

Minutes of the regular meeting of the City Council held March 13, 1985 at 7:00 p.m. in the City Hall of Bountiful, Utah.

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| Present: Mayor:  | Dean S. Stahle   |
| Council Members: | C. Harold Shafter, Phyllis C. Southwick, Jerry K. Lawrence, Richard G. Sharp, and J. Dean Hill |
| City Manager:    | Tom Hardy  |
| City Attorney:   | Layne B. Forbes  |
| City Engineer:   | Jack P. Balling  |
| City Recorder:   | Arden F. Jenson  |
| Deputy Recorder: | Vernile L. Hess  |
| Rec. Secretary:  | Joan Young   |

Mayor Stahle welcomed those in attendance and gave a special welcome to the Boy Scouts attending this meeting. He then led the pledge of allegiance to the flag. The invocation was offered by Layne Forbes.

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

Minutes of the regular meeting of the City Council held February 27, 1985 were presented and approved unanimously on a motion made by Councilman Sharp and seconded by Councilman Shafter.

#### **FEBRUARY EXPENDITURES APPROVED**

Mr. Jenson presented the Expenditure and Expense Report for the period February 21-28, 1985 totaling \$321,500.62 and the Summary of February 1985 Expenditures and Expenses totaling \$1,216,133.65. Councilman Lawrence inquired about the salt expenditures this year in comparison to last year. Mr. Hardy stated that slightly less was used, but 20% more was spent because of the increase in the price of salt. Mayor Stahle told those attending some of the items included in this expenditure report. A motion to approve the report plus summary was made by Councilman Lawrence and seconded by Councilman Hill and given unanimous approval.

#### **APPROVE REQUEST FOR EASEMENT FOR DIKING ON CITY PROPERTY - SO. DAVIS SEWER DISTRICT**

A request was made by the South Davis Sewer District to protect their facility by diking on property owned by the City of Bountiful. Mr. Balling reviewed property boundaries, the proposed dike, and the fill for Bountiful's use. Councilman Sharp called attention to the agreement which read, "Within a reasonable time thereafter, not to exceed °blank' months" and asked if the time mentioned had been determined. After some discussion by Mr. Hardy, Mayor Stahle and members of the Council, with the deletion of, "not to exceed °blank' months", from the easement agreement, a motion was made for Mayor Stahle and Mr. Jenson to sign the agreement by Councilman

Sharp and seconded by Councilman Lawrence. Mr. Hardy explained this will grant the South Davis Sewer District the right to put the dike material on the sewer district property and leave it until the flood danger ceases. This gives them no other rights. Following further discussion, the motion carried by unanimous vote.

**RES. NO. 85-2 ADOPTED FOR COOPERATION  
AGREEMENT BETWEEN DAVIS CO. HOUSING AUTHORITY  
AND CITY OF BOUNTIFUL**

Mayor Stahle introduced Resolution No. 85-2 entitled: "A Resolution Approving An Agreement Between Davis County Housing Authority and the City of Bountiful, Utah." Mrs. Rosemary Davis gave an update on Res. 85-2 stating the proposal was taken to Washington to be granted the money for an additional seven units. A motion was made by Councilman Lawrence and seconded by Councilman Hill with authority for Mayor Stahle and Mr. Jenson to sign the document and the voting was unanimous.

**RES. NO. 85-3 AUTHORIZING THE EXERCISE OF  
POWERS FOR INDUSTRIAL REVENUE BONDS -  
DAVIS CO. HOUSING AUTHORITY**

Mayor Stahle introduced Res. No. 85-3 entitled: "Resolution Authorizing the Exercise of the Powers of the Davis County Housing Authority in Regards the Issuance of Revenue Bonds for a Multi-Family Housing Project within the Boundaries of the City of Bountiful, Utah." Mr. Hardy stated that this project will be on the tax roles and would require no preferential treatment and recommended approval. A motion for approval was made by Councilman Shafter and seconded by Councilwoman Southwick and carried unanimously.

**APPROVE AGREEMENT WITH DAVIS COUNTY -  
FINANCIAL PARTICIPATION ON 4 CREEK CULVERTS**

Mr. Hardy reported the design and engineering has been done and the inspection is now being done on four creek culverts. The City has contracted for the work and their participation is 846,401.00. He recommended the agreement be approved. Councilman Hill made the motion that the Mayor and Mr. Jenson sign the agreement as presented and Councilman Sharp gave the second with the voting being unanimous.

**APPROVE USE OF CITY PROPERTY FOR A  
ROAD IN SUNSET HOLLOW SUBDIVISION**

Mr. Don Watkins, Dr. Jack Watkins, and Mr. Tom Mabey represented the owners and developers of the Sunset Subdivision. Mr. Balling reviewed the road giving access to the subdivision and the fence owned by Mr. Calder. The land which was between the section line and the fence line was needed for part of their access road and this was discussed and approved by the Planning Commission. Consent for the deeding of that section by the Council is now needed so they can file the first plat and proceed with the development of the subdivision. This was given prior approval approximately 2 to

3-years ago and Mr. Balling recommended the signing of the deed to the Watkins for the development of the subdivision. The motion to deed was made by Councilman Lawrence and seconded by Councilman Sharp which carried unanimously.

**REVIEW CITY POLICY POSITION ON FEDERAL LEGISLATIVE ISSUES**

Mr. Hardy stated that he and Mayor Stahle were going to Washington to visit our Congressional delegation regarding their concerns on matters that may have an impact on Bountiful. He discussed the following issues: (1) the elimination of Federal revenue sharing which would reduce monies that give the City approximately \$360,000 a year; (2) the proposed changes for the Federal government to market their power which they call "market rates" in the sale of electrical power from large, existing reclamation projects; (3) proposed elimination of funds to support the Small Business Administration; (4) proposed cutbacks and probable elimination in Community Block Grants to cities; (5) proposed 25%-reduction of Federal funds which support the operation of the Utah Transit Authority; (6) the Fair Labor Standards Act as it relates to eliminating compensatory time which every City department has as a benefit for the employee; and (7) re-licensing of hydro-electric projects specifically as it relates to the preference clause for public power entities. Mayor Stahle said the U.S. Conference of Mayors has invited all mayors to come to Washington on March 26th--the day the National League of Cities concludes. They want to encourage a freeze on spending. Discussion followed regarding the proposed cutbacks in the national budget.

**TRANSFER CLASS A BEER LICENSE FROM GROCERY WAREHOUSE TO ALBERTSONS**

Chief Higgins reported that Smith's Food King and Andy's Milk Bar were in full compliance with the Suspension Order mandated last week and are very concerned and will be very aware of the law in regards to sales when the suspension is over. He then reported that Albertson's Corporation has requested permission to transfer their beer license from the Grocery Warehouse to their new facility on South Main Street which will open the end of March. Chief Higgins has inspected the facility and reported they are in full compliance with all regulations in regards to the sale of beer. He recommended the license be permitted to be transferred, but the sales activity (two violations since June 14, 1984) remain with the license. He also explained the firm will not be penalized further unless they have additional unlawful sales and Mr. Hardy has written a letter to them to that effect. Following further discussion of this matter and a concern for strict monitoring of the sale of beer to minors, Councilman Lawrence made the motion for the beer license of Grocery Warehouse to be transferred to the new Albertson's store with the sales activity remaining with the license. This was seconded by Councilwoman Southwick and was unanimously passed.

Mayor Stahle reemphasized that it is more of a responsibility of the management of the stores to be sure the clerks understand their responsibilities. Mr. Forbes said the businesses could be cited in addition and that is the intent henceforth. Mayor Stahle concurred that the store should be cited along with the clerk.

**DOG INCIDENT EXPLAINED BY GARY BLODGETT**

Mr. Blodgett told of a telephone call he had received that told of a black Labrador dog reportedly attacking children at their home in Bountiful. Using a large board, the father beat the dog off and then called the Animal Control facility who picked up the dog and took it to the shelter at Fruit Heights. His concern was to have the dog retained and not let loose should it attack another innocent child. Discussion followed regarding the incident and the level of animal control services being provided by the County. Councilman Shafter reviewed the Animal Control report for December and January for Layton and Bountiful noting Layton had received many more service calls than Bountiful. A discussion followed, with Mr. Hardy explaining that in September, October, and November, Bountiful was covered heavily and now they were doing the same in Layton. Mayor Stahle expressed that he feels the animal control officers have a cooperative and willing attitude overall and said they were giving a very good service.

**PARKS, RECREATION AND FINE ARTS COMMITTEE REPORT**

Councilwoman Southwick reported from the Cultural Arts Committee that the "Day in the Life of American Cities" is getting more publicity and more people informed. She also reported on the arts program of the city of Murray. She said that in conjunction with Handcart Days in Bountiful there will be an art exhibit and musical numbers to enhance the program. Other things are also under discussion and the Committee is excited about the prospects available and will seek funding for these in the future. Mayor Stahle noted that since the University of Utah may not be giving the Art Center the support it has in the past, the Committee wants to incorporate as many things as possible to maintain what they have done in the past, and then enlarge it in the future. He said that the City could help in many ways.

**STUDY SESSION TO REVIEW "IN SEARCH OF EXCELLENCE"**

The meeting was adjourned at 8:22 p.m. and the Council reviewed the tape "In Search of Excellence."

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MAYOR

  
CITY RECORDER \* \* \* \* \*