

Minutes of the regular meeting of the City Council held April 24, 1991 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	C. Harold Shafter, Bob Gramoll, Barbara Holt, and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne B. Forbes
	City Engineer:	Jack P. Balling
	City Recorder:	Arden F. Jenson
	Planning Director:	Jon Reed Boothe
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy T. Lawrence
	Dept. Heads:	Clifford Michaelis, Power Jerry Lemon, Fire David Wilding, Water
Absent:	Councilwoman:	Renee Coon

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 Foy.

Minutes of the regular meeting of the City Council held April 10, 1991 were presented and unanimously approved as written on a motion made by Councilman Shafter and seconded by Councilwoman Holt.

Mayor Linnell welcomed those in attendance, giving special recognition to the visiting Boy Scouts. He then introduced the staff and elected officials and briefly explained their responsibilities.

EXPENDITURES AND EXPENSES APPROVED FOR TWO APRIL PERIODS

Mr. Jenson presented the Expenditure and Expense Reports for the Periods April 1-9, 1991 (totaling \$182,142.49) and April 10-17, 1991 (totaling \$66,756.50). Following a brief review of the expenditures, they were unanimously approved on a motion made by Councilman Foy and seconded by Councilman Gramoll.

MARION WILLEY FORD AWARDED BID FOR POWER DEPARTMENT VEHICLE

Mr. Michaelis reported that bids were opened on April 3, 1991 for a new vehicle for the Power department to replace a 1974 Chevrolet pickup. Four dealers responded; however, the two low bids did not meet specifications. The lowest qualifying bid was from Rick Warner (\$20,644.00). Inasmuch as the bid from Marion Willey was within five percent of the lowest qualifying bid (\$21,222.33), it is the recommendation of staff and the Power Commission that

-2- (C.C. minutes April 24, 1991)

the bid be awarded to Marion Willey, based on local dealer preference.

In response to a question from Councilman Gramoll, Mr. Michaelis reviewed the bid specifications and compared the dealers bids. Councilman Gramoll said that he could not see the justification for the \$2,500 difference between the low bid and the recommended Marion Willey bid. Councilman Shafter noted that, although the Power Commission recommended the Marion Willey bid based on the Council's local dealer preference policy, it was also recommended by the Commission that the Council consider modifying the policy to a smaller percentage amount on higher priced items. (He noted that 5 percent of \$20,644.00 is over \$1,000.00, a substantial amount to consider when budgeting). Following further discussion on this matter, Councilman Shafter made a motion to accept the recommendation as presented by Mr. Michaelis and award the bid to Marion Willey Ford for a Bronco. Councilman Foy seconded the motion which carried by a majority. Councilman Gramoll and Councilwoman Holt voted nay; Councilmen Shafter and Foy voted aye; the Mayor broke the tie with an "aye" vote.

PRELIMINARY AND FINAL APPROVAL GRANTED TO MUELLER PARK JR. HIGH SEMINARY BUILDING ADDITION

Mr. Boothe reviewed the site plan for a proposed classroom addition to the Mueller Park Jr. High school seminary building (980 East 1500 South) and stated that it is the recommendation of the staff and Planning Commission that preliminary and final approval be granted, subject to the following conditions: (1) payment of all fees; (2) plans to meet all City codes; and (3) plans to be stamped by a licensed architect licensed to practice in the State of Utah. Councilman Foy made a motion to accept this recommendation and give preliminary and final approval. Councilman Shafter seconded the motion and voting was unanimous.

PUBLIC HEARING SET TO CONSIDER AMENDMENT TO CH 12.1 OF ZONING ORD.-- LANDSCAPING & SCREENING DEVICES

Mr. Booth explained that Robert Thurgood of Bob's Oil Exchange and Carwash is proposing a new building with three bays of automatic carwash and three bays of automotive maintenance. This is a commercial zone which allows this type of activity; however, the Zoning Ordinance states that service bays in automotive service facilities shall be designed so as not to front on a public street. The proposed facility will be located on a corner lot and there is no way to design the building so the service bays do not front on one street or the other. He said that this provision has caused some rather awkward situations since the service bays for carwashes do not apply, but an automotive service (like an oil-change service), does apply.

Therefore, it is the recommendation of staff that the City Council consider amending the ordinance to eliminate the sentence relating to the frontage of the bays. He recommended that a public hearing be set for May 22, 1991 at 7:30 p.m. to consider this matter and that it be referred back to the Planning Commission for their consideration and recommendation. Councilman Shafter made a motion to this effect, Councilman Foy seconded the motion and voting was unanimous.

INSTALLATION OF 10-INCH WATER LINE FROM WELL TO BARTON CREEK RESERVOIR AWARDED TO CLAUDE NIX CONST.

Mr. Balling reported that bids were opened for installation of a 10-inch water line from the well at 200 South Davis Blvd. to the Barton Creek reservoir and it is the staff recommendation that Claude Nix Construction Company, low bidder, be awarded the bid (\$78,610.00). Councilman Gramoll made a motion to this effect, Councilman Shafter seconded the motion and voting was unanimous.

SIX-FOOT EASEMENT GRANTED TO U.S. WEST AT 1800 SOUTH PARK

Mr. Balling explained that U.S. West needs to tie their telephone system together in the vicinity of Mueller Park Junior High School and have requested that the main feed line come from Emerald Hills north along the west boundary of the Junior High park on City property. Representatives from the Water, Sewer, and Power Departments, along with Engineering staff, have studied the 6-foot easement on the west side of the park and see no problem with U.S. West installing an underground cable in that easement. It is staff recommendation to grant the easement subject to restoration of the park (landscaping) to a condition equal with the area that now exists and protection of the utilities and sprinkling system. Councilman Gramoll asked if there would be any impact on contiguous property owners; Mr. Balling stated "no". Councilman Gramoll made a motion to grant the easement as recommended. Councilman Foy seconded the motion which was favored unanimously.

BID FOR ASPHALT MATERIAL FOR SEASON STREET PAVING AWARDED TO STAKER PAVING AND CONST. CO.

Mr. Balling reported that bids were opened last Thursday for furnishing the Bituminous Surface Mix to be used by the City for re-surfacing the City streets. He reviewed the Bid Tabulation which listed the responses of three bidders and recommended that the bid be awarded to Staker Paving, low bidder, in the amount of \$290,200.00. He noted that the prices quoted by Staker are lower than their bid prices from last year and that these are guaranteed for the summer months. Councilwoman Holt made a motion to approve the low bid from Staker Paving as presented. Councilman Shafter seconded the bid. Councilman Foy noted that Monroc, Inc. (one of the three responding bidders) had provided free concrete for the recent work at the gristmill and he requested that in the future the City give them favorable attention. Mr. Balling said that Monroc had submitted the lowest bid and satisfactorily provided the asphalt material for the street work two years ago. Voting on the motion was unanimous.

FINAL APPROVAL GRANTED TO STONE RIDGE SUBDIVISION (FORMERLY CALLED RIDGE POINTE) - 1600 SO 1900 EAST

Mr. Balling presented the site plan for Stone Ridge Subdivision (granted preliminary approval under the name of Ridge Pointe), 1600 South 1900 East, and reviewed that when preliminary approval was granted in January, it was with several conditions- -most of which pertained to cuts and fills. Since that time, the plans have been revised which has reduced the excessive cuts and fills shown on the preliminary plat and the number of lots has been reduced from 67 to 56. It is the recommendation of the Planning Commission that final approval be

granted to Stone Ridge Subdivision subject to the following conditions:

1. An exception be granted to allow some excessive cuts and fills over 10 feet;
2. An exception be granted allowing a home on Lots 1 and 504 to be further than 200 feet but no further than 500 feet from a public street. Ordinance allows 500 feet with special approval, subject to the conditions in the ordinance;
3. All areas cleared of natural vegetation to be replanted with equal or better plant materials. Final plans show details. Sprinkler system to be required for these refurbished areas;
4. Lots 5, 6, 7, 506, 508, 301, 302, 406, 2, 3, 203, 202 and 201 be allowed to have a reduced setback of up to 20 feet. Ordinance allows the developers to request a reduced setback for 20% of the lots;
5. An exception be granted to allow Lots 1, 2, 3, 5, 6, and 7 to have double frontage;
6. A retention basin be constructed on the natural drainage ravine that traverses Lots 504, 503, 501, 204;
7. Developer to obtain an easement and extend the sanitary sewer from 1500 East and 1500 South through the cemetery property to adequately serve this development;
8. Storm detention to be provided on site;
9. The culinary water main to this property was paid by another developer and installed by Bountiful City along the frontage of Bountiful Boulevard. This development must pay one-half of the cost of this water line along Bountiful Boulevard. Developer must also install a pump station, culinary water system, and reservoir storage system to serve this property, as per January 14, 1991 agreement approved by the Council (see minutes of January 24, 1991).
10. Developer to pay Bountiful City for curb and gutter along their street frontage on Bountiful Boulevard, and developer to provide sidewalk along this same frontage;
11. Engineering approval of construction plans;
12. Furnishing of a current title report on property; 13. Posting of required bond before recording plat; 14. Payment of required fees before recording plat;
15. The City has allowed some subdivisions in the past to complete the grading and

install the sewer before the plat is recorded; however, because this is in the Foothill area, the Planning Commission would recommend a bond or Letter of Credit be posted for \$100,000 to guarantee that if the development were to default, there would be sufficient money to re-grade and landscape the disturbed areas with native plants.

Councilman Shafter asked if there would be a maintenance problem on the lots with double frontage and following discussion, the developer (Joe Featherstone) agreed that a 6-ft. planting strip would be included next to the walk (with a sprinkling system) contiguous to these lots. Councilman Shafter also expressed a desire for the reservoir capacity to be increased; however, Mr. Balling stated that the additional 250,000 gallons (bringing the total to 500,000) is a very conservative estimate that he feels comfortable with. Following further discussion, Councilman Foy made a motion to grant final approval as recommended and including the planting strip as agreed by the developer, Councilwoman Holt seconded the motion which carried unanimously.

CITIZEN INPUT AND DISCUSSION RE: WATER CONSERVATION POLICY

Mayor Linnell reported that he has had numerous calls from citizens who are concerned about the water conservation policy which the City adopted for the coming irrigation season. In response to those concerns, this item is on the Agenda for the purpose of citizen input and council discussion. The Mayor briefly reviewed that the policy adopted by the City is in harmony with the restrictions imposed by the Bountiful Subconservancy District (the supplier of secondary irrigation water for the City) . The reason for adopting the same policy is to provide effective monitoring of the culinary and secondary water systems. Merrill Tuttle, manager of the Bountiful Subconservancy District, was also in attendance and he reviewed the process which resulted in the present conservation policy. He summarized that the higher reservoirs (East Canyon, Echo, etc.) have 83,000 acre feet less water than in the 1977 drought season and this has resulted in the Weber Basin Conservation District reducing their seasonal allotment by 50 percent.

Councilwoman Holt asked if there is any way that the water from Mill Creek can be channeled into a secondary system and Mr. Tuttle explained that the Bountiful Subconservancy District owns the water rights on Stone Creek and this water feeds two reservoirs; the majority of the water rights on Mill Creek and Barton Creek are owned by the City and use of that resource is under the direction of the City.

The following citizens expressed concern about the conservation policy and requested that consideration be given to modifying the policy to shorter watering periods on three days (instead of 3 hours on two days): Dan Jacobs (559 Chelsea Drive) , Mark Taylor, Mike Roden (Bridlewood), George Stavros (Bridlewood), Gary Herd (Bridlewood), Ray Longhurst (580 Chelsea Dr.), Mary Short (Bridlewood), Gary Brockbank (Bridlewood), and Randy Evans (Bridlewood). Discussion also focused on the fact that there is no secondary water system in the Bridlewood area, the circumstances which led to that situation, and the structure of taxation for

6- (C.C. minutes April 24, 1991)

secondary water purposes. (Mr. Hardy explained that Weber Basin levies a tax against all Davis County property owners which is used to help pay for that total project; Bountiful Subconservancy levies a tax on only those properties which receive secondary water; and Bountiful Subconservancy also charges an annual acreage fee to those with secondary water resources).

Mr. Hardy stated that the City has made an exception to the conservation policy on a 30-day basis for those who have newly planted lawns and shrubs and he advised any individuals in this category to contact the Public Works Director (Mr. Balling) .

Councilwoman Holt asked Mr. Tuttle how the citizens could appeal the policy established by Weber Basin Conservation District and he stated that their Board meetings are on the first Wednesday after the first Monday of each month at 7:00 a.m.

Following further discussion, the Mayor assured those in attendance that their concerns will be considered by the Water Committee and this issue will be placed on the City Council Agenda for two weeks from tonight (May 8th) . Interested citizens were invited to attend the Water Committee meeting which will be held May 1st at 4:30 p.m. at the Water Department building on 245 West 1050 South.

The meeting adjourned at 9:04 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Shafter.