

Minutes of the regular meeting of the City Council held January 3, 2001 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	John R. Cushing
	Council Members:	Samuel R. Fowler, Barbara Holt, John S. Pitt 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
	Dept. Heads:	Neal Jenkins, Parks/Rec/Cemetery Clifford Michaelis, Power
	Recording Secretary:	Nancy T. Lawrence
Excused:	Councilman:	Stewart Knowlton

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, following which Councilwoman Holt led the pledge of allegiance to the flag. The invocation was offered by Councilman Pitt.

Minutes of the regular meeting of the City Council held December 13, 2000 were presented and approved as written on a motion made by Councilman Pitt and seconded by Councilman Thomas. Councilpersons Fowler, Holt, Pitt and Thomas voted "aye".

#### **EXPENDITURES, EXPENSES AND TOTAL DISBURSEMENTS APPROVED FOR TWO DECEMBER PERIODS**

Mayor Cushing presented the reports of Expenditures and Expenses Greater than \$1,000 for the period December 7-13, 2000 (\$261,209.12), and the period December 14-27, 2000 (\$421,736.58). The staff responded to questions from the Council, following which Councilman Fowler made a motion to approve both reports. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Pitt and Thomas voted "aye".

#### **MARGIE COOK (RECREATION CENTER) RECOGNIZED AT RETIREMENT**

Mayor Cushing recognized Margie Cook and the members of her family who were in attendance. He stated that Margie has been an employee of the City at the Recreation Center for a number of years and will retire on January 5<sup>th</sup>. He praised her for her delightful, pleasant personality and expressed appreciation for her faithfulness as an employee. On behalf of the staff at the Recreation Center, Mr. Jenkins thanked Margie for her tremendous dedication and he recognized her as the "hub" of the team at the Recreation Center. He also noted that prior to being with the City as an employee, Margie spent many years at the Recreation Center with her daughter in the ice skating program and her own interests in the skating.

Margie stated that Bountiful City is fortunate to have the Recreation Center facility and she expressed deep appreciation for her relationships with the staff and the customers of the Center.

**WEBER STATE UNIVERSITY DAVIS CAMPUS PRESENTATION**

Jean Madsen, representing the Davis Chamber of Commerce, and David Eisler, Provost at WSU, were in attendance to garner the support of the Council for a new Weber State Davis Campus. Mrs. Madsen reviewed a resolution of support passed and adopted by the Davis Chamber of Commerce which included a brief history of WSU and its place in higher education for Davis County residents. She explained that the State Higher Education Master Plan 2000 includes the intent to develop the WSU Davis Campus and noted that the governor has proposed \$70 million in one-time funding to be included in this year's budget. She explained that a 100-acre land bank, plus municipal improvements, is ready for building and infrastructure, and she encouraged the Council and others in attendance to contact local and state leaders affirming support for this project.

Dr. Eisler pointed out that Davis County is the only county in Utah with a population greater than 50,000 that does not have a sizeable college or university campus. He said that WSU presently delivers courses at the Gordon Avenue site, three area high schools and Davis Area Technical Center. Davis County enrollments have increased by 214% since 1994 and Davis County has the third-fastest growth rate in the State. The proposed WSU Davis Campus will be a four-year school with post-graduate degrees an option. Mayor Cushing noted that the City Manager and elected officials in Bountiful have been strong supporters of higher education and he thanked Dr. Eisler and Mrs. Madsen for their time and presentation.

**PUBLIC HEARING TO CONSIDER ADOPTION OF  
ORD. NO. 2001-01 RE: MISCELLANEOUS ZONING ORDINANCE AMENDMENTS**

Mr. Gehring explained that there are several sections of the Zoning ordinance which the staff feels need to be amended. He briefly reviewed (1) that there are uses presently existing in the Heavy Commercial (C-H) zone which were inadvertently left out of the list of permitted uses in the 1993 rewrite and recommended that they be included; (2) Fire Protection requirements for homes 150 feet beyond a street should be included in non-foothill areas of the city; (3) accessory buildings should not be allowed in side yards; (4) the measurement of driveway grade in the Foothill Zone should be clarified; (5) a correction needs to be made to the procedure for notifying specified property owners of changes to the zoning ordinance; and (6) the permissible lot coverage for residential uses needs to be clarified.

Mr. Gehring also reviewed a proposed amendment to the City code dealing with temporary businesses. Following the explanation of the proposed changes, Mayor Cushing opened the public hearing at 7:32 p.m. There was no input and the hearing was closed. Councilman Thomas made a motion to adopt Ord. No. 2001-01 entitled AN ORDINANCE GENERALLY AMENDING THE BOUNTIFUL CITY ZONING ORDINANCE AND AMENDING SECTION 5-12-13 OF THE BOUNTIFUL CITY CODE RELATING TO TEMPORARY BUSINESSES. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Pitt and Thomas voted "aye".

**APPROVAL OF ANNUAL MEETING SCHEDULE  
POSTPONED TO FUTURE MEETING**

Mr. Hardy reviewed the public notice of the proposed annual meeting schedule for 2001. This Notice provided for regular meetings of the City Council on the first four Wednesdays of each month at 7:00 p.m.. No meetings would be held on fifth Wednesdays nor would there be a meeting on July 4 or November 21. Mr. Hardy noted that Bountiful is the only city in Davis County that meets on Wednesday. The other cities meet on Tuesday to avoid a conflict for their Mayor who attends the Council of Governments meeting on Wednesdays. He also noted that some government bodies have chosen to meet less frequently than they have previously done. Discussion followed and Councilman Fowler made a motion to consider changing the meeting schedule to 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays, effective February 1, 2001, and that this matter be tabled to allow for proper notice to be written for the Tuesday meeting schedule. Councilman Pitt seconded the motion which carried unanimously. Councilpersons Fowler, Holt, Pitt and Thomas voted "aye".

**ANIMAL CONTROL CONTRACT BETWEEN BOUNTIFUL  
AND DAVIS COUNTY APPROVED FOR 2001 SERVICE YEAR**

Mayor Cushing reviewed that Davis County Animal Care and Control has provided animal control services to Bountiful for many years and that Bountiful has been very pleased with the service. Mr. Hardy noted that the contract before the Council includes a 5 percent increase which will be used to help fund building a new facility at the animal shelter. It is the recommendation of staff to approve renewal of the contract in the amount of \$34,450.70 (\$2,870.89/month). The five percent increase has been included in the remaining six months of the 2000-2001 budget. Councilman Pitt made a motion to this effect, Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Pitt and Thomas voted "aye".

**APPROVAL GIVEN TO PURCHASE SINGLE PHASE  
TRANSFORMERS - POWER DEPARTMENT**

Mr. Michaelis reviewed that in December 1999 there was a bid price extension with Western States Electric which was approved by the Council on single phase padmount transformers. This bid is good until December 31, 2001. It is the recommendation of the staff and Power Commission to purchase 37 single phase transformers (26 for specific developments and 11 for stock) at a total cost of \$34,557.00. Councilman Fowler made a motion to approve this purchase from Western States Electric, as recommended. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Pitt and Thomas voted "aye"

**REVIEW OF STORM WATER UTILITY**

Mr. Rowland noted that March 2003 is quickly advancing and he reviewed that Phase 2 of the NPDES (National Program for Discharge, Elimination, Storm Water Act) will go into effect at that time. Phase I was very comprehensive and required measurement of discharges, etc. which the City has completed. Phase II will require that the City file an application initially

and then implement “best management practices” (BMP) on an annual basis. Mr. Rowland reviewed the six minimal control measures which must be implemented by the City. The permit application must include a Notice of Intent, chosen BMP’s and measurable goals for each minimal control measure.

To fund the administration and implementation of the NPDES, Mr. Rowland recommended that a Storm Water Utility be created. He said he has reviewed how other cities have come into compliance with this law (larger cities were required to comply earlier than smaller cities) and the proposal before the Council is based on that study. Funding will be required to maintain the existing storm drain system, as well as to fund the minimal control measures (public education and outreach, public participation/involvement, illicit discharge detection and elimination, construction site runoff control, post-construction runoff control, and pollution prevention/good housekeeping).

The staff has conducted a random study of the impervious area of 250 residential units in Bountiful and established an ERU (equivalent residential unit). With this as the basis, municipal, church, commercial, multi-family and school properties were measured and the total number of ERU’s was determined. The proposed budget for personnel, operation and maintenance, and capital projects totals \$628,444.00 for the 2001-02 fiscal year. Based on these projected figures, it is anticipated that the monthly cost for one ERU will be approximately \$3.00 to fund the Storm Drain Department. In response to questions from the Council, Mr. Hardy indicated that the staff recommends that the Storm Water Utility be created effective August 2001.

### **COUNCIL COMMITTEE REPORTS**

Councilwoman Holt asked how the Five Points project is coming and Mr. Hardy reported that the developer is working on the financing package. She also asked about revenue from the new cell phone tax. Mr. Hardy stated that we will have to wait several months to get a somewhat accurate feel for the revenue this will generate. Councilwoman Holt also asked if there will be some way of measuring “before and after” as it relates to sales tax revenue and the Buy It In Bountiful program. Councilman Pitt indicated that because there are many variables relating to sales tax revenue, this will be hard to measure. However, he said that he feels encouraged that we are about half-way toward the goal of gaining support from 100 businesses.

The meeting adjourned at 8:38 p.m. on a motion made and seconded by Councilmen Pitt and Thomas, respectively. Councilpersons Fowler, Holt, Pitt and Thomas voted “aye”

JOHN R. CUSHING, Mayor

KIM J. COLEMAN, City Recorder

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