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**Minutes of the
BOUNTIFUL CITY COUNCIL**

October 25, 2016 – 7:00 p.m.

Present: Mayor Randy Lewis
Councilmembers Kendalyn Harris, Richard Higginson, Beth Holbrook,
John Marc Knight, John Pitt
City Manager Gary Hill
City Attorney Clinton Drake
City Engineer Paul Rowland
City Planner Chad Wilkinson

Department Directors/Staff:

Asst. City Manager Galen Rasmussen
Police Chief Tom Ross
Finance Director Tyson Beck
Parks Director Brock Hill
Planning Director Chad Wilkinson
IT Director Alan West
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.

Site Visit to Creekside Park – 5:45 p.m.

Regular Meeting – 6:58 p.m.
City Council Chambers

Mayor Lewis called the meeting to order at 6:58 p.m. and welcomed those in attendance. Dr. Chris Simonsen led the Pledge of Allegiance; Doug Ferrell, Bountiful Stonecreek Stake, gave a prayer.

APPROVE MINUTES OF PREVIOUS MEETINGS – OCTOBER 11, 2016

Mayor Lewis presented the minutes as printed. Councilwoman Holbrook moved to approve them as presented, and Councilman Higginson seconded the motion. Councilman Knight abstained his vote as he was not present at that meeting. Voting was unanimous with Councilpersons Harris, Higginson, Holbrook and Pitt voting “aye”.

COUNCIL REPORTS

Councilwoman Holbrook announced the Bar J Wranglers will be performing at Viewmont High School in December. Councilman Knight reported on the progress at Creekside Park and what an incredible park it will be. It should be open late spring/early summer. Councilman Higginson

1 reported that the museum is still under construction and will be open soon.

2
3 **CONSIDER APPROVAL OF WEEKLY EXPENDITURES > \$1,000 PAID OCTOBER 3 & 10,**
4 **2016 / SEPT 2016 FINANCIAL REPORT**

5 Mayor Lewis presented the expenditures and the September financial report and asked for a
6 motion to approve. Councilman Knight moved to approve the weekly expenditures and Councilman
7 Higginson seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
8 Holbrook, Knight and Pitt voting “aye”.

9
10 **CONSIDER APPROVAL OF THE PURCHASE OF TWO FORD EXPLORERS AND ONE**
11 **FORD MUSTANG FROM PERFORMANCE AUTOMOTIVE GROUP FOR THE TOTAL**
12 **AMOUNT OF \$82,438 – CHIEF TOM ROSS**

13 Chief Ross stated the vehicles to be purchased are two Ford Explorers which will be assigned
14 to the patrol division and one Ford Mustang which will be assigned to Viewmont High School. All
15 three vehicles will be purchased from Performance Automotive Group utilizing state bid contract
16 pricing. Councilman Knight moved to approve the purchase of the vehicles and Councilwoman
17 Harris seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
18 Holbrook, Knight and Pitt voting “aye”.

19
20 **CONSIDER ITEMS RELATED TO A POWER SALES CONTRACT FOR THE**
21 **INTERMOUNTAIN POWER PROJECT- MR. ALLEN JOHNSON**

- 22 a. **Authorize Mayor Lewis to sign the Acceptance Letter of the new Purchaser Generation**
23 **Entitlement Share**
24 b. **Adopt Resolution 2016-17 Approving and Authorizing the Execution and Delivery of the**
25 **Renewal Offer Documents**
26 c. **Adopt Resolution 2016-18 Approving and Authorizing the Execution and Delivery of an**
27 **Agreement for the Sale of Renewal Excess Power**
28

29 Mr. Johnson stated that on October 23, 2012, the City Council previously approved two of the
30 necessary agreements - the Second Amendatory Power Sales Contract and the Fourth Amendment to
31 the IPA Organization Agreement. As of March 16, 2016, all of the 35 purchasers had approved and
32 signed the necessary Amendatory Contracts and they are now in effect. There are three more
33 contracts that need to be approved by the Council and signed and returned to IPA before May 25,
34 2016. The first contract is the Acceptance Letter, which needs to be signed by all purchasers who
35 wish to remain in the project after the termination of the existing Power Sales Contract in 2027. The
36 second is the Renewal Power Sales Contract and the third is the Excess Power Agreement which
37 would give Staff and the Power Commission authority to approve up to 30 MWs of power from the
38 project as in the current contract. Councilman Higginson asked if this plant is the largest single
39 resource we utilize for power. Mr. Johnson responded that the Colorado River Storage Project is the
40 largest single resource used and brings in nearly 40% of our power currently.

41 Councilwoman Holbrook moved to authorize the Mayor to sign the letter, approve Resolution
42 2016-17 and Resolution 2016-18, and Councilman Higginson seconded the motion. Voting was
43 unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

44
45 **CONSIDER PRELIMINARY SUBDIVISION APPROVAL FOR THE EAST ORCHARD**
46 **SUBDIVISION LOCATED AT 2340 SOUTH 200 WEST – MR. PAUL ROWLAND**

1 Mr. Rowland stated that Mr. Gary Wright is requesting preliminary approval for a seven lot
2 subdivision proposed for the 2.3 acres currently occupied by two homes, several barns/sheds and
3 some horse arena ground, located at 2340 South 200 West, across the street from the Bountiful City
4 Cemetery. The area is zoned R-4 and the request is for a subdivision which is consistent with the
5 existing zoning requirements. All utilities are available on 200 West to be extended into this new
6 cul-de-sac. The storm water runoff from this area drains onto 200 West and runs north into the 200
7 West storm drain system at 2200 South. This system is currently at capacity so onsite detention is
8 required. The developer is proposing to provide onsite detention in underground detention chambers
9 located between lot 6 and lot 7. A maintenance agreement with the property owner is required for the
10 long term maintenance of the detention chambers. The Planning Commission passes along the
11 recommendation for preliminary approval with the conditions listed below:

- 12 1. Payment of all required fees.
- 13 2. Provide a current Title Report.
- 14 3. Finalize the design of the underground storm water detention system along with a
15 signed maintenance agreement.

16
17 Councilman Higginson made a motion to approve the preliminary site plans, Councilwoman
18 Holbrook seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
19 Holbrook, Knight and Pitt voting “aye”.

20
21 **CONSIDER APPROVAL OF RELEASE OF A STORM DRAIN EASEMENT ON LOT 1 IN**
22 **THE RUTH ESTATES SUBDIVISION AND AUTHORIZING THE MAYOR TO SIGN THE**
23 **RELEASE DOCUMENT – MR. PAUL ROWLAND**

24 Mr. Rowland stated that when the Ruth Estates Subdivision was originally approved, the
25 storm water detention basin on Lot 1 was proposed to wrap around the house on the north and west
26 side yards. Brighton Homes is requesting a change in the location of the basin to better match the
27 grading of the lot. The new basin will have the same detention capacity, the only difference is that it
28 will be located along the north side of the yard rather than wrapping around the home. Councilman
29 Higginson made a motion to approve the release and Councilman Pitt seconded the motion. Voting
30 was unanimous with Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”.

31
32 **PROVIDE DIRECTION ON CONSTRUCTION OF A DOWNTOWN PLAZA WITH OR**
33 **WITHOUT A CITY HALL – MR. GARY HILL**

34 Mr. Gary Hill stated that approximately two years ago, the City began addressing several
35 separate issues at the same time:

- 36 - Main Street needs investment and activity to encourage further private
37 development.
 - 38 -There is a growing need for downtown improvements for events and activities,
39 including the car show, farmers market, Tour of Utah, concerts, restrooms, etc.
 - 40 - Stoker School. The structural condition of the 100-year old building was unknown.
41 Major costs for repairs and maintenance were looming.
 - 42 - City Hall needs significant renovation (\$4-\$6.5 million). Maintenance costs are
43 escalating.
 - 44 -Bountiful’s 30-year RDA was expiring, which was a major revenue source for
45 redevelopment projects.
- 46

1 With these issues in mind, the City came up with an idea to address the items together:
2 renovate Stoker School as a City Hall and develop the soccer field and area around Stoker into a
3 plaza. The concept also included developing the area around the current city hall as a mixed-use,
4 transit oriented development. This whole concept would all be presented to the other taxing entities
5 as the basis for renewal of the RDA. The City Council authorized a structural study to determine if
6 Stoker could be renovated. The results were not favorable. Despite this disappointment, the Council
7 still saw the merits of relocating city hall and the other benefits of the concept. The Davis County
8 School District, Davis County and other taxing entities recognized the merits of the proposal and of
9 maintaining a vibrant downtown. They unanimously approved a 20-year extension for the RDA.
10 Funding for the plaza will come from the RDA and construction of City Hall is included in the City's
11 Capital Improvement Plan. The plaza is estimated to cost \$3 million and the budget for City Hall is
12 \$13 million. No tax increase or bonding is necessary. In March 2016, the City announced its plans to
13 the public. An open house to inform residents and get feedback was held on March 23rd. In July, the
14 City Council hired an architect and design team to start the design of the plaza and City Hall and to
15 formally kick-off the public input process. A mailer was sent to all residents in the City and open
16 houses were scheduled for August 18th and October 6th. In the meantime, some residents voiced
17 concern about the project and asked to present their opposition to building a city hall in particular at
18 the Council meeting on September 18th. Following the September 18th meeting, the Council
19 postponed the selection of a construction manager/ general contractor until the Council Meeting,
20 today, October 25th.

21 Resident Margaret Nelson tried to address the Council and Mayor, but was informed this was
22 not a public hearing.

23 Mayor Lewis made a few comments to the audience and staff. He commented on the
24 communication efforts and appreciated the staff working so many hours on this project. Many hard
25 decisions have been made recently by the Council in regards to the City's future. However, he is
26 100% in favor of the downtown plaza and city hall.

27 Councilman Knight was also very pleased with the staff pulling this project together, the RDA
28 funds to help with the fiscal portion and appreciated all the Councilmembers and their concerns.

29 Councilman Higginson appreciated the concern and participation of the people and said the
30 many delays were needed to consider all options for this plan. Only this afternoon, did he make his
31 final decision and his vote will be reflective of that careful decision.

32 Councilman Pitt expressed his appreciation to the residents and to the staff for their extra
33 time, and the professionals who have already invested many hours into this project. He was grateful
34 for the extra weeks to consider the public input and the decisions the Council has already made.
35 When he was first elected, he ran for some specific issues, including economic development. Today,
36 the time has come to decide to be a protector or an envisioner. As he walked thru Creekside Park
37 today, he was reminded of what happens when you pursue a vision. His vision has always been
38 economic development. Some people see city hall as a personal Taj Mahal to the City, but that is
39 100% wrong. Right now we have the opportunity to leverage moving city hall for \$21 million in
40 RDA monies. The vision of the new city hall is very different than the current one and he appreciates
41 all the patience.

42 Councilwoman Harris stated that as one of the newer members on the Council, she remembers
43 watching a City Council session about purchasing golf carts and thinking it didn't make sense to buy
44 new ones. Now that she is on the Council side of discussions, she has a different view. The last City
45 Council meeting was very helpful; she listened to all the residents' remarks and is more informed.

1 There have been many reasonable people with very different opinions, lots of favorable suggestions
2 for the plaza and the staff and employees have been incredible during this process.

3 Councilwoman Holbrook made a motion to proceed with the downtown plaza and city hall
4 and engage Hogan Construction as Construction Manager/General Contractor. Councilman
5 Higginson asked if Councilwoman Holbrook would agree to the following additions to the motion
6 (made by him and Councilman Pitt):

- 7 • The new city hall should not be just a duplicate of the existing building but a civic center.
- 8 • The new city hall should be a gathering place that does not compete with existing downtown
9 businesses, but expands and compliments them.
- 10 • The new city hall should include expandable meeting space for large City gatherings such as
11 City Council and other civic meetings.
- 12 • It remains a Bountiful City Council priority to protect the residential nature of the
13 neighborhoods around Main Street and the plaza will be designed to minimize negative
14 impacts on these neighborhoods both during construction and after the plaza is in use.
- 15 • Farmer's markets and festivals should be brought off the street and parking should be brought
16 on site as much as possible.
- 17 • The sycamore trees at the north end of the property will be preserved.
- 18 • Bountiful City will work actively and diligently with the University of Utah to identify
19 appropriate site alternatives for needed classroom space and for the preservation of the
20 ceramics program currently located at the Stoker School.
- 21 • Bountiful City will ensure that all legal requirements are fulfilled and necessary steps taken to
22 proceed with the removal of the Stoker School Building and will engage the Bountiful
23 Historical Society in preserving artifacts from the building and distributing the mementos
24 from the structure in a fair and open manner.
- 25 • Bountiful City will solicit public input in multiple, well-publicized meetings to hear what
26 features and amenities residents would like to see on the public plaza. These meetings will be
27 time sensitive to both resident participation and the project's need to move forward.

28 Councilwoman Holbrook agreed to amends her motion. This motion was seconded by
29 Councilman Higginson. The Council took a roll call vote, with a unanimous vote by Councilpersons
30 Harris, Higginson, Holbrook, Knight and Pitt voting "aye". Councilwoman Harris made an
31 additional comment that she wished each item could be a separate vote as she supports the plaza but
32 not a city hall building.

33
34 **CONSIDER APPROVAL OF A CONSTRUCTION MANAGER/GENERAL CONTRACTOR**
35 **(CM/GC) FOR BOUNTIFUL DOWNTOWN PLAZA & CITY HALL – MR. GARY HILL**

36 Mr. Hill stated this was included in the vote for the previous agenda item (#9).
37

38 Mr. Clint Drake stated that the issue with Councilwoman Holbrook and a conflict of interest
39 has no bearing on this vote. The distance from the current City Hall vs. the new location to her
40 business, may actually be closer to the current City Hall.

41
42 Mayor Lewis asked for a motion to adjourn the regular session of City Council. Councilman
43 Higginson made a motion to adjourn the meeting, and Councilwoman Holbrook seconded the motion.

1 Councilpersons Harris, Higginson, Holbrook, Knight and Pitt voting “aye”. The regular session of the
2 City Council was adjourned at 8:10 p.m.

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Mayor Randy Lewis

City Recorder