

# Minutes of the Bountiful City Council Meeting

City Council Chambers  
October 25, 2000 - 7:00 p.m.

Present:	Mayor Pro Tempore:	J. Gordon Thomas
	Council Members:	Samuel R. Fowler, Stewart Knowlton, and John S. Pitt
	City Manager:	Tom Hardy
	Dep. City Recorder:	Ralph T. Hill, Jr.
	Planning/RDA Director:	Blaine Gehring
	Recording Secretary:	Nancy T. Lawrence
Excused:	Mayor:	John C. Cushing
	Councilwoman:	Barbara Holt
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland

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 ProTem Thomas called the meeting to order, following which Councilman Fowler led the pledge of allegiance to the flag. The invocation was offered by Mr. Hardy.

Minutes of the regular meeting of the City Council held October 11, 2000 were presented and approved as written. Councilman Pitt motioned for approval, Councilman Knowlton seconded the motion and voting was unanimous. Councilpersons Fowler, Knowlton, Pitt, and Thomas voted "Aye".

## **EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS APPROVED FOR TWO OCTOBER PERIODS**

Mayor ProTem Thomas presented the report of Expenditures and Expenses Greater than \$1,000 for the period October 5 to 11, 2000 (\$818,118.70) and the report for the period October 12-18, 2000 totaling \$245,978.25. Following a short discussion, both reports were unanimously approved on a motion made by Councilman Fowler and seconded by Councilman Pitt. Councilpersons Fowler, Knowlton, Pitt, and Thomas voted "Aye".

## **TELECOMMUNICATIONS LEASE WITH LUXUL CORP APPROVED**

Mr. Hardy reviewed that over the past 5-6 years non-exclusive telecommunication leases have been approved with private companies. Luxul Corporation, a company which provides high speed internet service, has requested permission to place a small antenna at three water sites and a lease has been prepared for this purpose. The lease has been reviewed by the City staff and found satisfactory. The essential terms of the lease are: (1) the City will permit a small antenna to be placed at each of three water facilities; (2) Luxul will pay the city \$500 per month per site; (3) Luxul is to provide proof of \$1 million in insurance; (4) the antenna is not to interfere in any way with any City activity at the site; (5) the term of the lease will be five years, renewable on mutual consent.

Dave Evertson, representing Luxul, displayed the antennas which will be used and explained the various services of Luxul. Following a short discussion, Councilman Knowlton made a motion to approve the lease with Luxul, as presented. Councilman Pitt seconded the motion. Councilpersons Fowler, Knowlton, Pitt, and Thomas voted "Aye".

**ORD. NO. 2000-15 RE: CELLULAR TELEPHONE TAX APPROVED**

Mr. Hardy reviewed that the Utah League of Cities and Towns, working with the cell companies, has developed a model ordinance for the cities in Utah to use to impose a \$1/month tax upon cellular phones. Such a tax is authorized under State law and probably many cities will impose it effective January 1, 2001. It is recommended that Bountiful enact this tax. The tax would be a flat \$1.00/month per customer account, and would be allocated based on zip code of the bill to the proper jurisdiction.

Discussion focused on the revenue which this tax will generate (basically an unknown at this time) and the accuracy of the process in getting the proceeds to the respective city. Councilman Pitt made a motion that Ord. No. 2000-15 entitled AN ORDINANCE ADOPTING THE MOBILE TELEPHONE SERVICE REVENUE ACT, WHICH IMPOSES A \$1 PER MONTH TAX ON MOBILE TELEPHONES, be adopted. Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Knowlton, Pitt, and Thomas voted "Aye".

**RELEASE OF EASEMENT APPROVED AT 1537 EAST AND 1549 EAST VINEYARD DRIVE, GRANADA HILLS SBDVN. #2 AND #4**

Mr. Hardy explained that the owner of the two lots at 1537 and 1549 East Vineyard Drive has requested that the easements on the common property line between the two adjacent lots be released. The owner is adding on to his present house and the addition will expand over the property line. The property will continue to be used as one lot (as has been done for the past several years). Each of the utilities that originally signed the subdivision plats has signed off on the release and it is the recommendation of staff to approve the request.

Councilman Knowlton made a motion that the Mayor ProTem sign the Release of Easement, as requested and presented. Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Knowlton, Pitt, and Thomas voted "Aye".

**PRELIMINARY AND FINAL SITE PLAN APPROVAL GIVEN TO SAVON DRUG STORE, 2600 SOUTH HIGHWAY 89**

Mr. Gehring explained that the existing automobile dealership on the corner of 2600 South Highway 89 will be replaced by a SavOn drug store. This matter has been reviewed by the Planning Commission who send a favorable recommendation for approval, subject to the following conditions:

Site Plan:

1. All retaining wall greater than 30 inches in height must have Uniform Building Code compliant guard rails.
2. Adequacy of the existing wall (back wall

- of existing building) along 625 West as a stand alone retaining wall to be verified.
3. Post a cash street damage deposit of \$15.00 per foot of frontage along 625 West and 2600 South.

4.

Utilities:

5. All utilities in existing 2700 South easements to be relocated at owner's expense.
6. New store should use existing sewer lateral if possible.

Easements:

7. Provide utility easement over the entire shared access area and a copy of the shared access agreement.
8. Provide 15-Councilpersons Fowler, Knowlton, Pitt, and Thomas voted "Aye". ft.wide waterline easement along the proposed 8-inch fire hydrant line.

Permits:

9. UDOT excavation permit required for all work along Highway 89.
10. Bountiful City excavation permit required for all work along 2600 South and 625 West.

Drainage:

10. Owner needs permits from UDOT to connect to existing UDOT storm drain.
11. No on-site retention provided, therefore a storm drain impact fee is required (1.81 acres x \$2,100.00 per acre = \$3,801.00).

Landscaping:

12. Eliminate the two trees along 2600 South and two trees on corner of 625 West.
13. Provide three additional trees along the frontage of Highway 89 as per ordinance.
14. Landscaping on the corner of 625 West to be no taller than 2 feet in height.

Following discussion, Councilman Thomas made a motion to grant preliminary and final site plan approval to SavOn Drug Store at 2600 South Highway 89. Councilman Foster seconded the motion. Voting was unanimous with Councilpersons Fowler, Knowlton, Pitt, and Thomas voting "Aye".

**COUNCIL COMMITTEE REPORTS**

Councilman Pitt reported that the Pumpkin Patch activity sponsored by the Youth Council last Saturday was a great success and he thanked the Mayor, Council, staff and particularly members of the Parks Department for their on-going support of this activity.

Mayor ProTem Thomas reported that the Community Service Council met last Saturday and are still working on the parks sign project.

Mr. Hardy requested that the Traffic Safety Committee meet prior to City Council next week (November 1<sup>st</sup>) at 5:30 p.m.

Mayor ProTem Thomas questioned the status of an unfinished house and the matter of a fire hydrant which was turned on by juveniles and resulted in a great deal of damage.

The meeting adjourned by official action at 7:42 p.m.

J. GORDON THOMAS, Mayor Pro Tempore

KIM J. COLEMAN, City Recorder

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