

1 Minutes of the regular meeting of the City Council held June 18, 1997 at 7:00 p.m. in
2 the Council Chambers of the City Hall, Bountiful, Utah.

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4 Present: Mayor: John R. Cushing
5 Council Members: Barbara Holt, Alan A. Johnson, C.
6 Harold Shafter, and Ann Wilcox
7 City Manager: Tom Hardy
8 City Attorney: Russell Mahan
9 City Treasurer: Galen Rasmussen
10 Dep. City Recorder: Kim Coleman
11 Planning/RDA Director: Blaine Gehring
12 Power Dept. Repre. Brent Thomas, Supt. of Operations
13 Allen Johnson, Generation Supt.
14 Recording Secretary: Nancy T. Lawrence
15
16 Excused: Councilman: Samuel R. Fowler
17 City Engineer: Jack P. Balling
18 City Recorder: Arden F. Jenson
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20 Official Notice of this meeting had been given by posting a written notice of same and
21 an Agenda at the City Hall and providing copies to the following newspapers of general
22 circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.
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24 Mayor Cushing called the meeting to order, following which he led the pledge of
25 allegiance to the flag. The invocation was offered by Mr. Gehring.
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27 Minutes of the regular meeting of the City Council held June 4, 1997 were presented
28 and unanimously approved as written on a motion made by Councilman Shafter and seconded by
29 Councilwoman Holt.
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31 **EXPENDITURES AND EXPENSES APPROVED**
32 **FOR THREE PERIODS - MAY AND JUNE**

33 Mayor Cushing presented the following Expenditure and Expense Reports:
34 May 29-May 31, 1997 \$ 694,352.64
35 Summary for May 1997..... \$2,789,239.27
36 June 1-12, 1997 \$ 177,291.21

37 Mr. Coleman verified that there were no changes or corrections to the reports and they were all
38 approved as presented on a motion made by Councilwoman Wilcox and seconded by
39 Councilwoman Holt
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41 **NORTHERN POWER EQUIPMENT, INC.**
42 **AWARDED BIDS FOR POWER POLES**

43 Allen Johnson reported that bids were received from three distributors for power poles
44 to be used for the new Southeast Substation, the Echo transmission line, and inventory. It is the
45 recommendation of staff and the Power Commission that the bid be awarded to low bidder,
46 Northern Power Equipment, Inc., in the amount of \$20,791.00. Councilman Shafter made a
47 motion to accept the bid as recommended, Councilman Johnson seconded the motion and voting
48 was unanimous.
49

50 **RES. NO. 97-7 ADOPTED RE: DRUG-FREE**
51 **WORKPLACE POLICY**

1 Mr. Mahan reviewed that, although it has always been illegal to be involved with drugs
2 that impair a worker's ability, it is necessary to adopt an expanded policy with greater detail
3 regarding this issue. He briefly reviewed Resolution No. 97-7, A RESOLUTION ADOPTING A
4 DRUG-FREE WORKPLACE POLICY, and recommended that it be adopted. In response to a
5 question from Councilman Shafter, Mr. Mahan confirmed that the resolution provides for notice
6 of drug testing; however, in safety-sensitive situations, the testing may be done without notice.
7 Councilman Shafter made a motion to adopt Res. No. 97-6 as presented. Councilwoman Holt
8 seconded the motion and voting was unanimous.

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10 **ORD. NO. 97-15 ADOPTED RE:**
11 **MUNICIPAL ENERGY SALES AND USE TAX**

12 Mr. Mahan reviewed that on May 14, 1997 the Council adopted a model ordinance
13 from the Utah League of Cities and Towns regarding a municipal energy sales and use tax. Since
14 that time, the State adopted a new law requiring that cities adopt an expanded version of the
15 model ordinance. He explained that the new ordinance doesn't increase the tax, but is a shift in
16 semantics. He recommended that Ord. No. 97-15 be adopted to bring Bountiful into conformity
17 with current State law. Councilwoman Holt made a motion to adopt Ord. No. 97-15 entitled, AN
18 ORDINANCE IMPOSING A MUNICIPAL ENERGY SALES AND USE TAX TO REPLACE
19 THE UTILITY FRANCHISE AND OTHER SIMILAR TAXES, AND REPEALING PRIOR
20 SECTIONS OF THE BOUNTIFUL CITY CODE RELATING TO SUCH TAXES. Councilman
21 Johnson seconded the motion and voting was unanimous.

22
23 **DISCUSSION RE: PLANNING COMMISSION**
24 **AND BOARD OF ADJUSTMENT APPOINTMENTS**

25 Mayor Cushing requested input from the Council regarding the number of individuals
26 to be on the Planning Commission. The Mayor noted that the present body consists of nine
27 members (including the representative from the City Council) and he asked if it should be
28 reduced to seven members. A larger group provides the opportunity for more individuals to
29 serve; the smaller group works more efficiently. Councilman Shafter said that sometimes the
30 more people who are involved, the more problems there are. Councilwoman Holt stated that she
31 would prefer nine because the additional members help to provide a more complete view of the
32 topic being considered. She acknowledged that the larger group is less efficient, but noted that
33 completeness is more important than efficiency. Mr. Gehring stated that he did not have a
34 preference one way or another, but he pointed out that most Planning Commissions have five to
35 seven members. Absenteeism on the part of the Planning Commissioners was discussed and it
36 was emphasized that regular attendance was very important. Councilman Shafter made a motion
37 to change the number of persons on the Planning Commission from nine to seven. Councilman
38 Johnson seconded the motion which carried by a majority. Councilwoman Holt voted nay.

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40 The Mayor asked how the Council felt about limiting the number of terms of service on
41 the Planning Commission and Board of Adjustment to two terms. Following a short discussion,
42 the consensus of the group was that the terms be staggered. The Mayor said that he would work
43 with Mr. Gehring regarding the present status of these two Boards and come back to the Council
44 with recommendations for appointments.

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46 **PUBLIC HEARING SCHEDULED TO CONSIDER**

1 **ZONE CHANGE AT 830 NO. 500 WEST (CARRINGTON**
2 **PLACE APARTMENTS) FROM R-3-16 TO R-3-25**

3 Mayor Cushing requested that a public hearing be scheduled for July 9, 1997 at
4 7:15 p.m. for the purpose of considering a request to change the zoning at 830 North 500 West
5 from R-3-16 to R-3-25. The applicant is Jones Nelson Associates. Mr. Gehring reported that
6 this comes to the Council with a positive recommendation from the Planning Commission.
7 Councilman Shafter commented that when these apartments were built, the neighbors were
8 adamantly opposed to a more dense zoning. He noted that although the property is presently
9 developed with lower density, if the zone were changed the existing buildings could be torn
10 down and higher density buildings constructed contiguous to the single family homes. Mr.
11 Hardy asked if only a portion of Carrington Place could be changed to the higher density and the
12 City Attorney said "yes". Councilman Shafter made a motion to set a public hearing as
13 recommended (July 9, 1997 at 7:15 p.m.); Councilman Johnson seconded the motion and voting
14 was unanimous.

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16 **CONSIDER ZONE CHANGE AT 2084 SO. ORCHARD DR.,**
17 **FROM C-G TO R-3-16 — MARK ARNOLD, APPLICANT**

18 This item postponed to the July 2, 1997 City Council meeting.

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20 **COUNCIL COMMITTEE REPORTS**

21 Councilman Shafter reported that the Power Department was offered only \$50 for their
22 older copy machine, so they have decided to keep it for use at the Plant.

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24 The meeting adjourned at 7:41 p.m. on a motion made by Councilwoman Holt and
25 seconded by Councilman Shafter.

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JOHN R. CUSHING, Mayor

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35 ARDEN F. JENSON, City Recorder

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