

# Minutes of the Bountiful City Council Meeting

City Council Chambers

June 7, 2000 - 7:00 p.m.

Present:	Mayor	John R. Cushing
	Council Members	Samuel R. Fowler, Barbara Holt, Stewart Knowlton, John S. Pitt and J. Gordon Thomas
	City Manager	Tom Hardy
	City Prosecutor:	J. C. Ynchausti
	Assist. City Engineer:	Mark Franc
	Administrative Services Dir:	Galen Rasmussen
	Planning/RDA Director:	Blaine Gehring
	Department Reps:	Clifford Michaelis, Power John Miller, Recreation George Sumner, Fire David Wilding, Water/Sewer
	Recording Secretary	Nancy T. Lawrence
Excused:	City Attorney	Russell Mahan

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 Thomas led the pledge of allegiance to the flag, following which the Mayor offered the invocation.

## **MINUTES APPROVED FOR TWO MAY PERIODS**

Minutes of the regular City Council meeting held May 10, 2000 and the Special City Council meeting held May 26, 2000 were presented and unanimously approved as written on a motion made by Councilman Fowler and seconded by Councilman Pitt. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

## **EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS**

### **APPROVED FOR PERIODS MAY 11-17, MAY 18-24, AND MAY 25-31, 2000**

Mayor Cushing presented the report of Expenditures and Expenses Greater than \$1,000 for the following periods: May 11-17, 2000 in the amount of \$222,824.51; May 18-24, 2000 in the amount of \$285,204.96; and May 25-31, 2000 in the amount of \$805,448.69. Following discussion by the Council, these expenditures and expenses were unanimously approved on a motion made by Councilman Pitt and seconded by Councilwoman Holt. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

## **UPDATE REPORT ON ELECTRICAL DEREGULATION -**

### **STATE REPRESENTATIVE SHERYL ALLEN**

Representative Sheryl Allen explained that she is a member of the Electrical Deregulation Legislative Task Force (Task Force) and she gave a brief report on the activities of that body. She noted that the Task Force has become extremely active this year, with meetings twice each month. States have been categorized in tiers according to their progress with electrical deregulation, with the first tier being very aggressive and the fifth tier doing nothing. Utah is presently coded at tier four, known as the “study phase”. She praised Mr. Hardy, Mr. Michaelis, and Councilman Fowler for the oversight they are giving this issue and emphasized that the process of deregulation must be handled with caution and protective of municipal power. She predicted that we will see some form of deregulation in 2001 and pointed out that deregulation will be a definite advantage to certain large industrial firms. Mayor Cushing thanked Representative Allen for her work on behalf of municipal power in this legislative assignment.

### **CONSIDER PARTICIPATION WITH EXCHANGE CLUB FOR MAIN STREET FLAGS**

Mayor Cushing reviewed that six years ago the Exchange Club and Bountiful City worked together to purchase and mount flags along Main Street in an effort to provide a higher visibility to the flag. The flags have become worn and need to be replaced and the Exchange Club has willingly agreed to work with the City to accomplish this project. Ray Boman, Bountiful Exchange Club, explained that there were originally 100 flags; however, only 50 were mounted horizontally (preferred mount for the well-being of the flag) and it is proposed to purchase 50 new ones at \$28.00 each (including 30 percent discount and addition of grommets), bringing the total to \$1,400.00. It is proposed that the City and the Exchange Club split this cost. Councilman Thomas asked where the funding would come from and Mr. Hardy suggested the Council Contingency fund. Councilman Pitt stated that honoring the flag should be a high priority and he made a motion to approve the expenditure of \$700.00 to participate with the Exchange Club in purchasing new flags. Councilwoman Holt seconded the motion. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted “aye”.

### **MUSCO OF SALT LAKE AWARDED BID FOR LIGHTING AT ROCKET PARK BALL FIELD**

John Miller reported that two bids were received to replace the ballfield lights at Rocket Park. It is recommended by staff that the low bid from Musco of Salt Lake, in the amount of \$19,150.00 be approved. \$18,600 was budgeted for this project and there have been savings in other projects to make up the difference between the budget and the bid. He noted that he would like to work with Bountiful City Light and Power to have the lights installed. Councilwoman Holt made a motion to approve the bid as recommended. Councilman Knowlton seconded the motion. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted “aye”.

### **APPROVAL GIVEN TO INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR DOMESTIC VIOLENCE VICTIM'S ADVOCATE**

Mr. Hardy explained that Davis County is requesting that we approve an Interlocal Agreement to provide service and funding for a domestic violence children's advocate. This is an existing program which has been funded by a PROS II federal grant, and the money (\$11,513.00/year for 3 years) has already been received in the amount required to be paid by the City. It is a budgeted item. It is the staff recommendation to approve this Agreement. Councilman Thomas made a motion to approve the Interlocal Agreement with Davis County for Domestic Violence Victim's Advocate. Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

### **PUBLIC HEARING TO CONSIDER RE-ZONE ON WALTON PROPERTY**

At 7:40 p.m. Mayor Cushing addressed the meeting regarding the public hearing to consider re-zone of the Walton property. Mr. Gehring explained that the property in question (915 South Main) is between a professional office to the north, apartments to the south, and abutting the City's campus on the east. Several inquiries have been made regarding what could be done with the property and most people have decided against the property. Dean and Robyn Walton have proposed to convert the existing home into a professional law office offering elderly law services and to demolish the existing garage to provide for better access to the rear for parking purposes. In order to do this, they are requesting that the property be rezoned to Professional Office (P-O). This matter has been reviewed by the Planning Commission and comes to the Council with a favorable recommendation for the rezone.

Mayor Cushing asked for comments from those in attendance. Frank Santo and Milt Shaum (neighbors to subject property) asked several questions regarding the impact that this rezone would have on their homes and Robyn Walton further explained their plans for development. The public hearing was closed at 8:00 p.m. Councilman Thomas made a motion to approve the re-zone and adopt Ordinance No. 2000-06 entitled AN ORDINANCE AMENDING SECTION 14-2-102 OF THE BOUNTIFUL CITY ZONING ORDINANCE BY AMENDING THE OFFICIAL ZONING MAP OF BOUNTIFUL CITY TO REZONE PROPERTY LOCATED AT 915 SOUTH MAIN STREET FROM R-3-16 TO P-O. Councilman Knowlton seconded the motion. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye". It was noted that the Waltons are aware that they will have to submit a formal site plan for converting the property to commercial use and adding the new driveway and parking. And, they will need to meet the provisions of the Uniform Building Code in changing the home from a residential to an office use.

### **CONTRACTS FOR AIR QUALITY MONITORING WITH BYU AND STATE DIVISION OF AIR QUALITY APPROVED**

Chief Sumner reviewed that two (almost identical) contracts are being presented for the Council's approval. The Utah Division of Air Quality (DAQ) contract is a formality, reaffirming and formalizing an existing agreement with DAQ for the presence of an air quality monitoring station on fire department property behind Station 91. The Brigham Young University (BYU) contract is a new proposal to add adjunctive air quality monitoring equipment adjacent to the DAQ site, in support of a research project. The Fire Department staff sends both contracts with a favorable recommendation.

Chief Sumner introduced Norman Eatough, Professor of Chemistry and Biochemistry, who explained that BYU's research project is one of several research sites nation-wide. The objective of the research is to look for co-variation of physiological indicators and certain particulate material in the air and to monitor a population sample of twenty people involving

periodic interviews, ECG heart recording and blood tests. Following a brief discussion, Councilman Fowler made a motion to approve the two contracts, as presented and recommended. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

**VALMONT AWARDED BID FOR POWER POLES  
PHASE V OF THE 46KV LINE REBUILD PROJECT**

Mr. Michaelis reported that bids were received from three companies for four (4) steel poles which are needed for Phase V of the 46kV Line Rebuild Project. It is the recommendation of staff to accept the second low bid from Valmont in the amount of \$55,941.00. The rationale for going with the second low bid was based on the fact that the low bidder, Thomas and Betts, took exception to the size requirements on one structure and indicated they would provide a 43.5" diameter pole (instead of a 36" pole); and the delivery date for Valmont is four weeks earlier than Thomas and Betts. With time being a critical issue, it is the recommendation of staff, the consulting engineer, and the Power Commission to award the bid to Valmont. It is also recommended that an additional \$700.00 be approved for pole jack rental for a total price of \$56,641.00. Councilman Fowler made a motion to this effect, Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

**COUNCIL COMMITTEE REPORTS**

Councilman Pitt reported that the "Buy It In Bountiful" committee will be meeting tomorrow evening (June 8) at 7:00 p.m. and he invited the Council to attend.

**EXECUTIVE SESSION APPROVED**

At the request of the Mayor, Councilman Knowlton made a motion to adjourn from regular session of the Council at 8:20 p.m. and to reconvene in executive session for the purpose of discussing pending litigation. Councilman Fowler seconded the motion. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

**Attendance at Executive Session:**

Mayor Cushing  
Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas  
Tom Hardy  
J.C. Ynchausti  
David Wilding  
Mark Franc

JOHN R. CUSHING, Mayor

KIM J. COLEMAN, City Recorder

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