

Minutes of the regular meeting of the City Council held June 27, 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, ReNeel Coon, Bob Gramoll, 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
	Rec. Secretary:	Nancy T. Lawrence
Excused:	Councilwoman:	Barbara Holt

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 of 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. Balling led the pledge of allegiance to the flag. The invocation was given by Councilwoman Coon.

Minutes of the regular meeting of the City Council held June 13, 1990 will be presented for approval at the next regular meeting.

#### EXPENDITURES AND EXPENSES APPROVED FOR PERIOD JUNE 15-21, 1990

Mr. Jenson presented the Expenditure and Expense Report for the Period June 15-21, 1990 in the amount of \$159,191.43. Following brief comments, these expenditures were unanimously approved on a motion made by Councilman Gramoll and seconded by Councilman Foy.

#### APPROVAL GIVEN TO AGREEMENT WITH STATE DEPARTMENT\_ OF CORRECTIONS--COMMUNITY SERVICE WORK

Mr. Hardy explained that an agreement has been in place between the City and the State Department of Corrections for some time which allows persons who have committed misdemeanor type offenses to work off some of their hours by providing community service work. The City is responsible for supervising the job site and accounting to the State the hours which have been served. He said that the agreement must be renewed annually and recommended that it be renewed and authority given for the Mayor and City Recorder to sign it. Councilman Shafter requested that an appraisal be made showing how much service time is provided to the City. Councilman Gramoll suggested that the term "Community Service Agency" in the signature block be changed to "City of Bountiful", noting that the City does not have an agency entitled as such. Councilman Shafter made a motion for approval of the agreement, authorizing signature as recommended. Councilman Foy seconded the motion and voting was unanimous.

## FEE STRUCTURE FOR TEMPORARY BUSINESS LICENSES AMENDED

Mr. Boothe reviewed that, following a request by Brent Warnock and discussion by the City Council on June 6, 1990, the Planning Commission was asked to study the ordinance as it relates to the fee charged for a business license for a temporary business. He reported the following recommendations from the Planning Commission:

1. That the fee be dropped to \$20.00 for "cold refreshment stands" (with no cooking facilities); (majority approval)
2. That if the Council approves the first recommendation, a refund be made of the difference between \$150.00 (the fee charged to Mr. Warnock) and \$20.00; (majority approval)
3. That the fee for temporary and permanent business be the same and that the City Council control undesirable businesses by some other means. (unanimous approval)

Inasmuch as the staff feels it is not legal to single out one particular vendor for special treatment, it is staff recommendation to consider the following alternative:

1. Charge all temporary vendors \$150.00 for the 1st year;
2. Same vendor, \$75.00 the 2nd year;
3. Third consecutive year, same vendor, charge the same as for permanent business;
4. If there is a break in the 2nd or 3rd year, the vendor starts over and is charged the \$150.00.

The Council discussed the recommendations at length and focused on the function of the business license fee and the service which is provided to all businesses by the City. Brent Warnock was in attendance and presented statistics he had gathered regarding business license fees in surrounding communities and Kurt Johnson (whose father has operated a Christmas tree business in Bountiful for many years) recommended that all business licenses be increased to \$150.00, but that businesses who repeat operation in the City year after year be considered permanent.

Councilman Foy made a motion that permanent and temporary license fees be the same, with the condition that temporary businesses provide proof of registering for collection of sales tax with the State. This motion died for lack of a second.

Councilman Gramoll made a motion that a rate schedule be established for temporary businesses as follows:

- a. \$100.00 the first year;
- b. \$50.00 the second year;
- c. Rate of permanent business license the third year;
- d. If there is a break in the 2nd or 3rd year, the vendor starts over and is charged \$100.00.

Councilman Foy seconded the motion with an amendment approved by Councilman Gramoll that the ordinance be retroactive for those businesses who are currently in their 2nd or 3rd year and an appropriate refund be made. Voting on this motion was unanimous.

FIRST CITY NEWSLETTER REVIEWED AND RECOMMENDATIONS MADE TO  
MAYOR

Mayor Linnell asked the Council for their comments on the first City newsletter. Councilman Gramoll suggested that it be done on a sheet 8 1/211 x 11" and contain only those items relating to what is happening in City Government, not news items which are found in the local newspapers; He said that the paper should not be political by nature nor in competition with local newspapers. Councilwoman Coon and Councilman Foy requested the opportunity for their input into the newsletter in the future and Councilman Shafter supported the idea of promoting outstanding achievements of City residents (such as Holly Cook). The consensus of the group was to use a sheet larger than 8 1/211 x 1111, giving adequate space to report City business.

#### APPOINTMENTS MADE TO PIANNING COMMISSION AND BOARD OF ADJUSTMENT

Mayor Linnell reviewed his philosophy of having individuals serve only two terms, providing opportunity for more residents to share their talents, and then made the following recommendations for appointment:

Planning Commission:

J. McRay Johnson (reappoint to 2nd term--July 1, 1990 to June 30, 1994);

Board of Adjustment:

K. D. Simpson (reappoint to 2nd term--July 1, 1990 to June 30, 1995).

Councilman Foy made a motion for reappointment of Mr. Johnson and Mr. Simpson as recommended, Councilman Shafter seconded the motion and voting was unanimous.

Mayor Linnell then recommended that Jeff Chretien be appointed to the Planning Commission for a 1st term--July 1, 1990 to June 30, 1994) and he asked that Mr. Chretien take a few minutes to introduce himself. Following Mr. Chretien's remarks, Councilman Shafter made a motion for appointment to the Planning Commission as recommended, Councilman Gramoll seconded the motion and voting was unanimous.

#### PUBLIC HEARING SET TO ADOPT PROPERTY TAX RATE

Although the City has not changed its property tax rate, Mr. Hardy explained that it is a requirement of law that a public hearing be set and the tax rate adopted annually. Therefore, he recommended that a hearing be scheduled for August 8, 1990 at 7:30 p.m. This recommendation was unanimously upheld on a motion made by Councilwoman Coon and seconded by Councilman Foy.

#### COUNCIL RETREAT SCHEDULED

Mayor Linnell said that he would like to have a retreat with the Council and through concurrence, the retreat was scheduled for July 12, Thursday, from 6:30 to 9:30 p.m. at the Mayor's home.

#### MISCELLANEOUS FROM MAYOR

Mayor Linnell reported that the Planning Council of the Chamber of Commerce is desirous of meeting with the Councils of the communities which they serve and the Council has been invited to attend a light luncheon on August 8th at 12 noon.

#### POWER SAFETY DEMONSTRATION

Councilman Shafter commented on the interesting and informative demonstration which was given to the Power Commission by Bountiful City Light and Power and asked if the Council would be interested in having this presentation. It was decided to include the demonstration as a part of the regular City Council meeting on July 11.

#### EXECUTIVE SESSION SCHEDULED

At the request of Mr. Hardy, an executive session was scheduled immediately after this meeting for the purpose of discussing pending litigation. Motion was made by Councilman Shafter and seconded by Councilman Foy with unanimous vote.

The meeting adjourned to executive session at 8:16 p.m.

#### Attendance at Executive Session

Mayor Linnell

Councilpersons: Shafter, Coon, Gramoll and Foy

Mr. Hardy

Mr. Forbes