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**Minutes of the
Bountiful City Council Meeting
City Council Chambers
February 28, 2012, 7:00 p.m.**

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Present: Mayor: Joe L. Johnson
Council Members: Richard Higginson, Beth Holbrook, John Marc Knight,
Fred Moss (arrived 8:00 p.m.), and Thomas Tolman
City Manager/Attorney: Russell Mahan
City Engineer: Paul Rowland
Admin. Services Director: Galen Rasmussen
Planning/RDA Director: Aric Jensen
Department Heads: Tom Ross, Police
Recording Secretary: Nancy 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, Standard Examiner, and on the Utah Public Notice Website.

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Mayor Johnson called the meeting to order at 7:00 p.m, welcomed those in attendance, and noted that Councilman Moss is returning from an IPA meeting and will arrive late. The Mayor specifically welcomed Todd Weiler, State Senator from Senate District 23. A visiting Boy Scout (Caleb) led the pledge of allegiance to the flag, following which Councilman Knight offered the prayer/thought.

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APPROVAL OF MINUTES

Minutes of the regular City Council meeting held February 14, 2012 were presented and approved on a motion made by Councilman Higginson and seconded by Councilwoman Holbrook. Councilpersons Higginson, Holbrook, Knight, and Tolman voted “aye”.

LEGISLATIVE REPORT BY STATE SENATOR TODD WEILER

Senator Todd Weiler, appointed on January 13, 2012 to fill the unexpired term of Dan Liljenquist, was in attendance to report on legislation of interest to the City and to respond to questions. He observed that while in session, the State Senate begins every day with a prayer and recitation of the Pledge of Allegiance. He reviewed his Senate assignments (Appropriations, Standing and Interim committees) and said there has been good support of IPA and IPP bills. He said that HB 41 regarding open carrying of weapons has created controversy and discussion followed. Mayor Johnson and Chief Ross stated that they would oppose Open Carry because many people become nervous when guns are observed in public and there is a concern for public safety. Several other bills were discussed and Senator Weiler responded to questions from the Council.

COUNCIL REPORTS

Councilwoman Holbrook recognized Richard Watson who has been serving as chair of the Bountiful Community Service Council for the past three years. Mrs. Watson (Carol) was also in attendance and recognized. Councilwoman Holbrook noted that Mr. Watson has done an outstanding job, mentioning specifically the Concerts in the Park series. He will continue serving on

1 the BCSC, but not in an administrative role. Brad Johnson will be appointed as the new chairman
2 for the BCSC and was welcomed by Councilwoman Holbrook.

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4 **YOUTH COUNCIL REPORT**

5 Laurie Clark and Grant Brinkerhoff were in attendance to report on Youth Council
6 activities. Laurie reported that they attended the Day with a Legislature on January 25th and that it
7 was a great experience. Grant reported that the Youth Council will help sponsor a 5-K “Freezeout”
8 on March 10th at 10:00 a.m. The main sponsor is the Recreation Center.

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10 **WEEKLY EXPENDITURES AND EXPENSES APPROVED**

11 Mayor Johnson presented the reports for expenditures and expenses greater than \$1,000 for
12 the following periods: February 2 – 8, 2012 (\$700,434.70); and February 9-15, 2012 (\$483,038.90).
13 Following a brief discussion, Councilman Knight made a motion to approve the two reports, as
14 presented. Councilman Higginson seconded the motion and voting was unanimous with
15 Councilpersons Higginson, Holbrook, Knight and Tolman voting “aye”.

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17 **DAPHNE O’RULLIAN PRESENTED VOLUNTEER SERVICE AWARD**

18 Mayor Johnson announced that Daphne O’Rullian was recently awarded the President’s
19 Volunteer Service Award. Daphne explained that one of the requirements to receive the award is to
20 provide 100 hours of volunteer service in one year’s time. She reviewed the service which she did
21 on a weekly basis (played her viola at senior citizen centers and hospitals, helped at the Boys and
22 Girls Clubs with “Secret Service” activities, and assisted at the Food Bank. Mayor Johnson read
23 parts of a letter to Daphne from President Obama in recognition of her service and presented her
24 with a certificate.

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26 **PUBLIC HEARING TO CONSIDER AMENDMENTS TO LAND USE ORDINANCE**

27 Mr. Jensen reviewed that the Planning Commission has been working on amendments to the
28 Land Use Ordinance. He said that he will be presenting proposed changes to the Council in
29 sections, giving opportunity for review of the material(s) prior to City Council meeting. He gave
30 materials to the Council of proposed technical changes (Chapter 6 – Commercial zone; and Chapter
31 10 – the mixed use zone). This material will be presented for approval later.

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33 Policy changes recently discussed by the Planning Commission and still in the draft stage
34 relate to allowing chickens in all residential zones, and fence regulations. There was a brief
35 discussion related to these policy changes and further information will be brought to the Council at
36 a later date. Mr. Mahan referenced some of the concerns which accompany the proposed changes,
37 following which the Mayor opened the public hearing at 7:40 p.m. Those who spoke were Zac
38 Davis (10 South 200 East); Heather Killian (86 West 1200 South); Harrison Firth (2783 Grand Oak
39 Circle); and Josh Holdstock (3286 South 200 West). The comments were, in general, favorable
40 toward keeping chickens in residential zones, with the only concerns being noise from roosters and
41 the potential for rodents and odors. The hearing ended at 8:00 p.m. Mayor Johnson thanked the
42 citizens who participated and noted that the draft will go back to the Planning Commission for a
43 second review. This item will be returned to the City Council for continued discussion at a later
44 meeting.

1 **GROUND WATER MONITORING SERVICES AWARDED**
2 **TO ERM ROCKY MOUNTAIN, INC.**

3 Mr. Rowland reviewed that ground water monitoring has been required of the City under a
4 Class I Solid Waste Landfill Permit, issued by the State of Utah. The City has used a consultant to
5 perform the work of obtaining ground water samples and sending them out for laboratory analysis.
6 Because of the required statistical analysis of groundwater data, any variation in procedures can
7 cause *perceived* changes in the groundwater quality. In an effort to avoid inconsistency, the City
8 has used the services of ERM Rocky Mountain, Inc. to do this work since 2002. Their work has
9 been very satisfactory and it is recommended by staff to continue with their services and to approve
10 the proposal for 2012 at an estimated probable cost of \$18,800.

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12 The Council discussed this matter briefly, following which Councilman Higginson made a
13 motion to approve the proposal, as presented. Councilwoman Holbrook seconded the motion and
14 voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted
15 “aye”.

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17 **PHASE II OF ALIWOOD CONDOMINIUMS (Multiple Family Development) APPROVED**

18 Mr. Jensen reviewed that Robert Gibson, applicant, has requested preliminary site plan
19 approval for Phase 2 of the existing Aliwood Condominiums development at 1692 North 200 West.
20 The Planning Commission reviewed the application and sends it to the Council with a positive
21 recommendation for preliminary site plan approval, with the condition that all redline corrections be
22 made. (A partial list of items was included in the Council packet, but was defined as “not a
23 conclusive list”). Councilwoman Holbrook made a motion to grant preliminary site plan approval,
24 Councilman Higginson seconded the motion and voting was unanimous. Councilpersons
25 Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

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27 **AMENDED SITE PLAN APPROVAL FOR K & J AUTO, 310 SOUTH MAIN**

28 Mr. Mahan explained that this item was carried forward to this meeting hoping to be able to
29 come to a settlement with the applicant. The applicant was not in attendance and the matter was
30 continued forward without a date. This action was taken on a motion made by Councilman
31 Higginson and seconded by Councilwoman Holbrook. Voting was unanimous with Councilpersons
32 Higginson, Holbrook, Knight, Moss and Tolman voting “aye”.

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34 **MAYOR’S TRAINING ON OPEN AND PUBLIC MEETINGS ACT**

35 Mr. Mahan conducted training on the Open and Public Meetings Act, as defined in Sections
36 52-4-101 et seq. of the Utah Code. He noted major sections and requirements and recommended
37 that the Council continue to follow the requirements as set forth therein.

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39 Mayor Johnson thanked the Council for their attendance and their attitude and love of the
40 City, which is well recognized as they perform their duties as councilpersons.

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42 **STAFF AND COUNCIL CALENDARING ITEMS**

43 Councilman Moss briefed the Council on the IPA meetings which he recently attended in
44 Los Angeles, California. He noted that all six Los Angeles County cities and 8 or 9 other entities
45 are reviewing the future operation of the IPP plant as it relates to the fuel source (coal or gas).
46 Renewal of Power Sales Agreement contracts (the amount of power requested) will take about one

1 year. There will be a coordinating meeting in March to try to decide the continuing operation of
2 the plant.

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4 Councilman Moss stated that Unit One should be on line in June, 2012. It was re-built 11
5 months ago and GE does not admit any damages for what has happened to the unit.

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7 There will not be a meeting of the Council on March 13th; the next meeting will be March
8 27th.

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10 The meeting adjourned at 8:36 p.m. on a motion made by Councilman Higginson and
11 seconded by Councilman Tolman. Voting was unanimous with Councilpersons Higginson,
12 Holbrook, Knight, Moss and Tolman voting "aye".

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18 JOE L. JOHNSON, Mayor

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22 KIM J. COLEMAN, City Recorder

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