

**Minutes of the
Bountiful City Council Meeting
City Council Chambers
January 26, 2000 - 7:00 p.m.**

Present:	Mayor:	John R. Cushing
	Council Members:	Samuel R. Fowler, Barbara Holt, Stewart Knowlton, John Pitt and J. Gordon Thomas
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Paul Rowland
	Admin. Services Director:	Galen Rasmussen
	Planning/RDA Director:	Blaine Gehring
	Dept. Heads:	George Sumner, Fire David Wilding, Water/Sewer
	Recording Secretary:	Nancy T. Lawrence

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 at 7:00 p.m. and welcomed those in attendance. Councilman Knowlton led the pledge of allegiance to the flag, following which the invocation was offered by Councilman Pitt.

APPROVAL OF MINUTES

Minutes of the regular meeting of the City Council held January 12, 2000 were presented and unanimously approved as written on a motion made by Councilman Thomas and seconded by Councilwoman Holt. Councilmembers Fowler, Holt, Knowlton, Pitt and Thomas all voted "aye".

**EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS
APPROVED FOR PERIOD JANUARY 7-20, 2000**

Mayor Cushing presented the report of Expenditures and Expenses Greater than \$1,000 for the period January 7-20, 2000 in the amount of \$503,413.02. The staff responded to questions from the Council, following which the report was unanimously approved on a motion made by Councilman Fowler and seconded by Councilman Pitt. Councilpersons Thomas, Pitt, Holt, Fowler, and Knowlton voted "aye".

**APPROVAL GRANTED TO REPLACE BACKHOE/LOADER
FOR WATER AND SEWER DEPARTMENT**

Mr. Wilding explained that the Water/Sewer Department has been using a John Deere 410D loader/backhoe machine for the past five years for which a trade-in agreement was included when the machine was purchased. This agreement expires in June, 2000. The John Deere representative has advised the City that there will be a price increase in March, and if the unit is not replaced until the next budget year, the City will lose about \$9,500 in trade-in value. Therefore, it is the recommendation of staff that the replacement machine be ordered prior the price increase scheduled in March and that the budget be opened and amended to

include this purchase in order to take advantage of the \$9,500+ in savings available. It is proposed that the expense be split between water and sewer capital accounts for machinery and equipment as follows: 51-5100-1651-0000 (75%) and 52-5200-1651-0000 (25%). This recommendation also includes that the machine be upgraded from a 2-wheel drive to a 4-wheel drive (due to a loss of market value with the 2-wheel drive unit in comparison to the more popular 4-wheel drive). Following discussion, Councilman Pitt made a motion to approve the purchase of the backhoe/loader as presented at a net cost of \$42,500. Councilman Knowlton seconded the motion and voting was unanimous with Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voting "aye".

**PUBLIC HEARING SET TO CONSIDER ORDER TO
SHOW CAUSE ON BUSINESS LICENSE OF FAMILY NORGETOWN
LAUNDROMAT AND DRY CLEANERS (302 SOUTH 200 WEST)**

Mr. Mahan reported that customers of Family Norgetown Laundromat and Dry Cleaners (302 South 200 West) have filed complaints with the Davis County Health Department regarding the unsafe and unsanitary conditions which exist at that site. On or about October 19, 1999 the Health Department notified the owner of these conditions and requested that immediate action be taken to remedy the problems. Subject to nothing being done to remedy the violations, a second notice was sent to the owner on November 9, 1999. Mr. Mahan stated that he and Mr. Gehring inspected the premises on or about December 28, 1999 and conditions had not substantially changed.

It is therefore the recommendation of staff to issue an Order to Show Cause to consider the appropriateness of licensing a business that may be operating in violation of state and local law, and placing the health, safety and welfare of Bountiful citizens in jeopardy. Following a brief discussion, Councilwoman Holt made a motion to set the hearing, as recommended, on March 1, at 7:00 p.m. Councilman Knowlton seconded the motion. Voting was unanimous with Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voting "aye".

**ORD. NO. 2000-01 ADOPTED RE: AMENDING ZONING
ORDINANCE TO ALLOW FOR COMMERCIAL PUD'S**

Mr. Gehring reviewed that a group of investors have purchased the Five Points Mall and are planning a complete demolition of the mall and reconstruction of a new urban town center. The Zoning Ordinance presently does not address urban town centers where there are mixed uses. The Planning Commission has reviewed the proposed plans of the developers and together with staff, it is recommended that the Bountiful Zoning Ordinance be amended to include commercial PUD's as well as residential. This will give the flexibility to waive or modify various requirements within the ordinance, as they apply to the PUD. Therefore, it is recommended that Ord. No. 2000-01, titled AN ORDINANCE AMENDING CHAPTER 7 OF THE BOUNTIFUL CITY ZONING ORDINANCE RELATING TO COMMERCIAL PLANNED UNIT DEVELOPMENTS, be adopted. At 7:28 p.m. Mayor Cushing opened the public hearing and asked for input from those in attendance; there was none. Councilman Thomas made a motion to adopt the ordinance, as recommended. Councilwoman Holt seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted "aye".

COUNCIL APPROVES PROPOSAL FOR MANAGEMENT

REORGANIZATION IN FIRE DEPARTMENT

Chief Sumner explained that the present assignment of the Deputy Fire Chief includes working 24-hour rotating shifts. Inasmuch as the Deputy Chief's duties of leadership, management and administration are incompatible with the operations schedule (rotating shifts), it is recommended that he be reassigned to a 40-hour/week administrative schedule. He also noted that the daily supervisory duties of the shift captain position interfere with the middle manager duties performed by the Deputy Chief, which will become a greater conflict as management practices are changed in the future. This proposed reassignment will create a vacancy which will result in a one-time cost of \$18,276.00 (based on a target date of January 31, 2000) for the remainder of this fiscal year; and an annual cost thereafter of \$47,918.00.

Councilwoman Holt questioned the fiscal advisability of making this change, particularly in the middle of the year. Mr. Hardy noted that the Council Capital Contingency account is in good shape for being in the seventh month of the year. He explained that the \$50,000 annual increase will need to be the first item that is added to next year's budget prior to consideration of other programs, cost-of-living increases, etc. Inasmuch as the proposed \$50,000 increase amounts to one-half of one percent of the total \$11 million General Fund budget, he stated that he felt confident that the budget could be adjusted without a tax increase, unless the Council prioritized other items also.

Following discussion, Councilwoman Holt made a motion to approve the request as presented with the understanding that the \$50,000 annual increase will be built into next year's budget as explained by Mr. Hardy, and that the remainder of the budget be built around it in such a way as to not result in a tax increase. Councilman Thomas seconded the motion. Voting was unanimous with Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voting "aye".

COMMITTEE REPORTS

The Mayor complimented the Youth Council on the meeting which they had this afternoon and requested that Councilman Pitt express his appreciation to the Youth Council.

Councilwoman Holt asked if gun locks are being distributed in the City and Mr. Rowland indicated that the City was given 500+ locks from Browning Arms which are being given out upon request.

The meeting adjourned at 7:50 p.m. on a motion made by Councilman Thomas and seconded by Councilman Fowler. Voting was unanimous with Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voting "aye".

JOHN R. CUSHING, Mayor

KIM J. COLEMAN, City Recorder

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