

Minutes of the regular meeting of the City Council held January 11, 1995 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present: Mayor:	John Cushing
Council Members:	Samuel Fowler, Barbara Holt, William Moore, Harold Shafter and Ann Wilcox
City Manager:	Tom Hardy
City Attorney:	Russell Mahan
City Engineer:	Jack Balling
City Recorder:	Arden Jenson
Dep. City Treasurer:	Lorna Hartvigson
Planning/RDA Dir.:	Blaine Gehring
Department Head:	Clifford Michaelis
Recording Secretary:	Nancy 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 Cushing called the meeting to order, following which Councilman Moore let the pledge of allegiance to the flag. The invocation was offered by Councilwoman Holt.

Minutes of the regular meeting of the City Council held January 4, 1995 were presented and unanimously approved as written on a motion made by Councilman Fowler and seconded by Councilman Shafter.

EXPENSES AND EXPENDITURES APPROVED FOR PERIODS DECEMBER 29-31, 1994 AND SUMMARY FOR DECEMBER

Mr. Jenson presented the Expenditure and Expense Report for the Period December 29-31, 1994 (\$540,278.50) and Summary for December (\$2,504,984.75). Councilman Shafter asked about the expenditure for the Public Defender contract and Mr. Mahan explained that the public defender is under contract with the city and is paid four times a year. This payment represents the December and January payment. In response to a question from Councilman Moore, Mr. Jenson explained that \$1,000 is used as the general guideline for capitalizing asset expenditures. Following further discussion, the expenditures were unanimously approved on a motion made by Councilwoman Wilcox and seconded by Councilman Shafter.

"SAFE AT HOME" PRESENTATION BY REED RICHARDS, STATE ATTORNEY GENERAL'S OFFICE

Reed Richards, Chief Deputy to the Attorney General, presented the "Safe At Home" program which is being offered through the Attorney General's Office in all workplaces in Utah. Mr. Richards explained that the presentation was being made to the Council so that they would be aware of the how the program will be offered to and presented in workplaces in Bountiful. The program consists of a 20-minute video "One Hit Leads to Another" (which was shown in the Council meeting) and brief presentations by three experts regarding (1) treatment services for victims, offenders, and children; (2) shelter availability; and (3) the legal process. He stated that although domestic violence is the most difficult to prosecute, statistics indicate that prevention programs are effective. In summary, he said that this program has been labeled as one of "Hope and Help to Fight Family Violence". Brochures used in the presentations were distributed to the council and staff.

BID FOR CABLE FOR POWER DEPARTMENT APPROVED

Mr. Michaelis reported that bids were requested for five different sizes of U.R.D. cable (underground) and four responses were received. It is the recommendation of staff and the Power Commission that the bids be awarded as follows:

Okonite Co.	100,000 ft. of #1/0 URD	\$152,900.00
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Okonite Co.	40,000 ft. of #2 URD	47,880.00
Okonite Co.	50,000 ft. of #750 URD	209,350.00
Pirelli Cable Co.	39,000 ft. of #350 URD	13,505.70
Pirelli Cable Co.	6,000 ft. of #500 URD	27,690.00
	TOTAL COST	\$451,325.70

He noted that the quote from Okonite on the #750 URD cable was not the lowest; however, it did include a 40-year warranty as compared with a one-year warranty on the low bid. The purchase from Pirelli will come from this year's budget and the cable on the Okonite bid will be purchased "as needed" over the next three budget years, with possible variances subject to the market price of aluminum and copper. Councilman Shafter motioned for approval of the bids as recommended. Councilman Fowler seconded the motion and voting was unanimous.

SUBDIVISION ORDINANCE NO. 95-1 ADOPTED

Mr. Mahan reviewed that the proposed Subdivision ordinance was first reviewed by the City Council and then referred back to the Planning Commission and comes back to the Council with a positive recommendation for adoption, without changes. He briefly reviewed Ordinance No. 95-1 entitled "AN ORDINANCE ENACTING A NEW SUBDIVISION ORDINANCE TO ESTABLISH THE REQUIREMENTS FOR APPROVAL OF SUBDIVISIONS IN THE CITY OF BOUNTIFUL". Councilwoman Holt motioned for adoption of this ordinance with authority for the Mayor and City Recorder to sign it. Councilman Moore seconded the motion and voting was unanimous.

**PRELIMINARY SITE PLAN APPROVAL GRANTED FOR BOUNTIFUL
LDS SEMINARY BUILDING - 645 SOUTH 400 EAST**

Mr. Gehring presented the site plan for the proposed new LDS seminary building at 645 South 400 East. He explained that the LDS church had originally planned to remodel and add on to the existing building. A structural review of the building revealed that the existing structure would not support the remodel which included a new roof structure. Therefore, a new building is being proposed. The Planning Commission has reviewed this item and recommend preliminary site plan approval. The staff is concerned because the access to and parking for the seminary is across school district property and it is recommended that the LDS Church acquire additional land to conform to what the seminary is currently using, as well as easement agreements for access and utilities. There is also the need for a new landscaping plan for the site because it is completely being changed. Therefore, it is staff s recommendation that the preliminary site plan be approved, subject to the concerns of staff being resolved prior to final site plan approval. Councilwoman Holt made a motion to this effect. Councilwoman Wilcox seconded the motion and voting was unanimous.

**ORD. NO. 95-2 RE: FILING FEE FOR ELECTED
OFFICIALS ADOPTED**

Mr. Jenson presented a proposed ordinance which would provide for candidates for elected office (council and mayor) be required to pay a \$25 filing fee. There is currently no filing fee required. He explained that the reasoning behind this request is to attempt to screen out candidates who are not completely committed to being a candidate and who may withdraw prior to the election. He noted that a problem arises when candidates withdraw if the ballots have already been printed. Either additional cost is created by re-printing the ballots, or additional cost plus confusion results if the ballots are corrected by manually crossing out a candidate. He noted that the election process is becoming quite expensive (\$30,000 included in this year's budget) and suggested that this change might make the process more efficient cost-wise.

Discussion followed regarding the amount of the fee and it was suggested that greater than \$25 would achieve the desired result even better. Mr. Mahan reviewed that the filing fee, by statute, can be no larger than 1/8 of 1 % of the full salary for the term. This translates to approximately \$35.00. Councilwoman Holt recognized the concern of Mr. Jenson. However, she stated that she would be opposed to the fee because everyo i ne has the right to run and everyone has the right to withdraw and the dollar consequence should not be factored into this decision. She stated that the Council should not do anything that would discourage prospective candidates

from filing.

Mr. Jenson suggested that an alternative might be to wait and print the ballots after the withdrawal period (23 days prior to election) has concluded. After some discussion, Councilman Fowler motioned that Ordinance No. 95-2 entitled "AN ORDINANCE REQUIRING THAT CANDIDATES FOR MAYOR OR CITY COUNCIL PAY A FILING FEE OF \$24" be adopted and that the Mayor and City Recorder be authorized to sign it. Councilman Moore seconded the motion which carried by a majority; Councilwoman Holt voted nay. Mr. Jenson said that he will monitor the new ordinance and if it appears to be a negative factor in the selection process, it will be reconsidered.

COUNCIL COMMITTEE REPORTS

Centennial Monument Project. Councilman Fowler reported that funds for the Bountiful Centennial monument have been raised and he acknowledged Chairman Bob Lehman and Bob Dewey and those who worked with them for their time and effort. Due to conflict with the weather and the seasonal rush for Bott Monument company (who will do the installation), the monument will not be installed until June. Mayor Cushing acknowledged the efforts of the committee and Councilmembers Wilcox, Holt, and Fowler who have also given good support to this project.

The meeting adjourned at 8:22 p.m. on a motion made by Councilman Moore and seconded by Councilman Shafter.