

Minutes of the regular meeting of the City Council held May 4, 1994 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present: Mayor:  
Council Members:

City Manager: City Attorney: City Engineer: City Recorder: City Treasurer:  
Planning Director: Dep. Recorder: Dept. Heads:

Rec. Secretary:

John R. Cushing  
Samuel R. Fowler, Barbara Holt,  
William P. Moore, C. Harold  
Shafter and Ann Wilcox  
Tom Hardy  
Russell L. Mahan  
Jack P. Balling  
Arden F. Jenson  
Galen D. Rasmussen  
Blaine Gehring  
Kim Coleman  
Neal Jenkins, Parks/Recreation  
David Wilding, Water/Sewer  
Nancy T. 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 Logan Wangsgard (visiting Boy Scout) led the pledge of allegiance to the flag. The invocation was given by Ben Shelley, citizen in attendance.

Minutes of the regular meeting of the City Council held April 27, 1994 were presented and unanimously approved as written on a motion made by Councilwoman Wilcox and seconded by Councilman Moore.

#### EXPENDITURES AND EXPENSES APPROVED FOR PERIOD APRIL 22-28, 1994

Mr. Jenson presented the Expenditure and Expense Report for the Period April 22-28, 1994 in the amount of \$133,552.11. Following discussion, these expenditures were unanimously approved on a motion made by Councilman Moore and seconded by Councilman Shafter.

#### AMERICAN ROOFING AWARDED BID FOR ROOF REPAIR WATER DEPARTMENT

Mr. Wilding reported that bids were received from three companies for replacement of shingle roofs on up to 6 pumphouses and for an inspection, report and estimate for repair of 3 flat-roofed buildings all owned by the Water Department. He reviewed the bids and noted that the total bid from American Roofing contained **not only the cost for doing the flat roof inspection, but also the work estimate.** He said that it is the recommendation of staff and the consultant to award the bid to American Roofing.

Councilman Shafter asked for clarification of the recommendation, noting that it appeared that American was **high** bidder. Mr. Wilding and Mr. Hardy clarified the issue, noting that American's bid contained the work estimate and the other bidders did not. Councilman Shafter suggested that the bid be awarded based on Items A-F (omitting Item G) and that it be awarded to American Roofing in the amount of \$12,707.00 (low bid); with the roof

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inspections and reports for roof repairs of the three flat-roofed buildings to be handled at a later time. Councilman Moore made a motion to this effect Councilman Shafter seconded the motion and voting was unanimous.

**FINDINGS AND CONCLUSIONS ON REZONING ADOPTED**

In follow-up to the rezoning which was granted last week, Mr. Mahan has prepared a document, "FINDINGS AND CONCLUSIONS CONCERNING THE PROPOSED RE-ZONING OF 404-406 WEST 2700 SOUTH AND 339 WEST 2600 SOUTH: FINDINGS OF FACT", to wit:

1. This is an application for the re-zoning of two properties located at 2700 South and at 339 West 2600 South.

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2. The -public hearing scheduled for April 27, 1994, was properly noticed according to law.

3. A public hearing was in fact held at 7:30 p.m. on April 27, 1994. Members of the public were in attendance and all who wanted to express their opinion on this matter did so.

4. The two properties under consideration are adjacent to each other.

5. Both of the properties are currently zoned R-1-6.5.

6. The property on 2600 South contains a reservoir owned by the City of Woods Cross.

7. The property on 2700 South is owned by Elbert Randall and contains a duplex, which is a non-conforming use under current zoning.

8. These properties are geographically contiguous to an R-3-13 zone to the east.

9. It is proposed that these two properties be re-zoned as R 3-13.

10. The duplex on 2700 South was constructed as a conforming use under Davis County zoning ordinances, has existed for at least 28 years, and may continue to do so indefinitely under City zoning ordinances as a non-conforming use.

11. The granting of this application would change this non conforming use to a conforming use.

12. The granting of this application would not change the character of the neighborhood, as the duplex already exists and has for many years.,, Accordingly, there would be no detriment to the health, saf ety or welf are of the immediate neighborhood.

13. The issue of property values was not raised in the hearing. However, since the duplex has already been there for many years, granting this application would not adversely affect current property values in any way.

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14. Elbert Randall, the owner of the duplex, has had difficulty in securing financing for the sale of the property due to its non-conforming status.

**Conclusion**

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10                   The Mayor briefly reviewed this document, following which it  
11                   was adopted on a motion made by Councilwoman Holt and seconded by  
12 Councilwoman Wilcox.                   Voting was by a majority with Councilmen

13    Shafter and Fowler voting nay.

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It is in the best interest of the health, safety and welfare of the City that this re-zone application be granted.

**PRELIMINARY AND FINAL SITE PLAN APPROVED**

**FOR: BOUNTIFUL CENTRAL PLAZA 11, 107 SO 500 WEST AND  
BOUNTIFUL CENTRAL PLAZA 111, 197 SOUTH 500 WEST (DEE ERICKSON)**

Mr. Gehring reviewed the site plan of Bountiful Central Plaza II and Bountiful Central Plaza 111, 107 and 197 South 500 West. He said that Dee Erickson, developer, received site plan approval in September of 1992 for remodeling the old Aamco Building, and received conceptual approval for a building pad to be developed in the future. He is now requesting approval of the final phase of this development, with a building to be placed on the pad.

In addition, Mr. Erickson has been successful in purchasing the old home which was located between the Blimpie building and the animal hospital. It has been torn down and he is now desirous of placing a retail building there to complete Bountiful Central Plaza III. It is the recommendation of staff and the Planning Commission that preliminary and final approval be granted to the site plan of Plaza II and III with the following conditions:

7-ft. easements be granted across the front and back property lines together with any easements which may be required by power and telephone.

2. Plans for storm detention along with design and calculations need to be submitted and reviewed before this will be placed on a City Council agenda.

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

**APPROVAL GIVEN TO REPLACE DASHER BOARD SYSTEM  
IN ICE ARE**

Mr. Jenkins explained that there is a concern with the safety of the dasher board panels on the west end of the ice arena. He said that the gap in the doors could be a very dangerous situation during hockey games, and also if a skater were to get a finger caught in them. It is the recommendation of staff that the doors be replaced. A company that specializes in this work has been contacted and they have provided a bid of \$17,388.00. Although this was not included in the budget, Mr. Jenkins recommended that funds be taken from the reserve and replacement fund to accomplish this work and guard against any liability exposure. He said they would

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like to do the work between May 23 and May 28 while the ice sheet is removed. Councilman Fowler reported that this request was favorably considered in Committee and he motioned for approval as presented. Councilman Shafter seconded the motion and voting was unanimous.

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1994-95 TENTATIVE BUDGET ADOPTED

Mr. Hardy presented the Tentative Budget for the City of Bountiful for 1994-95. He said that revenues and expenses are balanced at \$33,577,282 (an increase of 1.5% over last year) . transfers, the total budget is \$27,758,207, an increase of 6% over last year.

The majority of the increase is in the Police Department with the addition of two full-time officers to work with the high schools (partially funded by the School District) in an effort to eliminate gang-related activities. The tentative budget does not include or propose a tax increase, and no utility rate increases or fee

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increases (with the exception of sales tax and state-imposed taxes) . It also includes an additional person at the landfill, a 3% cost-of living adjustment for full-time personnel, and a slight increase in medical insurance expenses. The general budget categories are: Personnel costs (30%), operation and maintenance (45%), and capital improvements (24%).

Mayor Cushing expressed appreciation to Mr. Hardy and the staff for the work which has been done on the budget and he noted that there will be discussion on the budget at the next two regularly scheduled meetings, as well as the public hearing. Councilman Shafter made a motion that the 1994-95 Tentative Budget be adopted as presented. Councilman Fowler seconded the motion and voting was unanimous.

The Mayor then requested a motion to set a public hearing for June 8, 1994 at 7:30 p.m. to consider final adoption of the 1994-95 budget; and a hearing for June 8, 1994 at 8:00 p.m. for re-opening the 1993-94 budget. Councilman Moore made a motion to this effect, Councilwoman Holt seconded the motion and voting was unanimous.

**BID AWARDED TO MERRILL SHERIFF CONSTRUCTION  
FOR BOUNTIFUL BOULEVARD PARK**

Mr. Hardy reported that bids were received from six companies for the Bountiful Boulevard Park project, with base bids ranging from \$1,160,000 to \$1,728,000 and bids with alternates ranging from \$1,266,000 to \$1,841,000. It is the recommendation of staff and the Committee that the bid be awarded to Merrill Sheriff Construction in the amount of \$1,160,835 (base bid, which includes the tennis court) and Alternate No. 1 (\$31,423.00). Alternate No. 2 includes a different method of constructing the tennis court and it is recommended that this not be awarded at this time. The total bid recommended is \$1,192,258.00. Following discussion, the bid was awarded as recommended on a motion made by Councilman Fowler and seconded by Councilman Shafter.

**MAYOR PROCLAIMS NURSING HOME WEEK, MAY 8-14, 1994**

Mayor Cushing reported that a request has been made to declare the week of May 8-14, 1994 as "Nursing Home Week". This request

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comes with the hope that all citizens will honor and support employees of long-term care facilities who daily provide quality care to achieve the highest level of mental, physical, and psychosocial well-being for the residents of nursing homes. He noted that in conjunction with this event, there will be a town meeting at the Life Care Center of Bountiful on May 10, 1994. Among those participating will be Lt. Governor Olene Walker, Mayor Cushing, State Representative Karen Smith, and Councilman Moore. Councilman Shafter motioned for adoption of the proclamation, Councilwoman Holt seconded the motion and voting was unanimous.

The meeting adjourned at 7:57 p.m. on a motion made and seconded by Councilwomen Holt and Wilcox, respectively.