

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

3
4 Present: Mayor: John R. Cushing
5 Council Members: Samuel R. Fowler, Barbara Holt, Alan A.
6 Johnson, C. Harold Shafter, and Ann
7 Wilcox
8 City Manager: Tom Hardy
9 City Attorney: Russell Mahan
10 City Engineer: Jack P. Balling
11 City Recorder: Arden F. Jenson
12 City Treasurer: Galen Rasmussen
13 Planning/RDA Director: Blaine Gehring
14 Dept. Personnel: Lt. Steve Gray, Police
15 Sgt. Mike Boyle, Police
16 Recording Secretary: Nancy T. Lawrence
17

18 Official Notice of this meeting had been given by posting a written notice of same and
19 an Agenda at the City Hall and providing copies to the following newspapers of general
20 circulation: Davis County Clipper, Deseret News, and Salt Lake Tribune.

21
22 Mayor Cushing called the meeting to order, following which Councilman Fowler led
23 the pledge of allegiance to the flag. The invocation was offered by Mr. Balling.
24

25 Minutes of the regular meeting of the City Council held June 25, 1997 were presented
26 and approved as written on a motion made by Councilman Johnson and seconded by Councilman
27 Shafter. Voting was by a majority; Councilman Fowler abstained due to his absence from the
28 subject meeting.
29

30 **EXPENDITURES AND EXPENSES APPROVED**
31 **FOR PERIOD JUNE 19-20, 1997**

32 Mr. Jenson presented the Expenditure and Expense Report for the Period June 19-20,
33 1997 in the amount of \$260,186.86. He explained that this report is a part of the end-of-year
34 process of paying last fiscal year's bills. Councilwoman Wilcox made a motion to approve the
35 expenditures and expenses as presented. Councilwoman Holt seconded the motion and voting
36 was unanimous.
37

38 **APPROVAL GIVEN TO PURCHASE**
39 **SIX NEW POLICE VEHICLES**

40 Lt. Gray reviewed that \$116,750.00 was included in the budget for the purchase of six
41 replacement vehicles--four for the patrol division and two for administrative use. Two
42 dealerships were contacted under the State contract system and it is recommended that the
43 following purchases be approved:
44

45 Three (3) Dodge Intrepids from Hinckley Dodge, Ogden,\$52,525.70
46 Three (3) Ford Crown Victorias from Butterfield Ford, Sandy\$62,791.50
47

48 Lt. Gray explained that one of the Intrepids will be used by the patrol division as part of the
49 testing process of that model as a patrol vehicle. Councilman Shafter requested that the Council
50 continue to be apprized of the results of the test of the Intrepids. Councilwoman Wilcox made a
51 motion to approve the vehicle purchases as presented, totaling \$115,317.20. Councilman Shafter

1 seconded the motion and voting was unanimous.

2
3 **APPROVAL GIVEN TO PURCHASE DIGITAL**
4 **LOGGER FOR POLICE DEPARTMENT**

5 Sgt. Boyle reviewed that at the present time, all telephone and radio traffic is recorded
6 on a magnetic tape logger which has been in use for 20-plus years. Current technology for this
7 purpose is digital recording which permits immediate recall and copy capabilities, quicker
8 location of data, less expensive tapes, and the use of four more channels than are now being
9 recorded. A new logger was included in the 1997/98 budget in the amount of \$19,750.00. Sgt.
10 Boyle requested approval to purchase a Lanier Worldwide digital logger for the amount of
11 \$20,350.15, including installation. He proposed that the \$600.15 which is in excess of budget be
12 taken from the 911 Fund. Following discussion, Councilwoman Holt made a motion to approve
13 the purchase and the additional funding from the 911 Fund, as proposed. Councilman Shafter
14 seconded the motion and voting was unanimous.

15
16 **HIGHLAND GOLF EQUIPMENT CO.**
17 **AWARDED BID FOR GOLF CARS**

18 Mr. Hardy reported that bids were received for ten (10) new electric golf cars for the
19 golf course fleet and it is the recommendation of staff that the bid be awarded to low bidder,
20 Highland Golf Equipment Company in the amount of \$21,061.00. These cars will be used to
21 replace ten (10) gas carts. The amount included in the budget for the new cars is \$23,000.00.
22 Following a short discussion, Councilwoman Wilcox made a motion to accept the bid from
23 Highland Golf Equipment Co., as presented. Councilman Shafter seconded the motion and
24 voting was unanimous.

25
26 **PUBLIC HEARING TO CONSIDER ZONE CHANGE;**
27 **300 WEST TO 425 WEST AND 500 SO TO CENTER;**
28 **R-3-13 TO R-1-6.5**

29 At 7:17 p.m. Mayor Cushing opened the public hearing to consider the request for a
30 zone change. Mr. Gehring reviewed that a group of residents in the area between 200 and 500
31 West, 500 South to Center Street (approximately), have submitted a petition requesting that the
32 City rezone their area from R-3-13 to R-1-6.5. The motive for this action is to prevent the
33 construction of additional multiple family dwellings in this area. Elva Barnes, Mike Poulsen,
34 JoAnn Kohles, LaMar Barlow, and Boyd Terry spoke in favor of the rezoning. Their concern
35 was additional traffic which comes with multi-family units and maintaining the integrity of their
36 neighborhood.

37
38 At 7:25 p.m. the hearing was closed. Councilman Fowler complimented the residents
39 on this project and their interest in their neighborhood. He made a motion to approve the rezone
40 as presented and to adopt Ordinance No. 97-17 entitled AN ORDINANCE AMENDING
41 SECTION 14-2-102 OF THE BOUNTIFUL CITY CODE BY AMENDING THE OFFICIAL
42 ZONING MAP OF BOUNTIFUL CITY TO RE-ZONE PROPERTIES LOCATED IN THE
43 AREA FROM 300 WEST TO 524 WEST AND FROM 500 SOUTH TO CENTER STREET
44 (APPROXIMATELY) FROM R-3-13 TO R-1-6.5. Councilman Johnson seconded the motion
45 and voting was unanimous.

1 **REQUEST FOR ZONE CHANGE DENIED;**
2 **2084 SO ORCHARD DR., MARK ARNOLD, APPLICANT**

3 Mayor Cushing reviewed that a public hearing was held approximately four weeks ago
4 to consider changing the zone at 2084 South Orchard Drive from C-G to R-3-16. (See minutes
5 of June 4, 1997). Councilwoman Holt noted that although she had not been in attendance at the
6 public hearing, she has visited with members of the Planning Commission, Mr. Gehring, and
7 neighbors of the subject property. She also read the minutes from the June 4th meeting and
8 listened to the taped recording of that meeting and feels prepared to vote on this issue tonight.
9

10 Mr. Gehring reported that the two items which needed clarification were: (1) the
11 intended use of the property; and (2) whether or not the property could be developed if the
12 rezone request were denied. He said that Mr. Hardy, Mr. Mahan and he had visited the site and
13 it is the opinion of Mr. Mahan that the driveway could be brought across the commercial
14 property to serve a residential development on the rear piece of property. In answer to the first
15 question, Ms. Diana Garrett, representing Mark Arnold, stated that the owners of the property,
16 Mrs. and Mrs. Jerry Young, are planning to develop and construct condominiums. Mrs. Young
17 was in attendance and reviewed her discussions with the neighboring property owners and the
18 history of the subject property as it relates to zone changes and ownership. She said it was their
19 intent to develop the property into condos and that they would like to get along with the
20 neighbors and develop something very nice. However, there were no firm plans at this time.
21

22 Councilman Fowler reviewed that the rezone request came to the City Council from the
23 Planning Commission with a unanimous recommendation for approval and he was part of that
24 unanimous vote. However, with further consideration and with input from the neighbors, and
25 recognizing that the discussion of the meeting is not binding on how the property will be
26 developed, he made a motion to deny the rezone request. Councilwoman Holt seconded the
27 motion which carried by a majority. Councilman Johnson voted nay.
28

29 **GRANT THORNTON APPOINTED AS**
30 **INDEPENDENT AUDITOR**

31 Mr. Hardy reviewed that an independent audit firm is selected by the Council for the
32 purpose of reviewing the financial statements which have been prepared by City staff. It is the
33 recommendation of the City Attorney, City Treasurer, and City Recorder that the firm of Grant
34 Thornton be appointed as the independent auditors for the fiscal year ended June 30, 1997. If
35 approved, this will be the fourth (4th) consecutive year that this firm has provided the
36 independent audit. Following a short discussion, Councilman Shafter made a motion to appoint
37 Grant Thornton as the independent auditor for the fiscal year ended June 30, 1997.
38 Councilwoman Wilcox seconded the motion and voting was unanimous.
39

40 **ORD. NO. 97-18 ADOPTED RE: IMPACT FEES**

41 Mr. Hardy reviewed that the Impact Fee Study was reviewed in the previous meeting
42 and he recommended that Ord. No. 97-18 entitled AN ORDINANCE ADOPTING IMPACT
43 FEES BY THE CITY OF BOUNTIFUL be adopted. He reviewed the fees that are included in
44 that ordinance, noting increases in the water development fee and a pass-through for the sanitary
45 sewer fee. Councilwoman Holt made a motion to adopt Ordinance No. 97-18; Councilman
46 Shafter seconded the motion and voting was unanimous.

1
2 **OPERATING AND MAINTENANCE AGREEMENT WITH**
3 **STATE COURTS APPROVED FOR PUBLIC SAFETY BLDG.**

4 Mr. Hardy reviewed the Operating and Maintenance Agreement between Bountiful City
5 and the State Courts for the new Public Safety/Court Building. The Agreement provides for the
6 State Courts to pay Bountiful \$81,700 for the period July 1, 1997 to June 30, 1998. Bountiful
7 agrees to provide management duties and pay operating costs including maintenance charges,
8 repair bills, and other expenses incurred in the management and operation of the subject
9 building. Mr. Hardy noted that the amount of the Agreement may need to be adjusted up or
10 down (since this is the first year for operation and costs are estimated) and recommended that the
11 Agreement be approved. It is extendable and renewable. Councilman Shafter made a motion to
12 approve the Agreement as presented. Councilman Johnson seconded the motion and voting was
13 unanimous.

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15 **ORD. NO. 97-19 ADOPTED RE: CURRENT BUILDING CODES**

16 As a housekeeping matter, Mr. Mahan recommended that Ord. No. 97-19 entitled AN
17 ORDINANCE ADOPTING CURRENT UNIFORM BUILDING, MECHANICAL, HOUSING,
18 ABATEMENT OF DANGEROUS BUILDING, ADMINISTRATIVE, ELECTRICAL AND
19 FIRE CODES be adopted. He stated that adoption of this ordinance updates all of the uniform
20 building codes. Councilman Fowler made a motion to adopt the ordinance as presented,
21 Councilman Shafter seconded the motion and voting was unanimous.

22
23 **PUBLIC HEARING SCHEDULED TO CONSIDER**
24 **ANNEXATION REQUEST**

25 Mr. Mahan reviewed that the annexation procedure for the Glade property (Leilah Ltd.
26 annexation request) has moved to the point where a public hearing is required. It is
27 recommended that a hearing be scheduled July 16, 1997 at 7:15 p.m. as the last step in this
28 proposed annexation proceeding. Councilman Shafter made a motion to this effect, Councilman
29 Johnson seconded the motion and voting was unanimous.

30
31 **CHANGE ORDER FOR RE-ROOF PROJECT ON STOKER**
32 **SCHOOL APPROVED**

33 Mr. Hardy explained to the Council that the contractor for the re-roofing job at Stoker
34 School has submitted a change order on this project and it is the recommendation of staff to
35 approve the change order. The initial bid included "Notes" with prices for removing additional
36 layers of roofing and replacement of damaged boards, crown molding, and other facia. The
37 Change Order, in the amount of \$17,356, is based on these prices. Mr. Hardy noted that the
38 contractor is doing a quality roofing job, has always been fair with the City, and his work has
39 been reputable. This additional expense would come from the Council Contingency Fund.
40 Councilman Shafter made a motion to authorize the Change Order. Councilwoman Wilcox
41 seconded the motion and voting was unanimous.

42
43 Mayor Cushing recognized the visiting Boy Scouts and invited them to pick up printed
44 packets to assist them with their merit badges.

45
46 **COUNCIL COMMITTEE REPORTS**

1 Councilman Shafter noted that the Power Commission will *not* be meeting this week as
2 previously scheduled due to lack of a quorum.

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4 Councilman Johnson requested that he be excused from City Council meeting in two
5 weeks.

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7 The meeting adjourned at 8:02 p.m. on a motion made by Councilman Johnson and
8 seconded by Councilman Shafter.

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13 _____
14 JOHN R. CUSHING, Mayor

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17 _____
18 ARDEN F. JENSON, City Recorder

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