

Minutes of the regular meeting of the City Council held March 4, 1992 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	Harold Shafter, Nenee Coon, John Cushing, Barbara Holt and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne Forbes
	City Prosecutor:	Russell Mahan
	City Engineer:	Jack Balling
	Asst. City Eng.:	Paul Rowland
	City Recorder:	Arden Jenson
	Planning Director:	Jon Reed Boothe
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy Lawrence
	Dept. Heads:	Dick Duncan, Streets/Sant. Jerry Lemon, Fire

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 Coon led the pledge of allegiance to the flag. The invocation was given by Councilman Shafter. The Mayor then gave a special welcome to the visiting Boy Scouts and reviewed information which would be pertinent to the merit badges they were working on.

Minutes of the regular meeting of the City Council held February 26, 1992 were presented and unanimously approved as written on a motion made by Councilman Cushing and seconded by Councilman Shafter.

**EXPENDITURES AND EXPENSES APPROVED FOR
PERIOD FEBRUARY 21-25, 1992**

Mr. Jenson presented the Expenditure and Expense Report for the Period February 21-25, 1992 in the amount of \$110,635.18. He responded to questions from the Council, following which the expenditures were unanimously approved as presented on a motion made by Councilman Foy and seconded by Councilwoman Holt.

**RESOLUTION NO. 92-3 ADOPTED RE: ANNEXATION OF
BANGERTER PROPERTY-1400 NO MAIN ST.**

Mr. Forbes reviewed Resolution No. 92-3 entitled "RESOLUTION DECLARING THE ANNEXATION OF TERRITORY TO THE MUNICIPALITY OF BOUNTIFUL", which provides for annexation of the Bangerter property on 1400 North Main Street into the City. (The legal description of the property is included in the resolution as Exhibit "All) . He noted that because the parcel of property is less than 5 acres, a Policy Declaration was not necessary. Councilman Shafter made the motion that the Council adopt Res. No. 92-3 and authorize the

mayor and city recorder to sign it. Councilwoman Coon seconded the motion which carried unanimously.

PRELIMINARY APPROVAL GRANTED TO FRANCESCO RESTAURANT--370 WEST 500 SOUTH

Mr. Balling presented the site plan for Francesco's Restaurant (formerly Robintino's), 370 West 500 South, and reviewed the proposed remodeling and addition to the building, changes in parking, and ingress and egress changes. He stated that it is the recommendation of staff and the Planning Commission that the City Council consider preliminary approval subject to the following conditions:

1. Payment of all required fees;
2. Posting of landscape bond as required by ordinance;
3. Construction of storm drain in southwest corner of property;
4. Driveway access from 500 South to be acceptable to City Engineer.

Councilwoman Holt thanked Mr. Balling for his assistance with this project and she made a motion that preliminary approval be granted, as recommended. Councilman Foy seconded the motion which carried unanimously.

M. C. GREEN CONSTRUCTION AWARDED BID FOR 1500 SOUTH RECONSTRUCTION PROJECT

Mr. Balling reported that bids were opened last week for the 1500 South reconstruction project (Main Street to orchard Drive) and five contractors submitted bids. It is staff recommendation that the bid be awarded to low bidder, M. C. Green Construction Company in the amount of \$307,172.50. He noted that the Bountiful Sub Conservancy Water District will pay \$14,768.00 of this amount for replacement of their water main. The property owners will pay approximately \$30,000 for their share of the concrete replacement. The balance of \$262,404.50 will be taken from the City Capital Construction budget. Mr. Balling noted that this project was budgeted at \$275,000.

Mr. Balling also explained that the Contractor has recommended a different type of joint sealant (one which will extend the life of the concrete street) and it is the staff recommendation that this recommendation be accepted. The additional cost for this change (\$3,000) would bring the bid total to \$310,172.50. Councilman Shafter made a notion that the bid be awarded to M. C. Green Construction Company in the amount of \$307,172.50, plus the additional \$3,000, as recommended. Councilman Foy seconded the motion which carried unanimously.

PRELIMINARY AND FINAL APPROVAL GRANTED TO SITE PLAN FOR LDS TEMPLE-500 SOUTH BOUNTIFUL BLVD.

Mr. Balling reviewed the site plan for the proposed LDS Temple at 500 South Bountiful Blvd. and stated that it is the recommendation of staff that preliminary and final approval be

granted subject to the following conditions:

1. Site Plan. The Site Plan meets all of the provisions of the ordinance and the Board of Adjustment has granted a variance for the height of the steeple and the height of the fence.
2. Storm Drainage. The storm drainage will be piped to the storm drain system at the southwest corner of the property. Storm detention is not required for this property and the storm drain fee was waived under an agreement between Bountiful City and the Barlows (who owned the property in 1984) when they gave the City 200,000 yds. of fill material to construct the Barton Creek Debris Dam.
 3. Utilities. The City has adequate facilities to provide sewer, water, and power service. The fees must be paid for these connections, based upon the City Ordinance.
4. Landscaping. The landscape plans are still subject to the approval of the City Planner and the bond is required for the guarantee of the landscaping and site improvements.
5. Building Permits. The plans must be approved by the County Health Department for food handling; completion of the plans as per the city review; and payment of the building fees as required by the Building Code.
6. Minor Changes. The City Staff is authorized to approve the minor variances in material, finishes, and landscaping which are deemed to be consistent with the submitted site plan and elevations.
7. Traffic Review. The Traffic Committee will review parking conditions and street congestion after the completion of the temple, to determine the need for "No Parking" on Temple View Drive.

Rod Pulley, representing the LDS Church, stated that it is the intention of the Church to go to bid very shortly. He said that the conditions which have been given are acceptable to the Church and he thanked the city staff for the congenial working relationship which has existed on this project over the past several years.

Councilwoman Holt made a motion to grant preliminary and final site approval to the LDS temple as recommended. Councilman Foy seconded the motion. Voting was unanimous.

Craig Iverson, a resident on Temple View Drive, stated that he and other residents and property owners on Temple View Drive have concerns about the ingress and egress of traffic from the parking terrace on to Temple View Drive. He presented a petition signed by 17 property owners in opposition to this traffic pattern. Nancy Ketcham also expressed concern regarding the impact of traffic on the access routes to the temple.

Mr. Balling reviewed the traffic studies which have been done and stated that 400 North Street and 1800 South Street will carry the majority of the traffic east to Bountiful Boulevard. Plans have been drawn to extend Bountiful Blvd. north to 400 North. If this area is not completed by the developers within three years, the City is looking at the possibility of funding the street and improvement construction and then assessing the owners when the property is developed. He said that the staff is sympathetic with the property owners on Temple View Drive and that is why one of the conditions of approval provides for further traffic review after construction. The Council discussed the traffic issue and it was felt that there would not be a big impact inasmuch as the patrons would be coming and going at various times.

BEAUTIFICATION AWARDS FOR 1991 PRESENTED BY MAYOR

Mr. Boothe explained that, in keeping with the city theme (City of Beautiful Homes and Gardens), awards are given each year to the owners of residential and commercial properties which display pleasing spacial relationships of annuals, shrubs, and trees and exceptional grounds maintenance. The mayor then recognized the following persons who were selected to receive the awards this year:

Residential

Mr. and Mrs. Bernell Wrigley, 83 South 800 East
Mr. and Mrs. Rulon Sessions, 395 South 1100 East
Mr. and Mrs. Dale Madsen, 345 S. 1100 East
Mr. and Mrs. Ted Smith, 95 South 800 East
Mr. and Mrs. Ronald Day, 2764 South 200 West
Mr. and Mrs. Ray Tolman, 395 East Millcreek Way
Mr. and Mrs. Melvin McLeod, 293 West 1050 North

Commercial

Deseret First Credit Union, 390 South Main
Bountiful Towne Center, 200 West 500 South

The Mayor presented a plaque of appreciation for each recipient, recognizing grateful appreciation from the City for the landscaping efforts which have been made to beautify the appearance of each property.

REVIEW STATUS OF RECYCLING IN BOUNTIFUL

Mr. Rowland reported that the recycling efforts of city residents have declined over the past 18 months, mostly due to the volatile nature of this industry and a drop in prices which are paid for the recyclable products. After studying recycling, he reported that it is the staff recommendation to provide large green plastic dumpsters (that the city trucks can pick up) at each elementary school (12 sites) and that only two items (paper and cardboard) be picked up. One truck could be designated for this purpose and it would deliver the material to the recycling centers in Salt Lake City as it became full. After some discussion, the cost for the city to provide this service was estimated at \$18-20,000 a year? subject to the level of participation. The proceeds from the materials collected and recycled would be given to the schools.

An alternative proposal would be to have a volunteer program sponsored by Waste

Management in which recycling tubs are placed on curbsides by participating residents and the tubs are picked up bi-weekly, similar to garbage pickup. The cost for citizens would be \$3. 00 per month, plus a one-time \$10 charge for the tub, and revenues generated through the sale of the materials would be refunded back to the City.

A lengthy discussion followed regarding these two alternatives and Celestia Brunsdale, city resident who has contributed greatly to the recycling effort, stated that she felt the tubs would be the better alternative. She said it would be more convenient for residents, and five products could be collected and thus taken out of the waste stream (newspaper, cardboard, tin, aluminum, and magazines), resulting in a 10 percent diversion of the solid waste stream in one year. Billing would be handled by Waste Management.

Councilwoman Coon supported the logic of Ms. Brunsdale and complimented her for her efforts. She stated that it makes more sense to let private enterprise provide this service than for the city to bear the costs. Discussion followed regarding the pros and cons of each alternative, following which Councilwoman Coon made the motion that approval be given to curbside service on a voluntary basis and that Earth Day (April 21st) be set as the kick-off date. Councilwoman Holt seconded the motion.

Councilman Shafter said he supported the curbside program. However, he was opposed to the revenues generated being given back to the city since they were not generated by the city as a whole. This issue was discussed and it was suggested that they be earmarked for a purpose which would improve the environment. Discussion also focused on how the program would be initiated and it was determined that the city newsletter and/or utility billings could be used. Voting on the motion was unanimous.

REVIEW OF ANNUAL REPORT--FIRE DEPARTMENT

Fire Chief Jerry Lemon presented the annual report regarding the operation of the fire department. He referred to materials which had been given to the Council earlier and stated that 1991 had been a good year. The fire department is manned by 12 full-time personnel and 25 part-time persons. He reviewed each call category and compared 1991 services with 1990. Most categories were higher in 1991, but grass and vehicle fires were down. It was noted that the addition of a full-time fire marshall has provided for the city to increase inspections for compliance with the fire code in commercial and public buildings.

The report cited training which is provided by the fire department to school, church, and civic groups. Other services include testing, maintenance and painting of fire hydrants, and ambulance service. Bountiful maintains the lowest charge for ambulance service in Utah. Chief Lemon expressed appreciation to the volunteers who give up their own time to support the Fire Department, noting their high level of dedication.

Councilwoman Coon expressed appreciation, based on personal experience over the past year, for the wonderful job which is done by the personnel from the Fire Department. Councilman Shafter expressed concern that the firemen do not have opportunity to train on real fires and Chief Lemon noted that EPA regulations prohibit the practice burns which were formerly used.

REVIEW OF CITY CODE, SECTION 1-4

Mr. Mahan noted that the Agenda indicated that the first five sections of the Code would be reviewed, however, only four sections were sent to the Council with their packets. He asked for questions from the Council and responded to question from Councilman Shafter, Councilwoman Coon, and Councilwoman Holt. He stated that he would coordinate with Councilwoman Coon regarding her concern to have the State code referenced more specifically when it is mentioned in the City code. He also noted that he will continue to send small segments of the revised code to the Council for their review.

LANTIS FIREWORKS AND LASERS AWARDED BID FOR FIREWORKS

Mr. Hardy reported that the Parks and Recreation Committee received bids from two fireworks dealers for the July 24th fireworks display. Councilman Foy stated that the Committee favored the Lantis bid; however, he personally preferred the other vendor because a greater, more colorful variety was offered. Following discussion by the Council, Councilman Shafter made the motion that the bid from Lantis Fireworks and Lasers in the amount of \$10,000 be approved, as recommended by the Committee. Councilwoman Holt seconded the motion which carried by a majority. Councilman Foy voted nay.

The meeting adjourned at 9:31 p.m. on a motion made by Councilman Cushing and seconded by Councilwoman Coon.