

Minutes of the regular City Council meeting held February 9, 1983 at 7:00 p.m. in the City Hall of Bountiful, Utah.

Present: Mayor:	Dean S. Stable
Council Members:	J. Dean Hill, H. Keith Barton, Phyllis C. Southwick, Paul B. Allen and Bob Linnell
City Manager:	Tom Hardy
City Attorney:	Layne B. Forbes
Planning Director:	Jon Reed Boothe
City Treasurer:	Ira H. Todd
Recording Secretary:	Nancy T. Lawrence
Excused: City Engineer:	Jack P. Balling
City Recorder:	Arden F. Jenson

Mayor Stahle welcomed those in attendance, following which he led the pledge of allegiance to the flag. The invocation was offered by Mr. Hardy.

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.

Minutes of the regular City Council meeting held January 26, 1983 were presented and unanimously approved as written on a motion made by Councilman Barton and seconded by Councilwoman Southwick.

EXPENDITURE AND EXPENSE REPORTS APPROVED FOR PERIODS L JAN. 3-14; JAN. 17-28; and SUMMARY FOR JANUARY

Mr. Hardy presented the Expenditure and Expense Reports for the following periods: January 3-14, \$26,304.41; January 17-28, \$56,463.99; and Summary for January, \$868,071.11. These reports were unanimously approved on a motion made and seconded by Councilman Linnell and Councilwoman Southwick, respectively.

COUNCIL APPROVED REZ. NO. ISSUANCE OF IRB/S--ZIONS FIRST NATIONAL BANK

Ed Felsing, representing Zions First National Bank, made a presentation to the Council in request for the city to authorize issuance of industrial revenue bonds in an effort to lower interest rates and expedite the sale of two commercial units in Colonial Square which the bank has foreclosed on. These buildings have not been finished on the interior. Discussion followed with the Council expressing concern regarding the use of the buildings and whether or not it is appropriate for the city to issue bonds for an undefined use. It was noted, however, that the zoning regulations would protect the city as to the types of businesses which could occupy these sites. Mr. Felsing pointed out that regulations governing the bonds also restrict the types of businesses which could qualify for this type of assistance. Mr. Forbes reviewed Resolution No. 83-2, entitled "RESOLUTION AUTHORIZING AND INDUCING THE EXECUTION OF A MEMORANDUM OF AGREEMENT WITH SHIRL A. SHEPERD, OR SUCCESSORS, ASSIGNEES OR DESIGNEES, REGARDING THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS FOR A COMMERCIAL INDUSTRIAL PROJECT", following which Councilman Linnell made the motion that said Resolution of Inducement be adopted with authorization for the Mayor and City Recorder to sign it and that authorization also be given for the Mayor and City Recorder to sign the Memorandum of Agreement related thereto. Councilman Hill seconded the motion and voting was as follows: Yea--Paul B. Allen, H. Keith Barton, J. Dean Hill, Bob Linnell, and Phyllis C. Southwick; nay-- None.

DR. LILJENQUIST EXPRESS CONCERN RE: CITY BABIES CLINIC

Dr. Joe Liljenquist, representing local veterinarians, expressed concern to the Council that the City has entered into an agreement with a veterinarian from another municipality to assist with the annual rabies clinic sponsored by the City. He explained that in the past the local doctors have helped the City with this project, donating their time and using supplies donated by the State Veterinarian Association. His immediate

concerns were: (1) that the participating doctor this year has also offered to give several immunizations which are not under regulation at a discount rate (using City advertising and facilities), thus creating a competition factor for the local doctors which will jeopardize their income possibilities; and (2) the participating doctor (a Dr. Walker), who is not a member of the State Veterinarian Association, will use the proceeds for personal gain, whereas in past years, the proceeds have gone to the service group assisting with the clinic.

MR. HARDY REVIEWS STATUS OF ORGANIZATION FOR THE RABIES CLINIC AND PLEDGES SUPPORT TO LOCAL DOCTORS FOR FUTURE ulza

Mr. Hardy explained that the local doctors were contacted this year to assist with the clinic, but due to the State Association changing its clinics to the fall season, the local doctors did not have vaccine available and declined to participate. Therefore, Dr. Walker was contacted and he has already purchased his vaccine and is ready to participate with Bountiful. Inasmuch as the City has a moral commitment to Dr. Walker, it was felt that plans to work with him should be affirmed for this year. However, in the future, the City will make an effort to participate with the local doctors.

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SIEVE ZINK PRESENT. REPORT OF AUDIT OF COUNTY RECORDS WITH RE: TO RDA TAX INCREMENT REVENUES

Steve Zink, representing Fox and Company, presented a report to the Council of his findings regarding the audit of the property tax increment from the County Auditors' Office. Mr. Zink reviewed his letter of report, stating that he had gone over the County records and that there is a discrepancy with regard to (1) unattached personal property (especially that of the public utilities in the Redevelopment area) and (2) a complete list of property within the RDA area. He said that the County removes the current value of unattached personal property from their rolls, but the fact value has not been adjusted accordingly. He also noted that the County is looking at expenditures of the RDA on a year-by-year basis, compared with the tax increment monies remitted to RDA and it is their feeling that where the expenditures are less than the tax increment remitted, a refund should be made to the County. He also noted that where there is a possibility that the County has not remitted what they should have done in past years, it is their intent to not remit any previous increment.

MR. HARDY TO FOLLOW THROUGH ON AUDIT REPORT RE: REMITTANCE OF TAX INCREMENT BY COUNTY

After lengthy discussion of this item and upon the recommendation of Mr. Zink, Mr. Hardy was directed to (1) follow through by obtaining a legal opinion with regard to the City's position with actual expenditures as opposed to liability; and (2) to encourage the County to determine how much increment Bountiful would receive if all records were right.

APPROVAL GIVEN FOR TRAVEL TO VISIT RESOURCE RECOVERY SITE IN LARAMIE, WYOMING

Mr. Hardy presented a request for approval of travel expenses for himself, Councilman Barton, and Jack Balling to visit a resource recovery facility in Laramie, Wyoming. Travel expenses would be approximately \$300, and it was recommended that this amount be appropriated from the Sanitation Fund. Councilman Linnell made a motion to uphold the recommendation as presented, Councilman Allen seconded the motion and voting was unanimous.

CITY WILL CONTINUE TO PROVIDE TELEPHONE SERVICE FOR BOUNTIFUL JEEP POSSE

Mr. Hardy explained that until the telephone service was switched over for the City, he was not aware that the City provided telephone service for the Bountiful Jeep Posse. He reported that he has talked with the Police and Fire Department personnel regarding the assistance which is given by the Jeep Posse, and based upon their reports of the many hours of service rendered to Bountiful citizens, he recommended that Bountiful continue to provide this telephone service. The cost would be about \$300 to purchase the equipment and \$26 per month for line charge. Mr. Hardy stated that this would be more economical

than providing a wild line for them since Mountain Bell will give the Jeep Posse only a commercial rate. Councilwoman Southwick made the motion that the City accept responsibility for telephone service for the Jeep Posse as recommended, Councilman Allen seconded the motion and voting was unanimous.

BERRY

REPRESENTATIVE MILEA ANNUAL MEETING

Councilman Linnell reported that it is the recommendation of the Power Commission that Berry Hutchings be appointed as Bountiful's representative to the Annual ICPA meeting to be held at Bryce Canyon on March 17, 1983. He made a motion to this effect which was seconded by Councilwoman Southwick and carried unanimously.

COUNCIL APPROVES RATES OF DELIVERY FROM CRSP FOR 1983 SEASON

Mr. Hardy presented for Council approval the following rates of delivery from the Colorado River Storage Project for 1983: 24,000 KW plus related energy for summer, and 37,000 KW plus related energy for winter. He recommended that authorization be given for the Mayor and City Recorder to sign an agreement for these contract rates. Upon the recommendation of the City Manager and Power Commission, Councilman Linnell made the motion that the Contract rates as presented be approved, Councilman Hill seconded the motion which carried unanimously.

APPROVAL GIVEN FOR CLASS "C" BEER LICENSE AT D & J'S CLUB, 28'37" SOUTH MAIN

Mr. Boothe reported that the Planning Commission has reviewed the request of Mrs. Joan Courville for a Class "C" beer license and upon the recommendation of the Police Chief, it is their recommendation that this license be granted for the establishment known as D & J's Club, and that they also be permitted to be licensed for a maximum of seven amusement devices. (These machines were being used at this location prior to said property being annexed into the City and are, therefore, considered non-conforming). Unanimous approval was granted on a motion made by Councilman Linnell and seconded by Councilwoman Southwick.

The Planning Commission also recommended the following approvals:

FINAL APPROVAL GIVEN TO LU RAE'S CREATIVE STITCHERY FOR ADDITION

(1) Final approval for an addition to LuRae's Creative Stitchery, 412 South 425 West, subject to completion of the following conditions: (a) posting of a two percent bond; (b) payment of a storm drain fee in the amount of \$125; and (c) compliance with flood plain requirements--any openings to the basement must be raised to an elevation 1 ft. above the street curb elevation at the front of the lot. Councilwoman Southwick made the motion that approval be granted as recommended, Councilman Allen seconded the motion and voting was unanimous.

PRELIMINARY AND FINAL APPROVAL GIVEN TO 4-PLEX AT 162 WEST 1000 NORTH --STEVE PHIPPS

(2) That preliminary and final approval be given to the request of Steve Phipps for a 4-plex at 162 West 1000 North, subject to the following conditions: (a) payment of \$2,595 for the installation of a 6" water line (fee includes main line tap and fire hydrant); (b) payment of \$570 for two 1" water meters or \$1,200 for one 1-1/2" water meter--owners choice; (c) payment of \$790 storm drain fee; (d) deeding to City a 10-ft. wide culinary water easement; (e) posting of a two percent landscape bond; (f) installation of a 6 ft. high solid fence along the south, east and west property lines; (g) submission of a revised site plan showing culinary water and sanitary sewer lines in a location approved by the City Engineer; and (h) installation of concrete retaining wall along west property line for a distance of 7d ft. Councilman Barton asked if this matter had received any objections at the Board of Adjustment hearing and Councilman Allen reported "none". Councilman Hill made a motion to approve this request as recommended, Councilman Barton seconded the motion and voting was unanimous.

PUBLIC HEARING SET TO CONSIDER AMENDING ZONING an
TO ALLOW MAJOR ENGINE REPAIR AND EQUIPMENT RENTAL
IN NEIGHBORHOOD 4-4 (295 SOUTH MAIN'

(3) That a hearing date be set to consider the rezoning petition submitted by Mr. John Hyatt for the zoning text which governs property at 295 South Main to be amended to allow major engine repair and equipment rental (such as U-Haul and Ryder trailers and trucks) as permitted uses. The suggested date was March 23, 1983 at 7:30 p.m. Councilman Barton made the motion that a hearing be so established and that this matter be referred back to the Planning Commission. Councilman Allen seconded the motion and voting was unanimous.

HOUSING AUTHORITY WILL NOT NEED ASSISTANCE
FROM CITY IN STORM DRAIN IMPROVEMENTS

Mr. Hardy reported to the Council that the Davis County Housing Authority is ready to start construction of the senior citizen housing as discussed with the Council last October and they have received sufficient funding for this project so that they will not need assistance from the City for storm drain improvements.

EXECUTIVE SESSION APPROVED

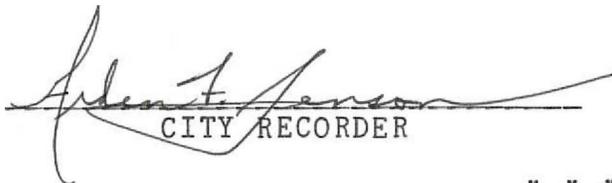
Councilwoman Southwick made a motion that the Council adjourn and reconvene in an executive session to discuss strategy with regard to collective bargaining and pending litigation. Councilman Allen seconded the motion and voting was unanimous.

The meeting adjourned at 8:47 p.m.

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MAYOR


CITY RECORDER

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