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**Minutes of the
Bountiful City Council Meeting
City Council Chambers
May 14, 2013, 7:00 p.m.**

7 Present: Mayor: Joe L. Johnson
8 Council Members: Richard Higginson, Beth Holbrook, John Marc Knight,
9 Fred Moss, and Thomas Tolman
10 City Manager: Gary Hill
11 City Attorney: Russell Mahan
12 City Engineer: Paul Rowland
13 Admin. Services Dir.: Galen Rasmussen
14 Planning/RDA Director: Aric Jensen
15 Department Heads: Tom Ross, Police
16 Jerry Wilson, Parks
17 Recording Secretary: Nancy Lawrence

19 Official Notice of this meeting had been given by posting a written notice of same and an
20 Agenda at the City Hall and providing copies to the following newspapers of general circulation:
21 Davis County Clipper, Standard Examiner, and on the Utah Public Notice Website.
22

23 Mayor Johnson called the meeting to order at 7:00 p.m., and welcomed those in attendance.
24 Ben Gregoire, visiting Boy Scout, led the pledge of allegiance to the flag and Councilman Tolman
25 offered the prayer/thought.
26

27 **APPROVAL OF MINUTES**

28 Minutes of the regular City Council meeting held April 23, 2013 were presented and
29 approved as written. Councilman Higginson motioned to approve the minutes, Councilwoman
30 Holbrook seconded the motion and voting was by a majority with Councilpersons Higginson,
31 Holbrook, Knight, and Moss voting “aye”. Councilman Tolman was absent from the meeting and
32 abstained from voting.
33

34 **APPROVAL OF MINUTES FROM COMMITTEE MEETINGS**

35 The following Council Committee meeting minutes were presented for approval:

- 36 • Joint Power Commission/City Council Meeting – April 23, 2013
37 • Sanitation and Traffic Safety Committee Meeting – April 22, 2013
38 • Public Safety and Finance Committee Meeting – April 23, 2013
39 • Public Safety and Finance Committee Meeting – April 24, 2013
40 • Parks, Recreation and Fine Arts Committee Meeting – April 25, 2013
41 • Water Committee Meeting – May 2, 2013

42 Councilman Higginson made a motion to approve the minutes from these meetings, as written.
43 Councilman Moss seconded the motion and voting was unanimous with Councilpersons Higginson,
44 Holbrook, Knight, Moss and Tolman voting “aye”.
45

46 **COUNCIL REPORTS**

47 Councilman Knight noted that the City administration and Council are moving toward using
48 more technology (and less paper) and Council “packets” will now be delivered electronically. He

1 also noted that personal handheld devices used by the Council are personal property, not purchased
2 by the City.
3

4 Councilwoman Holbrook expressed excitement at the upcoming Concerts in the Park series.
5 The schedule for the summer concert series is posted on the City web site.
6 <http://www.bountifulutah.gov/CommunityCalendar.aspx?display=month&sDate=6/1/2013&&displ>
7 [aymod=editworkarea](http://www.bountifulutah.gov/CommunityCalendar.aspx?display=month&sDate=6/1/2013&&displ) . The concerts will be held at the 400 North Park at 7:00 p.m. on Friday
8 evenings. A food truck from the Bountiful Food Pantry will be at some of the concerts to collect
9 food for the food bank.

10
11 Councilman Tolman noted that, in anticipation of construction of the new city hall, the
12 Willey cabin has been relocated from the west side of this campus to the north of the existing City
13 Hall building.
14

15 Councilman Moss reported that he has recently attended several meetings with the
16 Intermountain Power Agency (IPA) and significant progress has been made regarding future
17 contracts for that power. Los Angeles Department of Power has approved the contract, the option
18 for call back power for Bountiful and other users has been approved, and it is hopeful that
19 negotiations can be completed within two months.
20

21 **YOUTH COUNCIL REPORT**

22 Councilman Knight reported that the Youth Council for next year has been chosen and the
23 induction ceremony will be held in June. Next year's Youth Council will be meeting with the
24 existing Youth Council tomorrow. They will be sponsoring "Stomp on Main" on June 8th (200
25 South Main to 100 East). Communities that Care will help in sponsoring this event.
26

27 **WEEKLY EXPENDITURES APPROVED FOR** 28 **APRIL AND MAY TIME PERIODS**

29 Mayor Johnson presented the Report for Expenditures and Expenses paid on April 15, 2013
30 (\$139,326.02); April 22, 2013 (\$65,348.97); April 29, 2013 (\$1,282,227.55); and May 6, 2013
31 (\$604,923.71). Following a brief discussion, Councilman Moss motioned to approve the reports, as
32 presented. Councilman Higginson seconded the motion and voting was unanimous with
33 Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voting "aye".
34

35 **COMMUNITIES THAT CARE UPDATE – CATHERINE HOLBROOK**

36 Catherine Holbrook, executive director for Communities That Care, explained that this
37 organization serves as an umbrella to bring law enforcement, education and mental health programs
38 together to provide programs/events designed to strengthen families, improve the performance of
39 youth, and encourage positive peer relationships. She briefly brought the Council up-to-date since
40 her last report in September, 2012. Youth activities included sponsoring 12 families for Sub for
41 Santa, the recent basketball tournament, (with 50 teams participating and coverage by local TV
42 stations), the Youth Summit held at Viewmont High School, and parenting programs which include
43 "Parents in Power" which focuses on the problems associated with under-age drinking, e.g. brain
44 damage. Chief Ross affirmed that these programs are very valuable and will assist in helping to
45 keep kids on the right track.
46

1 **ROTARY CLUB CAR SHOW PRESENTATION**

2 Ann Wiese, Rotary Club President, announced that the Coats for Kids Car Show will be held
3 June 14-15, 2013 in Bountiful. She expressed appreciation to the City for their strong support of
4 this project and reviewed the previous success they have had in collecting money for the Coats for
5 Kids project. Over the last 15 years, 6,000 children have been provided with warm winter clothing.
6 The car show this year will feature as many as 400 cars. The “burn out” will be held at 6:00 p.m. on
7 Friday and the show will run until 3 p.m. on Saturday. Sponsors will be recognized this week at the
8 Rotary Kick-off Luncheon. Chris Simonsen (chair of the car show) presented a short video clip of
9 the show, including the “burn out”, and then presented “Mayor Joe” with a plaque recognizing him
10 as the Honorary Chairman of the Coats for Kids project. The Mayor expressed appreciation for the
11 service of the Rotarians and expressed the hope that the goal of providing warm clothing for 100
12 percent of all children in need will be accomplished.

13
14 **PUBLIC HEARING RE: ZONE MAP AMENDMENT – 147 WEST 300 SOUTH,**
15 **LARRY DE PAIX, APPLICANT; ORD. NO. 2013-02 ADOPTED**

16 Mr. Jensen reviewed the request of Larry DuPaix for a zone map amendment from General
17 Commercial (CG) to Residential Multiple-Family (RM-19) for the property located at 147 West 300
18 South. The subject property is approximately 0.5 acre in size and is currently improved with a
19 single-family residence. The request has been reviewed by the Planning Commission and comes to
20 the Council with a unanimous positive recommendation.

21
22 Mayor Johnson opened the public hearing to consider this request at 7:47 p.m. Mr. DuPaix
23 briefly explained his plan to demolish the existing residence and build three townhome style
24 dwelling units. There were no other comments and the hearing was closed at 7:52 p.m.
25 Councilman Higginson made a motion to support the recommendation of the Planning Commission
26 and to adopt Ordinance No. 2013-02 entitled, AN ORDINANCE AMENDING THE BOUNTIFUL CITY
27 ZONING MAP TO CHANGE THE ZONE DESIGNATION OF PROPERTY IN THE VICINITY OF 147 WEST 300
28 SOUTH FROM CG (GENERAL COMMERCIAL) TO RM-19 (RESIDENTIAL MULTIPLE FAMILY 19
29 UNITS/ACRE). Councilwoman Holbrook seconded the motion and voting was unanimous.
30 Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

31
32 **PUBLIC HEARING RE: ZONE MAP AMENDMENT – 2110 SO. ORCHARD DR.,**
33 **SHARM SMOOT, APPLICANT**

34 Mr. Jensen noted that this hearing is a continuance from the previous City Council meeting.
35 He reviewed that the subject property is currently improved with a commercial building. The
36 proposal is to rezone 1/3 acre to make it consistent with the rest of the partial, which is currently
37 zoned RM-19. He said that members of the Planning Commission have had varied opinions
38 regarding the rezone request and possible uses of the property. The height of buildings developed
39 has been a major concern.

40
41 The Mayor opened the public hearing at 8:10 p.m. and the following citizens expressed
42 concerns about the rezone request:

43 Teresa Nelson (close neighbor to the property) expressed concern about high density
44 developments and the impact they will have on the elementary school (suggesting that it could
45 become a Title I school like the area from which they moved). She encouraged the property to be
46 left commercial. Leon Hoffman, 2032 Penman Lane, noted that this neighborhood is slowly going

1 downhill (over the 40 years that he has lived there) , that he was opposed to high density housing,
2 and suggested that the property be left commercial. Mrs. Lindeman (2700 South Penman Lane) was
3 concerned that the plan of the developer was to first develop the front of the property and leave
4 existing structures on the back. She pointed out that the existing structures are not an asset to the
5 neighborhood and recommended that the zone not be changed.
6

7 Mr. Smoot commented on improvements which have been made to the existing units and he
8 referred to another development on 2600 South which this project would be modeled after. His goal
9 in developing is to put in something that will change the look and feel along Orchard Drive. He
10 indicated that as a developer, he would like to work with the neighborhood regarding their concerns.
11 Mr. Rowland clarified ingress and egress issues and the 20' easement associated with the old
12 Bonneville Canal. The hearing was closed at 8:45 p.m.
13

14 Following discussion, Councilman Moss motioned to deny the rezone request. Councilman
15 Knight seconded the motion and voting was by a majority. Councilpersons Higginson, Knight,
16 Moss and Tolman voted "aye"; Councilwoman Holbrook voted "nay".
17

18 Mr. Smoot noted that he would be willing to consider things which the neighborhood
19 approved and a short discussion followed. Councilman Higginson offered an apology to residents
20 on Penman Lane, on behalf of the City, for the intrusion to their back yards due to the development
21 immediately east.
22

23 **PUBLIC HEARING RE: SIGN ORDINANCE (ELECTRONIC MESSAGE**
24 **CENTERS)**

25 Mr. Jensen reviewed that the Planning Commission has been revisiting the issue of
26 electronic message centers (a panel or reader board that can show electronic text and images, and is
27 sometimes called a digital reader board). A number of meetings have been held and the opinions of
28 the Planning Commission members are extremely varied. Although there are negative concerns
29 about the reader boards, Councilwoman Holbrook pointed out that the City needs to attract small
30 business owners and this type of sign is appealing to them.
31

32 At 9:12 p.m. Mayor Johnson opened the public hearing. Rich Evans (residence in Pleasant
33 View and VP of the Goldenwest Credit Union under construction on Orchard Drive) spoke in favor
34 of approving an ordinance which would provide for use of the reader boards. Gordon Holbrook,
35 owner of Gordon's Copy Print and the contiguous business, favored the ordinance changes, noting
36 that as a small businessman, the reader board is a very positive advertising medium. Phil Wright,
37 Bountiful resident and Golden West employee, stated that the reader board signs can be mutually
38 beneficial to the business and community. Jeff Randle, Great Basin Engineering and Layton
39 resident, expressed concern that animation should be allowed (currently not recommended in the
40 proposed ordinance).
41

42 The Mayor closed the public hearing at 9:36 p.m. and a lengthy discussion followed.
43 Councilwoman Holbrook made a motion to continue the hearing to the next City Council meeting
44 for the purpose of allowing more time to research issues which have been raised. Councilman
45 Tolman seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook,
46 Knight, Moss and Tolman voted "aye".

PRELIMINARY AND FINAL APPROVAL GRANTED TO PLAT O AND PLAT P OF THE BOUNTIFUL CITY CEMETERY

Mr. Rowland explained that each addition to the City’s cemetery requires the preparation of a subdivision plat map, review by the Planning Commission and the City Council, and then recording of the plat with the Bountiful City Recorder. He reviewed the proposed additions (Plat O and Plat P) and said that the Planning Commission has reviewed the proposal and sends it to the Council with a positive recommendation. Staff also recommends approval. Councilman Knight made a motion to grant Preliminary and Final approval of Plat O and Plat P of the Bountiful City Cemetery. Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voted “aye”.

PRELIMINARY AND FINAL COMMERCIAL SBDVN. PLAT APPROVED; LODDER AUTOMOTIVE, 560 SOUTH 500 WEST

Mr. Rowland presented the request of John Lodder for preliminary and final commercial subdivision plat approval for a two lot commercial subdivision at approximately 560 South 500 West. This request has been reviewed by the Planning Commission and comes to the Council with a unanimous positive recommendation, subject to the following conditions:

1. Any and all redline corrections are made.
2. The applicant shall provide a copy of the permit from Davis County Flood Control as required during the site plan approval.

Mr. Rowland clarified concerns about the existing culvert, following which Councilman Knight made a motion to grant preliminary and final subdivision plat approval, as recommended. Councilwoman Holbrook seconded the motion and voting was unanimous. Councilpersons Higginson, Holbrook, Knight, Moss, and Tolman voted “aye”.

COUNCIL ADOPTS TENTATIVE BUDGET FOR FISCAL YEAR 2013-2014

Mr. Hill reviewed the process required for preparation and adoption of a governmental budget and he noted that every department of the City has submitted, reviewed, and met with the Council Committee regarding their proposed budgets for the 2013-2014 fiscal year. He referenced the Tentative Budget, which includes Operating and Capital Budgets, with Rates and Fees for the fiscal year 2013-2014. The budget calendar was also referenced. Revenues and Expenses of the proposed Tentative Budget are balanced at \$64,621,818, less Intra-City Revenue and transfers (negative figure) of \$11,751,266, with net figure of \$52,870,552.00. Councilman Knight made a motion to approve the Tentative Budget as presented. Councilwoman Holbrook seconded the motion and voting was unanimous with Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voting “aye”.

The meeting adjourned at 10:05 p.m. on a motion made by Councilman Higginson and seconded by Councilwoman Holbrook. Voting was unanimous with Councilpersons Higginson, Holbrook, Knight, Moss and Tolman voting “aye”.

JOE L. JOHNSON, Mayor

KIM J. COLEMAN, City Recorder

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