

Minutes of the regular meeting of the City Council held February 28, 1990 in the Council Chambers of the City Hall, Bountiful, Utah.

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| Present: | Mayor: | Bob Linnell |
| | Council Members: | C. Harold Shafter, Rened Coon, Bob Gramoll, Barbara Holt, and Leslie T. Foy |
| | City manager: | Tom Hardy |
| | City Attorney: | Layne B. Forbes |
| | City Engineer: | Jack P. Balling |
| | City Recorder: | Arden F. Jenson |
| | City Treasurer: | Ira H. Todd |
| | Planning Director: | Jon Reed Boothe |
| | Rec. Secretary: | Nancy T. Lawrence |

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, Deseret News, and Salt Lake Tribune.

Mayor Linnell called the meeting to order, follow which Mr. Jenson led the pledge of allegiance to the flag. The invocation was given by Mr. Balling.

Minutes of the regular meeting of the City Council held February 14, 1990 were presented and unanimously approved as written on a motion made by Councilwoman Holt and seconded by Councilman Gramoll.

EXPENDITURE AND EXPENSE REPORT FOR TWO PERIODS IN FEBRUARY APPROVED

Mr. Jenson presented the Expenditure and Expense Report for the Periods February 9-15, 1990 (\$82,130.11) and February 16-21, 1990 (\$402,136.20) and responded to questions from the Council. These reports were both unanimously approved on a motion made by Councilman Shafter and seconded by Councilman Foy.

COUNCIL ACCEPTS PROPOSAL OF MHT ARCHITECTS FOR THE PARKS & STREET DEPARTMENTS MAINTENANCE AND OPERATIONS CENTER

Mr. Balling reported that he and Councilman Gramoll had met with representatives of the architectural firm of Montmorency, Hayes and Talbot regarding the proposed upgrade of the Parks and Street Departments maintenance and operations facility. As a result of that meeting, Mr. Fred Montmorency, a principle of that firm, has prepared a proposal to address the programming and master planning of the site at 900 South 200 West, as well as the design and construction for site and building work.

Mr. Montmorency presented each member of the Council with a copy of the proposal and gave a brief history of the firm and the background and experience of those individuals who would be working on the team to complete this project. The proposal addressed phasing of services (to include interaction with key City personnel in the parks, street, power and water and
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sewer departments in (1) development of the programming and master planning of the site and (2) design and constructions drawings for the buildings), and the proposed schedule in which these two phases would be accomplished. The proposed architectural fee for Phase 1 is \$25,812.00 and that of Phase 2 would be based on the State of Utah DFCM Fee Schedule, with the rate of fee to be set at the time the budget and schedule are confirmed. He recognized that the City is in the process of establishing the budget for the next fiscal year and that it is essential for the project construction costs to be determined prior to formalization of the budget in June. The estimated building cost is between \$1,390,000 and \$1,450,000. The city's conceptual site plan also anticipates purchase of the contiguous National Guard property.

Following discussion of the proposal and Mr. Montmorency's response to questions from the Council, Councilman Gramoll made the motion that the proposal from Montmorency, Hayes, and Talbot be accepted as presented, that authorization be given to the Mayor to engage in the contract, and that Mr. Balling be named to serve as liaison between the architectural firm and the city. He motioned also that the fee as stipulated be included as proposed for Phase 1 and Phase 2. Councilman Shafter seconded the motion which carried by a majority. Councilwoman Coon expressed appreciation for the presentation and the fine qualifications of the firm. However, she said that she would prefer to have comparative figures before selecting an architectural firm for this project and she voted "nay" on the motion.

COUNCIL ADOPTS ORD. NO. 90-2 -- HORSE-DRAWN CARRIAGES

Mr. Forbes reviewed Ordinance No. 90-2 entitled "AN ORDINANCE AMENDING TITLE V OF THE REVISED ORDINANCES OF BOUNTIFUL, UTAH, 1965, AS AMENDED, BY ADDING A NEW CHAPTER 2 RELATING TO HORSE-DRAWN CARRIAGES". He noted that this is the second draft of this ordinance and pointed out two major changes from the first draft which the Council had considered. These changes addressed the subject of obstruction of traffic (Section 105[f]), and special hours of operation (Section 106). Discussion followed regarding where the carriages will be kept and the manner and route(s) horses and carriages will use in entering the city. Mr. Forbes stated that any problems which might arise in this regard would be covered under section 105(f). Mention was made that new legislation relating to alcoholic beverages might be in conflict with this ordinance and Mr. Forbes stated that if there is a conflict, this ordinance could be amended. Councilman Shafter made the motion that Ord. No. 90-2 be adopted and the Mayor and City Recorder authorized to sign it. Councilwoman Coon seconded the motion which carried unanimously.

APPROVAL GIVEN TO PURCHASE 138 KV TRANSFORMER FOR 138 (PARRISH) SUBSTATION

Mr. Michaelis reviewed that on December 20, 1989 the Council approved an agreement which provided for an \$8,000 deposit to be placed on a used 138 Kv transformer to hold this transformer until a formal contract could be finalized with U. S. Transformer. He said that U.S. Transformer will completely rebuild the transformer at a cost of \$357,050 and the cost of a like new transformer would be between \$800,000 and \$1,000,000.00. The contract with U.S. Transformer has been finalized and comes to the Council with a recommendation for approval

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from the Power Commission and staff. This 75 Mva transformer will upgrade the existing 40 Mva transformer at the 138 substation and will provide for 15 years of growth. \$400,000.00 was included in the budget for this expenditure. Following a brief discussion, Councilman Foy made the motion that the Council accept the proposal to make a purchase of a re-built transformer as recommended by staff and the Power Commission. Councilman Shafter seconded the motion and voting was unanimous.

COUNCIL APPROVES 5-PARTY AGREEMENT -- CONSTRUCTION, OPERATION AND MAINTENANCE -- PINEVIEW HYDROELECTRIC PROJECT

Mr. Michaelis reviewed that an agreement similar to the one being proposed this evening was executed over a year ago between two groups of water users (Ogden Water Users Association and Weber Box- Elder Conservation District) , the Bureau of Reclamation, and the City of Bountiful. However, these four parties were unaware of Utah Power and Light's ownership in the Ogden Canyon pipeline, which fact was made by known by UP&L in November. Since that time, the prior agreement has been modified to include UP&L as a fifth party. He reviewed the major components of the agreement, noting that the only major change is the inclusion of UP&L as a party. The 5-party agreement has been reviewed by the Power Commission and comes to the Council with recommendation for approval.

Discussion followed regarding this project and the on-going safety evaluation by the Bureau of Reclamation on the existing dam. Councilman Shafter made the motion that this agreement be approved as recommended, with authorization for the Mayor to sign. Councilwoman Holt seconded the motion and voting was unanimous.

BID FOR ELECTRICAL EQUIPMENT FOR PINEVIEW HYDROELECTRIC PROJECT AWARDED TO HYDRO WEST GROUP

Mr. Michaelis reviewed that bids for the electrical equipment for the Pineview Hydroelectric Project were opened in December, 1989. However, inasmuch as the Construction, Operation, and Maintenance Agreement had not yet been finalized to include Utah Power and Light as a fifth party, awarding of the electrical equipment package was delayed. Inasmuch as that matter has now been resolved and the Agreement has been accepted by all parties (with the BOR to sign last) , a recommendation for approval of the bid will be made.

Ken Fannesbeck, representing Bingham Engineering, gave a brief overview of the Pineview Hydroelectric Project and reviewed the site plan for that project. He updated the Council on the progress which has been made on this project thus far (installation of the pipeline and valves) and then reviewed the bid tabulation. Four bidders responded, with a range from \$1,269,000 to \$1,839,000. He explained that in addition to the cost of the equipment, the following other factors were also considered: (a) 20-year energy production, (b) delivery period, (c) equipment setting, (d) powerhouse cost impacts, (e) piping cost impacts, and (f) technical and service center locations. Rating all these factors, it is the recommendation of Bingham Engineering that the bid be awarded to Hydro West Group in the amount of \$1,269,000.00. Mr. Fannesbeck noted that this company provided the turbines for the Echo hydro project.

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Mr. Fannesbeck also reviewed the construction timetable, indicating that the anticipated

start-up for the project will be the Spring of 1991. Engineer's estimate for the subject equipment was \$1,445,000.00. Discussion followed regarding the evaluation factors which were considered and Mr. Fonnesbeck clarified concerns of the Council. Councilman Gramoll made the motion that the bid be awarded to Hydro West Group, as recommended. Councilman Shafter seconded the motion and voting was unanimous.

REAFFIRMATION OF PRELIMINARY APPROVAL FOR SUNSET HOLLOW SUBDIVISION, PLATS C AND D

This Agenda item was cancelled.

PRELIMINARY AND FINAL SITE APPROVAL GRANTED TO AUTOMOTIVE REPAIR FACILITY - 1203 SOUTH 425 WEST

Mr. Boothe reviewed the site plan for the proposed automotive repair facility at 1203 South 425 West (an existing business owned by Roger Braiser which is being relocated by Sky Properties as part of the ShopKo project). He said it is the recommendation of the Planning Commission that preliminary and final site plan be granted, subject to the following conditions:

1. The drainage plan is acceptable; however storm detention is not provided on site. The streets are capable to handle the run-off and the storm drain on 500 West has the capacity to carry the excess run-off. The required detention fee is \$2,100/acre (\$569.00).
2. The irrigation water system should be used, not the culinary system.
3. The water and sewer laterals have been provided and stubbed to the property line. There will be a connection fee of \$600 for sewer; \$800 plus water meter and box for water.
4. Landscape bond equal to 5 percent of construction cost of \$5,000, whichever is greater, to be posted. Additional street trees to be provided along 425 West Street and screening trees along east property line, and automatic sprinkler plan to be provided.
5. Six-foot high solid masonry wall to be provided along east property line subject to approval of adjacent property owner to the east.
6. Any roof mounted mechanical equipment to be screened from 425 West Street.
7. Building to comply with all applicable building codes.

This matter was discussed and the following two items were clarified: No. 5: There is a concern that the solid wall might provide too much shade for the vegetation planted on the adjacent property. Therefore, a provision is made for that property owner to participate in the decision of whether the wall is constructed or not. No. 6: The understanding of the developer (represented by Scott Kjar) on this item is that if the roof mounted mechanical equipment is placed on the back of the building, screening would not be needed because the equipment could

not be seen. Although the ordinance requires screening, the proposed building resembles homes in the area, and many of those homes have swamp coolers which are not screened. It is felt that the screening might create a greater visual impact than no screening.

Discussion also focused on the overhead doors which face the street. However, the nature of the business lends to the doors having minimal use and this was felt to not be a problem. Councilman Foy made the motion that preliminary and final site approval be given as recommended. Councilwoman Holt seconded the motion and voting was unanimous.

COUNCIL APPROVES APPROPRIATION FOR REPLACEMENT OF BATTERIES FOR THE UNINTERRUPTABLE POWER SYSTEM (UPS)

Mr. Hardy reported that several cells are bad in the Uninterruptable Power System backup system which was installed five years ago. Although the projected budget for next year would have included funds to replace the batteries, it is recommended that the expenditure be made at this time to avoid any losses due to power failure and failure of the UPS due to the bad cells. Mr. Hardy recommended that approval be given to appropriate \$5,000 from the Capital Contingency Fund to cover this cost.

Councilman Gramoll stated that inasmuch as this expenditure is directly related to the computers, the cost should be borne by the Information Systems budget and he recommended that it be made from a contingency fund in that budget. Discussion followed and Mr. Hardy stated that the Information Systems contingency was budgeted for the purpose of replacing and repairing PC's; the UPS is used not only by the computers, but also the phones. Councilman Gramoll stated again that he felt the appropriate place for this expenditure was the Information Systems budget and he made the motion that replacement of the batteries be approved, with the appropriation to come from the Reserve for Replacement fund of the Information Systems budget. Councilwoman Holt seconded this motion. The cost will be \$5,046.00. Voting on the motion was unanimous.

REPORT FROM MAYOR

Mayor Linnell reported that he had attended a meeting at the Governor's office where Holly Cook was honored as she leaves for competition in Halifax. It was announced that Blue Cross/Blue Shield will match any funds which are contributed to Holly, up to \$10,000.00, and the Mayor suggested that Dave Irvine might head up a citizens committee (as discussed in the last meeting of the Council).

The Mayor also praised Mr. Hardy for the excellent presentation which he made at the meeting in the Governor's office relating to the impact which the last legislature had on cities. He said that he (Mr. Hardy) represented the City well and expressed appreciation to have him as our City Manager.

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Mayor Linnell stated that he and Mr. Hardy will be attending the National League of Cities and Towns convention in Washington, D.C. and while they are there, Congressman Hansen has arranged a meeting with FERC regarding the Kern River/Mojave pipeline and the

Wasatch Variation. He reported-that the City did file a Petition to Intervene (consistent with the action taken in May, 1988) and it is his position to pursue this issue in all legislative and administrative avenues, but not in a way which would require excess litigation or legal fees. Mr. Forbes stated that the approximate cost to date on this issue is \$8,000.00.

EXECUTIVE SESSION SCHEDULED

At the request of the Mayor, an executive session was scheduled to discuss the acquisition of real property. This action was taken on a motion made by Councilman Foy and seconded by Councilwoman Holt. Voting was unanimous.

REPORT FROM TRAFFIC SAFETY COMMITTEE-REQUEST FOR STOP SIGN AT 1500 SOUTH MILL STREAM WAY

Mr. Balling reported that the request for a stop sign at 1500 South Mill Stream Way had been discussed again by the Traffic Safety Committee, with Wayne Griffiths (requestor of the sign) and David Piggott in attendance. Inasmuch as the warrants for a stop sign are not justified and the intersection doesn't pose any greater safety problem than other intersections, Mr. Griffiths withdrew his request and the matter was tabled indefinitely.

The meeting adjourned to executive session at 8:36 p.m.

Attendance at Executive Session:

Mayor Bob Linnell

Councilmembers Shafter, Coon, Gramoll, Holt, and Foy

Tom Hardy - City Manager

Layne B. Forbes - City Attorney