

Minutes of the Bountiful City Council Meeting

City Council Chambers
April 24, 2001 - 7:00 p.m.

Present:	Mayor	John R. Cushing
	Council Members	Samuel R. Fowler, Barbara Holt, Stewart Knowlton, John Pitt, J. Gordon Thomas,
	City Manager	Tom Hardy
	City Attorney	Russell Mahan
	Assist. City Engineer	Mark Franc
	City Recorder	Kim Coleman
	Planning/RDA Director	Blaine Gehring
	Dept. Heads	David Wilding, Water/Sewer
	Recording Secretary	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 at 7:00 p.m. and invited Councilman Thomas to lead the pledge of allegiance to the flag. Councilman Knowlton then offered the invocation.

MINUTES APPROVED FOR APRIL 10, 2001

Minutes of the regular City Council meeting held April 10, 2001 were presented and unanimously approved on a motion made by Councilman Fowler and seconded by Councilman Knowlton. Councilpersons Fowler, Holt, Knowlton, Pitt and Thomas voted "aye".

EXPENDITURES, EXPENSES, AND TOTAL DISBURSEMENTS APPROVED FOR TWO APRIL PERIODS

Reports of expenditures and expenses greater than \$1,000 were presented for the period April 5-11, 2001 (\$328,250.39) and April 12-18, 2001 (\$604,178.19). The staff responded to questions from the Council, following which Councilman Thomas made a motion to approve the reports as presented. Councilwoman Holt seconded the motion. Voting was unanimous with Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voting "aye".

PRELIMINARY AND FINAL SITE PLAN APPROVED FOR PROPOSED COMMERCIAL OFFICE BUILDING - 1500 SOUTH 500 WEST - SMOOT COMMERCIAL, DEVELOPER

Mr. Gehring presented the request of Smoot Commercial for preliminary and final site plan approval for a new commercial office building at 1500 South 500 West. He said that this request has been reviewed by the Planning Commission and it comes with a favorable recommendation from the Planning Commission and staff, subject to the following conditions:

1. Eliminate the street tree closest to 500 West along 1500 South and move the other two street trees inside of the sidewalk to replace the two Austrian pines.

2. Correct site plan grading problems as per the City Engineer's review.
3. Label all site improvements including curbing, gutters, walks, etc.
4. New building must use sewer lateral for the existing building. If the existing building is on a septic system, make all arrangements with the UDOT to bore under highway 89 to tie into the sewer main line.
5. 8" minimum site drain pipe. Storm drain must have clean-out boxes at all bends and grade breaks.
6. All improvements on the adjacent property east must be protected during construction.
7. Provide 7' wide utility easement along west, south and north property lines.
8. Payment of all building permit fees, sewer impact fee and water impact fee. Storm drain impact fee is waived if proof of proper onsite storm water detention is designed and constructed.
9. Release of overhead power easement required.
10. All existing street improvements to be brought up to City standards.

Councilman Thomas made a motion that preliminary and final site plan approval be granted to the proposed new commercial office building at 1500 South 500 West (Smoot Commercial, developer). Councilman Fowler seconded the motion and voting was unanimous with Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voting "aye".

PRELIMINARY AND FINAL SITE PLAN
APPROVED FOR SINGLE-FAMILY PARCEL - WALT GASSER

Mr. Gehring presented the request of Walt Gasser for a single building lot on a parcel of property located outside of an approved subdivision. He explained that when the surrounding property was developed, some was designated single family subdivision and some was intended for condominium development. Over the years, the market for condominiums has changed and that phase of the project was abandoned and the property has been divided up into individual building parcels. The subject parcel is one of the last to be developed and is before the City Council in compliance with the zoning ordinance.

After a thorough review by the Staff, it was determined that Mr. Gasser is proposing three separate exceptions to the ordinance— height of cut, depth of fill, and building on undevelopable ground in order to accommodate the house which he has planned for the lots. If considered by the Board of Adjustment, the request of Mr. Gasser would be denied because there is no unique hardship or difficulty associated with the property not generally found on other similarly located properties. Inasmuch as the parcel is vacant and meets all of the zoning requirements for a building, the owner is creating any problems with the lot and the need for exceptions (by choosing a home too large for the existing lot). By State law, the Board of Adjustment would have to reject this request and it is therefore the recommendation of the Staff that the Planning Commission send a recommendation to the City Council for preliminary and final building lot approval with the following conditions:

1. All regulations of the Foothill Ordinance be followed including the limitations for cuts, fills and non-use of ground with over 30% slope.
2. Provide a corrected boundary survey that can be recorded at the Recorder's Office

and County Surveyor's office.

3. Payment of the following fees:

Storm Water Impact Fee (based on \$2,100.00 per acre - when deed is corrected)

Water Connection 1 - 1" meter @ \$4,451.00

Sewer Impact Fees 1 @ \$1,556.00

Power Fees as determined by the Power Department

Building Fees per the Uniform Building Code

The Planning Commission has sent a recommendation which includes Items No. 2 and 3, but Item No. 1 has been changed as follows:

1. The exceptions be granted but the cuts and fill and use of ground over 30% be limited to the site plan and accompanying information as presented by Staff and Mr. Gasser.

Councilman Thomas stated that he felt the Planning Commission reached this recommendation after considering that there were other areas that possibly have some of the same problems and have been approved.

Mr. Gasser reviewed the soils study which has been done on the property and explained the processes which will be used to ensure slope stability. He said they are trying to nestle the home halfway between two existing homes. Layne Forbes, counsel for Mr. Gasser, pointed out that the proposed building pad is not on the edge of the lot and will not have an adverse impact on the neighbors. Following a lengthy discussion, Councilman Thomas made a motion that preliminary and final site plan approval be granted to the single family building parcel of Mr. Gasser, as recommended by the Planning Commission (which included granting of exceptions as requested). Councilwoman Holt seconded the motion which carried by a majority. Councilman Pitt voted "Nay". Both the staff and Planning Commission were commended for their professionalism and efforts in assuming their responsibilities.

APPROVAL GIVEN TO REPAIR VIEWMONT AND FIRST EAST WELLS

Viewmont Well. Mr. Franc reviewed that the Council has recently discussed the problems with the Viewmont Well and that a recommendation had been made to put this well back in service. Based on research which has recently been done, it appears that the well failure was caused by settlement of the gravel pack between the outer and inner casings of the well. As a result the well screen has been damaged and the repair will be substantially more expensive than originally expected. Based on this information, it is the recommendation of staff that the inner casing be removed, which will make it possible to visually inspect the entire well screen and determine the areas that need to be replaced. New screen will be installed in the areas that are damaged and thus, when the project is complete we can be assured that all necessary repairs have been made. Mr. Franc recommended that the Council extend the contract with Peterson Brothers Drilling to include all necessary repairs to the Viewmont well, including removing the inner casing. It is also recommended that the Council approve expenditures on a unit price basis

according to the Peterson Brothers Drilling proposal in an amount not to exceed \$75,000.00. Councilman Pitt made a motion to this effect, Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

First East Well. Mr. Franc reviewed that the First East well has also developed problems and inasmuch as it has reached its economic life (50 years), it was initially concluded that it would be best to abandon the well and drill a new one on the same site. This work, if done, could not be completed until fall. With the current problems with the Viewmont well, it may be worth a gamble to try to repair the First East well to buy some time and provide a little water supply cushion for the summer of 2001. It is estimated that there is a 50/50 chance of success that certain repairs could be made to the well which would allow operation of the well at a reduced flow without sand. These repairs are estimated to cost between \$10,000 and \$15,000 and take two to three weeks to accomplish. It is the recommendation of staff to proceed with repair of this well at a cost not to exceed \$15,000.00. Councilman Pitt made a motion to this effect, Councilman Fowler seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

TOM LUND CONSTRUCTION AWARDED BID FOR NEW RESTROOM AT GOLF COURSE

Mr. Franc reported that the golf course budgeted to replace the old restroom near the fifteenth tee at the golf course. Bids were opened on April 17 with six contractors responding. It is the recommendation of staff that the low bid from Thomas Lund Construction in the amount of \$39,910.00 be accepted. The amount budgeted was \$55,000.00. Councilwoman Holt made a motion to accept this bid as presented and recommended. Councilman Knowlton seconded the motion. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

STAKER PAVING AWARDED BID TO PROVIDE ASPHALT FOR 2001 SEASON

Mr. Franc reported that the City annually contracts with a company to supply asphalt for the Street Department to use in various City projects. Bids were requested for the Asphalt Contract for the 2001 season and only one company responded (Staker Paving). Staker's bid, in the amount of \$534,750.00 was based on estimated quantities of various asphalt product. Because of the indeterminate nature of this contract, the final dollar amount is also not known. Therefore, it is recommended that the contract be awarded to Staker Paving to provide the asphalt at the following unit prices:

Bituminous surface mix with 1-inch gradation	\$20.95/ton
Bituminous surface mix with 3/4-inch gradation	20.95/ton
Bituminous surface mix with 1/2-inch gradation	21.40/ton
Special 1/2-inch gradation bituminous surface mix	21.60/ton

Councilman Knowlton made a motion to approve the contract with Staker Paving, with the above unit prices. Councilman Thomas seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

COUNCIL AUTHORIZES ISSUANCE OF ORDER TO

SHOW CAUSE - RICHARDSON HOUSE, 1357 E GRANADA DR

Mr. Mahan reviewed that some time ago the City Council considered the possibility of bringing the Richardson house at 1357 East Granada Drive before the Council on an Order to Show Cause why the house should not be declared a nuisance. Following research and interviews with City and County officials and with neighbors, the City Attorney's office has requested that the Council, if it deems it advisable, issue an order to show cause. Said Order will require the owner of that house and lot to appear before City Council at 7:30 p.m. on Tuesday, June 26, 2001, to show cause why the place should not be declared a nuisance. Following discussion, Councilman Pitt made a motion that an Order to Show Cause be issued, as explained and presented. Councilman Knowlton seconded the motion and voting was unanimous. Councilpersons Fowler, Holt, Knowlton, Pitt, and Thomas voted "aye".

COUNCIL COMMITTEE REPORTS

Councilman Thomas reported that the Bountiful Community Service Council was recently recognized by United Way for the service which has been given and Shirley Fillmore from Washington Elementary School was in attendance at the last meeting to thank the 82 individuals who are mentoring at that school.

The meeting adjourned at 8:30 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Knowlton.

JOHN R. CUSHING, MAYOR

KIM J. COLEMAN, City Recorder

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