

Minutes of the regular meeting of the City Council held February 14, 1990 in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	C. Harold Shafter, Rened Coon, Bob Gramoll, Barbara Holt, and Leslie T. Foy
	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
	Rec. Secretary:	Nancy T. Lawrence
	Dept. Heads:	Dick Duncan, Streets/Sanita. Neal Jenkins, Parks/Rec.
Absent:	City Manager:	Tom Hardy

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. Forbes led the pledge of allegiance to the flag. Joan Stewart, pastor of the First Baptist Church, presented an inspirational thought, following which she offered the invocation.

Minutes of the regular meeting of the City Council held February 7, 1990 were presented and unanimously approved as amended on a motion made by Councilman Shafter and seconded by Councilwoman Coon.

#### EXPENDITURE AND EXPENSE REPORT FOR PERIOD FEBRUARY 1-8 1990 APPROVED

Mr. Jenson presented the Expenditure and Expense Report for the Period February 1-8, 1990 in the amount of \$233,483.86. Following a brief discussion, this expenditure report was unanimously accepted on a motion made by Councilman Gramoll and seconded by Councilman Foy.

#### CONSIDER STOP SIGN - MILLSTREAM WAY AND 1500 SOUTH

This item has not yet been reconsidered by the Traffic Safety Committee and was tabled until the February 28th meeting.

#### CONSIDER REQUEST FOR HORSE-DRAWN CARRIAGE; TABLED FOR TWO WEEKS

Mr. Balling reviewed that the City Council had previously discussed the request for a horse-drawn carriage business in Bountiful (see minutes of January 3 and 24, 1990) and the request has also been studied by the Traffic Safety Committee and a recommendation for approval has been given by them. As a part of the recommended approval, an ordinance has been

drafted to provide rules and regulations for this business. He noted that the proposed ordinance was included in the Council packet and discussion followed.

In response to a concern of Councilman Gramoll, Mr. Forbes stated that, although a request was made for an exclusive license, the ordinance does not address that issue and a non-exclusive status would be presumed unless otherwise provided. The matter of hours of operation was brought up and following discussion, Councilman Gramoll made the motion that the proposed ordinance be amended to include a statement to the effect that operation other than during the regular hours be permitted if by permission from the police chief with a 48-hour notice. This motion was seconded by Councilman Foy. Rened Ramage, proprietor of the proposed business, mentioned that when this item was discussed by the Traffic Safety Committee, the period of notice was two weeks and she indicated that she would feel comfortable with two weeks.

Councilwoman Coon said that she had not received the proposed ordinance and therefore had not reviewed it, and she requested that action on this matter be tabled for this evening. After further discussion of the proposed business, the motion for amendment and second were withdrawn and the matter was tabled for two weeks.

#### FINAL APPROVAL GRANTED TO HOLMES PARK SBDVN - 275 WEST 900 NORTH

Mr. Boothe presented the site plan for Holmes Park Subdivision, 275 West 900 North (19 lots), being developed by Dean Hill and Robert Holmes. Mr. Balling explained a circumstance regarding payment of the storm drain fee (see Item No. 1 below) and Mr. Boothe reported it is the recommendation of the Planning Commission that final approval be given subject to the following conditions:

1. Payment of a storm drain fee equal in amount to 50% of that normally required because the developer of this subdivision installed the main trunk line (drain) to 500 West. Storm detention would have been paid for by Danbury Condominiums developers had this project been completed. The trunk line to 500 West was one-half the work needed for proper storm water control. The drain will allow for proper storm water control without storm detention;
2. Payment of all required fees;
3. Posting a letter of credit or bond to guarantee the construction and completion of all site improvements;
4. Furnish the city with a current title report;
5. Completion of all proper signatures and property clearances;
6. Completion of all engineering requirements.

Based on the recommendation of staff and the Planning Commission, Councilman Foy made the motion that final approval be granted to said subdivision as presented. Councilwoman Holt seconded the motion. Discussion followed regarding ingress and egress to the subdivision and Mr. Balling stated that the portions of the access which are 20-foot wide (approximately 150-200 feet) will be maintained by the City. Voting on the motion was unanimous.

#### PRELIMINARY AND FINAL APPROVAL GRANTED TO NIGHTTIME PEDIATRICS CLINIC, 511 EAST MEDICAL DR.

Mr. Boothe presented the site plan for Nighttime Pediatrics Clinic, 511 East Medical Drive, (Dr. Rod Bollary, developer) and stated it is the recommendation of the staff and Planning Commission that preliminary and final approval be granted subject to the following conditions:

1. Payment of a storm drain fee of \$1,050.00;
2. If 1-1/2" water meter is used, payment of \$3,292.50 is required; if 1" water meter is used, payment is \$1,385.00; 3. Payment of sanitary sewer fee of \$1,100.00;
4. Plans to comply with the Uniform Building Code.
5. Cash deposit in the amount of \$1,412.40 required to guarantee repair and/or replacement of existing street, sidewalk, curb and gutter if damaged during construction.
6. A bond of 5% of the building valuation or \$5,000.00, whichever is greater, must be posted to guarantee the installation of the landscaping;
7. Dumpster area to be screened with solid wall 6-ft. high, the same brick as building;
8. Roof mounted mechanical equipment, if any, to be screened from view with parapet wall;
9. Installation of a solid fence 6 ft. high along the north property line to tie and match with existing solid fence.

Based on the recommendation of the staff and Planning Commission, Councilman Gramoll made a motion for preliminary and final approval. Councilman Foy seconded the motion and voting was unanimous.

#### BUDGET SCHEDULE APPROVED, 1990-91 FISCAL YEAR

Mr. Jenson presented the timetable for the 1990-91 budget preparation and adoption  
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which commences with department head budgets being prepared and submitted to the City Manager between March 13 and 30th. A public hearing is scheduled for June 13th to adopt a resolution approving the 1990-91 budget. Councilman Shafter made the motion that the timetable be approved as presented, Councilwoman Holt seconded the motion and voting was unanimous.

#### UPDATE ON GYPSY MOTH ERADICATION PROGRAM

Neal Jenkins referred to a map which showed the quarantine and spray areas for the upcoming program to eradicate the Gypsy Moth. Spraying will be done at the end of April, with populated areas being done early in the morning (before 7:30 a.m.) and the unpopulated areas being done during the day. About 1,500 traps will also be used in Davis County from May 15th to October. It is estimated that it will take 3 to 5 years to totally eliminate the Gypsy Moth and the spray which is used is non-toxic. A task force committee will meet the first of March regarding this program and the Council will be briefed following that meeting.

#### APPROVAL GIVEN TO INCREASE RATES AT GOLF COURSE

Mr. Jenkins reported that the Recreation Committee has studied the operational expenses of the golf course, and due to an increase in expenses (especially fertilizer and equipment replacement), it is the recommendation of the Committee to increase fees at the golf course from \$5 to \$6 for nine holes, and \$10 to \$12 for 18 holes, and other rates similarly. He said that Salt Lake City and Davis County increased their rates to \$6 and \$12 last year. Mr. Jenkins noted that the Bountiful golf course is a quality course and he is desirous of keeping it at a high level. The current budget anticipates this increase, as was discussed during the budget process. Following discussion, Councilwoman Holt made the motion that the proposed rate increase be accepted as included in the budget from last year's Council. Councilman Foy seconded the motion.

Dave Piggott, a citizen in attendance, presented budget statistics regarding the parks and recreation department and the Unreserved Retained Earnings account and questioned the purchase of new equipment from budgeted funds instead of from the reserve funds. He expressed other concerns and mentioned that in Salt Lake there is a special rate for senior citizens. The motion carried by a majority with Councilman Shafter voting nay.

#### RATE INCREASE APPROVED FOR RECREATION CENTER

Mr. Jenkins reviewed with the Council that the Recreation center is subsidized \$148,000 by the general fund and in an effort to keep that subsidy as low as possible, a rate increase is proposed for all facilities at the Recreation Center. An increase of \$.25 per person on general admission is proposed, with similar increases on punch passes and a restructuring of punch passes. With the proposed increase, the adult admission price would be \$2.25, compared with a general admission adult price of \$3.75 at Deseret Gym. Mr. Jenkins and the Mayor both reported positive comments regarding the Recreation Center which had come during the recent National Figure Skating Competition, and they recognized the good work of the staff. Councilman Foy made the motion that the proposed rates be approved as presented, effective May 1, 1990. Councilwoman Holt seconded the motion which carried by a majority. Councilman

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Shafter voted nay, indicating that the increase was not high enough.

#### CONSIDER MAINTENANCE FACILITY FOR PUBLIC WORKS DEPARTMENTS (DESIGN, LAYOUT, ETC)

Mr. Balling reviewed that one of the items which the Council had given unanimous positive consideration to in study session was upgrading of the area presently known as the City Shops. He said he needs direction from the Council on whether or not the design of this facility should be done in-house or by a consulting architect. Councilman Gramoll said that he has reviewed preliminary plans for the maintenance facility area and it is his suggestion that an architect be hired to proceed with design and layout of the facility. Although this would be an additional expense, he pointed out that we would benefit from the daily experience of an architect and could take advantage of his expertise. We would also not be dumping an extra workload on the engineering staff. He suggested that Fred Montmorency of Montmorency, Hayes, and Talbot, has the expertise we are looking for and could give direction so that we could put a handle on costs.

Councilman Gramoll noted that one of the issues included in this project is the underground storage tanks and State requirements for their certification. Mr. Balling noted that it would be sensible to relocate the tanks at the time they are tested and the testing must be done by June 30th. After further discussion, Councilman Gramoll made the motion that the Council endorse the idea of making major changes in the City Shop area, including a new layout for the grounds and new building for departments who operate there; that an architect be hired; and that Fred Montmorency be contacted to make a presentation to the Council. Councilman Shafter seconded the motion which carried by a majority. Councilwoman Coon voted nay, stating that she would feel more comfortable to screen several architects, providing a basis for comparison.

#### COMMUNITY SUPPORT SOUGHT FOR HOLLY COOK. NATIONAL FIGURE SKATING COMPETITOR

Dave Irvine, local resident, brought to the Council's attention the fact that the costs associated with National and Olympic competition are phenomenal. Inasmuch as Holly Cook represents Bountiful and brings such positive attention and pride to our community, Mr. Irvine suggested that a check-off be provided on monthly utility bills for local citizens to contribute to her cause. This suggestion was discussed and although there was some concern regarding the check-off plan, the Council was unanimous in their desire to provide support to Holly in some manner. It was suggested that a committee be formed by citizens to spearhead an effort to provide financial support for Holly. Holly and her father, Paul, addressed the Council and expressed appreciation, both for ice time contributed in the past and for the general support of the community.

#### MISCELLANEOUS FROM MAYOR

Legislative Update: Mayor Linnell reported on the status of several bills which will impact the city (HB308 regarding the distribution of road tax, HB269 regarding redevelopment, 6 (C.C. minutes February 14, 1990)

and proposed legislation on the Kern River pipeline and the Wasatch variation) . Councilwoman

Coon said that a major hurdle in the fight against the Wasatch Variation is support for filing a petition for a re-hearing and she requested that the Council provide this support, even if in the name of Bountiful Hills residents and Concerned citizens (BHRCC). Mayor Linnell said that he feels the proper role for Bountiful is to give all administrative support possible, but he is totally against enjoining the city in a lawsuit and being responsible for the subsequent costs. Discussion followed regarding this item and the proper role for Bountiful. Councilmen Shafter, Foy, and Gramoll and Councilwoman Holt all reaffirmed their position of opposition to the Wasatch Variation.

#### EXECUTIVE SESSION SCHEDULED

At the request of the mayor, Councilman Shafter made a motion to hold an executive session immediately after this meeting for the purpose of discussing the acquisition of real property. Councilman Foy seconded the motion which carried unanimously.

The meeting adjourned to executive session at 9:24 p.m.

Attendance at Executive session:

Mayor Bob Linnell

Councilmembers Shafter, Coon, Gramoll, Holt, and Foy