

Minutes of the regular City Council meeting held May 1, 1985 at 7:00 p.m. in the City Hall of Bountiful, Utah.

Present: Mayor:	Dean S. Stahle
Council Members:	C. Harold Shafter, Richard G. Sharp, Jerry K. Lawrence, Phyllis C. Southwick, and J. Dean Hill
City Manager:	Tom Hardy
City Attorney:	Layne B. Forbes
City Engineer:	Jack P. Balling
City Recorder:	Arden F. Jenson
Planning Director:	Jon Reed Boothe
Dep. Recorder:	Lois Hoskins
Rec. Secretary:	Nancy T. Lawrence

Mayor Stahle welcomed those in attendance, following which he led the pledge of allegiance to the flag. Councilman Shafter offered the invocation.

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: Deseret News, Salt Lake Tribune, and Davis County Clipper.

Minutes of the regular meeting of the City Council held April 24, 1985 were presented and unanimously approved as written on a motion made by Councilman Sharp and seconded by Councilman Shafter.

**NO EXPENDITURES FOR APPROVAL**

There were no expenditures presented for approval.

**RES. NO. 85-2 APPROVED AUTHORIZING INDUSTRIAL DEVELOPMENT BONDS FOR AMERICA FIRST CREDIT UNION**

Glen Olpin presented the request of America First Credit Union for approval of an Inducement Resolution authorizing the issuance of Industrial Development Bonds for the purpose of financing a new branch of said credit union at 48 North 500 West. He reviewed the membership of Bountiful residents in the Credit Union and their total financial activity with that organization and stated that he felt the new branch would be an asset to the City. In response to a question from Councilman Sharp, Mr. Hardy said that the amount being requested by the Credit Union is \$875,000; Bountiful's total IDB allotment for this year is \$2,500,000, of which none has yet been committed. He noted that another request for approximately \$1,000,000 will come before the Council in about two weeks and any of the allocation which has not been used by July will go back to the State for statewide distribution. After further discussion, Councilwoman Southwick made the motion that Resolution No. 85-2 be adopted authorizing the issuance of the bonds as requested by America First Credit Union and that the Mayor be authorized to sign the Resolution. Councilman Lawrence seconded the motion and voting was unanimous.

**PUBLIC HEARING SET TO CONSIDER  
AMENDING NEIGHBORHOOD ZONING DISTRICT 6-13**

Mr. Boothe explained that a request has been received from an investment group for Neighborhood Zoning District 6-13 to be amended to allow a health care center as a conditional use. The request is being made with specific reference to the property owned by Beth Olsen and family on the northeast corner of 2600 South 500 West. He said it is the recommendation of the Planning Commission that a public hearing be scheduled for June 5, 1985 at 7:30 p.m. for the purpose of considering this request. Councilman Sharp made the motion that the hearing be set as recommended, Councilwoman Southwick seconded the motion and voting was unanimous.

**EXECUTIVE SESSION SCHEDULED TO DISCUSS  
PERSONNEL**

At the request of the Mayor, Councilman Lawrence made the motion that an executive session be scheduled immediately after this meeting for the purpose of discussing personnel. Councilman Shafter seconded the motion which carried unanimously.

**AGREEMENT WITH QUALISOFT PROVIDING  
DISCLAIMER OF WARRANTY APPROVED**

Mr. Hardy reviewed that the firm of Qualisoft has been contracted with by the city in the past to provide software services, particularly a billing and reporting system for the ambulance service provided by the city. Qualisoft and Bountiful in a previous agreement agreed that either party had rights to the program and could sell or share it. However, Qualisoft is anxious to eliminate any liability which they might encounter with parties other than Bountiful and therefore another agreement is being presented to the Council for their approval which includes a disclaimer of warranty. Mr. Hardy said that Mr. Forbes has reviewed the Agreement and sees no problem with it and recommends that the Council approve it if they see fit. Councilman Shafter asked regarding the payment which was mentioned in the agreement and Mr. Hardy explained that this referred back to the original agreement and the payment schedule which was used when the software services were rendered. Councilman Hill made the motion that the agreement be approved as recommended and that the Mayor be authorized to sign it. Councilman Lawrence seconded the motion and voting was unanimous.

**DISCUSSION RE: CONDITION OF ROAD -  
500 South between Main St. and 100 East**

Councilman Sharp mentioned that he had had several complaints regarding the condition of 500 South in the vicinity of Albertson's and he also called attention to the fact that the striping of the road has not been completed, thus creating a dangerous situation as one eastbound lane ends with no forewarning. Mr. Balling noted that there is a marker indicating the lane change; however, he also explained that when the striping was done, it was not continued through the intersection and this will be completed by the Street Department.

**MAYOR REPORTS ON DIKING AT BARD**

Mayor Stahle reported that the diking and engineering work on the berms for the BARD are coming along well; hopefully this work can be completed when the level of the lake recedes later in the summer.

**PUBLIC HEARING TO CONSIDER AMENDING  
SECTION 13-700 (CONDITIONAL USE) AND  
SECTION 5-7053; COUNCIL VOTES TO LEAVE  
SECTION 13-700 AS IS**

At 7:30 p.m. Mayor Stahle opened the public hearing to consider amending Section 13-700 of the Zoning Ordinance regarding conditional use and Section 5-7053 regarding home occupation permits. He said it is the recommendation of the Planning Commission that when a conditional use request is denied, that the ordinance be amended to permit re-application for said conditional use prior to the presently required 12-month period, if the Planning Commission finds that a substantial change in circumstances has occurred. Councilman Shafter asked who would determine whether or not a substantial change has taken place and he pointed out that in reality, the re-hearing would automatically be held by the Planning Commission. Mayor Stahle indicated that since the city has not had any problems with this part of the ordinance, he would feel more comfortable if it were left as is and not amended. After further discussion and calling for comments from those in attendance, Councilman Hill made the motion that the recommendation of the Planning Commission be upheld and the ordinance amended as reviewed by Mr. Boothe. Councilman Sharp seconded the motion which was defeated on a 3 to 2 vote. Councilwoman Southwick and Councilmen Shafter and Lawrence voted nay.

**ORDINANCE AMENDED TO GIVE PLANNING  
DIRECTOR AUTHORITY TO APPROVE HOME  
OCCUPATION LICENSES**

Mr. Boothe then reviewed that the ordinance presently requires that the Planning Commission review all applications for a home occupation license. Inasmuch as most of these applications are given approval and this particular phase of the Planning Commission meeting is quite time-consuming, it is the recommendation of the Planning Commission that the Planning Director be given the authority to approve the home occupation license requests and if he has a question or feels that the requested home occupation would make a major impact on a neighborhood, that he bring it to the Planning Commission. Mayor Stahle called for comments from the audience, and after discussion of this proposed amendment, Councilman Hill made the motion that the recommendation from the Planning Commission be accepted and that Section 5-7053 be amended as explained. Councilman Sharp seconded the motion which carried unanimously. Councilwoman Southwick requested that each month the City Council and Planning Commission be provided a list of home occupation licenses approved that month.

**TENTATIVE BUDGET FOR 1985-86 ADOPTED  
AND PUBLIC HEARING SET TO CONSIDER SAID  
BUDGET**

As per State law, Mr. Hardy explained that it is necessary to adopt the Tentative Budget for the 1985-86 Fiscal Year, and set a date and time for a public hearing to consider said budget, as well as to reopen the 1984-85 budget to make the necessary year-end adjustments. Councilman Shafter made the motion that a public hearing be scheduled for June 5, 1985 at 8:00 p.m. to consider the 1985-86 budget and that the Tentative 1985-86 Budget be adopted with expenditures as follows:

General Fund	\$5,690,945.00
Capital Improvements Fund	2,168,980.00
Debt Service Fund	98,408.00
ENTERPRISE FUNDS:	
Water Department	1,101,131.00
Water Development	1,054,500.00
Water Replacement	141,972.00
Sewer Department	379,320.00
Golf Course	473,850.00
Recreation Department	809,911.00
Sanitation Department	1,012,791.00
Cemetery	161,329.00
Power Department	18,144,738.00

Revenues match expenditures in each respective fund. Councilman Hill seconded the motion which carried unanimously.

**1984-85 BUDGET TO BE OPENED AT  
PUBLIC HEARING ON JUNE 5TH**

Councilwoman Southwick then made the motion that the 1984-85 budget be opened at the June 5th hearing for the purpose of making the necessary year-end adjustments. Councilman Sharp seconded the motion and voting was unanimous.

The meeting adjourned to a work session on the 1985-86 budget at 8:08 p.m.

  
MAYOR

  
CITY • CORDER