINGS, APPLICANT**

22 Mr. Jensen presented the request of Brad Hutchings for final commercial site plan approval
23 for modifications to an existing commercial development located in the C-H zone at 466 West
24 1000 North. He reviewed the modifications and noted that the final site plan is essentially the
25 preliminary site plan with the changes recommended by staff, the Planning Commission and City
26 Council. It is the recommendation of staff and Planning Commission that final site plan approval
27 be given, with the following conditions:

- 28 1) Lot line adjustment approved by Administrative Committee.
29 2) Applicant submit a revised site plan per the redlines.
30 3) The new public utility easements are recorded.
31 4) The Council abandons and deeds over the unused portion of the 1000 North right-of-
32 way. *NOTE: A public hearing must be held as part of this action and it will be placed*
33 *on the Council Agenda for the first meeting in June.*
34 5) All required fees are paid.

35
36 Councilwoman Holt made a motion to grant final site plan approval, as recommended and
37 presented, for the Brad Hutchings/Timbermill Cabinets site. The motion was seconded by
38 Councilman Moss and carried unanimously. Councilpersons Holt, Moss, Myers and Tolman voted
39 “aye”.

40
41 **ORD. NO. 2007-02 APPROVED AMENDING ZONING MAP;**
42 **3263 SOUTH 800 WEST, MYRON AND TODD JONES, APPLICANTS**

43 Mr. Jensen reviewed that in the April 10, 2007 meeting the Council held a public hearing
44 regarding the request of Myron and Todd Jones to amend the zoning map which includes the
45 property at 3263 South 800 West. The Council voted to approve the change of zone, with a

1 condition attached, and deferred adoption of the ordinance to this meeting to accommodate a
2 modification to the ordinance which had been prepared. He then presented Ordinance No. 2007-
3 02 entitled AN ORDINANCE AMENDING THE BOUNTIFUL CITY ZONING MAP TO CHANGE THE ZONE
4 DESIGNATION OF THE PROPERTY LOCATED AT 3263 SOUTH 800 WEST IN BOUNTIFUL, UTAH, FROM
5 R-4 (SINGLE-FAMILY RESIDENTIAL) TO C-G (GENERAL COMMERCIAL) and noted that paragraph 3
6 in Section 2 was included in the ordinance to address concerns regarding the location of the
7 driveway. It is the recommendation of staff that this ordinance be adopted. Councilman Myers
8 motioned to adopt Ord. No. 2007-02, Councilwoman Holt seconded the motion and voting was
9 unanimous. Councilpersons Holt, Moss, Myers and Tolman voted “aye”.

10
11 **COUNCIL APPROVES CHANGE OF ZONE; ADOPTS**
12 **ORD. NO. 2007-03; 2135 SOUTH ORCHARD DRIVE**

13 Mr. Jensen reviewed that Brian Knowlton purchased the property on the corner of 2200
14 South Orchard and is proposing to develop it as mixed use with an office building near the street
15 and town homes on the rear of the property. He noted that this had been on a previous Agenda, but
16 the public hearing had been postponed to this evening and interested parties had been invited to
17 come to this meeting. It is proposed that the zone designation be changed from C-G (General
18 Commercial) to MXD-R (Mixed Use - Residential). At 8:05 p.m. Mayor Johnson opened the
19 public hearing to receive input from those in attendance. Brian Knowlton was the only one who
20 spoke. He stated that he feels it will be a good use of the property and an asset to the
21 neighborhood. He noted that he had asked originally for a density of 70 which was reduced to 55
22 and now the City has adjusted to 50. He also stated that he is not considering medical, dental and
23 professional offices, but is still hopeful that a bank will come in. There were no others who
24 wished to participate in the public hearing and the Mayor closed the hearing at 8:07 p.m.

25
26 Councilman Moss asked why the Planning Commission had reduced density from 55 to 50
27 and Councilwoman Holt stated there was a concern for a need for green space. Mr. Knowlton
28 stated that he felt comfortable that he could put at least two more units (total of 52) and still
29 provide the desired green space. Following further discussion, Councilwoman Holt made a motion
30 to approve the zone change from C-G to MXD-R, with a total of 52 residential units and to adopt
31 Ordinance No. 2007-03 entitled AN ORDINANCE AMENDING THE BOUNTIFUL CITY ZONING MAP TO
32 CHANGE THE ZONE DESIGNATION OF THE PROPERTY LOCATED AT 2135 SOUTH ORCHARD DRIVE IN
33 BOUNTIFUL, UTAH, FROM C-G (GENERAL COMMERCIAL) TO MXD-R (MIXED USE - RESIDENTIAL)..
34 Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holt, Moss,
35 Myers and Tolman voted “aye”.

36
37 **PUBLIC HEARING TO CONSIDER REZONE REQUEST POSTPONED**
38 **(2084 SOUTH ORCHARD DRIVE, MATT CARTER, APPLICANT)**

39 The above referenced matter will be continued to a future meeting as requested by the
40 Planning Commission.

41
42 **COUNCIL COMMITTEE REPORTS**

43 None
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