

1 Minutes of the regular meeting of the City Council held July
2 19, 1989 at 7:00 p.m. in the Council Chambers of the City Hall,
3 Bountiful, Utah.
4

5 Present: Mayor: Dean S. Stahle
6 Council Members: C. Harold Shatter, Barbara Holt,
7 Bob Gramoll, and H. Keith
8 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 Dep. Recorder: Lois Hoskins
14 Rec. Secretary: Nancy T. Lawrence
15
16 Absent: Councilman: J. Dean Hill
17 Planning Director: Jon Reed Boothe
18

19 Mayor Stahle called the meeting to order and led the pledge of
20 allegiance to the flag. The invocation was offered by Mr. Jenson.
21

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

27 Minutes of the regular meeting of the City Council held July
28 12, 1989 were presented and unanimously approved as written on a
29 motion made by Councilman Shatter. Councilwoman Holt seconded the
30 motion which carried unanimously.
31

32 **EXPENDITURE AND EXPENSE REPORT APPROVED**
33 **FOR PERIOD JUNE 26-28, 1989**

34 Mr. Jenson presented the Expenditure and Expense Report for the
35 period June 26-28, 1989 which totaled \$481,468.93. In response to
36 a question from Councilman Shafter regarding the roof repairs to the
37 Echo hydro plant, Mr. Hardy indicated that he would research this
38 matter and include it in the weekly report. The expenditures were
39 unanimously approved as presented on a motion made by Councilman
40 Barton and seconded by Councilman Shatter.
41

42 **REQUEST BY LAKEWOOD FURNITURE TO**
43 **PROVIDE ACCESS OFF MAIN STREET TABLED**

44 Dell Holbrook reviewed his involvement in the city of Bountiful
45 and of the business now known as Lakewoods, which originated in
46 1904. He explained that when the widening of Main Street was done
47 last summer, he did not voice strong objection to the plan (which
48 omitted vehicular access to Lakewoods from Main Street) because he
49 was anxious to be supportive of the work which was being done by the
50 City. However, inasmuch as Lakewoods does not have a front door on
51 Main Street and the access is 30 feet east of Main Street,
52 accessible from a parking area, the business has requested access
53 from Main Street. He acknowledged that the Council has given
54 approval for this access, to be funded by the business. His request
55 this evening is for the City to fund this project (approximately
56 \$4,400, per Mr. Balling). He also noted that the original project
57 included no street access for two other businesses (The Co-op and
58 Bountiful Lumber); however, when pressured by Bountiful Lumber, the

1 City included access from Main Street for them. Inasmuch as this
2 business was granted its access, Mr. Holbrook said it is only fair
3 that the City provide the same consideration for his business.

4
5 This matter was discussed and it was noted by Councilman
6 Gramoll that the improvements to the downtown area were at no cost
7 to the businesses and they have the added advantage of ongoing
8 maintenance with snow removal in the winter. Mayor Stahle said that
9 there are other considerations which might impact this decision and
10 he requested that the matter be tabled until August 2, 1989.
11 Councilman Barton said that when approval was granted to Lakewoods
12 to have access from Main Street, he had felt that it should be
13 funded 50 percent by the City. He then made the motion that this
14 matter be tabled until August 2nd. Councilman Shafter seconded the
15 motion which carried by a majority with Mayor Stahle voting "aye".
16 Councilman Gramoll and Councilwoman Holt voted "nay".

17
18 **NEW MEMBERS APPOINTED TO BOARD OF ADJUSTMENT**

19 Mayor Stahle noted that there are two vacancies on the Board of
20 Adjustment and he recommended that Kirk Heaton and Frances Spencer
21 be appointed to serve on that board. Councilman Gramoll made the
22 motion to support the recommendation of the Mayor, Councilman Barton
23 seconded the motion and voting was unanimous.

24
25 **CONSIDER DRAFT AGREEMENT - KERN RIVER PIPELINE**
26 **PROPOSAL**

27 Mr. Hardy reviewed that a draft agreement by the Kern River
28 transmission company has been received by the City requesting input
29 from the City regarding this project and also requesting that we
30 take away the opposition to the project. He also referred to a
31 letter which was sent to the Kern River Transmission Company by our
32 congressional delegation with specific questions regarding this
33 project. He recommended that action on the draft agreement be
34 tabled until a response is received to the letter from the
35 congressman and we have had opportunity to review that response. He
36 noted that Congressman Hansen's office has also indicated that they
37 will be sending a copy of the same letter of WyCal. (WyCal Gas
38 Company has received certification from FERC for this project and
39 Kern River has pending certification).

40
41 Councilwoman Holt clarified that the City Council has always
42 been opposed to the Wasatch variation as the route for the pipeline,
43 and she made the motion that action on the draft agreement be tabled
44 until after a response has been received by the congressional
45 delegation and the City has had opportunity to review it.
46 Councilman Shafter seconded the motion which carried unanimously.

47
48 **REQUEST FOR DISCLOSURE OF DRAFT RESPONSE -**
49 **KERN RIVER PROJECT - DENIED**

50 Mr. Hardy explained that when the proposal from Kern River for
51 the pipeline was initially received by the City, he prepared a draft
52 letter which outlined several possible alternative responses to the
53 gas company for Council review. This letter was never sent, and was
54 considered an internal draft document for consideration. He also
55 noted that the previous position of the City has been very clear
56 with regard to its opposition to the pipeline and many letters have

1 been written to FERC and our State representatives clarifying
2 Bountiful's opposition.

3
4 He recommended that the request by the Deseret News that the
5 draft letter be publicly disclosed be denied. This recommendation
6 is based on the fact that the document is an internal memo and it
7 would set a precedent if documents of this nature were to be
8 required to be made public. In reviewing this request, it has been
9 determined that internal drafts are not subject to disclosure, as
10 per the State Archives Act. Councilman Gramoll made the motion that
11 the request for disclosure be denied and he requested that Mr. Shea
12 be made aware of this Council action. Councilman Shafter seconded
13 the motion which carried unanimously.

14
15 **ARDEN JENSON RECEIVES AWARD - CERTIFICATE OF**
16 **ACHIEVEMENT IN FINANCIAL REPORTING**

17 Mr. Hardy reported that for the eighth year Bountiful has been
18 honored by receiving the Comprehensive Annual Financial Reporting
19 Award for Excellence in Financial Reporting. Bountiful is one of
20 eleven cities in Utah which have received this award and Bountiful
21 has received it more times than any other city. Arden Jenson was
22 named as the person who is primarily responsible for the award and
23 he was praised by Mr. Hardy and the Mayor on this accomplishment.
24 Mr. Jenson received the award from the Mayor and, in turn, thanked
25 all who have made this accomplishment possible. He specifically
26 thanked Lois Hoskins, Mr. Hardy, and the Mayor and Council for their
27 support and for the standard which has been set by the City.

28
29 **APPROVAL GIVEN FOR CLOSING DOCUMENTS -**
30 **DON WILLEY AND VALLEY BANK**

31 Mr. Hardy explained that Valley Bank is the financial
32 institution which will provide financing for the improvements Don
33 Willey will put on the land he is leasing from the City. In order
34 for the bank to approve this loan, they need to have a trust deed
35 relationship with the property. He said that Bountiful will have no
36 financial responsibility for Mr. Willey's financial obligation;
37 however, Mr. Willey will subordinate his interest in the land to
38 Valley Bank. He recommended that authorization be given to execute
39 a trust deed and a Hypothecation Agreement wherein the City's
40 interest in the property is subordinated as security. Councilman
41 Shafter made a motion to this effect, Councilman Barton seconded the
42 motion and voting was unanimous.

43
44 **MISCELLANEOUS FROM COUNCIL AND STAFF**

45 Councilwoman Holt commented that a garbage receptacle needs to
46 be placed in front of Kentucky Fried Chicken on Main Street.

47
48 Mr. Balling reviewed the status of the widening of Orchard
49 Drive project and said it is the desire of the contractor to work a
50 24-hour a day schedule. He proposes to do the saw cutting of the
51 concrete before 10 p.m. to reduce noise to the neighborhoods. The
52 Council voiced support of getting the project finished as quickly as
53 possible and Councilman Barton cautioned that additional costs which
54 might result through the 24-hour schedule must be borne by the
55 contractor.

56

1 Mr. Balling also noted that there have been several delays in
 2 the Orchard Drive project due to US West and the Council urged that
 3 inasmuch as they (US West) are using City rights-of-way, they should
 4 be required to maintain the schedule of the project with no extra
 5 cost to the City.

6
 7 Councilman Shafter commented on the editorial in the Clipper
 8 regarding the parade route for the July 24th parade and he clarified
 9 that the 100 West location was approved by the Council following a
 10 request by the parade committee early in the planning stages. A
 11 second request was received from a representative of the downtown
 12 merchants when the event was too far along to make changes this
 13 year. Councilman Barton noted that he made the recommendation that
 14 the parade be on Main Street in the future.

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 16 The meeting adjourned to business of the Redevelopment Agency
 17 at 8:10 p.m. on a motion made by Councilman Shafter and seconded by
 18 Councilwoman Holt.

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 23 **MAYOR**

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 28 **CITY RECORDER**
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