

1 Minutes of the regular meeting of the City Council held December 17, 1997 at 7:00
2 p.m. in the Planning Conference Room of the City Hall, Bountiful, Utah.

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4 Present: Mayor Pro Tempore: Alan A. Johnson
5 Council Members: Samuel R. Fowler, Barbara Holt, C.
6 Harold Shafter, and Ann Hardy
7 City Manager: Tom Hardy
8 City Attorney: Russell Mahan
9 City Engineer: Paul Rowland
10 City Recorder: Arden F. Jenson
11 Department Heads: Mark McRae, Information Systems
12 Clifford Michaelis, Power
13 David Wilding, Water and Sewer
14 Recording Secretary: Nancy T. Lawrence
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16 Excused: Mayor: John Cushing
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18 Official Notice of this meeting had been given by posting a written notice of same and
19 an Agenda at the City Hall and providing copies to the following newspapers of general
20 circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.
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22 Mayor Pro-tem Johnson called the meeting to order, following which Mr. Rowland led
23 the pledge of allegiance to the flag. The invocation was offered by Mr. Jenson.
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25 Minutes of the regular meeting of the City Council held December 10, 1997 will be
26 presented for approval at a future meeting.
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28 **EXPENDITURES AND EXPENSES APPROVED**
29 **FOR THREE PERIODS**

30 Mr. Jenson presented the Expenditure and Expense Reports for the Period November
31 26-30, 1997 (\$160,937.39), the Summary of Expenditures for November in the amount of
32 \$2,619,000.86, and the Period December 1-11, 1997 in the amount of \$148,227.80. Following a
33 brief discussion, these reports were unanimously accepted as presented on a motion made by
34 Councilman Fowler and seconded by Councilman Shafter.
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36 **UPDATE REPORT ON SOUTH DAVIS**
37 **SEWER DISTRICT – ARNELL HEAPS**

38 Arnell Heaps, Bountiful's representative on the South Davis Sewer District Board of
39 Directors, presented a status report on the South Davis Sewer District, with highlights as
40 follows:

- 41 • Drying beds have been completed at both the North and South plants - approximately
42 \$2 million.
43 • The 1998 budget has been completed for approximately \$2,500,000.
44 • The possibility of using reuse water is being considered for the Legacy highway
45 (landscaping), golf course, and wetlands.
46 • Board members attended the ninth annual convention for Utah Association of Special
47 Districts in November and received valuable training re: new legislation, board member
48 responsibilities and liabilities; open and public meeting compliance, and conflict
49 resolution.
50 • Composting with BARD for 1998 is underway, with a superior product being made
51 available.
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- 1 • A new 20-year master plan is presently being prepared.
- 2 • A new industrial user rate plan is being developed which will properly align costs to
- 3 industrial and residential users.
- 4 • The division of water quality and environmental groups are participating in a water shed
- 5 wide analysis of Jordan River Water quality which may lead to stricter effluent standards.

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7 Mayor Pro-tem Johnson thanked Mr. Heaps for his service on the Board and for this report.

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9 **APPROVAL GRANTED TO REPLACE BACKHOE**
10 **FOR WATER DEPARTMENT**

11 Mr. Wilding explained that when a backhoe was purchased in 1993, included in the
12 purchase was a minimum repurchase value established by the seller. Although this item was
13 inadvertently omitted from this year's budget, he requested that approval be given to replace the
14 backhoe at this time. He explained that Scott Machinery has a replacement machine on order
15 which will match the specifications required by the City; and they also have a prospective buyer
16 for the old machine who will pay more than the guaranteed minimum repurchase price. He
17 noted that if an extended 5-year contract was entered into, there would most likely be costly
18 repairs. He said that this item is not bid out because competing companies do not sell machines
19 that meet our specifications and previous requests for bids have resulted in only one respondent
20 out of 6 requests. Following a short discussion, Councilman Fowler made a motion to approve
21 an expenditure of \$41,500 from the Water Operating fund to replace the machine.
22 Councilwoman Holt seconded the motion and voting was unanimous.

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24 **OMNIBUS ORD. NO. 97-34 APPROVED**

25 Mr. Mahan explained that there were several housekeeping items which needed addressing
26 and he included them in Ordinance No. 97-34 entitled AN ORDINANCE ADOPTING THE
27 MOST RECENT UNIFORM BUILDING AND FIRE CODES, GRANTING THE LICENSE
28 SUPERVISOR AUTHORITY TO DENY BUSINESS LICENSES ON CERTAIN GROUNDS,
29 PROHIBITING THE ISSUANCE OF BEER LICENSES FOR ON-PREMISE CONSUMPTION
30 WITHIN 600 FEET OF A SCHOOL, AND PROHIBITING THE DRIVING OF TRACKED OR
31 MUDDY VEHICLES ON CITY STREETS. He reviewed the items included in the ordinance
32 and recommended that it be approved. Councilman Shafter made a motion to adopt ord. No. 97-
33 34 as presented. Councilwoman Hardy seconded the motion and voting was unanimous.

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35 **ORD. NO. 97-35 ADOPTED RE: EXCAVATION PERMITS**

36 Mr. Mahan reviewed that the Telecommunications Task Force of the Utah League of Cities
37 and Towns has prepared a model excavation permit ordinance and is asking cities throughout the
38 State to adopt it. One of the reasons for this is to create a *semblance of uniformity from city to*
39 *city* so that the telecommunications companies cannot complain to the Legislature that every city
40 has something different. This model ordinance has already been adopted and now the staff is
41 requesting the Council's approval to modify this ordinance, mostly by broadening it to cover not
42 only telecommunications excavations but rather all excavations in the public rights of way.
43 Following discussion, Councilman Shafter made a motion to adopt Ord. No. 97-35 entitled AN
44 ORDINANCE ADOPTING AN EXCAVATION PERMIT PROCEDURE AND
45 REGULATIONS FOR CONSTRUCTION WORK IN THE PUBLIC RIGHTS OF WAY OF
46 BOUNTIFUL. Councilman Fowler seconded the motion and voting was unanimous.

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RES. NO. 97-13 ADOPTED RE: UTILITY DEPOSITS

Mr. McRae reported that the staff has reviewed the practice of requiring a utility deposit from renters and it has been determined that the process is more costly than the benefits which come from it. Therefore, based on the recommendation of staff and the Power Commission, it is proposed that utility deposits from renters be eliminated, except in the circumstances of mobile homes and poor payment records. He briefly reviewed Res. No. 97-13, A RESOLUTION MODIFYING A UTILITY DEPOSIT POLICY, and recommended that it be adopted. Councilman Shafter made a motion to adopt Res. No. 97-13, Councilwoman Holt seconded the motion and voting was unanimous.

**CONTRACT FOR NEW OUTDOOR RESTROOM
AWARDED TO THOMAS LUND CONSTRUCTION -
BOUNTIFUL RECREATION CENTER**

Mr. Rowland reviewed that a new restroom near the ball diamonds at the 400 North city park has been included in the budget and proposals have been received from four contractors. It is the recommendation of staff to accept the proposal from Thomas Lund Construction in the amount of \$42,165.00. The budgeted amount was \$30,000 and it is recommended that the additional amount be taken from the Recreation Department Capital Improvements Buildings Account (1651). Following discussion, Councilwoman Hardy made a motion to accept the Lund proposal, as recommended. Councilman Fowler seconded the motion and voting was unanimous.

COUNCIL COMMITTEE REPORTS

Mayor Pro-tem Johnson commented that this will be the last regular meeting for Councilwoman Hardy and on behalf of the Council, he expressed love and appreciation for all she has done for the city.

The next meeting of the Council will be the swearing in meeting on Monday, January 5, 1998 at 12 noon.

The meeting adjourned at 8:06 p.m. on a motion by Councilman Fowler and seconded by Councilwoman Holt.

JOHN R. CUSHING, Mayor

ARDEN F. JENSON, City Recorder

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