

Minutes of the regular meeting of the City Council held May 8, 1991 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present: Mayor: Bob Linnell
Council Members: C. Harold Shafter, Renee Coon, Bob Gramoll,
Barbara Holt, and Leslie Foy
City Manager: Tom Hardy
City Engineer: Jack P. Balling
City Recorder: Arden F. Jenson
Planning Director: Jon Reed Boothe
Dep. Recorder: Kim Coleman
Rec. Secretary: Nancy T. Lawrence
Absent: City Attorney: Layne B. Forbes

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, following which he led the pledge of allegiance to the flag. The invocation was given by Councilman Gramoll.

Mayor Linnell referred to the informal reception held prior to the meeting for the purpose of honoring military personnel and their families. He noted that the facilities at the Recreation Center will be made available free of charge to these families on Friday (May 10th) in a continued effort by the City to express appreciation for their service during Operation Desert Storm.

Minutes of the regular meeting of the City Council held May 1, 1991 were presented and unanimously approved as corrected on a motion made by Councilwoman Holt and seconded by Councilman Foy.

EXPENDITURES AND EXPENSES APPROVED FOR APRIL

Mr. Jenson presented the Expenditure and Expense Report for the Period April 26-30, 1991 (which included all handchecks for the month), totaling \$538,151.30. Following a brief discussion, these expenditures were unanimously approved on a motion made and seconded by Councilmen Gramoll and Foy, respectively.

CLASS A BEER LICENSE APPROVED FOR CONVENIENCE STORE - 2193 SOUTH ORCHARD DRIVE

Mr. Hardy reported that Rick Egan, proprietor of the convenience store under construction at 2193 South Orchard Drive, has applied for a Class "All beer license (off -premise consumption). The application has been reviewed by the police chief and found to meet the ordinance requirements, both for the premises and ownership, and it is the recommendation of Chief Higgins that the license be approved. Councilwoman Holt made a motion to this effect, Councilman Gramoll seconded the motion and voting was unanimous. In response to a question from Councilman Shafter, Mr. Hardy verified that Mr. Egan is aware of the ordinance regulating

the sale of beer and the City's enforcement of that ordinance.

1991-92 FISCAL YEAR BUDGET PRESENTED FOR TENTATIVE APPROVAL: PUBLIC HEARING SET

Mr. Hardy presented the Tentative Budget for the 1991-92 Fiscal Year and stated that this budget is the result of reviews at the departmental level, total-city level by the City Manager, and Council Committees. The budget, which totals \$31,124,328, is down by about \$4 million from last year's budget. The major factor in the decrease in the budget is the near completion of two major capital projects--the Pine View hydroelectric project and the City maintenance facility.

Mr. Hardy stated that property tax is at the same level as last year, with no increases in the enterprise funds, but a continuance of the same level of service. The proposed budget anticipates one additional policeman and six-month funding for a police dispatcher (with 40 less full-time positions in total city employees than in 1980). The tentative budget includes a 3 percent salary adjustment for all full-time permanent employees and anticipates an increase in medical benefit costs (to be shared by the City and the employees).

Collection, hauling, and disposal of commercial refuse is anticipated as a new service. Mr. Hardy explained that providing this service will give the City the opportunity to control the materials which are taken to the landfill and improve the operating efficiency of the landfill. The proposed budget includes containers, equipment, and one full-time person to implement this service.

Major capital improvement projects included in the budget were reviewed, as well as funding associated with Handcart Days and the upcoming centennial celebration of the City.

Mr. Hardy said that all General Fund budgets will be reviewed in detail next week (May 15th), the enterprise funds will be reviewed May 22nd, and the public will give final input in the June 12th meeting. He responded to several questions from the Council and then recommended that the Tentative Budget be approved and that a public hearing be scheduled for June 12, 1991 at 7:30 to consider the adoption of the 1991-92 Budget. He also recommended a public hearing on the same date at 8:00 p.m. to consider Reopening of the 1990-91 budgets. Councilwoman Holt made a motion to this effect and Councilman Foy seconded the motion. Voting was by a majority with Councilwoman Coon voting "nay". She commented that she felt the 3 percent across-the-board salary increase for the City employees was not justified when similar benefits are not being enjoyed by the private sector (i.e., the taxpayers supporting the City operation) in our present economy.

COUNCIL RECOMMENDS CONTINUANCE WITH STATE CIRCUIT COURT SYSTEM

Mr. Hardy reported that the State Legislature recently enacted HB436 which will eliminate all circuit courts by no later than 1998. Bountiful has the option of continuing with the Circuit Court system until that time (with opportunities for re-evaluation in 1994, and 1996) or (1) establishing our own municipal justice court, (2) referring matters in the city to the Davis

County justice court, or (3) establishing a combined justice court with neighboring cities. He explained that the municipal courts are not a court of record and appeals can be made to a district or circuit court through a Trial De Novo.

Councilman Gramoll inquired as to the financial implication for the proposed change by the State and Councilman Foy asked if the public safety building will be adequate to house both the Police Department and the Circuit Court for the next few years. Mr. Hardy stated that it is the opinion of the Police Chief and Court Administrator that the building will adequately serve both their needs through 1996. Regarding the financial impact, Mr. Hardy suggested that if benefit is temporarily gained by the City, it will most likely eventually be lost to the State. It is the staff recommendation that Bountiful stay with the State Circuit Court system until at least January 1, 1994, at which time the City Council can re-evaluate that decision. (It appears that most municipalities across the state are following this course of action).

Councilwoman Coon made a motion to notify the State that we will continue with the Circuit Court until further notice. Councilman Shafter seconded the motion and voting was unanimous.

At 7:35 p.m. Councilman Foy made a motion for adjournment and Councilwoman Holt seconded the motion. David Piggott, citizen, asked several questions regarding the budget, following which the meeting adjourned At 7:43 p.m.

