

Minutes of the regular meeting of the City Council held May 26, 1993 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	Renee Coon, Harold Shafter, John Cushing, Barbara Holt, and Leslie Foy
	City Manager:	Tom Hardy
	City Engineer:	Jack Balling
	City Attorney:	Russell Mahan
	Assist. City Recorder:	Kim Coleman
	City Treasurer:	Galen Rasmussen
	Rec. Secretary:	Nancy Lawrence
Absent:	City Recorder:	Arden Jenson
	Planning/RDA Director:	Blaine Gehring

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 Councilman Shafter led the pledge of allegiance to the flag. The invocation was given by Mayor Linnell.

Minutes of the meetings held May 18, 1993 and May 19, 1993 will be presented for approval at the next meeting.

**EXPENDITURES AND EXPENSES APPROVED
FOR PERIOD MAY 14-20,1993**

Mr. Coleman presented the Expenditure and Expense Report for the Period May 14-28, 1993 in the amount of \$405,855.44. These expenditures were unanimously approved on a motion made by Councilman Cushing and seconded by Councilwoman Coon.

**COUNCIL VOTES TO GIVE NOTICE OF INTENT
TO CREATE BOUNTIFUL JUSTICE COURT**

Mr. Mahan reviewed the history of the court system in Bountiful as it moved from a Justice of the Peace court to a City Court in 1972, and then was merged into a statewide Circuit Court system in 1978. Due to a court consolidation movement, the circuit courts are being eliminated and with the retirement of Judge Johnson in December, 1994, it is clear that the work presently processed in that court will be moved to Farmington or Layton to the District courts.

State law provides that a city can establish a justice court; however, notice of intent to do so must be given to the state prior to July 1, 1993. It is anticipated that the establishment of a Bountiful City Justice Court would require a two-day-per-week judge, and two full-time court clerks. The rationale for establishing the court in Bountiful would be to serve as a convenience for citizens and misdemeanor and traffic cases would be processed there.

Following a short discussion, Councilwoman Holt made the motion that Bountiful City

give notice of intent to establish a Bountiful City Justice Court. Councilman Shafter seconded the motion.

Councilman Cushing stated his support of the motion and suggested that a provision be included that the person selected to be judge should be a lawyer. Mr. Mahan stated that this could be done by writing it into our own ordinance or adopting state ordinance and making it a matter of policy. Voting on the motion was unanimous.

APPROPRIATION APPROVED FOR STORM DRAIN PROJECT - 200 WEST 200 SOUTH

Mr. Balling explained that as part of the Power Plant expansion, 200 West Street will be disturbed for placement of several conduits between the Plant and the substation across the street. This street (200 West) has also been slated for storm drain improvements in the six-year capital improvements plan (not scheduled for three more years). Inasmuch as the street will be disturbed this year during the Power Plant project, it is recommended that the storm drain be installed in the street in the one-block section between 100 South and 200 South Street so that Power Plant facilities will not conflict with the grade and storm drain. The approximate cost for this work will be \$8,000. Mayor Linnell confirmed that this money is available in the Capital Contingency fund. Councilman Cushing made a motion to appropriate \$8,000 as recommended. Councilman Shafter seconded the motion and voting was unanimous.

APPROVAL GIVEN TO ORDER APPRAISALS FOR PROPERTY ACQUISITION 400 NORTH, 1300 EAST TO BOUNTIFUL BOULEVARD

Mr. Hardy explained that there are two properties through which the extension of 400 North Street will go in order to extend this street between 1300 East and Bountiful Boulevard. The owners of the property have requested a certified appraisal in order to complete negotiations. This will cost approximately \$1,500 to \$2,000 each. Staff requests permission to order the appraisals, which will permit this project to not be interrupted; however, the process will not be completed and payment required until after the beginning of the next fiscal year. Councilman Foy made a motion to give approval for the appraisals as requested to facilitate the 400 North extension project. Councilman Shafter seconded the motion and voting was unanimous.

BUDGET HEARING RE-SCHEDULED FOR JUNE 9, 1993

Mayor Linnell reviewed that two councilmembers will be out of town on June 16, 1993 when the public hearing is set for review and adoption of the budget. If another member were not able to attend, there would not be a quorum and the hearing could not be held. Therefore, he recommended that the hearing be re-set for June 9, 1993. Councilman Shafter made a motion that the public hearing on the 1993-94 budget be re-scheduled for June 9, 1993 at 7:30 p.m. and that the public hearing for re-opening of the 1992-93 budget be set at 8:00 p.m. Councilman Cushing seconded the motion. Discussion followed regarding notifying the rate payers and it was decided

that a personalized mailing will go out to the first and second cycle and the third cycle will be notified in the general mailing with the utility bills. Voting on the motion was unanimous.

COMMITTEE MEETINGS SCHEDULED

Mayor Linnell reported that he has had several calls regarding the possibility of painting a jogging stripe on Bountiful Boulevard from North Canyon Road north to the temple or to Mueller Park. It has also been brought to his attention that there are a lot of bikers who use the Mueller Park road and that consideration should be given to striping that road on the south side for bikers. He suggested that the Traffic Safety Committee meet to discuss these matters. A meeting was scheduled for next Wednesday (June 2, 1993) at 4:00 p.m.

Mr. Hardy reported that two proposals have been submitted for the landscaping for the new parks and he recommended that the Parks and Recreation Committee meet with the consultants regarding these proposals. That committee meeting was set for Wednesday, June 9, 1993 at 4:00 p.m.

The meeting adjourned at 7:18 p.m. on a motion made by Councilman Shafter and seconded by Councilwoman Holt.