

Minutes of the regular City Council meeting held February 6, 1985 at 7:00 p.m. in the City Hall of Bountiful, Utah.

Present:	Mayor:	Dean S. Stahle
	Council Members:	C. Harold Shafter, Richard G. Sharp, Jerry K. Lawrence, Phyllis C. Southwick, and J. Dean Hill
	City Manager:	Tom Hardy
	City Attorney:	Layne B. Forbes
	City Engineer:	Jack P. Balling
	Planning Director:	Jon Reed Boothe
	City Recorder:	Arden F. Jenson
	Deputy Recorder:	Lois Hoskins
	Rec. Secretary:	Beverly B. Hyde

Mayor Stable welcomed those in attendance and then led the pledge of allegiance to the flag. The invocation was offered by Jerry Lawrence.

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.

**EXPENDITURE AND EXPENSE REPORTS FOR
THE PERIODS OF JAN. 2-16 AND JAN. 18-24
APPROVED**

Mr. Jenson presented the Expenditure and Expense Report for the period of January 2 through 16 totaling \$445,750.82, also the report for the period of January 18 through 24 totaling \$252,733.69. Mayor Stahle informed those in attendance of some of the major expenses listed in the reports, and members of the City Council had a few items clarified, after which a motion to approve these reports was made by Councilman Shafter, seconded by Councilwoman Southwick and given unanimous approval.

**CHAMBER OF COMMERCE BOARD MEMBERS REPORT
ON NEW BUSINESS DEVELOPMENT ORGANIZATION
"THE BENCHMARK REGION"**

Mr. Haven Burningham, Executive Director of the Bountiful Area Chamber of Commerce, introduced members of the Board of Directors, namely: Barbara Webb, Elmer Barlow, Bob Ward, Steve Cerri and David O'Reilly, and then asked Mr. Cerri to give his presentation. Mr. Cerri spoke about the new business development organization "The Benchmark Region", brochures on which had been distributed to the Mayor, City Council and others, and he reviewed the contents of the booklet. Mr. Cerri gave information on the funding, purposes, goals, and advertising efforts of this group, stating that their main goal is to act as a focal point for attracting new business to the South Davis County area. Mr. Ward was then asked to speak. Mr. Ward reported further on the advertising and particularly mentioned an ad that will appear in various newspapers in this and surrounding areas. At the conclusion of Mr. Ward's remarks,

Mr. Cerri announced that May 8th has been set for the "Benchmark Region Day", at which Scott Matheson is tentatively scheduled to be the keynote speaker.

MAYOR STABLE EXPRESSES CONCERN WITH WHAT HAS BEEN DONE BY THE CHAMBER BOARD AND HIS DISAPPOINTMENT IN THE CHOICE OF NEW NAME

The Mayor said he applauds the efforts of the members of the Chamber Board in bringing things together, but he is very disappointed in what they have done. He explained that when the funds were approved by the City Council, it was on the basis that he and the City Manager were to be involved in some of the discussions, that the money was not to be used for advertising in the Ogden and Salt Lake newspapers, both of which requests had been ignored, and he stated, that the name "Benchmark" leaves him absolutely cold because it has no significant bearing on the location. He felt the brochure should not have been printed before consulting with Bountiful city officials. Councilman Lawrence reported that he was in the meeting when the funds were approved, and he confirmed the Mayor's explanation. He also concurred with the Mayor in regard to the new name, stating he felt it would not do much for the Bountiful area, and that he would look far and hard before he would consider supporting further funds. Mr. Cerri said their intent was to unify the area comprising the six cities, and he explained the budget and where the funds have been used. Mr. Burningham stated he was unaware of the need for a representative to be informed of the planning meetings. Councilman Shafter stated he felt the name "Benchmark Region" is cool. Mr. Ward reported that a professional advertising agency had been hired to help choose a name and he explained that benchmark stands for a standard of cooperation and foresight in planning. At the conclusion of Mr. Ward's remarks, Mr. Cerri asked that the City Council just look at what they have accomplished as he feels their efforts will be fruitful.

BRUCE KALISER, STATE HAZARDS GEOLOGIST, CLARIFIES PROBLEM IN CANYON CREST SUBDIVISION AREA OF BOUNTIFUL

Mr. Bruce Kaliser, State Hazards Geologist for the Utah Geological and Mineral Survey, was in attendance to help clarify a problem the City is confronted with in the neighborhood of Canyon Crest Subdivision. He pointed out on a map the area actually affected by this phenomenon at this time and told of anomalies that have been developing since 1983. He explained that 40 residential properties have been damaged and stated that two hypotheses are being investigated. These hypotheses are collapsing of the soil fabric and creeping movement of a block of earth. He reported that the Utah Geological and Mineral Survey has been working in cooperation with the City Engineer's office and has been in consultation with Dames and Moore, the work consisting of the following:

1. Mapping and observation of distressed homes, street, sidewalk, etc.

2. Preparation, distribution and compilation of questionnaires to home owners.
3. Utility companies contacted for system problems.
4. Exploration data acquired by the State Retirement Board on their neighboring vacant property to the east has been examined.
5. Seven exploration trenches have been dug and a total of five test holes dug (3 in 1983 and 2 in 1984).
6. Seven samples of soil were collected from the trench walls and laboratory tests run on each.
7. Eight survey points have been established in the streets.

Mr. Kaliser said the results support the first hypotheses, confirming the presence of collapsible soils in the subsurface; however, the second hypotheses is very difficult to establish and will require monitoring through the spring and summer of 1985 to make a final determination. He explained what further investigation, testing of samples and monitoring is planned for the future.

**QUESTIONS, COMMENTS AND SUGGESTIONS BY
CITIZENS, CITY OFFICIALS, & STATE GEOLOGIST**

Hartley Hansen, Karl Davis, Paul Benzley, Roger Clyde, Don Mabey, Perry Soderberg and Jim Harrison made inquiries and comments on such concerns as the Weber water problem, communication procedures, development of Bountiful Boulevard through this area, hydro compaction, what steps the City has taken thus far, liability of the City or citizens and the methods to correct the problems. Procedures and suggestions were as follows:

1. Mr. Balling stated that monitoring devices will be used to check the Weber water as early as possible in the spring. He also reported that in addition to the Weber water problem, efforts have been made to divert the runoff water from a small canyon east of this property into Mill Creek and Barton Creek; that the City is attempting to obtain approval from the Utah State Retirement Board to pay the cost of having their contractor complete the road and place a drain line to accept the flow, and the agreement should be forthcoming within a week.
2. Mr. Kaliser advised that home owners and utility people should notify the City of any new observations and to mark the various problem areas, and Councilwoman Southwick also suggested they keep a log of any situations that are getting progressively worse.
3. Some of the home owners present spoke of forming a home owners association and having a representative thereof, and they were advised to have their representative contact either the City Manager or Mayor on a regular basis for an update of current findings in the investigation.

4. Mr. Forbes explained that one home owner has already been asked to leave the home but the City can only determine if a home is or is not structurally safe and impart that information, after which the home owner must make the decision whether to vacate the premises.

5. Mr. Hardy reported the work completed to date by the City crews and costs borne by the City thus far. He mentioned that the City has met with the Retirement Board several times to obtain permission to dig a trench on their property, and he commented that Dames & Moore have been volunteering their services.

In conclusion, Mr. Kaliser reported that the next big steps are drilling of the two holes, and that data acquired from the testing of samples should be available within two to three weeks.

NEWLY HIRED BUILDING INSPECTOR INTRODUCED

Mr. Balling introduced Morris Squire who has been hired to fill the vacancy in the Building Inspection Department. He reported that he is a master electrician, has completed the training to become a certified building inspector and that he is a native of Bountiful. The Mayor welcomed Mr. Squire to the City staff.

BID AWARDED TO HIGHLAND GOLF EQUIPMENT CO. FOR 5 GAS AND 15 ELECTRIC GOLF CARTS

Neal Jenkins reported that bids were received January 23rd from Boyd Martin Co. and Highland Equipment Co. for both gas and electric golf carts. He recommended that the alternate low bid from Highland Equipment Co. in the amount of \$39,450.00 (\$1,972.50 each) be accepted, and explained this is for all 20 carts (5 gas and 15 electric) with trade-in of 10 old electric carts. Councilwoman Southwick made a motion to accept the bid from Highland Equipment Co. for 5 gas and 15 electric golf carts. The motion was seconded by Councilman Lawrence and unanimously approved.

BOYD MARTIN CO. AWARDED BID FOR TURF VEHICLE & GREENSMOWER FOR GOLF COURSE

Mr. Jenkins gave bid results of January 23rd on a turf vehicle and a greensmower and recommended the low bid of Boyd Martin Company on both the Cushman turf vehicle in the amount of \$6,500.00 and on the Jacobsen greensmower in the amount of \$8,200.00 be accepted. Councilman Shafter made a motion to award the bids as recommended by Mr. Jenkins. The motion was seconded by Councilwoman Southwick and carried unanimously.

CITY COUNCIL APPROVES COOPERATION AGREEMENT BETWEEN D.C.H.A. AND BOUNTIFUL CITY

Mr. Forbes spoke of a Cooperation Agreement between the Davis County Housing Authority and Bountiful City on a housing project. He explained that the Agreement provides that when the project is developed, it will be tax exempt and the Housing Authority will make annual payments in lieu of taxes not to

exceed 10 percent of the shelter rent received and the City will provide, without cost, the public services provided others in the City. This annual payment will be shared in the same manner as if it were property tax. Jane Wilson, Deputy Director of the Davis County Housing Authority, presented the final drafts of the Cooperation Agreement. She gave information on this project and stated there will probably be 17 units. Councilman Sharp inquired as to the distribution of the payments in lieu of taxes and Mr. Hardy explained how this is distributed among the various districts and the City. A motion to approve this Cooperaton Agreement and authorize the Mayor to sign the document was made by Councilman Sharp, seconded by Councilman Shafter and favored unanimously.

**JANE WILSON OF DAVIS COUNTY HOUSING AUTHORITY
REPORTS ON TURNOVER IN HOUSING UNITS**

Jane Wilson gave some statistics, about which Councilwoman Southwick had inquired previously, concerning turnover in the Davis County Housing units. She stated that in the 44-family units, there were only 12 moveouts during the year and there was no turnover in the 224-unit elderly housing complex. Councilwoman Southwick thanked Mrs. Wilson for this information.

**ELMER BARLOW PRESENTS AGREEMENT OF S.D.C.S.I.D.
AND PHILLIPS PETROLEUM CO. FOR SEWER CONNECTION**

Elmer Barlow gave information on the status of the North and South Davis Sewer Treatment Plants, telling about the design capacity, flow and pumps at present. He explained the Cooperation Agreement between the South Davis County Sewer Improvement District and Phillips Petroleum Company, copies of which had been distributed to the Mayor and City Council, stating that the Company will pay to the District as a connection fee the sum of \$81,250.00 which would be equivalent to 1,625 homes at \$50.00 per connection based upon 400 gallons per day wastewater contribution. Councilman Lawrence brought to attention the incorrect wording in the Agreement on Page 3, Item No. 9 where it states "bio-chemical oxygen demand exceeds minimum acceptable limits" and said this should read maximum rather than minimum. After further explanation of the Agreement by Mr. Barlow and some concerns expressed by the City Council members and others, a decision was made to have Messrs. Forbes and Balling study this Agreement for a two-week period and Mr. Barlow encouraged the Council to get their comments, concerns and suggestions to the Sewer District Board as quickly as possible. The Mayor thanked Mr. Barlow for his presentation.

ECHO PROJECT LICENSE GRANTED APPROVAL

Power Department Manager, Cliff Michaelis, reported having received the license on the Echo project which is about 4.5 megawatts, and said they expect to begin construction on this, if the City Council accepts the license, in late summer this year with an on-line date for the spring of 1987. He mentioned that of the five projects they have, they feel that the Echo license is the most advantageous to the City and are hoping to

move ahead with this project as soon as possible. He recommended that the license be accepted and said they will be reporting on an engineering firm at a later time. Councilman Hill made a motion to accept the Echo license as outlined by Mr. Michaelis. The motion was seconded by Councilwoman Southwick and voting was unanimous in the affirmative.

EXECUTIVE SESSION TO DISCUSS LITIGATION APPROVED

The executive session to discuss pending litigation was unanimously approved on a motion made by Councilman Shafter and seconded by Councilwoman Southwick.

Councilman Lawrence left the meeting at 9:30.

APPROVAL OF FUNDS & PERMISSION TO PROCEED GIVEN FOR REALIGNMENT OF DRY CREEK AT 1100 EAST AND RECONSTRUCTION OF DETENTION BASIN

Mr. Balling explained the need for realignment of Dry Creek at 1100 East and reconstruction of the detention basin. He said the surveys of the area, hydrologic studies and plans have been completed and that the City Council had previously approved the participation with Mr. James Bell to replace a pipe which was damaged during the spring runoff. The question on the amount of Bell's participation was discussed, after which Mr. Balling asked for approval from the Council for this project and authorization of funds in the amount of \$18,500.00 with permission to collect \$3,500.0 from the Bells. A motion was made by Councilman Shafter to proceed on the basis Mr. Balling has outlined as long as the Bells are contacted for clarification of their \$3,500.00 participation. The motion was seconded by Councilman Hill and unanimously approved.

CITY COUNCIL AUTHORIZES FUNDS FOR 900 NORTH 1050 EAST (DAVIS BLVD.) STORM DRAIN PROJECT

Information was given by Mr. Balling on the 900 North 1050 East (Davis Blvd.) storm drain project. He stated that the plans have been completed and the cost estimate is \$33,060.00 which is considerably more than the original estimate. The drainage problems on this project were discussed at length and Mr. Balling stated that as the area develops, there will be additional problems. A decision on this proposed project was delayed until later in the evening, at which time a motion was made by Councilwoman Southwick to proceed with the storm drain and authorize the necessary funds. The motion was seconded by Councilman Hill and favored unanimously.

1300 EAST GRANADA DRIVE STORM DRAIN APPROVED

Mr. Balling reviewed original plans for the 1300 East Granada Drive storm drain which was to construct a retaining wall on the Gene Smith property to prevent flooding to his house at a cost of \$2,525.00; however, a survey of the intersection was made and it is now Mr. Balling's recommendation that a drain pipe be installed to divert the water from Granada Drive south along 1300 East at a cost estimate of \$5,400.00. On a motion made by Councilman Sharp and seconded by Councilman Hill, the funds for this project were unanimously approved.

**MILL CREEK RELOCATION AT MUELLER PARK
STAKE HOUSE GIVEN CONCEPTUAL APPROVAL**

Mr. Balling reported what has been done since the flood of 1983 at the location of the Mueller Park Stake House on Mill Creek and told of two possibilities for handling the heavy creek bed load which is causing wear on the pipe. He gave cost estimates of \$125,000.00 for constructing three sediment basins as one proposal and \$150,700.00 for relocation of the stream and enlarging the culvert under Mueller Park Road as the second proposal. After explaining the second proposal in detail, a motion was made by Councilman Hill to approve this project in concept. The motion was seconded by Councilwoman Southwick and carried unanimously.

**MR. BALLING REPORTS ON THE STATUS OF
FLOOD CONTROL PROJECTS IN THE CITY**

A current report of the flood control projects was given by Mr. Balling. He had distributed copies of a map giving an overview of the remaining projects on Stone Creek, Barton Creek, and Mill Creek and explained plans for completion of these projects. He told of the possible funding by the State and County and of the work to be completed by the Corp of Engineers, stating that everything should be completed on the creeks within 18 months. A motion to give support to these projects was made by Councilman Sharp, seconded by Councilman Shafter and voting was unanimous in the affirmative.

**MR. HARDY REPORTS ON THE CURRENT SALES TAX
BILL AND THE SENATE BILL NO. 142**

Mr. Hardy expressed concern about the current sales tax bill and reviewed what had happened previously on the sales tax for flooding money, etc. He feels there is a need for the City officials to meet with the legislative people on this issue and it was decided that Mr. Hardy would attempt to arrange a breakfast on Monday, February 11th for this meeting. Mr. Hardy also gave information on Senate Bill 142 which deals with commercial and residential garbage collection procedures. He said the bill gives the City an exclusive franchise to collect garbage or the City can award a franchise, and this was discussed.

At 10:20 Councilman Shafter made a motion to adjourn this meeting and it was seconded by Councilman Sharp and unanimously favored.

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MAYOR


CITY RECORDER

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