

Minutes of the regular meeting of the City Council held July 1, 1992 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	John Cushing, Barbara Holt, Leslie Foy
	City Manager:	Tom Hardy
	City Prosecutor:	Russell Mahan
	Asst. City Engineer:	Paul Rowland
	City Recorder:	Arden Jenson
	Planning Director:	Jon Reed Boothe
	Planning/RDA Dir:	Blaine Gehring
	Dep. Recorder:	Kim Coleman
	Mgmt. Internist:	Whitney Pugh
	Rec. Secretary:	Nancy Lawrence
	Dept. Head.	Neal Jenkins, Parks/Rec.
Absent:	Council Members:	Harold Shafter Renee Coon
	City Attorney:	Layne Forbes
	City Engineer:	Jack 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 Councilman Foy 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 June 24, 1992 were presented and unanimously approved as amended on a motion made by Councilman Cushing and seconded by Councilwoman Holt.

**EXPENDITURE AND EXPENSE REPORT APPROVED  
FOR PERIOD JUNE 19-20, 1992**

Mr. Jenson presented the Expenditure and Expense Report for the Period June 19-20, 1992 in the amount of \$298,698.73. He responded to questions from the Council, following which this report was unanimously approved on a motion made by Councilman Cushing and seconded by Councilman Foy.

**GENE BANGERTER APPOINTED TO FIVE-YEAR  
TERM ON BOARD OF ADJUSTMENT**

Mayor Linnell reported that the Bob Robinson has just completed his second term on the Board of Adjustment (having served nine years) , and in keeping with policy of limiting service to two terms, he will not be reappointed. The mayor presented the name of Gene Bangerter to be appointed to the Board of Adjustment, effective July 1, 1992 to July 1, 1997. A resume for Mr. Bangerter had been sent to the Council in advance of the meeting. Councilwoman Holt made

a motion that the recommendation of the Mayor be accepted and that Mr. Robinson be appointed to fill the vacancy on the Board of Adjustment. Councilman Cushing seconded the motion and voting was unanimous.

**MR. MAHAN REVIEWS CITY CODE -  
TITLES 10, 11, 13, AND 14**

Mayor Linnell stated that he had received several calls during the week regarding the noise ordinance which was included in the materials reviewed in the last City Council meeting. Mr. Mahan said he had also received calls from citizens--some in support of the ordinance and some negative toward it. He reviewed that the ordinance has not yet been adopted and the Council will need to discuss this matter and resolve it prior to adoption of the ordinance.

Mr. Mahan stated that at least three copies of the complete Code will be available for anyone who would like to come to City Hall to review it.

Mr. Mahan explained that the State law has changed with respect to sharing revenues between the city and state; and therefore, there are not as many criminal and traffic ordinances which are necessary. The new ordinance contains only those items not covered by State statute. He noted one new Section (10-1-113) which makes it unlawful to spit in a public building or on another person. The curfew ordinance was discussed and it was decided that Mr. Mahan will work on expanding the exception clause.

Title 11 is a reserved section. Title 13 (traffic) contains a provision for skateboarding and related activities (Section 13-1110) which Mr. Mahan suggested be eliminated from the Code at this time, but considered later. Mayor Linnell expressed concern regarding section 13-1-104 (parking heavy equipment on the street in residential neighborhoods) and it was suggested that this section be amended prior to adoption.

Title 14 relates to planning and zoning and will be adopted as it is presently written. Mr. Mahan and Mr. Gehring will review it for any necessary changes later.

**PUBLIC HEARING TO CONSIDER ADOPTION OF  
POLICY DECLARATION RE: ANNEXATION - 3100 SO TO 3400 SO**

At 7:34 p.m. Mr. Hardy reviewed that a resolution was adopted at the last meeting of May which accepted petitions for annexation from residents of the unincorporated area of the County in the area south of Bountiful. Mr. Rowland used a map to show the boundaries of the property proposed for annexation (between 3100 South and 3400 South and 400 East to 200 West) . There are 136 parcels of property in this area and 85 owners (63%) have signed the petition requesting annexation into Bountiful.

Mayor Linnell called for public comments. There were none. Councilman Foy made a motion that the Policy Declaration Regarding Annexation be adopted and that the Mayor and City Recorder be authorized to sign it. Councilman Cushing seconded the motion and voting was unanimous. Mr. Hardy noted that next Wednesday night a resolution formalizing the annexation will be on the Agenda.

**TWO AMUSEMENT DEVICE MACHINES APPROVED FOR THE BEST DARN CARD SHOP IN AMERICA--1628 80 MAIN**

Mr. Hardy reported that a request has been made by Dave and Nannette Hansen for two amusement device machines to be approved at "The Best Darn Card Shop in America", 1628 South Main (Five Points) - The police department has reviewed the request and recommends approval. Councilwoman Holt motioned for approval, Councilman Foy seconded the motion and voting was unanimous.

**HIGHLAND GOLF EQUIPMENT CO. AWARDED BID FOR GOLF CARTS AND SUNTOPS**

Mr. Jenkins reported that bids were received on June 30, 1992 for seven (7) gasoline golf carts, fifteen (15) electric carts, and 48 additional suntops. It is the staff recommendation that the bid be awarded to the lowest responsive bidder, Highland Golf Equipment Company in the amount of \$60,742.60. Highland's bid was for Yamaha equipment, for which repair parts are currently on hand.

In response to a question from the Council, Mr. Jenkins explained that gas carts are used to supplement the electric carts because they do not need the re-charging facilities and there is limited room for re-charging of the electric carts. Councilman Foy made a motion to accept the bid from Highland Equipment, as recommended by staff. Councilman Cushing seconded the motion and voting was unanimous.

**REQUEST FROM BOUNTIFUL AREA CHAMBER OF COMMERCE FOR FUNDING TO BE DISCUSSED AT COUNCIL RETREAT**

Mr. Hardy reported that a request has come from the Bountiful Area Chamber of Commerce (BACC) for a donation of \$3,500 to be used for business development programs. Each of the six cities represented by the Chamber have been asked to contribute (totaling \$10,000), and the request from Bountiful represents 35%, based on population. Since nothing was included in the budget for the Chamber, if approved, this money would come from the Council Contingency fund. Mike Hancock, representing the BACC, suggested that the mayors of the six cities could appropriately serve as members of the BACC board of directors. Councilwoman Holt questioned the logic of the mayors serving on the BACC Board and indicated that she had appreciated the neutrality of the BACC. Councilman Cushing stated that he felt it was important for the city to support the Chamber in some way. Mayor Linnell suggested that the matter be discussed at the Council Retreat on July 14th to determine the position which the City should take.

**RES. NO. 92-12 ADOPTED PROVIDING FOR GRIEVANCE PROCEDURE**

Mr. Pugh referred to the copy of the grievance procedure materials which had been sent to the councilmembers in their packets and stated that the action needed tonight is to adopt Res. No. 92-12 entitled "A RESOLUTION ADOPTING A GRIEVANCE PROCEDURE FOR INDIVIDUALS WITH DISABILITIES WHO HAVE COMPLAINTS REGARDING ACCESS OR ALLEGED DISCRIMINATION IN EMPLOYMENT, PROGRAMS, SERVICES OR ACTIVITIES OFFERED OR SPONSORED BY THE CITY OF BOUNTIFUL". Councilwoman Holt made a motion to adopt Res. No. 92-12 and authorize the mayor and city

recorder to sign it. Councilman Foy seconded the motion and voting was unanimous.

**CONSIDER APPROVAL OF SOFTWARE LICENSE AND SERVICE AGREEMENT WITH NEW WORLD SYSTEMS**

This item canceled.

**FLEXIBLE SPENDING PLAN CONTRACT APPROVED**

Mr. Jenson explained that Alta Health Strategies will no longer be administering the health insurance for city employees, and therefore, they will not be providing administration of the Flexible Spending Accounts (FLEX) for the employees. Quotations were requested from other companies that provide this type of service and it is the staff recommendation that Human Resource Network be awarded the contract. He said that the city attorney has reviewed the contract and feels comfortable with it. Councilman Cushing made the motion that the contract with Human Resource Network be approved as recommended. Councilwoman Holt seconded the motion and voting was unanimous.

**PUBLIC HEARING SET TO CONSIDER REZONING PETITION & VICOR CONSTRUCTION REQUEST -- NE CORNER OF PAGES LANE AND 200 WEST**

Mr. Gehring explained that the city has received a petition from Vicor Construction requesting rezoning of Neighborhood 2 District 1 from Multiple-Unit IIBII (13.1 units per acre, 14 units per acre for PUD) to Multiple-Unit I'D" (25.7 units per acre, 26 units per acre for PUD) . The property in question is located in the northeast corner of Pages Lane (1600 North) and 200 West. It -is the staff recommendation that the hearing be scheduled either August 5th or 12th. Councilwoman Holt motioned for the public hearing to be held August 5, 1992 at 8:00 p.m., as recommended by staff. Councilman Cushing seconded the motion and voting was unanimous.

The meeting adjourned at 8:00 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Cushing.