

Minutes of the regular City Council meeting held January 26, 1983 at 7:00 p.m. in the City Hall of Bountiful, Utah.

Present: Mayor:	Dean S. Stahle
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
City Recorder:	Arden F. Jenson
Deputy Recorder:	Mark O. McRae
Recording Secretary:	Nancy T. Lawrence

Mayor Stahle led the pledge of allegiance to the flag, following which Mr. Balling offered the invocation. The Mayor then welcomed those in attendance, giving special recognition to the visiting Varsity Scouts from the Val Verda 8th Ward.

Minutes of the regular City Council meeting held January 12, 1983 were presented and unanimously approved as written on a motion made by Councilman Barton and seconded by Councilman Linnell.

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.

APPEVAL OF EXPENDITURES DEFERRED TO NEXT MEETING

Mr. Jenson presented the Expenditure and Expense Report for the Period January 3-14, 1983 in the amount of \$26,304.41. However, the Council had not had opportunity to review these expenditures and approval was deferred to the next meeting.

HAL FARR APPLIES FOR CLASS A BEER LICENSE FOR ROUND-UP GROCERY, 435 SO. 500 WEST

Mr. Hardy reviewed that due to a problem with conformance to the ordinance regarding the sale of beer, a hearing had been set to consider revocation of the Class A beer license held by the Round-up Grocery, 435 South 500 West. However, prior to that hearing taking place, the ownership of that establishment has changed and the new owner, Hal J. Farr, has made application for a Class A beer license. Police Chief Larry Higgins reviewed the infractions of the ordinance under the former ownership (selling to minors) and stated that since Mr. Farr has been the owner, there has been one violation of the ordinance (sale to a minor). He, therefore, recommended that the application be denied. He further recommended that if the Council chose to approve the application, that a bond be required which could be forfeited if there were any further violations.

MR. FARR PETITIONS COUNCIL FOR CONSIDERATION AND REVIEWS PRECAUTIONS BEING TAKEN TO OVERCUE PROBLEM

Mr. Farr stated that 30 percent of his sales are from beer and since he is operating at a break-even point at the present time, he would have a negative cash flow if he were not permitted to sell beer. He also reviewed the measures which he has taken to prevent the sale of beer to minors. He said he has placed signs in the drive-up window and also on the cooler that I.D. would be required from anyone under 30 and employees have been given notice that they will be terminated from employment if they sell beer to minors. He also noted that he is, and will be for the next three months, operating the store himself, without other employees. He said that attempts on the part of minors to purchase beer have dropped from 20 to 30 per week to two or three.

CLASS A BEER LICENSE APPROVED FOR ROUND-UP GROCERY.

Mayor Statile commented that it is not fair to deny the license to Mr. Farr on the basis that the previous owners did not comply with the ordinance (even though Mr. Farr was an employee of the former owner). However, he also emphasized that

it is undersirable for areas to develop that become "easy" for minors to purchase beer. Councilman Linnell made the motion that the application be approved with the understanding that if there is another violation of the ordinance, that notice is hereby served that this would come back to the Council and the license would automatically be revoked, without further warning. Councilwoman Southwick seconded the motion and discussion continued following the recommendation from Councilman Allen that the provision for a bond be a condition of the motion, as had been recommended by Chief Higgins. He made a motion to amend the original motion to this affect; the motion died for lack of a second. Following a call for a vote on the original motion, voting was unanimous in the affirmative.

ORD. NO B3=1 REI ZERa LT LIRE DEVELOPMENT APPROVED.

At 7:35 p.m. Mayor Stahle opened the public hearing to consider the zero lot line development and approval of Ordinance No. 83-4 regarding same. Mr. Boothe reviewed the proposed ordinance and stated that it is the recommendation of the Planning Commission that it be adopted. Mayor Stable called for comments from the floor, and there being none, Councilwoman Southwick made the motion that Ord. No. 83-4, entitled, AN ORDINANCE AMENDING TITLE XIV, CHAPTER 15, OF THE REVISED ORDINANCES OF BOUNTIFUL, UTAH, 1965, AS AMENDED, BY ADDING A NEW SECTION DESIGNATED AS SECTION 1100, RELATING TO ZERO LOT LINE DEVELOPMENT AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH," be adopted and that the Mayor be authorized to sign it. Councilman Hill seconded the motion and voting was unanimous.

AGENDA ITEM CONTINVEa

Agenda Item No. 6, an application from D & J Lounge for a beer license, was continued insasmuch as the application had not been completed.

**GERBER CONCRETE CONSTRUCTION CO.
AWARDED BID FOR CULVERT INSTALLATION**

Mr. Balling reported that bids were opened for installation of a culvert at 600 South Main and he recommended that the low bid from Gerber Concrete Construction Company, Sandy, in the amount of \$12,074.30 be approved. He stated that the County Commissioners have approved up to 50 percent of the cost of this project, not to exceed \$15,000, and he recommended that this funding be pursued. Councilman Hill made the motion that the bid be awarded as recommended, Councilman Barton seconded the motion and voting was unanimous.

OFFICIAL. FROM LIR ERUICIS CaMEARY WELCOMED TO MEETING

Councilman Linnell made the motion that a closed meeting be held immediately after this meeting for the purpose of discussing pending litigation regarding the Milford matter. Councilwoman Southwick seconded the motion which carried unanimously.

The meeting adjourned a 7:47 p.m.



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MAYOR


CITY RECORDER