

1 Minutes of the regular City Council meeting held July 10,  
2 1985 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  
7 C. Southwick, Jerry  
8 K. Lawrence, and J. Dean  
9 Hill  
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 Dep. Recorder: Lois Hoskins  
16 Rec. Secretary: Nancy T. Lawrence  
17

18 Mayor Stahle welcomed those in attendance and then led the  
19 pledge of allegiance to the flag. The invocation was offered  
20 by Mr. Jenson.  
21

22 Official notice of this meeting had been given by posting  
23 a written notice of same and an agenda at the City Hall and  
24 providing copies to the following newspapers of general  
25 circulation: Davis County Clipper, Deseret News, and Salt Lake  
26 Tribune.  
27

28 Minutes of the regular meeting of the City Council held  
29 June 26, 1985 were presented and unanimously approved as  
30 corrected on a motion made by Councilman Shafter and seconded  
31 by Councilman Sharp.  
32

### 33 EXPENDITURE AND EXPENSE REPORTS

#### 34 APPROVED

35 Mr. Jenson presented the Expenditure and Expense Report  
36 for the Period June 21-28, 1985 in the amount of \$541,697.83  
37 and these expenditures were unanimously approved as listed on a  
38 motion made by Councilwoman Southwick and seconded by  
39 Councilman Lawrence.  
40

41 The Expenditure and Expense Report for the Period June 30,  
42 1985 (last day of fiscal year) totaling \$49,317.49 was then  
43 reviewed by Mr. Jenson. He noted that there would be  
44 additional expenditures to be reported for the past fiscal year  
45 which will be presented later. Councilman Lawrence made the  
46 motion that this report be approved, Councilman Shafter  
47 seconded the motion and voting was unanimous.  
48

### 49 PUBLIC HEARING SET TO CONSIDER SUSPENSION 50 OF BEER LICENSE OF FRED MEYER

51 Mr. Forbes reported that the Fred Meyer store, 200 West  
52 700 South, has sold beer to minors on three occasions and in  
53 consideration of the action which the City has taken in the  
54 past with others who have violated the liquor control  
55 ordinance, he recommended that a public hearing be set for  
56 August 7, 1985 at 7:30 p.m. for the purpose of considering the  
57 suspension of the Fred Meyer beer license. Councilman Lawrence

1 made a motion to this effect, Councilwoman Southwick seconded  
2 it and voting was unanimous.  
3

4 **ORD. NO. 85-5 RE: HEALTH CARE CENTERS**  
5 **IN NEIGHBORHOOD DISTRICT 6-13 ADOPTED**

6 Mr. Forbes reviewed Ordinance No. 85-5 entitled "AN  
7 ORDINANCE AMENDING TITLE 14, CHAPTER 5, SECTION 5-800, THE  
8 TABLE OF LAND USE REGULATIONS, NEIGHBORHOOD 6, DISTRICT 13 OF  
9 THE REVISED ORDINANCES OF BOUNTIFUL, UTAH, 1965, AS AMENDED,  
10 PROVIDING THAT 1-6, HEALTH CARE CENTERS, BE A CONDITIONAL USE  
11 THEREIN AND REPEALING ALL ORDINANCES OR PARTS THEREOF IN  
12 CONFLICT THEREWITH" and noted that this ordinance implements  
13 the decision of the Council to permit health care centers as a  
14 conditional use in Neighborhood District 6-13. Councilman  
15 Sharp made the motion that this ordinance be adopted and that  
16 the Mayor be authorized to sign it. Councilman Lawrence  
17 seconded the motion which carried by a majority. Councilman  
18 Shafter voted "nay".  
19

20 **FIRE DEPARTMENT BLAZER AND VAN**  
21 **TO BE RE-BID**

22 Mr. Hardy explained that only one bid was received for the  
23 van and one bid for the Blazer for the Fire Department. He  
24 said that both bids were very high and that he felt confident  
25 that the City could get more competitive prices. Therefore, he  
26 recommended that neither bid be accepted and that the van and  
27 Blazer be re-bid. Councilman Lawrence made a motion supporting  
28 this recommendation, Councilman Sharp seconded the motion and  
29 voting was unanimous.  
30

31 **AGREEMENT WITH EAST HILLS DRIVE IRRIGATION**  
32 **COMPANY APPROVED**

33 Mr. Forbes reviewed a proposed agreement between East  
34 Hills Drive Irrigation Company and Bountiful wherein  
35 authorization would be given for Bountiful to provide an  
36 easement for an irrigation line (already in place) which would  
37 provide water for a portion of the Hills Subdivision and the  
38 **Company will** maintain that line and provide a \$25,000 liability  
39 insurance policy naming the Bountiful Water Subconservancy  
40 District and the Company as co-insured. Bountiful would also  
41 be indemnified from any damages as a result of said irrigation  
42 line. The Agreement was discussed and it was recommended that  
43 it also contain the provision that the Agreement would  
44 terminate if the insurance is allowed to terminate. **Council-**  
45 **man Lawrence** made the motion that the Agreement be approved as  
46 discussed and the Mayor be authorized to sign it. Councilwoman  
47 Southwick seconded the motion which carried by a majority.  
48 Councilman Hill abstained due to conflict of interest.  
49

50 **MR. BALLING REPORTS ON PROGRESS OF**  
51 **BOUNTIFUL BLVD. THRU ST. RETIREMENT**  
52 **FUND PROPERTY**

53 Mr. Balling reported that the bid for rough grading of  
54 Bountiful Boulevard through the State Retirement Fund property  
55 was awarded to low bidder, M. C. Green and Sons. Memorial

1 Estates will use the services of Foss Lewis and Sons to do the  
2 work through the cemetery property.

3  
4 **AGREEMENT WITH UDOT FOR NEW**  
5 **STREET LIGHT AT 500 WEST 400 NORTH**  
6 **APPROVED**

7 Mr. Hardy explained that the Utah Department of  
8 Transportation (UDOT) is desirous of upgrading the existing  
9 street light at 500 West 400 North from a mercury vapor to a  
10 high-pressure sodium light which will be about 35 percent more  
11 energy efficient. He reviewed a no-cost Agreement which  
12 provides that UDOT will furnish and install the light and  
13 Bountiful will provide the electricity to it and maintain it.  
14 Following a brief discussion, Councilman Lawrence made the  
15 motion that this Agreement be approved and the Mayor and City  
16 Recorder authorized to sign it. Councilman Hill seconded the  
17 motion and voting was unanimous.

18  
19 **EXECUTIVE SESSION SCHEDULED**

20 Councilman Sharp made a motion that an executive session  
21 be held immediately after this meeting for the purpose of  
22 discussing personnel, Councilman Shafter seconded the motion  
23 and voting was unanimous.

24  
25 **FINAL APPROVAL GRANTED TO STONE CREEK**  
26 **APARTMENTS 950 NO. 500 WEST**

27 Mr. Boothe presented the site plan for Stone Creek  
28 Apartments (Darryl Pack property), 950 North 500 West, and  
29 stated that it is the recommendation of the Planning Commission  
30 that final approval be granted subject to the following  
31 conditions: (1) that the developer provide a Certified Survey  
32 Certificate indicating the area in each zoning district in  
33 order to determine more accurately the multi-family density  
34 (140 or 142 units); (2) the site plan to delineate the walks,  
35 curbs, streets, carports, and fences; (3) payment of all  
36 required culinary water fees, storm detention fees, sanitary  
37 sewer fees, street impact fee, and engineering checking fee;  
38 (4) posting of a cash bond or letter of credit which is 2  
39 percent of the total project cost to cover installation of all  
40 on-site improvements, including sanitary sewer, concrete curb  
41 and gutter, concrete walks, hard-surfaced streets, perimeter  
42 fence, recreational facilities, landscaping and sprinkler  
43 system; (5) final review of plans by the Building Inspector;  
44 (6) providing to Bountiful City the necessary easements for  
45 required utilities; and (7) construction of a solid fence  
46 around the perimeter of the property. Councilman Lawrence  
47 asked if another condition might be that the City Finance  
48 Officer approve the bonding institution which is used and this  
49 matter was discussed and concurred upon. Mark Sandberg,  
50 co-developer, explained that they have flexibility in the  
51 amount of property which they are purchasing from Mr. Pack and  
52 it is their intent to purchase the correct amount to yield them  
53 142 units. Councilman Sharp then made a motion for final  
54 approval of a maximum of 142 units, subject to the survey and  
55 the other conditions as outlined by the Planning Commission and  
56 with the addition of the recommendation from the Council that

1 the City Finance Officer approve the institution issuing the  
2 Letter of Credit or cash bond. Councilwoman Southwick seconded  
3 the motion and voting was unanimous.

4  
5 **PRELIMINARY AND FINAL APPROVAL GRANTED**  
6 **TO BUSK/ALLRED FOUR-PLEXES, 223 WEST 1000 NO.**

7 Mr. Boothe reviewed the site plan for the two four-plexes  
8 proposed by Busk/Allred developers at 223 West 1000 North and  
9 stated that it is the recommendation of the Planning Commission  
10 that preliminary and final approval be granted subject to: (1)  
11 extending the sanitary sewer 280 feet and providing two 4-inch  
12 laterals to the property line; (2) payment of the sanitary  
13 sewer connection fees; (3) payment of the culinary water  
14 connection fees; (4) payment of the storm detention fees; (5)  
15 construction to City standard of concrete sidewalk across the  
16 entire width or frontage of the property, including the drive  
17 approach; (6) final plan check by the Building Inspector; and  
18 (7) posting of a letter of credit or cash bond which is 2  
19 percent of the total project cost to guarantee all on-site  
20 improvements, including landscaping and sprinkler system. The  
21 Council discussed the site plan, noting that the details of the  
22 landscaping were not clear. They also requested that an  
23 additional condition be that the Letter of Credit be approved  
24 by the City Finance Officer. Councilwoman Southwick made a  
25 motion for approval as discussed and recommended, Councilman  
26 Hill seconded the motion and voting was unanimous. Councilman  
27 Sharp then made the motion that the landscape plan and site  
28 plan be more properly developed and re-submitted to the  
29 Planning Commission prior to issuance of the building permit.  
30 Councilman Lawrence seconded this motion which carried  
31 unanimously.

32  
33 **APPEAL OF STEPHEN STORY FOR**  
34 **CONDITIONAL USE PERMIT TO CONSTRUCT**  
35 **DUPLEX DENIED**

36 Mr. Boothe displayed an aerial photo of the area of the  
37 City showing the neighborhood containing the property at 122  
38 West 1400 South and explained that the Planning Commission  
39 denied the request of Stephen P. and Jan Story for a  
40 conditional use permit for a duplex at that address. He  
41 explained that the ordinance provides that the applicant can  
42 appeal the decision to the Council and they are in attendance  
43 for that purpose. Don Johnson, representing the applicants,  
44 stated that he felt the Planning Commission made their  
45 decision without full benefit of all the facts surrounding the  
46 matter and he then presented statistics of the number of homes  
47 which are occupied by their owner, as compared with renters,  
48 and the number of duplexes already in the area. He also noted  
49 that due to the average age of many of the homeowners, this  
50 neighborhood is subject to significant change over the next 20  
51 years. He displayed a photograph of a duplex which is close to  
52 the subject property and said that the one proposed by the  
53 Storys will be similar and will blend well with the  
54 neighborhood. He also stated that if the Storys are denied the  
55 conditional use permit, he felt it would be discriminatory

1 against them inasmuch as there are other duplexes in the  
2 neighborhood.

3  
4 Walter Willey, Wally Scott, Elaine Carlisle, and Dorothy  
5 Barlow, residents of the subject neighborhood, spoke on behalf  
6 of a group of residents in attendance, voicing objection to the  
7 duplex on the basis that it would de-value their property.  
8 Mr. Scott pointed out that he would lose privacy due to the  
9 height of the proposed building and several of the others spoke  
10 to the issue of the duplex property eventually becoming  
11 run-down due to most likely not being occupied by its owner.  
12 Cheryl Okubo, Planning Commission member, reviewed the  
13 considerations made by the Planning Commission and stated the  
14 purpose and objectives of the Planning Commission, following  
15 which the Council discussed the matter. **Councilwoman**  
16 Southwick then made the motion that the Council uphold the  
17 recommendation of the Planning Commission and that the Council  
18 deny the appeal for the duplex. Councilman Lawrence seconded  
19 the motion which carried by a majority. (Councilman Sharp had  
20 left the room when the vote was taken).

21  
22 **COUNCILWOMAN SOUTHWICK REPORTS ON**  
23 **UPCOMING SUMMERFEST**

24 Councilwoman Southwick reported that she had met today  
25 with the Committee for the Summerfest which will take place  
26 August 1-10, 1985. She distributed a document to the Council  
27 members describing the activities which are planned in  
28 conjunction with this activity and expressed her enthusiasm for  
29 the project.

30  
31 **MR. BALLING DISCUSSES NEED FOR**  
32 **COLLECTOR STREET IN SOUTHEAST AREA**  
33 **OF CITY**

34 Mr. Balling used an aerial photo to assist in his  
35 discussion of the problems which are facing the City with  
36 regard to the need for a collector road in the southeast area  
37 of the City. He noted the proposed location of Bridlewood  
38 Subdivision (east of 3700 South) and stated that the developers  
39 of this subdivision will construct Bountiful Boulevard across  
40 the east side of their property (providing an easterly access  
41 to the subdivision) and connect east/west to Davis Boulevard  
42 via Monarch Rd. He pointed out that there are other portions  
43 of Bountiful Boulevard and Davis Boulevard which will still not  
44 be completed, with said sections of street being located in the  
45 County and North Salt Lake. He said that the immediate problem  
46 at hand is that final approval of the first phase of Bridlewood  
47 Subdivision (57 lots) has been tabled by the Planning  
48 Commission subject to determining where the location of a  
49 collector road will be to connect Davis and Bountiful  
50 Boulevard. The developers of this subdivision have been  
51 working for 15 months in an effort to get approval and are  
52 anxious to receive the necessary approvals. He also emphasized  
53 that the residents who live along Monarch Rd. are deeply  
54 concerned that if a collector road is not constructed, they  
55 will face problems with more traffic than this steep,

1 residential street can handle. It is with pressure from those  
2 citizens that the collector road is being sought.

3  
4 Mr. Balling said that the Mayor, the City Manager and  
5 himself have met with their counterparts from North Salt Lake  
6 and the County Planning Director in an effort to determine a  
7 suitable location for the collector road and following a series  
8 of meetings by North Salt Lake, the alternatives which they  
9 recommended have not been approved by the North Salt Lake City  
10 Council. He recommended that Bountiful City Council meet with  
11 North Salt Lake City Council next week to discuss this matter  
12 and hopefully come to a solution which will allow the  
13 developers of Bridlewood to go ahead with their first phase.  
14

15 **RESIDENTS EXPRESS CONCERN AND**  
16 **NEED FOR COLLECTOR STREET**

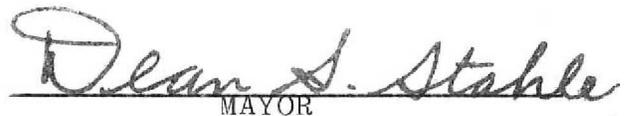
17 Steve McMurray and Rulon Gill, representing concerned  
18 homeowners in the area of Monarch Drive, requested that  
19 Bountiful work with North Salt Lake in an effort to get the  
20 collector road location approved and that diplomacy be used to  
21 prevent political barriers from blocking progress in this  
22 effort. Mr. Gill also requested that if Bridlewood is allowed  
23 to go ahead in its development, that construction traffic not  
24 be allowed to use Monarch Drive due to the danger to children  
25 in the area. (He stated that his home on Heritage Drive has  
26 been hit by vehicles out of control on two different occasions,  
27 as has one other home located further east from him).  
28

29 **DEVELOPERS EXPRESS CONCERN RE:**  
30 **INABILITY OF NSL, BOUNTIFUL AND**  
31 **COUNTY TO AGREE ON STREET LOCATION**

32 Greg Erickson, representing Bridlewood, said that he felt  
33 their subdivision has been used for a political football ever  
34 since the property in question was annexed through the Boundary  
35 Commission process, and he pleaded for the opportunity to go  
36 ahead with the first phase of the subdivision as quickly as  
37 possible. Kyle McMullin, developer of Sunset Ridge subdivision  
38 (the location of one of the proposed collector road sites),  
39 stated that their preliminary plans do not call for a collector  
40 road and they are not desirous of having a heavy traffic  
41 collector in the single-family subdivision. This matter was  
42 discussed at length, following which the Mayor suggested that  
43 the best approach to the problem would be for him to meet with  
44 the Mayor of North Salt Lake in an attempt to provide for  
45 Bridlewood to commence with their first phase and to continue  
46 to work toward determining the location of the collector  
47 road. He said that if the mayors are unable to reach a  
48 solution, the Council Street Committees of Bountiful and North  
49 Salt Lake will be asked to assist.  
50

51 The meeting adjourned by official action at 9:54 p.m.

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53  
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55  
56   
CITY RECORDER

57   
MAYOR

\* \* \* \* \*