

Minutes of the regular meeting of the City Council held August 4, 1993 at 7:00 p.m. in the Council chambers of the City Hall Bountiful, Utah.

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

Absent: Councilwomen: Barbara Holt
Renee Coon

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 Cushing.

Minutes of the regular meeting of the City Council held July 21, 1993 were presented and unanimously approved as written on a motion made by Councilman Cushing and seconded by Councilman Shafter.

EXPENDITURES AND EXPENSES APPROVED FOR PERIOD
JULY 23-28, 1993

Mr. Jenson presented the Expenditure and Expense Report for the Period July 23-28, 1993 in the amount of \$120,696.56. With no corrections or amendments, Councilman Foy motioned for adoption. Councilman Shafter seconded the motion which carried unanimously.

ORDER TO SHOW CAUSE - PRIDE FOOT MART
2600 SOUTH MAIN STREET

Mr. Mahan reviewed that at the hearing last week for the Hearing to Show Cause regarding the beer license of Pride Foot Mart, Craig Valentine, manager, denied that Pride Food Mart and Hardy Enterprises were under common ownership. Therefore, this matter was continued for one week to permit Mr. Valentine to submit documentation to support his position. Mr. Mahan then reviewed the information which he had gathered regarding the ownership of Pride Food Mart and he summarized by stating that there is common ownership and management as originally stated by the City. Therefore, the failure of ordinance compliance checks by Pride Food Marts was a second occurrence, as originally stated by Mr. Mahan. (See minutes of July 28, 1993).

Mr. Craig Valentine, representing Pride Food Mart, acknowledged the facts set forth by Mr. Mahan. However, he said that he felt the policy of the Council to penalize the business and not the employees who made the illegal beer sales was in error. He recommended that a fine be placed on the employees. He also noted that the revenue and the customer base which would be lost by suspension of the beer license is excessive and would be very injurious to the business.

Following discussion, Councilman Foy made the motion that the beer license of Pride Food Mart be suspended commencing at 12:01 August 7, 1993 and running

continuously for 60 days. Councilman Cushing seconded the motion which carried unanimously.

ORD. NO. 93-10 RE: NEW ZONING ORDINANCE ADOPTED

Mayor Linnell reviewed that a public hearing was held last week regarding adoption of a new zoning ordinance. There were only three councilpersons in attendance and the motion for adoption failed for lack of a majority. Therefore, this matter is being presented again. Councilman Cushing motioned for adoption of Ord. No. 93-10 entitled "AN ORDINANCE ADOPTING A REVISED ZONING ORDINANCE FOR THE CITY OF BOUNTIFUL, UTAH", with authority for the Mayor and City Recorder to sign it. Councilman Foy seconded the motion. Voting was unanimous.

**PRELIMINARY AND FINAL APPROVAL GRANTED TO SITE
PLAN FOR WEST BOUNTIFUL WATER TANK, 600 EAST 500 NORTH**

Mayor Linnell reviewed that this matter had been discussed last week and was denied for lack of a majority. (See minutes of July 28, 1993). Councilman Shafter asked if Councilwoman Coon had made contact with Glenn Gold and, if so, were there other matters to be considered. There had been no information from Councilwoman Coon regarding this matter. Councilman Foy motioned for preliminary and final approval as previously recommended by staff and the Planning commission (see minutes of July 28, 1993). Councilman Shafter seconded the motion and voting was unanimous.

**APPROVAL GRANTED FOR CONVEYANCE OF CITY-OWNED
IRRIGATION COMPANIES OF THEIR WATER RIGHTS**

Mr. Mahan explained that about one hundred years ago a number of non-profit irrigation companies were formed to regulate the distribution of water from the several creeks in the area. Over the years, the city of Bountiful has purchased all of the shares of the companies. The old irrigation companies no longer serve any useful purpose and it is proposed that the Council authorize that deeds be executed by these companies, transferring all of their respective water rights to Bountiful City. The companies involved are: Barton Creek Irrigation Company, Bountiful Irrigation Company, Bountiful Mill Creek Irrigation Company, the Bountiful City Mill Creek Irrigation Company, and West Bountiful Mill Creek Irrigation Company. Mr. Mahan recommended that the appropriate documents be executed to transfer ownership of the water rights to the City of Bountiful. Councilman Foy made a motion to this effect, Councilman Shafter seconded the motion and voting was unanimous.

CITY-OWNED IRRIGATION COMPANIES DISSOLVED

In relationship to the above action, Mr. Mahan explained that the water companies will not serve any purpose and he recommended that the Council authorize and direct that they each be voluntarily dissolved according to law. This will eliminate the need for yearly corporate reports and filing fees. Councilman Foy made a motion to this effect, Councilman Shafter seconded the motion and voting was unanimous.

**APPROVAL GIVEN FOR SUBMISSION OF APPLICATION
TO STATE FOR "MAIN STREET" PROGRAM GRANT**

g reported that he and Keith Barton attended a seminar regarding national and state effort to revitalize historic business districts in cities of less than 50,000 population. The 1993 Utah Legislature passed a bill which establishes the Utah Main Street Program and it is recommended that Bountiful make application for this grant. Selection criteria include:

1. A three-year commitment by the applicant to provide a project manager with a travel and operating budget;

2. Evidence that both the business community and the local government support the Main Street approach philosophically and financially;
3. The existence of a downtown association or willingness to form one;
4. Sufficient historic or architecturally significant buildings in the downtown to establish a marketable image;
5. Capacity for economic change as a result of being a participant in the program;
6. Geographic location, population and economic base diversity;
7. Evidence of past revitalization efforts;
8. A compact well-defined central business district; and
9. A population of less than 50,000.

Councilman Shafter asked what the City's financial commitment would be and Mr. Gehring explained that the City can contribute in kind or cash and not more than \$400,000 towards a revolving loan fund to help the program. The proposed budgets are: Year one-\$43,250; year two--\$51,650; and year three--\$51,050. The state will contribute 15 percent the first year, 10 percent the second year, and then 5 percent. If Bountiful can become a pilot city in the Utah Main Street Program, expenses associated with the hearing and training for this program (representatives of the national program come from Washington D.C. to assist) will also be covered. Mr. Barton (representing the downtown merchants) was in attendance and spoke favorably of this program and Mr. Gehring recommended approval to apply for the grant.

Councilman Foy complimented Mr. Barton and Mr. Gehring for their initiative in this matter and he made a motion to approve submittal of the application. Councilman Shafter seconded the motion which carried unanimously.

COMMENTS FROM COUNCILMEN

Councilman Foy stated that he has opportunity to visit the Mueller Park recreation area and he wanted to publicly thank the volunteers who worked on that project, particularly the Bountiful Jeep Posse.

Councilman Cushing noted that improvements have been made to the Mueller Park baseball diamonds which are a credit to the city and he recommended that the citizenry take an opportunity to look at that facility.

The meeting adjourned at 7:33 p.m. on a motion made by Councilman Cushing and seconded by Councilman Shafter.