

1 Minutes of the regular meeting of the City Council held May 6,  
2 1987 at 7:00 p.m. in the City Hall of Bountiful, Utah.

3  
4 Present: Mayor: Dean S. Stahle  
5 Council Members: C. Harold Shafter, Richard  
6 G. Sharp, Phyllis C.  
7 Southwick, and H. Keith  
8 Barton  
9 City Manager: Tom Hardy  
10 Asst. City Engineer: Paul Rowland  
11 City Attorney: Layne B. Forbes  
12 City Recorder: Arden F. Jenson  
13 Planning Director: Jon Reed Boothe  
14 Dep. Recorder: Lois Hoskins  
15 Rec. Secretary: Nancy T. Lawrence  
16 Department Heads: Larry Higgins, Police  
17 Clifford Michaelis, Power  
18 Jerry Lemon, Fire  
19  
20 Absent: Councilman: Jerry K. Lawrence  
21 City Engineer: Jack P. Balling  
22

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

27 Official notice of this meeting had been given by posting a  
28 written notice of same and an Agenda at the City Hall and providing  
29 copies to the following newspapers of general circulation: Davis  
30 County Clipper, Deseret News, and Salt Lake Tribune.  
31

32 Minutes of the regular meeting of the City Council held April  
33 29, 1987 were presented and unanimously approved as written on a  
34 motion made by Councilman Barton and seconded by Councilman Shafter.  
35

36 **EXPENDITURES APPROVED FOR PERIOD APRIL 23-30, 1987**

37 Mr. Jenson presented the Expenditure and Expense Report for the  
38 Period April 23-30, 1987 in the amount of \$285,462.72. Following  
39 a brief discussion on several of the items, these expenditures were  
40 unanimously approved on a motion made by Councilman Shafter and  
41 seconded by Councilman Barton.  
42

43 **PRELIMINARY APPROVAL GRANTED TO 4-PLEX,**  
44 **225 WEST 1800 SOUTH**

45 Mr. Boothe presented the site plan for the proposed 4-plex at  
46 225 West 1800 South (Robert Gibson, developer) and reported that it  
47 is the recommendation of the Planning Commission that preliminary  
48 approval be granted subject to the following conditions:

- 49 1. Design a sewer system from 200 West that meets State  
50 requirements and approval of the Engineering Department, and  
51 payment of sewer fees in the amount of \$1,400.00;  
52
- 53 2. Payment of the culinary water fee of \$3,292.50 and provide  
54 a 1 1/2" water meter;  
55

1 3. Provide for storm detention on-site or pay a storm  
2 detention fee of \$626.00 to drain surface water runoff to the  
3 street;

4  
5 4. Provide concrete curb and gutter around all parking areas  
6 and driveways;

7  
8 5. Posting of a 2 percent landscape bond (2% of the valuation  
9 of the building) or \$2,000 (whichever is greater), to cover  
10 landscaping, sprinkler system, and other on-site improvements;

11  
12 6. Provide easements as required by the Power Department.  
13

14 Discussion followed regarding the configuration of the lot and  
15 the related landscaping and sideyards and front yard. The Council  
16 expressed concern that the minimum square footage was achieved by  
17 including a "finger" of property which does not add square footage  
18 **around** the building. Mr. Boothe noted, however, that all of the  
19 ordinance requirements are met. Councilwoman Southwick made the  
20 motion that preliminary approval be granted, as recommended.  
21 Councilman Barton seconded the motion. Councilman Sharp emphasized  
22 that the approval makes mandatory the landscaping and related  
23 sprinkler system and maintenance features of the total property.  
24 Voting was by a majority. Councilman Shafter voted "nay" because  
25 he felt a three-plex would have been better inasmuch as the property  
26 is of an irregular shape and the area around the building is  
27 minimal. He also noted that an effort could have been made on the  
28 part of the developer to work with the neighboring property owner  
29 to achieve a better property configuration.  
30

31 **FINAL APPROVAL GRANTED TO 4-PLEX,**  
32 **162 SOUTH 100 WEST (PHIPPS, DEVELOPER)**

33 Mr. Boothe presented the site plan for a 4-plex at 162 South  
34 100 West (Steve and Marie Phipps, developers), and stated that it  
35 is the recommendation of the Planning Commission that final approval  
36 be granted to this project subject to the following conditions:

37 1. Payment of sanitary sewer and culinary water fees,  
38 including the cost of a fire hydrant, tap and sleeve for the  
39 fire hydrant, and a 1 1/2" water meter service to the 4-plex.  
40

41 2. Payment of required impact fees.  
42

43 3. Easements to be deeded to the City as needed by the Power  
44 Department. The Power Department requires that the building  
45 have a sideyard of 10 feet on the north and 8 feet on the  
46 south.  
47

48 4. Posting of a 2 percent bond or \$2,000 (whichever is  
49 greater) to guarantee the landscaping, installation of the  
50 sprinkler system, and all other on-site improvements, asphalt  
51 parking area, and concrete curb and gutter around the parking  
52 area and driveway.  
53

54 5. Construction of a 6-ft. high solid fence around the  
55 southwest and north property lines, except the north fence to

2 return to the northwest corner of the existing home. Also, a  
3 solid fence to be installed 4 ft. high along the east side of  
4 the parking area.

5 6. Landscape plan to be revised to meet new landscape  
6 ordinance.

7  
8 Mr. Boothe noted that a request from the same developers had been  
9 approved by the Council in December, 1985 for this property for a  
10 7-unit dwelling. However, the time limitation has passed and the  
11 approval is no longer valid. The Mayor emphasized that this  
12 request comes as a new request and is not a reaffirmation of the  
13 original request.

14  
15 Discussion followed regarding the use of this property as it  
16 relates to the proposed developments which are planned for the  
17 property to the east. In relationship to this, it was suggested  
18 that the solid fence be required to be sight-proof--either brick,  
19 block, or wood. Councilman Sharp made the motion that approval be  
20 granted as recommended, with the added condition that the solid  
21 fence be required to be "masonry or sight-proof wood". Councilman  
22 Shafter seconded the motion which carried by a majority. Councilman  
23 Shafter noted that he felt the proposed development is not a good  
24 use of the subject property, keeping in mind the forthcoming  
25 development across the street.

26  
27 **FINAL APPROVAL GRANTED TO SHERWIN-WILLIAMS PAINT,**  
28 **555 SOUTH 500 WEST**

29 Mr. Boothe presented the site plan for the proposed commercial  
30 building of Sherwin-Williams Paint (Merrill Black property), 555  
31 South 500 West, and reported that it is the recommendation of the  
32 Planning Commission that final approval be granted subject to the  
33 following conditions.

- 34  
35 1. The developer install a storm drain across the back of the  
36 property in the proposed waterway and drain the back parking  
37 lot. All future development and the roof drains to go to a  
38 pipe to the Mill Creek channel. If this can be accomplished,  
39 the City may waive the storm drain fees.
- 40  
41 2. Payment for connection of sanitary sewer fee of \$350.00 and  
42 a 3/4" culinary water meter in the amount of \$1,241.00.
- 43  
44 3. Building plans to conform with the Uniform Building Code  
45 before issuance of the building permit, and the building to be  
46 constructed by a licensed building contractor.
- 47  
48 4. All fees to be paid when the building permit is issued.
- 49  
50 5. Posting of a 2 percent bond or payment of \$2,000 (whichever  
51 is greater) to guarantee landscaping and all other on-site  
52 improvements.

1 6. Approval of easements by the Power Department and any  
2 relocation of utility poles or lines to be paid by the  
3 developer.  
4

5 7. A concrete curb along the entire north property line to be  
6 constructed to protect the landscaping that is proposed along  
7 the north property line.  
8

9 After a brief discussion, Councilman Barton made the motion that the  
10 recommendation of the Planning Commission be accepted and final  
11 approval granted as outlined. Councilwoman Southwick seconded the  
12 motion and voting was unanimous.  
13

14 **FINAL APPROVAL GRANTED TO**  
15 **PHEASANT RIDGE ESTATES, 250 NO 1350 EAST**

16 Mr. Boothe reviewed the site plan for Pheasant Ridge Estates  
17 Subdivision, 250 North 1350 East, Balling Engineering, developer,  
18 and stated that it is the recommendation of the Planning Commission  
19 that final approval be granted to this 19-lot subdivision subject  
20 to the following conditions.  
21

- 22 1. Submission of a title report to the Engineering Department  
23 for review.  
24
- 25 2. The improvement drawings to be acceptable to and approved  
26 by the Engineering Department.  
27
- 28 3. Payment of all required fees.  
29
- 30 4. Posting of the required 100 percent bond to guarantee all  
31 on-site improvements.  
32
- 33 5. The required front yard setback be varied for the  
34 following: Lots 2, 5, 7, 8, and 9 be granted a 25-foot front  
35 yard setback; lots 3 and 4 be allowed a 20-foot front yard  
36 setback.  
37
- 38 6. Sidewalk to be integral with curb for approximately 370  
39 lineal feet, starting from 1300 East Street.  
40

41 Councilman Barton expressed concern about the request for a  
42 reduced front yard setback for 7 of the 19 lots, especially for Lots  
43 3 and 4. Mr. Boothe explained that the ordinance provides for  
44 reduced setbacks in areas of steep terrain, and this property  
45 qualifies under the ordinance. Councilman Sharp made the motion  
46 that final approval be granted as recommended, Councilwoman  
47 Southwick seconded the motion, and voting was unanimous.  
48

49 **FINAL APPROVAL GRANTED TO**  
50 **ORCHARD PLACE SUB., 2300 SO ORCHARD**

51 Mr. Boothe presented the site plan for Orchard Place  
52 Subdivision, 24 lots, 2300 South Orchard Drive (Rendell Mabey  
53 property), and reported that it is the recommendation of the  
54 Planning Commission that final approval be granted to this  
55 subdivision subject to the following conditions:

- 1 1. Submission of a title report to the City for review.
- 2
- 3
- 4 2. Improvement drawings to be approved by the Engineering
- 5 Department.
- 6
- 7 3. Payment of all required fees and posting of a 100 percent
- 8 improvement bond to guarantee all on-site improvements.
- 9
- 10 4. A 2" culinary water line extended to Lot 23, and sanitary
- 11 sewer to be extended to the south property line of Lot 23.
- 12
- 13 5. 20-foot front yard setbacks approved for Lots 13, 14, 15,
- 14 17, 18, 19, and 20.
- 15
- 16 6. North property line to be adjusted to meet existing survey
- 17 conditions and approved by City Engineer.
- 18

19 In response to a question from Councilman Barton, Mr. Boothe  
 20 confirmed that there will be sidewalk on both sides of the road.  
 21 Councilman Barton made a motion for approval, as recommended;  
 22 Councilman Shafter seconded the motion and voting was unanimous.

23  
 24 **PRELIMINARY AND FINAL APPROVAL GRANTED**  
 25 **TO 5-LOT SUB., 450-600 EAST 400 NORTH**

26 Mr. Boothe presented the site plan for a 5-lot subdivision on  
 27 the south side of 400 North between 450 East and 600 East, Brad and  
 28 Daryl Pack, developers. He said it is the recommendation of the  
 29 Planning Commission that preliminary and final approval be granted  
 30 subject to the following conditions:

- 31 1. The preparation of a final subdivision plat to be approved
- 32 by the City.
- 33
- 34 2. Payment of all required fees and costs associated with this
- 35 development.
- 36
- 37 3. Posting of a cash bond to guarantee the integrity of the
- 38 existing curb and gutter and sidewalk existing along 400 North
- 39 Street.
- 40
- 41

42 Councilman Shafter made the motion that preliminary and final  
 43 approval be granted as recommended, Councilman Sharp seconded the  
 44 motion and voting was unanimous.

45  
 46 **FINAL APPROVAL GRANTED TO 5-OFFICE**  
 47 **DENTAL BUILDING, 625 E 500 SO**

48 Mr. Boothe reviewed the site plan and elevations for the  
 49 proposed 5-office dental building at 625 East 500 South (Jones,  
 50 Nelson, Blaisdell, Dedecker, and Orchard, dentists), and reported  
 51 that it is the recommendation of the Planning Commission that final  
 52 approval be granted subject to the following conditions:

- 53 1. Construction plans to meet the requirements of the Uniform
- 54 Building Code.
- 55

- 2. Payment of all required fees.
- 3. Posting of a cash bond to guarantee the integrity of the existing curb and gutter and sidewalk.
- 4. Approval of the Power Department regarding any easements that may be needed by them.
- 5. Approval of the City Engineer regarding the method proposed for handling the storm water runoff.
- 6. Posting of a 2 percent landscape bond or \$2,000 (whichever is greater) to guarantee the landscaping, sprinkler system, and all on-site improvements. The landscape plan to be revised to meet the requirements of the landscape ordinance. Also, a sprinkler plan to be presented before a building permit is issued.
- 7. The garbage dumpster to be relocated and a solid screen wall be built around it to hide it from the public street. The wall to be of the same material as the building.

Mr. Boothe also recommended that the landscaping be changed from Honeysuckle to Cranberry Cottoneaster. Councilman Shafter made the motion that final approval be granted to this project, as recommended. Councilman Barton seconded the motion and voting was unanimous.

**CONSIDER ORDINANCE CREATING NEW ZONING DISTRICT 10 FROM PART OF ZONING DISTRICT 4 IN NEIGHBORHOOD 4, DOWNTOWN AREA**

This item was cancelled.

**FINAL APPROVAL GRANTED TO NEWPORT HEIGHTS, PLATS B AND C**

Mr. Boothe explained that the time frame has passed for the final approval which was granted to Newport Heights Plats B and C (20 and 31 lots, respectively) in May of 1986. Therefore, it is necessary that this subdivision again be considered for final approval. He reported that it is the recommendation of the Planning Commission that final approval be granted subject to: (1) submission of the title report, (2) payment of the required fees; and (3) posting of the bond. Councilman Barton made a motion for approval, as recommended. Councilwoman Southwick seconded the motion and voting was unanimous.

Councilman Barton requested that when plans are submitted for approval, that they have with them a vicinity map which shows how the prospective development ties in with the contiguous property.

**REQUEST FOR FUNDING FROM COUNTY AGING SERVICE, INC. TABLED**

Mayor Stahle referred to a letter which he received from the Davis County Aging Services, Inc., requesting that Bountiful

2 contribute \$63,728 toward construction of a new senior citizen's  
 3 center in the Layton-Kaysville area. (This figure is based on  
 4 senior citizen population, with a suggested \$7.50 per person being  
 5 contributed). The total cost of the project will be approximately  
 6 \$560,000 for the building, plus land. The Mayor noted that  
 7 Bountiful contributed to the construction of the north end center;  
 8 however, there were no contributions received by Bountiful from the  
 9 north end cities. Councilman Shafter expressed concern that the  
 10 north end cities should carry their share. Councilman Sharp made  
 11 the motion that action on this request be tabled for further study.  
 12 Councilwoman Southwick seconded the motion and voting was unanimous.

13 CLARK BUICK AWARDED BID FOR  
 14 TRUCK FOR PARKS & RECREATION

15 Mr. Hardy reported that bids were received by the Parks and  
 16 Recreation Department for a 3/4 Ton truck and he recommended that  
 17 the bid be awarded to low bidder, Clark Buick, in the amount of  
 18 \$9,793.88. Councilman Shafter made a motion that the bid be awarded  
 19 as recommended, Councilwoman Southwick seconded the motion and  
 20 voting was unanimous.

21  
 22 RES. NO. 87-5 ADOPTED PROVIDING FOR  
 23 ACCEPTANCE OF ANNEXATION PETITION - VAL  
 24 VERDA AREA (MONARCH DR. TO 550 W, 3800 SO TO 3400 SO

25 Mr. Hardy reported that a petition for annexation has been  
 26 received from a group of citizens in the Val Verda area (Monarch  
 27 Drive to 550 West, 3800 South to 3400 South) representing a majority  
 28 of the property owners and 1/3 of the total property valuation. If  
 29 the Council is so inclined, the appropriate action of the Council  
 30 would be to approve a resolution accepting the petition, and to set  
 31 a date for a public hearing on the Policy Declaration. Councilman  
 32 Sharp made the motion that the annexation petition be officially  
 33 accepted by adoption of Resolution No. 87-5, that the Mayor and City  
 34 Recorder be authorized to sign it, and that the public hearing be  
 35 set for June 17, 1987 at 7:30 p.m. Councilman Shafter seconded the  
 36 motion which carried unanimously.

37  
 38 RES. NO. 87-6 ADOPTED PROVIDING FOR  
 39 ACCEPTANCE OF ANNEXATION PETITION - VAL VERDA  
 40 AREA (2600 SOUTH TO 3100 SOUTH, ORCHARD DR TO 625 W)

41 Mr. Hardy then presented a petition for annexation from a  
 42 second group of Val Verda residents (a majority of the property  
 43 owners in the area from 2600 South to 3100 South, and Orchard Drive  
 44 to 625 West), and recommended adoption of Resolution No. 87-6, and  
 45 that the public hearing to consider the Policy Declaration be set  
 46 for June 17, 1987 at 8:00 p.m. Councilwoman Southwick made a motion  
 47 to this effect, Councilman Sharp seconded the motion and voting was  
 48 unanimous.

49  
 50 1987-88 TENTATIVE BUDGET ADOPTED;  
 51 PUBLIC HEARING SET TO CONSIDER 1987-88  
 52 BUDGET AND RE-OPENING OF 1986-87 BUDGET

53 - Mr. Hardy presented the following Summary of Tentative Budgets  
 54 for Fiscal Year July 1, 1987 to June 30, 1988:  
 55

1	General Fund:	
2	Legislative	\$ 338,253
3	Legal	134,929
4	Executive and Central Staff	123,323
5	Information Systems Mgmt (Data Processing)	321,687
6	Administrative	523,879
7	General Government Buildings	242,755
8	Police	1,644,440
9	Police Reserve	17,830
10	Liquor Law Enforcement	38,000
11	Fire	690,147
12	Street & Traffic Lighting	341,333
13	Streets	1,067,171
14	Engineering	377,600
15	Parks	178,161
16	Recreation Subsidy	126,324
17	Planning	<u>92,068</u>
18		
19	<b>TOTAL GENERAL FUND</b>	<b>\$ 6,257,900</b>
20		
21	<b>CAPITAL IMPROVEMENTS FUND</b>	<b>\$ 2,375,000</b>
22		
23	<b>DEBT SERVICE</b>	<b>\$ 101,776</b>
24		
25	<b>Enterprise Funds:</b>	
26	Water	\$ 1,130,300
27	Water Development	773,600
28	Water Replacement	211,938
29	Sewer	287,836
30	Light & Power	14,046,634
31	Golf Course	500,650
32	Swimming Pools	337,065
33	Recreation	98,989
34	Ice Arena	352,565
35	Recreation - Capital	11,700
36	Bay Area Refuse Disposal (BARD)	264,000
37	Sanitation	647,000
38	Cemetery	<u>130,176</u>
39		
40	<b>GRAND TOTAL - ALL FUNDS</b>	<b><u>\$ 27,527,129</u></b>

41  
 42 Mr. Hardy emphasized that the above summary is tentative, but that  
 43 it is a legal requirement to adopt it and then set a time for a  
 44 public hearing on the 1987-88 budget. He recommended that the  
 45 public hearing be scheduled June 10, 1987 at 7:30 p.m. He also  
 46 explained that it is necessary to set a public hearing to consider  
 47 re-opening the 1986-87 budget and he recommended that this hearing  
 48 be set for 8:00 p.m. on June 10, 1987. Councilman Sharp made the  
 49 motion that the public hearings be scheduled as recommended.  
 50 Councilman Shafter seconded the motion and voting was unanimous.

51  
 52 Councilman Sharp made the motion that the tentative budget be  
 53 adopted as presented, Councilwoman Southwick seconded the motion and  
 54 voting was unanimous.  
 55

1 At 8:18 p.m. the meeting recessed to the Planning Conference  
2 Room to a work session to review the Capital Improvements budget.

3  
4 **1987-88 CAPITAL IMPROVEMENTS DISCUSSED**

5 Mr. Hardy discussed the 1987-88 Budget of the Capital  
6 Improvements Fund. He mentioned items included in the budget and  
7 some which were not included. Without changing any of the  
8 expenditures currently included, we are approximately \$925,000 short  
9 of balancing the Capital Improvements Budget. Some of the items  
10 included in the new budget are carryovers from the old budget  
11 (approximately \$1 million), and these funds are rebudgeted.

12  
13 After a lengthy discussion outlining Capital Improvement needs  
14 in each of the departments (except the enterprise funds), Councilman  
15 Barton made a motion to place an order for a new backhoe in the  
16 Street Department, to be delivered at the beginning of the new  
17 fiscal year. If there is not a large price differential between a  
18 Model 410C versus a 510C, our order should be placed for the larger  
19 machine. The motion was seconded by Councilman Sharp and carried  
20 unanimously.

21  
22 **"COST OF SERVICE STUDY" FOR ELECTRICAL RATES**

23 The City Manager reported that in last night's Power Commission  
24 Meeting, a "Cost of Service Study" (rate study) was discussed. This  
25 study has been conducted over the past several months, and a  
26 decision will need to be made concerning it. Before a decision is  
27 made, however, representatives of the City will need to talk to  
28 electricity customers who would be negatively impacted by the  
29 proposed change in rates. The matter will be brought up for  
30 discussion in next week's City Council meeting.

31  
32 **MEETING WITH UP&L SUGGESTED TO RESOLVE**  
33 **ISSUES CONCERNING WEBER RIVER POWER PLANT**

34 We have received a letter from the Federal Energy Regulatory  
35 Commission (FERC) concerning the Weber River Power Plant. John  
36 Bohling (of Utah Power & Light Company) wants his management and  
37 ours to get together on this issue to see if it can be resolved to  
38 everyone's satisfaction. The Mayor and Council expressed the  
39 feeling that because of our lost opportunity in that plant due to  
40 the ruling against our acquiring it, we should work to get all the  
41 benefits or concessions we can from the other parties involved.

42  
43 The meeting adjourned at 9:49 p.m. on a motion made by  
44 Councilman Barton, seconded by Councilman Shafter, and approved  
45 unanimously.

46 e. "6a/1" /d' 46-46/  
47  
48 MAYOR

49  
50  
51 -quaturE  
52 coRDER

\* \* \* \* \*