

Minutes of the regular City Council meeting held March 10, 1982 at 7:00 p.m. in the City Hall of Bountiful, Utah.

Present: Mayor:	Dean S. Stable
Council Members:	J. Dean Hill, H. Keith Barton, Phyllis C. Southwick, Paul B. Allen and Bob Linnell
City Manager:	Tom Hardy
City Attorney:	Layne B. Forbes
City Engineer:	Jack P. Balling
Planning Director:	Jon Reed Boothe
Recording Secretary:	Nancy T. Lawrence

Excused: City Recorder:	Arden F. Jenson
Deputy Recorder:	Mark McRae

Mayor Stable led the pledge of allegiance to the flag, following which the invocation was offered by Mr. Hardy.

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 City Council meeting held February 24, 1982 will be approved at the next regular meeting.

FEBRUARY EXPENDITURES APPROVED

Mr. Hardy presented the following Expenditure and Expense Reports: (1) period February 12-26 in the amount of \$44,843.07; (2) period February 1-28 totaling \$189,667.55; and (3) a Summary for the Month of February in the amount of \$812,232.48. These expenditures were unanimously approved on a motion made by Councilwoman Southwick and seconded by Councilman Linnell.

GIL HIGHAM REQUESTS THAT COUNCIL CONSIDER SALARY AND INSURANCE BENEFITS

Gil Higham, a former employee of the City, presented a request for the Council to consider the following items: (1) why his hospitalization insurance on his family was cut off and he received no benefits at the time of his wife's illness and subsequent death; (2) that he be compensated and receive insurance benefits which have been denied since he was removed from the City employee roster in June 1981, following his inability to work as a result of an accident he was involved in while a City employee; and (3) that the pay which he received from the City for comp time be reconsidered for time and one-half instead of the straight-time which he received.

HIGHAM REQUESTS DENIED ON BASIS OF LEGAL INVESTIGATION

Mr. Forbes responded as follows to the requests: (1) Mr. Higham had initially filed out a request for dependent coverage for medical insurance; however, a subsequent request changed a request for dependent coverage for medical insurance; however, a subsequent request changed Mr. Higham's status to "no family coverage" and a refund check was issued to Mr. Higham (and cashed by him). Mr. Higham denies that he requested that the dependent coverage be dropped and the employees with access to the payroll records do not recall making the change. Mr. Higham filed a claim for medical benefits on November 6, 1981; however, based on the fact that he was not covered on the medical policy, this claim was presented against the liability insurance under "errors and omission coverage" and it was denied following an investigation by the insurance company. Based on that denial and Mr. Forbes subsequent investigation, it was Mr. Forbes opinion that the City is not liable for this claim. (2) With regard to the on-the-job injury, Mr. Forbes pointed out that an employee's recourse is workmen's compensation, health and accident insurance benefits, sick pay, annual leave, disability compensation from social security, etc. The City has no policy or fund which supports people who are unable to work as a result of on-the-job injury. Therefore, he cited that the City does not have a responsibility to provide the benefits requested by

Mr. Higham. Councilman Linnell made the motion that the requests of Mr. Higham be denied based on Mr. Forbes' investigation and opinion and that the City deny any liability. Councilman Allen seconded the motion which carried unanimously.

PROPOSED RATE INCREASE FOR RECREATION DEPT. APPROVED

Mr. Hardy presented the following rate increases for the Recreation Department and recommended that they be implemented April 1, 1982, as approved by the Recreation Committee:

	<u>Existing Rates</u>	<u>Proposed Rates</u>
Swim Lessons	\$ 16.00	\$ 20.00
(second child)	14.00	16.00
Racquetball	1.50	2.00
Racquetball passes:		
18 punch pass	22.00	29.00
36 punch pass	42.00	54.00
Slimnastics	20.00	25.00
Towel Rental	.25	.50
Skate lessons (adult)	12.00	14.00
" " (children)	10.00	12.00
Skate rental	.75	1.00
Ice rental fee	55.00	65.00
All youth programs	8.00	10.00
Arts & Crafts	8.00	12.00
Adult Tennis Lessons	10.00	12.00
Children ..	8.00	10.00
Softball Leagues	225.00	250.00
Golf Course weekend rates:		
9 holes	3.00	3.50
18 holes	6.00	7.00
Golf cart rental:		
9 holes	5.00	6.00
18 holes	10.00	12.00

Following a brief discussion regarding the suggested rate increases, Councilman Allen made the motion that these changes be adopted as presented, with a reduced rate of \$16.00 for the second child in a family for swim lessons (with the wording "second child" to be clarified). Councilman Barton seconded the motion which carried unanimously.

CHIEF LEMON PRESENTS REVIEW OF FIRE DEPT.:
EXPRESSES CONCERN RE: SHORTAGE OF PERSONNEL
AND NEED FOR EQUIPMENT REPLACEMENT FUND

Fire Chief Jerry Lemon presented the review of the Fire Department operations, organization, and funding, stating that his main concerns are (1) not having enough personnel to adequately man the No. 2 substation; and (2) the need for an equipment replacement fund. He said that the response time to the Cave Hollow area from the downtown station is 11 minutes; from the No. 2 station it is three minutes. He recognized and expressed appreciation for city employees from other departments who serve as volunteer firemen, but pointed out that when these personnel are called for fire duty, it reduces the efficiency within their respective departments. Councilman Linnell complimented the personnel from the Fire Department for their versatility in performing their own grounds maintenance, mechanical work, custodial services, etc. and other council members also praised the department for the remarkable job they do.

MR. HARDY REVIEWS STREET LIGHTING OPERATION

Mr. Hardy presented the review of street lighting operations, organization and funding, stating that Bountiful is one of the most well-lit cities in this area. He said that the lights are not metered, but usage is estimated and this cost is handled as a bookkeeping entry. The assets associated with street lighting are recorded on the books of the Power Department. He noted that if the cost of street lighting were to be covered by the general fund, it would require an increase of 4 1/2 to 5 mills.

CLOSED MEETING SCHEDULED TO DISCUSS PROPERTY ACQUISITION

Councilman Linnell made a motion that a closed meeting be held immediately after this meeting for the purpose of discussing property acquisition. Councilman Barton seconded the motion and voting was unanimous.

COUNCILMAN LINNELL REPORTS FROM POWER COMMISSION

Councilman Linnell reported the following items from Power Commission meeting: (1) the terms of expiration of each commissioner; and (2) that it is the recommendation of the Power Commission that the interest rate on past-due bills be increased to 18 percent annually. This item will be placed on the Council Agenda for ratification.

COUNCILWOMAN SOUTHWICK REPORTS FROM PLANNING COMMISSION

Councilwoman Southwick reported from Planning Commission that there is a major increase in the number of home occupations in Bountiful.

Mayor Stable reported briefly on his RDA trip to California following which the meeting adjourned at 9:04 p.m. on a motion made by Councilman Linnell and seconded by Councilman Barton.



MAYOR



CITY RECORDER