

Minutes of the regular meeting of the City Council held July 10, 1991 at 7:25 p.m.
(following a meeting of the RDA) 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
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. Forbes led the pledge of allegiance to the flag. The invocation was given by Councilman Shafter.

Minutes of the regular meeting of the City Council held June 26, 1991 were presented and unanimously approved as amended on a motion made by Councilman Shafter and seconded by Councilwoman Holt.

EXPENDITURES APPROVED FOR TWO PERIODS IN JUNE

Mr. Jenson presented the Expenditure and Expense Reports for the Period June 21-22, 1991 in the amount of \$177,702.94 and June 23-26, 1991 in the amount of \$132,246.81. He noted two clarifications on the annotation and responded to questions from the Council. Both reports were unanimously approved on a motion made by Councilman Foy and seconded by Councilwoman Holt.

ARKO--BOUNTIFUL POLICE DOG-INTRODUCED

Chief Higgins reviewed with the Council that the dog which had been purchased last year had not proven suitable for the needs of the Police Department and a second dog ("Arkoll) has been purchased and trained. Arko and his "partner", Mike Boyle, recently participated in the Utah Olympics, competing against 23 other teams in five separate events. They placed fourth in tracking and won the gold medal in drug detection. The Chief invited the Council to watch the team as they participate in training exercises July 16th at 8:00 a.m. and July 18th at 3:00 p.m..

GIRLS SOFTBALL TEAM RECOGNIZED FOR WINNING STATE CHAMPIONSHIP

Mayor Linnell recognized "The Bountiful Blitz" girls' softball team (fast pitch) who recently won the State championship. The 11- 14-year old girls were coached by Robert Tew and Terry Sorensen and were sponsored by Blue Cross/Blue Shield. Kathy Kendell, captain of the

team, displayed the trophy which they were awarded. The girls were categorized by their coaches as "exemplifying everything good about young women, along with playing good ball".

HEARING TO SHOW CAUSE CLASS A BEER LICENSE REAM'S GROCERY STORE
40 WEST 200 NORTH

Mr. Forbes reviewed the documentation surrounding the hearing to show cause as to whether or not the Class A beer license of Ream's Grocery Store, 40 West 200 North, should be revoked or suspended. He noted that Ream's had failed two of three checks in which beer was sold to minors and he provided the documents of notification and offense reports of these two incidents (December 10, 1990 and June 12, 1991). These sales are in violation of Section 3-2-108 of the City ordinances.

Karl Willoughby, representing Ream's, explained the procedure which is used by their stores in training employees and enforcing the beer ordinance. He emphasized that they are as concerned as the City in enforcement of the beer ordinance and explained the circumstances which surrounded the June 12th sale. Following a brief discussion of the circumstances, Councilman Shafter made a motion to suspend the Class A beer license of Ream's for 30 days, to be in effect from midnight tomorrow (July 11th) for 30 days. Councilman Gramoll seconded the motion which carried unanimously.

FINAL APPROVAL GRANTED TO TEMPLE HILL ESTATES PLAT "B",--DEAN HILL,
DEVELOPER

Mr. Boothe presented a map and the site plan of Temple Hill Estates, Plat "B", (Dean Hill, developer) , and stated that it is the recommendation of the Planning Commission that final approval be granted to this subdivision, subject to the payment of all fees, posting of required bonds, and presentation of current Title Report. It was noted that the Planning Commission vote was 5 to 1, with Kathi Izatt (in attendance at tonight's meeting) voting nay. Councilwoman Coon requested to hear from Ms. Izatt why she had voted nay and Ms. Izatt said she objected to the cuts which will be visible. Mr. Balling pointed out three areas where the cuts will be 10 and 15 feet. Councilman Foy made a motion that final approval be granted as recommended, Councilman Shafter seconded the motion and voting was by a majority. Councilwoman Coon voted nay.

FINAL APPROVAL GRANTED TO STERLING HEIGHTS, PLATS A AND B, 3800 SO 200
WEST (28 LOTS)

Mr. Boothe presented a map and site plan showing Sterling Heights Subdivision, Plats A and B, and stated that the Planning Commission recommends that final approval be granted subject to the following conditions:

1. Completion of the plans according to the review by the City Engineer.
2. The providing of a Title Report showing clear title to properties intended for public use.
3. The posting of a Letter of Credit and Guarantee for the site improvements.

-3- (C.C. minutes July 10, 1991)

4. The payment of all required fees.
5. Posting of improvement bond.

He said it was also recommended by the Planning Commission that both plats be dedicated in tandem with each other. If that was difficult to support, that a cash bond of \$100,000 be posted for the entire plat (instead of starting Plat B first as was planned by the developer). Councilman Foy made a motion for final approval as recommended. Councilwoman Holt seconded the motion which carried unanimously.

Councilman Gramoll stated that he would be interested in participating with the Planning Commission when they make site visits to development sites. Mr. Balling noted that the Planning Commission will be taking a field trip on July 16th at 6:00 p.m. to look at the north fork of Stone creek, grading at RidgePointe subdivision, and the status of two cul-de-sacs in the Maple Cove area.

TEMPORARY BUILDING FOR LAKEVIEW HOSPITAL APPROVED

Mr. Boothe presented the site plan of Lakeview Hospital and the addition which is presently being constructed. He said that the hospital is desirous of placing a temporary building southeast of the hospital (in the parking area for the Emergency Room). The temporary unit will be used in cardiac catheterization until the new addition is completed (approximately 24 months) and that service will come from the new wing. Councilman Foy noted that this facility will greatly improve the health care at Lakeview Hospital.

Councilwoman Coon stated that she felt 24 months was not temporary and she was also concerned about displacing parking stalls needed for the Emergency Room. Ken Johnson, hospital assistant administrator, stated that six stalls are presently designated as emergency parking and three more can be created by moving the physician parking. Councilwoman Coon asked if the structure was on site now and Mr. Johnson indicated that it was, but that it had not been hooked up, pending approval by the Council. Councilman Foy made a motion for approval as recommended by the Planning commission, subject to the following conditions:

1. Meet all applicable City codes.
2. Approval of State Fire Marshall.
3. Approval of State Board of Health.
4. Obtaining all required permits.

Councilwoman Holt seconded the motion which carried by a majority. Councilwoman Coon voted "nay" and explained that she was not opposed to the cardiac lab, but as a matter of principle, proper procedure was not followed by allowing the unit to be placed on the site prior to granting of approval.

COUNCIL DISCUSSES CONCERN RE: TEMPORARY BUILDINGS

Mr. Balling reported that one of the items of discussion in the Planning Commission

-4- (C.C. minutes July 10, 1991)

meeting last week was the use of temporary buildings by the School Board for expansion of local schools, and the use of transfer-type boxcars by commercial businesses for storage and warehouse purposes. He presented a video tape which had been taken at sites throughout the city where these temporary facilities were placed. It was noted that the School Board does not fall under the jurisdiction of the City and, therefore, nothing can be done regarding the school buildings. However, it was suggested that the commercial businesses who are using temporary buildings for storage should be cited and permits required, as per ordinance. Mr. Balling noted that if a building is at least 120 s.f. it requires a permit, and if people are housed by the facility it must meet the Uniform Building Code.

Gordon Johnson, owner of one of the businesses shown on the video, explained the nature of his temporary storage facilities and stated that he had attempted to construct a permanent building three years ago, but due to heavy landscaping requirements placed on him by the City, he was unable to finance the project and is using the temporary facilities until he is able to acquire financing. Councilman Shaf ter noted that there is low-interest money available from the RDA which Mr. Johnson might inquire about.

Councilwoman Coon made a motion that the Planning Commission study this matter further and bring a recommendation back to the Council regarding time factors, inspections, permits, etc. This motion died for lack of a second. Councilman Gramoll suggested that the matter be addressed by enforcing the ordinance which is presently in place.

COUNCIL CONSIDERS HIKING TRAIL - HOLBROOK CANYON

Mr. Hardy explained that the past legislature made monies available for recreation trail projects (SB 52) and he asked if the Council would be interested in submitting an application for this money for the purpose of constructing a trail (the grant would require the trail to be available to horses, hikers and non-motor bikes. (Motorized RV vehicles would not be permitted.) He pointed out on a map a section of property which the City owns and suggested that the City could work with the Forest Service (and perhaps have cooperation from Kern River) in constructing the proposed hiking trail. He emphasized that the trail would not be used by Kern River, but possibly could provide leverage in dealing with them. Following discussion, Councilman Gramoll made a motion that the staff proceed in the direction of applying for the grant and that Mr. Hardy be authorized to negotiate with the Department of Natural Resources, the Forest Service, and Kern River to attempt to get help in construction of the trail. Councilman Foy seconded the motion which carried by a majority. Councilwoman Coon voted against the motion because she is against working with Kern River.

DICK DRESHER APPOINTED TO SECOND TERM ON PLANNING COMMISSION

Mayor Linnell reported that the first term of Dick Dresher on the Planning Commission has expired, and as per previous policy, he recommended that Mr. Dresher be appointed to serve a second term. He praised Mr. Dresher for his efforts on behalf of the City, stating that he is very effective. Councilman Foy praised Mr. Dresher for the fine job he has done and then made a motion to reappoint him to the Planning Commission for a second four-year term (to commence

July 1, 1991). Councilwoman Holt seconded the motion and voting was unanimous.

MISCELLANEOUS FROM MAYOR

Mayor Linnell referred to an article in the Deseret News which stated that 6 of 10 cities go in the red. He stated that this is a manifestation of how lucky we are and he expressed thanks to those who were here before us.

Mayor Linnell referred to the Editorial Section of yesterday's Clipper in which law enforcement was criticized for participating in via high-speed chase which 'endangered' the lives of other motorists". He stated that he took exception to the characterizations which were made and the fact that public servants were made to "look like goats". He also noted other inaccuracies in the paper. Councilman Foy agreed with the Mayor, stating that the police should be commended, not condemned.

The meeting adjourned at 9:10 p.m. on a motion made by Councilman Gramoll and seconded by Councilwoman Coon.