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Minutes of the  
Bountiful City Council Meeting  
City Council Chambers  
August 26, 2008 - 7:00 p.m.

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Present:	Mayor:	Joe L. Johnson
	Council Members:	Beth Holbrook, John Marc Knight, R. Fred Moss, Scott Myers and Tom Tolman
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Admin. Services Director:	Galen Rasmussen
	Planning Director:	Aric Jensen
	Department Repre:	Allen Johnson, Power Tom Ross, Police Jerry Wilson, Parks/Recreation
	Recording Secretary:	Nancy T. Lawrence

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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. and welcomed those in attendance. Chris Bond, visiting Boy Scout, led the pledge of allegiance to the flag, following which Councilman Myers offered the prayer/thought.

**APPROVAL OF MINUTES**

Minutes of the regular City Council meeting held August 12, 2008 will be presented for approval at the next regular meeting.

**EXPENDITURES AND EXPENSES APPROVED**

Mayor Johnson presented the Report of Expenditures and Expenses Greater than \$1,000 for the following periods (with respective totals): July 31 - August 6, 2008 (\$720,463.86) and August 7 - 13, 2008 (\$1,035,079.41). Following a short discussion, Councilman Knight made a motion to approve the expenditure reports as presented. Councilman Moss seconded the motion and voting was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".

**YOUTH COUNCIL REPORT**

Jessica Blackhurst and Camie Knight were in attendance to report recent activities of the Youth Council and their upcoming planned activities. The group had a "Summer Ending" party on August 13<sup>th</sup> which was fun and successful. They are planning to sponsor the annual "Pumpkin Patch" in October, to be held at the 400 North Park. They will also be participating with other Youth Councils across the nation in a service project. The first part of this activity is to develop an idea for a service project. This will be submitted to a committee for review and 26 proposed projects across the nation will be selected. Following the selection of 26 projects, if the Bountiful project is chosen, the Bountiful Youth Council will have the opportunity to organize and

1 implement the project and be joined by other Councils. If their project is not selected as one of the  
2 26 in the nation, they have the option of joining another group whose project was selected.  
3

4 Mayor Johnson thanked the Youth Council representatives for their report and for all that  
5 this group is doing. He also expressed appreciation for their presence at the meeting.  
6

7 **RES. NO. 2008-08 ADOPTED RE: UTILITY BILL CREDIT**  
8 **FOR NATIONAL GUARD AND RESERVES**

9 Mr. Mahan referred to the discussion in the meeting of August 12, 2008 in which the  
10 Council voted to grant a utility bill credit to citizen soldiers in the National Guard and the Reserves  
11 when they are activated to full-time duty for a period of six months or longer. He reviewed Res.  
12 No. 2008-08 entitled A RESOLUTION ESTABLISHING A \$75.00 PER MONTH CREDIT FOR BOUNTIFUL  
13 UTILITY SERVICE CUSTOMERS WHO ARE MEMBERS OF THE NATIONAL GUARD OR THE RESERVES OF  
14 THE ARMY, NAVY, MARINES AND AIR FORCE WHO ARE ACTIVATED TO FULL-TIME MILITARY DUTY  
15 and pointed out 3 text changes which had been made. Councilman Tolman made a motion to  
16 adopt this resolution, as presented. Councilwoman Holbrook seconded the motion and voting was  
17 unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted "aye".  
18

19 **PRESENTATION BY BOUNTIFUL DAVIS ART CENTER RE:**  
20 **SUMMERFEST - EMMA DUGAL, AIDA MATTINGLEY**

21 Aida Mattingley (BDAC Chairwoman) expressed deep appreciation to the Mayor and  
22 Council for the support which the City recently gave to Summerfest and the related IOB World  
23 Congress which convened in Bountiful. She said that these events would not be possible without  
24 the help and support of the City staff and leadership.  
25

26 Emma Dugal, Summerfest Chairwoman, read a letter of appreciation, stating that  
27 approximately 10,000 people enjoyed festivities ranging from the street dance to the Art Center  
28 exhibits, to performances in the park, etc. She said it was a pleasure to work with the elected  
29 officials and staff from Bountiful City, noting that all departments contributed in some way.  
30 Mayor Johnson then read a letter of appreciation from the IOB, which also recognized the host  
31 families who made it possible for the visitors from other countries to participate. Ms. Mattingley,  
32 Ms. Dugal and Kenton Mattingley then presented appreciation awards to individuals/departments  
33 who played significant roles in the Summerfest celebration.  
34

35 **APPROVAL OF EXPENDITURES AND RECOMMENDATIONS BY**  
36 **POWER DEPARTMENT**

37 Mr. Allen Johnson reported that the Power Commission had met recently and he presented  
38 the following recommendations for approval by the Council:  
39

40 **Itron AMR Commercial Meter Purchase.** The Council approved a project in 1999 for  
41 the Power Department to implement an automated meter reading system using Itron meters and  
42 meter reading hardware. This year's budget includes funds to complete the residential and  
43 commercial Itron AMR meter project, and it is recommended that the bid from Riter Engineering  
44 for 612 meters at a cost of \$199,950.00 be approved. (Riter is the sole source for these meters).  
45 Councilman Moss made a motion to approve this expenditure, not to exceed \$200,000.00.  
46 Councilman Myers seconded the motion and voting was unanimous. Councilpersons Holbrook,  
47 Knight, Moss, Myers and Tolman voted "aye".  
48

1           **Approve Bid for Phase VIII Transmission Foundation.** Proposals were sent to three  
2 contractors for five drilled pier foundations for the Phase VIII transmission line rebuild, (Smith’s  
3 Marketplace south to the Southwest Substation on 1800 South). Two vendors responded and it is  
4 recommended that the low bid from Most Wanted Construction in the amount of \$94,000.00 be  
5 approved. Mr. Johnson explained that this is a big step in accomplishing redundancy and keeping  
6 people in power when outages occur. Councilman Moss made a motion to approve the bid from  
7 Most Wanted Construction, as recommended. Councilman Knight seconded the motion and voting  
8 was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.  
9

10           **Phase VII Transmission Engineering.** Mr. Johnson explained that the Phase VII  
11 Transmission Line project is to rebuild and replace the conductors with 1272 ACSR on a section of  
12 the 46 kV transmission line. This section is operating at close to 100 percent of capacity during the  
13 summer season and this upgrade will increase the reliability of the system (between the Northwest  
14 Substation and the South Davis Recreation Center). Electrical Consultants Inc. submitted a bid for  
15 the engineering at a total price not to exceed \$37,000.00. It is recommended by staff and the  
16 Power Commission to accept this proposal. The budget includes \$50,000 for Phase VII  
17 engineering. Councilman Moss motioned to approve the proposal from ECI, as recommended and  
18 Councilwoman Holbrook seconded the motion. Voting was unanimous with Councilpersons  
19 Holbrook, Knight, Moss, Myers and Tolman voting “aye”.  
20

21           **IPP Call-backs and Resales.** Mr. Johnson explained that in December, 2008 the City can  
22 firm up our call back of IPP power for the six-month summer season of 2009 by increasing or  
23 decreasing the current request for 14 MW by 4 MW (either down to 10 or up to 18 MW). If we opt  
24 to increase to 18 MW, we could cover our summer peaks better and excess power could be re-sold  
25 to a pre-identified buyer. If a buyer cannot be found in advance for the potential excess power,  
26 then we could decrease the call back to 10 MW for summer 2009 and purchase 8 to 12 MW of  
27 high load hours power. Also in December 2008 the City will request our call back of IPP power  
28 for the six month summer season of 2010 (with an option to “fine tune” it plus or minus 4 MW in  
29 December 2009).  
30

31           He said that the Power Commission and staff discussed this matter at length and it is their  
32 recommendation to call back IPP power of 18 MW for the summer season of 2009 and 19 MW for  
33 2010, respectively, and find a buyer with which we can contract to sell unused power on a “unit  
34 contingent” basis during those periods. And further, if no buyer is found, that we call back IPP  
35 power of 10 MW and 14 MW for the summer seasons of 2009 and 2010, respectively, and  
36 purchase 8 to 12 MW of high load hours power. Following discussion, Councilman Moss made a  
37 motion to allow staff to do either option – whichever is best – in order to call back IPP power for  
38 summer 2009 and summer 2010. Councilman Knight seconded the motion which carried  
39 unanimously. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.  
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41           **Echo Generator Repair.** Mr. Johnson reported that one of the three generation units at  
42 Echo tripped off line due to a faulted generator on July 27<sup>th</sup>. The generator has been removed and  
43 transported to GE’s repair shop, and the quote for the removal, plus repair and re-install, is  
44 \$214,312. An insurance claim has been filed with the insurance carrier (Zurich North America).  
45 The claim is still being processed and there is a question as to whether or not this will be included  
46 in a previous claim of damages sustained when the hydro was flooded last year. This would relieve  
47 the City of paying another \$50,000 deductible. However, it is important to get the generator back

1 in service this fall to make sure it is working properly and not wait until next spring. He reported  
2 that the staff and Power Commission recommend approval of payment from the Emergency  
3 Equipment Repair fund, with reimbursement to come from the insurance company. Councilman  
4 Moss motioned to approve the repair, Councilwoman Holbrook seconded the motion and voting  
5 was unanimous. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

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7 **PUBLIC HEARING TO CONSIDER ORD. NO. 2008-07**  
8 **VACATING CONDO PLAT - 155 WEST 1000 NORTH**

9 Mr. Rowland explained that the Kathryn Lane Condominium Plat was approved in May of  
10 last year. In the meantime, the financing industry has changed and it is difficult to get financing for  
11 condominiums. So, the owner of this project has requested that the project be changed to a  
12 Planned Unit Development (interpreted by the mortgage community as owning the ground under  
13 the structure). The Planning Commission has reviewed this request and makes the following two-  
14 part recommendation to the Council:

- 15  
16 1) That the Council adopt Ordinance No. 2008-07 which vacates the condominium plat;  
17 and 2) That a public hearing be held to consider approval of the Planned Unit Development.

18  
19 Ms. Katie Eckman was in attendance and verified that she has gone through the process of  
20 requesting signatures to vacate the condo plat. Councilwoman Holbrook then made a motion to  
21 adopt Ord. No. 2008-07 entitled AN ORDINANCE VACATING THE KATHRYN LANE CONDOMINIUMS  
22 SUBDIVISION IN BOUNTIFUL, DAVIS COUNTY, UTAH, AND RELEASING THE EASEMENTS THEREON,  
23 FOR THE PURPOSE OF BEING INCORPORATED INTO THE NEW KATHRYN LANE PLANNED UNIT  
24 DEVELOPMENT SUBDIVISION. Councilman Moss seconded the motion which carried unanimously.  
25 Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

26  
27 The Mayor then opened the public hearing (7:55 p.m.) to consider preliminary and final  
28 PUD plat approval of the Kathryn Lane Planned Unit Development located at 155 W 1000 North.  
29 Mr. Mahan explained the different interpretations of Planned Unit Development. There were no  
30 comments from those in attendance. The hearing was closed at 7:57 p.m. Councilwoman  
31 Holbrook then motioned to grant preliminary and final PUD plat approval, with the following  
32 conditions:

- 33 1) Receive Council approval to vacate Kathryn Lane Condominium Plat  
34 2) Complete a Development Agreement with the City  
35 3) Meet all requirements of City Land Use Ordinances  
36 4) Provide a complete Storm Water Pollution Prevention Plan  
37 5) Post the bond and pay the required fee per the bond letter  
38 6) Make minor changes to the plat and site plan per red lines.

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40 Councilman Tolman seconded the motion which carried unanimously. Councilpersons Holbrook,  
41 Knight, Moss, Myers and Tolman voted “aye”.

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43 **PRELIMINARY SITE PLAN APPROVAL GRANTED TO SILVER**  
44 **CREEK COMMERCIAL CENTER - 500 NO 500 WEST; AND**  
45 **BUILDING DESIGN APPROVAL FOR MIKE AND STERLING’S**  
46 **FLOORING AMERICA**

47 Mr. Jensen presented the request of Jeremy Terry for preliminary site plan approval for the  
48 Silver Creek Commercial Center. The subject property is located in the Heavy Commercial zone

1 and encompasses the former Bonaview Trailer Park, the existing Parts Plus Store, a former motel  
2 (razed many years ago), and the two residential lots on 400 North that were recently rezoned. The  
3 Planning Commission reviewed this request and recommends preliminary site plan approval with  
4 the following conditions:

- 5
- 6 1) The Mike and Sterling’s building be shifted westward and an additional row of
- 7 parking be provided in front of the proposed liquor store, and the mini roundabout be
- 8 constructed at the confluence of the driveways as shown on the redlines.
- 9 2) The 8-inch fire line be looped between 500 West and 400 North and an accompanying
- 10 easement be provided.
- 11 3) The outlet and connection for the detention basin be identified, or an acceptable
- 12 retention system be designed.
- 13 4) The final site plan include the layout of the proposed fast food restaurant, or an
- 14 amended site plan be provided at a future date showing that layout.
- 15 5) Provide written access approval from UDOT for 500 West access (already have
- 16 access on 400 North)
- 17 6) Any other redline corrections be made prior to final submittal.
- 18

19 Councilman Myers excused himself from discussion and action on this item due to conflict of  
20 interest.

21  
22 Councilwoman Holbrook made a motion to grant approval, as recommended. Councilman  
23 Tolman seconded the motion and voting was by a majority. Councilpersons Holbrook, Knight,  
24 Moss and Tolman voted “aye”. Councilman Myers abstained.

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26 **COUNCIL COMMITTEE REPORTS**

27 Councilman Moss commented on a new type of permeable concrete which contains no sand  
28 and which permits water to pass through.

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30 The meeting adjourned at 8:07 p.m. on a motion made by Councilman Moss and seconded  
31 by Councilman Tolman. Councilpersons Holbrook, Knight, Moss, Myers and Tolman voted “aye”.

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37 JOE L. JOHNSON, Mayor

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41 KIM J. COLEMAN, City Recorder

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