

Minutes of the regular meeting of the City Council held November 16, 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 P. Moore, Harold Shafter and Ann Wilcox
City Manager:	Tom Hardy	
City Attorney:	Russell Mahan	
City Engineer:	Jack Balling	
City Recorder:	Arden Jenson	
City Treasurer:	Galen Rasmussen	
Planning/RDA Director:	Blaine Gehring	
Department Head:	Clifford Michaelis, Power	
Recording Secretary:	Nancy Lawrence	

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. Gehring led the pledge of allegiance to the flag. The invocation was offered by Councilwoman Holt.

Minutes of the regular meeting of the City Council held November 9, 1994 were presented and unanimously approved as written on a motion made by Councilwoman Wilcox and seconded by Councilman Moore.

EXPENSES AND EXPENDITURES APPROVED FOR TWO OCTOBER REPORTS

Mr. Jenson presented the Expenditure and Expense Report for the Period October 2831, 1994 totaling \$796,506.95 and the Summary of Expenses for the Month of October in the amount of \$3,449,952.53. Following a brief discussion, both reports were unanimously approved on a motion made by Councilman Moore and seconded by Councilman Shafter.

CLIFFORD MICHAELIS APPOINTED AS BOUNTIFUL REPRESENTATIVE TO UAMPS

Mr. Hardy reviewed that Clifford Michaelis has served as the representative on the board of directors for the Utah Associated Municipal Power Systems (UAMPS) since his appointment as Light and Power Department director. He is currently serving as chairman of that board. In response to the policy of UAMPS requiring a recommendation from the governing body, Mr. Hardy recommended that Mr. Michaelis be re-appointed as the UAMPS board representative. Councilman Shafter made a motion to approve this appointment, as outlined in Resolution No. 94-9, Councilman Fowler seconded the motion and voting was unanimous.

UP&L TRANSMISSION WHEELING AGREEMENT APPROVED

Mr. Michaelis reported that Bountiful has been put on notice by PacifiCorp that they (PacifiCorp) would like to substitute a new transmission wheeling agreement (which includes their FERC filed electric tariff service schedule TS-5) to replace the existing wheeling agreement which has been in place since 1978. Our existing agreement with Pacific Corp terminates December 1994. Both agreements are for non-firm power. Mr. Michaelis indicated that it is the recommendation of staff and the Power Commission that this agreement be approved. It would become effective when it is signed and delivered. In response to a question from the Council, Mr. Mahan affirmed there is no legal reason to not approve the new agreement. Councilman Shafter motioned for approval as recommended. Councilman Moore seconded the motion and voting was unanimous.

APPROVAL GIVEN TO PURCHASE USED DUMP TRUCK FOR LANDFILL

Mr. Balling reported that \$38,000 was included in the Landfill budget this year to replace an old dump truck which is used for excavating the cells. A used 1987 Ford Model LT9000 truck has been located which has been overhauled and has a new 15-foot dump bed and new hydraulic system. It is the recommendation of staff that approval be given to purchase the used truck for the asking price of \$37,500. Following a brief discussion, Councilwoman Wilcox motioned for approval and Councilman Shafter seconded the motion. Voting was unanimous.

ONE LOT SUBDIVISION AND BUILDING PERMIT
APPROVED - 1227 SOUTH LORIE CIRCLE

Mr. Balling reported that the owner of the property at 1227 South Lorien Circle (Stone Ridge Subdivision) is desirous of using the 20-ft. wide access road to the City Reservoir as access to his house. He has requested approval of a one-lot subdivision. The proposed house is set back only 40 ft. from the street; however, by using the access road proposed and bringing the driveway into the back of the house, the length of the driveway to the garage is 330 feet. Under City ordinance, this would require a fire hydrant and a sprinkling system in the house. The staff has analyzed the situation and recommends approval subject to the following conditions:

1. Provide the City with a 20-ft. wide access road to the reservoir site across this lot.
2. Pay for a fire hydrant connection which is \$1,560.00 for the hydrant and approximately \$1,500 for the connection.
3. Provide a record of survey to be approved by the City and filed with the County Surveyor's Office.
4. Recommend to the City Council that the sprinkling system in the house be waived.

Councilwoman Holt motioned for approval of the one-lot subdivision as recommended. Councilman Shafter seconded the motion and voting was unanimous.

Mr. Balling then noted that due to the length of the driveway, the ordinance requires that the building lot be given approval by the City Council. It was noted that the roadway creates a fire-break around the house. It is the recommendation of staff that the building permit be approved subject to (1) completion of the plans for compliance with the Uniform Building Code, (2) pavement of the fire access road as required by City Ordinance, and (3) payment of the building fees and posting of the bond. Councilwoman Holt motioned for approval as recommended. Councilman Moore seconded the motion and voting was unanimous.

PERMISSION GRANTED TO BUILD BEYOND 200 FEET
FROM PUBLIC STREET - 3028 CAVE HOLLOW WAY

Mr. Gehring referred to the site plan for the building lot at 3028 Cave Hollow Way and explained that the owners are requesting permission to build further than 200 feet from the public street. As per ordinance requirements, approval must be given by the City Council with provisions for an extended fire hydrant, a sprinkling system in the home, and a wide driveway for access marked with no parking signs. The request was reviewed by the PI Commission and it is the recommendation of that body that approval be granted, subject to the following conditions:

1. A corrected site plan to be submitted with the building permit showing a correct match line and all the items required for a site plan in the Foothill Area including being stamped by a registered surveyor or engineer.
2. Prepare and submit a 20-ft. wide utility easement for the water line and fire access road.
3. Show on the revised site plan a 6-inch water line in the easement in #2 above with centerline lengths.
4. Show on the revised site plan a 20-ft. driveway consisting of 5 " thick concrete or 2 1/2" asphalt on 6" gravel.

5. Pay the water line installation fees as follows:
 - (a) Main line @ \$20/ft of pipe
 - (b) Fire hydrant L.S. = \$1,560.00
 - (c) Tap and valve L.S. = \$1,148.00
 - (d) 1-inch meter = \$1,850.00
6. Pay \$600 sewer connection fee and install sewer service by a bonded, licensed contractor at the owner's expense.
7. Meet the remaining conditions of Section 14-13-105 E. of the Zoning Ordinance regarding no parking signs installed along the driveway and the home being equipped with an automatic fire sprinkling system.

Councilwoman Holt motioned for approval as recommended. Councilwoman Wilcox seconded the motion and voting was unanimous.

SITE PLAN APPROVED FOR CONSTRUCTION OF HOUSE BEYOND 200 FEET FROM STREET, LOT #50 STONE RIDGE PLAT E

Mr. Balling presented a vicinity map and explained that the subject lot (No. 505 in Stone Ridge Plat E) was granted flag lot approval when the plat was approved. The owner, Rob Allred, has requested site plan approval so that a building permit may be issued. This request was reviewed by the Planning Commission and it their recommendation that approval be granted subject to the following conditions:

1. A sprinkling system inside the house is required to meet the zoning ordinance in the foothill area.
2. A fire line and fire hydrant is required as shown on the plat. The cost is \$20.00 per foot of pipe plus \$1,560 for fire hydrant and \$1,100 for tap and valve.
3. The City needs a 20-ft. wide easement along the centerline of the water line to the fire hydrant.
4. The access road must be paved with an all weather road (2 1/2 inches of asphalt on a 6" base).
5. The access road must be posted with signs stating "No Parking; Fire Department Access Road" and noted on the plan.
6. Completion of the plans as required by the City to conform to the building Code.
7. Payment of required building fees and posting of bond.

Councilwoman Holt motioned for site plan approval for Lot 505 Stone Ridge Plat E. Councilman Fowler seconded the motion and voting was unanimous.

PRELIMINARY AND FINAL APPROVAL GRANTED FOR CONDOMINIUM CONVERSION - BOUNTIFUL MANOR, 290 NORTH 500 WEST

Mr. Gehring reviewed that the owner of the Bountiful Manor apartments (290 North 500 West) has requested approval to convert the apartment complex to condominiums. He said that a plat has been submitted defining each unit and the common open space to be mutually owned by all condominium owners in the complex along with a draft of the "Declaration of Bountiful Manor Condominiums" as required under the Condominium Homeownership Act in the Utah Code. All seems to be in order and according to normal form and content. This matter has been reviewed by the Planning Commission and it is the recommendation of that body that all necessary steps be taken to properly record the plat as required by the City Engineer. The Planning Commission also requested that the covenants include that one of the spaces for parking be designated for each unit as a limited common area in favor of the owner of the unit, with other parking spaces being used for visitors.

Councilwoman Holt motioned for approval of the condominium conversion as outlined. Councilman Moore seconded"the motion and voting was unanimous.

REVIEW AND RECOMMEND APPROVAL OF A SITE PLAN FOR ADDITION TO BOUNTIFUL JUNIOR HIGH SCHOOL

This item postponed to a future meeting.

APPROVAL GIVEN TO AMEND MAPLE HILLS NO. 4. PLAT A

At 7:40 p.m. the mayor opened the public hearing to consider amending Maple Hills Subdivision No. 4 Plat A. The purpose of amending the plat is to realign some of the lots to create some nicer building lots. Lot 27 will be eliminated and four existing lots will be changed to three. This request has been reviewed by staff and it is their recommendation that approval be given subject to the following conditions:

1. Add the signature blocks for all owners, including trust deed holders.
2. Add signature block for Mayor and City Recorder as an owner of the property
3. Take the Planning Commission approval off.
4. Correct the title report to match the exact description on the plat.
5. Show City-owned properties on the plat and that these parcels are owned by the City and shall remain in City ownership.
6. The plat is subject to City Attorney review and approval.
7. The plat is subject to City Engineer review and approval.
8. Payment of checking and recording fees.
9. Lines must be surveyed and staked on the ground.
10. Define the old lines and the new lines clearly.
11. Correct and survey the As Constructed drawings showing the location of sewer and water laterals.

Mr. Balling stated that in the past few months there have been four requests similar to this one for a plat amendment. The City Attorney has prepared an ordinance which outlines matters to be addressed when this matter is handled. With the concurrence of the Council, the ordinance will be submitted at the next meeting.

Ron Marshall, developer of Maple Hills Plat A, reviewed the ownership of this property and stated that the proposed amendment is an effort to create more desirable building lots. The Mayor closed the public hearing at 7:56 p.m.

Councilwoman Holt motioned for approval of the request to amend Maple Hills Plat A as presented by Mr. Balling and to grant concurrence for the proposed ordinance. Councilman Shafter seconded the motion and voting was by a majority. Councilman Moore expressed concern that the request was being pushed through so quickly, prior to consideration of an ordinance which will provide guidance through the amendment process. He voted "Nay".

PRESENTATION AND APPROVAL OF INDEPENDENT AUDIT FOR 1993-94 FISCAL YEAR - GRANT THORNTON, AUDITING FIRM

Kevin Killpack (Grant Thornton firm) introduced the financial statements for fiscal year 1993-94 and briefly outlined the content of the audit report. He stated that the City was given an unqualified (clean) opinion and he mentioned

the City's ability to achieve the "Certificate of Achievement for Excellence in Financial Reporting" for the prior year. He then outlined other reports that the auditors completed related to legal compliance, internal controls and management comments. He stated that no findings were considered material.

Mr. Killpack asked for comments from the Council. It was noted that the auditors met their goal by issuing the report in November as requested by the City. In response to a question from Councilman Moore, Mr. Killpack stated that the firm spent over 600 hours on the audit. Mr. Jenson stated that the audit firm has been very responsive this year and he expressed his appreciation for the cooperative way in which they worked with the City staff. He also emphasized the review process by the City to insure high quality. Roger Brown (Grant Thornton) expressed his appreciation to the staff and the City. Ray Westergard was also in attendance from Grant Thornton.

Councilman Moore motioned for acceptance of the 1993-94 fiscal year audit report as presented. Councilwoman Wilcox seconded the motion and voting was unanimous.

APPROVAL GRANTED FOR LICENSE TO OCCUPY A PORTION OF THE STREET FOR THE LAKEWOODS FURNITURE STORE

Mr. Hardy explained that the old Hayward Market building encroached onto Main Street and the owners of this building (now Lakewoods) have requested that the City quit claim the property back to them. It is the recommendation of the City Attorney that a license be issued to the owners of the subject property which gives permission to occupy the property as long as the building is there. If the building were to be torn down, any new development would be required to respect the street frontage line. The representative for Lakewoods finds the notion of a license acceptable. Councilman Shafter motioned for approval to grant the license to occupy, as recommended. Councilman Fowler seconded the motion and voting was unanimous.

REVIEW AND UPDATE OF PUBLIC SAFETY/COURTS BUILDING ALTERNATIVES

At 8:23 p.m. the meeting was adjourned to the Planning Conference room, where a study session convened to review Public Safety/Courts building alternatives.

Mr. Fred Montmorency of MHTN Architects presented information on remodeling the present Public Safety building versus starting from scratch and constructing a new building. It was the consensus of the mayor and council (as well as the City Manager) that a major remodeling of the present Public Safety Building to fit the needs of the Police Department and the Circuit Court is not acceptable. A footprint of the city complex was presented, showing a proposed new Public Safety/Courts building at the south end of the area now containing a soccer field (west of City Hall). This would be the preferred location, as it is large enough, it would not hide the City Hall from view, and it would still provide some space in the center of the complex. The present Public Safety Building could be remodeled at a cost of \$150,000 to \$200,000 and utilized for an Art Center if desired.

Mr. Hardy reviewed methods of funding construction of a new Public Safety/Courts building, estimated to cost approximately \$6 million. The City could borrow from other funds within the City, it could establish a building authority and issue bonds, or it could get a vote of the residents and issue general obligation bonds if approved. A question was raised as to whether we could get any "front" money from the State of Utah to assist with construction, as the building would house the circuit court. Mr. Hardy indicated that a request for such funding would probably have to be submitted to the State Legislature, and that could take some time.

As construction costs are continuing to rise, it was pointed out that we should move ahead without delay if the mayor and council agree on the project. Other information will be presented in the near future.

The meeting adjourned at 9:19 p.m.