

Minutes of the regular meeting of the City Council held October 27, 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
Asst. City Engineer: Paul Rowland
City Recorder: Arden Jenson
Planning Director: Blaine Gehring
Dep. Recorder: Kim Coleman
Rec. Secretary: Nancy Lawrence

Absent: 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 Councilman Shafter.

Minutes of the regular meeting of the City Council held October 6, 1993 were presented and unanimously approved as written on a motion made by Councilman Cushing and seconded by Councilman Shafter.

EXPENDITURES AND EXPENSES APPROVED FOR TWO OCTOBER PERIODS

Mr. Jenson presented the Expenditure and Expense Report for the Periods October 1-14, 1993 (\$233,196.57) and October 15-21, 1993 (\$380,011.24). He stated that there were no corrections to be made and then responded to questions from the Council regarding several of the expenditure items. Councilman Foy made a motion that both expenditure reports be accepted. Councilman Shafter seconded the motion and voting was by a majority. Councilwoman Coon voted nay She stated that she had never favored the Bountiful Boulevard sidewalk/ improvement project and inasmuch as one of the expenditure items was the trees for this project, she could not approve this expenditure.

RED RIBBON WEEK DECLARED IN BOUNTIFUL

Mayor Linnell reviewed that the City (and nation) is celebrating Red Ribbon Week this week and he introduced Mike Brown, organizer of the March Against Drugs which was held in Bountiful. Mr. Brown thanked the Mayor, Council, and city staff (particularly the Police Department) for their support of the March. In conjunction with other events of the week, he presented each of the Council a "Drug and Alcohol Free Pledge" certificate and a red ribbon. Mayor Linnell then proposed that the City adopt a resolution in support of Red Ribbon Week. Councilman Foy made a motion to this effect. Councilwoman Coon seconded the motion and voting was unanimous.

MAYOR RECOGNIZES VISITING BOY SCOUTS

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

COUNCIL ACCEPTS RECOMMENDATION OF PARKS/RECREATION

COMMITTEE TO PRESERVE CITY-OWNED OPEN SPACE NEAR TOLMAN ELEMENTARY

Mayor Linnell reported that the Parks and Recreation Committee met today and discussed the open space property contiguous to Tolman Elementary which is owned by the City. Councilman Foy summarized that the Davis County School District is not willing to purchase the property or make any financial commitment. However, they stated they would maintain the property for 1-2 years. Inasmuch as there is strong neighborhood support to preserve the area (and not develop it residential as proposed by the City), it is the recommendation of the Committee to: (1) not sell the property; (2) work with the School District to see if they will maintain it; and (3) analyze the development of the property as a park in the next budget year and come back to the Council with a recommendation. Councilman Foy made a motion to this effect, Councilwoman Coon seconded the motion and voting was unanimous.

**PRESENTATION OF PLAQUE TO BOUNTIFUL CITY
BY CENTENNIAL COMMITTEE**

This Agenda item was canceled.

**ORDINANCE NO. 93-11 ADOPTED RE: REZONING
OF MAGNA INVESTMENT PROPERTY--200 WEST PAGES LANE**

Mr. Gehring reviewed that the Council voted in their last meeting to approve the rezoning request of Magna Investment regarding property located on 200 West and Pages Lane. He presented Ordinance No. 93-11, entitled "AN ORDINANCE AMENDING SECTION 14-2102 OF THE BOUNTIFUL CITY CODE BY AMENDING THE OFFICIAL ZONING MAP OF BOUNTIFUL CITY TO RE-ZONE PROPERTY LOCATED AT APPROXIMATELY THE SOUTHEAST CORNER OF 200 WEST AND PAGES LANE AS R-1-811, and recommended that it be adopted. This action was taken and the Mayor and City Recorder were authorized to sign the ordinance on a motion made by Councilman Shafter and seconded by Councilwoman Holt. Voting was unanimous.

**PUBLIC HEARING SCHEDULED TO CONSIDER REZONING REQUEST--
NORTHEAST CORNER OF 200 WEST AND PAGES LANE**

Mr. Gehring explained that when the zoning ordinance was recently adopted, it contained a staff error. He said that a commercial zone has been created on the north side of Pages Lane which did not exist before and this error needs to be corrected. He recommended that a public hearing be set for November 17, 1993 at 7:30 p.m. for the purpose of correcting this error. Councilman Shafter made a motion to this effect, Councilman Foy seconded the motion and voting was unanimous.

**PRELIMINARY AND FINAL APPROVAL GRANTED TO SITE PLAN -
1453 SOUTH 500 WEST, SUSAN DAVIS (OWNER)**

Mr. Gehring presented the site plan of the proposed- development of the property at 1453 South 500 West and explained that the owner is desirous of building a new building for her hair salon and new storage units. She has future plans to build storage units for recreational vehicles, also (as shown on the plans) . He said that the Planning Commission recommended approval of the site plan, subject to the following conditions:

1. A vicinity plan as required by ordinance.
2. A dumpster enclosure made of material matching the main building be shown.
3. Parking stalls along the north of the building need to be a minimum of 1811 deep rather than the 1611 shown.

4. The landscaping is accepted as is with the mature trees.
If those mature trees are to be removed for any reason, a new landscaping plan must be submitted for review and approval by the Planning Director.

5. The landscaping berm shown along the front needs to be no higher than 2 feet rather than the three feet high berm shown.

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

Councilwoman Holt asked regarding the sign ordinance and Mayor Linnell reviewed that this ordinance has not yet been re-done.

RESOLUTION ADOPTED RE: UNFUNDED FEDERAL AND STATE MANDATES

Mayor Linnell reviewed that cities and states are increasingly falling victim to having to finance mandates of the federal government. A national effort is being exercised to bring this wrong to the attention of the public and elected representatives at the state and federal level and he recommended that Bountiful participate. He reviewed a press release regarding the "We Say, You Pay; One size fits all" style of the federal government and Resolution No. 93-19 which designates October 27, as "National Unfunded Mandates Day". This resolution summarizes Bountiful's objection to the concept of unfunded mandates from either the federal or state government and affirms the belief that no additional rules creating a fiscal impact on cities should be passed ... without those levels of government directly providing the funds necessary to comply with the regulations out of their own budget. Councilman Cushing made a motion that Resolution No. 93-19 be adopted with authorization for the mayor and city recorder to sign. Councilwoman Holt seconded the motion which carried by a majority. Councilwoman Coon expressed opposition to the motion based on the requirement for funding. She stated that the funding issue should not be included as part of the motion.

MAYOR LINNELL EXPRESSES CONCERN RE: PRESS COVERAGE

Mayor Linnell reviewed several recent occurrences in which the City staff and elected officials, as well as City fiscal policy, had been misrepresented by the Press. He specifically addressed the role of the press and encouraged them to report objectively and factually, without misleading readers due to misinformation.

The meeting adjourned at 7:56 p.m. on a motion made by Councilman Foy and seconded by Councilwoman Holt.