

1 Minutes of the regular meeting of the City Council held
2 January 28, 1987 at 7:00 p.m. in the City Hall of Bountiful,
3 Utah.

4
5 Present: Mayor: Dean S. Stahle
6 Council Members: C. Harold Shafter, Richard
7 G. Sharp, Phyllis C.
8 Southwick, and H. Keith
9 Barton
10 City Manager: Tom Hardy
11 City Attorney: Layne B. Forbes
12 City Engineer: Jack P. Balling
13 City Recorder: Arden F. Jenson
14 Planning Director: Jon Reed Boothe
15 City Treasurer: Ira H. Todd
16 Rec. Secretary: Nancy T. Lawrence
17
18 Department Heads: Larry Higgins, Police Chief
19
20 Excused: Councilman: Jerry K. Lawrence
21

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

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

32 Minutes of the regular City Council meeting held January
33 14, 1987 were presented and unanimously approved as amended on
34 a motion made by Councilman Shafter and seconded by Councilman
35 Shar p.
36

37 EXPENDITURE AND EXPENSE REPORTS

38 APPROVED FOR JANUARY

39 Mr. Jenson presented the Expense and Expenditure Report for
40 the periods January 1-15, 1987 in the amount of \$101,760.23, and
41 January 16-22, 1987 in the amount of \$204,193.56. The staff
42 responded to questions regarding the expenditures, following
43 which they were unanimously approved on a motion made and
44 seconded by Councilmen Barton and Shafter, respectively.
45

46 COUNCIL VOTES FOR POLICE DEPARTMENT 47 TO CONTINUE TO PROVIDE SERVICE OF 48 GETTING INTO LOCKED CARS

49 Jeff Curtis, proprietor of AABCO Locksmith, approached the
50 Council regarding a concern of his that City police officers are
51 in competition with his business. He requested that the existing
52 policy of the Police Department to assist citizens in getting
53 into locked cars be modified so that it is only done by them in
54 life-threatening or emergency situations. Chief Higgins
55 acknowledged that the competition exists; however, he said that
56 the Police Department has provided this service to citizens for
57 15+ years as a community service and since it is one of the few

1 opportunities that the officers have to interact with the public
2 in a positive manner, he recommended that the service be allowed
3 to continue. Discussion followed with Mr. Curtis and Chief
4 Higgins providing substantiation for their respective positions,
5 following which Councilman Sharp made the motion that, in the
6 interest of the people in the community, the Police Department
7 be allowed to continue this service. Councilwoman Southwick
8 seconded the motion and voting was unanimous.
9

10 **RES. NO. 87-2 ADOPTED PROVIDING FOR**
11 **OFFICIAL ACCEPTANCE OF ANNEXATION -**
12 **VAL VERDA AREA**

13 Mr. Hardy reviewed that a public hearing was held two weeks
14 ago regarding the proposed annexation of a portion of the Val
15 Verda area and it was the recommendation of the Council that this
16 area be annexed. Inasmuch as there were no formal complaints
17 registered regarding this recommendation, he presented Resolution
18 No. 87-2 which provides for official acceptance of the annexation
19 and recommended that the Mayor and City Recorder be authorized
20 to sign it. He said that the City will commence municipal
21 services next week, except for electrical, and that it will take
22 approximately four months before the changeover from Utah Power
23 and Light will be completed. Councilman Barton made a motion of
24 approval as recommended, Councilman Sharp seconded the motion and
25 voting was unanimous.
26

27 **DAVIS CO. HOUSING AUTHORITY PRESENTS**
28 **CHECK FOR PAYMENT IN LIEU OF TAXES**

29 Rosemary Davis and Fran Spencer, representing the Davis
30 County Housing Authority, presented the Council with an update
31 of the housing owned by that Agency in Bountiful and expressed
32 appreciation to the Council for the cooperation which the City
33 has given them. Ms. Davis reviewed that five years ago the City
34 signed a contract with the Housing Authority accepting a "payment
35 in lieu of taxes" (based on rent minus utilities) and she
36 presented the Mayor with a check for \$44,361.10 which represents
37 the amount owed to the City accumulated over the past five
38 years. She noted that it would be the City's responsibility to
39 make the proper distribution to other taxing entities from this
40 amount. Mayor Stahle accepted the payment and commended the
41 Housing Authority on the program which they operate in Bountiful.
42

43 **REQUEST FROM LARRY BENCH TO AMEND**
44 **ORDINANCE RE: FIRE RETARDANT SHINGLES DENIED**

45 Larry Bench explained to the Council that he has been
46 required by the City building inspector to use a fire retardant
47 shingle (as per ordinance) in the construction of his new home
48 and he requested that the ordinance be amended in this regard.
49 He said that the ordinance is discriminatory (applies to hillside
50 area), and since his home is located in a meadow where there are
51 not many trees, he should be exempt from this requirement. He
52 also was concerned about the additional cost for the fire
53 retardant shingles and said that they were not included in his
54 original plans for his home and he was not aware of that
55 requirement when the building permit was issued. After

1 discussion of this request, Councilman Sharp made the motion that
2 the ordinance not be changed, and he noted that the requirement
3 is for the protection of the homeowner. Councilwoman Southwick
4 seconded the motion which carried unanimously. Mr. Hardy
5 commented that this experience has pointed out the need for a
6 written statement to be attached to building permits stating the
7 requirement for Class A or Class B fire retardant shingles in the
8 Foothill Zone as required by ordinance.

9
10 **MAYOR REPORTS ON RECENT**
11 **CONFERENCE IN WASHINGTON DC**

12 Mayor Stahle thanked Councilman Barton for serving as
13 Chairman Pro Tern for the RDA meeting last week, and he reported
14 that the meetings he attended in Washington D.C. were very
15 fruitful and interesting. He specifically reviewed information
16 he had received regarding landfills. He also reported that in
17 the last BARD meeting the BARD Board decided to have their own
18 studies done to determine what the closing costs will be for that
19 facility.

20
21 **GATEWAY PARK SITE PLAN REVIEWED**

22 Mr. Hardy reviewed that the site plan for Gateway Park is
23 scheduled to come before the Planning Commission on February 3,
24 1987 and then to the City Council on February 4, 1987. In an
25 effort to expedite their approval process, these developers are
26 before the Council this evening to obtain conceptual approval of
27 their plans, with particular respect to signage, landscaping, and
28 building materials--areas that the RDA expressed concern about.
29 Mr. Balling presented the site plan and requested that the
30 following areas be addressed: (1) plans for signage; (2)
31 elevations to include drainage plan and grading; (3) landscape
32 plan; and (4) architectural materials defined. He said a
33 complete set of plans is required, to include structural
34 requirements, mechanical, electrical, plumbing, etc. Steve
35 Smoot, representing Gateway, said that they are anxious to
36 satisfy the concerns of the Council and he requested direction
37 on signage. Councilman Sharp emphasized that the signs should
38 be complementary to the building and uniform, and he suggested
39 that the developers use an architect to do their sign layout.
40 Councilmen Sharp and Shafter expressed concern regarding the
41 building material of the back wall, and it was suggested that
42 Atlas brick be used instead of block.

43
44 **UPDATE ON USE OF BARD BY**
45 **NON-BOUNTIFUL CITIZENS**

46 Councilman Barton asked what the status will be for citizens
47 from municipalities other than Bountiful who wish to use the
48 BARD. Mayor Stahle responded that they cannot dump at the BARD
49 unless there is an ordinance change.

50
51 **MISCELLANEOUS FROM MAYOR**

52 Mayor Stahle reported that he had received a letter from
53 Wil Jefferies expressing appreciation to Bountiful for the use
54 of the City Hall for the Trans Corn Wasatch Front Regional
55 meetings.

