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**Minutes of the
BOUNTIFUL CITY COUNCIL**

March 23, 2021 – 6:00 p.m.

Present: Mayor Randy Lewis
Councilmembers Millie S. Bahr, Kate Bradshaw, Kendalyn Harris,
Richard Higginson
City Manager Gary Hill
City Engineer Lloyd Cheney
Planning Director Francisco Astorga
City Attorney Clinton Drake
Finance Director Tyson Beck
Parks Director Brock Hill
Streets Director Charles Benson
Power Director Allen Johnson
Water Director Kraig Christensen
Asst Chief of Police Dave Edwards
Recording Secretary Maranda Hilton

Excused:
Councilman Chris R. Simonsen

23 Official notice of the City Council Meeting was given by posting an Agenda at City Hall and on
24 the Bountiful City Website and the Utah Public Notice Website and by providing copies to the
25 following newspapers of general circulation: Davis County Journal and Standard Examiner.

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Work Session – 6:00 p.m.
City Council Chambers

30 Mayor Lewis called the meeting to order at 6:04 p.m. and welcomed those in attendance.

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32

BOUNTIFUL CITY YOUTH COUNCIL Q&A

33 Mayor Lewis welcomed the Bountiful City Youth Council to the meeting and the Council
34 members each gave a quick introduction. BCYC members were then given time to come forward and
35 ask questions.

36 Halley Robinson (BCYC City Planner) asked about major projects the Planning Department
37 is working on this year. Mr. Astorga answered that one of their biggest projects this year will be the
38 updated General Plan and explained what that is. Another big area of development is the Renaissance
39 Towne Centre.

40 Kimball Mumford (BCYC Mayor) asked the Council for advice about starting a career in
41 politics and the Council gave him some ideas for how to get started and finding the right reasons to
42 be involved. They told him that working on campaigns is a great way to understand more about what
43 it takes and whether he would enjoy it or not.

44 Brooke Bleazard asked about the possibility of continued drought conditions causing a water
45 deficit. Councilman Higginson explained that due to prior appropriation regarding water rights,
46 Bountiful is in a good situation and the City has plenty of water. Mr. Hill explained that the bigger
47 risk the City faces is having part of our water system break down and not being able to move the

1 water where it needs to go. The City is focusing on maintaining and improving its water system
2 infrastructure to safeguard against that situation.

3 Kimball Mumford asked about how Council members make decisions on polarizing issues.
4 Councilmembers offered their best advice on how to navigate those issues, by learning all they can
5 about an issue, being willing to listen to residents, and using their own best judgement.

6 Sarah McMurray asked about how the City decides which building projects are approved for
7 construction and which ones are not. Mr. Astorga explained that the entire City is divided into zones
8 and each zone has its own land use code restrictions. The Council is able to set restrictions in the
9 code and they try to fine-tune it every year depending on changes in market trends and other factors.

10 Marshall Nelson asked about emergency response preparation in Bountiful. Mr. Hill answered
11 that the City has a wonderful emergency response organization, and City staff does train on how to
12 respond to different emergencies. During the latest windstorm, the emergency center was activated so
13 damage could be quickly assessed, and clean-up assistance was organized. The City also has a group
14 of volunteers who help disseminate information to Bountiful residents in 12 different districts. The
15 coordination between the volunteers and the City has been a very beneficial relationship. The CERT
16 (Community Emergency Response Team) training is also a wonderful class that anyone can take to
17 help them be prepared.

18 The BCYC will have applications for new members available on April 6th and will be
19 interviewing for new leadership on Thursday.

20
21 **PUBLIC ART IMPLEMENTATION AND ORGANIZATION - MR. GARY HILL**

22 Mr. Hill explained that public art has been a priority for some time, and they now have a little
23 less than \$100,000 set aside and a newly hired community affairs specialist to help get a public art
24 program going. He asked Ms. Rebecca Hatch to introduce herself.

25 Ms. Hatch said she studied studio art at BYU, where she created her own art and helped
26 curate shows in her community. She said she has had a passion for art her entire life. The past few
27 years she worked as a program director for an international humanitarian organization. She is excited
28 about how this new position will allow her to use both skillsets; planning and organizing programs
29 and helping curate shows and create policies regarding visual art.

30 Mr. Hill said that their first priority is to get a Public Art Advisory Board in place. It will be a
31 group Ms. Hatch can run ideas past in order to make informed recommendations to the Council.
32 There are 13 applications so far and hope to have them assembled within the month.

33 Ms. Hatch added that they have also issued a call to local artists to submit artwork that will go
34 on display at City Hall. She is excited to add some beautiful artwork to the new building for hallways
35 and offices as well as having a rotating gallery on the lower level.

36 Mr. Hill explained that the first big project will be installing downtown discovery art. They
37 want to get ideas from the advisory board as soon as possible.

38 Ms. Hatch explained that after the discovery art is installed, they then hope to bring art to the
39 Bountiful Town Square either in the form of statues or murals. Mr. Hill said that Davis County
40 Tourism has funds set aside to start a mural program and has offered money to Bountiful for that
41 purpose. The BDAC has some interest in a mural on the side of their building. The Town Square
42 could also be a good location for that.

43 Council gave opinions about what types of artwork might be best in the Town Square, with
44 some favoring interactive art pieces and sculptures instead of a mural. They were very excited to see
45 what ideas come from the advisory board and that this program is finally getting started.

1 The meeting was closed at 6:57 p.m.
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5 **Regular Meeting – 7:00 p.m.**
6 **City Council Chambers**
7

8 Mayor Lewis called the meeting to order at 7:00 p.m. and welcomed those in attendance. Mr.
9 John Marc Knight led the Pledge of Allegiance and Mr. Joshua Knight, Pastor at Flourishing Grace
10 Church, offered a prayer.
11

12 **PUBLIC COMMENT**

13 The public comment section was opened at 7:05 p.m.
14

15 Mr. Dustin Lance (4811 South Hidden Lake Drive) hoped to make the Council aware of a
16 concern he and his neighbors have. Hidden Lake Drive is a steep road and there is a hairpin turn just
17 in front of his driveway that drivers often turn wide on, causing them to travel into the oncoming
18 lane. He has spoken with the Police, Streets and Engineering Departments and the Planning
19 Commission. He said he was encouraged to bring it to the City Council.
20

21 Mr. Bruce Bingham (4819 Canyon View Circle) said he agrees with Mr. Lance and suggested
22 that a painted median line would do much to solve the problem at a minimal expense.
23

24 Ms. Morgan Harker (1465 North 400 West) addressed the need for a crossing guard stationed
25 at 1000 North 275 West for the students who attend Meadowbrook Elementary School. She has three
26 children who attend Meadowbrook and cross at that intersection nearly 100 days out of the year on
27 their bikes. She also knows many more children in her neighborhood who cross there. She feels there
28 is a big need for a crossing guard there because it is such a dangerous road. Last week she witnessed
29 a near accident and has started a petition and volunteered as a crossing guard in the meantime. She
30 said 290 people have signed the petition so far and asked the Council to please help ensure the safety
31 of these children.

32 Mayor Lewis said the City Engineer would be in touch with her.
33

34 Mr. Mike Eggett (JMR Construction) wished to address the Curb and Gutter Replacement
35 project bid which is on the agenda for approval tonight. He explained that the low bid is the same
36 price he was able to do the project for two years ago. He doesn't understand how the low bidder is
37 able to do it for that price since material costs have increased significantly in the last two years. He
38 reminded the Council that JMR has been in business for 55 years and has done a great job for
39 Bountiful City and even helped finish jobs when others have been unable to complete projects for the
40 City. The low bidder on this project has only been in business for two years. He asked the Council to
41 please consider the bid from JMR before awarding the contract.
42

43 The public comment section was closed at 7:13 p.m.
44

45 **CONSIDER APPROVAL OF MINUTES OF PREVIOUS MEETINGS HELD ON MARCH 9,**
46 **2021**

1 Councilwoman Bahr made a motion to approve the minutes from March 9, 2021 and
2 Councilman Higginson seconded the motion. The motion passed with Councilmembers Bahr,
3 Bradshaw, Harris and Higginson voting “aye”.

4
5 **COUNCIL REPORTS**

6 Councilwoman Bradshaw did not have a report.

7 Councilwoman Harris did not have a report.

8 Councilwoman Bahr did not have a report.

9 Councilman Higginson reported that the state mask mandate will expire on April 10th.

10
11 Mayor Lewis reported that he received a letter from the Boy Scouts of America Crossroads of
12 the West thanking Bountiful City for their support in the “Scouting for Food Drive”. 142,000 pounds
13 of food was collected.

14
15 **CONSIDER APPROVAL OF EXPENDITURES GREATER THAN \$1,000 PAID MARCH 1,**
16 **8, 10 & 15, 2021**

17 Councilwoman Bradshaw made a motion to approve the expenditures and Councilman
18 Higginson seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris
19 and Higginson voting “aye”.

20
21 **CONSIDER APPROVAL OF THE APPOINTMENT OF JOHN MARC KNIGHT TO THE**
22 **POWER COMMISSION – MR. ALLEN JOHNSON**

23 Mr. Allen Johnson explained that one of the commissioners, Mr. John Cushing, recently had
24 to step down for health reasons, and they are recommending Mr. John Marc Knight, former City
25 Councilman, to replace him on the Power Commission. They have no doubts he will do a great job.

26 Councilman Higginson offered his opinion that this will be a much more satisfying way to see
27 Mr. Knight finish out his service to the City. He said Mr. Knight knows the industry well and has a
28 lot of experience which will enable him to serve well.

29 Councilman Higginson made a motion to approve the appointment of Mr. Knight to the
30 Power Commission and Councilwoman Harris seconded the motion. The motion passed with
31 Councilmembers Bahr, Bradshaw, Harris and Higginson voting “aye”.

32
33 **CONSIDER RETROACTIVE APPROVAL OF THE PURCHASE OF PVC PIPE FROM**
34 **WESTERN WATER WORKS IN THE AMOUNT OF \$27,305 – MR. KRAIG CHRISTENSEN**

35 Mr. Kraig Christensen explained that this expenditure is for their yearly pipe purchase, but
36 this year, in order to lock in the lowest price, they received approval from the City Manager to order
37 it prior to Council approval. If they had not been proactive about the purchase, prices would have
38 skyrocketed. Due to the recent natural disasters in Texas, there is a shortage of supply, so they are
39 asking for retroactive approval from the Council for the purchase.

40 Councilwoman Harris made a motion to approve the retroactive purchase of PVC pipe from
41 Western Water Works and Councilwoman Bahr seconded the motion. The motion passed with
42 Councilmembers Bahr, Bradshaw, Harris and Higginson voting “aye”.

43
44 **CONSIDER APPROVAL OF THE PURCHASE OF A 2020 JOHN DEERE 9009A LARGE**
45 **AREA MOWER AND A Z960M 60” ZERO-TURN MOWER FROM STOTZ IN THE TOTAL**
46 **AMOUNT OF \$74,979 – MR. BROCK HILL**

1 Mr. Brock Hill explained that the Parks Department would like to replace their large-area
2 mower, which is a discontinued 16-year-old model they now have a hard time finding parts for. He
3 explained that they received two bids and are accepting the low bid from Stotz, who also offered
4 them a very low price on a zero-turn mower. They would like to purchase both mowers, which they
5 have budgeted for this year.

6 Councilman Higginson made a motion to approve the purchase of the mowers from Stotz and
7 Councilwoman Bradshaw seconded the motion. The motion passed with Councilmembers Bahr,
8 Bradshaw, Harris and Higginson voting “aye”.

9
10 **CONSIDER ADOPTION OF RESOLUTION 2021-09 WHICH SUPPORTS THE REVISION**
11 **AND UPDATE OF THE 2016 DAVIS COUNTY PRE-DISASTER MITIGATION PLAN –**
12 **ASST. CHIEF DAVE EDWARDS**

13 Asst. Chief Dave Edwards presented Resolution 2021-09 to the Council which would update
14 the Davis County Pre-Disaster Mitigation Plan and pledge Bountiful’s participation in that plan. The
15 City’s job will be to gather information on perceived risks for natural disasters, and work with the
16 City engineers and other staff to identify projects that will help us mitigate the impact of wildfires,
17 floods, earthquakes, etc. He explained that having this plan updated and approved by the Council is
18 an essential element to qualify for any F.E.M.A. funding following a disaster.

19 Council members thanked Asst. Chief Edwards for his service to the City over the years. Asst.
20 Chief Edwards said it has been a privilege to serve with the finest men and women on the planet at
21 the Bountiful Police Department.

22 Councilwoman Harris made a motion to adopt Resolution 2021-09 and Councilman
23 Higginson seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris
24 and Higginson voting “aye”.

25
26 **CONSIDER APPROVAL OF ADDITIONAL ENGINEERING SERVICES FROM ECI**
27 **ENGINEERING IN THE AMOUNT OF \$169,984 – MR. ALLEN JOHNSON**

28 Mr. Johnson explained that while they are doing work to update the electrical drawings and
29 replace breakers at the southeast substation, they realized it would save money if they went ahead and
30 updated some other aging components of the station at the same time. They want to replace the
31 microprocessor and add some additional protections with new relays, so they are asking to expand the
32 scope of the project that ECI Engineering is currently contracted to do for us.

33 Councilwoman Bahr made a motion to approve the additional engineering services and
34 Councilman Higginson seconded the motion. The motion passed with Councilmembers Bahr,
35 Bradshaw, Harris and Higginson voting “aye”.

36
37 **CONSIDER APPROVAL OF THE PURCHASE OF 15,600 FEET OF 1100 URD CABLE**
38 **FROM CODALE ELECTRIC SUPPLY IN THE AMOUNT OF \$123,552 – MR. ALLEN**
39 **JOHNSON**

40 Mr. Johnson explained that there are two large projects they require new cable for. They
41 would like to put underground lines to the new housing development going in on Main Street and
42 rebuild the line on 3100 South for additional capacity. This wire is superior in quality and has a 40-
43 year guarantee on it. The supplier is holding the price of the wire right now because the City has
44 worked with them, but wire prices have gone up a lot in the last while and they are the only supplier
45 of it in Utah.

1 Councilman Higginson asked Mr. Johnson if he would please bring in some samples of the
2 old wire and the new wire next time he's there. He finds it very instructive to see how the wires
3 compare to one another. Mr. Johnson said he would.

4 Councilman Higginson made a motion to approve the purchase of the cable and
5 Councilwoman Bahr seconded the motion. The motion passed with Councilmembers Bahr,
6 Bradshaw, Harris and Higginson voting "aye".
7

8 **CONSIDER APPROVAL OF THE PROPOSAL FROM BLACK FOREST PAVING FOR**
9 **THE 2021 ASPHALT OVERLAY CONTRACT – MR. LLOYD CHENEY**

10 Mr. Cheney explained that the asphalt overlay contract will be for a group of larger projects
11 that are beyond the ability of the Streets Department to accomplish. This year it will include Medical
12 Drive and Lakeview Drive which are big streets that will require a lot of traffic control. Also included
13 in the contract will be work in the Cave Hollow neighborhood. They received eight bids for this
14 project and have chosen the low bid from Black Forest Paving.

15 Councilwoman Bradshaw asked why bids were so much lower than staff's estimate on
16 average. Mr. Cheney explained that Black Forest's bid is 78% of the estimate, which he attributes to
17 it being so early in the year while contractors are trying to fill holes in their schedules and explained
18 that some contractors can simply do the job cheaper than others. He also said that he is not a paving
19 contractor, so his estimate is just his best guess based on the history.

20 Councilwoman Bahr made a motion to approve the proposal from Black Forest Paving and
21 Councilwoman Harris seconded the motion. The motion passed with Councilmembers Bahr,
22 Bradshaw, Harris and Higginson voting "aye".
23

24 **CONSIDER APPROVAL OF THE PROPOSAL FROM HYDRO VAC EXCAVATION FOR**
25 **THE 2021 CONCRETE REPLACEMENT PROJECTS CONTRACT – MR. LLOYD**
26 **CHENEY**

27 Mr. Cheney, in response to Mr. Eggett's comment during the public comment time, said that
28 there is no question that the City values JMR Construction and has appreciated their quality work for
29 many years. He explained that after being unable to come to terms on the extension clause in their
30 contract with JMR, they had no choice but to bid out the concrete replacement contract this year. His
31 staff thoroughly researched Hydro Vac Excavation because they were so nervous about the bid, and
32 they found nothing but very satisfied customers and residents who vouched for the respectfulness of
33 the crews. The City feels an obligation to be fiscally responsible with taxpayer money and can find
34 no reason they should not hire Hydro Vac. Staff recommends accepting their bid for this project. He
35 also assured the Council that companies who do not perform will be held to their contracts.

36 Councilmembers thanked Mr. Cheney and his staff for their work to research the company so
37 thoroughly and for accepting the lowest bid.

38 Mr. Gary Hill also explained that the City does not have much flexibility when it comes to
39 accepting bids, they must accept the low bid so long as it is a viable option.

40 Councilwoman Harris made a motion to approve the contract with Hydro Vac Excavation and
41 Councilwoman Bradshaw seconded the motion. The motion passed with Councilmembers Bahr,
42 Bradshaw, Harris and Higginson voting "aye".
43

44 **CONSIDER APPROVAL OF ORDINANCE 2021-03 PROPOSING LAND USE CODE TEXT**
45 **AMENDMENTS – MR. FRANCISCO ASTORGA**

1 Mr. Astorga explained that on a yearly basis they comb through the Land Use Code to see
2 what items need to be addressed and fixed. The Planning Commission reviewed these proposed
3 changes, and they forward a positive recommendation for approval. The proposed amendments will
4 clarify building heights in residential districts, add additional language and amend the
5 “Nonconforming Uses and Noncomplying Structures” section, fix a typo in the “Home Occupation –
6 Daycare” section, clarify and reclassify some uses in the “Mixed-Use Zone”, remove a provision for
7 the Planning Commission regarding voting, specify the location of street trees, add access
8 requirements regarding curb cuts, and add two components to site-plan review submittals.

9 Councilwoman Bahr and Councilman Higginson asked specifically about the added language
10 in the “Nonconforming Uses and Noncomplying Structures” section. Mr. Astorga and Mr. Drake
11 explained that the purpose of the new language was to allow owners to make improvements to
12 nonconforming structures and structures by allowing people to reduce the nonconformity. However,
13 they also want to make sure owners do not take advantage and are making meaningful and substantial
14 changes by reducing existing nonconformities and mitigating impacts to the surrounding properties.

15 Councilwoman Bradshaw asked about how the Planning Commission will review the cases of
16 nonconformance reductions and whether the City Council should be the designated land use authority
17 over this issue. Mr. Astorga explained that they feel the Planning Commission should retain the
18 authority over nonconforming uses and structures, and the commissioners will use their best
19 judgement to determine when enough reduction requirements have been sufficiently met in each case.
20 Mr. Drake added that we have full confidence in the City’s Planning Commissioners; they are a very
21 qualified group with a lot of experience.

22 Councilman Higginson asked about the changes made to access requirements. Mr. Cheney
23 explained that many property owners, after doing a redevelopment project that changes the access to
24 a property, are reluctant to complete some items that are part of the approval process. They made this
25 change to give the City power to require that curbs and gutters be replaced in those instances where
26 an access has been abandoned.

27 **A. PUBLIC HEARING**

28 The public hearing was opened at 8:19 p.m.

29 The public hearing was closed at 8:19 p.m.

30 **B. ACTION**

31 Councilwoman Bahr made a motion to approve Ordinance 2021-03 and Councilwoman Harris
32 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris and
33 Higginson voting “aye”.

34
35 **CONSIDER APPROVAL OF A SITE PLAN FOR A TWO-FAMILY RESIDENTIAL**
36 **BUILDING LOCATED AT 1350 SOUTH 200 WEST – MR. FRANCISCO ASTORGA**

37 Councilman Higginson made a motion to approve the site plan and Councilwoman Bahr
38 seconded the motion. The motion passed with Councilmembers Bahr, Bradshaw, Harris and
39 Higginson voting “aye”.

40
41 **ADJOURN**

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

1 The regular session was adjourned at 8:22 p.m.
2



Mayor



City Recorder