

Minutes of the regular meeting of the City Council held April 6, 1994 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	John Cushing
Council Members:		Samuel Fowler, Barbara Holt, William Moore, Harold Shafter and Ann Wilcox
City Manager:	Tom Hardy	
City Attorney:		Russell Mahan
City Engineer:		Jack Balling
City Treasurer:		Galen Rasmussen
Planning Director:		Blaine Gehring
Dep. Recorder:		Kim Coleman
Dept. Head:		Neal Jenkins/Rec
Rec. Secretary:		Nancy Lawrence
Excused:	City Recorder:	Arden F.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 Cushing called the meeting to order, following which Mr. Coleman led the pledge of allegiance to the flag. The invocation was given by Mr. Gehring.

Mayor Cushing recognized the visiting Boy Scouts and reviewed information which will be helpful to them as they work on their merit badges.

Minutes of the regular meeting of the City Council held March 23, 1994 were presented and unanimously approved as written on a motion made by Councilwoman Holt and seconded by Councilman Moore.

EXPENSES AND EXPENDITURES APPROVED FOR PERIODS IN MARC

Mr. Coleman presented the Expense and Expenditure Reports for the following periods, with respective totals: March 18-24, 1994 (\$359,123.27); and March 25-29, 1994 (\$38,209.81). Following discussion, both expenditure reports were unanimously approved on a motion made by Councilman Shafter and seconded by Councilwoman Wilcox.

ORD. NO. 94-5 ADOPTED RE: CHANGES TO FOOTHILL OVERLAY ZONE (SF DWELLINGS BEYOND 150 FEET FROM PUBLIC STREET)

Mayor Cushing reviewed that a public hearing was held on February 16, 1994 to consider amending the ordinance to allow for 70-foot lot frontages for single family dwellings in R-2 and R-3 zones. The concept of this change was approved in that meeting and authorization was given for staff to prepare an ordinance. He then presented Ord. No. 94-5 entitled "AN ORDINANCE AMENDING SECTIONS 14-13-105 E. OF THE BOUNTIFUL CITY CODE REGARDING LOT ACCESS AND DESIGN FOR SINGLE FAMILY DWELLINGS BEYOND 150 FEET FROM A PUBLIC STREET AND SECTION 14-16-106 REGARDING FIAG LOTS."

Councilman Moore made a motion to approve this ordinance as presented, Councilwoman Holt seconded the

motion and voting was unanimous.

YOUTH COUNCIL UPDATE - ANN WILCOX

Councilwoman Wilcox reported that she received 55 applications from young people interested in being on the Bountiful City Youth Council. All three Bountiful area high schools, as well as Judge Memorial, were represented by these applicants. All of the applicants have been interviewed and following selection of the Youth Council, a leadership training session will be held on May 5, 1994 from 6:30 to 9:30 p.m. Councilwoman Wilcox invited the Mayor and Council to attend this meeting. She also noted that an effort will be made for the Youth Council to work with their full-time staff counterparts, *without placing extra workload on the staff.*

BIDS AWARDED FOR EQUIPMENT FOR GOLF COURSE

Mr. Jenkins reported that three bid openings were held at the Bountiful City Golf Course on March 21, 1994. It is the staff recommendation that the following bids be approved:

4-Wheel Turf Truc : Low bid from Turf Equipment Co. in the amount of \$17,434.00. The budgeted amount for this truck was \$16,500.

Aerato : Low bid from Rocky Mountain Turf Co. for a Cushman GA 60. The budget for this equipment was \$18,800.

Perimeter Tractor|Mowe : The only bid, from Rocky Mountain Turf Equipment Co. in the amount of \$17,635.00, less trade-in of \$3,000 for 1974 mower (**net bid \$14,635**). (In response to a question as to why only one bid was received on this equipment, Mr. Jenkins stated that it is a specialty item; invitations to bid were sent to eight companies.)

Councilman Moore made the motion that the bids for equipment be approved as presented* and recommended by staff. Councilwoman Wilcox seconded the motion and voting was unanimous.

CALENDAR SET FOR BUDGET MEETING

Mr. Hardy stated that committee meetings need to be scheduled for the purpose of considering the budget and the following schedule was approved:

Power Committe : Meet in joint session with the Power Commission on Tuesday, April 19, at 6:30 p.m.; Power Department Conference Room (Councilmembers, Shafter, Fowler, and Mayor Cushing).

Streets " /Sanitatio April 21 (Thursday) at 4:00 p.m., Public Works Building(Councilmembers Wilcox, Shafter, and Mayor Cushing)

Parks/Recreation/Fine Art : April 25 and 27 at 4:00 p.m., City Hall Planning Conference Room (Councilmembers Fowler, Wilcox, and Holt)

Public Safety/Finance: Meet April 20 and 22 at 4:00 p.m., City Hall (Councilmembers Moore, Holt, and Mayor Cushing)

Water and Sewer: Meet April 26, 4:00 p.m. at the Water Department (Councilmembers Shafter, Fowler, and Moore)

In response to a question from Councilwoman Holt, Mr. Hardy verified that the Council as a whole would have opportunity to discuss the total budget prior to the public hearing. The tentative budget is scheduled

for adoption on May 4, with further discussion on May 11. The final budget must be presented for public hearing by May 25.

PUBLIC HEARING TO CONSIDER AMENDING LAKEVIEW TERRACE 13 SUBDIVISION PLAT - KENT HOGGAN; ORD. NO. 94-6 ADOPTED

At 7:35 Mayor Cushing opened the public hearing to consider amending Lakeview Terrace Subdivision plat, Kent Hoggan, developer. Mr. Gehring referred to the packet materials and he reviewed the plat map for the subdivision. The amendment entails realigning Barton Creek Lane to the north to allow for more buildable area in the lots on the south side of the street and adding land to the subdivision to make the lots on the north side larger as well. He reported that it is the recommendation of staff that approval be given as explained.

Mayor Cushing called for input from those in attendance and Mr. Kent Hoggan stated that his incentive for requesting the change is to enhance the lots along the creek, as well as those to the north. Councilwoman Wilcox questioned whether or not all the lots are buildable and Mr. Balling explained that they were approved prior to adoption of the Foothill Ordinance and are not bound by said ordinance. He stated that the lots can be engineered properly with compacts and fills. At 7:45 p.m. the hearing was closed.

Councilwoman Holt motioned for approval of the amended plat, subject to posting of the bond, payment of the required fees, and completion of the site improvements, and adoption of Ord. No. 94-6 entitled 'AN ORDINANCE AMENDING LOTS 15 THROUGH 24 OF LAKEVIEW TERRACE SUBDIVISION, AND REALIGNING A PORTION OF BARTON CREEK LANE', with authorization for the mayor and city recorder to sign. Councilman Shafter seconded the motion which carried unanimously.

PUBLIC HEARING TO CONSIDER AMENDMENTS TO ZONING ORDINANCE RE: SIDE YARD REQUIREMENT IN R-1-12 ZONE AND OTHER MINOR CORRECTION

At 7:48 p.m. the mayor opened the public hearing to consider amendments to the zoning ordinance removing the 15-foot side yard requirement in the R-1-12 Zone above Bountiful Boulevard and other minor corrections. Mr. Gehring explained that our present ordinance requires a 15-foot sideyard above Bountiful Boulevard, and below there is an 8 foot requirement. He explained that this is in violation of 10-9-405(2) of the Utah Code, to wit:

The legislative body shall ensure that the regulations are uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

Therefore, it is the staff recommendation to delete the 15 foot side yard requirement in the R-1-12(F) Zone above Bountiful Boulevard. And, in conjunction with that, the lot width requirements which were adopted to accommodate the extra side yards should be amended to the former lot widths in the Foothill Development Zone. (Mr. Gehring noted that it was the recommendation of the Planning Commission to amend the sideyard requirement to 8 foot minimum with a combined width of 20 feet. However, this would set a separate standard above Bountiful Boulevard which is inconsistent and illegal).

Mr. Gehring reviewed several other minor changes which need to be addressed and recommended that Ord. No. 94-7 be adopted. The title of this ordinance is "AN ORDINANCE AMENDING SECTION 14-4-109 OF THE BOUNTIFUL CITY CODE BY DELETING THE 15 FOOT SIDERYARD REQUIREMENT ABOVE BOUNTIFUL BOULEVARD; AMENDING SECTION 14-13-104 OF THE BOUNTIFUL CITY CODE REGARDING LOTS APPROVED PRIOR TO APRIL 6, 1977; AMENDING SECTION 14-13-106 E. OF THE BOUNTIFUL CITY CODE REGARDING CENTERLINE CURVATURE OF STREETS; AND AMENDING SECTION 14-13-108 OF THE BOUNTIFUL CITY CODE REGARDING ACCESS ROADS IN THE

FOOTHILL OVERLAY ZONE". After discussion, the hearing was closed and Ord. No. 94-7 was adopted and authority for the mayor and city recorder to sign was given on a motion made by Councilwoman Holt and seconded by Councilman Shafter.

**PUBLIC HEARING TO CONSIDER A REZONE OF PROPERTY AT 404-406 WEST
2700 SOUTH AND 339 WEST 2600 SOUTH FROM R-1-6.5 TO R-3-13--ELBERT
RANDALL, APPLICANT**

Mayor Cushing stated that it was necessary to delay this item for three weeks and here requested that another hearing be scheduled. Councilman Shafter made a motion that a public hearing be set for April 27, at 7:30 p.m. to consider the rezone of property as requested by Elbert Randall. Councilwoman Wilcox seconded the motion and voting was unanimous.

The meeting adjourned at 8:04 p.m. on a motion made and seconded by Councilmen Moore and Shafter, respectively.