

1 Minutes of the regular meeting of the City Council held May 7, 1997 at 7:00 p.m. in the
2 Council Chambers of the City Hall, Bountiful, Utah.

3
4 Present: Mayor John R. Cushing
5 Council Members: Samuel R. Fowler, Barbara Holt, Alan A.
6 Johnson, C. Harold Shafter, and Ann Wilcox
7 City Manager Tom Hardy
8 City Attorney Russell L. Mahan
9 Asst. City Engineer Paul Rowland
10 Planning Director Blaine Gehring
11 City Recorder Arden F. Jenson
12 City Treasurer Galen Rasmussen
13 Department Heads Neal Jenkins, Parks & Recreation
14 Cliff Michaelis, Power Department
15 Mike Barfuss, Fire Marshall
16 Recording Secretary Ellen H. Call
17
18

19 Official Notice of this meeting had been given by posting a written notice of same and an
20 Agenda at the City Hall and providing copies to the following newspapers of general circulation:
21 Davis County Clipper, Deseret News, and Salt Lake Tribune.
22

23 Mayor Cushing called the meeting to order, welcoming visitors and the boy scouts in
24 attendance, following which the pledge of allegiance to the flag was led by Councilman Johnson
25 and the invocation was offered by Councilwoman Holt.
26

27 Minutes of the regular meeting of the City Council held April 23, 1997 were presented
28 and unanimously approved as written on a motion made by Councilmember Johnson and
29 seconded by Councilmember Holt.
30

31 **EXPENDITURES AND EXPENSES**

32 Mr. Jenson presented the Expenditure and Expense reports for the period April 18-24,
33 1997 in the amount of \$147,937.10, and for the period April 25-27, 1997 in the amount of
34 \$301,230.21. Both reports were unanimously approved as presented on a motion by Councilman
35 Shafter, seconded by Councilman Fowler.
36

37 **RECOGNITION OF RETIRING CITY EMPLOYEE**
38 **RAY JOHNSON -- POWER DEPARTMENT**

39 Mayor Cushing welcomed Ray Johnson and members of his family who were present,
40 and thanked Ray for the many years of service he has given to the City of Bountiful. Cliff
41 Michaelis stated that Ray started with the city 22 years ago. He thanked him for his dedication
42 and loyalty to the city and for the outstanding job he has done with the meter-reading program,
43 and wished him well in his retirement. Mayor Cushing presented a gift to Ray on behalf of the
44 city, and commended his wife also for her support.
45

1 **BID APPROVED FOR REPLACEMENT OF**
2 **HVAC AT RECREATION CENTER**

3 Neal Jenkins reported that four contractors were solicited and two bids received for the
4 replacement of the original heating and air-conditioning unit for the front lobby, office area, and
5 downstairs at the Bountiful Recreation Center. Staff recommends acceptance of the low bid
6 from Affiliated Service for \$22,236. The budgeted amount for this project was \$22,000.
7 Councilmember Wilcox made a motion to accept the bid, seconded by Councilmember Shafter,
8 and voting was unanimous.

9
10 **BID APPROVED FOR RE-ROOFING**
11 **OF STOKER SCHOOL**

12 Neal Jenkins stated that quotations had been received to replace the asphalt shingles at
13 Stoker School. The school has been re-roofed two times, and it is now necessary to remove the
14 existing shingles and some of the sheeting. Three roofers were contacted, and it is recommended
15 that the low bid from Ron Case Roofing for \$40,370 be approved. During the past wind storm,
16 there was damage to the roof and the insurance carrier has paid \$4,232, so the net expenditure
17 would be \$36,138. Mr. Hardy reported that the money would come from the Council's capital
18 contingency fund, and the lease fee on Stoker School will be increased to cover this and the
19 replacement of the boiler unit, which will be amortized over a five-year period. Councilmember
20 Wilcox motioned to accept the \$40,370 bid from Ron Case Roofing, Councilmember Johnson
21 seconded, and voting was unanimous.

22
23 **PRESENTATION ON I-15**
24 **BY BRW ENGINEERS AND UDOT**

25 In attendance at the meeting were Angelo Papastamos of BRW Engineers, Paul Pattison
26 of Lochner (a consulting firm), and Carlos Braceras and Dan F. Nelson representing UDOT. Mr.
27 Hardy stated that the purpose of their presentation is to inform the Council and citizens of the
28 proposed I-15 widening for Davis County, which is now in the investment study stage and
29 allows input and possible changes suggested by residents and local officials. Any questions or
30 input should be channeled through Paul Rowland, who represents the city on this project.

31
32 A handout was distributed to those in attendance, outlining the preliminary alternatives
33 proposed to improve the transportation flow through the county. (A copy is on file in the
34 Mayor's office.) Mr. Papastamos showed a map of the project area, which extends from 6th
35 North in Salt Lake City to Kaysville. The alternatives being considered involve improvements
36 to I-15, construction of the West Davis Highway and Legacy Highway, as well as public
37 transportation (commuter rail). If the Legacy Highway alternative is chosen, they would hope to
38 have it open for traffic in 2001. No property has been acquired yet, but they are presently doing
39 environmental impact studies and resource work to prepare for the land acquisition, depending
40 on which alternative is selected. They are hoping to have detailed plans of all alternatives
41 available for presentation and public hearings in August.

42
43 Proposed alterations to I-15 will involve some interchange reconstruction and ramp
44 changes through Bountiful, and also construction of a frontage road from 10th North to
45 Centerville to provide north-south access west of 200 West.

1 Mr. Hardy pointed out a potential problem at the 500 South off-ramp by the entrance to
2 the Gateway area. The proposal is for a barrier median which would prevent eastbound traffic
3 from making a left turn into the shopping center. This would keep the traffic flowing, but would
4 be an inconvenience to the businesses, and is one type of problem that will have to be negotiated.
5 The UDOT representatives assured the Council that they will attempt to minimize all impacts as
6 much as possible.

7
8 According to their present schedule, construction is proposed to begin late summer of
9 1998. As for funding, they are presently using centennial highway funds for the studies.

10
11 **UPDATE REPORT ON SOUTH DAVIS**
12 **SEWER DISTRICT -- ARNELL HEAPS**

13 Arnell Heaps is Bountiful City's representative in the South Davis Sewer District, which
14 was established in 1959. The district is governed by a seven-member board represented by each
15 of the cities involved. He reported that the 1996 audit indicated no instances of non-compliance.
16 Mr. Heaps briefly reviewed the outstanding bonds, and stated that as of December 31, 1996 the
17 grand total of unpaid bonds was \$10,867,438, at an average interest of 4%. A co-generation
18 revenue plan was developed for the north and south plants in the amount of \$250,000 --
19 \$125,000 of that in the form of a grant and \$125,000 in a 20-year, non-interest bearing note,
20 being repaid at \$6,250 per year.

21
22 Construction on the sludge drying beds at both plants is under way and should be
23 completed by mid-summer or early fall. The compost program between Bountiful City and the
24 Sewer District is showing great success and it is hoped will continue. Mayor Cushing thanked
25 Mr. Heaps for his report and for his service to the city in filling this assignment.

26
27 It is necessary for the city to raise impact fees, and Mr. Hardy asked what the District's
28 intentions are in that regard. Mr. Heaps stated that the board has discussed sewer connection
29 fees and will resolve the issue within the next two months with a considerable increase over the
30 \$600 that is presently being charged. It has not yet been determined how the increase will be
31 allocated, but the regular monthly sewer rates should not be affected at this time. The increase
32 will be for new connections only.

33
34 Mr. Hardy also asked about the District's review of charges, particularly on commercial
35 connections, and said that the city will work with the district so both entities will structure their
36 fee schedules the same. Mr. Heaps stated that at present it appears that the residents are paying
37 more than their fair share, and the commercial accounts are not being assessed an amount
38 commensurate with what they add to the system. This will be evaluated further.

39
40 With regard to the compost, Mr. Hardy reported that the landfill has run out but a new
41 batch should be ready soon. After a financial review of this operation, it was determined that it
42 has been very costly to implement. However, now that the initial expenses of getting the
43 program going have been paid, it should soon be operating on a break-even basis. The city may
44 even consider raising the price slightly and also may be able to sell in smaller quantities.

1 **BID APPROVED FOR VARIOUS SEWER**
2 **REPAIR PROJECTS THROUGHOUT THE CITY**

3 While conducting a normal video inspection of the sewer mains, it was discovered that
4 there are numerous places in the city where the sewer lines are broken or damaged. Two bids
5 were received for the repair of 13 locations, and the staff recommends that the low bid of
6 \$45,905 submitted by Frank George and Sons be accepted. The Sewer Department has budgeted
7 \$26,000 this year and a similar amount in next year's budget for this work. Councilman Johnson
8 made a motion to accept the bid as stated. Councilman Shafter seconded the motion and voting
9 was unanimous.

10
11 **BID APPROVED FOR RE-PAINTING**
12 **HEADQUARTERS FIRE STATION**

13 Mike Barfuss stated that it has been 11 years since Fire Station No. 1 was painted, other
14 than the normal maintenance painting which has been done by fire personnel. Money for this
15 project will come from the fund balance of the current budget as a non-budgeted item, and will
16 be accounted for when the budget is re-opened on June 25. Three bids were received (the third
17 came in late), and it is recommended that the low bid of \$20,573 submitted by Hadley Brothers
18 Painting, Inc. of Ogden be approved. This company just completed the painting of the new
19 police/courts building and comes with a favorable recommendation. The painting will be done
20 during normal operations without closing the fire station, and the equipment can be placed back
21 inside during the nights for security purposes. Councilmember Wilcox motioned to accept
22 Hadley Brothers' bid, it was seconded by Councilmember Holt and voting was unanimous.

23
24 **COUNCIL ADOPTS TENTATIVE BUDGET**
25 **FOR 1997-98 FISCAL YEAR**

26 Mr. Hardy referred to the proposed 1997-98 budget in the amount of \$41,435,220 which
27 had been sent out to Council members. He said that this budget is a half million dollars lower
28 than last year's budget, down about 1.6%, and after inter-fund transfers it is down about 4.3%.
29 The General Fund is up \$1.3 million (15%), with major cost components being additional gas tax
30 revenue, large expenditures in the Police Department associated with the new building, adding
31 the high school and junior high school resource officers, cost of retirement benefits, and the
32 addition of five new firefighters. The only increase proposed is in property tax; however, in the
33 next year business license fees and impact fees will be studied for possible changes.

34
35 The proposed budget includes a 3% cost-of-living adjustment for all full-time permanent
36 employees. No other adjustments in salaries or benefits are contemplated, and other than the
37 five new firefighters there are no new personnel added. This is the budget that has been
38 reviewed and approved by each of the budget committees of the Council, and it is balanced with
39 regard to revenues and expenses.

40
41 Mayor Cushing thanked the staff for their work in preparing the budget, and also the
42 Council members and their committees for their careful review to insure that the citizens receive
43 the services they deserve and need in the most economical way. Councilmember Holt voiced her
44 acceptance of the budget and stated that she wanted the public to understand that approving the
45 preliminary budget does not mean that the proposed tax increase is being approved. This must

1 be included by state law in order to move forward with the truth-in-taxation hearing, and is only
2 tentatively placed in the preliminary budget.

3
4 Councilman Johnson made a motion to accept the tentative 1997-98 budget of
5 \$41,435,220. The motion was seconded by Councilman Shafter and voting was unanimous.

6
7 **PUBLIC HEARINGS SET:**
8 **JUNE 25, 1997 AT 7:30 P.M. TO RE-OPEN THE 1996-97 BUDGET**
9 **AUGUST 6, 1997 AT 7:15 P.M. FOR PROPOSED TAX INCREASE**
10 **AUGUST 6, 1997 AT 7:30 P.M. FOR THE 1997-98 BUDGET**

11 Mayor Cushing stated that it is necessary to schedule public hearings in connection with
12 the 1996-97 and 1997-98 budgets. Councilman Shafter made a motion to set public hearings as
13 outlined above; Councilmember Holt seconded the motion and voting was unanimous.

14
15 **PUBLIC HEARING SET FOR MAY 28, 1997 AT 7:15 P.M.**
16 **TO CONSIDER ZONE CHANGE AT 444-478 WEST 400 NORTH**
17 **FROM C-H TO R-3-13**

18 Mr. Gehring reviewed a request from Mr. Condie who is in the process of selling his
19 home but his buyer has been told by his bank that they will not finance a non-conforming use.
20 He has therefore asked that the city consider changing the zone at 444-478 West 400 North to
21 residential, and that a public hearing be set for May 28 at 7:15 p.m. to hear the matter.
22 Councilman Fowler made a motion to set the public hearing as requested, seconded by
23 Councilmember Wilcox. Voting was unanimous.

24
25 **RESOLUTION 97-4 APPROVED, ACCEPTING**
26 **PETITION FOR ANNEXATION OF GLADE**
27 **PROPERTY ON SOUTHEAST END OF CITY**

28 Mr. Mahan reported that he has received a Petition for Annexation from Leilah, Ltd.,
29 owners of 476 acres of land on the southeast end of the city known as the Glade property. The
30 petition was filed on May 7, 1997 with the City Recorder, and a copy was mailed to the County
31 Clerk in compliance with the new state law. The map submitted with the petition will be
32 reviewed by the Engineering Department. The property borders North Salt Lake and is east of
33 the new Bountiful Ridges Subdivision. Councilmember Fowler moved to adopt Resolution 97-4,
34 A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION FOR FURTHER
35 CONSIDERATION, Councilmember Holt seconded the motion and voting was unanimous.

36
37 **ORDINANCE 97-10 ADOPTED, A PARKING**
38 **ORDINANCE CONCERNING VEHICLES FOR SALE**

39 Mayor Cushing recalled that the Council has previously discussed the problem of cars for
40 sale being parked at various locations throughout the city. Mr. Mahan stated that he has
41 prepared an ordinance to prohibit this practice on private property when the parking is without
42 the consent of the property owner. He explained that police can tow the vehicle, but the people
43 have a right of appeal of that decision. Criminal or civil prosecution is also available in addition
44 to towing.

1 In answer to a question by Councilmember Wilcox, Mr. Mahan said that before any
2 police action is taken, the property owner will be contacted and asked to show in writing if
3 permission has been granted. Councilmember Shafter suggested that a copy of the ordinance,
4 along with a cover letter, be sent to all businesses so they can let the city know in advance of
5 their desires. Mayor Cushing said that notice could be included in the Newsletter and on the
6 monthly utility billing, and the press would undoubtedly cover the issue. In addition, if a
7 problem arises, the city would advise the property owner. Councilmember Shafter made a
8 motion to approve Ordinance 97-10, AN ORDINANCE MAKING IT UNLAWFUL TO PARK
9 A VEHICLE ON PRIVATE PROPERTY FOR THE PURPOSE OF ADVERTISING OR
10 SELLING THAT VEHICLE, WITHOUT THE CONSENT OF THE OWNER. Councilmember
11 Johnson seconded the motion and voting was unanimous.

12
13 Doug White, a citizen in attendance at the meeting, offered a suggestion in connection
14 with the ordinance as it concerns the right-of-way owner. Mr. Mahan asked that he meet with
15 him at the end of the meeting to discuss this.

16
17 **COUNCIL COMMITTEE REPORTS**

18 Councilmember Wilcox invited everyone to attend the swearing-in ceremony for new
19 Youth Council members to be held on Thursday, May 15.

20
21 Councilmember Johnson commended the Youth Council for the job they are doing and
22 recognized them for the awards they have received. He thanked Councilmember Wilcox for her
23 involvement and guidance of the group.

24
25 Meeting adjourned at 8:37 p.m. on a motion by Councilmember Johnson, seconded by
26 Councilmember Shafter.