

Minutes of the regular meeting of the Bountiful City Council held April 28, 1993 at 7:00 p.m. in the Council Chambers of the City Hall, Bountiful, Utah.

Present:	Mayor:	Bob Linnell
	Council Members:	Harold Shafter, Renee Coon, John Cushing, Barbra Holt and Leslie Foy
	City Manager:	Tom Hardy
	City Attorney:	Russell Mahan
	City Prosecutor:	Matt Barneck
	City Recorder:	Arden Jenson
	City Treasurer:	Galen Rasmussen
	City Planner:	Blaine Gehring
	Recording Secretary:	Nancy Lawrence
	Dept. Heads:	Neal Jenkins, Parks/Rec.
Absent:	City Engineer:	Jack Balling

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 Neil Haddock, visiting Boy Scout, led the pledge of allegiance to the flag. The invocation was given by Mr. Mahan.

Minutes of the special meeting of the City Council held April 20, 1993 were presented and unanimously approved on a motion made by Councilman Cushing and seconded by Councilman Shafter.

EXPENDITURES AND EXPENSES APPROVED FOR PERIOD APRIL 16-22,1993

Mr. Jenson presented the Expenditure and Expense Report for the Period April 16-22, 1993 in the amount of \$487,765.91. Following a brief discussion, these expenditures were unanimously approved on a motion made by Councilwoman Holt and seconded by Councilman Foy.

SPECIAL WELCOME EXTENDED TO VISITING BOY SCOUTS

Mayor Linnell recognized the visiting Boy Scouts and reviewed information with them pertinent to their citizenship merit badges.

COUNCIL SUPPORTS PREVIOUS ACTION TO NOT ALLOW BED AND BREAKFAST AS A USE IN SINGLE-FAMILY RESIDENTIAL ZONES

Mr. Gehring reviewed that Mrs. Laurel VanOrman (1290 East 600 South) had requested that the Planning Commission consider amending the ordinance to include a provision for a bed and breakfast use in the single family residential zone. This matter was discussed at a joint meeting of the Council and Planning Commission when the new ordinance was being reviewed. It was the consensus of the group that this use (basically that of a motel) would not be suitable in the R-1 zone, the most restrictive of the single family zones. Mrs. VanOrman has requested that

she have the opportunity to present her proposal to the Council and she said that she did not understand why it would be objectional. to her neighbors for this use to be approved.

Mr. Hardy explained that the proposed bed and breakfast use is a commercial use, generally not compatible with residential uses. Although some commercial-type activities are permitted within residential zones through granting of a home occupation permit, there are many restrictions and guidelines on these permits and the bed and breakfast option would not be permitted.

Extensive discussion followed and the mayor summarized that to change the ordinance would be taking a right away from others. No formal action was taken; however, the majority of the Council concurred that it would not be in the best interest of the city to amend the ordinance to include a bed and breakfast facility.

IMPACT CONTRACT FLOORING AWARDED BID FOR ICE ARENA FLOORING

Mr. Jenkins reported that bids were received from three vendors to replace the ice arena warming room flooring. Although this was not a budgeted item, it has become necessary to have the work done. He explained that it can be funded from the Reserve and Replacement fund and then included in next year's budget to reimburse that fund.

He stated that it is the recommendation of staff and the recreation committee that the bid be awarded to low bidder, Impact Contract Flooring, in the amount of \$41,872.50. Councilman Foy made a motion to approve the recommendation made by Mr. Jenkins and to award the bid to the low bidder. Councilwoman Coon seconded the motion and voting was unanimous.

BEER LICENSE OF FRED MEYER SUSPENDED FOR 30 DAYS

At 7:30 p.m. the Mayor opened the hearing to consider the Order to Show Cause in which employees of Fred Meyer (555 South 200 West) had violated the ordinance regarding the sale of beer to minors. Mr. Barneck reviewed the compliance testing and ordinance enforcement programs presently in place. He stated that Fred Meyer failed to pass their compliance checks on September 22, 1992 and March 8, 1993. In a check on November 17, 1993, there were no sales to minors. Mr. Barneck passed around a picture of the young man to whom the sale had been made for the purpose of demonstrating that the city has been careful not to entrap or lull employees into a sense of security. In keeping with the policy that the license of the establishment be suspended for 30 days if two of three checks are failed, Councilman Shafter made a motion that this action be taken against Fred Meyer, with the license being suspended for 30 days, commencing April 30, Friday, at midnight. Mr. Mahan noted that the suspension will be effective continuously for 30 days and then automatically reinstated. Councilman Cushing seconded the motion which carried unanimously. Councilman Shafter requested that this business be closely monitored during 2 the license suspension.

EXECUTIVE SESSION SCHEDULED TO CONSIDER LITIGATION AND THE ACQUISITION OF PROPERTY

Mr. Hardy requested that an executive session be held immediately after this meeting for

the purpose of discussing pending litigation and the acquisition of real property. Councilman Shafter made a motion to this effect, Councilwoman Holt seconded the motion and voting was unanimous.

FINAL APPROVAL GRANTED TO ONE-LOT BUILDING
LOT--3950 SOUTH ST. (MARK SHAFFER)

Mr. Hardy reviewed that when Bridlewood Subdivision was platted, 3950 South Street was stubbed off from Bridlewood Drive one lot deep for future extension into property to the north. This property has now been developed as part of the Glade Hollow PUD, so the road will not be extended to the north. The property which is left has been purchased by Mark Shaffer and is now being presented as a one-lot subdivision. He said that the property has proper frontage and meets the Foothill Ordinance. The Planning Commission has recommended that final approval be granted to the extension of the road to terminate in a 70-ft. diameter cul-de-sac to serve this lot and that final approval be granted to the lot subject to the following conditions:

1. The curb and gutter be installed around the entire perimeter of the cul-de-sac to city standards;
2. The street be surfaced with 3 inches of asphalt on a 6-inch sub-base;
3. A variance be granted for the reduced size of the cul-de-sac;
4. A variance be granted for construction of the access road on property that exceeds a slope of 30%;
5. Payment of a storm detention fee in the amount of \$964.00;
6. Provide a 7-ft. utility easement around the cul-de-sac and along the south and east boundary lines;
7. Extend the water line and place a fire hydrant at end of road;
8. Pay all required utility connection fees and extension costs;
9. Payment of engineering checking fee;
10. All site improvements and utilities to be completed before a building permit is issued.

Based on the recommendation of the Planning Commission, Councilwoman Holt made a motion to grant final approval as outlined. Councilman Foy seconded the motion and voting was unanimous.

The meeting adjourned to executive session at 7:40 p.m. on a motion made by Councilman Shafter and seconded by Councilwoman Holt.