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Minutes of the
Bountiful City Council Meeting
City Council Chambers
April 23, 2013, 7:00 p.m.

Present: Mayor: Joe L. Johnson
Council Members: Richard Higginson, Beth Holbrook, John Marc Knight,
and Fred Moss
City Manager: Gary Hill
City Attorney: Russell Mahan
City Engineer: Paul Rowland
Admin. Services Dir.: Galen Rasmussen
Planning/RDA Director: Aric Jensen
Department Heads: Allen Johnson, Power
Tom Ross, Police
Recording Secretary: Nancy Lawrence

Excused: Councilman: Thomas Tolman

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.

Mayor Johnson called the meeting to order at 7:00 p.m., and welcomed those in attendance. Charlie Johnson, visiting Boy Scout, led the pledge of allegiance to the flag and Mr. Hill offered the prayer/thought.

APPROVAL OF MINUTES

Minutes of the regular City Council meeting held April 9, 2013 were presented and approved as corrected. Councilwoman Holbrook motioned to approve the minutes, Councilman Moss seconded the motion and voting was unanimous with Councilpersons Higginson, Holbrook, Knight, and Moss voting "aye".

COUNCIL REPORTS

Councilwoman Holbrook reported that the schedule for the summer concert series is posted on the City web site. The concerts will be held at the 400 North Park at 7:00 p.m. on Friday evenings.

YOUTH COUNCIL REPORT

Councilman Knight explained that, at the current time, the Youth Council is interviewing members for next year's Youth Council and they will not be presenting a report to the Council this evening.

**WEEKLY EXPENDITURES APPROVED FOR
APRIL 8, 2013 AND THE MONTHLY SUMMARY FOR MARCH, 2013**

Mayor Johnson presented the Report for Expenditures and Expenses paid on April 8, 2013 in the amount of \$347,707.92 and the March 2013 Expenditure Budget Report totaling

1 \$3,921,082.29. Following a brief discussion, Councilman Higginson motioned to approve the
2 report, as presented. Councilman Moss seconded the motion and voting was unanimous with
3 Councilpersons Higginson, Holbrook, Knight and Moss voting “aye”.

4
5 **PUBLIC HEARING TO CONSIDER ZONE MAP AMENDMENT;**
6 **2110 SO. ORCHARD, WILSON PROPERTIES, APPLICANT**

7 Mr. Jensen noted that the ordinance which would finalize this request is not yet ready;
8 however, the matter can be introduced and the Council can receive input from the public this
9 evening and continue the Public Hearing to May 14th. He explained that the applicant (Sharm
10 Smoot) is requesting that a small piece of property currently zoned CG and RM-19 be rezoned so
11 that the entire parcel has the same zone designation – RM-19. (He initially asked for the parcel to
12 be rezoned to RM-25, but has changed the request to RM-19). It is his intent to develop the
13 property into apartment units.

14
15 At 7:10 p.m. the Mayor opened the public hearing to consider this request. The following
16 individuals expressed concerns regarding the re-zone: Teresa Nielsen expressed the fear that the
17 neighborhood would soon change from a single family to a multi-family area and that the local
18 elementary school could become a Title I school due to the nature of apartment tenants. Leon
19 Hoffman, 2032 Penman Lane, said that he raised eight children in this neighborhood where he has
20 lived for forty years. He expressed concern about the increase in density and the loss of a family-
21 friendly nature of the neighborhood. He distributed a photo taken of his home before and after
22 development to the east and noted that the proposed multi-story apartments would be even more
23 encroaching on the privacy of single family homes due to the slope of the properties.

24
25 Jeffrey Colbert, 2043 Penman, said that he moved from West Valley to Bountiful to be in a
26 single family neighborhood. Approval of the apartment complex would be much like West Valley
27 circumstances following him to Bountiful, referring specifically to low income housing and high
28 density complexes. He also referenced previous property encroachments in which the City did not
29 enforce codes. Claudia Lindenberg, Penman Lane, expressed concern about the development being
30 done in phases. Cynthia Simonson, property manager for Garden Apartments, spoke in favor of the
31 apartment complex, stating that the intent is not to degrade the City in any way, but to beautify and
32 make it a welcome home for others.

33
34 There were no other comments and the Mayor closed the hearing at 7:30 p.m. Councilman
35 Higginson made a motion to continue the public hearing as well as a decision on the request to the
36 next Council meeting on May 14, 2013. Councilman Knight seconded the motion and voting was
37 unanimous. Councilpersons Higginson, Holbrook, Knight and Moss voted “aye”.

38
39 **PUBLIC HEARING TO CONSIDER ZONE MAP AMENDMENT;**
40 **147 WEST 300 SOUTH, LARRY DE PAIX, APPLICANT**

41 Mr. Jensen noted that the ordinance needed to complete this request is not ready; however,
42 the Council could hear comments from those in attendance and continue the hearing and a decision
43 to the next meeting. He said that the request is to rezone property located at 147 West 300 South
44 from General Commercial (CG) to Residential Multi-Family (RM-19). The property has never
45 been used commercially and it is proposed that three townhouse-style units be constructed. The
46 Planning Commission has reviewed the request and recommended approval.

1 The Mayor opened the public hearing at 7:32 p.m. Larry DePaix, applicant, expressed
2 disappointment that the hearing and decision could not be made tonight. There were no other
3 comments and the hearing was closed at 7:34 p.m. Councilman Knight made a motion to continue
4 the hearing and a decision to the next Council meeting. Councilwoman Holbrook seconded the
5 motion and voting was unanimous with Councilpersons Higginson, Holbrook, Knight and Moss
6 voting “aye”.

7
8 **COUNCIL APPROVES PURCHASE OF KWH METERS – POWER DEPARTMENT**

9 Allen Johnson explained that ITRON automated meters are installed on every residential
10 and commercial building in the City. In order to read and maintain these meters, the department has
11 five hand-held radio units that are used on a daily basis. These units have become outdated and
12 ITRON can no longer support, repair, or maintain them. He reviewed two different promotional
13 sales that ITRON is offering for meters that includes free hand held mobile units as a bonus. It is
14 the recommendation of staff and the Power Commission that approval be given to purchase 11
15 pallets of 1,320 meters for \$83,160 plus the additional \$7,500 for the Mobile Collector Lite RF Unit
16 from Riter Engineering for the sum of \$90,660. This includes the additional \$7,500 for the mobile
17 collector and the three new FC 300 hand held mobile radios. He said the meters will be placed into
18 inventory until they are used and should last approximately two years. The purchase will be below
19 budget for the current year. Councilman Moss reported that the Power Commission favored this
20 proposal and he made a motion to approve the purchase, as explained. Councilman Higginson
21 seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight and
22 Moss voted “aye”.

23
24 **PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED**
25 **FOR STARBUCKS, 415 WEST 500 SOUTH**

26 Mr. Rowland presented the request of Starbucks (represented by Adam Hawkes) for
27 preliminary and final site plan approval for a fast food restaurant with drive through at 416 West
28 500 South. He reported that this matter has been reviewed by the Planning Commission and comes
29 to the Council with a positive recommendation. The Council discussed parking and ingress/egress
30 concerns, following which Councilman Higginson made a motion to grant approval, subject to the
31 following recommendations:

- 32 1. Correction of any and all redlines.
33 2. Payment of the required fees including the Storm Water Impact Fee.
34 3. UDOT grants a permit for the driveway modifications on 500 South.
35 4. The Conditional Use Permit be prepared and recorded at the county recorder’s office
36 including the condition that the use of Building 1 be limited to activities “which require
37 large display areas but generate light traffic demands”, as set forth in section 14-18-107
38 A. of the Land Use Ordinance.

39 Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons
40 Higginson, Holbrook, Knight and Moss voted “aye”.

41
42 **FINAL SUBDIVISION PLAT APPROVED FOR STEELE SBDVN;**
43 **810 EAST 500 SOUTH; DAVID HANSEN, APPLICANT**

44 Mr. Rowland presented the request of David Hansen (developer) for final subdivision plat

1 approval for a 5-lot subdivision, to be developed in two phases, at 810 East 500 South. This request
2 has been reviewed by the Planning Commission and comes to the Council with a positive
3 recommendation, subject to the following conditions:

- 4 1. Correction of any and all redlines.
- 5 2. Payment of the required fees including the Storm Water Impact Fee
- 6 3. The requirements of the Bountiful Storm Water Ordinance are met.
- 7 4. A note is placed on the Plat stating that the existing pool on Lot 101 shall not be used
8 unless a single-family residential dwelling is constructed on the Lot or the Lot is used in
9 conjunction with an adjoining property that is improved with a residential dwelling, per
10 BCLUO 14-4-105J. (See the attached plat map for the note containing the wording
11 approved by the Planning Director and the City Attorney).

12 The staff responded to questions from the Council, following which Councilman Moss made a
13 motion to approve the Steele Subdivision plat, as presented. Councilwoman Holbrook seconded the
14 motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight and Moss voted
15 “aye”.

16 **COUNCIL APPROVES RELEASE OF EASEMENT AT 193 WEST 3375 SOUTH**

17 Mr. Rowland reviewed the circumstances that resulted in a utility easement which is no
18 longer needed at 193 West 3375. He reported that the request to release the easement has been
19 reviewed by all of the utility companies that signed the plat and all have agreed that the easement is
20 not needed. It is the staff recommendation to release the easement between lots 104 and 105 in
21 Bountiful Hollow Subdivision. Councilman Knight motioned to approve the easement release,
22 subject to being signed off by all of the affected utilities. Councilman Higginson seconded the
23 motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight and Moss voted
24 “aye”.

25 **STAFF AND CALENDARING ITEMS**

26 None

27 **STUDY SESSION TO DISCUSS FIRE DISTRICT ALTERNATIVES**

28 Mr. Hill reviewed a staff report which he had prepared regarding the transition of Bountiful
29 City Fire Department to the South Davis Metro Fire Agency, and the possibility of creating a Fire
30 District which would have its own taxing authority and relieve city general fund budgets from
31 expenses related to the Fire Agency. He explained the impacts to Bountiful and stated that the
32 creation of the new District must be unanimous among all of the cities and the County. He also
33 reviewed the proposed time line if the Fire District were to be in place in 2014.

34 Jim Rampton, Chief of the Metro Agency, shared insights pertinent to creating the Fire
35 District, and expressed concern regarding the existing bond which was obligated by the other cities
36 in the Agency (Bountiful paid cash for its assessment). Chief Rampton will soon be leaving the
37 Metro Fire Agency and he is anxious for the upcoming transactions to be in the best interest of
38 south end citizens. No action was taken on this matter.

1 **ADJOURN**

2 The meeting adjourned at 9:04 p.m. on a motion made by Councilman Higginson and
3 seconded by Councilman Knight. Voting was unanimous with Councilpersons Higginson,
4 Holbrook, Knight and Moss voting “aye”.

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JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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