

1 Minutes of the
2 BOUNTIFUL CITY COUNCIL

3 February 9, 2021

4 6:00 p.m. – Work Session

5 7:00 p.m. – Regular Session

6
7 Present:

8 Mayor	Randy Lewis
9 Councilmembers	Millie Segura Bahr, Kate Bradshaw, Kendalyn 10 Harris, Richard Higginson, Chris R. Simonsen
11 City Manager	Gary Hill
12 City Engineer	Lloyd Cheney
13 Planning Director	Francisco Astorga
14 City Attorney	Clinton Drake
15 Finance Director	Tyson Beck
16 Parks Director	Brock Hill
17 Police Chief	Ed Biehler
18 Streets Director	Charles Benson
19 Water Director	Kraig Christensen
20 City Planner	Curtis Poole
21 Recording Secretary	Maranda Hilton

22
23
24 Official notice of the City Council Meeting was given by posting an Agenda at the temporary
25 City Hall locations (805 South and 150 North Main Street) and on the Bountiful City Website
26 and the Utah Public Notice Website and by providing copies to the following newspapers of
27 general circulation: Davis County Clipper and Standard Examiner.

28
29 **Work Session – 6:00 p.m.**
30 **South Davis Metro Fire Station Conference Room**

31
32 Mayor Lewis called the meeting to order at 6:02 p.m. and welcomed those in attendance.

33
34 **BUS RAPID TRANSIT (BRT) UPDATE AND 2600 SOUTH STATION**
35 **RECOMMENDATION – MR. FRANCISCO ASTORGA**

36 Mr. Francisco Astorga updated the Council about the Bus Rapid Transit (BRT) project.
37 The proposed route for the Davis-SLC connector has been altered since the last update from
38 UTA. It will now come from downtown Salt Lake City on Highway 89 and go through Bountiful
39 and Centerville before terminating at Farmington Station. This is an exciting development for
40 Bountiful which should increase ridership and it is good Centerville decided to join the project.
41 Bountiful has a station planned at 2600 South, at Renaissance Towne Center and on Main Street
42 in front of City Hall/El Matador restaurant. There is a potential for a fourth station somewhere in
43 Bountiful as well. UTA is currently doing public outreach to gather data on where they should
44 create dedicated bus lanes and where they should locate their SLC terminus station.

1 Mr. Astorga explained that UTA is asking the City for a recommendation about the
2 station that will be placed at 2600 South. He presented the three proposed scenarios and talked
3 about impacts to traffic and to the surrounding properties under each scenario. The first scenario
4 would create a shared center station, the second is a split center station and the third is mixed-
5 flow side stations. The Planning Department believes the third scenario makes the most sense. It
6 does not significantly impact time through the intersection and impacts nearby property owners
7 the least.

8 Councilwoman Bradshaw noted that the gas station on the northeast corner would be
9 impacted by all the scenarios and suggested that access to the gas station be kept in mind as plans
10 proceed. Councilwoman Bahr asked about the possibility of shifting the location of the station to
11 help this issue. Mr. Astorga said he could find out if that was a possibility and report back.

12 Council consensus was that the third option was best but would like to know if the station
13 could be moved.

14 The Mayor suggested that UTA come again and do a work session with the Council. He
15 also expressed his excitement for this project and how critical it is for the future of Bountiful's
16 development.

17
18 **TRAILS DEVELOPMENT IMPLEMENTATION PLAN UPDATE – MR. FRANCISCO**
19 **ASTORGA**

20 Mr. Curtis Poole, City Planner, presented this item to the Council.

21 Mr. Poole explained that since the Council approved the update to the Trails Master Plan
22 (TMP) in 2019, a Trails Advisory Committee was formed and has been meeting at least monthly.
23 The passing of a \$2 million bond in the November election has escalated their ability to complete
24 some of the projects outlined in the TMP and they are eager to start working on them. He
25 presented the implementation plan timeline to the Council with the caveat that it was not set in
26 stone and explained there are several approvals that need to be given before some of the projects
27 can take place, which might affect prioritization down the road. For now, they have created a
28 three-year plan because that's how long they have to use the bond money.

29 The projects have been categorized at A-, B- and C-priority levels. A-priority projects are
30 ones which are entirely on City property, that there is already funding for, or that are simple and
31 relatively inexpensive. B-priority projects are ones that may also have some property rights
32 issues that need to be resolved before they are started. C-priority projects are the most difficult to
33 achieve either due to property ownership issues, construction costs or level of difficulty.

34 The first projects to be started in 2021 are a downhill track on the North Canyon trail
35 (begun in November 2020), a downhill track on the Mueller Park trail, some new trails coming
36 off the Mueller Park trail, replacing six bridges in Holbrook Canyon, putting in a North Canyon
37 trailhead and creating a Holbrook to Ward Canyon trail connection

38 The total estimated cost of all projects is \$4.3 million, so the bond will not cover
39 everything. However, they expect the cost to be offset by volunteer hours and donations, as well
40 as grant money. Now that there is money that can be used for matching; the City is eligible to
41 apply for many grants that weren't possible prior to receiving the bond.

42 The Council and Mayor expressed their excitement for these projects to begin.
43 Councilwoman Bahr also stated her hope that the City will continue to make communication
44 with homeowners a priority as plans move along. Councilwoman Harris asked the Trails
45 Committee to look into adding striping lanes on Bountiful Boulevard as part of the trails project
46 list.

1
2 **LEGISLATURE UPDATE – MR. GARY HILL**

3 Mr. Gary Hill updated the Council on several bills that the City is watching closely
4 during this session of the State legislature. He did not give an update on HB-82 because Rep.
5 Ray Ward has been invited to the regular Council meeting at 7:00 p.m. to report on that bill.

6 HB-98 would allow developers to hire their own plan review and building inspection
7 services instead of going through the local government for those approvals.

8 SB-18 would allow an increase in property tax exemption.

9 SB-52 would allow homeowners 66 years and older to defer property tax payments on
10 homes valued at less than \$500,000. Taxes would come due when the home was sold.

11 SB-65 would give cities another tool to use for their redevelopment agencies. At the end
12 of an RDA a city could earmark the diverted property taxes for economic development instead of
13 rolling it back into the General Fund. This will not affect Bountiful until our RDA runs out in
14 about 15 years, but it would be a great tool to have at that time.

15 SB-104 is a tax levy for animal control. Bountiful City staff has worked with Davis
16 County on this bill to find a dedicated revenue source for animal control services. It would
17 eliminate the interlocal agreement in place with Davis County and the surrounding cities which
18 has led to being perpetually underfunded.

19 SB-164 would do away with inclusionary zoning and instead require that cities reimburse
20 developers for any affordable housing that they were required to build. It also dictates that
21 development fees be recorded and tracked and reported to the State each year.

22
23 The work session was closed at 7:02 p.m.

24
25 **Regular Meeting – 7:00 p.m.**
26 **South Davis Metro Fire Station Conference Room**

27
28 **WELCOME, PLEDGE OF ALLEGIANCE AND THOUGHT/PRAYER**

29 Mayor Lewis called the meeting to order at 7:06 p.m. and welcomed those in attendance.
30 Mr. Lloyd Cheney led the Pledge of Allegiance and Mr. Michael Blotter, 2nd counselor in the
31 Bountiful Val Verda Stake presidency, offered a prayer.

32
33 **DISCUSSION OF HB-82 – MR. GARY HILL**

34 Mayor Lewis invited Utah State Representative Ray Ward to the podium for a discussion
35 about his bill, HB-82, regarding Accessory Dwelling Units (ADUs).

36 Mr. Hill summarized the bill for the Council, explaining that it would require every city
37 in Utah to not only allow ADUs, but to make them permitted in every residential zone. In
38 addition, any limitations based on lot size, square footage or frontage would be superseded by
39 the bill. He explained that the bill makes some positive clarifications about building codes and
40 would guarantee certain loans for ADUs through a state program, but ultimately it takes away the
41 City's ability to decide whether to allow ADUs in certain zones in the future. The Utah League
42 of Cities and Towns (ULCT) has been working with Rep. Ward to make some amendments to
43 the bill, some of which have been added.

44 Councilmembers asked Rep. Ward about his reasons for the bill. He answered that as he
45 saw different cities trying to tackle affordable housing issues, it seemed many cities were
46 adopting ADUs in ways that were counterproductive and very restrictive. He feels that the entire

1 Wasatch Front has an affordable housing problem, and he is seeking to make it easier for
2 homeowners to apply for and create an ADU. He hopes this will help increase supply to meet the
3 growing demand for affordable housing. He also feels that homeowners should be able to do
4 what they wish with their homes as long as they aren't affecting their neighbors.

5 The Council thanked Rep. Ward for his involvement on many important issues over the
6 years but made it clear that they felt this bill was an overreach by state government. They feel
7 that moving this issue to the state level will make it impossible for residents to have their
8 concerns heard and resolved. They feel it should be the duty of local government to find the right
9 balance between homeowners' rights and preserving quality neighborhoods. They asserted that
10 every city is unique and that making a one-size-fits-all bill to try and fix this problem simply will
11 not work. They requested he consider a less constrictive bill that allows for local control.

12 Rep. Ward said that he hopes the final version of the bill will include more tools that will
13 help cities manage and enforce ADUs in productive ways, but he will not abandon the bill under
14 any circumstances.

15 Councilwoman Bradshaw requested that he seriously consider League Plan 3 (LP3); even
16 though it is far from what she wants, it is a step in the right direction. Rep. Ward said he has
17 considered it and will consider what the League proposes at their meeting in the morning as well.

18 Mr. Hill discussed the need for a tool that would give cities a way to keep ADUs from
19 becoming illegal duplexes, apartments, and short-term rentals. He stated it seems strange that
20 cities are being forced to accept ADUs, but that the tools needed to help enforce them are being
21 withheld for political reasons. He stated the City is asking Rep. Ward for three things: 1) please
22 give the City the tool that will help the City enforce the ordinance that you are making the City
23 adopt, 2) please reserve a modicum of local control for Bountiful's sister cities that have
24 different demographics, particularly university towns and others who have no affordable housing
25 problems, and 3) please recognize that the Council and City staff are sounding an alarm about
26 the erosion of local governmental control that has been happening for years and the City needs
27 his help. Rep. Ward said he would try to help.

28 Mayor Lewis said he felt the bill is well-intentioned but premature. He feels most cities
29 will respond to the need for more affordable housing just as Bountiful has done, and then if there
30 are a few bad actors a bill like this could be promoted to help them along. Rep. Ward responded
31 that he feels this bill is late, not premature. He feels very strongly that low-income residents have
32 been substantially affected for the worse in the last five years and that increases in rent have been
33 a heavy burden for them to bear. It is his heartfelt belief that this bill will help those people.

34 Mayor Lewis thanked him for coming and for all the good work he does on behalf of our
35 state. He feels everyone was educated from the discussion.

36
37 **PUBLIC COMMENT**

38 The public comment section was started at 7:55 p.m.

39
40 Mr. Stephen Slatter (1398 East Canyon Creek Drive) asked where the City is on the North
41 Canyon Trailhead project. Mr. Hill answered that a topographical survey has just been
42 completed, but no planning has been done yet.

43
44 The public comment section ended at 7:58 p.m.

1 Councilman Higginson asked that Mr. Michael Murphy’s agenda item be attended to
2 next. The Mayor agreed.

3
4 **RECOGNITION OF MICHAEL MURPHY – MAYOR RANDY LEWIS**

5 Councilwoman Harris gave a summary of Mr. Murphy’s long career in Bountiful, saying
6 that he taught at Viewmont High School for 37 years and while there created a guitar class that
7 was popular among the students. He also taught band and history. In 2007, he opened Murphy’s
8 Guitars on Main Street. They have come to be known for their excellent customer service and
9 knowledgeable staff. Mr. Murphy also began serving as the president of the Main Street
10 Merchants Association in 2011, helping to initiate the music and arts festival and the Christmas
11 tree lighting ceremony during his time there. Mr. Murphy is selling the store to store manager
12 Mr. Aaron Jorgensen whom he has been training for several years.

13 Council, staff, and those present stood and applauded Mr. Murphy and his wonderful
14 impact on Bountiful.

15 Mr. Murphy thanked the Council for the recognition and complimented the new Town
16 Square, saying it will be a good thing for the City. He asked the Council to take a greater interest
17 in Main Street by recruiting more local restaurants and retail shops in the downtown area. He
18 hopes the Council will help create a vibrant community of businesses, which we need
19 desperately. He also said that Mr. Jorgensen is planning a series of small concerts at the Town
20 Square and that he (Mr. Murphy) will still be helping with the music and arts festival.

21 Mr. Higginson added that one measure of a person is how difficult they are to replace
22 when they leave, and that Mr. Murphy left an enormous hole in the Main Street Merchants
23 Association when he retired. He thanked him for all he has done in that role.

24 Councilwoman Bradshaw lauded Mr. Murphy for his work on Main Street as well as his
25 ability to share his love of music and to inspire it in others.

26
27 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD ON**
28 **JANUARY 14 & 26, 2021**

29 Councilwoman Bahr made a motion to approve the minutes of the previous meetings and
30 Councilman Higginson seconded the motion. The motion was approved with Councilmembers
31 Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

32
33 **COUNCIL REPORTS**

34 Councilman Higginson did not have a report.

35 Councilwoman Bahr reported that in lieu of their usual leadership conference at Utah
36 State University, the BCYC is having their own conference at City Hall on May 8th.

37 Councilwoman Harris did not have report.

38 Councilman Simonsen reported that they have continued to receive more names for the
39 honor wall at the Veterans Park and more granite pavers have been donated as well.

40 Councilwoman Bradshaw did not have a report.

41
42 **CONSIDER APPROVAL OF:**

- 43 a. **EXPENDITURES GREATER THAN \$1,000 PAID JANUARY 18 & 25, 2021**
44 b. **DECEMBER 2020 FINANCIAL REPORT**

1 Councilwoman Bradshaw made a motion to approve the expenditures and the December
2 financial report. Councilman Simonsen seconded the motion, which passed with
3 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

4
5 **CONSIDER APPROVAL OF THE PURCHASE OF A 2021 RAM TRADESMAN TRUCK**
6 **FROM YOUNG AUTOMOTIVE GROUP IN THE AMOUNT OF \$29,196 – MR. KRAIG**
7 **CHRISTENSEN**

8 Mr. Christensen asked for approval to purchase a truck which will replace one currently
9 in the Water Department fleet. The truck is a 2021 Ram Tradesman from Young Automotive
10 Group. The amount budgeted for the purchase was \$36,000 and the total purchase price is
11 \$29,196.

12 Councilwoman Harris made a motion to approve the purchase of the truck from Young
13 Automotive Group and Councilman Higginson seconded the motion. The motion passed with
14 Councilmembers Bahr, Bradshaw, Harris, Higginson and Simonsen voting “aye”.

15
16 **CONSIDER APPROVAL OF RESOLUTION 2021-05 APPROVING AMENDMENT**
17 **NUMBER SIX TO THE 2016 INTERLOCAL COOPERATION AGREEMENT**
18 **BETWEEN BOUNTIFUL CITY AND DAVIS COUNTY FOR ANIMAL CONTROL**
19 **SERVICES – CHIEF ED BIEHLER**

20 Chief Biehler presented Resolution 2021-05 for approval. It is an update to the interlocal
21 agreement that was created in 2016 with Davis County which prescribes the rates for animal
22 control services provided by the County. The amount owed to the County for all 2020 services is
23 \$126,711.93.

24 Councilwoman Bradshaw asked about the decision to cease wild nuisance animal pick-up
25 services. Mr. Hill explained that the County decided the cost was becoming excessive and that
26 cities were concerned about the rising costs as well. That service will now fall to private
27 businesses to take care of.

28 Councilman Higginson made a motion to approve Resolution 2021-05 and
29 Councilwoman Bahr seconded the motion. The motion passed with Councilmembers Bahr,
30 Bradshaw, Harris, Higginson and Simonsen voting “aye”.

31
32 **CONSIDER APPROVAL OF THE PURCHASE OF 38 TASER X2’S IN THE AMOUNT**
33 **OF \$51,828 FROM PROFORCE LAW ENFORCEMENT – CHIEF ED BIEHLER**

34 Chief Biehler asked for approval of the purchase of 38 tasers. He explained that the
35 current tasers being used are more than eight years old and they can no longer send them to the
36 manufacturer for repairs or replacement as they have in the past. Proforce has the state contract
37 and can supply them for the lowest price. The cost is more than they budgeted for, but they can
38 use general funds to cover the difference.

39 Councilwoman Bradshaw made a motion to approve the purchase of the tasers and
40 Councilman Higginson seconded the motion. The motion passed with Councilmembers Bahr,
41 Bradshaw, Harris, Higginson and Simonsen voting “aye”.

42
43 **CONSIDER APPROVAL OF RESOLUTION 2021-04 APPROVING THE INTERLOCAL**
44 **AGREEMENT BETWEEN BOUNTIFUL CITY AND THE DAVIS COUNTY**
45 **CLERK/AUDITOR’S OFFICE FOR 2021 ELECTION FUNCTIONS – MR. GARY HILL**

1 Mr. Hill presented Resolution 2021-04 for approval, explaining that it is the interlocal
2 agreement for election services provided by the County. The estimated cost to run a primary and
3 final election is \$85,000.

4 Councilman Higginson made a motion to approve the interlocal agreement and
5 Councilwoman Bahr seconded the motion. The motion passed with Councilmembers Bahr,
6 Bradshaw, Harris, Higginson and Simonsen voting "aye".

7
8 **ADJOURN**

9 Mayor Lewis asked staff to extend our thanks to the fire district for letting the Council
10 use their station for meetings while city hall was being renovated. He noted that this would be
11 the final meeting here because city hall has been completed.

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

15
16 The regular session of City Council was adjourned at 8:28 p.m.



Mayor



City Recorder