

Minutes of the regular meeting of the City council held February 10, 1993 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

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| Present: | Mayor:             | Bob Linnell  |
|          | Council Members:   | Harold Shafter, John Cushing, Barbara Holt, Leslie Foy |
|          | City Manager:      | Tom Hardy  |
|          | City Attorney:     | Russell Mahan  |
|          | City Engineer:     | Jack Balling   |
|          | City Recorder:     | Arden Jenson   |
|          | City Treasure:     | Galen Rasmussen  |
|          | Planning Director: | Blaine Gehring   |
|          | Dep. Recorder:     | Kim Coleman  |
|          | Rec. Secretary:    | Nancy Lawrence   |
|          | Dept. Head:        | Larry Higgins, Police                                  |
| Absent:  | Councilwoman:      | Renee Coon   |

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 Mike McKay, Boy Scout from Troop 369, 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 February 3, 1993 were presented and unanimously approved as corrected on a motion made by Councilman Shafter and seconded by Councilman Foy.

#### **EXPENDITURES AND EXPENSES APPROVED FOR JANUARY**

Mr. Jenson presented the Expenditure and Expense Report for the Period January 29-31, 1993 in the amount of \$328,449.69, and the Summary of Expenditures for January, 1993 totaling \$2,520,269.63. Following discussion, both reports were unanimously approved on a motion made by Councilman Cushing and seconded by Councilwoman Holt.

#### **VISITING BOY SCOUTS RECOGNIZED**

Mayor Linnell recognized the visiting Boy Scouts at this time and reviewed information with them which will be helpful in achieving their scouting awards.

#### **APPROVAL GIVEN FOR REPLACEMENT OF SEVEN VEHICLES - POLICE DEPARTMENT**

Chief Higgins reported that seven department vehicles have an excess of 100,000 miles on the odometer (which translates to almost double that figure for engine time when considering the number of hours that the engine is left idling). Therefore, it is recommended that seven replacement vehicles be purchased. In an effort to get the best price for the vehicles, it is recommended that the vehicles be purchased through the State Bid option. This process has been

reviewed and approved by the City Attorney. It is recommended that six vehicles be purchased from Ken Garff Ford of Murray (1993 Ford LTD Crown Victoria model, 4-door sedans) at a unit cost of \$12,417; and one 1993 Ford Taurus, 4-door sedan, at a cost of \$12,120. The total purchase cost would be \$86,622; total amount budgeted was \$105,000. Councilman Shafter made a motion to approve the purchase of the vehicles for the police department as recommended. Councilman Cushing seconded the motion and voting was unanimous.

**FINAL APPROVAL GRANTED TO PLATS A, B, AND C OF  
EAGLE RIDGE SUBDIVISION, 1450 EAST 900 NORTH**

Mr. Balling presented the site plan of Eagle Ridge Subdivision, Plats A, B, and C, located on the northeast corner of the city. He reviewed that Plats A and B received final approval last year. However, some of the property is now under new ownership and plats A and B are being resubmitted for approval. The Plats are the same as were submitted on July 21, 1992 except a cul-de-sac has been eliminated and the total number of lots in Plats B and C has been increased from 25 to 28. It is the recommendation of staff and the Planning Commission that final approval be granted to Plats A, B, and C, subject to the following conditions:

1. That all three plats be developed concurrently.
2. Subject to all conditions outlined in the approval of November 19, 1991.
3. Plats A and B are required to have 16,000 sq. ft. lots or larger; and Plat C must have 12,000 sq. ft. lots or larger.
4. Posting of all required bonds.
5. Payment of all required fees.
6. Compliance with all required City codes, ordinances, and policies.
7. Final Completion of the engineering drawings.
8. Furnish the City with an up-to-date Title Report.

Mr. Balling also noted that the developers have submitted a layout of the potential development of the Kingston property to the south. Based on the discussion and recommendation of the Planning Commission, Councilwoman Holt made a motion that re-affirmation be given to Plats A and B for final approval, and that final approval be granted to Plat C, subject to the conditions as outlined above. Councilman Foy seconded the motion which carried by a majority.

**FINAL APPROVAL GRANTED TO GRANADA HILLS NO. 8.  
50 SOUTH BOUNTIFUL BOULEVARD**

Mr. Balling presented the site plan for Granada Hills No. 8 (15 lots; Jay Layton, developer) and stated that it is the recommendation of staff and the Planning Commission that final approval be granted, subject to the following conditions:

1. Payment of all required development fees.
2. Posting of the subdivision improvement bond.
3. Furnish the City with an up-to-date Title Report and clearances of all encumbrance on the dedicated streets.
4. Completion and signing of the final plat.
5. Compliance with all City ordinances.

Councilwoman Holt motioned for final approval of Granada Hills 8, as recommended.

Councilman Shafter seconded the motion voting was unanimous.

**APPROVAL GIVEN FOR ISSUANCE OF QUIT CLAIM DEED TO RDA FOR PROPERTY AT 40 WEST CENTER STREET**

Mr. Gehring explained that one of the parcels of land to be sold to the Post Office by the RDA shows on the title report as being owned by Bountiful City rather than the Agency. The parcel is a sewer easement which measures 6 ft. by 135 deep. It is recommended that a Quit Claim Deed be granted to the Redevelopment Agency so that it can be sold by the Agency with the rest of the property. An easement will be retained by the City for the sewer line. Councilman Shafter motioned for approval of the Quit claim deed as explained. Councilwoman Holt seconded the motion and voting was unanimous.

**APPROVAL GRANTED TO RES. NO. 93-1 ACCEPTING ANNEXATION PETITION - VAL VERDA AREA**

Mr. Balling reported that a petition requesting annexation has been received from the residents who live on the south side of 3400 South west of Orchard Drive. Eighty percent of the residents have signed the petition and it is recommended that Resolution No. 93-1 be approved providing for acceptance of the petition and preparation of a Policy Declaration, and that a public hearing be set for March 24, 1993 at 7:30 p.m. to consider the annexation. Councilwoman Holt made a motion to this effect, Councilman Shafter seconded the motion and voting was unanimous.

**PUBLIC HEARING TO CONSIDER AMENDING ZONING ORDINANCE AS IT RELATES TO DAY CARE**

Mr. Gehring explained that the current ordinance allows for either an in-home day care/preschool for up to a maximum of six children or a commercial day care for seven or more children. Since the State statute allows for up to twelve children in a home day care/preschool, there has been some conflict and frustration. It is the recommendation of staff and the Planning Commission that Chapter 2 of the Zoning Ordinance be revised to bring the City ordinance into harmony with State licensing practice. Mr. Gehring reviewed the proposed changes to the ordinance, following which the Mayor opened the public hearing at 7:33 p.m. for input from citizens. (There was none). Councilwoman Holt made a motion to amend Chapter 2 of the Zoning Ordinance regarding day care to accept the new conditions as presented by staff (Ord. No. 93-4). Councilman Cushing seconded the motion and voting was unanimous.

**COUNCIL APPROVES ADOPTION OF NEW MASTER STREET PLAN**

Mr. Balling reviewed that the original Master Street Plan was adopted in 1968. He noted that this plan has served the city well. However, changes which have occurred over the years necessitate revision of that plan to provide for better traffic flow on the east bench area of the city. He reviewed the proposed new Master Street Plan, noting specifically the changes in the area of 400 North and Bountiful Boulevard as it relates to access to the LDS temple, and the extension of Bountiful Boulevard to tie to 300 or 400 West on Victory Road in Salt Lake City. He said that the State Transportation Committee has put this road on their master plan. However, the road would have to be started within the next five years or it will be taken off the plan. Mr. Balling recommended that the master plan, as presented, be approved.

At 7:45 p.m. Mayor Linnell opened the public hearing to consider adoption of the Master Street Plan. Vernal Thompson, 2944 South 400 East, noted that the plan does not show the extension of Davis Boulevard to tie to North Salt Lake. Mr. Balling explained that this has been discussed with North Salt Lake officials and an agreement was reached that Orchard Drive and Davis Boulevard converge and connect at 3900 South. However, this road will not be completed until the property is developed by its owners (unless the City determines it is in the best interest of the City to do it sooner) . He said that the Master Plan will be amended to show that intention and Mr. Hardy indicated that he will check with North Salt Lake to see that it is on their plan also. The hearing concluded at 7:51 p.m. and Councilwoman Holt motioned for approval of the Master Street Plan as reviewed and presented. Councilman Foy seconded the motion and voting was unanimous.

### **PRESENTATION BY CONCERNED CITIZENS RE: BOUNTIFUL BOULEVARD EXTENSION INTO SALT LAKE CITY**

Ann Wilcox, representing the Concerned Citizens of Bountiful, stated that it is the intent of their group to be beneficial in getting Bountiful Boulevard extended to Victory Road, completing a tie to Salt Lake City. She recognized that the project needs to be done within the next five years or the project will be taken off the State Master plan. She reported that the Committee has contacted representatives from the University of Utah, the University Hospital, citizens who commute to Salt Lake City, and Bountiful officials and they have received enthusiastic support. In addition to the extension of the street, it is being recommended by the Committee that the plan also include biking and jogging paths which could be used by Salt Lake residents as well. Selling points for the street include reduction of congestion on existing streets which feed into Salt Lake City, quick access to the University, the University Hospital, the Delta Center, and other major businesses in the northeast area of Salt Lake City.

Mrs. Wilcox stated that her purpose in coming tonight was to receive a vote of support from the Council. Councilman Foy stated that he especially liked the idea of the jogging and bike path and he made a motion that the Council go on record in support of the extension of Bountiful Boulevard. Councilman Cushing seconded the motion and voting was unanimous.

Danielle Benson, 3597 South 400 East, expressed concern about the additional traffic which would be generated in her area and she requested that this matter be considered.

### **PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 10 OF ZONING ORDINANCE OFF-STREET PARKING AND LOADING**

Mr. Gehring reviewed that Chapter 10 of the zoning ordinance addresses the need and space requirements for parking in commercial, industrial, and residential zones. Inasmuch as this chapter is particularly weak, it is recommended that the existing ordinance be repealed in its entirety and replaced with the rewrite of Chapter 10 as has been reviewed and corrected. He reviewed the basic changes to the Chapter and noted that it has been thoroughly reviewed by the City Engineer, Mr. Forbes, Mr. Mahan, and the Planning Commission and comes with a full recommendation from all.

At 8:01 P.M. Mayor Linnell opened the public hearing to consider this ordinance amendment. There were no comments from those in attendance. Councilwoman Holt made a motion that the existing Chapter 10 of the Zoning Ordinance be rescinded and that the new

Chapter 10 be adopted as proposed and recommended (Ordinance No. 93-5, entitled OFF-STREET PARKING AND MOTOR VEHICLE ACCESS STANDARDS) . Councilman Cushing seconded the motion and voting was unanimous.

### **CONSIDER PRESERVING OLD STORE AT 1ST NORTH AND MAIN STREET**

Councilman Foy reported that the old store on the corner of 1<sup>st</sup> North and Main Street will probably be scheduled for demolition in the near future. He reviewed the historical significance of the building and recommended that it be moved to the 400 North park as was done with the pioneer home. He made a motion to this effect. The motion died for lack of a second.

### **MISCELLANEOUS FROM MAYOR**

Proposed Changes to Deer Hunting Regulations. Mayor Linnell reported that the Wildlife Resources department is considering an amendment to the hunting ordinance which would allow only bow hunting along the hills east of Bountiful. He expressed concern that the problem of urban deer would be greatly multiplied due to the limited number of animals which are harvested from the bow hunt. Mr. Hardy pointed out that in addition to problems within the city due to the urban deer, an increase in the number of deer which live east of our City would result in vegetation being stripped off the hillside creating erosion problems.

This matter was discussed by the Council and with consensus of the group, Mayor Linnell stated that he will contact the County Commissioners and other affected municipalities so that an effort can be made to encourage legislation which will not result in an increase in the deer population east of Bountiful.

### **Clarification of Ordinance Re: Appointment of Planning Commission**

Mayor Linnell said that following the joint meeting with the Planning Commission, there seemed to be a little confusion on the issue regarding appointments to the Planning Commission. He recommended that the ordinance be reworded to achieve clarity. Councilman Shafter suggested that the ordinance be verbatim with the State law.

The meeting adjourned at 8:21 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Cushing.