

Minutes of the  
BOUNTIFUL CITY COUNCIL

September 22, 2020

6:00 p.m. – Work Session

7:00 p.m. – Regular Session

Present:

- |                     |  |
|---------------------|--|
| Mayor               | Randy Lewis  |
| Councilmembers      | Millie Segura Bahr, Kate Bradshaw, Kendalyn Harris,<br>Richard Higginson |
| City Manager        | Gary Hill  |
| Asst. City Manager  | Galen Rasmussen  |
| City Engineer       | Lloyd Cheney   |
| Planning Director   | Francisco Astorga  |
| City Attorney       | Clinton Drake  |
| IT Director         | Alan West  |
| Police Chief        | Tom Ross   |
| Power Director      | Allen Johnson  |
| Recording Secretary | Darlene Baetz  |

Excused:

- |               |                   |
|---------------|-------------------|
| Councilmember | Chris R. Simonsen |
|---------------|-------------------|

Official notice of the City Council Meeting was given by posting an Agenda at the temporary City Hall locations (805 South and 150 North Main Street) and on the Bountiful City Website and the Utah Public Notice Website and by providing copies to the following newspapers of general circulation: Davis County Clipper and Standard Examiner.

**Work Session – 6:00 p.m.**  
**South Davis Metro Fire Station Conference Room**

Mayor Lewis called the meeting to order at 6:00 p.m. and welcomed those in attendance.

Davis County Commissioner Randy Elliot and Davis County Commissioner Lorene Miner Kamalu and a Davis County Deputy Sheriff were present for the Work Session.

**USE OF FIREARMS ABOVE BOUNTIFUL DISCUSSION – MR. GARY HILL**

Mr. Hill discussed the issues around the “B” area which include traffic, firearm incidents and unlawful behavior. Both Farmington and Bountiful are having similar problems in the canyon. Bountiful City has taken steps to eliminate unwanted behavior in this area and have been working with the Forest Service. Some progress has been made which includes changing the fire restrictions. It has been challenging to get help from the Forest Service due to the funds not being available for enforcement in the area. The Forest Service receives \$7000 annually for enforcement in this area.

Councilman Higginson asked about the County restriction for shooting firearms next to roads. Chief Ross explained that shooting firearms must be 200 feet from a structure or roadway. The violation for these regulations would be a class B misdemeanor. Shooting firearms are illegal within City limits but legal within Forest Service jurisdiction. It is difficult to get things changed on Forest

1 Service property.

2 Councilman Higginson asked for the status of the road connection between Bountiful and  
3 Farmington due to the Ward Canyon shooting. Commissioner Randy Elliot discussed the yearly  
4 budget of \$7000 for four officers patrolling 16 counties. A counter was placed on the road and to  
5 date there have been 60,000 vehicles in Farmington and 40,000 vehicles in Bountiful. There are  
6 discussions with State legislators to work on extra manpower and funding to patrol this area. The  
7 property owners have been contacted and are working with staff to expand the road between  
8 Farmington and Bountiful. The City is not trying to restrict gun rights but working to make it a safe.

9 Councilwoman Bradshaw thanked Commissioner Elliot's office for working on this issue and  
10 would like to invite the staff to jointly work with them and asked if an official document from  
11 Bountiful City would help to voice these concerns. Commissioner Elliot agreed that both the invite  
12 to work with the City and the document would be greatly appreciated.

13 Mayor Lewis thanked the Commissioners for coming. Commissioner Lorene Miner Kamalu  
14 discussed the decision to make the regulations for the shooting restrictions from 200 feet to the ½  
15 mile restriction. She noted that progress is difficult but welcomes the help. Commissioner Stevenson  
16 may have an update for the potential presentation date.

17 Councilman Higginson stated his concern for the need to have the road connected to be able  
18 to help with the police patrols and graffiti.

19  
20 **WINDSTORM UPDATE – MR. GARY HILL**

21 Mr. Hill discussed the timeline for the windstorm. The Emergency Operation Center was in  
22 place early on the morning of the windstorm (September 8, 2020) to brief the staff on the scope of the  
23 problem. Power, Streets and Police staff were called out early to attempt to fix items during the  
24 storm. The decision was made to have sites available in City limits for green waste debris to be taken  
25 to instead of the landfill. Mr. Hill recounted the amount of manpower, equipment and resources from  
26 other cities and business that came together to help the community.

27 When Governor Herbert visited Bountiful on September 14, he spoke about the community  
28 helping others. He noted the ease of cleanup was due to the remote dump sites.

29 Mr. Hill spoke about the call center staff making a huge effort for citizens to talk to a live  
30 person and the extra work they went to as they returned calls from individuals who had special needs  
31 or medical needs.

32 Commissioners thanked Bountiful City residents and City staff for all the help that was given  
33 in this difficult time.

34  
35 The work session was ended at 6:49 p.m.

36  
37 **Regular Meeting – 7:00 p.m.**  
38 **South Davis Metro Fire Station Conference Room**

39  
40 Mayor Lewis called the meeting to order at 7:00 p.m. and welcomed those in attendance.  
41 Planning Director, Francisco Astorga led the Pledge of Allegiance and Pastor Mike Pless from The  
42 Good Shepard Church, offered a prayer.

43  
44 **PUBLIC COMMENT**

45 Public comment was opened at 7:02 p.m.

46  
47 Richard Watson (Bountiful Citizen) spoke about the UAMPS program and carbon free power  
48 projects. He would encourage Bountiful City Council to pull out of this project due to the production

1 and construction costs that would rise, for safety problems that should be taken into consideration and  
2 nuclear waste.

3  
4 David Williams (584 N. 1300 E.) stated his concern for the amount of trash and lack of signs  
5 in the “B” area. He spent time cleaning up trash and spent ammo in the area and noted the number of  
6 campfire rings there. He noticed a few small signs and one large sign in the area prohibiting fires that  
7 were removed a few days later.

8  
9 Rick Gelhart (344 W. 1500 South) spoke about his concern about the number of high-density  
10 apartments being built in the area. He wanted to come in person to thank the Council members for  
11 the great decision to purchase the Washington Elementary site to be used for a City park.

12  
13 Tammy Jones (2282 Cave Hollow Way) is concerned about the lack of information given to  
14 the citizens about the deer removal program. She feels that citizens need to be stewards of the  
15 wildlife in our area and submitted to City staff information from the humane society about white tail  
16 deer and a petition.

17 Mayor Lewis asked staff to get back with Ms. Jones about the reasons for the decision that  
18 was made from the Council.

19  
20 Ms. Grimoll (Irene Circle) is concerned with the number of deer removed from Bountiful and  
21 why would the City want to get rid of any more deer in the area. She stated that other sister city  
22 mayors have not implemented this way of dealing with the issue. She does not feel that the City has  
23 done a good job in getting the information out to the citizens and would like this item to be placed on  
24 the ballot in November. She has made multiple calls into the Mayor’s office and has not received a  
25 call back. The Mayor indicated that he does not remember her email and would like her to email him  
26 again and he promises to get back with her.

27  
28 Ron Schetselaar (3058 S. 200 East) supports the Council in their decision they made about the  
29 deer program. He feels that the number of deer have doubled in the City and is a hazard within the  
30 City limits.

31  
32 Rafeal Mordo (2996 Vista Circle) is concerned that the information about the removal of deer  
33 is not getting out to the citizens. He feels that the people should be able to vote on the decision for  
34 the deer issue.

35  
36 The public comment section was ended at 7:14 p.m.

37  
38 *Councilwoman Harris excused herself at 7:15 p.m. from the meeting for a previous commitment.*

39  
40 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETING HELD AUGUST 25,**  
41 **2020**

42 Councilwoman Bradshaw made a motion to approve the minutes of the previous meeting held  
43 August 25, 2020 and Councilwoman Bahr seconded the motion. The motion passed with  
44 Councilmembers Bahr, Bradshaw and Higginson voting “aye”.

45  
46 **COUNCIL REPORTS**

47 Councilwoman Bradshaw stated that Councilmembers do not respond to the public during the  
48 Public Comment section of the meeting. This is for the public to comment and share their views with

1 the Council. She did mention her thanks for the help during the windstorm and that she become  
2 better acquainted with neighbors during this time.

3 Councilwoman Bahr reported that the BCYC cleaned up graffiti at the “B”, worked at the  
4 Veteran’s Park and other service events.

5 Councilman Higginson discussed appreciation to the City staff and individuals that helped  
6 with the challenges of the windstorm.

7 Councilman Simonsen was not present. Richard Watson discussed a few items for  
8 Councilman Simonsen including the Emergency Operations Center (EOC), Concerts in the Park and  
9 Bar J Wranglers. Residents expressed their appreciation with the care and extra effort Staff took  
10 returning their calls and addressing their concerns and questions during the windstorm. Mr. Watson  
11 thanked Chief Ross and Lt. Edwards for the organization of the Emergency Center and all the other  
12 management team’s efforts and was happy to be able to work with them. Each week the Concerts in  
13 the Park have become bigger and better and he thanked the Council for the opportunity to continue  
14 next year. The scheduled date for the Bar J Wranglers will be Dec 18, 2020, to be held at Woods  
15 Cross High School

16  
17 **BCYC REPORT**

18 None

19  
20 **CONSIDER APPROVAL OF:**

- 21 a. **EXPENDITURES GREATER THAN \$1,000 PAID AUGUST 17 & 24 2020**  
22 b. **EXPENDITURES GREATER THAN \$1,000 PAID AUGUST 31 & SEPTEMBER 7,**  
23 **2020**  
24 c. **JULY 2020 FINANCIAL REPORT**

25 Councilman Higginson made a motion to approve the expenditures paid August 17, 24, 31 &  
26 September 7, 2020, and the July 2020 Financial report and Councilwoman Bradshaw seconded the  
27 motion which passed with Councilmembers Bahr, Bradshaw and Higginson voting “aye”.

28  
29 **UTAH TAXPAYERS ASSOCIATION PRESENTATION – MR. RUSTY CANNON**

30 Mr. Cannon, Vice President of the Utah Taxpayers Association discussed that municipal  
31 power companies should not be in the venture capital business and would bear the risk of cost  
32 overruns and the costs will continue to rise. The best-case scenario for Bountiful City would be for  
33 market rate power to continue to be reasonable. The worst case would be that the City would commit  
34 to a higher off-ramp cost and the financial risk is enormous. Councilman Higginson asked if the  
35 Taxpayers Association took a position on the Intermountain project in Delta which switched over to  
36 natural gas. Mr. Cannon did not have info needed to answer the question but would get the  
37 information to the Council.

38  
39 **CONSIDER APPROVAL OF THE PURCHASE OF 46 WOOD POLES FROM**  
40 **MCFARLAND CASCADE IN THE AMOUNT OF \$30,068 – MR. ALLEN JOHNSON**

41 Mr. Allen Johnson spoke about how proud he was of his employees and employees from  
42 other cities and organizations and the amount of time that was put into helping residents during the  
43 windstorm. Mr. Johnson explained that the City did have extra poles in inventory before the  
44 windstorm. Poles are in high demand across the country and the requested 46 poles will not be  
45 enough poles needed for the City, but he was unable to order more than the 46 poles. Mr. Johnson  
46 noted that he will have a second request for additional poles at a future meeting.

1 Councilwoman Bahr made a motion to approve the purchase of 46 wood poles from  
2 McFarland Cascade in the amount of \$30,068 and Councilman Higginson seconded the motion. The  
3 motion passed with Councilmembers Bahr, Bradshaw and Higginson voting “aye”.

4 Councilwoman Bradshaw asked Mr. Johnson to let his employees know how much the City Staff  
5 and Council appreciate their dedication and time spent away from challenges at their own homes.

6  
7 **PUBLIC HEARING REGARDING THE ISSUANCE OF AN \$8 MILLION GENERAL**  
8 **OBLIGATION BOND – MR. GARY HILL**

9 Mr. Gary Hill discussed the bond election to purchase and improve the Washington  
10 Elementary property to a park and to improve the City trails system. The Bond Election will be held  
11 on November 3, and it is required by Utah State Code to hold a public hearing.

12  
13 Mayor Lewis opened the **PUBLIC HEARING** at 7:43 p.m.

14  
15 Ron Mortensen (Bountiful, UT) discussed concern that the money has already been spent and  
16 about the increases in taxes for Bountiful citizens. He feels that those in financial need will be hit the  
17 hardest. Mr. Mortenson discussed the possible tax base from commercial properties that may be  
18 available for retail.

19 Larry Bullcock (Bountiful, UT) echoed Mr. Mortensen comments. He discussed the trails  
20 improvement funds should be initiated by private individuals.

21 Alex Densley (Bountiful, UT) was concerned that the City did not publish the results of the  
22 survey for the public.

23 Robert Gibson (Bountiful, UT) Mr. Gibson is in favor of the bond the purchase the  
24 Washington Elementary site but would like to see separate bonds for each item.

25  
26 Mayor Lewis closed the **PUBLIC HEARING** at 7:56 p.m.

27  
28 Councilwoman Bradshaw asked Staff if the minutes from the City Council work session  
29 reflected the survey results. Mr. Hill stated the results are available for the public but were not  
30 attached to the minutes due to the fact the survey results were not added to the City Council packet.  
31 Mr. Hill stated the procedure for the issuance of bonds does include a Public Hearing followed by the  
32 election. He stated the Veterans Park would be returning some funds which were raised from the  
33 public to the City for the care and maintenance of the park. Responding to a question about signs,  
34 Mr. Hill stated that the rules for the removal of incorrectly placed signs has not changed. Any signs  
35 placed incorrectly will be removed.

36 Councilwoman Bahr stated the Davis County School District did want to sell the Washington  
37 Elementary property and gave Bountiful City the first opportunity to purchase property. The City  
38 asked the citizens for comments on what the City should do with this property. The citizens did not  
39 want to see this property go into commercial or multi-family.

40  
41 Responding to a question as to whether the City has any general obligation bond debt, Mr.  
42 Hill stated the City does not have general obligation bond debt at all.

43  
44 **CONSIDER APPROVAL OF THE PURCHASE OF DESKTOP COMPUTERS FROM**  
45 **NETWIZE IN THE AMOUNT OF \$47,520 – MR. ALAN WEST**

46 Mr. West explained this computer replacement will fund 40 desktop computers and monitors.  
47 There was a purchase request for the state but NetWize had a better price. Mr. West noted that there  
48 are 250 computers which include desktops, laptops, and servers which are used by City employees.

1 Councilwoman Bradshaw made a motion to approve the purchase of desktop computers from  
2 NetWize in the amount of \$47,520 and Councilman Higginson seconded the motion. The motion  
3 passed with Councilmembers Bahr, Bradshaw, and Higginson voting “aye”.

4  
5 **CONSIDER APPROVAL OF ORDINANCE 2020-09 ENACTING 10-1-122 “CAMPFIRE**  
6 **AND BURNING” AND AMENDING BOUNTIFUL CITY MUNICIPAL CODES – MR.**  
7 **CLINTON DRAKE**

8 Mr. Drake discussed this Ordinance would amend code 10-1-122 to restrict campfires and  
9 fireworks. Mr. Drake discussed the areas of the code that needed to be changed to be consistent with  
10 the campfire and burning ordinance which would include the cost recovery for fires. Firepits on  
11 homeowner’s private property are still allowed.

12  
13 *Councilwoman Harris arrived at 8:16 p.m.*

14  
15 Councilwoman Bahr made a motion to approve Ordinance 2020-09 enacting 10-1-122  
16 “Campfire and Burning” and amending Bountiful City Municipal Codes and Councilman Higginson  
17 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris and  
18 Higginson voting “aye”.

19  
20 **CONSIDER APPROVAL OF RESOLUTION 2020-11 WHICH APPROVES AN**  
21 **INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR BOND ELECTION**  
22 **SERVICES – MR. CLINTON DRAKE**

23 Mr. Drake stated the interlocal agreement is with Davis County for election services.

24 Councilman Higginson made a motion to approve Resolution 2020-11 which approves an  
25 interlocal agreement with Davis County for Bond Election Services and Councilwoman Bahr  
26 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris, and  
27 Higginson voting “aye”.

28  
29 **CONSIDER APPROVAL OF A RESOLUTION 2020-12 WHICH APPROVES AN**  
30 **INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR PARTICIPATION IN THE**  
31 **DAVIS CARES BUSINESS GRANT PROGRAM – MR. GALEN RASMUSSEN**

32 Councilwoman Bahr made a motion to approve Resolution 2020-12 which approves an  
33 interlocal agreement with Davis County for participation in the Davis CARES Business Grant  
34 Program and Councilwoman Bradshaw seconded the motion. The motion passed with  
35 Councilmembers Bahr, Bradshaw, Harris, and Higginson voting “aye”.

36  
37 **CONSIDER APPROVAL OF RESOLUTION 2020-13 WHICH APPROVES AN**  
38 **INTERLOCAL AGREEMENT WITH THE SOUTH DAVIS METRO FIRE SERVICE AREA**  
39 **FOR A CARES ACT FUND TRANSFER – MR. GALEN RASMUSSEN**

40 Councilman Higginson made a motion to approve Resolution 2020-13 which approves an  
41 interlocal agreement with the South Davis Metro Fire Service Area for a CARES Act Fund Transfer  
42 and Councilwoman Harris seconded the motion. The motion passed with Councilmembers Bahr,  
43 Bradshaw, Harris, and Higginson voting “aye”.

44  
45 **CONSIDER APPROVAL OF A JOINT RESOLUTION OF INTENT WITH SOUTH DAVIS**  
46 **SEWER DISTRICT FOR A SERVICE BOUNDARY ADJUSTMENT – MR. LLOYD**  
47 **CHENEY**

1 Mr. Cheney discussed Resolution 2020-14 for a boundary adjustment with the South Davis  
2 Sewer District.

3 Councilwoman Bahr made a motion to approve a joint resolution of intent with South Davis  
4 Sewer District for a Service Boundary Adjustment and Councilman Higginson seconded the motion.  
5 The motion passed with Councilmembers Bahr, Bradshaw, Harris, and Higginson voting “aye”.

6  
7 Mr. Hill asked Council to attend a closed session meeting on Tuesday, September 29 at 4:30  
8 p.m.

9  
10 **ADJOURN**

11 Councilman Higginson made a motion to adjourn the meeting and Councilwoman Harris  
12 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris, and  
13 Higginson voting “aye”.

14  
15 The regular session of City Council was adjourned at 8:29 p.m

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
City Recorder