

Minutes of the regular City Council meeting held July 14, 1982 at 7:00 p.m. in the City Hall of Bountiful, Utah.

Present: Mayor:	Dean S. Stahle
Council Members:	J. Dean Hill, H. Keith Barton, Phyllis C. Southwick, Paul B. Allen and Bob Linnell
City Attorney:	Layne B. Forbes
City Engineer:	Jack P. Balling
Planning Director:	Jon Reed Boothe
City Recorder:	Arden F. Jenson
City Treasurer:	Ira H. Todd
Recording Secretary:	Nancy T. Lawrence

Excused: City Manager: Tom Hardy

Mayor Stahle led the pledge of allegiance to the flag, following which he offered the invocation.

Mr. Forbes verified that 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.

ORD. NO. B2-12 RE: ADOPTION OF 1982-83 FISCAL YEAR IMPLEMENTATION PROGRAM ADOPTED

Mr. Forbes reviewed Ordinance No. 82-12 entitled "AN ORDINANCE OF BOUNTIFUL CITY, UTAH, RELATING TO THE ADOPTION OF THE 1982-83 FISCAL YEAR IMPLEMENTATION PROGRAM TO THE C.B.D. NEIGHBORHOOD DEVELOPMENT PLAN, DATED APRIL 22, 1981, "following which Councilman Allen moved for its approval and Councilman Linnell seconded the motion. The motion carried by a majority with Councilman Barton voting nay.

PROPERTY OWNERS EXPRESS OPPOSITION TO NEW MALL SITE

Keith Williams, representing property owners in close proximity to the proposed Redevelopment Agency mall project (downtown Bountiful) expressed opposition to the new mall site and alledged that a public hearing was not held regarding same. (The Mayor clarified that a hearing was held). Mr. Williams also filed a list of property owners in opposition to the site with the City Recorder.

PROGRESS REPORT FROM KIM MAGNESS--WASATCH COMMUNITY TV

Kim Magness, representing Wasatch Community T.V., gave a status report on the progress of installation of cable TV in Bountiful and responded to questions from the Council regarding the projected completion date for that system. He said that the installation of the system in Bountiful has been slowed up initially because of a lack of the pole line agreement and no underground lines have been installed pending tests of the city's conduit and its ability to adequately accept the coaxial TV cable where there are 90 degree angles. A grid map of the City was presented and discussed as to areas and their projected completion dates (installation and activation). Kevin Garlic explained that the Power Department has requested that Wasatch select 10 areas in which to test the conduit; however, Mr. Magness indicated that Wasatch could do better by trenching and laying their own cables. Mr. Forbes stated that the City would prefer to have the cable placed in the existing conduit to eliminate the trenching. Mr. Magness concluded that "...by the end of the year we will have everything in, assuming we have the power supply and permission to go underground.

PROPOSED ORDINANCE RE: PARKING RESTRICTIONS FOR HEAVY-DUTY TRUCKS IN RESIDENTIAL ZONES TABLED FOR FURTHER STUDY

Mr. Forbes reviewed a proposed ordinance which would prohibit parking of heavy-duty trucks in residential zones. He noted that the Traffic Committee recommended that this ordinance be drafted as a result of several complaints regarding the noise, fumes, and safety which are associated with the presence of these vehicles. The existing ordinance prohibits parking of said vehicles in residential zones for periods in excess of two

hours; however, it has been difficult to enforce. Councilman Barton pointed out that the ordinance would not apply to private driveways. Councilman Linnell recognized the concerns of Hank Elder and other citizens in attendance; however, he stated that he felt it was an "over-kill" to draft an ordinance in response to an isolated problem. Councilman Barton made a motion to table the ordinance until it can be studied in a work session of the Council and Councilman Linnell seconded the motion which carried unanimously.

MINUTES OF JUNE 23, 1982 APPROVED

Minutes of the regular City Council meeting held June 23, 1982 were presented and approved as corrected on a motion made by Councilman Allen and seconded by Councilman Barton.

MINUTES OF JULY 14 1982 APPROVED.

Minutes of the special meeting of the City Council meeting held July 7, 1982 were presented and unanimously approved as written on a motion made by Councilman Barton and seconded by Councilman Allen.

EXPENDITURE & EXPENSE REPORTS APPROVED

Mr. Jenson presented the following Expenditure and Expense Reports: Period June 1-29, totaling \$78,114.95; Period June 29-30, 1982 in the amount of \$2,173.44; Period June 30, 1982 totaling \$91,458.86; Period June 15-25 in the amount of \$171,548.47; and June 30, 1982 (one check), of \$12,607.66. He also requested that the payroll for June, approximately \$400,000, be approved to facilitate compliance with the law as it relates to year-end closing. Councilman Linnell made the motion for approval, Councilwoman Southwick seconded the motion and voting was unanimous.

DOUG TODD REPAPPOINTED TO PLANNING COMMISSION

Mayor Stahle stated that Doug Todd's term on the Planning Commission has expired and he recommended that Mr. Todd be reappointed to serve another five-year term. He noted that Mr. Todd has done an extremely good job in this capacity, is a hard worker, and enunciates problems well. Councilman Allen made the motion that this recommendation be upheld, Councilwoman Southwick seconded the motion and voting was unanimous.

"NO U-TURN" SIGNS APPROVED FOR MAIN STREET

Mr. Balling reported that, in compliance with the State law, the Traffic Safety Committee has reviewed those streets that should be marked "No U-Turn" and it is the recommendation of that Committee that Main Street between 500 South and 900 South be signed accordingly. Councilwoman Southwick made the motion that this recommendation be upheld, Councilman Hill seconded the motion and voting was unanimous.

COUNCIL REFUSES REQUEST TO SELL LANDFILL PROPERTY TO BARD.

Mayor Stahle reported that the B.A.R.D. Board has asked if Bountiful would be willing to sell the ground which is presently being used by the landfill and he requested that the Council give a formal decision on this request. Recognizing that the City is going through a change on disposal of garbage, Councilman Barton recommended that no property be sold at this time. He put this recommendation in the form of a motion which was seconded by Councilman Hill. The motion carried unanimously.

FINAL PAYMENT APPROVED TO STEVENSON DRILLING CO. FOR MUELLER PARK WELL

Mr. Balling reported that all has been done that can be in an attempt to get a well in Mueller Park area; however, the well will only pump 40 gallons/minute and it was hoped for 400 gallons/minute. He, therefore, recommended that the contract with Claire Stevenson Drilling Company be terminated, final payment be made, and perhaps the well can be used in the future by the Forest Service or other recreational purposes. He recommended final payment in the amount of \$41,200.00 to the contractor in accordance with the terms and agreements of the

contract. Councilman Barton moved for approval of this recommendation, Councilman Allen seconded the motion, and voting was unanimous in the affirmative.

**ANNEXATION OF BONA VISTA AREA APPROVED
WITH ADOPTION OF RES. NO. 82-9**

Mr. Forbes reviewed the process for annexing property into the city, which process is concluded with the adoption of a resolution. He then presented Res. No. 82-9 entitled, "RESOLUTION DECLARING THE ANNEXATION OF TERRITORY TO THE MUNICIPALITY OF BOUNTIFUL", together with Exhibit A, the property description for the Bona Vista area, and recommended that it be approved. Councilwoman Southwick made the motion for approval of this plat for annexation and authorization for the mayor to sign same. Councilman Hill seconded the motion and voting was unanimous.

**PUBLIC HEARING SCHEDULED TO CONSIDER
NEW BONING ORDINANCE - AUGUST 25**

Mr. Boothe noted that the Council had had a study session regarding the new zoning ordinance and he recommended that a public hearing be set to consider this ordinance on August 25th at 7:30 p.m. and that it be referred back to the Planning Commission for recommendation. Councilman Hill made a motion to this effect, Councilman Barton seconded the motion and voting was unanimous.

RESERVE OFFICER PROGRAM RE-ESTABLISHED IN POLICE DEPARTMENT

Mayor Stahle reported that it is the recommendation of the Public Safety Committee that the reserve officer program be re-established in the city police department. The program would involve 12 officers who would attend class on their own, with 40 hours of field training after. Following a discussion of the duties which would be handled by the reserve officers and their restrictions, Councilman Linnell made the motion that the reserve program be implemented as recommended, with the clarification that the section on salary (2{a}{1}) be clarified as follows: "...will not exceed an annual average of 16 hours per officer per month." Councilman Allen seconded the motion which was favored unanimously. It was also clarified that the reserve officers will not be considered as regular employees, but would be covered by Workmen's Compensation benefits.

**BINGHAM ENGINEERING AWARDED BID FOR
CONSULTING SERVICES FOR HYDROELECTRIC PROJECTS**

Councilman Linnell reported that it is the recommendation of the Power Commission that the Bingham Engineering firm be engaged as hydroelectric consultants. Invitations to bid on this were sent to seven firms, five of which responded. This recommendation was based on the expertise of Bingham Engineering, as well as the fact that it was the low bid. The fact that Jay Bingham, a principal of Bingham Engineering, is on the Power Commission, was discussed as it relates to the possibility of a conflict of interest. Councilman Linnell explained that the Power Commission reviewed this matter carefully, and had it researched by legal counsel prior to making this recommendation. Mr. Bingham did not participate in the meeting at which the bids were presented, except when presenting the proposal for his firm. Councilman Linnell made the motion for approval of Bingham Engineering as recommended, Councilman Barton seconded the motion, and voting was unanimous.

CRP CONTRACT FOR RATE OF DELIVERY APPROVED

Councilman Linnell presented the Contract for Rate of Delivery of Colorado River Storage Power (CRSP), Exhibit I, for 37,000 kilowatts in the summer and recommended that this contract be approved and the mayor authorized to sign it. Councilman Barton made a motion to this effect which was seconded by Councilman Hill and unanimously approved.

BIDS FOR STREET DEPT. EQUIPMENT APPROVED

Mr. Balling presented the following recommendations for acceptance of bids for the Street Department equipment: dump truck--Marion Willey Ford, \$49,886.71; dump bed--Williamsen Truck Equipment Corp., \$6,735.00; trailer--Williamsen,

\$12,750.00; sander, TESCO, \$5,250.00; and plow--Atlas Equipment, \$3,218.00. He said that all of the items were included in the budget with a grand total of less than the budgeted amount. Councilman Allen made the motion for approval as recommended and presented, Councilman Hill seconded the motion and voting was unanimous.

AMUSEMENT DEVICE LICENSE APPROVED FOR
FAMILY NORGETOWN, 302 SOUTH 200 WEST

Mr. Boothe reported that it is the recommendation of the Planning Commission that an amusement device license for 4 video game machines be approved for Family Norgetown, 302 South 200 West (Ron Bangerter, owner). This recommendation was unanimously upheld on a motion made by Councilwoman Southwick and seconded by Councilman Hill.

PUBIC HEARING SET TO CONSIDER AMENDING
TEXT OF R-2P ZONE TO ALLOW BUSINESS OFFICES

Mr. Boothe explained that a request has been received from Dr. Melvin Ericksen, Bountiful Professional Plaza, for the zoning text relating to the land uses of the residential R-2P zone to be amended to allow for "business offices". Mr. Boothe recommended that a public hearing be set for August 11th at 7:30 p.m. to consider this matter and that it be referred back to the Planning Commission for recommendation. This hearing was set on a motion made and seconded by Councilwoman Southwick and Councilman Allen, respectively. Voting was unanimous.

TRAFFIC SAFETY COMM. MEETING

Mr. Balling reminded the Traffic Safety Committee of a meeting tomorrow at 7:00 a.m.

The meeting adjourned at 9:15 p.m. on a motion made by Councilman Linnell and seconded by Councilman Barton.

Dean S. Stahle

MAYOR

Allen T. Benson
CITY RECORDER

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