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Minutes of the
BOUNTIFUL CITY COUNCIL

August 28, 2018 – 6:00 p.m.

Present: Mayor Pro Tem Chris Simonsen
Councilmembers Kendalyn Harris, Richard Higginson, Beth Holbrook,
John Marc Knight
City Manager Gary Hill
City Attorney Clinton Drake
City Planner Chad Wilkinson
City Engineer Paul Rowland

Department Directors/Staff:
Chief of Police Tom Ross
Finance Director Tyson Beck
Power Director Allen Johnson
Streets/Sanitation Director Gary Blowers
Asst. Streets/Sanitation Charles Benson
Asst. City Engineer Lloyd Cheney
Recording Secretary Nikki Dandurand

Excused: Mayor Randy Lewis

Official notice of the City Council Meeting was given by posting an Agenda at City Hall and on the Bountiful City Website and the Utah Public Notice Website and by providing copies to the following newspapers of general circulation: Davis County Clipper and Standard Examiner.

Work Session – 6:03 p.m.
Planning Conference Room

Mayor Pro Tem Simonson welcomed those in attendance and called the session to order at 6:03 p.m.

ACCESSORY DWELLING UNITS (ADUs) DISCUSSION – MR. CHAD WILKINSON

Mr. Wilkinson stated that right now, ADUs are approved for immediate family members only, however tonight’s discussion could lead to changes. The City is trying to stay away from the “duplex” feel of these units though. The solution would be to have the owner occupy the main dwelling of the home. The Council discussed options, fees and enforcement of these units but agreed to move forward on the changes.

ON-STREET PARKING IN WINTER & DRIVEWAYS DISCUSSION – MR. CHAD WILKINSON

Mr. Wilkinson stated that staff recommends against altering the current winter parking ordinance. There are many reasons for this including the public safety of Bountiful’s residents, added cost for overtime and already narrow streets to plow. Bountiful is known for the outstanding high level of service during the winter months. Councilwoman Harris asked for clarification on the

1 overnight hours. Chief Ross explained the vehicle fine process and when they will get towed. Mr.
2 Wilkinson provided a PowerPoint with examples of two car driveways that are compliant and non-
3 compliant, pointing out that every lot in the City is not compatible with this option. Mr. Wilkinson
4 did state that corner lots could have a different approach/regulation.

5 Mr. Gary Hill stated that the majority of the residents would like to preserve the spacing issue.
6 He recommends that staff look for flexibility within the standards and come back with reasonable
7 options.

8
9 Mr. Gary Hill gave an update on the grass issue affecting the golf course. A double
10 application of a spray was applied on accident and has killed the grass in various locations on the
11 course. At this point, staff is recommending complete replacement of the affected area with sod.
12 This cost will be paid using the enterprise funds (user fees). Protocol has already been put into place
13 to prevent this mishap from occurring again.

14
15
16 **Regular Meeting – 7:00 p.m.**
17 **City Council Chambers**

18
19 Mayor Pro Tem Simonsen called the meeting to order at 7:03 p.m. and welcomed those in
20 attendance. Toby Campbell, Troop 776, led the Pledge of Allegiance; Pastor Mike Pless, Good
21 Shepard Fellowship, gave a prayer.

22
23 **PUBLIC COMMENT**

- 24 • Mary Christensen- concerned about green space in city
25 • Donette Dial – concerned about high school parking, consider less than 50% open space
26

27 **APPROVE MINUTES OF PREVIOUS MEETING – August 7, 2018**

28 Mayor Pro Tem Simonsen presented the minutes from the previous meeting. Councilwoman
29 Holbrook moved to approve the minutes and Councilman Higginson seconded the motion. Voting
30 was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting
31 “aye”.
32

33 **COUNCIL REPORTS**

34 Councilwoman commented on the last Concert in the Park and what a great summer it was
35 with all the music.
36

37 **CONSIDER APPROVAL OF:**

- 38 a. **WEEKLY EXPENDITURES > \$1,000 PAID JULY 30-31, AUGUST 6-7, 13-15, 2018**
39 b. **JUNE 2018 FINANCIAL REPORT**

40 Mayor Pro Tem Simonsen presented the expenditures/financial report and asked for a motion to
41 approve. Councilman Higginson moved to approve the weekly expenditures/reports and
42 Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris,
43 Higginson, Holbrook, Knight and Simonsen voting “aye”.
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1 **CONSIDER APPROVAL OF THE REMOVAL OF THE EXISTING “NO PARKING**
2 **DURING SCHOOL HOURS” SIGNS NEAR BOUNTIFUL AND VIEWMONT HIGH**
3 **SCHOOLS – CHIEF TOM ROSS**

4 Chief Ross stated this has been an ongoing discussion for many years. The Traffic Safety
5 Committee met on July 10th to discuss this issue again. Many residents attended and discussed their
6 concerns with staff and police. Chief Ross stated that two working groups, one at each high school
7 will be formed, the SRO at each school will attend the driver’s education classes to discuss the new
8 parking and Mayor Lewis also suggested meeting with the Student Body Officers so that all the
9 students can be part of the solution. With the signs down, there will be no warning to the students.
10 Their vehicles will be towed immediately. Chief Ross stated he has the responsibility to find the
11 balance in the City. This is the best option right now, but a hard choice. Councilwoman Holbrook
12 stated this is not an easy subject and there is no perfect solution. Chief Ross agreed and will continue
13 to work with the school district, students and residents. Councilwoman Harris was pleased to hear
14 the school district was involved and felt that they need to feel the pressure too and to actively look for
15 more parking options.

16 Councilwoman Holbrook moved to approve the removal of the signs and Councilman
17 Higginson seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
18 Holbrook, Knight and Simonsen voting “aye”.

19
20
21 **CONSIDER APPROVAL OF ORDINANCE 2018-07 REGARDING TRAVEL AND**
22 **TRAINING PERSONAL USE EXPENDITURES – MR. TYSON BECK**

23 Mr. Beck stated Utah Code section 11-57, enacted into law during the 2017 legislative
24 session, prohibits the use of City funds for any type of intentional personal use expenditures. When
25 Bountiful City management became aware of this State law, employees were instructed to do their
26 best at separating any travel and training costs for personal use from City-required travel costs and
27 pay for them accordingly. Ordinance 2018-07 is being proposed as a solution to the problems
28 discussed. This would allow employees to book travel arrangements for family members and do
29 other travel-related personal expenditures using the City purchase card and still reimburse the City
30 long before the City’s bill came due. Councilwoman Holbrook asked if the 14 day grace period is
31 from the date of purchase or when the liability incurred. Mr. Beck replied from the date of purchase.
32 Councilman Higginson moved to approve Ordinance 2018-07 and Councilwoman Holbrook
33 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,
34 Knight and Simonsen voting “aye”. Councilman Higginson stated the employees have already been
35 doing this process, so this has not been an issue.

36
37 **CONSIDER APPROVAL OF PRO BUILD CONSTRUCTION’S BID FOR THE**
38 **CONSTRUCTION OF THE HOLBROOK BOOSTER STATION IN THE AMOUNT OF**
39 **\$288,220 AND AUTHORIZING THE WATER DEPARTMENT TO PURCHASE MOTOR**
40 **CONTROL PANELS, PUMPS, MOTORS AND DISCHARGE HEADS IN THE TOTAL NOT-**
41 **TO-EXCEED AMOUNT OF \$79,986 – MR. LLOYD CHENEY**

42 Mr. Cheney stated the bid opening for the construction of the new booster station was held on
43 Tuesday, August 21, 2018, and nine proposals were received. In order to complete the project, the
44 purchase of additional equipment is necessary and was not included in the Booster Station contract.
45 Funding for this building and pumping equipment was initially included in the Water Department’s
46 Capital Budget in FY 2017-2018 (\$250,000). Fortunately, funds were included in the current FY

1 2018-2019 (\$350,000) for a booster station to be constructed at the 4th North Reservoir site.
2 Councilman Higginson made a motion to approve the bid and Councilwoman Harris seconded the
3 motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and
4 Simonsen voting “aye”.

5
6 **CONSIDER APPROVAL OF THE DOWNTOWN PLAZA SITE PLAN – MR. LLOYD**
7 **CHENEY**

8 Mr. Cheney stated that this is the first phase of the project, but the scope of the project needed
9 to be reduced to accommodate the budget, but still include water features, restrooms, a
10 vendor/concession stand and other amenities. Councilwoman Harris asked if there are plans for
11 wi-fi. Mr. Cheney replied no, but it could be a possibility. Council discussed different elements of
12 the plaza from the elevation changes, the placement of the stage and other items. Mr. Gary Hill gave
13 an update on the possibility of an ice rink. The city is working with the SDRD and will present a
14 proposal to their board in three weeks. Mr. Cheney stated tonight’s approval is only for this phase of
15 the project. The ice rink and other projects will come back at a later time. Councilman Higginson
16 commented that he appreciates staff staying budget friendly. Councilman Knight made a motion to
17 approve the site plan and Councilman Higginson seconded the motion. Voting was unanimous with
18 Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting “aye”.

19
20 **CONSIDER APPROVAL OF THE PURCHASE OF TWO POLICE VEHICLES FROM**
21 **PERFORMANCE AUTO GROUP AND TONY DIVINO TOYOTA IN THE TOTAL**
22 **AMOUNT OF \$55,027 – CHIEF TOM ROSS**

23 Councilman Higginson made a motion to approve the purchase and Councilwoman Holbrook
24 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,
25 Knight and Simonsen voting “aye”.

26
27 **CONSIDER APPROVAL OF THE QUOTE FROM OSMOSE UTILITIES SERVICES INC.**
28 **FOR POLE TESTING IN THE AMOUNT OF \$160,000 – MR. ALLEN JOHNSON**

29 Mr. Johnson stated that the Power Commission met this morning and all three items are
30 recommended for approval. The poles in question have already been reinforced, but this will test the
31 integrity of them. Councilwoman Harris made a motion to approve the quote and Councilman
32 Higginson seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
33 Holbrook, Knight and Simonsen voting “aye”.

34
35 **CONSIDER APPROVAL OF THE COST OF THE AMERICOM TECHNOLOGY BORING**
36 **BID EXTENSEION I THE AMOUNT OF \$314,435 – MR. ALLEN JOHNSON**

37 Mr. Johnson stated that Americom has been a great contractor to work with and they are
38 currently working on a couple other projects with the City. They are including a lot of these smaller
39 items within their cost amount. Councilman Higginson asked if they were the low bidder in the
40 original contract. Mr. Johnson said yes. Councilman Higginson made a motion to approve the
41 purchase and Councilwoman Holbrook seconded the motion. Voting was unanimous with
42 Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting “aye”.

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CONSIDER APPROVAL OF THE PURCHASE OF A TRUCK SERVICE BODY FROM MOUNTAIN STATES INDUSTRIAL SUPPLY/B/G IN THE AMOUNT OF \$35,862 – MR. ALLEN JOHNSON

Mr. Johnson stated this is only for the bed of a truck. The cab and chassis will be purchased from a separate supplier than the new service body. The bids have been reviewed and the low bid from Mountain States for the B/G service body from Mountain States Industrial Supply will meet the needs. Councilwoman Harris made a motion to approve the purchase and Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting “aye”. Councilman Higginson asked why the low delivery time. Mr. Johnson stated it’s the same for everyone right now. Mr. Johnson gave an update on the 138 substation project. The transformer will be taken off-line mid-September and only one transformer will be working until next year.

CONSIDER PRELIMINARY SITE PLAN APPROVAL FOR A 12-PLEX MULTI-FAMILY, ONE AND ONE APARTMENTS LOCATED AT 100 SOUTH AND 110 WEST, MR. BRIAN KNOWLTON, APPLICANT – MR. CHAD WILKINSON

Mr. Wilkinson stated this application was reviewed and the proposed building meets the required setback and height standards for the DN Zone. Although it is not required to combine the properties in order for the building to meet setbacks, the development of the building requires the use of parking located on an adjacent parcel. Therefore, it is recommended that either the parcels be combined or that an easement or agreement for shared parking be recorded on the property to the south and east.

The Planning Commission reviewed and approved an application for Conditional Use Permit at their August 14, 2018 meeting and forwarded a recommendation of approval to the City Council for preliminary site plan approval for the proposed 12 unit multifamily building subject to the following conditions:

1. Complete any and all redline corrections.
2. Prior to issuance of the building permit, either consolidate the parcels or provide a shared parking and access agreement or easement in favor of the new development.
3. Submit a landscape plan meeting the minimum requirements of Sections 14-16- 104 and 14-16-109.

Councilman Higginson made a motion to approve the purchase and Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting “aye”.

Councilman Higginson asked about the southern corner lot and if there was a project planned there yet. Mr. Wilkinson said the bid was never completed, so there are no plans yet.

CONSIDER PRELIMINARY SITE PLAN APPROVAL FOR ALPHAGRAPHS LOCATED AT 265 SOUTH MAIN STREET AND 295 SOUTH MAIN STREET, MR. SPENCER ANDERSON, APPLICANT – MR. CHAD WILKINSON

Mr. Wilkinson explained that the proposed development is located on a 1.02 acre property consisting of two parcels. Prior to construction of the proposed addition, the parcels will need to be consolidated. Storm water will be collected on site in an underground detention facility with excess

1 flows conveyed to the existing storm drain system to the north in Main Street via new storm drain
2 lines installed in the existing soccer field property. Water and sewer will be provided from existing
3 lines in 300 South and Main Street and will include the extension of an 8-inch water line and onsite
4 fire hydrant. Mr. Rowland stated the contractor would like to start work immediately; before the
5 moratorium starts October 1st. If we have a final site plan, the City can extend his permit to continue
6 after October 1st. Councilman Higginson made a motion to approve the final site plan and
7 Councilwoman Harris seconded the motion. Voting was unanimous with Councilpersons Harris,
8 Higginson, Holbrook, Knight and Simonsen voting “aye”.

9
10 **CONSIDER APPROVAL OF ORDINANCE 2018-08 AMENDING THE DN ZONE TO**
11 **ALLOW PRIVATE SCHOOLS AS A CONDITIONAL USE – MR. CHAD WILKINSON**

12 Mr. Wilkinson stated that on August 7, 2018, the City Council approved a proposed text
13 amendment to add Private Schools to the list of allowed uses in the Downtown (DN) zone. The
14 attached ordinance will make that change official. No Public meeting is required to complete this.
15 Councilman Higginson made a motion to approve Ordinance 2018-08, Councilwoman Harris
16 seconded the motion. Voting “aye” were Councilpersons Harris, Higginson, Knight and Simonsen.
17 Voting “nay” was Councilwoman Holbrook. Ordinance 2018-08 passed with a 4-1 vote.

18
19 **CONSIDER PRELIMINARY AND FINAL SUBDIVISION APPROVAL FOR NATHAN’S**
20 **SUBDIVISION LOCATED AT 306 AND 292 WEST 400 NORTH, MR. NATHAN POLATIS,**
21 **APPLICANT – MR. PAUL ROWLAND**

22 Mr. Rowland stated there are a few concerns with this subdivision including the creek which
23 puts the property in a flood plain and because no sewer lines exist on 325 West, a sewer lateral will
24 need to be extended under Barton Creek culvert to meet the sewer main in the intersection of 600
25 North and 325 West. In addition, the Developer will be required to bond for and install the new
26 sewer lateral and pay the City to have the fire hydrant installed before any building permit will be
27 approved for this lot. The Planning Commission sends an affirmative recommendation for
28 preliminary and final approval of the Nathan’s Subdivision with the following conditions:

- 29 1. Provide a current title report.
- 30 2. Make all necessary red line corrections.
- 31 3. Post a bond for and install the sewer lateral in 325 West St. to serve lot 3.
- 32 4. Provide an elevation certificate for any home proposed on lot 3.
- 33 5. Pay all fees, including the new fire hydrant and the Storm Water Impact Fee.
- 34 6. Obtain approval from Davis County Flood Control for the creek easement.

35
36 Councilman Higginson asked if they need the County’s approval to dig under the creek. Mr.
37 Rowland replied not right now. Councilman Higginson made a motion to approve the final
38 subdivision approval and Councilwoman Holbrook seconded the motion. Voting was unanimous
39 with Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting “aye”.

40
41 **CONSIDER APPROVAL OF AN EASEMENT RELEASE AT 3055 SOUTH 600 WEST, MR.**
42 **ROGER BEATTIE, APPLICANT AND AUTHORIZING THE MAYOR TO SIGN THE**
43 **RELEASE DOCUMENT – MR. PAUL ROWLAND**

44 Mr. Rowland stated that Mr. Roger Beattie requesting the partial release of an easement
45 running through the middle of 3055 S. 600 West St. All of the interested utilities have reviewed this
46 request and agree that it is acceptable. Councilman Higginson made a motion to approve the

1 easement release and Councilwoman Holbrook seconded the motion. Voting was unanimous with
2 Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting “aye”.

3
4 **CONSIDER APPROVAL OF THE SELECTION OF JRCA ARCHITECTS AS THE**
5 **DESIGNERS OF THE BOUNTIFUL CITY HALL REMODEL – MR. PAUL ROWLAND**

6 Mr. Rowland stated that as the plaza design plans are underway, it is time to choose an
7 architect for the City Hall remodel. Proposals were received from five local (northern Utah) firms
8 and were evaluated by the committee. In the meeting to narrow the field for interviews the committee
9 realized that one firm’s proposal stood above the rest to the point that there was no real good reason
10 to conduct interviews, as it was felt that no information would be gained that would change the
11 standings. The number one selection for the committee is JRCA Architects. JRCA recently completed
12 the remodel of the Power Department headquarters building. The selection committee felt strongly
13 that project alone was a good reason to select JRCA, not to mention their extensive experience with
14 similar projects. After the decision was made, the JRCA fee proposal was reviewed and found to be
15 in line with local normal and customary fees for similar professional services. Councilwoman Harris
16 asked about the timeline. Mr. Rowland replied that in about one week, the scope of the project will
17 be determined. Most of the remodel will be interior, with few cosmetic changes outside. The staff
18 will relocate approximately May 2019 to a temporary office building. There is an expected 12 month
19 rebuild and a tentative 2020 move in date. Councilwoman Holbrook made a motion to approve the
20 architects and Councilman Higginson seconded the motion. Voting was unanimous with
21 Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting “aye”.

22
23 **CONSIDER APPROVAL OF ORDINANCE 2018-09 ENACTING TITLE 11, CHAPTER 4 OF**
24 **THE BOUNTIFUL MUNICIPAL CODE REGULATING THE PLACEMENT,**
25 **CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF WIRELESS**
26 **TELECOMMUNICATION FACILITIES IN THE RIGHT-OF-WAY – MR. CLINT DRAKE**

27 Mr. Drake stated that the Utah Legislature recently passed legislation mandating the use of
28 public rights-of-way for the use of small cell wireless telecommunication facilities. It is important
29 for Bountiful City to adopt its own ordinance to address the unique needs of our City. Mr. Drake
30 emailed a draft of the ordinance to the City Council members before tonight’s meeting, with a few
31 grammatical corrections noted and adding a section. Mr. Drake stated that Verizon is already very
32 interested in placing these facilities within the city. Councilman Higginson made a motion to
33 approve Ordinance 2018-09 and Councilwoman Holbrook seconded the motion. Voting was
34 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Simonsen voting “aye”.

35
36 Mayor Lewis asked for a motion to adjourn the regular session of City Council. Councilman
37 Higginson made a motion to adjourn the meeting and Councilwoman Holbrook seconded the motion.
38 The regular session of the City Council was adjourned at 9:08 p.m.



Mayor



City Recorder