

Minutes of the regular meeting of the City Council held August 12, 1992 at 7:10 p.m. in the Council Chambers of the City Hall, Bountiful, Utah, following a 6:00 p.m. field trip. The purpose of the field trip was to review a preliminary plan for park development on property recently acquired by the City from the Eggett family (west of Bountiful Boulevard in the Barton Creek area).

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
	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.

Mayor Linnell called the meeting to order, following which Councilwoman Coon led the pledge of allegiance to the flag. The invocation was given by Mr. Coleman.

Minutes of the regular meeting of the City Council held August 5, 1992 were presented and approved as written on a motion made by Councilman Cushing and seconded by Councilman Shafter. Voting was by a majority with Councilman Foy abstaining because he had not been in attendance at the meeting.

**EXPENDITURE AND EXPENSE REPORTS**  
**APPROVED FOR TWO JULY PERIODS**

Mr. Jenson presented the Expenditure and Expense Report for the Period July 29-31, 1992 in the amount of \$537,295.78 and the Summary for July totaling \$2,084,520.21. The Council approved these expenditures by unanimous vote on a motion made by Councilwoman Holt and seconded by Councilman Shafter.

**ANNEXATION REQUEST APPROVED - JOE FEATHERSTONE,**  
**PROPERTY EAST OF BOUNTIFUL BLVD AT BARTON CREEK**

Mr. Balling reported that Joe Featherstone and Hugh Putnam have submitted a request for annexation of 40 acres of property east of Bountiful Boulevard at Barton Creek (adjacent to Stone Ridge Subdivision). He said that the property is contiguous to the City on the south and west side, and he noted that the Council had looked at this property on their field trip this

evening. It is being recommended that 19 1/2 acres of the property (located along Barton creek) be deeded to the City as a grant. This property will be desirable to the City as it relates to the trail system on the east side of the City. The remainder of the property will be divided into three lots (two on the Featherstone property and one which Mr. Putnam is retaining for himself).

Councilman Shafter made a motion to accept the annexation petition for the area as explained. Councilman Cushing seconded the motion and voting was unanimous.

NOTE: See Line No. 45 below for additional action on this item.

**ORD. NO. 92-6 RE: CURFEW ADOPTED**

Mr. Forbes reviewed that when the new code was adopted, the curfew ordinance was excluded to permit further consideration. The ordinance has now been completed and it is the staff recommendation that Ordinance No. 92-6 entitled "AN ORDINANCE AMENDING SECTION 101-111 OF THE BOUNTIFUL CITY CODE TO ESTABLISH A CURFEW ORDINANCE FOR MINORS, AND AMENDING SECTION 10-1-114 To EXEMPT RESTAURANTS FROM THE PROHIBITION AGAINST ALLOWING MINORS WHERE ALCOHOL IS SERVED. He explained the changes in the ordinance and recommended that it be adopted.

Councilwoman Coon stated that she was satisfied with the previous ordinance because it gave the latitude of 1:00 a.m. on nights that were not school nights (instead of a constant 12 midnight provision for all nights as the revised ordinance provides). Sgt. Ira Beal, (police department) was in attendance and explained that the curfew ordinance is used by the officers when and if juveniles appear to be involved in mischief or inappropriate activities. He said that the curfew in surrounding communities is 12:00 midnight and this makes it easier to enforce the ordinance. Following discussion, the ordinance was adopted, with authority for the Mayor and City Recorder to sign, on a motion made by Councilman Foy and seconded by Councilman Shafter. Voting was by a majority, with Councilwoman Coon voted "nay". She stated that she was not opposed to a curfew, but preferred the old ordinance to the new.

**ANNEXATION OF UNINCORPORATED AREA APPROVED;  
RES. NO. 92-17 ADOPTED**

Mr. Forbes reviewed that the Council held a public hearing last week to consider annexation of the area between 3100 and 3400 South, Highway 89 to Orchard Drive, and a Policy Declaration was adopted. There have been no formal protests filed since that time and it is recommended that Resolution No. 92-17, entitled "RESOLUTION DECLARING THE ANNEXATION OF TERRITORY TO THE MUNICIPALITY OF BOUNTIFUL" be adopted. Councilman Shafter made a motion to this effect, with authorization for the Mayor and City Recorder to sign. Councilwoman Holt seconded the motion and voting was unanimous.

**RES. NO. 92-18 ADOPTED RE: ANNEXATION PETITION  
OF FEATHERSTONE/PUTNAM**

It was clarified at this time that a resolution needed to be adopted to formally accept the annexation petition which was submitted by Messrs. Featherstone and Putnam, and authorize the preparation of a Policy Declaration. Councilman Shafter made a motion to adopt Res. No. 92-18, with authorization for the Mayor and City Recorder to sign. Councilwoman Holt seconded the

motion and voting was unanimous.

**AUTHORIZATION GIVEN TO APPROPRIATE \$500  
TO DETERMINE INTEGRITY OF LOG CABIN**

Mayor Linnell reviewed that approval was given two weeks ago to the South Davis Community Hospital site plan. As a part of that approval, Councilman Foy was assigned to work with the hospital regarding the possibility of preserving the pioneer log cabin which is a part of an existing home on the site of the parking lot. Councilman Foy reported that he met with Mr. Bennett (representing the hospital) and the outcome of that meeting was that, although the hospital was interested in preservation of the log cabin, they did not wish to expend any money to do so.

Councilman Foy stated that consideration was given to moving the cabin (believed to have been built around 1854) to the Heber C. Kimball gristmill site and F. R. (Rick) Hauck was consulted regarding the integrity of the cabin and its possible relocation. Dr. Hauck reviewed the following factors which are considered when determining whether or not to reconstruct or re-establish a resource: 1) inherent- integrity; 2) the basic value of the resource to the community; and 3) the cost and problems relative to restoration. In order to determine the integrity of the cabin, it will be necessary to chip off some of the concrete to determine if the original floor, roof, and walls are existent and what their condition is. The hospital contractor has offered to do this exploratory work for \$500.00. Councilman Foy explained that the hospital would like to proceed with their site work next week and it is imperative that the Council come to a timely decision.

Discussion followed regarding the cost to move the cabin (\$3,500 to \$4,000) and suitably relocate it (\$4,000+), the function of the cabin, and security of the cabin. Other funding options were also considered--DUP, SUP, the State Historical Society, the former family-owners, etc. It was decided that the integrity of the cabin must be determined before other decisions could be made and Councilman Cushing made a motion that \$500 to \$700 be appropriated to determine the integrity of the roof floor and walls so that further decisions could be made. Councilwoman Holt seconded the motion on the stipulation that only \$500 be approved. (The Mayor and Councilman Cushing agreed to pay for any costs greater \$500.00). Voting on the motion was unanimous.

It was decided that the Council would convene in a special session as soon as the integrity evaluation has been done to facilitate movement of the cabin from the construction site if that becomes the course of action.

The meeting adjourned at 8:13 P.M. on a motion made by Councilwoman Holt and seconded by Councilwoman Coon.