

Minutes of the regular meeting of the City Council held February 24, 1993 at 6:45 p.m. at the Golf Course Clubhouse, 2400 South Bountiful Boulevard, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	Harold Shatfer, Renee Coon, John Cushing, Barbara Holt and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Russell L. Mahan
	City Engineer:	Jack P. Balling
	City Recorder:	Arden F. Jenson
	Planning Director:	Blaine Gehring
	Department Heads:	Cliff Michaelis, Power
	Department Representative:	Allen Johnson, Power

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.

Mayor Linnell called the meeting to order, after which the invocation was offered by Jack Balling.

Minutes of the regular meeting of the City Council held February 10, 1993 were presented and unanimously approved as written on a motion made by Councilwoman Holt and seconded by Councilman Shafter.

**EXPENDITURES AND EXPENSES APPROVED  
FOR PERIODS IN FEBRUARY, 1993**

Mr. Jenson presented the Expenditure and Expense Reports for the following periods, with respective totals: February 1-9, 1993: \$55,104.53; and February 10-18, 1993: \$17,531.86. These expenditure and expense reports were unanimously approved on a motion made and seconded by Councilmen Cushing and Foy, respectively.

**BID AWARDED TO R. B. CONSTRUCTION FOR CONCRETE WORK  
FOR THE REBUILDING OF THE POWER DEPARTMENT'S CENTRAL  
SUBSTATION**

Cliff Michaelis, Power Department Director, reported that ten bids had been received for concrete work for the rebuilding of the Central Substation. The bids ranged from \$56,930.00 to \$159,903.00, with R. B. Construction being the low bidder. The amount budgeted is \$67,850.00 Councilwoman Holt asked if the low bidder has done work for us before, or if we are familiar with the quality of work done by them. Mr. Michaelis and Mr. Balling indicated that R. B. Construction has not done work for us before, but that our consulting engineer (SSR) has contacted them and has discussed the project in length. Based on their discussion they feel that the bid is complete and R. B. Construction can meet all the specifications and timetable for construction. In response to a question from Councilman Shafter, it was indicated that the timetable for construction is 28 days, and there is a penalty if the contractor fails to complete the project on time.

Councilman Cushing indicated that this matter has been reviewed with members of the Power Commission, and it is their recommendation that the bid for this project be awarded to the low bidder. He then made a motion to award the bid to R. B. Construction for \$56,930.00. The motion was seconded by Councilman Foy and approved unanimously.

**BID AWARDED TO GALVANIZERS, INC. FOR THE STEEL STRUCTURES FOR THE POWER DEPARTMENT'S CENTRAL SUBSTATION**

Mr. Michaelis reported that eight bids were received for the steel structures which will be used to mount the electrical buss and equipment in the rebuilding of the Central Substation. The bids ranged from \$21,578.30 to \$35,200.00. The amount budgeted is \$30,050.00. Our consulting engineer (SSR) has contacted the low bidder (Galvanizers, Inc.) and feels that their bid is complete and meets all the specifications. SSR also indicated that they have worked with Galvanizers in the past and states that they have a good product and a good track record for delivery as promised.

Councilman Cushing indicated that this matter has been reviewed with members of the Power Commission, and it is their recommendation that the bid for this project be awarded to the low bidder. He then made a motion to award the bid to Galvanizers, Inc. for \$21,578.30. The motion was seconded by Councilman Shafter and approved unanimously.

**APPROVAL GIVEN TO CONSTRUCT SIDEWALK ALONG BOUNTIFUL BOULEVARD FROM MUELLER PARK ROAD TO CHELSEA DRIVE WITH ADDITIONAL APPROVAL GIVEN TO USE GOLF COURSE FUNDS FOR ITS SHARE OF THE COST**

Mr. Balling reported that when the Golf Course was developed, the Bountiful Boulevard Road was constructed through the Golf Course without sidewalks along the side. When Maple Hills to the north and Chelsea Cove to the south of the Golf Course were developed, the City required the developers to construct a 4-foot sidewalk on both sides of the road as per the city ordinance. With the growth and development of the east bench and the numerous walkers and joggers that use Bountiful Boulevard, there is a pressing need to install a sidewalk through the Golf Course.

Mr. Balling presented four plans:

Plan #1 - Construct 5 ft. walk along the east side adjacent to the curb and gutter. This would require 2,525 ft. of 5' walk, 500 ft. of retaining wall and relocation of 2,165 ft. of chain link fencing.

Total Cost = \$40,555.00

When this was reviewed by the Traffic Committee, concern was expressed that people would not use a walk on the east side of the road and the walk was too narrow to allow multiple use.

Plan #2 - Construct a 5 ft. walk along the west side adjacent to the curb and gutter. This would require 3,545 ft. of 5 ft. walk, relocation of 3,545 ft. of fencing, import of 1,500

cubic yards of compacted fill and re-landscape of the Golf Course fairways.

Total Cost = \$51,000.00

The Traffic Committee did not like the encroachment into the Golf Course. They also felt that the walk was too narrow to be of use by the public.

Plan #3 - Construct an 8 ft. walk along the west side adjacent to the curb and gutter. This would encroach as much as 25 ft. into the Golf Course to construct a compacted fill to support the walk or a very expensive retaining wall. The work would include 3,545 ft. of 8 ft. walk, 2,000 ft. of 61 retaining wall of 6,500 cubic yards of import compacted fill, and relocation of 3,545 ft. of fencing.

Total Cost with wall = \$177,000.00

Total Cost with fill = \$109,000.00

The Traffic Committee did not like the encroachment into the Golf Course with the fill and were very concerned with the high cost to build a retaining wall.

Mr. Balling indicated that after the Traffic Committee had looked at the above proposals, it was recommended that the City Council make the decision.

Mr. Balling stated that his department has reviewed the suggestions of the Traffic Committee and has developed a fourth proposal which would address the walking access along the entire length of Bountiful Boulevard. The proposal is as follows:

Plan #4 - Construct an 8 ft. walk along the west side by relocating the curb and gutter and narrowing Bountiful Boulevard. The curb and gutter would be moved 6 ft. east, an 8 ft. walk would be constructed and the fence would remain in its present position.

Total Cost = \$88,810.00

Under this proposal the Boulevard would be narrowed to 46 ft. back to back of curb which is the same width as Bountiful Boulevard now exists North of Mueller Park Road. This would also be a continuation of the walk that was constructed north of Mueller Park Road last year.

Mr. Balling suggested that the Council consider the additional expense to widen the walk from the Golf Course north to Mueller Park Road through Maple Hills.

Total Cost = \$36,435.00

The walk should also be extended to the south from the Golf Course to Chelsea Drive.

Total Cost = \$17,265.00

The staff recommends that we look in terms of the overall need to provide a safe walking and jogging path along the entire length of Bountiful Boulevard which is safe from the motor vehicles and well lighted for night-time use. They recommend proposal #4 through the Golf Course, Maple Hills and Chelsea Cove be constructed now if the money is available or constructed in the future as funds become available. The walk should also be continued the entire

length of Bountiful Boulevard, and walkers and joggers be encouraged to use this facility and not to walk or run in the roadway.

There were questions and comments from the Mayor and members of the Council concerning Bountiful Boulevard width, traffic flow, shrubbery, a barrier (fence) , and lighting. Although the Council agreed that Plan #4 appears the way to go, a discussion ensued concerning concrete sidewalks versus asphalt. Councilwoman Coon said she could not support concrete sidewalks, as people do not like them for walking and jogging. Councilman Cushing said concrete is alright, but that joggers would probably not use a concrete sidewalk. Mr. Balling indicated that asphalt is difficult to construct and maintain in narrow widths such as sidewalks.

Mayor Linnell asked if action is needed on this matter tonight. Mr. Hardy said we are now preparing the City's annual bid for concrete work, and this project can either be included in this bid or bid out separately later. In response to a question from the Mayor concerning funding of the project, Mr. Hardy said money is available from the Golf Course Fund, and it would be appropriate to use money from that fund for the portion of this project that goes through the Golf Course (for a standard size 4 ft. walk). Even though the funds are available for this project, they have not been appropriated, and it would be necessary to do so. Funds other than those from the Golf Course would also have to be appropriated.

Councilwoman Coon made a motion to follow staff recommendation and approve construction of the necessary improvements under Plan #4 (except with asphalt walks). The motion died for lack of a second.

Councilman Foy made a motion similar to that of Councilwoman Coon, except that concrete be used for the walks instead of asphalt. Included in the motion was a provision to use \$88,810.00 of Golf Course Funds (less the cost of curb and gutter, \$36,225.00). The motion was seconded by Councilman Shafter and carried by a vote of 4 to 1, with Councilwoman Coon voting nay.

#### **DISCUSSION ON SETTING A PUBLIC HEARING CONCERNING EXTENSION OF BOUNTIFUL BOULEVARD INTO SALT LAKE CITY**

Councilwoman Coon suggested that a public hearing be held to obtain citizen input concerning the extension of Bountiful Boulevard into Salt Lake City. She feels that the support given to this project by the Council in last week's meeting was not appropriate without hearing from the citizens first. She therefore made a motion to set a public hearing for March 10<sup>th</sup> at 7:30 p.m. The motion died for lack of a second.

A discussion ensued between the Mayor, members of the City Council and staff concerning this matter. Councilwoman Coon said she feels that the Council owes it to the citizens to let them be heard. She said she was not able to attend last week's City Council meeting due to illness, and had she known action would have been taken she would have been present to the extension of Bountiful Boulevard into Salt Lake City may have been done illegally. She said the agenda for that meeting did not indicate any action would be taken, and that she has talked to Mr. Mahan (the City Attorney) about the situation, who indicated, in a written memo,

that there could be a problem with the way the matter was handled. Mr. Mahan responded by saying that by placing an item on the agenda that indicates "Presentation of a Concerned Citizen," what takes place at the meeting can be beyond what the Mayor and Council can control. Mr. Mahan said we have not broken the law, but the phraseology of the agenda item ran counter to

what actually happened. Mr. Hardy said he has a problem with what Mr. Mahan has said. Mr. Hardy indicated that a citizen (Ann Wilcox) requested to have an item on the agenda, and it was included. So, the agenda was correct. It was up to the Council what they did on the matter from there. The Council cannot anticipate what will happen when an item is placed on the agenda. Mr. Hardy said that a presentation representing opposing views can also be placed on the agenda, although we can't anticipate what will happen when an item is put on the agenda.

Councilwoman Coon acknowledged that the agenda may have been correct, but still wondered why we couldn't "hear the people out."

The meeting adjourned at 7:48 p.m. on a motion made by Councilwoman Holt and seconded by Councilman Cushing.