

Minutes of the regular meeting of the City Council held November 6, 1996 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, Alan Johnson, Harold Shafter, and Ann Wilcox  
City Manager: Tom Hardy  
City Engineer: Jack Balling  
City Recorder: Arden Jenson  
Dep. City Recorder: Kim Colman  
Planning/RDA Director: Blaine Gehring  
Dept. Head: Clifford Michaelis, Power  
Recording Secretary: Nancy Lawrence

Absent: City Attorney: Russell Mahan

Official Notice of this meeting had been given by posting a written notice of same and an Agenda at the City 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 Councilman Shafter the pledge of allegiance to the flag. The invocation was offered by Councilwoman Holt,

Minutes of the regular meeting of the City Council held October 23, 1996 were presented and unanimously approved as written on a motion made by Councilman Johnson and seconded by Councilwoman Wilcox.

#### **EXPENDITURES AND EXPENSES APPROVED FOR TWO OCTOBER PERIODS**

Mr. Jenson presented the Expenditure and Expense Reports for the following periods, with respective totals: October 18-24, 1996 (\$771,889.80) and October 25-29, 1996 (\$126,282.44). Councilwoman Holt asked what the balance of the Council Contingency Fund is and Mr. Hardy said he would prepare a report for the Friday packet. Councilman Fowler made a motion to approve both expenditure reports, Councilman Shafter seconded the motion and voting was unanimous.

#### **INFORMATION ITEM: RECEIPT OF ANNEXATION PETITION - NORTHEAST SECTION OF CITY**

As a matter of information, Mayor Cushing reported that a Petition for Annexation was received by the city for a small parcel of property on the northeast corner of the City near Bountiful Boulevard. It is a seven acre plot, owned by Cody Fraughton. The said property is contiguous with Lot 8 in Granada Hills Plat 8 subdivision (also owned by Fraughton) and the intent is to create one large building lot. The Mayor reviewed the annexation process, noting that the next step is to wait 120 days before doing anything further.

#### **RITER ENGINEERING AWARDED BID FOR TWO PAD MOUNTED CAPACITOR BANKS - POWER DEPT**

Mr. Michaelis reported that bids were opened for two pad mounted capacitor banks. These banks will be used in the new Southeast Substation and are for the purpose of providing power factor correction. He said that bids were received from eight vendors and it is the recommendation of staff, the consulting engineer, and the Power Commission that the bid be awarded to Riter Engineering in the amount of \$28,500.00. Councilman Shafter made a motion to award the bid as recommended, Councilman Johnson seconded the motion and voting was unanimous.

#### **CONSIDER PROPOSAL TO PURCHASE E-911 EQUIPMENT**

This Agenda item was postponed to a future meeting.

**ORD. NO. 96-14 ADOPTED RE: CHANGES IN TEMPORARY BUSINESS AND SOLICITORS LICENSES**

Mr. Gehring reported that over the past year there have been problems in enforcement of the temporary business solicitors license ordinances. In addition, surrounding jurisdictions have tightened their regulations of these activities, which has made Bountiful an easy target for these types of selling. Therefore, it is recommended that the ed. He reviewed Ordinance No. 96-14 entitled AN ORDINANCE AMENDING SECTION 5-1-105 OF THE BOUNTIFUL CITY CODE REMOVING REFERENCE TO TEMPORARY BUSINESS LICENSES. ADDING A NEW CHAPTER 12 TO TITLE 5 OF THE BOUNTIFUL CODE RELATING TO TEMPORARY BUSINESS LICENSES, AND AMENDING CHAPTER 5 OF TITLE 5 OF THE BOUNTIFUL CITY CODE RELATING TO SOLICITORS LICENSES. Following discussion, Councilman Fowler made a motion to adapt Ord. 96-14 and authorize the Mayor and City Recorder to sign it. Councilwoman Holt seconded the motion and voting was unanimous.

**CONSIDER PROPOSAL FOR COMMUNITY MAGAZINE**

Mayor Cushing reported that consideration has been given to publishing a community magazine similar to ones being published by South Ogden and Scottsdale, Arizona. Copies of these magazines were displayed and Mr. Hardy explained that the magazines are published by a publishers group and is paid for by advertisements in the magazine. All of the advertising is sold by the publishers group. The body of the magazine would be 16-24 pages of professional material (editorial, home decorating, gardening, etc.) and would also include an endorsement page from the City. The only cost to the city would be mailing. It is proposed that the magazine be published quarterly and arrangements between the publisher and city would be spelled out in an agreement.

Discussion followed regarding the costs of mailing and Mr. Hardy estimated that with a readership of 15,000 and \$.20 per issue, the cost would be \$3,000. Councilman Shafter asked what the goal would be in providing the magazine and he also asked if the newsletter which is currently provided would also be circulated. Following further discussion and questions by the Council, it was decided to research the matter further and bring a more concrete proposal back for Council consideration.

**PUBLIC HEARING TO CONSIDER ADOPTION OF POLICY DECLARATION RE: ANNEXATION OF PROPERTY AROUND 3000 SOUTH 200 EAST**

Mayor Cushing reported that the first four steps in the process to annex property have been completed for the petition which was filed on May 17, 1996 regarding property near 3100 South 200 East, including the Lewis gravel pit. The purpose of this hearing is to permit public input regarding the petition and for individuals to add or remove signatures from the petition. Following that input, the Council may adopt the Policy Declaration which describes the proposed area and some of the impacts that annexation will have.

Discussion followed regarding the service of utilities and at 7:40 p.m. the Mayor called for input from those in attendance. Darrell Goodrich (submitter of the petition), 2829 South 150 East, asked when the annexation would be effective and what changes would be made in garbage collection, power service, and snow removal. Lorna Wells, 93 E 3000 South, indicated that there are some citizens who oppose the annexation and she asked what the Notice procedure was and what the advantages and disadvantages of the annexation would be. Mayor Cushing advised Ms. Wells that it is not the position of the City to speak for or against the annexation, but only to hear a request and consider it if it has the support legally required. Lyle Henderson, 2918 South 150 East stated that he was opposed to annexation and indicated that there seemed to be no major advantages or disadvantages and he is contented with the jurisdiction as it presently exists. The hearing was closed at 7:55 p.m. Councilman Fowler made a motion to adopt the Policy Declaration concerning this proposed annexation. Councilman Shafter seconded the motion and voting was unanimous.

**UPDATE ON ARTS CENTER RELOCATION EFFORTS**

Mr. Hardy reviewed a memo he had drafted for the Council which reviewed the terms and conditions related to relocating the Bountiful/Davis Arts Center from its present location on South Main Street to the existing Public Safety Building which will be vacated in February, 1997. He indicated that a letter has been received from the Arts Center

agreeing to assume the additional janitorial and utility expenses. Other items in the terms and conditions are presently in place and would not constitute change of policy. Discussion followed regarding scheduling of the facility and its use by choral groups. Mayor Cushing noted that our negotiations are with the Arts Center; however, it is anticipated and hoped for by the City that the various arts groups can work together in the use and scheduling of the building. Councilwoman Wilcox made a motion to go on record supporting the relocation of the Art Center from their present location on South Main Street to the existing public safety building. Councilman Fowler seconded the motion.

Councilwoman Holt expressed concern that inasmuch as there are still items in the process of negotiation, that the motion should reflect that the change of location be made with consensus from both parties. The motion was amended to reflect that the City is willing to proceed with negotiations based on this document, recognizing that final details on some issues may still need to be worked out. Voting on the motion was unanimous.

### **COUNCIL COMMITTEE REPORTS**

Mayor Cushing reviewed a letter from Gary Payne, Davis County School District Administrator of Physical Facilities Management, thanking the City for donating the lights for the soccer field at Mueller Park Junior High. The School District has accepted the request to make the field available for community groups and the City's effort to work together with the School District. Mayor Cushing expressed appreciation to city officials for this public relations effort.

Mayor Cushing read a letter of appreciation from Brent and Scott Russon (Russon Brothers Mortuary) for the fine support of Don Mecham and staff at the City Cemetery and fire protection service provided by the City.

Councilwoman Wilcox invited the Council to participate in a Resource Evening with the police chief and the resource officers from the local schools. She said the focus of the discussion will be teen-age crime and teen-agers in the community. The meeting will be held Thursday evening at 5:00 p.m. in the Council Chambers.

Mayor Cushing noted that Judge Diane Wilkins from the Juvenile Court in Farmington will be in attendance next week to address the Council. He invited the Council members to come prepared with questions for Judge Wilkins.

response to a question from Councilman Shafter, Mr. Hardy indicated that the Council will be meeting with legislative representatives in the near future. The date of November 25', 6 p.m. was tentatively set, with dinner at the Mandarin, pending final scheduling with the legislators and the restaurant.

Councilman Shafter referred to recent protests because trees were being removed from the 400 North Park and he emphasized the necessity of tree removal as it relates to power service and community welfare.

The meeting adjourned at 8:23 p.m. on a motion made by Councilman Fowler and seconded by Councilwoman Holt.