

# Minutes of the Bountiful City Council Meeting

City Council Chambers  
February 13, 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
	City Recorder:	Kim J. Coleman
	Planning/RDA Director:	Blaine Gehring
	Department Reps:	Neal Jenkins, Parks/Recreation Allen Johnson, Power George Sumner, Fire Alan West, Information Systems
	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 7:00 p.m. and welcomed those in attendance. Courtney Butterfield, Boy Scout from Troop 700, led the pledge of allegiance to the flag, following which Councilman Pitt offered the invocation.

## **MINUTES APPROVED FOR JANUARY 24, 2001**

Minutes of the regular City Council meeting held January 24, 2001 were presented and unanimously approved as corrected on a motion made by Councilman Thomas and seconded by Councilwoman Holt. Councilpersons Holt, Knowlton, Pitt and Thomas voted "aye". Councilman Fowler abstained because of absence at the subject meeting.

## **EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS APPROVED FOR FOUR PERIODS**

Mayor Cushing presented the report of Expenditures and Expenses Greater than \$1,000 for the following periods:

January 18 - January 24, 2001	\$204,373.99
January 25 - January 31, 2001	940,327.68
February 1 - February 7, 2001	101,525.59
Summary for the Month of January	4,842,932.65

Following a clarification made by Mr. Coleman, all expenditure reports were approved, as presented, on a motion made by Councilman Fowler and seconded by Councilman Knowlton. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted "aye".

**RENEWAL OF CITY MANAGER CONTRACT APPROVED**

Mayor Cushing reviewed that the Mayor and Council had met in executive session for the purpose of considering the renewal of the contract with Tom Hardy, City Manager. He reported that following an evaluation of Mr. Hardy's performance, it is the recommendation of the Council and Mayor that the contract be renewed for another two-year period. Councilwoman Holt made a motion to this effect, Councilman Thomas seconded the motion and voting was unanimous with Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voting "aye". Mr. Hardy has been Bountiful City Manager for 20 years.

Mayor Cushing noted that it was also Mr. Hardy's birthday. He took opportunity to welcome members of Mr. Hardy's family who were in attendance and to express appreciation on behalf of city officials and the community for the excellent job that Mr. Hardy has done. He remarked that it was an unusual accomplishment for a city manager to serve in one city for 20 years and credited him with an outstanding capacity and ability to understand all areas of the city – being astute in finances as well as the day-to-day operations. Mr. Hardy was then presented with a plaque of appreciation recognizing his contributions to the community of Bountiful. Mr. Hardy expressed appreciation for the recognition and for the support he has received from the Council and staff.

**FRANCHISE AGREEMENT WITH METRICOM APPROVED**

Mr. Mahan explained that Metricom, a radio internet service company, has requested that the City enter into a franchise agreement with them which would provide for them to attach their radio transmitters on existing utility poles. Mr. Mahan stated that he and other staff members have reviewed the proposed agreement and recommend that it be approved with a franchise fee of 5% (reduced from 6% because there will not be an increased burden on the streets). Councilman Pitt asked how much revenue this agreement will generate and Matt Janke, representing Metricom, said that the franchise fee is based on the number of subscriptions in the city and a typical penetration rate is 10-20 percent. The major market for this service will be lap top computers. Councilman Thomas made a motion to approve the franchise agreement with Metricom, as presented. Councilman Pitt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted "aye".

**RENTAL OF DIESEL GENERATION UNITS APPROVED**

Mr. Hardy explained that in order to meet the power needs for the upcoming summer season, it is the recommendation of staff to rent three diesel powered mobile generation units from Wheeler Power Systems from April to September 2001. The rental cost on the units depends on the number of hours a month that the equipment is operated, with a minimum rental cost of \$22,000/unit/month and a maximum rental of \$42,500/unit/month. A maintenance contract of \$9.98/hour of operation is also available. The units are installed in a sound attenuated container that meets 70 d.b.a. at 50 feet and it is proposed that they be installed at the North West substation located east of the Viewmont High School football field. Following discussion regarding budget and air quality issues, Councilman Fowler made a motion to approve rental of the three generators from Wheeler, as presented. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted "aye".



## **PURCHASE OF MED USA AMBULANCE BILLING SOFTWARE APPROVED**

Chief Sumner presented a request for the purchase of new ambulance billing software to increase efficiency and effectiveness of the billing process. The software presently being used is 14 years old and there has not been manufacturer support for 10 years. Although the funding for this software was not specifically appropriated in this year's budget, the purchase can be made with existing department funds. He reviewed the process which he and Alan West used in determining their choice of software and recommended that software from MED USA of South Jordan be purchased at a cost of \$10,400.00. This includes 60 days of support, with ongoing software support costing \$275.00/month. Councilwoman Holt made a motion that this purchase be approved, to be made with existing department funds, and that the service contract be included. Councilman Thomas seconded the motion which carried unanimously. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted "aye".

## **NEIGHBORHOOD WATCH PROGRAM - PRESENTATION BY BOUNTIFUL COMMUNITY SERVICE COUNCIL**

Terry Johnson, representing the Bountiful Community Service Council (BCSC), presented the proposed Neighborhood Watch Program which is being encouraged by the BCSC. The basic function of this program would be to alert citizens to look out for each other, being aware of unusual or abnormal activity going on in the neighborhood. The program would be supervised by the Bountiful Police Department and timed to provide extra "eyes and ears" during the summer months when children are at play and vacations take citizens away from their homes. Mr. Johnson requested that the Council endorse a "Neighborhood Watch Week" May 13-19, 2001.

Discussion followed and it was felt that the focus on Neighborhood Watch for one week would provide a good kick-off for the program which could then be strengthened by additional training and meetings. Councilman Thomas motioned to support the BCSC by recognizing the week of May 13-19 as Neighborhood Watch Week. Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted "aye". Mayor Cushing recommended that the BCSC continue to work closely with the Bountiful Police department and Councilman Thomas in this effort.

## **REPORT ON "BUY IT IN BOUNTIFUL" PROGRAM**

Councilman Pitt reported on the first phase of the Buy It In Bountiful program, which covered the time frame of July through December, 2000. The goals of this program, approved by the Council, were reported as follows:

1. *Make Community aware of the link between sales tax generated in the City and City services.* Although this is rather difficult to measure, it was felt that this goal was met because of the many comments from citizens which have come back to committee members regarding their efforts to shop in Bountiful. Several sponsors were involved in this effort, including the Davis County Clipper and KDYL radio.
2. *Promote businesses that are already established in the city.* All Bountiful businesses were promoted on a weekly basis.
3. *Increase the sales of Bountiful businesses.* This goal was more difficult to measure because there were several variables that were not separated. The goal was to have ten sponsoring businesses, each contributing \$500.00. There were five businesses that participated as sponsors. Sales tax increased by 3.15%, which reflected a modest success in the amount of business done in Bountiful.

The program will be moving ahead with event by event type of activities which are designed to increase sales in Bountiful. Christmas will be targeted for promotions, because it was found that December sales were lower than other months. Councilman Pitt requested that the \$5,000 seed money which had been allocated for the Buy it in Bountiful program be extended for one more year.

Bob Arbuckle and his son presented a review of their internet business which provides *coupons for local businesses* and results in local sales without the loss of sales tax (which happens if *products* are purchased over the internet). The business not only provides coupons to users, but gives tracking information to the advertiser. The monthly fee to list coupons ranges between \$19.95 and \$24.95.

**STORM/SURFACE WATER DRAINAGE AGREEMENT  
APPROVED - CENTERVILLE CITY AND JACK BANGERTER**

Mr. Rowland explained that the City Engineer for Centerville approached him regarding the possibility of a small development south of Deseret Industries (fronting on Main Street) tapping into the storm drain system on Main Street. He said he would favor approving this request because it would mitigate the impact of water building up on Main Street at Pages Lane. The request has been reviewed by both cities and it is the staff recommendation to allow the developer (Mr. Bangerter) to:

- (1) Tap into the storm drain on the west side of Main Street,
- (2) Allow only as much water as comes off that site (.2 cfs/acre) into the storm drain
- (3) Any revenue generated by the impact fees would go to Centerville
- (4) The Storm Drain utility fees (\$4/res unit) will go to Centerville

In response to a question from Councilman Thomas, Mr. Rowland noted that the developer will be responsible for any requirements imposed by UDOT, as well as being responsible for constructing and maintaining the collection system. There will be no costs to Bountiful. Councilman Knowlton made a motion to approve the agreement as explained. Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted “aye”.

**SLURRY SEAL CONTRACT WITH MORGAN  
PAVEMENT APPROVED FOR 2001 CONSTRUCTION SEASON**

Mr. Rowland reviewed that the 2000 slurry seal contract was awarded to Morgan Pavement Maintenance as a result of their low bid. This company completed their contract in good standing with the City and is willing to extend their bid to cover the 2001 season with a slight increase (from \$0.061 per sq. ft. to \$0.068 per sq. ft.). With the increase, this will place the price of Morgan Pavement Maintenance approximately 6% below the second low bidder from last year. It is the recommendation of staff that the slurry seal contract be extended with Morgan Pavement, as explained. Councilman Knowlton motioned to approve this contract as recommended. Councilman Thomas seconded the motion which carried unanimously. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted “aye”.

**PRELIMINARY AND FINAL APPROVAL GRANTED TO BEATTIE SUBDIVISION, 588 WEST 3100 SOUTH**

Mr. Rowland explained that the proposed subdivision will be created by splitting one lot into two lots. Both lots meet the minimum lot size for the existing zone and exceed the minimum frontage requirements. This request has been reviewed by the Planning Commission and it is their recommendation, together with staff, to grant preliminary and final approval, subject to the following conditions:

1. Payment of the following fees:

Storm water impact fee	\$807.00
Subdivision checking fee	200.00
Subdivision recording fee	<u>50.00</u>
	\$1,057.00

The water and sewer connection fees will be paid at the time each individual building permit is issued.

2. Make corrections on final plat to show a 20 ft. radius at the intersection of 3100 South and 600 West.
3. A portion of the existing detached garage on Lot 1 must be removed prior to issuing a building permit on Lot 2.

Following discussion, Councilman Thomas made a motion that preliminary and final approval be granted, as presented. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted “aye”.

**PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED TO VERNON INSURANCE AGENCY, 52 W. 200 SO.**

Mr. Rowland reviewed the request of Vernon Insurance Agency to build a new building on the vacant property just west of Bountiful Lumber at 52 West 200 South. Staff and the Planning Commission have reviewed this request and recommend that it be approved, subject to the following conditions:

1. A trash/dumpster enclosure be provided on the site which matches the exterior materials used on the building.
2. Four additional screening trees be provided along the north property line along the undeveloped portion of the property.
3. No additional finished area requiring additional parking be allowed in the basement without additional parking stall(s) being provided on site.
4. Provide onsite drainage detention for all storm water. Allowable outflow @ 0.2 cfs/acre = 0.066 cfs.
5. All roof downspouts must drain to 200 South Street or to detention in the undeveloped area east of the building.
6. Regrade the area at the rear door to provide that overflow water runs away from the building, not into the basement.
7. Provide a 7' wide utility easement along the 200 South frontage as shown.
8. Provide a 10' wide utility easement along the north property line.
9. Pay utility and building fees as follows:
  - a. Water meter - 1 - 1" meter @ \$2,613.00
  - b. Sewer connection as per South Davis Sewer
  - c. Power fees as determined by the Bountiful Power Department
  - d. Building fees per the Uniform Building Code.
10. Make an effort to combine parking lot access, use and circulation with the American Legion.

Councilman Thomas made a motion that preliminary and final site plan approval be granted, as presented, with the observation that further correlation needs to be done between Planning and the developer regarding Item No. 10. Councilman Pitt seconded the motion. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted “aye”.

At this time (8:47 p.m.) the meeting moved to the Planning Conference Room.

**REVIEW OF SIGN ORDINANCE**

Mayor Cushing recognized members of the Planning Commission who were in attendance (Mark Green, Dean Thurgood, Al Hess, and Dick Dresher). Mr. Hardy introduced this item and noted that the aesthetics created by signs make a statement about the City.

Mr. Gehring reviewed that the following types of signs have been reviewed: (1) pole and freestanding, (2) off-premise signs, and (3) wall signs. He showed examples of these types of signs and existing violations of Bountiful’s sign ordinance. The Council and Planning Commission discussed their philosophy as to the purpose of the sign, particularly to business owners, and its place in the community. Discussion revealed that the perceived needs of a business and signage that is pleasing aesthetically are sometimes in conflict. Mr. Green suggested that in the process of revising the sign ordinance that business owners be involved. Diverse ideas emerged from the group and in an effort to meet safety concerns, as well as creating a plan that permits a pleasing appearance, a rough draft of a proposed sign ordinance needs to be prepared by the staff. It was noted that a gradual compliance requirement (over a 10-15 year time period) would permit businesses to come into conformance without undue hardship. Mr. Hardy noted that we need an ordinance that can be comfortably enforced and evenly applied.

Mr. Gehring requested that the Council and Planning Commission members respond to his request for input and share their major concerns with him, including any changes to the existing ordinance that they would like to see. He said that he will review the responses, prepare a draft by the first of April and hopefully have a finished product by early summer to take to the business community.

Charles Schwaab, owner of a business that uses bus benches for advertising, was in attendance and shared his concerns. He noted that he felt the action taken by the Council to prohibit off-premise advertising did not take into consideration the public service that is provided to UTA patrons via the bus benches. He also challenged that the Council denied his advertising, but had not evenly applied enforcement of other sign ordinance violations.

The meeting adjourned at 10:14 p.m. on a motion made by Councilman Thomas and seconded by Councilman Pitt. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted “aye”.

JOHN R. CUSHING, Mayor

KIM J. COLEMAN, City Recorder

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