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# Minutes of the Bountiful City Council Meeting City Council Chambers September 22, 1999 - 7:00 p.m.

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Present:	Mayor	John R. Cushing
	Council Members	Samuel R. Fowler, Barbara Holt, Alan A. Johnson, Stewart Knowlton, and C. Harold Shafter
	City Manager	Tom Hardy
	City Engineer	Paul Rowland
	City Attorney	Russell Mahan
	Administrative Services Dir:	Galen Rasmussen
	Planning/RDA Director:	Blaine Gehring
	Assist. City Engineer:	Mark Franc
	Department Head	Clifford Michaelis, Power David Wilding, Water/Sewer
	Recording Secretary	Nancy T. 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 at 7:00 p.m. and welcomed those in attendance. Councilman Knowlton led the pledge of allegiance to the flag, following which the invocation was offered by the Mayor.

### **APPROVAL OF MINUTES**

Minutes of the regular City Council meeting held September 8, 1999 were presented and unanimously approved as written on a motion made by Councilman Shafter and seconded by Councilman Johnson. Councilpersons Shafter, Fowler, Holt, Johnson, and Knowlton all voted "Aye".

### **EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS APPROVED FOR TWO SEPTEMBER PERIODS AND SUMMARY FOR AUGUST 1999**

Mayor Cushing presented the report of Expenditures and Expenses Greater than \$1,000 for the period September 3-10, 1999 in the amount of \$482,085.65, the period September 11-16, 1999 in the amount of \$1,563,488.33, and the Summary of Expenditures and Expenses for the Month of August 1999 in the amount of \$3,096,157.67. These reports were discussed and unanimously approved on a motion made by Councilman Johnson and seconded by Councilwoman Holt. Councilpersons Shafter, Johnson, Holt, Fowler, and Knowlton voted "aye".

### **COUNCIL APPROVES REQUEST TO MODIFY SITE PLAN REQUIREMENT FOR DEVELOPMENT AT 400 NO. HWY 89**

Mr. Hardy explained that in conjunction with the commercial development of property

1 located at 400 North Highway 89, the City required the developer, as per City Ordinance, to  
2 provide a privacy barrier in the form of a block wall between the commercial development and  
3 neighboring residential property. Jason Leavitt, owner and resident on the neighboring property,  
4 is requesting that the wall not be required. Mr. Leavitt, who was in attendance, explained that  
5 there are mature shade and screening trees along the west property line which will be severely  
6 damaged by the wall or which will need to be removed because of their location to the property  
7 line. He would prefer to keep the trees than to have the cinder block wall.

8  
9 Mr. Gehring expressed concern that inasmuch as the privacy barrier is a condition of the  
10 ordinance, a future owner of the Leavitt property might come back on the City, or the developer,  
11 and require construction of the privacy barrier if it is waived at this time. He suggested that a  
12 fence be constructed between the two properties which would satisfy the ordinance requirements  
13 but eliminate construction processes which would damage the trees.

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15 Mike Bendt, representing the developer, indicated a willingness to work with Mr. Leavitt  
16 and the City and it was agreed that a vinyl fence be constructed and that its east/west placement  
17 be mutually adjusted by both parties to accommodate the tree line, without affecting the legal  
18 property boundary. Councilwoman Holt made a motion to approve a modification to the  
19 screening wall requirement and that a 3-ft. vinyl fence be constructed from the south property  
20 line north 30 feet and then continue as a 6-ft. fence, as per setback requirements, and in a  
21 configuration mutually acceptable to both parties. She also motioned to waive the requirement  
22 for two screening trees as shown on the landscape plan. Councilman Shafter seconded the  
23 motion which carried unanimously. Councilpersons Shafter, Johnson, Holt, Fowler, and  
24 Knowlton voted “aye”.

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26 **SINGLE EVENT PERMIT APPROVED FOR ST. OLAF’S**  
27 **CATHOLIC CHURCH, 1800 SO. ORCHARD DRIVE**

28 Mr. Hardy presented the request of St. Olaf’s Catholic Church for a single-event permit  
29 for the purpose of sale, storage and consumption of liquor on premises as part of an annual fund-  
30 raising event. The event will take place November 5 and 6, from 5 p.m. Friday evening until 1  
31 a.m. Saturday morning. It is the recommendation of staff to approve the permit and authorize the  
32 Mayor to sign it and the request will then be forwarded to the State Department of Alcoholic  
33 Beverage Control. Councilman Johnson made a motion to this effect, Councilman Knowlton  
34 seconded the motion and voting was unanimous. Councilpersons Shafter, Johnson, Holt, Fowler,  
35 and Knowlton voted “aye”.

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37 **SEWER MAINTENANCE CONTRACT**  
38 **WITH TWIN “D” INC. RENEWED**

39 Mr. Wilding reported that Twin “D” Inc. has been used in the past to provide sewer  
40 maintenance services for the City. They have been very good to work with and provide  
41 excellent service. He requested that the contract with Twin “D” Inc. be renewed to provide the  
42 cleaning and inspection of approximately 80,000 feet of sewer line, with \$50,000 included in the  
43 FY2000 budget. Councilman Knowlton made a motion to renew the contract, as requested.  
44 Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Shafter,  
45 Johnson, Holt, Fowler, and Knowlton voted “aye”.

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2 **PURCHASE OF DUMP TRUCK APPROVED FOR**  
3 **WATER DEPARTMENT**

4 Mr. Wilding reported that a new 10-wheel dump truck was included in this year's budget  
5 and it is recommended that one be purchased through Lake City International Trucks, Inc., who  
6 has the State Contract. Lake City quoted a price of \$71,827, which is well within the budget of  
7 \$81,000. The remaining amount of the budget will be used to purchase a bed for the truck. Bids  
8 on the bed will go out in a week or two. The truck that is being replaced will be kept in the  
9 department as a backup. Councilman Knowlton made a motion to authorize the purchase of the  
10 10-wheel dump truck as proposed. Councilwoman Holt seconded the motion and voting was  
11 unanimous. Councilpersons Shafter, Johnson, Holt, Fowler, and Knowlton voted "aye".  
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13 **COUNCIL APPROVES PURCHASE AND SALE AGREEMENT**  
14 **FOR PACIFICORP DISTRIBUTION FACILITIES**

15 Mr. Mahan reviewed that the City Council has previously approved the purchase of, and  
16 the price for, the acquisition of the PacifiCorp power system in areas annexed into Bountiful  
17 over the past several years. The Power Commission and Power Department staff recommend  
18 that an agreement effectuating this purchase be approved and signed by the Mayor. Mr. Mahan  
19 stated that the system will be acquired on an "as is" basis and there is no reason to believe that  
20 there are unusual problems. Residents of the areas involved (known as the Val Verda area) have  
21 been notified of the proposed change-over on Thursday, September 23, 1999. There will be a  
22 planned outage of about two hours while the work is being accomplished. Councilman Fowler  
23 made a motion to accept the agreement between the City and PacifiCorp for the purchase and  
24 sale of the electrical distribution system in parts of the Val Verda area. Councilman Shafter  
25 seconded the motion and voting was unanimous. Councilpersons Shafter, Johnson, Holt, Fowler,  
26 and Knowlton voted "aye". (Approximately 800 new customers will be added to the Bountiful  
27 system).  
28

29 **CONSTRUCTION OF NEW RESTROOM AT GOLF COURSE APPROVED**

30 Mr. Franc reviewed that the golf course has budgeted to replace the old restroom near the  
31 thirteenth tee at the golf course. The new restroom will be similar to the ones built over the  
32 years at some of the City parks, except it will be covered with a brick veneer and have some  
33 interior enhancements. In addition, the rear storage area will be replaced by a front awning and  
34 concrete deck. He noted that the location of the restroom will be changed a little.  
35

36 The past several contracts to build these restrooms for the City have been bid  
37 competitively and have all been awarded to Tom Lund Construction based on low bid. It is  
38 recommended by staff that we extend our agreement with Tom Lund Construction and award  
39 him the project to construct the new restroom at the golf course. The proposed cost for the  
40 restroom is \$46,665.00. Councilman Johnson made a motion to extend the agreement as  
41 recommended. Councilman Shafter seconded the motion which carried unanimously.  
42 Councilpersons Shafter, Johnson, Holt, Fowler, and Knowlton voted "aye".  
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45 **BRIMHALL ELECTRIC, INC. AWARDED CONTRACT TO**  
46 **FURNISH AND INSTALL PUMP CONTROL EQUIPMENT - CUMORAH**  
47 **RESERVOIR BOOSTER PUMP STATION**

1 Mr. Rowland reported that it is time to buy a control system for the booster pumps at the  
2 Cumorah Reservoir Booster Pump Station. Requests for Proposals were sent to six local  
3 companies who specialize in this type of work. Three vendors responded and it is the  
4 recommendation of staff to award the contract to low bidder, Brimhall Electric, Inc., in the  
5 amount of \$19,650.00. Councilman Knowlton made a motion to this effect, Councilman Fowler  
6 seconded the motion and voting was unanimous. Councilpersons Shafter, Johnson, Holt, Fowler,  
7 and Knowlton voted "aye".

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9 **COUNCIL COMMITTEE REPORTS**

10 None

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12 **EXECUTIVE SESSION APPROVED**

13 At the invitation of the Mayor, Councilman Fowler made a motion to adjourn to  
14 executive session for the purpose of discussing pending litigation. Councilman Shafter seconded  
15 the motion and voting was unanimous. Councilpersons Shafter, Johnson, Holt, Fowler, and  
16 Knowlton voted "aye".

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18 The meeting adjourned to executive session at 7:40 p.m.

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20 **Attendance at Executive Session:**

21 Mayor Cushing  
22 Councilpersons Shafter, Johnson, Holt, Fowler, and Knowlton  
23 Mr. Hardy  
24 Mr. Mahan  
25 Mr. Michaelis  
26 Allen Johnson, Power Department

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31 JOHN R. CUSHING, Mayor

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36 KIM J. COLEMAN, City Recorder

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