

Minutes of the regular meeting of the City Council held April 4, 1984 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, Phyllis C. Southwick, Jerry K. Lawrence, and J. Dean Hill
City Manager:	Tom Hardy
City Attorney:	Layne B. Forbes
Asst. City Engineer:	Paul Rowland
Planning Director:	Jon Reed Boothe
Deputy Recorder:	Lois Hoskins
Deputy Recorder:	Vernile Hess
Rec. Secretary:	Nancy T. Lawrence

Mayor Stahle welcomed those in attendance and then led the pledge of allegiance to the flag. Councilwoman Southwick offered the invocation.

Mr. Hardy 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.

Minutes of the regular meeting of the City Council held March 28, 1984 were presented and unanimously approved as written on a motion made by Councilman Lawrence and seconded by Councilman Shafter.

**EXPENSES APPROVED FOR PERIOD MARCH 9-22 AND 23-29, 1984**

Mrs. Hoskins presented the following Expenditure and Expense Reports: Period March 9-22, 1984, \$899,234.26; and Period March 23-29, 1984, \$227,484.22. Having reviewed these expenditure reports from materials in the Council packets, the Council gave unanimous approval to them on a motion made by Councilman Shafter and seconded by Councilman Lawrence.

**ELMER BARLOW REPORTS FROM SO. DAVIS SEWER BOARD**

Elmer Barlow, Bountiful's representative on the South Davis Sewer Board, reported to the Council regarding the South Davis Sewer. He referred to a summary report from James Montgomery Engineers, a consulting firm engaged by the Sewer District, which summarized expenses and revenues and recommendations for future upgrading of the sewer plants. Mr. Barlow stated that in order to comply with the 1985 water quality standards which will go into effect next year, it will be necessary to either (1) upgrade the existing north and south plants at a cost of approximately \$43 million, including interest and inflation; or (2) build a new plant to replace the two existing plants at a cost of approximately \$55 million, including the bonding and inflation. It was the recommendation of the consulting engineers that the existing plants could be upgraded with stage phasing. Consideration is also being given to appeal the State standards which are being implemented. He said that he would

like to keep in touch with the Council on a monthly basis regarding this matter.

**SEWER PLANT PREPARED FOR RISE IN LAKE**

Mr. Barlow also briefed the Council on the position of the Sewer plant as it relates to the high level of the Great Salt Lake, noting that they are prepared for a one-two foot rise in the lake. Councilman Sharp commented on the \$12 million difference between the two options being considered for upgrading of the sewer plant, stating that he felt this was a sizable difference. He said that with the information given this evening, he would lean toward going with upgrading the existing plants.

**COUNCIL APPROVES CONTRACTS WITH WAPA FOR FUEL REPLACEMENT AND EXCESS CAPACITY**

Cliff Michaelis presented two power contracts for consideration. (1) A power replacement contract which would enable the City to be able to purchase excess power on an if and when available basis from Western Area Power Administration. This would enable the City to shut down the generators at the plant and replace that generation with less costly hydro power to supplement our system with the energy needed. And (2) a capacity contract which would provide for approximately 10 megawatts which will be needed during the summer season. He said that these two contracts will enable the City to go through the summer season and they are recommended for approval by the staff. Councilwoman Southwick made the motion that these contracts (both with WAPA) be approved and that the Mayor be authorized to sign them. Councilman Lawrence seconded the motion and voting was unanimous.

**JIM RICHARDSON FILES PETITION OPPOSING WORK ON STONE CREEK ABOVE 800 EAST**

Jim Richardson, 1033 East 250 North, expressed his concerns regarding the improvements which the City is planning to construct along Stone Creek between 800 East and Davis Boulevard. He stated that of the options which Mr. Balling suggested for dealing with the creek in this area, he would prefer to have the creek left in its natural state, with the channel cleaned, aligned, and stabilized. He presented a petition signed by himself and other property owners along this section of the creek stating their opposition to the proposed concrete lining of the channel and objecting to the City entering their property for accomplishing this work. He stated that the purpose of the petition was "to prevent further destruction to our way of life."

Keith Taylor, counsel for the petitioning group and Mr. Richardson and Don Johnson, specifically, urged the Council to follow constitutional procedures in dealing with the property owners so that the rights of both the city and the private citizens are protected.

**RESIDENTS PLEAD WITH CITY TO CONTINUE STONE CREEK WORK**

David Williams, 395 North 900 East, L. F. Eckman, 353

North 700 East, and John Becker, 896 East 350 North, spoke in behalf of another group of residents living on upper Stone Creek who have presented a petition requesting that the City work with haste to continue with the project as planned, pointing out that the creek is not in its natural state at the present time (with newly created banks of fill) and that serious problems will occur if something is not done prior to the spring runoff. Mayor Stahle responded to the differing viewpoints which were presented, stating that the Council will have an answer to these people by Monday of next week. It was noted that the decision of what will be done along the creek has already been made (concrete lining); however, the manner of accomplishing this--further negotiations with property owners and alignment of the creek, etc.--will be clarified. Councilman Lawrence complimented the citizens in attendance on the orderly manner in which they expressed their concerns.

**PLANNING COMMISSION RECOMMENDS THAT  
ORDINANCE NOT BE CHANGED AS IT RELATES TO  
NON-CONFORMING USE--4TH ST. GAMES**

Mr. Boothe reported that the Planning Commission discussed the request of Mr. Frank Herrera to relocate his amusement device business (Fourth Street Games) elsewhere in the City inasmuch as he is losing his lease due to the redevelopment of the downtown area. It was the recommendation of the Planning Commission that neither the non-conforming section of the ordinance or Title X, Chapter 13 be changed, which would make it possible for him to relocate his business. Councilman Sharp noted that non-conforming uses are gradually eliminated by such similar circumstances and it is not the intent of the ordinance to protect their existence. Mr. Herrera expressed concern that he had just paid a \$794.00 annual business license fee and the Council voted unanimously to refund him his unused portion of the license. This action was taken on a motion made by Councilman Shafter and seconded by Councilwoman Southwick. Councilman Hill questioned the need to regulate the amusement device business and discussion followed regarding the role of government as it relates to legislation of morals.

**MAYOR READS LETTER FROM WIL JEFFERIES RE:  
WASTE DISPOSAL ISSUE**

Mayor Stahle referred to a letter he had received from Wil Jefferies, Wasatch Front Regional Council, regarding the proposed burn plant at Layton and the existing landfill operations. He requested that the Council study the suggestions of Mr. Jefferies and be prepared to discuss them further at a future time.

The meeting adjourned to <sup>o</sup>dy session at 8:59 p.m.

95

MA 0 Idttaree,

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