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Minutes of the Bountiful City Council Meeting

City Council Chambers
May 22, 2007 - 7:00 p.m.

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Present:	Mayor:	Joe L. Johnson
	Council Members:	Richard Higginson, Barbara Holt, Scott Myers, and Thomas Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Admin. Services Dir.:	Galen Rasmussen
	Planning/RDA Dir.:	Aric Jensen
	Department Reps:	Tom Ross, Police Brent Thomas, Power Jerry Wilson, Parks
	Administrative Intern:	Jeff Jensen
	Recording Secretary:	Nancy T. Lawrence
Excused:	Councilman:	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 Matt Simmons, visiting Boy Scout, led the pledge of allegiance to the flag. Mr. Jensen offered the prayer/thought.

APPROVAL OF MINUTES DELAYED

Approval of the minutes of the regular meeting of the City Council held May 8, 2007 will be delayed to the next regular meeting.

EXPENDITURE REPORTS APPROVED FOR MAY

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the period May 3 - 9, 2007 in the amount of \$1,572,386.76. The staff responded to questions, following which Councilman Tolman made a motion to approve the reports as presented. Councilman Myers seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Myers and Tolman voted "aye".

APPOINTMENTS MADE TO PLANNING COMMISSION

Mayor Johnson recognized Beth Holbrook and David Badham who were in attendance and who have agreed to serve on the Bountiful City Planning Commission. He recommended that Ms. Holbrook be appointed to replace Mark Green with her term beginning July 1, 2007 and that Mr. Badham be appointed to finish out the term of Kirt Peterson (who is moving out of the City), which term will end July 1, 2009. Tom Smith, currently serving on the Planning Commission, has accepted an invitation to serve another term which will expire on July 1, 2011. Councilwoman Holt made a motion to approve the recommendations of the Mayor and make the Planning

1 Commission appointments. Councilman Higginson seconded the motion and voting was
2 unanimous. Councilpersons Higginson, Holt, Myers and Tolman voted “aye”.

3
4 **REPORT ON MOSQUITO ABATEMENT DISTRICT -**
5 **RYAN ARKODAS AND DUANE GARDNER**

6 Ryan Arkodas, representing the Mosquito Abatement District, gave a status report of the
7 District, noting that the \$1.4 million budget is being wisely spent. He said that 19 of 29 counties
8 in Utah have reported cases of the West Nile Virus and the first human case being in Utah County
9 in 2006. He explained the type of mosquito which carries the virus and how tests are done to
10 determine if those species are present. He encouraged individuals with ponds to stock mosquito
11 eating fish and to try to eliminate standing water. Mr. Gardner praised Mr. Arkodas for his
12 expertise and work in the Davis area and noted that he will be transferring to Montana. Mr.
13 Arkodas responded to questions from the Council, following which the Mayor thanked him for his
14 service and for the report.

15
16 **EXTENSION OF ASPLUNDH CONTRACT APPROVED**
17 **FOR 2007-08**

18 Mr. Thomas reported that Asplundh Tree Service has worked with the City this past year
19 trimming trees for the power lines and has done an excellent job. It is the recommendation of the
20 Power Department staff and Power Commission that the contract with Asplundh be renewed for
21 the 2007-08 year, with a 3 percent increase (\$113.86/hour), not to exceed the budgeted amount of
22 \$260,000.00. This price includes all necessary hand tools, ropes, safety equipment, etc. to handle
23 all tree trimming and removal projects. Councilman Higginson motioned to approve the contract
24 extension, as recommended. Councilwoman Holt seconded the motion which carried
25 unanimously. Councilpersons Higginson, Holt, Myers and Tolman voted “aye”.

26
27 **APPROVAL GIVEN FOR ECHO COFFER DAM INSTALLATION**

28 Mr. Hardy reviewed that the City has received a bill from Geary Construction for the
29 materials and equipment used in the installation and removal of the temporary coffer dam,
30 installed to make it possible to de-water the area, pump in grout and shore up the power house at
31 Echo. It is the recommendation of staff and the Power Commission that approval be given to pay
32 this bill in the amount of \$16,640.71. Councilwoman Holt made a motion to this effect,
33 Councilman Higginson seconded the motion and voting was unanimous. Councilpersons
34 Higginson, Holt, Myers and Tolman voted “aye”.

35
36 **BEER LICENSE APPROVED FOR SEGO LILY CAFÉ,**
37 **305 NORTH MAIN**

38 Mr. Hardy presented the request of Segó Lily Café, 305 North Main, for a Class “D” beer
39 license. He stated that this business has a clean record and it is the recommendation of staff to
40 approve the request. He affirmed that there is no problem with distance (as it relates to the junior
41 high school on 400 North Street). Councilman Myers motioned to grant approval for the beer
42 license. Councilman Tolman seconded the motion and voting was unanimous. Councilpersons
43 Higginson, Holt, Myers and Tolman voted “aye”.

44
45 **APPROVAL GIVEN TO PARTICIPATE WITH SCHOOL DISTRICT**

1 **IN PURCHASE OF ARTIFICIAL TURF FOR VIEWMONT HIGH SCHOOL**

2 Mr. Hardy reviewed that the City received a request from the Davis School District for the
3 City to participate in a project to replace the grass football field with artificial turf. He said that an
4 interlocal agreement would be drawn up between the School District and Bountiful City which
5 will provide that the City will have significant opportunity for use of this community field by the
6 Bountiful City Recreation Department. Mr. Hardy indicated that it is the recommendation of staff
7 to approve a contribution of \$25,000, subject to the Inter-local agreement providing for use by the
8 City. Councilman Higginson made a motion to approve this recommendation, Councilman Myers
9 seconded the motion and voting was unanimous. Councilpersons Higginson, Holt, Myers and
10 Tolman voted “aye”.

11
12 **PUBLIC HEARING TO CONSIDER ZONE AMENDMENT FOR 485 SO 100 EAST**
13 **AND 127, 137, 155, 160, 172, 184, 198 EAST 500 SOUTH - MARV BLOSCHE, APPLICANT**

14 Mr. Jensen reported that Marv Bloesch, representing himself and other property owners, has
15 requested a zone map amendment from RM-13 to PO-N (Professional Office - Neighborhood) for
16 several parcels of property located along 500 South between 100 East and 200 East. He said that
17 several public hearings have been held and this matter has been before the Planning Commission.
18 On May 15th, the Planning Commission recommended approval of the zone amendment.
19 Councilwoman Holt expressed appreciation for the time which has been spent on this issue and
20 stated that she sees it as a “well-thought-out” ordinance.

21
22 At 7:37 p.m. Mayor Johnson opened the public hearing to receive input on this matter.
23 There was none and the hearing was closed at 7:38 p.m. Councilwoman Holt made a motion to
24 approve the adoption of Ordinance 2007-06, entitled AN ORDINANCE AMENDING THE BOUNTIFUL
25 CITY ZONING MAP TO CHANGE THE ZONE DESIGNATION OF PROPERTIES LOCATED AT 127 E 500 S,
26 137 E 500 S, 155 E 500 S, 132 E 500 S, 160 E 500 S, 172 E 500 S, 184 E 500 S, 198 E 500 S, AND
27 505 S 100 E IN BOUNTIFUL UTAH, FROM RM-13 (RESIDENTIAL MULTI-FAMILY) TO PO-N
28 (PROFESSIONAL OFFICE - NEIGHBORHOOD SUBZONE). Councilman Higginson seconded the motion
29 and voting was unanimous. Councilpersons Higginson, Holt, Myers and Tolman voted “aye”.

30
31 **INCREASE IN CEMETERY RATES APPROVED**

32 Mr. Jeff Jensen reported that he has completed a cemetery rate comparison study which
33 reflects that, although Bountiful’s rates are below the average for the 12-city comparison
34 (including Centerville, Salt Lake, Syracuse, Kaysville, Brigham City, Murray, Orem, Logan,
35 Farmington, Provo, West Jordan and Sandy), the costs to operate and maintain the cemetery
36 continue to increase. He explained that currently non-residents are simply having a resident of
37 Bountiful buy the plots, and then paying a nominal transfer fee. The end result is that non-
38 residents are being buried in Bountiful’s cemetery without the capturing of the appropriate non-
39 resident revenue. Based on this research, it is recommended that the Council increase resident
40 interment fees by \$100, and non-resident interment fees by \$200.00 which will bring the fee
41 structure more in line with surrounding municipalities. Councilman Higginson motioned to
42 approve the increase in interment fees, as explained. Councilman Tolman seconded the motion
43 and voting was unanimous in the affirmative. Councilpersons Higginson, Holt, Myers and
44 Tolman voted “aye”.

1 **2007 BIENNIAL MODERATE INCOME HOUSING REPORT**
2 **FOR CALENDAR YEARS 2005 AND 2006 APPROVED**

3 Mr. Jensen explained that Utah Code Section 10-9a-408 requires that the legislative body
4 of each municipality prepare a report regarding the status and implementation of its adopted
5 Moderate Income Housing Plan. He presented the highlights of the report, including how to
6 determine the moderate income threshold, and noted that the multi-family rental market rate in
7 Davis County is still low and there are many units that are affordable for a moderate income
8 household. With the 192 new multi-family rental units currently under construction, Bountiful
9 City has more than surpassed the projected need for moderate income housing.

10
11 The rising costs of new and existing single family homes is a disturbing trend, and it is
12 very likely that at some point in the future single family homes may no longer be affordable to
13 moderate income families. Councilman Higginson made a motion to approve the Housing Report,
14 Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Higginson,
15 Holt, Myers and Tolman voted “aye”.

16
17 **DISCUSSION OF POSSIBLE REGIONAL ARTS CENTER AND RAP TAX**

18 Mr. Hardy reported that Bountiful City has been contacted by the South Davis Performing
19 Arts Center with a recommendation for the City Council to consider sending a written notice of
20 intent to the Davis County Commission to submit an opinion question to the residents of Bountiful
21 asking their opinion on the imposition of a local sales and use tax of .1% to fund parks,
22 recreational and cultural facilities and organizations. He said that Centerville City has approved
23 sending a letter to the County Commission, and Mayor Johnson and the other South Davis cities
24 have been asked to consider sending a similar letter, so that all of the South Davis Cities could join
25 in implementing the tax and funding the construction of regional arts and recreation facilities and
26 organizations.

27
28 Mr. Hardy also stated that there has been considerable discussion about whether or not a
29 RAP tax could be used to fund both a regional arts center and a regional ball field complex. He
30 reviewed the list of reservations which he and the Mayor identified regarding this request and
31 stated that the letter to the County Commission is the first step in the process. The city council can
32 determine in the next several months to not submit the question, or, if the terms and conditions
33 outlined above cannot be met, the city council could determine not to impose the tax or to
34 unilaterally use the tax for other projects, at the discretion of the council. Following discussion,
35 Councilman Higginson motioned that the City Council send a letter to the County Commission
36 indicating that Bountiful would like to pursue implementation of a RAP tax. Councilman Tolman
37 seconded the motion which carried unanimously. Councilpersons Higginson, Holt, Myers and
38 Tolman voted “aye”.

39
40 **COUNCIL COMMITTEE REPORTS**

41 Councilman Tolman commented on the recent sidewalk chalk festival, noting that it was
42 well attended. He noted that many downtown merchants did not take advantage of staying open
43 late while the event was taking place, missing a marketing opportunity.

