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**Minutes of the  
BOUNTIFUL CITY COUNCIL  
September 8, 2015 – 6:03 p.m.**

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Present: Mayor: Randy Lewis  
Council Members: Kendalyn Harris, Richard Higginson, Beth Holbrook,  
John Marc Knight, John Pitt  
City Manager: Gary Hill  
City Engineer: Paul Rowland  
City Attorney: Russell Mahan  
City Planner: Chad Wilkinson  
Department Directors & Personnel:  
Tom Ross- Police Chief  
Tyson Beck – Finance Director  
Brock Hill – Parks Director  
Allen Johnson – Light & Power Director  
Lloyd Cheney – Asst. City Engineer  
Recording Secretary: Nikki Dandurand

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 – 6:03-7:05 p.m.**

**DOGS IN PARKS/LEASH LAW DISCUSSION – MR. BROCK HILL**

Mr. Hill reviewed the City's current dog leash law, which is over 20 years old. The dog at large policy is from the model county animal ordinance. The Bountiful City Code currently states dogs are not allowed in the cemetery or city parks and on leash only outside private property. Mr. Hill stated that most residents currently walking their dogs in the parks on leash are in violation of the City code without even knowing it. Mr. Hill stated he has been working with a few local residents on a solution for all of Bountiful residents. The biggest concern is the pickup of dog waste by the owners, and how to educate and encourage the owners to be responsible for their dogs. Dog waste stations can be installed as well as on/off leash parks to establish areas for all residents to enjoy. The Council discussed various options for parks to convert, rules for the parks and enforcement. Mayor Lewis concluded by saying that this item needs to be addressed and is excited to help the residents of the City enjoy the outdoors with their dogs.

**SENIOR HOUSING/ASSISTED LIVING DISCUSSION – MR. CHAD WILKINSON**

Mr. Wilkinson reviewed notes from the last discussion at a work session in January 2015 and has since received three letters from local assisted living center directors. Two sites were in the approval process for new builds, but one has since been removed. The remaining site is set for final approval next week. Mr. Wilkinson asked the Council what direction they would like to go. Councilman Higginson re-emphasized that we do not want any commercial ground being converted for use as assisted living centers, and added that he did not have a strong opinion if the Council wanted to remove or modify the density bonus. Councilwoman Holbrook agreed with the

1 emphasis on restricting conversion of commercial sites. She stated that she would be willing to look  
2 at modifying or adapting the density bonus, but was also fine with restrictions in certain zones.  
3 Councilwoman Harris stated that she would like to look at the density bonus, and asked if anyone  
4 was against it. Councilman Pitt replied he was not against looking at it. Councilman Knight stated his  
5 belief that assisted living was best suited for the hospital zone, although there might be specific  
6 arguments for it being built elsewhere.

7  
8 **Regular Meeting – 7:05 p.m.**  
9 **City Council Chambers**

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11 Mayor Lewis called the meeting to order at 7:05 p.m. and welcomed those in attendance.  
12 Jaron Hamblin, Troop 431, led the Pledge of Allegiance; Carolyn Black, resident, gave a prayer.

13  
14 **APPROVAL OF MINUTES**

15 Minutes of the August 11, 2015 meeting were presented. Councilman Higginson made a  
16 motion to approve the minutes as presented, and Councilwoman Harris seconded the motion. Voting  
17 was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

18  
19 **COUNCIL REPORTS**

20 Councilwoman Holbrook said thank you to all that participated in the Summer Concert Series.  
21 Councilman Higginson wanted to give a special thanks to our Police Department and encouraged the  
22 citizens to do the same. Councilman Pitt said thank you as well to all that helped with the many  
23 summer events this year.

24  
25 **YOUTH COUNCIL REPORT**

26 Council members Jeremy Mumford and Sarah Peters reported on the help they provided for  
27 the Tour of Utah, and plans for the upcoming Pumpkin Patch.

28  
29 **CONSIDER APPROVAL OF WEEKLY EXPENDITURES > \$1,000 PAID JULY 27,**  
30 **AUGUST 3, 17, 18 (JUNE INVOICES), 23 & 24, 2015 AND THE MONTHLY FINANCIAL**  
31 **REPORTS FOR JUNE 2015**

32 Mayor Lewis presented the weekly expenditure summary paid on July 27 for \$137,380.37,  
33 August 3 for \$321,797.51, August 17 for \$45,580.45, August 18 (June Invoices) for \$81,832.00,  
34 August 23 for \$9,064.86 and August 24 for \$1,368,957.95. Councilman Pitt moved to approve the  
35 expenditures as presented, and Councilman Higginson seconded the motion. Voting was unanimous  
36 with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

37  
38 **DAVIS COUNTY SCHOOL DISTRICT BOND PRESENTATION - MR. CRAIG CARTER,**  
39 **DAVIS COUNTY SCHOOL DISTRICT**

40 Mr. Carter turned the time over to Rulon Homer, High School Director for Davis County  
41 School District. Mr. Homer explained the need for this bond and the reasons behind it. The growth  
42 in Davis County has been substantial. Currently there are numerous portable classrooms within the  
43 district, some schools are on a year round calendar and boundary adjustments have been made to  
44 support the increased growth. Mueller Park Jr. High, Viewmont High and Woods Cross High are on  
45 the list of schools that need additional money to accommodate the students. Mr. Carter then  
46 explained the funding, additional tax increase to fund the bond and budget issues associated with this

1 bond. They asked that Bountiful City pass a resolution to support the bond at the next election.  
2 Mayor Lewis concluded that as a County, we need to share in the things that are good for the  
3 community.  
4

5 **PUBLIC HEARING: THE PURPOSE AND OPERATION OF THE PROPOSED SOUTH**  
6 **DAVIS FIRE SERVICE AREA THAT WILL PROVIDE FIRE PROTETION, EMERGENCY**  
7 **RESPONSE SERVICES, EMERGENCY MEDICAL RESPONSE, PARAMEDIC,**  
8 **AMBULANCE SERVICES AND RELATED SERVICES AND RECEIVE PUBLIC INPUT**  
9 **ON THE PROPOSED LOCAL DISTRICT – MR. RUSSELL MAHAN**

10 Mr. Mahan explained the current situation of local Fire Services, why this proposal is open for  
11 a public hearing and the dates of the protest period. No actions will be taken by the City Council  
12 tonight. Chief Bassett discussed the current budget and interlocal agreement, and said there are major  
13 capital issues that need to be addressed. Since the current entity is a non-taxing authority, it makes  
14 bonding for capital expenses impossible. Chief Bassett went on to describe the conditions of some of  
15 the fire stations and needs of our local emergency response teams.  
16

17 *PUBLIC HEARING: OPEN: 7:43 P.M.*

- 18 • *Van Nielson* – strongly supports our emergency responders
- 19 • *Kim Ball* – 900 North 1000 East – asked to have the process explained for increasing  
20 taxes. Chief Bassett responded. Mayor Lewis also added that several months ago, the  
21 City was strongly against this proposal, but with some explaining, we are comfortable  
22 to move forward. Mr. Mahan also explained that all City Managers and Mayors  
23 within the area will be on the new governing board.
- 24 • *Gary Davis* – 2841 South 500 West – asked to clarify what the reasons were for  
25 creating the special district and where the funding comes from.
- 26 • *Kate Bradshaw* – 379 North 650 East – Asked how we know if Bountiful gets its fair  
27 share of the bond money. Mr. Gary Hill responded that it is on an assessed value. Mr.  
28 Mahan also explained that Bountiful is not responsible for the existing bond amount.  
29

30 Mr. Mahan closed the hearing by reading the public protest process.

31 *CLOSED: 8:05 P.M.*  
32

33 **CONSIDER APPROVAL OF A QUIT CLAIM DEED ON RICHARD SHARP PROPERTY**  
34 **LOCATED AT 500 EAST MILL STREET – MR. RUSSELL MAHAN**

35 Mr. Mahan stated this approval is necessary to clear the title on the Sharp property by a  
36 quitclaim deed to Mr. Sharp. This arises from the acquisition of the Swaney property adjacent to the  
37 proposed park on 500 East Mill Street. Councilwoman Harris made a motion to approve the quit  
38 claim deed, and Councilman Pitt seconded the motion. Councilman Higginson made it known that  
39 this does not warrant any items to the Sharps and the City has no claim to the title. Voting was  
40 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.  
41

42 **CONSIDER APPROVAL OF THE STEEL POLE BID FROM SABRE IN THE AMOUNT OF**  
43 **\$97,179 – MR. ALLEN JOHNSON**

44 Mr. Johnson stated the work was started this week and will hopefully be completed by spring  
45 2016. Three bids were received, but one was not complete. Mr. Johnson asked that the low bid from  
46 Sabre to be approved for the purchase. Councilwoman Harris made a motion to approve the

1 purchase, and Councilman Higginson seconded the motion. Voting was unanimous with  
2 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

3  
4 **CONSIDER APPROVAL OF THE VOLTAGE TRANSFORMER BID FROM CODALE**  
5 **ELECTRIC IN THE AMOUNT OF \$30,701 – MR. ALLEN JOHNSON**

6 Mr. Johnson stated that two local bids were received, with Codale being the low bid.  
7 Councilwoman Holbrook moved to approve the purchase, and Councilman Higginson seconded the  
8 motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt  
9 voting “aye”.

10  
11 **CONSIDER APPROVAL OF AN INTERIOR PAINTING CONTRACT FOR THE PUBLIC**  
12 **SAFETY BUILDING WITH PECK’S PAINTING IN THE AMOUNT OF \$28,905 – CHIEF**  
13 **TOM ROSS**

14 Chief Ross presented a bid with a local company for the interior painting of the building.  
15 Councilman Knight moved to approve the contract, and Councilman Pitt seconded the motion.  
16 Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting  
17 “aye”.

18  
19 **CONSIDER APPROVAL OF CONTRACT TO REPAIR THE MILLSTREAM WAY SLOPE**  
20 **WITH IMPRESSIVE HOMES IN THE AMOUNT OF \$77,163 – MR. LLOYD CHENEY**

21 Mr. Cheney explained that last year, some damage to the slope was caused by a water pipe  
22 leak. A previous bid was received, but was too high at the time. There are two bids currently, and  
23 approval of the low bid is recommended. Councilman Higginson moved to approve the contract, and  
24 Councilwoman Holbrook seconded the motion. Voting was unanimous with Councilpersons Harris,  
25 Higginson, Holbrook, Knight and Pitt voting “aye”.

26  
27 **PUBLIC HEARING: CONSIDER AMENDING THE PROVISION OF CHAPTER 6 AND**  
28 **CHAPTER 14 OF THE BOUNTIFUL CITY LAND USE ORDINANCE RELATED TO**  
29 **ALLOWING TELECOMMUNICATIONS FACILITES WITHIN COMMERCIAL ZONES –**  
30 **MR. CHAD WILKINSON**

31 Mr. Wilkinson stated the current Bountiful City Land Use Ordinance includes standards for  
32 telecommunication towers (commonly referred to as cellular or cell towers) which stipulate that these  
33 facilities not be placed in residential areas unless there is no other alternative. In contrast, the list of  
34 allowed uses for the commercial zone districts in Bountiful does not allow the use of  
35 telecommunications facilities in commercial zones. The proposed amendment would modify the  
36 table of allowed uses to permit telecommunications uses on City owned properties in Commercial  
37 zones and conditional uses on non-city owned property in these zones.

38  
39 *PUBLIC HEARING: OPEN: 8:24 P.M.*

- 40 • *Casey Urb* - asked for better clarification on residential vs. public property and why  
41 *CLOSED: 8:26 P.M.*

42  
43 Councilman Higginson stated that if the City can collect revenue, it will help the residents. If  
44 the towers are placed on school property, it will not benefit as much. Mr. Mahan concluded that the  
45 ordinance is not prepared at this time, so no vote can be taken. This item is postponed for the next  
46 agenda.

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2 **CONSIDER APPROVAL OF A SUBDIVISION AMENDMENT FOR NORTHERN HILLS**  
3 **SUBDIVISION PLAT B IN ORDER TO COMBINE LOTS 63 & 64 LOCATED AT 1232**  
4 **EAST NORTHERN HILLS, BRAD MILLER, APPLICANT – MR. PAUL ROWLAND**

5 Council reviewed the amendment and Councilman Higginson made a motion to approve the  
6 subdivision amendment, and Councilman Knight seconded the motion. Voting was unanimous with  
7 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

8  
9 **CONSIDER PRELIMINARY AND FINAL PLAT APPROVAL OF THE ORCHARD PINES**  
10 **PUD COMMERCIAL LOT 2 CONDOMINIUM AT 2155 SOUTH ORCHARD DRIVE,**  
11 **KNOWLTON GENERAL, APPLICANT – MR. PAUL ROWLAND**

12 Mr. Rowland stated the applicant only wishes to change the ownership with the final plat  
13 approval. Councilman Pitt made a motion to approve the preliminary and final plat approval, and  
14 Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons Harris,  
15 Higginson, Holbrook, Knight and Pitt voting “aye”.

16  
17 **CONSIDER APPROVAL OF PRELIMINARY AND FINAL SITE PLAN TO DEVELOP**  
18 **PHASE 2 OF A MULTI-FAMILY AND COMMERCIAL MIXED USE DEVELOPMENT**  
19 **FOR KNOWLTON GENERAL TO INCLUDE 2 PARCELS LOCATED AT**  
20 **APPROXIMATELY 35 WEST 100 SOUTH, HEPWORTH INVESTMENTS, APPLICANT –**  
21 **MR. CHAD WILKINSON**

22 Mr. Wilkinson stated that preliminary approval was granted a few weeks ago, but the total  
23 number of units has changed, the parking was fixed and phase 3 was completely removed. The  
24 Planning Commission recommends approval with the following conditions being met:

- 25 1. Complete any and all redline corrections, including modifications.
- 26 2. Prior to issuance of building permits, the property shall be consolidated into one  
27 parcel.
- 28 3. Prior to final approval, submit a revised final landscape plan consistent with the  
29 amended plan and meeting the requirements of Chapter 16 of the Bountiful City  
30 Zoning Ordinance.
- 31 4. Approval of the amended Conditional Use Permit and site plan rescinds the previous  
32 approval. Any development of area shown as future phase will require additional  
33 approval by the Planning Commission and City Council.

34  
35 Mr. Wilkinson continued that if the conditions are met, a permit will be approved.  
36 Councilwoman Holbrook made a motion to rescind the original approval and to approve the amended  
37 preliminary and final plat approval with the revised wording, and Councilman Higginson seconded  
38 the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and  
39 Pitt voting “aye”.

40  
41 **CONSIDER APPROVAL OF RESOLUTION 2015-10 APPOINTING JOHN MARC KNIGHT**  
42 **AND CHAD WILKINSON AS BOUNTIFUL CITY REPRESENTATIVES FOR THE**  
43 **BOUNTIFUL REDEVELOPMENT AGENCY TAXING ENTITY COMMITTEE – MR.**  
44 **CHAD WILKINSON**

45 Mr. Wilkinson stated that within all the taxing entities there are many representatives.  
46 Councilman Higginson made a motion to approve Resolution 2015-10, and Councilwoman Holbrook

1 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,  
2 Knight and Pitt voting "aye".

3 Councilwoman Holbrook made a motion to close the regular session and adjourn to a closed  
4 session to discuss the acquisition or sale of real property, pending litigation and/or to discuss the  
5 character and/or competency of an individual(s) (Utah Code 52-4-205) and Councilman Higginson  
6 seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook,  
7 Knight and Pitt voting "aye".

8 The regular meeting of City Council was adjourned at 8:38 p.m.  
9

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11 *Attendees in Closed Session:*

12 *Mayor: Randy Lewis*

13 *Council Members: Kendalyn Harris, Beth Holbrook, Richard Higginson, John Marc  
14 Knight, John Pitt*

15 *City Manager: Gary Hill*

16 *City Attorney: Russell Mahan*

17 *City Engineer: Paul Rowland*  
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\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Recorder