

Minutes of the regular meeting of the city Council held June 9, 1993 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:	Russell Mahan
	City Engineer:	Jack Balling
	City Recorder:	Arden Jenson
	City Treasurer:	Galen Rasmussen
	Deputy Recorder:	Kim Coleman
	Rec. Secretary:	Nancy Lawrence
	Department Heads:	Dick Duncan, Streets/Sanitation Larry Higgins, Police

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 Councilman Foy.

Minutes of the regular meeting of the City Council held June 2, 1992 were presented and unanimously approved as written on a motion made by Councilwoman Holt and seconded by Councilman Cushing.

EXPENDITURES AND EXPENSES APPROVED FOR TWO PERIODS IN MAY

Mr. Jenson presented the Expenditure and Expense Reports for the Period May 27-31, 1993 in the amount of \$259,193.67 and the Summary for May totaling \$2,312,465.02. Both reports were unanimously approved on a motion made by Councilman Shafter and seconded by Councilman Foy.

REQUEST FOR FINANCIAL SUPPORT FOR DAVIS COUNTY COALITION AGAINST VIOLENCE DENIED

Mayor Linnell reported that the City has been requested to make a one-time contribution to the Davis County Coalition Against Violence. This funding would be used as seed money to assist in the start-up and initial programs of the Coalition. Councilwoman Coon stated that it has not been Council policy in the past to provide financial assistance to private organizations and she felt she did not have the authority to authorize public funds for this purpose. Councilwoman Holt commented similarly and made a motion that the request for funding be denied. Councilman Shafter seconded the motion which carried unanimously.

PUBLIC HEARING SET TO CONSIDER REZONING REQUEST 2200 SOUTH ORCHARD DR. - KENT WINEGAR, DEVELOPER

Mayor Linnell reported that Kent Winegar has submitted a request for approximately 9.3 acres of property at 2200 South Orchard Drive to be rezoned from Neighborhood 6, District 9 to Neighborhood 6, District 8 to allow for commercial development. The Planning Commission responded favorably to this request and recommended that a public hearing be set. Councilwoman Holt made a motion that a public hearing be scheduled for July 14, 1993 at 7:30 p.m. to consider the rezoning request as explained. Councilman Shafter seconded the motion and voting was unanimous.

Councilman Shafter requested a list be provided to the Council of the property owners (by address) who receive individual notice of this matter.

PRELIMINARY AND FINAL APPROVAL GRANTED TO DIVISION OF LOT 4, IRFRED PARK SUBDIVISION, 2619 SOUTH 500 WEST (KUNIGUNDE HALLMAN)

Mr. Gehring referred to an aerial photo with the subject property outlined and stated that the owner of this property, Mrs. Kunigunde Hallman, is desirous of splitting it. The Planning Commission has reviewed the request and recommends approval subject to the following conditions:

1. The existing house to have a minimum west sideyard of 8 feet and the new lot adjusted accordingly before being submitted to the City Council for final approval. (Site plan submitted showing this configuration).
2. Payment of the water connection fee.
3. Payment of the sewer lateral fee.
4. Payment of the lot development fee of \$30.00 per lot.
5. Payment of power development fee as set by Power Department.
6. Compliance with all codes and ordinances required by the Building Department when the building permit is issued.
7. Payment of storm retention fee ($\$2,100/\text{acre} \times 0.21 = \434.00).

Councilwoman Holt motioned for approval as recommended, Councilman Cushing seconded the motion and voting was unanimous.

FINAL APPROVAL GRANTED TO STONE RIDGE SUBDIVISION PLAT G. JOE FEATHERSTONE, DEVELOPER

Mr. Balling referred to the site plan of Stone Ridge Subdivision, Plat G, (14 lots) and stated that preliminary approval was granted by the City Council on September 9, 1992. The plans have been reviewed by the Planning Commission and come with a positive recommendation for final approval, subject to the following conditions:

1. A variance for excessive cut of 300 feet and excessive fill of 300 feet as granted on the preliminary approval.
2. A variance to allow sidewalk on only one side of the cul-de-sac road as granted on the preliminary approval.
3. The final completion of the engineering construction drawings which have been sent back for minor corrections.
4. The posting of an approved bond to guarantee the site improvements and landscaping.
5. Compliance with all ordinances, policies, and specifications of Bountiful City.

Councilwoman Coon asked for more information regarding the nature and area of the cuts and fills, and Councilman Shafter asked about the road width in the area where there is no sidewalk on the east side of the street. Mr. Balling responded to these concerns, and confirmed to Councilman Foy that revegetation will commence following installation of the water system. Councilwoman Holt motioned for final approval as recommended, Councilman Foy seconded the motion and the motion carried by a majority. Councilwoman Coon voted nay.

**PRELIMINARY AND FINAL APPROVAL GRANTED TO
ADDITIONAL LOT IN GLADE HOLLOW PUD - CLARK JENKINS, DEVELOPER**

Mr. Balling reviewed that the Council gave approval for Clark Jenkins to purchase 0.3728 acres of property from the City along the east boundary of the Glade Hollow PUD. He has requested that this property be added to lot 3 (contiguous to it) and that the newly formed lot be divided into two building lots. The Planning Commission reviewed this item and recommends approval, subject to the following conditions:

1. Provide utility easements as needed by the City.
2. Payment of utility fees for water, sewer, and underground power connections; all services to be installed before the streets are paved.
3. Payment of the lot development fee (\$30.00 per lot) and the subdivision recording fee (if required).
4. Payment of the storm detention fee of \$783.00 (\$2,100/acre for .3728 acres).
5. File an Amended Plat showing all lot corrections.

Councilwoman Coon noted that one of the accesses to the PUD is restricted by a gate for emergency use only and she stated that this is an unsafe condition which she cannot support. Councilwoman Holt motioned for preliminary and final approval as recommended. Councilman Foy seconded the motion and voting was by a majority. Councilwoman Coon voted nay.

**FINAL APPROVAL GRANTED TO REVISION OF BRIDLEWOOD
SUBDIVISION, PHASE 6 - CLARK JENKINS, DEVELOPER**

Mr. Balling reported that Clark Jenkins has received preliminary and final approval for development of Phase 6 into seven lots. A title problem has since come up on a portion of that property and Mr. Jenkins is requesting approval to go ahead with the first three lots (lots 1, 6, and 7). He referenced a site plan and stated that this matter comes with a positive recommendation from staff and the Planning Commission, subject to the following conditions:

1. Completion of the plans to the requirements of the Engineering Department for final checking.
2. Posting of a Letter of Credit to guarantee the site improvements as outlined in the bond letter.
3. Payment of the required subdivision development fees.
4. Providing a title report and clearance of all encumbrances on the dedicated streets.
5. Providing an easement for the temporary turnaround at the end of the street.

Based on the unanimous recommendation of the Planning Commission, Councilwoman Holt motioned for final approval as presented. Councilman Shafter seconded the motion and voting was unanimous.

**PRELIMINARY AND FINAL APPROVAL GRANTED TO SITE PLAN FOR TWO
DUPLEXES - BRAD HUTCHINGS, DEVELOPER**

Mr. Gehring presented the site plan for the proposed development of two duplexes at 280-282 East 100 North and 74-76 North 300 East, Brad Hutchings, developer. The Planning Commission has reviewed the proposal and recommends preliminary and final approval subject to the following conditions:

1. Provide a 7-ft. wide public utility easement along 100 North and 300 East, and along the back property lines if needed by utility companies;
2. Pay a storm detention fee of \$675.00;
3. Final review of the plans by the building inspector;
4. Payment of all required building fees;
5. Post a 5% bond as required by ordinance for site improvements and landscaping;
6. Compliance with all City ordinances and policies.

Councilwoman Holt motioned for preliminary and final approval as presented. Councilman Cushing seconded the motion and voting was unanimous. (In response to a question from Councilman Foy, Mr. Gehring stated that the subject property is presently vacant).

**APPROPRIATION OF FUNDS APPROVED FOR CULVERT
REPLACEMENT AND FLOOD CONTROL WORKS - 600 NO 700 EAST**

Mr. Balling reviewed that during the intense rain and hail storm on June 2, 1993, the culvert at 600 North 700 East became plugged with debris and the storm water flowed over the street and into the home at 694 East 650 North. He said that similar problems have occurred in the past and are difficult to control because of the poor inlet into the pipe, the worn corrugated metal pipe which is partially filled with rocks, and inadequate protection of the home which lies in the flood path. He presented a plan showing a recommended solution to the problems and recommended that the Council appropriate approximately \$15,000 to fund the construction of the following improvements: replacement of the culvert, and a large inlet grate and construction of a retaining wall. Following discussion, Councilman Shafter motioned that \$15,000 be appropriated as recommended. Councilman Foy seconded the motion and voting was unanimous.

PUBLIC HEARING TO CONSIDER 1993-94 FISCAL YEAR BUDGET

At 7:31 p.m. Mayor Linnell commenced the public hearing for the 1993-94 Fiscal Year Budget, the result of four months of intensive review and discussion at various staff and committee levels. Mr. Hardy presented highlights of the \$33,079,678 budget (an increase of 1% over last year). The proposed budget contains no tax increases and the only increase in user fees is a \$1-per-month-per-household for the Sanitation department. This is the result of required improvements at the landfill (dictated by EPA) and purchase of a "tub grinder" that will assist in producing wood chips and compost, thus extending the landfill life.

Mr. Hardy reviewed the capital improvement projects which are planned for the year (\$4,118,087) and then presented a chart which showed that Bountiful is the least expensive City in which to live in South Davis County despite the fact that the services are as high or higher than the surrounding jurisdictions. The major source of revenue (27%) comes from sales tax, with a transfer from the Power Fund (15%) and property tax (12%) the other leading revenue resources. This year 15% of the expenditures will be financed from fund balances from previous years.

Following is a summary of expenditures and expenses:

Legislative ...	\$ 468,233
Code Enforcement	38,539
Legal	152,251
Executive & Central Staff	139,390
Information Systems Management (Data Processing)	228,243
Administrative	674,928
General Government Buildings . .	474,885
Police (Incl Res., Liquor, Arrive Alive, E911 & K9)	2,470,587
Fire	1,165,498
Street & Traffic Lighting ...	362,000
Streets ...	3,777,074
Engineering	540,060
Parks	1,184,380

Recreation Subsidy	258,096
Planning	123,843
Debt Service	47,388
Water	2,225,097
Sewer	728,000
Light & Power	14,335,996
Golf Course ...	819,011
Swimming Pools, Recreation & Ice Arena	1,267,456
Sanitation (includes landfill)	1,162,000
Cemetery	190,243
Internal Svs (Comp. Maint, Liab Ins, Workers Comp	<u>246,500</u>
Sub-total	33,079,678
Less: Intra-City Revenue & Transfers	<u>-6,996,767</u>
NET EXPENDITURES AND EXPENSES ...	<u>26,082,911</u>

Following Mr. Hardy's presentation, Councilwoman Holt expressed her concern that the Choir budget shows an increased contribution from the City, and that said budget is funded 58% by the City. She stated that the group should provide fund raising projects and that the City's increased funding (up \$3,000 from last year) is inappropriate. She made a motion to change the contribution to the Choir from \$7,500 to \$5,000, which would reflect a 10 percent increase over last year. Councilwoman Coon seconded this motion. Councilman Foy explained that the Choir has additional expenses this year because there is no symphony. He also clarified that the additional \$2,500 contribution is contingent upon the Choir matching dollar-for-dollar. He noted that the Choir is different from other arts groups because most of their functions are not intended to produce revenue. Following further discussion, the Mayor called for the question on the motion which was defeated. Councilmen Shafter, Foy and Cushing voted nay. Councilwoman Holt also asked about the significant increase in the Engineering Services fund of the Landfill budget and Mr. Balling explained that this is the result of recently enacted EPA legislation and requirements thrust on the City.

At 8:16 p.m. Mayor Linnell called for input from the citizens in attendance. Mike Slatter questioned the wisdom of the Street Department budget having an increase of 34%, which is a factor in the 1% increase in the budget. He suggested that further consideration be given to the sidewalk improvement project on Bountiful Boulevard. David Piggott stated that he felt the \$28 million in reserves is too much and recommended that this amount be reduced. He also requested a copy of the City's formal long-range capital plan which is required by statute (Section 10-6-116). James Farr questioned the necessity of the \$1 increase in the garbage collection fee and asked how much revenue this will generate. He referred to the chart which compared the cost of living index of South Davis County cities and requested that next year this comparison be enlarged to include other Wasatch Front cities.

Councilwoman Coon expressed appreciation to the staff for the work they have done on the budget and stated that it was "overall good". However, she expressed opposition to the proposed sidewalk construction project along Bountiful Boulevard and stated that it does not meet the objectives of the Council as set forth in the initial project. She said she cannot vote favorably on the budget due to this project; however, if the sidewalk were constructed of asphalt,

she would vote approval. Councilwoman Holt also recognized the effort of the staff in preparing the budget and she stated that the finest asset of the city is the cooperation and working relationship between the departments, staff and City Council and their willingness to work together to prioritize between departments. Councilman Cushing concurred and noted the fine manner in which the budget was submitted for review.

Mayor Linnell presented Resolution No. 93-10 which provides for adoption of the budget. Councilman Foy motioned for approval and that the Mayor and City Recorder be authorized to sign it. Councilman Cushing seconded the motion and voting was by a majority; Councilwoman Coon voted nay.

RESOLUTION 93-11 RE: PROPERTY TAX RATE

Mr. Hardy reported that the Certified Tax Rate has not been provided by the County and this item will be delayed until the next meeting.

PUBLIC HEARING TO AMEND 1992-93 FISCAL YE BUDGET: ADOPTION OF RES. NO. 93-12

Mr. Hardy reviewed that Resolution No. 93-12 provides for transfer of money from the Special Improvements Guaranty Fund to the General Fund. He explained that since there are currently no special improvement Districts and there are none planned for the immediate future, this fund is being transferred, with concurrence from the Council, to the General Fund.

Mayor Linnell called for input from those in attendance; there was none. Councilman Cushing motioned for adoption of Resolution No. 93-12 and authorization for the Mayor and City Recorder to sign. Councilman Shafter seconded the motion and voting was unanimous.

RES. NO. 93-13 ADOPTED: AUTHORIZATION TO AMEN 1992-93 GENERAL AND CAPITAL FUND BUDGETS

Mr. Hardy presented Resolution No. 93-13 which authorizes amendments to the General Fund and Capital Projects Fund budgets for 1992-93. He reviewed the additions and reductions to various funds, with a total change of \$1,253,206 in the General Fund and \$1,055,000 in the Capital Projects Fund. (Revenues and Expenditures were offsetting in both funds). Councilman Shafter motioned for approval of Res. No. 93-13 and that authority be given to the Mayor and City Recorder to sign. Councilwoman Holt seconded the motion and voting was unanimous.

RES. NO. 93-14 ADOPTED: AUTHORIZATION TO AMEND ENTERPRISE FUNDS OF THE 1992-93 BUDGET

Mr. Hardy reviewed the recommended amendments to the golf course, recreation, sanitation, and cemetery budgets and presented Res. No. 93-14, authorizing the amendments, for approval. Councilwoman Holt motioned for adoption of the resolution as presented, with authorization for the Mayor and City Recorder to sign. Councilman Foy seconded the motion and voting was unanimous.

Mr. Hardy thanked the department heads and staff, and particularly Mr. Jenson, for their assistance in preparation of the budget. He also expressed appreciation to the employees for their spirit of cooperation in accepting the 3% cost of living adjustment.

The meeting adjourned at 9:15 p.m. on a motion made by Councilman Cushing and seconded by Councilwoman Holt.