

Minutes of a special meeting of the Bountiful City Council held April 20, 1993 at 7:10 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, Renee Coon, John Cushing, Barbara Holt, and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Engineer:	Jack Balling
	Dep. Recorder:	Kim Coleman
	City Treasurer:	Galen Rasmussen
	Planning/RDA Dir.:	Blaine Gehring
	Rec. Secretary:	Nancy Lawrence
Absent:	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 Linnell called the meeting to order, following which Keith Hadlow, Boy Scout from Troop 419, led the pledge of allegiance to the flag. The invocation was offered by Mr. Coleman.

Minutes of the special meeting of the City Council held April 5, 1993 were presented and approved as written on a motion made by Councilman Cushing and seconded by Councilman Shafter. Voting was by a majority with Councilwoman Coon abstaining, having not been in attendance at that meeting.

Minutes of the joint meeting of the City Council and Planning Commission held April 7, 1993 were presented and unanimously approved as written on a motion made by Councilman Cushing and seconded by Councilwoman Holt.

EXPENDITURES AND EXPENSES APPROVED FOR MARCH AND APRIL

Mr. Coleman presented the Expenditure and Expense Reports for the following periods: March 28-31, 1993, \$583,169.97; Summary for March, 1993, \$2,316,414.23; and April 1-15, 1993, \$108,362.64. He commented on the annotation of the expenditures and responded to questions from the Council, following which all expenditures were unanimously approved on a motion made by Councilman Shafter and seconded by Councilman Foy.

MAYOR RECOGNIZED VISITING BOY SCOUTS

Mayor Linnell recognized the visiting Boy Scouts and reviewed information with them which is pertinent to the citizenship merit badges.

ACI AWARD PRESENTED TO MAYOR FOR 1500 SOUTH

PAVING PROJECT

Mr. Balling explained that the American Concrete Institute (ACI) annually presents an award for excellence in concrete paving, judged on the project type and size. Bountiful submitted an application for this award for the paving project which was recently completed on 1500 South Street and was named the winner of the award by the ACI. Elements of the project which were considered were the participation by property owners, the performance of the contractor (M.C. Green and Sons), and the workmanship of the project itself. Mr. Balling made the presentation to the Mayor, pointing out that it consisted of four awards: (1) recognition of the concrete supplier--Parsons Concrete; (2) recognition of the contractor-M.C. Green and Sons; (3) the City as the sponsor; and (4) the Engineering Department for the design and implementation. The Mayor and Council expressed their appreciation for this honor and congratulated Mr. Balling and those who participated in this project.

REVIEW OF EASEMENTS FOR 400 EAST RECONSTRUCTION PROJECT - 500 SO TO 400 N

Mr. Balling presented a status report on the 400 East reconstruction project. He said that of 60 property owners involved, all but three have agreed to provide the city with a 7-ft. utility easement for the purpose of relocating the utilities out of the street. He said that the street project can still be done without obtaining the easements from these owners and the utilities will be adjusted to bypass them. Following a brief discussion, Councilman Foy made a motion to move ahead on the project as discussed. Councilman Shafter seconded the motion, clarifying that if the three property owners who do not participate (Newman, Winegar, and Rosen) later find that a problem with new grades, etc., it will not be the responsibility of the City to make any adjustments. Voting on the motion was unanimous.

STOP SIGNS APPROVED AS RECOMMENDED BY TRAFFIC SAFETY COMMITTEE

Mr. Balling reported from Traffic Safety Committee that a recommendation has been made for stop signs to be placed at the following locations:

On 1200 East at Beverly Way: Although the traffic volume does not indicate warrant for the stop sign, the site distance does.

On 200 East at 300 North: The traffic volume does not indicate a warrant for the stop sign; however, the street has stop signs at every intersection and it is recommended that a stop sign be placed at this intersection to make it consistent with the rest of the street.

On 600 East, 650 East, 700 East, 750 East, and 800 East at 900 North: Mr. Balling explained that following the reconstruction of the intersections on 900 North, motorists can access 900 North at a higher speed because the dip created by the waterways has been eliminated.

It is therefore recommended that stop signs be placed on 600 East, 650 East, 700 East, 750 East, and 800 East as it comes on to 900 North.

Councilwoman Coon made a motion that the recommendations of the Traffic Safety Committee for stop signs be approved as presented by Mr. Balling. Councilman Cushing

seconded the motion and voting was unanimous.

**COUNCIL APPROVES APPEAL OF BRENT MANNING
RE: CONDITIONAL USE PERMIT FOR WINDSOR PARK PUD - MARV BLOSCH**

Mr. Gehring reported that the Planning Commission granted a conditional use permit to Marv Blosch for the Windsor park PUD near Maple Hills. Subsequently, Brent Manning, Maple Hills homeowner, filed an appeal to that action which was to be considered on April 28 in City Council meeting. In the meantime, a lawsuit which was filed against the original developer of the subdivision, has been ruled upon. It was found by the District court judge that this PUD would be in violation of the restrictive covenants of the Maple Hills subdivision, and Mr. Blosch would not be able to proceed with his proposed development. Based on the ruling of the court, Mr. Gehring recommended that Mr. Manning's appeal be granted. If Mr. Blosch desires to appeal the decision of the court, and is successful, then the matter will be brought back to the Council.

Mr. Blosch pointed out that the Court has not issued a judgement on this matter and he recommended that action by the Council be tabled until the final results of the court action are obtained. Following discussion, Councilwoman Holt made a motion that the Council grant the appeal by Mr. Manning as outlined by Mr. Gehring, by virtue of the court decision. If there happens to be a reverse appeal, the position of Mr. Blosch will not be jeopardized and the action can continue on from where it presently is with the City, if it does not go beyond the one-year time period which is part of the conditional use permit. Councilman Shafter seconded the motion which carried unanimously.

**DISCUSSION RE: SIDEWALK EXTENSION SOUTH OF
1800 SOUTH ON BOUNTIFUL BOULEVARD**

Mayor Linnell reviewed that following a decision of the City Council for the city to construct an 8-ft. wide concrete sidewalk along the west side of Bountiful Boulevard from 1800 South to the south end of the golf course, residents of the Maple Hills condominiums expressed opposition to the plan. Specifically, they were concerned about the removal of the trees and the construction of the concrete sidewalk. As a result of the controversy, the residents were invited to attend this meeting to express their concerns.

Bob Thorn, representing the Maple Hills residents, stated that he was hopeful that the residents and the City could come to a better decision so that the trees are not removed and asphalt instead of concrete be used for the walk area so that this can also be used by joggers. He referred to a statement of agreement signed by 158 residents of Maple Hills expressing their preferences. A lengthy discussion followed regarding the best medium for a jogging trail. Many residents were in attendance to express their favor of an asphalt walk. They indicated that even though the walk would be double-width, joggers would still not use it if it were constructed out of concrete. The suggestion was also made to paint a jogging lane on the side of the road in an attempt to provide a specified safe jogging area. Mr. Balling pointed out that Bountiful Boulevard is a major collector road and will have increased traffic in the future. He stated that the painted lane would not provide the desired level of safety.

In an effort to meet the concerns of the Maple Hills residents, Mr. Balling presented an alternate plan where the 4-ft. extension to the walk would be on the west side of the existing walk, with the park strip and existing trees left in the present location. The cost of this alternate plan would be \$34,935.00. This would give additional safety to the walkers and joggers by further separating them from the street and allow snow removal from the street without piling the snow on the walk. He reported that it is the recommendation of the Traffic Safety Committee to construct an additional 4-foot walk extension on the west side of the existing walk.

Councilwoman Coon stated that she has consistently argued for use of asphalt in areas to be used by joggers. She stated that widening the walk would not be effective because the joggers would prefer to run on asphalt (the street), and she motioned that the alternate plan as presented by Mr. Balling be approved, with the exception that the walk extension be constructed of asphalt. The motion died for lack of a second.

Councilman Foy made a motion that the recommendation presented by Mr. Balling be approved, with specific watchfulness of two concerns raised during this evening--the RV parking and the area along the Ross Bowen property where the rear-yard setback is questionable. Councilman Shafter seconded the motion which carried by a majority. Councilwoman Coon voted nay.

MISCELLANEOUS FROM COUNCILMAN FOY

Councilman Foy reported that renovation of the old log cabin at the 400 North Park has started. He said it should be completed in about two weeks.

The meeting adjourned at 8:47 p.m. on a motion made by Councilman Shafter and seconded by Councilwoman Holt.