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Minutes of the
BOUNTIFUL CITY COUNCIL
May 13, 2014 – 6:06 p.m.

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Present: Mayor: Randy C. Lewis
Council Members: Kendalyn Harris, Richard Higginson, Beth Holbrook,
John Marc Knight, and John Pitt
City Manager: Gary Hill
Assist. City Manager: Galen Rasmussen
City Attorney: Russell Mahan
City Engineer: Paul Rowland
Assist. Engineer: Lloyd Cheney
City Recorder: Kim J. Coleman
City Planner: Chad Wilkinson
Department Directors & Personnel:
Brock Hill, Parks
Allen Johnson, Power
Tom Ross, Police
Gary Blowers, Streets
Charles Benson, Streets
Recording Secretary: Nikki Dandurand

Official Notice of both the Work Session and 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: 6:06 p.m. to 6:56 p.m.
Conference Room

Mayor Lewis called the Work Session to order at 6:06 p.m. and welcomed those in attendance. Gary Hill gave a brief introduction about Ms. Christine Richmond from GSBS. The City contracted with GSBS approximately one year ago to discuss the impact of improving Main St. and downtown Bountiful with RDA monies.

DOWNTOWN INFRASTRUCTURE REPORT AND PLAN-MS. CHRISTINE RICHMOND, GSBS

Ms. Richmond proceeded with her PowerPoint presentation highlighting the ideas/suggestions noticed during their evaluation of Main St. She mentioned that there are several functions and uses for Main St. including the financial, physical, infrastructure, visibility and functional aspects of the area. Main St. can be enhanced and expanded to establish better community generators, such as extending the evening hours, bringing in more restaurants and new retailers, and activating Main St./Center St. The area is already zoned for redevelopment, so the need to bring in a larger customer base exists.

The community surrounding this area has changed over the years and household sizes and demographics have changed from larger households to smaller households. Councilwoman Holbrook stated that if the people have aged in this particular area, the houses have aged too. Ms. Richmond responded that the houses have started to turn over to other family members, younger families, and

1 this regeneration boom is taking effect. This younger generation wants to identify with the shopping
2 experience. Looking at the overall study area (view of the map) Main St. has a lot of investment still.
3 We need to grow it out. The traffic on 5th South and 4th North just drive-by; we need to remind them
4 of the activities going on.

5 Councilwoman Holbrook asked because of the Farmers Market, is there value in blocking off
6 Main St. during that time frame? Ms. Richmond responded that the Farmers Market is already
7 successful, but we need to make the connection. More signage on Main St. and adding signs to 5th
8 South and 4th North are suggested. Consider the urban design. Would you want to spend money to
9 extend the streetscape along the block? How are things circulating around the area? What are the
10 best ways to spend this money?

11 She then addressed the physical perspective of the area. Many ideas were mentioned such as
12 tying in the infrastructure more closely, eliminating the negative pedestrian/car interactions, allowing
13 for expansion, increasing the visibility of Main St. to pass-by traffic, and improving transit options.
14 The South Davis Transit study said that it would benefit Main St. by adding additional bus routes.
15 Councilmembers Holbrook and Pitt added that there is bus transport, but how to use it more
16 effectively is the question. Could we possibly use Main/Center as a stop? No stops have been
17 designated yet.

18 Ms. Richmond went on to say that the more ways available to move people, the better,
19 "...more walk-able places perform better economically..." per the Brooking Center Report. The
20 elements of walk-ability include enclosure, human scale and linkage. The green space downtown is
21 nice, but with no activity, it breaks the continuity. There needs to be a way to link them (i.e. the
22 streets).

23 Next point was the functional use. Does the area enhance/expand the infrastructure? Does it
24 establish additional activity generators, like performing arts, transit users, etc.? Does it fill in the
25 market gaps with shopping centers and professional support? The need to increase pedestrian
26 friendly sidewalks is important.

27 Concepts for improving the Farmer's Market were shown with various different parking,
28 vendor lots, etc. Councilmember's Holbrook and Pitt suggested we block it off altogether and move
29 to Main St, rather than leaving the street half open. The church located downtown allows the use of
30 their parking lot for parking, eating, etc., but no vendor sales. All different scenarios were discussed
31 to include parking, bus routes, the need to control traffic with closed roads and to expand out of the
32 main square.

33 Signage is also important. Permanent signs are recommended as well as signs to be posted on
34 the day of the event, located at opposite ends of Main St. The use of a Marquee was also suggested.

35 An additional recommendation was made to have a public restroom available. The use of
36 private buildings and/or portables is not convenient.

37 Councilwoman Holbrook likes the Main St. idea because Farmer's Market is only 3-3 ½
38 months a year. Ms. Richmond said that successful main streets need the attention of elected officials
39 and this has been accomplished. Getting the urban design right, so people like it, will get more
40 response. Progress is being made in this regard. Thinking of Main St. as a shopping center with
41 more vendors and changing the demographics, bringing in the younger generation, will generate more
42 business.

43 Councilman Pitt asked if the Thursday timeframe still works for the Farmer's Market, and all
44 agreed that it does.

45 A question was brought up asking that if we can connect everyone, would downtown support
46 the nighttime events. All the Farmers Market patrons will be walking up and down the street, so will

1 the merchants be open? Would it be possible to do a coordinated activity with the Merchants'
2 Association and advertise it?

3 Mayor Lewis then closed with his appreciation of the presentation and stated that a big piece
4 of what has happened in previous councils shows the dedication to the progress already
5 accomplished.
6

7 **Budget overview and tentative budget adoption-Mr. Galen Rasmussen**

8 Mr. Rasmussen passed out the budget and stated that hopefully all in attendance have
9 reviewed the documents already. Tonight's meeting is to present and adopt the tentative budget; June
10 10th will be for the reopening of the current year's budget and a considering vote to approve it.

11 The budget is balanced, with no tax increases in general nature. There is a Storm Water Fee
12 increase of \$1.00/Equivalent Residential Unit. Cemetery and Water fees are already included.
13 Allocation of revenue between Landfill and Sanitation is 20%/80% respectively. The proposed
14 COLA is just 2% and employee medical increase is 12% in each department.

15 Specific items of note for the Legislative Department are that the General Fund budget
16 allocates funds for compensation and operating costs, contingency funds and contributions to City
17 programs. The Capital Fund Budget allocates funds for hiring of an architect, City Hall audio visual
18 equipment, roof repair, parking lot improvements, paint, carpet and furnishings. Also included would
19 be the re-branding for the City, other City developments such as parking and a future study made to
20 benchmark salaries for all positions within the City.

21 City-wide revenues are projected to increase 7.8% in FY 2014/15. City wide expenses are
22 projected to be up a modest 1.5% in FY 2014/15. General Fund revenues are projected to increase
23 5.3%, with the largest contributor being Sales Tax. General Fund expenditures are increasing 7.2%
24 due to additional Streets Department projects and additional staffing at the Police Department.
25

26 The meeting adjourned from the Work Session to Regular Session at 6:56 p.m.
27

28 **Regular Meeting – 7:00 p.m.** 29 **City Council Chambers** 30

31 Mayor Lewis called the meeting to order at 7:05 p.m. and welcomed those in attendance.
32 Caden Bradshaw, Boy Scout Troop 1602, led the Pledge of Allegiance to the flag and Chaplain Julia
33 Vernon from South Davis Community Hospital, Home Health and Hospice offered an opening
34 prayer. Mayor Lewis reminded the Council and those in attendance that by a Supreme Court vote of
35 5/4, we are allowed to continue to pray in City meetings.
36

37 Time was turned over to Kim Coleman for a short announcement. After 40 plus years of taking the
38 City's minutes, Nancy Lawrence has "retired," but continues to pursue her other teaching endeavors.
39 Nikki Dandurand has been hired to assist the City Recorder and will be taking the minutes for council
40 meetings. The Mayor and all Council Members expressed their appreciation for Nancy and will miss
41 her.
42

43 **APPROVAL OF MINUTES**

44 Minutes for the April 22, 2014 Joint City Council/Power Department meeting, the April 23,
45 2014 Water Department meeting, the April 23, 2014 Public Safety & Public Relations meeting, the
46 April 28, 2014 Parks, Recreation & Fine Arts meeting, the April 29, 2014 Streets & Sanitation

1 meeting, the April 30, 2014 Finance, Administration and RDA Budget Committee Meetings and the
2 April 22, 2014 City Council meeting were presented and approved as written. Councilman Knight
3 made the motion and Councilman Higginson seconded the motion. Voting was unanimous with
4 Councilpersons Harris, Higginson, Holbrook, Knight, and Pitt voting “aye”.

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7 **COUNCIL REPORTS**

8 Councilwoman Holbrook reminded all in attendance that the Chalk Art Festival is this week,
9 located downtown. The Car show is June 14/15th. The Summer Concerts have been announced as
10 follows: June 20-Bountiful’s Got Talent. Auditions have been done. June 27-Voodoo Orchestra,
11 June 30-US Air Force Broadway Band, with brass, July 11-Peter Breinholt, July 18-Utah Voices,
12 July 23-Army Band, which had a large attendance from last year, August 1-Red Desert Ramblers,
13 August 8-SummerFest. August 15-Revolver, August 22-Echo Band. All the concerts are free and
14 start at 7 p.m. There is also a heads-up for the Food Bank-Pantry Smiles Program. This program
15 allows for children to access dental care. This is a volunteer program and any questions can be
16 directed to the Food Bank.

17
18 **YOUTH COUNCIL REPORT**

19 None

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21 **EXPENDITURES APPROVAL FOR TWO PERIODS IN APRIL and MAY 1**

22 Mayor Lewis presented the Reports for Expenditures and Expenses on April 17, 2014
23 (\$210,837.24), April 24, 2014 (\$111,650.16), and May 1, 2014 (\$987,958.92). Councilman
24 Higginson motioned to approve the reports, as presented. Councilwoman Holbrook seconded the
25 motion and voting was unanimous. Councilpersons Harris, Higginson, Holbrook, Knight and Pitt
26 voted “aye.”

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29 **THANK YOU FROM PAUL SUMMERS, ROTARY CLUB PRESIDENT/CAR SHOW**

30 This will be the 17th year for the car show. It will be held June 13-14th. Mr. Summers stated
31 that we could not do all this without the continued support from the police department, streets
32 department, fire department, and support from the City Manager and any others. It’s important to
33 realize that our mission is to raise money to buy coats for the less fortunate children in our city. Over
34 the years, thousands of kids have benefited from our donations, with \$30,000 last year alone. The
35 money is used for coats, scholarships, dictionaries to all 3rd graders in Davis County (over 1,300 kids)
36 and it’s all made possible through scholarships. We have a triangle of Rotary of City and sponsors,
37 ranging from independent car dealers to restaurants, with an additional 100+ sponsors. Thank you
38 Council for all your support. The Council members were then presented with Car Show T-shirts.
39 Councilman Knight commented that the Rotary is an amazing organization that has touched lives in
40 Davis County is so many ways, and he has personally served on the selection committee for the
41 scholarships, which provide eight students with \$1,000 scholarships. The coats are all done
42 anonymously through the schools, with the Principal’s help. The Council expressed their
43 appreciation to the Rotary and President Bradshaw and Summers. Chris Bradshaw offered a few
44 comments regarding last December and Christmas. Walgreens had contacted the Rotary with an
45 excess amount of toys that they wanted to donate. The Rotary gathered all the toys, sorted and
46 packed the toys, then delivered them to various organizations on Christmas night, with Dan

1 Bradshaw directing.
2

3 **PRESENTATION OF TENTATIVE BUDGET FOR FISCAL YEAR 2014-2015 BY GALEN**
4 **RASMUSSEN**

5 The budget was presented earlier in the Work Session. Mr. Rasmussen had prepared the
6 budget and compiled/consolidated the numbers into individual departments. They are now up for
7 review and on the website. The net total budget is \$53M and is being presented for consideration of
8 tentative approval with final adoption at the June 10th Council meeting. Mayor Lewis presented the
9 tentative budget for fiscal year 2014-2015, and said that we have a balanced budget and we need to
10 keep our priorities in place. Thank you to Mr. Rasmussen for preparing the budget. Mayor hopes
11 that many people will come out give input on this at the June 10th meeting. Councilman Pitt made a
12 motion to adopt the tentative budget, and Councilman Higginson seconded the motion. Voting was
13 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye.”
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16 **PUBLIC HEARING TO CONSIDER APPROVAL OF ORDINANCE 2014-07 TO AMEND**
17 **THE BOUNTIFUL CITY LAND USE ORDINANCE TO APPROVE LARGE FLAGS AND**
18 **FLAG POLES ON LARGE COMMERCIAL SITES, TO CLARIFY THE DEFINITION OF**
19 **ELECTRONIC SIGNS AND TO PERMIT AND REGULATE THE KEEPING OF BEES-Mr.**
20 **RUSSELL MAHAN**

21 The keeping of bees within the City is now illegal unless grandfathered before/about 2005. It
22 is now proposed to allow the keeping of bees subject to certain regulations and to ask for the
23 prohibition to be repealed. Beekeeping has been regulated by the current City ordinance (Title 14),
24 which is similar to Ogden, Salt Lake City and Provo ordinances. There are currently 22 active
25 beekeepers in the city. Provisions dictate that hives be permanently located on residential lots with 5
26 hives (drawers) or equivalent on side or rear yards larger than 5,000 sq. feet; More than ½ acre=10
27 hives. Hives shall be kept 10 ft from property lines and can be waived in writing by the adjacent
28 property owner. Hives within 25 ft. of sides shall be shielded with a fly away barrier. It is stated in
29 current City ordinance, page 4, that even if the bees are kept in compliance with the codes, it is
30 unlawful to maintain if they become a public nuisance.
31

32 It is proposed to allow Bountiful businesses to have large flagpoles/flags flown within certain
33 regulations and a conditional use permit. Car dealerships are an important part of the community for
34 many reasons and it is necessary to support them as we can. Pre-requisites include: commercial zone
35 or on municipal property, located on lots with at least three acres and 500 feet of street frontage.
36 Limitations include: American flags in good condition, one flag per pole, one pole per business and
37 not within 1,000 ft. on another pole.
38

39 The electronic sign ordinance passed last year has a very broad definition of “electronic
40 message center.” It is proposed to amend this ordinance to exclude electronic gas stations signs,
41 which limits the signs to have gas prices only, not flash, and not have words or video or be overly
42 bright. If the gas station wants an electronic sign, it must be appropriately zoned and owners must
43 apply for a conditional use permit as before.
44

45 The ordinance was reviewed by the Planning Commission (May 6, 2014) and has been
46 recommended for approval by the City Council on all three sections mentioned above. Councilman

1 Higginson asked if it is possible to link the State's regulation page on beekeeping into our own City
2 page for the convenience of the people searching for the information.
3

4 The Public Hearing was opened at 7:44pm. The following residents made positive comments
5 about keeping/regulating bees:

6 -Steven Joy-36 E. 1000 S.

7 -Julianne Basinger-984 Canyon Creek Dr.

8 -Brad Cameron- 78 W. 800 N.
9

10 The Public Hearing was closed at 7:52pm.
11

12 Councilman Higginson made a motion to approve this ordinance and Councilman Knight
13 seconded it. Councilman Pitt stated it seems very logical to approve and recommend this and
14 thanked Councilwoman Harris for bringing attention to it. Voting was unanimous with
15 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting "aye."
16

17 **APPROVAL OF 400 EAST RECONSTRUCTION CONTRACT WITH M.C. GREEN &**
18 **SONS IN THE AMOUNT OF \$1,247,247.22-MR. PAUL ROWLAND**

19 Mr. Rowland mentioned the need to use/approve the appropriate paving material for this
20 project. Mr. Cheney worked diligently to arrange bids, but only 2 bids were received. The lowest
21 proposal came in under the City budget/engineer's estimate of \$1.3 million and the other was
22 significantly higher. M.C. Green presented a really good price. There will be a couple hundred feet
23 of pavement going into Centerville City so, at the next meeting, we will present an interlocal
24 agreement for Centerville to pay for that portion. The work is anticipated to start Memorial Day
25 Weekend, with only a 4 day interference with the school zones. After reviewing the prices, it was
26 asked that Council accept the proposal from M.C. Green, at unit prices. Councilman Pitt asked where
27 the staging area will be (school parking lot)? Coordination will need to be made with all school
28 activities. Mayor Lewis asked about the timeline for the project. The process is expected to take
29 between 90-120 days. Councilman Higginson asked if any other companies submitted bids beside
30 the two mentioned. No other bids were submitted. Councilman Higginson made a motion to accept
31 the bid, Councilwoman Holbrook seconded. Voting was unanimous with Councilpersons Harris,
32 Higginson, Holbrook, Knight and Pitt voting "aye."
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35 **APPROVAL OF 2014 CONCRETE REPLACEMENT CONTRACT WITH LEON POULSEN**
36 **CONSTRUCTION CO. IN THE AMOUNT OF \$553,856.50-MR. LLOYD CHENEY**

37 Mr. Lloyd Cheney presented information on this report, noting that our goal with this contract is to
38 reduce liability, eliminate drainage issues and have a positive impact on other City departments. As
39 part of the bidding process, we pre-qualify contractors. The lowest cost proposal was submitted by
40 Leon Poulsen Construction Co, in the amount of \$553,856.50, approximately \$55,000 less than the
41 next bidder and \$112,000 lower than the Engineer's estimate. It is proposed that the Council not
42 place a "not to exceed" figure on this contract, but rather approve the unit prices as listed. There
43 could be potential savings on sidewalk, curbs and drive approaches. Councilwoman Holbrook made
44 a motion to approve the bid from Leon Poulsen Construction Co. Councilwoman Harris seconded
45 the motion and voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and
46 Pitt voting "aye."

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APPROVAL OF EASEMENT RELEASE AT 1714 EAST RIDGE POINT DR., MR. KEVIN HADLOCK, APPLICANT-MR. PAUL ROWLAND

Mr. Hadlock has requested that the 14 ft. wide public utility easement between lots 109 and 201 of Stone Ridge subdivision be released and a new 14 ft. easement be put in place. This has been reviewed by all utility companies and recommended for approval. Councilwoman Harris made the motion to release the existing easement and approve the new easement, Councilwoman Holbrook seconded the motion and voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye.”

APPROVAL OF RESOLUTION 2014-07 AMENDING THE 2013 INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CONTROL SERVICES-MR. RUSSELL MAHAN

In 2013, the City and County entered into a five-year agreement for animal control services. This amendment is an annual review, which facilitates approval of any change in terms or pricing. Councilman Knight asked if the scope of the agreement has changed. Mr. Mahan explained that all terms will remain in effect, but with an adjusted compensation for call-outs (wild nuisance animal pick up), and the total cost will actually be approximately \$3,600 lower this year. Councilwoman Harris made the motion to approve Resolution 2014-07 as presented, Councilwoman Holbrook seconded and voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye.”

At 8:11 p.m., Councilman Higginson made a motion that the City Council adjourn and reconvene in closed session for the purpose of discussing the acquisition or sale of real property, pending litigation, and/or to discuss the character and competence of an individual(s). Councilwoman Holbrook seconded the motion. Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voted “aye.”

Attendance at Closed Meeting

- Mayor Randy Lewis
- Councilpersons Harris, Higginson, Holbrook, Knight and Pitt.
- Gary Hill
- Russell Mahan
- Paul Rowland
- Chad Wilkinson
- Galen Rasmussen
- Lloyd Cheney