

Minutes of the regular meeting of the City Council held August 19, 1992 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah, following a meeting of the Redevelopment Agency.

Present:	Mayor:	Bob Linnell
	Council Member:	C. Harold Shafter, Renee Coon, John Cushing, Barbara Holt, and Leslie Foy
	City Attorney:	Tom Hardy
	City Engineer:	Jack Balling
	City Recorder:	Arden Jenson
	Dep. Recorder:	Kim Coleman
	Rec. Secretary:	Nancy Lawrence
	Dept. Heads:	Dick Duncan Neal Jenkins
	Admin. Intern:	Whitney Pugh

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 and noted that the pledge of allegiance to the flag and the invocation had been given in the RDA meeting held earlier.

Minutes of the regular meeting of the City Council held August 12, 1992 were presented and unanimously approved as written on a motion made by Councilwoman Holt and seconded by Councilman Shafter.

EXPENDITURES AND EXPENSES APPROVED FOR PERIOD AUGUST 1-13, 1992

Mr. Jenson presented the Expenditure and Expense Report for the Period August 1-13, 1992 in the amount of \$317,622.98. Councilman Foy made a motion for approval of these expenditures, Councilman Shafter seconded the motion, and voting was unanimous.

H & K TRUCK EQUIPMENT AWARDED BID FOR STREET DEPARTMENT FLUSHER TANK

Mr. Duncan reported that bids were opened on August 11, 1992 for a flusher tank for the Street Department. Four vendors responded and it is staff recommendation that the low bid from H & K Truck Equipment in the amount of \$24,748 be approved. The budget for this item was \$28,000. Councilwoman Coon motioned for approval of staff recommendation; Councilman Shafter seconded the motion and voting was unanimous.

MARION WILLEY AWARDED BID FOR 3/4 TON PICKUP TRUCK: PURCHASE OF UTILITY BED FROM TESCO--PARKS DEPARTMENT

Mr. Jenkins reported that bids were requested for a 3/4 ton pickup truck and a utility bed. Two vendors responded on the pickup truck and it is the staff recommendation to accept the higher bid from Marion Willey in the amount of \$15,514.70. He explained that the low bid did

not meet the specification for a 440 CI engine which is deemed necessary for hauling and for pulling heavy equipment. The low bid from Hinckley Dodge in the amount of \$13,753.00 featured a 360 CI engine.

It is also the recommendation of staff to purchase a utility bed for the truck from TESCO in the amount of \$3,403.00, bringing the total to \$18,917.70. The total budgeted for the pickup and bed was \$19,000.00. Councilman Foy motioned for approval as recommended by staff. Councilman Cushing seconded the motion which was favored unanimously.

ROCKY MOUNTAIN TURF EQUIPMENT CO. AWARDED BID FOR GOLF COURSE GREENS MOWER

Mr. Jenkins reported that bids were sent out for a greens mower for the golf course, and it is staff recommendation that the second low bid from Rocky Mountain Turf Equipment Company in the amount of \$14,982.00 be accepted. He noted that the low bid did not meet specs because it did not have the leak protection device which alerts the operator of fuel leaks that damage the greens. The amount budgeted for this equipment was \$15,000. Councilman Foy made a motion that the bid from Rocky Mountain Turf Equipment be accepted as recommended. Councilman Cushing seconded the bid which carried unanimously.

PRESENTATION ON FINE ARTS FACILITY

This Agenda item was canceled for this evening.

PUBLIC HEARING SET TO CONSIDER ADOPTIO OF POLICY DECLARATION REGARDING ANNEXATION

Mr. Forbes reviewed that a resolution was adopted last week accepting the annexation petition of Messrs. Featherstone and Putnam and the next procedure is to hold a public hearing to consider adoption of a Policy Declaration. He recommended that a public hearing be set for September 23, 1992 at 7:30 p.m. Councilman Shafter made a motion to this effect, Councilwoman Coon seconded the motion and voting was unanimous.

UPDATE ON RELOCATION OF HISTORICAL STRUCTURE

Mr. Hardy referred to information which he had disseminated to the Council and added that he had made a visit to the site of the historic log cabin. It appears that there is a roof to the building; however, the building around the cabin has not been torn down and the cabin has not yet been exposed. It is hard to determine what the situation is with regard to the floor.

Councilman Foy reported that Rich Hauck and he exposed the roof and it is assumed to be intact; however, they were unable to expose any flooring and it is assumed that there is no floor. He talked with the superintendent of the Pioneer Trail Park who suggested that the cost to move and restore the cabin would be approximately \$6,000.00. He contacted the Daughters of the Utah Pioneers and they are willing to furnish the building. He has also talked with Duff Willey who stated that the family would be willing to "work with us a little" in the restoration project.

Merial Hawkins, president of the South Area Camp of the DUP, was in attendance. She said that she has contacted the other two area presidents and there is enthusiastic support from

the DUP to furnish the home with vintage artifacts, be available to take tours through the cabin, and keep it open on holidays.

Councilman Foy suggested that an appropriate location FOR the cabin would be at the 400 North Park. He also noted that he has received numerous phone calls of support for this project.

Councilman Cushing reported that he contacted several service clubs in the City and requested that they poll their membership to determine interest in and support of this project. Subject to the integrity of the cabin being established, he admonished that the project be pursued in such a way that it (the cabin) can be enjoyed and appreciated by the citizenry. He suggested that this project could be given as a birthday gift to Bountiful in recognition of the centennial celebration. He then made a motion to authorize that \$6,000 be appropriated for the purpose of moving the cabin to the 400 North Park and restoring it; and that avenues for additional financial support be explored. Councilman Shafter seconded the motion.

Councilwoman Coon asked if the \$500 allocated in meeting had been used and Mr. Hardy stated that the contractor at the site had not done anything with the cabin and that expenditure would not be necessary. She then asked about the cost of a fence to secure the building and Mr. Balling estimated that a chain link fence would cost \$6/ft. and black wrought iron would be about \$1024 12/ft. Councilman Shafter requested that Councilman Foy be on site as much as possible during the process of relocating the cabin to 26 ensure proper procedures. The motion carried by unanimous vote.

MAYOR WELCOMES VISITING BOY SCOUTS

At this time the Mayor recognized the visiting Boy Scouts, Troop 767 from the North Canyon area, and reviewed with them the information pertinent to their merit badges.

PUBLIC HEARING TO DISCUSS AMERICANS WITH DISABILITIES ACT

At 7:30 p.m. the Mayor convened the hearing to discuss the Americans with Disabilities Act. Mr. Pugh gave a brief review of things which are presently in place for those with disabilities (a wheel chair lift at the Recreation Center swimming pool, ramps designed into the curbs to facilitate wheel chairs, a device for the deaf on the E911 phone line).

He said that over 250 letters were mailed to persons who use a handicapped license plate inviting them to attend this hearing and give input which would be helpful to the City in better meeting their individual needs. He said that notice of this meeting was also posted in city buildings, the Medical Mart, the Senior Citizen Center, and the Deaf Center.

The Council responded to the Transition Plan, Americans With Disabilities Act, which had been prepared by Mr. Pugh. Councilwoman Coon said she was concerned that the men and women restrooms at the Davis Art Center were planned to be replaced with one unisex restroom. Mr. Pugh explained that in situations where restrooms are rarely used, it is financially more practical to remodel just one restroom to make it useable for the handicapped than to double that expenditure. Following other comments from the Council, the Mayor noted that areas that need

to be addressed have been identified and the City has three years to come into compliance. Mr. Hardy will insure that all needed changes are made.

Earl Atwood, a citizen in attendance, recommended that the handicapped parking be strictly enforced and the Mayor noted that many of the calls which he received focused on this problem. It was suggested that a notice could be included with the utility bills which informed the citizenry that strict enforcement would take place.

Gregory Earl, an advocate for the deaf, suggested that public pay telephones have a device attached for the deaf. He noted that the system used by the deaf takes three times as long as a regular call and consideration should be given so as not to create a financial burden for the deaf.

Mr. Hardy commented that it is the desire of the City for all departments to respond to the needs of the disabled. Mr. Balling mentioned that for the past eight years the engineering and building department has been very sensitive when reviewing building permits to make sure that handicapped facilities are in place where needed.

Mr. Pugh reviewed comments he had received from citizens--more benches in the parks, more handicapped parking (or better enforced), and the need for police to be sensitive to individuals with handicaps so that they are not confused with a DUI. There was no formal action required on this item.

BARTON WOODS PUD RECEIVES FINAL APPROVAL- LAKEVIEW TERRACE SUBDIVISION

Mr. Balling presented the site plan for Barton Woods PUD, Lakeview Terrace Subdivision, which was granted preliminary approval on June 10, 1992 (Lynda Dobson, developer) . He said that the drawings for the storm drain, sanitary sewer, water, and roads and drainage have been completed and are in compliance with standards and requirements for the Foothill area. The plat meets the common space requirements and the landscape plan has been submitted and approved by the City Planner. The engineering drawings have been submitted and a few minor changes are recommended: (1) the three cul-de-sacs show a diameter of 60 feet and they should be 70 feet; (2) the irrigation water lines need to be relocated on Fremont Drive; (3) the water lines need to be shown on all drawings; (4) there needs to be a disclaimer on the plat acknowledging that the property lies in the Foothill Zone and areas over 30 percent slope cannot be built on and the city does not guarantee the lots in this regard; (5) a storm drain easement needs to be provided on the bottom of the plat to pick up drainage which comes down.

The Planning Commission considered this matter last night and it is the recommendation of staff and the Planning Commission that final approval be granted subject to the following conditions:

1. Posting of bond and payment of fees for the entire site as outlined in the letter of August 18, 1992, so that the site work will be done in one phase and completed before September 1, 1993.

2. There will be single family homes on Lakeview Drive, rather than twin homes. (NOTE: Ms. Dobson, developer, clarified, and the staff affirmed, that Lots 101 and 102 were exempt from the single family requirement and twin homes will be built on those two lots).
3. The structures behind existing homes on Lakeview Drive will be of a rambler design (single level with basement).
4. The area which backs on the Eggett Estates (1550 East) will be single family homes.
5. There is to be no RV parking or storage areas in the development.
6. Each unit must have a minimum sideyard of 8 feet.
7. All building plans must comply with the building codes as adopted by Bountiful City including Live Load and Wind Load designs.
8. The P.U.D. must comply with the Foothill Zone Ordinance.
9. That the owners provide the City with an up-to-date Title Report.

Additional conditions requested by the Planning Commission were:

1. The building setback shall be at least 20 feet from private streets and 30 feet from public streets. (Mr. Balling noted that the item of public streets is mute because this is a private development; however, it is the opinion of staff that the 15-ft. setback as shown on the plat in the cul-de-sacs would not be injurious to traffic inasmuch as there is no through traffic).
2. Sidewalk shall be constructed throughout the development on one side of the private streets.
3. The developer should work in a joint effort with the adjacent property owners of Eggett Estates Subdivision to establish landscaping or fencing as per their agreement.
4. The plat should show a note on the lots behind Lakeview Drive, Eggett Estates Subdivision, and on Lakeview Drive that only single family dwellings will be constructed on these lots, and that the lots behind Lakeview Drive shall be single level construction with a basement.

Councilwoman Holt noted that the vote of the Planning Commission on the above four items carried by a majority, and that she and the Planning Commission chairman (Jeff Chretien) voted nay. She stated that she opposes the requirement for sidewalk based on the fact that the developer has made a number of concessions and the absence of sidewalks will not take away from the integrity of the project. She pointed out that there is a continuous sidewalk on Lakeview Drive which can be used as the most direct route for school children. Councilwoman Holt

motioned for final approval as recommended, with the exception that the sidewalk requirement be deleted and that the building setbacks be approved at 15 feet on the cul-de-sacs as shown on the plans and with the acknowledgement that lots 101 and 102 would be twin home lots.

Councilwoman Coon stated that she prefers a 20-foot setback and she asked if the City could guarantee that the lots on the plat are buildable. Mr. Balling indicated that the plat disclaimer is mostly to make people aware that they must build on property under 30 percent slope. In almost all cases where there is a problem, there is an area under 30 percent, but the owner wants to locate the home where the slope is too great. He stated that in some rare instances, the survey that is made prior to installation of roads, etc. is not totally accurate and the lot is not buildable.

Councilman Shafter stated that he would favor the 20 foot setback and he suggested that a provision be made-for equal sharing of the costs involved in Item No. 3 (fencing/ landscaping) in an effort to protect the interests of the P.U.D. owners. He favored elimination of the sidewalk.

Ms. Hobson explained that if a 20-foot setback is required in the cul-de-sacs, it will eliminate some of the open space and she will be forced to address the matter of the encroachment of existing homes on the south end of her development. (Some properties have encroached as much as 30 feet through the absence of a certified survey).

Following discussion of the additional conditions requested by the Planning Commission, the motion carried by a majority with Councilwoman Coon voting nay.

The meeting adjourned at 8:40 p.m. on a motion made by Councilman Shafter and seconded by Councilwoman Coon.