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Minutes of the
BOUNTIFUL CITY COUNCIL
October 28, 2014 – 4:00 p.m.

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Present:	Mayor:	Randy C. Lewis
	Council Members:	Kendalyn Harris, Richard Higginson Beth Holbrook, John Pitt
	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	
		Brock Hill, Parks
		Allen Johnson, Power
		Tom Ross, Police
		Allan West, Information Systems
	Recording Secretary:	Nikki Dandurand
Excused:	Council Member:	John Marc Knight

Official Notice of the Closed Session, Work Session and 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.

Mayor Lewis welcomed those in attendance and a motion was brought and seconded to adjourn to a closed session.

Closed Session – 4:00 p.m. – 6:15 p.m.
Planning Commission Room

A closed session was held for the purpose of discussing the acquisition or sale of real property, pending litigation, and/or to discuss the character and competency of an individual(s) (Utah Code §52-4-205).

Those in attendance: Mayor Lewis, Council members Harris, Higginson, Holbrook and Pitt, Councilman Knight was excused. Gary Hill, Galen Rasmussen, Russell Mahan, Paul Rowland, Chad Wilkinson, and Lloyd Cheney. David Smith-DUNN Assoc., Jonathan Bradshaw, Benjamin Lawry and David Garce-GSBS Architects, Tyler Smithson, Jesse Bell and David Harris- Logan Simpson were also in attendance.

Work Session – 6:18 p.m. – 6:58 p.m.
Planning Commission Room

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

DISCUSSION ABOUT 400 NORTH PLAYGROUND – MR. BROCK HILL

1 Mr. Hill presented new options for the playground, to include all age play and a new and
2 different product that fits in with what is already in place. This new design is within budget and the
3 plan design is consistent with the equipment already installed. The top height could be a concern, but
4 as the Mayor and some Council responded, children need to play, climb and be kids. A similar
5 version is located in Saratoga Springs, UT, with a population of close to 18,000 residents. No
6 accidents have been reported on their playground equipment. Council referred to Mr. Mahan for any
7 city accident reports, but Mr. Mahan was not aware of anything recent. Mr. Hill continued that most
8 of the accidents that do occur are maintenance issues, rather than personal negligence. Mr. Hill stated
9 that if this design is acceptable, it would be wise to sign a contract now to lock in winter rates and
10 have an early spring delivery. Mayor and Council all agreed to continue with Mr. Hill’s design and
11 proposal.

12
13 **DAVIS COUNTY ANIMAL CARE & CONTROL TRAP NEUTER AND RELEASE**
14 **PROGRAM – MR. CLINT THACKER & CHIEF TOM ROSS**

15 Chief Ross introduced Tracy L. Roddom, Assistant Director for Davis County Animal
16 Control and Arlyn Bradshaw, Best Friends Animal Society for the presentation. Mr. Bradshaw asked
17 why cats are the bigger issue within the animal population. He responded that up to 52% of cats are
18 euthanized, while only 17% dogs. Davis County Animal Control took in nearly 4,000 cats last year,
19 with only a 5% return rate. Davis County instituted a new program last year called TNR (Trap-
20 Neuter-Release) as an abatement program. This program allows feral or free roaming cats brought in
21 to be ID’d, given shots, neutered, ear-tipped and released back in the cat population. The benefits
22 include reduced take in rates, safer communities, improved health of the cats, the shelter staff are
23 more satisfied and, over time, TNR can reduce the colony of a cat community. Best Friends can
24 work with the City and residents to explain and even set up deterrents to unwanted cats if necessary.
25 Mr. Bradshaw noted that the majority of cities in South Davis County have already signed an
26 ordinance to support this program, with a 5-yr. pilot program already started. Mr. Gary Hill stated
27 that this issue can be brought back as an ordinance. Council members agreed.

28
29 The Work Session adjourned at 6:58 p.m. to move to Regular Meeting.

30
31 **Regular Meeting – 7:06 p.m.**
32 **City Council Chambers**

33
34 Mayor Lewis called the meeting to order at 7:06 p.m. and welcomed those in attendance.
35 Britton Powell, Boy Scout Troop 218, led the Pledge of Allegiance to the flag. Irv Henry, Bountiful
36 resident, said a prayer.

37
38 **APPROVAL OF MINUTES**

39 Minutes of the October 14 and 21, 2014 City Council Meetings were presented. Councilman
40 Higginson made a motion to approve and Councilman Pitt seconded the motion. Voting was
41 unanimous with Councilpersons Harris, Higginson, Holbrook and Pitt voting “aye”.
42

43 **COUNCIL REPORTS**

44 Councilwoman Holbrook reminded everyone that tickets for the Bar J Wranglers will go on
45 sale the first week of November. The concert is December 6, 2014. Councilwoman Harris reported
46 the Pumpkin Patch was a great success, and the Youth Council did a great job. Councilman Pitt

1 attended a luncheon with local auto dealers and appreciated how the City and business owners work
2 well together.

3
4 **YOUTH COUNCIL REPORT**

5 None

6
7 **CONSIDER APPROVAL OF MAY, JULY, AUGUST & SEPTEMBER 2014 BUDGET**
8 **SUMMARIES; WEEKLY EXPENDITURES APPROVAL FOR OCTOBER 9 & 16, 2014**

9 Mayor Lewis presented the Reports for budget summaries to include: May expenditures =
10 \$4,666,089.75 and capital = \$425,337.79, July expenditures = \$2,534,987.12 and capital =
11 \$-87,312.30, August expenditures = \$7,556,890.11 and capital = \$705,161.57 and September
12 expenditures = YTD \$12,480,694.66 and capital = MTD \$ 870,841.16. Councilman Higginson
13 inquired as to why June 2014 was not presented. Mr. Galen Rasmussen explained the fiscal year
14 closed and the auditors were reviewing June, and it will be presented at a later time as a final fiscal
15 year summary. Weekly expenditures for October 9 (\$531,700.51) and 16 (\$1,042,971.83) were
16 presented. Councilman Pitt motioned to approve all the reports, as presented, and Councilman
17 Higginson seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
18 Holbrook and Pitt voting “aye”.

19
20 **GORDON RICKS RETIREMENT – MR. ALLEN JOHNSON**

21 Mr. Johnson recognized Mr. Ricks for close to 30 years as a Bountiful Power employee.
22 Gordon was a valuable and reliable employee. Gordon thanked his fellow employees and
23 management for a great work place. Council members and the Mayor all expressed their gratitude for
24 Mr. Ricks.

25
26 **PUBLIC MEETING – RAP TAX REAUTHORIZATION – MR. GALEN RASMUSSEN**

27 Mr. Mahan quickly reviewed the reason(s)/conduct for a public meeting. Mr. Rasmussen
28 stated that City Resolution 2014-12 (RAP Tax ballot question) was adopted in July 2014. Tonight’s
29 public meeting is to inform the residents of the ballot’s opinion question. Mr. Rasmussen gave an
30 overview of the current RAP Tax, stating the main use of this tax was to support the Centerpointe
31 Theatre in Centerville. With its pending re-approval, Bountiful could see an estimated annual intake
32 of \$430,000, with a projected \$4.7 million over a 10-year term. This money could be used for a
33 recent park purchase upgrade, playground improvements, trails and other cultural art groups. All of
34 this would be allocated through a budget process, with eligible City or outside groups applying for
35 such funds, and approval being determined by the Council.

36
37 *Public Meeting open: 7:27 p.m.*

38 *Closed: 7:28 p.m.*

39 *There were no public comments.*

40
41 **PUBLIC HEARING – CONSIDER APPROVAL OF ORDINANCE 2014-21 REZONING 78**
42 **EAST 400 NORTH FROM SINGLE FAMILY (R-4) TO DOWNTOWN (DT),**
43 **INTERMOUNTAIN HEALTHCARE, APPLICANT – MR. CHAD WILKINSON**

44 Mr. Wilkinson explained the logical extension of this zone boundary, which is currently non-
45 conforming in relation to the lot width standards of the R-4 zone. Residents have concerns about
46 encroachment on their residential property, lighting at night and if there would be more expansion in

1 the future. Councilman Higginson expressed his concerns that the Council desire was to not have any
2 more commercial expansion along 4th North. He further stated that although the home currently
3 located there remains in disrepair, it would be best to keep the street as residential, although any
4 update would be better than the current home. Councilwoman Harris asked whether there is a
5 solution considering the concerns of the surrounding residents. This area would most likely become
6 parking or green space.

7
8 **Public Hearing open: 7:35 p.m.**

9 **Public comments were as follows:**

- 10 • Tom Uriona-Real Estate Director for IHC-Once IHC knows what footprint they have,
11 the plans can move ahead
- 12 • Ethel Black – 205 N. 100 E. – Concerned that if IHC does not turn this area into a
13 parking lot, will it turn into other developments? Mr. Wilkinson responded that it
14 would not be logical to rezone.
- 15 • Nick & Allison Nielson – 3rd North/1st East – On behalf of their neighbor, they are
16 concerned with the lights being on at night and the encroachment of the zoning. This
17 particular neighbor has the same lot size and is it non-conforming as well, so would it
18 be rezoned?
- 19 • Laurel Lindsey – 321 N. 100 E. – She also has additional concerns about the
20 encroachment into the residential area. Will there be a fence, green space, additional
21 lighting? Could dimmers be put in place at night?
- 22 • Greg McDonald – broker of the property. They have looked at all options available
23 and selling this lot to IHC is in the best interest of the owner.

24 **Public Hearing closed: 7:50 p.m.**

25
26 Councilman Pitt inquired about the barrier between residential and business zones. Mr.
27 Wilkinson responded that a 6ft. fence would be installed. Mr. Wilkinson also stated that if the zone
28 change is approved, the plans will be reviewed again and lighting could be conditional. Mayor Lewis
29 asked if there were any future expansion plans for IHC and if there would be more doctors or long-
30 term health care. Mr. David Jensen, Director of Operations, responded that preliminary site plans
31 are drawn and with the existing footprint, it will expand along Main St., and with parking needs, it
32 would move south. Also, the building would remain as outpatient practice only. Mr. Nielson,
33 resident, asked whether they would be fighting for their property again 15 years from now. Mayor
34 Lewis responded that Mr. Nielson should ask IHC. Councilwoman Harris stated that Council
35 appreciates the residents’ concerns, but believes IHC will be a good neighbor. Councilman
36 Higginson remained firm on his decision to keep 4th North as is. Mayor Lewis ended by noting that
37 Main St. is very important to the Council and its residents and we will always take any change
38 seriously. Councilman Higginson made a motion to deny the request for rezoning 78 East 400 North.
39 There was no second to the motion. Councilwoman Holbrook made a motion to accept the rezoning
40 of 78 East 400 North and Councilman Pitt seconded the motion. The motion was approved 3-1, with
41 Councilman Higginson saying “nay” and Council members Harris, Holbrook and Pitt voting “aye.”
42

43 **PUBLIC HEARING – CONSIDER APPROVAL OF ORDINANCE 2014-22 VACATING LOT**
44 **37 IN NEWPORT HEIGHTS SUBDIVISION PLAT A AT 3985 S. BOUNTIFUL**
45 **BOULEVARD, MICHAEL NIELSEN, APPLICANT – MR. PAUL ROWLAND**

46 Mr. Rowland stated that preliminary and final approval of the four lot Planned Unit

1 Development is contingent upon Plat A, lot 37 being vacated out of the current subdivision into a
2 new subdivision.

3
4 *Public Hearing open: 8:06 p.m.*
5 *Closed: 8:07 p.m.*
6 *There were no public comments.*
7

8 Councilman Higginson made a motion to approve Ordinance 2014-22, and Councilwoman Harris
9 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook and
10 Pitt voting “aye”.

11
12 **CONSIDER APPROVAL OF THE BID FROM NORTHEN POWER FOR 35 ERMCO**
13 **TRANSFORMERS FOR THE AMOUNT OF \$64,870.00 – MR. ALLEN JOHNSON**

14 Mr. Johnson reported that it is necessary to replenish the inventory. The company with the
15 low bid and the quickest company from which to purchase them are the same, that being Northern
16 Power. Councilwoman Holbrook made a motion to approve the purchase of 35 ERMCO
17 transformers in the amount of \$64,870.00, and Councilman Higginson seconded the motion. Voting
18 was unanimous with Councilpersons Harris, Higginson, Holbrook and Pitt voting “aye”.

19
20 **CONSIDER APPROVAL OF A CONTRACT WITH i4 SOLUTIONS TO UPDATE THE**
21 **BOUNTIFUL CITY WEBSITE FOR THE AMOUNT OF \$15,000.00 – MR. ALAN WEST**

22 Mr. West commented that our current website has good content, but poor design and not user
23 friendly options. A contract with i4 will provide web design and options for City branding. They
24 would be able to migrate off the existing platform. Councilwoman Harris made a motion to approve
25 the contract and Councilwoman Holbrook seconded the motion. Councilman Higginson did inquire if
26 the city residents and or Council would have input regarding the City branding. Mr. West said all
27 would be involved. Councilman Pitt asked if the City website is a hub for other companies and city
28 venues and can the individual owners manage their sites? Mr. West said yes. The Police Department
29 has been very aggressive on their website, and i4 also offers smaller packages to be easily
30 implemented. The site owners can manage with their own contract. Voting was unanimous with
31 Councilpersons Harris, Higginson, Holbrook and Pitt voting “aye”.

32
33 **CONSIDER APPROVAL OF LEASE AGREEMENT FOR PLACEMENT OF NORTH SALT**
34 **LAKE CITY WI-FI TOWER NEAR HIDDEN LAKE CIRCLE – MR. RUSSELL MAHAN**

35 Mr. Mahan stated that North Salt Lake has a lease for the ground near an existing tower and
36 would like to enter a permitted use only on a City-owned property via a lease. The tower will be
37 located near an existing City tower. The term of the lease is for ten years, and renewable thereafter
38 for an additional ten years. A copy of the lease is in the City Council packet. Mr. Mahan stated we
39 are on good terms with North Salt Lake and this would be a good”neighborly” thing to do.
40 Councilman Pitt made a motion to approve the lease and Councilman Higginson seconded the
41 motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook and Pitt voting
42 “aye”.

43
44 The meeting was adjourned to a Redevelopment Agency meeting with a separate agenda at 8:18 p.m.,
45 with Councilwoman Holbrook making the motion and Councilman Pitt seconding. Voting was
46 unanimous with Councilpersons Harris, Higginson, Holbrook and Pitt voting “aye”.

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Randy Lewis, Mayor

Kim Coleman, City Recorder