

Minutes of the regular meeting of the City Council held August 14, 1991 at 7:17 p.m. in the Council Chambers of the City Hall, Bountiful, Utah, following a meeting of the Redevelopment Agency.

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
	Planning Director:	Jon Reed Boothe
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy T. Lawrence

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 he led the pledge of allegiance to the flag. The invocation was given by Mr. Jenson.

Minutes of the regular meeting of the City Council held August 7, 1991 were presented and unanimously approved as corrected on a motion made by Councilman Shafter and seconded by Councilman Gramoll.

#### EXPENDITURE AND EXPENSE REPORTS APPROVED FOR JULY 28-31, AND SUMMARY FOR JULY, 1991

Mr. Jenson presented the Expenditure and Expense Reports for the Period July 28-31, 1991 in the amount of \$489,287.59 and Summary for July totaling \$2,601.656.97. Following a short discussion, these expenditures were unanimously approved on a motion made by Councilwoman Holt and seconded by Councilman Foy.

#### FLOAT AWARD PRESENTED TO BOUNTIFUL AREA CHAMBER OF COMMERCE

Councilwoman Holt expressed appreciation to representatives from the Bountiful Area Chamber of Commerce (Gary Smith, president; Haven Burningham, executive director; Mike Hancock, float chairman; and Bill Moore, liaison) for working with the City to produce the beautiful float which depicted the Heber C. Kimball gristmill. The float, which was entered in both the Bountiful and Salt Lake City July 24th parades, provided excellent recognition for Bountiful and was given a "Special" award by the Days of 47 parade committee. Mayor Linnell presented this ribbon, together with a small mock-up of the float, to Mr. Smith for display at the Chamber of Commerce. He expressed the hope that this would be the start of a continuing tradition of the City working with the Chamber to produce the float and expressed his appreciation to the Chamber.

Mr. Smith acknowledged the support of the City and stated that he hoped this mutual support can continue. He expressed a special thanks to Mike Hancock for his time and effort in chairing this project.

#### COMMENTS ON JULY 24TH FIREWORKS DISPLAY

Councilwoman Holt reported that she has heard "nothing but positive comments" on the fireworks display which the City provided in conjunction with the 24th of July celebration. She stated that this was a very positive experience which she hopes can be done on an annual basis. She also acknowledged the recent success of the Summerfest and expressed appreciation to the Council and the Police, Parks, and Fire departments for their efforts on these two events which helped to make them a success.

Councilwoman Coon said that she thought the fireworks were wonderful and that many people acknowledged the financial support from the City for this event. She specifically thanked Scott Jensen and George Frandsen for their assistance with the Summerfest.

#### FINAL ACCEPTANCE GRANTED TO HOLMES PARK SUBDIVISION; LANDSCAPE BOND RELEASED TO DANBURY PARK NO. 9

Mr. Balling reported that Holmes Park Subdivision, 275 West 1000 North, developed by Dean Hill and Robert Holmes, has been completed and meets the specifications of the City. He recommended that the City release the securities which have been posted and assume the normal responsibilities of upkeep and maintenance for Holmes Park Subdivision. Councilman Foy made a motion for acceptance as recommended, with authorization for the Mayor and City Recorder to sign the plat and that the developers be released from further responsibility. Councilwoman Holt seconded the motion.

Councilman Gramoll asked if Holmes Park Subdivision is a continuation of the Danbury Park PUD and Mr. Balling stated that originally, this area was part of the project. However, Holmes Park Subdivision is a separate 19-lot subdivision which meets all specification of the City. The portion of the securities which is to be released for Danbury is the landscape bond for Phase 9, a section of PUD's which has been completed and meets the specifications for which the landscape bond was posted. Voting on the motion was unanimous.

Following discussion, Councilman Foy made a second motion that final acceptance be given to Danbury Phase 9 and that the landscape bond be released. Councilman Shafter seconded the motion. It was clarified by Mr. Hardy that the City is not accepting responsibility for maintenance or upkeep of the Phase 9 project, noting that it is a PUD in which the owners accept that responsibility. Voting on this motion was unanimous.

#### DEDICATION PLAT FOR BOUNTIFUL BOULEVARD APPROVED - 800 SOUTH TO 1800 SOUTH

Mr. Balling reported that when Memorial Estates was granted approval for their cemetery along Bountiful Boulevard, they were required to construct the road to City Standards and to

dedicate the road to the City. He said that the improvements are complete and a Road Dedication Plat has been signed by Memorial Estates and now needs the approval of the City Council. He said it is the staff recommendation for the City Council to approve the dedication plat for Bountiful Boulevard from 800 South to 1800 South, with authorization for the Mayor and City Recorder to sign. Councilman Foy made a motion to this effect, and that it be recorded at the County Recorder's office. Councilman Shafter seconded the motion. He (Councilman Shafter) asked if a conclusion has been reached regarding the proposed jogging path on Bountiful Boulevard and Mr. Balling stated that this dedication is the first step in this project. The City will now work on the lighting which will be placed in the park strip. Voting on the motion was unanimous.

#### APPROVAL GIVEN FOR ACCESS ROAD AND COST PARTICIPATION IN FLOOD DETENTION BASIN - EAGLE'S LANDING SUBDIVISION

Mr. Balling reviewed that on May 15, 1991 the City Council granted preliminary approval to the Eagle's Landing Subdivision. A function of that approval was an agreement on the part of the City to participate in the cost of the flood detention basin based on the understanding that the funds (\$85,500) would come from Davis County Flood Control monies. He said the County has informed him that the money will never be available.

Mr. Balling noted that the flood detention facility is important to the property owners downstream from this subdivision and he recommended that the Council approve funding by the City, with the hope that money can be acquired from the County at a later date. It will be the responsibility of the developers to construct the flood detention basin, and the City would participate in the cost up to \$85,500. In response to a question from Councilman Gramoll, Mr. Balling stated that there is not much hope of getting reimbursement from the County in the near future. However, this effort can be pursued later. Councilman Shafter indicated that he feels the County has responsibility and he supported the idea that there should be a continual effort to seek their financial support. Councilwoman Coon stated that she was told by the County officials that no monies would be available until after 1996. She also requested that action be delayed until she has had opportunity to research the criteria which was used to determine the specifications of the basin. Mr. Balling noted that these materials were submitted to the Council prior to preliminary approval being requested in May.

Councilwoman Holt asked if the \$85,500 was in this year's budget and Mr. Hardy said "no", it would have to come from the Council's capital contingency fund (with a balance of \$100,000). Councilman Foy made a motion to approve the City's cost participation in the flood detention basin as discussed, with \$85,500 being allocated from the Council's capital contingency fund. Councilman Shafter seconded the motion.

Councilman Gramoll questioned the prudence of allocating \$85,500 from the contingency fund at this time and Mr. Balling indicated that the funds will be paid upon completion of the project and will probably not be needed until the beginning of the 1992-93 fiscal year. The developers were in attendance and briefly discussed the construction schedule and acknowledged

that the project would probably not be completed until approximately June, 1992. Following discussion, Councilman Gramoll requested that the motion be amended to allocate \$40,000 from this year's budget, with the remainder to be included in the 1992-93 budget. Councilmen Foy and Shafter accepted this request and voting on the motion was by a majority. Councilman Coon abstained from voting.

Mr. Balling also noted that the Foorhill Ordinance requires this subdivision to have two accesses and these were included from Northridge Drive on the north and a tie to Skyline Drive on the south. Eagle Ridge Subdivision is separated from Skyline Drive by property owned by the Kingstons and the Kingstons are not willing to participate in the expense for the improvements of this 1,000 feet (approximately) of road. Mr. Balling, therefore, suggested that the city permit the Eagle's Ridge developers to provide a 2 ½ -inch asphalt surface on the public road which crosses the Kingston property and the Kingston's will be responsible for dedication and improvement of the roadway across their property when and if they develop. Following discussion, Councilman Shafter made the motion that approval be given for the access on the south to be a tie to the public roadway which traverses the Kingston property (known as Skyline Drive) subject to it being paved with a 2 ½ -inch asphalt surface, 22 feet wide, from the end of the dedicated Skyline Drive to their subdivision tie. Councilman Foy seconded the motion which carried unanimously.

#### MISCELLANEOUS COMMENTS ON OPEN MEETING ISSUE

Councilman Gramoll expressed concern about the negative press which resulted when Councilwoman Coon challenged the legality of the Council Retreat scheduled last Monday, (August 12<sup>th</sup>) and he voted support of and confidence in the Mayor. Councilman Foy also stated that he felt bad about this situation, and he feels the City government has done everything they can to bring about good for the community.

Councilwoman Coon said she was concerned that the City would be in violation if the meeting were held and she acted in good faith, under advisement of the Attorney General's office. To prevent lawbreaking by the City.

Mayor Linnell expressed disappointment that Councilwoman Coon had not approached him directly about the matter instead of going through the press. He said that the lack of professional handling of matter has caused embarrassment to the City and he expressed the hope for better communication between himself and Councilwoman Coon in the future.

Following further discussion, the meeting adjourned at 8:22 p.m. on a motion made by Councilman Foy and seconded by Councilwoman Holt. Voting was unanimous.

