

Minutes of the regular meeting of the City Council held July 12, 1995 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	John Cushing
	Council Members:	Samuel Fowler, Barbara Holt, William Moore, Harold Shafter and Ann Wilcox
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Jack Balling
	City Treasurer:	Galen Rasmussen
	Dep. City Recorder:	Kim Coleman
	Planning/RDA Director:	Blaine Gehring
	Dept. Head:	Dick Duncan, Streets/Sant.
	Recording Secretary:	Nancy Lawrence

Absent: City Recorder: Arden Jenson

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 Cushing called the meeting to order, following which he led the pledge of allegiance to the flag. The invocation was offered by Councilwoman Wilcox.

Minutes of the regular meeting of the City Council held June 28, 1995 were presented and unanimously approved as written on a motion made by Councilman Moore and seconded by Councilwoman Wilcox.

EXPENDITURES AND EXPENSES APPROVED FOR TWO JUNE PERIODS

Mr. Coleman presented the Expenditure and Expense Report for the Period June 2022, 1995 (\$352,078.57) and June 23-24, 1995 (\$288,572.61) and noted that there will continue to be a few expenditures from the 1994-95 fiscal year. Following comments on the annotation, Councilman Shafter motioned for approval of both reports. Councilman Fowler seconded the motion and voting was unanimous.

PROPERTY TAX RATE SET FOR 1995-96 FISCAL YEAR - ORD, NO, 95-1

Mr. Hardy reviewed that the assessed value of property in Davis County has gone up and property owners may experience a windfall in savings or additional taxes. However, he emphasized that this change in taxes is not the result of the action the Council will take this evening inasmuch as the city receives only a small portion of the tax. The certified rate for the 1995 tax year will be .001285. This rate is based on assessed valuation and is down 20 percent from last year. Mr. Hardy presented Ordinance No. 95-14 entitled "AN ORDINANCE SETTING THE TAX RATE AND LEVYING TAXES UPON ALL REAL AND PERSONAL PROPERTY IN THE CITY OF BOUNTIFUL, UTAH, MADE TAXABLE FOR THE YEAR 1995 " and called for its adoption. Councilwoman Holt made a motion to adopt the ordinance as presented, Councilman Moore seconded the motion and voting was unanimous.

PUBLIC HEARING SET TO AMEND 1995-96 BUDGET

Mr. Hardy explained that inasmuch as the revenue which was budgeted for property tax in the 1995-96 fiscal year budget does not match the revenue which will be collected through a certified tax rate of .001285, it is necessary to amend the budget. It is recommended that a public hearing be set for July 26, 1995 at 7:15 p.m. for the purpose of amending the 1995-96 fiscal year budget. Councilman Shafter made a motion to set the public hearing as recommended. Councilman Fowler seconded the motion and voting was unanimous.

CONSIDER ISSUANCE OF ORDER TO SHOW CAUSE - FOOD-4-LESS AND BONUS STAR MART BEER LICENSE

Mr. Mahan requested that an Order to Show Cause be issued to Food-4-Less (1756 South Main) and Bonus Star Mart (390 North 500 West) to determine if the beer license issued by Bountiful City be revoked or suspended. He explained that both establishments failed two of three quarterly compliance checks. Councilman Shafter motioned that the Order to Show Cause be issued and a hearing be set for August 9, 1995 at 7:00 p.m. as recommended for each business. Councilwoman Wilcox seconded the motion and voting was unanimous.

**GREAT BASIN GMC AWARDED BID FOR
GARBAGE TRUCK - SANITATION DEPARTMENT**

Mr. Duncan reported that bids were requested for an automated garbage truck. Four vendors responded; however, three did not meet specifications. It is the recommendation of staff that the bid be awarded to Great Basin GMC for a 1996 Heil 31 cubic yd. truck in the amount of \$136,514.00. The budgeted amount was \$135,000.00, however there is sufficient money in the budget to cover the overage. Councilwoman Wilcox motioned approval of the bid as recommended by Mr. Duncan. Councilman Moore seconded the motion and voting was unanimous.

BIDS AWARDED FOR STREET DEPARTMENT EQUIPMENT

Mr. Duncan presented the following bids for the approval of the Council:

(1) A **backhoe from Arnold Machinery Co.**, in the amount of \$50,923.00 (\$73,000.00 budgeted). This was the second low bid--the lowest did not meet specifications;

(2) A **tack-oil maintenance distributor from Western Roads** in the amount of \$18,660.00. Requests were sent to four vendors; however, this was the only bid received. The budgeted amount was \$19,000.00. The bid includes installation (\$1,200.00).

(3) A 2 1/2 ton 1996 GMC Top Kick **cab and chassis** with a 14-ft. wheel base **from Great Basin GMC**, in the amount of \$40,981.00 (low bid). The budgeted amount was \$42,000.00.

(4) **Two eight-foot dump bodies from H & K Truck Equipment** in the amount of \$7,236.00 (\$3,618.00 each), low bid. The budgeted amount was \$7,800.00.

(5) A 14-foot dump body from Tesco Williamsen in the amount of \$10,151.00 (low bid). The budgeted amount was \$14,500.00.

Councilwoman Wilcox motioned to approve the five bid recommendations as presented by staff. Councilman Fowler seconded the motion and voting was unanimous.

**PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED
TO CAR WASH AND DETAIL CENTER - 305 WEST 500 SO.**

Mr. Gehring presented the site plan for a car wash and detail center at 305 West 500 South (Jerry Jenson, owner) and stated that the Planning Commission has reviewed the project and recommends preliminary and final site plan approval, subject to the following conditions:

1. A revised site plan be submitted to the City Engineer and Planning Director with the following corrections:
 - a. All property dimensions shown.
 - b. Correct drainage plan to take out low spots.
 - c. Move building east 1 ft. to provide required 15 ft. one-way driveway on the west side.
2. A 30-ft. drive approach from 500 South.
3. Water connection fee for 1 1/2 inch meter of \$3,850.00.
4. Sewer connection fee of \$30.00 per fixture unit as defined by the Uniform Plumbing Code.
5. Storm detention fee of \$2,294.00 is required for storm run off water.
6. Plans must be approved by Davis County Flood Control.

7. Power fees as determined by the Power Department.
8. The building must be constructed 1 foot above the top of the creek channel walls and surrounding property as per the current flood zone and federal requirements.

Councilwoman Holt made a motion to grant preliminary and final approval to the Car Wash and Detail Center as recommended, subject to the eight conditions. Councilman Shafter seconded the motion and voting was unanimous.

RELEASE OF EASEMENT APPROVED
1008 EAST 250 SOUTH

Mr. Balling reported that the owner of Lot #30 of Orchard Heights Plat E subdivision has requested that the easement along the east side of his lot be released. Mr. Balling stated that the easement is no longer needed and the owner, Mr. Mike Place, has obtained written releases for this easement from all utility companies. It is the staff recommendation to approve this request.

Councilwoman Holt motioned to approve the release of easement as requested. Councilman Shafter seconded the motion and voting was unanimous.

ORD. NO. 95-15 ADOPTED RE: CAMPAIGN
FINANCE DISCLOSURE REQUIREMENTS

Ordinance No. 95-15, an Omnibus Ordinance which dealt with a miscellany of various matters. The Mayor suggested that since there had not been sufficient time to review this ordinance, that all parts of it be tabled, with the exception of the campaign financial disclosure. Discussion followed regarding the items relating to the campaign, following which Councilwoman Holt motioned to adopt Ord. No. 95-15 entitled "AN ORDINANCE ESTABLISHING ELECTION CAMPAIGN FINANCIAL DISCLOSURE REQUIREMENTS". Councilman Shafter seconded the motion and voting was unanimous.

Councilman Shafter requested that all candidates in the upcoming election be provided a copy of the sign ordinance. August 16 was tentatively set to review the other items in the ordinance which were not discussed and acted upon this evening.

PRESENTATION OF BOUNTIFUL BUSINESS
INVENTORY STUDY - RON HARKER, ADMINISTRATIVE INTERN

Ron Harker, administrative intern, presented the Bountiful Business Inventory Study which he has prepared this summer. He summarized his findings, including the following: Bountiful has 1,449 businesses currently operating and approximately 10,355 people are employed in the City. (It was noted that many of those employed are seasonal). There are 3,617 home occupation licenses. The private businesses comprise 98% of all businesses and hire 84% of the total employees.

He reviewed that the following goals had been set regarding the City : (1) financially strong; (2) beautiful homes and gardens; and (3) productive stable employment. To reach the first goal, the City needs a broad tax base; however, 47 percent of all businesses are tax exempt, which weakens the first objective, leaving 53 percent of the businesses to carry the tax base. The industry in the City does not take away from the beauty. Therefore, the second goal seems to be achieved. With regard to Item No. 3, many jobs are at minimum wage which makes it difficult to endure during hard times. Therefore, stable employment is a problem.

Mr. Hardy complimented Mr. Harker on the study and discussion followed regarding the future direction of the City. He pointed out that medical facilities, the School District, and professional services, which comprise a major portion of employment, do not generate

tax base. The question was asked: Do we want to be a major employer, a combination, or a residential community?

MHTN ARCHITECTS GIVE PRESENTATION OF POLICE COURTS BUILDING DESIGN

Mr. Greg Allen, senior associate with MHTN Architects in charge of the court portion, and Jim Derby, project architect, presented drawings of the proposed police/courts building. A review of each floor was given and the relationship or function of each area was noted. The Council shared ideas regarding the glass for the windows. Mr. Hardy explained that the courts have substantially agreed with the layout and design, and due to an increase in construction activity, we are trying to move the project along as quickly as possible.

DISCUSSION OF PROBLEM OF UNFINISHED AND VACANT HOUSES

Mayor Cushing referred to the field trip which the Council took two weeks ago to view unfinished homes, following which Mr. Mahan requested direction from the Council regarding the action they wish to take. Councilwoman Wilcox suggested that a building permit expire if no activity takes place within a specified amount of time and that another permit be required. She stated that the inconvenience and related cost to acquire a second permit should encourage builders to complete their projects. Councilwoman Holt noted, however, that you cannot force people to complete a project if they do not have the money to do so.

Several suggestions were made regarding the length of time construction can be stopped and a permit still be considered active. It was noted that if the construction period drags on too long (as in one case, 18 years), the Building Code changes and the structure cannot pass inspection. Mr. Mahan indicated that the current Code permits construction to stop for 180 days prior to receiving a penalty.

Following other discussion, Councilwoman Holt made a motion to enforce the ordinance currently on the books. If it doesn't provide the desired results, another resource can be ~prepared. Councilwoman Wilcox seconded the motion and voting was unanimous. The Mayor noted that the City does not want to assume an adversarial position, but try to be helpful to citizens of the community.

COUNCIL COMMITTEE REPORTS

Councilman Fowler reported on his recent attendance at the Recycling America open house and he encouraged the practice of government working with the citizenry to provide adequate recycling facilities.

EXECUTIVE SESSION SCHEDULED

At 9:05 p.m. the Mayor Cushing requested that the meeting adjourn to executive session to discuss pending litigation. Councilman Shafter made a motion to this effect, Councilwoman Wilcox seconded the motion and voting was unanimous.