

1 Minutes of the regular meeting of the City Council held June  
2 1, 1988 at 7:00 p.m. in the City Council Chambers, Bountiful, Utah.  
3

4 Present: Mayor: Dean S. Stahle  
5 Council Members: C. Harold Shafter, Barbara  
6 Holt, Bob Gramoll, and H. Keith  
7 Barton  
8 City Manager: Tom Hardy  
9 City Attorney: Layne B. Forbes  
10 City Engineer: Jack P. Balling  
11 City Recorder: Arden F. Jenson  
12 Dep. Recorder: Lois Hoskins  
13 Rec. Secretary: Nancy T. Lawrence  
14 Dept. Heads: Jerry Lemon, Fire Dept.  
15  
16 Absent: Councilwoman: Phyllis C. Southwick  
17 Planning Director: Jon Reed Boothe  
18

19 Official notice of this meeting had been given by posting a  
20 written notice of same and an Agenda at the City Hall and providing  
21 copies to the following newspapers of general circulation: Deseret  
22 News, Davis County Clipper, and Salt Lake Tribune.  
23

24 Mayor Stahle called the meeting to order and welcomed those in  
25 attendance, following which he led the pledge of allegiance to the  
26 flag and offered the invocation.  
27

28 Minutes of the regular meeting of the City Council held May  
29 25, 1988 were presented and approved as written on a motion made by  
30 Councilman Barton and seconded by Councilwoman Holt.  
31

32 **EXPENDITURE AND EXPENSE REPORT FOR PERIOD**  
33 **MAY 19-26, 1988 APPROVED**

34 Mr. Jenson presented the Expenditure and Expense Report for  
35 the Period May 19-26, 1988 with expenditures totaling \$47,434.46.  
36 After a brief discussion regarding expenditures in the golf course  
37 and recreation operating funds, these expenditures were unanimously  
38 approved on a motion made by Councilwoman Holt and seconded by  
39 Councilman Shafter.  
40

41 **PRESENTATION BY UTA**

42 Claude Jones, Risk Manager for UTA, reviewed with the Council  
43 the tentative plan of the Utah Transit Authority to implement a  
44 light rail system which would serve the area from 106th South  
45 (Sandy) to approximately North Temple street. A slide presentation  
46 was used to point out the highlights of this project. Discussion  
47 followed regarding financing of the UTA and Councilman Barton and  
48 Mayor Stahle expressed a need for something to be done from Salt  
49 Lake City north to provide better mobility than the one access which  
50 1-15 gives.  
51

52 **COUNCIL REJECTS ALL BIDS ON FIRE**  
53 **DEPARTMENT PUMPER: AUTHORIZES THAT**  
54 **TRUCK BE RE-BID**

55 Chief Jerry Lemon reported that the bids which were received  
56 on the new pumper truck for the Fire Department were considerably  
57 higher than the budgeted amount and he recommended that the truck  
58 be re-bid with a shorter wheel base and an option for 4-wheel drive.

1 After discussion by the Council, Councilman Barton made the motion  
2 that all bids received for the pumper truck be rejected and that the  
3 truck be re-bid with an option for 4-wheel drive. Councilman  
4 Gramoll seconded the motion and voting was unanimous.

5  
6 **ORD. NO. 88-4 RE: MAXIMUM SETBACK FOR**  
7 **SINGLE FAMILY DWELLING STRUCTURES APPROVED**

8 Mr. Forbes reviewed Ord. No. 88-4 entitled, AN ORDINANCE  
9 AMENDING TITLE XIV, CHAPTER 6, SECTION 4015 OF THE REVISED  
10 ORDINANCES OF BOUNTIFUL, UTAH, 1965, AS AMENDED, BY PROVIDING THAT  
11 SINGLE FAMILY DWELLING STRUCTURES SHALL NOT BE LOCATED FARTHER THAN  
12 200 FEET FROM THE NEAREST PUBLIC STREET AND PROVIDING FOR CERTAIN  
13 EXCEPTIONS THERETO AND REPEALING ALL ORDINANCES AND PARTS OF  
14 ORDINANCES IN CONFLICT THEREWITH. He noted that the public hearing  
15 regarding this ordinance was held last week and based on the action  
16 of the Council, recommended that this ordinance be adopted.  
17 Councilman Barton made a motion to this effect, with authorization  
18 for the Mayor and City Recorder to sign. Councilman Shafter  
19 seconded the motion, emphasizing the fact that any structure which  
20 is located more than 200 feet from a public street must have a fire  
21 protection sprinkling system installed. Voting on the motion was  
22 unanimous.

23  
24 **COUNCIL ATTACHES CONDITIONS TO APPROVAL**  
25 **OF BUILDING PERMIT FOR DAVIS HOUSING, INC.**  
26 **404 WEST CENTER**

27 Mr. Hardy reviewed that the Council had discussed the proposed  
28 project of Davis Housing, Inc. to construct a dwelling for  
29 emotionally handicapped individuals at 404 West Center and he  
30 referred to the field trip which had been taken by the Council. He  
31 recognized the large group of residents of the neighborhood who  
32 were in opposition to this facility who were in attendance and  
33 called on their spokesperson. Lon Buckley stated that the main  
34 concerns of the residents were: (1) that the City did not follow  
35 proper procedure in approving this project; (2) that there is a  
36 concern for the safety of the children of the neighborhood; (3) that  
37 there will be a loss of property value; and (4) there are too many  
38 multiple-dwelling units in this neighborhood already. He requested  
39 that the City (1) instruct the staff as to what the relationship is  
40 between the City and County to prevent such a problem in the future  
41 and that the staff be more knowledgeable on ordinance requirements;  
42 and (2) that an apology be made to the residents of the  
43 neighborhood.

44  
45 Mr. Hardy acknowledged that the City did make a mistake in  
46 granting approval to the project and the Mayor clarified that the  
47 real issue was in the number of people who can be housed there.  
48 (State statute would allow this facility with a maximum of 8  
49 persons). Both the Mayor and Mr. Hardy expressed sincere apologies  
50 for the error. Mr. Hardy stated that refusing the permit would have  
51 resulted in a costly lawsuit either way and it was felt that the  
52 decision to allow the facility was a proper judgement to avoid the  
53 lawsuit. However, it is recommended by the staff that the following  
54 conditions be attached to the building permit and adopted by Council  
55 action to provide as much protection to the residents as possible:  
56

- 1 1. The facility shall meet all municipal building safety and  
2 health ordinances applicable.
- 3  
4 2. Enlargement of the detention basin in the northwest corner  
5 of the property to a storage capacity of 425 c.f. (300 c.f.  
6 proposed)
- 7  
8 3. Re-grade the parking lot along the north side and provide  
9 more finished grade elevations in the parking lot area.
- 10  
11 4. Approval of the Davis County Housing Authority to allow the  
12 storm drainage to traverse their property.
- 13  
14 5. Construction of a block wall along the east parking lot.
- 15  
16 6. Payment of the required fees.
- 17  
18 7. Posting of a cash or surety bond to guarantee landscaping,  
19 sprinkler plan and the construction of the block wall.
- 20  
21 8. Operator of the facility shall provide assurance that the  
22 residents of the facility will be properly supervised on a 24-  
23 hour basis by a resident supervisor.
- 24  
25 9. This facility shall not be a substance abuse treatment  
26 center.
- 27  
28 10. No person who is violent shall be placed or remain in the  
29 facility.
- 30  
31 11. Placement in the facility shall be on a strictly voluntary  
32 basis and not a part of or in lieu of confinement,  
33 rehabilitation or treatment in a correctional facility.
- 34  
35 12. The facility shall house not more than 15 persons excluding  
36 live-in supervision.
- 37  
38 13. This facility shall be used as a small residential health  
39 care facility and shall not be used as a health care treatment  
40 facility.
- 41  
42 14. The operator of the facility shall establish a community  
43 advisory committee through which all complaints and concerns  
44 of neighbors may be addressed.

45  
46 Craig Bybee, Dan Petersen, John Stauffer, Judy Jensen, Boyd  
47 Terry, Janice Stauffer and Sherry Allen (residents of the area)  
48 expressed their concerns, and Larry Burdett, representing Davis  
49 Housing, Inc. responded to their concerns and explained the nature  
50 and purpose of this facility. Councilman Shafter apologized on  
51 behalf of the Council members who were in office when this project  
52 was initially approved and noted that Councilwoman Holt and  
53 Councilman Gramoll were not a part of that initial approval process.  
54 All of the Council expressed their apologies and a sincere desire  
55 to avoid this type of mistake in the future. Councilman Barton made  
56 the motion that the 14 conditions as listed above be attached to the

1 building permit, Councilman Shafter seconded the motion and voting  
2 was unanimous. Councilman Shafter recommended that the conditions  
3 be made available to the residents for their future reference.

4  
5 **EXECUTIVE SESSION SCHEDULED TO DISCUSS**

6 **PENDING LITIGATION**

7 At the request of the Mayor, Councilwoman Holt made the motion  
8 that an executive session be held immediately after this meeting for  
9 the purpose of discussing pending litigation. Councilman Shafter  
10 seconded the motion and voting was unanimous.

11  
12 **APPROVAL GRANTED TO CLOSE STREET**

13 **BOUNTIFUL HEIGHTS STAKE**

14 Mr. Hardy reported that a request was received from the  
15 Bountiful Heights Stake to close a dead-end street on June 23, 1988  
16 from 6:30 to 11:00 p.m. Signatures were obtained from the residents  
17 of the three homes affected and the request has been approved by the  
18 Police and Fire departments. The Council concurred with the staff  
19 recommendation, and approved this request unanimously on a motion  
20 made by Councilman Shafter and seconded by Councilman Gramoll.

21  
22 **COUNCIL APPROVES PURCHASE OF MONTGOMERY**

23 **HOME - 650 NORTH 200 WEST**

24 Mr. Hardy reviewed that the Council has previously reviewed the  
25 potential purchase of the Randall Montgomery home at 650 North 200  
26 West to be used for expansion of the adjoining City recreation  
27 facilities. The property has been offered for sale at \$65,000 and  
28 it is the recommendation of the staff that this offer be accepted  
29 and that the closing documents be drawn up. Councilman Shafter  
30 made the motion that this recommendation be approved, Councilman  
31 Gramoll seconded the motion and voting was unanimous.

32  
33 **WORK SESSION TO REVIEW PROPOSED**

34 **1988-89 BUDGET**

35 At 9:10 p.m. the Council adjourned to the Planning Conference  
36 Room for a work session to review the proposed 1988-89 budget. In  
37 response to a question from Councilman Gramoll, Mr. Hardy explained  
38 that the rose garden at the 400 North Park was eliminated due to  
39 high costs of hand maintenance and the fact that the motorists  
40 passed too quickly to properly enjoy the garden. He said that the  
41 area would be re-done with some flowers around the fountain area.  
42 Councilman Gramoll also asked about the future of the Stoker School  
43 and a brief discussion followed on plans for that facility.

44  
45 Mayor Stable commented that tacit approval was given to the  
46 proposed salary increase for full-time employees and he recommended  
47 that it be implemented the first of July as a 3 percent increase.

48  
49 Councilman Gramoll was excused at this time (9:23 p.m.)

50  
51 A review of the budget for the arts followed, with discussion  
52 focusing on the need for the various groups to assist with fund-  
53 raising, budgeting and accounting to the City for the contributions  
54 they receive. Councilman Barton expressed concern that the symphony  
55 had doubled their request to the City two years in a row (with a  
56 \$25,000 request this year). The Mayor noted that inasmuch as the

1 symphony is relatively new, it is logical for the City to assist it  
2 in "getting on its feet"; however, it was the consensus of the Mayor  
3 and Council that the City authorize only \$16,000 and not the \$25,000  
4 as requested. Approval was also given for a total of \$30,000 for  
5 the Art Center (\$3,000 for the Summerfest and \$27,000 for the  
6 Center) and \$3,000 to the Choir.  
7

8 The Mayor recommended that the proposed Information Systems  
9 Management budget be approved as proposed and reviewed and the  
10 Council gave consensus.  
11

12 The meeting adjourned to executive session at 10:15 p.m.  
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17 MAYOR

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20 \_\_\_\_\_  
21 CORDER  
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