

Minutes of the regular meeting of the City Council held January 6, 1993 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	Harold Shafter, Renee Coon, John Cushing, Barbara Holt, Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne Forbes
	City Prosecutor:	Russell Mahan
	City Engineer:	Jack Balling
	City Recorder:	Arden Jenson
	Planning Director:	Blaine Gehring
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy Lawrence
	Dept. Head:	Clifford Michaelis, Power

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, following which Bryan Richardson, Boy Scout from Troop 403, led the pledge of allegiance to the flag. The invocation was given by Councilwoman Coon.

Minutes of the regular meeting of the City Council held December 23, 1992 were presented and approved as corrected on a motion made by Councilman Shafter and seconded by Councilman Foy. Voting was by a majority, with Councilwoman Coon abstaining due to her absence from subject meeting.

EXPENDITURE AND EXPENSE REPORTS APPROVED FOR TWO DECEMBER PERIODS

Mr. Jenson presented the Expenditure and Expense Report for the Period December 18-22, 1992 (\$66,835.48) and December 23-29, 1992 (\$228,863.26) and noted one correction to the annotation. These reports were unanimously approved as presented and corrected on a motion made by Councilman Cushing and seconded by Councilman Shafter.

MAYOR LINNELL RECOGNIZES VISITING BOY SCOUTS

Mayor Linnell recognized the visiting Boy Scouts and reviewed information with them which would be helpful in getting their citizenship merit badges.

PRESENTATION TO CITY COUNCIL BY RHYME & REASON CHAPTER OF UTAH POETS' SOCIETY

Dona Hill, representing the Bountiful Chapter of the Rhyme and Reason State Poets' Society, presented the Mayor with copies of an anthology of their poetry in recognition of the centennial birthday. The Mayor expressed appreciation for the thoughtfulness of the poetry chapter, and noted its significance, particularly with the centennial theme.

ORD. NO. 93-1 RE: CITY TRAFFIC CODE ADOPTED

Mr. Mahan presented Ordinance No. 93-1, entitled "AN ORDINANCE AMENDING THE BOUNTIFUL TRAFFIC CODE TO ADOPT BY REFERENCE CERTAIN TRAFFIC AND VEHICLE PROVISIONS OF THE UTAH STATE CODE" and recommended that it be adopted. He explained that this ordinance effectively adopts State law so that it becomes part of the City Code and will avoid any future problems with prosecution of these laws by the City Attorney. He said that all of these laws presently exist and there will not be any new restrictions on the public. This will also preserve the right of the City to the revenues generated by these violations. Councilwoman Holt motioned for adoption of Ord. No. 93-1, as recommended, with authorization for the Mayor and City Recorder to sign. Councilwoman Coon seconded the motion and voting was unanimous.

ORD. NO. 93-2 RE: CITY CRIMINAL CODE ADOPTED

Mr. Mahan presented Ordinance NO. 93-2 entitled "AN ORDINANCE AMENDING THE BOUNTIFUL CRIMINAL CODE TO ADOPT BY REFERENCE CERTAIN CRIMINAL PROVISIONS OF THE UTAH STATE CODE" and recommended that it be adopted to provide for the City Attorney to prosecute the Code in the name of the City, not the State, and avoid any possible problems in the future. He said that the situation explained in the previous paragraph regarding traffic code is applicable in this instance also. Councilman Foy motioned for adoption of Ordinance No. 93-2, as recommended, with authorization for the Mayor and City Recorder to sign. Councilman Shafter seconded the motion which carried unanimously.

APPROVAL GRANTED FOR BUILDING LOT AT 700 SOUTH DAVIS BLVD.

Mr. Balling explained that when the Barton Creek bridge was constructed, Charles Black, owner of contiguous property, deeded the City property for the construction of the bridge. The City, in turn, provided access to his property on the west side of the bridge so that he could build a home at a future date. The property has been purchased by Nathan Hale who is seeking approval for a building permit. Although there is only 41 feet of frontage on this property, it widens to a width of 200 feet. This request has been reviewed by the Planning Commission and staff and is recommended for approval subject to the following conditions:

1. Payment of a storm detention fee of \$2,100 per acre for 20,000 sq. ft. lot (fee equals \$964).
2. Payment for sewer and water connections and all costs associated with the installations.
3. Providing utility easements as required by the utility companies.
4. Payment of a \$30 checking fee as required.
5. Compliance with all City Ordinances and Codes.

Councilwoman Holt motioned for approval, as recommended. Councilman Cushing seconded the motion and voting was unanimous.

WESTERN STATES ELECTRIC SUPPLY AWARDED BID FOR CIRCUIT SWITCHERS - POWER DEPARTMENT

Mr. Michaelis reported that bids were opened on December 21, 1992 for the circuit switchers' needed for upgrading the Central Substation. Three bids were received and it is the recommendation of the Power Commission, consulting engineers and staff that the bid for four circuit switchers be awarded to low bidder, Western States Electric Supply, in the amount of \$131,972.00. The bid is within the engineer's estimate and meets all specifications. Councilman Cushing made a motion to award the bid for the circuit switchers as recommended. Councilman Shafter seconded the motion and voting was unanimous.

RITER ENGINEERING AWARDED BID FOR P.T.'s, AND DISCONNECT SWITCHES - POWER DEPARTMENT

Mr. Michaelis reported that bids were opened on December 28, 1992 for the group operated disconnect switches and P.T.'s needed for upgrading of the Central Substation. Bids were received from six vendors and it is recommended by staff and the consulting engineer that the bid be awarded to Riter Engineering for the P. T. Is and switches for the sum of \$64,484.00. The consulting engineer (SSR) has also recommended that a vacuum interrupter be used on the intertie switch. This option is for \$5,253.00 and it is recommended that it also be awarded to Riter, bringing the total bid to \$69,737.00. (Mr. Michaelis explained that the vendors were given the option to bid on each item or as a total package; the Riter bid is a total package bid). Councilman Cushing made a motion that the bid for the PT's and disconnect switches be awarded to Riter Engineering, as recommended, in the amount of \$69,737.00. Councilman Foy seconded the motion and voting was unanimous.

MEETING SCHEDULE ADOPTED FOR 1993

Mr. Hardy reviewed the Public Notice regarding the proposed meeting schedule for 1993. Meetings will follow the same format as in the past with the City Council meeting on the 1st, 2nd, and 4th Wednesdays of each month and the RDA meeting on the 3rd Wednesday. All meetings will be held at 7:00 p.m. unless otherwise noted. There will be no meetings on the fifth Wednesday, nor on Thanksgiving eve. In addition, the City Council may meet in special session as needed, with such meetings being advertised by legal notice to the public in accordance with UCA 52-4-6. Councilman Shafter motioned for approval of the meeting schedule as reviewed. Councilman Cushing seconded the motion which carried unanimously.

MAYOR APPOINTS COUNCILPERSONS TO SERVE AS MAYOR PRO TEMPORE

Mayor Linnell presented the following schedule for the Council to follow in assuming the responsibility of Mayor Pro Tempore for the next ten months:

- January - February.....Councilman Shafter
- March - AprilCouncil Cushing
- May - JuneCouncilwoman Coon
- July - AugustCouncilwoman Foy
- September - OctoberCouncilwoman Holt

Councilman Cushing made a motion to approve the Mayor Pro Tem assignments as presented.

Councilwoman Holt seconded the motion and voting was unanimous.

**ANIMAL CONTROL SERVICE CONTRACT WITH DAVIS COUNTY
APPROVED FOR 1993**

Mr. Hardy presented the Animal Control Service Contract for 1993 between the City and Davis County and stated that the Contract is basically the same as it was last year. He said that there is no increase in fees and the scope of the contract is identical to last year's. Mayor Linnell mentioned that the County is in the process of adopting new ordinances and he asked if the Contract can be adopted before the County ordinances are in place. Mr. Hardy explained that Bountiful has a model ordinance in place which will provide the enforcement of the contract as required and he recommended that the Contract be approved with authorization for the Mayor and City Recorder to sign. Councilman Cushing made a motion to this effect, Councilwoman Holt seconded the motion and voting was unanimous. It was noted that there will be additional discussion on the animal control ordinance in the near future.

**COUNCIL AUTHORIZES ISSUANCE OF QUIT CLAIM DEED
FOR PROPERTY AT 560 SOUTH 400 EAST**

Mr. Hardy explained that in 1950 a 50-ft. strip of property south of the six-plex at 560 South 400 East was conveyed to the City a quit claim deed be granted to property with the stipulation a fire lane. It is proposed that the owners of the six-plex for this that it be used as a fire lane and for emergency access. Although it was felt necessary as a secondary access for emergency services, the property has never been maintained by the City and the City is subject to liability claims if accidents occur on the property. A contract between the Homeowners and the City can be put in place regarding access to the crash gate.

Councilman Cushing made a motion that the City negotiate a Quit Claim deed with the tenants in common, as explained. Councilman Shafter seconded the motion and voting was unanimous.

MISCELLANEOUS BUSINESS

Councilman Foy asked if the letters of appreciation regarding Centennial activities had been mailed and the Mayor confirmed that they had.

The meeting adjourned at 7:39 p.m. on a motion made by Councilman Cushing and seconded by Councilwoman Holt.