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**Minutes of the
BOUNTIFUL CITY COUNCIL**

February 13, 2018 – 6:00 p.m.

Present: Mayor Randy Lewis
Councilmembers Kendalyn Harris, Richard Higginson, Beth Holbrook,
Chris Simonsen
City Manager Gary Hill
City Attorney Clinton Drake
City Planner Chad Wilkinson
City Engineer Paul Rowland
Asst. City Manager Galen Rasmussen
Asst. City Engineer Lloyd Cheney

Department Directors/Staff:

Police Chief Tom Ross
Parks Director Brock Hill
Assistant Streets Director Charles Benson
IT Department Rex Pickett
Recording Secretary Nikki Dandurand

Excused: Councilmember John Marc Knight

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 – 6:00 p.m.
Planning Conference Room

Mayor Lewis welcomed those in attendance and called the session to order at 6:08 p.m.

LEGISLATIVE UPDATE – MR. GARY HILL

Mr. Hill updated the council on current bills being discussed in the State’s legislative session. Mr. Hill started with HB 175 - Oversight Committee Creation. Councilwoman Holbrook stated this bill would create a committee of state legislators to investigate or audit any government decision making, i.e., local, county and state wide. Councilman Simonsen asked what Rep. Ray Ward’s position is on this bill. Mr. Hill responded that Rep. Ward is opposed. Mr. Hill suggested all Council members email him with their concerns on this particular bill.

Mr. Hill continued with SB 167 - Food Truck Regulation Amendments. Last year the legislature passed regulations for food trucks, which the City supported. This new bill has some new restrictions, causing some concerns.

The next bill was HB 256 - Electric Service District. Mr. Hill explained this bill would limit power cities to providing service to their existing boundaries, even in the case of future annexations, if the annexation area is currently receiving power from a service district. The City is encouraging UAMPS (Utah Associated Municipal Power Systems) to oppose this bill.

HB 271 - Government Enterprise Amendments, states that before a city provides a service

1 that can be provided by a private sector business, the city must receive public bids to provide that
2 service. This bill is generally directed at recreation centers. This bill has since been pulled from
3 committee.

4 Mr. Hill stated there is an initiative for the state wide homeless problem that would provide
5 funding for additional centers. There are two proposals for this initiative. The first is to charge a fee
6 for every city in the state or to fund \$3.2 million in a special fund just for state use.

7 Mayor Lewis stated there are several medical bills in discussion as well. Anyone who wishes
8 to track the bills can do so on the website ulct.org.

9
10 **HOW PROPERTY TAX WORKS – MR. GARY HILL**

11 Mr. Hill shared a PowerPoint presentation on how property tax works. The presentation
12 included a case study and showed the multiple tax rates (i.e., county, school district, city, etc.)
13 included in property tax and how each can affect the actual rate. Bountiful City has not adjusted the
14 property rate in several years and has the second lowest property tax in Davis County.

15
16 **Regular Meeting – 7:05 p.m.**
17 **City Council Chambers**

18
19 Mayor Lewis called the meeting to order at 7:05 p.m. and welcomed those in attendance.
20 Parker Tennant, Boy Scout Troop 665, led the Pledge of Allegiance and President Lloyd Campbell,
21 Mueller Park Stake, gave an opening prayer.

22
23 **PUBLIC COMMENT**

24 No comments were made.

25
26 **APPROVE MINUTES OF PREVIOUS MEETING – JANUARY 23, 2018**

27 Mayor Lewis presented the minutes from the previous meeting. Councilman Higginson
28 moved to approve the minutes and Councilman Simonsen seconded the motion. Voting was
29 unanimous with Councilpersons Harris, Higginson, Holbrook and Simonsen voting “aye”.

30
31 **BCYC REPORT**

32 Stratton Tidwell reported that the BCYC will be going to the leadership council in March.

33
34 **COUNCIL REPORTS**

35 Councilwoman Holbrook stated the ULCT and other state leagues are lobbying in
36 Washington DC for better infrastructure, particularly broadband expansion. Councilman Simonsen
37 mentioned the Community Service Council and how he is impressed with their work and service
38 including the CERT program, and he is excited to hear about Music in the Park for the summer.

39
40 **CONSIDER APPROVAL OF:**

41 **a. WEEKLY EXPENDITURES > \$1,000 PAID JANUARY 15, 22 & 29, 2018**

42 **b. DECEMBER 2017 FINANCIAL REPORT**

43 Mayor Lewis presented the expenditures/financial report and asked for a motion to approve.
44 Councilwoman Harris moved to approve the weekly expenditures/December report and Councilman
45 Higginson seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
46 Holbrook and Simonsen voting “aye”.

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2
3 **CONSIDER APPROVAL OF THE PURCHASE OF PICNIC TABLES FOR CREEKSIDE**
4 **PARK FROM MAGLIN SITE FURNITURE IN THE AMOUNT OF \$52,980 – MR. BROCK**
5 **HILL**

6 Mr. Brock Hill said the park is almost complete and will be open in April, with the main
7 pavilion open in May. Councilman Higginson stated this has been a long process for this park. Mr.
8 Hill stated the construction is now done and we can put the picnic tables in. The Parks Department
9 looked to purchase these tables locally, but no one could provide what was needed. Maglin Site
10 Furniture is located in Denver, CO and will deliver the tables to the City’s shops, and staff will then
11 install the tables at the park when ready. There are sufficient funds available to purchase the tables.
12 Councilman Higginson asked if the tables are welded and can be mounted to the ground. Mr. Hill
13 responded they can if needed. Councilman Simonsen asked if the tables will be only located in the
14 main pavilion or if they can be moved around. Councilwoman Harris moved to approve the purchase
15 and Councilman Higginson seconded the motion. Voting was unanimous with Councilpersons
16 Harris, Higginson, Holbrook and Simonsen voting “aye”.

17
18 **CONSIDER AMENDED PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR**
19 **CULVER’S FAST FOOD RESTAURANT LOCATED AT 620 NORTH 500 WEST**
20 **(HIGHWAY 89), MATT YOUNG REPRESENTING YOUNG ADVANTAGE, APPLICANT –**
21 **MR. CHAD WILKINSON**

22 Mr. Wilkinson stated the new plan involves a new access point to the north and small site
23 changes. The Planning Commission recommends approval with the conditions being met.
24 Councilman Higginson moved to approve the preliminary and final site plans and Councilwoman
25 Holbrook seconded the motion. Voting was unanimous with Councilpersons Harris, Higginson,
26 Holbrook and Simonsen voting “aye”.

27
28 **CONSIDER PRELIMINARY AND FINAL SITE PLAN APPROVAL FOR A MEDICAL**
29 **OFFICE BUILDING LOCATED AT 65 WEST 400 NORTH, 400 NORTH PARTNERS, LLC,**
30 **APPLICANT – MR. CHAD WILKINSON**

31 Mr. Wilkinson stated this building was developed under the new DN zone standards that were
32 adopted October 2017 and is recommended for approval. Councilwoman Harris moved to approve
33 the preliminary and final site plans and Councilman Higginson seconded the motion. Voting was
34 unanimous with Councilpersons Harris, Higginson, Holbrook and Simonsen voting “aye”.

35
36 **CONSIDER APPROVAL OF ORDINANCE 2018-01 AMENDING THE BOUNTIFUL CITY**
37 **ZONING MAP TO CHANGE 679.56 ACRES FROM R-3, R-F AND MWP ZONES TO OPEN**
38 **SPACE ZONING – MR. CHAD WILKINSON**

- 39 a. **PUBLIC HEARING**
40 b. **ACTION**

41
42 Mr. Wilkinson stated that a few years ago this area was changed to open space, which is a large
43 area. This re-zone provides better protection. As an open space zone, it is preserved with very
44 limited public use and will be used mostly for telecommunication towers. There is no private
45 property included. The Planning Commission recommends approval.

1 **PUBLIC HEARING- OPEN: 7:33 p.m.**

2 **CLOSED: 7:34 p.m.**

3
4 Mr. Wilkinson noted there is a disconnect in the parcels being re-zoned. This is due to the
5 fact that some of the property is not in City limits. Councilman Higginson moved to approve
6 Ordinance 2018-01 and Councilwoman Harris seconded the motion. Voting was unanimous with
7 Councilpersons Harris, Higginson, Holbrook and Simonsen voting “aye”.

8
9 **POSTPONED – PUBLIC HEARING ON DOWNTOWN ZONE CHANGES**

10
11 **POSTPONED – PUBLIC HEARING ON A TEXT AMENDMENT FOR SUB ZONE NAMES**
12 **FOR SINGLE FAMILY RESIDENTIAL ZONES**

13
14 **CONSIDER APPROVAL OF AN EASEMENT RELEASE AT 944 SOUTH 1300 EAST AND**
15 **AUTHORIZING THE MAYOR TO SIGN THE RELEASE DOCUMENT – MR. PAUL**
16 **ROWLAND**

17 Mr. Rowland stated the owner is requesting an easement release for better lot lines to develop
18 his property/garden area. All the utilities have been approved. Councilwoman Harris moved to
19 approve the easement release and Councilman Higginson seconded the motion. Voting was
20 unanimous with Councilpersons Harris, Higginson, Holbrook and Simonsen voting “aye”.

21
22 **CONSIDER APPROVAL OF ACCEPTING ADVANCED PAVING’S BID FOR THE 300**
23 **NORTH RECONSTRUCTION PROJECT IN AN AMOUNT NOT TO EXCEED \$305,180 –**
24 **MR. LLOYD CHENEY**

25 Mr. Cheney stated this is a reconstruction contract. The utility work is now complete on this
26 section of the road. Staff was pleasantly surprised by the low bid, but has also reserved 5% in a
27 contingency fund. Councilman Higginson asked if curb/gutter will be included. Mr. Cheney said
28 yes, but just within the reconstructed area. Councilman Higginson moved to approve the bid and
29 Councilman Simonsen seconded the motion. Voting was unanimous with Councilpersons Harris,
30 Higginson, Holbrook and Simonsen voting “aye”.

31
32 **CONSIDER PRELIMINARY AND FINAL APPROVAL OF THE LEWIS PARK**
33 **SUBDIVISION PHASE 6 AMENDED PLAT AT 2905 SOUTH LEWIS PARK COVE – MR.**
34 **PAUL ROWLAND**

35 Mr. Rowland stated the applicant purchased two lots in this subdivision and is wanting to
36 install a swimming pool in the north lot. City Ordinance states that any secondary buildings must be
37 located on the primary lot. This approval would combine the lots so the applicant can build on his
38 property. The creek running thru his property will be maintained by the easement. Councilman
39 Simonsen asked if a bridge will be needed to access both lots. Mr. Rowland responded the area is
40 approved by the county flood control. Councilwoman Harris moved to approve the preliminary and
41 final approval of this subdivision and Councilman Higginson seconded the motion. Voting was
42 unanimous with Councilpersons Harris, Higginson, Holbrook and Simonsen voting “aye”.

43
44 **CONSIDER PRELIMINARY AND FINAL APPROVAL OF THE QUAILBROOK**
45 **SUBDIVISION AMENDED PLAT A AT 500 NORTH 1300 EAST – MR. PAUL ROWLAND**

1 Mr. Rowland stated this is just an amendment of the plat. This area was approved in 1978 as
2 a cul-de-sac. The owners of the property would like to build homes there this summer, but this
3 requires an adjustment to the lot lines. The original lot lines did not include the development of 400
4 North. The City purchased the lots needed to build the road, which then created double fronted lots.
5 The amended plat shows the adjusted lot lines. The Planning Commission recommends approval
6 with the conditions being met and an exception granted for double front lots. Councilman Simonsen
7 asked if the double fronted lots would be an increase in property taxes for the owners. Mr. Rowland
8 was unsure how it would be calculated. Councilman Higginson moved to approve the preliminary
9 and final amended plat and Councilwoman Harris seconded the motion. Voting was unanimous with
10 Councilpersons Harris, Higginson, Holbrook and Simonsen voting “aye”.

11
12 **CONSIDER APPROVAL OF THE STAKEHOLDER AND SUPPLEMENTAL TIGER**
13 **GRANT AGREEMENTS FOR INSTALLING ADA SIDEWALK IMPROVEMENTS – MR.**
14 **CLINTON DRAKE**

15 Mr. Drake stated that recently the Federal Government published that there was grant money
16 available for state and local entities for the purpose of infrastructure improvements. Bountiful City,
17 along with UTA and about 30 local entities applied for and was awarded a grant for approximately
18 \$20 million. As part of the award, Bountiful City will received over \$200,000 in grant money to be
19 used for the purpose of upgrading old intersections within the City with ADA compliant ramps. Mr.
20 Drake said this money will help Bountiful City become more pedestrian and ADA friendly
21 compliant. Councilwoman Harris asked about the ADA ramps. Mr. Drake described what a typical
22 new ADA compliant ramp would look like. As part of the grant, the City is required to contribute
23 approximately \$50,000. The City already has a sidewalk replacement program budget and the
24 \$50,000 will come from that fund. Mr. Drake stated there will be no additional funding required.
25 Councilman Simonsen moved to approve the grant and Councilman Higginson seconded the motion.
26 Voting was unanimous with Councilpersons Harris, Higginson, Holbrook and Simonsen voting
27 “aye”.

28
29 Mayor Lewis asked for a motion to adjourn the regular session of City Council. Councilman
30 Simonsen moved to approve and Councilman Higginson seconded the motion. Voting was
31 unanimous with Councilpersons Harris, Higginson, Holbrook and Simonsen voting “aye”. The
32 regular session of the City Council was adjourned at 7:58 p.m.

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Mayor



City Recorder