

Minutes of the regular City Council meeting held September 23, 1981 at 7:00 p.m. in the City Hall of Bountiful, Utah.

Present: Mayor: Elmer W. Barlow
 Council Members: Roger R. Winslow, Jay Bingham, Phyllis C. Southwick, Paul B. Allen, and Bob Linnell
 Acting City Mgr.: Layne B. Forbes
 City Engineer: Jack P. Balling
 Planning Director: Jon Reed Boothe
 City Recorder: Arden F. Jenson
 Police Chief: Larry Higgins
 City Treasurer: Ira H. Todd
 Recording Sec.: Nancy T. Lawrence

Excused: City Manager: Tom Hardy

Councilman Allen led the pledge of allegiance, following which Councilwoman Southwick offered the invocation.

Mayor Barlow welcomed those in attendance and Mr. Forbes verified that 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 City Council meeting held September 9, 1981 were presented and unanimously approved as written on a motion made by Councilman Linnell and seconded by Councilman Winslow.

Councilman Linnell asked if there were minutes of the Council meeting held September 16th (inasmuch as official action was taken at that meeting), and Mr. Forbes stated that he would follow through on this matter.

EXPENDITURES FOR PERIOD AUG 1-3 APPROVED

Mr. Jenson presented the Expenditure and Expense Report for the Period August 1-31, 1981 in the amount of \$154,376.73 and on a motion made by Councilwoman Southwick and seconded by Councilman Allen, these expenditures were unanimously approved.

SEPTEMBER 1-21 EXPENDITURES GIVEN APPROVAL

The Expenditure and Expense Report for the Period September 1-21, 1981 was then presented by Mr. Jenson and these expenditures were unanimously approved on a motion made by Councilman Winslow and seconded by Councilwoman Southwick.

TESCO AWARDED BID FOR NEW SANDER FOR STREET DEPARTMENT

Mr. Balling reported that five bids were received for a new sander for the Street Department and he recommended that the low bid from TESCO in the amount of \$5,690.00 be accepted. Councilman Linnell made the motion that this recommendation be ratified, Councilman Allen seconded the motion and voting was unanimous.

REQUEST FOR APPROVAL TO MAKE PLANS FOR STORM DETENTION BASIN ABOVE DAVIS BOULEVARD

Mr. Balling reviewed that in the last study session of the Council the drainage was discussed, particularly as it relates to Millcreek below 400 East and 500 West, and he reported that the most economical solution to solving this problem would be to provide a storm detention basin above Davis Boulevard. He requested that the Council give formal approval for the staff to begin to prepare plans and make application to the County for funds to construct said detention basin.

COUNCIL APPROVES INITIATION OF PLANS FOR STORM DETENTION BASIN: NEIGHBORS TO BE CONTACTED

Councilwoman Southwick asked if the minutes had been researched regarding commitments which were made to the affected property owners when Davis Boulevard was constructed in this

area and said that she would support this recommendation only after this research had been done and the neighbors were contacted. After a brief discussion, Councilman Linnell made the motion that the staff be instructed to pursue this matter, recognizing that it is in the exploratory stages, and that there will be an opportunity for the neighboring citizens to have input. Councilman Winslow seconded the motion which carried unanimously. In a response to a question from a citizen, Mr. Balling stated that the reason for placing emphasis on drainage from Millcreek as opposed to Barton Creek is that ten storm sewers have been added to the Millcreek flow, whereas only two have been added to Barton Creek.

COUNCIL TO MAKE FIELD TRIP TO STUDY RUNOFF SITUATION AT APPROX. 650 EAST PAGES LANE (ROBERT H. THOMAS REQUEST)

Mr. Balling reported that a request has come to the city from Robert H. Thomas (who resides in Centerville but is victim of Bountiful storm water runoff) for the city to enlarge the inlet box of the storm drain on Pages Lane at approximately 650 East. He explained that Bountiful and Centerville participated in putting in the storm drain on Pages Lane last fall; however, the inlet box was not enlarged and it does not adequately pick up the water. After discussing this problem, it was determined that the Council would make a site visit to the area on Monday, September 28th at 7:00 a.m.

CONCEPTUAL APPROVAL GIVEN TO DAVIS COUNTY HOUSING AUTHORITY ON THREE PROJECT SITES

Mr. Boothe reported that the Davis County Housing Authority is proposing housing in the three following locations: (1) 28 family units at 2100 South Orchard Dr., (2) 16 family units at 420 West Center, and (3) 24 elderly units at 1450 North 325 East. It is the recommendation of the Planning Commission that conceptual approval be granted to plans for the three locations. Jerry Harvey, representing the Housing Authority, explained details of the projects, following which Councilwoman Southwick made the motion that, upon the recommendation of the Planner and Planning Commission, conceptual approval be granted. Councilman Allen seconded the motion which carried unanimously.

COUNCIL APPROVES JOINT-USE POLE LINE AGREEMENT WITH INTERMOUNTAIN TELEPHONE CORPORATION

Mr. Forbes presented a joint-use pole line agreement between Intermountain Telephone Corp. and the city and briefly summarized the conditions of the agreement which would provide for Intermountain to provide telephone service to a Bountiful business via the use of five city utility poles. He recommended that this Agreement be approved and that the Mayor be authorized to sign it. This action was unanimously taken on a motion made and seconded by Councilmen Winslow and Linnell, respectively.

STATUS REPORT ON CABLE TV REQUESTED

Councilman Linnell asked for a status report on the cable TV being installed in the city and following brief comments from the staff and council members, Councilman Linnell requested that this matter be put on the agenda for discussion in an upcoming meeting.

ORD. NO. 81-17 PROVIDING FOR ADVERTISING ON PEDESTRIAN BENCHES APPROVED

Mr. Forbes reviewed Ordinance No. 81-17, entitled, "AN ORDINANCE AMENDING TITLE XIV, CHAPTER 2, SECTION 23, OF THE REVISED ORDINANCES OF BOUNTIFUL, UTAH, 1965, AS AMENDED, BY ADDING A NEW SUBSECTION DESIGNATED AS SUBSECTION (o) PROVIDING FOR ADVERTISING ON PEDESTRIAN BENCHES". Inasmuch as this ordinance had been discussed in the last meeting with a request for the staff to incorporate changes in it, Councilman Allen thanked the staff for the revision and made the motion that this ordinance be approved and the Mayor authorized to sign it. Councilman Winslow seconded the motion and voting was unanimous in the affirmative.

PUBLIC HEARING SET TO CONSIDER AMENDING ZONING TEXT TO INCLUDE MEDIUM INDUSTRIAL USES

Mr. Boothe explained that five or six years ago the ordinance was amended to provide for light industrial uses within the city; and it is now the staff's recommendation that the zoning text be amended to provide for medium industrial uses. He recommended that a public hearing be scheduled for October 14th at 7:30 p.m. to consider this matter and that it be referred back to the Planning Commission for their consideration. Councilman Allen made a motion to this effect, Councilman Winslow seconded the motion and voting was unanimous.

RES. NO. 81-16 APPROVED WHICH PROVIDES FOR INCREASE IN PAY FOR ELECTION JUDGES

Mr. Jenson reviewed that it is the responsibility of the governing body to set the compensation rate for election judges and he recommended that the remuneration for the judges be increased from \$30 per day to \$40 per day with additional compensation of \$2.00 plus \$.25 per mile (one way) to be given to the judge who accepts the responsibility of returning the materials to the city recorder after the election, as set forth in Resolution No. 81-16. Councilman Linnell made the motion that this resolution be approved and that the Mayor be authorized to sign it. Councilman Allen seconded the motion and voting was unanimous.

COUNCIL CONCURS IN RECOMMENDED PAY INCREASE FOR REGISTRATION AGENTS

Mr. Jenson also requested that a similar increase in pay be provided for registration agents, raising their compensation from \$20.00 to \$25.00 per day. Since these agents are appointed by the County, this increase does not have to be approved by the Council; however, Mr. Jenson asked for a consensus of opinion from the council members. None of the Council expressed opposition to this proposed pay increase.

MR. FORBES EXPLAINS REQUEST OF DEL ROWE FOR RELEASE OF WESTERN HOLDING CO. BOND

Mr. Forbes reviewed that Western Holding Company posted a bond to guarantee the improvements in the North Canyon Estates Subdivision, part of which improvements included Indian Springs Road. He said that all but approximately \$5,000 of the bond has been released, and Del Rowe, property owner along Indian Springs Road, is requesting that the city release the bond to him so that he can construct proper retention in the area where Indian Springs Road encroaches on his property.

MR. ROWE GIVES SLIDE PRESENTATION AND EXPRESSES DESIRE FOR IMMEDIATE ACTION ON PART OF CITY

Mr. Rowe gave a slide presentation of the area in question, illustrating that the fill from the newly constructed road is being washed away by the stream, demonstrating a need for construction of a retaining wall in the area of the the fill. He said that the new fill has been put in three times and each time it washes down the creek. He noted that he would be willing to have the stream diverted entirely through his property, but he is anxious to have the corrective measures taken before the heavy runoff next spring.

COUNCIL VOTES TO TAKE NO ACTION, BUT LEAVE MATTER AT DISCRETION OF CITY ATTORNEY

Mr. Balling explained the attempts of the contractor to correct the fill problem and he pointed out that the developer has until October 22nd to complete the improvements. Mr. Forbes pointed out that the city does not have the authority to release the bond to anyone except the party which posted it--upon satisfactory completion of the improvements--or for the city to keep the bond if the developer defaults. Based on this information, Councilwoman Southwick made the motion that no action be taken on this request and that Mr. Forbes bring the matter back to the Council if such action is appropriate. She also requested an updated report at the first meeting after October 22nd. Councilman Linnell seconded the motion which carried unanimously.

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\$7,000 APPROPRIATED FROM WATER DEVELOPMENT FUND TO BE USED IN ATTEMPTING TO INCREASE FLOW IN NEW MUELLER PARK WELL

Mr. Balling explained that the flow from the new Mueller Park well is not as large as anticipated and it is felt that the bentonite which was used by the contractor in constructing the well may be sealing up some of the water channels. Therefore, it is the recommendation of the Water Committee that an effort be made to penetrate the bentonite through the use of muriatic acid being pumped underground. The approximate cost for this processing would be just over \$6,000 and it is recommended that \$7,000 be appropriated from the Water Development Fund for this purpose. Councilman Winslow made the motion that this recommendation be upheld, Councilman Allen seconded the motion and voting was unanimous.

\$5,000 APPROPRIATED FROM WATER DEVELOPMENT FUND FOR COMPLETION OF RETAINING WALL AT ASHDOWN RESERVOIR

Mr. Balling reported that it is also the recommendation of the Water Committee that the retaining wall at the Ashdown Reservoir be completed and that \$5,000 be appropriated from the Water Development Fund for this purpose. Councilman Winslow stated that it was almost imperative that this work be done inasmuch as minor distress is being caused to the neighboring property owner as a result of the existing situation. He made the motion that this appropriation and work be approved, Councilman Allen seconded the motion and voting was unanimous.

COUNCIL DENIES REQUEST TO AMEND AMUSEMENT DEVICE ORDINANCE TO ALLOW MORE GAME MACHINES

Mr. Boothe reported that a request was received from Ron Holbrook to amend the amusement device ordinance to permit him to install 18-24 electronic game machines at his business at 251 West 500 South. Chief Higgins noted that a good deal of study went in to the ordinance when it was put together about six months ago and the items of concern at that time are still applicable. He strongly urged that no consideration be given to amending the ordinance. Councilwoman Southwick made the motion that the ordinance be left as is, Councilman Allen seconded the motion and voting was unanimous.

CHIEF HIGGINS RESPONDS TO QUESTIONS RE: CROSSING GUARDS AND PROPANE VEHICLES

Councilman Linnell requested a report from Chief Higgins regarding the elimination of some crossing guards and the Chief responded that none of the crossing guards have been eliminated at this time and that the matter is still being studied. He said that he will report more specifically on the situation at Davis Boulevard and 1800 South in the near future. He also said that he would report on the operation of the propane powered vehicles after they have been in operation another 60 days.

MR. BALLING INVITES COUNCIL TO ATTEND PUBLIC HEARING RE: WIDENING ORCHARD DRIVE & 2600 SOUTH

Mr. Balling reported that the first public hearing regarding the first phase of widening Orchard Drive and 2600 South will be held next Wednesday evening at 7:30 and he invited the Council members to be in attendance.

JOINT MTG. OF PLANNING COMMISSION AND COUNCIL SET FOR OCT. 30TH

Mr. Boothe requested a joint meeting between the Council and Planning Commission to discuss signs and this meeting was scheduled for Wednesday, October 30th, at 6:30 p.m.

The meeting adjourned at 8:47 p.m. on a motion made by Councilman Allen and seconded by Councilman Winslow.


CITY RECORDER


MAYOR