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**Minutes of the
Bountiful City Council Meeting
City Council Chambers
April 9, 2013, 7:00 p.m.**

Present: Mayor: Joe L. Johnson
Council Members: Richard Higginson, John Marc Knight, Fred Moss and
Thomas Tolman
City Attorney: Russell Mahan
Assistant City Engineer: Lloyd Cheney
City Recorder: Kim J. Coleman
Planning/RDA Director: Aric Jensen
Department Heads: Gary Blowers, Streets
Tom Ross, Police
Jerry Wilson, Parks/Recreation
Recording Secretary: Nancy Lawrence

Excused: Councilwoman: Beth Holbrook
City Manager: Gary Hill
City Engineer: Paul Rowland

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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., and welcomed those in attendance. Johnny Duerden, visiting Boy Scout, led the pledge of allegiance to the flag and Councilman Moss offered the prayer/thought.

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APPROVAL OF MINUTES

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Minutes of the regular City Council meeting held March 26, 2013 were presented and approved as written. Councilman Knight motioned to approve the minutes, Councilman Tolman seconded the motion, and voting was unanimous with Councilpersons Higginson, Knight, Moss and Tolman voting "aye".

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COUNCIL REPORTS

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Councilman Moss reported that the Intermountain Power group will hold a major meeting on April 23, 2013. Of significance at the meeting is discussion of the continuance of the IPP project and associated contracts.

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YOUTH COUNCIL REPORT

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Emily Jarman and Ammon Jones reported on past and upcoming events that the Youth Council supports. The Bunny Hop was held March 23rd and was very successful. There will be a 5K "Recycle" race, the group will tour a life line facility in Salt Lake City, and on May 23-25 the Bountiful Youth Council will host a Youth Council conference which will include competitive events.

1 Mayor Johnson spoke to youth in attendance and encouraged them to become more aware of
2 the Youth Council and the opportunities to be involved in community service. He noted that
3 interviews for members of next year's council will be held in the near future.
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5 **WEEKLY EXPENDITURES APPROVED FOR**
6 **MARCH 25, 2013 AND APRIL 1, 2013**

7 Mayor Johnson presented the Reports of Expenditures and Expenses paid on March 25,
8 2013 in the amount of \$1,247,310.43 and April 1, 2013 in the amount of \$505,041.56. The staff
9 responded to questions, following which Councilman Tolman motioned to approve the two reports,
10 as presented. Councilman Higginson seconded the motion and voting was unanimous with
11 Councilpersons Higginson, Knight, Moss and Tolman voting "aye".
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13 **COUNCIL VOTES TO TABLE ACTION ON RESOLUTION OF**
14 **CONDEMNATION FOR LAND AT APPROX. 600 N. 600 E. IN BOUNTIFUL**

15 Mayor Johnson called on Mr. Mahan to review the proposal to adopt a Resolution of
16 Condemnation for the acquisition of land for a public street at approximately 600 North on 600
17 East, Bountiful. This matter has been reviewed by the City Engineer, City Planning Director and
18 the Bountiful City Planning Commission and comes to the Council with a positive recommendation
19 to approve the Resolution. Mr. Mahan reviewed that eminent domain is a great and serious power
20 and was last used by the City twenty years ago for the purpose of constructing a road to connect
21 Bountiful Boulevard to 400 North Street.
22

23 The matter under consideration comes with a new 22-lot subdivision which has only one
24 ingress/egress. When the subdivision was approved, it was hoped that a portion of the undeveloped
25 contiguous property to the east (LDS Church) could be purchased to provide for a second access.
26 The LDS Church (Church) is not willing to sell their property and other alternatives, which would
27 necessitate a connecting street to either 650 North or 400 North, were considered poor planning
28 options.
29

30 A cul-de-sac within the subdivision would exceed the length allowed by City ordinance.
31 Connecting the street (via property presently owned by the Church) would provide better
32 neighborhood integration, traffic flow, and public safety for fire and police accessibility. Mr.
33 Mahan indicated that the use of eminent domain would be appropriate for this occasion.
34

35 Dan Lake, representing the LDS Stake President, stated that the Church was opposed to
36 selling the property because it is part of a plan to expand the recreational use of the property. He
37 noted that church groups formerly used City recreational facilities for softball, but these properties
38 are no longer available and the Church is anxious to maintain and expand their existing facilities.
39 Bill Meaders, counsel for the Real Estate division of the LDS Church, expressed concerns of safety
40 for recreational users of the property if a road was constructed adjacent and he also challenged the
41 necessity of taking the property in eminent domain because the property could be privately
42 developed if the subdivision were planned with only 19 lots. The proposed plat map has been
43 modified and now shows 29 lots.
44

45 Mike Lamb, property owner adjacent to the proposed second access to the subdivision (635
46 North 600 East), pointed out that the original plat map featured only 22 lots, and then a new plan

1 showed 29 lots. He suggested that the City and the Church could come to an agreement on utility
2 access across Church property which would provide the desired service corridor for the City, but be
3 underground where it would not infringe on the property for recreational purposes. Ken Hyde, 750
4 East 550 North, proposed that an “Emergency Access Only” service road be approved to feed from
5 the subdivision to 600 East across Church property. Mr. Mahan stated that historically the Fire
6 Department opposes these features. Ed Crapo, 408 East 700 North, suggested that the single access
7 plan could be used if a hammerhead turn-around was at the east end of the road proposed to be
8 called Stone Creek Lane.
9

10 The Council discussed the suggested options at length and listened to the various citizen
11 interpretations of the Planning Commission discussions. Councilman Moss made a motion to table
12 a decision at this time and to send the matter back to the staff in an attempt to find a solution which
13 would be favored by at least 95 percent of the people. Councilman Higginson stated that he is
14 interested in finding a solution favorable to the neighborhood, and he seconded the motion. Voting
15 was by a majority with Councilpersons Higginson, Moss and Tolman voting “aye”. Councilman
16 Knight voted “nay”.
17

18 **RES. NO. 2013-05 ADOPTED RE: ANIMAL CONTROL INTERLOCAL**
19 **AGREEMENT WITH DAVIS COUNTY**

20 Mr. Mahan reviewed the proposed Interlocal Agreement for Animal Control services to be
21 provided to Bountiful City by Davis County Animal Control department. The proposed agreement
22 is budgeted through the Police Department at a cost of \$67,069.50. Clint Thacker, Davis County
23 Animal Control director, reviewed statistics of services for the current year for dogs and cats, noting
24 that the largest problem area is animals at large. Statistics were also shared on the number of
25 animals that are euthanized due to disease/sickness. Following a short discussion, Councilman
26 Higginson made a motion to adopt Res. No. 2013-05, entitled A RESOLUTION APPROVING THE
27 INTERLOCAL COOPERATION AGREEMENT BETWEEN DAVIS COUNTY AND THE CITY OF BOUNTIFUL
28 FOR ANIMAL CONTROL SERVICES. Councilman Moss suggested that the Youth Council become
29 involved in assisting to educate the community regarding the potential for pet adoptions from the
30 Animal Control facility. Councilman Knight seconded the motion and voting was unanimous with
31 Councilpersons Higginson, Knight, Moss and Tolman voting “aye”.
32

33 **COUNCIL APPROVES PURCHASE OF GOLF COURSE UTILITY VEHICLE**

34 Mr. Wilson presented the Council with a request to purchase a Workman utility Vehicle
35 from Turf Equipment for the purpose of various functions at the Golf Course. One of the main
36 things the vehicle would be used for is hauling sand to the sand traps and hauling concrete with a
37 special bed for cart path construction. Quotes were requested and received from two companies. It
38 is the staff recommendation to purchase the vehicle from Turf Equipment in the amount of
39 \$26,588.56. The vehicle currently in use would be used to replace a much older vehicle and still be
40 used for jobs on the course that do not require hydraulics. Councilman Moss motioned to approve
41 the purchase of the utility vehicle, as recommended. Councilman Higginson seconded the motion
42 and voting was unanimous. Councilpersons Higginson, Knight, Moss and Tolman voted “aye”.
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44 **STAFF CALENDARING ITEMS**

45 Mr. Mahan noted that next week (April 15-19) will be the annual Spring Clean Up.
46

1 Mr. Blowers said that Tuesday garbage will be picked up again tomorrow (Wednesday) due
2 to the difficulty caused by the strong winds in completing the pickup today . In response to a
3 question from the Council, Mr. Bowers said that 20,000 ton of salt was purchased this year (just
4 short of 21,000 ton) and the normal amount of road salt used is 13,000 ton.
5

6 Councilman Moss noted that the combined City Council/Power Commission budget meeting
7 will be held April 23 at 8:00 a.m.
8

9 Councilman Tolman shared a photograph of Bountiful taken in 1953, along with a
10 comparison of a current 2013 photo.
11

12 The meeting adjourned at 8:42 p.m. on a motion made by Councilman Tolman and seconded
13 by Councilman Moss. Voting was unanimous with Councilpersons Higginson, Knight, Moss and
14 Tolman voting “aye”.
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JOE L. JOHNSON, Mayor

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24 KIM J. COLEMAN, City Recorder

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