

Minutes of the Bountiful City Council Meeting

City Council Chambers June 5, 2001

Present:	Mayor	John R. Cushing
	Council Members	Samuel R. Fowler, Barbara Holt, John S. Pitt, Stewart Knowlton, and J. Gordon Thomas
	City Manager	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Asst. City Engineer:	Mark Franc
	Department Reps:	Terry Thompson, Streets/Sanitation
	Recording Secretary:	Nancy T. Lawrence

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 Cushing called the meeting to order at 7:05 p.m. following a Council field trip to review sidewalk restoration work and the upcoming 200 West project. He welcomed those in attendance and recognized the visiting Boy Scouts. Councilman Knowlton led the pledge of allegiance to the flag, following which Councilman Fowler offered the invocation.

APPROVAL OF MINUTES DELAYED

Minutes of the regular City Council meeting held May 22, 2001 will be presented for approval at the next regular meeting of the Council.

RES. NO. 2001-03 RE: BOUNDARY LINE ADJUSTMENT ADOPTED

Mr. Mahan explained that Brian Knowlton, owner/developer of property located within both Centerville and Bountiful City limits, has requested that the boundary line be adjusted so as to include all of his property within the city of Bountiful. He noted, however, that the storm water will drain to 200 West and be handled by the city of Centerville, with respective storm water impact fees going to Centerville. The public hearing to consider the boundary adjustment is scheduled for August 14, 2001. Centerville city has considered this matter and has adopted a resolution stating its intent to adjust the boundary as requested.

Res. No. 2001-03 entitled "A RESOLUTION INDICATING THE INTENT OF THE BOUNTIFUL CITY COUNCIL TO ADJUST ITS BOUNDARY WITH CENTERVILLE CITY AS TO A CERTAIN PROPERTY CONTAINING APPROXIMATELY 2.53 ACRES LOCATED AT THE SOUTH END OF 400 WEST IN CENTERVILLE AND AT THE NORTH END OF 200 WEST IN BOUNTIFUL" is before the Council this evening for consideration by the Council. If adopted, this will not affect the boundary line, nor will the developer be permitted to proceed with the project, other than preliminary planning, but merely affirms the intent of the Council to adjust the boundaries following the public hearing. Following a short discussion, Councilwoman Holt made a motion to adopt Res. No. 2001-03 as presented.

Councilman Pitt seconded the motion which carried unanimously. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted “aye”.

**DEVELOPMENT AGREEMENT WITH CENTERVILLE
AND BRIAN KNOWLTON ADOPTED**

In conjunction with the request for a boundary line adjustment with Centerville which will accommodate a subdivision development by Brian Knowlton, an agreement between Centerville, Mr. Knowlton and Bountiful is being proposed which provides for the drainage of the project to go into the Centerville drainage system and the water impact fees of the development would go to Centerville. The Agreement has been approved by the Centerville City Council and is recommended by Bountiful’s City Manager, City Engineer, and City Attorney. The matter was discussed briefly, following which Councilman Thomas made a motion that the proposed Development Agreement with Centerville and Brian Knowlton be approved as presented. Councilman Knowlton seconded the motion. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted “aye”.

**AUTHORIZATION GIVEN TO CONVEY PROPERTY
TO UDOT FOR THE LEGACY HIGHWAY**

Mr. Mahan reviewed that the Utah Department of Transportation (UDOT) is seeking four City-owned properties as part of the Legacy Highway. Two of these properties are uncontested and a fair offer has been made on them (a piece of the pond next to the landfill for \$36,600 and a piece of the Porter Lane property for \$104,000). It is the recommendation of staff that the City Council authorize the Mayor and City Recorder to convey these two properties to UDOT for the prices offered, subject to agreement on the form of deed that will be used. Councilman Pitt made a motion to this effect, Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted “aye”.

PUBLIC HEARING REGARDING THE STORM WATER UTILITY

Mr. Rowland reviewed that the Federal government has mandated cities to protect water as outlined in the Utah Pollutant Discharge Elimination System (UPDES) Phase II storm water regulations. Minimum enforcement requirements include issuance of a permit by the State and meeting the following six control measures:

1. Public education
2. Public participation and involvement
3. Illicit discharge detection and elimination
4. Construction site runoff control
5. Post-construction runoff control
6. Pollution prevention/good housekeeping

Bountiful must acquire a permit by the end of this year and must implement the best management practices no later than March 2003.

Mr. Rowland gave a presentation which featured examples of storm water and its management and the different factors which affect the storm water – creeks, storm drains, streets, and curb and gutters. He pointed out that all of these sources require funding to maintain them.

In the past, this has been funded by the general fund; however, with the new, more strict regulations mandated by the Federal government, the cost of maintaining the storm drain system will increase. It is proposed by staff that a storm water utility be created for the purpose of acquiring funding to assist in the maintenance of the storm drain features.

The staff has researched other cities that have implemented a storm drain utility and Mr. Rowland presented a proposed fee structure, based on an *equivalent residential unit* (ERU). He reviewed how the ERU was established and how this unit will be converted to also determine the amount of the storm water fee for commercial, multi-family, and institutional property. The proposed fee per each single family residence is \$3.00/month.

Mayor Cushing reiterated that creation of the storm water utility is an effort on the part of the City to generate funding to maintain the storm drain system to the level that is being mandated by the Federal government. He explained that failure to comply with this mandate would result in a severe penalty being imposed on the City on a *daily* basis. The Mayor opened the public hearing at 7:52 p.m. and the following individuals approached the Council with questions and concerns: Don Acheson, Blaine Rasmussen, Claude Mills, Charles Benson, and John Harmon. The Mayor thanked those who presented questions and the hearing was closed at 8:13 p.m.

ORD. NO. 2001-06 ADOPTED CREATING STORM WATER UTILITY

Discussion followed regarding the safety issues of storm detention holding ponds, following which Mr. Rowland recommended to the Council that Ordinance No. 2001-06 entitled AN ORDINANCE AMENDING THE BOUNTIFUL CITY CODE TO ESTABLISH A STORM DRAIN UTILITY WITH A SYSTEM OF ASSESSING FEES be adopted. Councilman Fowler made a motion to this effect, to include modification of the credit formula as discussed. Councilman Pitt seconded the motion. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

NORDFORS APPOINTED TO PLANNING COMMISSION

Mayor Cushing recognized the contributions of Dean Thurgood to the City, including having served on the Planning Commission. At the request of Mr. Thurgood to not serve another term, Mayor Cushing presented the name of Rodney Nordfors to be appointed to serve a four-year term on the Planning Commission to commence July 1, 2001. Mayor Cushing reviewed Mr. Nordfors' background, following which Councilman Thomas motioned that he be appointed to the Planning Commission, as recommended. Councilman Knowlton seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

The meeting adjourned at 8:23 p.m. on a motion made by Councilman Fowler and seconded by Councilwoman Holt. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

JOHN R. CUSHING, Mayor

KIM J. COLEMAN, City Recorder

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