

1 Minutes of the regular meeting of the City Council held
2 December 7, 1988 at 7:00 p.m. in the Council Chambers of the City
3 Hall, Bountiful, Utah.
4

5 Present: Mayor: Dean S. Stahle
6 Council Members: C. Harold Shafter, Phyllis C.
7 Southwick, Bob Gramoll, and H.
8 Keith Barton
9 City Manager: Tom Hardy
10 City Attorney: Layne B. Forbes
11 City Engineer: Jack P. Balling
12 City Recorder: Arden F. Jenson
13 City Treasurer: Ira H. Todd
14 Rec. Secretary: Nancy T. Lawrence
15 Dept. Heads: Cliff Michaelis, Power
16 Neal Jenkins, Parks and Rec.
17 Dick Duncan, Streets & Sani.
18

19 Absent: Councilwoman: Barbara Holt
20

21 Mayor Stahle called the meeting to order and then led the
22 pledge of allegiance to the flag and offered the invocation.
23

24 Official Notice of this meeting had been given by posting a
25 written notice of same and an Agenda at the City Hall and providing
26 copies to the following newspapers of general circulation: Deseret
27 News, Davis County Clipper, and Salt Lake Tribune.
28

29 Minutes of the regular meeting of the City Council held
30 November 16, 1988 were presented and unanimously approved on a
31 motion made by Councilman Shafter and seconded by Councilman Barton.
32

33 **EXPENDITURES APPROVED FOR 4 ACCOUNTING**
34 **PERIODS IN NOVEMBER**

35 Mr. Jenson presented the Expenditure and Expense Reports for
36 the following November accounting periods, with respective totals:
37 November 10-17, 1988 - \$598,813.21; November 17-23, 1988--
38 \$108,434.89; November 23-30, 1988--\$367,209.07; and Summary for
39 November -- \$1,173,715.07. Councilman Shafter questioned the
40 payment in the November 10-17 report regarding power facility costs
41 incurred in annexation and Mr. Todd explained that a previously
42 approved expenditure had been voided and this payment represents the
43 final corrected payment. Mr. Jenson noted two corrections which
44 were made on the November 17-23 report and following further
45 discussion, these expenditures were all approved on a motion made
46 by Councilman Gramoll and seconded by Councilwoman Southwick.
47 Voting was unanimous.
48

49 **MECHANICAL SERVICE & SUPPLY (MSS) AWARDED**
50 **BID TO COMPLETE AIR CONDITIONING SYSTEM FOR**
51 **PUBLIC SAFETY BUILDING**

52 Mr. Jenkins reported that two bids were received for the
53 completion of the heating and air conditioning system of the
54 upstairs of the Public Safety Building. He said that the low bid
55 was from Mechanical Service and Supply (MSS) in the amount of
56 \$37,399.00 and that MSS offered a lower bid (\$35,059.00) if the
57 completion date for the project was changed from December 31, 1988
58 to a 45-day completion period. The budgeted amount for this project

1 was \$40,000.00. The Council asked why only two companies had bid on
2 the project, even though many contractors seem to be looking for
3 work. Mr. Jenkins said that the specifications had been put
4 together by Heath Engineering and that 14 sets of plans had been
5 taken out. However, he did not know why more contractors had not
6 bid. Councilman Shafter requested that the unresponsive bidders be
7 contacted and a written response be obtained from them stating why
8 they had chosen not to bid. Following discussion of this item,
9 Councilman Gramoll made the motion that the recommendation of Mr.
10 Jenkins be approved and that MSS be awarded the bid, with the
11 extended time option. Councilwoman Southwick seconded the motion.
12 Councilman Barton made a substitute motion which included the
13 provision that the amount saved on this project (\$40,000 budgeted
14 less \$35,059.00) be put toward the overage which has occurred in the
15 Parks and Recreation budget so that there will be less taken out of
16 the Council Contingency Fund. However, Mr. Hardy pointed out that
17 the air conditioning system is included in the Capital Improvements
18 budget of the General Fund--not the Parks and Recreation budget.
19 Councilman Barton then withdrew his motion. Voting on the original
20 motion was unanimous.

21
22 **AUDIT AND MANAGEMENT LETTER--GRANT THORNTON &**
23 **COMPANY--APPROVED BY COUNCIL**

24 Dennis Robbins, representing Grant Thornton and Company,
25 reviewed the management letter which accompanied the audit for 1987-
26 88 and he commended the City on the manner in which they had
27 addressed last year's recommendations. He pointed out new funds
28 which had been put into effect the past year (governmental annuity
29 fund and self-insurance) and recommended that the cost for private
30 carrier insurance should be reviewed from time to time. He pointed
31 out that the unreserved fund balance in the General Fund cannot
32 exceed 18 percent of the expected revenues and noted that sales tax
33 could be budgeted into the general fund initially and then trans-
34 ferred to the capital improvements fund to increase the budget
35 revenue picture. It was also noted that the Bountiful Area
36 Restoration Fund and Special Improvement Guarantee Funds should have
37 budgets prepared for them. (Mr. Jenson noted that these funds have
38 no expenditures and that was the reason a budget was not prepared.)
39 Following discussion of the audit report and management letter
40 Councilman Barton made the motion that the audit and letter be
41 accepted and he expressed appreciation to Grant Thornton & Co. for
42 the fine job they did with the audit. Councilman Shafter seconded
43 the motion which carried unanimously. The Mayor then thanked the
44 City staff and the auditors for their fine job on the audit.

45
46 **PUBLIC HEARING TO CONSIDER VACATING PUBLIC STREET--**
47 **BRIDLEWOOD DRIVE AND MONARCH DRIVE**

48 At 7:40 p.m. Mayor Stahle opened the public hearing to consider
49 vacating a portion of the street at approximately Bridlewood Drive
50 and Monarch Drive. Mr. Forbes explained that due to a change in the
51 street design in Bridlewood Subdivision, it is the staff recommenda-
52 tion that a portion of the street be vacated as shown on a plat map.
53 There were no residents in attendance to comment on the proposed
54 change and, with no comments, the hearing was closed at 7:42 p.m.
55 Councilman Gramoll made the motion that the street be vacated as
56 outlined, Councilman Shafter seconded the motion and voting was

1 unanimous. It was suggested that a letter be sent to the City of
2 North Salt Lake notifying them of this action.

3
4 **RESTRICTIVE COVENANTS APPROVED FOR**
5 **GRANADA HILLS SBDVN NO 9**

6 Mr. Forbes reviewed that the City had purchased a piece of
7 property in connection with the construction of the 46 KV trans-
8 mission line and this property is being developed as a subdivision-
9 -Granada Hills No. 9. Four lots were recently purchased through
10 public bidding and prior to the acceptance of those bids, it is
11 necessary for the City to adopt the restrictive covenants for the
12 subdivision. Mr. Forbes referred to the copy of the restrictive
13 covenants in the Council packet and then reviewed the material. He
14 noted one amendment to the covenants (re: Neighborhood 3:1) as they
15 were originally prepared and recommended that they be adopted.
16 Councilman Shafter made a motion to this effect, Councilman Barton
17 seconded the motion and voting was unanimous.

18
19 **PUBLIC HEARING SCHEDULED FOR JAN. 11, 1989**
20 **7:30 P.M. TO CONSIDER VACATING STREET - MAPLE COVE SBDVN**

21 Mr. Forbes referred to the packet materials and noted that a
22 request has been received by the City to vacate a 25-ft. right-of-
23 way in Maple Cove Subdivision No. 1 between Lots 4 and 5. He
24 recommended that a public hearing be set to consider this request
25 on January 11, 1989 at 7:30 p.m. Councilman Shafter made a motion
26 to this effect, Councilman Gramoll seconded the motion and voting
27 was unanimous.

28
29 **ORD. NO. 88-9 RE: BEER LICENSING**
30 **REGULATIONS**

31 Mr. Forbes explained that one of the present conditions
32 necessary for an individual to get a beer license is that they be
33 a citizen of the United States. A request has been received from
34 the proprietor of the Sagano Restaurant for a Class "B" beer
35 license; however, the proprietor is not a citizen, but a resident
36 alien. The ordinances of other cities have been researched and the
37 Immigration and Naturalization Service has been contacted, and it
38 is the staff recommendation that the ordinance be amended to provide
39 for natural aliens (resident aliens) to be permitted to obtain the
40 subject license. He then reviewed Ord. No. 88-9 entitled, "AN
41 ORDINANCE AMENDING TITLE III, CHAPTER 2, SECTION 102 (a) (1) OF THE
42 ORDINANCES OF BOUNTIFUL, UTAH, 1965 AS AMENDED, BY PROVIDING FOR
43 CITIZENSHIP OR RESIDENTIAL QUALIFICATIONS FOR APPLICANTS TO RECEIVE
44 BEER OR LIQUOR CONSUMPTION LICENSES AND REPEALING ALL ORDINANCES OR
45 PARTS OF ORDINANCES IN CONFLICT THEREWITH". Councilman Shafter made
46 the motion that this ordinance be adopted, and Councilwoman
47 Southwick seconded the motion which carried unanimously.

48
49 **CLASS "B" BEER LICENSE APPROVED FOR**
50 **SAGANO RESTAURANT - GATEWAY PARK**

51 Mr. Boothe reported that the Sagano Restaurant has applied for
52 a Class "B" beer license and this request has been reviewed by the
53 Police Department and received a positive recommendation. Council-
54 man Barton made the motion that the request be approved as presented
55 and recommended, Councilwoman Southwick seconded the motion and
56 voting was unanimous. The Mayor reviewed with Yoshiko Tada

1 (representing the Sagano) that the City will require strict
2 compliance with the liquor control ordinance and he responded to
3 questions from Ms. Tada.

4
5 **LIQUOR CONSUMPTION LICENSE APPROVED**
6 **FOR SAGANO RESTAURANT - GATEWAY PARK**

7 Mr. Boothe reported that the Sagano Restaurant has also applied
8 for a Liquor Consumption license and based on the recommendation of
9 the Police Department, he recommended that the license be approved.
10 Councilman Shafter made a motion to this effect, Councilman Gramoll
11 seconded the motion and voting was unanimous.

12
13 **4-PARTY AGREEMENT FOR PINEVIEW HYDROELECTRIC**
14 **FACILITY APPROVED**

15 Mr. Michaelis reviewed the proposed Agreement between Bountiful
16 Light and Power and the Ogden River Water Users, the Bureau of
17 Reclamation, and the Weber-Box Elder Conservancy District regarding
18 the Pineview hydroelectric facility. He noted that because the
19 entire facility is on federal property, the project will be
20 inspected and monitored by the Bureau of Reclamation (BOR) and a
21 \$15,000 deposit is required for this service. The Agreement
22 outlines details regarding construction, operation, and maintenance
23 of the facility. The hydroelectric license is a 50-year license
24 with 45 years remaining. Mr. Michaelis said that the agreement has
25 been reviewed by the City Attorney and the Power Commission and
26 comes with the recommendation of both. Councilman Barton made the
27 motion that the Agreement be approved as recommended and that the
28 Mayor be authorized to sign it. Councilman Gramoll seconded the
29 motion which carried unanimously.

30
31 **COUNCIL APPROVES RESOLUTION OF INTENT TO PARTICIPATE**
32 **WITH UAMPS IN CONSTRUCTION OF TRANSMISSION LINE FROM**
33 **CRAIG, COLORADO TO THE BONANZA PLANT**

34 Mr. Michaelis introduced Carolyn McNeil, Doug Hunter, and Brian
35 Lane (representatives from UAMPS) and indicated that they would
36 review with the Council the opportunity which Bountiful Light and
37 Power has to participate with UAMPS in the construction of the Craig
38 to Bonanza power line. He said that it is the recommendation of the
39 Power Commission that Bountiful take advantage of this opportunity.
40 Ms. McNeil reviewed the proposed project and summarized by stating
41 that it will provide an excellent resource for non-firm power for
42 Bountiful. She pointed out that there are a number of coal-fired
43 resources in the Colorado area which have excess energy and the
44 proposed power line will make it possible for this power to be used
45 around the State. Mr. Lane said that the total cost of the project
46 is anticipated to be \$17 million and if Bountiful is allotted the
47 12 MW as requested, this will result in a cost of approximately
48 \$40,000 per month or an annual cost of one-half million dollars per
49 year for 15 years. The cost of the energy is projected to be 3
50 cents per kwh (or less), delivered. He also reviewed other
51 alternatives which Bountiful has for obtaining additional energy.
52 This opportunity is considered an excellent one for Bountiful
53 because it opens the door to coal-fired energy. Mr. Hunter said
54 that UAMPS is hopeful of financing the project on a cash flow basis
55 and Mr. Michaelis noted that it appears that Bountiful could finance
56 on a cash flow basis with an intergovernmental loan from the general

1 fund to cover one 9-month period. This is assuming that the
2 Pineview project will also be financed on a cash flow basis. Mr.
3 Hardy noted that the City will have approximately \$200,000 per month
4 that otherwise would have been used to pay off the Series 1985 hydro
5 bonds. Following discussion of this proposed resource for
6 Bountiful, Councilman Barton made the motion that the Council
7 approve Resolution No. 88-13 which provides for Bountiful to enter
8 into a Letter of Interest and intent to proceed with negotiations
9 on a contract and that Mr. Michaelis be appointed to serve as the
10 City's representative in this matter. Councilman Shafter seconded
11 the motion and voting was unanimous.

12
13 **EXECUTION OF WARRANTY DEEDS - GRANADA**
14 **HILLS NO. 9 - APPROVED**

15 Mr. Forbes reviewed that in order for the City to consummate
16 the transaction of the sale of 4 lots in the Granada Hills No. 9
17 subdivision, it is necessary to execute the warranty deeds and sign
18 the earnest money agreements. Councilman Barton made the motion
19 that the Mayor and City Recorder be authorized to transact this
20 business as recommended, conditional on the recording of the
21 restrictive covenants. Councilman Shafter seconded the motion and
22 voting was unanimous.

23
24 **PRESENTATION OF GROUNDWATER MONITORING**
25 **STUDY ON BOUNTIFUL SANITARY LANDFILL - MONTGOMERY ENGINEERING**

26 At 8:55 p.m. the meeting adjourned to the Planning Conference
27 Room for a presentation from Montgomery Engineering Company on the
28 groundwater monitoring study which they are in the process of
29 conducting at the Bountiful Sanitary Landfill. Bob Ramsey, Steve
30 Johnson, and Dave Shank were in attendance and Mr. Johnson reviewed
31 in detail the different tests which have been done and the results
32 of those tests. In summary he said that: (1) the only elements
33 found which exceed the drinking water standards are lead, selenium,
34 benzene and vinyl chloride. Tests were conducted for 33 organic
35 compounds and only 8 were found; (2) the ground water flows
36 laterally from the center of the landfill through permeable sand
37 layers; (3) ground water flowing toward the landfill is diverted
38 around the landfill due to the high pressure created by the high
39 water level in the area of the landfill and the artesian affect; and
40 (4) very little ground water enters the lake directly from the
41 landfill area. He said that the estimated volume of discharge into
42 the lake is only 3 gallons per minute. Testing will be done at four
43 different times to reflect possible seasonal changes. This report
44 is based on two quarters, with tests back from the lab for one
45 quarter. He emphasized that the highest of testing standards have
46 been used and both State and County officials have been invited to
47 observe and participate in the work which has been done. Councilman
48 Gramoll requested that a copy of the test results be provided to
49 each Council member.

50
51 The meeting adjourned at 9:44 p.m. on a motion and second by
52 Councilman Barton and Shafter actively.

53
54
55
56
57

CITY RECORDER


MAYOR

* * * * *