

Minutes of the regular meeting of the City Council held January 22, 1992 at 7:34 p.m. in the Council Chambers of the City Hall Bountiful, Utah, following a meeting of the Redevelopment Agency.

Present:	Mayor:	Bob Linnell
	Council Members:	Harold Shafter, John Cushing, Barbara Holt, Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Layne Forbes
	City Engineer:	Jack Balling
	City Recorder:	Arden Jenson
	City Treasurer:	Ira Todd
	Planning Director:	Blaine Gehring
	Rec. Secretary:	Nancy Lawrence
	Department Head:	Clifford Michealis, Power

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 explained that the invocation and pledge of allegiance to the flag were handled in the RDA meeting earlier. He then gave a special welcome to the visiting Boy Scouts, introduced the elected officials and staff, and gave a brief overview of the information pertinent for the scouting merit badge.

Minutes of the regular meeting of the City Council held January 15, 1992 were presented and unanimously approved as corrected on a motion made by Councilman Shafter and seconded by Councilman Cushing.

#### **EXPENDITURES AND EXPENSES APPROVED FOR PERIOD JANUARY 1-16, 1992**

Mr. Jenson presented the Expenditure and Expense Report for the Period January 1-16, 1992 in the amount of \$151,772.71 and stated that there were no corrections to the report. He responded to questions from the Council, following which this report was unanimously adopted on a motion made by Councilman Foy and seconded by Councilwoman Coon.

#### **PRELIMINARY AND FINAL APPROVAL OF SO. DAVIS COMMUNITY HOSPITAL THREE-STORY ADDITION AFFIRMED**

Mr. Boothe presented the site plan for the proposed three-story addition to the South Davis Community Hospital (465 South 400 East) and explained that preliminary and final approval had been granted to this request by the Council last year (see minutes of January 23, 1991). Due to problems with financing, the project has not been active. It is hoped that the financing can now be arranged and reaffirmation of the previous approval is being sought. He said this request comes to the Council with a unanimous recommendation of approval from the Planning Commission, subject to the conditions as stipulated in last year's approval, as follows:

1. The proposed sewer manhole must be a 48" pre-cast concrete manhole located at the

junction of the sewer main. The end of the sewer main must be located and extended if needed by the developer.

2. The sewer line must be installed by a bonded, licensed contractor, and a permit obtained to work in the city street. The sewer connection fee will be \$30.00 per fixture unit as determined by the Uniform Plumbing Code.
3. The water system will be reviewed at the time the final plumbing and mechanical plans are completed and submitted. The fees will be based on the cost of the service, labor, and connection fees enforced by Bountiful City.
4. Payment of a storm detention fee of \$2,250.00. The storm drainage piping proposes to tie into a storm sewer that does not exist. The city is planning for the construction of this storm drain. If the drain is not completed before the project, the developer must provide a box tie into the existing curb and gutter.
5. The parking and driving areas to be paved with 3" of plant mix asphalt on a 6" road base minimum. Concrete curb and gutter 6" high is required around the perimeter of all parking lots, landscaped area, and drive areas.
6. Final building plans must conform to Uniform Building Code. Plans to be checked by a professional licensed plan checker, and checking fees to be paid when building permit is issued or within 30 days from the completion of the plan review.
7. Landscape and automatic sprinkler plans to be submitted before building permit is issued, and a cash or surety bond posted in the amount of 5% of the building valuation, to guarantee the completion of the site improvements and landscaping.
8. A cash bond in the amount of \$1,800.00 to be paid when the permit is issued to guarantee the repair of all sidewalk, curb and gutter, and street surface damaged or in disrepair.
9. Utility easements are required before the permit is issued. A 7-ft. wide easement is required along the frontage of both streets on this property. Other easements may be required by the Power Department or utility companies to serve this property.
10. Board of Health must approve this project before building permit is issued.

Councilwoman Holt made a motion that approval be re-affirmed as recommended. Councilman Foy seconded the motion and voting was unanimous.

**APPROVAL GIVEN TO RELEASE EASEMENTS ON  
LOTS 1 AND 3, GRANADA HILLS SUBDIVISION, NO. 9**

Mr. Balling reported that when Granada Hills Subdivision, No. 9 was developed, easements were recorded on the subdivision plat for the utilities to serve the lots. Three lots of

the subdivision were purchased by the LDS church as a part of the temple construction project and the utilities are not needed. The LDS Church has requested that the easements on Lots 1 and 3 be released as shown on a plat. (The south lot line of Lots 1 and 3 and the line between the two lots). He said that all other utilities have approved the release, except the telephone company. It is staff recommendation to release the easements, subject to final release by the telephone company. Councilman Shafter made a motion to this effect, Councilman Foy seconded the motion and voting was unanimous.

### **RECOMMENDATIONS FROM TRAFFIC SAFETY COMMITTEE GIVEN APPROVAL**

Mr. Balling reported that the Traffic Safety Committee met last week and discussed the following items which are recommended for approval:

Placement of Flashing Yellow Lights at the School Crossing Speed Zone at 50 West 1800 South.- Mr. Balling stated that a request has come from the principal of Boulton Elementary School for the flashing lights as referenced above. With the increased volume of traffic on 1800 South and the excessive speeds generated because of the downhill grade, the Committee recommends approval. The cost for the lights will be \$2-2,500 and Mr. Balling recommended that they be paid for from the Contingency Fund. Councilwoman Coon made a motion to approve as recommended. Councilman Shafter seconded the motion and voting was unanimous.

Painting and Signing No Parking Zones at the Pedestrian Crossings at 200 South Main, 150 South Main, and 50 North Main. Mr. Balling said that when the above pedestrian crossings were installed, it was not anticipated that motorists would park in front of them. The police have noticed many motorists park in such a way to block the sight distance for pedestrians crossing the street which results in a very dangerous situation. Following discussion, it is the recommendation of the Committee that the area 15 feet in front of the crosswalks at the approach to the crosswalk be signed and the curbs painted to designate "No Parking". Councilwoman Coon made a motion for approval as recommended. Councilman Shafter seconded the motion and voting was unanimous.

Place Signs to Designate "School Zone 20 MPH" Between the Flashing Yellow Lights on Orchard Drive from 800 South to 1000 South. Mr. Balling explained that when the Orchard Drive project was finished, flashing lights were installed for southbound traffic before the school crossing zone in front of the high school and at Millcreek Junior High School for northbound traffic (about 1050 South). The intent was that this entire area would be considered a school zone with a slower speed. However, motorists do not interpret it as such and have a tendency to speed up after passing the lights at each school. It is the Committee recommendation that two signs be placed for the southbound traffic and two signs for the northbound traffic (spaced evenly between the flashing lights) to remind motorists that they are in the reduced speed limit School Zone.

Councilwoman Coon made a motion for approval as recommended, Councilman Cushing seconded the motion and voting was unanimous.

### **ARVIN GIBSON APPOINTED TO 4-YEAR TERM**

### **ON POWER COMMISSION**

Mayor Linnell referred to information which had been given to each council member regarding his recommendations for appointments to the Power Commission. He (the mayor) acknowledged the service of out-going commissioners Jay Bingham and Paul R. Allen, both who have served ten years, and expressed appreciation for their dedication and contributions. The mayor stated that due to a potential conflict of interest with his business, one of the individuals submitted for approval has requested that he not be considered for the appointment. The resume of Arvin Gibson was presented and Mayor Linnell recommended approval be granted for Mr. Gibson to serve a four-year term on the Power Commission, commencing January 22, 1992 and ending January 15, 1996.

Councilwoman Coon stated that she has not had time to review the recommendation of the mayor or to visit with Mr. Gibson and therefore, stated that she could not make a recommendation this evening. Councilman Shafter motioned for approval as recommended. Councilman Cushing seconded the motion and voting was by a majority with Councilwoman Coon abstaining.

Mayor Linnell also noted that Councilman Shafter was honored in the Power Commission meeting last night for his past two years of service as the council representative on the Power Commission.

### **MR. HARDY REVIEWS PROPOSED AMENDMENT TO BARD SETTLEMENT AGREEMENT**

Mr. Hardy stated that he wanted to update the Council as to the status of the City regarding the proposed amendment to the BARD Settlement Agreement. He said formal action is not necessary; however, he is anxious to determine if there are any significant differences with the direction the staff is pursuing in negotiations to amend the BARD settlement agreement. He gave a review of the events which occurred when the Solid Waste Energy Recovery District was formed, concluding that Bountiful is the only agency in the County which is using the BARD. A closure fund (\$1,900,000) was established and given to Bountiful. Expenditures of \$250,000 have been taken from this fund; however, we have generated the same amount of interest.

Bountiful is in the process of relocating Barton Creek (a \$500,000 project) and additional fill from this project could be stockpiled by the City for later use. Mr. Hardy suggested that, if the other members of settlement agreement are in harmony, closure funds be used to acquire the fill. He said that the area north of the old road could be used for stockpiling. He proposed that the other cities would pay for the fill and Bountiful would be responsible for excavating and hauling. He said that the other cities have agreed in concept and he asked for input from the council. The council gave an informal "go ahead" without any recommendations.

### **COUNCIL APPROVES GARBAGE COLLECTION AND TIPPING SERVICE FOR NEWLY ANNEXED AREA**

Councilwoman Coon reported that the Traffic Safety and Sanitation Committee met today and discussed the issue of garbage service for the citizens in the south end of the City. (See minutes of January 15, 1992 for background information). Based on the survey which was sent

to the citizens involved (with an overwhelming majority favoring the option for the City to take over refuse collection and disposal at \$9.25/month, to include a new 90-gallon container), it is the Committee recommendation that the City commence providing this service effective April 1, 1992 and that Mr. Hardy work out a settlement with the present hauler (Olen Sheriff). She made a motion to this effect and Councilman Foy seconded the motion.

In response to a question from Councilman Cushing, Councilwoman Coon stated that 94 percent of the respondents favored the City providing the garbage service. She said that the feeling of the people was not just based on cost, but that they want to be a part of the City.

Councilman Shafter recommended that a letter be sent to all residents in this area making it clear that if the tipping fees go up, this cost will be passed on to them.

Councilwoman Holt stated that she will be voting against the motion because she is opposed to the city taking over any area of private enterprise without going through a bidding process first. She expressed a concern that the City will be subsidizing the actual cost of providing this service and stated that the process has been pushed through too fast.

Councilman Cushing said the City needs to have uniformity in the way the residents are treated. Councilwoman Coon stated that she had felt the necessity for bidding the service until she realized the overwhelming desire of the community being served. She said that the City has a responsibility to provide for the health and safety of residents and garbage service is a part of that function. The motion carried by a majority with Councilwoman Holt voting nay.

Councilwoman Coon said that the Committee also acknowledged the situation which has arisen in the Boulton school area regarding garbage and another meeting has been scheduled to discuss this.

### **EXECUTIVE SESSION SCHEDULED**

At the request of the Mayor, Councilman Shafter made a motion that an executive session be held immediately after this meeting for the purpose of discussing pending litigation and personnel. Councilman Foy seconded the motion and voting was unanimous.

The meeting adjourned to executive session at 8:10 p.m. on a motion made by Councilman Cushing and seconded by Councilman Shafter.

Attendance at executive session:

Mayor Linnell

Councilpersons Shafter, Coon, Cushing, Holt, and Foy

Mr. Hardy

Mr. Forbes