

Minutes of the regular meeting of the City Council held August 8, 1990 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	C. Harold Shafter, ReNee Coon, Bob Gramoll, Barbara Holt, and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne B. Forbes
	City Engineer:	Jack P. Balling
	City Recorder:	Arden F. Jenson
	City Treasurer:	Ira H. Todd
	Planning Director:	Jon Reed Boothe
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy T. Lawrence
	Dept. Heads:	Larry Higgins, Police

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 Linnell called the meeting to order, following which Mr. Hardy led the pledge of allegiance to the flag. The invocation was given by Mr. Jenson.

Minutes of the regular meetings of the City Council held July 18, 1990 and July 25, 1990 were presented. Both sets of minutes were unanimously approved, with one amendment to the July 25th, minutes, on a motion made by Councilman Shafter and seconded by Councilman Foy.

EXPENDITURES AND EXPENSES APPROVED FOR TWO PERIODS IN JULY, 1990

Mr. Jenson reviewed the Expenditure and Expense Reports for the periods July 1-26, 1990 (\$5,133.85) and July 27-31, 1990 (\$459,153.27). He explained that the first report is smaller than usual because it is the first of a new fiscal year and not too many invoices had been received. Councilman Foy made a motion to adopt the expenditures as presented on the two reports, Councilwoman Holt seconded the motion and voting was unanimous.

PRELIMINARY APPROVAL GIVEN TO TEMPLE HILL ESTATES, 550 SOUTH 1450 EAST

Mr. Balling presented the plat map for Temple Hill Estates, 16 lots on 15.5 acres at 550 South 1450 East. He reported that the plat meets the conditions required for preliminary approval under the Foothill Ordinance and it is the recommendation of the Planning Commission that preliminary approval be granted, subject to meeting final approval under the Foothill Overlay Zone and the Subdivision Ordinance. Councilman Foy made a motion to this effect, Councilman Shafter seconded the motion and voting was unanimous.

PRELIMINARY APPROVAL GRANTED TO NORTH BENCH ESTATES, PLATS A, B, C, D, AND E (1400 E. 900 NO.)

Mr. Balling reviewed the plat map for North Bench Estates (formerly Quailbrook), 1400

East 900 North, and stated that it is being developed by Blair and Todd Jones and Lloyd Hayes. He said that this proposed development had been considered by the Planning commission three weeks ago and had been tabled because of the possibility of a trade of land with the Forest Service to provide for a better road pattern. Two accesses are required in the Foothill Zone and one of the accesses was planned to be on property now owned by the Forest Service. Since this proposal was contingent on the land exchange, it was the recommendation of the Planning commission for a plan to be presented which was independent of the Forest Service. The plan presented to the Council this evening featured two accesses, one of which has a grade of 15 percent for approximately 600 feet. (This is allowed by ordinance, with Council approval).

Councilman Gramoll said he did not agree with the 15 percent grade on a tight curve and he suggested that the grade could be decreased by increasing the loop in the road; however, Mr. Balling noted that existing homes required the road pattern as presented. He stated that this area of the subdivision will be the last to be developed, and by that time, it is possible that an exchange might have been made with the Forest Service. Councilwoman Coon expressed concern that the City has made contact with the Forest Service and has had no response, possibly indicating that the exchange may never be made. She also noted that once the subdivision has been approved, there will be little incentive for the developers to continue in their pursuit of a land exchange.

Councilman Foy made the motion that preliminary approval be granted to North Bench Estates, Plats A, B, C, D, and E, with the following conditions:

1. Compliance with the provisions of the Foothill Development Zone.
2. Payment of the storm detention fee and draining the south half of the development to Stone Creek;
3. Submission of a revegetation plan;
4. Working with the City to secure access from Bountiful Blvd.;
5. Providing an easement for the water line extension and grading the easement to City standards, and payment of the water line extension (\$14.50 per ft.);
6. Compliance with all other provisions of the City Subdivision Ordinance, with one exception: the tie being made from Northern Hills to allow a 15% grade.

Councilman Shafter seconded the motion which carried by a majority. Councilwoman Coon voted "nay".

RELEASE OF EASEMENT APPROVED FOR DANBUR CONDOMINIUM - PHASE 9

Mr. Balling reported that when Danbury Lane Condo Phase 9 was given a conditional use approval, the developers were allowed to relocate a 10-inch culinary water line to make the site more usable. It is now necessary to release the easement which was attached to that water line. (He affirmed that a new easement has been granted at the new location of the water line). Councilman Gramoll made the motion to vacate the easement as recommended, Councilman Foy seconded the motion and voting was unanimous.

PUBLIC HEARING TO SET PROPERTY TAX RATE FOR 1990-91 FISCAL YEAR (TRUTH IN TAXATION HEARING)

Mr. Hardy explained that in compliance with State statute, a Truth in Taxation public hearing is being held. The statute requires this hearing if the amount of tax collected by the city is greater than it was last year. He said that Bountiful will collect more revenue than they did last year. However, the increase is due to new growth, and the tax rate (.001783) will remain the same as last year. This means that individual property owners will not be charged more tax by Bountiful than they were last year. He pointed out that the situation is confusing because the verbiage used on the required public notice made it appear that there would be a tax increase. He also noted that State officials have recognized that the requirement for Notice for property tax (as it stands) is revenue driven and it would be less confusing if it were rate driven.

At 7:35 p.m. Mayor Linnell opened the meeting for public input. Frank Eddings, Alfredo Cespedes, Ken Reed, Pat Hartman, and Don Quigley expressed concern about the possibility of a tax increase, the advertised Public Notice, and Mrs. Hartman asked for clarification of where the increased revenue for the City comes from and how it will be used. Mr. Reed also questioned the order of the budgeting process--i.e., that the budget was set prior to setting the tax rate (which is the determiner of revenue) and the need for property to be re-assessed to keep in line with market value. Willard Barton stated that he has lived in several areas over the past ten years and the utilities and tax rate are lower in Bountiful than they have been in any other area. He commended the Council for holding the line on taxes. The public hearing concluded at 8:15 p.m.

Councilman Shafter stated that the only tax increase which has occurred during his seven years in office was for relief after the flood; and that was taken off the next year.

COUNCIL ADOPTS RES. NO. 90-7 SETTING CERTIFIED TAX RATE

Following the public input and discussion by the Council, Councilman Shafter made the motion that Resolution No. 90-7, entitled "RESOLUTION DETERMINING THE TAX RATE AND LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF BOUNTIFUL, DAVIS COUNTY, STATE OF UTAH, MADE TAXABLE FOR THE YEAR 199011, be adopted and that the Mayor and City Recorder be authorized to sign it. This resolution sets the rate at .001783. Councilman Gramoll seconded the motion which carried unanimously.

RES. NO. 90-8 ADOPTING 1990-91 BUDGET WITH CERTIFIED TAX RATE APPROVED

Following approval and adoption of the certified tax rate, Councilman Gramoll made the motion that Resolution No. 90-8 be adopted and the Mayor and City Recorder authorized to sign it. This resolution provides for adoption of the 1990-91 budget with the certified tax rate included. Councilman Shafter seconded the motion which carried unanimously.

BIDS FOR THREE VEHICLES FOR POLICE DEPARTMENT AWARDED TO MARION WILLEY FORD

Chief Higgins reported that bids were opened on July 27th for three replacement vehicles

for the detective division of the Police Department. Bids were received from three dealers and it is the recommendation of staff that the bid be awarded to the lowest bidder, Marion Willey Ford, in the amount of \$35,505.00 with \$2,400 allowed for trade-in. The budgeted amount for this item is \$36,000.00). Councilman Gramoll made the motion that the recommendation from the Chief be followed and that the bid be awarded to Marion Willey Ford. Councilman Foy seconded the motion and voting was unanimous.

APPROPRIATION APPROVED TO PROVIDE FOR CONSTRUCTION OF DRAIN LINE FROM 1ST EAST WELL TO MILL CREEK

Mr. Balling explained that the Street Department is in the process of paving 100 East Street, and prior to this work being completed, he suggested the following improvement be made. He said that when the 1st East well is flushed (to eliminate stagnant water in the column) , this water runs onto the street. This causes an ice build-up in the winter and the continual drainage is causing damage to the east side of the street. He proposed that instead of this water being flushed onto the street, that it be piped to Mill Creek along 100 East Street (prior to the refinishing being done) . He also suggested that this pipe could be used to pick up the flushing line on the indoor pool which presently feeds into the sewer and causes an overload. He reported that this project will cost approximately \$18,000, that he has met with the Water Department, and that they would be willing to bear one-half of the cost. He suggested that the remaining \$9,000.00 could be appropriated from the Storm Drain Capital Improvement fund, and he recommended to the Council that this action be taken.

Following a brief discussion, Councilman Gramoll made the motion that the recommendation made by Mr. Balling be approved and that authorization be given to expend \$18,000.00 for this purpose (one-half from Water Department and one-half from Capital Improvement fund) . Councilwoman Holt seconded the motion and voting was unanimous.

REVIEW PRELIMINARY PLAN - JOGGING LANES, BOUNTIFUL BOULEVARD

This Agenda item was not discussed.

ORD. NO. 90-6 RE: EMPLOYEE MEDICAL GROUP INSURANCE ADOPTED

Mr. Hardy reviewed that in the last meeting of the Council, an amendment to the ordinance regarding group medical coverage was discussed and he asked for the Council's vote on the ordinance which has been prepared to formalize this action. Councilman Shafter made the motion that Ord. No. 90-6 entitled, "AN ORDINANCE AMENDING TITLE XI, CHAPTER 8, SECTION 7a, OF THE REVISED ORDINANCES OF BOUNTIFUL, UTAH, 1965, AS AMENDED, BY SPECIFYING GROUP INSURANCE QUALIFICATIONS FOR RETIRED EMPLOYEES, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH" be adopted and that the Mayor and City Recorder be authorized to sign. Councilman Foy seconded the motion which carried unanimously.

The meeting adjourned at 8:33 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Shafter.