

Minutes of the regular meeting of the City Council held April 25, 1990 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	C. Harold Shafter, Rene6 Coon, Bob Gramoll, Barbara Holt, and Leslie T. Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne B. Forbes
	City Engineer:	Jack P. Balling
	City Recorder:	Arden F. Jenson
	Dep. Recorder:	Lois Hoskins
	Planning Director:	Jon Reed Boothe
	Rec. Secretary:	Nancy T. Lawrence
	Dept. Heads:	Neal Jenkins, Parks/Rec. Cliff Michaelis, Power

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

Mayor Linnell called the meeting to order, following which Councilwoman Holt led the pledge of allegiance to the flag. The invocation was given by Councilman Shafter.

Minutes of the regular meeting of the City Council held April 11, 1990 were presented and unanimously approved as written on a motion made by Councilman Shafter and seconded by Councilman Foy.

EXPENDITURES AND EXPENSES APPROVED FOR TWO APRIL PERIODS

Mr. Jenson presented the Expenditure and Expense Report for the Period April 1-12, 1990 in the amount of \$182,984.15 and April 13- 19, 1990 in the amount of \$123,209.16. He noted one minor correction which had been made on the annotation, following which the expenditures were unanimously approved on a motion made by Councilman Gramoll and seconded by Councilwoman Holt.

PUBLIC HEARING-REALIGNMENT AND CONSTRUCTION OF 400 NORTH STREET FROM DAVIS BLVD TO 1250 EAST ST.

At 7:05 p.m. Mayor Linnell opened the public hearing to consider realignment and construction of 400 North Street from Davis Boulevard to 1250 East Street. He emphasized that this project has not yet been budgeted and is still in the planning stage. The staff has created three different proposals which have been studied by the Traffic Safety Committee, and he asked Mr. Balling to review those proposals and report the recommendation from the Committee.

Mr. Balling explained that 400 North from Davis Boulevard to 1250 East has been a problem with the City for many years in the past due to the narrow width, steep grade, dips and humps, and sharp curves. Subsequent to receiving a petition from the PTA and

residents last year regarding the safety of children going to and from Hannah Holbrook elementary school, the Engineering Department prepared the following three different proposals for consideration of the Traffic Safety Committee:

1. Construct the street 42 ft. wide, back to back of curb, realigning the street and taking out the dips and humps; reconstruct a 4-ft sidewalk, curb and gutter on both sides of the street with a 4-ft. planting strip. The City would bear all expenses for improvements and replacement or repair to property, relocation of utilities, etc., with the proposal that the property owners donating four feet of their property to provide for the planting strip, with the sidewalk being constructed on their property. He referred to a large scaled drawing posted on the wall of the Council Chambers which depicted this proposal. The cost to the City for this proposal is approximately \$130,000, not including acquisition of right- of-way.
2. Using the exiting 50-ft. right-of-way, construct the road and improvements as explained in No. 1, eliminating the planting strip. He said that the City would need to acquire right-of-way in order to move the water meters to the private property and when maintenance of utilities might be necessary! it would be on the private property. The cost of this proposal is \$100,000. He pointed out that elimination of the planting strip does not give protection or safety to pedestrians and poses a problem in the winter when there is no place for snow removed from the street.
3. Create a special improvement district whereby the City would acquire the property, construct the improvements, and property owners would be assessed and pay for all improvements, including property acquisition.

Mr. Balling said that Proposal No. 1 has been recommended to the Council by the Traffic Safety Committee.

The Mayor then called for input from the property owners who were in attendance. (All but one owner was represented). Judge Hawks referred to the drawing and commented that in some cases the property owners on the south side of the street were being asked to give up 10 feet of property and it was clarified by staff that the owners of the lot in question have been using city property. Mr. Hawks also requested more detailed drawings of the impact of lowering the street as it relates to driveways, retaining walls, etc. He also stated that he did not feel disposed to donate his property to the City. Jim Hartwell, 424 North 1150 East, requested an explanation as to how widening of the street would improve safety and Mr. Balling pointed out that 400 North Street is a collector street on the master street plan for the City and will continue to increase in traffic.

Bob Weddington, 1202 East 400 North, spoke in favor of Proposal No. 2, noting that landscaping would not be disrupted. Lynn Higginson, 425 North 1200 East, suggested that

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posting of "No Parking" signs on both sides of 400 North would eliminate one of the hazards and make it unnecessary to change the street. He expressed concern about removal of trees. Helen Romney, 1150 East 400 North, asked how the north/south street grades would be matched to 400 North and mentioned a hollow space in the street by her home which needs to be considered if this project is done. Bob Glodowski, 1135 East 400 North, asked regarding the timetable and how long property owners would not have access to the street. Mr. Balling said that the project is proposed to be completed between the first of July and the end of August, there would be a one-week cure time on concrete improvements, and a one-day cure for the asphalt road.

Marsha Pilgeram requested copies of the State code referred to be Mr. Balling which authorizes special improvement districts and she asked if sidewalk on one side only had been considered. Catherine Harrison stated that she had requested the sidewalk construction and that she feels strongly that it is necessary for the safety of the children. Eric Peterson, corner of 400 North, noted that Proposal No. 1 would put the street 10 feet from his home and he favors Proposal No. 2. Don Hokanson, 422 North 1200 East, said he would like to see more detailed drawings before making a decision and that he would not donate the land to the City. He asked for a show of hands from the property owners as to whether or not they favored donation of their property and the great majority voted to not donate and favored Proposal No. 2. Don Heath mentioned that he donated his property to the middle of the road when 400 North was constructed and he would prefer not to donate again. Following further discussion, the hearing was closed at 8:18 p.m.

Two major themes surfaced through the discussion on this matter--(1) the vast majority of property owners favored Proposal No. 2; and (2) there was a need for more detail and more specific answers regarding the changes to individual properties. Councilwoman Coon said she would like to meet with each property owner. The Mayor requested that this matter be taken back to the Traffic Safety Committee for their input and a budget recommendation and that it be placed on the Agenda for May 23rd at 7:30 p.m. for Council action. A vote was requested On how many property owners feel a need for parking on 400 North Street and four persons raised their hands.

GYPSY MOTH ERADICATION PROGRAM - INFORMATION FROM MARK QUILTER - UTAH DEPT OF ARGICULURE

Neal Jenkins introduced Mark Quilter, a representative from the Utah Department of Agriculture, who discussed the program which will be followed in attempting to eradicate the Gypsy Moth. Mr. Quilter reviewed the impact on the community from the eradication program, and stated that portions of the City are declared as quarantine areas and outside household articles, boats, campers, etc., which are moved out of these areas must be inspected and certified free of Gypsy Moth prior to leaving the area. Inspection can be done by the property owner or hired done by a State inspector. Certification nis required only once during the season.

The second impact on the community will be the spraying program which will probably commence next week, and the third impact is the traps which will be placed throughout the City to determine the infestation areas. The eradication program will go on 3-4 years, with an additional 2 year for tracking. Mr. Quilter responded to questions from the Council regarding the program and gave a brief background as to how the infestation began in the United States,

and its negative impacts on a community, pointing out that when defoliation occurs, the major concern is for control of water shed.

PRESENTATION RE: HANDCART DAYS HANDCART DAYS COMMITTEE

Ted Powell, Jim Rushforth, and Allen Jameson, Handcart Days Committee Members, presented the Council with a schedule of activities for the 1990 Handcart Days celebration and briefly discussed, the art exhibit, parade, production ("Pajama Game"), concessions, entertainment (new to this year's activities), and fireside. Councilman Gramoll asked why the Davis Art Center is not housing the art exhibit and Mr. Powell explained that they (the Art Center) had already scheduled its facility when the Committee contacted them. Mr. Powell then presented a handout with a list of requests from the City regarding the parade, entertainment and concessions. In response to a question from Councilman Shafter, Mr. Powell stated that the celebration is for all religious denominations and an effort is being made to get more involvement from other churches, beside the LDS Church. Inasmuch as the items requested by the Committee focus mainly on the Parks and Recreation area, the Mayor suggested that they be handled in Committee under the direction of Councilwoman Holt, and Council gave consensus to this subjection.

APPROVE WATER AGREEMENT WITH WEST BOUNTIFUL

Mayor Linnell reviewed that in the last City Council meeting an agreement was approved for West Bountiful to use Bountiful City water on an emergency basis only for a 3-year period. When this agreement was presented to the West Bountiful City Council, it was the feeling of that body that they would have a difficult time completing a new water system within three years and that they would like the agreement to be for a 5-year period. The Mayor pointed out that there is no expense or liability to the City through this agreement and in a spirit of neighborliness, he recommended that the Council reconsider and approve extending the agreement to cover a 5-year period. Councilman Foy made a motion of approval as recommended, rescinding the previous agreement covering the 3-year period. Councilman Shafter seconded the motion which carried by a majority. Councilman Gramoll and Councilwoman Holt voted nay.

At 8:55 p.m. Councilman Shafter was excused from the meeting and the Mayor left temporarily. Councilman Foy made a motion to appoint Councilman Gramoll to serve as Mayor Pro Tempore, Councilwoman Holt seconded the motion and voting was unanimous.

BID FOR REMOVAL OF UNDERGROUND STORAGE TANKS AWARDED TO SARGENT SALES AND SERVICE - POWER DEPT.

Mr. Michaelis reported that, in compliance with State requirements, the underground storage tanks at the Power Department have been inspected and it is the recommendation of the staff that since none of them have the quality protection necessary to leave as is, that it would be less costly to remove them than to upgrade to safety specifications. Of the 14 underground tanks, 9 are recommended for removal. Bids were sent to eight vendors. Four bidders responded to the pre-bid walk-through and two vendors bid on the project. It is the staff
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recommendation and that of the Power Commission that the bid be awarded to low bidder, Sargent Sales and Service, in the amount of \$28,350.00. The engineer's estimate for this

work was \$35,000.00. Councilwoman Holt made a motion to approve the bid as recommended, Councilman Foy seconded the motion and voting was unanimous. The Mayor returned to the meeting at this time.

CONSIDER FINAL APPROVAL TO LDS 50TH WARD 100 NO 1500 EAST

Mr. Boothe presented the site plan of the proposed LDS 50th Ward chapel at 100 North 1500 East and stated that it is the recommendation of the Planning Commission that preliminary and final approval be granted subject to the following conditions:

1. Payment of sanitary sewer fee of \$3,330.00; 2. Payment of culinary water fee of \$4,730.00;
3. Storm overflow line to stub into inlet box on Moss Hill Dr.
4. Building roof system to be increased from 30# per sq. ft. live load to 40# per sq. ft. live load;
5. Posting of landscape bond to guarantee landscaping;
6. Final plan review for compliance to Uniform Building Code by Engineering Department.

Councilman Foy stated that the Planning Commission gave unanimous recommendation for approval and he motioned for preliminary and final approval, as recommended. Councilman Gramoll seconded the motion and voting was unanimous.

MAYOR LINNELL PROCLAIMS ANDERSON LUMBER WEEK--APRIL 22-28

Mayor Linnell reported that the Governor has proclaimed the week of April 22-28, 1990 as Anderson Lumber Week, recognizing the 100th anniversary of this business which was founded in Logan. In harmony with, and support of the Governor, Mayor Linnell made a proclamation recognizing Anderson Lumber for their contributions to Bountiful and declared the week of April 22-28 as Anderson Lumber Week in Bountiful.

MAYOR PRO TEMPORE NAMED

Mayor Linnell reported that he will be out of town for a period of time and he recommended that Councilman Gramoll be appointed as Mayor Pro Tempore in his absence. He noted that Councilman Gramoll will have one conflict in assuming the Mayor's responsibilities--the Kern River hearings--and requested that Councilwoman Holt serve as Mayor Pro Tempore for that occasion. Councilman Foy made a motion to accept the recommendation of the Mayor and appoint the Mayor Pro Tempore. Councilman Gramoll seconded the motion and voting

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was unanimous.

EXECUTIVE SESSION SCHEDULED

At the request of the Mayor, an executive session was scheduled immediately after this meeting for the purpose of discussing pending litigation. The action was taken on a motion made by Councilwoman Holt and seconded by Councilman Foy. Voting was unanimous.

The meeting adjourned to executive session at 9:09 p.m.

Attendance at Executive session:

Mayor Linnell

Councilpersons Coon, Gramoll, Holt, and Foy

Mr. Hardy

Mr. Forbes