

Minutes of the regular meeting of the City Council held February 1, 1995 at 7:00 p.m. in the Planning Conference Room of the City Hall, Bountiful, Utah.

Present:	Mayor:	John Cushing
	Council Members:	Samuel Fowler, Barbara Holt, William Moore, and Harold Shafter
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Jack Balling
	Asst. City Engineer:	Paul Rowland
	City Recorder:	Arden Jenson
	Planning/RDA Director:	Blaine Gehring
	Recording Secretary:	Nancy Lawrence

Absent: Councilwoman: Ann Wilcox

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 Cushing called the meeting to order, following which the invocation was offered by Councilman Fowler.

Minutes of the regular meeting of the City Council held January 25, 1995 were presented and unanimously approved as written on a motion made by Councilman Moore and seconded by Councilman Shafter.

Mayor Cushing recognized the visiting Boy Scouts and referred to information which will assist them as they work on their Citizenship in the Community merit badge.

**EXPENDITURES AND EMMSSES APPROVED  
FOR PERIOD JANUARY 20-26, 1995**

Mr. Jenson presented the Expenditure and Expense Report for the Period January 20-26, 1995 in the amount of \$292,471.72 and responded to questions from the Council. The report was unanimously approved as presented on a motion made by Councilman Shafter and seconded by Councilman Fowler.

**MAIN STREET RECONSTRUCTION PROJECT REVIEWED**

Mr. Rowland reviewed the Main Street Reconstruction Project (500 South to 1500 South) which is scheduled to be done this summer. As an incentive to complete the project on schedule (by August 25, 1995), a mandatory damage clause is included which stipulates payment of \$3,000 per day late penalty. The project will be similar to the 400 East and downtown Main Street projects--removal all improvements (sidewalk, curb, gutter, etc.) and rebuild with new improvements and a concrete road.

The schedule of the project is as follows: *(see next page)*

Advertise for bid	February 14
Open bids	March 7
Evaluate bids for one week and present to City Council for approval	March 15
Contractor submit documents	March 16-April 3
Begin construction	April 3
Finish project	August 25

The work will commence on the south end to permit as much time as possible for the post office to finish their new building and make the transition. The project has been divided into six zones ( each approximately 2

blocks long) and each zone will alternately be completely closed as the work is being done in that area.

Mr. Rowland explained that the bid contains an alternate which provides for additional compensation if the project can be completed by July 22 (prior to the 24th of July parade). He asked for input from the Council on whether or not this alternate should be included. Following discussion, it was decided that the alternate would be included in the bid document, with the understanding that the alternate will not be a factor with awarding the bid. Mr. Balling pointed out that when the contractors work late at night, citizens sometimes complain about the noise. Councilman Shafter noted that if the contractor moves too quickly, it might result in a problem with the time schedule of the post office.

Mr. Rowland explained that, although the project seems quite expensive, the concrete street surface makes up 45 percent of the cost (\$852,032.50). No action was required.

### **DISCUSSION RE: LENGTH AND CONTENT OF COUNCIL MINUTES**

Mayor Cushing explained that several of the council members have expressed a concern that the Council minutes do not show the full details of the meetings and they have suggested a need to expand the detail of the minutes. Mr. Jenson explained that in the past the general guideline for preparing the minutes was to include any information pertinent to and substantiating a motion, with a focus on the action, as opposed to discussion. Mr. Hardy noted that most Agenda items have been discussed at the Committee level (as well as Power Commission and Planning Commission where the minutes reflect more detail) and are on the Council Agenda for formal action. He also pointed out that a tape recording is made of every meeting and is kept on file for one year. Based on the wishes of the Council, he said that the minutes can be anywhere from verbatim to less than what has been done in the past and he asked for input from the Council.

Councilwoman Holt requested that the minutes contain more dialog to reflect why a decision was made and the intent of the action. Councilman Moore stated that if too much detail is included, the minutes might be so long that they will not be read. He suggested that the tapes be kept for longer than one year, and then if there is an inquiry as to detail or intent on a specific action, the tape could be reviewed. Mayor Cushing suggested that the tapes be kept on file for two years. Councilman Fowler commented that if more dialog is included, it could result in more corrections and amendments. Councilman Shafter stated that if a councilperson feels strongly about a point, they should request that "it be on the record".

Councilman Moore made a motion that the tapes be kept for a minimum of two years. Councilwoman Holt seconded the motion and voting was unanimous. Mayor Cushing invited the Council and staff to visit with him or Mr. Hardy if they had any other suggestions they would like to make regarding the minutes. He also requested that the City Recorder monitor the number of times requests are made to listen to the tapes.

### **PUBLIC HEARING TO CONSIDER VACATING TWO LOTS FROM MAPLE HILLS NO. 3 PLAT D**

At 7:44 p.m. the Mayor opened the public hearing to consider vacating Lots 96 and 97 from Maple Hills Subdivision No. 3 Plat D. Mr. Gehring explained that this is the final step in the approval of the 5-lot PUD known as Windsor Park PUD at 2028 East Ridgehill Drive (Marv Blosch, developer). The conditional use permit and preliminary approval were granted on September 20, 1994 and the final plat has now been prepared and is ready to receive final approvals for recording. Under this plat the lots 96 and 97 of Maple Hills 3 Plat D will be vacated and become part of the PUD. He said this item has been discussed by the Planning Commission and staff and it is their recommendation that final approval be granted to the PUD with the following conditions:

1. The vacation of Lots 96 and 97 of Maple Hills No. 3 Plat D.
2. Completion of the final checking and corrections to the plat, plans and profiles.

3. Furnish the City with an up-to-date title report with the same description as, is on the plat.
4. Provide a bond to guarantee the installation of the site improvements as outlined in the bond letter.
5. Pay the fees as outlined in the bond letter.
6. All owners and interested parties as described in the title report sign the plat.

Mayor Cushing called for input from those in attendance; there was none. The hearing was closed at 7:46 p.m. Councilwoman Holt reported that this matter received a full recommendation from the Planning Commission and she made a motion to approve Ordinance No. 95-4 entitled "AN ORDINANCE VACATING LOTS 96 AND 97 FROM MAPLE HILLS SUBDIVISION NO. 3 PLAT D, IN BOUNTIFUL, DAVIS COUNTY, UTAH", and that simultaneous final approval be granted to Windsor Park PUD at 2028 East Ridgehill Drive. Councilman Moore seconded the motion which carried unanimously.

#### **DISCUSSION ON ANNUAL POLICE ACTIVITY REPORT**

Acting Police Chief, Bill Collard, presented the Bountiful Police Annual Report for the year 1994. The report compared occurrences of the eight major offenses for the years 1991-1994. Six of these offenses (robbery, assault, burglary, vehicle thefts, larceny, and arson) showed an increase in occurrence; there were no homicides for the period 1991-1994 and the number of rapes decreased from 10 in 1993 to 6 in 1994. He noted that the category "Gang Activity" was first included in the report in 1993 and will continue to be tracked.

Councilman Shafter thanked Lt. Collard for the monthly report on the car-per-man program and the assists from off-duty officers and he requested that the officers be thanked for this service. Lt. Collard noted that there has been an increase in gang-related graffiti on public property.

Lt. Collard expressed hope that the proposed new physical facility for the Police Department will become a reality and he explained that an effort is being made to increase the manpower to enable putting more officers on the street and the opportunity to have more special programs. He said the program which puts an officer in each high school is a real asset and Mayor Cushing confirmed that the principals from Viewmont and Bountiful High School are very impressed with the value of this program. Mr. Collard indicated that consideration is also being given to having training directors within the department so that officers and other personnel will not have to be sent away for training.

#### **REVIEW OF CAPITAL CONSTRUCTION PLANS FOR MOSQUITO ABATEMENT DISTRICT**

Gary Hatch, general manager of the Mosquito Abatement District, was in attendance and reported on the activities of the District and the proposed construction of an addition to the physical facility. He gave a brief overview of the history and operation of the District which was officially formed in 1953. He said the present facility does not comply with most EPA regulations (i.e., storage of chemicals, etc.) and following a great deal of discussion by the Board of Directors of the District, it has been recommended to upgrade their facility. The plans include refurbishing the current building for use as a shop and constructing a new building for an office and pesticide storage area. It is proposed that a 100 percent fee increase be approved, to be removed in approximately 3 years when the project is complete. The total cost of the project is estimated at \$358,000.

Councilman Shafter asked what the impact of the proposed increase would be per household and Mr. Hatch said on a \$75,000 home, the current fee of \$3.40 would increase to approximately \$7.00. Councilman Shafter said he would rather add the total cost in one year and then take the increase off because there would be less chance for the tax increase to become permanent.

Discussion followed on the work that the District does in Bountiful, as well as other areas in the County. Richard Lewis, Bountiful's representative on the Board, thanked Mr. Hatch for the fine job he is doing. No action was taken.

**APPROVAL GIVEN TO REPLACE PAGES  
LANE STORM DRAIN**

Mr. Balling reviewed that in connection with the Bountiful Shadows residential development at 200 West Pages Lane, it has been determined that the storm drain on Pages Lane (between Main Street and 200 West) needs to be replaced. As a function of the development, the developer was required to construct a bridge to provide access to the subdivision over the storm drain and this cost was included in the bid bond. It is now proposed that instead of bridging the old drain, that additional funding be approved and a new storm drain be constructed. The old drain would be replaced with reinforced concrete pipe the entire length of the project. The contractors estimate of the cost difference is \$35,343.75. Mr. Balling stated that it would be to the benefit of the City to replace the storm drain at this time and he recommended approval of the additional funding.

In response to a question from Councilman Moore, Mr. Hardy stated that this funding would come from the Council's Capital Contingency Fund, taking it to 85 percent spent. Approximately \$15-20,000 would be left in that fund if this recommendation is approved. Councilman Moore asked if a provision had been made for cost over-runs and Mr. Hardy stated that the City would participate only to the extent of the \$35,343.75 and the contractor would be responsible for overruns. Councilwoman Holt made a motion that the City participate in this project in an amount not to exceed \$35,343.75 and that the City Attorney be directed to draw up an agreement to that effect. Councilman Moore seconded the motion and voting was unanimous.

The meeting adjourned at 8:29 p.m. on a motion made by Councilman Moore and seconded by Councilman Shafter.