

Minutes of the regular meeting of the City Council held March 1, 1995 at 7: 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
	Recording Secretary:	Nancy Lawrence
Absent:	Planning/RDA Dir.:	Blaine Gehring
	City Treasurer:	Galen Rasmussen
	Dep. City Recorder:	Kim Coleman

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 Councilman Shafter led the pledge of allegiance to the flag. The invocation was offered by Mayor Cushing.

Minutes of the regular meeting of the City Council held February 22, 1995 were presented and unanimously approved as corrected on a motion made by Councilman Moore and seconded by Councilman Shafter.

#### **EXPENDITURES AND EXPENSES APPROVED FOR PERIOD FEBRUARY 17-23, 1995**

Mr. Jenson presented the Expenditure and Expense Report for the Period February 17-23, 1995 in the amount of \$418,945.34. He clarified that the major expenditure for the Street Department was replacement parts for two existing snowplows and then he responded to questions from the Council. Following discussion, the expenditure report was unanimously approved, as presented, on a motion made by Councilman Fowler and seconded by Councilwoman Wilcox.

#### **FINAL APPROVAL GRANTED FOR CONDOMIN AT 311 AND 315 EAST 500 SOUTH (GMWNER SCHMUTZ AND PAUL ADAMS, OWNERS)**

Mr. Balling reported that a request has been submitted by the owners of the Dental and Vision Plaza at 311 and 315 East 500 South to convert their *existing building* into a condominium. The purpose of this request is to facilitate their estate planning and give each the opportunity to sell their property independently, should the need arise. He stated that there will be no changes to the building and this is just a housekeeping matter. The request was presented to the Planning Commission and received a unanimous recommendation for approval, subject to the following conditions:

1. Payment to Bountiful City of a checking fee of \$60.00.
2. A check made payable to Davis County Recorder of \$34.00 for recording the plat.
3. A current Title Report of the property described in the Boundary Description.
4. Signature of all owners as listed in the Title Report.

Mr. Balling verified that all four conditions have been met and he recommended that final approval be granted. Councilwoman Holt motioned for final approval as recommended. Councilman Moore seconded the motion and voting was unanimous.

#### **PRELIMINARY AND FINAL SITE PLAN APPROVAL GIVEN FOR 4-PLEX, 112-118 EAST WICKER LANE (JASON WALLIN, DEVELOPER)**

Mr. Balling presented the request of Jason Wallin for preliminary and final site plan approval for a 4-plex at 112-118 East Wicker Lane and stated that this comes to the Council with a unanimous recommendation for approval from the Planning Commission. He noted that Mr. Wallin has done a great job in cleaning up the area. The recommendation by the Planning Commission is subject to the following conditions:

1. Completion of the final construction drawings as per requirements of the Uniform Building Code, prepared and stamped by a licensed architect.
2. Posting of a letter of credit with the City to guarantee the construction of the following site improvements:
  - (a) extension of 125 ft. of 8-in. sewer main @\$13.00/ft. = \$1,615.00
  - (b) installation of a 48-inch manhole = \$1,500.00
  - (c) roadway repair for sewer (1,100 sq.ft. @\$1.00/sq.ft.) = \$1,100.00
  - (d) construct 180 ft. of 4-ft. sidewalk @\$9.00/ft. = \$1,620.00
3. Payment of the following utility fees:
  - (a) 1½ inch water meter = \$3,850.00
  - (b) 4 sewer connections @ \$600.00 each = \$2,400.00
  - (c) storm water detention fee (.032 acres x \$2,100/acre) = \$ 675.00
4. Provide the city with public utility easements:
  - (a) 7-ft. wide along Wicker Lane
  - (b) 10-ft. wide along west property line
  - (c) other easements as required by utilities
5. Relocation of the sewer service from the house to the south in the west utility easement.
6. Payment of all required fees for the building permit
7. Obtain release of the public utility easement along the front of the 4-plex.

Mr. Balling stated that the staff also recommends two additional conditions:

8. That the parking for the tri-plex be provided as per City ordinance on the tri-plex lot and that a right-of-way be recorded across the four-plex property. He said that there is presently some parking on the property which is going to be used by the four-plex and that both buildings need to stand alone to meet parking requirements
9. That a record of survey of properties be made, certified and recorded with the County Surveyors office as required by State law.

Mayor Cushing expressed appreciation to Mr. Wallin for the improvements he has made to this property, following which Councilwoman Holt motioned that preliminary and final approval be granted to the four-plex subject to the conditions stipulated by the Planning Commission and staff. Councilman Shafter seconded the motion and voting was unanimous.

**SET PUBLIC HEARING TO CONSIDER A REZONE AT  
2280 SO ORCHARD DR FROM R-1-6.5 TO C-G: KENT WINEGAR, APPLICANT**

Mr. Hardy reported that because there were a number of concerns raised by the citizens at the Planning Commission hearing on the subject rezone request, Mr. Winegar is desirous of consulting with the engineers, architects, and residents to see if there are ways of resolving to the

extent possible the citizen concerns. At his request, it is recommended that action on this item (to consider setting a public hearing) be tabled until March 22, 1995. The hearing would not be held until April. Councilwoman Holt made a motion to this effect, Councilman Moore seconded the motion and voting was unanimous.

**REQUEST TO CHANGE STREET NAME DENIED:  
STONERIDGE SRDVN --- KENT DERRICOTT**

Mr. Hardy reviewed that he had met with Mr. Kent Derricott, developer of Stoneridge Subdivision, regarding Mr. Derricott's request to change the name of a cul-de-sac in their subdivision. He referenced correspondence between Mr. Derricott and the City Attorney regarding this request and summarized the city's previous position of not approving street name changes. Mr. Balling enlarged on the reasons for not recommending changes of street names, the predominant of which are the problems which arise in properly and effectively notifying all affected entities (utility companies, emergency service personnel, the U.S. Post Office, and financial and business institutions).

At the request of Councilwoman Wilcox, Mr. Derricott explained that he had planned from the outset the name of the street where his property would be located. However, not being in touch with the schedule of the development and the legal recording, and not knowing until late in development where his lot would be located, his timing was off and the subdivision was recorded before the name was placed on the plat. He is now requesting that Mapleview Drive be changed to Rivendell, a place where "only good happens". Councilman Shafter expressed empathy with Mr. Derricott's wishes, but noted that the Council has had many similar requests which have all been denied in an effort to not create confusion with services which are triggered via addresses. Councilman Shafter motioned to *respectfully* deny the request. Councilman Fowler seconded the motion and voting was unanimous.

**COUNCIL COMMITTEE REPORTS**

Mayor Cushing recognized the visiting Boy Scouts and offered information which would help them in earning their citizenship merit badge.

The Mayor expressed appreciation to Mr. Mahan and the staff members who worked with him for the preparation, work, and expertise which went into the eminent domain question recently presented in the court. He thanked Mr. Mahan for the fine manner in which he represented the city and presented the case.

**EXECUTIVE SESSION SCHEDULED**

At the request of the Mayor, Councilman Moore motioned for an executive session to be held immediately after this meeting for the purpose of discussing personnel. Councilwoman Wilcox seconded the motion and the council adjourned to executive session at 7:32 p.m.