

Minutes of the regular meeting of the City Council held March 25, 1992 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	Harold Shafter, John Cushing, Barbara Holt, and Leslie Foy
	City Attorney:	Layne Forbes
	City Engineer:	Jack Balling
	City Recorder:	Arden Jenson
	Planning Director:	Jon Reed Boothe
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy Lawrence
	Department Head:	Clifford Michaelis

Excused:	Councilwoman:	Renee Coon
	City Manager:	Tom Hardy

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 Eston Mercer (a Boy Scout from Troop 520) led the pledge of allegiance to the flag. The invocation was given by Fred Stringham, citizen and Power Commissioner.

Minutes of the regular meeting of the City Council held March 11, 1992 were presented and unanimously approved as corrected on a motion made by Councilman Shafter and seconded by Councilwoman Holt.

#### **EXPENDITURES AND EXPENSES APPROVED FOR SEVERAL PERIODS IN FEBRUARY AND MARCH**

Mr. Jenson presented the Expenditure and Expense Reports for the following periods, with totals as listed: February 28-29-\$200,653.19; Summary for February--\$2,801,693.70 (includes a twomonth payroll); March 1-12--\$107,261.02; March 13-19--\$386,447.01. He noted one correction to the annotation on the March 13-19 report and responded to questions from the Council. All expenditure reports were unanimously approved on a motion made by Councilman Shafter and seconded by Councilman Foy.

#### **APPROVAL GIVEN TO CLOSE MAIN STREET FOR CENTENNIAL SQUARE DANCE FESTIVAL**

Fred Stringham, member of the Bountiful Area Centennial Committee, presented a request to the Council for permission to close Main Street from Center Street to 100 South Street on June 12th, 7:00 p.m. to 10:00 p.m., for a Centennial Square Dance Festival. He said that 240-plus dancers will be participating. Councilman Shafter made a motion that this request be approved. Councilman Foy seconded the motion.

Councilwoman Holt noted that past policy has not permitted the closing of Main Street

for dances and she asked if there will be sufficient police officers to make sure there are no problems.

Mayor Linnell also commented that approval of this request would be a total departure from past practices of not closing a main traffic artery. He noted that normally these requests are shifted to 100 South or Center Street. Mr. Stringham said they had chosen Main Street because of better lighting and it seemed more fitting to have the square dance in front of the tabernacle.

Bases on the fact that this is a unique situation which will only happen once every hundred years, Councilwoman Holt said she would support the motion. The Mayor called for the vote and the motion carried unanimously.

### **STUDENT PRESENTATION ON BILL OF RIGHTS**

In recognition of the Bicentennial of the Bill of Rights, nine students from Centerville Junior High School and Mueller Park Junior High School gave a well-prepared demonstration of the proper use of Roberts Rules of Order as they presented a mock bill. The topic of the bill was flag burning. Debate focused on the rights of citizens guaranteed through the Bill of Rights. Teachers from each school (Norma Remington and Kevin Poff) served as chairman and parliamentarian. A brochure on the Bill of Rights was also distributed by the students. The students had participated in a seminar which met one Saturday in December, January and February to train in the concepts of the Bill of Rights.

### **APPROVAL GIVEN FOR RELEASE OF EASEMENT, 2819 SO. VIEW CIRCLE**

Mr. Balling explained that the property owners of Lot 2, South View P.U.D. at 2819 South View Circle have requested the release of the utility easement across the back (south) side of their property so that they may use the property to construct a garage. The City has obtained a release from all of the utility companies who may have an interest in this easement. It is the staff recommendation that the easement be released as requested. Councilman Foy made a motion to this effect, Councilman Shafter seconded the motion and voting was unanimous.

### **APPROVAL GIVEN FOR COST TO REPLACE STORK DRAIN AT 1125 EAST 1500 SOUTH**

Mr. Balling explained that the storm drain at 1125 East 1500 South was constructed 15 years ago of corrugated metal pipe. Over the years, corrosion caused the pipe to deteriorate, water was leaking, and the base support was being washed out. Therefore, an emergency replacement of the storm drain has been made. This work was not included in the budget but Mr. Balling indicated that funds are available in the Street Department Asphalt Paving fund. The new storm drain was constructed of 18-inch C-900 P.V.C. pipe at a total project cost of \$15,944.00. In view of the critical need to complete this work before further damage occurred, the work was done prior to council approval and Mr. Balling requested approval for payment of the project. Councilman Cushing motioned for approval as requested, Councilwoman Holt seconded the motion and voting was unanimous.

### **FINAL APPROVAL GRANTED TO APPLE ORCHARD**

### **SUBDIVISION, 1350 NORTH 200 EAST**

Mr. Balling presented the site plan for Apple Orchard Subdivision, 1350 North 200 East (17 Lots) and stated that it is the recommendation of staff and Planning Commission that final approval be granted subject to the following conditions:

1. Completion of the plans to the engineering requirements and city standards and specifications;
2. Payment of all required fees;
3. Posting of the site improvement bond;
4. Clearance of the title for the dedication as required on the subdivision plat;
5. Utility approvals by all the utility companies.

He explained that preliminary approval was granted under the name "Jack Bangerter Subdivision" on January 7, 1992. Based on the recommendation from the Planning Commission, Councilwoman Holt motioned for final approval as outlined. Councilman Foy seconded the motion and voting was unanimous.

### **PRELIMINARY AND FINAL APPROVAL GRANTED TO TWO TRIPLEXES - 257 EAST 100 NORTH**

Mr. Balling presented the site plan for two triplexes located at 257 East 100 North (Ron Trump, developer) and reported that it is the recommendation of the Planning Commission that preliminary and final approval be given subject to the following conditions:

1. The site plan shows a fill along the west side from 1 ft. to 7 ft. high and a fill along the north side from 5 ft. to 7 ft. high. This fill must be contained by a retaining wall, and we need the construction details and proposal for the wall; all other items for grading and drainage are acceptable. The individual garbage cans will be located at the back entrance to each unit enclosed by a patio fence;
2. Payment of a storm detention fee in the amount of \$1,050.00;
3. Two 1" water meters are required at a cost of \$2,770.00;
4. Payment of the sewer connection fees in the amount of \$3,600.00;
5. Building plans to be reviewed by the Building Inspector for compliance with the building codes;
6. Landscape and site improvement bond to be posted to guarantee completion of the site improvements and landscaping, and all building fees must be paid before a permit can be issued;

7. All landscape requirements of landscape ordinance to be met regarding screening trees;
8. Retaining walls not to exceed 4 ft. in height;
9. If the developer chooses to revise his plan incorporating only one driveway, that would be acceptable to the commission.

Follow discussion of this project, Councilwoman Holt made a motion for approval as recommended, Councilman Shafter seconded the motion and voting was unanimous.

### **PRELIMINARY AND FINAL APPROVAL GIVEN TO SWISS BOY ADDITION--305 NORTH 200 WEST**

Mr. Balling presented the site plan for the proposed addition to the Swiss Boy, 305 North 200 West, which is comprised of a 1500 sq. ft. warehouse in the back of their building and a 750 sq. ft. office addition to the front. He explained that although the existing site meets the ordinance for parking and landscaping, the additional square footage of the building will require more parking and landscaping and there is not sufficient room on the site for both. The owners have requested that two of the front parking stalls be eliminated (with the area to be included in landscaping) and that approval be given to consider counting two parking spaces inside the warehouse for owner/employee parking. The Planning Commission considered this request and determined enough parking was available to meet ordinance.

It is the recommendation of the Planning Commission that preliminary and final approval be granted subject to the following conditions:

1. Final review of the plans;
2. Payment of required fees;
3. Posting of required bonds;
4. Eliminating the front two parking stalls and adding landscaping in their place.

Based on the recommendation of the Planning commission, Councilwoman Holt made a motion that preliminary and final approval be granted. Councilman Cushing seconded the motion.

Councilman Foy mentioned that this building is a historical building and he asked if there had been compliance with the preservation ordinance procedures. This topic was discussed and Councilwoman Holt amended her motion to include conformance with the historical preservation ordinance (which provides for the Historical Commission to have one week in which to review the existing structure—take pictures, etc.—prior to any changes being made). Councilman Foy also noted that if the owners keep in compliance with the historical structure, a tax benefit might be received from the federal government as they proceed with the remodeling project. Councilman Cushing seconded the amendment to the motion and voting on the motion was unanimous.

### **FRUEHAUF TRAILER CORP. AWARDED BID FOR NEW SERVICE BODY - POWER DEPARTMENT**

Mr. Michaelis reported that requests for bids were sent to five vendors for a new service

body to be used on the truck which was recently approved for purchase. All five vendors responded and it is the recommendation of the staff and Power Commission that the low bid from Fruehauf Trailer corporation in the amount of \$8,178.00 be approved. (The price of the truck, \$15,965.00, plus this service body—\$8,178.00, brings the total cost to \$23,143.00, which is \$7,000.00 under the budgeted amount of \$30,000.00). Councilman Cushing motioned for approval as recommended. Councilman Shafter seconded the motion and voting was unanimous.

### **COUNCIL VOTES TO EXECUTE GAS PURCHASE CONTRACT - ALTERNATIVE ENERGY SOURCE**

Mr. Michaelis reported that the Board and Member Generation Committees of UAMPS initiated a study project to investigate purchasing natural gas reserves on the spot market. The study also investigated the availability and rates of transmission of the natural gas. Energy Strategies Incorporated (ESI) completed the study which included an in depth review of members' loads, forecasting, cost of natural gas reserves, transmission and a recommended participation level. Bountiful's interest in this matter would be to have an alternative energy source (natural gas) which would be used to generate electricity with the engines in the city-owned plant, if this source proved to be more economical than other sources.

As a result of the study by ESI, a proposed agreement has been prepared which would provide for ESI to (1) develop specific gas supply options for implementation, and negotiate contracts with selected suppliers; (2) negotiate transportation contracts with the appropriate supplier; and (3) negotiate and implement contracts for monthly spot gas purchases and coordinate with other UAMPS member facilities in balancing the gas supplies on a monthly - basis. Bountiful's cost for this service is not to exceed \$6,000. He reviewed the other conditions of the agreement and stated that it is the recommendation of the staff and Power Commission that the Council approve this proposed agreement.

Councilman Cushing complimented Mr. Michaelis and the staff for continually making every effort to take advantage of every option which comes available to keep the power costs as low as possible. He then made a motion that this agreement be executed. Councilman Shafter seconded the motion. Councilwoman Holt noted that this arrangement would be in a trial phase and she requested that it be evaluated over the next six months and re-evaluated at that time. Voting on the motion was unanimous.

### **COUNCIL VOTES TO LOWER AGE RESTRICTION IN ORDINANCE GOVERNING PUBLIC DANCES**

Jeff and Jeremy Reynolds, owners of a business which provides junior and senior high schools with mobile dance and lighting systems, presented a request to the Council to lower the age restriction in the ordinance governing public dances (Ord. No. 86-4, Section 5-5-3(b)). Councilman Foy asked what precipitated this request and Mr. Reynolds stated that they are planning to operate a local dance club and feel the participation of youth 14 years and up will make the business more successful, as well as providing a fun, clean atmosphere where these youth can enjoy a positive social experience. They are planning to use a building in colonial square and operate on Friday and Saturday nights. Mr. Reynolds presented letters of recommendation from the schools for which they have provided dances.

Councilman Foy stated that, based on his experience as a teacher of students aged 14, he felt this would not be appropriate. Councilman Shafter said that he felt kids grow up too fast and lowering the age to participate in public dances would be one more contributing factor to this happening. He also noted that 14-year-olds do not have a driver's license and possibly this would result in their source of transportation being 16-year olds. Councilman Cushing noted that the dances which have been provided by the Reynolds in the past have been in an environment where there are teachers, etc.; however, the dance club would not have as much supervision. He noted, though, that it is the parent's responsibility to monitor the activities of their youth and he commended the Reynolds for wanting to provide a wholesome social environment for the local youth.

Councilwoman Holt made a motion that approval be given to amend the ordinance as requested, based on the fact that the Reynolds, work with the police and fire officials to provide adequate supervision and the fact that the Friday and Saturday night activities are within curfew. Councilman Cushing seconded the motion which carried by a majority with Councilmen Shafter and Foy voting "nay", Councilwoman Holt and Councilman Cushing voting "aye", and the Mayor breaking the tie with an "aye" vote. Councilman Shafter requested that the Council be apprised periodically of the activities of this business and Lt. Bill Collard assured him that the Police Department will be monitoring it closely.

**MAYOR PRO-TEX APPOINTED TO SERVE FOR  
BALANCE OF 1992 CALENDAR YEAR**

Mayor Linnell requested that the Mayor Pro Tem be appointed for the balance of the 1992 calendar year and he presented the following recommended schedule:

March and April	Barbara Holt
May and June	Les Foy
July and August	Harold Shafter
September and October	Renee Coon
November and December	John Cushing

Councilman Shafter made a motion that the recommended Pro-Tem appointments be approved, Councilwoman Holt seconded the motion and voting was unanimous.

Councilman Shafter was excused at this time (7:50 p.m.)

**REVIEW OF TRAFFIC SAFETY COMMITTEE ITEMS  
AND CITY TRAFFIC PATTERNS**

Mr. Balling explained that the residents in the area of 800 East 500 South have requested that a street light be installed and that the speed limit sign which has been removed be replaced. The Traffic Safety Committee voted that the street light request be turned over to the traffic light committee.

Mr. Balling then reviewed the Traffic Volume report for 1991 for the major streets (Main Street, 500 South, and Orchard Drive) and for the intersections at 1000 North Main, 1800 South Davis Blvd, and 500 South 100 East which are approaching a Signal Warrant. They are still

below the required volumes to justify a signal.

He also reviewed the Traffic Accident study which showed that reportable accidents for 1991 (653) were down from 1990 (768). The tabulation included all intersections which have three or more accidents. The intersections were listed in numerical order according to their accident rate (traffic volume divided by number of accidents). Eighteen of the intersections carried forward from 1990 to 1991 and ten new intersections were added this year. He also reviewed recommendations to reduce the traffic accidents for the intersections considered "critical" or "out of control".

Councilman Foy suggested that the time of day when accidents occur should be included in the study because the position of the sun could be a contributing factor. Mr. Balling noted that by doing traffic accident studies on a yearly basis, it is possible to identify the most critical areas and include recommended improvements in the budget. In response to a question from the Mayor, he stated that some of these projects are included in this year's capital improvements budget.

The meeting adjourned at 8:32 p.m. on a motion made by Councilman Cushing and seconded by Councilwoman Holt.