

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

Present:	Mayor Pro Tempore:	Renee Coon
	Council Members:	Harold Shafter, John Cushing, and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne Forbes
	City Prosecutor:	Russell Mahan
	City Engineer:	Jack Balling
	City Treasurer:	Ira Todd
	Planning Director:	Blaine Gehring
	Dep. Recorder:	Kim Coleman
	Dept. Head:	Clifford Michaelis, Power
	Rec. Secretary:	Nancy Lawrence
Absent:	Mayor:	Bob Linnell
	City Recorder:	Arden Jenson

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 Pro Tem Coon called the meeting to order, following which Councilman Shafter led the pledge of allegiance to the flag. The invocation was given by Mr. Hardy.

Minutes of the regular meeting of the City Council held September 23, 1992 were presented and unanimously approved as written on a motion made by Councilman Foy and seconded by Councilman Cushing.

EXPENDITURES APPROVED FOR PERIOD TWO SEPTEMBER PERIODS

Mr. Coleman presented the Expenditure and Expense reports for the periods September 18-24, 1992 (\$446,074.66) and September 25-26, 1992 (\$117,567.49). The Council had no questions on the reports and these expenditures were unanimously approved as presented on a motion made by Councilman Shafter and seconded by Councilman Cushing.

PETITION FOR ANNEXATION OF VAL VERDA AREA ACCEPTED BY ADOPTION OF RES. NO. 92-20

Mr. Balling reported that a petition requesting annexation of the Val Verda area between 2800-3100 South and Orchard Drive to Davis Boulevard has been submitted to the City. The area includes 117 properties and 99 owners have signed the petition (57.56 percent) . Mr. Forbes stated that if the Council feels so inclined, the next step is to adopt a resolution accepting the annexation petition for the purpose of preparing the Policy Declaration, and to set a hearing to consider the annexation request. Councilman Cushing motioned for the adoption of Resolution No. 92-20, with the public hearing to be set for November 11, 1992 at 7:30 p.m. Councilman Shafter seconded the motion and voting was unanimous.

AGREEMENT WITH UDOT APPROVED FOR FUNDING OF SIDEWALK, CURB & GUTTER - HIGHWAY 89 AT BOUNTIFUL MOTORS

Mr. Balling explained that the State makes funds available for the construction of sidewalk, curb and gutter through a fund promoting pedestrian safety. The City applied for these funds to be used to construct the street improvements on Highway 89 between Bountiful Motors (2600 South) and the south city limits. The total request was for \$47,742; the State has awarded funding of \$35,807, contingent upon the City signing an agreement which guarantees completion of the project. He stated that the agreement is standard and other agreements like it have been approved by the city in past years. He recommended acceptance of the agreement and authorization to proceed with the work. Councilman Foy made a motion to this effect, Councilman Shafter seconded the motion and following a brief discussion, the motion carried by unanimous vote.

LICENSE AGREEMENT WITH U.S.A. APPROVED -CONSTRUCTION OF PIPELINE ON BOUNTIFUL BLVD. AND TEMPLE VIEW DR.

Mr. Balling explained that when the City developed Granada Hills No. 9, two roads (Bountiful Boulevard and Temple View Estates) were constructed over a drain pipe which feeds from the Weber Basin reservoir. It has been determined that the drain pipe is not adequate to carry the traffic loads and needs to be replaced and this becomes the responsibility of the City. (Another portion of the pipe crosses property of the L.D.S. church and will be replaced by the Church. This work will also be included in this Agreement). He said that this license Agreement is the same as has been used by the City on other occasions and recommended that the Agreement be approved. Councilman Shafter motioned for approval of the Agreement with U.S.A., with authorization for the Mayor to sign. Councilman Foy seconded the motion and voting was unanimous.

REQUEST OF POWER DEPARTMENT TO PURCHASE REBUILT TURBO APPROVED

Mr. Michaelis explained that during the rebuilding of Engine No. 3, it was discovered that the turbo housing was cracked and there was other damage to the compressor on the turbine wheel. The estimated cost to repair the turbo is \$16,000. A surplus rebuilt Elliot turbine has been located which is priced at \$12,300 and includes a one-year warranty. It is the staff recommendation to purchase the rebuilt Elliot turbine. (A new turbine would cost \$30,000). Councilman Cushing motioned to purchase the rebuilt turbine from Caulfield Associates, Inc. for \$12,300. Councilman Shafter seconded the motion which carried unanimously.

APPROVAL GIVEN TO PURCHASE SURPLUS ITE BREAKERS FOR POWER DEPARTMENT

Mr. Michaelis reviewed that seven ITE high voltage switchgear breakers were purchased in 1986 from the Washington Public Power Service (WPPS). The Power Department has a need for two ITE breakers in the Central Substation upgrade project. Four of these breakers have been located at North American Machinery and are priced at \$8,675 (which is about fifty percent less than new breakers) . Since they are the same as those used in 1986, they can be tied directly to the existing switchgear. Councilman Shafter suggested that all four of the breakers be purchased, with two of them being used for backup. Mr. Michaelis said that he will approach the Power

Commission regarding this. Councilman Cushing then motioned for approval to purchase two ITE breakers for \$17,350. Councilman Foy seconded the motion and voting was unanimous.

**ORDER TO SHOW CAUSE AND PUBLIC HEARING
SET FOR OCTOBER 28, 1992 - SMITH'S FOOD KING**

Mr. Mahan stated that Smith's Food King, 2399 South Main, has failed two of three checks for compliance with the City ordinance regarding the sale of beer to minors. He recommended that Smith's be given an opportunity to show cause at a public hearing on October 28, 1992 at 8:00 p.m. Councilman Shafter made a motion to set the hearing as recommended. Councilman Cushing seconded the motion which carried unanimously.

**BEER LICENSE OF SCORER'S TABLE RESTAURANT
SUSPENDED FOR 30 DAYS**

Mr. Mahan reviewed the compliance testing procedure which is used in Bountiful to encourage businesses who have beer licenses to be careful about the sale of beer to minors. He said that the Scorer's Table Restaurant failed two of three tests (June 13, 1991 and June 23, 1992). He noted that the management has a good attitude and he referred to a letter which had been submitted by the managers. He said it was the recommendation of staff to suspend the beer license for 30 days, commencing Monday, October 12, at- 12:01 a.m., and that it be automatically reinstated at the end of the 30day period. Councilman Shafter made a motion to accept the staff recommendation. Councilman Cushing seconded the motion and voting was unanimous.

PLANS APPROVED FOR 1800 SOUTH RETAINING WALL

Mr. Balling reviewed that on September 2, 1992 the Council approved a beautification plan for 1800 South Street (both sides). Since that time, continuing discussion with neighbors and members of the Bountiful Birthday Committee has resulted in a proposed change for this project. He displayed the revised drawings, which included construction of a keystone wall and a 4-ft. fence (instead of using a rock retaining wall). As modified, the City would deed the property beyond the improvements back to the homeowners, the City would provide the materials for the project, and the homeowners and the Citizen's Committee would provide the labor. The project would also include a 4-ft. sidewalk on the south side of the street (to combine with the existing 4-ft. walk, making the total width of the walk 8 feet). The estimated cost for the project on the south side of 1800 South is \$19,285.00.

Citizens in attendance participated in the discussion and Dave Coons stated that he would get a competitive bid for the keystone block. In response to a citizen question, Mr. Hardy stated that the City will continue to assume the responsibility of cleaning the snow from the sidewalk along 1800 South. Richard Welling suggested that the plan should include additional fill behind the fence to provide for more successful planting on the slope.

the sidewalk on the north side is proposed to be left at 4 feet due to the high power poles which would need to be relocated if the walk were widened. A chain link fence is proposed next to the walk with 230 ft. of keystone block.

Following discussion, Councilman Foy made a motion that the 1800 South project be approved as outlined (\$6,400 for the north side and approximately \$20,000 for the south side) . Councilman Shafter seconded the motion which carried by a majority. Mayor Pro Tem Coon expressed concern about the cost of the project and voted “nay”.

RES. NO. 92-21 APPROVED PROVIDING FOR ANNEXATION OF STONE RIDGE PROPERTY INTO CITY LIMITS

Mr. Balling reviewed that the City accepted a request for annexation of 40 acres of property owned by the Stone Ridge development project. Mr. Forbes said that the last step in the annexation process is to adopt a resolution declaring the annexation of the property to the city. He noted that a public hearing was held two weeks ago and a Policy Declaration was adopted at that time. There have been no protests to the annexation and he recommended adoption of Annexation Resolution 92-21. Councilman Cushing made a motion to accept the annexation resolution and authorize the Mayor Pro Tem and City Recorder to sign it. Councilman Shafter seconded the motion and voting was unanimous.

FINAL APPROVAL GRANTED TO STONE RIDGE SUBDIVISION PLAT D, REVISED (5 LOTS)- JOE FEATHERSTONE, DEVELOPER

Mr. Balling explained that final approval was granted to Stone Ridge Subdivision, Plat D, in March, 1992. However, the plat was not recorded at that time because of constraints that had to do with the size of the lots. Plat D has had three lots taken out and the lot lines have been revised. The bonds for the improvements have been posted with the other plats; however, the engineering and subdivision fees have not yet been paid.

It is the recommendation of staff that final approval be granted to the plat subject to the following conditions, as outlined to the developer in the Bond/Fee letter: (1) Payment of the required subdivision fees; (2) Payment of the required utility fees for water, sewer, and power; and (3) completion of the final title report, and final check list and all other requirements as outlined in the Bond letter. Councilman Foy made a motion to accept staff recommendation and grant final approval to Stone Ridge Subdivision, Plat D, as presented. Councilman Cushing seconded the motion and voting was unanimous.

FINAL APPROVAL GRANTED TO STONE RIDGE SUBDIVISION, PLAT F (6 LOTS) - JOE FEATHERSTONE, DEVELOPER

Mr. Balling presented the site plan for Stone Ridge Subdivision, Plat F, and stated that the lots (which are large estate lots) have been arranged to meet the Foothill Ordinance, the bonds have already been posted and the all of the roads have already been constructed under previous subdivisions and bonds. It is the staff recommendation that final approval be granted, subject to the following conditions:

1. Payment of the required subdivision fees and the required utility fees for water, sewer, and power.
2. Providing title report.
3. Completion of the final check list for the subdivision.

Councilman Cushing motioned for approval of Stone Ridge Subdivision, Plat F, as recommended by staff. Councilman Shafter seconded the motion and voting was unanimous.

PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED TO DOMINO'S PIZZA, 2230 SOUTH ORCHARD DR.

Mr. Gehring presented the site plan for Domino's Pizza, 2230 South Orchard Dr. and reviewed that Scott Nielsen, developer, has been granted a conditional use permit by the Planning Commission which will permit him to remodel the old Star Valley Milk Depot and operate a Domino's Pizza delivery business, with the hours of business being restricted to midnight (except on New Year's Eve). It is the recommendation of the Planning Commission and staff that preliminary and final approval be granted. (Remodeling of the building will not exceed 50% of the value specification; therefore no further requirements can be asked for on the site) . Councilman Shafter motioned for approval as recommended. Councilman Cushing seconded the motion and voting was unanimous.

PRELIMINARY APPROVAL GRANTED TO REDD APARTMENTS 2005 SOUTH MAIN (FOUR 4-PLEXES)

Mr. Gehring presented the site plan and elevations for the proposed Redd Apartments (four 4-plexes) at 2023 South Main and stated that it is the recommendation of staff and Planning Commission that preliminary approval be granted subject to the following conditions:

1. Storm Drainage: Storm water detention is provided for on site and no storm water fee will be required. A complete hydrology study needs to be completed to determine the size and volume of the proposed detention basin. The developer should install an overflow pipe from the new storm detention area to the existing storm drain line along the north property to handle the runoff water in excess of the required storage.
2. Water Connection: Four one-inch water meters are required. In addition, the existing fire hydrant will need to be moved. The cost of moving the hydrant will be determined prior to final approval.
3. Sewer Connection: An eight-inch sewer line was installed to the property when the original unit was built. The developer can tie on to this without cutting into the street.
4. Power: The Power Department indicates that underground service will need to be provided on the site.
5. Bonds and Fees: All bonds and fees will be determined at the time of final approval and must be paid prior to construction.
6. Building Plans: The buildings must be designed for a 100 mph wind by a professional engineer.
7. Landscaping: A final landscaping plan prepared according to ordinance requirements

to be submitted.

Councilman Cushing made a motion to grant preliminary approval to the Redd Apartments, as recommended. Councilman Shafter seconded the motion and voting was unanimous.

**COUNCIL ACCEPTS PROPOSAL FOR GLASS RECYCLING--
RECYCLING CORPORATION OF AMERICA (LARROY ORR)**

Mr. Hardy reviewed that Recycling Corporation of America, represented by LaRoy Orr, has approached the City for the opportunity to collect and recycle glass. The proposal would include installation of a glass recycling collection container alongside the existing paper container. The City would provide the initial investment for the container, and would be reimbursed at a guaranteed price of \$5.00 per ton for the glass until the investment of \$3,700 is recovered. (After the original container price is recovered, R.C.A. will buy the glass at market prices) . R.C.A. will service the container and haul the glass to their processing plant in Salt Lake weekly, or as needed.

Mr. Orr estimated that it would take about four years for the city to recover its initial investment, after which the money would go into the Bountiful Beautification Fund. Mr. Hardy stated that this would be a good program and would complement that which is already in place. Councilman Foy made a motion to accept the contract with Recycling Corporation of America and appropriate the funds for the container. Councilman Shafter seconded the motion and voting was unanimous.

MISCELLANEOUS

Councilman Foy noted the outstanding job which was done at the Centennial Event at the Bountiful Cemetery and suggested that a letter of appreciation be sent to Dora Flack and Colleen Parker.

EXECUTIVE SESSION SCHEDULED

Councilman Shafter made a motion that an executive session be held immediately after this meeting for the purpose of discussing pending litigation. Mayor Pro Tem Coon seconded the motion and voting was unanimous.

The meeting adjourned to executive session at 8:33 p.m. on a motion made by Councilman Shafter and seconded by Mayor Pro Tem Coon.

Attendance at Executive Session

Mayor Pro Tem Coon
Councilmen Shafter, Cushing, and Foy
Mr. Hardy
Mr. Forbes