

Minutes of the regular meeting of the City Council held September 27, 1995 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 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
	Recording Secretary:	Nancy Lawrence
	Dept. Heads:	Clifford Michaelis, Power Paul Rapp, Police

Official Notice of this meeting had been given by posting a written notice of 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 Councilman Fowler 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 September 6, 1995 were presented and unanimously approved as corrected on a motion made by Councilman Moore and seconded by Councilman Shafter.

**EXPENDITURES AND EXPENSES APPROVE
FOR FOUR PERIODS - AUGUST/SEPTEMBER**

Mr. Jenson presented the Expenditure and Expense Reports for the following periods, with their respective totals:

August 30-31, 1995	\$ 131,964.99
Summary of August, 1995	2,479,829.89
September 1-14, 1995	358,957.63
September 15-21, 1995	559,354.38

Attention was made to the annotation of the September 1-14 report (which did not affect the total) and a brief discussion followed. Councilman Fowler made a motion to approve the four reports as presented. Councilwoman Wilcox seconded the motion and voting was unanimous.

**PRELIMINARY AND FINAL APPROVAL GRANTED
TO NEWPORT HEIGHTS CONDO, PHASE 7--M. BECK**

Planning reviewed the plot plan for Newport Heights Condominiums, Phase 7, (Merrill Beck, developer), 3700 South 400 East. He said that this project has been reviewed by staff and the Planning Commission and it is recommended that preliminary and final approval be granted, subject to the following conditions:

1. Payment of an impact fee of \$100.00 per dwelling unit = \$100.00
2. Payment of the engineering checking fee of \$30.00 per unit = \$30.00
3. Payment of water and sewer connection fees as required.
4. Submission and review of final building plans
5. Submission of a title report
6. Submission of a final plat once the foundation is complete along with condominium covenants for recording
7. Payment of recording fees as required by Davis County.

Councilwoman Holt made a motion to grant preliminary and final approval as recommended, Councilman Moore seconded the motion and voting was unanimous.

**PRELIMINARY AND FINAL SITE PLAN APPROVAL
GRANTED FOR TRI-PLEX, 280 SO 300 EAST-ALLEN & COOK, DEVELOPERS**

Mr. Gehring reviewed the site plan for the proposed tri-plex at 280 South 300 East, Allen and Cook, developers. He reported that this request has been reviewed by the staff and Planning Commission and is recommended for preliminary and final site plan approval, subject to the following conditions:

1. Payment of \$600 sewer connection fee for each dwelling unit and installation of sewer system to City standard;
2. Payment for one-inch water meter complete (\$1,550.00). It was clarified that the City will install the water line to the property line and the developer should increase the line to 1 1/2 inches from the meter to the buildings.
3. Provide storm water detention on site or pay \$559.61 storm drainage fee for the run-off water.
4. Provide a 7-ft. wide utility easement along the north property line and the east property line.
5. Construct a 6-inch high back curb wall around the asphalt parking lot.
6. Final plans to comply with the Uniform Building Code.

Councilwoman Holt made a motion to grant preliminary and final site plan approval as recommended. Councilman Shafter seconded the motion and voting was unanimous.

PRELIMINARY AND FINAL SITE PLAN APPROVAL GRANTED FOR JEHOVAH'S WITNESSES CHURCH - 355 EAST 900 NORT

Mr. Gehring reported that the Conditional Use Permit for the new Kingdom Hall of the Jehovah's Witnesses Church has been reinstated and the Planning Commission held a public hearing to review the proposed site plan. It is the recommendation of staff and the Planning Commission to grant preliminary and final site plan approval with the following conditions:

1. Provide the following utility easements:
 - a) 7-ft. wide along 900 North Street
 - b) Other easements as required by the utility services
2. Install a chain or gate across the entry to the parking lot to prevent commercial parking in the lot.
3. Install a 6-ft. high chain link fence with vinyl slats around the perimeter of the property in compliance with the fencing requirements of the zoning ordinance.

Councilwoman Holt made a motion to grant preliminary and final site plan approval for the Jehovah's Witnesses Church at 355 East 900 North, as recommended. Councilman Fowler seconded the motion and voting was unanimous.

PUBLIC HEARING SET TO CONSIDER REZONE AT 450 WEST 200 NORTH. FREEWAY HEATING & AIR CONDITIONING

Mr. Gehring reported that the Planning Commission reviewed the request of Freeway Heating and Air Conditioning to rezone the property at 450 West 200 North from R-3-13 to C-H. Robert Arbuckle, owner, is desirous of providing an improved access to the rear portion of his property in order to develop some small business/offices. All of the properties along 200 North west of the subject property are currently zoned C-H and this would be an extension of that zoning. The Planning Commission found the proposal to be compatible with the surrounding and adjacent uses and recommend favorably this rezoning.

Based on the recommendation of the Planning Commission, Councilwoman Holt made a motion to set a public hearing for October 25, 1995 at 7:30 p.m. to consider this request. Councilman Moore seconded the motion and voting was unanimous.

NO ACTION ON REQUEST TO CONSIDER ZONING ORDINANCE AMENDMENT TO PROTECT AGAINST DEER DEPREDATION

Mr. Gehring reviewed that several citizens have requested permission to construct 8ft. fences to keep deer out of their property. Subsequent to these requests being referred to the Board of Adjustment, it was the recommendation of that body that the Planning Commission consider an ordinance change. Mr. Gehring stated that inasmuch as there is a large herd of "urban deer", a change in the zoning ordinance which would address the areas presently frequented by the deer would merely shift the problem to a different area. Therefore, it is the recommendation of staff and the Planning Commission that the ordinance not be changed and that a public hearing not be scheduled.

Mayor Cushing reported that he has spent time with the personnel from the Wildlife Division and their conclusion is similar to that reached by staff. Following discussion, the Council opted to not take any action, which brings the issue to a close.

PORTER LANE NURSERY AWARDED BID FOR "POWER IN TREES" PROGRAM

Mr. Michaelis reported that in conjunction with the Power Department's "Power In Trees" program, requests for tree bids were sent to five local nurseries. Three bids were received and it is the recommendation of the Power Commission and staff that the low bid from Porter Lane Nursery in an amount not to exceed \$10,000 be approved. The average cost/tree on an "as needed" basis is \$18.00.

Mr. Michaelis explained that the "Power in Trees" program provides for the Power Department to remove trees which could cause outages, and then replace the tree in a spot which would not interfere with the service and could also provide shade or another positive energy conservation measure. Councilman Shafter made a motion to award the bid to Porter Lane Nursery, as recommended. Councilman Fowler seconded the motion and voting was unanimous.

SINGLE EVENT PERMIT APPROVED FOR ST. OLAF'S CATHOLIC CHURCH

Mr. Hardy reported that St. Olaf's Catholic Church has requested permission for a Single Event Permit which is issued by the State Department of Alcoholic Beverage Control, but requires local consent. This permit gives approval for the sale, storage and consumption of liquor on the premises and is requested for November 3rd and 4th from 5:00 p.m. until 1:00 a.m. Mr. Hardy noted that the permit has been issued annually for a number of years without any problem and he recommended that it be approved. Councilman Shafter made a motion to approve the request of St. Olaf's Church, Councilman Moore seconded the motion and voting was unanimous.

COUNCIL ADOPTS RES. NO. 95-4

RE: WORKER'S COMPENSATION PERSONNEL POLICIES

Mr. Mahan reviewed Resolution No. 95-4 entitled "A RESOLUTION ADOPTING A PERSONNEL POLICY FOR BOUNTIFUL CITY TO FOLLOW THE DISABILITY COMPENSATION GUIDELINES SET FORTH IN THE UTAH CODE" and recommended that it be adopted. He said that this resolution will bring City practices into line with State guidelines and eliminate the inherent disincentive to return to work after a job-related injury. Councilwoman Wilcox made a motion to adopt Resolution No. 95-4 and authorize the Mayor and City Recorder to sign it. Councilman Moore seconded the motion and voting was unanimous.

APPROVAL GIVEN TO PURCHASE MATERIALS FOR SALT STORAGE FACILITY

Mr. Balling reported that \$220,000 is included in the budget for the construction of a salt storage facility. He reviewed different types of structures which have been used by other agencies for salt storage and recommended that the City purchase materials from Sprung Construction with which to construct a salt storage structure. In addition to the fabric-covered aluminum, a 6-ft. high retaining wall will be constructed on the inside of the building. The total cost of the structure will be approximately \$120,000.00. This price also includes two fans and a wind turbine to help keep the salt dry. Councilwoman Wilcox made a motion to approve the purchase of the materials and building construction as recommended, not to exceed \$120,000.00. Councilman Shafter seconded the motion and voting was unanimous.

APPROVAL GIVEN TO REPLACE TWO DETECTIVE VEHICLES

Chief Rapp reported that twice bids were requested from local dealerships for replacements for two detective vehicles and no responses were received. Local dealers were then approached for price quotes and it is staff recommendation that one vehicle be purchased from Barber Brothers (1995 Pontiac Grand Am, \$15,387); and one from Murdock Chevrolet (1995 Chevrolet Lumina, \$14,613), for a total cost of \$30,000. The prices quoted includes trade-in. (The budgeted amount is \$30,000.00). A short discussion followed regarding the Police Department fleet management, following which Councilman Moore made a motion to approve the purchase of two vehicles as recommended. Councilman Shafter seconded the motion and voting was unanimous.

RELEASE OF EASEMENT APPROVED AT WINDSOR PARK PUD, 2044 EAST RIDGE HILL DR.

Mr. Balling reviewed that when the utilities were installed to the Windsor Park PUD, the contractor installed the utilities outside of the recorded easement. A new easement for the utilities has been received and recorded and the old easement is no longer needed. Mr. Larry Dupaix (Lot 1, 2044 East Ridge Hill Drive) has requested that a portion of the old easement be released to permit his construction of a swimming pool. It is the recommendation of staff that this request be approved. Councilwoman Holt made a motion to approve the release of easement as explained. Councilman Shafter seconded the motion and voting was unanimous.

UPDATE ON MAIN STREET PROJECT

Mr. Balling reported the proposed timetable for the completion of the Main Street project, stating that the islands and paving should be finished by the end of next week. It will take about one week to cure and seal and the street should be open the weekend of October 14.

COUNCIL COMMITTEE REPORTS

Councilwoman Wilcox reported that the Youth Council will sponsor the Pumpkin Patch on October 14, 1995 from 6:30 to 9:30 p.m. at the North Canyon Park. This event is for the whole family, with the events geared to elementary-aged children.

The Youth Council is also sponsoring a Teen-age Welcome Wagon where packets are taken to new teenagers of high school age. The packets contain coupons and gifts from local merchants and the visits are intended to make the teenagers feel welcome in the community.

Councilman Shafter commented on the Power Department "PLUGS" program, which is an optional maintenance program for residential customers who have underground service. The fee for this program is \$.50 per month. Councilman Shafter urged that the monies collected for this program be accounted for separately and that the program be tracked to determine cost effectiveness.

Mr. Hardy reviewed that the meeting with UDOT regarding highway needs for the Weber/Davis/Morgan area will be held at the Weber County Commission Chambers next Wednesday, beginning at 6:30 p.m. He urged all the Council to plan to attend this meeting in support of the extension of Bountiful Boulevard and stated that the regular City Council meeting will be cancelled to facilitate attendance at the UDOT meeting. It was decided that the group would car pool to Ogden, leaving the City Hall at 6:00 p.m.

The meeting adjourned at 8:10 p.m. on a motion made by Councilman Moore and seconded by Councilman Fowler.