

1 Minutes of the regular meeting of the City Council held January 15, 1997 at 7:00 p.m. in
2 the Council Chambers of the City Hall, Bountiful, Utah.

3
4 Present: Mayor John R. Cushing
5 Council Members Samuel R. Fowler, Barbara Holt, Alan A.
6 Johnson, C. Harold Shafter, and Ann Wilcox
7 City Manager Tom Hardy
8 City Attorney Russell Mahan
9 City Engineer Jack P. Balling
10 City Recorder Arden F. Jenson
11 Deputy City Recorder Kim Coleman
12 Planning/RDA Director Blaine Gehring
13 Department Heads Richard Duncan, Streets Superintendent
14 Paul Rapp, Police Chief
15 Recording Secretary Ellen H. Call
16

17 Official Notice of this meeting had been given by posting a written notice of same and an
18 Agenda at the City Hall and providing copies to the following newspapers of general circulation:
19 Davis County Clipper, Deseret News, and Salt Lake Tribune.
20

21 Mayor Cushing called the meeting to order and welcomed the Boy Scouts who were in
22 attendance. Councilman Shafter led the pledge of allegiance to the flag, and the invocation was
23 offered by Councilwoman Wilcox.
24

25 Minutes of the regular meeting of the City Council held January 8, 1997 were presented,
26 and Councilwoman Wilcox made a motion to accept them as corrected, seconded by Councilman
27 Fowler. Approval was given by majority vote, with Councilwoman Holt abstaining because she
28 had not been in attendance at the meeting.
29

30 **EXPENDITURES AND EXPENSES APPROVED FOR**
31 **PERIOD DECEMBER 29-31, 1996 AND DECEMBER SUMMARY**

32 Mr. Jenson presented the Expenditure Report for December 29-31, 1996 in the amount of
33 \$106,030.37 and the Summary of Expenditures for December of \$3,027,797.71. There were no
34 corrections or additions, and they were approved by unanimous vote on a motion made by
35 Councilman Fowler, seconded by Councilman Shafter.
36

37 **ORDER TO SHOW CAUSE ON BEER LICENSE**
38 **OF BONUS STAR MART, 390 NORTH 500 WEST**

39 This item was tabled until February 5, 1997.
40

41 **RELEASE OF EASEMENT GRANTED --**
42 **2454 SOUTH ORCHARD PLACE**

43 Jack Balling explained that when Mr. Karl Krivanec received approval to construct his
44 house on this lot (it is not in a subdivision), one of the conditions was that he was to provide a
45 seven-foot utility easement around the property. In error, he provided an easement for the entire
46 property and had it recorded. After realizing the error, Mr. Krivanec requested that we give him

1 a partial release of this easement, releasing all of the land except the seven-foot perimeter.
2 Councilman Fowler made a motion to approve the release of the recorded right-of-way
3 agreement over the entire lot except for a seven-foot-wide strip of land around the perimeter.
4 Councilman Johnson seconded the motion and voting was unanimous in favor.

5
6 **PRELIMINARY AND FINAL APPROVAL GIVEN**
7 **FOR LOT SPLIT AT 1100 EAST AND 300 SOUTH**

8 Mr. Balling referred to the report from the Planning Commission which reviewed that
9 Mr. Brent Lechtenberg is desirous of splitting the lot he owns at 1100 East and 300 South to
10 create two building lots. The split would create some unique problems, but both lots have
11 sufficient area to meet the zoning requirements and homes could be placed on them. After
12 Planning Commission review, they recommend approval subject to the following conditions:

- 13
14 1. A variance be granted allowing double frontage lots on the condition that the lot frontage
15 and main access for each lot be on 1100 East Street with only minor limited access on
16 Davis Boulevard (accessory access).
17
- 18 2. A variance be granted for Lot 2 eliminating the 90-foot lot width at the building setback
19 line on 300 South.
20
- 21 3. The main sewer be extended by the owner from 300 South Street across Lot 2 to serve
22 Lot 1. This would require an 8-inch main from the main sewer line on 300 South into
23 Lot 2, and then a 4-inch lateral to Lot 1 from Lot 2. Sewer must be installed when the
24 first building permit is issued.
25
- 26 4. Construct the sidewalk to City standards across the frontage of Lots 1 and 2 and post a
27 cash deposit as required by ordinance to guarantee completion.
28
- 29 5. Pay storm detention fee of \$2,100 per acre for 0.4783 acres = \$1,004.35.
30
- 31 6. Provide the following easements to the City:
32 (a) 7-foot utility easement on 1100 East and 300 South;
33 (b) 15-foot utility easement on Davis Boulevard for sanitary sewer;
34 (c) other easements as required by the Power Department.
35
- 36 7. Pay water and sewer connection fees at the time building permits are issued.
37
- 38 8. Set survey nails in walk to mark property lines.
39
- 40 9. Lots may be sold by metes and bounds descriptions.
41
- 42 10. Pay the appropriate power fees and all other City fees at the time the building permit is
43 issued.
44

45 In answer to a question by Councilman Shafter regarding Item 2, Mr. Balling explained

1 that there is a provision in the subdivision ordinance that when a subdivision is approved,
2 variances such as setbacks and lot widths are automatically granted. Councilman Fowler
3 expressed his satisfaction with the thorough attention given to this matter by the Planning
4 Commission, and moved that preliminary and final approval be given to this request as
5 presented. Councilwoman Holt seconded the motion, and voting was unanimous.

6
7 **PRELIMINARY AND FINAL SITE PLAN APPROVAL**
8 **GIVEN FOR CARRIAGE COURT OFFICE COMPLEX**
9 **AT 598-608 SOUTH MAIN**

10 Mr. Gehring called attention to the absence of the two homes and office supply building
11 which were removed from the west side of Main Street south of 5th South. He reported that the
12 owners of this property (TDA Properties) are desirous of building three more office buildings at
13 this site like the one that presently sits in front of Carriage Crossing. The Planning Commission
14 and staff have reviewed this request and recommend preliminary and final site plan approval be
15 given, with the following conditions:

- 16
17 1. Provide a flood control easement to Bountiful City as required by County Flood Control
18 along Mill Creek.
- 19
20 2. No basements, except mechanical rooms, are allowed in the buildings, and the buildings
21 are to be built to the finished floor elevations as shown on the site plan.
- 22
23 3. Provide the City a 5-foot utility easement along the north property line and a 7-foot
24 utility easement along the west property line.
- 25
26 4. Pay the storm detention fee of \$2,423.82.
- 27
28 5. Comply with all the building codes and city ordinances
- 29
30 6. Pay all required fees and post required bonds.

31
32 Councilman Shafter questioned the placement of electrical circuits in the basements,
33 inasmuch as this is a flood plain area. Mr. Balling stated that only furnaces would be located
34 there and the main disconnect will be above ground.

35
36 Councilman Fowler made a motion to grant preliminary and final site plan approval for
37 the Carriage Court Office Complex as described above, Councilman Shafter seconded the
38 motion, and voting was unanimous.

39
40 **APPROVAL GIVEN TO PURCHASE TWO**
41 **NEW AUTOMATED GARBAGE TRUCKS**

42 Dick Duncan explained that the city's garbage truck fleet has experienced a large amount
43 of maintenance during the past year. It was hoped that they could make it through the year
44 without having to purchase new equipment, but maintenance expenses are excessively high and
45 the two oldest trucks (1989 and 1987) need to be replaced rather than continue to deplete the

1 equipment maintenance fund. The deteriorated condition of the fleet also puts a high demand on
2 the mechanics, as well as the operators. These trucks have not been budgeted, and would have to
3 be taken from the "Reserve for Replacement" funds. Dick obtained bids from three suppliers,
4 and asked that approval be given to purchase two new trucks from the low bidder. The two old
5 trucks would be kept and used for parts by the Street Department. Councilwoman Holt made a
6 motion to purchase the trucks and accept the bid of McNeilus AutoReach for approximately
7 \$131,538 each, to be taken from the "Reserve for Replacement" funds. Councilwoman Wilcox
8 seconded the motion and the voting was unanimous.

9
10 **EMERGENCY OPERATIONS CONSOLE**
11 **PURCHASE APPROVED**

12 Mr. Hardy reviewed the purpose of the Emergency Operations Center. At the present
13 time, all general emergency calls are received by our Police Department through the 911 system.
14 Each of the other departments in the city dispatch on different frequencies for their normal daily
15 business operations. In the event of a large-scale emergency, the city has an Emergency
16 Operations Center set up in the Engineering Department at City Hall, which coordinates
17 responses from all departments. The equipment in the Center at this time is not capable of
18 monitoring and dispatching all of the different city frequencies, making it difficult to effectively
19 run an emergency operation.

20
21 It is recommended that a new console be purchased to replace the two radios that are
22 currently in use in the operations center. The purchase is being recommended now in order to
23 have the console installed while the Motorola technicians are here to set up the communications
24 equipment in the Police/Courts building.

25
26 Chief Rapp informed the Council that the police dispatch equipment being installed in
27 the new building would be identical to the console proposed for the Emergency Operations
28 Center, so it would be possible for an off-duty dispatcher to help man the console in the event of
29 a large-scale emergency. The Center could also be used as a back-up for police dispatching
30 should anything happen to cause our main dispatch unit in the Police building to malfunction.

31
32 Mayor Cushing asked Chief Rapp to evaluate the possibility and cost of linking
33 Bountiful's system to the ham operators of Davis County, and to report his findings.

34
35 Councilman Shafter made a motion to approve the purchase and installation of the
36 emergency operations console in the amount of approximately \$13,000, which was seconded by
37 Councilman Johnson, and voting was unanimous.

38
39 Inasmuch as this expenditure will come from the Contingency Fund, Councilwoman Holt
40 asked for a current accounting of that fund. Mr. Hardy stated that the fund started at \$100,000, is
41 now at about \$45,000, and this expenditure will reduce it to approximately \$32,000.

1 **SINGLE-EVENT PERMIT GRANTED**
2 **TO ST. OLAF'S CATHOLIC CHURCH**

3 Mr. Mahan reviewed that St. Olaf's has requested a single-event permit for a home-
4 school activity they are planning for Saturday, April 19, 1997 from 5 p.m. to 1 a.m. The city has
5 had no problems with St. Olaf's in the past, and he recommended approving the permit.
6 Councilman Fowler made a motion to grant the permit as requested. The motion was seconded
7 by Councilman Shafter and the voting was unanimous.

8
9 **ORD. NO. 97-3 ADOPTED RE: IMPOSING A 30-DAY**
10 **MORATORIUM INVOLVING THE COMBINING OF**
11 **MULTI-FAMILY USES WITH SINGLE-FAMILY OR**
12 **DUPLEX UNITS ON THE SAME LOT IN R-3 ZONES**

13 Mr. Gehring reported that since this subject was discussed in a Public Hearing at last
14 week's meeting, several citizens have complained that the ordinance originally proposed would
15 not allow them to do what they had purchased their property for. Councilwoman Holt had
16 suggested that an alternative or "half-way" solution be offered. Mr. Gehring reiterated his
17 concerns: (1) As these lots were developing, units were being crammed into spaces where they
18 did not fit, not allowing for adequate open space and separation between buildings; and (2) Lack
19 of adequate fire protection access.

20
21 After a brief discussion regarding the proposed ordinance to disallow the combining of
22 multi-family uses with single-family units on the same lot, it was proposed that the city adopt
23 Ordinance 97-3, *An Ordinance imposing a 30-day moratorium prohibiting the erection,*
24 *construction, reconstruction or alteration of any building or structure, involving the combining*
25 *of multi-family uses with single-family or duplex units on the same lot in R-3 multiple family*
26 *residential zones, or the acceptance of applications for the same.* This moratorium would give
27 the Council adequate time to review the proposed ordinance, and at the same time prevent
28 anyone from getting an undesirable plan approved in the interim.

29
30 In answer to a question by Councilwoman Holt, Mr. Gehring said that any building
31 permit that has been applied for or approved prior to the passing of the ordinance would not be
32 affected by the ordinance. Councilman Fowler moved to adopt Ordinance 97-3, as stated in the
33 preceding paragraph; Councilman Johnson seconded the motion and voting was unanimous in
34 favor.

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36 **MISCELLANEOUS**

37 Mayor Cushing commended Dick Duncan and his Street Department employees who
38 have helped this past week with the removal of several large trees which were toppled by the
39 wind storm. Even though it is the residents' responsibility to remove the trees from their own
40 property, the city crews have helped out as a public service. Dick reported that 10-12 trees were
41 hauled away by the Street Department.

(C. C. minutes January 15, 1997)

1 At 7:50 p.m., Councilwoman Holt made a motion to adjourn the meeting, seconded by
2 Councilman Johnson.

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JOHN R. CUSHING, Mayor

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ARDEN F. JENSON, City Recorder

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