

1 Minutes of the regular meeting of the City Council held April
2 13, 1988 at 7:00 p.m. in the City Council Chambers, Bountiful, Utah.

3
4 Present: Mayor: Dean S. Stahle
5 Council Members: C. Harold Shafter, Barbara Holt,
6 Phyllis C. Southwick, Robert
7 Gramoll, and H. Keith Barton
8 City Manager: Tom Hardy
9 Dep. Attorney: Russell Mahan
10 City Engineer: Jack P. Balling
11 City Recorder: Arden F. Jenson
12 Dep. Recorder: Lois Hoskins
13 Planning Director: Jon Reed Boothe
14 Rec. Secretary: Nancy T. Lawrence
15 Dept. Heads: David Wilding, Water & Sewer
16 Dick Duncan, Streets &
17 Sanitation
18 Neal Jenkins, Parks/Rec.
19

20 Mayor Stahle called the meeting to order, welcomed those in
21 attendance, and then led the pledge of allegiance to the flag. The
22 invocation was offered by Mr. Balling.
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.
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29 Minutes of the regular meeting of the City Council held April
30 6, 1988 were presented and unanimously approved as amended on a
31 motion made by Councilman Barton and seconded by Councilman Gramoll.
32

33 **EXPENDITURES AND EXPENSES APPROVED FOR**
34 **PERIODS MARCH 30-31, 1988 AND SUMMARY FOR**
35 **MARCH**

36 Mr. Jenson presented the Expenditure and Expense Report for
37 the Period March 30-31, 1988 in the amount of \$125,550.39 and these
38 expenses were unanimously approved on a motion made by Councilwoman
39 Southwick and seconded by Councilman Barton.
40

41 The summary of expenditures for the Month of March were then
42 presented and briefly discussed. This listing in the amount of
43 \$1,391,174.86 was unanimously approved on a motion made by
44 Councilman Shafter and seconded by Councilwoman Holt.
45

46 Councilman Shafter requested clarification on the activity in
47 the Flood Control account and that the Council be made aware when
48 the County makes payment for the Millcreek project.
49

49 **COUNCIL APPROVES SINGLE EVENT**
50 **LIQUOR LICENSE FOR ST. OLAF'S**

51 Mayor Stahle reported that St. Olaf's church has again
52 requested that a liquor consumption license be granted to them for
53 a one-time use. He said that this 24-hour permit has been granted
54 in the past with no problems and recommended that it again be
55 approved for May 14, 1988. Councilman Shatter made a motion of
56 approval as recommended, Councilwoman Southwick seconded the motion
57 and voting was unanimous.

1 **MODIFICATION OF BOUNTIFUL BENCH SUBDIVISION,**

2 **PHASE I GIVEN APPROVAL**

3 Mr. Balling reviewed that final approval was granted to
4 Bountiful Bench Subdivision about 3 weeks ago. In the meantime,
5 the LDS church has purchased a large parcel of the subdivision and
6 the developer would like to modify the plans. He reviewed the
7 proposed changes which affect the interior lots only and recommended
8 that the modification be approved. Councilman Barton made a motion
9 for approval, Councilman Gramoll seconded the motion and voting was
10 unanimous.
11

12 **RELEASE OF EASEMENT GRANTED FOR DANA B.**

13 **SNOW, ET. AL., -- BIG "0" TIRE**

14 Alan Fames, Bountiful Light and Power, explained that Big "0"
15 Tire has granted the power department a new easement to be used for
16 distribution facilities and a transmission line and the owner has
17 requested that the original easement which is no longer needed be
18 released. Mr. Mahan confirmed that the new easement is adequate for
19 the Power Department needs and he recommended that the request for
20 release of easement be approved. Councilwoman Southwick made a
21 motion to approve the release of easement, subject to one identified
22 easement being held by the City. Councilman Shafter seconded the
23 motion and voting was unanimous.
24

25 **ADOPTION OF ANNEXATION POLICY DECLARATION**

26 **TABLED INDEFINITELY - VAL VERDA AREA**

27 In view of the fact that there were not enough supporters for
28 annexation of a small parcel of property in the Val Verda area into
29 the City, Mayor Stahle recommended that consideration of adoption
30 of annexation Policy Declaration be tabled indefinitely. Councilman
31 Barton made a motion to this effect, Councilman Shafter seconded the
32 motion and voting was unanimous.
33

34 **CLASS C BEER LICENSE AND LIQUOR CONSUMPTION**

35 **LICENSE APPROVED FOR DILLEY'S, 2837 SO MAIN**

36 Mr. Boothe reported that a request has come from Norman Dilley,
37 proprietor of Dilley's, 2837 South Main, for approval of a Class "C"
38 beer license and a liquor consumption license. The Council approved
39 both of these requests upon the recommendation of the Police Chief
40 and Fire Chief as follows:
41

42 Councilman Shafter made a motion for approval of the Class "C"
43 beer license, noting that the City will monitor closely the
44 ordinance relating to the sale of alcoholic beverages to minors.
45 Councilwoman Southwick seconded the motion and voting was unanimous.
46

47 Councilman Barton made a motion for approval of the liquor
48 consumption license. Councilman Gramoll seconded the motion and
49 voting was unanimous.
50

51 **DILLEY'S REQUEST FOR LICENSE FOR AMUSEMENT**

52 **DEVICES TABLED FOR ONE WEEK**

53 Mr. Boothe explained that when Mr. Dilley purchased the
54 business at 2837 South Main (formerly Bugsey's), it was non-

1 conforming as far as the number of amusement devices was concerned.
 2 There were 7 amusement devices and ordinance provides for 4. He
 3 said he was not sure whether a non-conforming situation such as this
 4 should be protected under a grandfather clause and called for an
 5 opinion from Mr. Mahan.

6 Mr. Mahan indicated that he did not feel it would be right to
 7 grandfather this use, inasmuch as the intent of the ordinance is to
 8 gain uniformity over a period of time in the number of amusement
 9 devices approved for a business. However, he said that the Council
 10 could grant an exception if they felt so inclined.

11
 12 Discussion followed regarding the intent of the ordinance which
 13 limits the number of amusement devices and the definition of what
 14 an amusement device is. Councilman Gramoll made the motion that the
 15 request for approval of seven amusement devices be approved,
 16 inasmuch as Mr. Dilley purchased the business with the assumption
 17 that they would be a part of his business. Councilman Gramoll
 18 clarified that this does not constitute grandfathering of the
 19 amusement devices for this establishment in the future.
 20 Councilwoman Southwick seconded the motion.

21 After further discussion, the motion was amended to approve four
 22 with an option to approve the other three following further study
 23 by legal counsel. It was clarified that Mr. Dilley has 4 pool
 24 tables, 2 dart boards, and one snooker table. Councilman Gramoll
 25 then withdrew his motion to permit clarification of the definition
 26 of amusement devices. Councilman Shafter made the motion that
 27 action on this request be tabled for one week and that Mr. Dilley
 28 be permitted to operate his business with the seven amusement
 29 devices until further action is taken by the Council. Councilman
 30 Gramoll seconded this motion which carried unanimously.

31
 32 **APPROVAL GRANTED TO REQUEST OF HARDY ENTERPRISES**
 33 **INC. FOR CLASS A BEER LICENSES AT 280 WEST 500 SO,**
 34 **390 NO 500 WEST, AND 2563 SO MAIN (FORMERLY TRIANGLE**
 35 **OIL)**

36 Mr. Boothe presented the request of Hardy Enterprises for a
 37 Class A beer license for the locations listed above (formerly
 38 Triangle Oil). Councilman Shafter made the motion that approval be
 39 granted to the request and he emphasized the policy of the City to
 40 be strict in their enforcement of the ordinance relating to the use
 41 of alcohol by minors. Councilwoman Southwick seconded the motion
 42 and voting was unanimous.

43
 44 **CONSIDER PRELIMINARY & FINAL SITE PLAN**
 45 **APPROVAL FOR OFFICE BUILDING AT 370 W 500 SO**

46 This agenda item was cancelled.
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48 **CONTRACT AWARDED TO WORKMAN CONSTRUCTION**
 49 **FOR 1988 CALENDAR YEAR CONCRETE PROJECTS**

50 Mr. Balling reported that bids were opened for the 1988
 51 concrete projects. Five bidders responded and he recommended that
 52 the low bid from Workman Construction in the amount of \$202,501.00
 53 be approved. He reviewed a tabulation of the bids with the Council
 54 and the major projects which will be included in the project.

1 Councilman Shafter made the motion that the bid be awarded as
2 recommended, Councilman Barton seconded the motion and voting was
3 unanimous.

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5 **MISCELLANEOUS ENGINEERING ITEMS**

6 Mr. Balling then referred to the tentative road paving schedule
7 for the 1988 season and noted that a meeting has been set for April
8 26th at 7:00 p.m. with property owners on Indian Springs Road to
9 discuss the proposed improvements for that road.

10
11 Councilwoman Holt reported that the Historical Committee met
12 last night and a concern was expressed about the damage to the old
13 mill site on Millcreek. She said that debris from the area has been
14 collected and the Committee asked if this could be removed by the
15 City before this Friday when a proposed dig is to take place. Mr.
16 Balling expressed concern about the dig taking place before
17 construction of the fence to protect the drainage area and prior to
18 paving of the parking area.

19
20 **REPORT FROM MAYOR**

21 Mayor Stahle reported that most of the Council and several
22 others went on the flight with the National Guard last week on the
23 plane "City of Bountiful" and he said that it was a most enjoyable
24 experience. The tanker "City of Bountiful" refueled another plane
25 in the air during this flight.

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27 The meeting adjourned at 8:01 to a field trip to review the
28 City shop area and the proposed expansion of the golf course
29 clubhouse.

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CITY RECORDER