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**Minutes of the
BOUNTIFUL CITY COUNCIL
July 22, 2014 – 6:18 p.m.**

Present: Mayor: Randy C. Lewis
Council Members: Kendalyn Harris, John Marc Knight, John Pitt, Richard
Higginson, Beth Holbrook
City Manager: Gary Hill
Assist. City Manager: Galen Rasmussen
City Attorney: Russell Mahan
City Engineer: Paul Rowland
City Planner: Chad Wilkinson
Department Director's & Personnel:
Mark Slagowski, Water
Gary Blowers, Streets
Allen Johnson, Power
Allen West, Information Systems
Tom Ross, Police
Deputy Recorder: Heidi Voordeckers
Recording Secretary: Nikki Dandurand

Official Notice of the Regular 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.

Work Session – 6:18-6:57
Planning Commission Room

Mayor Lewis called the meeting to order and welcomed all those in attendance.

CITY COUNCIL POLICY PRIORITIES QUARTERLY UPDATE – MR. GALEN RASMUSSEN

Mr. Rasmussen stated that every couple of months, an outline is put together, with respective department heads, outlining what projects are currently in progress and ongoing projects. Mayor Lewis appreciates this update and would like a brief response in each area. Tier 1-The 4th East Reconstruction project is going well, on budget and should be complete by early September per Mr. Rowland. Mr. Slagowski reported the 100 East Well rehabilitation is finished and the pump is currently producing 750/gal/min with a 17 ft. draw down. Work has been completed along 900 North Circle, with the Orchard Dr. phase starting in approximately one week. Mr. Johnson reported that they are accepting proposals in August to rebuild and get new equipment for the Southwest Substation. It will be an ongoing project over the next four years. The Power Building Evaluation project is moving forward with a hired architect and acquiring third party estimates on the building. The Power Department will return to Council in October to report on more updates. Phase 1 of the building should be done in September 2014. Mr. Wilkinson reported that the first part of the Extension of Bountiful RDA is a consulting phase only. The Bountiful Business Symposium would be held for local businesses, with possible training classes and speakers. This would be held in Spring 2015. Councilwoman Harris added that they hope to make this an annual event. Along with

1 the Symposium, Mr. Wilkinson is putting together a Business Survey for local businesses to
2 participate in. Councilmen Pitt and Higginson both had questions about what would be asked on the
3 survey. Would it be discussed at the Symposium or just disclosed to Council. Councilman Knight
4 stated he would like to discuss the Extension of the RDA a little bit more. He stated this is a very
5 important item to the Council and he would like to move forward. He is anxious to hear from the
6 consultant and would like to see this item at the top of the Tier 1 projects. Mr. Wilkinson added that
7 right now it is only the consulting phase and their job is the financial aspect. Mr. Rasmussen then
8 discussed the FY2015 Budget, mentioning that additional graphs and data were added and the
9 updated format of the budget should be complete by August 2014. Heidi Voordeckers, Assistant
10 Finance Director/Deputy Recorder, reported the auditors were here a week and will be back the end
11 of August to finalize. The annual financial report is done for 2013, and Galen is gathering contacts to
12 rebid our banking services, which should start by the first of the calendar year.

13 Tier 2-Mr. Wilkinson reported that the Senior Housing Study was given a six month
14 moratorium on any new senior housing to complete the study. Chief Ross reported on the Deer
15 Program that we are in communication with Division of Wildlife Services (DWR) and attempting to
16 formalize an understanding with them. The paperwork should be done next week, with the terms we
17 expected. Until then, we continue on as last year. Councilman Pitt inquired how many deer were
18 relocated last year. An estimated 35 were captured, thanks to many volunteers who helped keep the
19 cost down. Councilman Knight asked if the volunteer effort was going away this year. No, all
20 parties are still interested at this point. Councilwoman Holbrook asked if there is a number of deer
21 captured or a date that triggers when the program closes. Mr. Mahan responded that August 2015 is a
22 general date. Mr. Alan West reported on the Implementation of Tyler Technologies software. The
23 City is already live on the system, Utilities will go live in September, Business/Licenses near the end
24 of September. Councilwoman Holbrook said a resident asked if they are currently signed up in the
25 system, will they have to reapply. Mr. West said no. All information will be up to date. Mr. West
26 continued on with the New City Website update. There is a preliminary vendor selected to create the
27 website. As soon as the Tyler integration is complete, the website project will continue, probably
28 around October this year. Funding is approved as well. Mr. Gary Hill added that we need to start
29 moving ahead on City branding as well. He reported that the City branding is moving along and will
30 be brought back before Council in September with the name of the firm hired. Mr. Hill continued
31 with the Update on Purchasing Policies. Currently, when bids are required by policy or statute, they
32 are presented to Council. We need to be efficient in this matter, and will continue this project in
33 October. Mr. Rowland stated they have met with the architect hired for the BDAC Renovation and
34 will be coming back to the Council with the reports, possibly in September, with the goal to be in the
35 building by December 2014. The expansion of the Farmers Market has been successful as well.

36 Tier 3-Chief Ross reported that Citywide Training on National Incident Management System
37 (NIMS) is continuing and the City will be NIMS compliant very soon. The Community Outreach
38 program was very positive with its first neighborhood BBQ recently. The next BBQ is August 19th in
39 the Millcreek area. Councilman Pitt mentioned that the August 19th meeting would be a good venue
40 to update the residents on the progress of the new Mill Street area park. Mr. Blowers stated that they
41 are continuing the effort of replacing signage within the City. Mr. Mahan reported that there is a
42 meeting in the next couple of weeks with the Tesoro people. They seemed unprepared at the
43 previous meeting, but are now well informed of the City's position and we should be expecting a
44 Forest Service approval next summer. The UTA Davis County Bus Rapid Transit (BRT) Initiative
45 was approved last month. I-15 bridge and road work is continuing mostly at night. The RAP Tax
46 Election is on the agenda for tonight's regular City Council meeting, as the County is not going to

1 prepare a similar initiative. Mr. Hill stated that the Mill Street Park Development could be an issue
2 with Request for Proposal (RFP), but we are waiting to get the RAP Tax finalized. The 400 North
3 park had a flag pole installed, donated by the Rotary Club. The Pickle ball Court Resurfacing should
4 be completed in August 2014.

5
6 **Regular Meeting – 7:01 p.m.**
7 **City Council Chambers**
8

9 Mayor Lewis called the meeting to order at 7:01 p.m. and welcomed those in attendance.
10 Matthew Jensen, Boy Scout from the Canyon Park Troop, led the Pledge of Allegiance and Julie
11 Franks, daughter of Mayor Lewis, offered the prayer.

12
13 **APPROVAL OF MINUTES**

14 Minutes of the July 8, 2014 City Council Meeting, with corrections, were presented.
15 Councilman Higginson made a motion to approve the minutes and Councilman Pitt seconded the
16 motion. Voting was unanimous with Councilpersons Harris, Holbrook, Knight, Higginson and Pitt
17 voting “aye”.

18
19 **COUNCIL REPORTS**

20 Councilman Higginson stated that the historical tours are ready for Handcart Days.
21 Councilwoman Harris stated that a representative from the Youth Council is present and will report
22 on their activities.

23
24 **YOUTH COUNCIL REPORT**

25 Kaitlyn Haskell reported that the Youth Council will participate in the Bountiful Children’s
26 Parade, Handcart Parade and help serve at the Chuck Wagon breakfast on July 24, 2014. Kaitlyn also
27 presented each Council member with a shirt for the occasions.

28
29 **EXPENDITURE APPROVALS FOR TWO PERIODS IN JULY**

30 Mayor Lewis presented the Reports of Expenditures and Expenses for July 3, 2014
31 (\$511,719.54-June accruals and \$1,150,908.39-July) and June 10, 2014 (\$257,078.87-June accruals
32 and \$6,710.58-July). Councilman Knight motioned to approve July 3 and 10, 2014 reports, as
33 presented. Councilman Higginson seconded the motion. Voting was unanimous with
34 Councilpersons Harris, Holbrook, Knight, Higginson and Pitt voting “aye”.

35
36 **UPDATE REPORT ON SOUTH DAVIS SEWER DISTRICT – MR. ARNELL HEAPS**

37 Mr. Heaps reported that there are currently no debt obligations, no increase in user fees since
38 1988 and the last bond was retired in 1988. Our district has the lowest cost in the state. Recent
39 construction has been mostly residential, with new apartments as the majority. There was a slow
40 recovery from the recession, but the plant is clean and workable with little changeover in the
41 personnel. Mr. Heaps invited Council to attend the open house and grand opening at the new
42 maintenance facility August 12, 2014. Councilwoman Harris confirmed this is the new facility in
43 Centerville. Councilman Knight asked with the large influx of apartments, if there are additional
44 problems. Mr. Heaps responded that there are no additional problems, just an increase in volume of
45 processing.

46 **PUBLIC HEARING – CONSIDER APPROVAL OF ORDINANCE 2014-15 TO AMEND THE**

1 **ZONING FOR PROPERTY LOCATED AT 2084 SOUTH ORCHARD DRIVE – JEREMY**
2 **GROVER AND CHRIS BRATSCH, APPLICANTS – MR. CHAD WILKINSON**

3 Mr. Wilkinson stated that the area is currently a mixed use zone. With 20 residential units
4 originally approved to be built on this property, the remainder was earmarked for commercial use. In
5 2007, to guarantee that the commercial portion would actually be built, the last 25% of the property
6 was not allowed to be developed until the commercial side was developed. In 2011, the last five
7 units were requested to be built ahead of the commercial area, provided with five conditions. Council
8 denied that request. The current applicants are requesting to reduce the commercial lot size from
9 14,500 square feet (square feet) to 7,000 square feet. The Planning Commission recommended denial
10 of that request. They would allow the last five units to be built, with no deadline for commercial
11 development. The Staff also recommends landscaping of the commercial ground until developed.
12 Currently the ordinance has six conditions. The Planning Commission recommends denial of the
13 reduced building size. Councilwoman Harris asked if all six conditions can be met. Mr. Wilkinson
14 responded that all need to be completed prior to final occupancy

15
16 *Public Hearing Open: 7:30 p.m.*

17 Carl Keyes- inquired if the utilities are already in, so that the area does not need to be
18 dug up. Yes, per Mr. Rowland.

19 Jeremy Grover – proposed buyer/developer introduced himself

20 Kim Miller – resident of current townhomes. Spoke in favor of finishing the
21 townhomes first, possibly turning the rest of the lot into a common area. All approvals
22 need to go through the Homeowners Association.

23 *The Public Hearing was closed at 7:35 p.m.*

24
25 There was an extended discussion of the application. Councilwoman Holbrook stated that Mr.
26 Grover will purchase the property immediately if the ordinance is approved, and already has plans
27 drawn and ready to submit. Councilman Knight stated that the 2011 promises were never met and he
28 will not approve this ordinance. There was no timetable in 2011, and there is no timetable now. Mr.
29 Grover reassured Council that he has a solution, with plans ready to submit. He is ready to move
30 forward with the five-plex, leave the commercial lot as build-to-suit and finish the unfinished
31 conditions prior to final occupancy. Councilman Higginson stated that the biggest improvement
32 would need to be the commercial development as originally planned. Councilwoman Holbrook
33 recalled that the original plan was a two-story structure with parking. The vision of this Council is to
34 have a commercial building. There is limited commercial land available within the city. Mayor
35 Lewis asked if Mr. Grover has the money to complete this project. Mr. Grover said yes. Councilman
36 Pitt asked if the size, 14,500 square feet is a detriment to the lot. Mr. Grover said they will just build-
37 to-suit. Councilman Higginson asked if any realtors have been in to look at the site and if anyone has
38 been actively marketing it. Mr. Grover said both himself and his business partner are realtors, but
39 have not seen any activity with the property. Mayor Lewis asked how long it would take to build a
40 five-plex. Mr. Grover responded approximately 6 months. Councilwoman Holbrook stated if we
41 approve the application we would lose out on our vision, because we still want commercial land on
42 Orchard Dr. Councilman Pitt argued that if we turn down this request, we still have a vacant lot,
43 upset homeowners, etc. If we can approve this, we have more satisfied homeowners and still another
44 business in the City. Councilman Knight stated that we gain nothing as a City, and we give up on a
45 commercial piece of land. Councilwoman Holbrook suggested a five year limit to build the
46 commercial building. Mr. Mahan said that would be difficult to enforce. Mr. Rowland stated that in

1 2011 the property owners never fulfilled their original obligations, so technically there are still six
2 requirements.

3
4 *Mayor Lewis re-opened the public hearing: 8:05 p.m.*

5 Eleanor B., Jennifer Parker, Greg Harrison and Richard Crowmar – all residents of the current
6 townhomes, would like to see it developed.

7 *Public Hearing Closed: 8:18 p.m.*

8
9 An extended discussion of the application continued. Mayor Lewis asked how all six items and the
10 original 14,500 square feet would not be in the City's best interest. Councilwoman Holbrook stated
11 to Mr. Wilkinson that without having the plans ready to reduce the 14,500 square feet, the Planning
12 Commission would still not approve it, so tonight we are approving what is recommended; the
13 approval of five units, with six conditions and interim landscaping. Mr. Mahan added that the
14 Council can change the ordinance wording but it needs to approve the specific wording it wants.
15 Possible motions were discussed. Councilman Pitt asked if the 14,500 square feet is a deal killer or a
16 hurdle to Mr. Grover. Mr. Grover responded it's a deal killer. Councilman Knight made a motion to
17 adopt the ordinance as presented, with the exception that page 2, paragraph B, include all the
18 language stated including that portion proposed to be stricken out being retained. Councilman
19 Higginson seconded the motion so it could be voted upon. The motion was defeated 1 to 4, with
20 Councilman Knight voting in favor and Council members Harris, Higginson, Holbrook and Pitt
21 voting against. Councilman Pitt made a motion to approve the ordinance as it stands with paragraph
22 B, including the permit. Councilwoman Harris seconded the motion. Councilman Higginson
23 inquired as why to keep B and suggested that it be omitted. Councilman Pitt amended his motion, to
24 exclude paragraph B. Motion was again seconded by Councilwoman Harris. Discussion of the
25 motion was held. The motion was defeated 2 to 3, with Council members Pitt and Harris voting in
26 favor and Council members Higginson, knight and Holbrook voting against.

27 After further discussion, Councilwoman Holbrook made a motion to adopt ordinance 2014-15
28 with the six conditions made by staff and to amend section (B) to state that "the full development
29 approved herein must be constructed by July 2019." The motion was seconded by Councilman
30 Higginson. City Manager Gary Hill clarified that the motion requires that the only required
31 landscaping would be the front strip. The motion was approved 4 to 1 with Council members Harris,
32 Higginson, Holbrook and Pitt voting in favor, and Councilman Knight voting against.

33
34 **PUBLIC HEARING-CONSIDER APPROVAL OF ORDINANCE 2014-16 TO AMEND THE**
35 **ZONING FROM C-G (GENERAL COMMERCIAL) TO C-H (HEAVY COMMERCIAL)**
36 **FOR PROPERTY LOCATED AT 625 WEST 2600 SOUTH, BRONSON SULSER,**
37 **APPLICANT – MR. CHAD WILKINSON**

38 Mr. Wilkinson presented Mr. Sulser's application for the zoning change, which is proposed so
39 he can conduct vehicle sales on the property. Vehicle sales are not allowed under the current zoning
40 designation.

41
42 *Public Hearing- Open: 8:44 p.m.*

43 *No comments were made.*

44 *Closed: 8:44 p.m.*

45 Councilman Higginson made a motion to approve the zoning change, Councilman Knight
46 seconded the motion and voting was unanimous with Councilpersons Harris, Higginson, Holbrook,

1 Knight, and Pitt voting “aye”.

2
3 **CONSIDER APPROVAL OF AN APPLICATION FOR A SINGLE EVENT BEER PERMIT**
4 **FOR ST. OLAF’S CATHOLIC CHURCH WHICH WILL BE HELD ON SEPTEMBER 20,**
5 **2014 – MR. CHAD WILKINSON**

6 St. Olaf’s Church has requested a Local Consent for a Single Event Alcohol Permit for
7 Saturday, September 20, 2014. The requested license is to serve alcohol for a single fund raising
8 event, and not for an ongoing right to serve liquor. Councilman Higginson made a motion to approve
9 the permit, Councilwoman Holbrook seconded the motion. Voting was unanimous with
10 Councilpersons Harris, Higginson, Holbrook, Knight, and Pitt voting “aye”.

11
12 **CONSIDER APPROVAL OF RESOLUTION 2014-12 DIRECTING A RAP TAX BALLOT**
13 **QUESTION ON THE NOVEMBER 4, 2014 GENERAL ELECTION BALLOT – MR. GALEN**
14 **RASMUSSEN**

15 Mr. Rasmussen briefed Council on the previous meetings concerning the re-authorization of
16 the RAP Tax. It is necessary to approve this resolution tonight so the question can be given to the
17 election clerk by August 29, 2014 and put on the November 2014 ballot. If approved, it will take
18 effect in 2016. Councilman Higginson asked if the wording in the Resolution is mandatory. Mr.
19 Mahan responded that the title from the wording “shall” to “fund” needs to remain the same. Mr.
20 Mahan suggested using “RAP Tax Re-authorization” in the title. Councilwoman Holbrook inquired
21 if the word “continuation” could be used. Mr. Mahan replied no, according to state statute, the words
22 in quotation marks are mandatory. Councilman Higginson made a motion to approve the resolution
23 and Councilwoman Holbrook seconded the motion. Voting was unanimous with Councilpersons
24 Harris, Higginson, Holbrook, Knight, and Pitt voting “aye”.

25
26 Councilwoman Harris made a motion to adjourn the regular City Council meeting and
27 Councilwoman Holbrook seconded the motion. Council members Harris, Holbrook, Higginson,
28 Knight and Pitt voted “aye.” The meeting was adjourned at 8:52 p.m.