

Minutes of the regular meeting of the City Council held August 24, 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 L. Mahan
Assist. City Eng: Paul Rowland
City Recorder: Arden F. Jenson
City Treasurer: Galen D. Rasmussen
Planning Director: Blaine Gehring
Dept. Heads: Jerry Lemon, Fire
Neal Jenkins, Parks/Rec.
Recording Sec: 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 he led the pledge of allegiance to the flag. The invocation was given by Mr. Gehring.

Minutes of the regular meeting of the City Council held August 10, 1994 were presented and unanimously approved as corrected on a motion made by Councilwoman Wilcox and seconded by Councilman Moore.

EXPENDITURES AND EXPENSES APPROVED FOR
TWO AUGUST PERIODS

Mr. Jenson presented the Expenditure and Expense Report for the period August 1-11, 1994 (\$339,464.02) and August 12-18, 1994 (\$226,382.67). He responded to questions from the Council, following which both expenditure reports were unanimously approved on a motion made by Councilman Moore and seconded by Councilman Shafter.

SWAIN'S INC. AWARDED BID FOR UTILITY
TRACTOR - PARKS DEPARTMENT

Mr. Jenkins reported that bids were received from three vendors for a compact utility tractor. It is the recommendation of staff to accept the low bid for a John Deere tractor from Swain's Inc. in the amount of \$11,898. The budgeted amount was \$15,000. He noted that this is not a replacement tractor, but is needed for new landscaping and other improvements. Councilman Fowler motioned for approval to award the bid as recommended. Councilman Shafter seconded the motion and voting was unanimous.

JERRY SEINER GMC AWARDED BID
FOR FIRE DEPARTMENT - PICKUP TRUCK

Chief Lemon reported that bids were sent to six vendors and responses were received from three for a 1 ton 4x4 pickup truck. It is the staff

recommendation to award the bid to low bidder, Jerry Seiner GMC, in the amount of \$26,800. The budgeted amount was \$26,000. Chief Lemon indicated that the shortage could come from another account. Councilman Shafter motioned for approval as recommended, Councilman Moore seconded the motion and voting was unanimous.

PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED

TO ADDITION TO WIGHT HOUSE, 85 NO. MAIN STREET- -WIGHT FAMILY, OWNERS Mr.

Gehring presented a sketch of the addition to the Wight House, 85 North Main, and explained that the owners (the Wight family) are creating additional retail space on the ground floor and a reception center on the upper floor. He said that the Planning Commission reviewed this project and it is their recommendation that preliminary and final site plan approval be granted subject to the following conditions:

1. A minimum of two parking spaces for the disabled be provided adjacent to the entrance on the west of the building.
2. The building and all remodeling meet all building and fire codes.
3. The retail store close before the reception center opens for business to avoid duplicate use of the limited parking. (This item was discussed by the Council and modified to permit the two businesses to operate jointly **after 6 p.m.**).

Councilwoman Holt motioned for approval, as recommended (with the Council modification to Item No. 3), Councilman Shaf ter seconded the motion and voting was unanimous.

PRELIMINARY AND FINAL SBDVN. APPROVAL GRANTED FOR 2-LOT SUBDIVISION AT 300 EAST 100 NORTH

Mr. Gehring reported that the owner of the property at 300 East 100 North (Carol Stephens), has requested permission to divide the lot for the purpose of creating a second lot. This request was reviewed by the Planning Commission and it is the recommendation of that body to grant preliminary and final subdivision approval, subject to the following conditions:

1. Filing a record of survey with the County Surveyor's of f ice.
2. Payment of the storm detention fee of \$392.70 (\$2,100/acre x .187 acres).
3. Provide a 7-ft. wide utility easement along the front and rear property lines to Bountiful City.
4. Payment of utility connection fees at the time a building permit is issued.

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

FINAL APPROVAL GRANTED TO BOUNTIFUL SHADOWS NO. 1.

MAGNA INVESTMENTS & DEVELOPMENT --200 WEST PAGES LANE

Mr. Gehring presented the plat for Bountiful Shadows No. 1, 200 West Pages Lane, and reported that it is the recommendation of staff and Planning Commission that final approval be granted, subject to the following conditions:

1. Dedicate additional street (approximately 6.5 ft) along 200 West Street and (approximately 4.0 ft.) along 1600 North Street to allow for a 4-ft. grass strip and a 4-ft. walk against the property line.
2. The sewer main along 1450 North Street is designed with a 0.6511 grade. Bountiful City's standard minimum grade is 1.0011. The design must be changed to meet Bountiful City standard design.
3. Because all of the existing pipe is laid either in the wrong location, or much too near the surface of the ground where the water line will freeze, a totally new culinary water line design has been submitted to the Developer. Project must be changed to meet this new design.
4. Due to the fact that there are several existing power lines in the proposed Bountiful Shadows development, there is a great potential for costly conflicts in the future development of this subdivision. Changes must be made as reasonably required by the City Engineer.

There are poles that will be in the middle of lots fronting on 200 West. These poles may be moved north or south individually or the whole pole line can be moved east or west if needed.

There are existing light poles on 1600 North Street (Pages Lane) that will be done away with. Also, some changes could be made to the power line running along the south property line. Any or all changes made to Bountiful Power lines or structures will be accomplished at the developer's cost. There needs to be full coordination between the engineering department, the developer, and the power department as this matter is reconciled.

5. Lot No. 7 should be granted a 20 ft. front yard setback. It should also be noted that Lots 6, 7, 14, 18 and 19 will all be hard to build on and should have their buildable areas shaded on the plat.
6. Future drive approaches entering 1600 North Street must be designed in such a manner as to protect the existing storm drain, 41 x 81 concrete box, and the 54 " pipe. The subdivision construction drawings must show on the detail sheet the bridging of the above noted storm drain at the intersections of 175 West and 1600 North and 150 West 1600 North.
7. There are other small corrections or additions that will be required as directed by the City Engineering Department.

Councilwoman Holt asked the representative from Magna Development (Louis F. Falvo) if he felt comfortable with Item No. 7 and he responded positively. Councilwoman Holt motioned for final approval as recommended. She also thanked the City Attorney for his assistance with this project. Councilman Moore seconded the motion which carried unanimously.

**APPROVAL GRANTED TO PLACE SIDEWALK AGAINST CURB
IN THE LAKEVIEW TERRACE AMENDED SUBDIVISION**

Mr. Gehring explained because of the canyon on the south side of Barton Creek Lane and the hill on the north side, it is the staff recommendation that the sidewalk be moved against the back of the curb and gutter. The grading should still continue on a 2 % grade on each side of the road for seven (7) feet. This matter has been considered by the Planning Commission and received a positive recommendation.

Councilwoman Holt made a motion to accept the recommendation of the Planning Commission, as presented. Councilman Shafter seconded the motion and voting was unanimous.

**PUBLIC HEARING SET TO CONSIDER AMENDING LOT 18
OF SUNSET HOLLOW SUBDIVISION**

Mr. Mahan explained that the owner of Sunset Hollow Subdivision Plat B has submitted a proposal to the City to amend Lot 18 of that subdivision by dividing that lot in two. Most of the lot would continue as Lot 18, and a portion would be put with a piece of land presently outside the subdivision to form a new lot. It is recommended that a public hearing be scheduled September 14, 1994 at 7:30 p.m. to consider this request.

Councilman Shafter motioned for a public hearing as present Councilman Fowler seconded the motion and voting was unanimous.

**ORD. NO. 94-15 ADOPTED RE: CONSTRUCTION SITE CLEANLINESS
AND THE HOLDING OF BONDS TO GUARANTEE SITE IMPROVEMENTS**

Mr. Mahan referred to the materials distributed to the Council concerning a proposed ordinance related to construction site cleanliness and the holding of bonds to guarantee streets, curbs, gutters, sidewalks and drive approaches at construction sites. He then reviewed the proposed ordinance entitled, AN ORDINANCE REQUIRING BUILDING CONSTRUCTION SITES TO MAINTAIN A PORTABLE TOILET AND A COMMERCIAL TRASH BIN ON SITE, AND REQUIRING SITE CLEANUP, THROUGHOUT THE PERIOD OF CONSTRUCTION, AND SETTING THE TERMS UPON WHICH A CASH DEPOSIT IS TO BE HELD BY THE CITY TO GUARANTEE PUBLIC IMPROVEMENTS ON CONSTRUCTION SITES WITHIN 12 MONTHS OF COMPLETION.

Following discussion, this ordinance was adopted on a motion made by Councilman Shafter and seconded by Councilwoman Holt. Voting was unanimous.

COUNCIL COMMITTEE REPORTS

Mayor Cushing reported that he had met with Amy Osmond, a Bountiful resident recently named America's Junior Miss. He noted it was an honor for Bountiful to be represented by Ms. Osmond and he declared Monday, August 22, 1994 as "Amy Osmond Day".

Councilman Moore commented on the traffic congestion which resulted the evening the LDS temple lights were tested. Discussion followed regarding the upcoming open house of the temple.

Councilman Fowler reported from the Centennial Committee that fund raising for the monument for Block 29 is going very well. It is planned to set the monument next spring.

At 7:48 p.m the meeting adjourned to executive session for the purpose of discussing pending litigation. The motion was made by Councilman Moore and seconded by Councilwoman Holt and carried unanimously.