

Minutes of the regular meeting of the City Council held May 11, 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 Recorder:	Arden Jenson	
City Treasurer:	Galen Rasmussen	
Planning Director:	Blaine Gehring	
Dep. Recorder:	Kim Coleman	
Dept. Heads:	Dick Duncan/ Streets/Sanit.	
	Larry Higgins/Police	
	Neal Jenkins/ Parks/Rec.	
	Jerry Lemon/Fire Dept.	
	Mark McRae/Information Sys.	
	David Wilding/Water/Sewer	
Rec. 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 Josh Ingles, a visiting Boy Scout, led the pledge of allegiance to the flag. The invocation was given by Mr. Balling.

Minutes of the regular meeting of the City Council held May 4, 1994 were presented and unanimously approved as amended on a motion made by Councilman Moore and seconded by Councilwoman Holt.

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

**EXPENDITURES AND EXPENSES APPROVED FOR TWO APRIL PERIODS**

Mr. Jenson presented the Expenditure and Expense Report for the Period April 29-30, 1994 in the amount of \$242,661.73 and the Summary for April totaling \$2,406,934.32. Councilman Moore questioned the status of the contributions to the Civic Choral and the Community Theater, following which both reports were unanimously approved on a motion made by Councilman Shafter. Councilwoman Wilcox seconded the motion and voting was unanimous.

**FINAL SITE PLAN APPROVED FOR CENTER COURT APARTMENTS, 1445 SO MAIN STREET - MARV BLOSCH, DEVELOPER**

Mr. Gehring presented the site plan for Center Court Apartments at 1445 South Main Street. He noted that there is an existing triplex on the property and another triplex and two duplexes will be constructed. It is the recommendation of staff and the Planning Commission that the final site plan be approved, subject to the following conditions:

- 1 Sanitary Sewer: A separate lateral is required to each building. An eight inch sewer main is required, with manholes oneach end to serve this development.

2. Culinary Water: The developer will be required to pay the City for the installation of the water system, with the approximate cost being:
 

1401 - 611 Main @ \$15.00/ft.	= \$2,100.00
6-inch Tap and Valve	= 1,200.00
3 1-inch Meters @ 1285.00	= 3,855.00
Total Approximate Cost	= \$7,155.00
  
3. Storm Drainage. The storm drainage plan should provide for storm water detention on site. The Developer needs to provide the engineering calculations for the storm runoff water and plans for storm water detention.
  
4. The Site Plan meets the ordinance and shows required parking, landscaping, paving, and site improvements.
  
5. Easement. Must be provided to the City as follows:
  - a. 15 ft. easement along sewer main and manhole.
  - b. 15 ft. easement along water main and fire hydrant.
  - c. 10 ft. easement along power facilities.
  - d. 7 ft. easement along frontage on Main Street.
  - e. Other easements as required by telephone and power.
  
6. Bond Required. A bond of 5% of the valuation of all buildings is required to guarantee the site improvements and landscaping.
  
7. Construction Drawings and Building Fees. The plans are subject to the review of the Building Inspectors and the fees shall be paid as outlined in the Building Codes and City Ordinances.

Councilwoman Holt made a motion that final site plan approval be given as recommended, with an additional requirement that all other conditions stipulated in the preliminary approval which was granted by the Planning Commission November 2, 1993 also be included. Councilman Moore seconded the motion and voting was unanimous.

**FINAL SITE PLAN APPROVAL GRANTED TO SOUTH POINTE APARTMENTS, 1975 SOUTH 14AIN STREET - MARV BLOSCH, DEVELOPER**

Mr. Gehring reviewed the site plan of the South Pointe Apartments, 1975 South Main Street, noting that many of them are three bedroom, a needful feature in Bountiful. He said that it is the recommendation of staff and the Planning commission that final site plan approval be granted, subject to the following conditions:

1. Sanitary Sewer. The City ordinance requires a separate sewer lateral to each building. The plan needs to be corrected to meet the ordinance.

2. Water System. The water meter should be re-located in the front of the buildings, preferably near the fire hydrant where it is easily accessible. If a 1 1/2 inch meter is used, 1 1/2 and 2-inch supply lines should be run to each building. The cost of the water system will be determined by the Water Superintendent.

The approximate cost will be:

150"-6"Main @ \$15.00	= \$2,250.00
1-6"1 Tap and Valve	= 1,200.00
1-1 1/2 Water Meter	= 3,295.50

Total Estimate	= \$6,745.50
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3. Site Plan. Is complete including drainage, parking, landscaping, paving, and site improvements.
4. Utility Easements are required for:
- Culinary water main and fire hydrant 15-ft. wide.
  - 7 ft. wide easement along frontage on Main Street.
  - 15 ft. wide easement along north property line.
  - Other easements as required by telephone and power.
5. Bond Required. A bond of 5% of the valuation of all buildings is required to guarantee the site improvements and landscaping.
6. Construction Drawings and Building Fees. The plans are subject to the review of the Building Inspectors and the fees shall be paid as outlined in the Building Codes and city ordinances.

Councilwoman Holt reported that this request received a unanimous recommendation from the Planning Commission for approval. She made a motion to this effect, including the above conditions and all conditions which were previously approved by the Commission (see P.C. minutes of November 2, 1993). Councilwoman Wilcox seconded the motion which carried unanimously.

**PRELIMINARY APPROVAL GIVEN FOR BRIDLEWOOD SOUTH SUBDIVISION PHASE 1, 4100 SOUTH MONARCH DR., STEVE RANDALL, DEVELOPER**

Mr. Balling referred to the site plan for Bridlewood South Subdivision, Phase 1, and stated that this subdivision has been reviewed by the staff and Planning Commission and comes with a recommendation for approval, subject to the following conditions:

- Lot 1 to meet the minimum lot width of 100 feet.
- Monarch Drive be allowed to extend 670 feet maximum with a temporary turn-around as shown. Any further extension would require the development of two access ways.
- The stub road to the west be approved by North Salt Lake and the Eaglewood Development.

4. Seven foot wide easements be provided along the frontage of all lots and around the perimeter of the lots.
5. The lots be fully improved to the City standards and engineering drawings be submitted with the final plats.

Based on the positive recommendation of the Planning Commission, Councilwoman Holt motioned for preliminary subdivision approval as presented by Mr. Balling. Councilman Shafter seconded the motion and voting was unanimous.

**PRELIMINARY AND FINAL SUBDIVISION APPROVAL GRANTED TO TWO**

**AT 750 NORTH MAIN, MR. AND MRS. TERRY TOONE**

Mr. Balling reviewed the site plan of the property at 750 North Main and stated that the owner is desirous of dividing the lot into two buildings lots. There is an existing home on the property. The request has been reviewed by the staff and Planning Commission and it is their recommendation that it receive favorable consideration, subject to the following conditions:

1. Provide a 7-ft. wide utility easement along the frontage of both lots.
2. Provide a utility easement along the other lot lines, required by the power and telephone utilities.
3. Pay a storm detention fee for the newly created lot in the amount of \$464.00.
4. Provide a new irrigation connection to parcel No. 1 so as not to encumber parcel No. 2 with the service to parcel No. 1.
5. Record the lots as separate deeds with the County Recorder's Office and file the Record of Survey with the County Surveyor's Office.
6. Compliance with all codes and ordinances when the Building Permit is issued.

Councilwoman Holt made a motion that preliminary and final subdivision approval be granted, as recommended. Councilwoman Wilcox seconded the motion and voting was unanimous.

**PRELIMINARY AND FINAL APPROVAL GRANTED TO BOULTON SUBDIVISION,**

**2450 SOUTH 200 WEST, RONN MARSHALL/FRANK BOULTON FAMILY, DEVELOPERS**

Mr. Balling presented the site plan for the proposed Boulton Subdivision (70 lots) at 2450 South 200 West. He reported that this request has been reviewed by the staff and Planning Commission and it is their recommendation that preliminary and final approval be granted subject to the following conditions:

1. Naming the subdivision.
2. Dedicate 2200 South St., 2500 So. St. and 200 West St. to the centerline of each street. NOTE: Lots 712 and 713 will have part of them dedicated as part of the street.
3. Remove all curb and gutter on 2200 South Street in front of the subdivision and replace parallel to the south property line with a four-foot park strip, and install a 4-foot walk on the property line.
4. Install a 6-inch water line in 2200 South and 200 West Street to be paid by the developer.

5. The asphalt is to be patched where all trenches are excavated and an asphalt overlay to be installed over the streets.

6. Construct new curb and gutter and walk on 2500 South Street and on 200 West Street. Provide 6-ft. park strip.

7. Lots 202, 405, 497, 401, 305, 303, 302, and 301 all probably should have reduced setbacks to make them more buildable.

8. A Title Report using the exact boundary of each plat must be submitted.

9. Extend the storm drain easterly between Lots 410 and 413 to the next intersection as directed on the Check Sheets.

10. 2500 South Street has only a 32.00 ft. dedicated street with no sidewalk on either side of the street and no curb and gutter on the north side of the street. The curb and gutter on the south side of the street seems to be on property line. Dedicate enough street to give curb back, distance of 34.0 feet. Also, provide 6-ft. parking and 4 ft. walk on the north side of the street.

11. There are several large power poles along 200 West Street. It appears that their present location will be in the future walk. Some poles will be in the middle of the lot frontage. Any moving of these poles will be at the developer's cost. Also, 2200 South has some poles that may need to be moved.

Councilwoman Holt noted that a portion of the property shown on the plat is labeled "Proposed Commercial Property". She emphasized that the subdivision plan being considered for approval **does not include the proposed commercial property and in no way is there an implication for approving a commercial use.** With this clarification, she motioned for preliminary subdivision approval as recommended by Mr. Balling. Councilman Fowler seconded the motion and voting was unanimous.

**APPROVAL GRANTED TO DENNIS JACOBS FOR A MACHINE  
TOOL AND DIE SHOP IN THE C-G ZONE AT 462 WEST 1150 SOUTH**

Mr. Gehring reviewed that a request was received for a business license for a small machine tool and die shop at 462 West 1150 South in the heavy commercial (C-H) zone. This use was not listed as either permitted or conditional, and based on Section 14-2-106 of the City Code, the application must come directly to the City Council for approval of such as use.

Mr. Gehring reviewed the staff analysis of this request and recommended that Mr. Jacobs be allowed to establish his machine shop as requested, with the condition that all functions of the business, including storage of materials, be conducted entirely indoors. He also suggested that this matter be considered by the Planning Commission for a recommendation to consider amending the Zoning ordinance to add Land Use No. 3424 - Metal Working Machinery and Equipment (conducted entirely indoors) to the list of Conditional Uses in the Heavy Commercial (C-H) Zone to be consistent with the purposes and objectives as already stated in the zone.

Following discussion, Councilwoman Holt made a motion to grant approval for Mr. Jacobs to establish his machine shop as requested and recommended. Councilman Moore seconded the motion and voting was unanimous.

Councilwoman Holt then motioned that this matter be referred to the Planning Commission for them to consider amending the ordinance to include this as a Conditional Use, **to be conducted entirely indoors.** Councilman Shafter seconded the motion and voting was unanimous.

#### APPROVAL GIVEN FOR WATER RIGHTS STUDY

Mr. Wilding reviewed that over the years, the City of Bountiful has purchased over 100 separate water rights of the surface waters of Mill Creek and Barton Creek. It is proposed that these rights be consolidated. In addition to the consolidation work, staff is requesting advice on related matters including use of Barton Creek water, formulation of a long range plan for all City owned water rights, and the best approach to deal with recently imposed restrictions on the use of groundwater.

Due to the specialized knowledge required to negotiate through the process of consolidation, it is the staff recommendation that a consultant be engaged to do the work. Dee Hansen, former State Engineer and Director of Natural Resources, has submitted a proposal for services agreement not to exceed \$12,362.00. The FY1994 budget included \$6,000 for this work and additional money is also available in that budget. The FY1995 budget contains an additional \$50,000 for this type of work.

Councilman Moore stated that this matter has been considered by the Committee and it is their recommendation to go forward with the study as explained. He motioned for approval of the contract with Mr. Hansen as proposed. Councilman Shafter seconded the motion and voting was unanimous.

#### APPROVAL GIVEN FOR LEASE OF CEMETERY PROPERTY - ROBERT AND BARBARA KIME

Mr. Hardy referred to an aerial photo which showed the parcel of cemetery property that Robert and Barbara Kime have requested to lease on a short-term basis. He said that the Kime's have a large family and are desirous of utilizing the additional space without having to leave the home and neighborhood which they enjoy. It is the recommendation of staff that a Lease Agreement (similar to the lease with Willey Honda) be approved. The lease provides that they Kime's] will install no permanent improvements, but will be able to fence the property and put a "sport court" on it. Councilman Fowler motioned to approve the 10-year lease (extendable by mutual consent) , with authority for the Mayor and City Recorder to sign it.

Councilman Shafter seconded the motion and voting was unanimous.

#### REVIEW OF 1994-95 BUDGET--GENERAL FUND, CAPITAL IMPROVEMENT FUND, DEBT SERVICE FUND

Mr. Hardy reviewed that the four major revenue sources for the General Fund, Capital Improvement Fund, and Debt Service Fund are sales tax, property tax, and franchise taxes and the contribution from the Light and Power fund. He reviewed each of these areas, noting projected increases for the 1995 fiscal year. Total projected revenue (balanced with expenditures) for the General Fund is \$8,452,084, and for the Capital Improvements Fund is \$3,576,515. The city has paid off all general obligation bonds (other than RDA) and the Debt Service Budget for FY 1995 is \$0.00.

The proposed expenses were then reviewed. Mr. Hardy pointed out that the Police Department accounts for approximately 3 percent of the 6 1/2 percent increase. He stated that the budget includes reimbursement for a school resource officer (which may or may not include additional revenue from the Davis School District, pending a decision by the Board of Education). The major departmental increases in the General Fund are in the Police Department (approximately \$320,000) , Street Department (approximately \$60,000) , Fire Department (approximately \$50,000). He referenced the detail of the how the revenues are projected to be used, noting that funding is included for the first time for the Youth City Council. An increase in compensation for elected officials is

proposed, following a study by a citizen's committee. (There has not been an increase for elected officials since 1990).

Mayor Cushing expressed appreciation to Mr. Hardy, Mr. Rasmussen, Mr. Jenson and their staff for the fine manner in which the budget process has been handled. David Piggott, a citizen in attendance, noted two concerns: (1) the amount of cash reserves and (2) the manner in which the capital projects are identified. He also suggested that the franchise tax be reduced.

**STAKER PAVING AWARDED BID FOR CONSTRUCTION  
OF BOUNTIFUL BOULEVARD: 400 NORTH 1300 EAST TO 1700 EAST CENTER**

Mr. Balling reported that seven contractors submitted bids for the construction of the 400 North extension, 1300 East to Bountiful Boulevard. It is the staff recommendation that the bid be awarded to low bidder, Staker Paving, in the amount of \$481,154.00. The bid specifications include a penalty of \$300/day if not completed within 120 day. It is anticipated that the work will start in about two weeks. Councilman Shafter motioned for approval of staff's recommendation. Councilman Moore seconded the motion and voting was unanimous.

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**SHERIFF AWARDED ALTERNATE #2 FOR  
BOUNTIFUL BOULEVARD PARK**

Mr. Jenkins reported that he and Dick Dresher met with Merrill Sheriff and reviewed his bid documents for Alternate #2 (the post tension concrete tennis and basketball courts) for the Bountiful Boulevard Park project. It was determined that Mr. Sheriff had made some mistakes in his calculations. He is giving the City a deduction in his base bid for concrete, asphalt, and color coating which would reduce his alternate #2 bid from \$73,905 to \$50,000. It is the recommendation of Mr. Dresher and staff that Mr. Sheriff be awarded the Alternate #2 bid. Councilman Fowler motioned for approval as recommended by staff. Councilman Shafter seconded the motion and voting was unanimous. The total cost for this project will be approximately \$1,243,000.

**LANDSCAPING IMPROVEMENTS APPROVED FOR  
PARKIN OVERPASS (HIGHWAY 891200 WEST)**

As directed by the Council, Mr. Jenkins reported that he has planned additional landscaping for the Parkin Overpass. The proposed landscaping would include 1851 of 6-ft. keystone retaining wall, grass, flowers, and trees. The approximate cost would be \$18,000. Councilman Fowler asked if the city of Woods Cross is doing anything on the west side of the overpass. Mayor Cushing said he understood that they will try to be consistent with whatever Bountiful does in that area. Councilman Fowler motioned that \$18,000 be appropriated to complete this project. councilwoman Wilcox seconded the motion and voting was unanimous.

The meeting adjourned at 8:46 p.m. on a motion made by Councilman Fowler and seconded by Councilman Shafter.