

1 Minutes of the regular meeting of the City Council held October
2 24, 1990 at 7:00 p.m. in the Council Chambers of the City Hall,
3 Bountiful, Utah.

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5 Present: Mayor: Bob Linnell
6 Council Members: C. Harold Shafter, Renee Coon,
7 Bob Gramoll, Barbara Holt, and
8 Leslie T. Foy
9 City Manager: Tom Hardy
10 City Engineer: Jack P. Balling
11 City Attorney: Layne B. Forbes
12 City Recorder: Arden F. Jenson
13 Dep. Recorder: Kim Coleman
14 Rec. Secretary: Nancy T. Lawrence
15 Dept. Heads: Neal Jenkins
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17 Excused: Planning Director: Jon Reed Boothe
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19 Official Notice of this meeting had been given by posting a
20 written notice of same and an Agenda at the City Hall and providing
21 copies to the following newspapers of general circulation: Davis
22 County Clipper, Deseret News, and Salt Lake Tribune.
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24 Mayor Linnell called the meeting to order, following which
25 Bonner Alexander, a Boy Scout from Troop 910, led the pledge of
26 allegiance to the flag. The invocation was given by Mr. Forbes and
27 Mayor Linnell gave a special welcome to the visiting Boy Scouts.
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29 Minutes of the regular meeting of the City Council held October
30 10, 1990 were presented and unanimously approved as corrected on a
31 motion made by Councilman Gramoll and seconded by Councilman Foy.
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33 EXPENDITURE AND EXPENSE REPORTS APPROVED FOR 34 SEPTEMBER AND OCTOBER

35 Mr. Jenson presented the following Expenditure and Expense
36 Reports, with respective totals:

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38 September 19-30, 1990--hand checks of \$1,157.01;
39 Summary for September--\$1,973,899.04;
40 October 1-10, 1990--\$187,926.91;
41 October 11-17, 1990--\$227,446.55.
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43 Following a short discussion of several expenditure items, all
44 reports were unanimously approved as presented on a motion made by
45 Councilman Shafter and seconded by Councilwoman Coon.
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47 In response to a question from Councilman Foy, Mr. Hardy
48 reported that tracking of gasoline costs is being watched closely by
49 departments and a report to the Council of the anticipated overruns
50 will be forthcoming.
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52 DECISION OF FOREST SERVICE TO GRANT TWO 53 PIPELINES WILL BE APPEALED BY BOUNTIFUL

54 Mayor Linnell expressed his surprise and displeasure at the
55 recent announcement by the Forest Service that approval has been
56 given to construct two pipelines (Kern River and WyCal) within a
57 single right-of-way. He said that he has talked with Congressman
58 Jim Hansen's office and requested their aggressive support in

59 **challenging this decision. The Mayor also reported that Gordon**

Reid, Forest Service representative, stated that this approval was granted with the following stipulations: that both pipelines have to be built concurrently by the same contractor, in the same corridor, with 10-15' undisturbed area between the two trenches; the right-of-way has been narrowed from 100 feet to 50 feet; the contractor will not be allowed to clear-cut; and the trenches must be narrow, with two pipes being welded together prior to placing them in the trench and the only place the trench can be **widened** is where the welding is done in the trench (between every other section of pipe); and check dams must be constructed along the entire corridor (being closer together where the grade is steeper). Mr. Reid said that the rationale of the Forest Service in reversing the position which they had taken previously was that they felt safe that it would be difficult to meet all the stipulations and they are convinced that only one pipeline will be placed. Subject to the approval of the Council, Mayor Linnell recommended that an administrative appeal of the Forest Service action be filed.

Mr. Hardy reported that we have 45 days from the date of issuance (last week) in which to file an appeal, and the appeal must include sufficient narrative and argument to show why the (F.S.) decision should be changed or reversed. He reviewed the past affirmations given by the Forest Service that only one pipeline would be permitted and expressed concern that the decision to permit two pipelines could be followed by establishing a utility corridor. All councilmembers expressed their disappointment at the recent Forest Service decision, following which Councilman Foy made a motion that staff be authorized to draft an appeal of the recent Forest Service decision, to include the narrative and argument as referenced by Mr. Hardy. Councilman Gramoll seconded the motion and voting was unanimous.

Kendall Patten, citizen, suggested that the appeal should be directed to Washington, D.C. concurrently with the filing at the Intermountain Region office.

Councilwoman Coon reported that a representative from Congressman Hansen's office stated that the only chance of stopping the pipeline is through an appeal in the Tenth Circuit Court and she requested financial assistance from the City to offset mailing and copying costs. She made a motion to this effect, requesting \$200.00 in assistance. Mayor Linnell stated that he would be opposed to providing financial support to any lawsuit that the City is not a party to and the motion died for lack of a second.

EXECUTIVE SESSION SCHEDULED

Councilman Foy made a motion that an executive session be scheduled immediately after this meeting for the purpose of discussing the acquisition of real property. Councilman Shafter seconded the motion and voting was unanimous.

The meeting adjourned to executive session at 7:46 p.m.

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Attendance at Executive Session:

Mayor Linnell

Councilmembers: Shafter, Coon, Gramoll, Holt, and Foy

Tom Hardy, Jack P. Balling, Layne B. Forbes, and Neal
Jenkins

MAYOR

CITY RECORDER