

1 Minutes of the regular meeting of the City Council held March 25, 1998 at 7:00 p.m. in
2 the Council Chambers of the City Hall, Bountiful, Utah.

3
4 Present: Mayor Pro Tempore: C. Harold Shafter
5 Council Members: Samuel R. Fowler, Barbara Holt,
6 Alan A. Johnson, and Stewart
7 Knowlton
8 City Manager: Tom Hardy
9 City Attorney: Russell Mahan
10 City Engineer: Paul Rowland
11 Administrative Services Dir.: Galen Rasmussen
12 Planning/RDA Director: Blaine Gehring
13 Department Head: Alan West, Information Systems
14 Recording Secretary: Nancy T. Lawrence
15
16 Excused: Mayor: John R. Cushing
17

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.
21

22 Mayor Pro-tem Shafter called the meeting to order, following which Mr. Gehring led
23 the pledge of allegiance to the flag. The invocation was offered by Councilman Johnson.
24

25 Minutes of the regular meeting of the City Council held March 11, 1998 will be
26 approved at the next regular meeting.
27

28 **EXPENDITURES AND EXPENSES APPROVED**
29 **FOR MARCH TIME PERIOD**

30 Mayor Pro-tem Shafter presented the Expenditure and Expense Reports for the Periods
31 March 1-12, 1998 in the amount of \$148,682.30 and March 13-19, 1998 in the amount of
32 \$94,894.39. Following a brief discussion, this report was accepted by unanimous vote on a
33 motion made by Councilman Shafter and seconded by Councilwoman Holt.
34

35 **APPROVAL GIVEN TO PURCHASE REPLACEMENT**
36 **AS/400 FOR PUBLIC SAFETY (POLICE AND FIRE)**

37 Mr. West reported that the AS/400 currently being used at the Police Department is
38 over five years old and has reached 93% of its capacity. Inasmuch as several software projects
39 are on hold pending the replacement of the current system and a new system will provide
40 advantages in security and speed, he recommended that it be replaced with a new AS/400. The
41 proposed cost for the new equipment is \$50,374.00.
42

43 The current year's budget includes \$39,000 for new equipment and the additional
44 funding can be obtained from the Fire Department and the \$3,000 trade-in of the old equipment.
45 Following discussion, Councilman Johnson made a motion to approve the purchase of the
46 AS/400 as proposed. Councilman Knowlton seconded the motion and voting was unanimous.
47

48 **PRELIMINARY AND FINAL APPROVAL GRANTED**
49 **TO SINGLE LOT AT 2329 SO 200 WEST, JIM EAST OWNER**

50 Mr. Gehring reported that Jim East was issued a building permit to construct a new
51 home on his property at 2329 South 200 West. Inasmuch as there were two homes on the

1 property, a non-conforming situation had existed and in an effort to correct this situation, it is
2 requested that approval be granted for a single lot (defined by metes and bounds) at that location.
3 The Planning Commission gave the request a favorable recommendation with the condition that
4 a 7-foot wide public utility easement be provided along the 200 West frontage of both lots.

5
6 Councilwoman Holt made a motion to grant preliminary and final approval, as
7 recommended. Councilman Johnson seconded the motion and voting was unanimous.

8
9 **PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED FOR**
10 **ASSISTED CARE LIVING FACILITY - 500 EAST 500 SOUTH**

11 Mr. Gehring reported that South Davis Community Hospital would like to build a new
12 assisted care living facility on their property east of the Barton Creek channel which bisects their
13 property. He reviewed the proposed project (to be known as Paragon Assisted Living, Inc.) and
14 stated that it comes to the Council with a positive recommendation from the Planning
15 Commission, subject to the following conditions:

- 16 1. Provide proper openings in the west side of the dumpster/chiller enclosure to
17 allow free drainage of storm water.
- 18 2. Install a 6" fire hydrant at the southeast corner of the building.
- 19 3. Coordinate with Bountiful Light and Power to locate any required transformers
20 and for the removal and relocation of any necessary overhead power lines.
- 21 4. Obtain approval from Davis County Flood Control for the grated covering on
22 the Barton Creek channel located at the entrance.
- 23 5. Pay the following fees at the time a building permit is issued:
 - 24 a Water impact fee to be based on size of meter required for the project;
 - 25 b) Sewer impact fee to be determined when final plans are submitted for the
26 building permit;
 - 27 c) Storm drain fee based on a net site area of 1.95 acres X \$2,100 per
28 acre=\$4,090.59;
 - 29 d) Power fees to be determined by Bountiful Light and Power;
 - 30 e) Fee for a 6" fire hydrant with line:
 - 31 f) 6" tap \$1,600
 - 32 6" line and hydrant 1,928
 - 33

34 \$3,528
- 35 2. Show all existing easements for water, power and the Barton Creek channel;
- 36 3. Provide easements as required by Davis County Flood Control for access
37 along the creek and for access to the basins located northwest of the project.
- 38 4. Provide a 7-ft. wide public utility easement along the north side of 500
39 South street;

1 5. Provide a 40-ft. wide public utility easement 20 feet either side of the
2 centerline of the hospital access road from 500 South to the project's north
3 property line.
4

5 Councilwoman Holt made a motion to grant preliminary and final site plan approval for the
6 assisted care living facility, as recommended. Councilman Johnson seconded the motion and
7 voting was unanimous.
8

9 **RES. NO. 98-1 ADOPTED RE: ISSUANCE OF**
10 **REVENUE BONDS FOR PARAGON ASSISTED LIVING, INC.**

11 Mr. Mahan explained that through the Utah Industrial Facilities and Development Act,
12 Paragon Assisted Living Center has requested that the City authorize the issuance of up to \$6.5
13 million in revenue bonds to be used by Paragon to defray the cost of financing that project. He
14 noted that the bonds would be financed solely from revenue of the said project, that there would
15 be no obligation on the part of the City, and the City's credit would not be affected in any way.
16

17 Following discussion Councilman Fowler made a motion that Resolution No. 98-1
18 entitled A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO
19 EXCEED \$6,500,000 AGGREGATE PRINCIPAL AMOUNT OF REVENUE BONDS
20 (PARAGON ASSISTED LIVING, INC. PROJECT), SERIES 1998, OF THE CITY OF
21 BOUNTIFUL, DAVIS COUNTY, UTAH, FIXING THE MAXIMUM AGGREGATE
22 PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER
23 WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE
24 BONDS MAY BEAR AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE
25 BONDS MAY BE SOLD, PROVIDING FOR THE PUBLICATION OF A NOTICE OF
26 BONDS TO BE ISSUED AND FOR THE RUNNING OF A CONTEST PERIOD,
27 AUTHORIZING THE CIRCULATION OF A PRELIMINARY OFFICIAL STATEMENT
28 WITH RESPECT TO THE BONDS AND DESIGNATING THE TIMES AND PLACE WHERE
29 A COPY OF THE PROCEEDINGS AUTHORIZING THE ISSUANCE OF THE BONDS MAY
30 BE EXAMINED; AND AUTHORIZING OTHER MATTERS PERTAINING TO THE
31 BONDS, be adopted. The motion was seconded by Councilman Johnson and voting was
32 unanimous.
33

34 **RES. NO. 98-2 ADOPTED RE: ISSUANCE OF UP TO \$10 MILLION**
35 **CITY OF BOUNTIFUL REVENUE REFUNDING BONDS FOR**
36 **SOUTH DAVIS COMMUNITY HOSPITAL PROJECT**

37 Mr. Mahan explained that South Davis Community Hospital is desirous of refunding
38 existing revenue bonds for the purpose of achieving a more favorable interest rate and providing
39 additional capital. They have requested approval of Resolution No. 98-2, entitled A
40 RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT TO EXCEED
41 \$10,000,000 AGGREGATE PRINCIPAL AMOUNT OF HOSPITAL REVENUE REFUNDING
42 BONDS (SOUTH DAVIS COMMUNITY HOSPITAL PROJECT) SERIES 1998, OF THE
43 CITY OF BOUNTIFUL, DAVIS COUNTY, UTAH, FIXING CERTAIN PARAMETERS FOR
44 THE BONDS; AUTHORIZING THE PUBLICATION OF A NOTICE OF BONDS TO BE
45 ISSUED; APPROVING THE FORM OF TRUST INDENTURE AND LOAN AGREEMENT
46 WITH RESPECT TO THE BONDS; AND AUTHORIZING OTHER MATTERS

1 PERTAINING TO THE BONDS.
2

3 David Stevens, bond counsel from Chapman and Cutler, explained the process which
4 will be followed in giving notice, issuing the bonds, and repayment of the obligation. He also
5 noted that the additional capital which is requested will be used for additional parking and other
6 capital improvements. Councilman Johnson made a motion to approve Res. No. 98-2, as
7 presented. Councilman Shafter seconded the motion and voting was unanimous.
8

9 NOTE: Minutes included as a part of the bond issuance proceedings are included as an
10 addendum to the official City minutes.
11

12 **REVIEW OF POSSIBLE ADDITION TO ARTS CENTER -**
13 **BOUNTIFUL COMMUNITY THEATER**

14 Mr. Hardy reported that the Bountiful Community Theater has requested consideration
15 of a possible addition to the newly remodeled public safety building for the purpose of creating a
16 small theater (100-150 seating capacity). He said that no money has been raised toward this end
17 (by the Theater) and no commitments have been made on the part of the City. The discussion
18 this evening is for the purpose of getting direction from the Council prior to the theater investing
19 time and money if the Council is not willing to consider the addition.
20

21 Discussion followed regarding the need for the facility and funding of its construction
22 and resulting operation and maintenance. Councilwoman Holt pointed out that any contributions
23 authorized by the City for this project would be coming from the same source that is used to
24 provide basic services, paid for by taxes. She also noted that the City has attempted to establish
25 a procedure which requires the arts to be financially independent from the City; and she asked if
26 they are in a position to provide long-term operations and maintenance costs. She stated that she
27 is not against the concept of the addition and would be supportive of some degree of City
28 assistance, if the Arts can assume the long-term operational costs. Other council members
29 concurred with her reasoning. Councilwoman Holt suggested that the matter be taken back to
30 the Arts Council for specific answers as to how they will raise money, what level of support they
31 will provide on an on-going basis, etc.
32

33 **COUNCIL COMMITTEE REPORTS**

34 Councilman Johnson reported that all positions on the Youth City Council have been
35 filled and a meeting between the former Council and the new one will be held on April 1, 1998.
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