

1 Minutes of the regular City Council meeting held March 2, 1988
2 at 7:00 p.m. at the City Hall of Bountiful, Utah.

3
4 Present: Mayor: Dean S. Stahle
5 Council Members: C. Harold Shatter, H. Keith
6 Barton, Robert Gramoll, Barbara
7 Holt and Phyllis C. Southwick
8 City Manager: Tom Hardy
9 City Attorney: Layne B. Forbes
10 City Pros. Atty.: Russell Mahan
11 City Engineer: Jack P. Balling
12 Planning Director: Jon Reed Boothe
13 Deputy Recorder: Lois Hoskins
14 City Treasurer: Ira H. Todd
15 Rec. Secretary: Beverly B. Todd
16
17 Excused: City Recorder: Arden F. Jenson
18

19 Official notice of this meeting had been given by posting a
20 written notice of same and an agenda at the City Hall and providing
21 copies to the following newspapers of general circulation: Deseret
22 News, Davis County Clipper and Salt Lake Tribune.
23

24 Mayor Stahle welcomed all present and then led the pledge of
25 allegiance to the flag. Councilwoman Holt offered the invocation.
26

27 Minutes of the February 24, 1988 City Council meeting were
28 presented, corrected and approved unanimously on a motion made by
29 Councilman Gramoll and seconded by Councilwoman Holt.
30

31 **EXPENDITURES AND EXPENSES FOR PERIOD OF**
32 **FEBRUARY 18-25, 1988 APPROVED**

33 Lois Hoskins presented the Expenditure and Expense report for
34 the period February 18 to 25, 1988 in the amount of \$149,606.74.
35 Mr. Hardy responded to the questions raised by Council people on
36 these expenses, after which the report was unanimously accepted on
37 a motion made by Councilman Shatter and seconded by Councilwoman
38 Southwick.
39

40 **NIELSEN'S FROZEN CUSTARD GRANTED PRELIMINARY AND**
41 **FINAL APPROVAL AT NEW LOCATION OF 568 W. 2600 SOUTH**

42 Mr. Boothe displayed a drawing of the proposed Nielsen's Frozen
43 Custard at 568 West 2600 South which will have the frozen custard
44 building as a restaurant and drive-up window. He stated that Mr.
45 Nielsen is proposing an office building at the rear with storage
46 under the offices. Mr. Boothe reported that the Planning Commission
47 recommended preliminary and final approval of Mr. Nielsen's proposal
48 subject to the following conditions:
49

- 50 1. Payment of all required fees including a storm detention
51 fee of \$998.00;
- 52 2. Posting a landscape bond and sidewalk bond;
- 53 3. Additional area along west side and north side to be
54 included in landscape scheme;
- 55 4. Dumpster site to be screened from public view with solid
56 wall to match architecture of main building;
- 57 5. Approval from South Davis Water and Sewer District;

- 1 6. Mechanical equipment, if mounted on roof, to be screened
- 2 from public view;
- 3 7. Power Department approval;
- 4 8. Plans to meet all code requirements before building permit
- 5 is issued.
- 6

7 Questions were raised on the landscaping, retaining wall and
8 inside seating. Mr. Steve Nielsen, owner of the Frozen Custard
9 business, was in attendance and he and Mr. Boothe responded to the
10 inquiries. When all questionable items had been clarified,
11 Councilman Shafter made a motion to accept the preliminary and final
12 approval of Nielsen's Frozen Custard recommended by the Planning
13 Commission subject to the eight requirements. Councilman Barton
14 seconded the motion which carried unanimously.

15 16 **CUSTARD CONE SIGN GIVEN APPROVAL**

17 Mr. Boothe explained that in conjunction with the Nielsen's
18 Frozen Custard building, the Planning Commission reviewed the
19 proposed "Custard Cone" sign and felt it was in good taste and that
20 it was an integral part of the building; therefore, it should be
21 allowed. Mr. Russell Mahan, City Prosecutor, reported that this
22 sign meets the ordinance inasmuch as it is a projecting sign, not
23 a roof sign, and he explained the difference between the two types
24 of signs. Councilman Barton made a motion to accept the sign for
25 the "Custard Cone" as presented. The motion was seconded by
26 Councilman Gramoll and favored unanimously.

27 28 **BID FOR POOL DECK RECONSTRUCTION CONTRACT** 29 **AWARDED TO BLACKHAM CONSTRUCTION COMPANY**

30 Mr. Balling presented bid tabulations for reconstruction of
31 the pool deck at the recreation center and named all items that
32 would be included in this project. He reported that the low bid
33 was submitted by Blackham Construction Company for \$99,000.00 and
34 mentioned that this company is a Salt Lake firm but has not
35 previously worked in Bountiful; however, the company is properly
36 bonded and licensed to perform this type of work. He further stated
37 that the project should be completed by May 15, 1988 according to
38 the 70-day calendar contract which has a \$500.00 per day penalty.
39 Councilman Gramoll made a motion to award the bid contract to
40 Blackham Construction Company, as recommended by Mr. Balling, and
41 the motion was seconded by Councilwoman Southwick and unanimously
42 approved.

43 44 **COUNCIL ADOPTS ORDINANCE NO. 88-1 RELATING** 45 **TO CURFEW REQUIREMENTS FOR MINORS**

46 Mr. Forbes presented the revised ordinance on curfew
47 requirements and explained the amended portions of the ordinance,
48 which is entitled: AN ORDINANCE AMENDING SECTION 4-8-101 OF THE
49 REVISED ORDINANCES OF BOUNTIFUL RELATING TO CURFEW REQUIREMENTS FOR
50 MINORS. He reported that since last City Council meeting, this
51 ordinance had been further discussed with the Police Chief and
52 officers and they all concurred in the need for a good ordinance
53 even though it is not in uniformity with other cities. He reviewed
54 the changes which include the requirement that on school days the
55 curfew for those under 18 years of age be midnight to 5:00 a.m. and
56 other days would be 1:00 a.m. to 5 a.m. He also referred to

1 Paragraph 3 relating to "Exceptions" which states "Except when
2 attending a bonafide meeting, dance, party or sporting event or
3 practice sponsored by a church, school, league, youth group or
4 theater." After a brief discussion, Councilman Barton made a motion
5 to adopt Ordinance No. 88-1 and to authorize the Mayor and City
6 Recorder to sign the document. The motion was seconded by
7 Councilman shafter and approved on a unanimous vote.

8
9 **PRELIMINARY APPROVAL GRANTED TO DISCOUNT TIRE STORE**

10 Mr. Boothe presented information on the request for Discount
11 Tire Company to construct a store at 2527 South Main Street, and he
12 displayed a site plan of this proposed project. He reported that
13 the Planning Commission recommended preliminary approval be granted
14 according to the following stipulations:

- 15 1. Posting of landscape and sidewalk bonds;
- 16 2. Payment of all required fees including a storm detention
17 fee of \$1,176.60;
- 18 3. Preparation of landscape plans and sprinkler plans by a
19 landscape architect or a landscape contractor;
- 20 4. Approval of project by South Davis Water and Sewer
21 District;
- 22 5. Rear retaining wall to be reconstructed since it is
23 failing;
- 24 6. Power Department approval;
- 25 7. Dumpster site to be screened from view with solid wall to
26 match architecture of main building;
- 27 8. Mechanical equipment, if placed on roof, to be screened
28 from public view;
- 29 9. Demolition permit required from City Engineer for present
30 structure.

31
32 Councilman Gramoll commented that rather than the retaining
33 wall being reconstructed, he felt it should be removed and replaced,
34 to which Mr. Boothe replied that is the intent even though the
35 wording failed to imply this procedure. Councilman Gramoll also
36 expressed concern as to where the old tires would be stored. Mr.
37 Boothe pointed out on the drawing where the 20' x 25' enclosure for
38 tire storage is attached to the building. When all questions had
39 been satisfactorily answered, Councilman Shafter made a motion to
40 grant preliminary approval to the Discount Tire Co. proposal, as
41 recommended by the Planning Commission, with the change in the fifth
42 item to specify the retaining wall to be removed and replaced. The
43 motion was seconded by Councilman Gramoll and the vote was unanimous
44 in the affirmative.

45
46 **APPROVAL GIVEN FOR EXECUTIVE SESSION TO**
47 **DISCUSS PENDING LITIGATION**

48 On a motion made by Councilwoman Southwick and seconded by
49 Councilman Barton the executive session to discuss pending
50 litigation was unanimously approved.

51
52 **COUNCILWOMAN HOLT APPOINTED TO BOUNTIFUL**
53 **HISTORICAL PRESERVATION COMMITTEE**

54 The Mayor reported that Councilman Barton and Councilwoman
55 Southwick have been serving on the Bountiful Historical Preservation
56 Committee; however, due to Councilman Barton's responsibilities with

1 the Power Commission, he asked if one of the other Council people
2 would be willing to serve on this committee. Upon approaching
3 Councilwoman Holt for serving in this capacity, she accepted this
4 assignment; and a motion to have Councilwoman Holt serve along with
5 Councilwoman Southwick on the Bountiful Historical Preservation
6 Committee was made by Councilman Gramoll, seconded by Councilman
7 Barton and unanimously approved.

8
9 **WORK PROGRAM FOR 1988 APPROVED**

10 Mr. Hardy referred to the proposed work program for 1988,
11 copies of which had been distributed to the Mayor and Council
12 members previously for review and for suggested changes or
13 adjustments prior to preparing the budget. He reviewed the major
14 priorities as follows:

- 15
- 16 1. Downtown project
- 17 2. Bard resolution
- 18 3. Future power sources
- 19 4. Installation of swimming pool bubble and first phase of
20 recreation expansion plans
- 21

22 Mr. Hardy reported on the progress of each of the above items,
23 then reviewed the other items being considered in the 1988/89 budget
24 which are listed below:

- 25
- 26 1. Orchard Drive improvements on which the City is continuing
27 to work with the State.
- 28 2. South Davis Sewer District plant expansion, which is
29 proceeding and will require modified rates effective July
30 1, 1988
- 31 3. Bountiful Boulevard extension to be pursued at budget time.
- 32 4. Future water supply also to be presented at budget time.
- 33 5. Annexation of additional unincorporated area which is
34 proceeding.
- 35

36 Mr. Hardy spoke of the need for a Public Safety and Finance
37 Committee meeting to discuss the consideration of major equipment
38 replacement such as a fire pumper truck. He then asked the Council
39 for any additional items they desire to consider or have included
40 at this time, such as the Mayor's suggestion for double taxation.
41 The time schedule for and financing of various construction projects
42 throughout the city was discussed. Other suggestions were made for
43 a full-time ordinance enforcement officer, lighting of the Stoker
44 School parking lot and the Art Center, and snow to be removed from
45 the downtown area as opposed to pushing it back. Councilman Shafter
46 made a motion to approve the work program as outlined, recognizing
47 that the specifics in some instances are yet to be determined. The
48 motion was seconded by Councilwoman Southwick and favored
49 unanimously.

50
51 **FINANCIAL GOALS, POLICIES AND PROCEDURES APPROVED**

52 Mr. Hardy reviewed the financial goals, policies and procedures
53 established by the City Council in 1981 and he explained the changes
54 that have been made to keep Bountiful a pay-as-you-go City and to
55 establish a sound tax base. He also emphasized user charges and
56 replacement funds and explained the fund procedure which has

1 prevented the City from bonding. Mr. Hardy responded to a question
 2 raised by Councilman Gramoll as to monitoring of the budget and
 3 control of purchasing power by explaining that he cannot authorize
 4 a department to exceed the budget. Other procedures were discussed
 5 and the Mayor commended the management on administration of the
 6 finances, policies and procedures. A motion was made by Councilman
 7 Gramoll to approve the financial goals, policies and procedures as
 8 presented. The motion was seconded by Councilman Shafter and
 9 unanimously favored.

10
 11 COMPENSATION PHILOSOPHY AND POLICY
 12 CONSIDERATION POSTPONED

13 Mr. Hardy reported that the compensation philosophy and policy
 14 would have to be postponed due to additional data having to be
 15 obtained.

16
 17 1988-89 BUDGET CALENDAR AND SCHEDULE APPROVED

18 The 1988-89 budget calendar and schedule was presented by Mr.
 19 Hardy, as follows:

- 20
- 21 March 14: Review forms, submissions, time tables and overall
- 22 budget approach with department heads.
- 23 March 15 to
- 24 April 1: Departments to submit proposed budget to City Manager
- 25 March 11 to
- 26 March 17: City Manager to meet with finance and treasury
- 27 departments to review income projections
- 28 April 4 to
- 29 April 20: Meet with departments to review and to prepare
- 30 tentative budget for Council committees
- 31 May 4: Present tentative budget for adoption and set date
- 32 and time for public hearing on the budget
- 33 May 11: City Council's review of budget
- 34 May 18: Publish notice of public hearing for adoption of
- 35 1988-89 budget
- 36 May 25: Final review of budget by City Council
- 37 June 8: Public hearing and adoption of 1988-89 budget.
- 38

39 On a motion made by Councilwoman Southwick and seconded by
 40 Councilman Barton, the calendar and schedule for the 1988-89 budget
 41 was unanimously approved.

42
 43 The meeting adjourned at 8:28.m.

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 45 D. J. Giarg". Xi 4tral&/
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 47 MAYOR

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 51 CITY RECORDER
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