

Minutes of the regular meeting of the City Council held November 18, 1992 at 7:00 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:	Harold Shafter, Renee Coon, John Cushing, Barbara Holt and Leslie Foy.
	City Manager:	Tom Hardy
	City Attorney:	Layne Forbes
	City Engineer:	Jack Balling
	City Recorder:	Arden Jenson
	Planning Director:	Blaine Gehring
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy 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.

Councilman Cushing stated that Mayor Linnell would be a few minutes late and had asked him to serve as Mayor Pro Tempore in the meantime. He welcomed those in attendance and noted that the pledge of allegiance to the flag and invocation were taken care of in the Redevelopment Meeting.

Mayor Pro-tem Cushing then gave a special welcome to the visiting Boy Scouts and reviewed information with them which would be helpful in achieving their citizenship merit badges.

Minutes of the regular meeting of the City Council held November 4, 1992 were presented and unanimously approved as corrected on a motion made by Councilwoman Holt and seconded by Councilman Foy.

EXPENDITURES AND EXPENSES APPROVED FOR OCTOBER AND NOVEMBER

Mr. Jenson presented the Expenditure and Expense Reports for the following periods, with respective totals: October 30-31, 1992: \$260,531.63; Summary for October 1992: \$2,451,548.03; and November 1-13, 1992: \$278,212.37. Following a short discussion, these expenditures were unanimously approved as presented on a motion made by Councilman Shafter and seconded by Councilwoman Coon.

APPROVAL GRANTED FOR BUILDING LOT - 2350 SOUTH ORCHARD PLACE, IVORY HOMES

Mr. Gehring reported that a request has been made by Ivory Homes for a building permit; however, the building lot is not a part of Orchard Place subdivision and needs to be approved as a single lot. The Planning Commission reviewed this request and recommends preliminary and final approval for a one-lot subdivision, subject to the following conditions:

1. Provide the City with a 7-ft. wide utility easement around the perimeter of the lot.
2. Payment of a storm detention fee of \$2, 100 per acre or \$458.00.
3. Payment and installation of all utilities (power, water, sewer, gas, telephone, CTV) at the owner's expense.
4. Payment of the required subdivision fee of \$30.00.
5. All expenses associated with the development of this lot are to be the responsibility of the property owner.

Councilwoman Holt motioned for approval of the one-lot subdivision as recommended by the Planning Commission. Councilman Shafter seconded the motion and voting was unanimous.

MODIFICATION TO EXPENSE REPORT FOR CITY COUNCIL CONSIDERED

Mr. Jenson updated the Council on the financial software conversion which is taking place. He said that the General Ledger, accounts payable and budget are now live on the computer. The Cash Receipts module is still in the conversion process. He said that the conversion went well and he praised the New World Systems company and personnel for their excellent support.

He noted that with the new system, there have been a number of changes which precipitated the thought of making modifications to the financial reports which are presented to the Council each week. He reviewed the changes which would adapt to the new software and received input from the Council. The general consensus was that the format which has been used in the past is very satisfactory and presents material helpful to the Council as they analyze the financial position of the city. It was agreed that the style of reports will not be changed.

Mr. Jenson explained several features of the new software, including: (1) reports are available to department heads on a monthly basis of the accounts within their own budgets. If an account is low, an application can be made to the City Manager for permission to transfer funds between accounts within that department; and (2) the computer alerts the user if an invoice is entered which will exceed budget.

Mayor Linnell arrived at this time (7:20 p.m.) and assumed charge of the remainder of the meeting.

COUNCIL CONSIDERS REQUEST BY WEST BOUNTIFUL FOR POSITION RE:ANNEXATION OF BARD AND SURROUNDING PROPERTIES OWNED BY BOUNTIFUL

Mayor Linnell reviewed that West Bountiful is contemplating annexation of property west of their existing community for the purpose of squaring their boundaries and some of the targeted property is owned by the City of Bountiful. Included in the original request was the BARD. Mayor Linnell said that he has talked with Mayor Johnson and the city manager of West

Bountiful, Wendell Wilde, and due to legal concerns and the fact that the BARD would be revenue neutral, West Bountiful is no longer desirous of annexing the BARD. However, Mr. Wilde is in attendance this evening to determine the interest of the Council in other Bountiful-owned property being annexed into the city of West Bountiful.

Mr. Wilde described the area proposed to be included in the annexation, noting that West Bountiful is desirous of expanding the golf course and creating a jogging path in the power line corridor. He stated that West Bountiful would appreciate the support of the Bountiful City Council in this regard.

Councilwoman Holt asked if Bountiful has a choice in the matter and Mr. Hardy explained that if 50 percent of the property owners representing one-third of the value request annexation, the request will be approved, even if Bountiful votes against the action. He said that Mr. Wilde is in attendance this evening more as a courtesy and that the property can be annexed without our approval. Councilman Foy asked what we use our property for and Mr. Balling stated that originally it was purchased to secure water rights along the creeks that flow through it. It is also to be used for cover for the BARD. The City presently has an agreement with the Fish and Game Department to return the property to wetland designation. Mr. Wilde stated that West Bountiful has no intent to change the use of this property; however, the Sewer Improvement District has looked at it as a holding district for re-use of effluent.

Councilwoman Coon and Councilman Shafter noted that future generations in West Bountiful might not have the same ideas for use of the property and Councilman Shafter asked if an agreement would be drawn up between the two cities restricting the uses of the property owned by Bountiful. Mr. Wilde stated that he felt West Bountiful would be amenable to a contract. He also noted that negotiations between the two cities will be needed shortly regarding placement of a West Bountiful water tank in Bountiful.

Councilman Cushing stated that inasmuch as our access to the BARD is through West Bountiful, it is expedient that we give deference to them. Therefore, he motioned for approval to the request for annexation. This motion died for lack of a second. No further action was taken.

PUBLIC HEARING TO CONSIDER AMENDING ZONING ORDINANCE REGARDING BARS

At 7:50 p.m. Mr. Gehring explained that a request was recently presented to the City to relocate a bar to a different zoning designation in the city and it brought to attention that fact that bars are allowed in the zone as a permitted use. Mr. Gehring stated that bars are normally treated as a conditional use due to the potential impact on the neighborhood. Therefore, he stated that it is the recommendation of staff and the Planning Commission to amend Title XIV, Chapter-800 regarding land uses in all areas where bars are permitted so that the use becomes conditional. Councilwoman Holt said she had discussed this matter with the Planning Commission chairman and found that the motivation for the change is to make the ordinance uniform and to provide property owners the opportunity to give input.

Mayor Linnell called for input from those in attendance; there was none. Councilwoman Holt then made a motion to approve the amendment as explained. Councilman Shafter seconded the motion and voting was unanimous. (It was noted that the formal ordinance will be prepared

and presented for adoption at a later meeting).

At 8:55 p.m. Mr. Gehring explained that a request had come from a developer a few weeks ago for development of a lot which does not have standard frontage as outlined by the existing ordinance. He cited a West Jordan ordinance which requires newly created lots to meet ordinance, but allows previously legal lots to be developed. The ordinance also prohibits the transfer of any space required to meet standards as it relates to width. He said it is a recommendation of the staff to amend Title 14 Chapter 15-200 of the Bountiful City Code to this effect.

Mayor Linnell called for input from those in attendance and there was none. Councilwoman Holt made a motion to approve the amendment as reviewed. Councilman Cushing seconded the motion and voting was unanimous. (The formal ordinance will be prepared for adoption at a later meeting).

MISCELLANEOUS FROM MAYOR

Citizen's Petition Requesting Recreational Area: Mayor Linnell stated that he had received a call requesting that an item be put on the Agenda regarding recreational facilities for the southeast area of the city. Although it was too late to put the matter on the Agenda, the Mayor recognized a large group of residents from this area who were in attendance. Ken Shepherd, 3781 South Cardiff Way, presented a petition to the Council requesting that the City actively pursue acquisition of property available from the School District to be used for recreational purposes. Mayor Linnell stated that the School District has acquired appraisals on the property in question and the city is waiting for their appraisal to be completed. Once the city receives the appraisal, this matter will be placed on the Agenda for further action. He stated that the Council will be sensitive to the issue of no parks in the southeast area of the city.

REPORT FROM TRAFFIC SAFETY COMMITTEE MEETING

Mr. Hardy reported that the Traffic Safety Committee has discussed the roadway improvements which are needed on 400 East from 500 South to 400 North and subject to approval of this project by the City Council, a hearing will be set December 9, 1992 at 7:30 for the purpose of discussing this matter. All abutting property owners will be notified regarding this project.

The Traffic Safety Committee also discussed the impact that the LDS temple will make on the residential streets on the east bench and the necessity of attempting to provide a direct access route to try to confine the traffic to a collector road. A plan was presented and discussed in Traffic Safety Meeting and it was recommended that the Master Street Plan be updated. Preliminary to adopting a new street plan, it will be necessary for the City Council to discuss the problems of land acquisition and related costs. In order for this project to move quickly and be resolved prior to the added traffic of the completed temple, Mr. Balling requested that a closed meeting of the Council be held. Councilwoman Coon made a motion to approve an executive session for the purpose of discussing land acquisition. Councilman Shafter seconded the motion and voting was unanimous.

MISCELLANEOUS FROM COUNCIL

Councilman Shafter asked about the legislative agenda and Mr. Hardy stated that it was hopeful to have the actual bills prior to meeting with the legislators on December 3rd. However, the bills are still being drafted and are not in final form. A draft copy will be sent to the Council members prior to the December 2 council meeting and this matter will be on the Agenda for that meeting. Councilman Shafter requested that Karen Smith be invited to attend the meeting on the 3rd.

The meeting adjourned to executive session at 8:12 p.m.

Attendance at Executive Session

Mayor Linnell

Councilpersons Coon, Shafter, Cushing, Holt, and Foy

Mr. Hardy

Mr. Forbes

Mr. Balling