

1 Minutes of the regular meeting of the City Council held  
2 October 7, 1987 at 7:00 p.m. at the City Hall, Bountiful, Utah  
3 (following a field trip to review sight clearance problems at  
4 various locations in the City).  
5

6 Present: Mayor: Dean S. Stahle  
7 Council Members: C. Harold Shafter, Richard  
8 G. Sharp, Phyllis C.  
9 Southwick, Jerry K. LalaremE,  
10 and H. Keith  
11 Barton  
12 City Manager: Tom Hardy  
13 City Attorney: Layne B. Forbes  
14 City Prosecutor: Russell Mahan  
15 City Engineer: Jack P. Balling  
16 City Recorder: Arden F. Jenson  
17 City Treasurer: Ira H. Todd  
18 Planning Director: Jon Reed Boothe  
19 Rec. Secretary: Nancy T. Lawrence  
20 Dept. Heads: Clifford Michaelis, Power  
21

22 Mayor Stahle called the meeting to order and led the pledge  
23 of allegiance to the flag. The invocation was given by Mr.  
24 Jenson.  
25

26 Official notice of this meeting had been given by posting  
27 a written notice of same and an Agenda at the City Hall and  
28 providing copies to the following newspapers of general  
29 circulation: Deseret News, Davis County Clipper, and Salt Lake  
30 Tribune.  
31

32 Minutes of the regular meetings of the City Council held  
33 August 26th, September 16th and September 23, 1987 were presented  
34 and unanimously approved as written on a motion made by  
35 Councilman Lawrence and seconded by Councilman Barton  
36

37 **EXPENDITURES APPROVED FOR PERIODS OF**  
38 **SEPTEMBER 10-17, SEPTEMBER 17-24, AND**  
39 **SEPTEMBER 24-30, 1987**

40 Mr. Jenson presented the Expenditure and Expense Report for  
41 the Periods September 10-17, 1987 (totaling \$275,736.72);  
42 September 17-24, 1987 (totaling \$339,032.84); and September 24-  
43 30, 1987 (totaling \$72,059.45). Following a brief discussion of  
44 these reports and a review by the Mayor of the major items, these  
45 expenditures were unanimously approved on a motion made and  
46 seconded by Councilmen Shafter and Lawrence, respectively.  
47

48 **ORD. NO. 87-7 AMENDING ORDINANCE REGARDING**  
49 **DRIVING UNDER THE INFLUENCE ADOPTED**

50 Mr. Mahan explained that in 1987 the State legislature  
51 amended the DUI ordinance. It is therefore recommended that  
52 inasmuch as the City ordinance is based on State statute, the  
53 City ordinance be amended to come more in line with the State.  
54 He reviewed the proposed ordinance, which in effect provides for  
55 driving under the influence to be measured by two methods--blood  
56 alcohol content and breath ratings (instead of just blood alcohol  
57 measurement). Councilman Barton made the motion that Ordinance

1 No. 87-7 be adopted as recommended, and that the Mayor and City  
2 Recorder be authorized to sign it. Councilman Sharp seconded the  
3 motion and voting was unanimous.  
4

5 **APPROVAL GIVEN FOR MAPLE HILLS NO. 4**  
6 **TO CONTINUE IN DEVELOPMENT, SUBJECT TO**  
7 **FUTURE NEGOTIATION REGARDING TITLE TO**  
8 **AREA WHERE ROAD IS BEING CONSTRUCTED**

9 Mr. Balling reviewed that one of the provisions necessary  
10 for Maple Hills No. 4 subdivision (Norm Dobson, developer) to  
11 acquire final approval, was the requirement to have two accesses  
12 for the subdivision. He explained that one of the proposed  
13 accesses (contiguous with Lots 24, 25, and 28) cannot be fully  
14 developed because the adjoining property owner (Dean Nelson,  
15 Granada, Inc.), who owns a portion of the said right-of-way, did  
16 not sign the plat and the title has not been transferred to Maple  
17 Hills. Maple Hills No. 4 is anxious to continue with the  
18 development of this project and has proposed that the parcels of  
19 property intended for public use be dedicated as such, with the  
20 road to be developed the full width on Mr. Nelson's property.  
21 Granada, Inc. would continue to hold the title to their property,  
22 and in the event that they brought action against the road, there  
23 is sufficient width along lots 24, 25, and 28 to provide for the  
24 road to be moved. In order for the development to continue, Mr.  
25 Balling recommended that this proposal be approved. Councilman  
26 Lawrence made a motion for acceptance of the recommendation,  
27 Councilwoman Southwick seconded the motion and voting was  
28 unanimous.  
29

30 **MC NEIL CONSTRUCTION AWARDED BID**  
31 **FOR DETENTION BASIN AND STORM DRAIN LINE**  
32 **ON ORCHARD DRIVE**

33 Mr. Balling reported that bids were received for the  
34 detention basin and storm sewer on Orchard Drive at Mill Creek  
35 and he recommended that the low bid from Roy McNeil Construction  
36 in the amount of \$58,780.00 (Alternate "B" which provides for  
37 closure of Orchard Drive while the work is being done) be  
38 approved. Discussion followed on safety precautions which should  
39 be taken while this project is underway, following which  
40 Councilman Shafter made the motion that the bid be awarded as  
41 recommended, with the stipulation that traffic flow will be  
42 closed a maximum of 21 days. (The time limit on the total job  
43 is 180 days). Councilman Sharp seconded the motion which carried  
44 unanimously. (It was noted that if the Contractor is not willing  
45 to accept the 21-day limitation, this matter will be returned to  
46 the Council next week).  
47

48 **LANDSCAPE PLAN FOR AREA ALONG INTERSTATE**  
49 **HIGHWAY FRONTAGE AND GATEWAY PARK TABLED**

50 Steve Smoot was in attendance representing Gateway Park and  
51 he reviewed the proposed landscaping plan for the area along the  
52 interstate highway frontage. The estimated cost for the plan was  
53 \$45,000 and Gateway was hopeful that the City could assume more  
54 of the cost than the 50/50 split which was originally discussed..  
55 Mayor Stahle clarified that the City had committed they would

1 participate up to a maximum of \$22,500.00. Discussion followed  
 2 on the proposed plan, i.e., size of trees, number of trees, types  
 3 of shrubbery, etc. Mr. Smoot suggested modifications to the plan  
 4 to bring the estimated cost down and Councilman Sharp made the  
 5 motion that the matter be tabled until such time that another  
 6 plan can be drawn up. Councilman Shafter seconded the motion and  
 7 voting was unanimous.  
 8

9 **EXECUTIVE SESSION SCHEDULED AFTER**  
 10 **THIS MEETING**

11 At the request of the Mayor, Councilman Barton made the  
 12 motion that an executive session be held immediately after this  
 13 meeting for the purpose of discussing pending litigation.  
 14 Councilman Shafter seconded the motion and voting was unanimous.  
 15

16 **OFFICIAL CANVASS OF PRIMARY ELECTION**  
 17 **BALLOTS**

18 Mr. Jenson reported that the staff conducted an official  
 19 canvass of the primary election which was held yesterday (October  
 20 6, 1987) and he reviewed the voting tabulation sheets which had  
 21 been prepared. The Council then conducted the official canvass  
 22 on the election returns and Councilman Shafter made the motion  
 23 that approval be given to the official results as presented.  
 24 Councilman Sharp seconded the motion which carried unanimously.  
 25 (See attached report "Tabulation of Election Returns")  
 26

27 **APPROVAL GRANTED TO SHIFT BUILDING**  
 28 **IN AMSOURCE DEVELOPMENT, WITH CONDITIONS**

29 Mr. Boothe presented the site plan for the proposed Amsource  
 30 development at 500 South 500 West (Rainbo Mart), and reported  
 31 that it is the recommendation of the Planning Commission that  
 32 approval be given for the developer to shift the building's  
 33 location, subject to the conditions attached to approval in the  
 34 July 27th meeting, and also the following conditions: (1) that  
 35 the trash area be screened with a solid block wall (with  
 36 materials to be the same as are used in the convenience store);  
 37 (2) that a canopy be added over the area between the pumps and  
 38 the store; and (3) that the area east of the store be landscaped,  
 39 as per the site plan. Councilman Sharp made the motion that  
 40 approval be given as recommended by the Planning Commission.  
 41 Councilman Shafter seconded the motion and voting was unanimous.  
 42

43 **PRELIMINARY AND FINAL APPROVAL GRANTED**  
 44 **TO TUNE-X, 429 WEST 500 SOUTH, PAUL BECKSTEAD**

45 Mr. Boothe presented the site plan for the proposed Tune-X  
 46 business (Paul Beckstead, developer) at 429 West 500 South and  
 47 said it is the recommendation of the Planning Commission that  
 48 preliminary and final approval be granted to this plan subject  
 49 to the following conditions: (1) posting of a bond to guarantee  
 50 repair/replacement of the curb, gutter, and sidewalk and  
 51 refurbishing of the landscaping; (2) that the elevation of the  
 52 building be raised to meet flood plain requirements; (3)  
 53 submission of additional elevations to the satisfaction of the  
 54 City Engineer; (4) determining the destination of the inlet box  
 55 which exists on the property to assist the City Engineer in

1 determining the proper direction of the storm water runoff; (5)  
2 removal of the chain link fence on the northwest corner to permit  
3 sufficient parking space for the site; (6) that the building  
4 permit not be issued until the above items are complied with and  
5 the construction plans approved by the City Engineer. Discussion  
6 followed on the proposed parking, and the Mayor strongly  
7 suggested that the parking area be striped. Councilman Barton  
8 made the motion that preliminary and final approval be granted,  
9 as recommended. Councilman Shafter seconded the motion and  
10 voting was unanimous.

11  
12 **CLASS "A" BEER LICENSE APPROVED FOR**  
13 **CIRCLE K, 500 SOUTH 500 WEST**

14 Mr. Hardy reported that the Circle K at 500 South 500 West  
15 has changed ownership, which necessitates that the Class "A" beer  
16 license and amusement device license be presented for approval  
17 for the new owner. He said that both of these matters have been  
18 reviewed by the Police Department and found to be in order and  
19 it is their recommendation that approval be granted for the  
20 licenses. Councilman Lawrence made the motion that a Class "A"  
21 beer license be approved for Circle K as recommended;  
22 Councilwoman Southwick seconded the motion and voting was  
23 unanimous.

24  
25 **CIRCLE K GRANTED AMUSEMENT DEVICE LICENSE**

26 Councilman Barton then made the motion that an amusement  
27 device license be approved for Circle K as recommended.  
28 Councilman Shafter seconded the motion which carried unanimously.

29  
30 **POWER DEPARTMENT TRANSFORMER BIDS AWARDED**  
31 **TO AMFAC AND RITER ENGINEERING**

32 Mr. Michaelis reported that bids were received for  
33 transformers for the Power Department and it is the  
34 recommendation of the staff and Power Commission that the bid be  
35 awarded to the following low bidders: Amfac, in the amount of  
36 \$14,972.00 for the transformers for the underground system; and  
37 Riter Engineering in the amount of \$18,805.00 for 32 pole mount  
38 transformers (total bid of \$33,777.00). He explained that the  
39 bids were evaluated on a 30-year load loss projection.  
40 Councilman Shafter made the motion that the transformer bids be  
41 awarded as recommended, Councilman Lawrence seconded the motion  
42 and voting was unanimous.

43  
44 **NATIONAL PUBLIC POWER WEEK RECOGNIZED**  
45 **BY OPEN HOUSE AT POWER DEPARTMENT - OCT. 8TH**

46 Mr. Michaelis reminded the Council that the Open House at  
47 the Power Department in commemoration of National Public Power  
48 Week will be held October 8th (tomorrow) from 5 to 7 p.m. and he  
49 invited all to attend.

50  
51 **MISCELLANEOUS FROM MAYOR**

52 Mayor Stahle reported that the Mayor of Bethlehem, one of  
53

1 Bountiful's sister cities, is scheduled to visit here the last  
2 week of October.

3  
4 The meeting adjourned to executive session at 8:21 p.m.

5  
6  
7 

8  
9 MAYOR

10  
11  
12  
13   
14 CITY RECORDER

15 \* \* \* \* \*  
16