

Minutes of the regular City Council meeting held December 5, 1984 at 8:05 p.m. following a meeting of the Redevelopment Agency in the City Hall of Bountiful, Utah.

Present: Mayor:	Dean S. Stahle
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
Deputy Recorder:	Vernile H. Hess
Rec. Secretary:	Nancy T. Lawrence

Mayor Stahle welcomed those in attendance, following which he led the pledge of allegiance to the flag. Mrs. Lawrence offered the invocation.

Official 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: Deseret News, Davis County Clipper, and Salt Lake Tribune.

Minutes of the regular meeting of the City Council held October 17, 1984 were presented and unanimously approved on a motion made by Councilman Sharp and seconded by Councilwoman Southwick.

Minutes of the regular meeting of the City Council held November 14, 1984 were then presented and Councilman Sharp made the motion that they be approved. Councilman Shafter seconded the motion and voting was unanimous.

#### **UPDATE ON VAN ORMAN PROPERTY PROJECT**

Councilman Shafter asked for an update on the work being done on the Van Orman property (1290 East 600 South) and following a brief discussion on this matter, Mayor Stahle requested that Mr. Hardy correspond with Mrs. Van Orman to let her know of the work which the City intends to do in the spring.

#### **EXPENDITURES APPROVED FOR PERIODS OCT. 12-25, 1984; OCT. 25-31, 1984 AND NOV. 1-16, 1984**

Mayor Stahle called for questions or comments regarding the expenditure reports in this week's packets. In response to a question from Councilman Lawrence, Mr. Hardy reported that \$1,126,000.00+ had been received from the County yesterday, a partial payment of what they owe the City. Councilman Shafter then made the motion that the Expenditure and Expense reports for the following periods, in the amounts as shown, be approved: October 12 to 25, 1984, \$452,382.93; October 25 to 31, 1984, \$313,749.94; and November 1 to 16, 1984,

\$186,256.41. Councilman Hill seconded the motion and voting was unanimous in the affirmative.

**RES. NO. 84-15 ADOPTED AUTHORIZING  
CITY ATTORNEY TO PROCEED WITH CONDEMNATION  
OF PROPERTY FOR WIDENING OF 500 SOUTH**

Mr. Forbes explained that ownership of a strip of property which fronts on 500 South Street at 132 East 500 South is in dispute between the City and the property owner (approximately 4' x 200'). Inasmuch as this property is necessary to accomplish the widening of 500 South as had previously been approved, Mr. Forbes reviewed that it will be necessary for the City to acquire the property through the process of condemnation relating to eminent domain. He reviewed Resolution No. 84-15 which provides for the City Attorney to commence proceedings in order to acquire the property and recommended that it be adopted. He also noted that while this action is in progress, a second action will be filed requesting title. Councilman Lawrence made the motion that Res. No. 84-15 be adopted and that the Mayor and City Recorder be authorized to sign it. Councilman Hill seconded the motion and voting was unanimous.

**COUNCIL APPROVES AGREEMENT BETWEEN  
DAVIS COUNTY AND CITY RE: CONSTRUCTION  
OF STONE CREEK DEBRIS BASIN**

Mr. Forbes reviewed an agreement between Bountiful and Davis County regarding construction of the Stone Creek debris basin and briefly summarized that this agreement provides in writing that which was previously agreed upon. Mr. Jenson suggested that the contract documents include a progress payment schedule, following which the Agreement was approved and authorization was given for the Mayor and City Recorder to sign it on a motion made and seconded by Councilmen Hill and Shafter, respectively. Voting was unanimous.

**CITY TO ASSIST WITH CONSTRUCTION  
OF BOUNTIFUL BLVD.; TO BE REIMBURSED  
BY UTAH STATE RETIREMENT BOARD**

Mr. Balling explained that the developers of the property between Mill Creek and Barton Creek, in the area where Bountiful Boulevard is to be constructed, have approached the City regarding their desire for the water line to be constructed in this area. An understanding was reached between the City and the developers (Memorial Estates, Eggett Brothers Estates, and the Utah State Retirement Board), that the developers would install Bountiful Boulevard to the rough grade stage so that the water line could be placed. With the advent of the soil stability problems in this area, the Utah State Retirement Board does not wish to get involved any further until the soil reports are completed. Mr. Balling explained that this leaves the other two developers at a standstill. He also explained that inasmuch as there have been problems in this area with drainage, he has felt it would be advantageous to the City to have Bountiful Blvd. constructed

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so that it might pick up the water which comes from the east and carry it south to the debris basins instead of allowing it to spread to the homes to the west of the proposed road site.

Therefore, he suggested that the City proceed with the contract which the Retirement Board has with Foss Lewis to rough grade the road (approximately \$50,822.00), with the understanding that when the Retirement Board does develop their property, they will then reimburse the City for this work. He noted that a parcel of property could be deeded to the City by the Retirement Board to serve as collateral. This matter was discussed in detail and based on the fact that the road needs to be completed in this location at some point in time and further, that construction of the road should alleviate some of the flooding problems which are occurring in this area, Councilman Sharp made the motion that the City be authorized to construct to rough grade stage that portion of the road which is the responsibility of the Utah State Retirement Board with the understanding that the City will be reimbursed by the Retirement Board. Councilman Hill seconded the motion and voting was unanimous.

**APPROVAL GIVEN FOR CITY TO PARTICIPATE  
IN CONSTRUCTION OF DEBRIS BASIN FOR AREA  
EAST OF GRANADA HILLS SUBDIVISION**

Mr. Balling explained that prior to the problems with the mud flow east of Granada Hills subdivision last spring, preliminary approval was granted to Howard Layton for the Broadhills Subdivision. Following the mud flow, the developer was requested to not proceed with the development until a determination could be made as to what was necessary to adequately protect the area. Mr. Layton's engineer was also asked to assist with plans for a debris basin for that area. Two proposals were presented with costs ranging from \$34,000 to \$88,000. Mr. Layton has since pointed out that only a small portion of the property which would be protected by the debris basin is in his subdivision and he requested that the City participate in the construction of said debris basin. The developer has offered to pay the first \$50,000 if the City would pay the rest. Mr. Balling said that this matter was discussed by the Street Committee and it is their recommendation, as well as his own, that the City agree to pay 100 percent of costs above \$50,000 up to \$80,000 and 50 percent of any costs above \$80,000. Following some discussion, Councilman Shafter made a motion to this effect, Councilman Hill seconded the motion and voting was unanimous.

**C.E.M. AWARDED BID FOR AUTOMATIC  
CHLORINATING SYSTEM FOR INDOOR POOL**

Neal Jenkins reported that two bids were received for an automatic chlorinating system for the indoor pool and he recommended that the low bid from C.E.M. in the amount of \$7,273 be accepted. He noted that the present system is manual and the new system will provide a more healthful situation, as well as reduce the time the maintenance personnel spend on this

duty. Councilman Lawrence made the motion that the bid from C.E.M. be accepted as recommended, Councilwoman Southwick seconded the motion and voting was unanimous.

**AWARDING OF GREENHOUSE BID TABLED  
TO PERMIT FURTHER NEGOTIATIONS WITH  
BIDDER**

Mr. Jenkins explained that one bid was received for the greenhouse and inasmuch as it was \$11,500 over the estimate, it was the recommendation of the Recreation Committee that the bid not be accepted. Since that time, Mr. Jenkins said that he had talked with Dick Cutler, the bidder, and Mr. Cutler indicated that if he did not go through a middleman, he thought he could come within the guidelines set by the City. Therefore, Mr. Jenkins requested that this matter be tabled to provide for further negotiations with Mr. Cutler. Councilman Hill made a motion to this effect, Councilwoman Southwick seconded the motion and voting was unanimous.

**APPROVAL GIVEN FOR PURCHASE OF  
510-B JOHN DEERE BACKHOE FOR  
WATER DEPARTMENT**

Following Mayor Stahle reading a communique from the Superintendent of the Water Department regarding the status of the large backhoe in that department, Mr. Hardy reviewed the bids for a new backhoe and stated that it is the recommendation from that department that that larger backhoe be purchased, the 510-B John Deere, at a cost of \$41,590.00. Councilman Shafter made a motion to this effect, Councilman Sharp seconded the motion and voting was unanimous. The low bidder was Scott Machinery.

**PUBLIC HEARING TO CONSIDER LIQUOR  
LICENSE SUSPENSION/REVOICATION RE-SET  
TO JANUARY 2, 1985**

Mr. Forbes explained that the public hearing which had previously been scheduled to consider the liquor license suspension/revocation of Smith's and the Roundup had been postponed because the counsel of the businesses could not be in attendance at that time. Therefore, he recommended that the hearing be reset on January 2, 1985, with Smith's scheduled at 7:30 p.m. and the Roundup at 8:00 p.m. Councilwoman Southwick made the motion that this recommendation be upheld, Councilman Shafter seconded the motion and voting was unanimous.

**TWO AGREEMENTS BETWEEN CITY AND UDOT  
APPROVED RE: REIMBURSEMENT FOR RELOCATION  
OF UTILITIES, 2600 SO.-ORCHARD DR. PROJECT**

Mr. Balling explained that in connection with the 2600 South project, there is a provision that the State Department of Transportation will pay the utilities for relocation of their services outside of the right-of-way. He referred to two agreements between Bountiful and UDOT in connection with relocating of utilities by the Bountiful Power Department and noted that Bountiful will be reimbursed \$15,738.88 for relocation of the utilities at 2600 South and \$43,014.20 for the

relocation of the utilities on Orchard Drive. He recommended that these agreements be signed so that this work could proceed. Councilman Shafter made the motion that this recommendation be upheld, Councilman Sharp seconded the motion and voting was unanimous.

**COUNCIL ADOPTS ORD. NO. 84-14 RE:  
INCREASE IN FEES FOR RECONNECTION OF  
ELECTRICAL SERVICES (AFTER DISCONNECT  
FOR NON-PAYMENT) AND RETURNED CHECK  
CHARGE**

Mr. Jenson reviewed Ord. No. 84-14 entitled, "AN ORDINANCE AMENDING TITLE 11, CHAPTER 5, SECTIONS 1, 2, AND 3 OF THE REVISED ORDINANCES OF BOUNTIFUL, UTAH, 1965, AS AMENDED, RELATING TO DISCONNECTION OF UTILITY SERVICES, RECONNECTING FEE, AND RETURNED CHECKS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH." He specifically pointed out the differences between the present policies and fees and the proposed new fees for re-connection following disconnection for non-payment and the returned check charge. Following a brief discussion, Councilwoman Southwick made the motion that Ord. No. 84-14 be adopted and that the Mayor be authorized to sign it. Councilman Shafter seconded the motion which carried unanimously.

**EXECUTIVE SESSION SCHEDULED**

Councilman Lawrence made the motion that an executive session be scheduled immediately after this meeting for the purpose of discussing pending litigation. Councilwoman Southwick seconded the motion which carried unanimously.

**PRELIMINARY APPROVAL GRANTED TO  
BRIDLEWOOD SUBDIVISION, 3800 SO. 200 E.**

Mr. Boothe presented the site plan for Bridlewood Subdivision, 3800 South 200 East, and stated that it is the recommendation of the Planning Commission that preliminary approval be granted to this subdivision subject to the following conditions: (1) approval from the Sunset Venture Group for the stub road to the west by lots 43 and 45 to guarantee its integrity; (2) the extension and dedication of Bountiful Boulevard from its present terminus (Indian Springs Subdivision) through the Leon Peterson property to this plat. Full improvements to be paid for by the developers; (3) submission of a soils and geological report of the area in question; (4) an exception be granted to the large cut, 33 ft., where Monarch Drive changes from an easterly direction to a southerly direction. This is close to lot 49; (5) submission of a revegetation plan for this large cut area; (6) developer to provide on-site storm detention facilities to the satisfaction of Bountiful City, Davis County and adjacent property owners; (7) provide sanitary sewer facilities to the satisfaction of the South Davis Sewer District; (8) culinary water system to be worked out to the satisfaction of Bountiful City and payment of all required fees; (9) Monarch Drive to be extended southerly through the condominium area as shown on the plat. It was noted that this approval, if granted by the City Council, is

for the single family area, lots 1 through 51, and not for the condominium section. Councilman Shafter expressed concern that minimum conditions exist in many of the areas of approval and he stated that he was especially concerned about snow removal on some of the steep streets. It was noted that the recommended plat meets ordinance and following some discussion, Councilman Hill made the motion that preliminary approval be granted as recommended. Councilman Lawrence seconded the motion and voting was by a majority; Councilman Shafter voted "nay" due to his concerns regarding the grades.

**FINAL APPROVAL GRANTED TO MULTI-FAMILY DEVELOPMENT, 1709 N. 200 W.**

Mr. Boothe presented the site plan for a proposed 9-unit multi-family development at 1709 North 200 West and stated that it is the recommendation of the Planning Commission that final approval be granted subject to the following conditions: (1) installation of curb, gutter, and sidewalk along the west side of 200 West for the total width of the property in question (126 ft.); (2) posting of a 100% cash bond to guarantee Item #1; (3) construction drawings for item #1 to be prepared by project developer and approved by the City Engineer; (4) posting of a 2% cash bond to guarantee on-site improvements; i.e., landscaping, installation of asphalt parking area with concrete curb around perimeter; (5) Power Department approval of power easements; (6) payment of all required fees; (7) storm detention plans to meet City Engineer's approval and payment of detention fee of \$2,100.00; (8) first phase to include construction of entire parking area; (9) culinary water and sanitary sewer plans to be approved by City Engineer; (10) payment of a fire hydrant by dumpster area and payment of required sewer and water fees; (11) installation of 8" sanitary sewer line including manhole; (12) final construction plans to be reviewed and approved by the Building Inspector; and (13) that the plans for the above items be completed and approved prior to issuance of a building permit. Councilman Shafter made the motion that final approval be granted as recommended, Councilwoman Southwick seconded the motion and voting was unanimous. A brief discussion followed regarding the steps which are being taken to guarantee completion of development requirements similar to those above and the merits of cash and surety bonds were considered.

**MAYOR PROCLAIMS WEEK OF DEC. 9-15  
NAT. DRUNK & DRUGGED DRIVING AWARENESS  
WEEK**

Mayor Stahle referred to the Proclamation on National Drunk and Drugged Driving Awareness Week and requested that the press indicate the City's support of this proclamation during the week of December 9-15, 1984.

**GOLF FEES TO BE INCREASED AT  
NEXT MEETING**

Councilwoman Southwick referred to the proposed golf fees for the 1985 golf season, as recommended by the Recreation Committee, and the Council voiced support of the fee

increases. Mayor Stahle recommended that inasmuch as this matter was not on the Agenda, official action for adoption of the fee changes should be postponed until the next meeting. Councilwoman Southwick made a motion to this effect, Councilman Lawrence seconded the motion and voting was unanimous.

**COMMITTEE REPORTS**

A brief discussion focused on the position of Senator Bangerter and Representative Selleneit regarding items presented to ICPA, in particular as they relate to UP&L.

Councilwoman Southwick reported that she had recently attended a meeting with the Executive Committee of the Art Center Board and she expressed the desire that the Council would support the Art Center by attendance at their functions.

The meeting adjourned at 9:58 p.m. on a motion made by Councilman Hill and seconded by Councilman Shafter.

John F. Stahle, -'1, 4-6. itie,

MAYOR

John F. Stahle  
CITY RECORDER

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