

Minutes of the regular meeting of the City Council held August 11, 1993 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present: Mayor: Bob Linnell  
Council Members: C. Harold Shafter, Renee Coon, John Cushing,  
Barbara Holt, and Leslie Foy  
City Manager: Tom Hardy  
City Attorney: Russell L. Mahan  
City Engineer: Jack P. Balling  
Dep. Recorder: Kim Coleman  
Dep. Treasurer: Lorna Hartvigsen  
Rec. Secretary: Nancy T. Lawrence  
Dept. Head: Neal Jenkins, Parks/Rec.  
City Admin. Intern: DeeAnn LeVar

Absent: City Recorder: Arden F. Jenson  
Planning/RDA Dir: Blaine Gehring

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. Balling 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 July 28, 1993 were presented and approved as amended on a motion made by Councilman Shafter and seconded by Councilman Foy. Voting was by a majority with Councilwoman Holt and Councilman Cushing abstaining due to absence.

Minutes of the regular meeting of the City Council held August 4, 1993 were then presented and approved as written on a motion made by Councilman Foy and seconded by Councilman Shafter. Voting was by a majority with councilwomen Coon and Holt abstaining due to absence.

**LOCAL CONSENT APPROVED FOR LIQUOR LICENSE  
FRANCESCO'S RESTAURANT, 370 WEST 500 SOUTH**

Mr. Mahan explained that prior to the State granting a liquor license, the local authority must give consent. He reviewed that Francesco's was approved for a beer license (July 28, 1993 minutes) and it is the recommendation of the Chief of Police that the Local Consent Form be approved. Councilman Shafter motioned that the Council give approval for the Mayor to sign the consent form, Councilwoman Coon seconded the motion and voting was unanimous.

**EXPENDITURES AND EXPENSES APPROVED FOR  
TWO JULY PERIODS**

Mr. Coleman presented the Expenditure and Expense Report for the Period July 29-30, 1993 in the amount of \$538,574.72 and the Summary of Expenditures for July totaling \$1,793,311.81. Following a brief discussion, both reports were unanimously accepted on a motion made by Councilwoman Holt and seconded by Councilman Shafter.

**VISITING BOY SCOUTS RECOGNIZED**

Mayor Linnell welcomed the visiting Boy Scouts and reviewed information with them which will be helpful in earning their citizenship merit badge.

**FINAL APPROVAL GRANTED FOR BUILDING LOT AT**

**3219 SOUTH 100 EAST - KENT BURCH**

Mr. Balling presented the site plan for the proposed building lot at 3219 South 100 East (Kent Burch, owner) and stated it is the recommendation of the staff and Planning Commission that final approval be granted for a building lot, subject to the following conditions:

1. Construction of a 4-foot wide sidewalk across the frontage of the property to the City standards.
2. Provide a seven foot utility easement access in the front and back of the lot.
3. Payment of a storm detention fee of \$2,100.00 per acre for a 12,000 sq. ft. lot, or 0.2755 acres total fee = \$579.00.
4. Payment of a \$30.00 checking fee.
5. Payment of all required utility connection fees and installation of all required utilities.
6. Compliance with all Building Codes and requirements of Bountiful City.
7. Approved by Planning Commission on August 4, 1993 subject to the above conditions.

Councilwoman Holt motioned for approval of the building lot as recommended, Councilman Foy seconded the motion and voting was unanimous.

**FINAL APPROVAL GRANTED FOR BUILDING LOT AT 4105**

**SOUTH BOUNTIFUL BOULEVARD - GREG ERICKSEN**

Mr. Balling presented the site plan for the proposed building lot at 4105 South Bountiful Boulevard (3.2 acres), Greg Ericksen, owner. He said it is the recommendation of staff and the Planning Commission for final approval be granted for this lot, subject to the following conditions:

1. Provide a seven foot wide utility easement along Bountiful Boulevard and at other locations along property lines as required by the utility companies.
2. Compliance with the 200 foot setback ordinance of Bountiful City.

Payment for storm water detention for two lots (since it is so large and will have a home and barn with the capacity for that much runoff) at 12,000 sq. ft. each or 0.5510 acres @ \$2,100.00/ac. = \$1,157.00.

4. Payment of \$30.00 checking fee.
5. Payment of all required utility connection fees and installation of all required utilities.
6. Compliance with all building codes and requirements of Bountiful City.

Councilwoman Holt motioned for final approval of the building lot as recommended. Councilman Cushing seconded the motion and voting was unanimous.

**ADOPTION OF GREEN RIVER ORDINANCE CONSIDERED;**

**NO ACTION TAKEN**

Subsequent to the incident which occurred with Austin Diversified, a door-to-door sales company (see minutes of July 21, and 28, 1993,), Mr. Mahan presented the a Green River Ordinance for Council's consideration for adoption.

He noted that the alte alternatives for handling door-to-door selling) (1) prohibit all door-to-door sales; (2) regulate by revocation of the business license; and (3) adopt the Green River Ordinance which would prohibit door-to-door sales in residential areas, with religious and charitable groups exempt.

The Council discussed the impact that adoption of a Green River Ordinance would have on the City. It was the consensus of the Council that the present ordinance does provide a remedy when problems with door-to-door selling occurs. It was also noted that adoption of the proposed ordinance could result in too much government regulation. The Council elected not to act on this matter. However, Mayor Linnell thanked Mr. Mahan for alerting the Council to the problem and outlining alternative solutions.

#### **BID FOR CEMETERY UTILITY TRACTOR AWARDED TO ROCKY MOUNTAIN TURF**

Mr. Jenkins reported that bids were received from three vendors for the purchase of a small four-wheel drive utility tractor, with attachments, to be used at the cemetery. (The attachments are a disc edger, 4811 snow blower, and aerator) . It is the recommendation of staff that the bid be awarded to low bidder, Rocky Mountain Turf, in the amount of \$17,800.00. The budget for this equipment is \$18,050.00. Councilman Foy motioned for approval of the bid as recommended. Councilwoman Holt seconded the motion and voting was unanimous.

#### **REVIEW OF 1992-93 FISCAL YEAR PRELIMINARY FINANCIAL REPORT**

Mr. Hardy reported that a preliminary financial report has been prepared by DeeAnn LeVar for the 1992-93 fiscal year. He said that the figures (unaudited) are based on the June 30, 1993 closing, and contain most of the known transfers and financial transactions and journal entries. Ms. LeVar reported that General Fund revenues were \$436,349 higher than expected and expenditures were \$298,194 lower than anticipated. She summarized that the major reason for these variances were: a different weather pattern which affected the utility taxes, extremely strong construction, and lower-than anticipated interest rates. Her report also included a summary of revenues and expenditures for each enterprise fund and the favorable or (unfavorable) variance.

#### **INTER-FUND LOAN APPROVED FOR SAN JUAN PROJECT**

Mr. Hardy reviewed that the Council approved the purchase of a portion of the San Juan Unit No. 4 (participating with UAMPS) and it is recommended that authorization be given for an inter-fund loan from the Capital Improvements fund of the City to the Future Power Resource Fund, with the following terms and conditions:

1. The interest rate of the loan shall be the interest rate that the City would have received by investing the funds, as determined by the City Treasurer's monthly investment report.
2. The repayment of the loan shall be as generally described (in an attached schedule) subject to change by the City Council as different needs for repayment arise.
3. This money shall only be used to purchase an interest in the San Juan Generation Plant, and no other use, and upon full repayment of the loan the authorization for the interfund loan shall cease.

Councilman Cushing made a motion to approve the inter-fund loan as recommended, with authorization for the Mayor and City Recorder to sign. Councilman Shafter

seconded the motion. Mr. Hardy reviewed the advantages of borrowing from ourselves, as opposed to participating with UAMPS in a bond issue. Assuming that the debt is held for the full ten years (the length of the UAMPS bond) and interest staying the same, the self-financing will save the City approximately \$800,000.00. Voting on the motion was unanimous.

**PROPOSED ADJUSTMENT TO BOUNTIFUL BOULEVARD  
SIDEWALK PROJECT**

Mayor Linnell reported that he has met with representatives from the Maple Hills residents regarding the sidewalk along Bountiful Boulevard. The project is currently approved for a 10foot sidewalk in front of the condo project with the City providing for the trees to be relocated. The Maple Hills group has requested that the sidewalk be changed to 8-foot, which would be consistent with what has been done from Mueller Park Road to the greens area of the golf course. He stated that he feels good about this request and asked for input from the Council. Following discussion, Councilman Shafter made a motion that approval be given to change the sidewalk from 10 feet to 8 feet as proposed, with the City being responsible for the cost of relocating the trees (60 trees @ \$100/tree) Further, that the City staff will assist Maple Hills in contacting a contractor to move the trees, with Maple Hills to coordinate the work with the contractor. The City will also remove the existing sidewalk and bear this cost. Councilman Foy seconded the motion which carried by a majority. Councilwoman Coon voted nay.

**CENTENNIAL SOUVENIR MAGAZINE AVAILABLE**

Councilman Foy called attention to the fact that the Centennial Souvenir Magazine is now available. He commended the Centennial Committee for their efforts and recommended that the community be made aware of the fact that the magazine is available.

The meeting adjourned at 7:48 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Cushing.