

Minutes of the regular meeting of the City Council held March 7, 1984 at 7:00 p.m. in the City Hall of Bountiful, Utah.

Present: Mayor:	Dean S. Stable
Council Members:	C. Harold Shafter, Richard G. Sharp, Phyllis C. Southwick, Jerry K. Lawrence, and J. Dean Hill
City Manager:	Tom Hardy
City Attorney:	Layne B. Forbes
City Engineer:	Jack P. Balling
Planning Director:	Jon Reed Boothe
City Recorder:	Arden F. Jenson
Dep. Recorder:	Lois Hoskins
Rec. Secretary:	Nancy T. Lawrence

Mayor Stahle called the meeting to order and led the pledge of allegiance to the flag, following which Councilman Shafter offered the invocation.

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.

Minutes of the regular meeting of the City Council held February 28, 1984 were presented and unanimously approved as corrected on a motion made by Councilman Lawrence and seconded by Councilman Hill.

EXPENDITURE AND EXPENSE REPORTS APPROVED

Mr. Jenson presented the Expenditure and Expense Report for the Period February 24-29, 1984 in the amount of \$226,522.23 and the staff responded to questions from the Council regarding the \$7,800 expenditure for a snow blower for the golf course. The Summary of Expenditures for the Month of February totaling \$1,707,957.02 was then presented and both expenditure reports were unanimously approved on a motion made by Councilman Lawrence and seconded by Councilwoman Southwick.

RALPH TYE AND SONS AWARDED BID FOR HEAT RECOVERY SYSTEM AT REC CENTER

Mr. Hardy reviewed with the new councilmen that Heath Engineering had been retained by the City last year to make a study of the energy uses at the Recreation Center and Indoor Pool, and subsequent to that study, had recommended that the City install a heat recovery system at the Recreation Center. He said that two bidders had responded on this project and he recommended that the low bid from Ralph Tye and Sons in the amount of \$55,989 be accepted. Councilwoman Southwick made the motion that the bid be awarded as recommended, Councilman Shafter seconded the motion and voting was unanimous.

**BOUNTIFUL DECLINES TO PARTICIPATE IN
CLEARFIELD BURN PLANT**

Mayor Stahle summarized the major considerations which had been discussed regarding the proposed resource recovery plant in Clearfield and emphasized that the vote on this issue was an extremely critical one. He reviewed the alternatives of the City in disposing of garbage and explained that the landfill presently being used must be brought up to standard as required by new legislation. He then called for questions and discussion from the Council. It was the concensus of the Council that it would not be economically sound to enter into a contract to participate in the Clearfield project due to: (1) added costs involved in transporting the garbage to the site; and (2) not knowing what the tipping fee will be after the first year of operation. It was noted that since Bountiful has its own garbage collection system, landfill property and power system, it would be to the city's advantage to utilize the cogeneration concept and to vigorously study the options available in this area. Councilwoman Southwick made the motion that Bountiful not sign the contract to participate with Katy-Seghers in the Clearfield plant, Councilman Sharp seconded the motion and voting was unanimous. The Council requested that the staff move forward in preparation of a firm plan for future garbage disposal.

Elmer Barlow, chairman of the BARD board, expressed the desire that the necessary improvements be made at the landfill as soon as possible. Shirley Reed, councilwoman from Clearfield, expressed her concerns regarding the proposed burn plant, following which the Council discussed a resource recovery plant which produces methane.

**PUBLIC HEARING TO CONSIDER REQUEST FOR
STORAGE UNITS IN DISTRICT 4-6 - LLOYD HAYES
REQUEST**

At 7:47 p.m. Mayor Stahle opened the public hearing to consider the request of Lloyd Hayes and Blair Jones to have zoning district 4-6 amended to allow storage units as a conditional use. Mr. Boothe referred to the site plan and reference materials provided for the Council, including a recommendation of denial from the Planning Commission. He emphasized that this was not a specific request for storage units, but to have the ordinance amended to allow for the conditional use. Nelson Hayes, representing his father, pointed out that the character of 200 West between 400 North and 500 South is light to medium commercial and industrial uses, with only 3 residences facing on 200 West. He also pointed out that some of the commercial uses have outside storage. He cited the permitted and conditonal uses which the ordinance allows in the subject area and noted that the storage units would have a very low profile. Proposed access to the units is via a driveway south of Tueller's Ink, an existing business on the west side of 200 West. The units would not have electricity to them and thereby would be utilized during the day. Mr. Hayes noted that the concern of the Planning Commission was that this might open the door for storage units

in the other parts of district 4-6; however, he pointed out that the concept of conditional use in the ordinance provides for uses to be approved individually and gives the ordinance more flexibility. He also noted that by nature of the site plan, vehicles larger than 3/4 ton could not maneuver there.

COUNCIL APPROVES REQUEST FOR ORDINANCE AMENDMENT

Mayor Stable called for comments from others who would like to speak and Dave McMillan, 338 North 300 West, stated that he and other neighbors who he had talked with were in favor of the storage units. He expressed concerns which they had regarding the site plan for the project (which would be considered if this project were presented for approval), and stated that he felt the storage units would be a better neighbor than a commercial business which might bring high volume of traffic. Councilman Shafter expressed concern that the storage units would not be attractive with regard to them being on an entrance to the city. Mr. Hayes pointed out, however, that due to their location, they would not be very visible from 400 North or 200 West. It was noted that the proposed development of this property (.33 acres at 365 North 200 West) would be an improvement from the weedy lot it has been in the past. Councilman Sharp suggested that district 4-6 could be redefined so that the major portion of it which is residential would be in a different zone than the commercial portion along 200 West. He then made the motion that the ordinance be amended to allow storage units as a conditional use in district 4-6. Councilman Lawrence seconded the motion and voting was in the majority. Councilman Shafter voted nay based on the rationale that this might open up storage units into the entire district.

PLANNING COMMISSION DIRECTED TO STUDY ALIGNMENT OF DIST. 4-6 BOUNDARY

Councilman Sharp made a second motion that the Planning Commission be directed to study the easterly boundary of district 4-6 south of Center Street to 400 South as it relates to the alignment. Councilman Shafter seconded this motion and voting was unanimous.

GOLF COURSE ESTATES GIVEN PRELIMINARY APPROVAL

Mr. Boothe presented the site plan for Golf Course Estates, 2050 South 1200 East, 22 lots, and stated that it is the recommendation of the Planning Commission that preliminary approval be granted. Councilman Sharp made a motion to this effect, Councilman Hill seconded the motion and voting was unanimous.

REAFFIRMATION OF FINAL APPROVAL DENIED FOR INDIAN SPRINGS SUBDIVISION

Mr. Boothe reviewed that Indian Springs Subdivision, 3100 South 450 East, 3 lots, was given final approval in April 1977. Shortly after, the Foothill Development Regulations were adopted and this property was included. Had this process been reversed, this plat would not have been acceptable. In March 1980 this same plat received reaffirmation of final approval.

There has been no activity on this plat since 1977--no improvement drawings prepared, no bond posted, and no construction activity on the subdivision site. Therefore, no vested rights have been incurred by the subdivider, Mr. Grant Haycock. Mr. Haycock is desirous of having final approval reaffirmed a second time for this subdivision; however, it is the recommendation of the Planning Commission following a field trip to the site, that the approval not be reaffirmed. This decision was based on the fact that the slope is so great (40-45 percent) that the property is not developable according to the existing ordinance. Councilman Sharp made the motion that the request for reaffirmation of final approval be denied as recommended, Councilman Shafter seconded the motion and voting was unanimous.

**PRELIMINARY AND FINAL APPROVAL GRANTED TO
TEN-UNIT COMPLEX AT 1191 NORTH MAIN**

Mr. Boothe presented the site plan for a ten-unit multi-family complex at 1191 North Main and reported that it is the recommendation of the Planning Commission that preliminary and final approval be granted subject to: (1) the developer providing a 15' culinary water easement down the driveway to the fire hydrant; (2) payment of the water connection fees, \$5,695; (3) payment of the sanitary sewer connection fees, \$500; (4) providing for storm drainage as per the requirements of the City Engineer; (5) providing grades and contours acceptable to the City Engineer; (6) providing a right-of-way for the sewer to go to the back of the property; and (7) posting of a 2 percent landscape bond to guarantee site improvements. Councilwoman Southwick made a motion to this effect, Councilman Hill seconded the motion and voting was unanimous.

**PUBLIC HEARING SET TO CONSIDER AMENDING
SUBDIVISION ORDINANCE RE: LENGTH OF TIME
PRELIMINARY AND FINAL APPROVAL ARE EFFECTIVE**

Mr. Boothe explained that the Subdivision Ordinance is silent on the issue of how long preliminary and final approval are good for, as surfaced with the Indian Springs Subdivision matter. It is the recommendation of the Planning Commission that the ordinance be amended to allow for a one-year time limit on both preliminary and final approval. He recommended that a public hearing be set April 11, 1984 at 7:30 p.m. to consider this matter. Councilman Sharp made the motion for the public hearing as recommended, Councilman Shafter seconded the motion and voting was unanimous.

EXECUTIVE SESSION SCHEDULED

Councilman Sharp made a motion that an executive session be scheduled immediately after this meeting to discuss pending litigation, Councilman Hill seconded the motion and voting was unanimous.

The meeting adjourned at 8:45 p.m.

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MAYOR


CITY RECORDER

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