

Minutes of the regular meeting of the City Council held June 26, 1996 at 7:00 p.m. in the Planning Conference Room of the City Hall, Bountiful, Utah.

Present:	Mayor:	John R. Cushing
	Council Members:	Barbara Holt, Sam Fowler, Alan Johnson, Harold Shafter and Ann Wilcox
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Jack Balling
	City Recorder:	Arden Jenson
	Dep. City Recorder:	Kim Colman
	Planning/RDA Director:	Blaine Gehring
	Recording Secretary:	Ellen Call

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 John Cushing called the meeting to order and welcomed the visitors in attendance. He explained that meeting was being held in the conference room because the Community Theater is set up in the Council Chambers in preparation for their show which opens on June 27. Everyone was invited to attend one of their performances, which will run June 27, 28, 29, and July 1. The pledge of allegiance was led by Councilman Johnson, and Councilman Fowler gave the opening prayer.

Minutes of the regular meeting of the City Council held June 19, 1996 were unanimously approved as corrected on a motion by Councilman Shafter, seconded by Councilman Johnson.

**EXPENDITURES AND EXPENSES APPROVED
FOR PERIOD JUNE 14-20,1996**

Mr. Jenson presented the Expenditure and Expense Report for the period June 14-20, 1996 in the amount of \$465,189.58. After responding to questions from the Council, the report was unanimously approved on a motion by Councilman Johnson, seconded by Councilman Fowler.

**REPORT BY MARCIA FORD ON HER ATTENDANCE
AT HABITAT II CONFERENCE IN ISTANBUL**

Mayor Cushing welcomed Marcia Ford and her family. Marcia recently returned from Istanbul, Turkey, where she attended the conference as an official representative from Bountiful. She thanked the Council for allowing her to represent the city, and gave a brief report of her experience.

She pointed out the basic reasons for the conference were: (1) to provide adequate shelter for all; and (2) to support sustainable development. In the preparation of the documents, she was able to lobby delegates in order to have her voice heard, supporting less intrusion into the lives of people and strong family values. She observed the many inequities in the world, but said she felt the movement is in the right direction. An important milestone was reached in that another part of the world was heard from in this conference which represented the majority. She estimated that there were about 15,000 delegates attending.

Alan Johnson commended Marcia for her efforts and hard work and her willingness to go at her own expense to represent the city.

**ORDINANCE 96-8 ADOPTED, SETTING THE
TAX RATE FOR THE 1996-97 BUDGET**

Mr. Hardy reported that the figures have been received from the county and the certified tax rate for the 1996 tax

year will be .001235. This is down somewhat from last year's rate of .001285 and is reflective of the factoring that takes place and the fact that the property tax cannot be higher than it was the year before. Mr. Jenson pointed out that the rate in 1994 was .001596, so the trend is a steady decrease. Councilman Fowler moved that Ordinance 96-8, 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 1996, be adopted, setting the tax rate at .00 123 5. The motion was seconded by Councilman Shafter and the voting was unanimous.

BID AWARDED TO GENEVA ROCK FOR CONSTRUCTION OF STORM DRAIN ON 200 WEST FROM 900 TO 1400 NORTH

Jack Balling reported that bids had been received from six contractors for the construction of a storm drain from 900 North to 1400 North along 200 West. The bid proposal was requested with three pipe options: reinforced concrete pipe, non-reinforced concrete pipe, and polyethylene drain pipe. The purpose of the options was to evaluate the cost difference in the three materials and to use the most cost-effective pipe. It was surprising to find that the cost difference was only \$3,153 between polyethylene and reinforced concrete. It is staff opinion that the reinforced concrete pipe is far superior, and inasmuch as the quoted price differential is so small it was recommended that Geneva Rock's bid of \$131,580.75 using reinforced concrete pipe be accepted. Harold Shafter made a motion to accept this bid, the motion was seconded by Ann Wilcox, and the voting was unanimous.

ORDINANCE #96-9 ADOPTED, PROHIBITING SALE OF MERCHANDISE AT OR NEAR CITY'S ANNUAL FIREWORKS DISPLAY ASSOCIATED WITH HANDCART DAYS

Rusty Mahan referred to an ordinance passed a year ago which prohibits the sale of merchandise along the Handcart Days parade route. Vending has been allowed at the fireworks display, but this has created problems because a permit issued for "fireworks display only" will be taken out and used along the parade route. Also, those vendors at the fireworks display will not limit themselves to the lawn areas but will sell along the streets, creating a safety hazard for both vehicular and pedestrian traffic. In answer to a question asked by Alan Johnson, Tom Hardy said that the nearest business is more than a mile away from the fireworks display site. Ann Wilcox made a motion to adopt Ordinance 96-9, AN ORDINANCE PROHIBITING THE SALE OF MERCHANDISE AT OR NEAR THE CITY'S ANNUAL FIREWORKS DISPLAY ASSOCIATED WITH PIONEER DAY, AND CLARIFYING THE LOCATION WITHIN WHICH THE SALE OF MERCHANDISE IS PROHIBITED DURING PARADES. Alan Johnson seconded the motion and the voting was unanimous in favor.

PUBLIC HEARING TO CONSIDER A ZONING CHANGE AT 453 WEST 1000 NORTH

At 7:36 Mayor Cushing opened the public hearing to consider a rezone from Heavy Commercial to Single-Family Residential at 453 West 1000 North as requested by the owners, Rod and Terri Reed. Blaine Gehring explained that in the process of refinancing their home, the Reeds found that their property is located in a commercial zone, which was established in the 1970's and is due to no fault of their own. This has always been a single-family home in a residential neighborhood, and the change is proposed to correct an error that has existed for about 20 years. The Planning Commission has reviewed this matter and recommends a zoning change to Single Family Residential (R-1-6.5).

Harold Shafter asked why the two lots on the end of the street were not incorporated into this zoning change also, and Blaine explained that the owners had been approached concerning this and it was their desire to remain in the heavy commercial zone. In the event their property is ever converted to commercial use, the city will carefully review the plans to determine compliance with the requirements.

Mayor Cushing asked for public comment. The Reeds acknowledged that their neighbors were in attendance to lend their support for the rezone, but there was no discussion.

ORDINANCE #96-10 ADOPTED, CHANGING ZONING AT 453 WEST 1000 NORTH FROM C-H TO R-1-6.5

Sam Fowler made a motion to accept Ordinance 96-10, AN ORDINANCE AMENDING SECTION 14-2-102 OF THE BOUNTIFUL CITY CODE BY AMENDING THE OFFICIAL ZONING MAP OF BOUNTIFUL CITY TO

REZONE PROPERTY LOCATED AT APPROXIMATELY 453 WEST 1000 NORTH FROM HEAVY COMMERCIAL (C-H) TO SINGLE FAMILY RESIDENTIAL (R-1-6.5). The motion was seconded by Harold Shafter and the voting was unanimous.

COUNCIL COMMITTEE REPORTS

Alan Johnson reported that he recently took the Bountiful High School Bonneville Shoreline Trail Club's invitation to look at some of the Bonneville Shoreline Trail at the top of "I" Street. While there he met a Mr. Lovequist from Bountiful, who indicated that their hiking club would like to get involved with some activities to help develop some trails in Bountiful. He would like to meet with the Council some evening and tell them some of the ideas they have for trails in the area.

Tom Hardy indicated that the trail from Mueller Park to North Canyon is beginning to experience more injuries because of the excessive use by hikers and bikers, so an alternative trail would be welcome. It would be a good project for some group to help clear, stabilize, widen, and develop a trail. Grant money has been received and is being used for trail and park development.

Jack Balling reported on the status of the Barton Creek park. The grading has been done, and the restrooms must be built before the curb and gutter and pavement can be put in. John Eggett has contracted to do the curb and gutter, but because of his heavy workload for the summer and other jobs that are more critical, it will be a while before he gets to the work at the park. However, the bowery is done, the retaining wall and restrooms are in, and the rest of the work should be completed in a few weeks.

Mayor Cushing welcomed the scouts who were present and invited them to pick up a scout packet to help with their merit badge requirements.

On a motion by Alan Johnson, seconded by Barbara Holt, the Council unanimously voted to close the meeting a 7:54 p.m.