

Minutes of the regular meeting of the City Council held October 5, 1994 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

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.

Present: Mayor: John Cushing  
Council Members: Barbara Holt, William Moore, Harold Shafter, and Ann Wilcox.  
City Manager: Tom Hardy  
City Attorney: Russell Mahan  
Asst. City Engineer: Paul Rowland  
City Recorder: Arden Jensen  
City Treasurer: Galen Rasmussen  
Planning Director: Blaine Gehring  
Dept. Head: Dick Duncan/Streets/Sanitation  
Rec. Secretary: Nanacy Lawrence

Absent: Councilman: Samuel Fowler  
City Engineer: Jack Balling

Mayor Cushing called the meeting to order, following which Mr. Rowland led the pledge of allegiance to the flag. The invocation was given by Mayor Cushing.

Minutes of the regular meeting of the City Council held September 28, 1994 were presented and unanimously approved as written on a motion made by Councilman Moore and seconded by Councilman Shafter.

EXPENDITURES AND EXPENSES APPROVED FOR  
PERIOD SEPTEMBER 16-28, 1994

Mr. Jenson presented the Expenditure and Expense Report for the Period September 16-28, 1994 in the amount of \$268,468.40. He stated that there were no corrections. This report was unanimously approved on a motion made by Councilwoman Wilcox and seconded by Councilwoman Holt.

HEARING SCHEDULED RE: ORDER TO SHOW CAUSE,  
FRED MEYER BEER LICENSE

Mr. Mahan reported that the Fred Meyer store failed two of the past three routine checks by selling beer to minors. As is Council policy, the business has been notified and it is recommended that they be requested to appear before the Council on October 26, 1994 at 7:00 p.m. to show cause why their license should not be revoked. Councilman Shafter made a motion to this effect, Councilman Moore seconded the motion and voting was unanimous.

APPROVAL GIVEN TO PURCHASE TRACTOR-TYPE  
DOZER FOR LANDFILL

Mr. Duncan explained that at the time the budget was prepared, it was the intent of staff that a used tractor-type dozer (in good condition) be purchased to replace the 1972 Komatsu which has worn out. This dozer would be used in place of the compactor in some situations in an effort to extend the life of the compactor. (The price of a new compactor is \$380,000) . He said that he has not been able to locate a used dozer, and having consulted with Mr. Hardy, requested that the Council consider purchasing a new dozer. Bids were opened last week and it is the staff recommendation that the bid from Wheeler Machinery Company for a

D68-2DS in the amount of \$168,707.00 be approved. The amount budgeted was \$140,000.00. He reviewed that several capital projects were budgeted for the landfill and some cannot be started until spring. He suggested that the budget could be closely monitored, and if necessary, other capital expenditures could be delayed until summer and included in next year's budget.

Following discussion, Councilwoman Wilcox motioned that approval be given to purchase the dozer from Wheeler Machinery as requested by staff. Councilman Shafter seconded the motion and voting was unanimous.

**RECOMMENDATION MADE TO CONSIDER ADDITIONAL DIRECTIONAL SIGNS FOR LDS TEMPLE**

Councilwoman Holt stated that she requested this matter be placed on the Agenda in an effort to "tie up loose ends" from last week's discussion. Mr. Hardy reported that the Temple open house committee has contacted the city and requested additional regulatory signs which will need to be considered by the Traffic-Safety Committee. He suggested that the Committee could also study Councilwoman Holt's concerns at that time. Mr. Hardy planned with members of the Traffic Safety Committee and a meeting was set for next Wednesday (October 12, 1994) at 5:00 p.m.

Councilwoman Holt clarified that she did not wish to dispute or negate any action of the Traffic Safety Committee, but would like for that body to further discuss the signage issue as it relates to the LDS temple. She then made the following 3-part motion:

(1) In an effort to direct traffic away from residential areas around the temple, that the Traffic Safety Committee evaluate the need for a sign on 500 South at O Orchard Drive directing traffic south toward 1800 South, and another sign on Orchard Drive at 1800 South re-directing the traffic eastward.

(2) That prior to the open house, one sign be installed for eastbound traffic on Lakeview Drive at Canyon Crest Drive (near Oakhills elementary school) and another sign at Lakeview Drive and Barton Creek Drive directing motorists to continue east on Lakeview Drive and not use the other residential roads.

(3) That the Traffic Safety Committee make a recommendation to the Council concerning placement of a crossing guard at Oakhills Elementary school for the time period of the temple open house and dedication in an effort to safeguard those school children who are not accustomed to heavy traffic.

Councilman Moore seconded the motion and voting was unanimous.

**PUBLIC HEARING TO CONSIDER AMENDING JOHNSON-MURRAY  
SUBDIVISION - LOT SPLIT, 250 NORTH 1400 EAST**

At 7:24 p.m. Mr. Gehring presented a plat map showing the Johnson-Murray subdivision (250 North 1400 East) and explained that the developers have requested permission to divide Lot #1 into two lots. He verified that both proposed lots meet the Foothill ordinance and it is the recommendation of staff that approval be granted as recommended, subject to the amended plat being filed with the County Recorder's office once it is approved and signed.

Mayor Cushing called for comments from the public. There were none. Councilwoman Holt made a motion to approve the lot split as recommended. Councilwoman Wilcox seconded the motion and voting was unanimous.

**PUBLIC HEARING TO CONSIDER MISCELLANEOUS ZONING  
ORDINANCE AMENDMENTS - TWO ORDINANCES APPROVED**

Mr. Gehring stated that several areas of the ordinance were in need of minor housekeeping changes. He reviewed the proposed changes regarding lot frontage in residential zones, including a provision in the zoning ordinance for hotels/motels as a conditional use, and site development requirements in the Foothill Overlay Zone.

Mr. Gehring reviewed the need to provide an easier process for the collection of bonds to guarantee construction of site improvements, and to produce better results in getting the improvements installed. Following discussion, Mayor Cushing called for input from the public. There was none.

Councilwoman Holt then made a motion to approve Ordinance No. 94-16 entitled AN ORDINANCE MAKING MINOR CORRECTIONS TO SECTIONS 1413-108, 14-10-103, 14-4-107, 14-5-106 AND 14-6-106 OF THE BOUNTIFUL CITY CODE. Councilman Shafter seconded the motion and voting was unanimous.

Councilwoman Holt motioned for approval to adopt Ordinance No. 94-17 entitled AN ORDINANCE ADOPTING A NEW SECTION 14-2-308 AND AMENDING SECTION 14-16-105 OF THE BOUNTIFUL CITY CODE TO PROVIDE FOR PERFORMANCE SECURITY FOR COMPLETION OF SITE IMPROVEMENTS.

Councilman Moore seconded the motion which carried unanimously.

Councilwoman Holt thanked Mr. Mahan, Mr. Gehring, and the Planning Commission for the time they have spent on these ordinance changes.

**COUNCIL REQUESTS DRAFTING OF ORDINANCE RE: THE USE  
OF PUBLIC PARKING LOTS BY THOSE SELLING VEHICLES**

Mayor Cushing reviewed that there is a practice of parking vehicles which are for sale in areas of high visibility, i.e., business and public parking lots. The appropriateness of this was recently discussed by the Council as it relates to businesses, and it was determined that the use of the private lot should be decided by the owners of the business.

It has come to the attention of the City that there is also a problem with "For Sale" vehicles being parked in public parking lots. Specifically, citizens have reported that the "For Sale" vehicles prevent normal use of the parking lots at Tolman Elementary School on 400 East and the 1800 South park near Mueller Park Junior High. Mr. Hardy requested that the Council consider adoption of an ordinance which would prohibit the parking of "For Sale" vehicles in public parking lots.

Mr. Mahan verified that the City has the authority to regulate parking on city-owned parking lots and he recommended that the ordinance include prohibition of parking and specific authorization to tow vehicles in violation. He also recommended that when a parking lot has been identified as a "problem" area, that a sign be posted informing citizens of the ordinance; that one warning be given prior to towing; and that violators have the opportunity to a hearing if requested within two days of the tow.

Following discussion of this matter, the Mayor requested that staff prepare an ordinance to be considered by the Traffic Safety Committee in its next meeting and then presented to the Council on October 19th.

### **COUNCIL COMMITTEE REPORTS**

Councilwoman Wilcox reviewed that the Youth City Council will be sponsoring a Pumpkin Patch activity at Rocket Park on October 29. She expressed appreciation for the support the Youth Council has received from the staff and particularly the Power Department's assistance on this activity.

Mayor Cushing stated that he recently attended an Emergency Management Conference and will be happy to share this experience with any who are interested.

The meeting adjourned at 7:59 p.m. on a motion made by Councilman Shafter and seconded by Councilwoman Holt.