

Minutes of the regular meeting of the City Council held May 13, 1992 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	Harold Shafter, Renee Coon, John Cushing, Barbara Holt and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne Forbes
	Asst. City Engineer:	Paul Rowland
	City Recorder:	Arden Jenson
	City Treasurer:	Ira Todd
	Planning Director:	Jon Reed Boothe
	Rec. Secretary:	Nancy Lawrence
	Dept. Heads:	Dick Duncan, Streets/Sant. Larry Higgins, Police Neal Jenkins, Parks/Recreation Jerry Lemon, Fire Mark McRae, Informa. Systems

Absent: City Engineer: Jack P. Balling

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 Councilwoman Holt.

Minutes of the regular meeting of the City Council held May 6, 1992 were presented and approved as written on a motion made by Councilman Foy and seconded by Councilwoman Holt. Councilwoman Coon was absent from the May 6th meeting and abstained from voting.

EXPENDITURES AND EXPENSES APPROVED FOR APRIL

Mr. Jenson presented the Expenditure and Expense Report for the Period April 28-30, 1992 (\$287,244.24) and the April 1992 Summary which totaled \$2,124,437.21. Both reports were unanimously approved as presented on a motion made by Councilman Shafter and seconded by Councilwoman Holt.

COUNCIL APPROVES REQUEST OF HERITAGE PLACE TO POSTPONE SIDEWALK CONSTRUCTION (GARY TAYLOR, DEVELOPER)

Mayor Linnell reviewed that when the Planning Commission considered the request of Heritage Place (1050 South between Main and 200 West) for approval to construct an addition to their building, one of the conditions of approval was construction of sidewalk along the frontage of the property. Gary Taylor, developer, has since requested that the sidewalk requirement be dropped until neighboring properties construct their walks. This was discussed by the Council in

the April 22 meeting (see minutes, page 2) and resulted in the Planning Commission requirement being upheld. Mr. Taylor is in attendance again this evening to request that the Council revisit the issue.

Mr. Taylor stated that he is not opposed to putting in the sidewalk; however, inasmuch as "it goes no where and leads to nothing", it would make more sense to construct it when the neighboring properties also put in sidewalk. He said he would be willing to sign a document in affirmation of his willingness to participate at a later time. Jeff Chretien, Planning Commission Chairman, stated that the ultimate goal of the Planning Commission was to see that sidewalk was installed at the appropriate time. He felt that Mr. Taylor's proposal to provide written documentation that he will construct the sidewalk when the contiguous property is improved would fall within the intent of the Planning Commission.

When asked for a staff recommendation, Mr. Hardy stated that the initial recommendation was for construction of the sidewalk and this recommendation still stands. City policy has been to require construction of the sidewalk if an existing property is upgraded and the activity level will increase. He also noted that the property in question comprises almost 1/2 of the block between Main Street and 200 West.

Following discussion, Councilman Cushing stated that he felt Mr. Taylor had made a reasonable request and he motioned that an exception be made to city policy and construction of the sidewalk be postponed until the contiguous properties also construct the sidewalk; and that an agreement (acceptable with the staff) be drawn up which Mr. Taylor can sign to affirm that he will participate in construction of the sidewalk at the proper time in the future. Councilman Foy seconded the motion. Councilman Shafter and Councilwoman Coon both indicated that although Mr. Taylor's request seems logical, it is important to be consistent and not set a precedent which contradicts city policy. They both voted against the motion. Councilwoman Holt abstained from voting due to a conflict of interest. The Mayor broke the tie with an "aye" vote with the understanding that all proper documentation will be executed to guarantee future sidewalk construction and the motion carried by a majority.

BLAINE GEHRING NAMED NEW PLANNING/RDA DIRECTOR

Mr. Hardy reported that he had met last Saturday with Mayor Linnell, Councilwoman Holt, and Jeff Chretien (Planning Commission Chairman), to interview finalist applicants which were felt best suited to be named Planning/RDA Director. An offer was extended to Blaine Gehring (presently employed by Murray city as the Redevelopment Director) to fill this position and Mr. Gehring accepted the offer. Mr. Gehring has previously worked with the city of West Jordan as the Community Development Director, he is a Certified Planner (AICP) with a Master's degree in Planning, and also has a Master's degree in Business Administration. Mr. Hardy stated that Bountiful is fortunate to have a person of Mr. Gehring's calibre join the city staff. He will start with the city on June 1st and will work with Mr. Boothe until Mr. Boothe's retirement in the fall.

Mr. Gehring (who was in attendance with his wife, Cheri) gave a few remarks, expressing appreciation for the opportunity to work with Bountiful. The Council and Mayor extended a welcome to Mr. Gehring, stating that the city is fortunate to have a person with his

credentials Joining the staff.

At this time the Mayor recognized the visiting Boy Scouts and reviewed with them the information pertinent to their rank requirements.

PRELIMINARY AND FINAL APPROVAL GRANTED FOR ONE BUILDING LOT AT 2408 80. MAPLE HILLS DR.

Mr. Rowland reported that Mr. C. E. Farr has purchased property and requested approval for one building lot at 2408 South Maple Hills Drive. This request was presented to the Planning Commission and approved, subject to the following conditions:

1. That building and improvements be placed only on usable area less than 30% slope as required by the Foothill Ordinance.
2. Provide 7 ft. wide utility easements around the perimeter of the Lot, as needed.
3. Replace all damaged curb and gutter and sidewalk along the frontage of the Lot.
4. Payment of the required fees for power, sewer, and water installation and connection.
5. Payment of the required fees for the asphalt repair of the road for the service connections.
6. Posting of the required bond to install the improvements as described above.
7. Payment of the required subdivision fees for checking and administration of the subdivision lot.
8. Payment of the required storm detention fee of \$964.00 (based on the same rate as for a subdivision; 0.46 acre).

Councilwoman Holt motioned for approval as recommended by the Planning Commission. Councilman Foy seconded the motion and voting was unanimous.

FINAL AGREEMENT APPROVED FOR SPRING HOLLOW AT THE WOODS PUD, 3900 SO. 400 EAST - CLARK JENKINS, DEVELOPER

Mr. Rowland reviewed that the final approval for Spring Hollow at the Woods PUD was referred back to the developer in order to get the appropriate changes made to the Gate Agreement which was included as a condition of the approval. (See minutes of May 6, 1992, page 1). He reviewed the additions which were requested by the Council and stated that this is the final step of approval for the PUD.

Councilwoman Coon asked if the Agreement had been approved by the Homeowner's Association and affirmed that the second access for Spring Hollow at the Woods was through the Newport Heights condominiums along Cardiff Way. She then stated that she would not support

the PUD development as proposed because she felt it was not appropriate to put a gate across Cardiff Way.

Discussion followed regarding the possible liability of the City if there were an obstruction of the gate and emergency vehicles were not able to respond in a timely manner. Mr. Hardy also reviewed that when this property was originally presented for development, Cardiff Way provided the access as is now being proposed. The only difference is the gate which will prevent normal access between the two developments as it has evolved to be. Although this is not the most desirable situation, it is the only feasible way to connect the two roads. Councilman Shafter asked if a hold harmless clause could be placed in the Agreement to protect the city and have the Homeowner's Association bear the responsibility. Mr. Forbes stated that each individual property owner would need to be involved inasmuch as there is not much financial strength in the Homeowner's Association. Councilman Cushing noted that the Fire Department will check this gate periodically to make certain that the Agreement is being complied with. He also suggested that there could be signage on the gate to restrict blocking the access.

Councilman Foy made a motion to grant final approval to Spring Hollow at the Woods PUD subject to approval of the gate agreement as presented this evening and he suggested that signage be placed on the gate to remind residents that access must be available. Councilman Cushing seconded the motion which carried by a majority. Councilwoman Coon voted "nay". (See C.C. minutes of April 22, 1992, pp. 6-9; C.C. minutes of May 6, 1992, pp. 1-2; and "Gate Agreement" addended to these minutes).

REVIEW OF 1992-93 BUDGET FOR GENERAL, CAPITAL IMPROVEMENTS, AND DEBT SERVICE FUNDS

Mr. Hardy reviewed the 1992-93 Budget for the General, Capital Improvements, and Debt Service Funds, which totals \$10,418,000, with revenues and expenditures balanced. He explained that these budgets are paid for primarily by taxes and include police, fire, street maintenance, street lighting, parks and recreation, and the administrative support departments of the city. (other services provided by the city, but paid for by user charges are known as "enterprise" funds and will be reviewed in next week's meeting).

Of the city's 169 full-time personnel, 105 employees work in services which are paid for out of the General Fund of the city. The primary sources of revenue are sales tax (35 percent), property tax (13 percent), and franchise tax (12 percent). The other 40 percent revenue requirement for the General Fund comes from a transfer from the Power Fund of approximately 17 percent, smaller taxes, interest earnings, building permits, administrative charges, and ambulance charges.

Councilmen Foy and Cushing expressed appreciation to Mr. Hardy and the staff for the fine manner in which the budget has been put together.

MISCELLANEOUS FROM MAYOR

Mayor Linnell reported that the VFW is contemplating a Memorial Day service to be held at the city cemetery at 11 a.m. and they asked the Mayor to participate in that event. Inasmuch as he will be out of town, he asked if one of the Council could represent the city for

that service.

The meeting adjourned at 7:55 p.m. on a motion made by Councilman Foy and seconded by Councilwoman Holt.