

1 Minutes of the regular meeting of the City Council held
2 June 4, 1986 at 7:00 p.m. in the City Hall of Bountiful, Utah,
3 (following a field trip to view Keith Stahle property).
4

5 Present: Mayor: Dean S. Stahle
6 Council Members: C. Harold Shafter, Richard
7 G. Sharp, Phyllis C.
8 Southwick, and H. Keith
9 Barton
10 City Manager: Tom Hardy
11 Dep. City Attorney: Russell Mahan
12 City Engineer: Jack P. Balling
13 Dep. City Recorder: Lois Hoskins
14 Planning Director: Jon Reed Boothe
15 Rec. Secretary: Nancy T. Lawrence
16
17 Absent: Councilman: Jerry K. Lawrence
18 City Attorney: Layne B. Forbes
19 City Recorder: Arden F. Jenson
20

21 Mayor Stahle welcomed those in attendance, following which
22 he led the pledge of allegiance to the flag. Mr. Balling
23 offered the invocation.
24

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

31 No minutes were presented for approval.
32

33 **EXPENDITURE AND EXPENSES APPROVED FOR**
34 **PERIOD MAY 22-29, 1986**

35 Mrs. Hoskins presented the Expenditure and Expense Report
36 for the Period May 22-29, 1986 and these expenditures were
37 unanimously approved on a motion made by Councilman Shafter and
38 seconded by Councilman Barton.
39

40 **APPROVAL GIVEN FOR STREET DANCE -**
41 **1050 EAST 250 NORTH**

42 Mr. Hardy reported that a request has been received from
43 the 41st Ward Mutual for approval to use a portion of the
44 street at 1050 East 250 North for a square dance on June 18th
45 between 7 and 10 p.m. He said that this request has been
46 reviewed by the staff and the Fire Department and they are
47 supportive of it. Councilwoman Southwick made a motion for
48 approval of the request as explained, Councilman Sharp seconded
49 the motion and voting was unanimous. Ms. Carolyn Tinsley
50 represented this request.
51

52 **ORD. NO. 86-8 ADOPTED RE: LAND**
53 **USES IN DOWNTOWN AREA**

54 Mr. Hardy presented Ord. No. 86-8, entitled "AN ORDINANCE
55 AMENDING TITLE XIV, CHAPTER 5, SECTION 5-800 OF LAND USE
56 REGULATIONS, NEIGHBORHOOD 4, DISTRICT 4, OF THE REVISED
57 ORDINANCES OF BOUNTIFUL, 1965, AS AMENDED, BY CHANGING AND
58 DELETING CERTAIN LAND USES DESIGNATED THEREIN AND REPEALING ALL

1 ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH", and
 2 noted that this ordinance puts in place the changes previously
 3 discussed and approved for the downtown area. Councilman Sharp
 4 made a motion that this ordinance be approved and that the
 5 Mayor and City Recorder be authorized to sign it. Councilman
 6 Shatter seconded the motion which carried unanimously.

7
 8 **APPROVAL GIVEN FOR VARIANCE TO**
 9 **STREET GRADE IN EASTWOOD PARK SUBDVN.**

10 Mr. Balling explained that under the present subdivision
 11 ordinance, street grades up to 12 percent are allowed.
 12 However, a request has come from the developer for an increase
 13 of grade to 13.27 percent in Eastwood Park Subdivision, Plat
 14 "B", 500 North 1250 East. This request comes as a result of a
 15 proposal to extend 500 North Street to tie into the parking lot
 16 of the LDS church. He said it is the recommendation of the
 17 staff and Planning Commission that this request be approved.
 18 Following a brief discussion, Councilman Sharp made a motion
 19 for approval as recommended, with the suggestion that the ramp
 20 of the parking lot be re-designed to keep it as low as possi-
 21 ble. Councilwoman Southwick seconded the motion, which carried
 22 unanimously.

23
 24 **CLASS "A" BEER LICENSE GRANTED**
 25 **TO RJ'S "C" STORE, 196 WEST 500 SO**

26 Mr. Hardy reported that a request has come from RJ's "C"
 27 Store, 196 West 500 South, for a Class "A" beer license
 28 (Mr. Jed Wilhite). He said that the police chief has reviewed
 29 this request and inspected the premises of the business, and
 30 reported that the building and the corporate officers meet the
 31 necessary requirements. Councilwoman Southwick made a motion
 32 that the beer license be issued, as recommended. Councilman
 33 Shatter seconded the motion and voting was unanimous.

34
 35 **BIDS FOR GOLF COURSE AND PUBLIC SAFETY**
 36 **BUILDING REJECTED**

37 Mr. Balling reported on the bids which were received for
 38 the golf course comfort station and handicap ramp at the Public
 39 Safety Building. He said that only two bidders responded and
 40 the low bid was \$16,800 over the budgeted amount. Therefore,
 41 it is the recommendation of the staff that both bids be
 42 rejected and the projects be let out for bid another time.
 43 Councilman Sharp made a motion to this effect, Councilman
 44 Shafter seconded the motion and voting was unanimous.

45
 46 **MR. BALLING REPORTS ON BIDS FOR**
 47 **DIKES AT BARD**

48 Mr. Balling reported that eight contractors submitted
 49 proposals for diking at the BARD, with the low bid coming from
 50 Herm Hughes and Sons in the amount of \$31,740 (with borrow
 51 coming from the Stone Creek debris basin). Hughes submitted an
 52 alternate bid of \$36,340 with borrow from the contractor's
 53 source. The BARD Committee recommended using Herm Hughes, with
 54 Bountiful borrow, if possible.
 55

1 **AGREEMENT FOR EXTENSION OF WATER**

2 **LINE - GRANADA HILLS - APPROVED**

3 Mr. Balling explained that final approval was granted to
4 Granada Hills Subdivision, Plat #6, subject to paying for the
5 water line extension from the Eggett Estates Subdivision
6 across the property owned by Barlow and Barber to their
7 property. He said that Barlow and Barber have agreed to work
8 with Granada Hills in this effort and he reviewed a proposed
9 Agreement which would provide the necessary easement and the
10 conditions attached thereto. He said that it is his and
11 Mr. Forbes' recommendation that this Agreement be accepted.
12 Councilman Barton made a motion for approval and authorization
13 for the Mayor and City Recorder to sign, Councilwoman Southwick
14 seconded the motion and voting was unanimous.
15

16 **PUBLIC HEARING TO CONSIDER SUSPENSION/
17 REVOCATION OF BEER LICENSE - MAVERICK STATION**

18 At 7:34 p.m. Mayor Stahle opened the public hearing to
19 consider suspension/revocation of the beer license of the
20 Maverick Station, 1500 South Main. Mr. Mahan reviewed the
21 Notice which had been given, and the violations of the ordi-
22 nance which have occurred as they relate to the sale of beer.
23 In summary, beer was sold to minors on three of four police
24 checks between June 5, 1985 and March 17, 1986. He also
25 reviewed the procedure which is followed in notifying an
26 establishment (manager and proprietor) when an illegal sale is
27 made and prosecution of the person making the sale. Joe Shaw,
28 representing the Maverick store, explained the training program
29 which is given to employees (both when they are first hired and
30 in a review process) regarding the sale of beer. He said it
31 has been the store policy to terminate a clerk if an illegal
32 sale is made. The Council discussed this matter and questioned
33 Mr. Shaw, following which Councilman Shafter made the motion
34 that the beer license of the Maverick be suspended for 30 days
35 (in keeping with what the Council has done with other similar
36 situations). Councilman Sharp seconded the motion and voting
37 was unanimous.
38

39 **CITY TO PARTICIPATE WITH PROPERTY
40 OWNERS IN STORM DRAIN EXPENSE - KEITH
41 STAHLE PROPERTY**

42 Mr. Balling referred to the section of creek which crosses
43 the Keith Stahle property above 400 East beteen 800 North and
44 400 North and said that because it is a hazard, it should be
45 piped. He said that Mr. Stahle is willing to participate 50
46 percent in extending the pipe 288 feet. However, this will not
47 tie the pipe to meet the existing 36-inch pipe east of this
48 property. He suggested that the owner of the adjoining
49 property be contacted to participate 50 percent by constructing
50 a wall along the creek and that the City extract this expense
51 when these parcels are developed in the future. The Council
52 discussed the exposure which might be put upon the City through
53 involvement with the creek channel, and Councilwoman Southwick
54 said she felt that this was not the City's responsibility.
55 Councilman Barton noted that the hazard in this situation is so

1 great that he felt the City should do something. He, there-
2 fore, made the motion that the recommendation of the staff to
3 participate in correcting this problem be accepted, subject to
4 the stipulation that a legal review be made so that the City is
5 not subject to any liability. Councilman Shafter seconded the
6 motion which carried by a majority. Councilwoman Southwick
7 voted "nay".
8

9 **RES. NO. 86-15 RE: APPROPRIATION OF**
10 **POWER FUNDS APPROVED**

11 Mr. Hardy reviewed Resolution No. 86-15, A RESOLUTION
12 PROVIDING FOR THE APPROPRIATION OF FUNDS FROM THE BOUNTIFUL
13 LIGHT AND POWER FUND TO THE GENERAL FUND, CAPITAL IMPROVEMENTS
14 FUND AND FUTURE POWER RESOURCES FUND", stating that the purpose
15 behind this resolution is to provide for retirement of the
16 bonds issued for the hydro projects currently under way and
17 those proposed. He responded to questions from the Council,
18 following which Councilman Barton made the motion that Resolu-
19 tion No. 86-15 be approved with authorization for the Mayor and
20 City Recorder to sign. Councilman Sharp seconded the motion
21 and voting was unanimous.
22

23 **COUNCIL SUPPORTS COUNTY FLOOD**
24 **CONTROL ORDINANCE**

25 Mr. Hardy explained that a flood control ordinance is
26 being considered by the County Commission which would provide
27 for the County to review and control development in flood-crit-
28 ical areas. (In Bountiful, any development within 100 feet of
29 a stream would have to receive County approval prior to City
30 approval). He recommended that the City support this proposed
31 action, which they did on a motion made by Councilman Barton
32 and seconded by Councilman Shafter. Voting was unanimous.
33

34 **QUIT CLAIM DEED APPROVED -**
35 **13TH EAST CENTER STREET**

36 Mr. Balling located a piece of property on a map at 13th
37 East and Center Street and recommended that, as a matter of
38 housekeeping, the Council grant a Quit Claim deed to the
39 adjacent property owner, retaining a 7-ft. utility easement.
40 Councilman Barton made the motion that the Quit Claim Deed be
41 approved as recommended, and Councilwoman Southwick seconded
42 the motion. Councilman Sharp referred to the connection to
43 1300 East and the motion was amended to include the property on
44 the north and east sides of the easement. Voting was unani-
45 mous.
46

47 **DISCUSSION ON 500 SOUTH PROJECT**

48 Mr. Hardy expressed the need for the staff to receive
49 direction from the Council regarding the public/private
50 improvements on the 500 South project. The Mayor noted that
51 the original proposal featured a 7-ft. sidewalk with a
52 5-ft. utility easement inside of that (with the sidewalk
53 encroaching three feet on private property). This proposal is
54 not being accepted favorably. It was suggested and generally
55 the Council concurred, that the next best plan would be to

1 reduce the width of the sidewalk and eliminate the proposed
2 planter boxes and have four 11-foot traffic lanes (two each
3 direction) and a 10-foot turn lane.

4
5 **APPROVAL GIVEN FOR TOM HARDY**
6 **TO ATTEND PERSONNEL CONFERENCE**

7 Mayor Stahle presented the request for Mr. Hardy to attend
8 a personnel conference in San Francisco at a cost of \$500.00
9 (\$150.00 registration). He briefly reviewed the main focus of
10 the conference, following which Councilman Sharp made the
11 motion that this request be approved. Councilman Shafter
12 seconded the motion and voting was unanimous.

13
14 **EXECUTIVE SESSION APPROVED**

15 Councilman Barton made the motion that an executive
16 session be scheduled immediately after this meeting for the
17 purpose of discussing the acquisition of real property.
18 Councilman Shafter seconded the motion and voting was unani-
19 mous.

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21
22 The meeting adjourned at 9:01 p.m.

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27 MAYOR

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32 CITY RECORDER
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